

City of Greeley, Colorado  
**COUNCIL WORKSESSION REPORT**  
October 13, 2020

**1. CALL TO ORDER**

The virtual meeting was called to order at 6:00 p.m. by Mayor Gates via the City's Zoom platform.

**2. PLEDGE OF ALLEGIANCE**

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

**3. ROLL CALL**

Cheryl Aragon, Deputy City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Tommy Butler, Ed Clark, Michael Fitzsimmons, Dale Hall, Brett Payton and Kristin Zasada.

**4. REPORTS FROM MAYOR AND COUNCILMEMBERS**

Councilmember Butler shared a reminder that ballots are out and that City Hall is a 24-hour drop box.

**5. COVID – 19 UPDATE**

Dan Frazen, Emergency Manager, reported that the information Council received in their agenda packet is based on the previous Friday's data. He shared that it shows an increase in COVID cases and that the Governor has described it as "not great". He did state that Weld County is not tracking with that trend, which is good.

He went on to state that he included some information about Center for Disease Control (CDC) guidelines as it relates to Halloween and trick or treating activities.

Mr. Frazen shared hospital statistics which show that NCMC has 11 patients, which UC Health has 2, which is where these numbers have been hovering the last few weeks.

He also shared that the City Employee Cabin is still standing, but that areas around City reservoirs have been tortured, so some mitigation will be needed.

**6. BUSINESS ATTRACTION/TARGET INDUSTRIES**

Benjamin Snow, Economic Health & Housing (EHH) Director, and Phil McCready, Economic Development Manager, were present.

Mr. Snow reported that the Economic Development Marketing and Attraction is an important part of our economic growth strategy and that our local EHH team is active in leveraging local assets to attract new business investment to Greeley.

He went on to state that economic development attraction is the process of inventorying the community and translating the findings into a plan to attract companies that will diversify and build the local/regional

economy. The strategy of attraction is to identify those companies that match the community's assets and development goals. Taking this classic approach helps our team in designing and implementing a marketing program geared towards attracting prospective firms to the community.

Mr. McCready reviewed top industries and highlighted growth over the last ten years, as well as took a look forward to 2030 and provided a spotlight summary of top employment sectors in Greeley.

Mr. Snow noted that knowing this data and detail helps to leverage State and regional industry sectors, and that it's good to know where our localized strengths are, but will always continue to seek out all kinds of companies and a variety of industrial users.

In reviewing the plan to develop a strategic employment centers plan for 2020 – 2021, he noted that it is similar to what was done in 2018-2019.

Councilmember Zasada inquired about talks about what will be done with the Mall now that J.C. Penney is going out of business, and Mr. Snow advised that he and his staff are tracking with this 40,000 square foot building and working collaboratively with Community Development on all possibilities.

Councilmember Zasada asked about opportunities to rehab spaces rather than incentives to build new, and Mr. Snow stated that the City is definitely offering those opportunities, and noted that it does bring some challenges since there are other uses in or near a space that may not be compatible.

Councilmember Clark shared that we may be hanging our hats on the energy industry, and wondered if the City is overinvested there. He shared a desire to focus on a more educated workforce as well.

Mr. Snow stated that this is a fair observation, and stated that they do talk about diversifying.

Councilmember Butler stated that it is important to know that utilities are on board with any economic development plan, and expressed concerns that talks with Comcast have stalled.

Roy Otto, City Manager, indicated that some follow up will be done about those conversations.

In response to a question from Councilmember Zasada about how many graduates leave Greeley or stay in Greeley after graduation, Mr. Snow advised that he and his staff do connect with UNC, so this information can be obtained.

## **7. OVERVIEW OF THE RECODIFICATION OF GREELEY'S CODE OF ORDINANCES**

Anissa Hollingshead, City Clerk, reported that the recodification will be coming forward to Council in the coming weeks. This process insures that it is as up to date and is as user friendly for stakeholders as possible.

In terms of foundational information, she shared that the City contracts with a specialized publisher, MuniCode Corporation, to consolidate the City's general legislation and organize it by topics into a Code of Ordinances – also referred to as the Code or Greeley Municipal Code. This process, called codification, also includes the addition of frequent changes, or supplementation, as changes are made to the Code

through Council's adoption of new ordinances.

She went on to state that although the content of most ordinances is durable for many years, it is advised that municipalities perform a comprehensive review of the Code, known as recodification, about every 15 years.

In addition to a legal review, organizational improvements of sections and chapters were identified. MuniCode's work product was received by the City on January 31, 2019.

Ms. Hollingshead advised that the City Clerk's Office and the City Attorney's Office reviewed the details of MuniCode's recommendations, researched options, and communicated with department heads to reach consensus on a response to MuniCode's proposed list of changes. MuniCode then incorporated the changes into a draft version of the recodification and prepared an ordinance to authorize the changes, once approved by Council. Introduction of the ordinance is listed on Council's future meeting schedule for November 17, 2020.

In addition to the overall refreshing of the Code, Ms. Hollingshead stated that there were secondary benefits of this project. Department heads identified several Charter changes that will be explored, and each made a commitment for an in-depth review of the chapters for which they are the content experts. A number of administrative process changes related to the ordinance process were also recommended to the City Manager.

Finally, as the project got closer to completion, she shared that the decision was made to authorize MuniCode to reorganize and renumber the City's Code. This is an enormous change, but one that staff feels will result in a more modern Code, one that will allow for easy expansion and amendment, be easier for users and the public to navigate from the City's on-line platform, and be more consistently structured with Colorado Revised Statutes. In addition, the Code's numbering is now the same as that of the Charter.

She noted that staff has met with all City departments to discuss this major shift and language has been built into the re-codified document for needed legal coverage while existing supplies of forms (such as traffic tickets) with old chapter and section numbers are exhausted.

She acknowledged the work that each City department invested in this project.

Councilmembers gave general guidance to proceed with the ordinance to affect these changes.

## **8. PRELIMINARY FLOODPLAIN RISK MAP ON CACHE LA POUDE RIVER UPDATE**

Andrew Fisher, reported that the City of Greeley is a member of the National Flood Insurance Program (NFIP), established by the National Flood Insurance Act of 1968. The NFIP provides reduced flood insurance for citizens and makes the community eligible for disaster relief grants from FEMA. As an NFIP member, the City must adopt all Flood Insurance Rate Maps within the City's jurisdiction and regulate to applicable City, State and Federal floodplain regulations.

He went on to state that a revision to the Cache la Poudre River floodplain model and flood insurance rate

maps is scheduled to become regulatory in Spring 2022. This revision was initiated by the Colorado Water Conservation Board, a division of the State of Colorado Department of Natural Resources.

The new floodplain maps were released as Preliminary in September 2020. City staff intends to update City Council with the timeline and impacts of these preliminary maps.

Additionally, he stated that City staff identified key areas in the City that project to experience large impacts from these projected mapping changes. These locations include Island Grove Regional Park; Clayton Neighborhood and Rodarte Center; East 8th Street; Water Reclamation Treatment Facility; 35th Avenue; River Run at Poudre River Ranch.

He noted that there are three changes to the maps that will be brought forward, and in responding to a question from Councilmember Zasada about her concerns for property owners, he stated that no one wants to give 100 different appeals, so the City collects, vets, and assists in putting together one appeal packet for any property owner concerns and that there may be a cost to the property owner depending on various aspects of the appeal.

Mr. Fisher went on to advise that in January, the City contracted with a consultant to scrutinize these locations. The consultant was charged with ensuring the best possible outcome for the City by ensuring the final adopted maps are not only as accurate as feasible but also minimize regulatory impact to public and private property in the City.

He stated that City staff intends to also present preliminary results from evaluating these six locations as a result of the consultants work.

## **9. WATER SUPPLY ALTERNATIVES AND TERRY RANCH WATER PROJECT UPDATE**

Sean Chambers, Water & Sewer Director, reported that the City of Greeley has an extensive water system and a reliable water supply made possible by the foresight and planning of past City leaders. Greeley residents have made several generational investments over the past century to secure their water future.

He shared that Greeley is expected to grow to over 260,000 people within the next 50 years, and requires additional water supplies to meet future water needs and provide for economic sustainability. Adding new water storage (e.g., reservoirs) is crucial; storage acts like a bank account allowing the City to save water during wet periods for use during droughts.

He went on to state that Greeley has sought to increase storage through the enlargement of Milton Seaman Reservoir since the early 2000s. Enlarging Milton Seaman Reservoir is a smart project with several advantages; however, due to the environmental impacts of the enlargement, Greeley is required to obtain an extensive list of federal, state, and local permits. Greeley has not yet received any permits, and it is uncertain whether permits can be secured. Federal permitting is a very long and expensive process. Moreover, construction costs for the project have sharply risen in recent years. Federal permitting requires evaluation of alternatives to enlarging Milton Seaman Reservoir. One such alternative identified is the Terry Ranch Project.

The Terry Ranch Project, he advised, would develop approximately 1,200,000 acre-feet of non-tributary groundwater from an underground aquifer located in northwest Weld County. For comparison, the City

of Greeley currently uses about 25,000 acre-feet per year. Non-tributary means this groundwater is not connected to surface streams and reservoirs and is instead solely an underground water source. Unlike most groundwater used in and around Greeley, non-tributary groundwater is deeper, and can be used and reused many times

Mr. Chambers shared that the City is using an innovative, low risk purchase arrangement to acquire this water and storage. Rather than paying money upfront, the City is issuing the seller, Wingfoot Water Resources (Wingfoot), water supply credits. Each credit will be worth one acre-foot of water supply redeemable to meet the City's raw water dedication requirements – payments in the form of water or cash required of developers or builders to construct in the City. The water supply credits are only redeemable within the City of Greeley. Wingfoot will benefit by being able to sell credits to developers and builders. Greeley benefits by not having to pay for the project all at once. This arrangement shares financial risks between the City of Greeley and Wingfoot, and will result in lower water rates for Greeley water customers.

He concluded by stating that extensive inspection efforts are underway to verify that the Terry Ranch Project is suitable for Greeley's water needs.

Harold Evans, Water & Sewer Board Chair, noted the extensive amount of due diligence given to this project and that staff has responded to every concern and question posed by the Board, including the addition of a third party independent peer review. He stated that this is a generational project that the City is going to get right. He added that this project is a great opportunity for Greeley and acquisition should proceed.

Mick Todd, Vice Chairman of the Water & Sewer Board, stated that this looks to be a really good project and expressed his support of it.

Councilmember Clark shared that he would like to hear more often from the members of the Water & Sewer board relative to water acquisition so that the Council can stay educated and can better respond to constituent concerns.

## **10. SCHEDULING OF MEETINGS AND OTHER EVENTS**

Councilmembers were reminded of the October 18, 2020 Diversity and Inclusion Training set to begin at 8:30 a.m. via the City's Zoom platform.

## **11. ADJOURNMENT**

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:55 p.m.




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Cheryl Aragon, Deputy City Clerk