

**FRUITA CITY COUNCIL
WORKSHOP
AUGUST 22, 2023
6:30 P.M.**

CALL TO ORDER AND ROLL CALL

The workshop of the Fruita City Council was called to order at 6:31 p.m. by Mayor Joel Kincaid. City Council members present were Mayor Pro Tem Matthew Breman, and City Councilors Jeannine Purser, James Williams, Amy Miller, Ken Kreie and Aaron Hancey.

City Staff present were City Manager Mike Bennett, Assistant City Manager Shannon Vassen, Planning and Development Director Dan Caris, Neighborhood Services Coordinator Matt Carson, City Planner Henry Hemphill and Deputy City Clerk Deb Woods. Jenn Wooten, John Anderson, Mike Mossburg.

Also in attendance were 2Forks Ventures Owner/Founder Gavin Brooke and Development Associate/Project Manager Sarah Wood.

AGENDA ITEMS

1. 2FORKS VENTURES – UPDATES AND DISCUSSION (6:30 – 8:00 PM)

City Manager Mike Bennett noted that the City and 2Forks Ventures are nearing negotiations for a public/private partnership to develop City-owned property that has historically been referred to as the “lagoons.” In an attempt to rebrand the project, staff and 2Forks Ventures have started to call the project “The Beach” (a name that is still subject to change, however).

Planning and Development Director Dan Caris provided a review of the project timeline to date as follows:

June 6, 2023	Memorandum of Understanding (MOU) between the City of Fruita and 2Forks Ventures was presented by staff in Executive Session.
June 6, 2023	In open session following Executive Session, Council directs staff to place the MOU on the June 20, 2023 agenda for Council action.
June 20, 2023	MOU was formally approved via Resolution 2023-23, which amends the 2023 Budget by appropriating \$75,000 to begin the due diligence assessments, which includes environmental engineering, civic engineering, surveying and more.

Mr. Caris stated that the City has engaged High Desert Survey and Walter Environmental to begin some of the due diligence studies. He pointed to the Due Diligence Budget included in the Council packet to show which expenses will be the responsibility of the City and which will be up to the developer, 2Forks Ventures.

Gavin Brooke with 2Forks Ventures provided the Council and staff with a PowerPoint presentation that included photos of projects they previously completed and featured things like pools, patios, beaches, restaurants and shallow rivers. He explained that 2Forks is different from most developers in that they provide a full-spectrum service of a project's beginning through to the end.

Mr. Brooke stated that he would like to gain a sense of what each of the Council members' and staffs' ideas look like for the project. In order to do this, he asked that everyone in the room take a few minutes to talk about some aspect of public service that made them feel proud in the past. He also asked them to describe what they would be doing if they didn't have to be at work.

Discussion was held about no longer referring to the property as the "lagoons," and instead, calling the project and property "The Beach," in an effort to draw people's attention to the connection to water (the Colorado River). Initial recreation concepts for the project include:

- Access to the river
- Amazing restaurant on the river
- Boat ramp
- Staging areas

Future uses could range from recreation to light commercial, hospitality and some residential such as short-term rentals that could be owned by the City. The need for incremental development was stressed by Mr. Brooke. He estimated that the project could cost \$20 million, but that its valuation will be 4 or 5 times that at the end of 10 years.

City Manager Mike Bennett pointed out how the project aligns well with Fruita's community surveys, and Comprehensive Plan.

The Council discussed going on a riverside parks field trip with Mr. Brooke and Ms. Wood to be set up for late September or early October.

Mr. Brooke estimated that the due diligence on The Beach project would be complete over the next eight weeks but suggested that the City start now on negotiating the private/public partnership with 2Forks Ventures. Staff will need to work on getting the property appraised and will begin to have conversations with legal counsel on options for strategies and financing.

2. CODE COMPLIANCE DISCUSSION (8:00 – 9:00 PM)

Planning and Development Director Dan Caris explained that sometimes, residents will try to utilize the City for disputes with neighbors. He added that staff has always been somewhat reactive but wants to check in with Council and request feedback, especially now that the City is doing its own building inspections.

The process to resolve a weed and/or junk complaint is that if a resident refuses to comply with the City's regulations for keeping their property cleaned up, a contractor is hired to do the work and the resident is billed for that cost. If the bill is not paid, a lien is filed on the property. Many times, staff will measure how much it costs the City to fix something rather than using a hired contractor because it is not the City's purpose to be punitive, but to resolve the issue in the most timely and cost effective manner. The City has increased amounts in its budget over the years for those residents who want to comply but simply cannot due to financial or health issues, but City resources for that are limited.

City Manager Mike Bennett introduced the City's Building Department staff. He called them a "dream team" for their response times, service and effectiveness. He explained that the City now has come across a few situations that can't be handled in the same way that they were in the past because of the requirements, duties and ethics of the employees in the Building Department, who have safety standards to uphold.

There was some discussion about sewer issues and Mr. Caris stated that he wanted the Council to be aware that there are shared sewer services within the downtown area that may have issues and to understand that staff is doing everything they can. He said he brought the matter up so the Council is not caught by surprise and added that new policies may need to be put into place down the road.

There was also discussion about the many different nuances of Code compliance issues and the flexibility required for dealing with those. It was communicated to the Council that Code Compliance's current budget of \$4,000 is not enough for staff to, as much as possible, try to help residents who cannot afford it, stay in compliance with City regulations and in some cases, even stay safe.

Other ideas included organizing more clean-up days when the City would make a dumpster available to the public and organizing citizen volunteers who could use City-provided supplies to do cleanups of properties.

There was also discussion about the need for communication with the public about available resources. Councilor Purser noted that the Livability Commission is working on such a list.

3. DRAFT AMENDMENTS TO THE FRUITA CITY CHARTER DISCUSSION (9:00 PM)

City Manager Mike Bennett explained that the Council packet contained staff's recommended amendments to the Fruita City Charter for consideration by the voters at the April 2, 2024 Municipal Election based on the previous discussion with City Council and notes from past Councils. The recommended amendments included leaving the definition of a "quorum" at four (Council members) and replacing all masculine pronouns with gender neutral pronouns. These amendments do not change any outcomes or operations for the City. The Council was in favor of all the draft amendments. Mr. Bennett raised the idea that since the changes are clean-up related, but do not change how the City functions in any and since the TABOR question will be on the April 2024 ballot, that the Council consider not proceeding with the changes on the next election. Council then directed that this be tabled and not place on the April 2024 election ballot and possibly considered in 2026.

OTHER ITEMS

1. PROCLAMATION REQUEST: PROCLAIMING OCTOBER 2023 AS "NATIONAL LONG-TERM CARE RESIDENTS RIGHTS MONTH" (9:15 PM)

The Council directed staff to place the Proclamation on the October 17, 2023 City Council agenda.

2. PROCLAMATION REQUEST: PROCLAIMING SEPTEMBER 2023 AS "SUICIDE PREVENTION MONTH" (9:20 PM)

The Council directed staff to place the Proclamation on the September 5, 2023 City Council agenda.

Mr. Bennett noted that the Mesa County Public Health Department will have a campaign for Suicide Prevention Month and that he would email the Council what the county has on its website to see if they wanted to direct staff to include a link to it on the City of Fruita's website.

GENERAL UPDATES

- Car Barn property, Mews and LDS Church projects all approved and in construction phase. Councilor Hancey said he would like to see more like layout of the church. Mike explained that the Planning and Development Department has construction drawings.

There will be a small groundbreaking ceremony for the LDS Church project and Mike said he would email the Council the invitation.

Councilor Kreie noted that with the fence up around the LDS Church construction site, it is hard for cars to see around the corner.

- Chief Cavaliere with the LVFPD expressed his desire to be allowed to use water out of the City's reservoirs should there be a fire on Glade Park.
- Mayor Kincaid said that at the Special Meeting of September 26th concerning the potential sale of Enoch's Lake, he would be going over ground rules at the beginning of the meeting to dissuade clapping and cheering because it is disrespectful of everyone's time.
- Councilor Williams said that Governor Polis wrote something about affordable housing and it was vague. The Associated Governments of Northern Colorado reported on it. The Council requested that staff look into and report.
- Councilor Breman said he was at the Silverthorne Visitor Center and he saw no brochures from Fruita, but they did have them for the Town of Palisade, Mesa County and the City of Grand Junction. Councilor Williams stated that Fruita Visitor Center members on the Fruita Tourism Advisory Council have concluded that the brochures really don't do much, but he agreed that Fruita should have some in Silverthorne anyway.
- Councilor Breman said he met with Mesa County Commissioner Cody Davis, who wanted to know what the City's position is regarding the mountain water dams if Fruita is going to put the properties up for sale. They discussed how Mesa County and the City of Fruita might work together. Mr. Bennett stated that because staff has been working with the Glade Park Pipeline Water Users Association, the Commissioners have concerns, but that staff will figure out how to work with Mesa County on it. Mr. Breman recommended that Fruita share with Commissioner Davis any strategic options for reservoirs that the City may come up with.

With no further business before the Council, the meeting adjourned at 10:08 p.m.

Respectfully submitted,

Deb Woods
Deputy City Clerk