

CITY COUNCIL REGULAR MEETING

Fruita Civic Center Tuesday, June 04, 2024 at 7:00 PM

AGENDA

The link to join the join the meeting electronically will be posted prior to the meeting at https://www.fruita.org/citycouncil/page/council-meeting-information. You may also contact the City of Fruita at (970) 858-3663 for information to connect to the meeting.

This agenda is for informational purposes only and items may be added or deleted at the discretion of the City Council. An executive session may be requested for any item appearing on the agenda.

- 1. CALL TO ORDER AND ROLL CALL
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
- 3. AGENDA ADOPT/AMEND
- 4. PROCLAMATIONS AND PRESENTATIONS
 - A. PROCLAMATION Proclaiming Wednesday, June 19, 2024 as "Juneteenth Day" in the City of Fruita to be accepted by David Combs with Black Citizens and Friends of Grand Junction
 - B. PROCLAMATION Proclaiming June 2024 as "LGBTQ+ Awareness Month" in the City of Fruita to be accepted by Jared Prochnow on behalf of Colorado West Pride
 - C. PROCLAMATION Fruita's Inclusivity Proclamation
 - D. PRESENTATION Conceptual Plan for 169 S. Mulberry Presented by New Owner

5. PUBLIC PARTICIPATION

This section is set aside for the City Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the City Council will not discuss the issue and will not take an official action under this section of the agenda. Please limit comments to a three-minute period.

6. CONSENT AGENDA

These are items where all conditions or requirements have been agreed to or met prior to the time they come before the Council for final action. These items will be approved by a single motion of the Council. Members of the Council may ask that an item be removed from the consent section and fully discussed. All items not removed from the consent section will then be approved. A member of the Council may vote no on specific items without asking that they be removed from the consent section

for full discussion. Any item that is removed from the consent agenda will be placed at the end of the regular agenda.

A. MINUTES - A request to approve the minutes of the May 7, 2024 Regular City Council meeting

7. PUBLIC HEARINGS

Public hearings are held to obtain input from the public on various items. Public hearings are either Legislative in nature or Quasi-Judicial in nature. Public Input is limited to 3 minutes per person. People speaking should step up to the microphone and state their name and address. Speakers should be to the point and try not to repeat the points others have made. Each is described as follows:

LEGISLATIVE – Legislative public hearings are held when the City Council is considering an item that establishes legislation such as an ordinance amending or establishing laws of the city. Interactions by members of the public with the City Council or individual members is permissible on items of a legislative nature.

ORDINANCES - After introduction of an Ordinance (First Reading), a public hearing date is set and notice of the hearing is published in the newspaper. Staff presents the ordinance on Second Reading and the hearing is opened to the public for public input. After comments from the public, the Mayor will close the hearing and bring the Ordinance back to the City Council for discussion and potential action. The Council will make a motion to approve the Ordinance or take no action. In the event the ordinance is approved, it will become effective 30 days after adoption.

QUASI-JUDICIAL – Quasi-judicial public hearings are held when the City Council is acting in a judicial or judge like manner and a person with a legitimate interest is entitled to an impartial decision made on the basis of information presented and laws in effect. Quasi-judicial hearings are commonly held for land use hearings and liquor license hearings. Since the City Council is acting in a fair and impartial manner, it is NOT permissible for City Council members to have any ex-parte communication (contact between the applicant, members of the public, or among other members of the City Council) outside of the Public Hearings and meetings on the subject application. The City Council must limit its consideration to matters which are placed into evidence and are part of the public record. Quasi-judicial hearings are held in the following manner:

- 1. Staff presentation Staff will present the comments and reports received from review agencies and offer a recommendation.
- 2. Applicant Presentation The petitioner is asked to present the proposal. Presentations should be brief and to the point and cover all of the main points of the project.
- 3. Public Input (limit of 3 minutes per person) Speakers must step up to the microphone and state their name and address. Speakers should be to the point and try not to repeat the points others have made.
- 4. The public hearing is closed to public comments.
- 5. Questions from the Council. After a Council member is recognized by the Mayor, they may ask questions of the staff, the applicant, or the public.
- 6. Make a motion. A member of the City Council will make a motion on the issue.
- 7. Discussion on the motion. The City Council may discuss the motion.
- 8. Vote. The City Council will then vote on the motion.

A. QUASI-JUDICIAL HEARINGS

B. LEGISLATIVE HEARINGS

- 1) ORDINANCE 2024-12 Second Reading An Ordinance Amending Chapter 8.08 of the Fruita Municipal Code Regarding Garbage and Solid Waste Assistant City Manager Shannon Vassen
- 2) RESOLUTION 2024-17 Public Hearing Amending the 2024 Budget with Supplemental Appropriations of Funds for Capital Projects, Road Maintenance and Patching, and Sidewalk/Crosswalk Improvements Assistant City Manager Shannon Vassen

8. ADMINISTRATIVE AGENDA

- A. PRESENTATION Overview of the 2021 Community Survey Results Assistant City Manager Shannon Vassen
- <u>B.</u> PRESENTATION Overview of the Communications and Engagement Program and Tourism Marketing Program *Communications and Engagement Manager Ciara Amann*
- C. PRESENTATION Overview of the Sewer Fund Public Works Director Kimberly Bullen

9. CITY MANAGER'S REPORT

10. COUNCIL REPORTS AND ACTIONS

11. ADJOURN

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact the City Clerk's Office at 970-858-3663 within 48 hours prior to the meeting in order to request such assistance.

JUNETEENTH PROCLAMATION

WHEREAS, President Abraham Lincoln signed the Emancipation Proclamation on January 1st, 1863, declaring the slaves in Confederate territory free, paving the way for the passing of the 13th Amendment, which formally abolished slavery in the United States of America; and

WHEREAS, word about the signing of the Emancipation Proclamation was delayed some two and a half years, to June 19th, 1865, in reaching authorities and African Americans in the South and Southwestern United States; and

WHEREAS, Juneteenth is the oldest known celebration commemorating the abolition of slavery and the emancipation of African American slaves in the United States and continues to grow within communities throughout the country, including Mesa County; and

WHEREAS, there are organizations in the Grand Valley, such as Black Citizens and Friends, promoting and cultivating knowledge and appreciation of African American history and culture, while encouraging equity and respect for all people and cultures; and

WHEREAS, the City of Fruita is an inclusive community that encourages a diversity of cultural opportunities; and

WHEREAS, Black Citizens and Friends is hosting a Juneteenth Celebration on Saturday, June 15th, 2024 at Lincoln Park from 2:00 to 6:00 pm,

THEREFORE, We, the Fruita City Council, declare Wednesday, June 19th, 2024 as Juneteenth Day in the City of Fruita, Colorado, acknowledging its significance and encouraging our community to join in this celebration of African American history.

IN WITNESS WHEREOF, I have hereunto set my hand and cause to be affixed the official seal of the City of Fruita this 4th day of June, 2024.



Matthew Breman Mayor, City of Fruita

FRUITA PRIDE MONTH PROCLAMATION

WHEREAS, the City of Fruita recognizes and proclaims the month of June 2024 as Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, Pansexual, two-spirit (2S), androgynous, asexual and all other persons who identify under the LGBTQ+ umbrella as "LGBTQ+ Awareness Month" and

WHEREAS, the rainbow flag is recognized as the symbol of LGBTQ+ pride, inclusion, equality and support for social movements that advocate for LGBTQ+ people and

WHEREAS, all human beings are born equal and free in rights and dignity. LGBTQ+ individuals have had an immeasurable impact to the civic, cultural, and economic successes of our country; and

WHEREAS, the City of Fruita is committed to supporting the visibility, dignity and equality for LGBTQ+ people in our diverse community; and

WHEREAS, it is essential to acknowledge that the need for continued education and awareness will remain vital to end discrimination, and prejudice; and

WHEREAS, this nation was founded on the principle that every individual has infinite dignity and worth, and the City of Fruita, Colorado calls upon the people of this municipality to embrace this principle and work to eliminate prejudice and discrimination everywhere it exists; and

WHEREAS, celebrating Pride Awareness Month influences awareness and provides support and advocacy for Fruita's LGBTQ+ community, and is an opportunity to take action and engage in dialogue to strengthen alliances, build acceptance in the community and advance equality rights.

NOW, THEREFORE BE IT RESOLVED that The Fruita City Council hereby proclaims the month of June 2024 as LGBTQ+ Awareness Month in support of the LGBTQ+ community.

IN WITNESS WHEREOF, I have hereunto set my hand and cause to be affixed the official seal of the City of Fruita this 4th day of June, 2024.

Matthew Breman

Mayor, City of Fruita

FRUITA'S INCLUSIVITY PROCLAMATION

WHEREAS, Fruita strives to be a community based on mutual respect and understanding; a community that welcomes and values all residents, treating everyone with human dignity and respect, and

WHEREAS, people of all races, religions, nationalities, genders, sexual orientations, ages, physical abilities and cultures live and work together within Fruita and bring pride to our community, and

WHEREAS, racism, intolerance, bigotry and fear lead to discrimination and discord, which threatens the strength, diversity, health and safety of our community, and

WHEREAS, the City of Fruita welcomes all people who recognize the rights of individuals to live their lives with dignity, free of racism, discrimination, intolerance, bigotry and hostility,

THEREFORE, We, the Fruita City Council, declare that our community is committed to making Fruita a welcoming, inclusive and safe community for everyone; we condemn racism and those who attempt to fan the flames of bigotry and intolerance.

We, on behalf of all Fruita residents, deplore expressions and acts of hostility, intimidation and harassment, and, instead, encourage the elimination of racism and prejudice everywhere it exists.

We hereby affirm our commitment to ensure that all members of our community are free from acts that are rooted in fear, ignorance, prejudice, and hate, and we urge all our citizens to judge one another only by the strength and qualities of their character.

IN WITNESS WHEREOF, I have hereunto set my hand and cause to be affixed the official seal of the City of Fruita this 4th day of June, 2024

Matthew Breman Mayor, City of Fruita



AGENDA ITEM COVER SHEET

TO: Mayor & City Council

FROM: Mike Bennett, City Manager

DATE: June 4, 2024

AGENDA TEXT: Conceptual Plan for 169 S. Mulberry Presented by New Owner

BACKGROUND

The purpose of this item is for the new owners of 169 S. Mulberry to provide a brief update on the conceptual plans they have for redeveloping the property. The owners will need to go through the City's development review and building inspection processes prior to any development so this item is informational only, with no action to be taken by the City Council.

The City closed on selling this property to the new owners Gavin Brooke and Alleghany Meadows, owners of the Fruita Arts & Recreation Market (FARM) on Friday, May 24, 2024. The closing of the property also included the City entering into a Parking Agreement, Development Agreement, Encroachment Agreement, and an Escrow Agreement. The purpose of these agreements were to ensure the existing building will be redeveloped in a timely manner, or the City could utilize the escrow funds to complete the work, the temporary parking on the south end of the parcel will be improved for public parking and ultimately, within five years the City will be deeded ownership of a 20-space public parking lot, and the encroachment agreement is similar to tother agreements with downtown businesses for outdoor seating.

FISCAL IMPACT

For informational purposes only.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

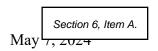
Achieves action items within he Fruita Comprehensive Plan for downtown revitalization.

OPTIONS AVAILABLE TO THE COUNCIL

For informational purposes only.

RECOMMENDATION

For informational purposes only.



FRUITA CITY COUNCIL MEETING MAY 7, 2024 7:00 P.M.

1. CALL TO ORDER AND ROLL CALL

Mayor Breman called the regular meeting of the Fruita City Council to order at 7:00 p.m. The meeting was held both in person and with virtual access provided through Zoom.

Present: Mayor Matthew Breman

Mayor Pro Tem Aaron Hancey City Councilor James Williams City Councilor Jeannine Purser City Councilor Rich Parrish City Councilor Andrea Stolarczyk

City Councilor Amy Miller

Excused Absent: (None)

City staff present: City Manager Mike Bennett

Assistant City Manager Shannon Vassen

Deputy City Clerk Deb Woods

Communications and Engagement Specialist Ciara Amann

Planning & Development Director Dan Caris Parks and Recreation Director Marc Mancuso Public Works Director Kimberly Bullen

Lieutenant Nick Peck

Also present: Members of the public (in-person and virtually)

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

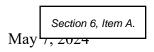
Mayor Breman called for a moment of silence for all faiths and beliefs to have the opportunity for a silent prayer. He then led in the Pledge of Allegiance.

3. AGENDA – ADOPT/AMEND

Deputy City Clerk noted that staff had made a correction to the agenda since it was posted on the City's website the previous Friday: staff inadvertently omitted the Section for "Acknowledgment of Newly Appointed Boards and Commissions members," but made the correction and reposted the agenda to the website.

• COUNCILOR HANCEY MOVED TO APPROVE THE AGENDA AS AMENDED. COUNCILOR MILLER SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.

4. PROCLAMATIONS AND PRESENTATIONS



A. PRESENTATION – FRUITA STUDENTS OF THE MONTH FOR MAY 2024: MONUMENT RIDGE ELEMENTARY

Mayor Breman saw Monument Ridges Elementary School Principal Emma-Leigh Larsen in the audience and asked her to come to the podium to say a few words.

Ms. Larsen stated that she nominated her amazing Student Council leadership as Fruita Students of the Month. She said at Monument Ridge, their vision is "building a community of kind learners," and that her current Student Council helps to lift up the group's vision group at the school. She added that they truly believe that if they can teach the children to be kind, then certainly the learning will follow.

Mayor Breman gave each of the students a certificate, day pass to the Fruita Community Center and an I-heart-Fruita button.

Coach Wells thanked City staff and said he was blown away by the support the team received.

B. PROCLAMATION – HONORING AND IN APPRECIATION OF THE FRUITA MONUMENT HIGH SCHOOL BOYS' BASKETBALL TEAM AND COACH MICHAEL WELLS

Mayor Breman noted that Councilor Miller wrote the Proclamation. She stated that she is a big Fruita Monument High School's sports fan and then read it, which was accepted by Coach Wells. Coach Wells called the kids a good group of guys that represent the Fruita community well.

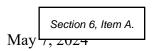
C. PROCLAMATION – PROCLAIMING MAY 6 – 10, 2024 AS "TEACHER APPRECIATION WEEK" IN THE CITY OF FRUITA TO BE ACCEPTED BY MESA COUNTY SCHOOL DISTRICT #51 EXECUTIVE DIRECTOR ANGELA CHRISTENSEN

Councilor Purser read the Proclamation, which was accepted by Executive Director Angela Christensen. Dr. Christensen had invited all the Fruita area Principals to the Council meeting and asked them to stand. She shared that D51 teachers have worked hard to increase the graduation rate to a 17-year high in Mesa County. In addition to that, the District now recognizes 27 of its schools as Performance Schools, which have the highest academic rating in the state of Colorado.

Dr. Christensen also thanked Mayor Breman for agreeing to join the District in its PSA teacher appreciation videos along with Mayor Stout from Grand Junction, Mayor Mikolai from Palisade and other community leaders like the Mesa County Commissioners, D51 Superintendent Dr. Brian Hill and CMU President John Marshall and many others.

Dr. Christensen congratulated City Manager Mike Bennett for his recent recognition as City Manager of the Year. She added that the D51 Foundation sincerely appreciated his service on their board helping to serve the students in the community.

D. PROCLAMATION – PROCLAIMING THE WEEK OF MAY 12 – 18, 2024 AS "ARBOR DAY" IN THE CITY OF FRUITA TO BE ACCEPTED BY LIEUTENANT NICK PECK



Councilor Parrish, who served on the Crime Stoppers of Mesa County Board of Directors and knows many in law enforcement read the Proclamation, which was accepted by Lieutenant Nick Peck with the Fruita Police Department. Lt. Peck said it was an honor and a privilege to be able to serve the residents of Fruita. He also thanked Chief Matt Smith with the Grand Junction Police Department for being in attendance at the meeting.

E. PROCLAMATION – PROCLAIMING MAY 19 – 25, 2024 AS "NATIONAL PUBLIC WORKS WEEK" IN THE CITY OF FRUITA TO BE ACCEPTED BY PUBLIC WORKS DIRECTOR KIMBERLY BULLEN

Councilor Stolarczyk read the Proclamation, which was accepted by Public Works Director Kimberly Bullen. Ms. Bullen thanked the Council for the Proclamation as well as her staff for the contributions they make every day in keeping the City's infrastructure in good shape and impacting every resident, business and visitor to the City of Fruita.

F. PROCLAMATION – PROCLAIMING SUNDAY, MAY 5 – SUNDAY, MAY 12,2024 AS "DAYS OF REMENBRANCE" IN THE CITY OF FRUITA TO BE ACCEPTED BY VINCE PATARINO, ASSOCIATE PROFESSOR OF HISTORY & FOUNDING HOLOCAUST AWARENESS SERIES

Councilor Hancey read the Proclamation, which was accepted by Professor Patarino from CMU and who began the Holocaust Awareness Series right after he moved to Grand Junction in 2003. He shared a story about how someone had left an extremely horrific and racist flyer in his driveway that was not only about Jews, but also people of color. Professor Patarino said he has been lucky to have had the backing of CMU including its President, John Marshall. He thanked the City Council for really trying to make a difference by issuing the Proclamation.

G. PRESENTATION – RECOGNITION OF FRUITA ACADEMY GRADUATES PRESENTED BY COMMUNICATIONS AND ENGAGEMENT SPECIALIST CIARA AMANN

Mrs. Amann explained that this agenda item was to recognize the second class of the Fruita Academy, which is a four-week program where students get to learn firsthand what services the City of Fruita provides to its residents. They hear from not only the Mayor and City Manager, but also all the different Department Directors. In total, 21 students signed up for the Fruita Academy this year, many of whom were in attendance at the Council meeting. Mrs. Amann called the students' names and Mayor Breman helped by handing them each a certificate of achievement. She said staff hopes to continue to see these students being co-creators/ambassadors for the City of Fruita, potentially by joining one of the City's volunteer boards and commissions.

H. TOTAL MAXIMUM DAILY LOAD (TMDL) PRESENTATION

Public Works Director Kimberly Bullen explained that this presentation was an update for Council regarding the Total Maximum Daily Load (TMDL) (the amount of pollutants that a stream can receive and still meet water quality standards) situation. She provided some history about the City's partnership with the Grand Valley TMDL stakeholder group that is working on the TMDL assessment for the Colorado River tributaries in the Grand Valley under the Clean Water Act, Section 303(D). In February of 2024, the Colorado Water Quality Control Commission entered a final agency order

denying the Mesa County Administrative Appeal in upholding the Division's TMDL for the Grand Valley tributaries.

Mrs. Bullen further explained how, at this point, the Colorado Department of Public Health and Environment (CDPHE) is implementing the TMDL for Adobe and Leach Creeks with regards to E. coli, total recoverable iron and dissolved selenium. She introduced Carrie Gudorf, the Manager of Mesa County's Regulatory Programs in its Public Works Department. Ms. Gudorf provided a PowerPoint presentation that included the different types of TMDLs (where the water comes from), a 2022 Impaired Streams map, timeline, potential next steps, other regulatory options, Use Attainability Analysis and information about the United States Geological Survey (USGS) water quality monitoring.

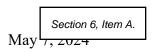
Ms. Gudorf explained that the Mesa County Public Works Department has been fighting with the CDPHE since right before 2021. Mesa County has tried to explain how it is different because our area has a background of high levels of selenium. She added that the E. coli in Mesa County is not coming from wastewater or failed septic systems and the CDPHE does not understand how Mesa County has water segments that go from the east end of the valley all the way to the west end. Mesa County has been trying to get it right before any regulations get put in place because once those regulations are in place, it will be harder to get them removed.

Ms. Gudorf said the CDPHE has not listened to her office and the Water Quality Control Division issued the Final Order in February of 2022. They submitted it to the Environmental Protection Agency (EPA), who doesn't have a deadline for the Final TMDL. She said what that means is that when she does get the final TMDL, it will be written into Mesa County's MS4 Permit, which could change development and the way the water has to be monitored and will increase permit fees with additional requirements. Mesa County will have to collect data that pinpoints sources of E. coli, selenium and iron. The focus will be on public outreach activities (which Mesa County already does as part of its permitting requirements). The MS4 Permit expired in 2021 but was administratively extended.

Ms. Gudorf said she is trying to look at a couple of different options. One she is looking at is a Use Attainability Standard, which is going to look at the water quality standards. She added that Mesa County has a few different ways of looking at the genetics of where the E. coli and selenium are coming from, but that looking at the standard is not feasible. They've gone through a very high-level overview of the Use Attainability Analysis with SGM and have some next steps outlined that could possibly help the county get into a site-specific standard for Mesa County. These next steps are things that Ms. Gudorf, Kimberly Bullen and all of the partners will be working on in the next couple of years to see if the county wants to go in that particular direction, especially because selenium is naturally occurring.

Ms. Gudorf reviewed the dates and types of sampling/monitoring that's been done since 2022 with the USGS, along with the costs that total \$105,000. \$20,000 was contributed by USGS, leaving \$85,000 to be contributed by the stakeholders.

As a stakeholder, the City of Fruita's contribution for the monitoring is \$6,500 for the 2024 water sampling. Ms. Gudorf explained that moving forward, the Grand Valley Cooperative partners will have future sampling and expenses due to the TMDL and she pointed out that proper budgeting needs to be in place for them every year.



Ms. Gudorf concluded by saying that the USGS is always looking for volunteers to go out into the stream segments for the sampling.

Councilor Hancey asked how many other counties are being looked at that have TMDLs. Ms. Gudorf said she didn't know the answer to that, but she knows that Bear Creek in Lakewood is getting a TMDL (which includes Jefferson County) as are Pueblo and Colorado Springs.

Councilor Hancey asked what attracted the USGS to Mesa County versus other counties. Ms. Gudorf said Mesa County wanted to get more information because there were large data gaps from what the CDPHE was showing, who had data that was 20 years old. She said Mesa County told them that many good things had happened in the valley since then such as irrigators who have piped drainages and ditches so that the irrigation water is not seeping into the ground and causing more of a rise in selenium. Ms. Gudorf said when the CDPHE first went out and sampled, they said they would have to continue sampling because they are in charge of water quality and know how to collect the data.

Councilor Stolarczyk asked if the USGS has helped other communities that Ms. Gudorf mentioned with their water quality issues. Ms. Gudorf said she wasn't sure, but other communities have called her to ask why Mesa County was using the USGS and the response was "because they are one of the best at it."

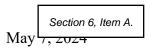
Mayor Breman asked if Fruita's contribution of \$6,500 is for 2024 or 2025. Ms. Gudorf said it was for 2024 and recommended that for 2025, stakeholders continue to look at budgets for water sampling. She said she wants to go to the CDPHE with all of the data, of which none points towards what they are saying the MS4 is contributing. She added that the background loading needs to be changed so that it identifies whether the water is agricultural, natural or comes from other sources that haven't been considered. Ms. Gudorf stated that Mesa County is the only one that has an MS4 permit, so Mesa County is the only one where CDPHE can say that Mesa County needs to do something about the water quality because it holds the permit.

Mayor Breman asked if Fruita needs to expect some kind of cost for the sampling in perpetuity. Ms. Gudorf responded in the affirmative.

Assistant City Manager Shannon Vassen explained that right now, the \$6,500 is unbudgeted, so staff will have to come back before Council with a Resolution for a Contingency Budget amendment or a Supplemental Budget Amendment at a later date. Mr. Vassen noted that the City also had legal expenses last year associated with the TMDL appeals and he thought those were in the \$20,000 to \$25,000 range.

Ms. Gudorf said there is a caveat in that the Grand Valley Cooperative partners will also contribute funds on the condition that all the MS4 partners contribute as well.

Councilor Stolarczyk asked why Mesa County got on CDPHE's radar in the first place. Ms. Gudorf explained that the CDPHE has what's called a 303D List that contains all of the stream segments in Colorado that do not meet water quality standards. She said Mesa County has been on that list since she started with Mesa County and probably even before that. She said CDPHE is very worried about human contact with E. coli and children playing in the water.



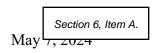
Public Works Director Kimberly Bullen gave Ms. Gudorf and the other partners special thanks because the City of Fruita could not do this on their own. She added that Ms. Gudorf's efforts and continued work with the other agencies has been really appreciated.

5. PUBLIC PARTICIPATION

There were no comments from the public.

6. CONSENT AGENDA

- A. MINUTES A REQUEST TO APPROVE THE MINUTES OF THE JANUARY 16, 2024 REGULAR CITY COUNCIL MEETING (COUNCILORS PARRISH AND STOLARCZYK TO RECUSE THEMSELVES)
- B. MINUTES A REQUEST TO APPROVE OF THE MINUTES OF THE JANUARY 23, 2024 CITY COUNCIL WORKSHOP MEETING (COUNCILORS PARRISH AND STOLARCZYK TO RECUSE THEMSELVES)
- C. MINUTES A REQUEST TO APPROVE THE MINUTES OF THE FEBRUARY 27, 2024 CITY COUNCIL WORKSHOP MEETING (COUNCILORS PARRISH AND STOLARCZYK TO RECUSE THEMSELVES)
- D. MINUTES A REQUEST TO APPROVE THE MINUTES OF THE MARCH 19, 2024 REGULAR CITY COUNCIL MEETING (COUNCILORS PARRISH AND STOLARCZYK TO RECUSE THEMSELVES)
- E. BOARDS AND COMMISSIONS APPOINTMENT A REQUEST TO APPROVE THE APPOINTMENT OF LEONA MANUPPELLA TO THE ARTS AND CULTURE BOARD TO FULFILL AN UNEXPIRED TERM TO EXPIRE IN JULY OF 2027
- F. ONE RIVERFRONT APPOINTMENTS A REQUEST TO APPROVE THE APPOINTMENTS OF CERTAIN INDIVIDUALS TO THE ONE RIVERFRONT FOR CERTAIN TERMS
- G. BROWNS HILL ENGINEERING & CONTROLS MULTI-YEAR AGREEMENT A REQUEST TO APPROVE A FIVE-YEAR SUBSCRIPTION BASED HUMAN MACHINE INTERFACE/SUPERVISORY CONTROL AND DATA ACQUISITION (HMI/SCADA) SYSTEM SERVICES AGREEMENT WITH BROWNS HILL ENGINEERING & CONTROLS AND AUTHORIZE THE CITY MANAGER TO SIGN THE AGREEMENT
- H. RESOLUTION 2024-15 A REQUEST TO APPROVE A RESOLUTION AMENDING THE 2024 BUDGET AND TRANSFERRING FUNDS FROM THE GENERAL FUND CONTINGENCY ACCOUNT FOR CONTRACTED FINANCIAL MANAGEMENT SERVICES AND ELECTRICAL UPGRADES AT CIVIC CENTER MEMORIAL PARK



I. ORDINANCE 2024-12 – FIRST READING – AN INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 8.08 OF THE FRUITA MUNICIPAL CODE REGARDING GARBAGE AND SOLID WASTE

Mayor Breman opened the public hearing on the Consent Agenda. Hearing no comments from the public, he referred to Consent Agenda Item I., the Ordinance regarding garbage and solid waste and said he thought there was some ambiguity because it didn't seem to explain clearly that people have to put the trash can on the street and that the trash can will be received from the City itself.

City Manager Mike Bennett stated that Mayor Breman had previously reached out to him about his concerns. He pointed out that the purpose of the First Reading of the Ordinance was really only to schedule the public hearing and added that staff could easily make the requested changes to the Ordinance before the Second Reading (public hearing) to be more specific so there is no ambiguity. He noted that the public hearing was scheduled for June 4th upon approval of the First Reading.

Mayor Breman also had a question about the multi-year agreement with Browns Hill Engineering & Controls. He said he knew the City was getting a discount for pre-payment, but he did not see the discount reflected in the agreement. Public Works Director Kimberly Bullen assured him that by signing the five-year agreement with Browns Hill, the City will receive approximately 10% in savings, or right around \$20,000 in savings.

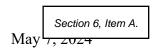
Mayor Breman noted that he previously asked staff if lightning is considered an act of God, and apparently, it is. Ms. Bullen said she spoke with representatives from Browns Hill and they assured her that in developing and building the SCADA system, they build it with disaster recovery in mind. It will go to a Cloud system, so if lightning were to strike at the plant, because all the City's buildings and systems are grounded (including some of the PLCs), the most that would happen would be that the City could lose a couple of computers, but all the data and system itself would be safe in the Cloud.

Mr. Vassen pointed out that Council had just passed a Supplemental Budget Appropriation for the SCADA contract and the one benefit of going with the upfront cost is that since the City is using federal dollars from the American Rescue Plan Act (ARPA), there will be left over savings for which the City will have to appropriate for use by the end of this year and then must actually use by the end of 2026 pursuant to the federal guidelines. In addition, there is the 10% in savings that was mentioned by Ms. Bullen. Councilor Hancey asked for the amount of the federal funding and Mr. Vassen responded that it will pay for 100% of the cost. He added that at the beginning of May, the City appropriated \$200,000 of ARPA dollars for this project and with the 10% savings and paying for the five-year agreement, the City can use remaining federal dollars instead of having to use Sewer Fund revenues in general.

• COUNCILOR PURSER MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR MILLER SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.

7. ACKNOWLEDGMENT OF NEWLY APPOINTED AND REAPPOINTED BOARDS AND COMMISSIONS MEMBERS

Mayor Breman acknowledged the appointment of Leona Manuppella to the Arts and Culture Board. Ms. Manuppella was not in attendance at the meeting, but she told the Mayor she was excited to be on the board after he called to let her know of the appointment.



8. PUBLIC HEARINGS

A. QUASI-JUDICIAL HEARINGS

There were no Quasi-Judicial hearings on the agenda.

B. LEGISLATIVE HEARINGS

There were no Legislative hearings on the agenda.

9. ADMINISTRATIVE AGENDA

A. FRUITA STRATEGIC PLAN AND MASTER PLANS UPDATE – CITY MANAGER MIKE BENNETT AND PLANNING AND DEVELOPMENT DIRECTOR DAN CARIS

City Manager Mike Bennett shared his screen that illustrated the City of Fruita Strategic Plan. He noted that he and Mayor Breman will be scheduling some strategic planning events in August for the Council, which is typically done after each municipal election.

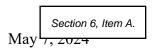
Mr. Bennett also listed the other Master Plans within the City's Comprehensive Plan that staff will be presenting at upcoming Council meetings through June. The City's Strategic Plan is what is used as a guide for the operational action items that the City will focus on over the next two years. It is also a tool for staff to make recommendations to the City Council for each year's annual Budget process, which begins at the end of September and ends around the first of December with the adoption of the Budget.

Mr. Bennett reviewed the sections of the Strategic Plan, which can be found on the City's website at www.fruita.org.

Planning and Development Director Dan Caris provided the Council with a PowerPoint presentation about the Land Use Code. The topics he covered included the following:

- 1. Comprehensive Plan implementation
- 2. Review process for Planned Unit Developments (PUDs) and subdivisions
- 3. Basic Definition modifications
- 4. Re-Codification & consolidation of residential & commercial zone districts
- 5. Redevelopment standards & regulations
- 6. Design standards
- 7. Future Code amendments including:
 - a) Political signs (duration and content)
 - b) Appeal Chapter to be updated
 - c) Drive up/Drive thru uses in the Downtown Mixed-Use (DMU) zone
 - d) Conditional Uses (primary/accessory uses)
 - e) Transportation design standards
 - f) Landscape standards

Councilor Purser stated out that when she first moved to downtown Fruita, her side of Peach Street was commercial and residential, but her neighbors across the street could only have residential. She



asked for confirmation that now, the entire downtown area can be used for both. Mr. Caris confirmed that to be true but added that it's slightly different because other public facilities need to be there; for example, the uses on Peach Street are a direct beneficiary of the Civic Center parking lot, so that is quite a bit different than some of the other more residential streets. He added that residential areas are protected within the regulations that have been adopted; it's just that the Code now allows the opportunity for an acupuncturist or a counselor to utilize their home as a small business. He said that that doesn't mean that every single spot is going to be allowed to do commercial because there are only some that are located along intersection alignments or have street frontage that lend themselves to having some commercial.

Mayor Breman called for a break at 9:17 p.m. The Council meeting reconvened at 9:25 p.m.

10. CITY MANAGER'S REPORT

City Manager Mike Bennett provided the following updates:

- Staff doesn't know yet if IndiBuild is available, but they've been asking to schedule a tour of the Fruita Mews development for the City Council. Mike proposed the date of May 21, 2024 from 6:00 6:45 p.m. before the next regular Council meeting. Mayor Breman noted that there were two Boards and Commissions interviews scheduled for that same day/time, but Deputy City Clerk Deb Woods said she could reschedule the interviews. Mike said he would confirm with IndiBuild first and would let the Council know either way.
- Council recently gave staff direction that they are interested in looking into the possibility of having pickleball courts outside of the Fruita Community Center (FCC). Mike explained that the City will have to go to bid for that type of project because it's over \$25,000. The group that the City is working with that has a representative out of FWorks gave staff some pretty good cost estimates (to give the Council an idea of the cost) that Mike said he thinks is very reasonable and reliable. He said that after the project goes to bid, staff will come to the Council for approval of moving the funds to begin the project.

Two courts (oriented north to south) would be approximately \$55,800 and four courts would be about \$95,861. Mike stated that if the Council wants to move forward with it, staff recommends doing four courts instead of two because it would be the best use of the space and it could be done all at once rather than phasing it in.

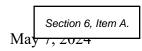
Aaron explained that the proposal would be for a synthetic court material.

Mike received direction from the City Council to move forward with the idea of pickleball courts at the FCC.

11. COUNCIL REPORTS AND ACTIONS

A. CHANGES TO CERTAIN UPCOMING CITY COUNCIL MEETINGS

Deputy City Clerk Deb Woods noted that there was a discussion at the April 23, 2024 Workshop meeting concerning staff's recommendation to reschedule the Tuesday, June 18, 2024 Regular Council meeting to Monday, June 17, 2024 in order for the Council members and staff to be able to attend the Annual Colorado Municipal League (CML) Conference in Loveland.



A discussion was also held at that same Workshop meeting about canceling the July 2, 2024 Regular Council meeting due to the date being so close to the Fourth of July holiday, especially considering that Fruita sets off its fireworks on July 3rd.

At the April 23, 2024 Workshop meeting, Council gave staff direction to bring the two changes to the next Regular City Council meeting so the Council could take official action to make the changes to the two meetings.

• COUNCILOR PURSER MOVED TO APPROVE RESCHEDULING THE TUESDAY, JUNE 18, 2024 REGULAR CITY COUNCIL MEETING TO MONDAY, JUNE 17, 2024 AND CANCELING THE TUESDAY, JULY 2, 2024 REGULAR CITY COUNCIL MEETING. COUNCILOR HANCEY SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.

B. CITY COUNCIL BOARDS AND COMMISSIONS ASSIGNMENTS

City Manager Mike Bennett pointed out that updated the chart of Council Liaison Assignments to the City's various Boards and Commissions as well as a few outside boards based on staff's notes from the Council's discussion at the April 23, 2024 Workshop meeting. He said that if everything looked correct, then the Council could take official action with the recommended motion from staff to approve the assignments.

Councilor Parrish let everyone know that Janet Rowland contacted him to serve on the Community Development Block Grant (CDBG) Board, to which he said yes. He added that apparently, Anna Stout took Joel Kincaid's place on the board as one of the elected officials and the board requires three (3) elected officials.

Councilor Purser asked if there were any rules about having more than one City Councilor as a Liaison on a City Board/Commission. Councilor Hancey pointed out that it could create a perceived conflict with having too much representation from Council on the City's Boards and Commissions because they are advisory to the Council and if Council starts populating the boards too much, then they are no longer advisory. Councilor Purser said she just thought she would ask because it wasn't clear if there was an actual rule about it or not.

• COUNCILOR MILLER MOVED TO APPOINT THE MAYOR AND CITY COUNCIL MEMBERS TO THE VARIOUS BOARDS AND COMMISSIONS AS STATED IN THE ATTACHED LIST FOR TERMS BEGINNING IN MAY OF 2024 AND ENDING IN APRIL OF 2026. COUNCILOR PURSER SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.

C. COUNCIL REPORTS AND ACTIONS

COUNCILOR AMY MILLER

Amy reported that at the Historic Preservation Board meeting, everyone was mostly focused on getting the board's two awesome new members caught up to speed on the goals of the board and what it does. They also began to talk about this year's History Fair, which is going to be fun because it is the City of Fruita's 140th Birthday this year.

COUNCILOR AARON HANCEY

Aaron reported that the Parks and Recreation Commission/Advisory Board (PRAB) members are really busy looking at how they can make improvements at Snook's Bottom to best utilize the space. He said he didn't think a lot of people in the community are aware that at Imondi Wake Zone, there is a part of the lake on the western end that has free public access, so the board will be evaluating how they can communicate things like that to the public. Aaron also reported that the board will have no remaining vacancies soon, as he and the Mayor had just interviewed a qualified applicant before the Council meeting. He added that the PRAB is about to become very active and they are very excited about it.

James asked if the PRAB is looking at the lake where Imondi Wake Zone is because the City no longer has Enoch's Lake and Snook's Bottom is going to get overrun. Aaron said he didn't think so; the board members are just in general looking at inconsistencies, how better to communicate and what the best use of that part of the lake could be. He added that he thinks the City is going to see some really good things come from the board in the next few months.

Mike pointed out that the City of Fruita owns the lake where Imondi Wake Zone is and has a public/private partnership with them which includes a lease agreement of the lake. One of the provisions in the agreement is that Imondi Wake Zone will keep the west side of the lake open to the public, but only during their operating hours because the City doesn't have the ability put staff at the lake. Mike stated that he met with the Imondis on site recently and they were wondering if there are ways in which the City can partner with them to clean up the north side of the lake so that people can access it better. Staff is looking for grant opportunities to assist with that. Aaron suggested letting the Parks and Recreation Commission members help staff with those efforts.

COUNCILOR JEANNINE PURSER

Jeannine pointed out that last year, the City Council didn't meet the Tuesday after Memorial Day and she wondered if staff and the Council should consider doing that again. James said he would be traveling back that day from California, so he would be absent. Mike checked the list of tentative agenda items for the May 28, 2024 Council workshop meeting and let the Council know that the items that were scheduled could be rescheduled as there were no timeliness matters that need to be attended to right away.

• COUNCILOR PURSER MOVED TO CANCEL THE MAY edd28, 2024 CITY COUNCIL WORKSHOP MEETING. COUNCILOR MILLER SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.

Jeannine also reported that she attended the Livability Commission meeting and talked to them about the Localism Committee, as was decided by the City Council at the last Workshop meeting. She said they had a great discussion; the Livability Commission wants to keep communication under their purview in the way that they do it but feel that the "localism" idea is a deeper breadth of communication and City Ambassadorship than what they feel comfortable covering. She said the Livability Commission actually made a motion to encourage the Council to move forward with a Localism Board that would have a collaborative relationship with the Livability Commission when necessary.

Mike said staff needs to have a discussion with the Council to get direction on the next steps such as establishing the board and its goals, bylaws and other aspects at a future Council Workshop meeting now that the feedback has been received.

12

Mayor Breman asked Communications and Engagement Specialist Ciara Amann to report on the Federal Emergency Management Agency (FEMA). Ciara stated that she and the City's Marketing and Communications Coordinator Ammon Pierce attended a basic Public Information Officer's (PIO's) class hosted by FEMA that essentially went into all the basic information staff needs to know to communicate during an "incident" (crisis communication).

Ciara continued that since she started working for the City of Fruita, she's been a part of the Mesa County Joint Information Center (JIC) that meets monthly to discuss crisis communications and being partners in times of crisis, especially since Fruita is a smaller community. She said that other organizations will be able to step in to help the City of Fruita get communications out to the public through partnerships with stakeholders such as Mesa County, School District #51, Grand Valley Power, Xcel Energy, Ute Water, etc. She's also been taking free (mostly online) FEMA classes to really get a sense of what it would take to communicate as a City during a time of crisis.

Ciara continued that the FEMA class covered things like once an Incident Command Structure goes into place, how as a PIO, she would work with the leaders in the community to get information out to the community as quickly as possible. She said the class hosted by FEMA was super beneficial and she and Ammon learned a lot about putting on a Press Conference, interview skills, writing skills and Press Releases.

Ciara explained that she, Lower Valley Fire Protection District Fire Marshal Travis Holder, Family Health West's PIO Heather Benjamin and Lt. Nick Peck with the Fruita PD meet once per month to talk about what their plan would be if anything happened in Fruita until the other partners could come in and support them.

Mike pointed out that the City has a full Emergency Plan where he will keep the Mayor and City Council updated in the case of any crisis and that staff has that plan on the list of agenda items that will be reviewed at an upcoming Council meeting.

Matthew thanked the Council members for walking through the festival the previous weekend and gave a special shout out to Neighborhood Services Coordinator Matt Carson, who he ran into many times. He commended Matt for having a smile on his face the entire time and being one of the most helpful people he's ever met.

Matthew also asked the Council members how they feel about bowling as a potential activity for the Council Retreat and no one said they had an aversion to it.

Matthew reported that the following day, he and Mike would be presenting at the Grand Junction Chamber of Commerce's annual State of the Valley event.

Matthew also reported that there's been more conversations going on in the background about Mind Springs, a lot of which is being played out in the Daily Sentinel. The Mesa County Commissioners and Elected Officials of local municipalities are trying to figure out what makes the most sense to do and Matthew said that once there are firm action items, he will bring those to the Fruita City Council.

Jeannine announced that the Fruita "State of the City" film was being shown the following evening at 6:00 p.m. at FARM/Rocky Mountain PBS.

- D. EXECUTIVE SESSION DISCUSSION AND POSSIBLE ACTION TO CONSIDER A MOTION TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL ISSUES UNDER C.R.S. SECTION 24-6-402(4)(F) FOR THE MUNICIPAL COURT JUDGE'S ANNUAL INFORMAL REVIEW
 - COUNCILOR PURSER MOVED TO CONVENE INTO EXECUTIVE SESSION FOR DISCUSSION OF A PERSONNEL MATTER UNDER C.R.S. SECTION 24-6-402(4)(F) FOR THE MUNICIPAL COURT JUDGE'S INFORMAL REVIEW. COUNCILOR HANCEY SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.

The Fruita City Council convened into Executive Session at 9:25 p.m. They reconvened the regular meeting at 10:38 p.m.

12. ADJOURN

With no further business before the Council, Mayor Breman adjourned the meeting at 10:38 p.m.

Respectfully submitted,

Deb Woods Deputy City Clerk City of Fruita



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: SHANNON VASSEN, ASSISTANT CITY MANAGER

DATE: JUNE 4, 2024

AGENDA TEXT: ORDINANCE 2024-12 – Second Reading – An Ordinance Amending Chapter 8.08

of the Fruita Municipal Code Regarding Garbage and Solid Waste – Assistant City

Manager Shannon Vassen

BACKGROUND

The purpose of this Ordinance is to update the Municipal Code to reflect industry standards and practices concerning the collection and disposal of solid waste. This Municipal Code amendment addresses a few sections of Chapter 8.08 as outlined here:

- Containers This amendment updates language on garbage and trash containers to reflect that containers will be provided through the City of Fruita by and through its contractors, and that residents and businesses can use containers up to 96-gallons in size. The previous language adopted in 2011 indicated that the largest container that could be used was 32 gallons. In addition, the amendment details how cans should be placed, along with stating that residents must use containers that are provided through the City (or its contractors).
- **Replacement of Containers** This amendment also updates the code to reflect current practices that trash containers, when the containers can no longer be used, will need to be reported to the City for replacement.
- **Weight Restriction of Containers** This Municipal Code amendment also removes the weight maximum of containers (previously 50 pounds). Since the City's contractor has moved to an automated system, there is now no weight requirement for the containers.

These changes bring the Municipal Code up to date to reflect current trash and recycling collection services throughout the City of Fruita. There have been a few changes to the amendment since the first reading to address potential ambiguity, and the attached ordinance is the most recent version.

FISCAL IMPACT

There is no fiscal impact to approving this Municipal Code Amendment.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

This amendment will update the Municipal Code to reflect the current conditions of trash and recycling services throughout Fruita, a key core service that City provides through its contractors.

OPTIONS AVAILABLE TO COUNCIL

- Approve Ordinance 2024-12 Amending Chapter VIII of the Fruita Municipal Code
- Advise staff to revise the Ordinance and continue the public hearing to a later date.
- Take no action.

RECOMMENDATION

It is the recommendation of staff that the City Council by motion:

ADOPT ORDINANCE 2024-12 – SECOND READING - AMENDING CHAPTER VIII OF THE FRUITA MUNICIPAL CODE REGARDING GARBAGE AND SOLID WASTE.

ORDINANCE 2024-12 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO AMENDING CHAPTER 8.08 OF THE FRUITA MUNICIPAL CODE REGARDING GARBAGE AND SOLID WASTE.

WHEREAS, the regulations concerning the collection, disposal, and accumulation of solid wastes are in need of revision to reflect industry standards and practices, and

WHEREAS, it is the intent of this ordinance to amend regulation concerning disposal of solid waste, container sizes and weights, and to update obsolete provisions of the code.

NOW, THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO THAT:

<u>Section 1:</u> Section 8.08.020 of the Fruita Municipal Code and Ordinance 2011-01, S3, concerning the collection of Garbage and Solid Waste are hereby amended to read as follows: (redline indicates deletion,) BOLD AND CAPS indicates addition.

8.08.020 CONTAINERS - TO BE PROVIDED AND MAINTAINED BY OWNER OR OCCUPANT. Owners and occupants of property generating solid waste shall at all times maintain in a clean condition and in good order, a container(s) for solid waste.

- A. Residential solid waste shall be placed in disposable plastic bags with the top securely tied in secured containers no larger than NINETY-SIX (96) GALLON CONTAINERS. CONTAINERS WILL BE PROVIDED BY THE CITY BY AND THROUGH ITS DULY AUTHORIZED EMPLOYEES, ITS CONTRACTORS OR CITY LICENSED OPERATORS. CONTAINERS MUST BE MAINTAINED IN A CLEAN CONDITION AND IN GOOD ORDER FOR SOLID WASTE. The combined weight of the contents and bag or containers shall not exceed fifty (50) pounds. The containers PROVIDED shall WILL be a watertight receptacle of a solid and durable grade of metal or fire-resistant plastic and shall be provided with a suitable handle or handles on the outside and with a tightly fitting metal or plastic cover-equipped with a handle. The container must not have anything within the container to prevent the free discharge of the contents. RESIDENTS MAY ONLY USE CONTAINERS THAT ARE PROVIDED THROUGH THE CITY.
- B. Business establishments which have solid waste in quantities sufficient to make impractical its storage in thirty-two (32) NINETY-SIX (96) gallon containers, shall provide other suitable means of containment so as to prevent it from being scattered along the streets and alleys. Solid waste shall be deposited in such manner as to be readily accessible to the collection crews.
- C. All containers that have deteriorated to the extent of having jagged or sharp edges capable of causing injury to the collector or others whose duty it is to handle the containers or to such an extent that the lid shall not fit tightly or securely, **SHALL BE REPORTED TO THE CITY TO BE REPLACED.** will be condemned by the City acting through the code enforcement officer.

(Ord. 279, S2, 1973; Ord. 249, S1, 1970; Ord. 2011-01, S3)

<u>Section 2:</u> Section 8.08.080 E and F of the Fruita Municipal Code and Ordinance 2011-01, S3, concerning the collection of Garbage and Solid Waste are hereby amended to read as follows: (redline indicates deletion,) BOLD AND CAPS indicates addition.

8.08.080 RESIDENTIAL SOLID WASTE COLLECTION.

- E. <u>Placing of Waste Matter for collection:</u>
 - 1. Any person desiring to place residential solid waste for collection shall place CONTAINERS MUST BE PLACED WITH WHEELS FACING CURB AND THREE FEET FROM ANY OTHER OBJECT at the front of the premises of each residential property, or at the rear of the premises where there is an alley, not later than 7:00 a.m. on those days designated by the City Manager for collection of residential solid waste in the zone in which the resident is located.
 - 2. Containers for solid waste and recyclable materials shall not, at any time, be placed on the sidewalk or in the street or alley, or in such a manner as to impair or obstruct pedestrian, bicycle or vehicular traffic AND SHOULD BE PLACED AT THE EDGE OF THE STREET WITH THE OPENING OF THE LID FACING THE ROADWAY AND BOTH WHEELS FACING THE RESIDENCE UP AGAINST THE CURB.
- F. Tree Trimmings and Hedge Cuttings. Any persons desiring to place tree trimmings or hedge cuttings for collection shall cause the same to be securely tied in bundles not heavier than fifty (50) pounds, nor more than four (4) feet in length and twelve (12) inches in diameter. Heavy tree branches, tree trunks or stumps shall not be included. (Ord. 279, S2, 1973; Ord. 249, S1, 1970; Ord. 2011-01, S3)

PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL THIS 4th, DAY OF JUNE 2024

ATTEST:	City of Fruita
City Clerk	Matthew Breman, Mayor



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: SHANNON VASSEN, ASSISTANT CITY MANAGER

DATE: JUNE 4, 2024

AGENDA TEXT: RESOLUTION 2024-17 - Public Hearing – Amending the 2024 Budget with

Supplemental Appropriations of Funds for Capital Projects, Road Maintenance and

Patching, and Sidewalk/Crosswalk Improvements.

BACKGROUND

This is a request to amend the 2024 Annual Budget and to provide supplemental appropriations of funds in the General Fund and the Capital Projects Fund. This budget amendment appropriates funds for the 19 Road Improvement projects, Road Maintenace and Sidewalk Repairs as a result of incomplete work, and funds for a crosswalk improvement along N. Cherry Street near Family Health West. At the bottom of this cover sheet is a table that outlines the changes and describes the use of funds in greater detail. Details on the 19 Road Improvements project were also covered in length at the last City Council meeting during the update on the Transportation and Circulation Master Plan.

FISCAL IMPACT

This budget amendment does have a significant budget impact as it appropriates \$330,000 in General Fund – Balance to help fund the Force/Contingency Account for the 19 Road Improvement project. These funds will only be used, however, if the contingency account needs to be spent down throughout the course of the project. The budget amendment also has a significant impact as it designated the use of \$320,000 in Transportation Impact Fees that are restricted for use for transportation improvements in Northeast Fruita. Additionally, revenues are available to offset the other expenses that are part of this budget amendment.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The Budget is a financial plan developed for the purpose of allocating resources necessary to implement specific policies and strategies to achieve short- and long-term goals established by the City throughout the year. This budget amendment provides for completion of special projects and capital projects already identified as priorities for Fruita.

OPTIONS AVAILABLE TO THE COUNCIL

- Approve the budget amendment as presented or with amendments
- Advise staff to revise the budget amendment

RECOMMENDATION

It is the recommendation of staff that the Council by motion:

ADOPT RESOLUTION 2024-17 AMENDING THE 2024 BUDGET TO APPROPRIATE FUNDS IN THE GENERAL FUND AND THE CAPITAL PROJECTS FOR CAPITAL PROJECTS, ROAD MAINTENANCE AND PATCHING, AND FOR SIDEWALK/CROSSWALK IMPROVEMENTS.

Summary	2024 Appropriations
This budget amendment appropriates \$5,000 in funds for road maintenance and sidewalk	\$5,000
in the public right-of-way by a developer.	
Funds are available to offset these expenses	
excavation permit.	
The City of Fruita has received a \$5,000	\$5,000
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	\$310,000
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This budget amendment appropriates an	\$650,000
additional \$630,000 in funds to be used for	
the 19 Road Improvements Project. Out of	
this amount, \$320,000 is funded through	
Transportation Impact Fees designated for	
projects continency account.	
	This budget amendment appropriates \$5,000 in funds for road maintenance and sidewalk repairs that were a result of incomplete work in the public right-of-way by a developer. Funds are available to offset these expenses through the forfeiture of the right-of-way excavation permit. The City of Fruita has received a \$5,000 from the Associated Governments of Colorado for Sidewalk Improvements at Cherry Street near Family Health West. These improvements include the removal of existing curb and gutters to construct a new ADA compliant ramp, creating and installing new signage, and striping the crosswalk and curb faces. Expenses for the project are split 50/50 between the AGNC grant and the City of Fruita. This budget amendment transfers \$310,000 of unrestricted General Fund – Fund Balance for the 19 Road Improvements. This funding will help fund the \$500,000 Force Account (Contingency Account) for the project, and will only be used if needed. This budget amendment appropriates an additional \$630,000 in funds to be used for the 19 Road Improvements Project. Out of this amount, \$320,000 is funded through Transportation Impact Fees designated for use in Northeast Fruita, and \$330,000 in General Fund – Fund Balance for the

RESOLUTION 2024-17

A RESOLUTION AMENDING THE 2024 BUDGET WITH SUPPLEMENTAL APPROPRIATIONS OF FUNDS FOR CAPITAL PROJECTS, ROAD MAINTENANCE AND PATCHING, AND SIDEWALK AND CROSSWALK IMPROVEMENTS IN THE GENERAL FUND AND THE CAPITAL PROJECTS FUND.

WHEREAS, throughout the course of the year, it is necessary for the City Council to appropriate funds for projects that are a priority of the community, or for expenses that are not originally budgeted for, and

WHEREAS, the City of Fruita had to complete and replace excavated concrete sidewalk and asphalt as a result of incomplete work in the public right of way by a contractor, and

WHEREAS, the City of Fruita can use the right-of-way excavation bond to fund these improvements of public property, and

WHEREAS, the City of Fruita has received a grant from the Associated Governments of Northwest Colorado ("AGNC") for crosswalk and sidewalk improvements along N. Cherry near Family Health West, and

WHEREAS, in the last several community surveys, the top two priorities by Fruita residents has been to improve the overall quality of City streets and flow of traffic and congestion management, and

WHEREAS, to help with these goals, the Fruita City Council has identified improvements to 19 Road as the City's top transportation priority in 2024, and

WHEREAS, the City of Fruita has funds that are restricted for capital projects and maintenance (by voter approval) that can be used for the 19 Road Improvements projects through General Fund – Fund Balance, and

WHEREAS, the City of Fruita also has Transportation Impact Fees that have to be used for corridor and transportation improvements in Northeast Fruita that can be used for the 19 Road Improvements project, and

WHEREAS, pursuant to Article 8.10 of the Fruita City Charter, the City Manager certifies there are sufficient funds available for the supplemental appropriations as noted below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO AS FOLLOWS:

<u>Section 1:</u> That the 2024 appropriation for the General Fund is hereby increased by \$340,000 from \$21,665,070 to \$22,005,070 from the following sources for the following uses:

Source of Funds

AGNC Grant	
Manpower and Other Charges	\$5,000
General Fund – Unassigned Fund Balance	
C	\$340,000
Use of Funds	72,
Road Maintenance and Patching	\$5,000
Sidewalk Improvements	
Transfer to Capital Projects	
Transfer to Capital Projects	
	\$340,000
Section 2: That the 2024 appropriation for the Cap \$650,000 from \$13,889,250 to \$14,539,250 from the	
Source of Funds	
Transportation Impact Fees	\$320,000
Transfer from General Fund	
Transfer from General Fund	
	\$650,000
Use of Funds	Φ < 50,000
19 Road Improvements Project - Construction	
	\$650,000
PASSED AND ADOPTED BY THE THIS 4TH DAY OF	
A TYPE CT.	City of Emily
ATTEST:	Cityof Fruita
City Clerk	Matthew Breman, Mayor
City Cloth	Matthew Bieman, Mayor



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: SHANNON VASSEN, ASSISTANT CITY MANAGER

DATE: JUNE 4, 2024

AGENDA TEXT: PRESENTATION – Overview of the 2021 Community Survey Results

PURPOSE

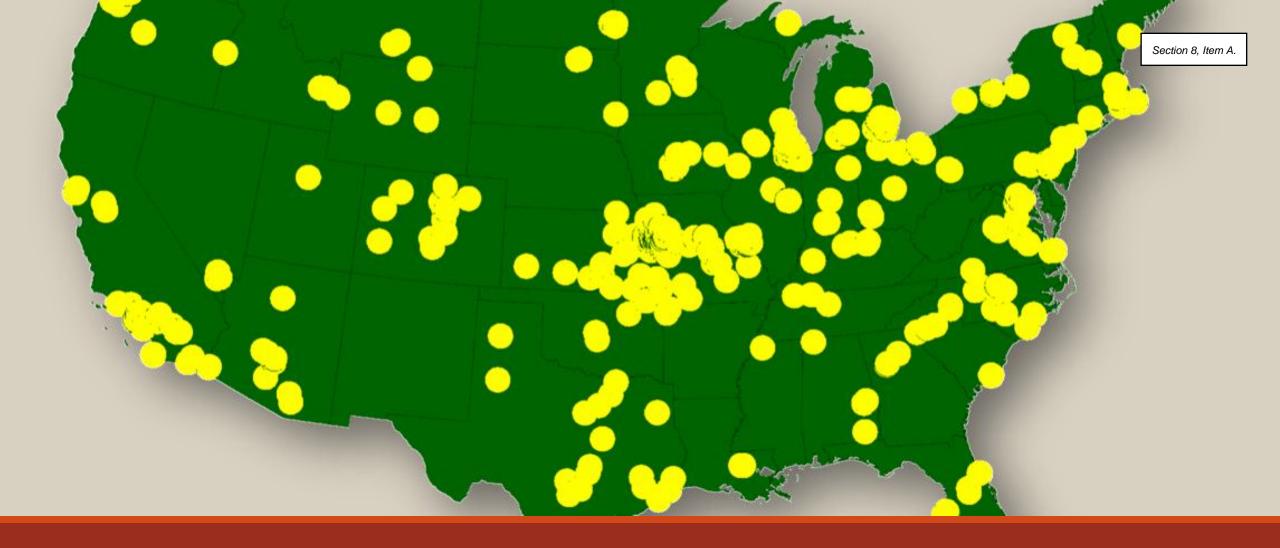
To prepare for the City's Council Strategic Planning efforts this summer, staff has been providing presentations on each of the City's long-range plans and continued planning efforts at recent meetings. For this presentation, staff will share an overview of the 2021 Community Survey results. Every four years, the City of Fruita conducts a Community Survey to gauge resident satisfaction on a number of factors, including core services, priority areas moving forward, how to better communicate with the public, and more. The results help inform the City Council and staff with both short and long-term decision making. The results also allow staff to compare the responses to prior surveys as well. The next Community Survey will be completed early next year.

For this presentation, staff will touch upon the highlights from the survey and PowerPoint presentation and answer any questions from the City Council. A copy of the PowerPoint presentation is attached to this coversheet. When looking at the PowerPoint, and when certain sections mention trends, that is to compare to previous survey results. The full results can be found on our website here here: 2021 Fruita Community Survey.

2021 City of Fruita Community Survey

PRESENTED BY (F) ETC





A National Leader in Market Research for Local Governmental Organizations

More than 2,000,000 Persons Surveyed Since 2009 in more than 900 cities in 49 states

Helping organizations make better decisions

Purpose

To objectively assess citizen satisfaction with the delivery of City services

To measure trends from previous surveys

To compare the City's performance with other communities

To help determine priorities for the community

Methodology

Survey Description

- 4th Community Survey conducted for the City by ETC Institute
- Seven-page survey
- Included many of the same questions that were asked in previous years
- Some new questions were added in 2021

Method of Administration

- By mail and online to <u>ALL</u> households in the City
- Each survey took approximately 15-20 minutes to complete

Methodology

Sample Size

• Goal: 400 surveys

Actual: 673 surveys

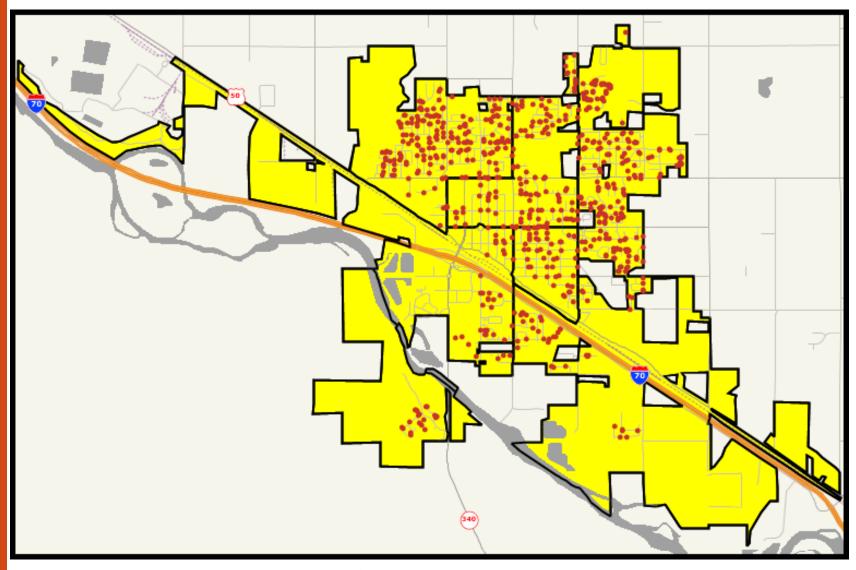
Margin of Error

• +/- 3.8% at the 95% level of confidence

Section 8, Item A.

Location of Survey Respondents

Good distribution of responses throughout the City



2021 City of Fruita Community Survey

Bottom Line Up Front

Residents have a very positive perception of the City

- 84% rated the overall quality of services as "excellent" or "good"
- 93% rated the overall quality of life in the City as "excellent" or "good"

Satisfaction is much higher in Fruita than other communities

- Fruita rated above the U.S. average in 32 of the 37 areas assessed (86%)
- Satisfaction with the <u>overall quality of services</u> rated 25% above the U.S. average and <u>overall value received for taxes/fess</u> rated 21% above the U.S. average

Overall Priorities for Improvement 2021

- 1. Overall quality of City streets
- 2. Overall flow of traffic and congestion management
- 3. Overall quality of representation you receive from City Council
- 4. Overall effectiveness of City communication

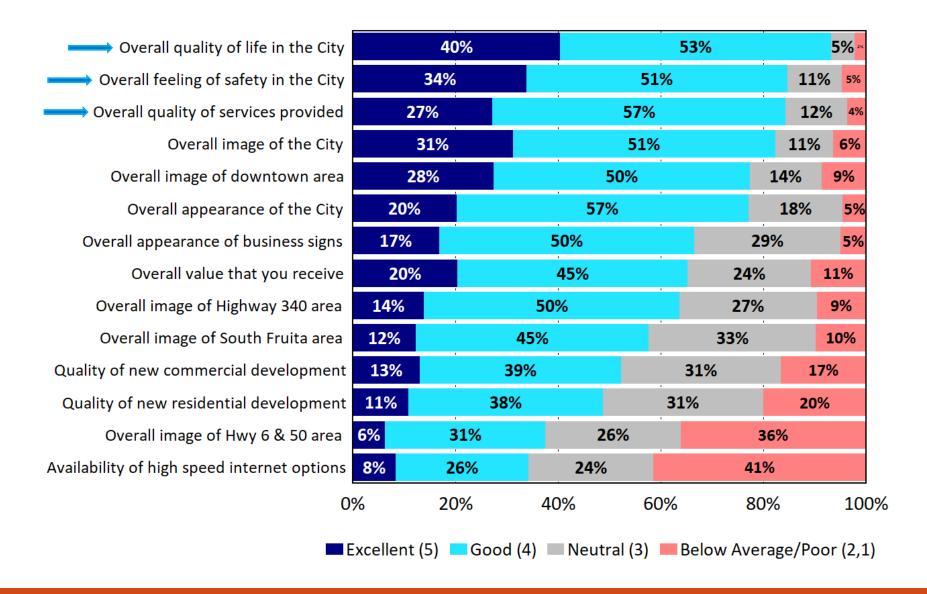
Perceptions

RESIDENTS HAVE A VERY POSITIVE PERCEPTION OF THE CITY

Q3. Perception That Residents Have of the City

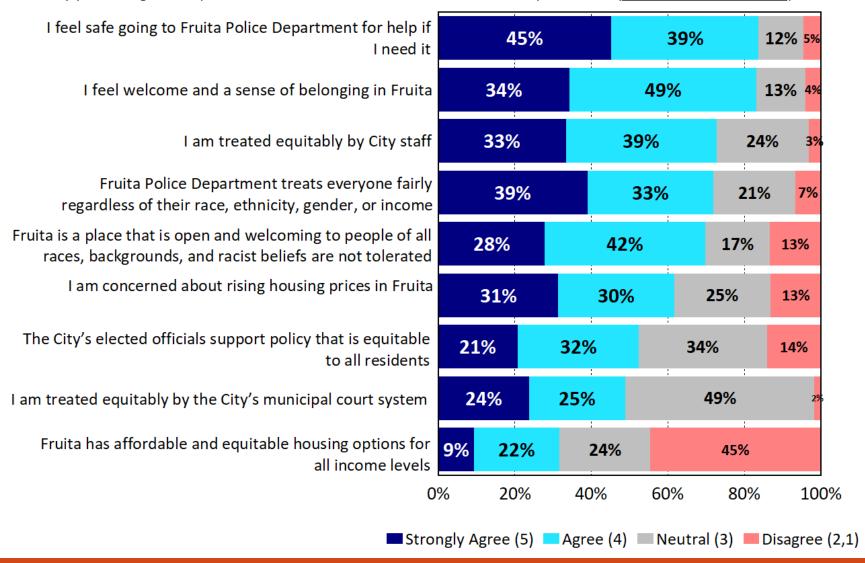
by percentage of respondents who rated the item as a 1 to 5 on a 5-point scale (excluding "don't know")

Section 8, Item A.



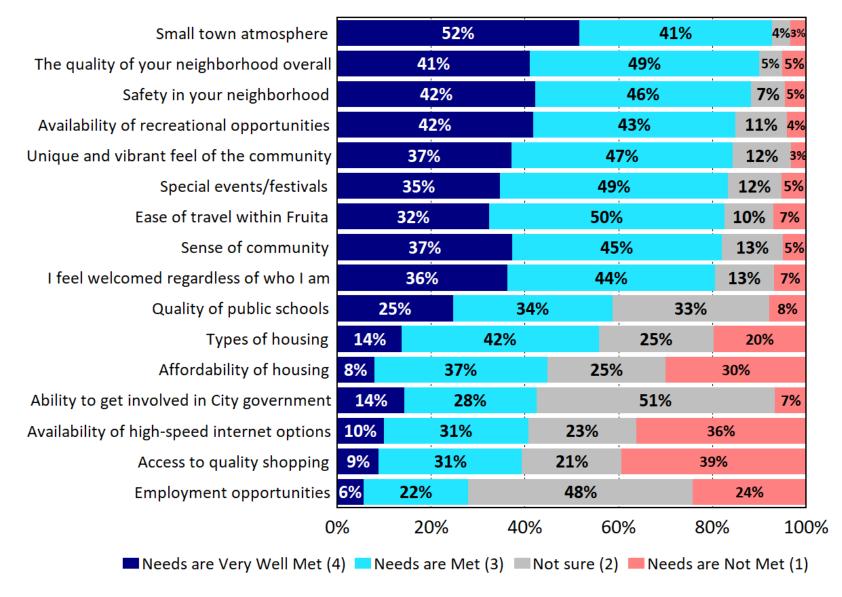
Q9. Agreement with the Following Statements About Diversity, Equity, and Inclusion

by percentage of respondents who rated the item as a 1 to 5 on a 5-point scale (excluding "don't know")



Q24. Reasons to Live in Fruita

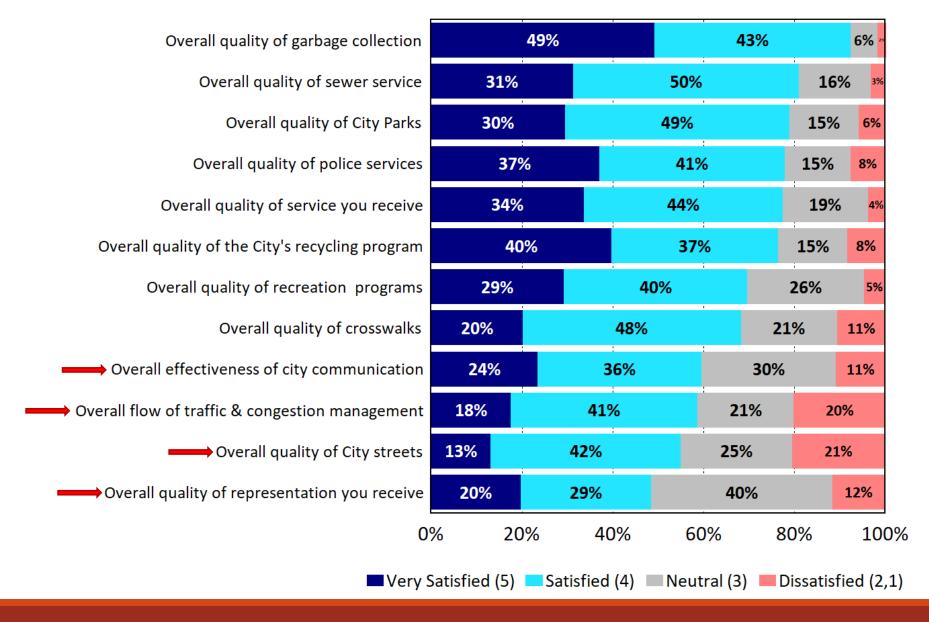
by percentage of respondents who rated the item as a 1 to 4 on a 4-point scale (excluding "not provided")



Q1. Overall Satisfaction With City Services by Major Category

Section 8, Item A.

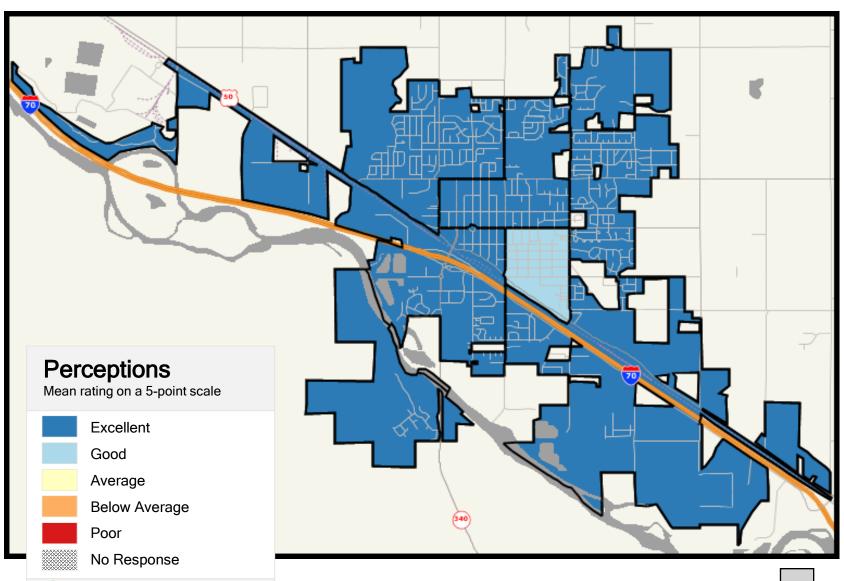
by percentage of respondents who rated the item as a 1 to 5 on a 5-point scale (excluding "don't know")



Rating the Overall Quality of Life in Fruita

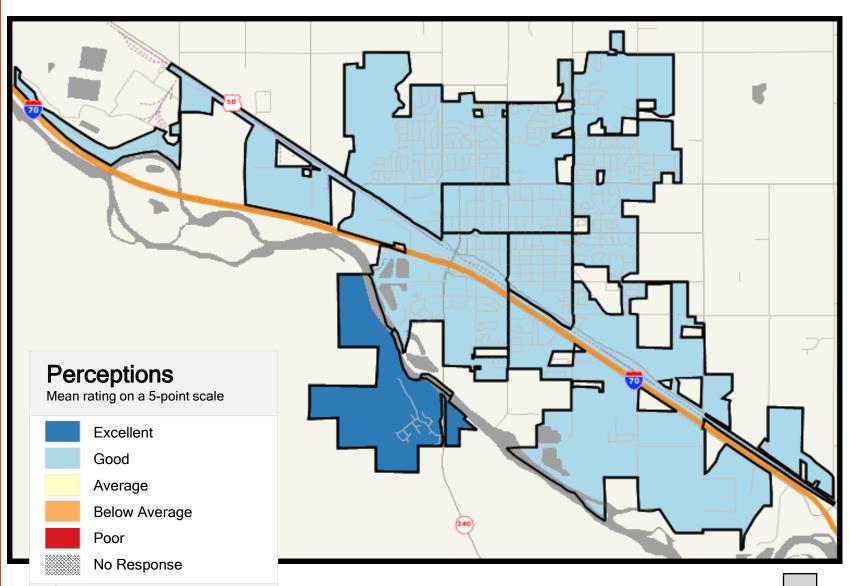
All areas of the map are in blue

Any areas of yellow, orange, or red should receive additional focus.



Overall Quality of Services Provided by the City

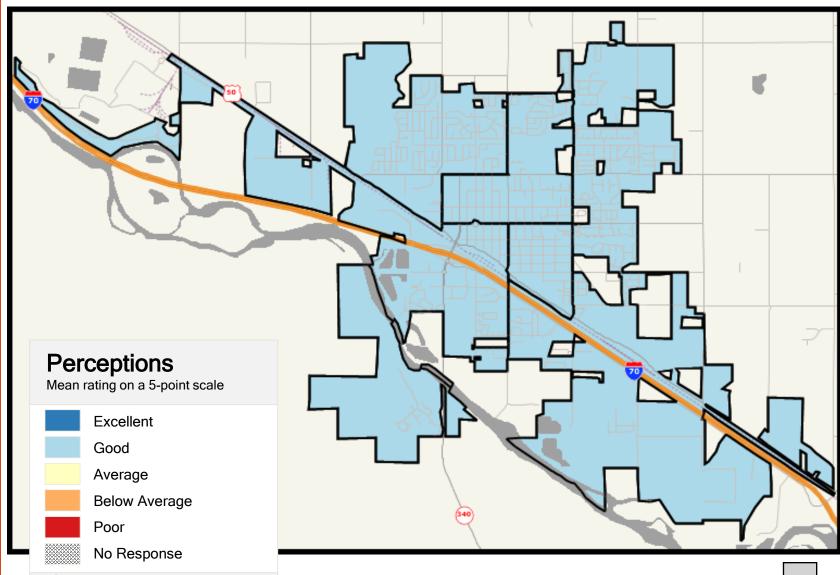
The City is equitably providing services to all residents in the City



Rating the Overall Value Received for Taxes and Fees

All areas of the map are in blue

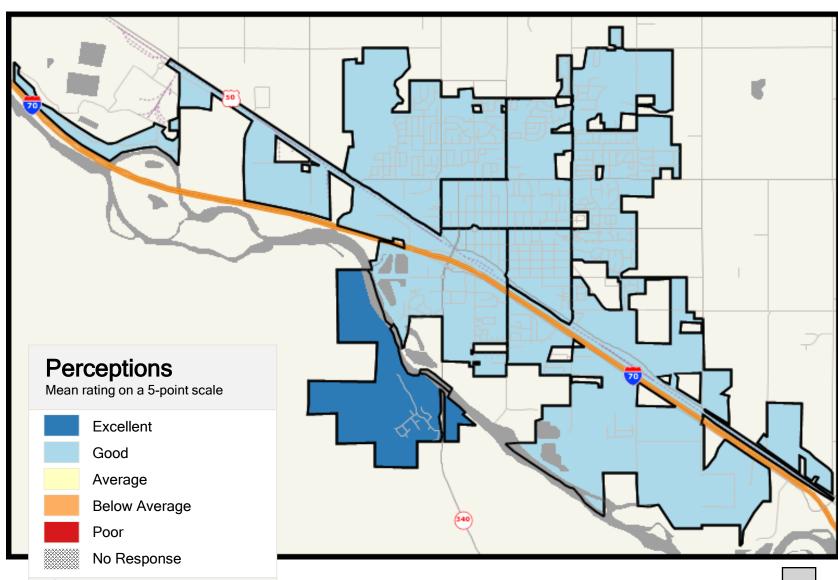
Any areas of yellow, orange, or red should receive additional focus.



Rating the Overall Feeling of Safety in Fruita

All areas of the map are in blue

Any areas of yellow, orange, or red should receive additional focus.

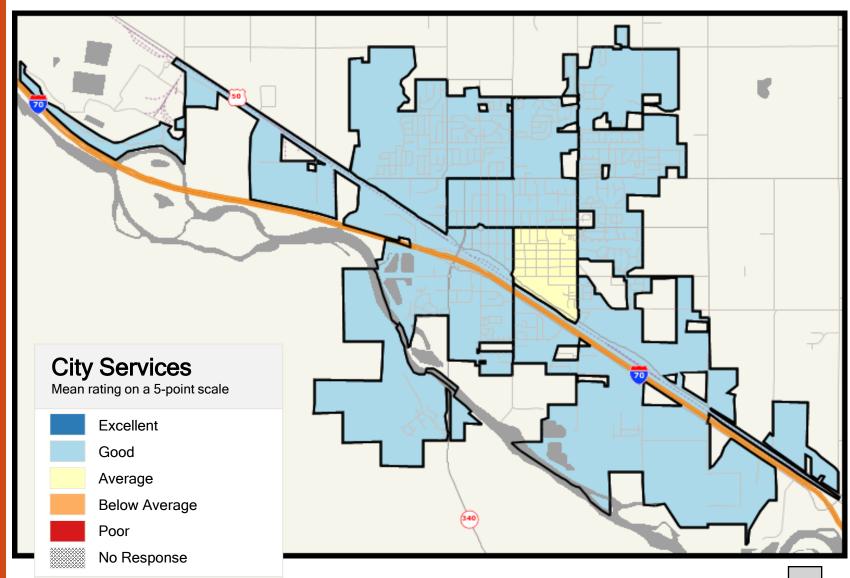


Overall Quality of City Streets

This item was determined to be the top priority for improvement based on the Importance-Satisfaction Analysis

Areas in yellow show lower levels of satisfaction and can help the City target resources to those areas with the most need for improvement

Areas in blue indicate higher levels of satisfaction

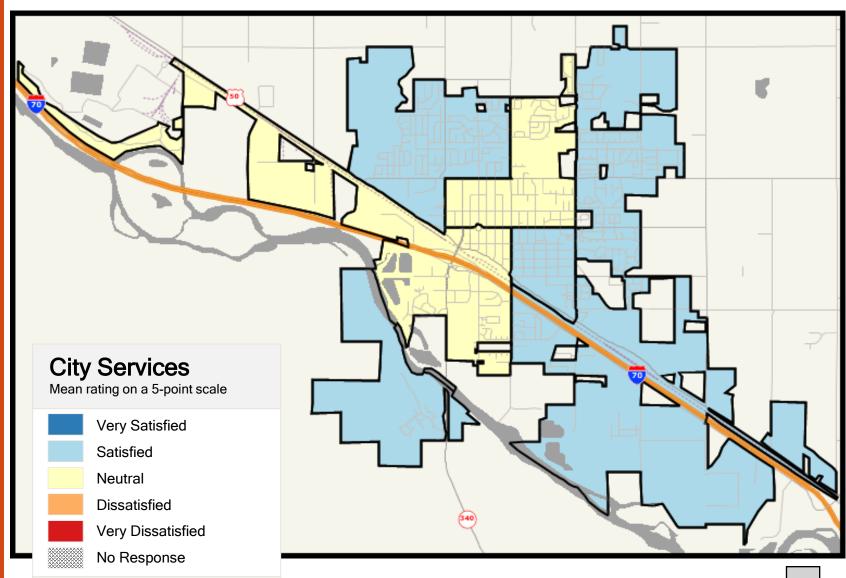


Overall Flow of Traffic and Congestion Management

This item was determined to be the 2nd highest priority for improvement based on the Importance-Satisfaction Analysis

Areas in yellow show lower levels of satisfaction and can help the City target resources to those areas with the most need for improvement

Areas in blue indicate higher levels of satisfaction

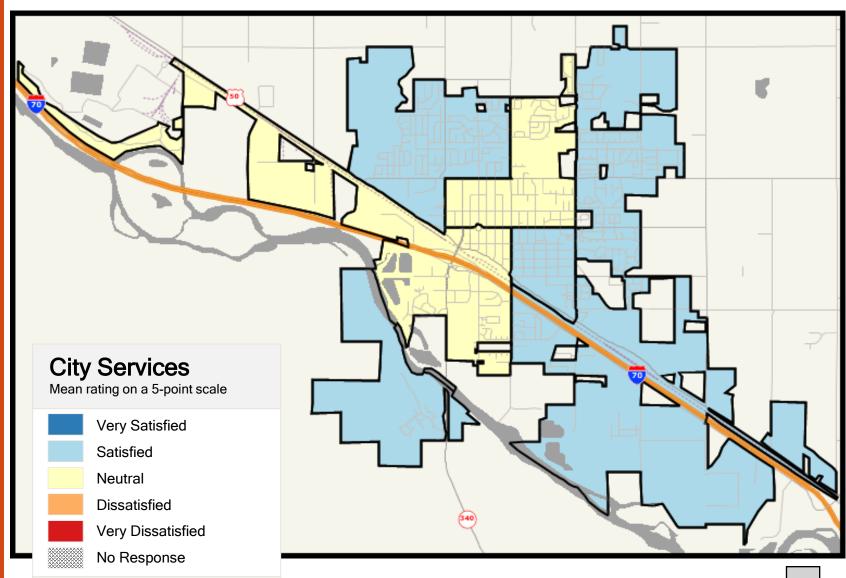


Overall Quality of Representation You Receive From City Council

This item was determined to be the 3rd highest priority for improvement based on the Importance-Satisfaction Analysis

Areas in yellow show lower levels of satisfaction and can help the City target resources to those areas with the most need for improvement

Areas in blue indicate higher levels of satisfaction

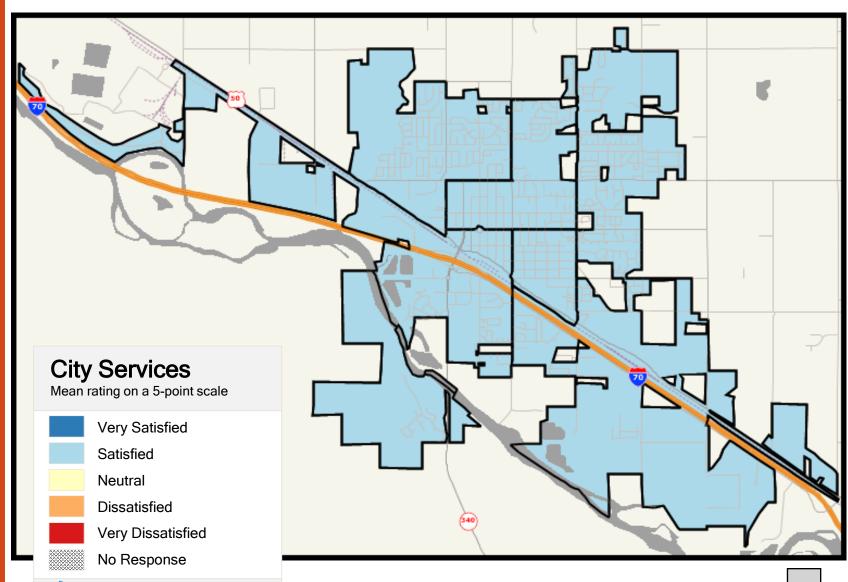


Overall Effectiveness of City Communication With the Public

This item was determined to be the 4th highest priority for improvement based on the Importance-Satisfaction Analysis

Areas in yellow show lower levels of satisfaction and can help the City target resources to those areas with the most need for improvement

Areas in blue indicate higher levels of satisfaction



Trends

LONG- AND SHORT-TERM TRENDS

Short-Term Trends (2021 – 2017)

NOTABLE INCREASES

Overall image of downtown area

Overall appearance of business signs

Overall appearance of the City

Ease of pedestrian travel in Fruita

Overall image of South Fruita area

Maintenance of trails

Adequacy of City street lighting

Snow removal on City streets

Ease of travel by car in Fruita

Customer service

NOTABLE DECREASES

City special events and festivals

City efforts to keep you informed

Overall quality of police services

Visibility of police in neighborhoods

City's efforts to prevent crime

Overall quality of representation you receive

Maintenance of major City streets

Overall quality of recreation programs

Overall flow of traffic & congestion management

Overall quality of City streets

Long-Term Trends (2021 – 2009)

NOTABLE INCREASES

Amount of open space

Overall image of downtown area

Program offerings for adults

Number of walking and biking trails

Maintenance of trails

Maintenance of downtown Fruita

Overall appearance of business signs

Overall value that you receive

Overall quality of recreation programs

Overall appearance of the City

NOTABLE DECREASES

Maintenance of City parks

Maintenance of streets in your neighborhood

Maintenance of major City streets

Visibility of police in neighborhoods

City's efforts to prevent crime

Quality of the City Link quarterly newsletter

Availability of info on City programs/services

City special events and festivals

City efforts to keep you informed

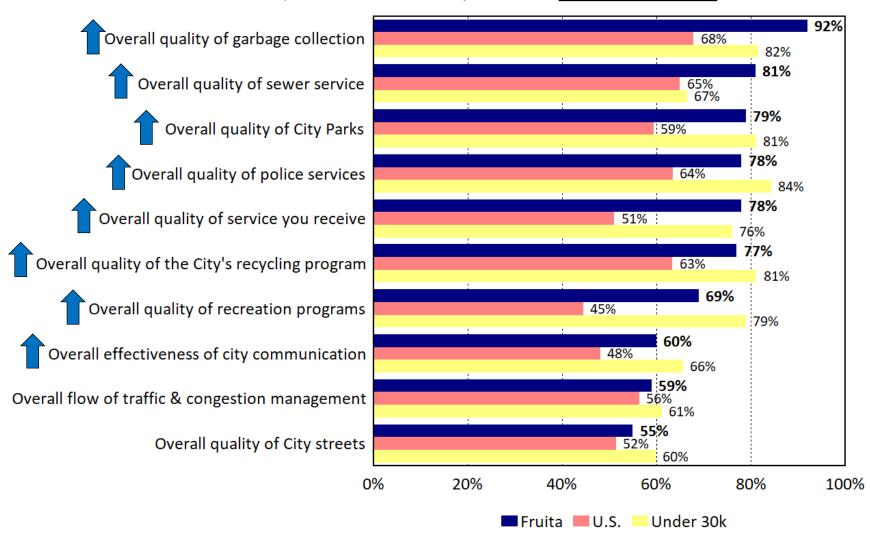
Safety/prevention education programs

Benchmarks

FRUITA RATES SIGNIFICANTLY HIGHER THAN OTHER COMMUNITIES

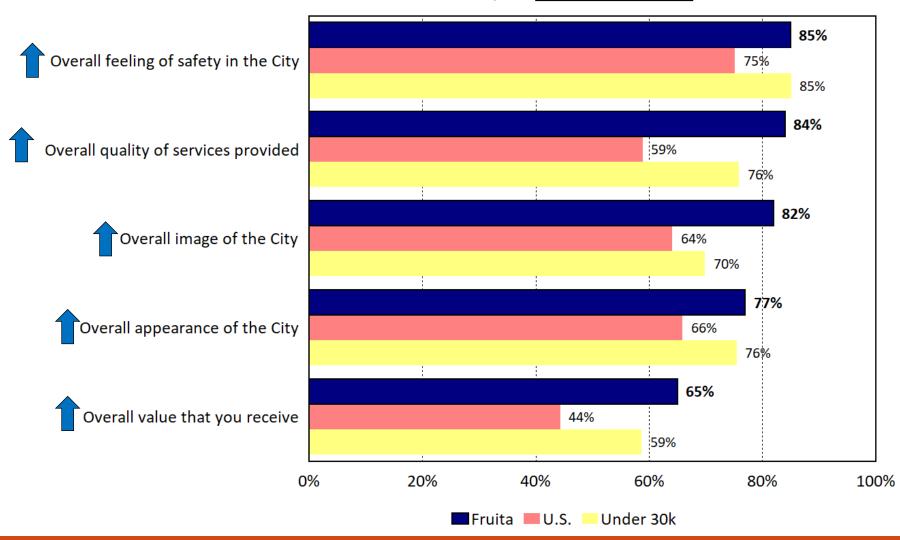
Overall Satisfaction with City Services City of Fruita vs. U.S. vs. Communities w/ Pop. <30k

by percentage of respondents who rated the item 5 or 4 on a 5-point scale where 5 was "Very Satisfied" and 1 was "Very Dissatisfied" (excluding don't knows)



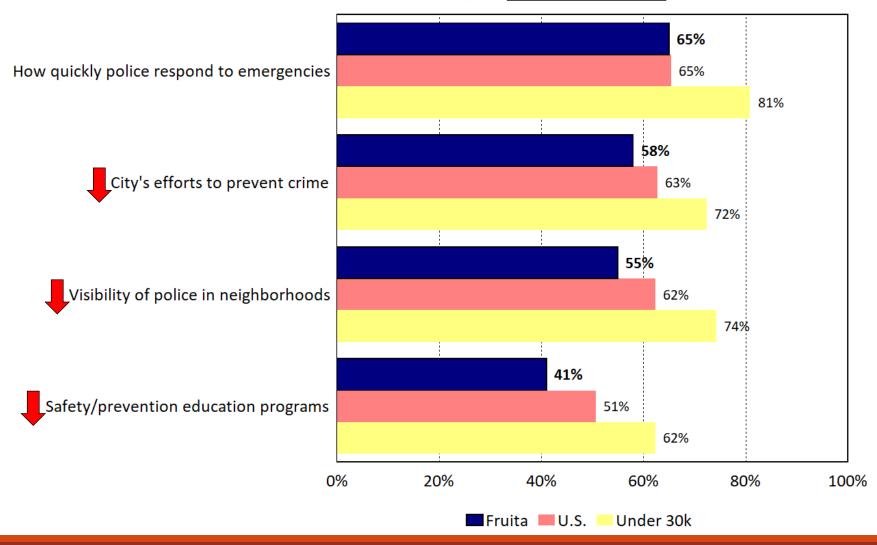
Overall Satisfaction with Items that Influence Perceptions City of Fruita vs. U.S. vs. Communities w/ Pop. <30k

by percentage of respondents who rated the item 5 or 4 on a 5-point scale where 5 was "excellent" and 1 was "poor" (excluding don't knows)



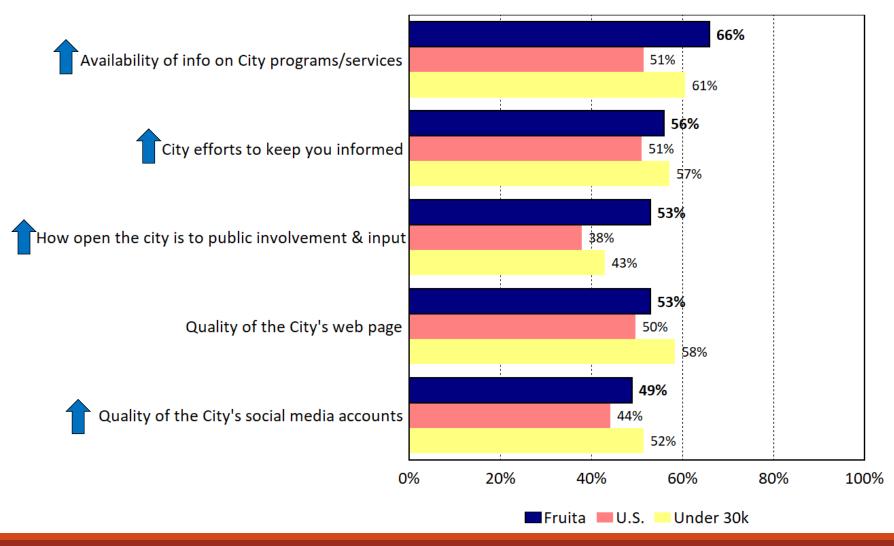
Overall Satisfaction with Public Safety City of Fruita vs. U.S. vs. Communities w/ Pop. <30k

by percentage of respondents who rated the item 5 or 4 on a 5-point scale where 5 was "excellent" and 1 was "poor" (excluding don't knows)



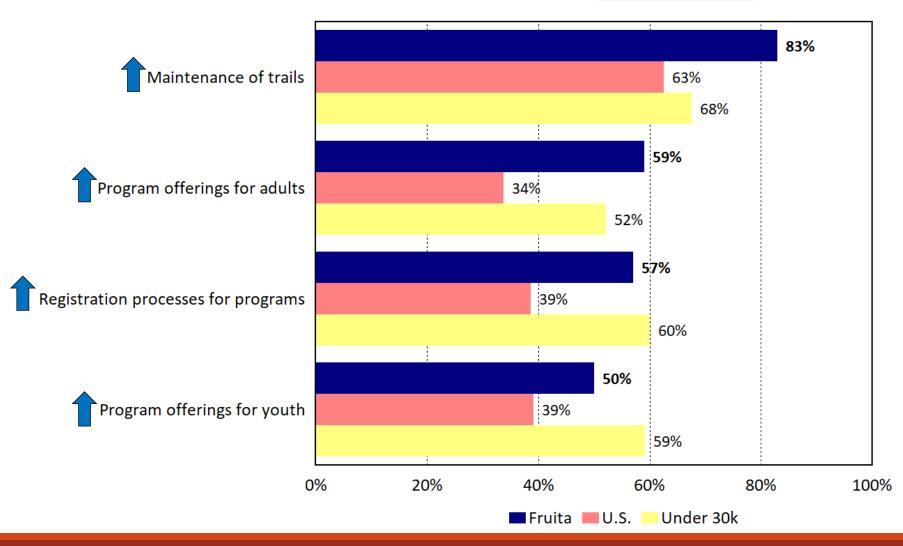
Overall Satisfaction with City Communication City of Fruita vs. U.S. vs. Communities w/ Pop. <30k

by percentage of respondents who rated the item 5 or 4 on a 5-point scale where 5 was "excellent" and 1 was "poor" (excluding don't knows)



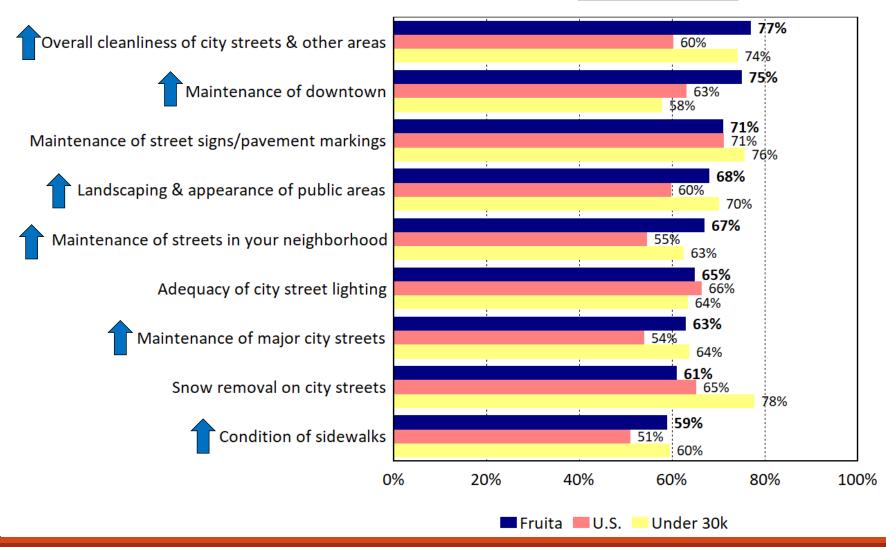
Overall Satisfaction with Parks and Recreation City of Fruita vs. U.S. vs. Communities w/ Pop. <30k

by percentage of respondents who rated the item 5 or 4 on a 5-point scale where 5 was "Very Satisfied" and 1 was "Very Dissatisfied" (excluding don't knows)



Overall Satisfaction with Public Works City of Fruita vs. U.S. vs. Communities w/ Pop. <30k

by percentage of respondents who rated the item 5 or 4 on a 5-point scale where 5 was "Very Satisfied" and 1 was "Very Dissatisfied" (excluding don't knows)



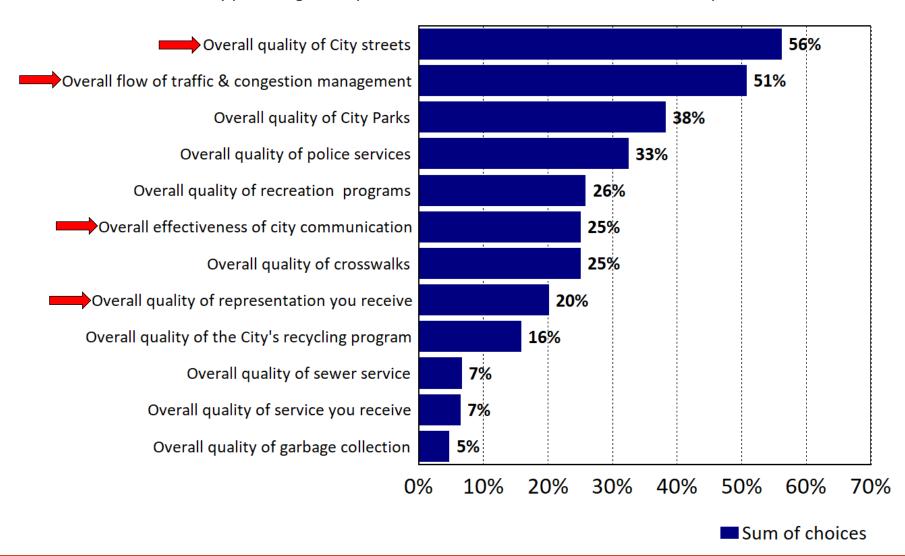
Priorities for Investment

IMPORTANCE-SATISFACTION ANALYSIS

Q2. Services That Should Receive the Most Emphasis Over the Next Two Years

Section 8, Item A.

by percentage of respondents who selected the item as one of their top four choices



2021 Importance-Satisfaction Rating City of Fruita Major Categories of City Services

		Most			Importance-	
	Most	Important		Satisfaction	Satisfaction	I-S Rating
Category of Service	Important %	Rank	Satisfaction %	Rank	Rating	Rank
Overall quality of City streets	56%	1	55%	11	0.2534	1
Overall flow of traffic & congestion management	51%	2	59%	10	0.2098	2
Overall quality of representation you receive from City Council	20%	8	48%	12	0.1042	3
Overall effectiveness of city communication	25%	6	60%	9	0.1014	4
Overall quality of City Parks	38%	3	79%	3	0.0808	5
Overall quality of crosswalks	25%	7	68%	8	0.0796	6
Overall quality of recreation programs	26%	5	70%	7	0.0787	7
Overall quality of police services	33%	4	78%	4	0.0718	8
Overall quality of the City's recycling program	16%	9	77%	6	0.0374	9
Overall quality of service you receive from City employees	7%	11	77%	5	0.0147	10
Overall quality of sewer service	7%	10	81%	2	0.0127	11
Overall quality of garbage collection	5%	12	92%	1	0.0036	12

2021 City of Fruita - DirectionFinder Survey Importance-Satisfaction Assessment Matrix

-Overall-

(points on the graph show deviations from the mean importance and satisfaction ratings given by respondents to the survey)

Mean Importance **Continued Emphasis Exceeded Expectations** higher importance/higher satisfaction lower importance/higher satisfaction Overall quality of garbage collection Overall quality of Overall quality of Satisfaction Rating sewer service police services Satisfaction Overall quality of City Parks Overall quality of the Quality of service City's recycling program from City employees Overall quality of recreation programs 💎 Overall quality of crosswalks Mean Overall effectiveness of Overall flow of traffic & congestion management city communication Overall quality of City streets • Overall quality of representation you receive from City Council **Less Important Opportunities for Improvement** higher importance/lower satisfaction lower importance/lower satisfaction **Importance Rating** Higher Importance Lower Importance

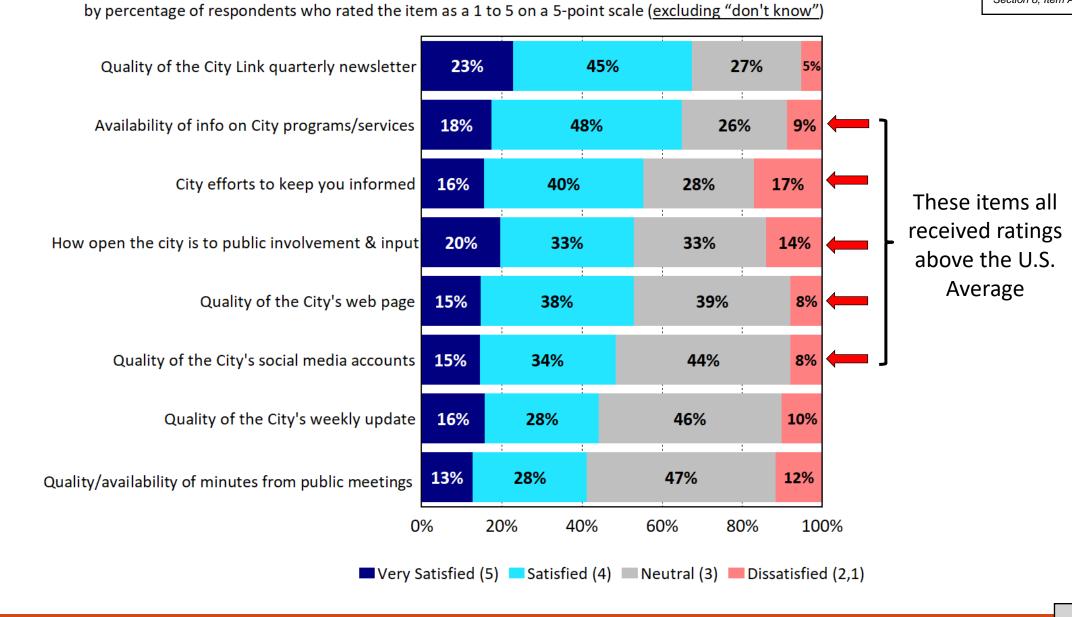
Source: ETC Institute (2021)

Communication

THE CITY IS THE MOST PREFERRED SOURCE OF INFORMATION

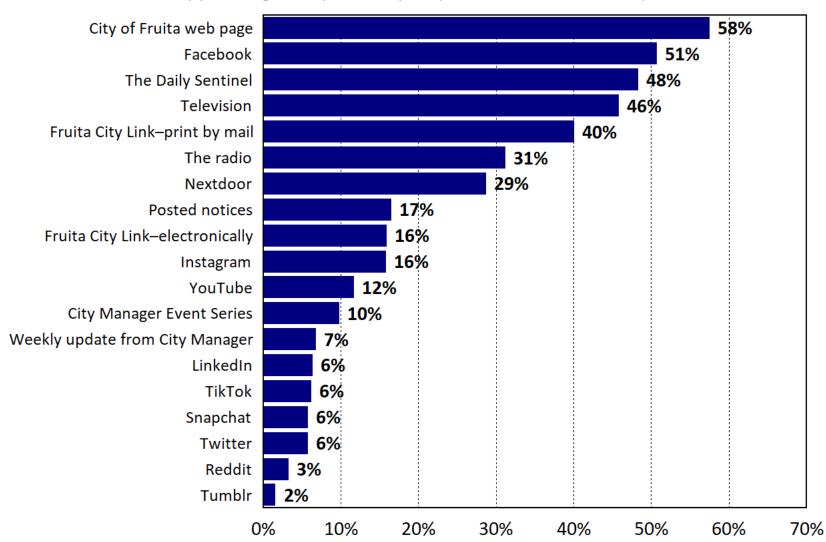
Q6. Satisfaction with City Communication

Section 8, Item A.



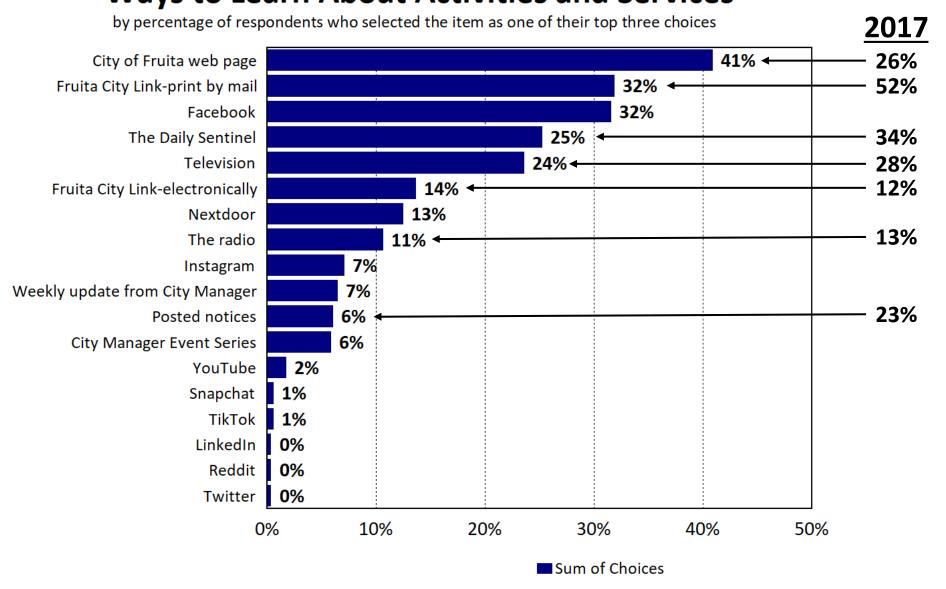
Q7. Communication Outlets That Residents Are Aware of or Use

by percentage of respondents (multiple selections could be made)



Q8. Communication Sources That Are the Most Preferred Ways to Learn About Activities and Services

Section 8, Item A.

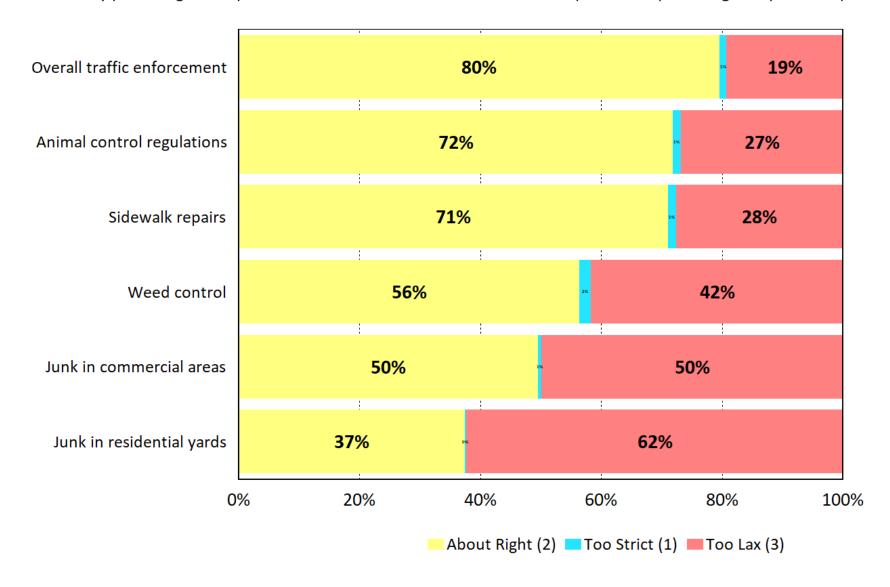


Additional Findings

Q10. Opinion About the Level of Code Enforcement

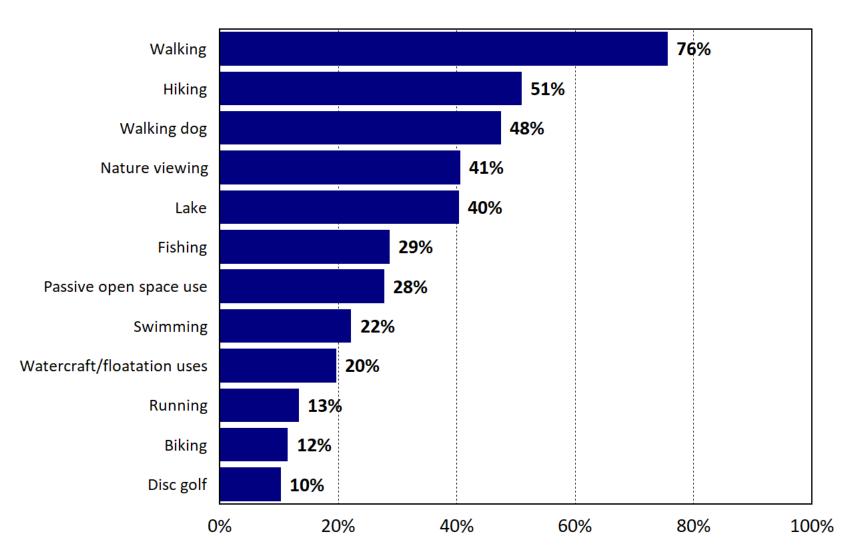
Section 8, Item A.

by percentage of respondents who rated the item as a 1 to 3 on a 3-point scale (excluding "not provided")



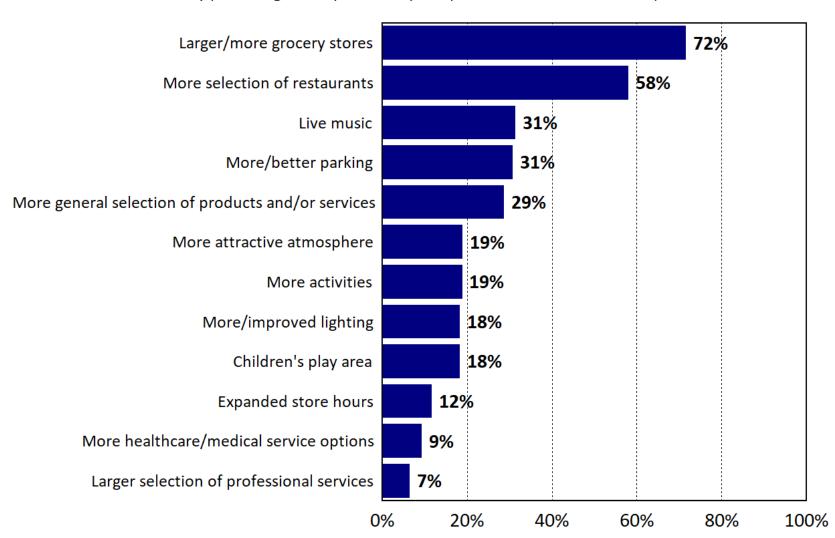
Q13. Reasons for Using the Snooks Bottom Open Space During the Past 12 Months

by percentage of respondents (excluding "none" - multiple selections could be made)



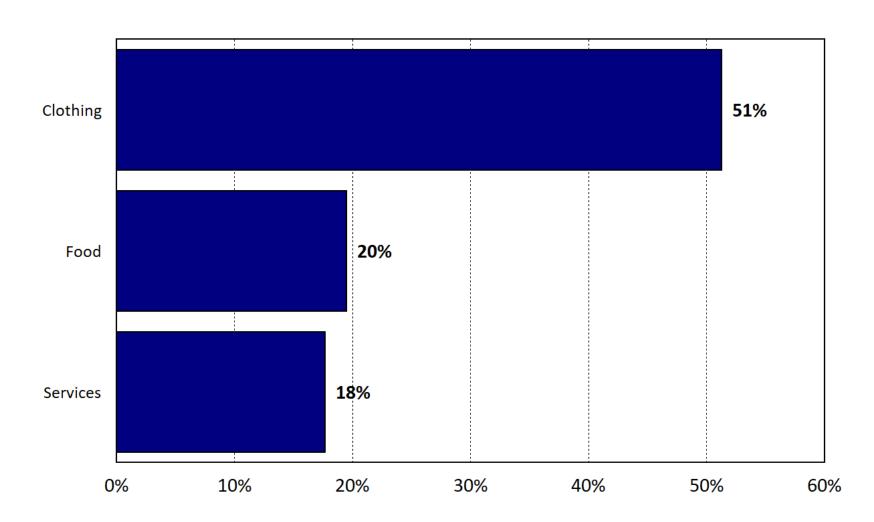
Q22. Products, Services, Events, and Other Amenities That Residents Wish Were Available in Fruita

by percentage of respondents (multiple selections could be made)



Q23. Types of Products That Respondents Regularly Shop Online For

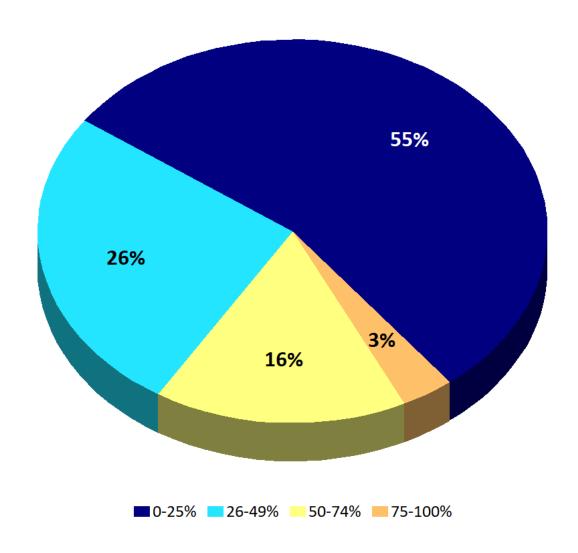
by percentage of respondents (multiple selections could be made)



Q23a. Approximate Percentage of Household's Shopping That is Done Online

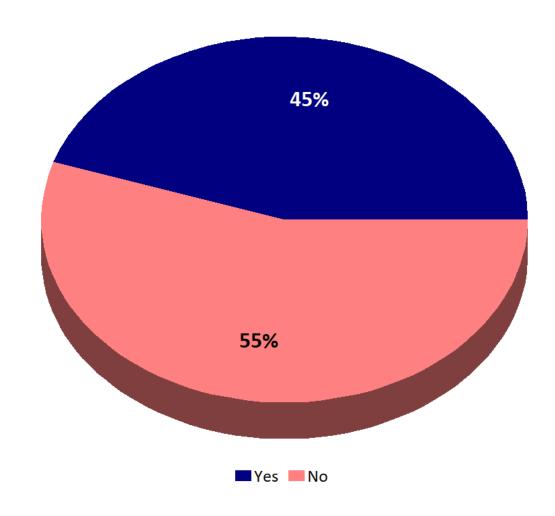
Section 8, Item A.

by percentage of respondents (excluding "not provided")



Q27. Should City Council add a question about permitting the retail sale of cannabis in Fruita on the April 2022 ballot?

by percentage of respondents (excluding "not provided")



Summary

Residents have a very positive perception of the City
Satisfaction is <u>much higher</u> in Fruita than other communities
Top Priorities for Improvement:

- 1. Overall quality of City streets
- 2. Overall flow of traffic and congestion management
- Overall quality of representation you receive from City Council
- 4. Overall effectiveness of City communication

Questions?

THANK YOU!



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: CIARA AMANN, COMMUNICATIONS AND ENGAGEMENT MANAGER

DATE: JUNE 4, 2024

AGENDA TEXT: PRESENTATION - Overview of the Communications and Engagement Program

and Tourism Marketing Program – Communications and Engagement Manager

Ciara Amann

PURPOSE

To prepare for the City Council's Strategic Planning this summer, staff has been providing an overview of Master Plan updates at each meeting. For this meeting, staff will provide a summary of the Communications and Engagement Program as well as the Fruita Tourism Marketing Program. The presentation will cover the overall goals and strategies for the City of Fruita's communication efforts and an overview of the various ways we communicate with residents, partners, and employees. The presentation will then cover tourism marketing and how it relates to the community values outlined in the Fruita in Motion Comprehensive Plan, the responsibilities the City of Fruita has by maintaining a tourism program to not only attract visitors but also to support the local community.

The presentation will cover these items and allow the City Council to ask questions.

BACKGROUND

This presentation is part of a series of updates in preparation for City Council Strategic Planning.

Following the recent election on April 2, 2024 and the swearing in of Mayor Breman and Council members Hancey, Stolarczyk, and Parrish on April 16, 2024, staff will be presenting updates on various topics at City Council meetings in May and June to prepare for City Council to strategically plan in August. The updates are planned as follows (amended since the cancellation of the May 28, 2024 Council Workshop):

- May 7: Strategic Plan, Comprehensive Plan, Land Use Code (LUC), & Growth
- May 21: Monthly Financial Statements, Parks, Health, Recreation, Open Space, & Trails (PHROST) Master Plan, and the Circulation Plan
- **June 4**: Wastewater Capital and Maintenance, 2021 Community Survey Results, and Communications, Engagement & Tourism
- **June 17**: Contractual Partnerships & City-owned Land/Facilities

To prepare for this update, you can browse the following resources linked below:

- Fruita Communications
- GoFruita.com

The topics of wastewater, CIP, and contractual partnerships and city-owned land/facilities will be presented, without the need to link to any specific plans as they are extensions of the comprehensive plan.

City Master Plans are found on www.fruita.org under the tabs CITY HALL – PLANNING & DEVELOPMENT – MASTER PLAN & GUIDING DOCUMENTS or linked above.

FISCAL IMPACT

For informational purposes.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The updates cover the foundation of all our goals and objectives.

OPTIONS AVAILABLE TO THE COUNCIL

For informational purposes.

RECOMMENDATION

No action recommended. For informational purposes only.



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: KIMBERLY BULLEN, PUBLIC WORKS DIRECTOR

DATE: JUNE 4, 2024

AGENDA TEXT: PRESENTATION - Overview of the Sewer Fund – *Public Works Director Kimberly*

Bullen

PURPOSE

To prepare for the City Council's Strategic Planning this summer, staff has been providing an overview of Master Plan updates at each meeting. For this meeting, staff will provide a summary of the Sewer Fund. The presentation will review recently completed capital projects, budgeted capital projects and a brief review of the Wastewater Treatment Facility Needs Assessment and the continuous rate analysis program.

The presentation will cover these items and allow the City Council to ask questions.

BACKGROUND

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RECOMMENDATION

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