

# Weekly Info Update



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To: MAYOR AND CITY COUNCIL

From: MIKE BENNETT, CITY MANAGER

Date: DECEMBER 2, 2022

Re: WEEKLY INFORMATION UPDATE

# **Tuesday's City Council Meeting**

Tuesday's meeting will start with a presentation celebrating the Students and Teachers of the Month for Shelledy Elementary School. After the presentation, City Council will consider four items on the consent agenda followed by public hearings. There are several public hearings including the adoption of the 2023 Annual Budget.

## **Downtown Holiday Lighting Event Recap**

Last Saturday was the first Fruita Holiday Lighting event hosted by the Fruita Area Chamber of Commerce and the Downtown Advisory Board. The event had a fantastic turnout with families gathering in the North Mulberry area enjoying hot chocolate, pictures with Santa, and the countdown to the lights turning on for the season. Thank you everyone who came out to enjoy the Fruita holiday lights!



Honor the Past – Envision the Future FRUITA

#### **Fruita Bike Park Celebration**

Join us next Thursday, December 8 in celebrating the reopening of the Fruita Bike Park! Over the past few months Singletrack Trails has been working on renovations to the park with 21 new jumps and features. From 3:30 p.m. - 4:30 p.m., attendees can test out demo bikes from Colorado Backcountry Biker and learn about bike safety from Mesa County RTPO. At 4:30 p.m., Mayor Kincaid and Singletrack Trails will say a few words about the park followed by a countdown where a few experienced bikers will showcase the park with jumps and tricks. Cookies and light refreshments will be included.



### Weekly FAQ

In every weekly update, we will be answering one question we get asked often from the community. These questions will cover a variety of topics from all city departments. If you have any questions, you think would be valuable for us to share, let us know by emailing <a href="mailto:communications@fruita.org">communications@fruita.org</a>.

- Question: How can I learn more about City engagement opportunities?
- Answer: Throughout the year, we ask for the community to engage with the City so we can
  provide the highest services possible. We are always looking for feedback on general services
  and upcoming projects. The best way to stay informed is by visiting <a href="fruita.org/communications">fruita.org/communications</a>.
  You will find various ways to connect with the City online and in person. Check out our
  <a href="Community Engagement page">Community Engagement page</a> to learn about upcoming events and opportunities for input on
  specific projects like the recent Skate/Wheel Park Concept Design.

### **General Updates**

 Plastic Bag Fee Letter to Businesses. Next week, Fruita stores that have been identified for the new Colorado State Law to collect a single-use carryout bag fee will receive a letter notifying them of this new law. There are approximately 40 retail food establishments and 23 stores that have been identified as potential businesses subject to the Plastic Pollution Reduction Act (PPRA). **Effective January 1, 2023,** under a bill passed by the Colorado State Legislature in 2021, the state will require stores with more than 3 locations in Colorado to charge customers a \$0.10 fee for each single-use plastic and paper bag used at the point of sale. This fee can be avoided by bringing your own reusable bags to the store. **Effective January 1,** 2024, Colorado law will ban single-use plastic bags at most stores and polystyrene foam takeout containers at restaurants. The full letter to businesses can be found below and businesses and residents can learn more about the new Colorado law at fruita.org/bagfee.

- **Department 2023 Budget Overview meetings.** This week I presented to all employees in each department to cover the highlights of the 2023 proposed budget, in addition to the Council-Manager form of government, the strategic plan, communication, and core values. Always awesome to spend time with the amazing people we have working on behalf of this community!
- **Employee Chili Cook-off.** This week we had a fun gathering for a chili cook-off with chili, soups and desserts. Congrats to those who won various categories pictured below.



- City Engagement Event. We had a great turnout at this week's City engagement event! We enjoyed coffee at Camilla's Kaffe while discussing current and future development projects, the 2023 budget, upcoming City projects, and more. Our next event will be co-hosted with City Councilor Amy Miller on December 14 at 4 p.m. for hot cocoa at Starbucks.
- **Skate/Wheel Park Community Meeting.** On Tuesday night, members of the community participated in the community meeting on the conceptual design of a skate/wheel park at Reed Park. We had great attendance from people from the skateboarding community ranging from adults to young kids. The input received will help guide the design of the skate/wheel park.



• *Girls Scouts.* Mayor Kincaid and I had the opportunity of speaking with Girl Scout Troop 14278 in Fruita on Monday night. The girls received their "Democracy for Juniors" badge that evening after learning about local government. Thank you, Troop 14278, for inviting us!



### **Engineering**

- Pine Street Bridge. Existing girders (support beams) were removed from the old bridge this
  week.
- **N. Mulberry St. Improvements Project.** A Pre-Bid meeting was conducted on Monday. The bid opening for this project will occur on Friday, December 9, 2022, at 2:00 pm at the Fruita Civic Center.
- Fruita Civic Center Office Remodel. A Pre-Bid meeting was conducted on Tuesday with several contractors in attendance. The bid opening for this project will occur on Friday, December 9, 2022, at 2:00 pm at the Fruita Civic Center.
- *Training.* Engineering staff had and 2-day training session on Civil3D design software this week.

#### **Parks and Recreation**

• Gift Cards are now available at the Fruita Community Center. These gift cards can be used towards day passes, personal training and nutrition services, Parks and Recreation activities and programs and more! Purchase yours at the FCC front desk.

- *Holiday Art and Craft Fair December 10*. Explore over 60 local vendors of handmade crafts and art at the Fruita Community Center from 10:00 am-3:00 pm on December 10.
- Cookies & Claus on December 15. Bring your 0-10 year old to this beloved event to meet Santa, drink cocoa and eat cookies, listen to stories from a librarian, and write a letter to Santa. The event is \$5 and requires registration. Click here to register.
- *Increase in Aquatic Numbers.* Since November 15<sup>th</sup>, the Fruita Community Center Aquatics has seen an increase of three more lap swimmers, 10 more free swimmers, three new therapy groups, as well as 50 Grand Junction/Palisade/Central high school swimmers.
- **November Numbers for the Fruita Community Center.** The Fruita Community Center had 12,912 visits, surpassing the previous best November of 2019 with 12,477 visits. The FCC is on track to see its 2,000,000 visitor in February or March of 2023!

#### **Planning & Development**

To see active reviews of current projects, you may visit: <a href="https://www.fruita.org/cd/page/current-development-projects">https://www.fruita.org/cd/page/current-development-projects</a>

#### Major/ Minor Subdivisions:

- Sycamore Estates Minor Subdivision (Approved) (945 E. Pabor Ave, Fruita CO 81521) (9 Lots)
- Kimston Minor Subdivision (Under Review) (1930 Hwy 6 & 50) (2 Lots)
- Orchard Ridge 4 (Under Review) (17 Road & K3/4 Road) (21 Lots)
- Shannon Minor Subdivision (Under Review) (377 N. Pine Street) (2 Lots)
- Rose Creek Preliminary Plan (Intersection of 19 & K Road, Fruita CO 81521)
- Cider Mill Estates Final Plan (Under Review) (960 Stone Mountain Drive. Fruita, CO 81521) (47 Lots)
- Dana Minor Subdivision (Under Review) (317 Pine Street) (3 Lots)
- East Grand Townhomes Minor Subdivision (Under Review) (600 Grand Avenue) (4 Lots)
- Copper Creek West Preliminary Plan (Under Review) (954 19 Road) (138 Lots)

# **Site Design Review/ Other Applications:**

- 111 S. Mesa Street Site Design Review (Under Construction) (111 S. Mesa St, Fruita CO 81521)
- 204 S. Mulberry Street Site Design Review (Under Construction) (204 S. Mulberry St, Fruita, CO 81521)
- Grand Skye Site Design Review (Under Review) (715 E. Grand Ave.)
- Grand Valley Storage (Under Review) (1930 Hwy 6 & 50)
- Fruita Apartments (Under Review) (614 Raptor Road)
- West Pabor Right-of-Way Vacation (north of 535 W. Pabor Avenue)
- North Mulberry Street Conceptual Street Design
- Dogleg 1 Annexation (Under Review) (Parcel #2697-213-00-078)
- Dogleg1 Rezone (Under Review) (Parcel #2697-213-00-078)
- Dogleg 2 Annexation (Under Review) (Parcel #2697-213-00-094)
- Dogleg 2 Rezone (Under Review) (Parcel #2697-213-00-094)
- Latigo Annexation (Under Review) (1834 J Road)
- Latigo Rezone (Under Review) (1834 J Road)

- Adele's Acres Annexation (Under Review) (1024 19 Road)
- Adele's Rezone (Under Review) (1024 19 Road)
- The FARM Fruita Arts Recreation Marketplace (Under Construction) (158 Park Square)

#### Police

Porch Pirate Program. For the month of December, Fruita residents can have their packages
delivered to the Fruita Police Department (101 W. McCune Ave.) instead of their homes. Please
bring a valid ID that matches the name on the package when you come to pick up your
packages.

#### **Public Works**

- *Traffic Safety Plan*. The Streets Division completed the Traffic Safety Control Plan for the Parade of Lights event on December 10<sup>th</sup>.
- **Utility Update**. Utility Collections Division completed testing and maintenance on a foul air fan at the I-70 lift station, completed 112 utility locates for the month of November, and completed generator training and connection testing at lift stations.
- **Excel Energy Meeting**. Public Works Superintendent along with the Engineering Department met with Xcel Energy regarding the preliminary stages of upgrading power for the substation.
- Water Quality. Public Works Director attended the Water Quality Roadmap Stakeholder meeting. Discussion items included Water Quality Control Commission Policy 17-1 Voluntary Incentive Program, Regulation #85, Plan for TMDL Development, Ammonia Criteria Studies, and Lake Nutrient Criteria Development.
- **Grand Valley Irrigation Canal.** Public Works Director will be attending the Grand Valley Irrigation Canal Annual Shareholders meeting Saturday, December 3<sup>rd</sup>.

#### FRUITA IN THE NEWS (and regional news of impact to Fruita):

- <u>Powderhorn opens earlier than normal.</u>
- Small Business Saturday in Fruita.
- The Ultimate Colorado National Parks and Monuments Road Trip.
- Grand Valley cities to celebrate Small Business Saturday this weekend.
- BLM to implement seasonal road closures.
- Trails drew him to the area, and gained from his presence.
- MCSO named Law Enforcement Agency of the Year by Special Olympics.
- D51 enrollment continues to dip, but turnaround could be on the horizon.
- School District #51 Foundation Giving Away More Than 5,000 Chromebooks.
- 2023 Bicycle Industry Events Calendar.
- Once –in-a-generation tax revenues are flowing into western Colorado coffers. How will communities invest? A proposed ballot initiative for 2023 would impose a fee on all real estate deals to fund affordable housing.

## **UPCOMING EVENTS** (Please let Deb know if you plan to attend so we can RSVP for you)

- December 10, 2022 Holiday Arts & Crafts Fair, Fruita Community Center, 10:00 a.m.- 3:00 p.m.
- December 10, 2022 Fruita Parade of Lights, Downtown Fruita, 5:30 p.m. 7:00 p.m.

- **December 14, 2022** Hot Chocolate with the City Manager and Councilor Amy Miller, Starbucks Coffee, 4:00 p.m.
- December 15, 2022 Cookies & Claus, Fruita Community Center, 6:00 p.m. 7:30 p.m.

# CC. Department Directors

Do you have questions about anything in the Weekly Information Update? Please feel free to email us at <a href="mailto:communications@fruita.org">communications@fruita.org</a>



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**HUMAN RESOURCES** 970.858.8373

**PUBLIC WORKS** 970.858.9558

PARKS/RECREATION 970.858.0360

WASTEWATER TREATMENT FACILITY 970.858.4081 December 5, 2022

To Whom It May Concern:

Re: SINGLE USE BAG FEE IMPLEMENTATION FOR STORES EFFECTIVE JANUARY 1, 2023

A new Colorado law known as the Plastic Pollution Reduction Act (HB21-1162) requires stores with more than 3 locations in Colorado to impose a minimum ten-cent (\$0.10) fee on single-use plastic and recycled paper bags effective January 1, 2023 and bans the use of single-use carryout bags and expanded polystyrene (Styrofoam) containers effective one year later on January 1, 2024. The fee will still apply to paper bags and any remaining inventory of plastic bags after the January 1, 2024 ban.

Your store has been identified as potentially being subject to the collection and remittance of the single use carryout bag fee. If you believe your business is exempt as a "small store" as defined in the legislation or for other reasons, please complete the attached form and return to the City of Fruita at 325 E Aspen, Fruita, CO 81521 or email to cyamashita@fruita.org or fax at (970) 858-0210.

Sixty percent (60%) of the fee is to be remitted to the City in which the store is located and the remaining forty percent (40%) is retained by the store. Stores are directed to begin remitting the City's 60% of the fee on April 1, 2024 for the previous quarter. The gap between the fee start date of January 1, 2023 and the fee remittance date of April 1, 2024 is the result of a drafting error in the legislation. Stores may voluntarily remit 60% of bag fees collected to the City of Fruita beginning April 1, 2023 and are required to do so by April 1, 2024. A remittance form is attached.

The full text of the Act and resources available for stores including bag fee notices, informational flyers for customers, and cashier responses to frequently asked questions is available at <a href="https://www.fruita.org/bagfee">https://www.fruita.org/bagfee</a>.

Sincerely.

Margaret Sell

City Clerk/Finance Director

Enclosures: Plastic Pollution Reduction Act Implementation Timeline

FAQ's for Stores and Retail Food Establishments Exemption Form for collection of single use bag fee

Remittance form



#### PLASTIC POLLUTION REDUCTION ACT

The State of Colorado passed HB21-1162, the Plastic Pollution Reduction Act (PPRA), in 2021. This bill imposes a carryout bag fee in stores, phases out the provision of single-use plastic carryout bags in stores, phases out the use of expanded polystyrene (styrofoam) products in retail food establishments, requires stores to remit 60% of the bag fee to the City of Fruita, and authorizes the City to enforce violations and impose civil penalties. The following information is provided only as a summary of some of the key provisions and deadlines of the law. Please refer to the full text of HB21-1162 for a complete review of the requirements of the PPRA. Additional information and links to resources on the single-use bag fee can be found on the City's website at <a href="https://www.fruita.org/bagfee">www.fruita.org/bagfee</a>.

#### **Implementation Timeline**

Effective Date	Provision
January 1, 2023	Carryout <u>bag fee enacted</u> in stores; local governments may enforce and assess civil penalties
April 1, 2023	Stores may voluntarily begin remitting 60% of bag fee collected to the City of Fruita for the previous quarter.
January 1, 2024	Single-use plastic carryout bags prohibited in stores and retail food establishments, excluding current inventory which must be used by June 1, 2024. Retail food establishments don't have to comply with this ban if they prepare or serve food in individual portions and are not a grocery store or convenience store.
January 1, 2024	Expanded polystyrene (Styrofoam) prohibited in retail food establishments, excluding current inventory
April 1, 2024	Stores are required to remit 60% of bag fee collected to the City of Fruita for the previous quarter.



Carryout bag fees. Beginning January 1, 2023, a store may provide a customer with one or more single-use plastic or recycled paper carryout bags for a fee of ten cents (\$0.10) per bag or a higher fee may be adopted by the city or county in which the store is located. The City of Fruita has elected to establish the fee at the minimum amount permitted under the new law of ten cents (\$0.10) per recycled paper carryout bag or single-use plastic carryout bag. Customers who provide evidence of participating in a federal or state food assistance program are exempt from the carryout bag fee. Stores are required to provide customers with a transaction receipt for the fee, conspicuously display a sign that alerts customers to the fee, and are prohibited from refunding customers any portion of the fee.

Stores are required to remit 60 percent (60%) of the carryout bag fee revenue to the municipality or county in which the store is located on a quarterly basis beginning on April 1, 2024. Municipalities and counties must use the carryout bag fee revenue to pay for administrative and enforcement costs and any recycling, composting, or other waste diversion programs and related outreach and education activities. The discrepancy between the fee start date of January 1, 2023 and the fee remittance date of April 1, 2024 is the result of a drafting error in the legislation. Stores may voluntarily begin remitting 60% of the bag fee on April 1, 2023.

Single-use plastic carryout bags. This bill prohibits stores from providing single-use plastic carryout bags beginning January 1, 2024. Subject to the carryout bag fees discussed above, a store may distribute, until June 1, 2024, any remaining inventory of single-use plastic carryout bags purchased prior to January 1, 2024. Exempted from the ban are plastic bags that a pharmacy provides to a customer purchasing medication; a customer uses for loose or bulk items or for frozen foods, meat, seafood, or fish; contain unwrapped prepared foods; or a laundry, dry cleaning or garment bag.

This ban on single-use plastic carryout bags also applies to retail food establishments. However, retail food establishments don't have to comply if they prepare or serve food in individual portions for immediate on or off premises consumption and are not a grocery store or convenience store. This language will exempt most retail food establishments from the single-use plastic bag ban.

**Expanded polystyrene products.** Effective January 1, 2024, this bill prohibits retail food establishments from providing an expanded polystyrene product for use as a container for ready-to-eat food in this state, except that retail food establishments may distribute any remaining inventory of products purchased prior to January 1, 2024.



# PLASTIC POLLUTION REDUCTION ACT - FAQ'S

# What stores must collect the single-use bag fee?

- · Grocery stores and supermarkets
- Convenience stores
- Liquor stores
- · Pharmacy and drug stores
- Dry cleaners
- · Clothing store
- Other retail establishments where carryout bags are provided to customers
- Farmer's market, roadside market or stand, festival, or other temporary vendor or event that includes temporary vendors
- Includes any self-checkout and delivery services

# Are there any exemptions to the bag fee?

- Small stores with three or fewer locations in Colorado and not part of a franchise, corporation or partnership that has physical locations outside of Colorado
- Customers who provide evidence of participating in a federal or state food assistance program are exempt from the carryout bag fee.
- The single-use carryout bag fee does not apply to:
  - A carryout bag made of paper when the paper has a basis weight of thirty pounds or less,
  - o Bags provided by pharmacists to contain prescription medications,
  - o Laundry, dry cleaning, or garment bags
  - Bags used by consumers inside stores to:
    - Package bulk items, such as fruit, vegetables, nuts, grains, candy, or small hardware items,
    - Contain or wrap frozen foods, meat, or fish, flowers, potted plants, or other items where it could dampen or contaminate other items,
    - Contain unwrapped prepared foods or bakery goods

# Are there exceptions to the prohibition of using single-use plastic carryout bag for retail food establishments?

- Retail food establishments need not comply with the prohibition on the use of single-use plastic carryout bags if the retail food establishment:
  - Prepares or serves food in individual portions for immediate on-or-off premises consumption; and
  - Is not a grocery store or convenience store.



## SINGLE-USE BAG FEE EXEMPTION FORM

This form serves to notify the City of Fruita that the store named believes that it is not required to collect a Single-Use Bag Fee as outlined in Colorado House Bill 21-1162. Once this form is received by the City, your request will be reviewed, and you will be notified within 20 business days whether the Single-Use Bag Fee will apply to your business. The review process may include a site visit to your business. Please answer the following questions:

Company Name			
Physical Address:			
Contact Information: Name, email and Phone Number			
Colorado Sales Tax Number:			
Type of Business			
1. DOES YOUR STO OR FEWER LOCATIO	RE OPERATE SOLELY IN COLORADO AND HAVE THREE NS?		
□ YES □ NO			
If YES, please sign and d	ate below and return to the City of Fruita.		
Please refer to HB 21-116	planation of why you believe the bag fee does not apply to your business. 2 before submitting your answer. Please sign and date below and returnal, fax or email at the addresses noted below.		
Signature	Date		
Return to:  Mail: City of Fruita, 325 E Aspen, Fruita, CO 81521			

Fax: (970) 858-0210 Email: cyamashita@fruita.org



City of Fruita 325 E Aspen Fruita, CO 81521 (970) 858-3663

# Single Use Carryout Bag Fee Remittance Form

Company Name	
Colorado State Sales Tax #	
Contact Name	
Contact Phone Number	
Filing Period	

Description	Number of bags	Amount Due Number of bags times \$0.06
Number of Single Use Plastic Bags		
Number of Single Use Paper Bags		
Total		

Please remit to the City of Fruita at the address noted above. Single use carryout bag fees are due by the last day of the month following the quarter being remitted. Example: First quarter of 2023 (January thru March 2023) due by April 30, 2023. If the remittance amount is less than \$20 for the quarter, you may remit those fees as part of the next quarterly remittance.

Carryout bag fees may also be remitted on the City's website under "Make a payment" button on the home page. Select Service Type "Single Use Bag Fee". You will then prompted to provide the information above and may follow the prompts to make a payment and submit the information.

# **FRUITA**COLORADO

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WASTEWATER TREATMENT FACILITY 970.858.4081 December 5, 2022

To Whom It May Concern:

Re: BAN ON EXPANDED POLYSTYRENE (STRYOFOAM) AND SINGLE USE PLASTIC BAGS - EFFECTIVE JANUARY 1, 2024

A new Colorado law known as the Plastic Pollution Reduction Act (Act) bans the use of single-use carryout bags and expanded polystyrene (Styrofoam) containers effective on January 1, 2024. Your food service establishment has been identified as potentially being subject to portions of this Act. Attached is information concerning this Act. Links to additional information can be found on the City's website at <a href="https://www.fruita.org/bagfee">www.fruita.org/bagfee</a>.

Key elements of the Act affecting food service establishments are:

- Food service establishments <u>are</u> subject to the ban on expanded polystyrene (Styrofoam) effective January 1, 2024.
- 2) Food service establishments <u>are</u> subject to the ban on single use plastic carryout bags effective January 1, 2024. However, food service establishments <u>do not</u> have to comply with the ban on single-use plastic carryout bags if they prepare or service food in individual portions <u>and</u> are not a grocery store or convenience store. This will exempt a significant number of food service establishments from the ban on single use plastic carryout bags.
- Food service establishments <u>are not</u> subject to the collection of the bag fee.

Sincerely.

Margaret Sell

City Clerk/Finance Director

Enclosures: Plastic Pollution Reduction Act Implementation Timeline

FAQ's for Stores and Retail Food Establishments





City of Fruita staff strive to emulate these core behaviors in everything we do in order to show gratitude for public trust, build trust and maintain trust with the public, our partner agencies and with one another.

#### We are Fruita. We are...

Fun—This is such a critical behavior that impacts everything we do. If we are not having fun, we must ask why and recalculate and adjust. We must love what we do and where we work, live and play. We are positive and put forth focused effort to have a positive attitude. We are smiling. We are friendly. We enjoy serving the public and working together. We care about the experience those who interact with us internally and externally have.

Respectful—We are empathetic. We take an active interest in each other, residents, businesses and visitors. We listen. We talk one at a time. We compliment and build up others. We are tough on issues and easy on people. We recognize the role of City Council, Board and Commission Members, residents, supervisors, coworkers and customers. We are kind. We treat people with dignity. We embrace diversity and make every effort to think collectively.

**United**—We are a team. We focus on purpose and work together to achieve our goals. We communicate effectively with each other. We seek consensus, agree to disagree and move forward for the greater good. We support each other. We value partnerships that help us achieve our goals. We remember we are public stewards and serve. We are inclusive. We create synergy by recognizing our strengths and weaknesses and succeeding as a team.

**Innovative**—Simplicity is our key to innovation. We consider and explore alternatives to the way we've always done it. We are open to new ideas. We welcome calculated risk-taking and learning from our mistakes. We seek continuous improvement and welcome constructive feedback. We ask why and why not. We work to continually improve.

**Transparent**—We operate as an open book. We create, over communicate and reinforce clarity in our work. We are trustworthy. We assume a positive intent from others. We work with integrity. We seek ways to increase transparency internally and externally.

Authentic—We are unique. We are real. We are different. We are special. We are optimistic. We are exceptional and proud of it. We are comfortable being different. We are open-minded. We are honest. We embrace and value family. We live what we speak. We create clear expectations and work hard to manage those expectations.