

Greeley City Council Agenda

Regular Meeting

Tuesday, May 3, 2022 at 6:00 p.m.

City Council Chambers at City Center South, 1001 11th Ave, Greeley, CO 80631
Zoom Webinar link: <https://greeleygov.zoom.us/j/98241485414>

NOTICE:

Regular meetings of the City Council are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in person meeting in Council Chambers.

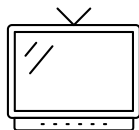
City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

Members of the public are also invited to choose how to participate in Council meetings in the manner that works best for them.

Watch Meetings:



Meetings are open to the public and can be attended in person by anyone.



Meetings are televised live on GTV8 on cable television.



Meetings are livestreamed on the City's website, greeleygov.com as well as YouTube at youtube.com/CityofGreeley

For more information about this meeting or to request reasonable accommodations, contact the City Clerk's Office at 970-350-9740 or by email at cityclerk@greeleygov.com.

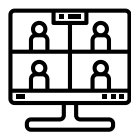
Meeting agendas, minutes, and archived videos are available on the City's meeting portal at greeley-co.municodem meetings.com/

Comment in real time:

During the public input portion of the meeting and public hearings:



In person attendees can address the Council in the Chambers .

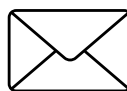


The public can join the Zoom webinar and comment from the remote meeting.

Submit written comments:



Email comments about any item on the agenda to cityclerk@greeleygov.com



Written comments can be mailed or dropped off at the City Clerk's Office at City Hall, at 1000 10th St, Greeley, CO 80631





City Council Agenda

May 03, 2022 at 6:00 PM

City Council Chambers, City Center South, 1001 11th Ave & via Zoom at <https://greeleygov.zoom.us/j/98241485414>

Mayor

John Gates

Councilmembers

Tommy Butler
Ward I

Deb DeBoutez
Ward II

Johnny Olson
Ward III

Dale Hall
Ward IV

Brett Payton
At-Large

Ed Clark
At-Large

A City Achieving
Community Excellence
Greeley promotes a healthy, diverse economy and high quality of life responsive to all its residents and neighborhoods, thoughtfully managing its human and natural resources in a manner that creates and sustains a safe, unique, vibrant and rewarding community in which to live, work, and play.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the Agenda
5. Recognitions and Proclamations
6. Citizen Input
7. Reports from Mayor and Councilmembers
8. Initiatives from Mayor and Councilmembers
9. Greeley Area Chamber of Commerce update

Consent Agenda

The Consent Agenda is a meeting management tool to allow the City Council to handle several routine items with one action.

Council Members may request an item be pulled off the Consent Agenda and considered separately under the next agenda item in the order they were listed.

10. Approval of the City Council Proceedings of April 19, 2022
11. Acceptance of the Report of the City Council Work Session of April 26, 2022
12. Consideration of a resolution appointing Heidi Leatherwood to the position of City Clerk.

End of Consent Agenda

13. Pulled Consent Agenda Items
14. Public hearing and final reading of an Ordinance amending Title 20 of the Greeley Municipal Code concerning the use of non-potable water supplies for irrigation.
15. Consideration of Metropolitan District Code Amendments and Options

- [16.](#) Scheduling of Meetings, Other Events
- [17.](#) Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances
18. Adjournment

Council Agenda Summary

Title

Recognitions and Proclamations

Summary

Mayor Gates will present the proclamations

Council Member Payton will present the *What's Great about Greeley* Report.

Attachments

Historic Preservation Month Proclamation

National Police Week Proclamation

Women to Women Proclamation

What's Great about Greeley Report



HISTORIC PRESERVATION MONTH

WHEREAS, historic preservation is an effective tool for revitalizing neighborhoods, fostering local pride, realizing economic growth, and maintaining community character, and is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, the City of Greeley and the Greeley Historic Preservation Commission desire to collaborate in honoring Greeley's and Colorado's historic resources and sites and promoting the importance of preserving those resources; and

WHEREAS, May is National Historic Preservation Month, and in recognition of this month the Commission plans to celebrate by showing the Windows of Time documentaries on GTV8, hosting a reception, sponsoring a History Brown Bag presentation about Dearfield and Greeley historical connections, and sponsoring a walking tour in the future.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim May 2022 as Historic Preservation Month and call upon the people of Greeley to join their fellow citizens across the United States in recognizing and participating in this special observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley this 3rd day of May, 2022.

John Gates
Mayor



NATIONAL POLICE WEEK

WHEREAS, in 1962 the U.S. Congress proclaimed May 15th as National Peace Officers Memorial Day and the week in which May 15th occurs as National Police Week for the purpose of honoring American law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

WHEREAS, this year May 11 - May 16, 2022 will be National Police Week; and

WHEREAS, federal statute directs that all flags be flown at half-staff on May 15th in honor of fallen officers and their families; and

WHEREAS, since 1791 more than 22,000 law enforcement officers in the United States have made the ultimate sacrifice of their lives; and

WHEREAS, Greeley Police Department Officers Lee Whitman and Jameson Longworth are among the officers slain; and

WHEREAS, the City of Greeley wishes to honor all American law enforcement officers who have made the supreme sacrifice.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim the week of May 11 - 16, 2022, as *National Police Week* in the City of Greeley and publicly salute the service of the law enforcement officers of Greeley and other communities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 3rd day of May, 2022.

John Gates
Mayor



Weld Women to Women Week

WHEREAS, Weld Women to Women is a local organization of women providing a hand up to women in need right now; and

WHEREAS, Weld Women to Women was founded in 2009; and

WHEREAS, Weld Women to Women recently celebrated their 10th Circle of Sisters and the organization's 2021 milestone having provided over one million dollars in services to women in need in our community; and

WHEREAS, the Women to Women organization partners with numerous churches and nonprofit organizations in Weld County to provide aid in the amount of up to \$750 per request for help; and

WHEREAS, the Women to Women organization is a fourth multiplier organization that puts all money used to help women in need directly back into the local community by means of providing financial assistance to women in need of goods or services from local businesses; and

WHEREAS, the Greeley City Council recognizes and acknowledges the importance of the aid provided by the Weld Women to Women organization to local women in need and the circulation of that money back into the local community.

NOW, THEREFORE, I, John Gates by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim the week of May 9th, 2022, as Weld Women to Women Week in the City of Greeley, and urge all citizens to join us in recognizing and commending the Women to Women organization for its commitment to helping women in need and supporting our local economy through their charitable actions. The City of Greeley congratulates the Weld Women to Women organization on their donation milestone.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 3rd day of, May 2022.

John Gates
Mayor

Greeley City Council
May 3, 2022
Councilmember Brett Payton



“If you belittle what you
have...it becomes less.
If you appreciate what
you have ...
it becomes more.”

~Gelene McDonald

Colorado Broadcasters Association KFKA Radio – The Hull Show



Aims Community College Top Workplace & Healthy Workplace Leader



HL HEALTH LINKS



Northridge High School National Scholastic Writing Competition



**Scholastic
Art & Writing
Awards**



University of Northern Colorado

Jerger Career Award

Deanna Meinke

2022 Jerger Career Award
for Research in Audiology

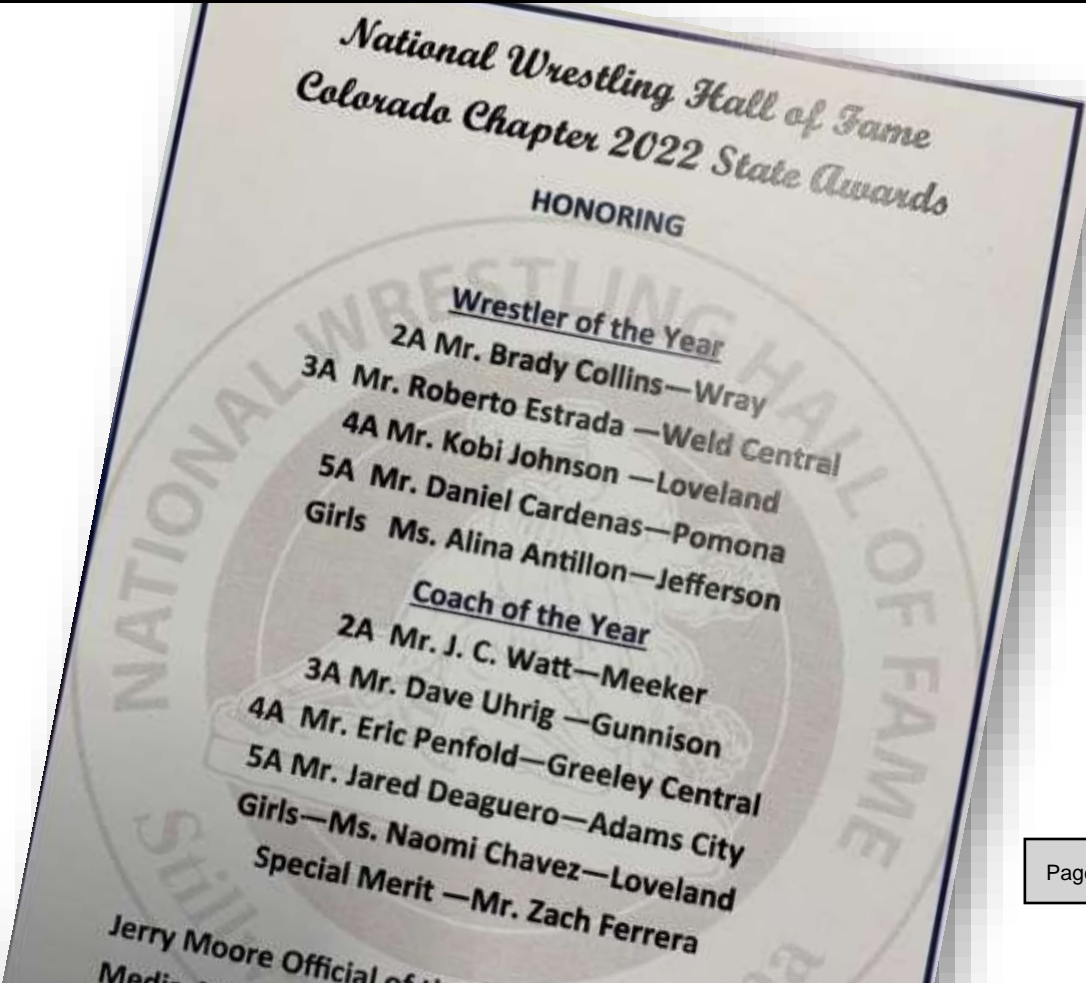


SkillsUSA Gold Medalists

Aims Automotive Collision Repair and Refinishing



National Wrestling Hall of Fame Colorado Chapter – 2022 Award



GreeleyGov.com



Greeley City Council - 2022



Council Agenda Summary

Title

Citizen Input

Summary

During this 15 minute portion of the meeting, anyone may address the Council on any item of City Business appropriate for Council consideration that is not already listed as a public hearing on this evening's agenda.

As this meeting is being conducted in a hybrid format, citizen input will be accepted first from those in the City Council Chambers, and then from the virtual meeting audience via the meeting's webinar.

Written comments submitted for any item on the agenda will be placed in the public record and provided to the Council for their review and should include the name and city of residence of the person submitting the comments for the record.

Council Agenda Summary

Title

Reports from Mayor and Councilmembers

Summary

During this portion of the meeting any Councilmember may offer announcements or reports on recent events and happenings. These reports should be a summary of the Councilmember's attendance at assigned board/commission meetings and should include key highlights and points that may require additional decision and discussion by the full Council at a future time.

Council Agenda Summary

Title

Initiatives from Mayor and Councilmembers

Summary

During this portion of the meeting any Councilmember may bring before the Council any business that the member feels should be deliberated upon by the Council. These matters need not be specifically listed on the Agenda, but formal action on such matters shall be deferred until a subsequent Council meeting.

Initiatives will generally fall into three categories:

- 1) A policy item for Council deliberation and direction for a future Worksession, Committee meeting, or regular/special Council meeting;
- 2) A request to the City Manager for information or research;
- 3) A request involving administrative processes or procedures.

At the close of this portion of the meeting, the Mayor will confirm Council's consensus that the individual requests be pursued.

Attachments

Status Report of Council Initiatives and Related Information

Greeley City Council

Status Report of Council Initiatives

Initiative No.	Council Member Initiating	Council Request	Council Meeting or Work Session Date Requested	Status or Disposition (After completion, item is shown one time as completed and then removed.)	Assigned to:
15-2021	Olson	Formation of a committee for implementation of a funding strategy for the 35 th and 47 th interchanges.	December 7, 2021 Council Meeting	Council Member Olson will be following up with Manager Lee and Director Trombino on next steps	Paul Trombino
02-2022	Clark	Request update on City's graffiti removal program	March 15, 2022 Council Meeting	Requested Public Works provide an update to Council on the City's graffiti removal program	Paul Trombino
04-2022	Olson	Request update on City's involvement on LinkNoCo transit.	April 5, 2022 Council Meeting	Requested Public Works provide a report to Council on LinkNoCo Transit projects.	Paul Trombino
05-2022	Butler	Request a Housing Affordability update. Prepare a baseline on where Greeley stands on housing costs; new versus rentals, and where Greeley stands in the housing market	April 19, 2022 Council Meeting	Requested Economic Health and Housing provide a report on housing affordability within the City of Greeley.	Ben Snow
06-2022	Butler	Review of the G-HOPE assistance program which is a grant program to assist citizens and City employees with down payment assistance to purchase a home.	April 19, 2022 Council Meeting	Human Resources will review the G-HOPE assistance program and provide recommendations to revamp the program to meet current housing needs at a Council work session.	Kathleen Hix

Council Agenda Summary

April 19, 2022

Key Staff Contact: Raymond Lee, City Manager, 970-350-9785

Title:

Greeley Area Chamber of Commerce update

Summary:

Greeley Area Chamber of Commerce President Jaime Henning will be present to provide Council with an update on the Chamber's operations and programs.

Attachments:

None

Council Agenda Summary

Title:

Approval of the City Council Proceedings of April 19, 2022

Summary:

A meeting of the City Council was held in the City Council's Chambers on April 19, 2022. The draft proceedings have been prepared and are being presented for the Council's review and approval.

Decision Options:

1. To approve the proceedings as presented; or
2. Amend the proceedings if amendments or corrections are needed, and approve as amended.

Council's Recommended Action:

A motion to approve the City Council proceedings as presented.

Attachments:

Draft Proceedings of April 19, 2022

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
April 19, 2022

1. Call to Order

Mayor John Gates called the meeting to order at 6:00 p.m. in the City Council Chambers at 1001 11th Ave, Greeley, Colorado, with hybrid participation available via the City's Zoom platform.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. Roll Call

Charity Campfield, Deputy City Clerk, called the roll.

PRESENT

Mayor John Gates

Council Member Tommy Butler

Council Member Deb DeBoutez

Council Member Dale Hall

Council Member Brett Payton

Council Member Ed Clark

ABSENT

Council Member Johnny Olson

4. Approval of the Agenda

Item number nine was stricken from the agenda.

5. Recognitions and Proclamations

Mayor Gates presented proclamations for Greeley Children's Chorale Day, Arbor Day, Holocaust Memorial Observances, and National Youth Service Day.

Council Member Hall presented the *What's Great About Greeley* report.

6. Citizen Input

Steve Teets, Greeley, thanked the council for recognizing the members of the boards and commissions. He reported that council has been sponsoring meetings on Housing and Homelessness and appreciates the discussions.

7. Reports from Mayor and Councilmembers

None

8. Initiatives from Mayor and Councilmembers

Council Member Buter requested a baseline of Greeley's housing market, and a report for housing costs new vs. five years ago.

Council Member Butler requested a worksession to review the G-Hope program to help with home ownership in the community.

9. Greeley Area Chamber of Commerce Update

Stricken from the agenda.

Consent Agenda

Council Member Hall moved, seconded by Council Member Clark, to approve the recommended actions on items 10-15.

The motion carried 6-0 (by roll call vote).

10. Approval of the City Council Proceedings of April 5, 2022

The Council action recommended and approved was to approve the City Council proceedings of April 5, 2022, as presented.

11. Acceptance of the Report of the City Council Work Session of April 12, 2022

The Council action recommended and approved was to accept the report of March 22, 2022, as presented.

12. Consideration of a Resolution approving the name of new parkland dedicated in the Promontory Subdivision as Longview Park

The Council action recommended and adopted the resolution.

13. Consideration of a Resolution approving the name of new parkland dedicated in the Westgate Subdivision as Redtail Park

The Council action recommended and adopted the resolution.

14. Consideration of the City of Greeley's Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2021 for Submission to the U. S. Department of Housing and Urban Development

The Council action recommended and approved the report.

15. Participation Agreement between Greeley and USFS - Cameron Peak Fire Recovery

The Council action recommended and approved the agreement.

End of Consent Agenda

16. Pulled Consent Agenda Items

None

17. PH - Update 2022 Action Plan (HUD)

Benjamin Snow, Economic Health and Housing Director, came forward to introduce and present the slide deck for this item.

Mayor Gates opened the public hearing at 6:36 p.m.

Steve Teets, Greeley, reported that the funds are being taking away from United Way and Connections for Independent Living.

Benjamin Snow reported that the Connections for Independent Living did not meet the qualifications of the environmental review. The United Way was money previously allocated for Bonell that was returned.

There being no one wishing to be heard in the virtual audience, the public hearing was closed.

Council Member Clark moved, seconded by Council Member Payton, to approve the update to the 2022 Action Plan (HUD).
The motion carried 6-0 by roll call vote.

18. Public hearing to consider a request to rezone from I-M (Industrial Medium Intensity) to R-E (Residential Estate) and I-M (Industrial Medium Intensity) for 82.62 acres of property located at 15756 County Road 66 (southwest corner of AA Street and North 47th Avenue), known as the Leffler Rezone, and final reading of an ordinance changing the official zoning map to reflect the same

Darrell Gesick, Planner III, came forward to introduce and present the slide deck for this item.

Mayor Gates opened the public hearing at 6:41 p.m.

There being no one wishing to be heard in the Chambers or as part of the virtual audience, the public hearing was closed.

Council Member Butler moved, seconded by Council Member DeBoutez, to adopt the ordinance and publish with reference to title only.
The motion carried 6-0 by roll call vote.

19. Public Hearing and second reading of an Ordinance amending and repealing portions of the City of Greeley Municipal Code, all correcting the codification of the entire permanent code to accurately reflect the intent of ordinances passed in the City of Greeley

Stacey Aurzada, Interim City Clerk, came forward to introduce and present the slide deck for this item.

Council Member DeBoutez asked about negotiating reimbursement for Ms. Cranston's time in reviewing the code deficiencies.

Ms. Aurzada reported that the city could look into pursuing reimbursement.

Mayor Gates opened the public hearing at 6:51 p.m.

There being no one wishing to be heard in the Chambers or as part of the virtual audience, the public hearing was closed.

Mayor Gates thanked Ms. Cranston and staff for their work on the code issues.

Council Member Payton moved, seconded by Council Member Butler, to adopt the ordinance and publish with reference to title only.
The motion carried 6-0 by roll call vote.

20. Public hearing and final reading of an Ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2022 and for funds held in reserve for encumbrances at December 31, 2021

John Karner, Finance Director, came forward to introduce and present the slide deck for this item.

Council Member Clark asked about the \$50,000 to the Bright Futures Program.

Mr. Karner reported that these funds are dependent on other entities for additional funds.

Mr. Lee reported that if other entities are unable to raise those funds, then the City cannot provide these funds.

Council Member DeBoutez thanked staff for their work on writing grants and getting funding.

Council Member Butler asked for the timeline for the next appropriation.

Mr. Karner reported they are working on refinements in the budget process, 3 appropriations this year and 2 will be next year.

Mayor Gates opened the public hearing at 7:04 p.m.

Steve Teets, Greeley, reported that three appropriations provide transparency for the community and asked about the bus shelter funding.

Mr. Karner reported it is a new bus shelter. He also reported that fewer appropriations would be done through the budget process through supplementals.

There being no one wishing to be heard in the virtual audience, the public hearing was closed.

Council Member Payton moved, seconded by Council Member Clark, to adopt the ordinance and publish with reference to title only.
The motion carried 6-0 by roll call vote.

21. Appointment of applicants to the Human Relations Commission, Citizen Transportation Advisory Board, Historic Preservation Commission, Citizen Budget Advisory Committee, Youth Commission, and the Rodarte Community Center Advisory Board

Deputy City Clerk Charity Campfield reported the following appointments were made by the Council by written ballot:

- Human Relations Commission – Jeanne Lipman
- Citizen Transportation Advisory Board – Wendi Young
- Historic Preservation Commission – Melissa Sizemore
- Citizen Budget Advisory Committee – Jamie Wood
- Youth Commission – Isaac Bearden and Mackenzie Franks
- Rodarte Community Center Advisory Board – Darren Dunn and Daniel Reyez

22. Scheduling of Meetings, Other Events

No other meetings or events were scheduled.

23. Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances

Council Member Payton moved, seconded by Council Member Hall, to approve the above authorizations.

The motion carried 6-0.

24. Adjournment

John D. Gates, Mayor

Charity Campfield, Deputy City Clerk

Council Agenda Summary

Title:

Acceptance of the Report of the City Council Work Session of April 26, 2022

Summary:

A City Council Work Session was held in the City Council's Chambers on April 26, 2022. The draft report of that work session has been prepared for the Council's review and acceptance.

Decision Options:

1. To accept the Report as presented; or
2. Amend the Report if amendments or corrections are needed, and accept as amended.

Council's Recommended Action:

A motion to accept the Report as presented.

Attachments:

Draft Report of April 26, 2022

City of Greeley, Colorado
CITY COUNCIL WORK SESSION REPORT
April 26, 2022

1. Call to Order

Mayor John Gates called the meeting to order at 6:00 p.m. in the City Council Chambers at 1001 11th Ave, Greeley, Colorado, with hybrid participation available via the City's Zoom platform.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. Roll Call

Stacey Aurzada, Interim City Clerk, called the roll.

PRESENT

Mayor John Gates
Council Member Tommy Butler
Council Member Deb DeBoutez
Councilmember Brett Payton
Council Member Ed Clark (attending remotely)
Council Member Johnny Olson

EXCUSED

Council Member Dale Hall

4. Reports from Mayor and Council Members

Councilmember Olson will be representing the city and the North Front Range Metropolitan Planning Organization on the rail committee.

Mayor Gates extends the Council's condolences to City Manager Raymond Lee following the death of his father.

5. COVID-19 Update

Paul Fetherston, Deputy City Manager, introduced Interim Emergency Manager Charlie McCartin. Interim Emergency Manager McCartin provided an update highlighting the Covid-19 metrics tracked via the City's dashboard. The vaccination site located at UNC will be open at least through the school year. The vaccination site located at Aims Community College will be closing on April 30, 2022. Interim Emergency Manager McCartin answered questions from Council.

6. Fire Department Update including the 911 Emergency Medical Services Transport System

Brian Kuznik, Fire Chief, introduced Kevin Waters, Director of 911 Services and Ryan McLean, Senior Director of Pre-Hospital Care, from UCHHealth. Chief Kuznik presented as set forth in the PowerPoint deck in the agenda packet. Mr. McLean presented information as set forth in the PowerPoint deck in the agenda packet. Chief Kuznik, Mr. McLean and Mr. Waters answered questions from the Council about the presentation.

In response to a question from Councilmember DeBoutez, Chief Kuznik said they do see repeat 911 callers. Chief Kuznik explained how Squad One and the community paramedic assist with those callers who are in need of additional services. Greeley Fire Department just hired a second community paramedic so that Squad One will be available seven days a week.

Councilmember Clark asked for information about why Greeley Fire Department is rated as a class two fire agency instead of a class one fire agency. Chief Kuznik explained how the Insurance Services Office makes this determination.

Chief Kuznik and Mr. McLean discussed the UCHHealth community paramedic program in response to a question from Councilmember DeBoutez.

Councilmember Olson expressed concern about Greeley patients being transferred to Fort Collins or Loveland. Mr. McLean explained how this is determined.

Councilmember DeBoutez asked for clarification regarding the helicopter services. Mr. McLean and Mr. Waters explained this service.

7. Xcel Energy Update

Paul Trombino, Director of Public Works, introduced Andrew Holder, Northern Colorado Area Manager for Xcel Energy. Mr. Holder gave a presentation. Director Trombino and Mr. Holder answered questions from the Council about the presentation. Mr. Holder discussed the need to update infrastructure in response to questions from Council about outages.

Councilmember DeBoutez asked Mr. Holder about Xcel's solar program. Mr. Holder explained how the program works and directed citizens to xcelenergy.com.

Councilmember Olson expressed concern about the difficulty in doing public works projects with Xcel.

8. Scheduling of Meetings, Other Events

Deputy City Manager Paul Fetherston stated there was nothing to report.

9. Adjournment

The meeting was adjourned at 7:19 p.m.

John D. Gates, Mayor

Stacey Aurzada, Interim City Clerk

Council Agenda Summary

May 3, 2022

Key Staff Contact:

Raymond C. Lee III, City Manager
 Paul J. Fetherston, Deputy City Manager for Enterprise Resources

Title:

Consideration of a resolution appointing Heidi Leatherwood to the position of City Clerk.

Summary:

Pursuant to Section 3-9 of the City's Municipal Charter, the City Council must consent to the appointment of the City Clerk. In compliance with this Charter provision, the City Manager wishes to appoint Heidi Leatherwood to the position of City Clerk to fill the position following the resignation of Anissa Hollingshead on January 5, 2022. Since that time, Deputy City Attorney Stacey Aurzada has served most capably in the role of Interim City Clerk.

Through a national recruitment for the position of City Clerk, Heidi Leatherwood was identified as the preferred candidate based on a combination of her experience in the Municipal Clerk profession in Colorado and the various skills she brings to the position. Heidi's appointment is set to be effective on May 12, 2022.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	Budgeted salary – on going
What is the annual impact?	
What fund of the City will provide Funding?	General Fund
What is the source of revenue within the fund?	
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

None anticipated.

Other Issues and Considerations:

N/A

Applicable Council Priority and Goal:

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

- 1) Adopt the resolution as presented; or
- 2) Amend the resolution and adopt as amended; or
- 3) Deny the resolution; or
- 4) Continue consideration of the resolution to a date certain.

Council's Recommended Action:

A motion to adopt the Resolution.

Attachments:

Resolution

THE CITY OF GREELEY, COLORADO

RESOLUTION _____, 2022

A RESOLUTION APPOINTING HEIDI LEATHERWOOD TO THE POSITION OF CITY CLERK

WHEREAS, the Greeley Municipal Charter establishes the position of City Clerk in Section 3-9; and

WHEREAS, Section 3-9 of the Charter further states that the City Clerk shall be appointed by the City Manager, by and with the advice and consent of the City Council; and

WHEREAS, Stacey Aurzada has served as the Interim City Clerk since January 6, 2022 following the resignation of Anissa Hollingshead; and

WHEREAS, Heidi Leatherwood has served in various capacities in the Municipal Clerk profession most recently as the Town of Erie, Colorado Municipal Clerk and has been engaged in and been responsible for the primary areas with the City Clerk's Office: City Council agenda management, boards and commissions, records management, liquor licensing and elections; and

WHEREAS, the City Manager has appointed Heidi Leatherwood as City Clerk beginning May 12, 2022; and

WHEREAS, the City Council hereby finds that Heidi Leatherwood has the experience in Charter, Code, and Statutory functions required of the City Clerk's Office, and that the City Manager's appointment of Heidi Leatherwood to the position of City Clerk is appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

Section 1. The City Council consents to the appointment of Heidi Leatherwood as the City Clerk of the City of Greeley.

Section 2. The City Clerk shall have the authority to exercise all duties, responsibilities and appointments as may be assigned to her by the Greeley Municipal Charter, the Greeley Municipal Code and the City Manager and Deputy City Managers.

Section 3. This appointment shall continue until such time as a new Resolution is adopted, as required by Section 3-9 of the Greeley Municipal Charter.

Section 4. This Resolution shall be effective no later than May 12, 2022.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _____ day of _____, 2022.

ATTEST:

THE CITY OF GREELEY, COLORADO

Interim City Clerk

Mayor

Council Agenda Summary

Title:

Pulled Consent Agenda Items

Summary:

Pulled Consent Agenda items will be considered in the order they appeared on the consent agenda.

Council Agenda Summary

May 3, 2022

Key Staff Contact: Sean Chambers, Water & Sewer Director, 970-350-9815

Title:

Public hearing and final reading of an Ordinance amending Title 20 of the Greeley Municipal Code concerning the use of non-potable water supplies for irrigation.

Summary:

Greeley has been utilizing non-potable (untreated raw water) irrigation since the Number 3 Ditch was built in 1870 to irrigate the City's parks and gardens. As Greeley has grown, the City expanded its non-potable system by utilizing the existing agricultural ditch systems to economically convey untreated non-potable water. Currently, Greeley's non-potable water systems provide approximately 2,500 acre feet of water annually and primarily serve City owned parks and facilities with limited usage from private water customers. The City's long-term water resource planning analysis has confirmed the critical importance of developing non-potable water supplies and delivery systems to ensure the city can meet all future needs. The long-range water supply master plan engineering analysis concluded that increasing non-potable irrigation water usage to over 7,000 acre feet annually is essential to meeting the build-out water demand for Greeley.

To meet the long-term goal of 7,000 acre feet of annual non-potable water use, Water and Sewer staff presented revisions to Title 20 of the Greeley Municipal Code to City Council on December 7, 2021 (first reading) and January 18, 2022 (second reading) to make non-potable water use mandatory in most cases for new development. City Council adopted those code revisions as presented with one exception. The code revisions staff proposed included a requirement that new non-potable systems must be publicly owned and maintained by the city; in other words, no new private non-potable systems would be allowed. An amendment to the language of that provision was offered, and the amended language removed the limitations against private non-potable systems and the amended ordinance passed unanimously.

Upon further review of the revised Title 20 Code approved on January 18, 2022, staff and CAO legal counsel determined that additional code provisions were necessary to protect the city from unintentional ambiguity in the approved amended code.

The recommended additional provisions, incorporated in the attached, are crafted to ensure that any private non-potable irrigation system is designed and constructed to meet city standards, and thereby protect business owners, homeowners, or others from substandard system performance or reliability. Further, any new private non-potable system would not be eligible for discounted plant investment fees. Lastly, if a private system is to be dedicated to the city at a future date, an appropriate type and amount of raw water dedication (rights or cash-in-lieu) will be required to serve the demands.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a legislative process which includes the following public hearing steps:

- 1) City staff presentation (if requested)
- 2) Council questions of staff
- 3) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
- 4) Council discussion
- 5) Council decision

The second reading and public hearing on this ordinance was scheduled no sooner than 28 days after the introduction and first reading on April 5, 2022, in accordance with GMC § 20-273. The City Attorney's Office has reviewed and approved the proposed ordinance as to legal form.

Other Issues and Considerations:

Strategic Work Program Item or Applicable Council Priority and Goal:

Image: Reinforce Greeley's vision as an attractive and vibrant community in which to live, learn, work and play.

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance
Revised Title 20 Greeley Municipal Code
Informational Presentation

CITY OF GREELEY, COLORADO

ORDINANCE NO. ___, 2022

**AN ORDINANCE AMENDING TITLE 20 OF THE MUNICIPAL CODE OF THE CITY OF GREELEY
(CONCERNING THE USE OF NON-POTABLE WATER SUPPLIES FOR IRRIGATION)**

WHEREAS, the City of Greeley, Colorado ("City") is a home rule municipality empowered pursuant to Sections 1 and 6 of Article XX of the Colorado Constitution to, inter alia, construct, purchase, acquire, lease, add to, maintain, conduct, and operate water works and everything required therefor, within or without its territorial limits, for the use of the City; and

WHEREAS, Section 17-1 of the Greeley City Charter authorizes the Greeley Water and Sewer Board ("Board") to qualify the Water and Sewer functions and operations as an "enterprise" as that term is contained in Article X, Section 20 of the Colorado Constitution, and to provide for every function and operation of an enterprise, including but not limited to, bond issuance and all other necessary and ordinary functions of the Water and Sewer operations; and

WHEREAS, Section 17-4(c) of the Greeley City Charter and Section 20-30 of the Greeley Municipal Code authorize the Board to acquire, develop, convey, lease and protect the water and sewer assets, supplies and facilities needed to fully use the water supplies decreed, adjudicated or contracted for the City; and

WHEREAS, various Sections within Title 20 of the Greeley Municipal Code set forth the requirements and regulations related to the initiation and use of water and sewer services from the City; and

WHEREAS, the City Council previously adopted Ordinance No. 04, 2022 to implement a policy concerning the expanded use of non-potable water supplies for irrigation throughout the City, in the interest of more strategically and efficiently managing the City's water resources portfolio; and

WHEREAS, City Water and Sewer staff and legal counsel subsequently developed additional revisions to Title 20 of the Greeley Municipal Code to clarify certain provisions of this policy;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1. That Section 20-254 be amended to read as shown on Appendix A, attached hereto and incorporated herein.

Section 2. That Section 20-262 be amended to read as shown on Appendix A.

Section 3. Except as explicitly modified on Exhibit A, all other provisions of Title 20 of the Greeley Municipal Code shall remain in full force and effect.

Section 4. This Ordinance shall take effect on the fifth day following its final publication, as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ____ DAY OF _____ 2022.

ATTEST

CITY OF GREELEY, COLORADO

Interim City Clerk

Mayor

APPENDIX A
ORDINANCE AMENDING TITLE 20
GREELEY MUNICIPAL CODE

Section 1. Section 20-254 shall be amended to read as follows:

Sec. 20-254. Water rights dedication; amounts and criteria.

- (a) All applicants for water service within the city limits shall (i) dedicate to the city water rights, if any, that the city, in its sole discretion, can use in its potable water supply system or non-potable irrigation system and (ii) if the applicant cannot satisfy the raw water dedication requirements through the dedication of water rights, shall furnish to the city a cash-in-lieu fee (or satisfy the same pursuant to subsection (e)) to fulfill all or the remainder of the dedication requirement associated with a request for water service as a prerequisite to and as part of the consideration for city water service to the subject lot. All water rights approved for dedication shall be conveyed to the city on or before the date the final plat for the development is approved. All cash-in-lieu fees shall be due and payable to the city no later than the date on which the building permit is issued.
- (b) The city has determined (i) that the water rights represented by shares of stock in the Greeley and Loveland Irrigation Company and the Seven Lakes Reservoir Company, and rights in the Loveland and Greeley Reservoir Company (Lake Loveland) can be used within its potable water supply system and non-potable irrigation system and (ii) that the water rights represented by units of Colorado-Big Thompson Project Water can be used within its potable water supply system. The water rights represented by shares of stock in the Greeley Irrigation Company can only be used within non-potable irrigation systems. Therefore, the city will accept such water rights only in satisfaction of the raw water dedication requirements associated with non-potable water service on property historically irrigated by the subject water rights. The city shall use the following yield values to determine the amount of raw water transferred by an applicant toward the satisfaction of any raw water dedication requirement:

Company	Yield/Share
The Greeley & Loveland Irrigation Company	8 acre-feet/share
The Seven Lakes Reservoir Company	8 acre-feet/share
The Loveland and Greeley Reservoir Company (Lake Loveland)	20 acre-feet/right
Colorado-Big Thompson Project Water (C-BT)	0.75 acre-feet/unit
Greeley Irrigation Company (Greeley No. 3 Canal)	10.3 acre-feet/share

- (c) Except for water rights represented by units of Colorado-Big Thompson Project Water, the city will not accept the dedication of any water rights under subsection (b) for use within its potable water supply system or non-potable irrigation system unless the director of water and sewer determines that the subject water rights meet the requisite criteria under Colorado law for conversion of the water to municipal use by the city,

including, without limitation, that: (i) the water rights have a history of use on the property being developed; (ii) the property being developed was historically and consistently irrigated under the ditch system from which such water rights are being dedicated; (iii) the owner and all lienholders of the property being developed execute a restrictive covenant in a form acceptable to the city requiring the cessation of irrigation on the historically irrigated property with the subject water rights except under conditions authorized by the city; and (iv) the applicant provides any documents and materials reasonably required by the city to ensure consistency with any prior decrees, including but not limited to, decrees adjudicating changes of the Greeley and Loveland Irrigation Company, the Seven Lakes Reservoir Company, the Loveland and Greeley Reservoir Company (Lake Loveland), and the Greeley Irrigation Company water rights.

- (d) An applicant for water service may dedicate any water rights identified in subsection (b) as usable within the city non-potable irrigation system, including water rights that satisfy the requirements of subsection (c), in satisfaction of the applicant's raw water dedication requirement associated with non-potable service. An applicant for water service may request that the city accept or permit the use of (i) water rights other than the water rights identified in subsection (b) or (ii) water rights that do not satisfy the requirements of subsection (c) in partial satisfaction or reduction of the applicant's raw water dedication requirement associated with non-potable service. The city, in its sole discretion, may accept or permit the use of such water rights based on certain terms and conditions set by the director of water and sewer but only in partial satisfaction or reduction of the raw water dedication requirement associated with non-potable water service on property that has been historically irrigated by the subject water rights.
- (e) On or before December 31, 2099, an applicant for water service, who is also the registered owner of a certificate issued by the department to evidence one or more raw water dedication credits, may redeem such credit(s) in whole or in part (but only in whole numbers) toward the satisfaction of any cash-in-lieu fee obligation associated with the applicant's request for water service in accordance with sections 20-255, 20-256, 20-257, and 20-260. One raw water dedication credit represents the equivalent of, but not an interest in, one acre-foot of raw water that an applicant would otherwise have to satisfy by furnishing to the city a cash-in-lieu fee.
- (f) Applicants for water service to single-family residential and multi-family residential lots with four units or less within the city limits shall dedicate raw water and, if the applicant cannot dedicate raw water, furnish to the city any applicable cash-in-lieu fee in accordance with section 20-255 in the amount of three acre-feet per acre, or fraction thereof, of property to which water service will be provided. Streets, rights-of-way, driveways, sidewalks, outbuildings, and any other part of the lot that has been or will be developed shall be included in the calculation of the total gross acreage of the property, regardless of whether such areas have been dedicated to public use. The city may, in its sole discretion, exclude area(s) from the total gross acreage, provided that irrigating such area is legally prohibited by plat or deed.
- (g) Applicants for water service to nonresidential lots and multi-family residential lots with more than four units within the city limits, including, without limitation, commercial,

industrial, and group housing (apartment buildings, condominiums, nursing homes, hotels, and motels), shall dedicate raw water and, if the applicant cannot dedicate raw water, furnish to the city the applicable cash-in-lieu fee in accordance with section 20-256 in the amount of the water service demand for the subject lot. The potable water service demand for nonresidential lots and large multi-family residential lots with more than four units shall be determined by multiplying the total units proposed by the applicant by the average unit use, as set forth in the business category and water use table below. The potable water service demand for industrial lots and commercial lots of a type not specifically identified in the business category and water use table below shall be determined by the director of water and sewer on a case-by-case basis, utilizing the projected volume of total water use by the subject lot.

Business Category and Water Use		
Category	Units	Average Unit Use (Gallons Per Unit Per Year)
Auto service and repair	SF	12
Car wash	Bay	1,350,000
Childcare	SF	47
Church	SF	4.5
Grocery store	SF	20
Gas station without car wash	SF	93
Hospital	SF	21
Hotel/motel	Room	30,300
Medical office	SF	25
Multi-family Residential (greater than 4 units)	Unit	35,500
Office	SF	14
Recreation with pool	SF	122
Recreation without pool	SF	25
Restaurant (outdoor seating areas 50%)	SF	188
Retail	SF	16
School	SF	11
Warehouse	SF	5
Industrial and other commercial	Demand determined on case-by-case basis	
"SF" = Square feet of gross floor space within the building area		

- (h) Applicants for water service to nonresidential lots and multi-family residential lots with more than four units within the city limits, including, without limitation, commercial, industrial, and group housing (apartment buildings, condominiums, nursing homes,

hotels, and motels), for which a separate and additional landscape irrigation tap and service line is required in accordance with section 20-252, shall also dedicate raw water and, if the applicant cannot dedicate raw water, furnish to the city the applicable cash-in-lieu fee in accordance with section 20-256 in the amount of the landscape irrigation demand for the subject lot. Landscape irrigation demand shall be determined based on (i) the total gross acreage of property to which water service will be provided and (ii) the type of landscape as set forth in the landscape water use table below. Landscape plans with more than 75 percent high water use vegetation are assumed to be entirely high water use and shall be calculated as such. Streets, rights-of-way, driveways, sidewalks, outbuildings and any other impervious part of the lot that has been or will be developed shall be included in the calculation of the total gross acreage of property, regardless of whether such areas have been dedicated to public use. The city may, in its sole discretion, exclude area(s) from the total gross acreage, provided that irrigating such area(s) is legally prohibited by plat or deed.

Landscape Water Use	
Water Use	Dedication Requirement
High water use (>14 gals/sf annual use)	3 acre-feet/acre
Medium water use (10-14 gal/sf annual use)	2.33 acre-feet/acre
Low water use (<10 gals/sf annual use)	1.67 acre-feet/acre
No irrigation	No raw water requirement for landscape

(i) Any owner of a privately owned non-potable irrigation system that seeks to connect such system to the city non-potable system shall be considered an applicant for water service under this title 20. All such applicants shall dedicate raw water and, if the applicant cannot dedicate raw water, furnish to the city the applicable cash-in-lieu fee, in the amount of the landscape irrigation demand for the subject lot(s), as determined in accordance with the methodology in section 254(h). The acceptance and connection of any such system to the city non-potable system is subject to approval by the director of water and sewer, and to any terms and conditions deemed appropriate by the director or his designee in their sole discretion.

Section 2. Section 20-262 shall be amended to read as follows:

Sec. 20-262. Plant investment fees for water service; inside and outside the city.

(a) All applicants for water service, whether inside or outside the city limits, shall furnish to the city a water plant investment fee based on the diameter of the potable water tap as a prerequisite to, and as a part of the consideration for, city water service to the subject property. The water plant investment fee shall be the minimum amount set by resolution of the water and sewer board, unless subsequently increased by resolution of the city council. The diameter of a service line water tap installed for fire suppression purposes shall not be considered when calculating plant investment fees due pursuant to this section.

- (b) Upon approval of the director of water and sewer, plant investment fees may be based on the volume of a customer's annual allotment rather than the diameter of the potable water tap. When the director of water and sewer authorizes a plant investment fee based on the volume of a customer's annual allotment, then the schedule of tap fees set by resolution of the water and sewer board shall be applied in accordance with the size of service line.
- (c) The plant investment fee associated with a request for water service shall be reduced by up to fifty (50) percent for the following residential lot types to which separate and additional landscape irrigation taps and service lines are installed and **connected to the city non-potable system** water service is provided. Reductions are not aggregated for the installation **of taps and service lines for** both common space and house-to-house non-potable water service.

Plant Investment Fee Reduction Percentages			
Residential Building Type	Lot Size	Common Space Non-Potable	House to House Non-Potable
Row House	>1,000 s.f.	50%	N/A
Detached House (Small Format)	1,500-3,000 s.f.	50%	50%
Detached or Multi-Unit House (Small Lot)	3,000-4,500 s.f.	40%	50%
Detached or Multi-Unit House (Medium Lot)	4,500-6,000 s.f.	30%	50%
Detached or Multi-Unit House (Standard Lot)	6,000-13,000 s.f.	25%	50%
Detached House (Estate Lot)	>13,000 s.f.	N/A	50%

Amend Title 20 Non-Potable Irrigation Water Code Clarifications and Revisions

City Council | Final Reading
May 3, 2022



Non-Potable Development Policy Goal

- **Facilitate the utilization of non-potable supplies and systems to control cost and ensure service reliability**
 - **Limit unnecessary expansion of Water Treatment and Transmission**
 - **Non-potable water rights are more available and cheaper than potable**
 - **Allows for the use of water sources currently impracticable to treat for potable use (e.g lower Poudre River rights, Poudre Ponds, and exchanged wastewater effluent)**
- **Cost effectively adopt non-potable systems as new development occurs**
 - **Installing non-potable infrastructure during development is cheaper and more effective if planned rather than retrofitting**

Background

Non-Potable Code Update

- **Need non-potable supply to meet Greeley's long term water demand**
 - **Current non-potable water demand = ~2,500 AF/yr.**
 - **Master Plan non-potable system target volume = ~7,000 AF/yr.**
 - **Potable water rights and treatment capacity are both expensive**
 - **NP Allows for maximized use of the city's potable water supplies**
 - **Making most efficient use of supplies that can be treated and delivered for indoor uses; and**
 - **Supporting economic health and demand growth**
- **City Council adopted an ordinance amending Title 20, requiring non-potable expansion for new development in most cases (1/18/22)**



Recommended Code Cleanup

- **The ordinance adopted on 1/18 was amended during discussion to allow for both city owned and privately owned non-potable systems**
 - **The ordinance adopted by City Council allows private non-potable irrigation water systems; however,**
 - **Private non-potable systems should not compromise reliability;**
 - **Private non-potable erodes the city's economies of scale;**
 - **increase uncertainty in our planning for regional infrastructure;**
 - **Reliable irrigation is necessary for healthy attractive landscapes**
- **Allowing for privately owned non-potable systems requires minor revisions to the code to clarify unintended ambiguity**



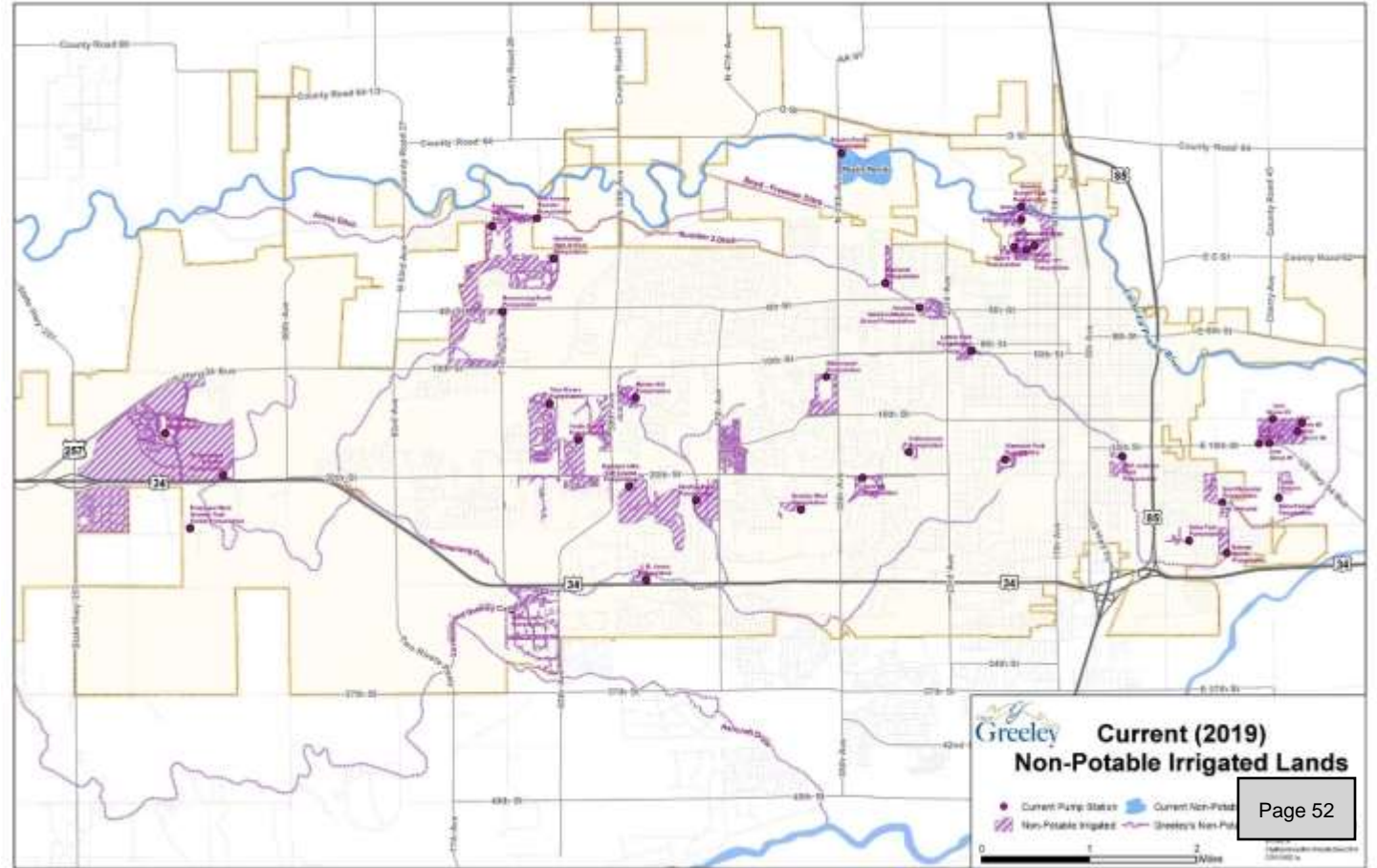
Recommended Code Additions

- Addressing Ambiguity for Private NP

- 1. New private non-potable systems must be designed and constructed to city standards to ensure service reliability and performance**
- 2. New water connections associated with private non-potable systems are not eligible for discounted Plant Investment Fees (PIFs)**
 - Private systems erode the city's economy of scale and create risk of future obligations
 - Discounted PIFs are the primary incentive for the expansion of the City's non-potable irrigation water system
- 3. If a private non-potable system is dedicated to the City in the future:**
 - Ample raw water must be dedicated, or cash-in-lieu paid



Questions?



Council Agenda Summary

May 3, 2022

Agenda Item Number

Key Staff Contact: Becky Safarik, Interim Community Development Director/Deputy City Manager, 350-9786; Mike Garrott, Planning Manager

Title

Consideration of Metropolitan District Code Amendments and Options

Summary

Colorado State Statutes allow for the creation of Metropolitan Districts as a means of financing and maintaining certain types of development. This is accomplished by a jurisdiction allowing a Metropolitan District to be formed as a quasi-governmental entity which can then assesses a mill levy to landowners within the district to pay for infrastructure costs or services and to maintain certain common elements within the district. Unlike Special Districts, a Metropolitan District must provide at least two services. Like traditionally financed developments, once the infrastructure is in place it is typically dedicated to the governing entity for perpetual maintenance though there can be exceptions, such as with private streets or areas within a gated community that a District would maintain.

A petitioner who seeks permission to create a Metropolitan District must submit a service plan to the governing entity along with a financial analysis and mill levy rate to cover the cost of improvements, which could be as much as 70 mills. The governing entity has full discretion to approve or deny the proposed service plan. The districts are typically residential or commercial but can be a blend of land use types.

Greeley's first two Metropolitan District areas were allowed in the Promontory development in 1999. Since then, another eight metropolitan district areas have been approved by City Council. The Greeley Municipal Code mirrors state statutes in the minimum elements that must be part of a Metropolitan District. Community Development staff reviews the application and service plan with input from a variety of internal City departments and may involve from a third-party reviewer as needed before it is advanced for Council consideration.

Council conducts a public hearing and then determines if it is in the public's best interest to allow the use of a Metropolitan District to construct the infrastructure improvements as proposed.

Current Considerations

Several conditions make review of the City's metropolitan Districts timely:

1. The City's Metropolitan District Code and model service plan regulations were adopted in 2007; an update to the service plan standards was approved in 2018. Staff has been tracking the existing code relative to other City development code amendments as well best practices from other Colorado communities. This results in a short list of recommended "housekeeping" amendments to update obsolete references, better align with the current municipal code, and incorporate common and basic elements found in other municipalities' metropolitan district codes.
2. City Council and Planning Commission have each expressed an interest in developing higher standards for metropolitan districts to warrant the extra mill levy that the districts impose upon property owners within those areas, often perpetually. Staff has researched a number of other communities' codes along the Front Range and has collected a list of additional goals and provisions that are factors considered as part of metropolitan district authorization.
3. Coincidentally, a new bill is in the process of being introduced in the State legislature that proposes additional conditions on metropolitan districts. The City is monitoring that legislation and will evaluate any aspects that should be incorporated into Greeley regulations if the proposed bill becomes law.

Attached is a summary of proposed corrective code provisions, a menu of additional criteria and elements to consider with new metropolitan districts, and a summary of key provisions in the draft legislation introduced in the legislature.

Fiscal Impact

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial or onetime impact?	
What is the annual impact?	
What fund of the City will provide funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	NA
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues

The code correction items have been reviewed with the City Attorney's Office, which concurs with the proposed changes. Any future proposed amendments would include further CAO review.

Other Issues and Considerations

Legislation concerning Metropolitan Districts has been introduced at the State level and will be monitored for consistency with any local amendments or code modifications.

Applicable Council Goal or Objective

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Recommendation:

1. Advance formal consideration of the proposed routine code updates immediately. This would align the metro district standards correctly in the municipal code and clarify other mechanical aspects of the metropolitan district standards. Timeline: an ordinance could be presented for Council action within 2-3 months (mid-summer 2022).
2. Explore priorities from the menu of optional criteria of greatest interest, refer to the Planning Commission for additional comment and to facilitate stakeholder engagement, and return to the Council with a proposed set of metropolitan district criteria for consideration. Timeline: early 2023.
3. Continue to monitor the draft State Metropolitan District legislation for response as aligned with Council's priorities and interests.

Decision Options

1. Direct staff to proceed as recommended; or
2. Offer additional direction to staff on recommended actions; or
3. Curtail action on the recommended actions; or
4. Continue consideration of the recommended actions to a date certain.

Council's Recommended Action

A motion to direct the staff to proceed with code amendments and additional research and community engagement on Metropolitan District code amendments as recommended.

Attachments

A – Metropolitan District Summary of proposed changes (routine)

B – Menu of Potential Additional Metropolitan District goals and criteria

C – House Bill 22-1363

PROPOSED METROPOLITAN DISTRICT AMENDMENTS

The City's Metropolitan District Code was adopted in 2007, without any significant modification to the code since that time. In addition to the Code standards adoption, the City also adopted model service plan regulations in 2007. In 2017, staff from the Community Development and City Attorney's offices, and outside counsel with metro district experience, reviewed the 2007 Model Service Plan with the intent to update outdated standards.

The effort was to reevaluate the state-wide trends (there are over 1,500 metro districts in the state and 231 in Weld County) and financing practices, as a way to refresh the model service plan. The development stakeholders also provided feedback, which staff took into consideration and incorporated, in part, into the update.

A revised model service plan was adopted by the City Council in 2018, which included review by the Some features include the following:

- Total mill levy cap (i.e., tax limit) of 70 mills
- Limit the default rate of interest, at 18% maximum
- If debt refunding is considered by the metro board, requirement that the board majority is composed of a least three resident homeowners
- Limit operating "facility fees" (change reference to "capital fees")
- Require that proposed subdistricts or special assessment districts (both of which can increase the scope of the metro district) be reviewed by City Council for approval

Since the adoption of Service Plan in 2018, the city has processed an additional 8 new metropolitan districts areas, which were reviewed consistent to the city code and Service Plan criteria.

The following Metropolitan District Code Amendments are proposed:

1. Relocate Metropolitan District code standards from Title 2 (Administration and General Government) chapter 9 (Metropolitan Districts) to Title 24 (Development Code), chapter 12 (Metropolitan District – Reserved). As part of the 2018 Development Code update, chapter 12 was reserved for metropolitan district regulations, once changes to the code were proposed for changes
2. Section 2. 513 District Location: remove this entire section, since references to the Mid-range Expected Growth Area (MREGA) were removed as part of the City's 2009, 2060 Comprehensive Plan and not included in the City's 2018 Imagine Greeley Comprehensive Plan.

3. Section 2. 515: modify the minimum metropolitan district area from one acre to a minimum debt amount, consistent with industry standards. The minimum debt amount is typically ranging from \$7-10 million (may be adjusted higher due to increased infrastructure construction costs)
4. Section 2. 516: remove the option for a district to request for eminent domain power. A survey of communities along the Front Range indicated that most do not allow eminent domain power by metropolitan districts.
5. Section 2.525: remove the requirements to provide 12 copies of a proposed service plan with submittal. This requirement is outdated, since the city now accepts all Metropolitan District applications electronically.
6. Add a section for submittal application deadline for the annual November elections and the even year May elections.
7. Add a section for district dissolution process and criteria. Metropolitan district standards within neighboring communities have provisions allowing the city to dissolve inactive districts. The City Code currently does not have any provisions to that affect.
8. Add public notice for properties located outside of the district boundaries of 1000 feet. This provision would align Metropolitan District noticing consistent with the City's recently adopted Special Service District requirements.
9. If timely and adopted, update Code standards to align with the proposed metropolitan district legislation (HB 22-1363).

METROPOLITAN DISTRICT - ADDITIONAL GOALS AND POLICY CRITERIA OPTIONS

Emerging trends with metropolitan district regulations include additional policy criteria to match other municipal objectives. To date, Greeley has not established policy guidelines to apply to metropolitan districts. If adopted, additional review criteria would be evaluated by staff and presented to the City Council when considering new metropolitan districts and may include such elements as public benefit, additional transparency, and ways the district uniquely addresses Council's Strategic Priorities.

Staff reviewed several Front Range communities' policy plans and has compiled the following list of some additional criteria for Council to consider and, if desired, include in the City's Metropolitan District Service Plan as performance-based standards.

- I. In **determining whether a proposed district delivers extraordinary public benefits**, the City may consider:
 - A. How the proposed improvements exceed the city's minimum standards and requirements;
 - B. If the existence of the district facilitates extraordinary public benefits and whether such benefits are feasible without the district;
 - C. If the proposed extraordinary benefits are complementary and deliver greater benefit to the community together than individually; and,
 - D. Any other factors the city deems relevant under the circumstances.

- II. **Extraordinary public benefit standards** could include areas of critical public infrastructure, sustainability, and elements for predictable development in meeting the city's strategic priorities, such as:
 - A. Public infrastructure**
 1. Identify/construct public improvements that has been identified by the city as inadequate, either within the development or in near proximity;
 2. Community Park Land (beyond park dedication requirements);
 3. Regional stormwater facilities;
 4. District/developer construction of arterial roadway development, without payback provisions;
 5. Public parking structures, redevelopment district and higher density areas within district boundaries;
 6. Contributes to major highway improvements (e.g. Highway 34 bypass interchanges).
 - B. Conservation**
 1. Efficient irrigation system (WaterSense certified);
 2. Efficient front yard landscaping (reduce water use less than 10 gallons per square feet);

3. Separate drip irrigation systems for trees within parkways and right-of-way medians;
4. Efficient common area water use (based on the city water budget schedule)
5. Stormwater innovation – design
6. District-wide non-potable water systems
7. Energy conservation (solar farms, solar roofs installations)

C. Housing Products

1. Mixed housing types (affordable, attainable and executive)
2. Smaller lot sizes
3. Encourage mixed-use development

D. Enhance walkable, pedestrian friendly district

1. On-street, buffered bike lanes
2. Wider sidewalks
3. Enhanced pedestrian crossings

E. Offer available transit location or multimodal facilities

1. Add or improve transit stops, add transfer stations
2. Bus transfer facilities

F. Create public spaces that attract local interest

1. Neighborhood parks
2. Pocket parks
3. Natural areas
4. Special recreation facilities

G. City's strategic priorities

1. Affordable Housing
2. Units permanently affordable to 80% area median income
3. Dedicate land for a city land bank program or cash in-lieu

H. Infill / Redevelopment

1. Address regional stormwater concerns
2. Consolidate wetland and/ or natural areas
3. Structured parking
4. Utility upgrades (undergrounding, extending fiber network)

I. Economic

1. Job growth opportunities (above City's median income)
2. Retain existing employers
3. Market gaps

J. Design Enhancements

1. Entryway features
2. Architectural designs that exceed the Development Code standards
3. Public art features
4. Uniform lighting and master signage package
5. Enhanced open space, with bike and walking trails

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 22-0581.01 Bob Lackner x4350

HOUSE BILL 22-1363

HOUSE SPONSORSHIP

Weissman and Boesenecker,

SENATE SPONSORSHIP

(None),

House Committees

Transportation & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO INCREASE THE ACCOUNTABILITY OF**
102 **SPECIAL DISTRICTS TO TAXPAYERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill makes the following modifications to statutory provisions governing special districts to increase the accountability of special districts to taxpayers:

- If a separate legal entity established by contract includes one or more special districts, requires the separate legal entity to file with the division of local government in the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

department of local affairs certain financial information pertaining to the special district. In such circumstances, the directors of the special district are also required to comply with oath and bond requirements for directors of special districts.

- Expands existing requirements on the information a metropolitan district must include on its public website to include information that is required by the service plan of the metropolitan district, by an ordinance or resolution adopted by the board of commissioners of a county, or by the governing body of a municipality, as applicable;
- Expands the applicability of statutory provisions governing the approval and oversight of special districts to specify that these provisions do not apply when a special district that was originally approved at any time thereafter becomes wholly included within the boundaries of one or more municipalities;
- Specifies information to be included in the financial plan that a new district submits along with its service plan;
- Removes an existing cap on the amount of the fee that a special district must pay the board of county commissioners for processing review of a service plan;
- For any proposed special district that has any property within its boundaries that is zoned or valued for assessment as residential, enumerates certain acts that are disallowed for any service plan required to be filed by the district. A local government acting on a service plan is prohibited from approving a service plan for a special district that permits any of these same acts.
- Clarifies requirements affecting the oversight by a municipality that is wholly contained within the boundaries of the municipality, especially in connection with an annexing municipality;
- Expands the circumstances under which material modifications of a special district's service plan are approved by the county or municipality, as applicable, to include the situation when the special district after initial approval of the plan becomes wholly included within the boundaries of a newly annexed municipality;
- Specifies that approval is also required for any action or omission of a special district that is materially inconsistent with the district's service plan. Expands the list of examples of acts or omissions necessitating approval.
- Authorizes a board of county commissioners for a district that lies entirely within the territorial boundaries of a

county or the governing body of a municipality for a district that lies entirely within the boundaries of a municipality to impose a fee to offset the costs incurred by the county or municipality, as applicable, in reviewing the operations of the district and the district's compliance with its service plan. The fee is not payable more than once annually.

- Prohibits a member of the board of a district that approved the issuance of any debt while the member was serving on the board from thereafter acquiring any interest in the debt individually or on behalf of any organization or entity for which the board member is engaged as an employee, counsel, consultant, representative, or agent;
- Requires all meetings of a board of a special district that are held solely at physical locations to be held at physical locations that are within the boundaries of the district or that are within the boundaries of any county in which the district is located, in whole or in part, without exceptions or the possibility of a waiver;
- Clarifies that the powers of the board of directors of any metropolitan district are limited by the district's service plan;
- On and after September 1, 2022, prohibits a metropolitan district from entering into any new contract or agreement as of that date to furnish covenant enforcement and design review services. On and after September 1, 2022, the bill prohibits a metropolitan district from renewing any existing agreement entered into prior to that date to furnish covenant enforcement and design review services. Upon the expiration of the agreement, the master association or similar entity contracting with the metropolitan district is required to assume covenant enforcement and design review services.
- Under current law, under specified circumstances, the board of county commissioners or the governing body of the municipality that has adopted a resolution of approval of the special district may require the board of the special district to file an application for a finding of reasonable diligence every 5 years. The bill makes this an annual requirement.
- Makes proof of the commission of such act by a preponderance of the evidence proof that the director has breached the director's fiduciary duty and the public trust.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds, determines, and declares that:

4 (a) According to official data compiled by the department of local
5 affairs, there are more than two thousand one hundred metropolitan
6 districts statewide;

7 (b) Metropolitan districts, a type of local government created
8 pursuant to title 32, Colorado Revised Statutes, have increased
9 dramatically in number since 2000;

10 (c) According to a 2006 performance audit concerning the
11 oversight of special districts prepared by the office of the state auditor,
12 the number of metropolitan districts in the Denver metropolitan area more
13 than doubled between 2000 and 2004, from one hundred ninety-one to
14 three hundred ninety, and have grown rapidly since then;

15 (d) As local governments, metropolitan districts are allowed to
16 levy taxes and authorize multi-year indebtedness;

17 (e) According to the 2006 audit, two hundred sixty metropolitan
18 districts in the seven-county metropolitan area "reported about two
19 hundred fifty-five billion dollars in authorized but unissued debt as of
20 2004";

21 (f) As of 2015, metropolitan districts had issued nineteen billion
22 dollars in debt with one trillion two hundred billion dollars in authorized
23 but unissued debt;

24 (g) Metropolitan district taxes are part of the total cost of
25 ownership of a home that is located in a metropolitan district and thus
26 impact the affordability of home ownership in a metropolitan district;

27 (h) Boards of directors of other types of local governments

1 organized under title 32, Colorado Revised Statutes, such as library
2 districts or fire protection districts, are typically controlled by the
3 taxpaying residents of those districts;

4 (i) However, boards of directors of metropolitan districts are
5 sometimes controlled by individuals who are not taxpaying residents of
6 the district but instead reside elsewhere and are associated with the
7 developers of real property in the district;

8 (j) Early in the existence of metropolitan districts, before most
9 homes are built and occupied by residents, many consequential financial
10 decisions about the issuance of debt and the paying of tax revenues are
11 made by nonresident-controlled boards; and

12 (k) Some metropolitan districts are created as part of complex
13 agreements involving other metropolitan districts organized under title
14 32, Colorado Revised Statutes, or intergovernmental relationships under
15 title 29, Colorado Revised Statutes, potentially making it more difficult
16 for taxpaying residents to understand how financial decisions that impact
17 them are made.

18 (2) The general assembly intends to:

19 (a) Protect taxpaying residents of metropolitan districts by placing
20 reasonable limits on the creation and duration of long-term indebtedness;

21 (b) Continue to allow metropolitan districts to be used as a method
22 of financing residential development across the state while discouraging
23 certain complex intergovernmental agreements that divest taxpaying
24 residents of meaningful control over their communities; and

25 (c) Empower municipal and county governments, at their
26 discretion, to take a more active role in the creation and oversight of
27 metropolitan districts for the benefit of present and future taxpaying

1 residents of those districts.

2 **SECTION 2.** In Colorado Revised Statutes, 29-1-203.5, **add**
3 (2)(d), (2)(e), and (2)(f) as follows:

4 **29-1-203.5. Separate legal entity established under section**
5 **29-1-203 - legal status - authority to exercise special district powers**
6 **- additional financing powers.** (2) (d) IF A SEPARATE LEGAL ENTITY
7 ESTABLISHED BY CONTRACT PURSUANT TO SECTION 29-1-203 INCLUDES
8 ONE OR MORE SPECIAL DISTRICTS, THE SEPARATE LEGAL ENTITY SHALL
9 FILE WITH THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF
10 LOCAL AFFAIRS THE INFORMATION REQUIRED BY SECTION 32-1-104 (1)
11 AND(2)IN ACCORDANCE WITH THE TIMELINES SPECIFIED IN SAID SECTIONS.

12 (e) IF A SEPARATE LEGAL ENTITY ESTABLISHED BY CONTRACT
13 PURSUANT TO SECTION 29-1-203 INCLUDES ONE OR MORE SPECIAL
14 DISTRICTS, THE DIRECTORS OF THE SEPARATE LEGAL ENTITY SHALL
15 COMPLY WITH SECTION 32-1-901.

16 (f) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
17 NO SEPARATE LEGAL ENTITY MAY BE ESTABLISHED THAT IS COMPRISED
18 SOLELY OF METROPOLITAN DISTRICTS WHOSE BOARDS OF DIRECTORS ARE
19 MADE UP OF A MAJORITY OF DIRECTORS WHO ARE QUALIFIED AS ELECTORS
20 IN ACCORDANCE WITH SECTION 32-1-808 (2).

21 **SECTION 3.** In Colorado Revised Statutes, 32-1-104.5, **amend**
22 (3)(a)(IX) as follows:

23 **32-1-104.5. Audit and budget requirements - election results**
24 **- description on state websites.** (3) (a) Except as provided in subsection
25 (3)(d) of this section, within one year of the date an order and decree has
26 been issued by a district court for a newly organized metropolitan district,
27 or by January 1, 2023, for any metropolitan district that has received an

1 order and decree from the district court in connection with its
2 organization after January 1, 2000, but before January 1, 2022, the
3 metropolitan district shall establish, maintain, and, unless otherwise
4 specified, annually update an official website in a form that is readily
5 accessible to the public that contains the following information:

6 (IX) Any other information deemed appropriate by the board of
7 directors of the metropolitan district, OR THAT IS REQUIRED BY THE
8 SERVICE PLAN OF THE METROPOLITAN DISTRICT, BY AN ORDINANCE OR
9 RESOLUTION ADOPTED BY THE BOARD OF COMMISSIONERS OF A COUNTY,
10 OR BY THE GOVERNING BODY OF A MUNICIPALITY IF THE METROPOLITAN
11 DISTRICT IS PARTIALLY OR WHOLLY CONTAINED WITHIN THE BOUNDARIES
12 OF A MUNICIPALITY.

13 **SECTION 4.** In Colorado Revised Statutes, **amend** 32-1-201 as
14 follows:

15 **32-1-201. Applicability.** This part 2 ~~shall be~~ IS applicable to any
16 petition for the organization of any proposed special district filed in any
17 district court of competent jurisdiction, ~~except where~~ WHEN a petition for
18 the organization of a special district confined exclusively within the
19 boundaries of any existing municipality has been approved by a resolution
20 of the governing body of the municipality OR WHEN A SPECIAL DISTRICT
21 THAT WAS ORIGINALLY APPROVED PURSUANT TO THIS PART 2 AT ANY TIME
22 AFTER SUCH APPROVAL BECOMES WHOLLY INCLUDED WITHIN THE
23 BOUNDARIES OF ONE OR MORE MUNICIPALITIES.

24 **SECTION 5.** In Colorado Revised Statutes, 32-1-202, **amend**
25 (2)(b) and (3) as follows:

26 **32-1-202. Filing of service plan required - report of filing -**
27 **contents - fee.** (2) The service plan shall contain the following:

1 (b) A financial plan showing how the proposed services are to be
2 financed, including the proposed operating revenue derived from property
3 taxes for the first budget year of the district, which shall not be materially
4 exceeded except as authorized pursuant to section 32-1-207 or 29-1-302.
5 ~~C.R.S.~~ All proposed indebtedness for the district shall be displayed
6 together with a schedule indicating the year or years in which the debt is
7 scheduled to be issued. The board of directors of the district shall notify
8 the board of county commissioners or the governing body of the
9 municipality of any alteration or revision of the proposed schedule of debt
10 issuance set forth in the financial plan. THE FINANCIAL PLAN MUST
11 SPECIFICALLY INCLUDE THE FOLLOWING INFORMATION:

12 (I) A DESCRIPTION OF THE MANNER IN WHICH THE PUBLIC
13 IMPROVEMENTS WILL BE FINANCED WITH A SCHEDULE OF DEBT AND
14 OPERATING FINANCIAL PROJECTIONS, INCLUDING DEBT ISSUANCE AND
15 SERVICE SCHEDULES, THE ESTABLISHMENT OF MAXIMUM DEBT CAPACITY
16 OF THE DISTRICT BASED ON STATED ASSUMPTIONS OF A PROJECTED
17 INTEREST RATE, ASSESSED VALUATION OF PROPERTY TO BE INCLUDED IN
18 THE DISTRICT, AND ABSORPTION OF THE ASSESSED VALUATION USING
19 MARKET-BASED, MARKET RATE COMPARABLE VALUATION AND
20 ABSORPTION DATA WITH AN ANNUAL INFLATION RATE NOT TO EXCEED THE
21 LESSER OF THREE PERCENT OR THE CONSUMER PRICE INDEX FOR THE
22 DENVER-AURORA-LAKEWOOD STATISTICAL AREA;

23 (II) A DESCRIPTION OF THE PUBLIC IMPROVEMENTS THAT WILL BE
24 BUILT, ACQUIRED, OR FINANCED BY THE DISTRICT, INCLUDING ONE OR
25 MORE MAPS AND PRELIMINARY CONSTRUCTION DRAWINGS OF THE
26 IMPROVEMENTS, A WRITTEN NARRATIVE AND DESCRIPTION OF THE
27 IMPROVEMENTS, AND A DESCRIPTION OF THE DISTRICT'S ROLE WITH

1 REGARD TO THE IMPROVEMENTS;

2 (III) A DESCRIPTION OF THE MATERIAL TERMS OF AND
3 JUSTIFICATION FOR ANY INTERGOVERNMENTAL AGREEMENT OR
4 REIMBURSEMENT AGREEMENT THAT IS, AT THE TIME OF THE FORMATION
5 OF THE DISTRICT, REQUIRED OR LIKELY TO BE REQUIRED TO FULFILL THE
6 PURPOSES OF THE DISTRICT;

7 (IV) A DESCRIPTION OF THE MATERIAL TERMS OF AND
8 JUSTIFICATION FOR ANY EXTRATERRITORIAL SERVICE AGREEMENTS
9 KNOWN AT THE TIME OF THE FORMATION OF THE DISTRICT;

10 (V) A DESCRIPTION OF THE RELATIONSHIP, INCLUDING WITHOUT
11 LIMITATION ANY FINANCIAL OBLIGATIONS BETWEEN THE ORGANIZERS OF
12 THE DISTRICT AND THE OWNER OF ANY PROPERTY THAT LIES WITHIN THE
13 DISTRICTS'S BOUNDARIES; AND

14 (VI) A SPECIFIC IDENTIFICATION OF ALL FEES THAT THE DISTRICT
15 MAY IMPOSE.

16 (3) Each service plan filed ~~shall~~ MUST be accompanied by a
17 processing fee set by the board of county commissioners, ~~not to exceed~~
18 ~~five hundred dollars~~, which ~~shall~~ MUST be deposited into the county
19 general fund; except that the board of county commissioners may waive
20 such fee. ~~Such~~ THE processing fee ~~shall be~~ IS utilized to reimburse the
21 county for reasonable direct costs related to processing such service plan
22 and the hearing prescribed by section 32-1-204, including the costs of
23 notice, publication, and recording of testimony. If the board of county
24 commissioners determines that special review of the service plan is
25 required, the board may impose an additional fee to reimburse the county
26 for reasonable direct costs related to such special review. If the board
27 imposes such an additional fee, it shall not be less than five hundred

1 dollars, and it shall not exceed one one-hundredth of one percent of the
2 total amount of the debt to be issued by the district as indicated in the
3 service plan or the amended service plan or ten thousand dollars,
4 whichever is less. The board may waive all or any portion of the
5 additional fee.

6 **SECTION 6.** In Colorado Revised Statutes, **add** 32-1-203.5 as
7 follows:

8 **32-1-203.5. Special district - residential housing - additional**
9 **limitations on and approval of service plan.** (1) NOTWITHSTANDING
10 ANY OTHER PROVISION OF LAW, FOR ANY PROPOSED SPECIAL DISTRICT
11 THAT HAS ANY PROPERTY WITHIN ITS BOUNDARIES THAT IS ZONED OR
12 VALUED FOR ASSESSMENT AS RESIDENTIAL, NONE OF THE FOLLOWING ACTS
13 ARE ALLOWED UNDER ANY SERVICE PLAN A SPECIAL DISTRICT IS REQUIRED
14 TO FILE UNDER SECTION 32-1-204. A LOCAL GOVERNMENT ACTING ON A
15 SERVICE PLAN PURSUANT TO SECTION 32-1-203 SHALL NOT APPROVE A
16 SERVICE PLAN FOR A SPECIAL DISTRICT THAT PERMITS ANY OF THE
17 FOLLOWING ACTS:

18 (a) THE PURCHASE OF DISTRICT DEBT BY ANY ENTITY WITH
19 RESPECT TO WHICH ANY DIRECTOR OF THE DISTRICT HAS A CONFLICT OF
20 INTEREST NECESSITATING DISCLOSURE UNDER SECTION 24-18-109; OR

21 (b) THE ISSUANCE OF ANY FINANCIAL INSTRUMENT THAT HAS A
22 REPAYMENT TERM EXCEEDING THIRTY YEARS OR THE AUTHORIZATION OF
23 AN AD VALOREM PROPERTY TAX FOR A TERM EXCEEDING THIRTY YEARS.

24 **SECTION 7.** In Colorado Revised Statutes, 32-1-204.5, **amend**
25 (1) introductory portion as follows:

26 **32-1-204.5. Approval by municipality.** (1) No special district
27 shall be organized if its boundaries are wholly contained within the

1 boundaries of a municipality or municipalities, except upon adoption of
 2 a resolution of approval by the governing body of each municipality. The
 3 information required and criteria applicable to such approval ~~shall be~~ IS
 4 the information required and criteria set forth in sections 32-1-202 (2) and
 5 32-1-203 (2) AND THE INFORMATION REQUIRED AND CRITERIA
 6 ESTABLISHED BY THE GOVERNING BODY. With reference to the review of
 7 any service plan, the governing body of each municipality has the
 8 following authority:

9 **SECTION 8.** In Colorado Revised Statutes, **amend** 32-1-204.7
 10 as follows:

11 **32-1-204.7. Approval by an annexing municipality.** (1) If a
 12 special district that was originally approved by a board of county
 13 commissioners becomes wholly contained within the boundaries of a
 14 municipality or municipalities by annexation or boundary adjustment, the
 15 governing body of the special district may petition the governing body of
 16 any such municipality to accept a designation as the approving authority
 17 for the special district EXCEPT AS PROVIDED IN SECTION 32-1-207 (2)(a).
 18 The municipality may accept the designation through the adoption of a
 19 resolution of approval by the governing body of the municipality.

20 (2) Upon the adoption of the resolution by the governing body of
 21 any municipality pursuant to subsection (1) of this section, all powers and
 22 authorities vested in the board of county commissioners pursuant to this
 23 ~~article shall be~~ ARTICLE 1 ARE transferred to the governing body of the
 24 municipality, which ~~shall constitute~~ CONSTITUTES the approving authority
 25 for the special district for all purposes under this ~~article~~ ARTICLE 1 IN
 26 ADDITION TO ANY LAWS PROMULGATED BY THE GOVERNING BODY
 27 PERTAINING TO THE SUBJECT MATTER OF THIS PART 2.

1 **SECTION 9.** In Colorado Revised Statutes, 32-1-207, **amend**
 2 (2)(a); and **add** (5) as follows:

3 **32-1-207. Compliance - modification - enforcement.**

4 (2) (a) (I) After the organization of a special district pursuant to ~~the~~
 5 ~~provisions of this part 2 and part 3 of this article~~ ARTICLE 1, material
 6 modifications of the service plan as originally approved may be made by
 7 the governing body of such special district only by petition to and
 8 approval by the board of county commissioners or the governing body of
 9 the municipality that has adopted a resolution of approval of the special
 10 district pursuant to section 32-1-204.5 or 32-1-204.7 ~~in substantially the~~
 11 ~~same manner as is provided for the approval of an original service plan;~~
 12 ~~but the processing fee for such modification procedure shall not exceed~~
 13 ~~two hundred fifty dollars~~ OR WHEN THE SPECIAL DISTRICT, AT ANY TIME
 14 AFTER INITIAL APPROVAL OF THE PLAN, BECOMES WHOLLY INCLUDED
 15 WITHIN THE BOUNDARIES OF A NEWLY ANNEXED MUNICIPALITY. Such
 16 approval of modifications ~~shall be~~ IS required only with regard to changes
 17 of a basic or essential nature AND FOR ANY ACTION OR OMISSION OF A
 18 SPECIAL DISTRICT THAT IS MATERIALLY INCONSISTENT WITH THE
 19 DISTRICT'S SERVICE PLAN, including but not limited to the following:

20 (A) Any addition to the types of services provided by the special
 21 district;

22 (B) A decrease in the level of services OR a decrease in the
 23 financial ability of the district to discharge the existing or proposed
 24 indebtedness; ~~or~~

25 (C) A decrease in the existing or projected need for organized
 26 service in the area; ~~Approval for modification shall not be required for~~
 27 ~~changes necessary only for the execution of the original service plan or~~

1 ~~for changes in the boundary of the special district, except that the~~
2 ~~inclusion of property that is located in a county or municipality with no~~
3 ~~other territory within the special district may constitute a material~~
4 ~~modification of the service plan or the statement of purposes of the~~
5 ~~special district as set forth in section 32-1-208.~~

6 (D) ACTIONS OR FAILURES TO ACT THAT CREATE MATERIALLY
7 GREATER RISKS OR BURDENS TO THE TAXPAYER OF THE DISTRICT THAN
8 WERE CONTEMPLATED BY THE SERVICE PLAN OR THAT WOULD BE
9 CUSTOMARY IN THE OPERATIONS OF GOVERNMENT;

10 (E) AN ALTERATION OR REVISION OF THE PROPOSED SCHEDULE OF
11 DEBT ISSUANCE SPECIFIED IN THE FINANCIAL PLAN;

12 (F) THE EXCLUSION OF ANY REAL PROPERTY WITHIN THE DISTRICT
13 IF SUCH PROPERTY WAS INCLUDED IN THE DISTRICT'S FINANCIAL PLAN AND
14 THE EXCLUSION OF SUCH PROPERTY WILL MATERIALLY IMPACT THE
15 DISTRICT'S ABILITY TO PERFORM OR PROVIDE THE SERVICES OR PUBLIC
16 IMPROVEMENTS SPECIFIED IN THE SERVICE PLAN OR THE DISTRICT'S
17 ABILITY TO MEET ITS ANNUAL DEBT SERVICE OBLIGATIONS;

18 (G) ENTRY INTO ANY NEW INTERGOVERNMENTAL AGREEMENT OR
19 REIMBURSEMENT AGREEMENT THAT WAS NOT DESCRIBED PURSUANT TO
20 SECTION 32-1-202 (2)(b)(III) AND APPROVED PURSUANT TO SECTION
21 32-1-203; OR

22 (H) ENTRY INTO ANY NEW EXTRATERRITORIAL SERVICE
23 AGREEMENT OR REIMBURSEMENT AGREEMENT THAT WAS NOT DESCRIBED
24 PURSUANT TO SECTION 32-1-202 (2)(b)(IV) AND APPROVED PURSUANT TO
25 SECTION 32-1-203.

26 (II) In the event that a special district changes its boundaries to
27 include territory located in a county or municipality with no other territory

1 within the special district, the special district shall notify the board of
2 county commissioners of such county or the governing body of the
3 municipality of such inclusion. The board of county commissioners or the
4 governing body of the municipality may review such inclusion and, if it
5 determines that the inclusion constitutes a material modification, may
6 require the governing body of such special district to file a modification
7 of its service plan in accordance with the provisions of this subsection (2).

8 (5) A BOARD OF COUNTY COMMISSIONERS, IN THE CASE OF A
9 DISTRICT THAT LIES ENTIRELY WITHIN THE TERRITORIAL BOUNDARIES OF
10 A COUNTY, OR THE GOVERNING BODY OF A MUNICIPALITY, IN THE CASE OF
11 A DISTRICT THAT LIES ENTIRELY WITHIN THE BOUNDARIES OF A
12 MUNICIPALITY, MAY IMPOSE A FEE TO OFFSET THE COSTS INCURRED BY THE
13 COUNTY OR MUNICIPALITY, AS APPLICABLE, IN REVIEWING THE
14 OPERATIONS OF THE DISTRICT AND THE DISTRICT'S COMPLIANCE WITH ITS
15 SERVICE PLAN. A DISTRICT SHALL PAY THE FEE IN THE AMOUNT AND AT
16 THE FREQUENCY IMPOSED BY THE COUNTY OR MUNICIPALITY; EXCEPT
17 THAT, ANY SUCH FEE IMPOSED PURSUANT TO THIS SUBSECTION (5) MUST
18 NOT BE PAYABLE MORE THAN ONCE ANNUALLY.

19 **SECTION 10.** In Colorado Revised Statutes, 32-1-902, **add** (5)
20 as follows:

21 **32-1-902. Organization of board - compensation - disclosure**
22 **- prohibited transactions.** (5) NOTWITHSTANDING ANY OTHER
23 PROVISION OF LAW, A MEMBER OF THE BOARD OF A DISTRICT THAT
24 APPROVED THE ISSUANCE OF ANY DEBT WHILE THE MEMBER WAS SERVING
25 ON THE BOARD SHALL NOT THEREAFTER ACQUIRE ANY INTEREST IN THE
26 DEBT INDIVIDUALLY OR ON BEHALF OF ANY ORGANIZATION OR ENTITY FOR
27 WHICH THE BOARD MEMBER IS ENGAGED AS AN EMPLOYEE, COUNSEL,

1 CONSULTANT, REPRESENTATIVE, OR AGENT.

2 **SECTION 11.** In Colorado Revised Statutes, 32-1-903, **amend**
3 (1.5) as follows:

4 **32-1-903. Meetings - definitions.** (1.5) All meetings of the board
5 that are held solely at physical locations must be held at physical locations
6 that are within the boundaries of the district or that are within the
7 boundaries of any county in which the district is located, in whole or in
8 part. ~~or in any county so long as the physical location does not exceed~~
9 ~~twenty miles from the district boundaries. The provisions of this~~
10 ~~subsection (1.5) governing the physical location of meetings may be~~
11 ~~waived only if the following criteria are met:~~

12 (a) ~~The proposed change of the physical location of a meeting of~~
13 ~~the board appears on the agenda of a meeting of the board; and~~

14 (b) ~~A resolution is adopted by the board stating the reason for~~
15 ~~which meetings of the board are to be held in a physical location other~~
16 ~~than under the provisions of this subsection (1.5) and further stating the~~
17 ~~date, time, and physical location of such meeting.~~

18 **SECTION 12.** In Colorado Revised Statutes, 32-1-1004, **amend**
19 (1) introductory portion; and **add** (8)(d) as follows:

20 **32-1-1004. Metropolitan districts - additional powers and**
21 **duties.** (1) In addition to the powers specified in section 32-1-1001, the
22 board of any metropolitan district has the following powers for and on
23 behalf of such district EXCEPT AS OTHERWISE LIMITED BY THE DISTRICT'S
24 SERVICE PLAN:

25 (8) (d) NOTWITHSTANDING ANY OTHER PROVISION OF LAW:

26 (I) ON AND AFTER SEPTEMBER 1, 2022, A METROPOLITAN DISTRICT
27 SHALL NOT ENTER INTO ANY NEW CONTRACT OR AGREEMENT TO FURNISH

1 COVENANT ENFORCEMENT AND DESIGN REVIEW SERVICES PURSUANT TO
2 SUBSECTION (8)(a) OF THIS SECTION; AND

3 (II) ON AND AFTER SEPTEMBER 1, 2022, A METROPOLITAN
4 DISTRICT SHALL NOT RENEW ANY EXISTING AGREEMENT ENTERED INTO
5 PRIOR TO THAT DATE PURSUANT TO SUBSECTION (8)(a) OF THIS SECTION TO
6 FURNISH COVENANT ENFORCEMENT AND DESIGN REVIEW SERVICES. UPON
7 THE EXPIRATION OF THE AGREEMENT, THE MASTER ASSOCIATION OR
8 SIMILAR ENTITY CONTRACTING WITH THE METROPOLITAN DISTRICT SHALL
9 ASSUME COVENANT ENFORCEMENT AND DESIGN REVIEW SERVICES.

10 **SECTION 13.** In Colorado Revised Statutes, 32-1-1101.5,
11 **amend** (1.5) as follows:

12 **32-1-1101.5. Special district debt - annual findings of**
13 **reasonable diligence.** (1.5) In ~~every fifth calendar~~ ANY year after the
14 calendar year in which a special district's ballot issue to incur general
15 obligation indebtedness was approved by its electors, the board of county
16 commissioners or the governing body of the municipality that has adopted
17 a resolution of approval of the special district pursuant to section
18 32-1-204.5 or 32-1-204.7 may require the board of such special district
19 to file an application for a ~~quinquennial~~ finding of reasonable diligence.
20 If the board of county commissioners or the governing body of such
21 municipality requires such filing, it shall notify the special district in
22 writing to file an application within sixty days after receipt of the notice.
23 The application shall set forth the amount of the special district's
24 authorized and unissued general obligation debt, any current or
25 anticipated plan to issue such debt, a copy of the district's last audit or
26 application for exemption from audit, and any other information required
27 by the board of county commissioners or the governing body of such

1 municipality relevant to making the determinations under subsection (2)
 2 of this section. If required by the board of county commissioners or the
 3 governing body of such municipality, subsequent applications shall be
 4 filed within sixty days after receipt of such notice but no more frequently
 5 than every ~~five years~~ YEAR after the prior notice until all of the general
 6 obligation debt that was authorized by the election has been issued or
 7 abandoned. If a special district is wholly or partially located in a
 8 municipality that has not adopted a resolution of approval of such special
 9 district pursuant to section 32-1-204.5 or 32-1-204.7, the board of the
 10 special district shall file a copy of any such application with the
 11 governing body of such municipality, and such municipality may submit
 12 comments thereon prior to the determination made under subsection (2)
 13 of this section.

14 **SECTION 14.** In Colorado Revised Statutes, 24-18-109, **add**
 15 (2.5) as follows:

16 **24-18-109. Rules of conduct for local government officials and**
 17 **employees.** (2.5) PROOF OF THE COMMISSION OF AN ACT PROSCRIBED BY
 18 SECTION 32-1-902 (5) BY A PREPONDERANCE OF THE EVIDENCE IS PROOF
 19 THAT THE ACTOR HAS BREACHED THE ACTOR'S FIDUCIARY DUTY AND THE
 20 PUBLIC TRUST.

21 **SECTION 15. Act subject to petition - effective date.** This act
 22 takes effect at 12:01 a.m. on the day following the expiration of the
 23 ninety-day period after final adjournment of the general assembly; except
 24 that, if a referendum petition is filed pursuant to section 1 (3) of article V
 25 of the state constitution against this act or an item, section, or part of this
 26 act within such period, then the act, item, section, or part will not take
 27 effect unless approved by the people at the general election to be held in

- 1 November 2022 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.

Metropolitan District Code Amendment Options

City Council Worksession
May 3, 2022



Background

- **Metropolitan Districts are authorized by State Statutes and offer a means of financing and maintaining certain types of development and/or services to a specific geographic area**
- **As a quasi-governmental entity, a Metropolitan District is empowered to assess a property tax mill levy to all landowners within an established district to pay for qualified improvements or purposes**
- **Local governments must authorize permission for a petitioner to proceed to a vote to establish a metropolitan district (voted on by all landowners in the proposed district)**

Metro District Approvals

- **Local governments may defer to state statutes in processing metropolitan district approvals or adopt their own regulations**
- **Local governments must act on petitions to proceed to an election to establish a metropolitan district but have full discretion on whether to advance such a request or not**
- **More than one Metropolitan Districts can overlap the same area, multiplying the added mill levy assessments for a property**

Property Tax Overview

An additional Metro District property tax can reach 70 mills

TAXING ENTITY/mills	E of 77 th Ave.	W of 77 TH Ave.	W w/Metro
Aims	6.342	6.342	6.342
City of Greeley	11.274	11.274	11.274
Clearview Library Dist.		3.557	3.557
High Plains Library Dist.	3.197		
Northern CO Water	1.000	1.000	1.000
Tri-point Residential Metro*			48.790
School District No. 6	50.596		
Weld County	15.038	15.038	15.038
W Greeley Conservation Dist.		.414	
Windsor School District		41.956	41.956
TOTAL	87.447	79.581	127.957

* Net additional mills in Promontory lot over central Greeley property is 40.51 mills or 46% more; for W. Greeley non-metro vs. metro the difference is 48.38 mills or 61% more.

Greeley's Metropolitan Districts

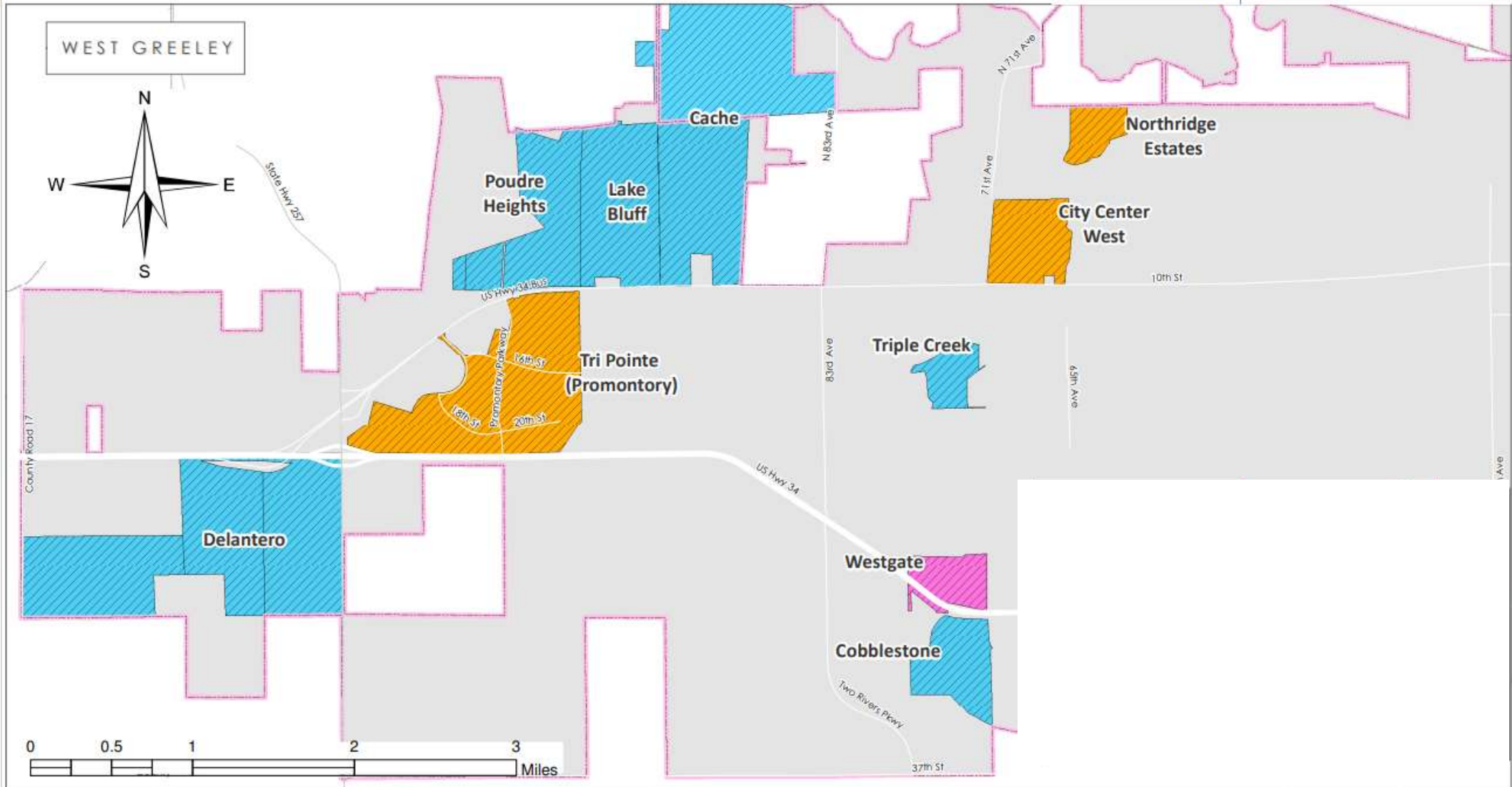
- **Greeley's first Metro District areas were approved in 1999 in the Promontory development to finance area infrastructure for residential and commercial land.**
- **Greeley resisted allowance of new metro districts until ultimately adopting its Metropolitan District Code and Model Service Plan in 2007, updated in 2018.**
- **Greeley standards generally reflect the minimum standards found in State Statutes.**



GREELEY METRO DISTRICTS/ CURRENT DEVELOPMENT STAGES



COMMUNITY DEVELOPMENT



Active Construction
 Platted
 Seeking Land-Use Approvals (Zoning/Subdivision)
 Metro Districts

Greeley Limits

Created by: MDuran, CD, Planning on 5/6/21

Actions to Consider

- 1. Update the current Greeley Metro District Code and Service Plan with basic and needed amendments;**
- 2. Consider adding new Metro District approval criteria to increase the enhancements required of Metro Districts with new applications;**
- 3. Monitor current state legislation for possible further amendments.**

1. Basic Amendments

- **Relocate Metro District regulations into Development Code**
- **Drop obsolete references (e.g., Mid Range Expected Service Area, number of plans to submit)**
- **Shift minimum Metro District size from geographic size to minimum debt limit (size is arbitrary; investment minimum more practical)**
- **Disallow eminent domain authority**
- **Add application deadlines for twice/annual election cycles**
- **Add public notice provision consistent with City Development Code**

2. New Metro District Criteria

Add additional policy criteria to match other municipal objectives as “extraordinary public benefits” accomplished with Metro District financing tool. Examples include:

- **Public infrastructure**
- **Water Conservation**
- **Housing Product mix/type**
- **Enhanced mobility options**
- **Public destination spaces (e.g., parks, special rec facilities)**
- **Strategic Housing Priorities (e.g., affordable, land bank fund)**
- **Infill/Redevelopment**
- **Economic development**
- **Design Enhancements**

3. State Legislation

Monitor draft State Legislation for further update/modification of the GMC for consistency in administration (HB 22-1363). Current proposed changes include:


- **Increased communication and transparency related to the legal entities/organizers forming a metro district and associated relationships between those parties and property owners;**
- **Added information required in financial plans and terms for any intergovernmental or extraterritorial service agreements;**
- **Limits debt repayment to 30 years**
- **Prohibits purchase of district debt by directors with a conflict of interest**
- **Expands scope of material modifications that would require jurisdictional approval**
- **Authorizes fee to offset jurisdictional costs associated with compliance measures**
- **Disallows metro district directors from meeting outside district boundaries**
- **Phased out use of metro boards for covenant enforcement**
- **Increases due diligence reviews from 5-yr. to annual reviews.**

Timing & Process

1. Basic amendments (2 – 3 months)

 **Staff initiate, Planning Commission review and recommendation, present to Council**

2. Consider additional Metro District approval criteria (6-9 months)

 **Staff initiate, engage stakeholder input, Planning Commission review and recommendation, present to Council**

3. Monitor current state legislation for possible further amendments (on-going)

Council Agenda Summary

Title:

Scheduling of Meetings, Other Events

Summary:

During this portion of the meeting the City Manager or City Council may review the attached Council Calendar or Planning Calendar and Schedule for City Council Meetings and Work Sessions and make any necessary changes regarding any upcoming meetings or events.

Attachments:

Council Meetings and Other Events Calendars

Council Meeting and Work Session Schedule/Planning Calendar

May 2, 2022 - May 8, 2022

May 2022							June 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25
29	30	31					26	27	28	29	30		

Monday, May 2

Tuesday, May 3

- 6:00pm - 7:00pm Chamber of Commerce Update at Greeley City Council meeting (City Center South, 1001 11th Avenue, Greeley, CO) - Council Master Calendar
- 6:00pm - City Council Meeting (Council Chambers and via Zoom) - Council Master Calendar ↻

Wednesday, May 4

Thursday, May 5

- 3:30pm - IG Adv. Board (Butler) ↻
- 4:30pm - 8:00pm Community Foundation of Northern Colorado Celebration of Philanthropy (Gates) (Embassy Suites Loveland) - Council Master Calendar
- 6:00pm - 8:30pm North Front Range MPO Meeting (Olson/Payton) ↻

Friday, May 6

Saturday, May 7

Sunday, May 8

May 9, 2022 - May 15, 2022

May 2022

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2022

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Monday, May 9

Tuesday, May 10

6:00pm - City Council Worksession Meeting (Council Chambers and via Zoom) - Council Master Calendar ↻

Wednesday, May 11

Thursday, May 12

7:30am - Poudre River Trail (Hall) ↻

Friday, May 13

Saturday, May 14

Sunday, May 15

May 16, 2022 - May 22, 2022

May 2022							June 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25
29	30	31					26	27	28	29	30		

Monday, May 16

10:00am - 11:30am CML Spring Outreach Meeting (Colorado River Community Room, 222 Laporte Ave., Fort Collins) - Council Master Calendar

Tuesday, May 17

6:00pm - City Council Meeting - Council Master Calendar

Wednesday, May 18

2:00pm - 5:00pm Water & Sewer Board (Gates)

Thursday, May 19

7:30am - 8:30am DDA (DeBoutez/Butler)

3:30pm - 4:30pm Airport Authority (Clark/Payton)

Friday, May 20

Saturday, May 21

11:00am - 1:00pm Armed Forces Day recognition (Payton) (Weld County Veteran's Memorial, Bittersweet Park) - Council Master Calendar

Sunday, May 22

May 23, 2022 - May 29, 2022

May 2022							June 2022							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
	1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11	
15	16	17	18	19	20	21	12	13	14	15	16	17	18	
22	23	24	25	26	27	28	19	20	21	22	23	24	25	
29	30	31					26	27	28	29	30			

Monday, May 23

- 11:30am - 12:30pm Greeley Chamber of Commerce (Hall)
- 5:30pm - 8:00pm Joint Municipality and County dinner meeting (TBD) - Council Master Calendar
- 6:00pm - 7:00pm Youth Commission (Clark)

Tuesday, May 24

- 6:00pm - City Council Worksession Meeting - Council Master Calendar

Wednesday, May 25

- 7:00am - 8:00am Upstate Colorado Economic Development (Gates/Hall) (Upstate Colorado Conference Room) - Council Master Calendar

Thursday, May 26

- 7:30am - Poudre River Trail (Hall)

Friday, May 27

Saturday, May 28

Sunday, May 29

City Council Meeting Scheduling 2022			
		4/26/2022	
		This schedule is subject to change	
Date		Description	Sponsor Placement/Time
May 10, 2022	Worksession Meeting	Update on metro district standards	Becky Safarik 0.5
		Briefing on Regional Water Group Formation	Sean Chambers
May 17, 2022	Council Meeting	Proclamation- Mental Health Awareness Month	Intro
		Intro - Ordinance - Disposition of Water and Sewer Balmer farm property (tentative pending contract)	Sean Chambers Consent
		Intro-Ordinance - Conveyance of Easement to City of Loveland - Centerra Trail Project	Sean Chambers Consent
		Intro - Ordinance - Watermark Rezone	Becky Safarik Consent
		Intro - Ordinance - HP Rezone	Becky Safarik Consent
		Intro - Ordinance - Delantero PUD	Becky Safarik Consent
		Resolution- Mobility Hub	Paul Trombino Regular
May 24, 2022	Worksession Meeting	COVID 19 Update	Brian Kuznik
		Update on Revenue Sources	Jon Karner
		Transportation Master Plan	Paul Trombino
June 7, 2022	Council Meeting	Resolution- W&S IGA with West Fort Collins Water District for emergency interconnection and tap transfer	Sean Chambers Consent
		Intro Ordinance- Setting Ward Boundaries	Becky Safarik Consent
		Intro – Ordinance – Update W&S Dept. Design Criteria and Standards (note PH is on 7/5)	Sean Chambers Consent
		Ordinance - PH and Second Reading - Disposition of W&S's Balmer Farm Property	Sean Chambers Regular
		Ordinance - PH and Second Reading Conveyance of Easement to City of Loveland - Centerra Trail Project (Tentative)	Sean Chambers Regular
		Ordinance- PH and Second Reading Watermark Rezone	Becky Safarik Regular
		Ordinance- PH and Second Reading HP Rezone	Becky Safarik Regular
		PH- Delantero PUD plan (note that presentation will be combined with Delantero rezone)	Becky Safarik Regular
Ordinance- PH and Final Reading Delantero PUD	Becky Safarik Regular		

Council Agenda Summary

Title:

Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances

Council's Recommended Action:

A motion to approve the above authorizations.