



**FRUITA CITY COUNCIL  
VIRTUAL MEETING  
MAY 5, 2020  
7:00 P.M.**

**Public Link to Meeting**

When: May 5, 2020 - 7:00 PM Mountain Time (US and Canada)

Topic: City Council Meeting – 5/5/2020

The link to join the join the meeting electronically will be posted prior to the meeting at [www.fruita.org/covid19](http://www.fruita.org/covid19) under City Council and Boards and Commissions Public Meetings. You may also contact the City of Fruita at (970) 858-3663 for information to connect to the meeting.

- 1. INVOCATION AND PLEDGE OF ALLEGIANCE**
- 2. CALL TO ORDER AND ROLL CALL**
- 3. AGENDA - ADOPT/AMEND**
- 4. PROCLAMATIONS AND PRESENTATIONS**
  - A. PROCLAMATION** – Proclaiming the week of May 10 – 16, 2020 as “Police Week” in the City of Fruita to be accepted by Fruita Police Chief Dave Krouse, Mesa County Sheriff Matt Lewis and Grand Junction Police Chief Doug Shoemaker
  - B. PROCLAMATION** – Proclaiming the week of May 4 – 8, 2020 as “Teacher Appreciation Week” in the City of Fruita to be accepted by Mesa County School District 51 Executive Director Angela Christensen and District #51 Executive Board of Directors Members Dr. Diana Sirko and Dr. Brian Hill
  - C. PRESENTATION** – Recognizing Rim Rock Elementary with a Certificate of Appreciation from the Fruita City Council to be accepted by Principal Sharon Kallus and Assistant Principal Zachary Moore
  - D. PROCLAMATION** – Proclamation for Judy White of Judy’s Restaurant from the City of Fruita and the Fruita Area Chamber of Commerce
  - E. PROCLAMATION** – Proclaiming Friday, April 24, 2020 as Arbor Day in the City of Fruita
  - F. PROCLAMATION** – Proclaiming May 4 – 9, 2020 as “Economic Development Week” in the City of Fruita

**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 five-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 April 21, 2020 City Council meeting
- B. LIQUOR LICENSE RENEWAL – A request to approve the renewal of a Retail Liquor Store License for Soeng, LLC dba Jackalope Liquors located at 404 Jurassic Ave., Unit B
- C. BOARDS AND COMMISSIONS APPOINTMENT – A request to approve the appointment of Dave Karisny to the Livability Commission for a three-year term to expire in May of 2023

**7. ADMINISTRATIVE AGENDA**

- A. COVID-19 Response Update – Mike Bennett, City Manager
- B. Quasi-judicial hearings and ethics training – Paul Wisor, City Attorney

**8. CITY MANAGER’S REPORT**

**9. COUNCIL REPORTS AND ACTIONS**

- A. Planning additional City Council training, team building and goal setting schedule
- B. Council Reports and Actions

**10. ADJOURN**

## Proclamation for National Police Week 2020

To recognize National Police Week 2020 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

**WHEREAS**, there are more than 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of our local law enforcement agencies, to include the Mesa County Sheriff's Office, the Grand Junction Police Department, the Palisade Police Department, the Fruita Police Department, Collbran Marshal's Office, De Beque Marshal's Office, and the Colorado State Patrol;

**WHEREAS**, approximately 50,000 assaults against law enforcement officers are reported on average each year, resulting in more than 13,000 injuries;

**WHEREAS**, since the first recorded death in 1791, more than 21,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including three from local law enforcement agencies. Deputy Edward Innes was killed on September 27, 1906, during an inmate jail escape. Fruita Police Department lost Acting Chief Dan Dalley in June 2001. Most recently, Deputy Derek Geer, of the Mesa County Sheriff's Department, died after being shot by an armed suspect in February of 2016.

**WHEREAS**, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.:

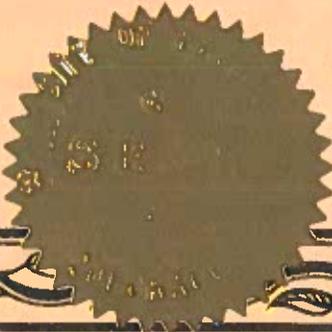
**WHEREAS**, 135 officers were killed in the line of duty in 2019, three of whom were fallen Colorado heroes: Sergeant Joshua Eli Voth, of the Colorado Department of Corrections; Corporal Daniel H. Groves, of the Colorado State Patrol; and Master Trooper William James Moden, of the Colorado State Patrol. These three names will be added to the National Law Enforcement Officers Memorial located in Washington, D.C., this year;

**WHEREAS**, May 15 is designated as Peace Officers Memorial Day and the week of May 10 through May 16, 2020, is National Police Week;

**THEREFORE, BE IT RESOLVED** that the Fruita City Council formally designates May 10-16, 2020, as Police Week in the City of Fruita, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Dated this 5<sup>th</sup> day of May, 2020.

\_\_\_\_\_  
*Joel Kincaid, Mayor of the City of Fruita*



***Teacher Appreciation Week***  
***May 4 - 8, 2020***

**WHEREAS**, Mesa County Valley School District 51 employs 2,848 teachers and staff currently serving 22,046 students in 46 schools throughout the Grand Valley; and

**WHEREAS**, teachers work hard in schools throughout the nation every day to provide a safe, high quality, and stable learning environment for children; and

**WHEREAS**, the education teachers provide has the power to strengthen our economy and our society as a whole by growing students who graduate prepared to become successful members of society and the workplace; and

**WHEREAS**, teachers often do not receive the pay or praise they deserve for dedicating their lives to the children of our community.

**NOW, THEREFORE, BE IT RESOLVED THAT THE FRUITA CITY COUNCIL PROCLAIMS MAY 4 - 8, 2020, AS:**

***Teacher Appreciation Week***

throughout this community and calls upon all members of our community to express their appreciation for the educators who engage, equip, and empower our learning community today for a limitless tomorrow.

**IN WITNESS WHEREOF**, I hereunto set my hand and cause to be affixed the official seal of the City of Fruita this 5<sup>th</sup> day of May, 2020.



\_\_\_\_\_  
Joel Kincaid, Mayor

# ***CERTIFICATE OF APPRECIATION***

## ***Rim Rock Elementary School***

**Teachers, students and families of Rim Rock Elementary School are hereby being recognized by The Fruita City Council for their perseverance, passion and dedication. A special thanks and best wishes are also extended to those leaving Rim Rock Elementary due to the opening of Monument Ridge Elementary. Rim Rock nurtures and equips mindful, engaged and empowered learners!**

**May 5, 2020**

**Joel Kincaid, Mayor**

# *Proclamation*

## ***Celebrating and in recognition of Judy White***

**WHEREAS**, Judy moved to Fruita in 1977 and worked as a records clerk at Fruita Monument High School until 1981; and

**WHEREAS**, Judy was a financial advisor with Waddell Reed from 1982 to 1986 and managed Horizon Towers in Grand Junction from 1986 to 1988; and

**WHEREAS**, from 1989 to 1996, Judy operated White's Steak House in the building that currently houses Mi Ranchito; and

**WHEREAS**, Judy's Family Restaurant opened in 2001 and closed in March of 2020; and

**WHEREAS**, Everyone knows Judy as a hard worker who is always there to lend a hand or support Fruita's youth, sports teams and the community; and

**WHEREAS**, Judy was thinking about retiring at some point and then COVID-19 came along; and

**WHEREAS**, We didn't get a chance to have one last meal at Judy's, have her come to the table for a visit, ask about our families and get one of her warm and caring hugs; and

**WHEREAS**, We do have this opportunity to tell Judy how much Fruita loves and appreciates her for making a difference in so many peoples' lives.

### **NOW, THEREFORE, BE IT RESOLVED THAT THE FRUITA CITY COUNCIL,**

on behalf of all Fruita residents, would like to recognize and sincerely thank Judy White for helping to build the sense of community and family that makes Fruita great and wishes her all the happiness she so deserves in her retirement.

**IN WITNESS WHEREOF**, I hereunto set my hand and cause to be affixed the official seal of the City of Fruita this 5<sup>th</sup> day of May, 2020.

\_\_\_\_\_  
Joel Kincaid, Mayor



## **Arbor Day Proclamation**

**WHEREAS**, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

**WHEREAS**, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

**WHEREAS**, Arbor Day is now observed throughout the nation and the world, and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products,

**WHEREAS**, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal,

**NOW, THEREFORE, I, JOEL KINCAID, MAYOR OF FRUITA, DO HEREBY PROCLAIM FRIDAY, APRIL 24, 2020 AS:**

### **ARBOR DAY**

In the City of Fruita and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated this 5<sup>th</sup> day of May, 2020.

---

*Joel Kincaid, Mayor of the City of Fruita*



*Proclamation*

**PROCLAIMING THE WEEK OF MAY 4 - 9, 2020 AS  
ECONOMIC DEVELOPMENT WEEK**

**WHEREAS**, economic development is a process that is strengthened by the critical partnership between economic development professionals and local government leadership to promote a shared vision for developing vibrant communities; and

**WHEREAS**, economic developers promote economic well-being and quality of life for their communities by helping to create, retain, and expand jobs that sustain individuals and families, enhance wealth, and provide a stable tax base; and

**WHEREAS**, economic developers attract and retain high-quality jobs, develop vibrant communities, support small businesses and entrepreneurs and improve the quality of life in their regions; and

**WHEREAS**, economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

**WHEREAS**, economic developers are engaged in a wide variety of settings including rural and urban, local, state, and federal governments, public-private partnerships, chambers of commerce, higher education, and a variety of other institutions; and

**WHEREAS**, the value provided by economic developers will be sorely needed in 2020 to help our community recover from the economic devastation caused by COVID 19; and

**WHEREAS**, the City of Fruita partners closely with multiple economic development entities, which have formed the Mesa County Economic Development First Responders team to collectively work together to help facilitate the economic road to recovery including compiling a 20 for 2020 list of needed infrastructure projects that could assist with putting people back to work and improving our economic development prospects; and

**WHEREAS**, the City of Fruita recently established a Small Business Emergency Loan Fund using dedicated economic development funds to assist local, small businesses struggling to pay fixed operations costs amidst the COVID-19 pandemic; and

**WHEREAS**, the City of Fruita not only works with developers to achieve community goals, but also is a member of and supports the Fruita Area Chamber of Commerce, the Business Incubator Center and the Grand Junction Economic Partnership to further economic health of the Fruita community; and

**WHEREAS**, economic developers work in the City of Fruita within the State of Colorado.

**NOW, THEREFORE, BE IT PROCLAIMED** by the Fruita City Council that **May 4 - 9, 2020** be recognized as **NATIONAL ECONOMIC DEVELOPMENT WEEK** in the City of Fruita and reminds individuals of the importance of this community celebration which supports expanding career opportunities and improving quality of life.

**IN WITNESS WHEREOF**, I have hereunto set my hand and cause to be affixed the official seal of the City of Fruita this 5<sup>th</sup> day of May, 2020.

\_\_\_\_\_  
Joel Kincaid  
Mayor of the City of Fruita

**FRUITA CITY COUNCIL  
VIRTUAL MEETING  
APRIL 21, 2020  
5:00 P.M.**

**Public Link to Meeting**

When: April 21, 2020 7:00 PM Mountain Time (US and Canada)

Topic: City Council Meeting – 4/21/2020

The link to join the meeting electronically will be posted on 4/20/2020 prior to the meeting at [www.fruita.org/covid19](http://www.fruita.org/covid19) under City Council meetings. You may also contact the City of Fruita at (970) 858-3663 for information to connect to the meeting.

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Kincaid gave the Invocation and the Pledge of Allegiance was recited.

**2. CALL TO ORDER AND ROLL CALL**

Mayor Joel Kincaid called the Regular Meeting of the Fruita City Council to order at 7:03 p.m. Pursuant to Resolution 2020-19 adopted by the City Council on March 17, 2020 (which adopted an Electronic Participation Policy allowing the Council to hold meetings electronically), the meeting was held with virtual access provided through Zoom.

**Present via teleconference:**

Mayor Joel Kincaid  
City Councilor Ken Kreie  
City Councilor Karen Leonhart  
City Councilor Amanda Ewing  
City Councilor Kyle Harvey  
City Councilor Dave Karisny  
Mayor Pro Tem Lori Buck

**Absent:**

None

**Also present:**

City Manager Mike Bennett  
City Clerk/Finance Director Margaret Sell  
Deputy City Clerk Deb Woods  
Management Analyst Shannon Vassen  
Members of the public

**3. AGENDA – ADOPT/AMEND**

Mayor Kincaid asked if there were any changes to the agenda. Deputy City Clerk Deb Woods mentioned that there was an addition of a Letter of Support on April 20, 2020 (the previous day),

to the Council Reports and Actions section of the agenda that had already been uploaded to the City's website and re-sent to the Mayor and Council. No additional changes were made to the agenda since then.

- **COUNCILOR BUCK MOVED TO APPROVE THE AGENDA AS AMENDED. COUNCILOR LEONHART SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

#### **4. PROCLAMATIONS AND PRESENTATIONS**

There were no Proclamations or presentations on the agenda.

#### **5. PUBLIC PARTICIPATION**

City of Fruita Management Analyst Shannon Vassen has been monitoring to see if any members of the public have sent in (via e-mail) any questions or comments. Mr. Vassen confirmed that he had not received any public comments for the Council.

#### **6. OLD BUSINESS – CONSENT AGENDA**

##### **A. MINUTES:**

- 1) **A REQUEST TO APPROVE THE MINUTES OF THE MARCH 17, 2020 CITY COUNCIL MEETING**
- 2) **A REQUEST TO APPROVE THE MINUTES OF THE MARCH 26, 2020 SPECIAL (REMOTE) CITY COUNCIL MEETING**

##### **B. FINANCIAL REPORTS – A REQUEST TO APPROVE THE MARCH 2020 FINANCIAL REPORTS**

Mayor Kincaid opened the public hearing on the Old Business – Consent Agenda. Hearing no (e-mailed in) comments from the public, he closed the public hearing and referred back to the Council.

- **COUNCILOR KREIE MOVED TO APPROVE THE OLD BUSINESS - CONSENT AGENDA AS PRESENTED. COUNCILOR LEONHART SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

#### **7. PRESENTATIONS TO OUTGOING CITY COUNCIL MEMBERS**

Deputy City Clerk Deb Woods displayed on the camera two plaques of appreciation/acknowledgement of service for City Councilors Dave Karisny and Amanda Ewing, both of whom will be stepping down from their seats on the City Council effective this evening.

Councilor Karisny mentioned that he wanted to continue to participate in the Livability Commission (especially the Fruita Youth Initiative part of it) and would potentially remain involved in the Land Use Code update.

#### **8. NEW BUSINESS – SWEARING-IN OF NEWLY ELECTED COUNCIL MEMBERS AND MAYOR**

Deputy City Clerk administered the Oath of Office to Mayor Joel Kincaid. She then administered the Oath of Office to Councilors:

- Heather O'Brien
- Ken Kreie
- Matthew Breman

#### **9. NEW BUSINESS – CONSENT AGENDA**

**A. LIQUOR LICENSE RENEWAL – A REQUEST TO APPROVE THE RENEWAL OF A BEER & WINE LIQUOR LICENSE FOR CAMILLA'S KAFFE LOCATED AT 206 E. ASPEN AVE.**

**B. RESOLUTION 2020-21 – APPROVING THE SUBDIVISION IMPROVEMENTS AGREEMENT (SIA) FOR THE RED CLIFFS MOBILE HOME VILLAGE #2 SUBDIVISION, PHASES 2 AND 3**

**C. RESOLUTION 2020-22 – APPROVING THE PURCHASE OF REAL ESTATE FOR ROAD RIGHT-OF-WAY AND APPROVING A DEED AND AGREEMENT FOR MULTI-PURPOSE EASEMENTS FOR THE K.4 ROAD INFRASTRUCTURE IMPROVEMENTS PROJECT AND AUTHORIZING THE CITY MANAGER TO SIGN THE CONTRACTS AND AGREEMENTS**

Mayor Kincaid confirmed with Shannon Vassen that the City had received no public comments concerning the above Consent Agenda items. Mayor Kincaid closed the public hearing on the New Business – Consent Agenda.

- **COUNCILOR BUCK MOVED TO APPROVE THE NEW BUSINESS - CONSENT AGENDA AS PRESENTED. COUNCILOR HARVEY SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

#### **10. ADMINISTRATIVE AGENDA**

**A. LAND USE CODE UPDATE – PLANNING & DEVELOPMENT DIRECTOR DAN CARIS**

Mr. Dan Caris pointed out that in late 2019, the Council adopted its *Fruita in Motion: Plan Like a Local Comprehensive Plan*, of which the Land Use Code update is a part.

In mid-2019, the City was awarded a Department of Local Affairs grant of \$25,000. In addition, \$75,000 was included in the 2020 Budget for the Land Use Code update, so the City has a total budget of \$100,000.

Between September and November of 2019, the City put out a Request for Proposals to land use planning groups and consultants all throughout the state and the country and Design Workshop was selected for the project. A scope of work was drafted that was broken into four (4) phases:

1. Project Initiation
2. Administration
3. Code Audit
4. Drafting of Code changes

Mr. Caris said that staff had really planned on being underway with final adoption anticipated sometime in April, but that the project has been pushed back because of COVID-19. Staff has been working with the consultant to figure out how to move forward. It was decided that many of the beginning elements such as the Project Initiation, Administration and Code Audit could take place after establishing a Technical Advisory Committee.

On February 20<sup>th</sup>, staff had the initial kick-off with the consultant and started the Code Audit, which is essentially going through all the Chapters of the Land Use Code to evaluate what is different about the Code that exists today versus what the City is trying to achieve with the *Fruita in Motion: Plan Like a Local Comprehensive Plan*.

Mr. Caris noted that on Thursday, May 7<sup>th</sup> from 4:00 to 6:00 p.m., staff will be holding a virtual meeting via Zoom with the Technical Advisory Committee, which is made up of four to six developers, engineers and architects. The Fruita Planning Commission and City Council will be invited to participate in that meeting. After that, staff will be trying to establish a set of dates to continue to work remotely on the Land Use Code update.

Mr. Caris pointed out that although the City was granted an extension to the end of 2021 for the DOLA grant award, staff is pushing for a rolling adoption in 2020.

City Manager Mike Bennett highlighted the fact that the City was able to finish the Community Plan, which sets forth the basis, goals and vision for what the Land Use Code is trying to achieve. He added that the City does not need to go out and do reiterations of large amounts of public feedback because that feedback has already been received and staff is now trying to write the detailed policy to achieve some of what was requested in the feedback by the community.

#### **B. COVID-19 RESPONSE UPDATE – CITY MANAGER MIKE BENNETT AND CITY CLERK/FINANCE DIRECTOR MARGARET SELL**

City Manager Mike Bennett noted that there is a three-page timeline in the Council packet that highlights all the efforts that the City has taken so far in responding to the COVID-19 pandemic. This timeline has been available on the City's website since Friday, April 17, 2020.

Mr. Bennett reminded everyone that the City of Fruita does not have the ability to implement any orders or restrictions that are *less* restrictive than what the county, state or federal government are doing, so in all the City's response efforts, the only thing the City is allowed to do is to adhere to those orders of the higher forms of government and implement *more* restrictive measures than them, but not less. Staff has been receiving many questions about this from the public.

One more restrictive measure that the City of Fruita has taken includes closing of the Fruita Community Center sooner than the county, state or federal government had asked, even though it was only a few days before it was ordered to be closed. Otherwise, the City of Fruita has followed suit with the County Public Health Department and further guidance from the state and federal governments.

One of the efforts that the City has been doing repetitively over the course of the coronavirus outbreak is putting out information on the home page at [fruita.org/covid19](http://fruita.org/covid19) on a daily basis to make sure that the public is aware of all the updated and current information. Staff has also posted links to the Mesa County Public Health Department, CDC, Public Health and Environment for the state, and the Governor's pages. The City also puts out information on its social media pages such as Facebook. Current news includes:

- Two more cases of the coronavirus reported in the County for a total of 37, a majority of which have recovered.
- Results from over 200 tests for the virus came back at zero positive results.
- Stay-at-Home order will be lifted beginning next week at the state level.
- Letters were sent to owners of short-term rentals urging that they honor the Governor's Stay-at-Home order (larger hotels have already been contacted) by refraining from renting to visitors.

City Clerk/Finance Director Margaret Sell reviewed the accessible financial impacts of the COVID-19 pandemic, noting that it will be some time before the City will know what exactly those impacts are. Major revenue sources will not be seen for another month or possibly two before staff can determine the overall consequences of the virus on the economy related to sales tax.

Mrs. Sell provided a short, 90-day look out and explained that as time goes on and staff receives more data, the information will be presented for the long-term effects going through the end of 2020.

Mrs. Sell presented a memorandum with a breakdown of the City's three major funds: General Fund, Community Center Fund and the Sewer Fund. Each have different revenue sources and have been impacted by the pandemic a little differently.

Mrs. Sell explained that tax revenues account for 86% of the total General Fund revenues. March, April and May 2020 estimates for reductions in revenues range from \$.5 million to about \$618,000. Those revenue sources include property tax, which make up about 15% of the total General Fund revenues and amounts to about \$1.4 million. These have a fairly stable outlook; staff doesn't really anticipate any significant impacts from the pandemic on property tax revenues.

The most significant impact will be the result of waivers of late charges and interest charges from the county on past due property tax payments until April 30, 2020. There may be a potential moving forward for increased foreclosures based on the current economic conditions in the City of Fruita and in Mesa County.

County sales tax (0.5% of the total 2.0% in county sales tax) is received by the City of Fruita for public safety purposes. These account for 31% of the City's General Fund revenue or \$2.4 million. There is considerable time lag on the numbers for county sales tax because March sales tax numbers are typically available to Fruita in May and then distributed to the City by the county in June, but the State of Colorado has granted a 30-day extension for payment of March taxes from April 20 to May 30, which means the City of Fruita may not know what the full impact of COVID-19 will be on county sales tax until June. The rough estimate at this point is at an \$182,000 to \$212,000 reduction in that revenue over the 90-day period.

City sales tax impacts are very similar. They make up 24% of total General Fund revenues (approximately \$2.1 million) and staff estimates an approximate \$160,000 to \$186,000 reduction over the next 90 days. The time lag on receiving the data is the same as the one for county sales tax.

Use tax on building materials and vehicles make up 10% of the City's General Fund revenue. Estimates are at a \$180,000 to \$110,000 reduction in those revenues and it is estimated that the use tax on motor vehicles will be more heavily impacted than the use tax on building materials.

Other revenues in the General Fund are about 14% (\$1.2 million) of total General Fund revenues and rough estimates on those reductions are at about \$85,000 to \$110,000.

Mrs. Sell stated that on the positive side, the City of Fruita's year-to-date sales tax revenues through February 2020 are at \$142,000 ahead of budget for the first two months of the year, which will offset some of the anticipated decreases.

On the expense side in the General Fund, the following measures have been taken to reduce or offset reductions in revenues:

- Hiring freeze on non-essential positions
- Evaluation of Capital Equipment purchases
- Reductions for professional development
- Reductions for tuition reimbursements
- Use of Contingency Funds to offset revenue losses
- Use of a portion of \$2 million in operating reserves

Mrs. Sell gave an overview of the COVID-19 impacts on the City's Sewer Fund.

Sewer revenues are primarily for monthly user charges consisting of both residential (86% of the charges), commercial accounts (remaining 14%) and tap and plant investment fees. Reductions in those revenues is estimated at approximately \$60,000, or 2% of the total revenue. Residential accounts are billed at a flat rate and staff does not really anticipate any significant impact on those

revenues. Commercial accounts are based on actual water consumption, and the April bill for March use came in at down less than 1%, so staff does not anticipate a huge impact for March but does anticipate larger impacts in April and May as business are closed and use less water consumption. Staff estimates the commercial accounts being billed at about a 50% reduction for April and May.

Mrs. Sell stated that there may be some additional impacts from plant investment and tap fees based on what kind of building and construction is going on in the community. Currently, the City is running about \$30,000 ahead of last year during the same time period on plant investment fees, which were budgeted conservatively at about \$360,000. This is less than the \$467,000 that the City actually received last year. The reduction is estimated at about 23% without having any impact on the budgeted sewer revenues, so it is more or less a neutral outlook.

On the expense side, the City of Fruita has taken the following measures:

- Delay on filling vacant positions
- Line item reductions are possible for:
  - Professional Development
  - Tuition Reimbursement
  - Use of a portion of the \$368,000 in operating reserves, which is net of the reserve that is attributed to loan payments of \$55,000

Mrs. Sell stated that the Community Center Fund is seeing a pretty significant impact. The FCC closed on March 14<sup>th</sup> or 15<sup>th</sup> and the City did not bill for any attendance or daily passes since then. Staff estimates the reduction in revenue will range from \$400,000 to \$417,000 over the next 90 days. The Community Center Fund receives \$0.01 of the City sales and use tax revenues and staff estimates revenue reductions of about \$80,000 to \$93,000.

The other area that will be hard-hit is charges for services at the FCC. 43% of the Community Center Fund is from charges for admissions and activities at the FCC. Over the next 90 days, staff estimates reductions in revenues of about \$324,000. Expense cutting measures that have taken place include:

- Part-time employees have been furloughed until the facility reopens.
- Staff is evaluating the possibility of postponement of some of the Capital Equipment purchases that were scheduled for this year.
- Hiring freeze
- Delay in filling vacant positions
- Potential line item reductions in:
  - Professional Development
  - Tuition Reimbursements
  - Use of a portion of the \$458,000 in operating reserves

Mrs. Sell summarized by saying that the City of Fruita is not experiencing any cash flow issues so staff does not anticipate any issues or concerns. The revenues will be delayed and the lack of data currently makes it hard to predict with any degree of accuracy what the City is looking at. She

explained that she put together the above 90-day forecast, but as the data rolls in (in about 30 days), staff will look into June through December to see what impacts the pandemic might have on all Funds in the coming days to determine if any additional measures might be necessary to preserve the financial condition of the City.

Mayor Kincaid asked whether the Council would be receiving financial updates every 30 days or if it would be further out than that and Mrs. Sell responded that she is looking at the data every day but she does not anticipate any of the sales tax data until the first week or so of May. She added that staff can update the Council at that time, but the data might not reflect a complete picture yet.

Mayor Kincaid supposed that the Council would likely receive an update at the second meeting in May.

City Manager Mike Bennett added that the City was fortunate to have healthy reserves and Fund Balances to help Fruita through this time. He recapped that it is unknown how much of a shortfall the City might see, but staff is certain that revenues will be down so cost saving measures are being implemented. Mr. Bennett added that those measures will not likely cover the shortfall completely, which means that the City's reserves will have to be utilized.

Mr. Bennett continued that so far, there is no available financial aid for cities under 500,000 population to cover shortfalls in revenues, and that what staff is hearing at the state and federal levels is that the next round of stimulus funding (which is referred to as "the fourth round") also does not include any funds for shortfalls for local governments, but hopefully will be able to help local businesses with their shortfalls. He said there is potential for financial assistance for local governments in "round five," but that is not something that staff can completely rely upon.

Mr. Bennett pointed out that the City of Fruita maintains healthy Fund Balances and reserves, but not exorbitantly. He said that this has helped with Fruita's credit rating and that the City spends the right amount of money in order to provide the core services, which is the City's primary focus as a municipal government.

Mr. Bennett said that the next topic for the Council is the matter of reopening the economy. The City has links on its website to the state plan and there is further written detail still to come from the Governor's office on the state's three-phase plan for reopening pursuant to the Governor's presentation which took place the previous day at 4:00 p.m.

Mr. Bennett explained that Mesa County is working on a plan and there are drafts of it that have been put out in the media, but as of 4:00 earlier in the day, Mr. Bennett said he was on the phone with all the hospital administrators including the Mesa County Public Health Department and other city and county staff to go over a new draft of the plan that is much more detailed. It is very similar to the state plan, but it does have some earlier dates of openings for businesses. Mesa County has this request in to the state, the Governor and the Public Health Department to approve the modifications to the state plan for Mesa County based on very specific measures.

The Mesa County plan is based on measures of tracking the current results of testing for the coronavirus and not only has the county started receiving far less new cases and even though there is more ability to test, there are much less people with the symptoms currently.

Mr. Bennett said if the numbers stay the same, Mesa County plans to initiate the first phase of their plan and will continue to watch the data over two-week increments, which may require the county to make adjustments. These could be reverting back to more strict restrictions depending on the number of cases of COVID-19 in Mesa County. Mr. Bennett called the county fortunate to be able to get started in the process of reopening businesses with certain precautions.

Mr. Bennett reminded everyone that with these plans as they are rolled out, the City can only implement measures that are more stringent, but not less.

Mr. Bennett concluded his report by talking about the concept of City-provided financial assistance because when businesses suffer, the City suffers because its main sources of revenues come from customers of businesses who are paying a sales tax that then in turn, helps pay for the City's core services.

Mr. Bennett stated that first and foremost, the City must stay focused on its core mission, which is providing public safety, sewer, streets, traffic control, all public utilities and other services for businesses and residents alike.

City staff has been coordinating with their Economic Development Partners such as the Fruita Area Chamber of Commerce, Grand Junction Economic Partnership (GJEP), all the Chambers in the Valley, the Business Incubator Center, the Workforce Center, Colorado Mesa University and each of the cities and Mesa County. Mr. Bennett said they have all been very helpful in making sure that the City is getting information out as fast as it is coming in and trying to make sure businesses have the ability to access the information.

Staff has also put out a webinar with the assistance of the City Attorney to help people with questions about the CARES Act. The City's Engineering Department has created a GIS map and the Planning & Development Department helped to map out the businesses that are open with their hours of operation and website addresses.

Mr. Bennett said there has been a lot of cross-sharing with the Economic Development Partners and with the Fruita Chamber, who has just recently launched a great effort to help businesses through a very specific program utilizing gift cards for local businesses.

Mr. Bennett stated that there are economic development funds that the City has designated and set aside for possible economic development in the future including \$25,000 allocated to the Foreign Trade Zone and an additional amount of approximately \$30,000 designated for economic development opportunities. He said that these funds can be considered by the City Council for matching incentives from the state or other agencies and in thinking about how Fruita's businesses are struggling (and even though \$30,000 is not a lot of money), the City's goals remain focused upon start-ups and expansions in growth of the local existing businesses prior to the relocation of new businesses.

Mr. Bennett proposed that the City Council create a loan fund with the \$30,000 in economic development funds to help Fruita's small businesses. He also pointed out that there is an existing loan fund that the City created with the Business Incubator Center years ago when the City gave the BIC \$30,000, who in turn, has given many loans to help businesses start up in Fruita. Mr.

Bennett said the BIC is capable of managing, administering and selecting qualified recipients of loans for the City and rather than “re-creating the wheel,” he was proposing that Fruita utilize the BIC to do the same for a new possible loan fund.

Mr. Bennett noted that the current loan fund has about \$15,000 that is lendable in addition to the \$30,000 in economic development funds. He said that one of the biggest gaps for small businesses that they are struggling with during this time is the ability to make a mortgage or rent payment or two.

Staff would like to create a simple process that could be relatively quick using criteria that would include such things as:

- Must have a “brick and mortar” location within the City
- Must be in good standing with the City and the state regarding taxes or business licenses
- Must have a survival plan that outline the specific steps that a business can identify to survive through the pandemic (the BIC can assist with this)
- A requirement concerning the maximum number of employees (less than 50 or 40, for example)
- Must have been forced to close the business or reduce services dramatically

The City of Fruita can create the criteria and the BIC can administer the loan program. If it is a program where the loans will need to be paid back by the businesses, then there will be about a 16% (or slightly less) payment to the BIC for the administration of the fund depending upon the criteria. If it will be a forgivable type of program, the payment to the BIC will be closer to 8%.

Mr. Bennett said the City can choose whether the loans would include any interest or not, what the payback timeframe would be and additionally, if the Council wants to increase the amount from the \$30,000 and potentially the \$15,000, the City could look at utilizing next year’s increase in lodging tax revenues that has an economic development component to it. While staff knows that lodging tax revenues are going to go down during the COVID-19 pandemic, it is estimated that in a normal year, the City receives anywhere from \$120,000 to \$150,000 per year in lodging tax revenues. It is not anticipated that the higher end will be achieved in 2020 or in 2021, but because those funds have been designated for the potential use of economic development, the City could take only a portion (1/4 of the total in economic development funds, for example) and apply for matching grant funds. The City of Fruita could then create grants as low as \$1,500 or as high as \$3,000 to help businesses make a portion of or completely cover the businesses’ mortgage or rent payment(s).

Mr. Bennett asked for the Council’s thoughts on moving forward with a loan fund for Fruita’s businesses and recommended that the Council schedule a Special (virtual) Meeting on Thursday, April 23, 2020 to have a discussion on and to consider staff’s very specific proposal or proposals for a loan fund based on the Council’s current feedback. He stressed that time was of the essence as the hope is to begin the application process the following week (beginning April 27<sup>th</sup>) and trying to make the awards the following week (beginning May 4<sup>th</sup>).

Mr. Bennett emphasized that the decisions made for loan fund awards need to be based on criteria set forth by the City and then the BIC would be the ones making the decisions on which businesses will be awarded the loans.

Mr. Bennett asked the Council whether there was consensus on scheduling the Special (virtual) meeting as he described.

Councilor Heather O'Brien asked if staff was bringing the proposals to the Council at the Special Meeting or if the Council was to collectively decide on the criteria at the Special Meeting.

Mr. Bennett responded that staff would prepare proposals to bring to the Council for their consideration based on the Council's current feedback (at this meeting), although the criteria could be discussed at the Special Meeting as well if necessary.

The Council came to a consensus to hold a Special Meeting on April 23<sup>rd</sup> to discuss and consider staff's proposal(s) for a loan fund for Fruita's businesses.

Councilor Buck liked the concept of the loan being a no-interest one (not a forgivable one), but one where the money would be paid back without interest tacked onto it. She also liked the idea of taking funds out of the new lodging tax increase and that anywhere between \$1,500 and \$3,000 is a good number for amounts to lend out. She added that the City would need to determine whether a business was adversely affected by the coronavirus and establish criteria that would be very simple and trackable because otherwise, businesses probably will not apply if it is too complicated.

Councilor Buck said she didn't have a good sense on the timeframe in which the loans should be paid back to the City but that it shouldn't be too soon.

Councilor Leonhart agreed with Councilor Buck but added that for the amount of money being lent, the loans being forgivable might help someone stay in business, so she encouraged the Council to have more discussions about that.

Councilor Kreie concurred with everything that had been said and added that the money had been set aside for economic development and he likes the idea of supporting the businesses that already exist in Fruita.

Councilor Harvey said he thought it would be great for the Council to have a conversation on Thursday (April 23<sup>rd</sup>) and he liked the idea of seeing a couple of different proposals from staff. He also agreed with everything that had been said already.

Councilor Breman agreed that the Council should proceed with a Special Meeting on April 23<sup>rd</sup>. He asked the City Manager to clarify that the cost for the BIC to administer the loans is 16%.

Mr. Bennett pointed out that Jon Maraschin was in the virtual audience and would be attending the virtual Special Meeting on April 23<sup>rd</sup> as well. He continued that in general, when the BIC administers loan programs that are paid back, those often are much larger loans with state and federal requirements that necessitate a lot of administrative work and so, the fee for such is at 16%. Mr. Bennett explained that if a loan was to be forgivable, the BIC's fees would be about half the

amount (of 16%) because it would cut out a lot of the time and work to administer the loan. He said he thought staff would be proposing something that would be somewhere in between depending on the criteria but he also agreed that the process should be fairly simple to a certain degree.

Mr. Bennett said that staff would be bringing more information to the Council at the April 23<sup>rd</sup> Special Meeting concerning proposed structures for the loan program and that Jon Maraschin would be participating in the meeting also.

Councilor O'Brien said that what she hoped to see in staff's proposal is an explanation of what the need might be; how many small businesses Fruita has, what the average cost of their rent or mortgage is and whether \$1,500 to \$3,000 would be sufficient, especially considering some of the businesses are restaurants that aren't going to be able to reopen soon depending on the number of cases of COVID-19 in the county. She supposed that some businesses might also have back-pay and asked how staff came up with the amounts of \$1,500 to \$3,000. Councilor O'Brien wondered if there had been any conversation about helping businesses meet their payroll needs in addition to helping them with their rent or mortgage.

Mr. Bennett responded that staff has ideas and can gather more information, but will not have an average of what everyone's rent or mortgage is because it would not be possible to obtain that information in short order. He added that the City is limited on how much money it actually has and the loan program is not going to solve everything or be the one thing that helps. Mr. Bennett continued that the current stimulus being undertaken is for payroll and there are other loan programs for other aspects, but there has not been any potential aid for rent or mortgage payments. He added that when business owners have responded to surveys (both locally, regionally and throughout the country), help with rents or mortgages has been the biggest gap and therefore that is why staff is proposing to help with those. In talking with the Economic Development partners, they are hearing the same thing from business owners; that they need help with their rent or mortgage.

Mr. Bennett stated that there are businesses with both much lower and much higher rent or mortgage payments and one of the pieces of the criteria would be to determine whether a business has been largely impacted by COVID-19 or not. He said that for the \$1,500 to \$3,000, it would depend on how large of a pool of candidates the City might have and that staff is trying to get to an amount that has some form of impact to the most number of businesses that the City can help.

Mr. Bennett agreed that staff would like more data to make good decisions, but added that staff will have some of it to a certain degree such as what average rents are based on what the BIC and the Chambers are working on and that the amount of the loans could potentially span quite a range.

Councilor Kreie asked what would happen to the money after everything was all done; does the City pull the money out of the fund now or leave it in for good?

Mr. Bennett said he thought that was a great question and that the Council could revisit it once the loans need to be paid back to the City. He did not recommend doing anything that removes the current loan fund that the City has because it has been very helpful for start-up businesses, which is a high priority in the Fruita community.

Mr. Bennett continued that while staff could potentially use half of the loan fund during this period of time; that the City would want to replenish it if it gets used, otherwise, the City will have two loan funds for two different purposes.

Mr. Bennett said that there were many options and that the Council needs to think about a logical amount of time for the loans to be paid back. He noted that the City isn't looking to try and make money; it is just trying to assist local businesses, many of whom are receiving assistance that is not forgivable. He added that if the lodging tax increase results in additional funds for the City, staff would need to look at how to prioritize projects whether they are Parks, Open Space, Trails, public places and economic development or both.

Councilor Breman asked what the procedure is for Council members to properly share their ideas. Mr. Bennett said that Council members could email the Mayor, the other Council members or himself, but if an email goes out to all Council members, he would ask that nobody "reply all" so that the City doesn't inadvertently create a meeting that wasn't posted for the public 24 hours in advance.

Mr. Bennett noted that the loan program is a little bit different and that normally, the Council would take the discussion to a workshop setting to get more feedback and would then schedule it for another meeting with some proposals by staff. He said he would be working with Jon Maraschin closely to put the proposals together, but if any Council member had thoughts in the meantime, he would request that those ideas get emailed to him and staff will do what they can to put together a plan. Mr. Bennett added that there would be more opportunity on April 23<sup>rd</sup> for the Council to provide input.

There was consensus among the Council to hold a Special Meeting on April 23, 2020 at 5:00 p.m.

## **11. CITY MANAGER'S REPORT**

City Manager Mike Bennett thanked Amanda Ewing and Dave Karisny for their time, dedication and assistance to the City, community and regional partnerships. He said staff would still be in touch with them because they would still be involved in many ways.

Mr. Bennett welcomed Councilors Breman and O'Brien and thanked them for their willingness to run for City Council and serve in that capacity.

Mr. Bennett also thanked the community for the amount of assistance people are providing to each other and for trying to adapt during the pandemic, stating that it was truly appreciated.

Mr. Bennett noted that in the recent past, the Council has been recognizing schools at the beginning of Council meetings but had to put those presentations "on pause" due to COVID-19. Staff would like to continue doing the presentations if the Council was okay with it, even if it is in a virtual manner for at least two more schools and then the City would start them up again in the fall.

## **12. COUNCIL REPORTS AND ACTIONS**

**A. ELECTION OF A MAYOR PRO TEM**

Mayor Kincaid stated that Councilor Lori Buck had reached out to him and expressed her interest in staying on the Council as Mayor Pro Tem. He asked if anyone else was interested in the position or if they were interested in keeping Lori on as Mayor Pro Tem.

There was consensus among the Council that Lori makes a good Mayor Pro Tem because she had been Mayor for so long, she can jump in and fill that role pretty easily and is a strong leader.

- **COUNCILOR LEONHART MOVED TO ELECT LORI BUCK AS MAYOR PRO TEM. COUNCILOR BREMAN SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

**B. DISCUSSION REGARDING BOARDS AND COMMISSIONS LIAISON POSITIONS**

Mayor Kincaid said his goal for this agenda item was to get the Council members on a board that they really love to serve on. He made the comment that he enjoys being on the Fruita Chamber Board of Directors and that he really also likes the Tourism Advisory Council unless there was someone else who was very interested in them.

Mr. Bennett noted that for the boards that are not City of Fruita Boards and Commissions, staff has been serving on them as liaisons and can continue serving on them; they weren't asking to be removed from those boards.

Mr. Bennett pointed out that he is now the staff liaison for the Greater Grand Junction Sports Commission and that he has not attended any of the Colorado Municipal League (CML) Policy Committee meetings in Denver, although he had been keeping up with what they've been doing. He added that it is not required that liaisons to the CML Policy Committee attend those meetings.

Mr. Bennett also noted that the Museum of Western Colorado (MWC) typically has had and still prefers that an elected official serve as a liaison to the board and that Public Works Director Ken Haley has been serving on that board for the last two years.

Councilor Harvey noted that he was on the (One) Riverfront Commission and had been going to the meetings for the first fifteen to twenty minutes, but he wasn't really getting a whole lot out of it for City Council and Fruita purposes.

Mr. Bennett, the Mayor and the Council members discussed the Boards and Commissions and all liaison positions were filled.

Councilor O'Brien was appointed to the Planning Commission. She confirmed with the City Manager that in case she starts feeling overwhelmed with that appointment as well as the appointment as Council Liaison to the Parks and Recreation Advisory Board, she would be allowed to step down from one of the boards and let someone else take over her seat. Mayor Kincaid said he didn't want anyone to feel overwhelmed and asked Councilor O'Brien to contact him should she begin to have any concerns.

Mayor Kincaid requested that staff send out an updated list that outlines the liaison appointments to all the Council members.

**C. APPROVING A LETTER OF SUPPORT FOR THE GRAND VALLEY EQUINE ASSISTED LEARNING CENTER TO APPLY FOR STATE HISTORICAL FUNDS TO PURCHASE MOON FARM LOCATED AT 1360 18 ½ ROAD IN FRUITA (ADDED TO THE AGENDA ON APRIL 20, 2020)**

City Manager Mike Bennett stated that Mayor Pro Tem had brought up this agenda item in the past during Council updates and that the Grand Valley Equine Assisted Learning Center had contacted her regarding applying for a grant to continue with the purchase of Moon Farm. He said he thought it would be a great fit. Councilor Buck said it would be a great partnership and would keep Moon Farm in its historic state. They plan on keeping all the outbuildings and staying open to the public but with the addition of an arena to do equine therapy, which reaches from children all the way to veterans and anybody in between who needs a little something extra.

- **COUNCILOR BUCK MOVED TO APPROVE THE LETTER OF SUPPORT FOR THE GRAND VALLEY ASSISTED EQUINE CENTER TO PURCHASE MOON FARM. COUNCILOR HARVEY SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

**D. COUNCIL REPORTS AND ACTIONS**

COUNCILOR LORI BUCK

Lori said she had nothing to report from Boards and Commissions meetings, but that she wanted to give City staff a very big “thank you!” for taking care of an irrigation situation that occurred the previous weekend. She received a call on Friday night from an individual that had their irrigation system torn up due to the City sewer project and by Monday morning, there was a plan to take care of the problem and get it straightened out. Lori said the homeowner was also very complimentary about how well and quickly City staff worked on it.

COUNCILOR KEN KREIE

Ken reported that he had sent an email to Senator Gardner requesting that municipalities get considered when developing the stimulus plan. The bill has been finalized but not signed yet. Senator Gardner told Ken how they are dividing up the money - the state was going to get \$1.7 billion and the top five communities with populations over 500,000 are going to be able to apply for some of that money, but then the rest of the money would be left to the state to use as they saw fit. Ken was also told that Congress did not obligate states to give money to municipalities.

COUNCILOR KAREN LEONHART

Karen thanked the Fruita community for supporting the increase in the lodging tax and she added that hopefully at the next municipal election, more than 32% will get out and vote.

Karen also reported that School District #51 has been connecting with families who are struggling to help with food and whatever other services the District can assist with.

COUNCILOR MATTHEW BREMAN

Matthew reported that he attended the last Grand Junction Economic Partnership (GJEP) meeting and the only thing of relevance to Fruita is that GJEP has been actively involved working on the reopening plan for Mesa County.

MAYOR JOEL KINCAID

Joel reported that the Fruita Area Chamber of Commerce will be rolling out the “Love Local” campaign the following day and has been partnering with the Palisade Chamber and the Downtown Development Authority (DDA) in Grand Junction on it. They don’t have as much interest as they would like from businesses yet, but Joel noted that in Durango, they raised \$130,000 for local businesses. The program sells gift cards with 100% of the proceeds going to the actual business that the card is for.

**13. ADJOURN**

With no further business before the Council, the meeting was adjourned at 8:42 p.m.

Respectfully submitted,

Debra Woods  
Deputy City Clerk  
City of Fruita



# FRUITA COLORADO

---

## AGENDA ITEM COVER SHEET

---

**TO:** FRUITA CITY COUNCIL AND MAYOR  
**FROM:** DEBRA WOODS, DEPUTY CITY CLERK  
**DATE:** MAY 5, 2020  
**RE:** LIQUOR LICENSE RENEWAL – A REQUEST TO RENEW A RETAIL LIQUOR STORE LICENSE – MALT, VINOUS AND SPIRITUOUS FOR JACKALOPE LIQUORS LOCATED 404 JURASSIC AVE., UNIT B

### **BACKGROUND**

The Retail Liquor Store License – Malt, Vinous, and Spirituous for Jackalope Liquors located at 404 Jurassic Ave., Unit B is up for renewal. Their current license expires on **June 19, 2020**.

The Police Department report shows there is nothing unusual or of concern that would prohibit the issuance of license. The City Clerk's office has no current TIPS certificate on file for Jackalope Liquors.

The following information is provided as background on the liquor license renewal process:

This item is placed on the agenda for the Council to determine if there is any cause for a hearing to be held on the renewal of the liquor license. If there is no cause for a hearing, the City Council should approve the renewal of the existing license. If there is cause for a hearing, the City Council should set a date to hold a quasi-judicial hearing to determine if there are sufficient grounds for suspension or revocation of the liquor license. The City Council may also temporarily suspend any license, without notice, pending any prosecution, investigation or public hearing. No such suspension shall be for a period of more than 15 days.

### **FISCAL IMPACT**

None.

### **APPLICABILITY TO CITY GOALS AND OBJECTIVES**

The City of Fruita is charged with protection of the public health, safety and welfare. The review and renewal of liquor licenses ensures that licensed establishments are operating by the rules and regulations adopted by the City and State concerning the sale or service of beer and alcoholic

beverages.

### **OPTIONS AVAILABLE TO THE COUNCIL**

- Renew the Retail Liquor Store License for Jackalope Liquors located at 404 Jurassic Ave., Unit B.
- Schedule a hearing date to determine if there is good cause for the license to be suspended or revoked.

### **RECOMMENDATION**

It is the recommendation of staff that the Council move to:

- **RENEW THE RETAIL LIQUOR STORE LICENSE FOR JACKALOPE LIQUORS LOCATED AT 440 JURASSIC AVE., UNIT B**

**Submit to Local Licensing Authority**

**JACKALOPE LIQUORS  
209 VISTA HILL DRIVE  
Grand Junction CO 81503**

Fees Due	
Renewal Fee	227.50
Storage Permit \$100 X _____	\$
Sidewalk Service Area \$75.00	\$
Additional Optional Premise Hotel & Restaurant \$100 X _____	\$
Related Facility - Campus Liquor Complex \$160.00 per facility	\$
<b>Amount Due/Paid</b>	<b>\$ 227.50</b>

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**Retail Liquor or Fermented Malt Beverage License Renewal Application**

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name <b>SOENG LLC</b>		Doing Business As Name (DBA) <b>JACKALOPE LIQUORS</b>		
Liquor License # <b>03-08367</b>	License Type <b>Liquor Store (city)</b>	Sales Tax License # <b>33316069</b>	Expiration Date <b>07/19/2020</b>	Due Date <b>06/04/2020</b>
Business Address <b>404 JURASSIC AVENUE UNIT B Fruita CO 81521</b>				Phone Number <b>7173836083</b>
Mailing Address <b>209 VISTA HILL DRIVE Grand Junction CO 81503</b>			Email <b>kimsuann@yahoo.com</b>	
Operating Manager <b>Kimsuann Soeng</b>	Date of Birth <b>02-16-83</b>	Home Address <b>209 Vista Hill Drive Grand Junction CO 81503</b>		Phone Number <b>7173836083</b>
1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Are the premises owned or rented? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Rented* *If rented, expiration date of lease <b>05.01.2022.</b>				
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in upper right hand corner and include all fees due. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
3a. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
3b. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
4. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
5. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
7. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				

**Affirmation & Consent**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Kimsuann Soeng	Title Owner
Signature 	Date 04-10-2020

**Report & Approval of City or County Licensing Authority**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules. Therefore this application is approved.

Local Licensing Authority For The City of Fruits	Date	
Signature	Title JOEL KINCAID, MAYOR	Attest

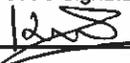
## Tax Check Authorization, Waiver, and Request to Release Information

I, Rimsuann Soeng am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Jackalope Liquors (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101. et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and is duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) <u>Rimsuann Soeng</u>		Social Security Number/Tax Identification Number <u>731-14-4469</u>	
Address <u>209 Vista Hills Drive</u>			
City <u>Grand Junction</u>		State <u>CO</u>	Zip <u>81503</u>
Home Phone Number <u>977 3836083</u>		Business/Work Phone Number <u>970 8582071</u>	
Printed name of person signing on behalf of the Applicant/Licensee <u>Rimsuann Soeng</u>			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) 			Date signed <u>04-10-2020</u>

### Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

**CITY OF FRUITA  
MEMORANDUM**

<b>TO:</b>	<b>FRUITA POLICE DEPARTMENT</b>
<b>FROM:</b>	<b>DEBRA WOODS, DEPUTY CITY CLERK</b>
<b>DATE:</b>	<b>APRIL 14, 2020</b>
<b>RE:</b>	<b>RETAIL LIQUOR LICENSE RENEWAL</b>

**License Information**

Licensee:	Jackalope Liquors
Location:	404 Jurassic Ave. #B
Type of license:	Retail Liquor Store - Malt Vinous and Spirituous Liquor License
Expiration date of current license:	June 19, 2020
City council hearing date:	May 1, 2020
Due date for police report:	May 5, 2020

**Tips certificates on File**

<b>Employee:</b> (None)	<b>Expiration Date:</b>
----------------------------	-------------------------

**Report of Fruita Police Department**

A)	Have there been any reported violation(s) of the Liquor or Beer Code in the last year?	Yes	<input checked="" type="radio"/> No
B)	Have there been any incidents reported to the Police Dept in the last year that would pertain to the liquor license and the establishment's control of alcoholic beverages and their patrons?	Yes	<input checked="" type="radio"/> No
C)	Are there other concerns that need to be brought to the attention of the City Council?	Yes	<input checked="" type="radio"/> No

**Please attach documentation to support the above noted violation(s), incidents or comments.**

Signature Paula Royerich Date 4-15-20



---

## **AGENDA ITEM COVER SHEET**

---

**TO: FRUITA CITY COUNCIL**

**FROM: DEPUTY CITY CLERK DEBRA WOODS FOR MAYOR KINCAID AND COUNCILOR LEONHART**

**DATE: MAY 5, 2020**

**RE: BOARDS AND COMMISSIONS APPOINTMENT – A REQUEST TO APPROVE THE APPOINTMENT OF DAVE KARISNY TO THE LIVABILITY COMMISSION FOR A THREE-YEAR TERM TO EXPIRE IN MAY OF 2023**

### **BACKGROUND**

The membership guidelines of the Livability Commission call for a minimum of seven and a maximum of twenty-one members. There are currently twelve (11) members on the board, so there is the potential for ten (10) remaining vacancies on the board.

On April 22, 2020, Dave Karisny submitted his application for a seat on the Livability Commission.

Mayor Kincaid and Councilor Leonhart recommend Dave Karisny's appointment to the Livability Commission for a three-year term to expire in May of 2023.

If Dave Karisny is appointed, there will be nine (9) remaining vacancies on the Livability Commission, which will be advertised on both the City's website under "Boards and Commissions" and on the City's Facebook page.

### **FISCAL IMPACT**

N/A

### **APPLICABILITY TO CITY GOALS AND OBJECTIVES**

Boards and Commissions provide valuable input to the City and help establish goals and objectives. They provide a link between citizens of Fruita and city government.

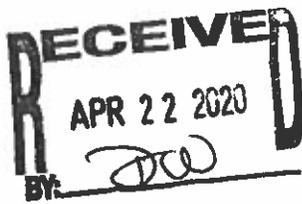
### **OPTIONS AVAILABLE TO THE COUNCIL**

1. Appoint Dave Karisny to the Livability Commission for a three-year term to expire in May of 2023
2. Instruct staff to publish a notice of vacancy and repeat the interview process.

### **RECOMMENDATION**

It is the recommendation of Mayor Kincaid and Councilor Leonhart that the following appointment be made:

- Dave Karisny to the Livability Commission for a three-year term to expire in May of 2023



**CITY OF FRUITA  
BOARDS AND COMMISSIONS  
MEMBERSHIP APPLICATION**

BOARD OR COMMISSION: Livability Commission

NAME: Dave Karisny

MAILING ADDRESS: 917 Squire Ct.

RESIDENCE ADDRESS:	City	State	Zip
	<u>Fruita</u>	<u>CO</u>	<u>81521</u>

PHONE NUMBER:	<u>970-858-3014</u>	<u>970-462-1548</u>
---------------	---------------------	---------------------

	Home	Work
--	------	------

E-MAIL ADDRESS: frutaexit19@gmail.com

How long have you been a resident of Fruita? 30 years

Occupation/Employer: retired D51 Educator

List any volunteer and/or work experience:

I have been a volunteer for New Dimensions, Learning experiences for people over 50. Twice a year we coordinate a number of classes at a variety sites taught by volunteers from our community. I'm on the curriculum committee, assist with technology, and recently been appointed to the New Dimensions Board.

Are you presently serving on a board or commission? If so, which one(s)?

Not in Fruita

Why do you want to be a member of this board or commission?

I would like to participate in the mission of the Livability Commission to support healthy aging and improve the quality of life of the Fruita community. I think my participation on the Fruita Planning Commission as well as the Grand Valley Regional Transportation Commission, GVRTC, has provided me some useful insight into some of the eight domain areas identified by the Livability Commission.

List any abilities, skills, or interests which are applicable to the board or commission for which you are applying.

Previous board and commission experience.

**City of Fruita  
Boards and Commissions Application  
Page 2**

---

Are you committed to attending meetings?

Yes

No

Are you committed to serving an entire term?

Yes

No

Please specify any activities which might create serious conflict of interest if you should be appointed to a particular board or commission. (If unsure, please call the City Manager's office at 858-3663)

none

List any licenses, certificates or other specialized training applicable to the board or commission for which you are applying.

Additional information or references you believe may be helpful in considering your application.

Thank you for your consideration.

Signature

*David Kassing*

Date 4-21-2020

All applicants are strongly encouraged to attend a regularly scheduled meeting of the board or commission for which they are applying. Frequent non-attendance may result in termination of the appointment.

---

**ATTACHMENTS TO APPLICATION MUST BE LIMITED TO TWO PAGES**

Please feel free to submit a resume along with this application. Application and any attachments should be returned to the Fruita City Council c/o the City Clerk, 325 E. Aspen, Fruita, CO 81521. Although we have indicated the best time to apply for a particular board, we accept applications for any of the boards year-round. Thank you.



---

## AGENDA ITEM COVER SHEET

---

**TO: FRUITA CITY COUNCIL AND MAYOR**

**FROM: MIKE BENNETT, CITY MANAGER**

**DATE: MAY 5, 2020**

**RE: COVID-19 RESPONSE UPDATE**

### **BACKGROUND**

The purpose of this item is for the City Manager to provide an update to City Council on COVID-19 response efforts, specifically presenting an overview of the draft re-opening plans for various City operations. As presented at the April 21 and 23 City council meetings, below is an update of a timeline of highlights, not all-inclusive, of response efforts through Friday, May 1, 2020. Attached you will find (1) a General City Operations Re-opening Plan and (2) the Draft Fruita Community Center Re-opening Plan. Below is the updated timeline summarizing response efforts from the City in regards to COVID-19. The City of Fruita may not allow less restrictive measures than the Mesa County Public Health Department Safer at Home Plan (Public Health Order MCPH2020-02), but only more restrictive. The Mesa County Safer at Home Plan (Public Health Order) that became effective April 30, 2020, is attached.

### **COVID-19 RESPONSE TIMELINE SUMMARY**

- **January 30, 2020** - World Health Organization declared worldwide outbreak of COVID-19 a “public health emergency of international concern.”
- **January 31, 2020** - United States Department of Health and Human Services declared COVID-19 a public health emergency.
- **March 5, 2020** - State of Colorado identifies first positive case of COVID-19.
- **March 6, 2020** – City of Fruita made first public announcement on COVID-19, asked public to limit all non-essential visits to City facilities and follow CDC guidelines to limit the spread of diseases.
- **March 9, 2020** - Mesa County launches Emergency Operations Plan in response to emerging threat.
- **March 10, 2020** - Governor Polis declared a state of emergency in response to the spread of COVID-19.
- **March 10, 2020** - City of Fruita activated its COVID-19 Emergency Operations Response Plan. Already able, the City continues the ability to work with utility customers for payment arrangements without penalties to assist with cash flow issues.

- **March 11, 2020** – World Health Organization declared COVID-19 a pandemic.
- **March 12, 2020** – City launches Coronavirus Update web page and begins updating multiple times per day.
- **March 12, 2020** – Began participating in weekly Mesa County Public Health Department virtual meeting updates.
- **March 13, 2020** - President Donald J. Trump declared a National Emergency in response to the COVID-19 events.
- **March 14, 2020** - Mesa County Public Health Department announced first positive case of COVID-19 case in Mesa County.
- **March 14, 2020** – Fruita Community Center closed to the public indefinitely, all recreational programming postponed. Billing for memberships at the Community Center are suspended.
- **March 12, 2020** – City Manager begins conducting daily virtual coordination meetings with Leadership Team.
- **March 16, 2020** – Fruita Mayor, City Council and City Manager provided an update to the public on COVID-19.
- **March 16, 2020** - Colorado Department of Public Health and Environment issued Public Health Order 20-22, closing all bars, restaurants, theaters, gyms, and casinos statewide.
- **March 16, 2020** – Mesa County Valley School District announced all district facilities will be closed until April 10, 2020.
- **March 17, 2020** – City begins participating in weekly coordination calls with all public lands managers.
- **March 18, 2020** – City of Fruita closes Police Department and City Shops facilities to the public.
- **March 18, 2020** – President Donald J. Trump signs Families First Coronavirus Response Act (“FFCRA”), providing paid leave for those affected by the pandemic.
- **March 18, 2020** - City begins participating in weekly White House COVID-19 Briefings with State, Local and Tribal leaders.
- **March 18, 2020** – Fruita Parks & Recreation begins sharing tips, online fitness classes and other activities via Facebook.
- **March 19, 2020** – Fruita Parks & Recreation begins partnering with Food Bank of the Rockies to provide easy drive thru food bank at the Community Center. This evolves into regular Kids Aid distributions and Grey Gourmet Deliveries.
- **March 20, 2020** – Fruita Parks & Recreation begins the daily “Sharing Shelves” program outside the Community Center where people donate and take needed items.
- **March 20, 2020** – City of Fruita began changing marketing to tourists, asked visitors to stay home and postpone any trips to Fruita.
- **March 20, 2020** – City Manager begins participating in twice a week Local Government Coordination calls with the Governor’s Office and State Agencies.
- **March 20, 2020** – Governor Polis issues Executive Order D 2020-12 limiting evictions, foreclosures, and public utility disconnections, expediting unemployment insurance claim processing, and extending deadlines for property tax (including Mesa County/Fruita based on Mesa County decision too) without penalty.

- **March 22, 2020** - Governor Polis issued Executive Order D 2020-013 ordering Colorado Employers to reduce in person workforce by fifty percent due to COVID-19.
- **March 23, 2020** - City of Fruita closed Civic Center to the public, all facilities closed.
- **March 25, 2020** – City coordinates with the Agape Food Bank, located at the Fruita Civic Center, to continue weekly distributions outside Civic Center.
- **March 23, 2020** – City of Fruita reduces in-person staff at all facilities, encourages telecommuting when possible and implemented staggered shifts.
- **March 23, 2020** – City Manager begins participating in weekly calls with the County Emergency Manager and other City/County Managers.
- **March 24, 2020** - City Manager declares Local Disaster Emergency in City of Fruita in response to COVID-19.
- **March 25, 2020** – City of Fruita began short video messaging from Mayor, City Council, City Manager and staff to provide updates on COVID-19 and operations.
- **March 25, 2020** – Governor Polis issued Executive Order D 2020-017 ordering all Colorado to Stay at Home due to COVID-1.
- **March 25, 2020** – City Manager begins participating in weekly Economic Development First Responders virtual meetings.
- **March 26, 2020** -Fruita City Council ratified and extended Local Disaster Emergency Declaration.
- **March 27, 2020** – President Donald J. Trump signs Coronavirus Aid, Relief and Economic Security Act (“CARES Act”), a \$2 trillion relief package.
- **March 31, 2020** – City of Fruita strengthened tourism messaging, strongly asked visitors to stay home and not travel to Mesa County.
- **April 1, 2020** – Mesa County Valley School District announced distance learning until April 30, 2020.
- **April 2, 2020** – City Manager and City Attorney provide virtual Q&A focused on CARES Act impacts to employers and employees.
- **April 3, 2020** – Governor Polis recommended that all Coloradans wear non-medical face masks when in public and participating in essential activities.
- **April 3, 2020** – Over 100 part-time employees from the Community Center and Recreation programs are placed on a job-attached furlough and provided assistance to obtain unemployment and a full pay period ahead of time.
- **April 3, 2020** – State extends sales tax deadline which includes Fruita because Fruita sales taxes are collected by the State and not directly. Deadline for April 20 extended to May 20 with no penalties.
- **April 8, 2020** – City conducts a drive-thru Easter Egg hunt at Community Center giving out over 8,000 eggs filled with candy by employees in masks and gloves.
- **April 6, 2020** – Governor Polis extended Stay at Home order until April 26, 2020.
- **April 7, 2020** – Mesa County COVID-19 Incident Team expanded to include all city managers, hospital CEOs, and City Manager begins meeting weekly with this team. Public Health Department begins hosting M, W, F press briefings with this team.
- **April 8, 2020** – Mesa County Public Health Department announced 32 positive cases of COVID-19, 8 with unknown sources – confirmed community spread of virus.
- **April 8, 2020** – Grrretta begins wearing cloth mask 😊.

- **April 11, 2020** – Mesa County Public Health issued Public Health Order 2020-01 requiring all critical retail establishments to implement social distancing measures, wear face coverings.
- **April 16, 2020** – Mesa county Public Health Department confirms that 30 of 34 confirmed positive cases of COVID-19 in Mesa County are fully recovered.
- **April 16, 2020** – City of Fruita decided to postpone Mike the Headless Chicken Festival, many other Fruita events also postponed.
- **April 17, 2020** – City emails all short-term rental owners (1) urging they honor the Governor’s Stay at Home order and (2) refrain from renting to non-essential travel during this pandemic and (3) thanking those who were already doing this.
- **April 17, 2020** – City launches web page that displays a listing and GIS map of local businesses that are open. Map displays the hours, address and link to website are displayed.
- **April 23, 2020** – City Re-opening plan for City Operations initiated.
- **April 23, 2020** – City Council approves Small Business Emergency Loan Fund in partnership with the business Incubator Center.
- **April 29, 2020** – Applications for the Small Business Emergency Loan fund became live.



**Coronavirus (COVID-19) Re-Opening Plan  
City of Fruita, CO  
April 23, 2020**

The City of Fruita implemented its COVID 19 Response Plan (hereinafter “EOP”) March 10, 2020, and remained in Tier 4 since March 24, 2020. Tier IV is now over and we are now in Phase 1 of our Re-Opening Plan for City Operations. The County Re-opening plan for the community is found at [www.health.mesacounty.us/covid19/](http://www.health.mesacounty.us/covid19/). Phase 2 and 3 of the City Operations Re-opening plan will be established and implemented as further progress is identified by Mesa County Public Health Department.

This policy will be updated and amended as necessary and further Public Health guidance is available.

**General Practices – All Phases of Reopening Plan**

- Employees that are sick, or exhibit any symptoms of an acute respiratory illness, must stay home, utilizing accrued time or COVID leave when applicable. Employees who are well but have a family member with or exposed to COVID-19, or employees that have COVID-19 or have been exposed to COVID-19, shall notify the organization of potential exposure. The COVID Leave policy is still in effect and attached.
- If an employee appears to have any acute respiratory illness symptoms (cough, shortness of breath, etc.) at work, that employee will be separated from other employees and sent home immediately.
- Perform routine environmental cleaning per Public Health guidelines.
- All professional development related travel is prohibited through the remainder of 2020. Remote options are encouraged in a limited manner to maintain required certifications.
- Hiring freeze of non-essential and immediate positions continues through remainder of 2020. Vacant positions may only be filled as approved by the City Manager.
- A cost reduction plan is being finalized and will continue through the remainder of 2020. This plan emphasizes reductions in targeted expenditures (which will not cost the City more in the future by cancelling or postponing) in order to meet projected shortfalls in revenues.

**Phase 1** – Limited changes from Tier IV of the Emergency Operations Plan. Phase 1 begins April 27, 2020.

### **General Practices Phase 1 – All Employees and Departments**

- Pursuant to CDPHE Public Health Order 20-26, employees who are within 6-feet of any other employee or member of the public, in common areas, or in public shall where a cloth mask covering nose and mouth.
- At all times possible, employees must maintain at least 6-feet of physical distance from other employees, whether in public or in a City facility.
  - When it is not possible to maintain 6-feet of physical separation from other employees, employees must wear a medical facemask or a cloth face covering that covers both the mouth and the nose.
- Within reason, employees are encouraged to telecommute or work remotely with approval of Department Director.
- Within reason, Department Directors may continue to establish staggered, full-time hour shifts.
- Desks, work-stations, and work areas should be separated by at least 6-feet. If fixed stations exist, separate employees or clients by leaving at least 6-feet in between.
- No public gatherings of more than 10 people.
- Internal meetings shall continue to be conducted virtually, however, small groups less than 10 may meet if meeting the spacing criteria and wearing a mask.

### **Specific Recommendations to Phase 1**

- All City Facilities, including the Fruita Civic Center, Fruita Police Department, and City Shops Building, remain closed to the public, while providing remote services available to the public.
- The Fruita Community Center Phased Reopening plan is being finalized to be implemented at a yet-to-be determined future date.
- Playgrounds, park shelters and court facilities remain closed to the public.
- All Boards and Commissions meetings remain cancelled or may be held virtually, only as needed.
- All City Council meetings, unless if it can be limited to less than 10 people, will be held virtually.
- Fruita staff is no longer limited to 50% reduction in non-essential staffing. Employees must return to full hours based upon shifts as identified by their supervisors.
- City will continue to participate on Mesa County unified Response Team.
- Other steps as directed by State and Local health authorities.

**Phase 2** - To be determined. We will adapt and create Phase 2 once we receive direction from the Mesa County Department of Public Health and the State of Colorado.

**Phase 3** - To be determined. We will adapt and create Phase 3 once we receive direction from the Mesa County Department of Public Health and the State of Colorado.

# **Fruita Community Center and Fruita Recreation Phase 1**

**Recommend opening the FCC on Monday, May 4 with May 11 as a back-up**

## **TRAFFIC FLOW & GENERAL OPERATIONS:**

All visitors must enter the Fruita Community Center (FCC) through the North entrance and exit through the west entrance. West exit will remain locked but will still allow patrons to exit. (See FCC Entrance diagram and FCC Full Traffic Flow diagram). Limit visitors to Mesa County residents only.

An attendant will be outside from open until close each day. This will be staffed by full-time coordinators and facility leads. They will be making sure that youth under the age of 14 are not being dropped off. FCC will be open for working out only - no one under 14 years. All leisure activities and loitering are not allowed. The attendant will verify that the visitor has signed up through Sign-Up Genius for an allocated slot/section. Once all is verified, they will be allowed inside.

There will be 6 foot designations on the floor in entrance hallway. Visitors will need to follow these markers if a line starts to form.

Guest services staff will be behind a 4ftx4ft plexi-glass shield. They will be wearing a provided face mask for each shift. Each staff will have their own computer and own cash drawer. The credit card swipes will be on a clipboard for visitors to swipe their own card for no-touch contact. All cash/check transactions will result in a replacement of gloves. The courtesy phone will be removed. There will be no activity registrations, no facility reservations and no pass registrations processed during Phase 1. Staff will need to wipe down and sanitize their station after every shift.

Guest Services staff will create a 5-punch pass for current pass holders to purchase and use. This pass will allow current FCC pass-holders to get 5 visits for the cost of 4. Everyone else will pay the normal the daily drop-in fee. If the visitor has a Silver Sneakers or Silver & Fit pass, they will be allowed to swipe in with this and to not pay the daily fee. Monthly billing will be suspended and pass holders with annual (paid in full) and three-month passes will have closure time added to the end of their pass.

We will utilize the program Sign-Up Genius to reserve spots. There will be sign-up sections for each piece of equipment, each available swim lap lane (when allowed to open the pool), each zone in 45-minute increments. In one day, a person can sign up for two (2) 45-minute sections, but you are not able to sign up for the same section for two (2) consecutive blocks. In one week, a person can sign up for three (3) days. Once these limits have been reached, a person will not be able to sign up until the following week. If a visitor shows up without signing up for a section, but the section is open, staff will allow them to sign up at that time.

Each visitor will need to bring their own water bottle. The water bottle refill and drinking fountain will be closed. As visitors enter and circulate in the Fruita Community Center, they will need to wear a cloth mask that they bring.

Remove hallway couches and chairs. Remove sitting bench at the top of stairs. Store these items in the Senior Center. Remove tables and chairs around the pool deck.

Close front play area.

Close senior center.

Close vending machine area (remove tables and stools- store in Senior Center)

The childcare (RecRats) room will remain closed during Phase 1.

Encourage seniors and vulnerable persons to remain at home. We will discourage people from attending if they are experiencing any symptoms.

Reduce hours to: Monday-Friday 6am-7pm, Saturday 8am-5pm, Sunday 12pm-5pm

Upon completion of a scheduled activity, visitors will leave through the west exit. (See Exit from FCC Map diagram) If they are upstairs, they will proceed down the stairs and turn RIGHT to go to the basketball courts. The vending machine double doors will be open. Visitors will go through these doors and proceed straight (west) to leave via the westside doors. There will be no crossing back in front of the front desk area to exit. If visitors need to use the restrooms, they will need to follow the exit route. To re-enter, they will pass in front of the front desk again. (See Need to use the restroom diagram and after restroom - resume or exit diagram)

**FITNESS:**

Upstairs fitness area will be able to hold 14 visitors and 1 attendant.

The fitness studio will contain four (4) pieces of cardio equipment: Cybex ARC, Matrix ascent trainer, and two (2) PreCor ellipticals (See diagram).

The cardio/fitness floor (red Mondo) will contain six (6) treadmills and two (2) stair climbers. Two of the six treadmills will be marked – *Not Available due to Spacing Regulations*. This will leave four (4) treadmills available for reservation. A plexi-glass semi wall will be utilized to place equipment in closer proximity than the required 15 feet (See diagram). TVs will be turned off to help reduce the request for channel changes. All powered Treadmills have a working TV on the unit.

Weight/Equipment zones- There will be four (4) zones (see diagram):

Zone 1: Running track - can be utilized by one person per 45-minute increment

Zone 2: Assisted chin up, Life Fitness multi jungle, bench press, hammer strength leg press, leg raise, and back extension

Zone 3: Weighted bars, free weights, squat rack, Smith machine, dual adjustable pulley, seated arm curl, one bench, steps, spri-weighted bars and one inverted bench

Zone 4: Cybex- chest press, overhead press, row, pull down, leg press, abdominal, arm extension, back extension, arm curl, leg extension, and leg curl

Downstairs basketball courts will be able to hold 18 visitors and 1 attendant. The curtain will be lowered between each side. All basketball hoops will be raised.

The east side of the basketball courts will be utilized for two (2) Keiser spin bikes, three (3) Matrix Recumbent, two (2) Matrix seated bikes, SciFit machine, three (3) PreCor AMT and two (2) Row machines. They will be placed 15 feet apart and each will be available for section reservations.

The west side of the basketball courts will be used for two (2) Keiser spin bikes, ab/core work and stretching. Mats will be available to use inside the taped-off sections on the floor.

No basketball hoops will be available. No pickleball will be available.

Each visitor will have an HDQ bottle provided to them. They will need to wipe down each machine when done and returned at the end of their visit. Staff will then wipe down the HDQ bottle for the next visitor.

There will be no fitness classes offered during Phase 1.

Each section will be scheduled to begin on the hour. Once a visitor's 45 minutes is complete, they will need to sanitize their equipment and return the HDQ bottle to the attendant. There will be no loitering. All cool-down activities will need to occur during their 45 minutes or in the stretching area of the basketball courts. If scheduled for another 45-minute time slot, they will need to wait in the stretching area until their next time slot begins.

Upon completion of workout, visitors will need to follow the marked exit routes. When leaving upstairs, they will need to make sure that the stairs are clear to proceed.

To exit, turn right at bottom of stairs. Go through basketball courts and turn into vending machine area. Leave through back hallway to west exit. (See Exit from FCC diagram)

If visitors need to use the restrooms, they will need to follow the exit route. To re-enter, they will pass in front of the front desk again. (See Need to use the restroom diagram and after restroom - resume or exit diagram)

#### **ATHLETICS:**

There will be no Adult or Youth Athletics in Phase 1.

#### **YOUTH ACTIVITIES:**

There will be no activities during Phase 1.

DinoMites Summer Camp will still run as scheduled during the summer break, beginning June 1. If still in Phase 1, would need to limit to groups of ten (10) kids plus one to two (1-2) staff, while maintaining the 6-foot separation. The space at Shelledy Elementary will allow for these accommodations.

#### **SENIORS:**

The Senior Center will be closed during Phase 1.

There will be no scheduled Senior Trips, Hikes, Picnics, or activities during Phase 1.

There will be no Silver Sneakers and Silver & Fit classes scheduled during Phase 1.

Meals on Wheels will continue to be home delivery in Phase 1.

## **Special Events**

Special Events are a non-essential service but do provide a social health element for the community and some events should still be considered to be hosted in the Fruita Community beginning on July 1<sup>st</sup>.

Consideration should be given event-by-event on whether Fruita hosts an event in 2020 or postpones until 2021. There should be some consideration to postponing some events to later in 2020 and allowing some events to occur to help the community recover from the mental and social impacts from the COVID response.

Staff will continue to work with event coordinators to postpone, reschedule and host events in Fruita based on guidelines established by Mesa County Public Health and the State of Colorado.

### *Specifics by Event hosted by the City of Fruita Parks and Recreation Department*

Mike the Headless Chicken Festival

- Postponed until Fall - potential date of August 29<sup>th</sup>. Determine to postpone to 2021 by July 1<sup>st</sup>.
- Change format to a one-day event. Limit vendors and sub-events activities

Thursday Night Concert Series

- Postpone June concerts and re-schedule to end of season

July 3<sup>rd</sup> Fireworks

- Leave as is but make a determination to host or postpone (to 2021) event by May 18<sup>th</sup>.

## **OTHER CONSIDERATIONS:**

Calvary Church will not be allowed to return for Sunday mornings during Phase 1.

Directions: Put arrows for exits on floor and using crowd control sanctions for signs.

Building capacity:      Basketball courts -560 persons  
                                 Fitness Floor- 73 persons  
                                 Fitness Studio-25 persons  
                                 Indoor Swimming Pool-

Cleaning: American Maid cleaning service will deep clean bathrooms, doors, and floors each night. Staff will be responsible for making sure all equipment is cleaned for next day.

## Facility Plans for Phase 2

Most everything will remain the same- continue to maintain the 6-foot distancing and 12-foot distance between machines.

Keep entrance flow and exit flow the same.

Fitness classes can resume- host these on the basketball courts to maintain distance between participants. Work on keeping the intensity lower to moderate breath expulsion.

Allow Calvary Church to resume operations.

Allow Fit4Mom to resume classes outside/at shelters.

Allow people to use their passes.

### **AQUATICS (To Re-open when given permission from Mesa County Public Health):**

*The Aquatics area will allow for eight (8) visitors and three (3) lifeguards.*

The locker rooms will remain closed. Visitors will utilize the family change restrooms and dry change stalls, but are required to shower at home. The pool deck shower can be used for rinsing off before and after pool use. The family change restrooms will only be used as restrooms, no showers are allowed. The lockers will be available to lock up personal items, with a 6-foot marked perimeter. One person will be allowed in the locker area at a time.

We will have eight (8) available slots for indoor pool swimming.

Zone 1: Lap swimming will have three (3) available lanes for 45-minute increments

Zone 2: Leisure pool will allow for three (3) active exercisers for 45-minute increments

Zone 3: The lazy river will allow for one (1) active exerciser for a 45-minute increment

Zone 4: The kids' leisure will allow for one (1) active exerciser for a 45-minute increment

The hot tub and all water features will be closed. The outdoor pool will remain closed except when the indoor pool is closed for repairs.

Visitors will need to bring their own equipment.

Three (3) lifeguards will be scheduled at one time.

There will be no swim lessons or other activities during Phase 1.

When leaving the pool, visitors will need to exit through double doors near the lazy river, on the west side of the pool.

*Other potential offerings in Phase 2 to be discussed*

Aquatics will schedule more lifeguards for adjusted capacity numbers.

Aquatics will allow for the use of FCC water equipment (flippers, kickboards, noodles).

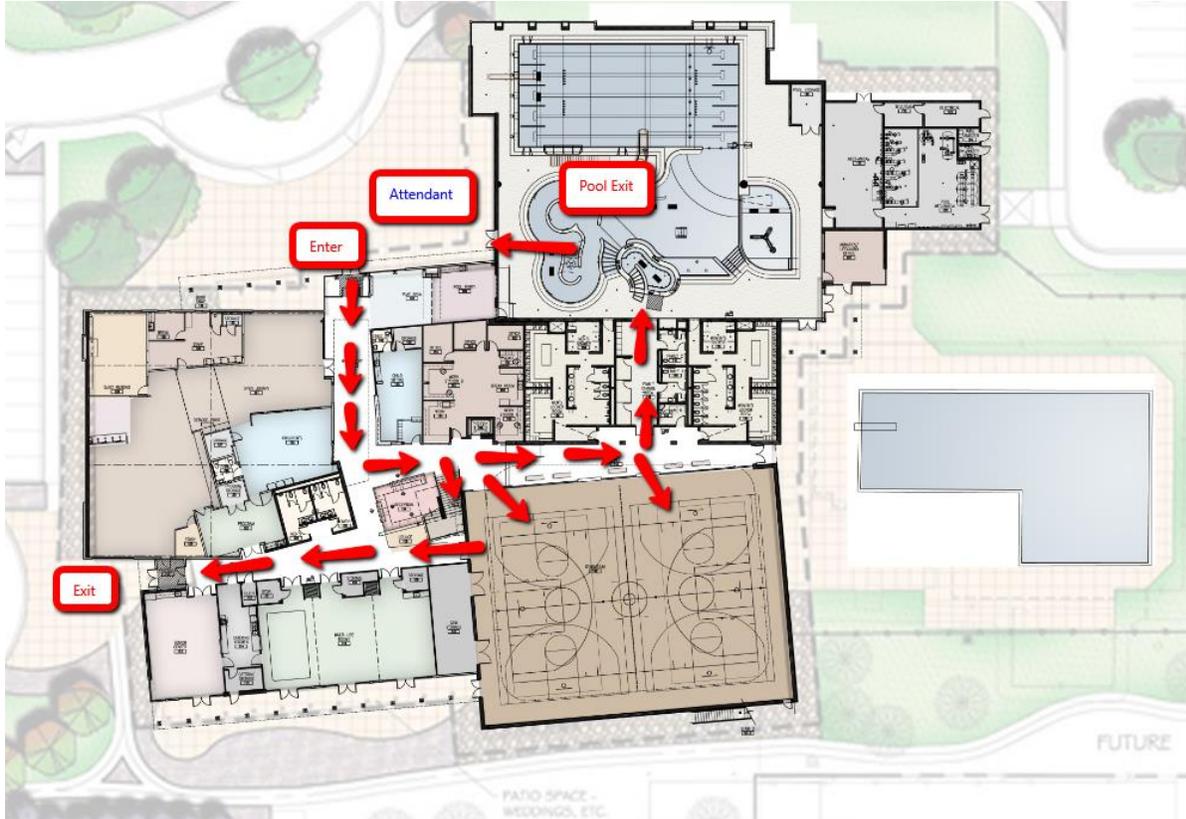
Aquatics will determine if select features can be turned on.

### **Facility Plans for Phase Three**

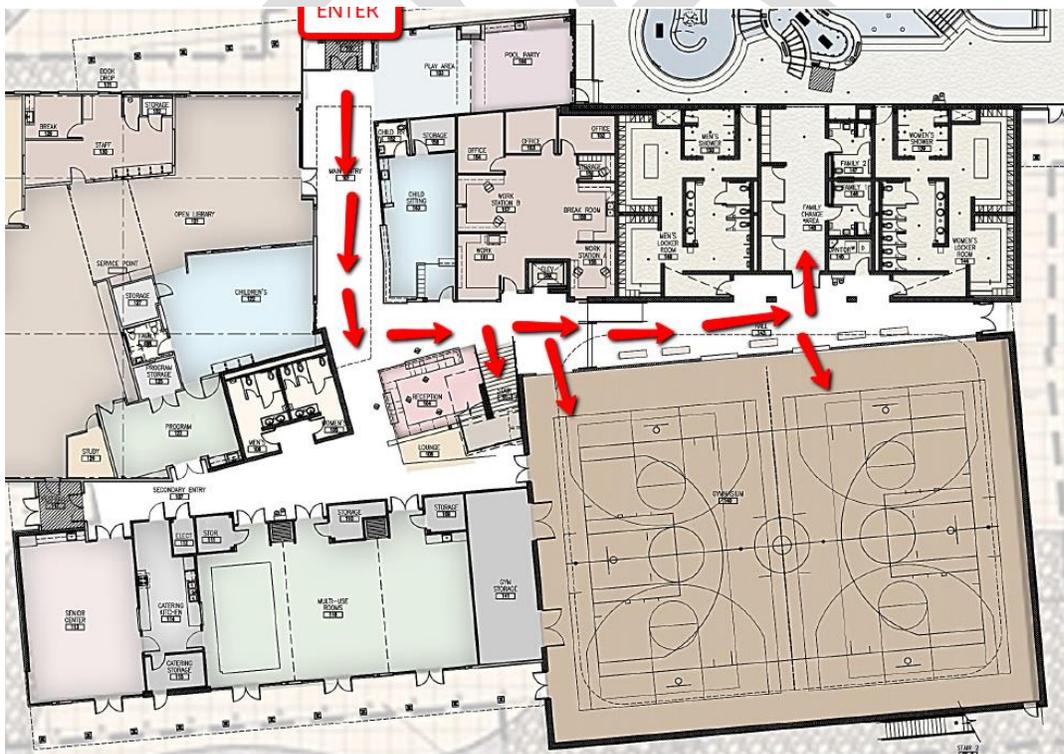
To Be Determined

DRAFT

FCC Traffic Flow: Overall

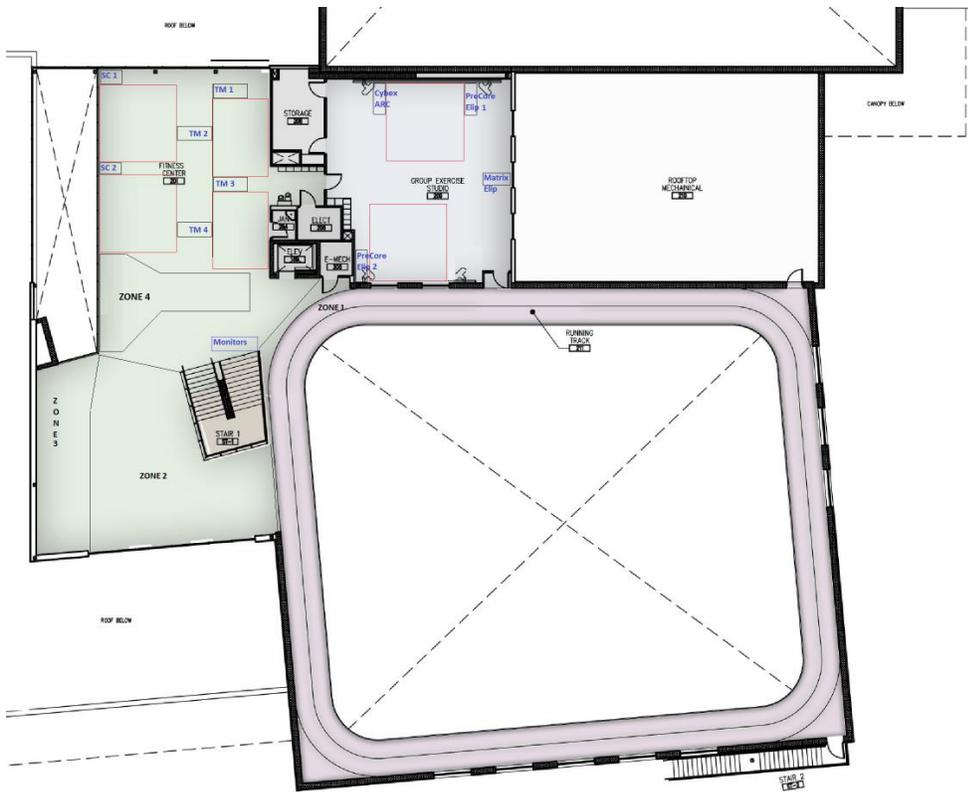


FCC Traffic Flow: Entrance

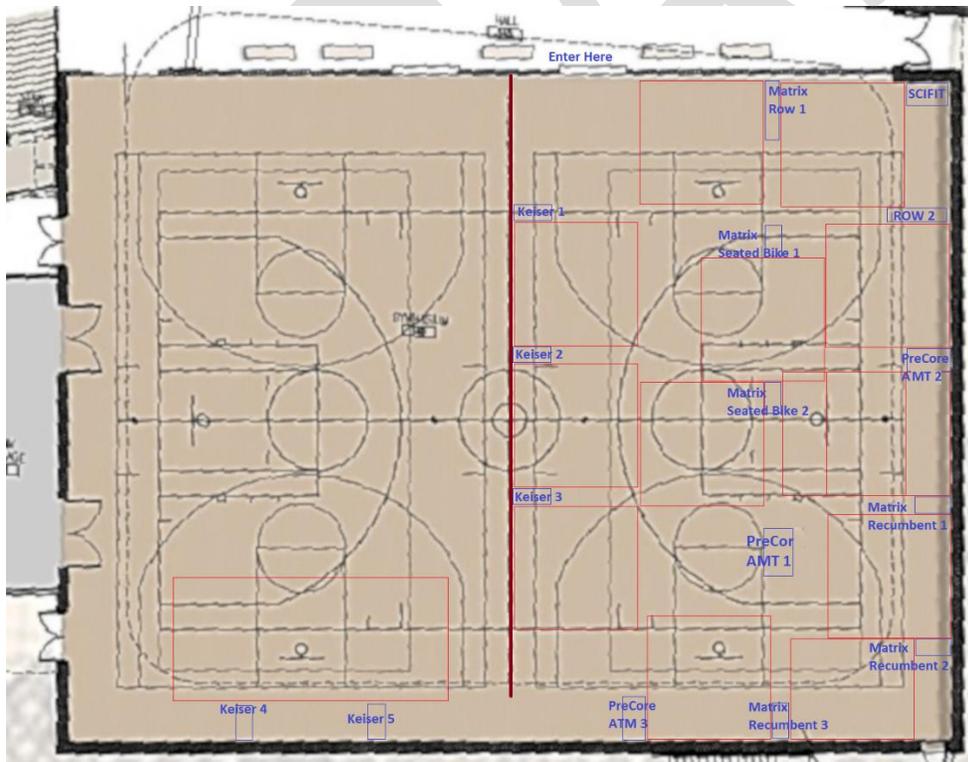


FCC Traffic Flow Exit





FCC Traffic Flow: Gym Floor Layout





## **PUBLIC HEALTH ORDER MCPH2020-02**

### **SAFER AT HOME MESA COUNTY APRIL 30, 2020**

---

#### **PURPOSE**

This Public Health Order is being issued to continue to limit the health impacts of COVID-19. This Order implements measures to allow limited reopening of certain industries and businesses in Mesa County while maintaining sustainable levels of social distancing. This Order continues social distancing requirements for all residents and Stay-at-Home requirements for vulnerable populations pursuant Executive Order D 2020 017. This Order is effective within the entirety of Mesa County, including all cities and towns within the County.

#### **BACKGROUND**

The Governor of Colorado issued several Executive Orders to address the current COVID-19 pandemic since March 11, 2020, including an Executive Order declaring a disaster emergency due to the presence of Coronavirus Disease 2019 in Colorado.

On March 25, 2020, the Governor of Colorado issued Executive Order D 2020 017, which ordered Coloradans to Stay at Home due to the presence of COVID-19 in the state. This order was issued in response to the existence of hundreds of confirmed and presumptive cases of Coronavirus disease 2019 (COVID-19) and related deaths across the State of Colorado. Further, there is substantial evidence of community spread of COVID-19 throughout the State.

On March 25, 2020, the Colorado Department of Public Health & Environment issued Public Health Order 20-24 based on the Governor's Executive Order D 2020 017. On April 1st, the Colorado Department of Public Health and Environment updated Public Health Order 20-24 adding clarification to the essential services and social distancing definitions of the Stay-at-Home requirements.

On April 27, 2020 the Colorado Department of Public Health & Environment issued a Safer at Home Public Health Order 20-28 based on the Governor's Executive Order D 2020 044 allowing many Coloradans to return to work while maintaining a sustainable level of social distancing.

On April 29, 2020 the Colorado Department of Public Health approved a Mesa County variance to portions of Executive Order D 2020 044 and Public Health Order 20-28 (See Attachment E). Mesa County demonstrated proof of two conditions, very low case counts of COVID 19 and 14 consecutive days of decline of infection of COVID-19 in the county. The Safer-at-Home Mesa County plan is approved by Mesa County Board of Public Health, Mesa County Board of County Commissioners, and is fully supported by all four hospitals.

## **LEGAL AUTHORITY**

This Order is adopted pursuant to the legal authority set forth in sections 25-1-506 and 25-1-508, 25-1-509, Colorado Revised Statutes as well as all other applicable laws, rules, regulations, orders and declarations. Under this authority, the Mesa County Public Health Director has the duty to investigate and control the causes of the epidemic or communicable diseases and conditions affecting public health; to establish, maintain, and enforce isolation and quarantine; to exercise physical control over the property and over the persons of the people within the territorial limits of Mesa County; and to prohibit the gatherings of people to protect the public health; all as the Public Health Director may find necessary for the protection of the public health. Immediate issuance of this Order is deemed reasonable and necessary under the existing circumstances and necessary for the preservation of the public health, safety and welfare.

## **PUBLIC HEALTH ORDER MCPH2020-02 IS EFFECTIVE IMMEDIATELY**

This Order is complementary to CDPHE Public Health Order 20-28 and, therefore, should not be relied upon solely. An easy-to-follow listing of the details for both the Colorado and Mesa County "Safer at Home" orders can be found at [health.mesacounty.us](http://health.mesacounty.us).

## **GENERAL GUIDANCE**

### **Best Practices for Mesa County Residents:**

- Maintain physical distancing (6 feet)
- Adults 65 years and older and high-risk populations shall limit public interactions and stay at home as much as possible
- Use cloth face coverings for interactions where physical distancing is not possible or when entering public places
- Stay home and not go to work or out in the public if experiencing symptoms
- Wash hands frequently with soap and water. If soap and water are not readily available, use an alcohol-based hand sanitizer with at least 60% alcohol
- Clean and disinfect all non-porous, high-touch surfaces frequently

### **Guidance and Requirements for Mesa County Businesses:**

- Perform frequent environmental cleaning and disinfection (concentrate on high touch surfaces like tables, door knobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, sinks, etc.)
  - [Healthcare facilities](#)
  - [Postmortem care facilities](#)
  - [Laboratories](#)
  - [Other, non-healthcare facilities](#)
- Arrange spaces so that everyone can maintain at least six feet distance from each other
- Make reasonable work accommodations for vulnerable populations who are still under the Stay at Home advisement.
- Monitor employees and volunteers for one of the following symptoms:
  - Cough
  - shortness of breath/difficulty breathingor at least two of the following symptoms:

- Fever
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell

Symptomatic employees and volunteers must be excluded from the workplace

- Employees and contracted workers whose duties include close contact with members of the public shall wear a non-medical cloth face covering over the nose and mouth
- All other employees are encouraged to wear a non-medical cloth face covering over the nose and mouth while working, except where doing so would compromise the individual's health
- In some instances, cloth face masks are required for the public to enter a facility. All businesses have the option to require anyone entering their facility to wear a cloth face covering if they so choose.
- Implement or maintain return to work policies
  - [Healthcare facilities](#)
  - [Critical infrastructure workers after exposure](#)
- The following business shall remain closed:
  - Bars, taverns, brewpubs, breweries, microbreweries, distillery pubs, wineries, wine tasting rooms (except for retail), special permit licensees, clubs, and other places offering alcoholic beverages for on-site consumption except restaurants
  - Cigar bars
- Restaurants and fitness facilities are allowed to partially open as outlined in the attached guidelines
- Places of worship are allowed to increase the number of people in their facilities, if they so choose, as outlined in the attached documents
- Mesa County does not differentiate between critical and non-critical businesses  
Employers are allowed to open their business under the attached guidelines but are encouraged to do so at their own pace
- Recommendations for specific industries are included in the following attachments:
  - Attachment A: Restaurants
  - Attachment B: Fitness facilities
  - Attachment C: Places of worship
  - Attachment D: Recreation

### **Group gatherings**

- Group gatherings shall contain no more than 10 people
- Participants shall maintain at least six feet distance from each other
- No festivals or other organized large gatherings will be allowed until at least July 1st, at which time the situation will be evaluated to determine when and if festivals and other types of large gatherings can resume
- Large venues shall remain **closed** (movie theaters, bowling alleys, nightclubs, concert facilities, sporting event facilities, etc.)
- Private events that involve more than 10 people shall not be allowed at this time

**DURATION**

Mesa County Public Health Order 2020-02, is effective as of 12:45 p.m. April 30, 2020. This order will be amended to include details for phase 2 and 3 when appropriate. This Order shall expire six (6) weeks from April 30, 2020, unless extended further.

Each of the Safer at Home phases assumes a two week period. The decision to move into the next phase, stay at the current phase, or go back to Stay at Home will be made by Mesa County Public Health based on the rate of positive COVID-19 cases and hospitalizations in Mesa County.

Effective date: April 30, 2020

BY ORDER OF



Jeffrey G. Kuhr, PhD  
Director of Public Health  
Mesa County, Colorado



Approved by the Mesa County Public Board of Health on April 30, 2020 at 12:45 p.m. MDT

## Attachment A: Restaurants

Restaurants are encouraged to continue to do business through take-out, delivery, and curbside pickup. If restaurants so choose, they can provide limited dine-in service. We understand there may be concerns about staff safety, and about whether certain facilities are conducive to successful implementation of social distancing best practices. Therefore, this partial opening opportunity is completely voluntary. Restaurants that choose to open their dining spaces may do so under the following guidelines. Please take the necessary time to make sure each of these items is adequately addressed before opening to the public:

- Limit the number of customers in your dining space to 30% of your fire/building code capacity
- Do not allow customers to wait in the lobby area or in lines outside the door for a table
  - Implement a reservation system
  - Notify customers via text or phone call when their table is ready
- Post signs at entrances regarding face coverings, and post signs throughout the facility as needed to remind the customers of social distancing and proper hygiene guidelines
- Customers are required to wear cloth face coverings in order to enter the business, and to keep their face coverings in place until they've reached their table
- Make reasonable accommodations for vulnerable individuals who are still under the Stay at Home advisement. (e.g. seating assistance, special hours)
- Ask customers if they are experiencing any symptoms prior to seating them in the dining area. If they are, do not allow them to enter
- Group parties shall be limited to six members of a single household
- Bars shall remain **closed**, including those that are part of restaurants
- Implement one-way entry/exit, and directional walkways as much as possible
- In-room dining shall follow strict physical distancing practices (6 feet)
- Spread people/tables out so there is at least six feet distance between individuals
- Self-serving stations shall remain **closed** (drinking stations, bulk dry, etc.)
- Don't allow public sharing of utensils or condiment containers
- Buffets shall have an employee serving the food, no self-serving allowed
- Perform frequent environmental cleaning and disinfection of bathrooms and high-touch surfaces
- Monitor employees for one of the following symptoms:
  - Cough
  - shortness of breath/difficulty breathingor at least two of the following symptoms:
  - Fever
  - Chills
  - Repeated shaking with chills
  - Muscle pain
  - Headache
  - Sore throat
  - New loss of taste or smell

Symptomatic employees must be excluded from the workplace

- Employees and contracted workers whose duties include close contact with members of the public shall wear a non-medical cloth face covering over the nose and mouth

- All other employees are encouraged to wear a non-medical cloth face covering over the nose and mouth while working, except where doing so would compromise the individual's health
- Implement or maintain physical barriers for high-contact settings (e.g. cashiers)
- Implement touchless payment methods when possible
- Stagger shifts if feasible to decrease employee numbers at the business

## **Attachment B: Fitness Facilities**

Gyms, health clubs, and other similar fitness facilities can open their facilities for limited use. We understand there may be concerns about staff safety, and about whether certain facilities are conducive to successful implementation of social distancing best practices. Therefore, this partial opening opportunity is completely voluntary. Fitness facilities that choose to open for use may do so under the following guidelines. Please take the necessary time to make sure each of these items is adequately addressed before opening your doors:

- Limit the number of customers to 30% of your fire/building code capacity
- Do not allow customers to wait in the lobby area or in lines outside the door
- Customers shall wear a face covering both when entering the facility and while in the facility
- Post signs at entrances and throughout the facility as needed to remind customers of face coverings, social distancing, and proper hygiene guidelines
- Make reasonable accommodations for vulnerable individuals who are still under the Stay at Home advisement. (e.g. assistance with equipment cleaning, special hours)
- Ask customers to exclude themselves from using the facility if they are experiencing symptoms of any illness
- Implement one-way entry/exit, and directional walkways as much as possible
- Spread people out so there is at least 10 feet distance between individuals throughout
- Except for members of a single household, sharing equipment is prohibited
- Require customers to disinfect equipment after every use or require employees to disinfect shared equipment between customer uses
- Perform frequent environmental cleaning and disinfection of bathrooms and high-touch surfaces
- Monitor employees for one of the following symptoms:
  - Cough
  - shortness of breath/difficulty breathingor at least two of the following symptoms:
  - Fever
  - Chills
  - Repeated shaking with chills
  - Muscle pain
  - Headache
  - Sore throat
  - New loss of taste or smell

Symptomatic employees must be excluded from the workplace

- Employees and contracted workers whose duties include close contact with members of the public shall wear a non-medical cloth face covering over the nose and mouth
- All other employees are encouraged to wear a non-medical cloth face covering over the nose and mouth while working, except where doing so would compromise the individual's health
- One-on-one personal training is allowed while strictly adhering to social distancing guidelines
- Group classes are **not allowed**
- Sport courts shall remain **closed**

- Locker rooms shall remain **closed**
- Saunas, pools (indoor and outdoor) and shared spaces shall remain **closed**
- Food/drink bars shall remain **closed**
- On-site childcare facilities shall remain **closed**

### **Attachment C: Places of Worship**

Places of worship are encouraged to continue online or drive-up services as much as possible. For activities within a facility, places of worship are allowed to increase the number of participants, if they so choose, as outlined in the following guidelines:

- Limit the number of guests to no more than 50, provided there's at least six feet distance between individuals or between groups, which shall consist only of members of a single household
- Do not allow guests to wait in the lobby area or in lines outside the door
- Post signs at entrances and throughout the facility as needed to encourage face coverings and to remind guests of social distancing and proper hygiene guidelines
- Make reasonable accommodations for vulnerable individuals who are still under the Stay at Home advisement. (e.g. online viewing, visits to their home). Discourage any such individual from traveling to and/or entering the facility
- Do not allow anyone to attend any event/activity in person if they are experiencing symptoms of any illness
- Implement one-way entry/exit, and directional walkways as much as possible
- Place markings on floors to maintain at least six feet distance where lines might form
- Spread people out so there is at least six feet distance between individuals or between groups, which shall consist only of members of a single household
- Implement touchless offering and communion options as much as possible
- Perform frequent environmental cleaning and disinfection of bathrooms and high-touch surfaces
- Monitor employees and volunteers for one of the following symptoms:
  - Cough
  - shortness of breath/difficulty breathingor at least two of the following symptoms:
  - Fever
  - Chills
  - Repeated shaking with chills
  - Muscle pain
  - Headache
  - Sore throat
  - New loss of taste or smell

Symptomatic employees and volunteers must be excluded from the premises

- Employees and contracted workers whose duties include close contact with members of the public shall wear a non-medical cloth face covering over the nose and mouth
- All employees and volunteers shall wear a non-medical cloth face covering over the nose and mouth while on premises, except where doing so would compromise the individual's health

## **Attachment D: Recreation**

Local recreation facilities can be open to the public under the following guidelines. Mesa County or any municipality can enact stricter orders as they see fit.

- Group gatherings shall contain no more than 10 people
- Parks facilities conducive to gathering including shelters, picnic areas, and playgrounds shall remain **closed**
- Swim beaches shall remain **closed**
- League or pick-up sports are **prohibited** at this time
- Park facilities that enable social distancing such as trails, green space, tennis courts, and golf courses will remain open
- Golfers shall maintain physical distance of 6 feet at all times
- Motorized golf carts shall contain no more than one golfer; members of a single household can ride together in the same cart
- Golfers should avoid sharing clubs and golf balls
- Maintain physical distancing in outdoor settings (6 feet while hiking, 15 feet while running or biking)
- Outdoor recreation facilities can remain open to the public whenever adequate controls can be implemented to ensure physical distancing (six feet)
- Monitor employees and volunteers for one of the following symptoms:
  - Cough
  - shortness of breath/difficulty breathingor at least two of the following symptoms:
  - Fever
  - Chills
  - Repeated shaking with chills
  - Muscle pain
  - Headache
  - Sore throat
  - New loss of taste or smell

Symptomatic employees and volunteers must be excluded from the premises

- Employees and contracted workers whose duties include close contact with members of the public shall wear a non-medical cloth face covering over the nose and mouth
- All other employees are encouraged to wear a non-medical cloth face covering over the nose and mouth while working, except where doing so would compromise the individual's health
- Perform frequent cleaning and disinfection of bathrooms and high-touch surfaces
- Only essential travel allowed; avoid traveling outside of your county or local community for recreation



**COLORADO**  
Department of Public  
Health & Environment

*Sent via email to mcbocc@mesacounty.us*

April 28, 2020

Scott McInnis, Chair  
Rose Pugliese, Commissioner  
John Justman, Commissioner  
Mesa County Board of County Commissioners  
P.O. Box 20,000  
544 Rood Avenue  
Grand Junction, CO 81502-5010

RE: Mesa County Variance Request from portions of **Executive Order D 20 044** and **Public Health Order 20-28**

Dear Commissioners:

Thank you for your April 27, 2020 submission to the Colorado Department of Public Health and Environment (CDPHE) of a variance request to portions of **Executive Order D 20 044 Safer at Home** and **Public Health Order 20-28 Safer at Home**. I have had an opportunity to review your request and consider the information provided, and determine that the request is approved, with some amendments, as explained further below.

You asked for a variance related to three specific functions, including Restaurants (CDPHE Order II.A.), Places of Worship (CDPHE Order II.B. and Appendix F.5), and Gyms (CDPHE Order II.A.4.). Your COVID-19 Suppression Plan addresses particular requirements that you propose as an alternative to the Safer at Home model for each of these areas. The data and information included in your request demonstrates a strong disease prevention and response system in Mesa County, with only 39 total COVID-19 positive cases and ongoing testing which will expand with the reopening of hospitals and ambulatory surgical centers to voluntary and elective services and procedures pursuant to **Executive Order D 2020 045** and **Public Health Order 20-29**. Additionally, you have shared that your hospital and other healthcare systems are not stressed, and that you have a well-functioning public health epidemiology team as well as specific teams dedicated to particular settings, such as correctional facilities, nursing homes, and child care facilities. These are all positive indicators of a highly capable response plan to continue to address any COVID-19 disease outbreaks that may occur in Mesa County.

Regarding surveillance, you should track multiple surveillance measures including laboratory testing percent positivity as you are suggesting, and track changes in percent positivity on at least a weekly basis. Implement surveillance thresholds based on percent positivity data that

Mesa County Variance  
April 28, 2020

would trigger Mesa County to revert to state Safer at Home or more conservative social distancing standards. For example, consider a threshold of two weeks of increasing percent positivity OR a weekly percent positivity value of more than 10%. The current state target for testing for COVID-19 is 10,000 tests per day. Consider adopting a similar, population adjusted target for Mesa County.

Regarding the COVID-19 Suppression Plan for reopening restaurants, I agree that reopening at a thirty percent (30%) of fire code capacity is a reasonable proposal, but have a few modifications to your list of additional requirements. First, customers must wear face coverings when entering the restaurant until seated at their tables. Restaurants cannot allow customers to wait in a lobby area for a table, rather customers should make reservations online or by phone, and every effort should be made to notify customers via text or phone call when their table is ready so no waiting in a lobby is necessary. Customers must be asked prior to entering a restaurant whether they have any symptoms of COVID-19, and any customers reporting symptoms must be excluded. Restaurant employees who are symptomatic must be excluded from the workplace and required to isolate for 7-10 days, per CDC guidance. As noted in your suppression plan, this approval is only for restaurants, bars are not authorized to open.

Places of worship may have up to fifty (50) participants. Participants must be asked whether they have COVID-19 symptoms at the door and excluded from the place of worship if symptomatic. Symptomatic employees must be excluded from the place of worship and required to remain in isolation for 7-10 days, per CDC guidance. Participants should be encouraged to wear a face covering both when entering and while present in the house of worship.

Finally, for fitness centers operating at thirty percent (30%) of fire code capacity, ill employees must be excluded from the center and required to remain in isolation for 7-10 days. Customers must be asked whether they have COVID-19 symptoms at the door and excluded from the fitness center if symptomatic. Customers should be encouraged to wear a face covering both when entering the facility and while in the facility, unless a face covering inhibits the participants ability to participate in the fitness activity. Given the many unknowns regarding how the SARS CoV-2 virus responsible for COVID-19 is spread, use of equipment in the fitness center must be limited to no closer than every other machine so that participants are not exercising right next to each other and smaller exercise rooms with poor ventilation should be discouraged from use. Finally, employees must clean and disinfect shared equipment between customer uses.

This variance approval is granted based on the facts and circumstances today as you have described them in your request; however, should circumstances change such that, for example, surges in COVID-19 transmission occurs, cases exceed the capacity for Mesa County to fully implement all effective disease control strategies as described in your request, or if resources or COVID-19 prevalence statewide in our opinion requires a different approach, CDPHE reserves the right to modify or rescind this variance approval.

Mesa County Variance  
April 28, 2020

I appreciate your thoughtful approach to these challenging issues, and wish you all the best in your continuing efforts to ensure that Mesa County residents are safe and healthy as we deal with this global pandemic. Mesa County is a valued partner, and we are available to answer any questions and work with you on these matters. Please give me a call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Hunsaker Ryan". The signature is written in a cursive, flowing style.

Jill Hunsaker Ryan, MPH  
Executive Director



**FRUITA**  
COLORADO

---

## **AGENDA ITEM COVER SHEET**

---

**TO: FRUITA CITY COUNCIL AND MAYOR**

**FROM: PAUL WISOR, CITY ATTORNEY**

**DATE: MAY 5, 2020**

**RE: QAUSI-JUDICIAL HEARINGS, CONFLICTS OF INTEREST & ETHICS TRAINING**

### **BACKGROUND**

At a minimum, City Council participates in training regarding public hearings, specifically quasi-judicial hearings and ex-parte communication, conflicts of interest and ethics every two years following the municipal election. Attached is a memo from the City Attorney, Paul Wisor regarding these areas. Mr. Wisor will provide a brief training and entertain a question and answer session with Council during this item.

AVON OFFICE  
0070 Benchmark Road  
Post Office Box 5450  
Avon, Colorado 81620  
Telephone: (970) 949-0707  
Facsimile: (970) 949-1810

**GARFIELD & HECHT, P.C.**  
ATTORNEYS AT LAW  
Since 1975  
[www.garfieldhecht.com](http://www.garfieldhecht.com)

**MEMORANDUM**

To: Fruita City Council  
From: Paul Wisor, City Attorney  
Re: Ex Parte Contacts and Ethics Considerations  
Date: May 5, 2020

---

**I. Summary**

The following memorandum provides a brief and broad overview of Councilmembers' obligations with respect to quasi-judicial hearings and ex parte contacts as well as ethical obligations governing Councilmembers' actions. These issues will arise on several occasions throughout your term. You should always feel free to contact me if you have any questions with respect to any issue, including those outlined below.

**II. Quasi-Judicial Hearings and Ex Parte Contacts**

As Council is aware, Council may act three different capacities: legislative, administrative or quasi-judicial. In a legislative capacity, Council is often enacting new laws or making decisions that are generally applicable to the public as a whole. In an administrative capacity, Council is engaging in the basic operation of government, such as approving contracts. When acting in a quasi-judicial role, Council is required to make a determination of the rights, duties or obligations of specific individuals on the basis of the application of facts to existing legal standards pursuant to a hearing conducted by Council. Council most often serves in a quasi-judicial capacity with respect to land use matters.

In contrast to hearings on legislative or administrative matters, Council is required to operate as a panel of "judges" rather than legislators. In this capacity, Council must base its decision on any particular matter solely on the evidence presented at a public hearing, and, as a general matter, Councilmembers are prohibited from basing their decision on evidence gathered outside the public hearing. This prohibition extends to contacts between the applicant, proponents or opponents of a particular matter and members of the Council outside of publicly scheduled hearings or meetings. These contacts are known as ex parte contacts, and can be verbal, written or electronic.

Ex parte contacts can potentially invalidate the decision of Council if not properly addressed. Councilmembers are to remain impartial with respect to quasi-judicial hearings, and ex parte contacts can have the effect of spoiling such impartiality, thus

prejudicing the rights of the applicant or the proponent or opponent of a particular application. Ex parte contacts can also create a situation in which a Councilmember bases their decision on details upon which an applicant, proponent or opponent does not have the opportunity to provide their side or the story or otherwise rebut. In the event it is revealed Council conducted a quasi-judicial hearing where ex parte contacts occurred, a losing party could appeal the Council's decision. While it may be difficult to overturn quasi-judicial decisions in some situations, courts are more likely to vacate a Council decision where Council has failed to provide due process.

As such, Council should do its best to avoid ex parte contacts. The best practice for Council is not to initiate any conversation or other contact with respect to a quasi-judicial matter. To the extent someone initiates a contact with a Councilmember, it is a Councilmember's right and obligation to make clear the conversation or contact immediately needs to end, and the person initiating the contact should either express their comments to Council through participation at a public hearing or through a written comment.

In the event an ex parte contact does occur the law provides a Councilmember to cure the ex parte contact by making the contents of the communication or contact a part of the record of any relevant public hearing. Such disclosure must take place at the beginning of the public hearing on the matter. Councilmembers should be mindful of the due process rights afforded those participating in the hearing. As such, the Councilmember disclosing the ex parte contact must be sure to inform the other Councilmembers of all information obtained in the ex parte contact that may be relevant in rendering a decision on the matter. In addition, the Councilmember who engaged in the ex parte contact should participate in the public hearing and vote on the matter only if the Councilmember sincerely believes the ex parte contact did not impair their ability to impartially render a decision on the matter.

### **III. Conflicts of Interest Under State Law**

Generally speaking, a conflict of interest exists when a City Councilmember's private interests (both financial and nonfinancial) infringe on the official's ability to objectively perform their duties. As noted above, it can be difficult to draw a bright line delineating where a conflict of interest exists, and the Colorado General Assembly has recognized that some actions are conflicts per se between public duty and private interest while other actions may or may not pose such conflicts depending upon the surrounding circumstances.

Although conflicts of interest can be difficult to identify, the Colorado General Assembly has acknowledged certain conduct that, if undertaken by a City Councilmember and proven beyond a reasonable doubt, constitutes a breach of a City Councilmember's fiduciary duty and the public trust. As such, a City Councilmember shall not engage in the following actions:

- Engage in a substantial financial transaction for their private business purposes with a person whom they inspect or supervise in the course of his official duties.

Thus, it would be a conflict for a City Councilmember to have in financial interest in a liquor store and not recuse themselves from the liquor license application or renewal hearing without, as more fully discussed below, first disclosing such interest.

- Perform an official act directly and substantially affecting, to their economic benefit, a business or other undertaking in which they either have a substantial financial interest or are engaged as counsel, consultant, representative, or agent. As such, the Independent Ethics Commission has found, for example, where a local elected official owns a property management company focused on short term rental units such local elected official is prohibited from voting on conditional use permits necessary to operate short term rentals.  
For purposes of the statute, the term “financial interest” includes an ownership interest in a business, an employment (or perspective employment), an ownership interest in real or personal property, a loan, debtor or other creditor interest, or a directorship in a business. Thus, a local official is prohibited from undertaking an official act benefiting their business or employer.
- Accept goods or services for their own personal benefit offered by a person who is at the same time providing goods or services to the local government unless the totality of the circumstances attendant to the acceptance of the goods or services indicates that the transaction is legitimate, the terms are fair to both parties, the transaction is supported by full and adequate consideration, and the City Councilmember does not receive any substantial benefit resulting from their official or governmental status that is unavailable to members of the public generally.

Violating any one of the statutory provisions may result in criminal or civil penalties, as described below.

#### **IV. Conflicts under Fruita Municipal Code**

In addition to the restrictions set forth in state statute, the City’s Municipal Code contains a Code of Ethics for City Officials (the “Code”), which seeks bolster public confidence in and respect for City actions undertaken by elected and appointed City officials by providing guidelines to avoid, as relevant here, actual and potential conflicts of interests. Specifically, City Councilmembers shall not undertake the following actions:

- Have a financial or personal interest in any business or transaction with any public body unless full public disclosure is made of the nature and extent of such interest.
- Engage in private employment with, or render services for, any private person who has business transactions with any public body, unless such City Councilmember makes a full public disclosure of the nature and extent of such employment services.
- Accept any gift, whether in the form of money, thing, favor, loan or promise, that would not be offered or given to the City Councilmember if they were not on the City Council.
- Disclose confidential information, without prior authorization, concerning other officials, employees, property or governmental affairs.

- Utilize confidential information to advance the financial or personal interests of themselves or others.

## **V. Appearance of Impropriety**

In addition to the statutory provisions cited above, the Colorado Constitution requires covered individuals “to avoid conduct that is in violation of their public trust or that creates a justifiable impression among members of the public that such trust is being violated.” Appearances of impropriety are generally referred to as “perception issues” or “violating the smell test.” They can weaken public confidence in government and create a perception of dishonesty, even among government officials who are in technical compliance with the law. In order to avoid the appearance of impropriety, City Councilmembers should avoid voting on or debating questions in a manner that may lead the public to perceive that the City Councilmember is either placing his or her own private business interests in a position of competitive advantage or keeping his or her own private business interests from being adversely affected by the decisions of the governing body.

A personal conflict would exist, for example, if a City Councilmember sits on the board of a special interest group and that group is requesting funding for facilities from the City, and the City Councilmember did not refrain from voting on that request. While the Board member likely would not be at risk of criminal or civil liability for voting, the City Councilmember should be conscious of whether their relationship with that special interest group would cloud the member’s ability to objectively review the request and render an unbiased decision. This could then open that decision up to challenge by a community member. That said, there is little meaningful guidance on what constitutes an appearance of impropriety.

Unlike other vague terms within our legal lexicon like “due process” and “equal process,” “appearance of impropriety” has not been the subject of countless court decisions, and there is no statewide or nationwide consensus as to its meaning. Thus, City Councilmembers are encouraged to confer with the City Attorney as soon as they become concerned about the potential appearance of impropriety.

## **VI. Conclusion**

Throughout the next several years you will act in a quasi-judicial capacity on numerous occasions. When doing so, it is important to remember the applicant and other interested parties are afforded certain due process rights, including an impartial tribunal. Ex parte contacts pose a significant risk to these due process rights, and Councilmembers should avoid such contacts if possible. Where ex parte contacts do occur, a Councilmember should contact the City Attorney and discuss the best way to cure the contact or otherwise preserve the integrity of the quasi-judicial hearing.

Similarly, Councilmembers should be mindful they are now held to specific ethical standards when conducting City business. Sometimes these ethical lines are unclear, and you should always feel free to reach out to me with questions regarding such issues. Ethical issues are always much easier to address at the outset rather than try to manage

once an actual conflict arises.



# FRUITA

COLORADO

---

## AGENDA ITEM COVER SHEET

---

**TO:** FRUITA CITY COUNCIL AND MAYOR

**FROM:** MIKE BENNETT, CITY MANAGER

**DATE:** MAY 5, 2020

**RE:** PLANNING ADDITIONAL CITY COUNCIL TRAINING, TEAM BUILDING AND GOAL SETTING SCHEDULE

### **BACKGROUND**

Following each municipal election every two years, City Council traditionally review City Council goals, sets a schedule for specific training opportunities and considers possible team-building or professional development opportunities. This item is on the agenda to provide for discussion of these topics.

### **Training**

*I would like to discuss with the City Council additional interests for training and discussion for the future. The following items have already occurred or are currently scheduled:*

- **Feb. 10, 2020.** Candidate Orientation provided a summarized overview of the City Council Handbook, found on [www.fruita.org](http://www.fruita.org) at [https://www.fruita.org/sites/default/files/fileattachments/city\\_council/page/98/1\\_master\\_2020\\_city\\_council\\_handbook.pdf](https://www.fruita.org/sites/default/files/fileattachments/city_council/page/98/1_master_2020_city_council_handbook.pdf). The handbook compiles specific training reference material for elected official published by CIRSA and the Colorado Municipal League.
- **April 23, 2020.** City Council has been provided a link to participate in mandatory training via the City's Liability Insurance provider CIRSA titled "In the Scope of Your Authority: Preventing Public Officials' Liability." Upon completion of viewing this video prior to the end of May 2020, each Council member needs to email [msell@fruita.org](mailto:msell@fruita.org) to verify completion to record with CIRSA.
- **May 5, 2020.** Previous item on this agenda covered a training from City Attorney Paul Wisor on Quasi-Judicial Hearings, ex parte communication and ethics.
- **May 6 – May 26, 2020.** City Council members (and City Manager Mike Bennett) on May 6, will receive an individual email with a link from Bernadette Rodebaugh, a local professional life coach, to take the Meyers-Briggs personality type test, otherwise known as MTBI Report. There will be a deadline for completion in preparation for the May 26 City Council workshop, at which time Bernadette will facilitate a group discussion on the results. Each Council member will also receive a 17-page individual

report and each will have the opportunity for an individual session with Bernadette to discuss results.

### **City Council Goals**

*I would like to discuss with the City Council the desired approach and schedule to review and update as necessary City Council goals.*

City Council's role is to set the vision and long-term direction of the City (where we want to go) and then I lead the organization's staff in the operations and how to achieve the goals of the City Council (how to get there), keeping the Council updated along the way. This occurs largely via the annual budget process and focusing on specific action items. We are in the midst of working on many action items, including the completion of the comprehensive plan and now working on subsequent updates to the Parks, Health Recreation, Trails and Open Space Master Plan, Land Use Code, Circulation Plan, Engineering Design Standards, and most recently successfully responding to the COVID-19 pandemic in a way to maintain public health and safety and reinvigorate the local economy.

In 2015 - 2016, the City Council identified the following strategic priority areas which have significantly played a high-level role in narrowing time, talents and resources to (1) deliver exceptional core services, and (2) positively impact the quality of place, economic health and lifestyle of the City as defined below. These were reviewed and continued in 2018. Much emphasis has been put into the fact that big, positive impacts take discipline and a concerted effort that is not accomplished in a short period of time, even years.

During 2019, and adopted in 2020, the City completed the Fruita in Motion Comprehensive Plan with significant public participation during the year. The plan reconfirmed the City Council's strategic priority areas are on par with the community's vision. This plan identified the overall community vision, values and priority areas. These, combined with the City Council strategic priority areas should be reviewed and discussed at a future meeting to provide staff feedback on structuring action items at the onset of the 2021 budget development process.

Below are (1) the current City Council Strategic Priority Areas and (2) a summary of the Comprehensive Plan. The link to the Comprehensive Plan is:

[https://www.fruita.org/sites/default/files/fileattachments/community\\_development/page/348/fruita\\_in\\_motion\\_comprehensive\\_plan\\_2020\\_final\\_reduced\\_size.pdf](https://www.fruita.org/sites/default/files/fileattachments/community_development/page/348/fruita_in_motion_comprehensive_plan_2020_final_reduced_size.pdf).

## City Council Strategic Priority Areas



**WHY FRUITA?** The City of Fruita focuses on three strategic outcomes built upon a base of providing quality core services.

**Quality of Place (QP)** The City of Fruita is a community where residents and visitors love where they are. The City strives to be a bike and pedestrian friendly community by providing a system of sidewalks, trails, and bike lanes that connect our parks, schools, neighborhoods, civic facilities, and commercial areas. We value safe neighborhoods, our geographic natural resources and landscapes, top tier education and healthcare, and we collaborate to provide quality essential infrastructure and services. We are an inclusive community of doers who enjoy active and healthy lifestyles.

**Economic Health (EH)** The City of Fruita strives to be financially sustainable by enabling a stable economy and supporting a diversity of businesses that offer well-paying jobs that attract educated employees. The City works to be fiscally responsible and continuously seeks ways to allocate resources to services and projects that have the highest impact on the City's priorities. We are the innovative leader for economic development in the Grand Valley.

**Lifestyle (L)** The City of Fruita fosters a fun and funky ambiance by celebrating the local arts, farm and ranching history, unique leisure opportunities, and family-friendly events and activities. As a city, we encourage a diversity of cultural opportunities, businesses, and recreational activities. We continue to improve and enhance recreational offerings from traditional to outdoor adventure sports and youth to adult activities. We are a family-friendly community with diverse cultural opportunities, businesses and recreational amenities where visitors feel like locals and locals play like visitors.

## Summary of Fruita in Motion Comprehensive Plan

### Community Values

---

- *Fruita is a place where you run into neighbors, friends, and acquaintances at local stores and restaurants, parks, and the community center.*
  - *Fruita is a place where children, adults, and the elderly feel safe walking and biking to schools, parks, or downtown.*
  - *Family-friendly events and festivals are well-attended and gather the community.*
  - *Fruita is a community where people are invested and constantly work to make the community better.*
  - *Fruita residents appreciate the stunning natural beauty surrounding the city.*
  - *Fruita has incredible access to outdoor recreation. This access supports local businesses and fosters an active, healthy community that inspires visitors to come play like a local.*
  - *Fruita is funky and has a vibrant downtown filled with small businesses.*
  - *Farming is a part of Fruita, from the agricultural lands surrounding the city, to the farmers market that takes place downtown.*
  - *Fruita is innovative and open-minded—the government and its residents are willing to try new things.*
  - *Fruita takes a community-first approach—the City prioritizes residents in making decisions.*
  - *Fruita provides quality services efficiently to its residents and businesses.*
  - *Fruita is a distinct community—geographically separate from others in the Grand Valley.*
  - *Fruita is committed to a land use pattern and supporting policies that promote access to housing across the income spectrum of its residents.*
-

## Plan Vision

Influenced heavily by the Community Values, the following Vision was created for Fruita:

“The City of Fruita values quality of place. It’s an inclusive city, with a small-town feel and vibrant downtown, surrounded by public lands. People love to live, work, and play in Fruita because the City facilitates community, safe neighborhoods, family-friendly events, and walking and biking. The City governs in a way that’s responsive to its citizens and prioritizes high-impact services and projects. Fruita fosters a fun and funky ambiance around the arts, agriculture, and recreation.”

### *How values shape the plan:*



## Plan Organization

This plan begins with Chapter 1, which describes the community values that inform all elements of the plan. From these, an overarching vision statement describes what Fruita wants to be in the future. Chapter 2: Community Snapshot offers the necessary context around where Fruita is today and trends that will influence its future. The remaining chapters of the plan are the plan topic areas, where specific goals, policies, and actions are laid out. These six topic areas or chapters are:

Chapter 3:  
Land Use + Growth

Chapter 4:  
Economic Development

Chapter 5:  
Parks, Health, Recreation, Open Space, + Trails

Chapter 6:  
Transportation

Chapter 7:  
Infrastructure + Services

Chapter 8:  
Education, Arts, + Historic Preservation

Each chapter has a specific vision statement for that topic area that nests within the plan's overarching vision statement. Each chapter vision has several goals underneath it, broad primary outcomes and strategies for how the community can achieve that vision. The policies and actions to work towards the goal are listed below each goal.

## Plan Themes

The goals, policies, and actions of the plan are intended to support and preserve the community values. Based on these values, the following key themes emerged:

### Efficient Development

*The City of Fruita encourages infill over sprawl and development within the existing city limits and Urban Growth Boundary (UGB). Efficient development reduces the demand for infrastructure and city services, supports community connectivity, and encourages a thriving downtown core.*

### Community First, Tourism Second

*The City of Fruita prioritizes its residents and provides them a high quality of life. Tourists are attracted to Fruita for this and the opportunity to "play like a local."*

### A Thriving Downtown

*The City of Fruita supports a thriving downtown with strong local businesses, an inviting streetscape, and events and places that encourage the community to gather. Flexible design standards support creative uses of downtown spaces, and higher-than-existing surrounding residential densities creates a variety of housing units and types for residents to frequent businesses.*

### Connectivity

*It is easy for vehicles, cyclists, and pedestrians to get around Fruita and to visit local destinations. The City of Fruita offers a safe, intuitive, and well-connected on- and off-street trail network for pedestrians and cyclists.*

### Strategic Economic Development

*Fruita's approach to economic development focuses on expanding existing businesses while also making Fruita an attractive place to live and do business. Rather than compete with Grand Junction, Fruita is strategic in recruiting businesses that are well-suited for the Fruita community.*