



Remote Meeting Instructions for the May 19, 2020, City Council Meeting:

In order to comply with all health orders and the Governor's April 27, 2020, Safer-at-Home guidelines intended to stop the spread of the COVID-19 Coronavirus, **no physical location, including the City Council Chambers, will be set up for viewing or participating in this Council Meeting.**

The **only** way to view this Council Meeting is to follow the instructions below to watch the YouTube live stream.

- From your laptop or computer, click the following link or enter it manually into your Web Browser: (www.youtube.com/CityofGreeley)
- Clicking the link above will take you to the City of Greeley's YouTube Channel.
- Once there, you will be able to view the meeting!

Citizen input and public comment for items appearing on this agenda as public hearings/quasi-judicial are valuable and welcome!

Anyone interested in participating and sharing public comments have a few of options:

Via email? – Submit to cityclerks@greeleygov.com

All comments submitted this way will be read into the record at the appropriate points during this meeting in real time. Comments can be submitted up to and throughout this meeting.

Via traditional Mail? - Address to the Greeley City Clerk's Office, 1000 10th Street, Greeley, CO 80631

All written comments must be received no later than the day of the meeting. Again, written comments received by mail will also be read into the record in real time.

In person in real time? – Email cityclerks@greeleygov.com

The City Clerk's Office will provide you with the Zoom credentials needed to talk with Council directly in real time.

Please visit the City's website at <https://greeleygov.com/government/council> to view and download the contents of the May 19, 2020, City Council Meeting. You are also welcome to call the City Clerk's Office at 970-350-9740 with any special needs or questions that you may have.



City Council Agenda

May 19, 2020 at 6:00 PM

This meeting will be conducted remotely. (See instructions on previous page to view the YouTube live stream.)

Mayor

John Gates

Councilmembers

Tommy Butler
Ward I

Brett Payton
Ward II

Michael Fitzsimmons
Ward III

Dale Hall
Ward IV

Kristin Zasada
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.](#) Recognitions and Proclamations
- [5.](#) Citizen Input
- [6.](#) Approval of the Agenda
- [7.](#) Reports from Mayor and Councilmembers
- [8.](#) Initiatives from Mayor and Councilmembers

Consent Agenda

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

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

- [9.](#) Acceptance of the Report of the April 28, 2020, Council Briefing: COVID-19 Update
- [10.](#) Acceptance of the Report of the May 1, 2020, Council Briefing: COVID-19 Update
- [11.](#) Approval of the City Council Proceedings of May 5, 2020
- [12.](#) Acceptance of the Report of the May 8, 2020, Council Briefing: COVID-19 Update
- [13.](#) Consideration of a resolution adopting amendments to City Council's Policies and Protocol
- [14.](#) Consideration of a resolution officially naming the neighborhood park at the Northridge Estates residential subdivision as Eagleview Park
- [15.](#) Consideration of a resolution officially naming the neighborhood park at the City Center West residential subdivision as Calabaza Park

End of Consent Agenda

- [16.](#) Pulled Consent Agenda Items
- [17.](#) Consideration of a resolution authorizing the City Manager to provide business development incentives to Roche Constructors
- [18.](#) COVID-19 Update
- [19.](#) Scheduling of Meetings, Other Events
- [20.](#) 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 at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances
- [21.](#) Adjournment

Council Agenda Summary

May 19, 2020

Agenda Item Number 1

Title

Call to Order

Council Agenda Summary

May 19, 2020

Agenda Item Number 2

Title

Pledge of Allegiance

Council Agenda Summary

May 19, 2020

Agenda Item Number 3

Title

Roll Call

Summary

Mayor Gates

Councilmember Butler

Councilmember Payton

Councilmember Hall

Councilmember Fitzsimmons

Councilmember Clark

Councilmember Zasada

Council Agenda Summary

May 19, 2020

Agenda Item Number 4

Title

Recognitions and Proclamations

Summary

Councilmember Hall will present the What's Great about Greeley Report.

Mayor Gates will present a proclamation for Historic Preservation Month which recognizes that historic preservation is effective for revitalizing neighborhoods, fostering local pride and maintaining community character.

GTV8 and communications staff are working hard to get some historic preservation videos available for viewing pleasure during May! All 4 Windows of Time videos will be available on the [City of Greeley's YouTube channel](#) soon on the Playlists page, and then they will air on GTV8 during May, with this following schedule:

Windows of Time Playback on GTV8 in May 2020:

Monday – Wednesday - Friday 9am & 12:30pm & 8pm
Saturday & Sunday 10am & 5:30pm

May 4 – 10 JMB Petriken and the Greeley Masonic Lodge
May 11 – 17 POW Camp 202 update 2019
May 18 – 24 #3 Ditch Special Edition
May 25 – 31 Germans from Russia

JMB Petriken and the Greeley Masonic Lodge edition will start Wednesday, May 6th at 9:00am. If you watch the JMB Petrikin edition, you will notice it has not been updated since it has been rehabbed. That is on the radar of the Commission and Staff, but does require a large time commitment of City staff and is a goal for the future.

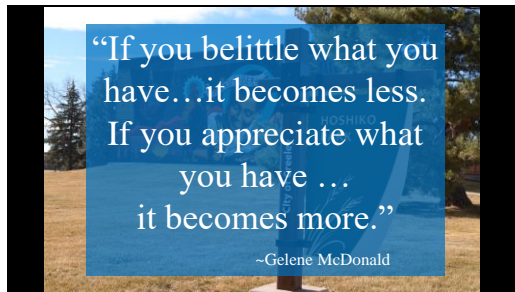
Attachments

May 19, 2020 What's Great about Greeley Report
Historic Preservation Month Proclamation

Slide 1



Slide 2



At each Council Meeting, we recognize the people, organizations and businesses that make Greeley Great. Tonight it's my turn to announce the recognitions. I'll start with a quote, "If you belittle what you have, it becomes less. If you appreciate what you have, it becomes more." With these announcements we are appreciating the good work of our residents, showing support for their efforts, and encouraging everyone to share the word that Greeley is Great.

Slide 3



They've done it again! Congratulations to the students and faculty in the University of Northern Colorado Jazz Studies department on winning seven Downbeat Magazine Student Music Awards.

Slide 4



Northern Colorado golf senior Marisa Hisaki has earned her first-ever honorable mention All-Big Sky honor. This is the fifth straight year Northern Colorado women's golf had a player earn an All-Conference award.

Slide 5



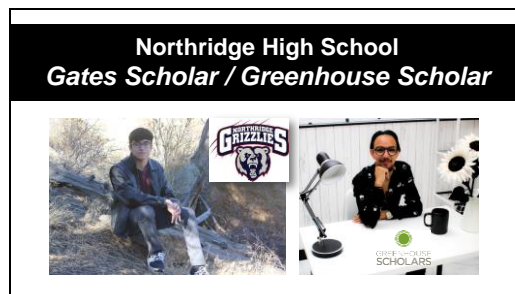
Congratulations to KUNC radio for winning four awards at the 2019 Associated Press Television and Radio Association broadcast contest. Awards include first place in Best Enterprise Reporting for "Colorado's Innovative Online Checkbook Rarely Updated, Technologically Challenged" and Best Documentary for "Resettled: The Lives of Refugees in Colorado". Fifty-six news stations submitted 375 entries in the contest which featured news and sports stories from 2019.

lide 6



The Association of School Business Officials International has honored Greeley-Evans School District 6's Finance Department with a Certificate of Excellence in Financial Reporting award for their Fiscal Year End 2019 Comprehensive Annual Financial Report. The organization awards certificates to school districts that exhibit excellence in financial transparency and reporting.

Slide 7



Congratulations to Northridge grizzlies Angel Lechuga Gonzalez for receiving the Gates Scholar national scholarship. He is one of 300 top student leaders across the nation to be chosen. The scholarship covers costs including tuition, fees, room, books and more. And a shout out to Gabriel Castro for being named a Greenhouse Scholar.

Slide 8



And that's What's Great about Greeley.



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, the Greeley Historic Preservation Commission and Historic Greeley, Inc. desire to collaborate in honoring Greeley's and Colorado's historic resources and sites and in celebrating the 150th Anniversary of the City of Greeley and the 25th Anniversary of the Historic Preservation program; and

WHEREAS, May is Historic Preservation Month, and in recognition of this month the Commission recognizes the 150th Anniversary of the City of Greeley and the 25th Anniversary of Greeley's Historic Preservation program. The Commission plans to celebrate with events, including the Historic Preservation Month Awards Reception and Greeley History Trivia Night and a History Brown Bag, 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 2020, 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 19th day of May, 2020.

John Gates
Mayor

Council Agenda Summary

May 19, 2020

Agenda Item Number 5

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 on this evening's agenda. Individual comments read into the record will be limited to 3 minutes and must include the name and address of the person submitting the comments for the record.

Council Agenda Summary

May 19, 2020

Agenda Item Number 6

Title

Approval of the Agenda

Council Agenda Summary

May 19, 2020

Agenda Item Number 7

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

May 19, 2020

Agenda Item Number 8

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

Council Request	Council Meeting, Worksession, or Committee Meeting Date Requested	Status or Disposition (After completion, item is shown one time as completed and then removed.)	Assigned to:
None.			

Consent Agenda

May 19, 2020

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

Once the Clerk has read each Consent Agenda item into the record, along with Council's recommended action, Council or staff may request the item be "pulled" off the Consent Agenda and considered separately under the next agenda item in the order they were listed.

The Consent Agenda includes Items No. 9 through 15 and their recommended actions.

Council's Recommended Action

To approve Items No. ____ through ____ or

To approve Items No. ____ through ____ with the exceptions of No.(s) ____

Council Agenda Summary

May 19, 2020

Agenda Item Number 9

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 970-350-9743

Title:

Acceptance of the Report of the April 28, 2020, Council Briefing: COVID-19 Update

Summary:

A virtual City Council Briefing was held on April 28, 2020, via Zoom Meetings.

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:

April 28, 2020 Report

City of Greeley, Colorado
COUNCIL WORKSESSION REPORT
 April 28, 2020

The meeting began at 6:00 p.m. on Tuesday, April 28, 2020, via a remote Zoom Meeting between City Staff and the City Council. It was live-streamed on the City of Greeley's YouTube Channel.

1. CALL TO ORDER

Mayor Gates called the Zoom Meeting to Order.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

Jessica Diagana, Assistant 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 Hall spoke of a meeting he attended virtually in which it was discussed that the State's budget has seen a big drop in revenues and concerns with federal funding and the intent of the recently implemented CARES Act as that money is not being seen at the local level. Councilmember Hall also spoke of another meeting he attended virtually with the Colorado Municipal League (CML) Board of Directors where it was discussed that there is an anticipated \$1 Billion states sales tax loss and associated concerns and effects on revenue.

Mayor Gates spoke of an event he attended for the Aims Community College groundbreaking for their new welcome center that was sparsely attended by design and he noted that all individuals who attended wore masks.

5. COVID-19 UPDATE

Pandemic Response Activities

Dan Frazen, Emergency Manager, provided an update on current cases and fatalities in Colorado and Weld County. He also spoke of those hospitalized and on ventilators in Greeley hospitals, North Colorado Medical Center and University of Colorado Health.

Mr. Frazen spoke of state testing efforts, compliance and enforcement. He noted that citizens could notify the local health department if they believe they see violations of the Safer-at-Home Order.

He provided Council with several graphs related to various metrics of COVID-19 cases.

Councilmember Hall expressed concern with the graphs, as he does not feel they do a lot of justice to whether or not the conditions in Greeley are getting better. He asked that staff look at trends in snippets

to better identify trends rather than just adding the numbers each week. He would like the graphs to be a better visual representation of what is going on.

Mr. Frazen spoke of benchmarks of opening up facilities for the City and there is a need to look at data differently than it has been to determine timing and phases for re-opening.

Councilmember Zasada requested that information be provided to Council related to the numbers of deaths by date and the age and gender breakdown.

Mayor Gates inquired about a one-day testing site that was held, and Mr. Frazen noted that the numbers of people that showed up to be tested was lower than expected.

Greeley Area Recovery Fund

Ben Snow, Economic Development Director, reported that it has been almost two weeks since the launch of the Greeley Area Recovery Fund and related highlights of various metrics related to the number of applicants, pledges, and award amounts.

Councilmember Payton spoke on behalf of the Board reviewing the applications and making recommendations for grants noting that a round of applications were just reviewed by the Board prior to the start of the Worksession.

6. REVIEW OF COUNCIL'S POLICIES AND PROTOCOL

Cheryl Aragon, Interim City Clerk, reviewed each section of the Council's Policies and Protocol document including its authority noting that this document is adopted by resolution and has been amended from time-to-time. Ms. Aragon highlighted some of the changes that were recently made to Council's Policies and Protocol changing the meeting time, location, and more recently to allow virtual meetings.

Jerry Harvey, Assistant City Clerk, spoke of residency requirements, term limits, recruitment and application processes in which Councilmembers Hall and Clark expressed their desire for digital interviews for Boards and Commissions interviews in the future. Councilmember Zasada expressed concern with digital interviews, as this is one of the few times that Council gets face-to-face time with the applicants. She also expressed the desire to see more opportunities to interact with the Boards and their members.

Councilmember Butler stated that he has received positive feedback about the recent implementation and utilization of YouTube to stream the City's Council meetings and requested that the meetings continued to be live-streamed going forward.

Ms. Aragon went on to review the remaining sections of Council's Policies and Protocol and at the conclusion of her report, Council identified several amendments to the following sections of their Policies and Protocol including meeting types, notice of meetings and Citizen Boards and Commission. While identifying these amendments Council also came to consensus that there is a desire for increased interaction with various Council-appointed boards and commissions, digital board and commission interviews and the ability to continue to livestream Council meetings and Worksessions via the City's YouTube Channel.

7. FINANCIAL UPDATE

Robert Miller, Budget & Compliance Manager provided Council with a Financial Update highlighting the General Fund summary, sales tax distribution, sales tax by major categories, building use tax, water funds, sewer funds, and lodging tax revenues.

Mr. Miller went on to provide a First Quarter 2020 Financial Summary highlighting current economic conditions, the uncertain future, scenario based timelines, projection analysis and resources for the national and local levels. He provided Council with three different scenarios noting the total revenue reductions for various tax categories, licenses and permits and Oil & Gas lease royalties. Mr. Miller went on to report on long term General Fund resources and short and long term strategic decisions that will need to be made going forward.

7. SCHEDULING OF MEETINGS, OTHER EVENTS

No additional meetings or other events were scheduled.

8. ADJOURNMENT

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:35 p.m.

Jessica Diagana, Assistant City Clerk

Council Agenda Summary

May 19, 2020

Agenda Item Number 10

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 970-350-9743

Title:

Acceptance of the Report of the May 1, 2020, Council Briefing: COVID-19 Update

Summary:

A virtual meeting of the City Council Briefing was held on May 1, 2020, via Zoom Meetings.

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:

May 1, 2020 Report

City of Greeley, Colorado
COUNCIL BRIEFING
May 1, 2020

The Council Briefing began at 4:00 p.m. via a remote Zoom Meeting between City Staff and the City Council. It was live-streamed on the City of Greeley's YouTube Channel.

1. CALL TO ORDER

Mayor Gates called the Zoom Meeting to Order.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

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

4. COVID-19 (CORONAVIRUS) PANDEMIC UPDATE

Pandemic Response Activities

It was noted that a handout was provided and made part of the record.

Dan Frazen, Emergency Manager, reported that some emails have been received addressed to the Mayor and Council about data being reported, and was able to speak with writers of the emails and glean some insight about the data. He stressed that he invites criticism and ideas since this is a first for everyone in terms of reporting.

Mr. Frazen went on to recognize members of the Incident Support Team who are critical to this process and who have all been very supportive.

He went on to provide an update on current cases and fatalities in Colorado and noted that Weld County numbers had not yet come in for the day. He also spoke of those hospitalized and on ventilators in Greeley hospitals, North Colorado Medical Center and University of Colorado Health.

He spoke of the Safer at Home guidelines from the Governor that are being followed locally, and provided an update on the cold weather shelters' last night on April 30th, as well as alternative care facility being planned for mid-May at The Ranch in Loveland. He clarified that it will be run by the State not the Army.

With regard to the personal isolation facility at Bonell, Mr. Frazen shared that staff visited the facility and that a new funding plan is being discussed to expedite the work being done there.

Internally, Mr. Frazen stated that he has been working with City staff on a reopening plan for City facilities and what that might look like.

He went on to review the graphs and charts provided to Council as part of the handout that included cases, deaths by age and gender, and then reviewed various trends.

Councilmember Hall expressed appreciation for the work and effort to paint this picture and noted that it is very worth the time and effort. He stated that these numbers seem very solid.

Councilmember Zasada inquired about the importance of considering what is going on in the hospitals in terms of the City's response, and Mr. Frazen stated that this is some of the best data because he's hearing from emergency managers in those facilities. He stated that he does verify numbers everyday with them and said that they have shared that they are still preparing for a surge and remaining cautious.

In response to a question from Councilmember Fitzsimmons, Mr. Frazen stated that the number of deaths at home by zip code is not available.

Mayor Gates expressed appreciation for Mr. Frazen's shout out to his support team. He agreed that all are doing a great job.

Greeley Area Recovery Fund

Ben Snow, Economic Health and Housing Director, reported that 123 applications have been received in total, and that 111 are from Greeley. He added that \$3,000 is the average grant amount. In terms of payouts, 44 of them were issued on April 30th to restaurants, coffee shops, bars, retail and professional services.

Mr. Snow stated that this program is hitting business as hoped and that the task force continues to meet and assess applications and award grants.

In response to a question from Councilmember Butler about the number of applications that have been denied, Mr. Snow advised that he would consult with the Chamber in order to be able to report that number.

Councilmember Clark stated that this appears to be a big win for the business community and that it is a great bridge to get these business up and going.

The Council Briefing adjourned at 4:35 p.m.

Cheryl Aragon, Interim City Clerk

Council Agenda Summary

May 19, 2020

Agenda Item Number 11

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 350-9743

Title:

Approval of the City Council Proceedings of May 5, 2020

Summary:

A virtual meeting of the City Council was held on May 5, 2020, via Zoom Meetings.

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:

May 5, 2020 Proceedings

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
May 5, 2020

1. Call to Order

Mayor John Gates called the remote meeting to order at 6:00 p.m. via Zoom Meetings.

2. Pledge of Allegiance

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

3. Roll Call

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

4. Recognitions and Proclamations

Mayor Gates read three Proclamations for Drinking Water Week, Mental Health Month and Building Safety Months. Signed and sealed Proclamations will be mailed to all representatives.

Councilmember Payton, on behalf of Councilmember Fitzsimmons, presented the What's Great About Greeley Report.

5. Citizen Input

Ms. Aragon read into the official record, an email directed to the Mayor and Councilmembers expressing concerns about JBS and the outbreak of COVID-19 at the Greeley facility.

6. Approval of Agenda

The agenda was approved upon noting handouts for Item No. 17.

7. Reports from Mayor and Councilmembers

Councilmember Clark reported on ongoing work with the Downtown Development Authority (DDA) and other citizens regarding Comcast and connectivity, with better connectivity in East Greeley critical to the conversation. He asked that residents let him know about particular areas of the community that are experiencing issues.

Councilmember Fitzsimmons reported that he recently met with Assistant City Manager Becky Safarik and representatives from the Community Foundation where additional allocation of funding may be coming through Housing and Urban Development grants. Ms. Safarik advised that those requests will be coming back to Council in June.

Councilmember Butler reported on a recent town hall event he participated in with State Representative Mary Young along with local non-profit leaders. He stated that great work is being done to feed families, as well as to help immigrant and refugee communities in terms of communication.

Mayor Gates reminded Greeley residents to get their Census forms complete if they have not done that already emphasizing its importance.

8. Initiatives from Mayor and Councilmembers

Councilmember Clark petitioned staff to create a video piece that could run on GTV8 thanking Veterans for their service in light of the upcoming Memorial Day holiday. Council consensus was reached to ask staff to do that.

Councilmember Butler asked for a report from staff about what it would look like to have a face mask ordinance in place for Greeley and to look at what other communities are doing in this regard. Council consensus was not reached to direct staff to provide a report.

Councilmember Butler then asked at least for some additional information from local hospital representatives on the public health benefits of having an ordinance in place and what type of timeline would be appropriate. Again, Council consensus was not reached to move forward in this regard.

Roy Otto, City Manager, indicated that this could be discussed more in the COVID-19 Briefing later on the agenda.

***** Consent Agenda *****

9. Acceptance of the Report of the April 17, 2020, Council Briefing: COVID-19 Update

The Council action recommended was to accept the Report.

10. Approval of the City Council Proceedings of April 21, 2020

The Council action recommended was to approve the Proceedings.

11. Acceptance of the Report of the April 24, 2020, Council Briefing: COVID-19 Update

The Council action recommended was to accept the Report.

12. Consideration of a resolution authorizing the transfer of \$150,000 in Airport Improvement Funds from the Greeley-Weld County Airport to Holyoke Municipal Airport

The Council action recommended was to adopt the resolution. **(Resolution No. 20, 2020)**

13. Consideration of a resolution appointing J. Robert Miller to the position of Interim Director of Finance and Interim Ex-officio City Treasurer

This item was pulled from the Consent Agenda.

14. Consideration of a change order in the amount of \$21,203.004 to the contract with Stantec for the design of the Poudre sewer trunk line, bringing the revised contract amount from \$196,000.00 to \$259,606.00

The Council action recommended was to approve the Change Order. **(Change Order No. 5, 2020)**

***** End of Consent Agenda *****

Councilmember Payton moved, seconded by Councilmember Zasada to approve the items on the Consent Agenda and their recommended actions with the exception of Item No. 13. The motion carried: 7-0

15. Pulled consent agenda items

13. Consideration of a resolution appointing J. Robert Miller to the position of Interim Director of Finance and Interim Ex-officio City Treasurer

Mayor Gates stated that he pulled this item to congratulate Robert Miller on this appointment noting that he is a very steady and reliable employee who will excel in this role.

Mayor Gates then moved, seconded by Councilmember Payton to adopt the resolution. The motion carried: 7-0 **(Resolution No. 21, 2020)**

16. Public hearing and final reading of an ordinance adopting amendments to the Greeley Municipal Code, consisting of Chapter 18.54 – Signs, in order to comply with recent Court decisions regarding content neutrality

Brad Mueller, Community Development Director, introduced Planner Brittany Hathaway who shared that part of keeping the Sign Code current involves ensuring enforceability and legality of its regulatory language. This proposed update does not affect commercial signage nor how the City calculates allowances for permitted signs. Rather, this update focuses on compliance with recent Court decisions regarding content neutrality for non-commercial signage.

She stated that the Planning Commission heard this item on January 14, 2020, and Council reviewed this item in two Worksessions on March 3rd and April 14th, and went on to review the proposal that included the feedback and suggestions offered by Council at those meetings. She noted that this proposal reflects Council's consensus to not impose any time limits for temporary non-commercial signs. However, this draft does reflect changes offered regarding non-commercial sign allowances based on lot size. Specifically, the draft proposed for adoption includes provisions that add more sign size allowances for all yard and lot sizes, and it provides more lot size categories, as specifically found in Section 18.54.110(a)(7) of the Code.

Ms. Hathaway advised that the Planning Commission has unanimously recommended approval to Council and was introduced at the April 21, 2020, Council meeting.

Mayor Gates opened the public hearing at 6:37 p.m., and no comments were received by the City Clerk's Office.

Councilmember Zasada moved, seconded by Councilmember Butler to adopt the ordinance and publish it by reference to title only.

Councilmember Clark noted that this has been a tough item to get this far, but the work is good and incorporates everything Council expressed.

A vote on the motion carried: 7-0 (**Ordinance No. 11, 2020**)

17. COVID-19 Update

Dan Frazen, Emergency Manager, provided the days statistics and information related to COVID-19 including statewide numbers, County-wide numbers, and local hospital counts and those off of ventilators.

He next reviewed the Coroner's Office report and spoke of the alternative care facility at the Ranch that is now set to open mid-June.

Mr. Franzen advised that Weld County is 5th in the state per 1,000 for COVID-19 positive cases, and added that the rate is trending down in the State.

The Weld County daily case increase and percentage increase by month was shared.

Councilmember Butler inquired about state testing sites, and Mr. Frazen advised that Weld County is developing a proposal, and the state will provide testing supplies.

Ben Snow, Economic Health and Housing Director, reviewed the latest data in the Greeley Recovery Fund, noting that a total of 126 applications have been received with \$135,000 awarded to date to 44 businesses. He added that at this point, zero applications have been denied and that 114 of the 126 have come in from Greeley businesses.

Mr. Snow emphasized that the value of this public/private partnership can and should be leveraged to continue work together for longer-term resilience.

Councilmember Payton stated that the number of applications has slowed down, but marketing continues.

He went on to state that there have been incomplete applications and that it does take time to look through the documents provided. They are being allowed to resubmit or add needed documentation to complete applications. He stated that no one wants to deny applications, so there is some back and forth going on with the business applicants.

Becky Safarik, Assistant City Manager, highlighted that some information in response to questions offered by Councilmember Butler was provided in Council's packet and reviewed it with the Council.

18. Scheduling of meetings, other events

There were no additional meetings or events scheduled.

19. **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 at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and ordinances**

Councilmember Payton moved, seconded by Councilmember Hall to approve the above authorizations, and the motion carried: 7-0

20. Adjournment

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:05 p.m.

John Gates, Mayor

Cheryl Aragon, Interim City Clerk

Council Agenda Summary

May 19, 2020

Agenda Item Number 12

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 970-350-9743

Title:

Acceptance of the Report of the May 8, 2020, Council Briefing: COVID-19 Update

Summary:

A virtual meeting of the City Council Briefing was held on May 8, 2020, via Zoom Meetings.

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:

May 8, 2020 Report

City of Greeley, Colorado
COUNCIL BRIEFING
 May 8, 2020

The Council Briefing began at 4:00 p.m. via a remote Zoom Meeting between City Staff and the City Council. It was live-streamed on the City of Greeley's YouTube Channel.

5. CALL TO ORDER

Mayor Gates called the Zoom Meeting to Order.

6. PLEDGE OF ALLEGIANCE

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

7. ROLL CALL

Cheryl Aragon, Interim City Clerk, called the roll. Those virtually present were Mayor John Gates and Councilmembers Tommy Butler, Ed Clark, Michael Fitzsimmons, Dale Hall, and Kristin Zasada. Councilmember Dale Hall arrived late.

8. COVID-19 (CORONAVIRUS) PANDEMIC UPDATE

Pandemic Response Activities

It was noted that a handout was provided and made part of the record.

Dan Frazen, Emergency Manager, reported that no numbers were available from the State or the County, but provided Thursdays numbers related to cases, deaths, hospitalized and numbers at NCMC and UC Health Colorado.

He went on to report on the work done this week at the personal isolation facility at Bonell and the work with the County. He shared that Dr. Wallace's had announced his retirement at the end of May.

He then went on to review charts, stats, and current trends with the Council.

Councilmember Hall joined the meeting at 4:10 p.m.

Greeley Area Recovery Fund

Ben Snow, Economic Health and Housing Director, reported that there are currently ten applications pending review and that 60 have been denied thus far. He added that the Grass-roots support is approaching \$30,000, for a total of \$604,282 in the fund.

Councilmember Zasada referenced an article that is tracking Denver restaurants closing and wondered if that is being tracked here.

Mr. Snow advised that because of COVID, only anecdotal information is available, nothing official, but that there is a sense that there will be a loss rate somewhere around 30 percent.

Becky Safarik, Assistant City Manager, referenced a discussion paper that shows various thresholds for reopening City facilities. She highlighted points at which the City would know that it has reached a safer level with confidence to begin opening up City offices and operations, as well as parks and recreational programming and opportunities.

She shared Greeley's population as a percentage of the State, which is about 2 percent, noting that it does not include Evans, and that staff is upping that to 4 percent simply because Greeley has a higher concentration of cases due to JBS and assisted living facilities and that there is more of a disproportionate vulnerability here.

Roy Otto, City Manager, stated that the City has been asked to be a part of a remembrance of those lost to COVID-19 on Friday, May 15th, at 7:00 p.m. and asked for consensus from Council to participate. Remembering those lost to COVID-19. Friday, May 15. It would include lights and sirens from public safety, as well as a moment of silence.

Councilmembers offered general consensus to participate, but it was suggested that the Police Department participate from the Police Department Headquarters rather than being out in the neighborhoods for safety sake.

Councilmember Clark expressed appreciation for Ms. Safarik's work, but emphasized his belief that things need to get open, such as playgrounds.

The Council Briefing adjourned at 4:34 p.m.

Cheryl Aragon, Interim City Clerk

Council Agenda Summary

May 19, 2020

Agenda Item Number 13

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 970-350-9743

Title:

Consideration of a resolution adopting amendments to City Council's Policies and Protocol

Summary:

Greeley's Home Rule Charter §3-3 provides that the City Council (Council) shall determine its own rules of procedure. Accordingly, Council adopted, by Resolution, a compilation of rules of procedure which has been amended from time to time. The compilation includes Council's roles and responsibilities provided for in the Charter and Code, as well as general practices agreed upon since the initial 1992 adoption.

During its April 28th Worksession, Council reviewed its Policies and Protocol at which time there was a consensus to make a few adjustments as summarized below:

Cover Page	<i>Change the version date and add the Resolution number (if approved)</i>
Section 8.2(a) Meeting Types – Council Meetings (page 20)	<i>Amend language to reflect Council's new Chambers location at City Center South, as well as the time change approved by Resolution in February, 2020.</i>
Section 8.2(b) Meeting Types – Worksessions (page 21)	<i>Amend language to reflect Council's new Chambers location at City Center South, as well as the time change approved by Resolution in February, 2020.</i>
Section 10.2(b) Notice of Meetings – Posting Locations (page 25)	<i>Amend language to reflect the City's website as the official posting location for notices of Council's Meetings, per a legislative change that recognizes websites as a legal and sufficient means of notification.</i>
Section 14.2(d)(3), (4), and (5) Citizen Boards and Commissions- Application and Appointment (pages 33, 34)	<i>Amend language in each subsection to recognize that interview teams may include additional staff members along with Councilmembers.</i>

During the April 28 Worksession, the Council discussed a number of other topics (summarized below) after which it was determined that no changes are needed at this time as existing language provides for needed flexibility.

- increased interaction with various Council-appointed boards and commissions via roundtables or during the annual recognition event;
- the provision of digital or remote board and commission interviews when appropriate and when desired by individual interview teams; and
- the ability to continue livestreaming Council Meetings and Worksession on the City's YouTube Channel as has been done during remote meetings the last several weeks.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	N/A
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?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

None

Other Issues and Considerations:

None

Applicable Council Priority and Goal:

Image, safety and infrastructure and growth

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
 Council's Policies and Protocol (redlined)

CITY OF GREELEY, COLORADO

RESOLUTION NO. _____, 2020

**A RESOLUTION ADOPTING AMENDMENTS TO CITY COUNCIL'S POLICIES AND
PROTOCOL**

WHEREAS, §3-3 of the Greeley City Charter provides that City Council shall determine its own rules of procedure; and

WHEREAS, City Council adopted a compilation of rules and procedure in 1992 which has been amended from time to time, with the last amendment in March, 2020 to provide for remote meetings; and

WHEREAS, the *Policies and Protocol* provides for amendment of the rules by resolution; and

WHEREAS, a review was conducted with the City Council on April 28, 2020, and there was interest in only a few minor changes in Sections 8.2, Meeting Types; 10.2, Notice of Meetings; and 14.2 Citizen Boards and Commissions.

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

Section 1. Sections 8.2, 10.2, and 14.2 of the City Council *Policies and Protocol* is amended to read as shown in Exhibit A (redlined):

Section 2. This Resolution shall become effective immediately following its passage.

PASSED AND ADOPTED, SIGNED AND APPROVED this 19th day of May, 2020.

ATTEST

THE CITY OF GREELEY, COLORADO

City Clerk

By: Mayor

City Council

Policies & Protocol

March 2020



City of Greeley, Colorado

VISION STATEMENT

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.

Adopted:	Resolution No. 05, 1992 (02/18/1992)	
Amended:	Resolution No. 11, 1992 (05/05/1992)	Resolution No. 42, 2005 (09/06/2005)
	Resolution No. 14, 1992 (06/02/1992)	Resolution No. 06, 2007 (02/20/2007)
	Resolution No. 03, 1996 (01/16/1996)	Resolution No. 06, 2010 (01/05/2010)
	Resolution No. 54, 2002 (10/01/2002)	Resolution No. 09, 2011 (02/15/2011)
	Resolution No. 52, 2003 (08/19/2003)	Resolution No. 03, 2012 (01/17/2012)
	Resolution No. 43, 2004 (08/03/2004)	Resolution No. 21, 2013 (04/16/2013)
	Resolution No. 21, 2005 (05/17/2005)	Resolution No. 15, 2016 (02/16/2016)
		Resolution No. 85, 2017 (10/17/2017)
		Resolution No. 12, 2020 (03/17/2020)

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1

Authority and Purpose

1.1 Charter

Section 3-3 of the Charter of the City of Greeley provides that the Council shall determine its own rules of procedure. Upon adoption by the Council, the following set of rules shall be in effect until such time as they are amended or new rules adopted in the manner provided by these rules.

1.2 Purpose

This document is intended as a general guide to various legislative activities and compiles policies relative to the actions of the Greeley City Council.

2

Suspension & Amendment of these Rules

2.1 Suspension

Any provision of these rules not governed by the Greeley City Charter, Greeley City Code, or Federal or State law, may be temporarily suspended by a vote of a majority of Council.

2.2 Amendment

These rules may be amended or new rules adopted, by a majority vote of all members of the Council by Resolution.

3

Roles, Responsibilities & Time Commitment

3.1 Mayor

a. Recognized as head of the City Government for all ceremonial purposes. [Charter § 3-2(a)]

b. Preside over meetings of the City Council. [Charter § 3-2(a)]

c. Has same speaking and voting rights as any other member. [Charter § 3-2(a)]

d. Shall in no case have the power to veto. [Charter § 3-2(a)]

e. Executes and authenticates legal instruments requiring signature. [Charter § 3-2 (a)]

f. Shall be the conservator of peace, and in emergencies may exercise within the City the powers conferred by the Governor of the State of Colorado for purposes of military law, and shall have the authority to command the assistance of all able-bodied citizens to aid in the enforcement of the ordinances of the City and to suppress riot and disorder. [Charter § 3-2(b)]

g. Designate a written emergency succession order for the remaining Councilmembers. [Charter § 3-2(b)]

h. Leads the Council into an effective, cohesive working team.

i. Appoints standing Council committees and Council liaisons to other boards or committees.

j. Serves as the Council's primary point of contact for the City Manager.

k. Meet with the City Manager at least weekly.

3.2 Mayor Pro Tem

Performs the duties of the Mayor if the Mayor is absent or disabled. [Charter § 3-2(a)]

3.3 All Members of Council

a. Inspire public confidence in Greeley's City government.

b. All members of the City Council, including the Mayor and Mayor Pro-Tem, have equal votes. No Councilmember has more power than any other Councilmember, and all should be treated with equal respect.

c. City Council as a whole is the corporate authority of the City of Greeley. (Charter § 3-1)

d. City Council has the power of legislative authority as provided by law. (Charter § 3-1)

The fiscal and service impact, including enforcement, of new legislation should be carefully considered.

e. City Council shall appoint, and have the power to remove, a City Manager, City Attorney, and Municipal Judge and conduct a periodic performance review. (Charter § 4-1, § 4-3, § 6-1, § 7-1)

f. Appoint or designate an Interim City Manager during the period of a vacancy or prolonged absence of the City Manager. (Charter § 4-1)

g. No member of Council shall be appointed City Manager during the term for which the member of Council shall have been elected nor within one year after the expiration of the member's term. (Charter § 4-1)

h. Provide advice and consent to the City Manager for the appointment, or removal, of a City Clerk and a Director of Finance. (Charter § 3-9, § 5-1)

Confer with the City Manager, as requested by the City Manager, on the appointment or removal of other senior management staff.

i. Appoint advisory board and commission members and review each group every three years. (Charter § 2-8)

j. Have the authority, in order of the emergency succession order designated by the Mayor, to suppress riot and disorder, and may exercise all powers conferred by the Governor of the State for purposes of military law. [(Charter § 3-2(b)]

k. As provided by Charter, the Council shall be the judge of the election and qualifications of its own members. (Charter § 3-3)

l. Adopt an annual budget and make appropriations by ordinance. (Charter § 5-15)

m. Annually set a tax levy to be certified to the County Commissioners. (Charter § 5-14)

n. Authorize debt as provided by law. (Charter, Part IV of Article V)

o. Council shall determine its own rules of procedures. (Charter § 3-3)

p. Council may compel the attendance of absent members in such manner and under such penalties as the Council may provide. (Charter § 3-3)

q. Council shall approve the minimum and maximum schedule of compensation for boards, commissions, and all employees of the City. (Charter § 3-4)

r. The Council, or a duly authorized committee thereof, may investigate any agency and the official acts of any officer or employee thereof, and may compel by subpoena, attendance and testimony of witnesses and production of books and documents. (Charter § 3-4)

s. The Council shall provide for enforcement of its ordinances. (Charter § 3-4)

t. Powers expressly withheld from Council: Except for the purpose of inquiry, the Council and members of its committees, shall deal with the administrative service solely through the City Manager and neither the Council nor any member thereof shall give orders to any subordinate of the City Manager either publicly or privately. (Charter § 3-4)

u. City Council may enter into agreements, contracts and leases with governmental and private entities according to policy established for such purpose. (Charter § 3-5)

- v. City Council shall provide for an annual financial audit of the municipal government. (Charter § 3-8)
- w. Be prepared to invest at least twenty to thirty hours per week in meetings, events and activities as an elected official.
- x. Review Council protocols and procedures at least annually.
- y. Participate in an annual retreat to review the City’s vision and formulate goals and objectives.
- z. Represent the City at ceremonial functions at the request of the Mayor.
- aa. Meet individually with the City Manager as desired.

3.4 Time Commitment

Councilmembers may expect to invest an estimated twenty to thirty or more hours per week in their role as an elected official in communicating with members of the community, meeting preparation including extensive review of various reports, and meeting attendance.

1. Additional time would be typical for the Mayor, Mayor Pro Tem, and Councilmembers serving as City representatives on regional, state or national commissions or committees.
2. The usual meeting schedule includes a weekly meeting of the Council; one or two sessions monthly with the City Manager; one monthly session with the County Commissioners and/or other governmental agencies; and periodic sessions to interview candidates for appointive boards/commissions.

4

Code of Ethics

4.1 Purpose

Code of Ethics & Code of Conduct

The proper operation of democratic government requires that actions of public officials be impartial; that government decisions and policies be made in the proper channels of government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a Code of Ethics is adopted to establish guidelines for ethical standards of conduct by setting forth those acts or actions that are incompatible with the best interests of the City, and by directing disclosure of private financial or other interests in matters affecting the City of Greeley.

4.2 Definitions

a. *Anything of Value* - Such as money, property, favor, service, payment, advance, forbearance, loan, guarantee of loan, or promise of future employment. Does not include the solicitation, acceptance or receipt of political campaign contributions regulated by law, or hospitality extended for a purpose related to city business by a person, or items of nominal value such as souvenir type items and also meals, lodging, travel expenses, or tickets to sporting, recreational, educational, or cultural events.

b. *Confidential Information* - All information, whether transmitted orally or in writing, which is of such a nature that it is not, at that time, a matter of public record or public knowledge.

c. *Person* - Any business, individual, union, committee, club, other organization, or group of individuals.

d. *Public Official* - For purposes of this section, public official shall include the Mayor, members of Council, and members of any board, commission, authority, or committee.

4.3 Ethics Code

Public Officials shall:

a. Strive to protect and enhance the reputation of the City of Greeley.

b. Treat all persons equally with courtesy and impartiality, and refrain from granting special advantage to any person beyond what is available to all citizens.

c. Avoid real or potential conflicts between private and public duties, remembering that the public interest must be the principal concern.

d. Keep undisclosed all confidential information acquired by reason of one's position which may be used for personal or financial gain, consistent with the public's right of access to public information.

e. Refrain from securing special privileges or exemptions for one's self or any other persons that are not available to all citizens.

f. Avoid receiving, soliciting or otherwise obtaining anything of value from any person which is intended to influence or reward the performance of official duties.

g. Avoid exceeding one's authority or asking for special consideration or asking other persons to do so.

4.4 Disclosure

Public officials shall declare to the appropriate authority the nature and extent of any financial or personal interest in a City contract or other

legislation as provided in Section 11.6 of these Rules (Conflicts of Interest), or 4.20 (Purchasing) of the Greeley Code of Ordinances, report gifts and honoraria as may be required by state law, and any other applicable disclosure laws.

Code of Conduct

4.5 Purpose

Greeley's governance relies on the cooperative efforts of elected officials, city staff and many other members of the City and the broader community. There are a variety of complex issues involved in running a City organization, pressures of huge workloads, and decisions made that impact the lives of thousands of community members. As a result, issues can often become contentious. Despite these pressures, elected officials are called upon to exhibit appropriate conduct at all times and demonstrate respect for every individual through their words and actions. This Code of Conduct describes the manner in which Councilmembers should treat one another, city staff, constituents, and others they come into contact with in representing the City of Greeley.

4.6 Code of Conduct

a. Council conduct with one another in public meetings:

- i. **The Use of formal titles.** The Council may choose to refer to one another formally during the beginning of Council meetings as Mayor, Mayor Pro Tem, or Councilmember followed by the individual's last name to acquaint the audience with the meeting participants. Then, addressing one another informally is encouraged to create for the audience a more welcoming tone.
- ii. **Practice civility, professionalism and decorum in discussions and debate.** Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. Be respectful of diverse opinions.
- iii. **Honor the role of the Mayor in maintaining order and equity.** Respect the Mayor's efforts to focus discussion on the agenda item under consideration. Objections to the presiding officer's actions should be voiced politely and with reason, following parliamentary procedures.
- iv. **Demonstrate effective problem-solving approaches.** Councilmembers have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole. Councilmembers are role models for residents, business people and other stakeholders involved in public debate.

v. **Be respectful of other people's time.** It is important to be punctual and that the meetings start on time. Stay focused and act efficiently during public meetings.

b. *Council conduct with one another in private encounters:*

i. **Continue respectful behavior in private.** The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

ii. **Be aware that even private conversations can have a public presence.** Elected officials are always on display; their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

c. *Council conduct with other public agencies.*

i. **Be clear about representation when attending other agency meetings or events.**

1) If a Councilmember appears before another governmental agency or organization to give a statement on an issue, the Councilmember must clearly state whether the Councilmember's statement reflects personal opinion or is the official stance of the City, and if appropriate, whether it is the majority or minority opinion of the Council.

2) If the Councilmember is representing the City, the Councilmember must support and advocate the official City position on an issue, not a personal viewpoint.

3) If the Councilmember is representing another organization whose position is different from the City, the Councilmember should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Councilmembers should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

ii. **Correspondence also should be equally clear about representation.**

- 1) City letterhead may be used when the Councilmember is representing the City and the City's official position, and the City Manager's Office will prepare, transmit, and retain the correspondence as part of the public record. Note cards will be made available to Councilmembers for use in transmitting individual expressions of gratitude, congratulations, etc.
- 2) City letterhead should not be used for correspondence of Councilmembers representing a personal point of view, or a dissenting point of view from an official Council position.

d. *Council Conduct with City Staff:*

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implements and administers the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- i. **Treat all staff as professionals.** Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. As with Council colleagues, practice civility and decorum in all interactions with City staff.
- ii. **Channel communications through the appropriate senior City staff.** Questions and requests for information should be directed only to the City Manager, Assistant City Manager, City Attorney, Municipal Judge, or Department Heads. The City Manager should be copied on or informed of any request to Department Heads. When in doubt about what staff contact is appropriate, Councilmembers should ask the City Manager for direction.
- iii. **Respect the City Manager's work program.** Councilmembers are encouraged to continually share ideas, suggestions, and feedback. The time and resources needed to develop and implement these ideas and suggestions, however, can sometimes compete with the time and financial resources needed to fulfill Council's established goals and priorities. To assist in balancing these competing requests, Councilmembers should consider handling petitions, generally categorized, as follows:
 - 1) Routine requests for action or information made directly to staff.

- a) For routine requests for action (i.e. reports of property nuisance or safety concerns), Councilmembers should depend on staff to respond by contacting the City Manager's Office with information about the request. This type of request can be forwarded to the City Manager at any time rather than waiting for a formal referral at a Council meeting. The same protocol outlined in Section 6.2 of these policies, regarding communication and correspondence, can be utilized and will help ensure a timely response.
 - b) Routine requests for information or reports that may take less than an hour for staff to fulfill should be made directly to the appropriate department head or to the City Manager.
- 2) Significant requests requiring Council consensus.
- a) Requests for additional information or reports that may take more than one hour to fulfill should be presented as a formal petition at a Council meeting so the information project, or modification of current reporting practices, can be considered by the Council as a whole and agreed upon as something that merits an investment of staff time.
 - b) Policy or program modifications. Requests to research and analyze the viability of new or modified legislation, policies, or programming should be presented as a formal petition at a Council meeting so the matters can be considered by the Council as a whole and agreed upon as something that merits an investment of staff time.
- iv. **Refrain from soliciting political support from staff.** Refrain from soliciting any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from city staff at work. Staff certainly may, as any other citizen, support political candidates away from the workplace. The City will distribute campaign literature to City employees at work if it arrives by mail and includes the employee's department/division in the mailing address. The City as an employer, however, prefers that personal mail for

employees, including campaign material, be sent to their home address.

- v. **Never publicly criticize an individual employee.** Criticism is differentiated from questioning facts or the opinion of staff. All critical comments about staff performance should only be made to the City Manager through private correspondence or conversation. Comments about staff in the office of the City Attorney or Municipal Judge should be made directly to these executives through private correspondence or conversation.
- vi. **Do not get involved in administrative functions.** Avoid any staff interactions that may be construed as trying to shape staff recommendations. Councilmembers shall refrain from coercing staff in making recommendations to the Council as a whole.
- vii. **Do not attend staff meetings unless requested by staff.** Even if the Councilmember does not say anything, the Councilmember's presence may imply support, show partiality, intimidate staff, or hamper staff's ability to do its job objectively.
- viii. **All Councilmembers should have the same information with which to make decisions.** Council may expect that staff will make every attempt to provide each member of Council with the same information (i.e. requests made of staff for information will be distributed to all; correspondence to one Councilmember will be distributed to all).

e. Council Conduct with Boards and Commissions.

The City has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

- i. **Maintain an active liaison relationship.** Appointed Council liaisons are encouraged to attend all regularly scheduled meetings of their assigned Board or Commission.
- ii. **Attending board meetings, generally.** Councilmembers may certainly attend any board or commission meeting, which is open to any member of the public. Remember, however, that a Councilmember's presence can affect the

conduct of the meeting and limit the board's role and function.

- 1) Any comments made at a meeting of a board for which the Councilmember is not an appointed liaison should be identified as the Councilmember's personal views or opinions and not the official position of the Council.
- 2) Since the attendance of 3 or more Councilmembers constitutes a legal Council meeting, Councilmembers should advise staff of their planned attendance so appropriate and timely public notification can be prepared and posted.

- iii. **Limit contact with Board and Commission members to questions of clarification.** It is inappropriate for a Councilmember to contact a Board or Commission member to lobby on behalf of an individual, business, or developer, or to advocate a particular policy perspective. To clarify a position taken by a board, Councilmembers should contact staff.
- iv. **Boards are advisory to the Council as a whole.** The Council as a whole, and not individually, appoints individuals to serve on boards and any removal of a boardmember is also Council's responsibility as a group. Appointments should be based solely on established diversity goals and membership parameters. An appointment should not be used as a political "reward."
- v. **Be respectful of diverse opinions.** A primary role of the City's boards is to represent many points of view in the community and to provide Council with advice based on a full spectrum of concerns and perspectives. Councilmembers must be fair and respectful of all residents serving on boards.
- vi. **Keep political support away from public forums.** Boardmembers may offer political support to a Councilmember but only in a forum outside the official duties of the board. Conversely, Councilmembers may support boardmembers who are running for office but not in an official forum in their capacity as a Councilmember.
- vii. **Concerns about an individual Board or Commission member should be pursued with tact.** Inappropriate behavior by a boardmember should be noted to the City Manager or designee, and the Manager or designee should counsel the boardmember. If the behavior continues, the

Manager should forward the matter to Council for consideration of removal from the Board, pursuant to Section 2-8 of the Greeley Charter.

f. *Council conduct with the public.*

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Councilmembers toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

i. In public meetings:

- 1) **Be welcoming and respectful to speakers.** Addressing Council at public forums can be a daunting experience even for the most seasoned speaker. Some issues for which Council will make a decision may affect people's daily lives and their homes. Some decisions are emotional. The way in which a speaker is treated can do a lot to help them relax and convey a message, and not elevate emotions to a higher level of intensity.
- 2) **Be fair and equitable in allocating public hearing time.** The Mayor will determine and announce limits on speakers at the start of the meeting or public hearing. Generally, each speaker will be allocated three minutes; applicants and appellants or their designated representatives will be allocated more time. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit information to new information and points of view not already covered by previous speakers. No speaker should be turned away unless the speaker exhibits inappropriate behavior. Each speaker may only speak once during a hearing unless Council requests additional information or clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Mayor reopens the public hearing for a limited and specific purpose.
- 3) **Listen actively.** Being attentive and making eye contact will make speakers feel they are being heard. Be aware of facial expressions that could be interpreted as "smirking," disbelief, anger or boredom.
- 4) **Ask for clarification; avoid debate and arguments.** Questions from Council to speakers should seek to clarify or expand information. Avoid challenging or

criticizing speakers. If a speaker is off the topic or exhibits behavior or language that is disturbing, the Mayor should interrupt, focus the speaker, and maintain the order and decorum of the meeting.

ii. In unofficial settings:

1) **Make no promises on behalf of the Council.**

Councilmembers will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, plant new flowers in the median, etc.)

2) **Make no personal comments about other Councilmembers.**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Councilmembers, their opinions and actions.

3) **Remember that despite its impressive population figures, Greeley is a small town at heart.**

Councilmembers are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Greeley. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Councilmembers, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

5

Common Practices & Expectations

5.1 Purpose

The purpose of this chapter is to enhance the administration of City Council business activities by documenting accepted practices and clarifying expectations. Although it cannot integrate all practices and expectations that may exist, a summary of some of the most prominent ones are being listed.

5.2 Election Methods

With the goal of encouraging the greatest possible voter participation in City elections, the methods of election preferred are (1) coordinating the City election with Weld County whenever possible, and if not possible, (2) conducting the election independently by mail.

5.3 Performance Evaluations

- a. Personnel reporting directly to City Council: Annual performance assessments should be completed by March 1st.
- b. Council self assessment: Council may conduct a self assessment as desired.

5.4 Council Orientation

An orientation for newly elected members of Council will be provided and participation is anticipated. An orientation for Mayoral and Council candidates also will be provided.

5.5 Annual Report to the Community

A report to the community, regarding accomplishments and plans of the community’s local government, is to be furnished each year. The anniversary of Greeley’s incorporation, April 6th, is an appropriate time to deliver the report to the community.

6

Communication & Correspondence

6.1 Communication Tools

To enhance communications with the public and City staff, cellular phones, computers, and supporting services may be provided to the Mayor and Members of Council during their term of office.

- a. Cellular telephones and supporting cellular service may be provided, if desired, to the Mayor and Members of Council within the City Council program budget and agreed upon by Council. A total of \$40.00 per month will be reimbursed for cellular telephone service for each member of Council.
- b. A City-purchased computer and/or supporting internet provider service, if desired, may be provided to the Mayor and Members of Council within the City Council program budget and agreed upon by Council. A total of \$50.00 per month will be reimbursed for internet service for each member of Council.
- c. While City staff will maintain computer applications related to City affairs, staff cannot provide assistance for personal computer applications.

6.2 Communication & Correspondence

The City of Greeley invites and encourages members of the community to participate in local government affairs and help shape local decisions. One way to participate is direct communication with Councilmembers through telephone calls, postal and electronic mail, and addressing elected and appointed officials at public meetings.

An established practice will help ensure that Council/constituent communications receive timely acknowledgement and response from staff, appropriate distribution, and proper disclosure and

retention according to the State's open records law and the City's records retention requirements. An additional benefit of the protocol is to make certain the City Manager is aware of the issues of interest to the community and any emerging trends or problem areas.

a. Protocol. Depend on staff to respond to citizen requests for action and other communications whether Council receives the information by telephone call, by letter, electronic mail, or through conversation in an informal setting or in a public meeting. Councilmembers may either:

- i. Provide the City Manager's contact information to the individual, or
- ii. Take a name, contact information and nature of the communication and forward the information to the City Manager's Office for response.

b. Staff Response. The City Manager will forward the communication to the appropriate department, the department is expected to respond to the request and report back to the Manager's Office as well as notify the requestor that the investigation has been completed and if action has already been or will be taken to remedy the concern. The Manager's Office will notify the Councilmember of the results so as to inform the Councilmember of the response status.

- i. The City Manager may utilize communication tracking systems to assist in managing this function.
- ii. Generally, staff's response will be in the same format as the communication received unless otherwise requested or deemed appropriate (i.e. a request for action received via e-mail likely would receive an e-mail response).
- iii. Anonymous correspondence or other communication will not be addressed unless staff determines the issue is compelling enough to be processed (i.e. a major health or safety matter).

c. Correspondence received via postal mail at City offices. The City Manager's Office will be responsible for managing the correspondence received through the mail for City Council. Unless a different process is provided or required by law, staff will open the correspondence (unless it is marked personal or confidential), confer with Council, and provide a response. Responses will be signed by the Councilmember to whom the correspondence was addressed, and the Mayor will sign those addressed to Council as a whole.

d. Citizen Input at Council Meetings. A sign-up sheet will be available at meetings to record contact information. Most often, a speaker's questions can be answered at the meeting. If more information is needed in order to provide a response, the City Manager's Office will contact the speaker as soon as possible after the meeting. If a speaker's expectations are unclear, the Mayor or Manager should ask the speaker to clarify the speaker's desired outcome for the request made.

e. Electronic mail (e-mail) management. E-mail is simply mail in an electronic format. Mail received or sent, in any format, contains a variety of information, or *content*, and each e-mail should be managed in a way that is appropriate for its content. Treat each e-mail as if it were received in a paper format through the mail. Council's e-mail likely will fall into two general categories:

- i. *Transitory e-mail* – For most users, most e-mail messages fall within this category. These temporary messages are retained only until the material has been read and is no longer useful. It is general documentation of extremely short-term value, including drafts and worksheets, desk notes, copies of materials circulated for informational "read only" purposes, and other records with preliminary or short-term informational value. Some are even considered "non-records" such as advertisements, catalogs, bulletins, what is commonly referred to as "junk" mail, etc. The e-mail should be deleted as soon as it is read or no longer useful.
- ii. *E-mail having lasting value* – An e-mail with lasting value is to be retained according to the City's *Records Retention Schedule*, and the retention period varies according to the informational content of the message. The content of this type of e-mail usually can be characterized as either (a) correspondence, or (b) policy issues. Councilmembers are encouraged to forward these e-mails to the City Manager's Office for appropriate response (to correspondence) and retention (correspondence has a minimum retention of one year; some policy matters carry a permanent retention period). After the e-mail has been forwarded to the City Manager's Office, the e-mail should be deleted from the Councilmember's computer.

Compensation, Travel & Special Events

- a. Council shall receive compensation as provided by ordinance.

b. During their term, the Mayor and Members of Council are authorized to participate at their own expense in any fringe benefit program available to City employees.

c. Council shall review its compensation at least once every four (4) years, to begin after May 12, 2004.

7.2 Travel - Purpose

Recognizing that it is in the interest of constituents for Councilmembers to attend various meetings, especially meetings of the National League of Cities and the Colorado Municipal League, for the purpose of learning about current issues affecting local government and to gain information that will be useful in making policy decisions, the City Council establishes the following guidelines for Councilmember educational and city government relevant travel.

7.3 Travel - Guidelines

a. Expenses will be reimbursed in accordance with the schedule established for city employees. If a Councilmember's spouse or a guest accompanies the Councilmember to a conference, event registration for the spouse or guest shall be reimbursed.

b. Each Councilmember shall be reimbursed for attendance at the CML Annual Conference.

c. Each Councilmember shall be reimbursed for attendance at no more than one of the two NLC conferences each year.

d. Attendance at other conferences or educational programs out-of-state shall be reimbursed only as a substitute for NLC, for example, National Civic League.

e. Attendance at out-of-state meetings, seminars, workshops, etc., on a specific topic or to represent the city shall be authorized by the Council and will generally be limited to one member for such meeting or workshop.

f. Council may allow one member to serve on an NLC committee and reimburse expenses for two additional meetings per year.

g. As the budget allows, attendance at in-state meetings related to city business shall be reimbursed.

7.4 Special Events

It is often desirable to have City representation, or to show City support for community functions/events. The charge to attend these events may vary and reimbursement will be made to Councilmembers based on the general guidelines provided in Section 7.3 of these Rules and within the City Council program budget.

8

- a. The City government is directly involved as a sponsor or participant.
- b. The event is sponsored by another public agency and having city representative(s) is important.
- c. The event is sponsored by a community organization which the City is a member or which the City provides financial support and City representation is important.
- d. Reimbursement for spouse/companion would be authorized in the event the Mayor or designated attendee was attending an event as the official City representative.

Meetings of Council

8.1 Defined

A meeting is defined as any kind of gathering, including telephone calls, of three (3) or more members of City Council, held to discuss public business. (Code Chapter 2.04)

8.2 Meeting Types

a. Council Meetings. Meetings of the City Council are sessions held to consider public business and take formal action.

- i. The Council shall meet in regular session on the first and third Tuesdays of each month in Council Chambers/~~School District 6 Board Room at 1025 9th Avenue~~ in City Center South at 1001 11th Avenue, and beginning at ~~6:30~~ 6:00 p.m. By motion, the Council may, from time to time, alter the foregoing schedule.
- ii. The Council may meet in special session, scheduled no sooner than twenty-four (24) hours from the time it is called, to consider items of business that require the immediate or special attention of the City Council. The special session shall be called by either motion at a regular meeting, or by the Mayor and any three (3) members of the City Council, as evidenced by signatures on a notice and call of special meeting, and a notice to all members of the City Council, personally served or left at his or her usual place of residence, by telephone or by electronic transmission by the City Clerk.

b. Work sessions. Work sessions of the City Council are sessions held to consider public business and take no formal action except:

- i. A motion to conduct an executive session in conjunction with the work session; or

- ii. A motion to call a special City Council meeting for the sole purpose of conducting an executive session.

The regular work sessions of the City Council shall be held on the second and fourth Tuesdays of each month in the Council's Chambers/~~School District 6 Board Room at 1025 9th Avenue~~ in City Center South at 1001 11th Avenue, and beginning at ~~6:30~~ 6:00 p.m. By motion, the City Council may from time to time alter the foregoing schedule. Special work sessions may be scheduled in the same manner as provided for special Council meetings.

c. Town meetings. Town meetings of the City Council are work sessions held throughout the City within each of the wards, generally on an annual basis, to provide an informal setting for community discussions.

d. Adjourned Meetings. If at a regular or special meeting, Council is unable to complete its work, an adjourned meeting can be scheduled for a later time to take up its work at the point where it was interrupted, provided that no adjournment shall be for a longer period than until the next regular meeting. No meeting will be adjourned during a public hearing; however, a public hearing may be continued.

e. Executive Sessions. The Council may, upon the affirmative vote of two-thirds (2/3) of the quorum present, hold an executive session for the purpose of discussing matters allowed by law.

f. Emergency Meetings. Attempts will be made to follow Section 10.2 (Notice of Meetings) for meetings of Council held to handle matters of a natural disaster. Contrary to Section 11.1 (Quorum), a majority of the members will not be necessary to conduct the business related to a natural disaster meeting. However, actions taken at the emergency meeting shall be considered for ratification at a regular City Council meeting.

8.3 Meetings to be Public

All official meetings of the Council, except Executive Sessions, shall be open to the public and the media, freely subject to recording by radio, television, and photographic devices at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings. Members of the public shall have a reasonable opportunity to be heard under such rules and regulations as the Council may prescribe.

8.4 Electronic Participation

a. Emergency Situations. In the event a quorum is unable to meet at the day, hour, and place fixed by these rules because meeting in-person is not practical or prudent due to a public health pandemic or unforeseen emergency affecting the City, meetings may be conducted by telephone, electronically, or by other means of communication so as to provide maximum

practical notice and participation. Meetings may be held by telephone, electronically, or by other means of communication subject to the following conditions:

1. The City Manager or the Mayor determines that meeting in person is not practical or prudent, because of a public health pandemic or other unforeseen emergency affecting the City;
2. All members of the City Council can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation;
3. Members of the public are given the opportunity to hear or read all discussion, testimony and votes, in a manner designed to provide maximum notice and participation unless not feasible due to the public health pandemic or emergency;
4. At least one member of the City Council is present at the regular meeting location, unless not feasible due to the pandemic or emergency circumstances;
5. All votes are conducted by roll call;
6. Minutes of the meeting are taken and promptly recorded, and such records are open to public inspection; and
7. To the extent possible, full and timely notice is given to the public setting forth the time of the meeting, the fact that some or all members of the City Council may participate by telephone, electronically, or by other means and the right of the public to monitor the meeting from another location.

9

9.1 Presiding Officer

Meeting Participants

a. Mayor. The Mayor shall preside over meetings of the City Council and have the same right to speak and vote therein as any other member. The Mayor shall in no case have the power of veto. (Charter § 3-2)

Duties of the presiding officer include:

(1) Open the meeting at the appointed time, and call the meeting to order.

(2) Announce the business coming before the Council in accordance with the prescribed order of business, or direct the City Clerk to introduce items of business by reading the title of each agenda item.

(3) Recognize members who are entitled to the floor and ensure that ample opportunity is extended to express the opinions of constituents.

(4) State and put to a vote all questions that legitimately come before the council, and announce the results of each vote. Although not prohibited, the presiding officer generally does not propose a motion.

(5) Enforce the Council's rules relating to debate, order, and decorum at meetings.

(6) Expedite business in every way compatible with the rights of members.

(7) Decide all questions of order.

(8) Declare the meeting adjourned.

b. Mayor Pro Tem. The City Council within its membership shall elect, at its first meeting following its election, a Mayor Pro Tem who shall become acting Mayor with the same duties as provided for the Mayor in the case of absence or disability. (Charter § 3-2)

c. Temporary Chair. In case of the absence or disability of the Mayor and Mayor Pro Tem, the City Clerk shall call the Council to order and call the roll of members. If a quorum is found to be present, Council shall proceed to elect, by a majority vote of those present, a Temporary Chair to serve as presiding officer of the meeting until the arrival of the Mayor or Mayor Pro Tem at which time the Temporary Chair shall relinquish the chair upon conclusion of the business immediately before the Council.

9.2 Councilmembers

All members of Council have the right to full participation in all meetings.

Councilmembers are expected to attend all regularly scheduled Council meetings and Work sessions. In case of emergency, e.g. illness, Councilmembers should notify the City Manager, City Clerk or Mayor in advance of the meeting if at all possible. Members detained but expecting to attend should, whenever possible, notify the Mayor or City Clerk which can be done by calling the City Manager, the City Clerk, or the Police front desk, as appropriate.

Councilmembers who wish to be excused from a regular meeting should make this request as early as possible but no later than the regular meeting preceding the anticipated absence. This will assist in scheduling important items to obtain the participation and vote of all Councilmembers.

Councilmembers are expected to be in their seats one minute before meeting start time for microphone checks.

For personal security reasons, out-of-town trips will not be announced publicly in advance of or return from travel.

9.3 Executive Staff

a. City Manager. The City Manager, or the City Manager's designee, shall attend all meetings of the Council unless excused, and shall have the right to take part in all discussions of the Council, but shall have no vote.

b. City Attorney. As Council's legal representative, the City Attorney or the City Attorney's assistant shall attend all meetings of the Council unless excused, and shall have the right to take part in all discussions of the Council, but shall have no vote. Upon request, the City Attorney shall provide either a written or oral opinion on questions of law. The City Attorney shall act as Council's parliamentarian.

9.4 City Clerk

The City Clerk, or the City Clerk's designee, shall attend all meetings of the Council unless excused, and shall keep the official journal of proceedings and perform such other duties as may be requested by the Council.

9.5 Other Municipal Officials and Employees

The head of any department, or any officer or employee of the City, as directed by the City Manager, shall attend meetings of the Council.

10

Agenda and Notice of Meetings

10.1 Agenda Procedures

Prior to each meeting of Council, the City Manager shall distribute to each Councilmember:

a. A copy of the agenda of the meeting, stating therein each matter to be discussed or debated by the Council by title, description and/or synopsis.

b. A copy, in its latest form or edition, of each ordinance, resolution, or other written or printed document to be presented at the meeting, including background information, analysis and recommendation to City Council when applicable.

c. A copy of the minutes of the previous meeting.

10.2 Notice of Meetings

a. Method of Notification. The agenda of meetings, as meetings are defined in Section 8-1, shall be posted at least twenty-four (24) hours prior to the meeting. Any other notice allowable by law shall

be permissible. In addition, a reasonable effort will be made to notify the media normally covering the City Council meeting when the decision is made to call the meeting.

b. Posting Locations. Notice of a Council meeting shall be posted ~~in the north and south entryways of City Hall~~ on the City Council website (<http://greeleygov.com/government/council>). The posting location shall be designated annually at the first regular City Council meeting of each calendar year. Notices also may be posted at other appropriate locations.

11

Meeting Procedures

11.1 Quorum

A majority of the members of the entire Council shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time. The only action Council may take in the absence of a quorum is the motion to adjourn.

11.2 Rules of Order

a. Purpose. The primary purpose for use of parliamentary procedure is to protect the rights and privileges of those deliberating, and to assure that the minority is protected while facilitating the will of the majority.

b. Reference. The Scott, Foresman, "Roberts Rules of Order Newly Revised," 1990 edition, shall govern the proceedings of the Council in all cases, unless they are in conflict with these rules, the Greeley Code of Ordinances, or the Greeley Charter.

11.3 Preservation of Order

The presiding officer shall preserve order and decorum; prevent attacks on personalities or the impugning of members' motives, and confine members in debate to the questions under discussion.

11.4 Debate

a. Each member of Council has a right to speak on every debatable motion before it is acted on.

b. When recognized by the presiding officer, a Councilmember shall confine remarks to the matter or question then under discussion.

c. A Councilmember shall speak only once on the question until all other members of Council who wish to speak have had the opportunity to do so.

11.5 Voting

a. Required. The ayes and nays shall be taken upon the passage of all ordinances, resolutions, and motions and entered upon the

journal of the Council proceedings. Every member, when present, must vote unless excused by majority vote of the Council. (Charter § 3-14)

b. Voting Methods. A vote by voice shall generally be used, and a show of hands may be requested by Council or Executive Staff for verification.

A roll call vote may be requested by any member of Council. It shall not be in order for members to explain their vote during roll call.

c. Tie Vote. In the case of a tie in votes on any item or motion, the action shall be defeated. Council may reconsider the item or motion if, at the same meeting the tie vote occurred, a majority of Council votes to reconsider.

11.6 Conflicts of Interest

Upon determining that a Councilmember has a personal or private interest, potential conflict, or appearance of conflict, in a matter proposed or pending before the Council, the member shall request to speak when the agenda item with which the member has a conflict is called, and either;

a. disclose that there may be a personal or private interest, potential conflict, or appearance of conflict, in the matter and will not participate in the discussion or decision; and step down from the Council platform and leave the Chambers during the Council's discussion and action; or

b. request legal advice from the City Attorney.

NOTE: When possible the Councilmember should discuss the potential conflict before the meeting with the City Attorney.

11.7 Order of Business

a. Call to Order. The presiding officer opens the meeting by calling it to order, and may announce, "This (date) (regular or special) meeting of the Greeley City Council will come to order."

b. Opening Ceremonies. The presiding officer, or other individual or group approved by the presiding officer, may lead in the recitation of the Pledge of Allegiance to the American Flag.

c. Roll Call. After the opening ceremonies, the roll is called to verify member attendance and enter the names of those attending in the minutes to substantiate that the Council has complied with quorum requirements for holding a meeting. The presiding officer directs the City Clerk to call the roll, and may then announce the presence of a quorum.

d. Approval of Agenda. The City Manager will review the agenda, calling attention to any additions, deletions or corrections that may be necessary. Unless a majority objects, the order of business may be amended or suspended at any meeting.

e. Presentations. Proclamations, special citations, and awards are presented. With regard to proclamations:

- (1) City Council believes it to be in the best interests of the City to limit the issuance of proclamations to persons, community events and activities that are non-controversial in nature, so that the City is not perceived as taking positions on issues or causes that are the subject of significant differences of opinion within the community.
- (2) Proclamations are to be utilized exclusively for ceremonial and recognition purposes, and should promote the cultural, social, economic or intellectual welfare of the community.
- (3) Proclamations may be requested by any individual or organization, or by the Mayor or individual members of the City Council.
- (4) Proclamations should concern persons, events or activities of local interest that are non-controversial in nature. If the Mayor believes that a particular person, event or activity may be deemed controversial or not of local interest by the majority of Council, the Mayor shall consult with the Mayor Pro Tem and the City Manager to determine whether to issue the proclamation and shall notify the City Council of the decision. Any such decision may be overridden by a majority of the City Council.
- (5) Whenever possible, proclamations should be accepted by a local representative.
- (6) Proclamations will be presented to the appropriate representative, who may be provided an opportunity to make brief comments.
- (7) Upon request, the Mayor or members of the City Council may present proclamations outside of a City Council meeting, at special events or activities or other designated locations.

f. Input from members of the public. Members of the public may address the Council on any subject not already listed on the agenda by securing the permission of the presiding officer. A total of 15 minutes may be spent on Input from members of the public and individual speakers may be limited to three (3) minutes or other time based on the meeting's agenda. Persons who have notified the City Manager's Office, in advance of the meeting, of their desire to speak will be recognized by the presiding officer without further action and at the outset.

g. Reports and Petitions.

(1) Oral or written reports to Council may be made by Councilmembers, Executive Staff, other administrative officers, or Board or Commission members. The Council may:

(i) Receive the report, which means merely that the report was given. No motion is required.

(ii) Implement the recommendations of the report. A motion is made, and requires a second, to accept or reject only the recommendations of the committee, rather than the entire report.

(iii) Adopt or accept the entire report. An affirmative vote on this motion has the effect of endorsing the entire report, including all facts and explanations.

(iv) Defer the report to a subsequent meeting.

(2) Petitions. Any Councilmember may bring before the Council any business that the member feels may 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.

h. Consent Agenda. The Consent Agenda is intended to allow the City Council to expedite those items that are of a routine nature and not controversial. The Consent Agenda is provided as a convenience and time savings to the citizens attending the Council meeting.

Councilmembers or anyone in the meeting audience may request an item on the Consent Agenda be "pulled" and considered separately under "Pulled Consent Agenda Items" in the order they were listed.

Examples of items included on the Consent Agenda:

- (1) Approval of City Council proceedings (reading of the minutes shall be dispensed with unless requested by a Councilmember).
- (2) Reports on Council Work sessions, Committees, and Boards.
- (3) Introduction of Ordinances.
- (4) Resolutions.
- (5) Replats, vacations, dedications.
- (6) Contracts.

The City Clerk shall read each item on the Consent Agenda and its recommended action into the record. The Consent Agenda, after removal of any items, shall thereupon be adopted as a unit.

i. Public Hearings, Final Reading of Ordinances. Public hearings shall proceed as follows:

- (1) City Staff presentation
 - description and analysis
 - recommendation
 - subject to Council questions
- (2) Applicant or Petitioner presentation
 - subject to Council questions
- (3) Public presentation
 - subject to Council questions
 - Council may limit time of speakers
- (4) Applicant or Petitioner rebuttal, if requested
 - Council may limit time of speakers
- (5) Public discussion closed
- (6) Council discussion
- (7) Council decision

j. New Business. Includes items in which no substantive action has yet been taken by Council; such as ordinance introductions, appointments to various boards and commissions, scheduling of meetings.

k. Adjournment. Upon no further business, the Presiding Officer may simply declare the meeting adjourned.

12

General Rules

12.1 Council Chambers

a. Supervision. The Council Chambers shall be under the supervision and control of the City Clerk when Council is not in session, and may take whatever actions necessary to protect the public health, welfare, and peace, and allow for the orderly conducting of the meeting.

The Council Chambers shall be used solely for the transaction of public business of the City; or as authorized within the intent of Council policy on the use of the Council Chambers.

b. Sergeant-at-arms. The Chief of Police, or qualified representative, shall maintain the peace in the Council Chambers.

c. Seating Arrangement. Members shall occupy the respective seats in the Council Chambers assigned to them by the Mayor.

d. Smoking. Smoking shall be prohibited in the Council Chambers or the work session room.

12.2 Excusal During Meeting

Councilmembers may be excused from the remaining Council Meeting with permission from the presiding officer.

12.3 Recess

The presiding officer may call a recess not to exceed twenty (20) minutes at any time during a meeting to determine a rule of order, or at the request of a majority of Council. The presiding officer may call a recess at any time between items of business.

12.4 Journal of Proceedings

An account of all proceedings of the Council meetings shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Council.

a. The minutes for Council meetings should be primarily a record of the action taken at a meeting, not what was said by members of the Council. The minutes shall contain a separate paragraph for each subject matter and, at a minimum, reflect each subject or item considered and the language of and disposition of each motion, resolution, ordinance, or matter on which action is taken. With respect to annexation and zoning hearings, considerably more detail may be needed.

b. The minutes for Council work sessions should be primarily a record, in summary, of the discussion and any direction provided.

c. The record for executive sessions shall be as provided by ordinance.

d. Although not required for other sessions at which Council is present, a report may be prepared that lists the topics of conversation.

The minutes may be corrected or amended after they have been approved, if an error or material omission is reasonably established. In this case, the motion "to amend something previously adopted" may be used.

Ordinances, Resolutions & Motions

The hierarchy of actions taken by Council include: (1) Ordinances, (2) Resolutions, and (3) Motions.

13.1 Ordinances

An Ordinance is the most authoritative form of action the Council can take. An adopted ordinance becomes an established rule or law of the City and remains in effect until otherwise rescinded or amended by the Council.

Every ordinance shall require the affirmative vote of the majority of the membership of the entire Council for final passage. (Charter § 3-14)

The form, need, and procedure for enactment are set forth in the Greeley Charter, Article III.

13.2 Resolutions

Resolutions are acts of a relatively permanent nature and remain in effect until rescinded or amended by Council.

Generally, resolutions implement or carry out the terms of an ordinance, provide a statement of policy, or express Council's opinion on a public matter.

Resolutions shall be introduced in written form and may be adopted by a majority of a quorum of the Council upon a single reading. Resolutions need not be published, but shall be kept on public file.

13.3 Motions

a. Defined. A motion refers to a formal proposal by a Councilmember that the Council may take action upon. Motions are generally introduced by voice. However, if long or involved, motions should be in writing and, in any event, any two members of Council may ask that a motion be put in writing.

b. Classes.

(1) MAIN motions introduce items of business before Council. A main motion can be made only when no other motion is pending, and it ranks lowest in the order of precedence of motions.

(2) SUBSIDIARY motions are secondary or supplemental to the main motion and must be dealt with before the main motion can be voted on. This motion class includes those to:

- Postpone indefinitely
- Amend
- Refer to a committee
- Postpone to a certain time
- Limit or extend limits of debate
- Previous question
- Lay on the table

(3) PRIVILEGED motions are those of a more administrative function and do not relate directly to the pending question, such as:

- Call for the orders of the day
- Raise a question of privilege
- Recess
- Adjourn
- Fix the time to which to adjourn

(4) INCIDENTAL motions have no connection with the main motion, but are important enough for immediate consideration and temporarily sets aside the main motion. Examples:

- Point of order
- Appeal
- Suspend the rules
- Objection to the consideration of the question
- Division of a question
- Consideration by paragraph or section
- Division of a question
- Consideration by paragraph or section
- Division of the assembly
- Motions relating to methods of voting and the polls
- Motions relating to nominations
- Requests and inquiries

(5) MOTIONS THAT BRING A QUESTION AGAIN BEFORE THE ASSEMBLY may be made, like main motions, while no other business is pending. Examples:

- Take from the table
- Rescind or amend something previously adopted
- Discharge a committee
- Reconsider (the vote)

c. Presentation and Disposition. Unless otherwise required, the following steps shall be taken for the presentation and disposition of motions:

- (1) A Councilmember addresses the presiding officer;
- (2) the member is recognized by the presiding officer;
- (3) the member proposes a motion;
- (4) another member seconds the motion;
- (5) the presiding officer states the motion to the entire membership;
- (6) the Council debates or discusses the motion [while debate on a main motion is under way, amendments and subsidiary, privileged, and incidental motions may be introduced (if they are in order), debated (if they are debatable), and disposed of];
- (7) the presiding officer restates the motion and takes the vote on the motion; and
- (8) the presiding officer announces the results of the vote.

14.2 Citizen Boards and Commissions

a. Purpose. Volunteer citizen advisory groups may be established with a variety of roles and responsibilities, and provide formal and continuous citizen involvement in City government. Some groups are established to satisfy state or local law.

City Council anticipates and welcomes recommendations from advisory boards. In balancing the needs of the community, Council may not always adopt a board recommendation. It is expected that boardmembers honor the decision made by Council and not circumvent Council's conclusions.

b. Administrative Support. Administrative support will be provided to the various Boards and Commissions by the appropriate City department.

c. Recruitment and Qualifications.

(1) General recruitment efforts shall be made to Greeley residents with special measures being taken to balance ward representation and attract minority and special population applicants.

(2) Generally, volunteers will be limited in serving on one board or commission at a time.

(3) The number of terms served by a citizen member, with the exception of those serving on the Water and Sewer Board, will be limited to two.

(4) Absence excuses may be given by the chairpersons of each board. Excessive absences of Boardmembers may also be considered during reappointment application, and may be cause for dismissal at Council's discretion.

d. Application and Appointment.

(1) Unless otherwise stated, positions on Boards and Commissions shall be appointed by Council from applicants who have completed the appropriate application form and interview process. Greeley residents will be given appointment preference, and property owners living outside of Greeley and other non-Greeley residents may be considered on a case-by-case basis.

(2) Application forms shall be developed and made available to potential board candidates.

(3) Interview of the candidates may be conducted by ~~two member Council teams~~ an interview team consisting of two members of Council and the City's Boards & Commissions Program Coordinator/Manager (or the Coordinator/Manager's designee). Notwithstanding the above, candidates for the Water and Sewer

Board and the Planning Commission will be interviewed by the Council.

(4) At the option of the ~~Council~~ interview team the chair or chair's designee will be invited to be present at the interviews and serve as a resource for their board or commission.

(5) The ~~Council~~ interview team's recommendations for appointments will be forwarded to Council for consideration.

(6) Council appointment may be by written ballot and candidates must receive the vote of a majority of Council.

(7) Individuals appointed to fill a vacancy with an unexpired term of six months or less shall also be appointed to serve the succeeding full term.

(8) With the exception of the Water and Sewer Board members, the number of terms served by a board member generally shall be limited to two so as to allow broad citizen participation. Council may consider retaining board members beyond two terms on a case-by-case basis when such a continued appointment appears to be in the best interest of the board and the City.

e. Orientation. The citizen volunteer shall be provided the opportunity to receive an orientation and working knowledge of overall City functions and responsibilities with a specific focus on the board to which the volunteer has been appointed.

f. Council & Commission Roundtable. Dialogue between the boards and Council concerning goals and key issues is desired at least annually. In lieu of an annual roundtable, Council may utilize other methods of communications with boards and commissions, such as a periodic newsletter or triennial review.

g. Leadership Training. Members of boards who function as officers are expected to partake in training sessions which are geared toward the development of leadership skills, which may be funded from City Council's budget, if needed.

h. Recognition/Appreciation. A program to recognize the special efforts of the City's outstanding citizen volunteers, and a standard method of recognizing the service of all citizen board members may be implemented.

i. Triennial Review. With the exception of the boards and commissions authorized by the Greeley Home Rule Charter, each City board and commission will be reviewed every three years by City Council and then authorize its continuance or sunset. In preparation for the Council review, each board and commission may complete a self-assessment and submit the group's accomplishments, goals and program plan.

Council Agenda Summary

May 19, 2020

Agenda Item Number 14

Key Staff Contact: Andy McRoberts, Culture, Parks and Recreation Director, 970-350-9425

Title:

Consideration of a resolution officially naming the neighborhood park at the Northridge Estates residential subdivision as Eagleview Park

Summary:

The Parks and Recreation Advisory Board recently began the naming process for a new neighborhood park at the Northridge Estates subdivision (west of 59th Ave, south of "C" St). Upon deliberation and consideration of several iterations, the Board is recommending the name "Eagleview" Park.

The park itself is not slated for construction any timer in the near future although there has been some discussion on development of the subdivision in the next few years. The park construction will be coordinated with build-out of the subdivision and the collection of park development impact fees to pay for construction.

Naming of parks is identified in the Greeley Municipal Code, Chapter 2.29.060 (6) "To recommend to the City Council the name of new parks or renaming existing parks under the jurisdiction of the Department of Culture, Parks and Recreation", and is further outlined in the Parks and Recreation Advisory Board by-laws (attached).

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:

N/A

Other Issues and Considerations:

N/A

Applicable Council Priority and Goal:

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

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

Site map of park location

Park Naming Procedure (from Parks and Recreation Advisory Board by-laws).

THE CITY OF GREELEY, COLORADO
RESOLUTION __, 2020

A RESOLUTION OF THE GREELEY CITY COUNCIL OFFICIALLY NAMING THE NEIGHBORHOOD PARK AT THE NORTHRIDGE ESTATES RESIDENTIAL SUBDIVISION AS EAGLEVIEW PARK

WHEREAS, dedicated park property of approximately 6.05 acres has been established within the “Northridge Estates” subdivision within the City of Greeley west of 59th Avenue and south of “C” Street (north of Hunter’s Cove); and

WHEREAS, the Parks and Recreation Advisory Board reviewed a list of public submissions for general park names and added several other considerations during a series of Board meetings; and

WHEREAS, this neighborhood park and subdivision is near the Sheep Draw Natural Area and the Poudre River corridor; and

WHEREAS, the Parks and Recreation Advisory Board desires to honor wildlife, and particularly raptors, in the area; and

WHEREAS, pursuant to Greeley Municipal Code Chapter 2.29.060, paragraph (6), the Parks and Recreation Advisory Board is “to recommend to the City Council the name of new parks or renaming existing parks under the jurisdiction of the Department of Culture, Parks and Recreation”, and;

WHEREAS, at the March 6, 2020 regular meeting of the Parks and Recreation Board, the Board recommended naming this new park as “Eagleview Park”.

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

Section 1 .The City Council hereby officially names the neighborhood park within the City Center West subdivision as “Eagleview Park”.

Section 2. This Resolution shall become effective immediately upon its passage, as provided by the Greeley City Charter.

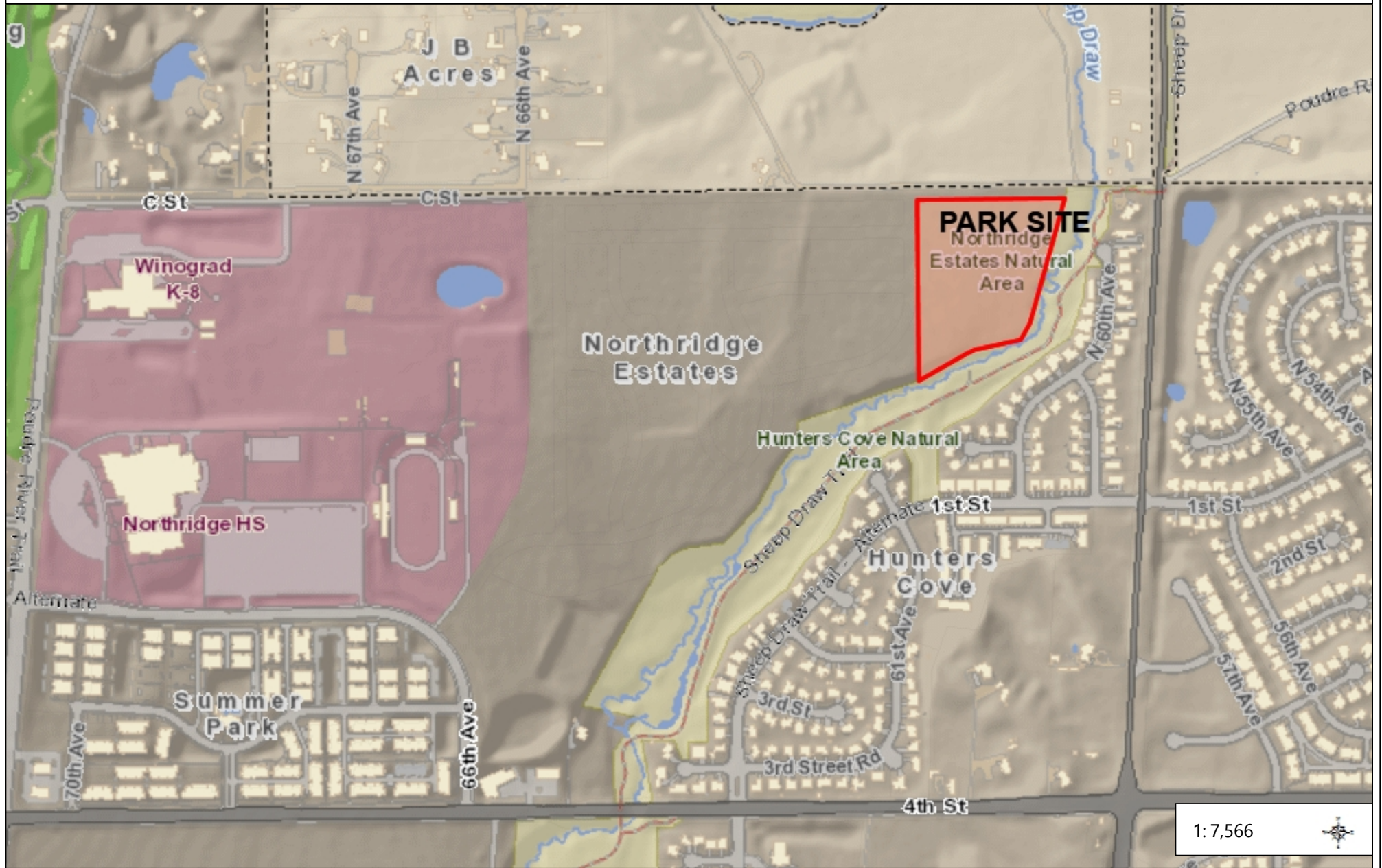
PASSED AND ADOPTED, SIGNED AND APPROVED THIS ___ day of ____, 2020.

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

John Gates, Mayor



1:7,566

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GUIDELINES FOR NAMING OF CITY PARKS/FACILITIES

- A. The City shall use the following process to name new parks:
1. The Parks & Recreation Advisory Board shall solicit public input for park name suggestions.
 2. The Parks & Recreation Advisory Board shall review the suggestions and select those which meet the criteria listed in subsection B.
 3. The Parks & Recreation Advisory Board shall select one name to recommend to City Council.
 4. The City Council shall confirm the park name by resolution.
- B. The Parks & Recreation Advisory Board shall name the park for a natural landmark, natural feature or habitat in the vicinity of the facility or park site, or a person or family who meets one or more of the following criteria:
1. Has displayed outstanding, long-term commitment and made significant contributions to the betterment of the community;
 2. Has contributed service to the community above and beyond normal;
 3. Has made noteworthy contribution to the development and improvement of parks and recreation activities;
 4. Has been prominent in the history of the development of the City of Greeley;
 5. Is worthy of public commemoration;
 6. Has performed acts of national significance;
 7. Homesteaded or was owner of the park property; or
 8. Has contributed significant funds for the specific park, or for parks and recreation in general.

Council Agenda Summary

May 19, 2020

Agenda Item Number 15

Key Staff Contact: Andy McRoberts, Culture, Parks and Recreation Director, 970-350-9425

Title:

Consideration of a resolution officially naming the neighborhood park at the City Center West residential subdivision as Calabaza Park

Summary:

The Parks and Recreation Advisory Board began the naming process for a new neighborhood park at the City Center West subdivision (east of 71st Ave, south of 4th St) in the fall of 2019. Upon deliberation and consideration of several iterations, the Board is recommending the name "Calabaza" Park. "Calabaza" is the common Spanish vernacular for "squash" or "pumpkin" and the park is near the Pumpkin Ridge Natural Area along the Sheep Draw corridor.

The park itself is not slated for construction for 2-3 years and will be coordinated with build-out of the subdivision and the collection of park development impact fees to pay for construction.

Naming of parks is identified in the Greeley Municipal Code, Chapter 2.29.060 (6) "To recommend to the City Council the name of new parks or renaming existing parks under the jurisdiction of the Department of Culture, Parks and Recreation", and is further outlined in the Parks and Recreation Advisory Board by-laws (attached).

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:

N/A

Other Issues and Considerations:

N/A

Applicable Council Priority and Goal:

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

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

Site map of park location

Park Naming Procedure (from Parks and Recreation Advisory Board by-laws).

**THE CITY OF GREELEY, COLORADO
RESOLUTION __, 2020**

A RESOLUTION OF THE GREELEY CITY COUNCIL OFFICIALLY NAMING THE NEIGHBORHOOD PARK AT THE CITY CENTER WEST RESIDENTIAL SUBDIVISION AS CALABAZA PARK

WHEREAS, dedicated park property of approximately 6.05 acres has been established within the “City Center West” subdivision within the City of Greeley east of 71st Avenue and south of 4th Street; and

WHEREAS, the Parks and Recreation Advisory Board reviewed a list of public submissions for general park names and added several other considerations during a series of Board meetings; and

WHEREAS, this neighborhood park and subdivision is near the Sheep Draw Trail and the Pumpkin Ridge subdivision and connects to the Pumpkin Ridge Natural Area; and

WHEREAS, the Parks and Recreation Advisory Board desires to honor Hispanic heritage in the Greeley area; and

WHEREAS, the name Calabaza is an accepted Spanish language word meaning ”pumpkin” or “squash”; and

WHEREAS, pursuant to Greeley Municipal Code Chapter 2.29.060, paragraph (6), the Parks and Recreation Advisory Board is “to recommend to the City Council the name of new parks or renaming existing parks under the jurisdiction of the Department of Culture, Parks and Recreation”, and;

WHEREAS, at the October 4, 2019 regular meeting of the Parks and Recreation Board, the Board recommended naming this new park as “Calabaza Park”.

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

Section 1 .The City Council hereby officially names the neighborhood park within the City Center West subdivision as “Calabaza Park”.

Section 2. This Resolution shall become effective immediately upon its passage, as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS ___ day of ____, 2020.

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

John Gates, Mayor



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GUIDELINES FOR NAMING OF CITY PARKS/FACILITIES

- A. The City shall use the following process to name new parks:
1. The Parks & Recreation Advisory Board shall solicit public input for park name suggestions.
 2. The Parks & Recreation Advisory Board shall review the suggestions and select those which meet the criteria listed in subsection B.
 3. The Parks & Recreation Advisory Board shall select one name to recommend to City Council.
 4. The City Council shall confirm the park name by resolution.
- B. The Parks & Recreation Advisory Board shall name the park for a natural landmark, natural feature or habitat in the vicinity of the facility or park site, or a person or family who meets one or more of the following criteria:
1. Has displayed outstanding, long-term commitment and made significant contributions to the betterment of the community;
 2. Has contributed service to the community above and beyond normal;
 3. Has made noteworthy contribution to the development and improvement of parks and recreation activities;
 4. Has been prominent in the history of the development of the City of Greeley;
 5. Is worthy of public commemoration;
 6. Has performed acts of national significance;
 7. Homesteaded or was owner of the park property; or
 8. Has contributed significant funds for the specific park, or for parks and recreation in general.

Council Agenda Summary

May 5, 2020

Agenda Item Number 16

Title

Pulled Consent Agenda Items

Council Agenda Summary

May 19, 2020

Agenda Item Number 17

Key Staff Contact: Benjamin Snow, Economic Health & Housing Director, 970-350-9384

Title:

Consideration of a resolution authorizing the City Manager to provide business development incentives to Roche Constructors

Summary:

The Highpointe Business Park is an office and industrial business park located at the southeast corner of US Highway 34 and State Highway 257. Over the past decade, this business park has steadily added industrial users such as Nobel Energy, PepsiCo, Weld County Crime Lab, Flatiron Steel and Vantage Hemp among others.

Roche Constructors, developer of the Highpointe Business Park, is building the core and shell of a 25,463 square foot building called "Snow Owl" on one of its remaining undeveloped lots. Upon completion, Snow Owl will provide industrial flex space ranging from 3,000 square feet to 17,000 square feet, which can then be finished to suit each tenant's individual needs. The total cost of the core and shell costs of Snow Owl will reach \$2,992,700. Roche Constructors is currently in good standing with the City of Greeley. This memo contains the criteria required for consideration pursuant to Greeley Municipal Code, Chapter 4.52.

Business-Need for Incentives

The City of Greeley currently has an industrial vacancy rate of 4.0%, which indicates a critical need for industrial buildings. Of all the prospect leads the City receives, over half of them are interested in existing buildings; however, despite the high demand for existing space, developers are reluctant to build on speculation due to the high costs of labor and materials. The City of Greeley's Speculative Development Incentive policy is intended to address these inventory concerns and assist in filling market gaps. This particular incentive is available to any qualifying project so long as current real estate market data continues to indicate a shortage of industrial inventory.

Approval of this incentive would assist Roche Constructors in funding the new Snow Owl industrial building through a sales and use tax rebate, a real property tax rebate, and a deferment of development impact fees. While the deferment of development impact fees would not reduce the total cost of the Snow Owl project, the incremental repayment of said fees based upon occupancy would improve the project's cash flow. Together, these tax rebates and fee deferrals would free up capital funds for further investment in speculative industrial development.

Qualification

Sixty eight percent (68%) of the Snow Owl building qualifies as speculative industrial development, meaning the construction of the core and shell of the building has been

initiated without an identified user. Total investment in new construction will reach \$2,922,700 and the building itself will provide 25,463 square feet of industrial flex space. The land on which Snow Owl will be built is zoned for Industrial use and all public infrastructure is in place. The proposed project meets the criteria of G.M.C. 4.52.020.

Evaluation of Criteria in G.M.C. 4.52.030

(1) The degree to which the proposed waiver, rebate, or payment is needed or desired to facilitate a new business development or net new jobs of a business.

The Snow Owl industrial building will add an additional 25,463 square feet of industrial flex space to the Greeley market at a time when inventory levels are still very low. This additional space will provide Greeley with greater competitive advantage in attracting new businesses to the area as well as retaining existing businesses who wish to expand. The tax rebates and fee deferments provided through this incentive would mitigate costs associated with this speculative industrial development.

(2) The degree of revenue enhancement potential to the City.

Using the City tax calculation sheet, the project is expected to generate approximately \$19,967.27 in permit and plan review fees, \$49,464.60 in development impact fees, \$35,216.99 to the City in direct tax revenue and \$10,918.81 in annual real property taxes (excluding years 1 and 2 when the project would receive a 100% rebate).

Once tenants are in place, additional personal property tax revenue and sales tax revenue from consumer spending can be expected, although the exact figures of these revenue streams would be dependent upon the cost of tenant finishes, the number of jobs created, and the wages of these new jobs.

(3) The potential impact and benefits of the business and its additional employees to the established community plans, Master Plan, and City Council policies and goals.

The Snow Owl industrial building has a total project investment of \$2,992,700 and creates 25,463 square feet of industrial flex space (17,313 square feet net of the 32% that has been preleased). This will increase City revenue and increase economic development in the City of Greeley. This project aligns with the established community master plans, and the City Council policies and goals to maintain our community's economic vitality.

(4) The extent the waiver, rebate, or payment will result in a revenue enhancement which has already been previously anticipated and reflected in the annual budget, in which case the payment may be denied to avoid unanticipated budgetary impacts.

The Snow Owl industrial building will result in an immediate positive revenue impact to the City which has not been previously anticipated and has not been previously reflected in the City's annual budget, as is the nature of ongoing economic development activities.

(5) The extent that the business and its additional employees may impact the health, safety and welfare concerns of the city.

The on-going growth and development of an existing business park, the increase in investment, expanded property utilization, and net new employment is deemed to outweigh the general impacts of the greater utilization of city services associated with business development and residential in-migration. The City tax worksheet reflects a new tax revenue stream from operations, which should adequately fund any unforeseen or unintended negative consequences and mitigate their impact to the health, safety and welfare concerns of the City.

Fee and Waiver Sheet for City Incentives

Fees & Taxes	Normal Fee	Waiver/Refund /Deferral	Net to City after Incentives
Building Permit	\$12,882.11		
Plan Review Fee	\$7,085.16	\$0.00	\$19,967.27
Sales Tax on Building Materials	\$61,499.99	\$26,283.00	\$35,216.99
		\$26,283.00	
Police*	\$763.89	\$763.89	\$763.89
Fire/Rescue*	\$3,310.19	\$3,310.19	\$3,310.19
Storm/Drainage*	\$4,420.55	\$4,420.55	\$4,420.55
Transportation*	\$40,969.97	\$40,969.97	\$40,969.97
		\$49,464.60	
Year 1 Real Property Tax	\$10,918.81	\$10,918.81	\$0.00
YEAR 1 TOTAL	\$141,850.66		\$104,648.86

Fees & Taxes	Normal Fee	Waiver/Refund	Net to City after Incentives
10 Year Real Property Tax	\$109,188.06	\$21,837.61	\$87,350.45
10 YEAR TOTAL	\$109,188.06	\$21,837.61	\$87,350.45

***Development impact fees deferred until certificate of occupancy (2 year limit)**

	Full Incentive Value	Eligible for This Project = 68%
Sales & Use Tax Rebates	\$26,283.00	\$17,872.44
Development Impact Fees Deferred	\$49,464.60	\$33,635.93
Property Taxes Rebated (2 years)	\$21,837.61	\$14,849.58
Total Fees and Waivers per Industrial Spec Program	\$97,585.21	\$66,357.94

ABOVE CALCULATIONS SUBJECT TO CHANGE

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$51,508.37 (fees only)
What is the annual impact?	\$7,424.79 (property taxes for year one of two)
What fund of the City will provide Funding?	General Fund
What is the source of revenue within the fund?	Fees and Taxes paid by Roche Constructors
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:

None.

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

Economic Health & Development: Foster and maintain public and private investment in business development.

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 NO. _____, 2020

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROVIDE BUSINESS DEVELOPMENT INCENTIVES TO ROCHE CONSTRUCTORS WITHIN THE CITY OF GREELEY, COLORADO

WHEREAS, the City Council of the City of Greeley, Colorado pursuant to Colorado statute and the Greeley Home Rule Charter, is vested with the authority of administering the affairs of the City of Greeley, Colorado; and

WHEREAS, the City Council of the City of Greeley, Colorado is desirous of promoting economic development within the City of Greeley, Colorado for the purpose of stimulating the general economic well-being of the City; and

WHEREAS, Roche Constructors intends to complete the core and shell of a new 25,463 square foot industrial building located at 11520 21st Street; and

WHEREAS, the proposed investment for the project is \$2,992,700; and

WHEREAS, the project is eligible for the property tax rebate, sales tax rebate, and development impact fee deferral contained in the Greeley Municipal Code Chapter 4.52. Based upon total project investment of \$2,992,700 the project is eligible for a maximum sales/use tax rebate of \$17,872.44, a maximum real property tax rebate of \$14,849.58, and a development impact fee deferral of \$33,635.93. The project is therefore eligible for a total business development incentive of \$32,722.02 in tax rebates and \$33,635.93 in fee deferrals.

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

Section 1. Pursuant to Greeley Municipal Code Chapter 4.52, the City Council has reviewed the recommendation of the Economic Development Staff to the City Manager and hereby determines that Roche Constructors is granted the business incentives stated in this Resolution.

Section 2. The City Manager is authorized to contract with Roche Constructors to provide the following business development incentives in the approximate amount of \$32,722.02 and a deferral of fees of \$33,635.93;

- a. Rebate of sales and use taxes in the maximum amount of \$17,872.44, pursuant to G.M.C. 4.52.110; and
- b. Rebate of real property taxes in the maximum amount of \$14,849.58, pursuant to G.M.C. 4.52.220; and

c. Deferral of development impact fees in the amount of \$33,635.93, pursuant to G.M.C. 4.52.220; and

Section 3. The City shall provide the incentives by written agreement pursuant to Section 4.52.010(d) of the Greeley Municipal Code.

Section 4. The City Manager is authorized to negotiate the terms and conditions of the written agreement with Roche Constructors for the incentives herein authorized by the City Council.

This resolution becomes effective immediately upon its passage, as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 19^h DAY OF MAY, 2020.

ATTEST:

THE
CITY OF GREELEY, COLORADO

City Clerk

By: _____
Mayor

Council Agenda Summary

May 19, 2020

Agenda Item Number 18

Key Staff Contact: Roy Otto, City Manager, 970-350-9750

Title:

COVID-19 Update

Summary:

There will be a brief update to Council regarding COVID-19.

Council Agenda Summary

May 19, 2020

Agenda Item Number 19

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 Worksession Schedule regarding any upcoming meetings or events.

Attachments

Council Meeting/Worksession Schedule
Council Meetings/Other Events Calendar

City Council Meeting Scheduling

Current as of 5/15/2020

This schedule is subject to change

Date	Description	Sponsor	Placement/Time
May 26, 2020 Worksession Meeting	COVID-19 Update	Roy Otto	0.25
	Financial Update	Robert Miller	TBD
	Business Retention & Expansion Visits Report	Ben Snow	0.25
	Executive Session: MSWSP Permitting and Storage Alternatives	Sean Chambers	
June 2, 2020 Council Meeting	Emergency Declaration Expires		
	Ordinance - Intro - Second Additional Appropriation	Robert Miller	Consent
	Ordinance - Intro - Hasbrouck Farm Real Property Divestment	Sean Chambers	Consent
	Consideration of an amendment to the City's Consolidated Plan to support COVID-19 assistance project	Ben Snow	Regular
	COVID-19 Update (non-action)	Roy Otto	Regular
	Executive Session: MSWSP Permitting Storage	Sean Chambers	
June 9, 2020 Worksession Meeting	COVID-19 Update	Roy Otto	0.25
	Comprehensive Annual Finance Report	Robert Miller	0.25
	Review Proposed Changes to Election Section of the Code	Cheryl Aragon	0.50
	Municipal Code Recodification - Review of Changes	Cheryl Aragon	0.75
	Housing Plan Progress/Update	Ben Snow	0.25
	Service Level Discussion (TBD)	Paul Fetherston	TBD
June 16, 2020 Council Meeting	Ordinance - Intro - Election Code Changes	Cheryl Aragon	Consent
	Ordinance - Intro - Municipal Code Recodification	Cheryl Aragon	Consent
	School Land Dedication Fee-in-Lieu IGA with Eaton RE-2 School District	Brad Mueller	Consent
	School Land Dedication Fee-in-Lieu IGA with Windsor RE-4 School District	Brad Mueller	Consent
	School Land Dedication Fee-in-Lieu IGA with Greeley-Evans District 6 School District	Brad Mueller	Consent
	Ordinance - Final - Second Additional Appropriation	Robert Miller	Regular
	Ordinance - Final - Hasbrouck Farm Real Property Divestment	Sean Chambers	Regular
	COVID-19 Update (non-action)	Roy Otto	Regular
June 23, 2020 Worksession Meeting	COVID-19 Update	Roy Otto	0.25
	Workforce Development Report	Ben Snow	0.25

May 18, 2020 - May 24, 2020

May 2020							June 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

Monday, May 18

Tuesday, May 19

6:00pm - 9:00pm City Council Meeting
<https://zoom.us/j/608289460> - Jessica Diagana

Wednesday, May 20

7:30am - 8:30am Visit Greeley (Gates)
2:00pm - 5:00pm Water & Sewer Board (Gates)

Thursday, May 21

7:30am - 8:30am DDA (Zasada/Butler)
3:30pm - 4:30pm Airport Authority (Clark/Payton)

Friday, May 22

Saturday, May 23

Sunday, May 24

May 25, 2020 - May 31, 2020

May 2020						June 2020							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

Monday, May 25

- 11:30am - 12:30pm Greeley Chamber of Commerce (Hall) 🗓️
- 6:00pm - 7:00pm Youth Commission (Butler) 🗓️

Tuesday, May 26

- 6:00pm - 9:00pm City Council Worksession
(<https://zoom.us/j/508162666>) - Jessica Diagona 🗓️

Wednesday, May 27

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

Thursday, May 28

Friday, May 29

Saturday, May 30

Sunday, May 31

June 1, 2020 - June 7, 2020

June 2020							July 2020							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
		1	2	3	4	5	6				1	2	3	4
7	8	9	10	11	12	13	5	6	7	8	9	10	11	
14	15	16	17	18	19	20	12	13	14	15	16	17	18	
21	22	23	24	25	26	27	19	20	21	22	23	24	25	
28	29	30					26	27	28	29	30	31		

Monday, June 1

Tuesday, June 2

6:00pm - 9:00pm City Council Meeting
<https://zoom.us/j/769054687> - Jessica Diagana

Wednesday, June 3

Thursday, June 4

- 7:00am - Poudre River Trail (Hall)**
- 3:30pm - IG Adv. Board (Butler)**
- 6:00pm - MPO (Gates/Payton)**

Friday, June 5

Saturday, June 6

Sunday, June 7

June 8, 2020 - June 14, 2020

June 2020							July 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5 6				1	2	3	4
7	8	9	10	11	12	13	5	6	7	8	9	10	11
14	15	16	17	18	19	20	12	13	14	15	16	17	18
21	22	23	24	25	26	27	19	20	21	22	23	24	25
28	29	30					26	27	28	29	30	31	

Monday, June 8

Tuesday, June 9

■ **6:00pm - 9:00pm City Council Worksession**
 (<https://zoom.us/j/332065143>) - Jessica Diagona

Wednesday, June 10

Thursday, June 11

Friday, June 12

Saturday, June 13

Sunday, June 14

June 15, 2020 - June 21, 2020

June 2020							July 2020							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
		1	2	3	4	5	6				1	2	3	4
7	8	9	10	11	12	13	5	6	7	8	9	10	11	
14	15	16	17	18	19	20	12	13	14	15	16	17	18	
21	22	23	24	25	26	27	19	20	21	22	23	24	25	
28	29	30					26	27	28	29	30	31		

Monday, June 15

Tuesday, June 16

6:00pm - 9:00pm City Council Meeting
(<https://zoom.us/j/608289460>) - Jessica Diagana

Wednesday, June 17

7:30am - 8:30am Visit Greeley (Gates)
2:00pm - 5:00pm Water & Sewer Board (Gates)

Thursday, June 18

7:30am - 8:30am DDA (Zasada/Butler)
3:30pm - 4:30pm Airport Authority (Clark/Payton)

Friday, June 19

Saturday, June 20

Sunday, June 21

June 22, 2020 - June 28, 2020

June 2020							July 2020							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
		1	2	3	4	5	6				1	2	3	4
7	8	9	10	11	12	13	5	6	7	8	9	10	11	
14	15	16	17	18	19	20	12	13	14	15	16	17	18	
21	22	23	24	25	26	27	19	20	21	22	23	24	25	
28	29	30					26	27	28	29	30	31		

Monday, June 22

11:30am - 12:30pm Greeley Chamber of Commerce (Hall) ↻

6:00pm - 7:00pm Youth Commission (Butler) ↻

Tuesday, June 23

12:00am RSVP Required: 98th Colorado Municipal League Annual Virtual Conference (Westminster) - Council Master Calendar →

6:00pm - 9:00pm City Council Worksession
(<https://zoom.us/j/508162666>) - Jessica Diagana ↻

Wednesday, June 24

← **RSVP Required: 98th Colorado Municipal League Annual Virtual Conference** (Westminster) - Council Master Calendar →

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

Thursday, June 25

← **RSVP Required: 98th Colorado Municipal League Annual Virtual Conference** (Westminster) - Council Master Calendar →

Friday, June 26

← **12:00am RSVP Required: 98th Colorado Municipal League Annual Virtual Conference** (Westminster) - Council Master Calendar

Saturday, June 27

Sunday, June 28

Council Agenda Summary

May 5, 2020

Agenda Item Number 20

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 at 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.

Council Agenda Summary

May 19, 2020

Agenda Item Number 21

[Title](#)

Adjournment