

# Greeley City Council Agenda

Regular Meeting

November 16, 2021 at 6:00 p.m.

City Council Chambers at City Center South, 1001 11th Ave, Greeley, CO 80631

Zoom Webinar link: <https://greeleygov.zoom.us/j/91910136877>

## NOTICE:

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

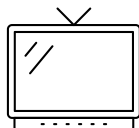
City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

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

## Watch Meetings:



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



Meetings are televised live on GTV8 on cable television.



Meetings are livestreamed on the City's website, [greeleygov.com](http://greeleygov.com) as well as YouTube at [youtube.com/CityofGreeley](http://youtube.com/CityofGreeley)

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

Meeting agendas, minutes, and archived videos are available on the City's meeting portal at [greeley-co.municodemeetings.com/](http://greeley-co.municodemeetings.com/)

## Comment in real time:

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



In person attendees can address the Council in the Chambers.

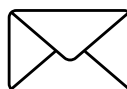


The public can join the Zoom webinar and comment from the remote meeting.

## Submit written comments:



Email comments about any item on the agenda to [cityclerk@greeleygov.com](mailto:cityclerk@greeleygov.com)



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





# City Council Agenda

November 16, 2021 at 6:00 PM

City Council Chambers, City Center South, 1001 11th Ave & via Zoom at <https://greeleygov.zoom.us/j/91910136877>

### Mayor

John Gates

### Councilmembers

Tommy Butler  
Ward I

Deb DeBoutez  
Ward II

Johnny Olson  
Ward III

Dale Hall  
Ward IV

Brett Payton  
At-Large

Ed Clark  
At-Large

### A City Achieving Community Excellence

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

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

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### Consent Agenda

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

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

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9. Acceptance of the Reports of the City Council Work Sessions of October 12, 2021 and October 26, 2021
10. Approval of the City Council Proceedings of October 5, 2021 and October 19, 2021
11. First reading of an Ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2021 and for funds held in reserve for encumbrances at December 31, 2020
12. Introduction and first reading of an Ordinance authorizing a Fiscal Year 2021 salary increase for the Municipal Judge
13. Introduction and first reading of an Ordinance authorizing a Fiscal Year 2021 salary increase for the City Attorney
14. Introduction and first reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity)

with a DCMP (Development Concept Master Plan), for approximately 1.169 acres of property including adjacent right-of-way to centerline located at 2000 16<sup>th</sup> Street, known as the 2000 16<sup>th</sup> Street Rezone

- [15.](#) Consideration of a Resolution approving an Amended and Restated Intergovernmental Agreement regarding the Poudre River Trail Corridor
- [16.](#) Consideration of a Resolution Authorizing the City of Greeley to Enter into a Grant Agreement between the City of Greeley and the State of Colorado, Division of Local Affairs, Regarding Receipt of Grant Funding Provided By the Peace Officers Mental Health Support Grant Program
- [17.](#) Consideration of a Resolution approving submittal of a grant application to the State of Colorado for funding assistance to support the construction of affordable housing in Greeley
- [18.](#) Consideration of a Resolution approving submittal of a grant application to the State of Colorado for funding assistance to support the completion of a city-wide housing assessment including sub-area plans in identified opportunity areas in Greeley for the purpose of promoting affordable housing development

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**End of Consent Agenda**

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19. Pulled Consent Agenda Items
- [20.](#) Public hearing considering the adoption of a Substantial Amendment (#3) to the 2020-2024 Consolidated Plan and 2020 Action Plan
- [21.](#) Appointment of applicants to the Citizen Transportation Advisory Board, Greeley Art Commission, Greeley Urban Renewal Authority, Historic Preservation Commission, and Stormwater Board
- [22.](#) Scheduling of Meetings, Other Events
23. Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances
24. Adjournment

# Council Agenda Summary

## Title

Recognitions and Proclamations

## Summary

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

Mayor Gates will present a proclamation to Zonta International Centennial proclaiming November 25, 2021 through December 10, 2021 as 16 Days of Activism Against Gender Violence.

## Attachments

*What's Great about Greeley* Report  
Proclamation



*16 DAYS OF ACTIVISM AGAINST GENDER VIOLENCE*

*ZONTA INTERNATIONAL CENTENNIAL*

WHEREAS, we, as citizens of this community, recognize the worldwide problem of violence against women occurs even here in Greeley, Colorado; and

WHEREAS, gender violence is traumatic to the body, mind, and spirit and can prevent people from being fully active participants at home and in the world; and

WHEREAS, we support efforts of individuals and organizations, such as the Zonta Club of Greeley, to raise awareness, stimulate discussion, and advocate for local solutions that will curb gender violence; and

WHEREAS, the Zonta Club of Greeley is part of Zonta International, founded in 1919, that has empowered women and girls through service and advocacy for over 100 years, and

WHEREAS, Zonta International, a non-governmental organization, has general consultative status with the Economic and Social Council of the United Nations, which promotes the human rights of all women and girls and seeks to reduce violence against them, and

WHEREAS, the Zonta Club of Greeley joins over 1000 Zonta clubs in 63 countries in the international **Zonta says No to Violence against Women** campaign to assert that the right to be free of violence is a fundamental human right for all persons.

NOW THEREFORE, I, John Gates, Mayor of the City of Greeley, Colorado, do hereby proclaim the 16 days between November 25<sup>th</sup>, International Day to Eliminate Violence Against Women, and December 10<sup>th</sup>, International Human Rights Day, as the **16 Days of Activism Against Gender Violence**. All citizens are urged to work to end gender violence and to eliminate the detrimental consequences gender violence has on the well-being of our citizens. Members of Zonta are wished continued success in improving the lives of women and girls in our community and worldwide.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, this 16<sup>h</sup> day of November, 2021.

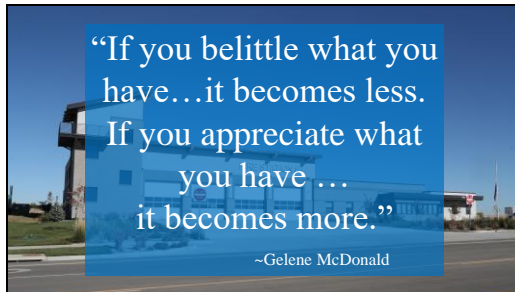
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John Gates, Mayor

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



Congratulations to Banner Healthy nurse, Victoria DePoy, for being selected as a Regional Nightingale Luminary in the area of Clinical Advocacy. The award is Colorado’s highest nursing honor – recognizing the best contributions made by nurses that benefit the overall vitality and general wellbeing of our community. DePoy helped to pioneer the Neonatal Vascular Access Program in Greeley and co-created the Neonatal PICC program to keep families together.

Slide 4



Following another dominant performance at home, Northern Colorado Swim and Dive team member, Madelyn Moore, has picked up her second Western Athletic Conference Swimmer of the Week title this season. In addition, Madelyn will represent her home country of Bermuda at the Short Course World Championships in the United Arab Emirates in December. And, she won’t be alone. UNC coach Lisa Ebeling was selected to coach Team Bermuda at the championships. We wish them both luck and safe travels.

Slide 5



Northern Colorado senior, Lexi Pulley, has been named the Big Sky Offensive Player of the Week for the third time this season.

Slide 6



The Northern Colorado women's soccer team earned the Big Sky regular-season title, their first since 2011 and the first-ever outright title since joining the conference in 2006. In addition, UNC coach Tim Barrera was named Big Sky coach of the Year, as voted on by the league's coaches, for the second time since the program joined the league. He also now owns the most wins by any coach in Big Sky history.



Slide 7



Kudos to former Greeley Deputy City Clerk, Cheryl Aragon, for receiving the Outstanding Contribution to a Municipality Award from the Colorado Municipal Clerk's Association. Cheryl is a long-time ambassador for the City, a graduate of Leadership Weld County, an active member of Responsible Alcohol Retailers of Weld County, was instrumental in bringing "Kids Voting Colorado" to Greeley, and volunteers for LeeAnn's Closet in Greeley.

Slide 8



Congratulations to Lindsey Crum at UNC; Harlan David of Sunrise Community Health; and Katie Romberg of the Community Foundation of Northern Colorado for being named to the BizWest Northern Colorado 40 under Forty Class of 2021. Northern Colorado 40 Under Forty recognizes 40 emerging business leaders under 40 years of age who are making a mark on their communities through professional success and volunteer activities.

Slide 9



Greeley's Ryan M. Sanger is one of five accountants in Colorado who are receiving the 2021 Everyday Heroes and Heroines award from the Colorado Society of Certified Public Accountants. The Everyday Heroes and Heroines award is granted to people who demonstrate notable service in involvement, leadership and impact's on nonprofit organizations and community activities.

Slide 10



The Colorado Opportunity Scholarship Initiative has awarded Aims Community College with a \$1.2 million dollar grant through its Finish What You Started program. The funds will help address significant decline in enrollments and will be used to support scholarships, success coaching, and developing career readiness skills.

Slide 11



And that's What's Great about Greeley.

# Council Agenda Summary

## Title

Citizen Input

## Summary

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

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

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

# Council Agenda Summary

## Title

Reports from Mayor and Councilmembers

## Summary

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

# Council Agenda Summary

## Title

Initiatives from Mayor and Councilmembers

## Summary

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

Initiatives will generally fall into three categories:

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

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

## Attachments

Status Report of Council Initiatives and Related Information

## Greeley City Council

### Status Report of Council Initiatives

Initiative No.	Council Member Initiating	Council Request	Council Meeting or Work Session Date Requested	Status or Disposition (After completion, item is shown one time as completed and then removed.)	Assigned to:
03-2021	Hall	Request for formation of a committee, to be chaired by Council Member Hall, regarding the section of the Poudre River Trail known as the Narrows. This section is facing increasing risks of erosion, with some portions in danger of falling into the river, and no available alternative areas for trail placement in that vicinity. The School of Mines will do a project to work on some engineering solutions for the area, in addition to other engineering studies that have already been done. The committee will review and determine options to move forward in addressing this with the assistance of City staff. City Manager Otto added information about potential Capital Improvement Projects through this area, and Council Member Hall provided information about existing potential rough cost estimates.	February 2, 2021 Council Meeting	<p>Update: 04/20/2021 Council Member Hall reported the committee had its first meeting and he is pleased with engagement from City staff and the community.</p> <p>A committee, chaired by Council Member and Poudre River Trail Corridor Chairman Hall, has been formed with representatives from the Poudre Trail Corridor Board, Culture, Parks and Recreation/Natural Areas and Trails, Public Works, Water and Sewer, the Poudre River Run Master HOA, a member of the Parks and Recreation Advisory Board, and a representative from the Ditch #3 Board. Committee Chairman Hall has also referenced initial communications with Otak Engineering, a consulting firm who produced a study of this area in 2018 for the City of Greeley, as well as the Colorado School of Mines engineering students who will conduct a capstone project this semester towards a suggested course of action and suggested funding mechanism(s). An initial assessment with design parameters, recommended</p>	Andy McRoberts

Initiative No.	Council Member Initiating	Council Request	Council Meeting or Work Session Date Requested	Status or Disposition (After completion, item is shown one time as completed and then removed.)	Assigned to:
				course(s) of action including recommended funding sources, is expected in June, 2021 post consultation with the Mines student project and engineering consultants. Although this project will carry on m practicality through committee work	
11-2021	Clark	Request for a report on the status of resolving issues with the City's ERP implementation.	September 7, 2021 Council Meeting	City Manager's Office provided a presentation at a work session on the subject matter on Oct. 26, 2021.	Raymond Lee
14-2021	Hall	Request for a work session on the Shur View Community Buffer Partnership	October 26, 2021 Council Work Session	City Manager's Office will be scheduling on an upcoming work session date	



# Council Agenda Summary

Key Staff Contact: Anissa Hollingshead, City Clerk, 970-350-9742

**Title:**

Acceptance of the Reports of the City Council Work Sessions of October 12, 2021 and October 26, 2021

**Summary:**

City Council Work Sessions were held in the City Council's Chambers on October 12, 2021, and October 26, 2021. The draft reports of those work session have been prepared for the Council's review and acceptance.

**Decision Options:**

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

**Council's Recommended Action:**

A motion to accept the Reports as presented.

**Attachments:**

Draft Report of October 12, 2021

Draft Report of October 26, 2021

City of Greeley, Colorado  
**CITY COUNCIL WORK SESSION REPORT**  
October 12, 2021

**1. Call to Order**

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

**2. Pledge of Allegiance**

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

**3. Roll Call**

Anissa Hollingshead, City Clerk, called the roll.

PRESENT

Mayor John Gates

Council Member Tommy Butler

Council Member Dale Hall

Council Member Michael Fitzsimmons

Council Member Brett Payton

Council Member Ed Clark

Council Member Kristin Zasada

**4. Reports from Mayor and Council Members**

There were no reports.

**5. Scheduling of Meetings, Other Events**

Interim City Manager Raymond Lee indicated there were no additional meetings or other events.

**6. COVID-19 Update**

Emergency Manager Dan Frazen presented an update on COVID-19 to the Council. He related there is no new information from OSHA regarding mandatory vaccinations and/or testing. There is a slight increase in affected employees, as well as in COVID patients at both Greeley hospitals.

He also noted the positivity rates for testing remain high. He added a new testing site has now been opened as of this morning at Aims Community College.

He noted vaccination data is now being reported at the zip code level and is part of the data reporting on the City's dashboard.

There were no questions for Emergency Manager Frazen.

## **7. Overview of Eligibility Criteria for COVID-19 Premium Pay for Non-Union Employees**

City Manager Raymond Lee introduced Finance Director John Karner to lead the presentation on this item. Director Karner presented as set forth in the PowerPoint in the agenda packet.

There was a question from Council regarding whether the guidance from the U.S. Treasury Department for how funding is used were requirements or recommendations. Director Karner provided information about the breakdown in requirements, and which were requirements and were not, as well as the need for the City to be able to provide justifications for not adhering to any portion of the guidelines.

The Council discussed the provision of premium pay to all members of the Police and Fire department, including those who have departed the organization.

There was consensus from Council to have staff proceed as recommended.

## **8. City of Greeley Recycling Update**

Paul Trombino, Public Works Director, led the presentation on this item as set forth in the PowerPoint presentation in the agenda packet with assistance from Deputy Public Works Director Will Jones.

There was discussion by the Council of the options presented by staff, with consensus from the Council to support option three presented by staff. This option aligns with staff's recommendation, and includes continuing to collaborate with O-I, Crabtree, and Anderson Salvage on creating glass recycling opportunities in Greeley; increasing awareness about recycling opportunities in Greeley; and continuing to explore plastic recycling opportunities.

## **9. Consideration of the Annual Action Plan for Program Year 2022 for Community Development Block Grant and HOME Investment Partnership Program Grant with Recommended Budgets**

Ben Snow, Economic Health & Housing Director, presented as set forth in the PowerPoint in the agenda packet. He concluded by reviewing next steps for this item.

In response to a question from Council about criteria for targeting areas of the city for these allocations, Director Snow provided information about targeting qualified census tracts and looking at the need for serious infrastructure investments. There was also discussion and information from Director Snow about funding requests that were not met due to funding constraints and a shift in focus for how these funds are allocated.

## 10. **Adjournment**

There being no further business before the Council, the meeting was adjourned at 7:00 p.m.

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John D. Gates, Mayor

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Anissa N. Hollingshead, City Clerk

City of Greeley, Colorado  
**CITY COUNCIL WORK SESSION REPORT**  
October 26, 2021

**1. Call to Order**

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

**2. Pledge of Allegiance**

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

**3. Roll Call**

Anissa Hollingshead, City Clerk, called the roll.

PRESENT

Mayor John Gates

Council Member Tommy Butler

Council Member Dale Hall

Council Member Michael Fitzsimmons

Council Member Brett Payton

Council Member Ed Clark

Council Member Kristin Zasada

Mayor Gates took a moment to acknowledge that this would be the final meeting for some members of Council, and encouraged all to attend the special meeting on November 9 to express appreciation to departing members and to welcome those who are newly elected.

**4. Reports from Mayor and Council Members**

Council Member Hall reported on his attendance at a work session with the Town of Windsor regarding the Shur View Community Buffer Partnership, and the concept that there is almost 1000 acres of land by the Missile Silo Park that would be a buffer between Greeley and Windsor. The Trust for Public Lands would purchase the land and would work with the two jurisdictions for grants to facilitate the funding for purchase of the land that would be done upfront. He requested a work session for staff to present what is being worked on in this realm. There was consensus from the Council and the City Manager for this to be scheduled.

Council Member Butler shared he attended the Greeley Multicultural Fest on Saturday, as well as the Youth Commission meeting last night. He discussed the work of the Youth

Commission relating to working with Weld County Public Health on a vaping buyback program, as well as assisting with the Great American Smokeout.

## **5. COVID-19 Update**

Charlie McCartin, Assistant Emergency Manager, provided an update highlighting the metrics tracked via the City's dashboard. He noted metrics are continuing to trend upward.

## **6. Update on Enterprise Resource Planning (ERP) Implementation**

Deputy City Manager Paul Fetherston presented as set forth in the presentation deck in the agenda packet.

Deputy Manager Fetherston answered questions from the Council about work continuing in adjusting the implementation.

## **7. Memorandum of Understanding – Overview of Opioid Settlement**

Deputy City Attorney Stacey Aurzada led the presentation on this item as set forth in the presentation deck in the agenda packet.

Deputy Attorney Aurzada answered questions from Council, including regarding the timing likely for plans for utilizing settlement funds.

## **8. Code Compliance Program Follow Up**

Becky Safarik, Interim Deputy City Manager and Community Development Director, presented as set forth in the PowerPoint deck in the agenda packet.

Council discussed each recommendation presented, in reverse order, to determine where there was consensus. The consensus of Council on each recommendation presented included:

- 6 – yes
- 5 – yes; discussion about potentially increasing this further as part of the planned Community Development assessment in 2022
- 4 – yes
- A 1 2 3 – yes to all

## **9. Scheduling of Meetings, Other Events**

No other meetings or events were scheduled.

## **10. Adjournment**

There being no further business before the Council, the meeting was adjourned at 7:32 p.m.

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John D. Gates, Mayor

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Anissa N. Hollingshead, City Clerk

# Council Agenda Summary

Key Staff Contact: Anissa Hollingshead, City Clerk, 970-350-9742

**Title:**

Approval of the City Council Proceedings of October 5, 2021 and October 19, 2021

**Summary:**

Meetings of the City Council were held in the City Council's Chambers on October 5, 2021, and October 19, 2021. The draft proceedings have been prepared and are being presented for the Council's review and approval.

**Decision Options:**

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

**Council's Recommended Action:**

A motion to approve the City Council proceedings as presented.

**Attachments:**

Draft Proceedings of October 5, 2021  
Draft Proceedings of October 19, 2021



City of Greeley, Colorado  
**CITY COUNCIL PROCEEDINGS**  
October 05, 2021

**1. Call to Order**

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

**2. Pledge of Allegiance**

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

**3. Roll Call**

Anissa Hollingshead, City Clerk, called the roll.

PRESENT

Mayor John Gates  
Council Member Tommy Butler  
Council Member Brett Payton  
Council Member Dale Hall  
Council Member Michael Fitzsimmons  
Council Member Ed Clark  
Council Member Kristin Zasada

**4. Approval of the Agenda**

The agenda was approved as presented.

**5. Recognitions and Proclamations**

Mayor Gates read a proclamation declaring Weld Project Connect a success and supporting the planning and resources for the next Weld Project Connect event on October 15, 2021. Margie Martinez, project manager for Weld Project Connect with the United Way, accepted the proclamation on behalf of United Way Weld County.

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

**6. Citizen Input**

Mike Wieland, Greeley resident, came forward in the Council Chambers to thank the Council for their leadership in water use reduction in the City, and to speak in support of a coordinated recycling effort in Greeley.

There was no one in the virtual meeting audience requesting to be heard.

## 7. Reports from Mayor and Councilmembers

Council Member Butler noted it had been a busy week with many events attended by himself and other members of Council, including the City Council candidate forum last Wednesday held by the League of Women Voters, the dedication of a new zero net utility home by Habitat for Humanity, the LINC ground breaking for a new library facility, the Billie Martinez Neighborhood celebration at the Rodarte Center, and the East Greeley Parks Dedication at Balsam Park.

## 8. Initiatives from Mayor and Councilmembers

There were no initiatives

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### Consent Agenda

Council Member Payton moved, seconded by Council Member Hall, to approve the recommended actions on items 9-13.  
The motion carried 7-0 by roll call vote.

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## 9. Acceptance of the Report of the City Council Work Session of September 14, 2021

The action recommended and approved was to accept the report as presented.

## 10. Approval of the City Council Proceedings of September 21, 2021

The action recommended and approved was to approve the proceedings as presented.

## 11. Consideration of a Resolution approving the Second Amendment to an IGA for Treated Water Service with the town of Milliken

The action recommended and approved was to adopt the resolution.

**Resolution 35, 2021** approving the second amendment to the IGA was adopted.

## 12. Introduction and first reading of an Ordinance adopting the 2021 Non-Potable Water Master Plan and amending the 2018 Comprehensive Plan to include the same by reference

The action recommended and approved was to approve the introduction of the ordinance and schedule the second reading and public hearing for October 19, 2021.

## 13. Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from I-H (Industrial High Intensity), I-M (Industrial Medium Intensity) and C-D (Conservation District) to I-M (Industrial Medium Intensity for approximately 25.759 acres of property located at 300 E. 8<sup>th</sup> Street known as the City of Greeley Wastewater Treatment Facility Rezone

The action recommended and approved was to approve the introduction of the ordinance and schedule the second reading and public hearing for October 19, 2021.

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## End of Consent Agenda

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### 14. Pulled Consent Agenda Items

None.

### 15. University of Northern Colorado Update

University President Andy Feinstein provided a verbal update to the Council, including providing information about the ongoing impacts of COVID-19 on university operations. He also highlighted the five elements of the university's vision.

### 16. Introduction and first reading of an Ordinance adopting the budget for 2022

John Karner, Finance Director, came forward to present as set forth in the PowerPoint in the agenda packet. Trent Howell, chair of the Citizen Budget Advisory Committee, presented the Committee's recommendation to approve the budget as presented.

Council Member Butler moved, seconded by Council Member Payton, to approve the introduction of the ordinance and scheduling of the second reading and a public hearing for October 19, 2021.

The motion carried 7-0.

### 17. Public hearing and final reading of an ordinance ratifying and adopting the Collective Bargaining Agreement between the Greeley Fire Fighters Union, International Association of Fire Fighters Local 888 and the City of Greeley, which agreement by its terms is for a period commencing December January 1, 2022 through December 31, 2023

Maria Gonzalez-Estevez, Human Resources Director, came forward to present as set forth in the PowerPoint in the agenda packet.

Mayor Gates opened the public hearing at 6:35 p.m.

There being no one wishing to be heard, the hearing was closed.

Council Member Butler moved, seconded by Council Member Clark, to adopt the ordinance and publish with reference to title only.

The motion carried 7-0 by roll call vote.

**Ordinance No. 38, 2021**, ratifying and adopting the Collective Bargaining Agreement, was adopted.

### 18. Scheduling of Meetings, Other Events

None.

### 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

Council Member Payton moved, seconded by Council Member Fitzsimmons, to approve the above authorizations.  
The motion carried 7-0.

**20. Adjournment**

There being no further business before the Council, Mayor Gates adjourned the meeting at 6:36 p.m.

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John D. Gates, Mayor

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Anissa N. Hollingshead, City Clerk

City of Greeley, Colorado  
**CITY COUNCIL PROCEEDINGS**  
October 19, 2021

**1. Call to Order**

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

**2. Pledge of Allegiance**

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

**3. Roll Call**

Anissa Hollingshead, City Clerk, called the roll.

PRESENT

Mayor John Gates  
Council Member Tommy Butler  
Council Member Brett Payton  
Council Member Dale Hall  
Council Member Michael Fitzsimmons  
Council Member Ed Clark  
Council Member Kristin Zasada

**4. Approval of the Agenda**

Mayor Gates noted the agenda order would be altered to accommodate the schedule of a council member needing to leave early, and item 19 would be moved before item 15. The agenda was approved with that change.

**5. Recognitions and Proclamations**

Mayor Gates read a proclamation declaring Greeley Philharmonic Day on October 23, 2021. Nick Kenny, Executive Director of the Greeley Philharmonic Orchestra, and Brian Larson, President of the Board of Directors of the Greeley Philharmonic Orchestra, accepted the proclamation on behalf of Orchestra and its new music director, Greeley native Lowell Graham.

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

**6. Citizen Input**

Steve Teets, Greeley resident, first thanked Council Member Butler for his participation in the recent Weld Project Connect Day, and then commented on problems with Lamar, the company contracted to take care of bus stops in the city.

Matt Rebeck came forward and shared his concerns with issues around homelessness downtown as someone who owns properties in downtown Greeley, and who has lived downtown off and on for the last 30 years while also having a business downtown.

There was no one in the virtual meeting audience requesting to be heard.

## **7. Reports from Mayor and Councilmembers**

Council Member Butler shared he was able to serve as the Council representative on the Uptown Tree Selection Committee, and the work of that group to select a new art tree for placement on 8<sup>th</sup> Avenue. He also shared regarding his experience as the Council's designated representative participating in Weld Project Connect the previous Friday.

## **8. Initiatives from Mayor and Councilmembers**

There were no new initiatives brought forward.

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### **Consent Agenda**

Council Member Butler requested that item 12 be removed from the consent agenda.

Council Member Payton moved, seconded by Council Member Butler, to approve the recommended actions on items 9-11.

The motion carried 7-0 by roll call vote.

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## **9. Consideration of a Resolution to support an application for grant funding from the State of Colorado Department of Natural Resources Land & Water Conservation Fund program for the acquisition and development of the ShurView property for open space and outdoor recreation**

The action recommended and approved was to adopt the resolution.

**Resolution 36, 2021** supporting the application for grant funding was adopted.

## **10. Consideration of a Resolution of the City of Greeley Council authorizing the City to enter into a Memorandum of Understanding between the City of Greeley and the State of Colorado Department of Public Safety, Division of Fire Prevention and Control, prequalifying the City of Greeley Building Inspection Division to perform public school construction related inspection services**

The action recommended and approved was to adopt the resolution.

**Resolution 37, 2021** authorizing entering into the memorandum of understanding was adopted.

**11. Consideration of a Resolution establishing the 2021 tax levy and directing the certification of the same to the Board of County Commissioners**

The action recommended and approved was to adopt the resolution.

**Resolution 38, 2021** establishing the 2021 tax levy and directing its certification was adopted.

**12. Consideration of a Resolution of the Greeley City Council urging voters to vote “No” on ballot questions 2G and 2H**

This item was pulled from the consent agenda to allow for discussion.

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**End of Consent Agenda**

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**13. Pulled Consent Agenda Items**

**12. Consideration of a Resolution of the Greeley City Council urging voters to vote “No” on ballot questions 2G and 2H**

This item was pulled from the consent agenda to allow for discussion.

Members of Council spoke in support of the Resolution.

**Resolution 39, 2021** urging voters to vote “no” on ballot questions 2G and 2H was adopted.

**14. Public hearing and second reading of an Ordinance adopting the budget for 2022**

John Karner, Finance Director, came forward to present as set forth in the presentation deck in the agenda packet.

Mayor Gates opened the public hearing at 6:33 p.m.

Steve Teets, Greeley resident, came forward to share questions he had regarding funding for transportation mobility and housing, and for more information on what housing spending entails. Director Karner provided some additional information in these areas, as did Economic Health & Housing Director Ben Snow.

There being no one else wishing to be heard in the meeting room or virtually, the hearing was closed at 6:36 p.m.

Council Member Butler moved, seconded by Council Member Fitzsimmons, to adopt the ordinance and publish with reference to title only.

The motion carried 7-0 by roll call vote.

**Ordinance No. 39, 2021**, adopting the budget and making appropriations for 2022, was adopted.

**19. Public Hearing to consider adoption of the Annual Action Plan for Program Year 2022 for Community Development Block Grant and HOME Investment Partnership Program Grant with Recommended Budgets**

As noted when the agenda was approved, Item 19 was heard next.

Ben Snow, Director of Economic Health & Housing, came forward and presented as set forth in the presentation deck in the agenda packet.

Mayor Gates opened the public hearing at 6:40 p.m.

Steve Teets, Greeley resident, came forward to ask for a synopsis regarding this planned spending. Mayor Gates noted the materials in the agenda packet provide those specific details. Director Snow also provided specific details about the type of housing the allocated funds could be used for in response to a specific follow up inquiry from the resident.

There being no one else wishing to be heard in the meeting room or virtually, the hearing was closed at 6:43 p.m.

Council Member Clark moved, seconded by Council Member Fitzsimmons, to approve the 2022 Annual Action Plan and associated budgets, as presented.

The motion carried 7-0 by roll call vote.

Council Member Clark left the meeting at 6:44 p.m.

**15. Public hearing and second reading to consider a change of zone from I-H (Industrial High Intensity), I-M (Industrial Medium Intensity) and C-D (Conservation District) to I-M (Industrial Medium Intensity) for approximately 25.759 acres of property located at 300 E. 8th Street known as the City of Greeley Wastewater Treatment Facility Rezone, and final reading of an ordinance changing the official zoning map to reflect the same**

Darrell Gesick, Planner II, came forward to present as set forth in the PowerPoint in the agenda packet.

Mayor Gates opened the public hearing at 6:46 p.m.

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

Council Member Fitzsimmons moved, seconded by Council Member Zasada, that based on the application received and the analysis presented by staff, the proposed rezone from C-D (Conservation District), I-M (Industrial Medium District), and I-H (Industrial High Intensity) to I-M (Industrial Medium Intensity) meets Development Code Section 24-624(c)(3) a, b, d, e, f, g, and h, and therefore to approve the rezoning.

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.



Council Member Fitzsimmons moved, seconded by Council Member Zasada, to adopt the ordinance and publish with reference to title only.

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

**Ordinance No. 40, 2021**, changing the official zoning map of the City of Greeley for approximately 25.759 acres of property, was adopted.

**16. Public hearing to consider a request for approval of a combined Preliminary/Final PUD (Planned Unit Development) for the Westgate First Filing, Westgate Preliminary PUD 2nd Amendment and Final PUD, for approximately 84.436 acres located north of US 34, west of 71st Avenue, and east of 83rd Avenue for a mixed-use community**

Brittany Hathaway, Planner III, came forward to present as set forth in the presentation deck in the agenda packet. Planner Hathaway noted the applicant was also in attendance for any questions, and to provide a brief presentation as well. Mark Savola with WRD4 in Denver presented as well. His slide deck was added to the public record.

Mayor Gates opened the public hearing at 6:59 p.m.

Steve Teets, Greeley resident, spoke about whether these houses would be affordable, and posed questions what would happen if the state decides to widen 34. He also noted the terrible traffic already on 34 and 71st Ave.

Jim Els, Greeley resident, noted his interest in the property to the north of the subject property, and referenced the information he sent to the Council regarding the Boomerang Ditch and also the Boomerang Lateral. He also spoke regarding the notice provided when the preliminary PUD was initially approved without indication of the new street being added on the north side of the development. He reviewed the traffic study from 2015. Staff then clarified there is a more recent traffic study, and the applicant indicated the traffic study has been updated multiple times throughout the process, most recently 3 months ago.

No one in the virtual audience wished to be heard as part of the public hearing. There was a question in the chat of the Zoom webinar regarding start dates for the project, to which the applicant provided a response.

There being no one further wishing to be heard in the meeting room or the virtual audience, the hearing was closed at 7:08 p.m.

Council Member Fitzsimmons moved, seconded by Council Member Payton, to find that, based on the project summary and accompanying analysis, the proposed combined Preliminary and Final PUD for Westgate First Filing, Westgate Preliminary PUD 2<sup>nd</sup> Amendment and Final PUD, are in compliance with the Development Code and are therefore approved.

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

**17. Public hearing and second reading of an Ordinance amending Article VI, Chapter 3, Title 20 of the Greeley Municipal Code, relating to Industrial Pretreatment**

Sean Chambers, Water and Sewer Director, came forward to present as set forth in the presentation deck in the agenda packet.

Mayor Gates opened the public hearing at 7:13 p.m.

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

Council Member Fitzsimmons moved, seconded by Council Member Hall, to adopt the ordinance and publish with reference to title only.

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

**Ordinance No. 41, 2021**, amending Chapter 3 relating to Industrial Pretreatment of Title 20, Article VI, of the Greeley Municipal Code, was adopted.

**18. Public hearing and second reading of an Ordinance adopting the 2021 Non-Potable Water Master Plan and amending the 2018 Comprehensive Plan to include the same by reference**

Sean Chambers, Water and Sewer Director, came forward to begin the presentation. He introduced Adam Prior to present as set forth in the presentation deck in the agenda packet.

Mayor Gates opened the public hearing at 7:24 p.m.

There being no one wishing to be heard, the hearing was closed.

Council Member Zasada moved, seconded by Council Member Payton, to adopt the Ordinance to accept and adopt the Non-Potable Water Master Plan and amend the City of Greeley 2018 Comprehensive Plan to include by reference the 2021 Non-Potable Water Master Plan, publish the ordinance with reference to title only.

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

**Ordinance No. 42, 2021**, accepting and adopting the Non-Potable Water Master Plan and amending the City of Greeley 2018 Comprehensive Plan to include by reference the 2021 Non-Potable Water Master Plan, was adopted.

**20. Appointment of applicants to the Greeley Art Commission, Historic Preservation Commission, and Human Relations Commission**

City Clerk Anissa Hollingshead reported the following appointments were made by the Council by written ballot:

- Greeley Art Commission – Eddie Mirick.
- Human Relations Commission – Jerry Harvey.

- Historic Preservation Commission – Sean Jaehn and directed staff to recruit for additional applicants.

## **21. Scheduling of Meetings, Other Events**

Acting City Manager Raymond Lee recommended the scheduling of a special meeting for November 9 in lieu of the work session on that date to seat the new Council, and cancelling the November 23, 2021 work session the week of the Thanksgiving holidays.

Council Member Payton moved, seconded by Council Member Hall, to schedule a special meeting in place of the work session for November 9, 2021 for the purpose of swearing in newly elected members of the City Council.

The motion carried 6-0.

Excused: Council Member Clark.

Council Member Hall moved, seconded by Council Member Butler, to cancel the work session for November 23, 2021.

The motion carried 6-0.

Excused: Council Member Clark

## **22. 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 Member Hall moved, seconded by Council Member Fitzsimmons, to approve the above authorizations.

The motion carried 6-0.

Excused: Council Member Clark.

## **23. Adjournment**

There being no further business before the Council, Mayor Gates adjourned the meeting at 7:28 p.m.

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John D. Gates, Mayor

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Anissa N. Hollingshead, City Clerk

# Council Agenda Summary

November 16, 2021

Key Staff Contact: John Karner, Finance Director, 350-9732

**Title:**

First reading of an ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2021 and for funds held in reserve for encumbrances at December 31, 2020.

**Summary:**

This is the fourth supplemental appropriation ordinance modifying the 2021 budget. This appropriation ensures that existing commitments in progress at 2020 year end can be completed in 2021, designates funds for additional commitments, and appropriates new grants that have been awarded.

**Fiscal Impact:**

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$ 15,975,321
What is the annual impact?	\$ 15,975,321
What fund of the City will provide Funding?	See Ordinance
What is the source of revenue within the fund?	Sales & Use Taxes, Grants, Fund Balance, Operating Transfers, Expense Reimbursement, Intergovernmental Agreement, Private Contributions, Property Tax, Expenditure Savings, Insurance Recoveries, Sale of Assets, & Interest Income.
Is there grant funding for this item?	Yes, Item 13,17, 25
If yes, does this grant require a match?	Yes, Item 25
Is this grant onetime or ongoing?	Onetime
Additional Comments:	Total appropriations made by this ordinance are \$ 15,975,321. The following funding sources will be used to cover the appropriations made by this ordinance.

	<b>Source</b>	<b>Total</b>
	Sales & Use Tax Revenues	\$ 10,500,000
	Grants	2,339,467
	Fund Balance	1,545,021
	Intergovernmental Agreement	600,000
	Operating Transfers	264,875
	Private Contributions	215,753
	Property Tax	180,000
	Expense Reimbursement	110,398
	Expenditure Savings	100,000
	Insurance Recoveries	94,257
	Sale of Assets	25,000
	Interest Income	550
	<b>Grand Total</b>	<b>\$ 15,975,321</b>

**Legal Issues:**

City Charter prohibits actual expenditures from exceeding appropriations at the fund level. This ordinance will ensure that this does not occur.

**Other Issues and Considerations:****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) Introduce the ordinance as presented; or
- 2) Amend the ordinance and introduce as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

**Council's Recommended Action:**

A motion to introduce the ordinance and schedule the public hearing and final reading for December 7, 2021.

**Attachments:**

Draft Ordinance  
Detail Supporting Schedule

**CITY OF GREELEY  
ORDINANCE NO. \_\_\_\_\_, 2021**

**AN ORDINANCE APPROPRIATING ADDITIONAL SUMS TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF GREELEY FOR THE BALANCE OF THE FISCAL YEAR OF 2021 AND FOR FUNDS HELD IN RESERVE FOR ENCUMBRANCES AT DECEMBER 31, 2020.**

WHEREAS, the City of Greeley has or will incur expenses for certain activities described below during the 2021 fiscal year, and

WHEREAS, the revenues received in the City of Greeley in 2020, exceeded the amount of revenues estimated in the 2020 Budget by more than the total amount of the expenditures in the same year;

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

Section 1. In accordance with section 5-17 of the Greeley Charter, from actual and anticipated revenues which exceed the revenue estimates in the 2021 budget and amounts held in fund balance reserves from 2020, there is hereby appropriated the following designated sums to be allocated for use during the remainder of 2021:

<b>Fund</b>	<b>Total</b>
100 General	\$ 1,008,820
103 Community Development	300,650
106 Sales And Use Tax	10,500,000
110 Conference Center Development	5,000
111 Downtown Development Authority TIF	391,600
112 NEAHR Grants	628,609
113 Equitable Sharing	103,000
121 Public Safety Fund	25,000
122 Cable Franchise PEG Fund	15,793
123 Cash In Lieu Of Landscaping	1,126
143 Community Memorials	700
301 Public Improvement	331,535
306 Fire Equipment Acquisition/Replacement	20,534
334 Road Development	2,134,856
336 Trails Development	75,792
432 Stormwater Construction	75,792
502 Liability	94,257
511 Equipment Maintenance Operations	180,000
512 Fleet Replacement	82,257
<b>Grand Total</b>	<b>\$ 15,975,321</b>

Section 2. All actions heretofore taken (not inconsistent with the provisions of this ordinance) by the officers, agents and employees of the City in connection with this appropriation are hereby ratified, approved and confirmed.

Section 3. This Ordinance shall become effective five (5) days after its final publication as is provided by Section 3-16 of the Greeley Charter,

**PASSED AND ADOPTED, SIGNED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
2021.**

**ATTEST:**

**THE CITY OF GREELEY**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**



## City of Greeley 2021 Appropriation No. 4 City Council Meetings: November 16th & December 7th

Fund	Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
<b>100 - GENERAL FUND</b>						
1	Fund Balance	Funding is requested for strategic guidance and support services regarding organizational change and business process improvement regarding the Culture, Parks, and Recreation department. Services involve defining the community needs assessment, creating a community marketing strategy, refining the current marketing position, recruitment of leadership positions, alignment of positions, and work plan prioritization.	72,000	-	72,000	-
2	Expense Reimbursement	Funding is being appropriated for the reimbursement from the City of Evans for a Phase I Environmental Assessment as part of a potential land acquisition project. The subject property resides in a priority conservation area, a high priority for land acquisition and conservation as identified in the 2016 Parks, Trails, and Open Lands Master Plan, the 2018 City Comprehensive Plan, and the 2021 Get Outdoors Greeley Strategic Plan. The City of Evans and City of Greeley are in discussions with Colorado Parks and Wildlife to convey the title of the current Brower State Wildlife Area. As part of the due diligence process for this acquisition by the municipalities, a Phase I environmental assessment was completed. The Natural Areas & Trails operational account paid for the phase I, and this appropriation will reimburse the City of Evans' contribution back to the NAT operations account.	-	2,250	2,250	-
3	Operating Transfer: CASH IN LIEU OF LANDSCAPING / COMMUNITY MEMORIALS OF LANDSCAPING	Funding is being appropriated for reimbursement regarding Share the Shade expenses, Memorial Trees, and donations. Expenditures included memorial trees, jar openers, chip clips & cards for our Share the Shade Program, along with Morning Garden Club's donation of trees for Fire Station #2.	-	2,326	2,326	-
4	Fund Balance	Funding is being appropriated to support the City of Greeley's Recycling Initiative through private public partnership, marketing, and awareness.	12,000	-	12,000	-
5	Private Contributions	Funding is requested for the City of Greeley's drone program operations. There are ongoing costs for data storage, online access to video footage, and parts associated with drone operations. The drones are used on emergency scene to provide safe operating environments for emergency personnel. Funds will be used to continue funding parts and camera capabilities of the drone program. Two grants will be used to support these expenditures. Funding from a recently received grant allows funding to be used on oil and gas sites, and accidents involving these locations (Williams). An additional grant allows funding to be spent on calls that involve their services like gas line breaks, leaks, and accidents involving natural gas (Atmos).	-	2,500	2,500	-
6	Private Contributions	Funding is being appropriated with grants funds received from Atmos to purchase technology resources in the classroom and back-up Emergency Operations Center (EOC) that as part of planned information technology implementations at the City. This includes plug-n-play computer technology, connection, wiring, cameras and monitors.	-	12,000	12,000	-
7	Fund Balance	Funding is requested for recruitment services regarding the Division Chief of Operations position for the Fire Department and the Director for Culture, Parks, & Recreation.	50,000	-	50,000	-
8	Expense Reimbursement	Funds received from participation in the Front Range Fire Consortium are being appropriated to improve response times to emergencies by upgrading the communications systems in the fire stations. Greeley Fire provides equipment, supplies, and personnel as part of the Front Range Fire Consortium Fire Academy. This reimbursement is a result of our enrolled personnel numbers being lower than normal in the last academy compared to what we provided the academy (apparatus, tools, instructors, etc.). The funds will be used to upgrade communications systems in the fire stations to shorten the time a fire crew receives dispatch information for an emergency response.	-	53,759	53,759	-
9	Fund Balance	Funding is requested to support the Fire Department's Operational encumbrances from 2020 that have been or will be paid in 2021: Public Safety Training Facility Required Inspection Repairs [\$38,670], Bunker Gear [\$33,721], Western Hills Fiber Installation [\$25,414], Diesel Exhaust Removal Systems [\$17,478], Replacement hose [\$8,222], Temperature Kiosks [\$3,623], & Calibration Gas [\$225].	127,353	-	127,353	-
10	Expense Reimbursement	The Greeley Fire Department deployed fire personnel as part of Colorado Task Force 1 Urban Search & Rescue team to assist with operations during and after Hurricane Ida. These funds are being appropriated for directly related overtime costs associated with the deployment of fire personnel including necessary coverage during their deployment.	-	25,963	25,963	-
11	Private Contributions	Funding is requested to update gas detectors, foam operations equipment, and thermal imaging technology for all-hazard response. This request is to appropriate grant funds, which have been received from PDC Energy designated for use on oil and gas response.	-	16,000	16,000	-



Fund	Item No. 11.	Description	Fund Balance	Revenue	Expenditures	Net Impact
12A	Private Contributions	The Greeley Fire Department deployed wild land fire resources and personnel to incidents in Minnesota and Montana resulting in direct overtime costs associated with the deployment of fire personnel and backfill coverage when they were deployed. There are associated travel, fuel, equipment & hose replacement, repairs, and maintenance costs from this deployment. This request will appropriate the reimbursements received to offset the associated deployment costs.	-	164,019	164,019	-
13.A	Grant	The Greeley Police Department has been awarded funding from the Colorado Department of Transportation (CDOT) for our Data-Driven Approach to Crime and Traffic Safety (DDACTS) project. As part of this appropriation funding is being requested to cover associated overtime expenditures related to this grant.	-	80,000	80,000	-
13.B	Grant	The Weld County Drug Task Force (WCDTF) has received funds from the High Intensity Drug Trafficking Award (HIDTA), these funds are to be used for related expenditures associated with investigations personnel, overtime, building, and vehicle leases in conjunction with our drug task force.	-	104,000	104,000	-
13.C	Grant	The Greeley Police Department Gang Unit received funds from the Colorado Division of Criminal Justice as part of the Project Safe Neighborhoods (PSN) Grant that is requested for appropriation to support expenditures related to the Gang investigator's overtime.	-	16,000	16,000	-
13.D	Grant	The Greeley Police Department was awarded funds for the Justice Assistance COVID Grant (JAG), which will pay for Personal Protective Equipment (PPE), cleaning supplies, sanitizer, and items related to the safety of our first responders to the COVID pandemic.	-	87,000	87,000	-
13.E	Grant	Grant funds received as part of the High Visibility Enforcement [HVE] Grant & Click it Or Ticket [CIOT] Grant awarded by the Colorado Department of Transportation (CDOT) are being appropriated for related Police Department overtime costs.	-	22,500	22,500	-
13.F	Grant	The Greeley Police Department was awarded funding by the Department of Local Affairs as part of the Gray & Black Marijuana Enforcement grant. These funds are requested for help offset overtime costs within the support services division.	-	18,000	18,000	-
13.G	Operating Transfer: LIABILITY	Funding from expected insurance recoveries is being appropriated to cover police cruisers that were damaged in an accident. These reimbursements will cover the associated repair costs.	-	30,000	30,000	-
13.H	Sale of Assets	Funding is being appropriated from evidence auction sales to support expenditures within the Police Department's Evidence division.	-	25,000	25,000	-
13.I	Expense Reimbursement	Reimbursement funding received through registration fees associated with the Special Weapons & Tactics [SWAT] School Hosted Training Hosted Training related to sniper and basic training school is being appropriated to cover the associated materials.	-	1,800	1,800	-
13.J	Expense Reimbursement	The Greeley Police Department has been awarded funding from the Colorado State Patrol (CSP) for auto theft prevention, these funds are being appropriated to support overtime costs.	-	25,000	25,000	-
13.K	Grant	The Greeley Police Department was awarded funds from the Internet Crimes Against Children [ICAC] Grant, these funds are being appropriated for related expenditures as part of the Police Investigations unit.	-	4,350	4,350	-
13.L	Grant	Funds received from Victims of Crime Act (VOCA) Grant are requested for the payment of a full-time and two part-time employees, equipment and supplies for our coordinators and our volunteers.	-	50,000	50,000	-
<b>100 - GENERAL FUND</b>			<b>261,353</b>	<b>742,467</b>	<b>1,003,820</b>	<b>-</b>
<b>103 - HUD GRANTS FUND</b>						
14	Fund Balance	This request ensures that the Economic Development fund has sufficient funds appropriated to cover all 2021 expenditures. Additionally, funding from 2020 will be reappropriated including grant funding and program income associated with Community Development Block Grant projects.	300,650	-	300,650	-
<b>103 - HUD GRANTS FUND</b>			<b>300,650</b>	<b>-</b>	<b>300,650</b>	<b>-</b>
<b>106 - SALES AND USE TAX FUND</b>						
15	Sales & Use Tax Revenues	Growth rates from sales and use tax collections have exceeded the original budget. For accounting and appropriation requirements, estimated additional sales & use tax revenues are appropriated for 2021.	-	10,500,000	10,500,000	-
<b>106 - SALES AND USE TAX FUND</b>			<b>-</b>	<b>10,500,000</b>	<b>10,500,000</b>	<b>-</b>

Fund	Item No. 11.	Description	Fund Balance	Revenue	Expenditures	Net Impact
<b>111 - DDA TIF FUND</b>						
16	Fund Balance / Property Tax / Interest Income / Operating Transfer: CONFERENCE CENTER DEVELOPMENT FUND	Grant funds are being distributed for the Community Development Block Grant along with income derived from these programs as included in the Downtown Development Authority (DDA) and Tax increment financing (TIF) Fund.	211,050	180,550	391,600	-
111 - DDA TIF FUND			211,050	180,550	391,600	-
<b>112 - NEAHR GRANTS FUND</b>						
17	Grant	This request will ensure that the City of Greeley (COG) accurately reports all grant revenues and expenditures to the State of Colorado. As the Fiscal Agent, the COG needs to rebudget the unspent 2018/2019/2020 Northeast Colorado All-Hazards Region Grant funds. This request is to rebudget unspent 2018/2019/2020 Northeast Colorado All-Hazards Region grant funds. Some of the expenditures came in below the estimated budget and therefore allow those remaining dollars to be allocated to projects that would have otherwise been postponed to future years. Due to timing issues, not all of the project funds can be expended in one year and will therefore span multiple years. The funding is derived from Federal funds passed through the State of Colorado to the City of Greeley. This Northeast Colorado All-Hazards Region grant is a reimbursement grant. No reimbursements are made to the City of Greeley until the funds are spent on the individual projects and a Request for Reimbursement is submitted to the State of Colorado.	-	628,609	628,609	-
112 - NEAHR GRANTS FUND			-	628,609	628,609	-
<b>113 - EQUITABLE SHARING FUND</b>						
18	Fund Balance	Funding is being appropriated for expenditures within the Equitable Sharing Fund, including the purchase of K9s, travel, and training.	20,000	-	20,000	-
113 - EQUITABLE SHARING FUND			20,000	-	20,000	-
<b>121 - PUBLIC SAFETY .16%</b>						
19	Fund Balance	The Public Safety Fund's allocation of audit fees.	25,000	-	25,000	-
121 - PUBLIC SAFETY .16%			25,000	-	25,000	-
<b>122 - CABLE FRANCHISE PEG FUNDS</b>						
20	Fund Balance	Weld School District 6, as a Designated Access provider, filed an application with the City requesting Public, Educational, and Government Access (PEG) Grant funds to purchase and install specialized equipment necessary to produce local content associated with the educational programming consistent with the expectations of the City's cable franchise agreement. Local content has been identified with the application as features, district promotional videos, and educational updates for Channel 16 supported by the installation and purchase of new equipment through the appropriation of applicable cable franchise fees.	8,793	-	8,793	-
21	Fund Balance	Public, Educational, and Government Access (PEG) funds are designated for capital costs related to PEG access and web-based on-demand programming. These funds are being appropriated to purchase and install specialized equipment necessary to produce and provide access to local content created by the city's GTV8 studio and staff.	7,000	-	7,000	-
122 - CABLE FRANCHISE PEG FUNDS			15,793	-	15,793	-
<b>301 - PUBLIC IMPROVEMENT</b>						
22	Expenditure Savings	The School District and the City swapped land that would allow for the relocation of 3.5 golf holes to a more attractive location. In exchange, the City would provide an equal amount of land along 71st Street to the School District for improved site access to a new K-8 school planned for the property. Recent weather impacts from heavy rain and severe storms have delayed construction of the golf holes, seeding, installing the wet well, the non-potable (NP) pump station, constructing the NP ponds and lining the NP ponds. This has caused increased project components costs for utilizing scrapers, increasing the underdrain length, and potentially having to install dewatering well points and dewatering the ponds. The project team is requesting funds for the design of the non-potable outlet and storm line that must be upsized from 8" to 12" to meet State stormwater requirements for handling flows in the 100-year storm events. These funds were planned in the 2022 budget, but due to the current need, the project team is requesting the funds for design be moved up into 2021. The construction will begin in 2022 as originally budgeted.	-	100,000	100,000	-

Fund	Item No. 11.	Description	Fund Balance	Revenue	Expenditures	Net Impact
23	Fund Balance	Funding is being appropriated for the 10th St Access Control Project Phase 2 which is funded by the Colorado Department of Transportation (CDOT) allowing improved access onto 10th Street and improved pedestrian safety. Additional funding is needed for retainage, landscaping and professional services to complete the project that was not allocated as part of the 2021 Budget.	231,535	-	231,535	-
<b>301 - PUBLIC IMPROVEMENT</b>			231,535	100,000	331,535	-
<b>306 - FIRE EQUIPMENT ACQUISITION/REPLACEMENT</b>						
12B	Private Contributions	The Greeley Fire Department deployed wild land fire resources and personnel to incidents in Minnesota and Montana. This request will appropriate a portion of the reimbursements received to support the purchase of Fire vehicles and equipment.	-	20,534	20,534	-
<b>306 - FIRE EQUIPMENT ACQUISITION/REPLACEMENT</b>			-	20,534	20,534	-
<b>334 - ROAD DEVELOPMENT</b>						
24	Intergovernmental Agreement	The intersection of 37th Street and Two Rivers Parkway has seen additional growth in traffic over the past several years and is now in need of a traffic signal due to a high number of crashes and poor visibility due to terrain and structures. The intersection currently operates with high delays on the north and south approaches. This project will add a traffic signal at 37th Street and Two Rivers Parkway. The intersection and approaches will be widened by adding turn lanes. Existing pavements will be overlaid. Nearby development and existing traffic warrant the installation of a traffic signal at this arterial street intersection. The project is located in Greeley, Evans, and unincorporated Weld County. Completion of the project will provide interim traffic control. Ultimate arterial street improvements are not being designed at this time. Project is part of an Intergovernmental Agreement with The city of Evans. They will split the cost of the project 50/50. The total agreement is for \$1.2 million dollars. This appropriation is to appropriate the 50% that is allocated to The City of Evans.	-	600,000	600,000	-
25	Grant	Grant funding from the Colorado Department of Transportation (CDOT) is being appropriated, in addition to the current City and County funding, for O Street & 59th Ave Intersection project. This project will help improve traffic flow and improve safety as an identified Capital Improvement Plan (CIP) Management project and 2035 Transportation Masterplan project.	-	1,329,008	1,329,008	-
26	Fund Balance	Funding is being appropriated for a traffic signal at the 71st Avenue and 8th Street intersection to accommodate traffic from City Center West and Tointon Academy. Without a traffic signal, this intersection would become a safety concern as development continues in this area. The enrollment at Tointon Academy is expected to be just over 1,000 students. School District 6 has agreed to design, build, and pay for half of the cost of the signal as part of the Tointon Academy land use case. The detailed cost estimate for these improvements provided by the traffic engineer (Fox Tuttle Transportation Group) estimates the cost of improvements at \$411,696. This estimate was also reviewed by the City Traffic Engineer. The City has agreed to pay for half of the signal installation, or \$205,848. As agreed upon with Greeley School District 6, the City of Greeley will share the costs of construction of a new traffic signal at 71st Avenue and 8th Street in advance of the new Tointon Academy School opening.	205,848	-	205,848	-
<b>334 - ROAD DEVELOPMENT</b>			205,848	1,929,008	2,134,856	-
<b>336 - TRAILS DEVELOPMENT</b>						
27	Operating Transfer: STORMWATER CONSTRUCTION	Funding is requested to support construction of the Greeley #3 Canal Trail (aka Broadview Acres Trail) south of 4th St. to Madison Elementary School. This trail segment was identified in the 2016 Parks, Trails, and Open Lands Master Plan as a priority section to complete providing trail connectivity between neighborhoods and facilities. This project involves moving utility lines, poles, and guide wires to accommodate trail improvements including infrastructure for pedestrian crossing beacons on 4th Street. This work was not originally anticipated for the trail construction project until unforeseen issues with the original location for the infrastructure. The additional funds will supplement the existing budget for trail construction which is expected to be completed in 2021. A refund received from Xcel for a project that the City did not pursue will support the requested expenditures.	-	75,792	75,792	-
<b>336 - TRAILS DEVELOPMENT</b>			-	75,792	75,792	-
<b>511 - EQUIPMENT MAINTENANCE OPERATIONS</b>						
28	Fund Balance	Fund balance from the Equipment Maintenance Operations Fund is being appropriated for the increased fleet fuel cost in 2021 which exceeded budgeted expectations.	180,000	-	180,000	-
<b>511 - EQUIPMENT MAINTENANCE OPERATIONS</b>			180,000	-	180,000	-

Fund	Item No. 11.	Description	Fund Balance	Revenue	Expenditures	Net Impact
<b>512 - FLEET REPLACEMENT</b>						
29		Operating Transfer: Funds available within the Equitable Sharing Fund was used to purchase a police vehicle. EQUITABLE SHARING FUND	-	18,000	18,000	-
30		Operating Transfer: Funding is being appropriated from the Liability fund for the replacement of vehicles that were total loss in non-city fault accidents with reimbursement provided through insurance recoveries. Funding appropriated includes the insurance recoveries received on three City vehicles. LIABILITY	-	64,257	64,257	-
<b>512 - FLEET REPLACEMENT</b>			-	82,257	82,257	-
<b>TOTAL (Less Additional Operating Expenditures Between Funds)</b>			<b>1,451,229</b>	<b>14,259,217</b>	<b>15,710,446</b>	<b>-</b>
<b>OPERATING TRANSFERS</b>						
3	Expense Reimbursement	Share the Shade, Memorial Trees, & Donations Operating Transfer of Expense Reimbursement [\$1,126] CASH IN LIEU OF LANDSCAPING to GENERAL FUND Operating Transfer of Private Contributions [\$700] COMMUNITY MEMORIALS OF LANDSCAPING to GENERAL FUND	-	1,826	1,826	-
13.G	Insurance Recoveries	Police Cruisers Accident Repair Operating Transfer of Insurance Recoveries LIABILITY to GENERAL FUND	-	30,000	30,000	-
13.M	Operating Transfer	Police Camera Upgrade: Replenish the General Fund for a camera upgrade purchased with Equitable Sharing Funds. EQUITABLE SHARING FUND to GENERAL FUND	-	5,000	5,000	-
15	Sales & Use Tax Revenues	Sales & Use Tax Operating Transfer of Sales & Use Tax Revenues SALES AND USE TAX FUND to GENERAL FUND [\$9,104,046] SALES AND USE TAX FUND to QUALITY OF LIFE [\$910,405] SALES AND USE TAX FUND to PUBLIC SAFETY [\$485,549]	-	10,500,000	-	10,500,000
16	DDA Property Taxes	Downtown Development Authority (DDA) Tax increment financing (TIF) Operating Transfer DDA TIF FUND TO CONFERENCE CENTER DEVELOPMENT FUND	-	5,000	5,000	-
18	Operating Transfer	Police Ammo: Replenish the Equitable Sharing Fund for ammo purchased with in the General Fund. GENERAL FUND to EQUITABLE SHARING FUND	-	65,000	65,000	-
27	Fund Balance	#3 Canal Trail Construction Operating Transfer of Fund Balance STORMWATER CONSTRUCTION to TRAILS DEVELOPMENT	75,792	-	75,792	-
29	Fund Balance	Police Vehicle Operating Transfer of Fund Balance EQUITABLE SHARING FUND to FLEET REPLACEMENT	18,000	-	18,000	-
30	Insurance Recoveries	Accident Vehicle Replacement Operating Transfer of Insurance Recoveries LIABILITY to FLEET REPLACEMENT	-	64,257	64,257	-
<b>TOTAL ADDITIONAL OPERATING EXPENDITURES BETWEEN FUNDS</b>			<b>93,792</b>	<b>10,671,083</b>	<b>264,875</b>	<b>10,500,000</b>
<b>GRAND TOTAL</b>			<b>1,545,021</b>	<b>24,930,300</b>	<b>15,975,321</b>	<b>10,500,000</b>

# Council Agenda Summary

November 16, 2021

**Key Staff:**

Paul J. Fetherston, Deputy City Manager for Enterprise Resources  
Maria Gonzalez Estevez, Interim Human Resources Director

**Title:**

Introduction and first reading of an ordinance authorizing a Fiscal Year 2021 salary increase for the Municipal Judge

**Summary:**

In January 2021, the City Council took action to approve a retroactive salary adjustment for City Council appointed employees (City Manager, City Attorney and Municipal Judge) associated with Fiscal Year 2020 performance reviews and market analysis. The action had been delayed until that time at the request of the incumbents at the time due to uncertainties in Fiscal Year 2020 relative to the COVID-19 pandemic.

Based on the uncertainty pertaining to the economic and financial impacts of the COVID-19 pandemic remaining during the Fiscal 2021 budget adoption process, the budget was adopted without an appropriation for merit increases for non-union employees. Following the negotiation of collective bargaining agreements with the Police and Fire Unions, respectively, in the summer of 2021, the Interim City Manager sought City Council approval for a supplemental appropriation to support a two percent general wage increase for non-union employees in September 2021. In accordance with that appropriation, the general wage increases for non-union City employees were processed in early November. Eligible employees received a lump sum for the general wage increase retroactive to March 2021, with base salaries adjusted to the new rate prospectively.

Since performance reviews and corresponding compensation adjustments for the City Manager must be processed by the City Council through an ordinance, the City Council has indicated its desire to make similar Fiscal Year 2021 retroactive general wage adjustments provided to non-union employees to the City Council appointed employees (City Attorney and Municipal Judge – no adjustment is required for the City Manager position at this time because it is filled on an interim basis).

The action presented for Council consideration is to authorize a Fiscal Year 2021 general wage increase of two-percent to for the Municipal Judge retroactive to March 2021 as outlined below. In accordance with City of Greeley Charter §3-15, any action by the City Council to adjust compensation (including salary and benefits) must be done by ordinance.

Municipal Judge Current Salary (adjusted for Fiscal Year 2020)	160,950
Value of 2% General Wage Increase for Municipal Judge	3,219.00
Fiscal Year 2021 Municipal Judge salary following adjustment	164,169

**Fiscal Impact:**

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	N/A
What is the annual impact?	\$3,219.00
What fund of the City will provide Funding?	General
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:**

None anticipated.

**Other Issues and Considerations:**

None.

**Applicable Council Priority and Goal:**

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

**Decision Options:**

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

**Council's Recommended Action:**

A motion to introduce the ordinance and schedule the public hearing and final reading for December 7, 2021.

**Attachments:**

Draft Ordinance

**CITY OF GREELEY, COLORADO  
ORDINANCE NO.\_\_\_\_, 2021**

**AN ORDINANCE AUTHORIZING A SALARY INCREASE AND CHANGES TO CERTAIN BENEFITS  
FOR THE MUNICIPAL JUDGE.**

WHEREAS, Section 3-15 of the Greeley City Charter requires the fixing of compensation to be by ordinance, and salary and benefits are a part of the Municipal Judge's compensation package; and

WHEREAS, due to the continued uncertainty of the economic and financial impacts of the Fiscal Year 2021 budget process, the budget was adopted without any appropriation for any market or merit salary adjustments for non-union employees including the Municipal Judge;

WHEREAS, following the completion of collective bargaining agreements in the summer of 2021 and a review of economic and financial conditions, in September 2021 the City Council approved an appropriation for a general wage increase of two-percent for all non-union employees retroactive to March 2021; and

WHEREAS, the City Council feels that it is appropriate to now consider a similar general wage increase of two percent for the Municipal Judge.

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

Section 1. The Municipal Judge's salary is increased by two percent (2.0%) to \$164,169.

Section 2. The above referenced ordinance shall be effective upon passage and shall be retroactive to March , 2021.

**PASSED AND ADOPTED, SIGNED AND APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, 2021**

**ATTEST:**

**THE CITY OF GREELEY, COLORADO**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**

# Council Agenda Summary

November 16, 2021

## **Agenda Item Number**

Key Staff:

Paul J. Fetherston, Deputy City Manager for Enterprise Resources

Maria Gonzalez Estevez, Interim Human Resources Director

### Title:

Introduction and first reading of an ordinance authorizing a Fiscal Year 2021 salary increase for the City Attorney

### Summary:

In January 2021, the City Council took action to approve a retroactive salary adjustment for City Council appointed employees (City Manager, City Attorney and Municipal Judge) associated with Fiscal Year 2020 performance reviews and market analysis. The action had been delayed until that time at the request of the incumbents at the time due to uncertainties in Fiscal Year 2020 relative to the COVID-19 pandemic.

Based on the uncertainty pertaining to the economic and financial impacts of the COVID-19 pandemic remaining during the Fiscal 2021 budget adoption process, the budget was adopted without an appropriation for merit increases for non-union employees. Following the negotiation of collective bargaining agreements with the Police and Fire Unions, respectively, in the summer of 2021, the Interim City Manager sought City Council approval for a supplemental appropriation to support a two percent general wage increase for non-union employees in September 2021. In accordance with that appropriation, the general wage increases for non-union City employees were processed in early November. Eligible employees received a lump sum for the general wage increase retroactive to March 2021, with base salaries adjusted to the new rate prospectively.

Since performance reviews and corresponding compensation adjustments for the City Manager must be processed by the City Council through an ordinance, the City Council has indicated its desire to make similar Fiscal Year 2021 retroactive general wage adjustments provided to non-union employees to the City Council appointed employees (City Attorney and Municipal Judge – no adjustment is required for the City Manager position at this time because it is filled on an interim basis).

The action presented for Council consideration is to authorize a Fiscal Year 2021 general wage increase of two-percent to for the City Attorney retroactive to March 2021 as outlined below. In accordance with City of Greeley Charter §3-15, any action by the City Council to adjust compensation (including salary and benefits) must be done by ordinance.



City Attorney Current Salary (adjusted for Fiscal Year 2020)	219,525
Value of 2% General Wage Increase for City Attorney	4,390.50
Fiscal Year 2021 City Attorney salary following adjustment	223,915.50

**Fiscal Impact:**

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	N/A
What is the annual impact?	\$4,390.50
What fund of the City will provide Funding?	General
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:**

None anticipated.

**Other Issues and Considerations:**

None.

**Applicable Council Priority and Goal:**

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

**Decision Options:**

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

**Council's Recommended Action:**

A motion to introduce the ordinance and schedule the public hearing and final reading for December 7, 2021.

**Attachments:**

Ordinance

**CITY OF GREELEY, COLORADO  
ORDINANCE NO. \_\_\_ 2021**

**AN ORDINANCE AUTHORIZING A SALARY INCREASE AND CHANGES TO CERTAIN BENEFITS  
FOR THE CITY ATTORNEY**

WHEREAS, Section 3-15 of the Greeley City Charter requires the fixing of compensation to be by ordinance, and salary and benefits are a part of the City Attorney's compensation package; and

WHEREAS, due to the continued uncertainty of the economic and financial impacts of the Fiscal Year 2021 budget process, the budget was adopted without any appropriation for any market or merit salary adjustments for non-union employees including the City Attorney;

WHEREAS, following the completion of collective bargaining agreements in the summer of 2021 and a review of economic and financial conditions, in September 2021 the City Council approved an appropriation for a general wage increase of two-percent for all non-union employees retroactive to March 2021; and

WHEREAS, the City Council feels that it is appropriate to now consider a similar general wage increase of two percent for the City Attorney.

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

Section 1. The City Attorney's salary is increased by two percent (2.0%) to \$223,916.

Section 2. The above referenced ordinance shall be effective upon passage and shall be retroactive to March , 2021.

**PASSED AND ADOPTED, SIGNED AND APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, 2021**

**ATTEST:**

**THE CITY OF GREELEY, COLORADO**

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**MAYOR**

# Council Agenda Summary

November 16, 2021

Key Staff Contact: Brittany Hathaway, Planner III, 970-350-9823  
Becky Safarik, Assistant City Manager, 970-350-9785

**Title:**

Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan), for approximately 1.169 acres of property including adjacent right-of-way to centerline located at 2000 16<sup>th</sup> Street, known as the 2000 16<sup>th</sup> Street Rezone

**Summary:**

The action before City Council is a request to rezone 1.169 acres from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan), which would bind the proposal to some specific design and use elements. The rezone request includes a .952-acre parcel and approximately .217 acres of adjacent 16<sup>th</sup> Street right-of-way to centerline.

The applicant proposes to develop the property with a drive-thru coffee shop use. A coffee shop is permitted under the current C-L zoning; however, a drive-thru element requires a higher level commercial designation, thus the request for a rezone. While a coffee shop is proposed under this application the zone change would allow any type of food service drive-thru use without hours of limitation. A DCMP has been proposed by the applicant to promote compatibility with the surrounding area by prohibiting some high intensity uses otherwise permitted in the C-H zone, such as automotive uses. Future development would be required to comply with City Development Code as indicated on the DCMP.

As this application was submitted in May of 2021, it has been processed under the previous Development Code.

The Planning Commission heard this item at its regular meeting on October 26, 2021. The motion put forth to recommend approval failed for lack of a second.

**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?	N/A
If yes, does this grant require a match?	

Is this grant onetime or ongoing?	
Additional Comments:	

**Legal Issues:**

Consideration of this matter is a quasi-judicial process.

**Other Issues and Considerations:**

None noted.

**Strategic Work Program Item or Applicable Council Priority and Goal:**

Consistency with Comprehensive Plan and Development Code Standards.

**Decision Options:**

- 1) Introduce the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain; or
- 5) Remand the item back to the Planning Commission with specific direction on any further deliberation or for greater clarification of their recommendation.

**Council's Recommended Action:**

A motion to introduce the ordinance and schedule the public hearing and final reading for December 7, 2021.

**Attachments:**

- Draft Ordinance
- Vicinity and Zoning Maps
- Planning Commission Summary (Staff Report) (October 26, 2021) with Attachments A-G
- Draft minutes (October 26, 2021)

**CITY OF GREELEY, COLORADO  
ORDINANCE NO. \_\_\_\_\_, 2021  
CASE NO. ZON2021-0008**

**AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, FROM C-L (COMMERCIAL LOW INTENSITY) TO C-H (COMMERCIAL HIGH INTENSITY) WITH A DCMP (DEVELOPMENT CONCEPT MASTER PLAN), FOR APPROXIMATELY 1.169 ACRES OF PROPERTY INCLUDING ADJACENT RIGHT-OF-WAY TO CENTERLINE LOCATED AT 2000 16TH STREET, KNOWN AS THE 2000 16TH STREET REZONE**

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

Section 1. The following described property located in the City of Greeley is hereby changed from the zoning district referred to as C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan) for approximately 1.169 acres of property in the City of Greeley, County of Weld, State of Colorado:

See attached legal description

Section 2. The boundaries of the pertinent zoning districts as shown on the official zoning map are hereby changed so as to accomplish the above-described zoning changes, and the Mayor and City Clerk are hereby authorized and directed to sign and attest an entry which shall be made on the official zoning map to reflect this change.

Section 3. This ordinance shall become effective five (5) days after its final publication as provided by the Greeley City Charter.

**PASSED AND ADOPTED, SIGNED AND APPROVED, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

**ATTEST:**

**THE CITY OF GREELEY**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**

Legal Description

A PARCEL OF LAND BEING A PORTION OF LOT 4, MONT VIEW PARK, IN THE CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, PER THE PLAT RECORDED NOVEMBER 21, 1908 AT RECEPTION NO. 134088 IN THE OFFICE OF THE CLERK AND RECORDER FOR SAID COUNTY, LOT 13, BLOCK 1 AND A PORTION OF LOT 1, BLOCK 1, MONT VIEW HEIGHTS, IN SAID CITY, COUNTY AND STATE, PER THE PLAT RECORDED MAY 6, 1952 AT RECEPTION NO. 1136224 IN SAID OFFICE OF THE CLERK AND RECORDER AND THE SOUTHERLY HALF OF 16TH STREET, A 100-FOOT-WIDE PUBLIC RIGHT-OF-WAY PER RECEPTION NO. 134088 IN SAID OFFICE OF THE CLERK AND RECORDER, LYING WITHIN THE SOUTHWEST ONE-QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 3, SAID MONT VIEW PARK, FROM WHICH THE NORTH LINE OF SAID LOT 3 BEARS, SOUTH 89°50'00" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING REFERENCED TO SAID NORTH LINE;  
THENCE ALONG SAID NORTH LINE, SOUTH 89°50'00" WEST, A DISTANCE OF 469.82 FEET TO THE NORTHWEST CORNER OF SAID LOT 3 AND THE POINT OF BEGINNING;  
THENCE ALONG THE WEST LINE OF SAID LOT 3, SOUTH 00°19'13" EAST, A DISTANCE OF 218.97 FEET TO THE NORTH LINE OF THE REMAINING PORTION OF LOT 1, BLOCK 1 AND LOT 3, BLOCK 1, SAID MONT VIEW HEIGHTS;  
THENCE ALONG SAID NORTH LINE, SOUTH 89°46'49" WEST, A DISTANCE OF 189.47 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, BLOCK 1;  
THENCE ALONG THE EAST LINE OF LOT 4 AND LOT 12, BLOCK 1, SAID MONT VIEW HEIGHTS, NORTH 00°13'11" WEST, A DISTANCE OF 269.15 FEET TO THE CENTERLINE OF 16TH STREET, A 100-FOOT-WIDE PUBLIC RIGHT-OF-WAY PER RECEPTION NO. 134088;  
THENCE ALONG SAID CENTERLINE, NORTH 89°50'00" EAST, A DISTANCE OF 188.99 FEET;  
THENCE DEPARTING SAID CENTERLINE, SOUTH 00°19'13" EAST, A DISTANCE OF 50.00 FEET TO THE NORTH LINE OF SAID LOT 3 AND THE POINT OF BEGINNING.

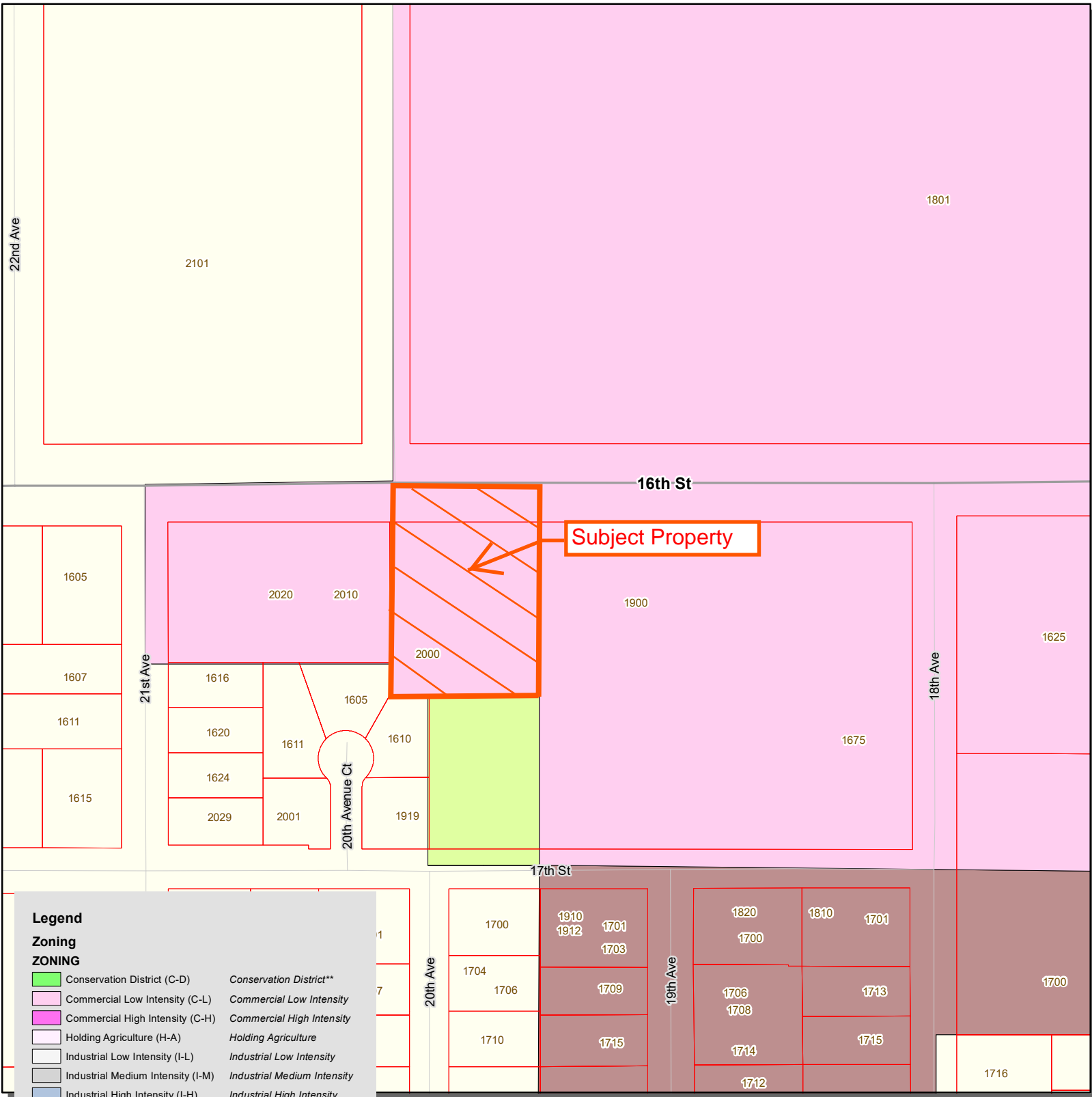
CONTAINS 50,914 SQUARE FEET OR 1.169 ACRES, MORE OR LESS.

# Vicinity Map 2000 16th Street Rezone



ZON2021-0008

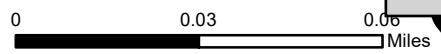
# Zoning Map 2000 16th Street Rezone



**Legend**

ZONING	
	Conservation District (C-D) Conservation District**
	Commercial Low Intensity (C-L) Commercial Low Intensity
	Commercial High Intensity (C-H) Commercial High Intensity
	Holding Agriculture (H-A) Holding Agriculture
	Industrial Low Intensity (I-L) Industrial Low Intensity
	Industrial Medium Intensity (I-M) Industrial Medium Intensity
	Industrial High Intensity (I-H) Industrial High Intensity
	Planned Unit Development (PUD) Planned Unit Development
	Residential Estate (R-E) Residential Estate
	Residential Low Density (R-L) Residential Low Density
	Residential Medium Density (R-M) Residential Medium Density
	Residential High Density (R-H) Residential High Density
	Residential Mobile Home (RMH) Residential Mobile Home

ZON2021-0008





**PLANNING COMMISSION SUMMARY**

**ITEMS:** Rezone property from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan)

**FILE NUMBER:** ZON2021-0008

**PROJECT:** 2000 16<sup>th</sup> Street Rezone

**LOCATION:** 2000 16<sup>th</sup> Street

**APPLICANT:** Michael Drago, Entitlement and Engineering Solutions, Inc. on behalf of GA HC REIT II, Greeley Northern Colorado MOB Portfolio, LLC

**CASE PLANNER:** Brittany Hathaway, Planner III

**PLANNING COMMISSION HEARING DATE:** October 26, 2021

**PLANNING COMMISSION FUNCTION:**

The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and shall then make a recommendation to the City Council regarding the application in the form of a finding based on the review criteria in Section 24-625(c)(3) of the Development Code.

**EXECUTIVE SUMMARY**

The City of Greeley is considering a request to rezone 1.169 acres, including adjacent right-of-way to roadway centerline, from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a Development Concept Master Plan.

The subject site is located south of 16<sup>th</sup> Street, north of 17<sup>th</sup> Street, west of 18<sup>th</sup> Avenue, and east of 21<sup>st</sup> Avenue, addressed 2000 16<sup>th</sup> Street (see Attachment A).

**A. REQUEST**

The City of Greeley is considering a request to rezone 1.169 acres from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan). The request includes a .952-acre parcel and approximately .217 acres of adjacent 16<sup>th</sup> Street right-of-way to centerline.

The applicant proposes to develop the property with a drive-thru coffee shop use. While a coffee shop would be permitted, drive-thru uses are restricted in the C-L zone district, thus the request for a rezone. A DCMP is provided to ensure compatibility with the surrounding area (see Attachment F). The DCMP would prohibit high intensity uses otherwise permitted in the C-H zone district in an effort to protect the surrounding area and adjacent residential uses from excess

impacts. Future development would be required to comply with City Development Code as indicated on the DCMP.

As this application was submitted in May of 2021, it is processed under the previous Development Code. A minor subdivision application is under review by staff to create a lot from the existing parcel. The applicant has also provided a site plan application which would be reviewed administratively, with final acceptance pending City Council's approval of the rezone request.

## **B. STAFF RECOMMENDATION**

Approval

## **C. LOCATION**

### **Abutting Zoning/Land Use:**

North: C-L (Commercial Low Intensity)

South: C-L (Commercial Low Intensity), R-L (Residential Low Density), and PUD (Planned Unit Development)

East: C-L (Commercial Low Intensity)

West: C-L (Commercial Low Intensity) and R-L (Residential Low Density)

### **Site Characteristics:**

The site is developed with an office building and parking lot.

### **Surrounding Land Uses:**

North: Northern Colorado Medical Center

South: Parking lot and single family residential

East: Medical offices

West: Medical offices and single family residential

## **D. APPROVAL CRITERIA**

### **Development Code Section 24-625 Rezoning Procedures**

*This application was submitted prior to October 1, 2021. As such, it was reviewed and would be approved under the 1998 Development Code.*

*For the purpose of establishing and maintaining sound, stable and desirable development within the City, the rezoning of land is to be discouraged and allowed only under circumstances provided for in this Section [of the Code]. This policy is based on the opinion of the City Council that the City's zoning map is a result of a detailed and comprehensive appraisal of the City's present and future needs regarding land use allocation and other zoning considerations, and, as such, should not be amended unless to correct manifest errors or because of changed or changing conditions in a particular area of the City in general.*

The review criteria found in Section 24-625(c)(3) of the Development Code shall be used to evaluate the zoning amendment application.

- a) **Has the area changed, or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area?**

Staff Comment: The area has been established with several medical and office uses, including the Northern Colorado Medical Center campus. Significant change to the area is not currently observed, however demand for office space has decreased in recent years and is demonstrated by vacant office spaces, mainly south of 16<sup>th</sup> Street.

The property is currently developed with an office building and parking lot, however it has remained vacant for approximately 6-7 years. A rezone would be necessary to encourage redevelopment of the property with a use compatible with the surrounding medical, educational, and office uses.

The subject area on 16<sup>th</sup> Street is also designated as an “Employment, Industrial, and Commercial Area” on the Land Use Guidance map, which would encourage commercial uses to support the high employment area.

The proposal complies with this criterion.

- b) **Has the existing zoning been in place for at least fifteen (15) years without substantial development resulting and does the existing zoning appear to be obsolete, given development trends?**

Staff Comment: The property was zoned R-4 (Transitional District) in 1966, which was renamed C-1 in 1976. In 1998 the C-1 District was changed to C-L as part of the Development Code update, which the property remains zoned currently.

The rezone would encourage redevelopment of vacant property while the DCMP would ensure compatibility with the surrounding area with minimal potential impacts to the adjacent residential uses.

The proposal complies with this criterion.

- c) **Are there clerical or technical errors to correct?**

Staff Comment: There are no clerical or technical errors to correct.

This criterion is not applicable to this request.

- d) Are there detrimental environmental impacts, such as flood plains, inadequate drainage, slopes, unstable soils, etc., that may affect future development of this site and which may not have been considered during the original zoning of the property?**

Staff Comment: There are no known impacts.

This criterion is not applicable to this request.

- e) Is the proposed rezoning necessary in order to provide land for a community related use which was not anticipated at the time of adoption of the City's Comprehensive Plan; or have the policies of the City changed to the extent that a rezoning is warranted?**

Staff Comment: The proposed rezoning is not necessary in order to provide land for a community related use, nor has City policy changed to warrant a community related rezoning.

This criterion is not applicable to this request.

- f) What is the potential impact of the proposed rezoning upon the immediate neighborhood and the city as a whole (including potential noise and environmental impacts, visual impacts, the provision of City services such as police, fire, water, sewer, and pedestrian systems and parks and recreational facilities)?**

Staff Comment: Any potential noise created by future development would be regulated by the Municipal Code. The appropriate buffering must be provided, which would lessen any potential visual and noise impacts.

City services should not be impacted, since the surrounding area is already served by municipal services such as water and sewer. Police and Fire are also already serving this area.

The area is primarily medical and office in character with residential development at the southwest boundary. The applicant has proposed a DCMP to restrict higher intensity uses and to provide a conceptual drive-thru design to depict site circulation and positioning away from residential properties. While conceptually vehicle and pedestrian traffic would be minimally impacted, it would be analyzed in detail at time of site plan review. It is anticipated that a new pedestrian crossing would also be warranted on 16<sup>th</sup> Street.

The proposal complies with this criterion.

**g) Is there clear and convincing evidence that the proposed rezoning will be consistent with the policies and goals of the City’s Comprehensive Plan and comply with the applicable zoning overlay requirements?**

Staff Comment: There are no zoning overlay requirements for the subject property. The request is accompanied with a Development Concept Master Plan.

The following City of Greeley Comprehensive Plan policies apply to this request:

Objective GC-1.2 Form of Growth

Encourage a compact form over sprawl or leap-frog development.

Objective GC-2.2 Jobs/Housing Balance

Support zoning and development patterns that expand opportunities for people who live in Greeley to also work in Greeley (or vice versa).

Objective GC-2.3 Pedestrian and Bicycle-Oriented Development

Encourage a development pattern that encourages walking and bicycling whenever possible - by locating employment, shopping, recreation, entertainment, transit, and other services within a quarter mile of residential areas.

The proposal provides new development in a currently vacant infill site. The proposed location is within a quarter mile of residential areas providing employment and services within walking or biking distance. The Comprehensive Plan also identifies the subject area as “employment, industrial and commercial” on the land use guidance map, to which the proposed zoning and use would comply.

Staff Comment: The proposal complies with this criterion.

**h) What is the potential impact of the proposed rezoning upon an approved Zoning Suitability Plan for the property?**

Staff Comment: There is no approved Zoning Suitability Plan for this property.

This criterion is not applicable to this request.

**E. SITE CHARACTERISTICS**

**1. SUBDIVISION HISTORY**

The property is currently a parcel containing a portion of Lot 1 and Lot 13, Block 1 of Montview Heights and a portion of Lot 4, Block 1 of Mont View Park.

A minor subdivision is under review by staff to replat the subject area as Lot 1, Block 1, of the Mont View Commercial Subdivision.

## **2. TRANSPORTATION**

The City's traffic engineer and Engineering Development Review staff have reviewed the traffic impact analysis with the proposed concept plan for the drive-thru coffee use and found that additional traffic to the roadway system would not create a significant impact.

Proposed improvements for potential development would include a pedestrian crossing on 16<sup>th</sup> Street. No additional improvements were warranted based on projected traffic. Further analysis would be conducted at time of site plan review.

## **F. SERVICES**

### **1. WATER**

Water services are available and can adequately serve the subject property.

### **2. SANITATION**

Sanitation services are available and can adequately serve the subject property.

### **3. EMERGENCY SERVICES**

Emergency services are available and can adequately serve the subject property.

## **G. NEIGHBORHOOD IMPACTS**

### **1. VISUAL**

Any development plan application for the property would be reviewed for compliance with the City's Development Code requirements regarding visual impacts.

### **2. NOISE**

Any potential noise created by future development will be regulated by the Municipal Code. Furthermore, the DCMP restricts high intensity commercial uses with required buffering from the existing residential uses to the southwest.

## **H. PUBLIC NOTICE AND COMMENT**

### **1. NEIGHBORHOOD MEETING**

A virtual neighborhood meeting was held on July 7, 2021, for which property owners within 500 feet were notified via USPS. Neighbors in attendance expressed concern for potential increased vehicular and pedestrian traffic on adjacent roadways. The applicant prepared an updated traffic study in response and included a pedestrian crosswalk. Traffic, detailed pedestrian improvements, and potential alternative access would be further analyzed at time of site plan application.

### **2. PUBLIC NOTICE AND COMMENT**

Neighborhood notices for this meeting were mailed to surrounding property owners on October 8, 2021 and a notice was published in the newspaper per Development Code requirements. A sign was also posted on the site on October 12, 2021.

Two written citizen comments have been received at the time of drafting this report and can be found in Attachment G.

#### **I. PLANNING COMMISSION RECOMMENDED MOTION**

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan) meets Development Code Section 24-625(c)(3) a, b, f, and g; and therefore, recommends approval of the rezone to the City Council.

#### **ATTACHMENTS**

Attachment A – Zoning & Vicinity Maps

Attachment B – Project Narrative

Attachment C – Rezone Boundary Map

Attachment D – Zoning Analysis Map

Attachment E – Zoning Suitability Map

Attachment F – Development Concept Master Plan (DCMP)

Attachment G – Citizen Comments

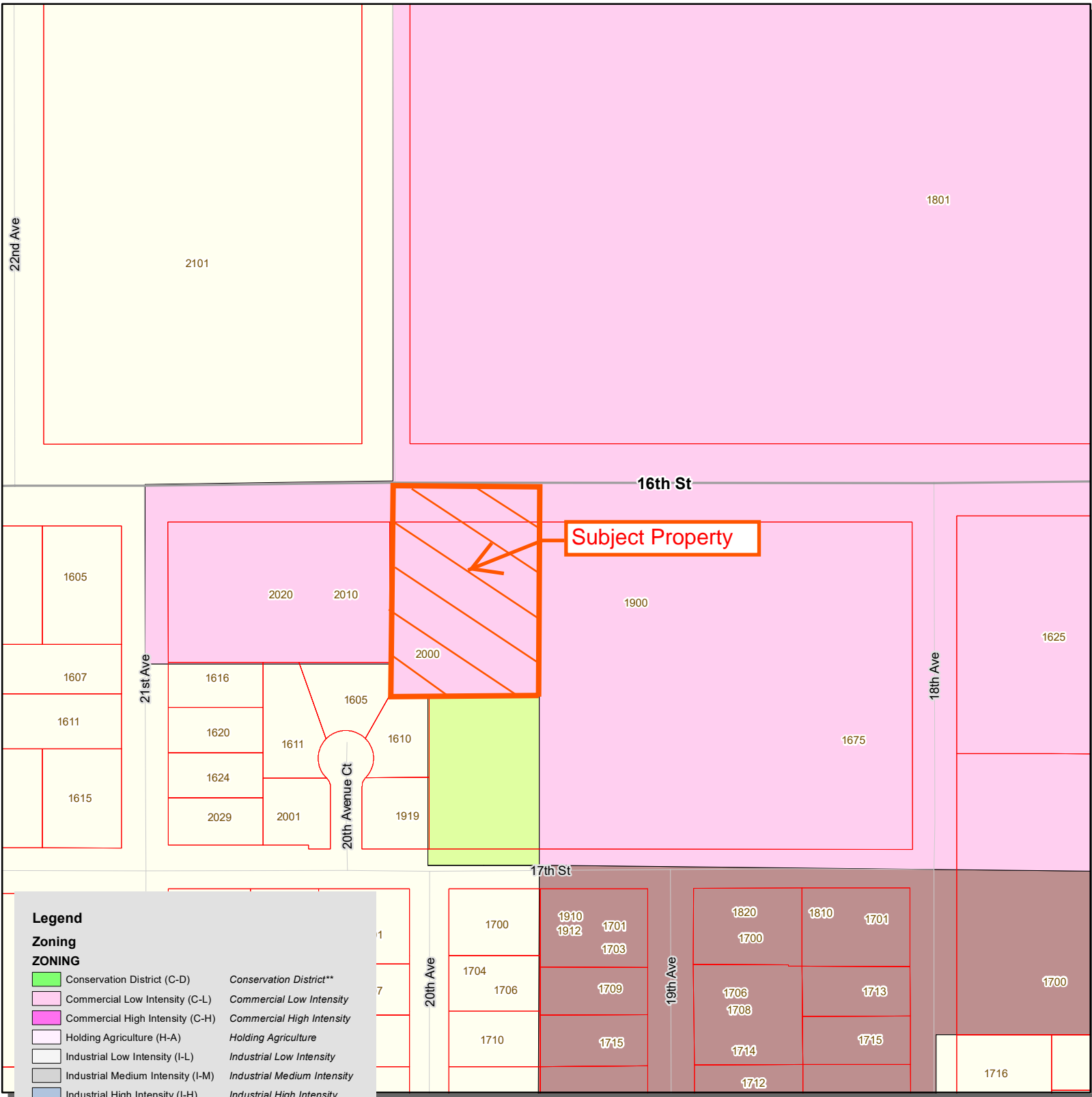
# Vicinity Map 2000 16th Street Rezone



ZON2021-0008



# Zoning Map 2000 16th Street Rezone



**Legend**

	Conservation District (C-D)	<i>Conservation District**</i>
	Commercial Low Intensity (C-L)	<i>Commercial Low Intensity</i>
	Commercial High Intensity (C-H)	<i>Commercial High Intensity</i>
	Holding Agriculture (H-A)	<i>Holding Agriculture</i>
	Industrial Low Intensity (I-L)	<i>Industrial Low Intensity</i>
	Industrial Medium Intensity (I-M)	<i>Industrial Medium Intensity</i>
	Industrial High Intensity (I-H)	<i>Industrial High Intensity</i>
	Planned Unit Development (PUD)	<i>Planned Unit Development</i>
	Residential Estate (R-E)	<i>Residential Estate</i>
	Residential Low Density (R-L)	<i>Residential Low Density</i>
	Residential Medium Density (R-M)	<i>Residential Medium Density</i>
	Residential High Density (R-H)	<i>Residential High Density</i>
	Residential Mobile Home (RMH)	<i>Residential Mobile Home</i>

**ZON2021-0008**



501 S. Cherry St, Suite 300  
Glendale, CO 80246  
303-572-7997  
ees.us.com

City of Greeley  
Community Development  
1100 10<sup>th</sup> Street  
Greeley, CO 80631

Re: Rezone Request - Project Narrative  
2000 16<sup>TH</sup> Street. – 0.95 acre Parcel

To Whom It May Concern,

This project narrative is intended to accompany the rezone request submittal. On behalf of Verdad Real Estate and Construction Services, EES makes this submittal for the potential development of the approximately 0.95 acre Parcel located at 2000 16<sup>th</sup> Street. The existing zoning surrounding the property currently Commercial Low intensity, where Café and other eating establishments are permitted, but not allowed with a drive thru. Therefore, a request is being made to rezone this area to a Commercial High Intensity to allow for a drive thru. Within the commercial high intensity zone, the drive-thru will be allowed as a “Design Review Use”. Areas adjacent to the site fall within residential-uses.

The owner is currently working with adjacent property owners to propose a cross access easement leading onto 21<sup>st</sup> Avenue.

Within the comprehensive plan, this parcel is located within a commercial district. Within the comprehensive plan, residents expressed a desire to see a greater mix of uses in existing neighborhoods in order to improve their access to day-to-day services. With replacing an existing vacant building with a café, the residents will gain a daily service close to their existing homes.

The attached Conceptual Site Plan expresses the overall location of the development as well as the location of the parcel abutting both street frontages. The proposed improvements include an approximately 2,225 sf Starbucks with a drive-thru, 2,100 sf patio area, and associated drives, walks, parking, and landscaping. There is an existing shared access on the east site of the project site that will continue to be utilized as a shared access for the future development. A cross access easement will be established within this area to the west for customers of the proposed development to access the public right-of-way within 16th Street. Pedestrian cross access will be directed to the public sidewalk within the ROW of 16th Street.

A neighborhood meeting was held on July 7<sup>th</sup> to give the public a chance to comment on the potential rezone of the property. At the meeting no major concerns were made by the public for the rezone. Traffic concerns were brought up by a few. The adjacent property owner to the east is currently being worked with to see if a potential cross-access easement could be worked on together to alleviate concerns of the public.

To reduce any noise concerns the residents to the south will have, the order board was placed on the northern side of the property, approximately 200’ away from the residential property. Based on survey information, there is an existing fence on the southern edge of the property which will be utilized to reduce noise further.

Item No. 14.



501 S. Cherry St, Suite 300  
Glendale, CO 80246  
303-572-7997  
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Respectfully,  
**Entitlement and Engineering Solutions, Inc.**

Michael Drago  
Civil Engineer

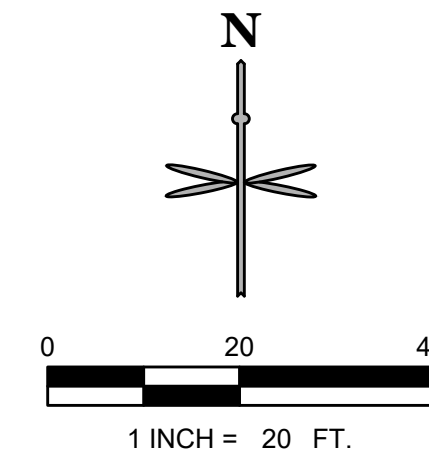
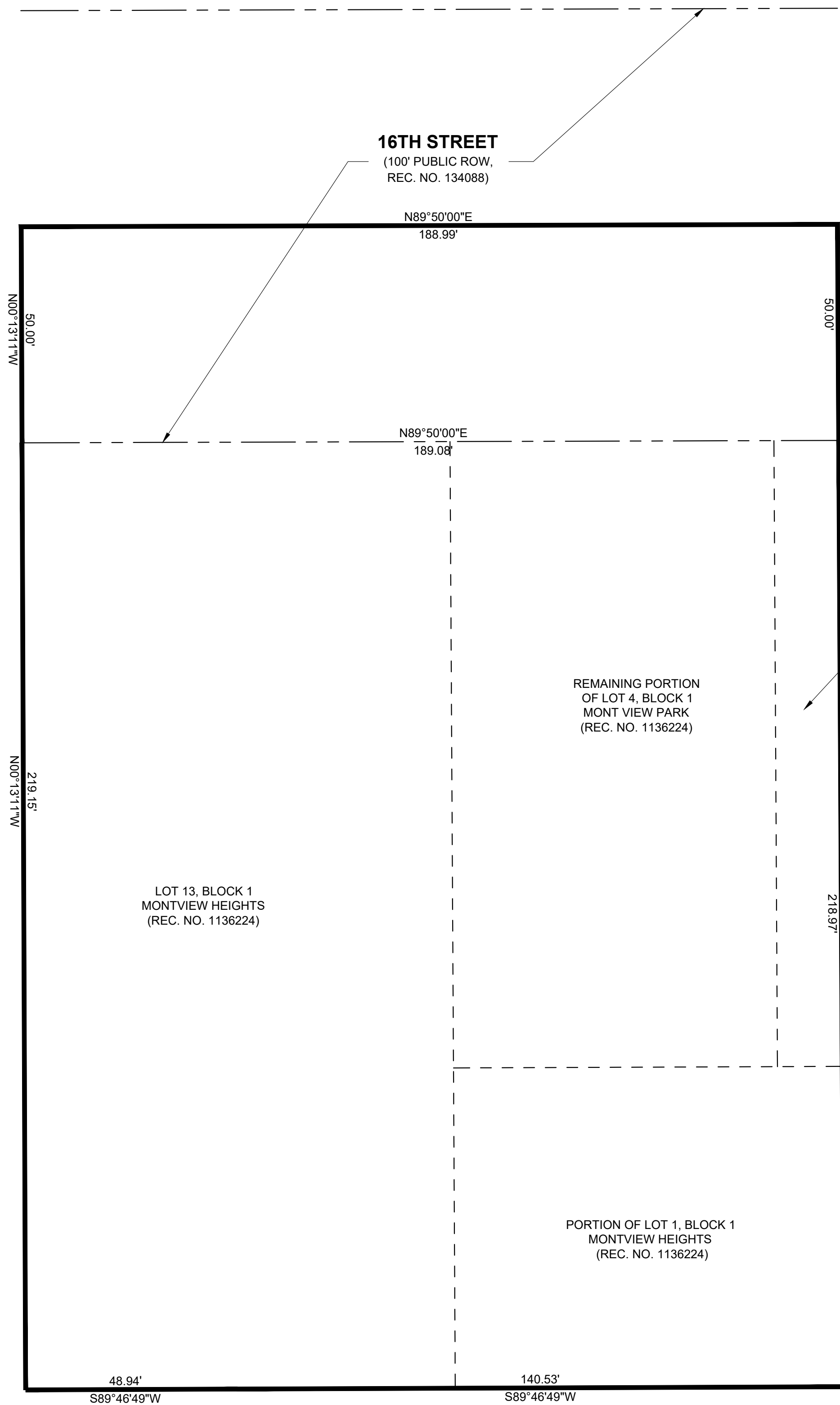
# 2000 16TH STREET REZONE

## ZONING BOUNDARY MAP

A PORTION OF LOT 1 AND LOT 13, BLOCK 1 OF MONTVIEW HEIGHTS, A PORTION OF LOT 4, BLOCK 1, THE EASTERN 15' OF LOT 4, BLOCK 1 OF MONT VIEW PARK AND 1/2 OF 16TH STREET LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO

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### REZONE BOUNDARY LEGEND

- SUBJECT BOUNDARY
- RIGHT-OF-WAY
- INNER LOT LINES

### ZONING BOUNDARY LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 4, MONT VIEW PARK, IN THE CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, PER THE PLAT RECORDED NOVEMBER 21, 1908 AT RECEPTION NO. 134088 IN THE OFFICE OF THE CLERK AND RECORDER FOR SAID COUNTY, LOT 13, BLOCK 1 AND A PORTION OF LOT 1, BLOCK 1, MONT VIEW HEIGHTS, IN SAID CITY, COUNTY AND STATE, PER THE PLAT RECORDED MAY 6, 1952 AT RECEPTION NO. 1136224 IN SAID OFFICE OF THE CLERK AND RECORDER AND THE SOUTHERLY HALF OF 16TH STREET, A 100-FOOT-WIDE PUBLIC RIGHT-OF-WAY PER RECEPTION NO. 134088 IN SAID OFFICE OF THE CLERK AND RECORDER, LYING WITHIN THE SOUTHWEST ONE-QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

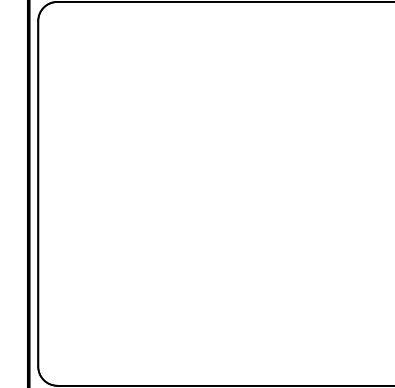
COMMENCING AT THE NORTHEAST CORNER OF LOT 3, SAID MONT VIEW PARK, FROM WHICH THE NORTH LINE OF SAID LOT 3 BEARS, SOUTH 89°50'00" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING REFERENCED TO SAID NORTH LINE:  
 THENCE ALONG SAID NORTH LINE, SOUTH 89°50'00" WEST, A DISTANCE OF 469.82 FEET TO THE NORTHWEST CORNER OF SAID LOT 3 AND THE POINT OF BEGINNING;  
 THENCE ALONG THE WEST LINE OF SAID LOT 3, SOUTH 00°19'13" EAST, A DISTANCE OF 218.97 FEET TO THE NORTH LINE OF THE REMAINING PORTION OF LOT 1, BLOCK 1 AND LOT 3, BLOCK 1, SAID MONT VIEW HEIGHTS;  
 THENCE ALONG SAID NORTH LINE, SOUTH 89°46'49" WEST, A DISTANCE OF 189.47 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, BLOCK 1;  
 THENCE ALONG THE EAST LINE OF LOT 4 AND LOT 12, BLOCK 1, SAID MONT VIEW HEIGHTS, NORTH 00°13'11" WEST, A DISTANCE OF 269.15 FEET TO THE CENTERLINE OF 16TH STREET, A 100-FOOT-WIDE PUBLIC RIGHT-OF-WAY PER RECEPTION NO. 134088;  
 THENCE ALONG SAID CENTERLINE, NORTH 89°50'00" EAST, A DISTANCE OF 188.99 FEET;  
 THENCE DEPARTING SAID CENTERLINE, SOUTH 00°19'13" EAST, A DISTANCE OF 50.00 FEET TO THE NORTH LINE OF SAID LOT 3 AND THE POINT OF BEGINNING.

CONTAINS 50,914 SQUARE FEET OR 1.169 ACRES, MORE OR LESS

### BASIS OF BEARING

BEARINGS ARE BASED UPON THE NORTH LINE OF LOT 3 AND LOT 4, MONT VIEW PARK, PER THE PLAT RECORDED NOVEMBER 21, 1908 AT RECEPTION NO. 134088 IN THE OFFICE OF THE CLERK AND RECORDER FOR THE COUNTY OF WELD, STATE OF COLORADO, WHICH BEARS NORTH 89°59'00" EAST BETWEEN THE FOUND MONUMENTS SHOWN HEREON

No.	REVISION	BY	DATE



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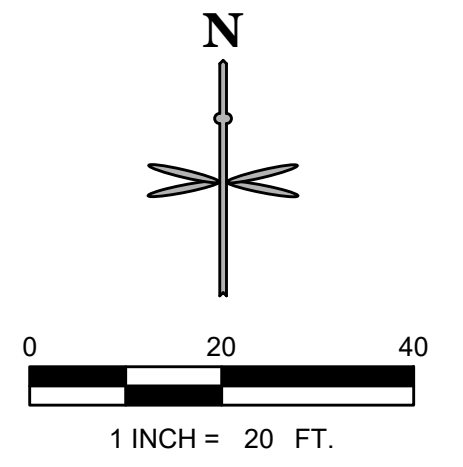
2000 16TH STREET REZONE  
ZON2021-008  
2000 16TH STREET, GREELEY, COLORADO  
ZONING BOUNDARY MAP

PROJECT NO: VER008.01  
DESIGNED BY: MRD  
DRAWN BY: MRD  
DATE: 08/25/2021

# 2000 16TH STREET REZONE

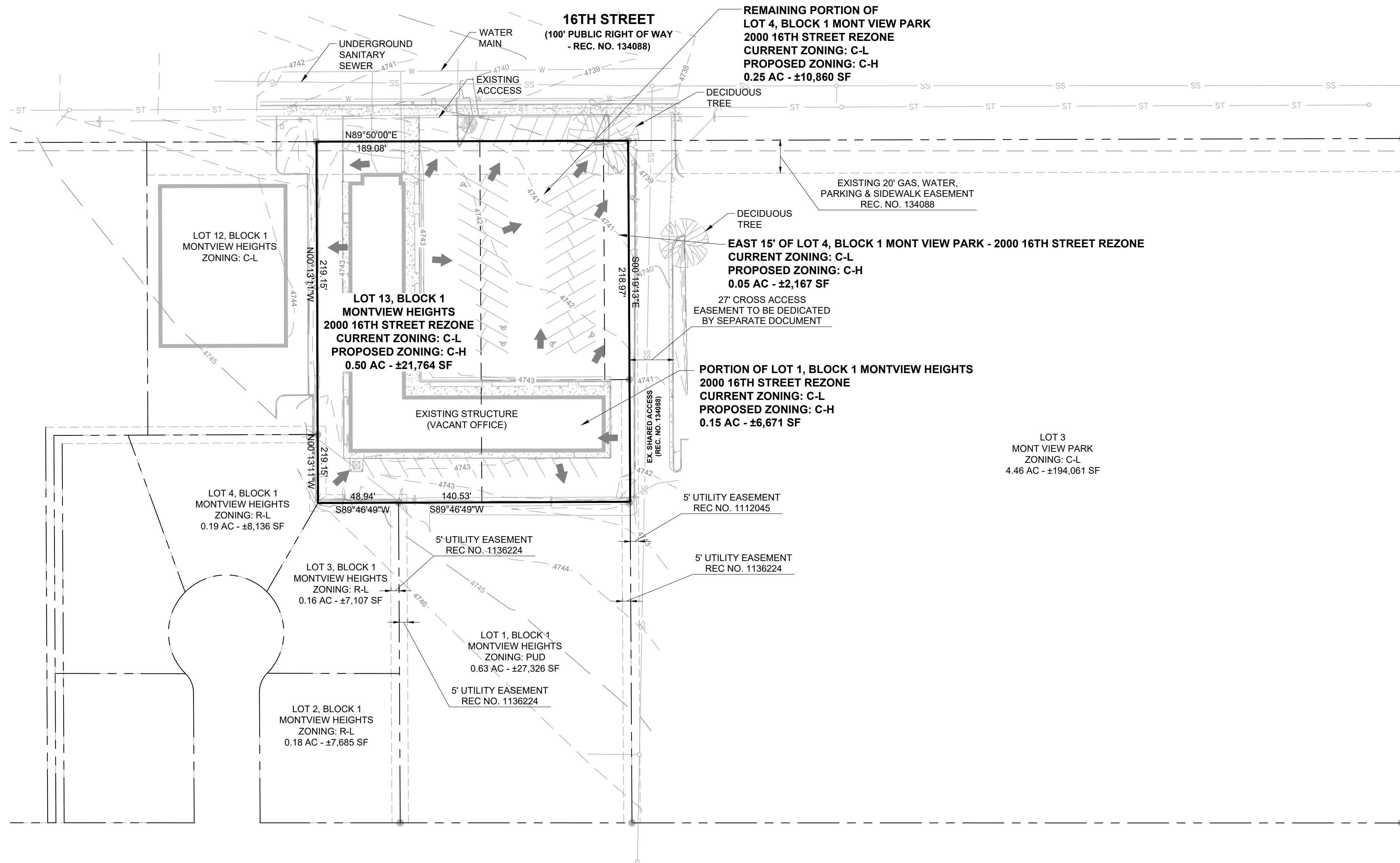
## SITE ANALYSIS MAP

A PORTION OF LOT 1 AND LOT 13, BLOCK 1 OF MONTVIEW HEIGHTS, A PORTION OF LOT 4, BLOCK 1, AND THE EASTERN 15' OF LOT 4, BLOCK 1 OF MONT VIEW PARK LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO

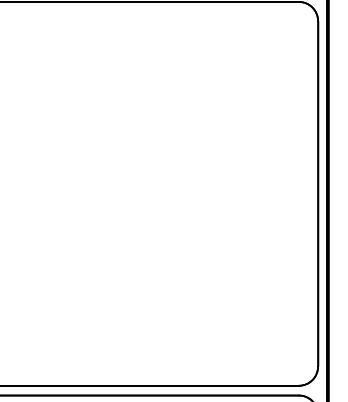


### SITE ANALYSIS LEGEND

- SUBJECT PROPERTY
- PROPERTY BOUNDARY
- INNER LOT LINE
- EXISTING EASEMENT
- EXISTING CURB & GUTTER
- EXISTING STORM SEWER MANHOLE/INLET
- EXISTING STREET LIGHTING
- EXISTING FIRE HYDRANT
- EXISTING SIGNAGE
- EXISTING DRAINAGE FLOW DIRECTION
- EXISTING SANITARY LINE
- EXISTING STORMWATER LINE
- EXISTING WATER LINE



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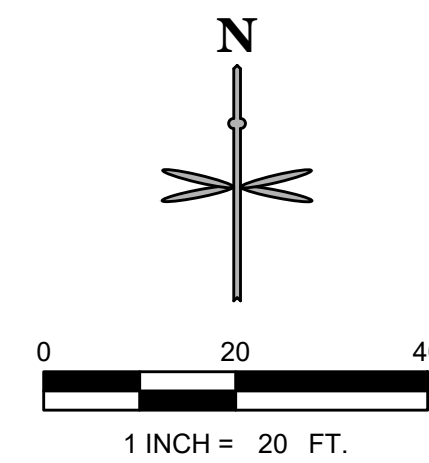


**2000 16TH STREET REZONE**  
 ZON2021-008  
 2000 16TH STREET, GREELEY, COLORADO  
**SITE ANALYSIS MAP**

PROJECT NO: VER008.01  
 DESIGNED BY: MRD  
 DRAWN BY: MRD  
 DATE: 03/04/2021

# 2000 16TH STREET REZONE ZONING SUITABILITY MAP

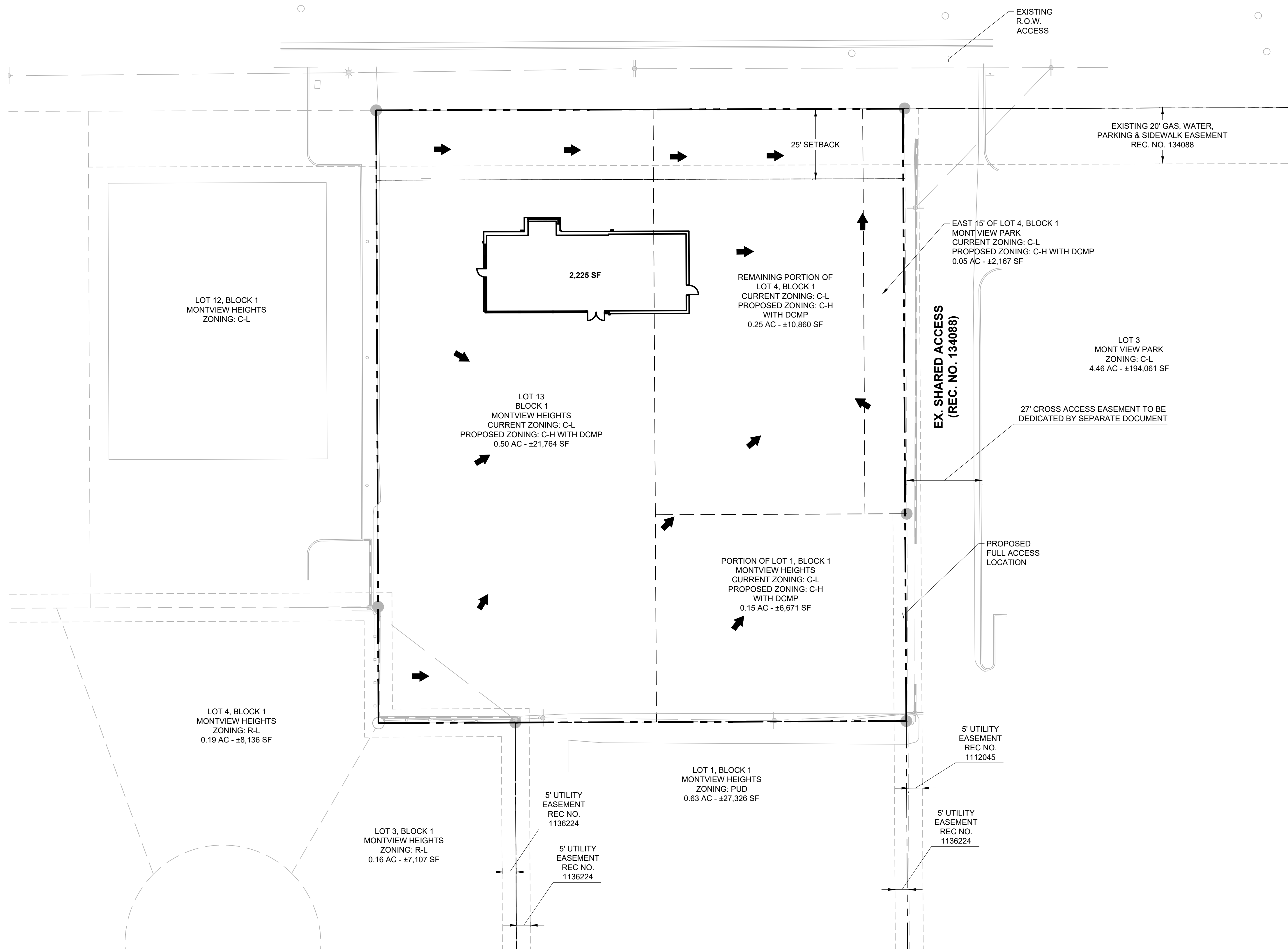
A PORTION OF LOT 1 AND LOT 13, BLOCK 1 OF MONTVIEW HEIGHTS, A PORTION OF LOT 4, BLOCK 1 OF MONT VIEW PARK AND THE EAST 15' OF LOT 4, BLOCK 1 OF MONT VIEW PARK LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO



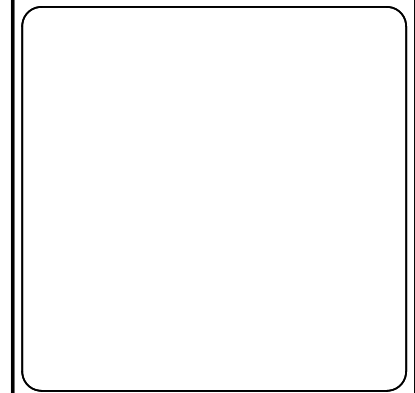
16TH STREET  
(100' PUBLIC RIGHT OF WAY - REC. NO. 134088)

### SITE PLAN LEGEND

- PROPERTY BOUNDARY
- EXISTING EASEMENT
- INNER LOT LINES
- EXISTING CURB & GUTTER
- PROPOSED BUILDING
- EXISTING STORM SEWER MANHOLE/INLET
- EXISTING SANITARY MANHOLE
- PRELIMINARY PROPOSED DRAINAGE FLOW DIRECTION



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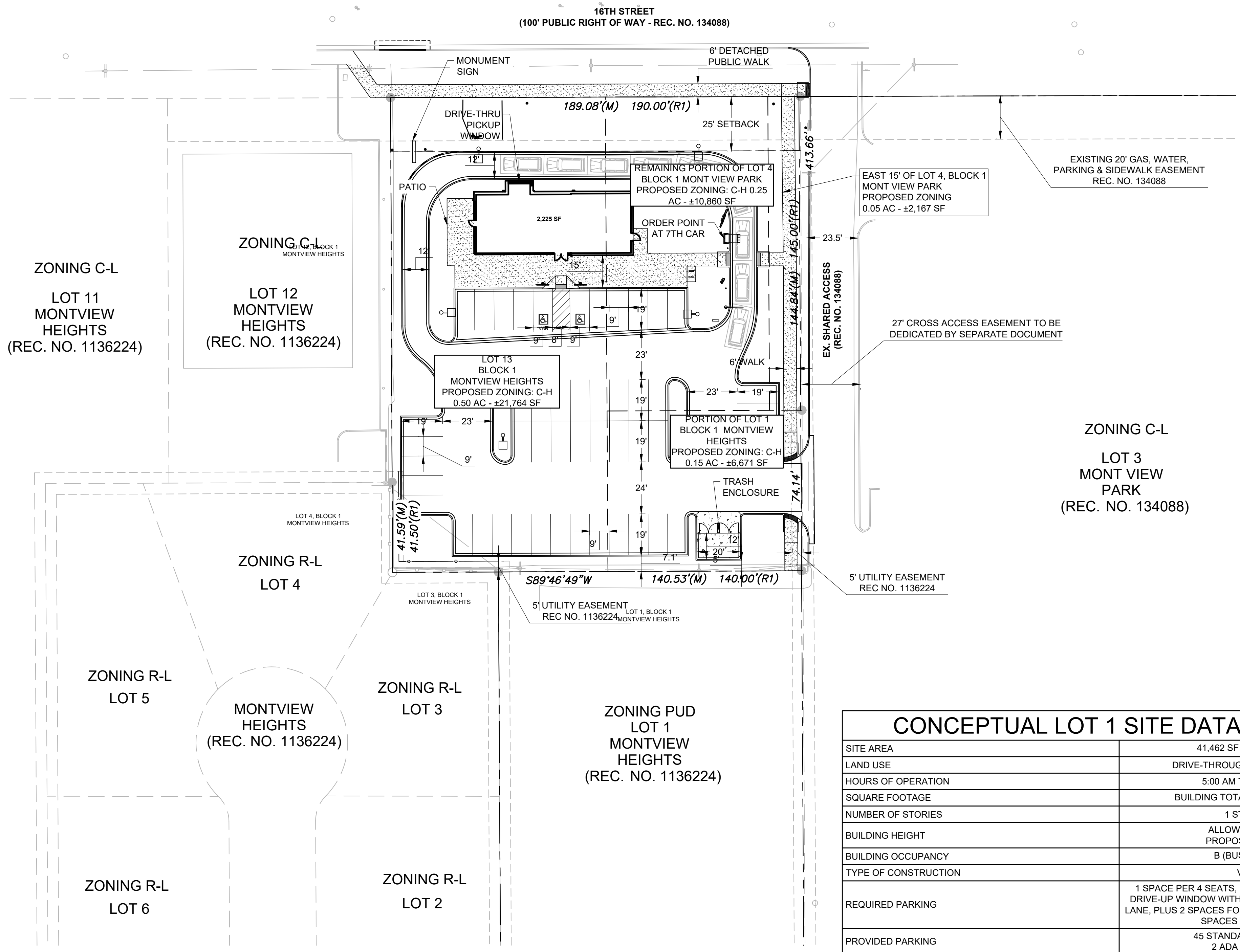
2000 16TH STREET REZONE  
ZON2021-008  
2000 16TH STREET, GREELEY, COLORADO  
ZONING SUITABILITY MAP

PROJECT NO: VER008.01  
DESIGNED BY: MRD  
DRAWN BY: MRD  
DATE: 08/24/2021

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# 2000 16TH STREET REZONE DEVELOPMENT CONCEPT MASTER PLAN

A PORTION OF LOT 1 AND LOT 13, BLOCK 1 OF MONTVIEW HEIGHTS, A  
PORTION OF LOT 4, BLOCK 1, AND THE EASTERN 15' OF LOT 4, BLOCK 1  
OF MONT VIEW PARK LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7,  
TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO



### DEVELOPMENT CONCEPT MASTER PLAN

C-H ZONE DISTRICT RESTRICTED USES

Auto repair, sales
Bars, taverns, lounges
Brewpubs
Car and truck wash
Convenience stores with gas sales
Emission testing centers
Exterminating shops
Food and beverage processing facility (minor)
Gas Stations and sales
Kennels
Pawn shops
RV and travel trailer parks
Towing services

### NOISE MITIGATION STANDARDS

NOISE MITIGATION ON SITE ARE TO FOLLOW STATE LAW AND REGULATIONS (C.R.S. TITLE 25, ARTICLE 12) FOR ALL OPERATIONS.

### DRIVE-THRU STANDARDS

DRIVE THRU'S ON SITE ARE TO FOLLOW STANDARDS SET FORTH IN THE CITY OF GREELEY'S ZONING CODE - SECTION 24-1164.

### BUFFER STANDARDS

BUFFERING IS REQUIRED FOR THE PROPERTIES TO THE SOUTH OF THE PROPOSED LOT. THE SITE WILL FOLLOW LANDSCAPING AND BUFFERING STANDARDS SET FORTH IN CITY OF GREELEY CODE - SECTION 24-1146. DUE TO LOW-INTENSITY ADJACENT SITE USES, THE BUFFERING WILL FOLLOW BUFFER YARD STANDARDS WITHIN TABLE 1146.2 AND SHOWN BELOW.

BUFFER YARD REQUIREMENTS			
PROPOSED USE	ADJACENT SITE USE	BUFFER YARD QUANTITY/WIDTH	EXAMPLE
HIGH-INTENSITY USE	LOW-INTENSITY USE	1 TREE AND 13 SHRUBS FOR EVERY 35 LINEAR FEET; MINIMUM WIDTH: 15 FEET	

### CONCEPTUAL LOT 1 SITE DATA TABLE

SITE AREA	41,462 SF - 0.95 ACRE
LAND USE	DRIVE-THROUGH COFFEE SHOP
HOURS OF OPERATION	5:00 AM TO 9:00 PM
SQUARE FOOTAGE	BUILDING TOTAL - 2,225 SQ. FT.
NUMBER OF STORIES	1 STORY
BUILDING HEIGHT	ALLOWED: 40'-0" PROPOSED 20'-4"
BUILDING OCCUPANCY	B (BUSINESS)
TYPE OF CONSTRUCTION	V-B
REQUIRED PARKING	1 SPACE PER 4 SEATS, PLUS 1 SPACE FOR EACH DRIVE-UP WINDOW WITH 5 STACKING SPACES PER LANE, PLUS 2 SPACES FOR EVERY 3 EMPLOYEES - 27 SPACES REQUIRED
PROVIDED PARKING	45 STANDARD SPACES 2 ADA SPACES
CAR STACKING	5 STACKING REQUIRED 9 STACKING SPACES PROVIDED
BICYCLE PARKING	3 SPACES REQUIRED 4 SPACES PROVIDED
AREA OF LANDSCAPING	14,447 / 35%
AREA OF DRIVEWAYS AND PARKING	21,394 / 52%
AREA OF BUILDING COVERAGE	2,225 / 5%
AREA OF SIDEWALK AND PATIO	3,396 / 8%

### ZONING

JURISDICTION	CITY OF GREELEY
EXISTING ZONING	C-L
PROPOSED ZONING	C-H WITH DCMP

### AREA COVERAGE

IMPERVIOUS (SQ. FT. / %)	27,015 / 65%
PERVIOUS / LANDSCAPING (SQ. FT. / %)	14,447 / 35%

**NOTE:**  
SITE PLAN SHOWN IS CONCEPTUAL AND SUBJECT TO MINOR REVISIONS

NO.	REVISION	BY	DATE

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**VERDAD**  
REAL ESTATE

2000 16TH STREET REZONE  
ZON2021-008  
2000 16TH STREET, GREELEY, COLORADO  
DEVELOPMENT CONCEPT  
MASTER PLAN

PROJECT NO:	VER008.01
DESIGNED BY:	MRD
DRAWN BY:	MRD
DATE:	08/24/2021

**Caleb Jackson**

---

**From:** Mueller, Andreas <Andreas.Mueller@unco.edu>  
**Sent:** Thursday, July 1, 2021 1:19 PM  
**To:** michael.drago@ees.us.com; Caleb Jackson  
**Subject:** [EXTERNAL] Proposed Rezone Application, 2000 16th Street, Greeley

Dear Mr Drago and Mr Jackson,

I have just received the neighborhood meeting notice concerning the proposed rezone application for 2000 16<sup>th</sup> Street. I won't be able to attend the meeting, but wanted to express my full support for the application to rezone. This is a beneficial proposed development.

Sincerely,  
Andreas Mueller  
1735 17<sup>th</sup> Avenue, Greeley.

**Andreas Mueller, PhD**  
Professor and Chair of English



---

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**From:** Chuck Turner <chktur@gmail.com>  
**Sent:** Friday, September 17, 2021 11:06 AM  
**To:** planning  
**Subject:** [EXTERNAL] 1700 16th street zoning change comments

Hi.

I wanted to let you know that I am opposed to changing the zoning for 1700 16<sup>th</sup> street to a more commercial friendly zoning class. My house is in that neighborhood and I like that it's a residential, mostly single family area with some medical facilities mixed in.

Allowing that zoning change to allow a Starbucks coffee restaurant with a drive through would give it a really different feel, a run of the mill commercial feel compared to how it is now. It would also mean an increase in traffic in this area. It would mean more air pollution from hundreds of idling cars going through that drive in every day. There are homes bordering that property that would directly be subjected to noise, pollution, and more traffic. And my home is a couple of blocks away. It would affect me too. We have been in a non attainment air quality area with the EPA for years. This would make it worse.

Another thing that makes me object to this zoning change is that it would open the door for a McDonalds or 7-11 with gas pumps to be built there if the Starbucks should close or the property sold to another developer. There is nothing to prevent that if the property were sold.

And if that Starbucks gets built it will draw students from Heath Middle School and Greeley Central High School. Both are within a couple of blocks. Both are on the other side of the street. Lots of jaywalkers going for junky food.

BTW, the developers admitted in a public meeting that they don't really have a good idea how the traffic flow would change in that area. Seems flaky to me.

Charles Turner

1718 17<sup>th</sup> Ave

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City of Greeley, Colorado  
**PLANNING COMMISSION PROCEEDINGS**

October 26, 2021

**1. Call to Order**

Chair Yeater called the meeting to order at 1:15 p.m.

**2. Roll Call**

The hearing clerk called the roll.

PRESENT

Commissioner Erik Briscoe  
Commissioner Jeff Carlson  
Commissioner Brian Franzen  
Commissioner Larry Modlin  
Commissioner Christian Schulte  
Chair Justin Yeater

ABSENT

Commissioner Chelsie Romulo

**3. Approval of Agenda**

Ms. Safarik advised that there were no additions or corrections to the agenda. The agenda was approved as presented.

**4. Approval of September 28, 2021 Minutes**

Commissioner Franzen moved to approve the minutes dated September 28, 2021. Commissioner Modlin seconded the motion. Motion carried 6-0.

**5. Public hearing to consider a request to rezone 1.169 acres, including adjacent right-of-way to roadway centerline, from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan), located at 2000 16<sup>th</sup> Street (Project No ZON2021-0008)**

Chair Yeater introduced the item. Brittany Hathaway addressed the Commission and stated that the request is for a rezone from Commercial Low Intensity to Commercial High Intensity with a Development Concept Master Plan (DCMP). She advised that the DCMP would limit high intensity uses typically permitted in a commercial high district such as bars and gas stations. Ms. Hathaway stated that the site is proposed for a drive-through coffee shop. She noted that the property is currently zoned to allow for a coffee shop, adding that the drive-through component is only permitted in a commercial high zone district.

Ms. Hathaway reported that there is a site plan and subdivision under review pending approval of this request, adding that the conceptual site layout on the DCMP matches that on the site plan under review. She described the surrounding zoning as commercial low with residential dwellings located southwest of the site. She stated that the immediate area includes a church, medical offices, North Colorado Medical Center and single-family homes. Ms. Hathaway presented several photographs of the site and surrounding area and noted the parking lot that is separately owned in the southwest corner adjacent to the residential properties.

Ms. Hathaway presented a zoning boundary map and pointed out the parcel requested for rezoning as well as up to one-half of the 16<sup>th</sup> Street right-of-way. She presented a proposed DCMP with the conceptual site layout and a list of restricted uses. Ms. Hathaway noted that the drive-through is planned to be situated toward 16<sup>th</sup> Street with required buffering near the residential area. She added that the southern portion of the site containing a parking lot would back up to the existing nearby parking lot.

Ms. Hathaway advised that the request meets the applicable rezone criteria in Development Code Section 24-625, adding that the request was submitted prior to adoption of the new development code and is subject to the 1998 development code standards. She summarized the conformance criteria and stated that the zoning has been in place for over 15 years, noting that the site has been vacant for approximately 7 years. Ms. Hathaway advised that the DCMP is provided to help mitigate any potential use conflicts. She stated that notice of the hearing was accomplished and that two comments were received, with one in support and the other in opposition to the request to rezone. Ms. Hathaway reported that a neighborhood meeting was hosted by the applicant in July 2021. Staff recommended approval.

Commissioner Franzen asked for clarification of the restricted uses. Ms. Hathaway presented a slide showing the types of uses that would be restricted in the future pursuant to the DCMP. Commissioner Schulte asked what might occur if the coffee shop proposed for the site left and, specifically, whether something like a fast food restaurant could take its place. Ms. Hathaway advised that other businesses, including drive-through restaurants, could be allowed on the site if the rezoning proposal is approved. Responding to a question from Commissioner Briscoe, Ms. Hathaway reported that there are no restrictions regarding hours of operation. Upon question by Commissioner Franzen, Ms. Hathaway reported that access to the site would be off 16<sup>th</sup> Street from the shared access easement identified on the site plan. Commissioner Carlson asked whether there were any anticipated traffic impacts with emergency vehicle traffic at North Colorado Medical Center. Ms. Hathaway advised that a traffic study was submitted indicating that traffic generated by a drive-through coffee shop would be minimal, adding that staff would review in more detail with the site plan.

Krysta Houtchens with Entitlements and Engineering Solutions, 501 S. Cherry Street, Glendale, Colorado, addressed the Commission and described some of the restricted uses identified by Ms. Hathaway. Ms. Houtchens advised that a traffic impact study was completed and analyzed for a 2200-square-foot coffee shop with a drive-through. She added that while some new traffic might be generated, the majority of traffic to the site would be passerby traffic. Ms. Houtchens stated that

part of the rezone request includes a standard to restrict noise to a safe level per state code. She described the standard noise from a sound box at a drive-through, adding that there is a two-foot grade change and additional landscaping for buffering. Ms. Houtchens presented a conceptual landscape plan showing the proposed buffering.

Chair Yeater referred to earlier questions by the Commission as to what might happen if the proposal is approved and a different business moved in. Upon question by Chair Yeater, Ms. Houtchens advised that there is a formal contract in place with Starbucks. Chair Yeater asked about the term of the contract.

Herndon Luce, Verdad Real Estate, 2301 W. 45<sup>th</sup> Avenue, Denver, Colorado, addressed the Commission and advised that the arrangement with Starbucks includes a 15-year lease. Upon question by Commissioner Modlin, Mr. Luce advised that most quick service restaurants might look at the space and would fit on the site. He added that Starbucks has been interested in the site for a couple of years to capture the hospital traffic and that the company is committed to the project. Mr. Luce reported that Starbucks very rarely shuts stores, especially those with a drive-through, and that the risk of a different business coming in is low. Upon question by Chair Yeater, Mr. Luce stated that Starbucks does not have any contingencies outside of the lease if it is unable to obtain the appropriate permits.

Chair Yeater opened the public hearing at 1:31 p.m.

Kathy Ensz, 1611 21<sup>st</sup> Avenue, addressed the Commission and stated that she was very much against allowing installing a Starbucks on the site. She expressed concern about increased traffic, noting that a junior high school is located one block away. Ms. Ensz stated that 16<sup>th</sup> Street is very busy and was concerned about such a commercial business in the area, adding that she was fine if a medical building was on the site. She did not feel that a Starbucks was needed in the neighborhood.

The public hearing was closed at 1:33 p.m.

Chair Yeater invited Ms. Hathaway to respond to some of the questions posed, particular regarding how a crosswalk might work. Ms. Hathaway advised that staff would review the site plan submittal as well as the traffic impact analysis, at which time staff might make recommendations such as a crosswalk. She pointed out the nearby pedestrian bridge and traffic lights. Ms. Hathaway advised that a coffee shop could be placed on the site now without a drive-through. Upon question by Commissioner Modlin, Ms. Hathaway presented a map and pointed out the access to the site. Commissioner Schulte confirmed that the Commission is being asked to approve a zone change and that the actual plan will go through staff for site plan approval. Ms. Hathaway confirmed Commissioner Schulte's statement. Upon further question by Commissioner Schulte, Ms. Hathaway stated that staff has an option to require sound buffering around the residential corner, adding that there will be a required landscape buffer at the southwest boundary.

Commissioner Franzen moved that, based on the application received and the preceding analysis, the Planning Commission find that the proposed rezoning from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan) meets Development Code Section 24-625(c)(3) a, b, f and g; and, therefore, recommend approval of the rezone to the City Council. The motion failed for lack of a second.

Commissioner Schulte offered his thoughts that adding a drive-through element, as well as other potential uses that could come in the future in a Commercial High Zone, seemed too intense for this area. He noted that it is a small, but busy street and felt it could be overwhelming to the surrounding areas. Commissioner Briscoe agreed and noted the single right exit from the hospital on 16<sup>th</sup> Street that is immediately adjacent to the site. He stated that the proposed project is too intense for the area and that there were some problems with the proposed site plan as well as potential alternate uses that could be established on the site in the future.

## 6. Staff Report

Becky Safarik addressed the Commission and advised that staff would be presenting topics for future workshops. Mike Garrott, Planning Manager, thanked the commissioners for completing the survey and prioritizing topics that they would like to discuss. He advised that there might be opportunities for future trainings with the Department of Local Affairs (DOLA) in 2022. There was discussion about using case studies to discuss topics such as site planning, traffic and the impacts of larger developments on the community. Commissioner Briscoe noted the changes with the new development code and observed that it would be helpful to see a case study showing how a project might have been analyzed under the previous code as well as the new code. Ms. Safarik offered that it would also be helpful to bring back the "punch list" of items identified by the Commission for future review. Chair Yeater noted that another topic might be the city's policy around grass in public spaces and the "Life After Lawn" program.

Mr. Garrott advised that two planners, Caleb Jackson and Kira Stoller, had taken positions with other jurisdictions. He noted their hard work and contributions while working for the City.

## 7. Adjournment

With no further business before the Commission, Chair Yeater adjourned the meeting at 1:55 p.m.

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Justin Yeater, Chair

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Becky Safarik, Secretary

# Council Agenda Summary

November 16, 2021

## **Agenda Item Number**

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

## Title

Consideration of a resolution approving an Amended and Restated Intergovernmental Agreement regarding the Poudre River Trail Corridor

## Summary

The City of Greeley, Town of Windsor and Weld County Government first entered into an Intergovernmental Agreement (IGA) on February 9, 1994, amended on October 14, 1996, for the purpose of developing and maintaining a trail corridor along the Cache la Poudre River for regional educational, cultural, and recreational use. On September 18, 2006 an updated agreement was adopted that also identified and included the Poudre River Trail Corridor non-profit corporation. That agreement described the collaborative relationship between the parties to the Agreement related to land transactions, construction, installation of improvements and amenities from a variety of funding sources for the development of the trail for its intended purpose. It also described the cooperative management of the completed trail corridor to be performed through the Corridor Board with financial and in-kind contributions provided in an equal manner from the City, Town and County.

In the period of time since then, the Poudre Trail has been completed between the west edge of Windsor, through unincorporated Weld County and through Greeley to its current terminus in Island Grove Regional Park. In addition, both Windsor and Greeley have open space programs within their respective jurisdictional organizations that share maintenance and oversight of areas proximate to and including the Poudre Trail.

To recognize the on-going relationship and expectations among the parties to the agreement and to reflect evolved functions and obligations of the parties, the Poudre River Trail Corridor board initiated work to update the agreement between all the parties.

The attached agreement which amends and restates the adopted IGA has been reviewed by each party and is legal counsel and represents the consensus of all parties. It is simultaneously being forwarded to each party for formal adoption.

Fiscal Impact

Does this item create a fiscal impact on the City of Greeley?	It continues the obligations as agreed upon in the original IGA
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

This agreement has been reviewed and found acceptable by the City Attorney's Office.

Other Issues and Considerations

N/A

Applicable Council Goal or Objective

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

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

Decision Options

1. Approve the resolution as presented; or
2. Amend the resolution and approve 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  
Final IGA



**CITY OF GREELEY, COLORADO  
RESOLUTION NO. \_\_\_\_\_, 2021**

**A RESOLUTION APPROVING AN AMENDED AND RESTATED INTER-GOVERNMENTAL  
AGREEMENT REGARDING THE POUDBRE RIVER TRAIL CORRIDOR**

WHEREAS, by Intergovernmental Agreement dated February 9, 1994, and as amended on October 14, 1996, the City of Greeley (City), Town of Windsor (Town), and Weld County Government (County) agreed to cooperate in order to develop a trail corridor along the Cache la Poudre River for regional educational, cultural, and recreational use; and

WHEREAS, the City, Town, and County adopted an Intergovernmental Agreement on September 18, 2006, that described the progress successfully undertaken to develop the trail corridor, including the creation of the Poudre River Trail Corridor non-profit corporation, which also became a party to the Intergovernmental Agreement; and,

WHEREAS, the Intergovernmental Agreement of September 18, 2006, described the collaborative relationship between the parties to the Agreement related to land transactions, construction, installation of improvements and amenities from a variety of funding sources for the development of the trail for its intended purpose; and,

WHEREAS, the City, Town and County have determined it is timely to update, renew and restate the interests and obligations of the Intergovernmental Agreement in order to reflect the ongoing and evolving cooperative relationship between and among the parties.

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

- Section 1. The Greeley City Council authorizes the City to enter into the Amended and Restated Intergovernmental Agreement as attached hereto as Attachment A and incorporated herein by reference.
- 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 16<sup>TH</sup> DAY OF NOVEMBER, 2021.**

**ATTEST:**

**THE CITY OF GREELEY**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**

**AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT  
REGARDING THE POUFRE RIVER TRAIL CORRIDOR**

This Amended and Restated Intergovernmental Agreement Regarding the Poudre River Trail Corridor (“Amended and Restated Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2021, by and between the City of Greeley, Colorado by and through the Greeley City Council (“City”), the Town of Windsor, Colorado, by and through its Town Board (“Town”), the County of Weld, State of Colorado, by and through the Board of County Commissioners of the County of Weld, (“County”), and the Poudre River Trail Corridor, Inc., a non-profit 501 (c)(3) Colorado corporation (“Corridor Board”).

WHEREAS, by Intergovernmental Agreement dated February 9, 1994, and as amended on October 14, 1996, the City, Town, and County agreed to cooperate in order to develop a trail corridor along the Cache la Poudre River for regional educational, cultural, and recreational use; and

WHEREAS, the City, Town, and County adopted an Intergovernmental Agreement on September 18, 2006, that described the progress successfully undertaken to develop the trail corridor, including the creation of the Poudre River Trail Corridor non-profit corporation; and,

WHEREAS, the Intergovernmental Agreement of September 18, 2006, described the collaborative relationship between the parties to the Agreement related to land transactions, construction, installation of improvements and amenities from a variety of funding sources for the development of the trail for its intended purpose; and,

WHEREAS, the Intergovernmental Agreement of September 18, 2006, determined that the cooperative management of the completed trail corridor would be most cost effectively performed through the Corridor Board with financial and in-kind contributions provided in an equal manner from the City, Town and County; and,

WHEREAS, both the Town and City now have open space programs within their respective municipal organizations intended to enhance the development of the Cache la Poudre River Corridor for educational, ecological, cultural and recreational purposes as a regional community asset for northern Colorado; and

WHEREAS, the City, Town and County have determined it is timely to update, renew and restate the interests and obligations of the Intergovernmental Agreement in order to reflect the ongoing and evolving cooperative relationship between and among the parties.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, City, Town and County restate conditions of the Intergovernmental Agreement and set forth additional terms and agreements as follows:

### **Section 1: Term.**

This Amended and Restated Agreement shall be effective on its adoption and execution by the designated representatives of City, Town, County and Corridor Board. This Amended and Restated Agreement shall continue thereafter in perpetuity, unless sooner terminated or amended by any party hereto, pursuant to the provisions set forth in Section 11 of this Amended and Restated Agreement.

### **Section 2: Poudre River Trail Corridor Designation.**

The parties collectively reaffirm the continued designation of the trail corridor along the Cache la Poudre River in Weld County, Colorado, as the “Poudre River Trail Corridor” as it exists on the date of this Amended and Restated Agreement, and as it may be extended east to the confluence of the Cache la Poudre and South Platte Rivers. For the purposes of this Amended and Restated Agreement, the Poudre River Trail Corridor is delineated generally as the boundary depicted in the 2017 Comprehensive Cache la Poudre Greenway Guide. The parties find that it is in the best interests of the health, safety, and welfare of their residents and the public to collaboratively develop, maintain and improve the Poudre River Trail Corridor for educational, cultural, recreational, alternative transportation, and conservation purposes and, by doing so, promote improved air quality, ecological integrity, environmental awareness and positive community image, identity and well-being.

### **Section 3: Trail Route and Land Acquisition.**

A. City, Town, and County agree that, subject to appropriation and legal availability of funds, they intend to acquire, individually and in cooperation with each other, upon consultation with and the assistance of Corridor Board, the appropriate fee interests, rights-of-way, easements, accesses, consistent with adopted Poudre River Trail Corridor plans and studies, for the following purposes:

- i. Routes of Poudre River Trail Corridor;
- ii. Open land or natural areas proximate to the trail route that are complementary to the conservation of the natural greenway corridor and trail experience;
- iii. Land that may be donated outside the designated Poudre River Trail Corridor, but that has a collateral benefit to the mission and purpose of the Poudre River Trail Corridor (such as, but not limited to, land that could be sold or exchanged for cash to obtain Poudre River Trail Corridor easements or, land that has a Conservation District benefit to the Poudre River Trail Corridor).

B. The Corridor Board may accept grants, donations, gifts, devises, or other transfers of the funds to be used to pay for land acquisition and maintained in a designated account.

C. Unless otherwise specifically agreed in writing, each party to this Amended and Restated Agreement shall be responsible for its own legal expenses incurred in the course of Poudre River Trail Corridor acquisition of land or improvements thereto.

D. No party hereto shall be required by virtue of entering into this Amended and Restated Agreement or otherwise, to fund any portion of the Poudre River Trail Corridor development from general fund monies or from monies from any source.

#### **Section 4: Capital Improvements to Acquired Portions of the Poudre River Trail Corridor.**

**A. Capital Costs; Participation by City, Town and County.** Unless otherwise agreed by all parties to this Amended and Restated Agreement, City, Town, and County shall each be responsible for capital costs associated with construction of improvements to those portions of the Poudre River Trail Corridor lying within their respective jurisdictions. Nothing herein shall be construed to prevent the parties from entering into alternative agreements for allocation of the costs of such capital improvements and repairs upon mutual consent of the jurisdiction(s) and the Corridor Board.

**B. Capital Costs; Corridor Board's Participation.** The Corridor Board may raise funds and accept grants, bequests, donations, gifts, devises or other transfers of physical assets or funds from third parties and from the Parties. All such funds may be used for the costs associated with development and improvement of the Corridor consistent with the adopted budgets, studies, plans and the mission of the Corridor Board as stated herein. Such funds may also be used for routine maintenance and repair of the Poudre River Trail Corridor amenities in a manner consistent with adopted studies and plans and mission of the corporation and as stated herein. Improvements and amenities shall be installed in the Poudre River Trail Corridor by the Corridor Board only upon the approval of the jurisdiction responsible for the land upon which the improvement is proposed. Similarly, the parties will consult with Corridor Board before installing any improvements in those portions of the Poudre River Corridor which have been acquired by the parties for Corridor purposes. Such improvements could include, but not be limited to bridges, benches, memorials, signage, fencing, picnic shelters, lighting, parking facilities, boardwalks, bank stabilization, revegetation and public art. The jurisdiction in which the land is located and which authorizes the improvements shall include such improvements under its liability and property insurance coverage as provided by its jurisdictional authority.

#### **Section 5: Poudre River Trail Corridor Maintenance and Repair.**

City, Town, and County shall each be responsible for routine maintenance and routine repair of the portions of the Poudre River Trail Corridor lying within their respective jurisdictions and consistent with maintenance standards and procedures developed by the parties from time to time ("Maintenance Standards and Procedures"), and as may be amended from time to time with the consent of all parties to this Amended and Restated Agreement. The Corridor Board shall coordinate special maintenance and repair projects performed with volunteers in consultation with and upon approval of the managing jurisdiction and as agreed to by the parties to this Amended and Restated Agreement and described in the Maintenance Standards and Procedures

then in effect. The maintenance of the Poudre River Trail Corridor includes the following understandings to the standards established in the Maintenance Agreement:

A. Town accepts responsibility for the labor, materials and costs associated with the routine maintenance and routine repair of the Poudre River Trail Corridor from the Kodak Bridge to the west terminus of the Poudre River Trail at the point where the Poudre River Tail meets the eastern River Bluffs Open Space property boundary, where management of the trail transitions to the jurisdiction of Larimer County Department of Natural Resources. Town will be responsible for one-half of the labor, materials and costs associated routine maintenance and routine repairs of the Kodak bridge.

B. City accepts responsibility for the labor, materials and costs associated with the maintenance and repair of the Poudre River Trail Corridor from the Kodak Bridge east to Island Grove Regional Park at its eastern terminus as of the date of this agreement at the Island Grove trailhead, and as may be extended further east toward the confluence of the Poudre and South Platte Rivers by agreement of the Corridor Board and the City. City will be responsible for one-half of the labor, materials and costs associated with routine maintenance and routine repairs of the Kodak Bridge.

C. In lieu of directly providing labor, equipment or other resources, County shall contribute an amount equal to one-third of the total annual costs associated with the routine maintenance and routine repair of the trail corridor within the Greeley management area. City will manage the funds so contributed on behalf of County. City's services in this regard will be arranged through a separate agreement with County.

D. Corridor Board, in coordination and with the approval of the managing jurisdiction, shall oversee specialized trail maintenance and repair performed by volunteers, as well as contracting for special services as may be needed from time to time to accommodate special events and to achieve the objectives of the Maintenance Agreement then in effect.

#### **Section 6: Law Enforcement.**

The law enforcement agencies of City, Town, and County shall be responsible for enforcement of laws on those portions of the Poudre River Trail Corridor which lie within their respective jurisdictions. To the extent possible, the law enforcement agencies from each jurisdiction shall coordinate such law enforcement support. Staff from each jurisdiction will make reasonable attempts to coordinate the development of regulations to provide consistent expectations for users of the Poudre River Trail Corridor throughout the region.

#### **Section 7: Corridor Board.**

The Corridor Board, as established by previous Intergovernmental Agreement, shall continue to promote and advocate for the Poudre River Trail Corridor through events, education, communication, volunteer support, and outreach, in consultation with the City, Town and County. Corridor Board will also continue to advise, consult, collaborate and participate with

City, Town and County relative to Poudre River Trail Corridor route establishment, land acquisition, amenities, budgets, maintenance and repair, capital projects and other associated requirements of the Poudre River Trail Corridor and as outlined within this Amended and Restated Agreement. Appointments to the Corridor Board to replace members whose terms have expired or in some other fashion have vacated their board position shall hereafter be made as follows:

A. The Board shall be comprised of nine members with three members designated to represent the elected bodies of each jurisdiction. The remaining six members will be selected from each of the jurisdiction's general population, with two selected from each jurisdiction's area of representation.

B. Upon notification of a board vacancy, City, Town and County will first be invited to nominate a community member replacement from its constituent area and submit such names to the Corridor Board for final selection. Such candidates should be those persons who possess attributes that best serve the greatest need by the Board to benefit and accomplish the objectives of the Poudre River Trail Corridor.

In the event that no names are forwarded to the Board within a reasonable period or the board candidates are not selected by the Corridor Board for service, the Corridor Board may recruit additional community members representative of the jurisdiction within which a board vacancy has occurred for consideration as replacement board members. The names of those board candidates will be forwarded to the jurisdiction for which the vacancy exists. The jurisdiction shall be provided reasonable time to provide comment to the Corridor Board about the prospective board candidates. Following this comment period, the Corridor Board shall select final members for board appointment.

C. All Board members shall serve a three-year term, except when representing the elected body of a jurisdiction or filling a position of a member whose term was partially completed. In such cases, the new board member shall complete the remainder of the vacating board member's term.

D. By June 1 of each calendar year, the Corridor Board shall issue an Annual Report summarizing the prior year's accomplishments, initiatives, major plans for the approaching year and a statement of financial condition (balance sheet, revenues and expenditures). The Annual Report shall be presented to the member jurisdictions upon approval by the Corridor Board.

E. The current members of the Corridor Board shall serve their respective terms as already established and in force.

**Section 8: Poudre River Trail Corridor Collaboration.**

City, Town and County have determined the promotion of the development and use of the Poudre River Trail Corridor is most effectively performed through cooperative means as follows:

**A. Administration.** In addition to any contributions otherwise required by this Amended and Restated Agreement, City, Town and County shall jointly be responsible to fund the administrative operation of the Poudre River Trail Corridor Board on a pro-rata basis. The Corridor Board shall prepare and submit a proposed annual budget for the administration of the Poudre River Trail Corridor non-profit organization, the funding for which shall be provided pro-rata by the three governmental entities. In-kind or other contributions to the administration of the Poudre Trail Corridor administration by City, Town or County may be credited against the pro-rata share of that entity's financial contributions to the Corridor Board budget. Such in-kind contributions include, but are not limited to, office space, professional services, utilities, mileage, payroll administration, insurance, phone or computer equipment and other customary administrative expenses.

**B. Capital and Special Projects.** Corridor Board may, in consultation with City, Town and County staff, suggest capital budget appropriations for adoption by each governmental entity for repair and improvement to the Poudre River Trail Corridor that lie in their respective jurisdiction, including multi-year projects and the requisite funding required. Such improvements are those deemed necessary or desirable to maintain the integrity, safety and ecological health of the Poudre River Trail Corridor and that exceed routine repairs within the Trail Corridor individually assumed by the parties in accordance with Section 5 above. Special Projects are those capital or planning activities that are consistent with the mission and goals of the Poudre River Trail Corridor that will enhance the function, access, connectivity, safety and/or appeal of corridor and are consistent with the applicable jurisdiction's adopted plans and studies for the corridor.

**C. Annual Capital Projects Budget, Contributions, Reconciliation.** In conjunction with the Corridor Board's annual budget process, the parties will develop a Corridor Board capital budget that captures anticipated capital expenses that are agreed by all parties to be outside of routine maintenance and routine repairs within the Trail Corridor individually assumed by the parties in accordance with Section 5 above. So long as agreed to by the parties, each party to this Amended and Restated Agreement shall contribute a pro-rata share of the projected capital expenditures identified in the Corridor Board's budget for the upcoming fiscal year. The parties will address any excess contributions or excess expenses in conjunction with the Corridor Board's next-following annual budget process. Nothing herein shall prevent each of the parties from budgeting on its own for capital improvements within the Corridor.

C. All fiscal obligations of the parties shall be subject to appropriation and legal availability of funds. No party hereto shall be compelled to fund any portion of the Corridor Board budget requests from general fund monies or from monies from any source.

D. Nothing in this Amended and Restated Agreement limits the ability of the Corridor Board to independently solicit, accept, hold, control and expend funds to undertake activities and improvements within the Poudre River Trail Corridor consistent with the mission of the Corridor Board and approved plans and studies related to the Poudre River Trail Corridor, subject to the respective roles and responsibilities of the parties as defined in this Amended and Restated Agreement.

**Section 9: Entire Agreement.**

This Amended and Restated Agreement contains the complete and entire understandings between and among the parties and supersedes any prior oral or written agreements concerning the Poudre River Trail Corridor, including but not limited to the parties' Intergovernmental Agreement dated February 9, 1994; as amended October 14, 1996; and as amended September 18, 2006, but excepting those separate agreements referred to herein to be completed and executed at later dates or as separate considerations.

**Section 10: Modifications and Amendments.**

This Amended and Restated Agreement may not be modified, discharged, or changed in any respect whatsoever, except by further agreement in writing duly executed by the parties hereto.

**Section 11: Termination.**

This Amended and Restated Agreement may be terminated by any party hereto with no less than 90 days' written notice to all other parties. In the event of such termination, those portions of the Poudre River Trail Corridor, including improvements, artwork and signs on such portions located within the City, Town or County shall remain under the ownership and control of the respective jurisdiction within whose corporate limits they are located. Upon Termination of this Agreement, all Corridor Board appointments shall be made by the Corridor Board and Section 7 shall no longer be applicable. Nothing herein shall preclude the parties, and each of them, from entering into future agreements to promote the purposes described herein.

**Section 12: Third Party Liability, Governmental Immunity.**

Each governmental entity who is a party to this Amended and Restated Agreement shall be responsible for claims brought by third parties occurring on those portions of the Trail lying within their respective jurisdictions without recourse or reimbursement from any other party. Each governmental entity who is a party to this Amended and Restated Agreement shall not be deemed to have waived privileges and immunities available to governmental entities under Colorado law.

Signed and approved on the date first appearing above.

[Remainder of this page intentionally left blank - - signatures to follow]



CITY OF GREELEY, COLORADO

By: \_\_\_\_\_  
Mayor

ATTEST

By: \_\_\_\_\_  
City Clerk

APPROVED AS TO LEGAL FORM:

By: \_\_\_\_\_  
City Attorney

APPROVED AS TO SUBSTANCE:

By: \_\_\_\_\_  
City Manager

APPROVED AS TO AVAILABILTY OF FUNDS:

By: \_\_\_\_\_  
Finance Director

TOWN OF WINDSOR, COLORADO

ATTEST:

By: \_\_\_\_\_  
Paul Rennemeyer, Mayor

By: \_\_\_\_\_  
Karen Frawley, Town Clerk

APPROVED AS TO LEGAL FORM:

By: \_\_\_\_\_  
Ian D. McCargar, Town Attorney

COUNTY OF WELD, STATE OF COLORADO BY AND THROUGH THE BOARD OF  
COUNTY COMMISSIONERS OF THE COUNTY OF WELD

By: \_\_\_\_\_  
Chair

POUDRE RIVER TRAIL CORRIDOR, INC.

By: \_\_\_\_\_  
Chair

# Council Agenda Summary

November 16, 2021

Key Staff Contact: Adam Turk, Police Chief, 970-350-9665

**Title:**

Consideration of a Resolution Authorizing the City of Greeley to Enter into a Grant Agreement between the City of Greeley and the State of Colorado, Division of Local Affairs, Regarding Receipt of Grant Funding Provided By the Peace Officers Mental Health Support Grant Program

**Summary:**

The Peace Officers Mental Health Support grant program within the Department of Local Affairs (DOLA) is available for law enforcement agencies to provide funds for the purpose of helping agencies provide mental health service to peace officers. This would include counseling services to peace officers, additional services to our peer support program and on-scene response services to support peace officers handling of persons with mental health disorders.

**Fiscal Impact:**

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	N/A
What is the annual impact?	Unknown
What fund of the City will provide Funding?	General Fund
What is the source of revenue within the fund?	Grant
Is there grant funding for this item?	Yes
If yes, does this grant require a match?	No
Is this grant onetime or ongoing?	One time
Additional Comments:	The award amount is not decided until after application. DOLA determines the award based on funding availability and jurisdiction size.

**Legal Issues:**

None

**Other Issues and Considerations:**

None

**Strategic Work Program Item or Applicable Council Priority and Goal:**

**Council's Recommended Action:**

A motion to adopt the Resolution

**Attachments:**  
Draft Resolution

**CITY OF GREELEY, COLORADO  
RESOLUTION NO. \_\_\_\_\_, 2021**

**A RESOLUTION AUTHORIZING THE CITY OF GREELEY TO ENTER INTO A GRANT AGREEMENT BETWEEN THE CITY OF GREELEY AND THE STATE OF COLORADO, DIVISION OF LOCAL AFFAIRS, REGARDING RECEIPT OF GRANT FUNDING PROVIDED BY THE PEACE OFFICERS MENTAL HEALTH SUPPORT GRANT PROGRAM**

WHEREAS, the City of Greeley's Police Department ("City") and the State of Colorado, Department of Local Affairs, desire to enter into a Grantor Agreement regarding funds from the Peace Officers Mental Health Support Grant Program; and

WHEREAS, the grant funds shall be used for the cost of personnel, training, and supplies; and

WHEREAS, it is in the best interest of the citizens of the City of Greeley to apply for this grant funding.

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

1. The City Council hereby approved submission of a grant opportunity provided by the Colorado Department of Local Affairs.
2. This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED, SIGNED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2021.**

**ATTEST:**

**THE CITY OF GREELEY, COLORADO**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**

# Council Agenda Summary

November 16, 2021

## **Agenda Item Number**

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

## Title

*Consideration of a resolution authorizing application for grant funding from the Colorado Department of Local Affairs to support new affordable housing construction*

## Summary

Through Colorado HB21-1271 the State of Colorado, Department of Local Affairs has issued The Affordable Housing Development Incentives Grant Program, which provides grants to local governments to develop one or more affordable housing developments in their community that are livable, vibrant, and driven by community benefits.

These incentive grants can help cover tap fees, infrastructure, parks/playgrounds and other needs and amenities that support the affordable housing project. Local governments are encouraged to pick one or two shovel-ready projects that can spend all of the funds by June 2024, and provide gap funding. Projects must provide community benefits (e.g., covering tap fees or infrastructure costs for an affordable housing project). To qualify, local governments must have adopted at least three strategies from the menu of policy and regulatory options listed in the program guidelines.

The Council's recent adoption of the Development Code updates has provided the strategies that allow Greeley to be competitive in this grant round. Further, Greeley Habitat for Humanity has a project moving toward readiness for which state grant funding could be used and, if awarded, would deliver an affordable housing project to the community on an accelerated schedule. The City intends to apply for up to \$3M in grant funding.

As a condition of the grant, the City must submit evidence that the governing body supports the application for state assistance. If the Council supports this action the staff can commence with the grant application process. This proposed action is time sensitive to reach the next available grant funding cycle, which is also competitive.



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?	Yes
If yes, does this grant require a match?	The grant requires a 20% local match; however this can be met with currently planned infrastructure supported by the City and also the development project
Is this grant onetime or ongoing?	One-time
Additional Comments:	

Legal Issues

No legal issues have been identified as this does not create a City obligation, merely the permission to apply for the proposed grant.

Other Issues and Considerations

This item is time sensitive to reach the next available grant funding cycle.

Applicable Council Goal or Objective

*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

**CITY OF GREELEY, COLORADO  
RESOLUTION NO. \_\_\_\_\_, 2021**

**A RESOLUTION APPROVING SUBMITTAL OF A GRANT APPLICATION TO THE STATE OF COLORADO FOR FUNDING ASSISTANCE TO SUPPORT THE CONSTRUCTION OF AFFORDABLE HOUSING IN GREELEY**

WHEREAS, the City of Greeley has adopted numerous policies and codes in support of the development of a variety of housing choices to meet the needs and desires of its residents; and,

WHEREAS, the City of Greeley's housing strategy includes support for the development of affordable housing; and,

WHEREAS, through HB21-1271 the State of Colorado has made competitive funding available to communities who are prepared to support the construction of affordable housing; and,

WHEREAS, the City of Greeley has identified a planned affordable housing project that, if infrastructure funding could be obtained, could advance its development timely; and,

WHEREAS, the State of Colorado requires evidence of local support as part of its grant application process; and,

WHEREAS, it is in the best interest of the City of Greeley to apply for this grant funding to achieve its intent to provide affordable housing opportunities for its residents.

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

- Section 1. The Greeley City Council authorizes the City to make application for grant funding of up to \$3M to the State of Colorado Department of Local Affairs for the purpose of supporting the construction of affordable housing in Greeley.
- Section 2. The Greeley City Council authorizes the Community Development Director to execute all documents and electronic responses necessary in the application for this funding.
- Section 3. This Resolution shall become effective immediately upon its passage, as provided by the Greeley City Charter.

**PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.**

**ATTEST**

**THE CITY OF GREELEY, COLORADO**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

# Council Agenda Summary

November 16, 2021

## Agenda Item Number

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

### Title

*Consideration of a resolution authorizing application for grant funding from the Colorado Department of Local Affairs to support a city-wide Greeley housing assessment including the development of sub-area plans in identified opportunity areas*

### Summary

As part of Colorado HB21-1271 three new programs were created for the purpose of offering grant money and other forms of state assistance to local governments to promote innovative solutions to the development of affordable housing across the state.

One such program authorized by the legislation, the Planning Grant Program, provides funds to local governments to help guide their policy and regulatory approach to reducing barriers to affordable housing development, which must also include work to adopt a qualifying strategy. Within its newly adopted Development Code Greeley has already created a number of such strategies.

As envisioned by staff, a State Planning Grant would provide the means to conduct a city-wide housing assessment and develop specific sub-area plans for affordable housing projects that would be conducive in the application of Greeley's new small lot, accessory dwelling unit, and small format housing standards, including incentives for such housing initiatives. Individual Planning Grant awards are expected to be approximately \$50,000 - \$250,000; Greeley's application is expected to be for \$250,000.

As a condition of the grant, the City must submit evidence that the governing body supports the application for state assistance. If the Council supports this action the staff can commence with the grant application process. This proposed action is time sensitive to reach the next available grant funding cycle, which is also competitive.

### Fiscal Impact

Does this item create a fiscal impact on the City of Greeley?	No
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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?	Yes
If yes, does this grant require a match?	The grant requires a local match of 20% (up to \$62,500); this would be met from budgeted and approved but unexpended funds in the Community Development 2021 budget carryover as authorized by the City Manager.
Is this grant onetime or ongoing?	One-time
Additional Comments:	

Legal Issues

No legal issues have been identified as this does not create a City obligation, merely the permission to apply for the proposed grant.

Other Issues and Considerations

This item is time sensitive to reach the next available grant funding cycle.

Applicable Council Goal or Objective

*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

**CITY OF GREELEY, COLORADO  
RESOLUTION NO. \_\_\_\_\_, 2021**

**A RESOLUTION APPROVING SUBMITTAL OF A GRANT APPLICATION TO THE STATE OF COLORADO FOR FUNDING ASSISTANCE TO SUPPORT THE COMPLETION OF A CITY-WIDE HOUSING ASSESSMENT INCLUDING SUB-AREA PLANS IN IDENTIFIED OPPORTUNITY AREAS IN GREELEY FOR THE PURPOSE OF PROMOTING AFFORDABLE HOUSING DEVELOPMENT**

WHEREAS, the City of Greeley has adopted numerous policies and codes in support of the development of a variety of housing choices to meet the needs and desires of its residents; and,

WHEREAS, the City of Greeley's housing strategy includes support for the development of affordable housing; and,

WHEREAS, through HB21-1271 the State of Colorado has made competitive funding available to communities who develop strategies to promote the construction of affordable housing within their jurisdictions; and,

WHEREAS, the City of Greeley has approved a number of regulatory tools that offer flexibility and alternative standards that support affordable housing development; and,

WHEREAS, a city-wide housing assessment would help identify and develop sub-area plans and potential incentives where the City's development standards could be implemented; and,

WHEREAS, the State of Colorado requires evidence of local support as part of its grant application process; and,

WHEREAS, it is in the best interest of the City of Greeley to apply for this grant funding to achieve its intent to provide affordable housing opportunities for its residents.

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

- Section 1. The Greeley City Council authorizes the City to make application for grant funding of up to \$250,000 to the State of Colorado Department of Local Affairs for the purpose of completing a city-wide housing assessment and sub-area plans with potential financial incentives.
- Section 2. The Greeley City Council authorizes the Community Development Director to execute all documents and electronic responses necessary in the application for this funding.
- Section 3. This Resolution shall become effective immediately upon its passage, as provided by the Greeley City Charter.

**PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.**

**ATTEST**

**THE CITY OF GREELEY, COLORADO**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**



# Council Agenda Summary

November 16, 2021

## Agenda Item Number

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

## Title

Consideration of a Substantial Amendment (#3) to the 2020-2024 Consolidated Plan and 2020 Action Plan

## Summary

By letter dated April 2, 2020, Mayor John Gates was notified that the City of Greeley would receive \$493,277 in CARES Act funding through Community Development Block Grant-Coronavirus (CDBG-CV) funds (first round). A subsequent notice dated September 11, 2020 was sent to Mayor Gates notifying him that the City was also eligible for CDBG-CV third round funds of \$526,790. Those funds were also applied for and received. The grants are to specifically prepare for, prevent, and respond to the COVID-19 pandemic. The City was not eligible for the second round of funding, which went to states.

The City Council approved a Substantial Amendment in June 2020 that identified several possible CDBG-CV activities. Only one resulted in an actual activity, that being support of the United of Way of Weld County Non-Congregate Homeless Shelter at Bonell. All other proposed activities were either cancelled or never came to fruition. City Council also approved a second Substantial Amendment (July 2021) which made changes to proposed uses for the grants.

The attached Substantial Amendment will amend the 2020-2024 Consolidated Plan and 2020 Action Plan for the third time. The proposed actions of the Substantial Amendment are identified and described in better detail on page three of the Substantial Amendment and include:

1. CDBG CV 1 – Reduce funding supporting the non-congregate shelter/personal isolation facility at Bonell.
2. CDBG CV 1 – Change proposed activity to acquire/rehab a new Cold Weather Shelter/Housing Navigation Center/ other day use center to a public service activity to support costs to open and provide services at a new congregate Cold Weather Shelter/Housing Navigation Center/other day use facility;
3. CDBG CV 3 – Remove the activity to acquire and/or rehab an existing building for multi-family housing;
4. CDBG CV 1 and 3 – Administrative percentage adjustments.

Once approved, the new Substantial Amendment will be sent to the U. S. Department of Housing and Urban Development (HUD) for approval; funds will then become available for use.

It has been a challenge to identify uses for these funds, with all the federal dollars that have come to cities and states as a result of COVID-19. The final page of the Substantial Amendment (Attachment A) is a historical look at the three amendments, proposed activities, and what has moved forward to actual activities. The CDBG-CV grant funds must be 80% expended within three years of the original grant award (by June 2023). Staff continues to be on the look-out for suitable uses. If/when identified, those will also be presented to City Council by Substantial Amendment.

### Fiscal Impact

Does this item create a fiscal impact on the City of Greeley?	Yes; it is an entitlement grant available to the City, specific to COVID-19 pandemic.
If yes, what is the initial or onetime impact?	\$1,020,067 (total CDBG-CV)
What is the annual impact?	N/A
What fund of the City will provide funding?	N/A
What is the source of revenue within the fund?	U. S. Dept. of Housing & Urban Development
Is there grant funding for this item?	Yes, this is a HUD grant
If yes, does this grant require a match?	No
Is this grant onetime or ongoing?	One-time
Additional Comments:	

### Legal Issues

None.

### Other Issues and Considerations

None.

### Applicable Council Goal or Objective

Infrastructure & Growth: Public facilities & equipment; social infrastructure support

### Decision Options

1. Approve the Substantial Amendment with noted activities and budgets, as presented; or
2. Request changes to the Substantial Amendment and then adopt with changes; or
3. Continue consideration of the items to the next regular Council meeting, understanding the HUD deadline by which the CDBG-CV funds must be applied for.

Council's Recommended Action

A motion to accept the Substantial Amendment as presented.

Attachments

Substantial Amendment for the CARES Act Funding



**CITY OF GREELEY, COLORADO**

**CARES ACT FUNDS SUBSTANTIAL AMENDMENT  
TO THE 2020-2024 CONSOLIDATED PLAN and  
2020 ANNUAL ACTION PLAN**

Public Comment Period – October 14, 2021 – November 15, 2021

Prepared by the Greeley Urban Renewal Authority  
1100 10<sup>th</sup> Street, Suite 201  
Greeley, CO 80631  
Benjamin L. Snow, Economic Health and Housing Director

Contact Information  
J. R. Salas, GURA Manager  
970-350-9380  
j.r.salas@greeleygov.com

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**CARES ACT SUBSTANTIAL AMENDMENT  
TO THE 2020-2024 CONSOLIDATED PLAN AND 2020 ACTION PLAN  
TO AMEND ACTIVITIES AND FUNDING FOR CDBG-CV 1 AND CDBG-CV 3**

**Cares Act Background**

On March 27, 2020, the United States Congress passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136. The bill provided \$5 billion in Community Development Block Grant (CDBG) funds to rapidly respond to COVID-19. The U. S. Department of Housing and Urban Development (HUD) allocated \$2 billion of that the same day. This constituted the first round of CDBG-Coronavirus (CDBG-CV) funds. In the second round, \$1 billion was allocated to States and insular areas. The final (third round) \$2 billion was allocated on September 11, 2020. As an entitlement community, the City of Greeley was awarded \$493,277 in the first round of allocations and \$526,790 in the third (cumulative \$1,020,067). All funds must be used specifically to prevent, prepare for, and/or respond to the COVID-19 pandemic.

**First Substantial Amendment for CDBG-CV Funds**

A Substantial Amendment was prepared for the first round of funding and was submitted to HUD with four activities identified: Public facility support, including move and extend the Cold Weather Shelter; support the Personal Isolation Facility at Bonell; Emergency Rental Assistance; and program administration. The only activity outside of program administration to be implemented with the use of CDBG-CV 1 funds was the facility at Bonell; it continued to operate as the Non-Congregate Homeless Shelter at the Bonell Campus (Bonell Shelter) for vulnerable homeless persons after the Isolation Facility closed.

**Second Substantial Amendment for CDBG-CV Funds**

A second Substantial Amendment was prepared to change the use of CDBG-CV1 funds and apply for and identify an activity for CDBG-CV3 funds. Neither of the proposed activities moved forward and are no longer viable activities.

**Qualifying as a Substantial Amendment**

A Substantial Amendment to the City's Consolidated Plan/Annual Action Plan for use of its grants from the U. S. Department of Housing and Urban Development is required any time one of the following occurs:

1. A change is made to allocation priorities or the method of distribution of funds;
2. To implement an activity not previously described in the action plan, using funds from any program covered by the consolidated plan (including program income, reimbursements, repayment, recaptures, or reallocations from HUD); or
3. There is a change the purpose, scope, location, or beneficiaries of an activity.

**Proposed Substantial Amendment (3<sup>rd</sup> Amendment for CDBG-CV Funds)**

The following lists the changes proposed under Substantial Amendment #3. A timeline showing the three amendments, the activities with each amendment, and those associated budgets is provided as Attachment A. (Bolded, highlighted areas are specific to Substantial Amendment #3).

Trying to make use of the CDBG-CV funds has been challenging, with proposed activities and activities' budgets a constant moving target. It is expected there will be additional Substantial Amendments.

1. Increase CDBG-CV 1 administration funding from \$88,273.64 to \$88,277.00 (about 18% of an allowable 20%).
2. Priority A, originally funded with \$34,160.00 without an identified activity is changed to funding of \$360,000.00 to assist with the provision of public services at the new Cold Weather Shelter/Housing Navigation Center/day use facility for up to 12 months or until COVID-19 is no longer a concern.
3. Priority B funding (for the Bonell non-congregate shelter) is reduced from \$180,003.36 to \$45,000, due to expenses being less than what was projected.
4. Cancel the activity under Priority D (acquire/rehab a new facility for a cold weather shelter/housing navigation center/day use facility). The new facility is being rented, not purchased, with funding for rehab coming from other sources.
5. Increase CDBG-CV 3 administration from \$76,790 to \$105,358 (full 20% allowable).
6. Cancel the activity under CDBG-CV 3 Priority A (acquire/rehab building for multi-family housing). The building is no longer available for purchase.

**Note:** The City has three years (until June 2023) to expend 80% of the total of CDBG-CV 1 and 3 grants and six years to expend it all.

### **Analysis**

This proposal qualifies as a substantial amendment because it meets all of the three instances noted in the Qualifying as a Substantial Amendment section. The Substantial Amendment will be to the 2020-2024 Consolidated Plan and 2020 Annual Action Plan.

### **Meeting a National Objective**

The CDBG-CV funds allocated under the CARES Act must be used specifically for the preparation for, prevention of, and response to the COVID-19. All CDBG-CV activities must still meet a National Objective of the CDBG Program:

- Benefit low-and-moderate income people (minimum of 70% of the CDBG-CV grant)
- Aid in the prevention or elimination of slum or blight
- Meet an urgent need

### **Citizen Participation Requirements**

Substantial Amendments are required to follow the City's Citizen Participation Plan, which requires a public comment period of 30 days with 10 days' notice of upcoming comment periods and public hearings.

- Virtual public hearings, to comply with federal and local orders (social distancing, stay-at-home, etc.) are allowable and how notice will be provided is a part of the Citizen Plan Amendment.

### **Consultation**

The consultations requirement for the Consolidated Plan were met prior to its submittal to HUD on March 31, 2020. However, due to the nature of the needs for which CDBG-CV funds are to be used, City staff notified non-profit agencies considered to be “CDBG Partners” with the City with regard to changes/additions being proposed. These agencies are the “boots on the ground” and work daily with low- moderate-income residents affected by COVID-19. Notification of the upcoming Substantial Amendment and request for comments was emailed to the partner group on October 1, 2021 notifying them of the public hearings and public comment period. Any comments received from the City’s CDBG partner group are included in the Substantial Amendment.

### **Citizen Participation**

The City is required to consult the public in the manner described in its Citizen Participation Plan, as amended, to address Substantial Amendments to the Consolidated Plan utilizing CDBG-CV. The Public was consulted in the following manner:

1. The Substantial Amendment was available for review by the public for a 30-day period beginning 8:00 a.m. October 14, 2021 and ending at 5:00 p.m. on November 15, 2021. Notice of the comment period was provided through legal ads in the Greeley Tribune (published October 2, 2021 in English and Spanish) and on the City’s website – [www.greeleygov.com](http://www.greeleygov.com).
2. The Citizens Committee for Community Development members were mailed the Substantial Amendment for comment on October 4, 2021 with notice of the public comment period.
3. Two public hearings were held, per the City’s Citizen Participation Plan.
  - A. GURA Board of Commissioners: Ad published October 2, 2021; public hearing date October 13, 2021 at 4:30 p.m.
  - B. Greeley City Council: Ad published November 5, 2021; public hearing date November 16, 2021 at 6:00 p.m.
4. Written comments on the Substantial Amendment were accepted during the comment period noted above or by comment at one of the public hearings.

### **Public Comment Received**

A 30-day public comment period was held from 8:00 a.m. October 14, 2021 through 5:00 p.m. November 15, 2021. The following comments were received.

- *No comments from the public were received at the GURA Board of Commissioners’ Public Hearing.*
- *Enter any public comments received here on change in use of funds and addition of additional uses during comment period or at City Council Public Hearing*

### **Approvals**

**The following approvals are anticipated.**

- Approval to recommend the Substantial Amendment to the Greeley City Council was given on October 13, 2021 by the GURA Board of Commissioners.



- Approval of the Substantial Amendment was given by the Greeley City Council on **November 16, 2021**.

### **References**

- City of Greeley Consolidated Plan for Years 2020 -2024 and 2020 Action Plan and Draft of the Substantial Amendment, link: [www.greeleygov.com/services/ehh/greeley-urban-renewal-authority](http://www.greeleygov.com/services/ehh/greeley-urban-renewal-authority)

DRAFT

## Attachment A

Priorities, Activities, Changes	1st Substantial Amendment Budget	2nd Substantial Amendment Budget	3rd Substantial Amendment Proposed
<b>CDBG-CV 1 Award</b>	<b>493,277.00</b>	<b>493,277.00</b>	<b>493,277.00</b>
1. The CDBG-CV 1 award amount has not changed.			
<b>Administration of CDBG CV 1 grant</b>	89,777.00	88,273.64	88,277.00
2. 20% of the grant is eligible for administration. The set-aside amount has varied slightly through Substantial Amendment changes. <b>With the 3<sup>rd</sup> Amendment, it is about 18% of the grant.</b>			
<b>Priority A</b> was to provide public services to low-mod-income residents, with two activities originally cited (#3 and #4).			
3. Move and extension of 2020 Cold Weather Shelter (CWS)	131,500.00	0.00	0.00
This activity was funded with other sources of funds and removed from CDBG-CV funding by Amendment #2.			
4. Unidentified public service activity benefiting LMI residents	34,160.00	0.00	360,000.00
<b>The 3<sup>rd</sup> Amendment proposes identifying the activity as providing services at the new Cold Weather Shelter/Housing Navigation Center/day use facility.</b>			
<b>Priority B</b> was to provide a personal isolation facility that became the Bonell Non-Congregate Shelter for at-risk homeless persons.			
5. The awarded budget has changed with each amendment. <b>The 3<sup>rd</sup> Amendment proposes reducing the award as noted, due to expenses being less than anticipated. Goal-75 people</b>	37,840.00	180,003.36	45,000.00
<b>Priority C</b> was to provide an Emergency Rent Assistance Program.			
6. The program was set up, but cancelled by Substantial Amendment #2 after the County received \$9,000,000 plus to provide rental assistance.	200,000.00	0.00	0.00
<b>Priority D</b> to support the acquisition and/or rehab of a new congregate cold weather shelter/housing navigation center/day use facility was added by Substantial Amendment #2.			
7. <b>The 3<sup>rd</sup> Amendment cancels this activity, as the new facility was rented rather than purchased and rehab is being funded by another funding source. Goal – 300 people</b>	0.00	225,000.00	0.00
<b>CDBG-CV 3 Award</b>	<b>0.00</b>	<b>526,790.00</b>	<b>526,790.00</b>
1. Amendment #2 added CV 3 funds and activities. The grant amount remains unchanged with Amendment #3.			
<b>Administration of CDBG-CV 3 grant – (15% of an allowable 20%)</b>		76,790.00	105,358.00
2. 20% of the grant is eligible for administration. <b>Substantial Amendment #3 increases the admin budget to the full 20%.</b>			
<b>Priority A</b> under CDBG-CV 3 was to acquire and/or rehab an existing building for multi-family housing.			
3. <b>Substantial Amendment #3 cancels this priority. The identified property is no longer available.</b>	0.00	450,000.00	0.00
4. There is not an activity identified for these funds at this time.	0.00	0.00	421,432.00



**GREELEY URBAN RENEWAL AUTHORITY  
Proceedings**

**October 13, 2021  
4:30**

**This meeting was conducted remotely**

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**I. Call to Order**

Vice Chair Haas called the meeting to order at 4:36 p.m. Commissioners Leffler, Lucero, Silva, Utrata, and Welsh were present. (Commissioner Cummins was absent.)

**II. Approval of minutes for the meeting held on August 11, 2021**

Commissioner Leffler made a motion to approve the minutes for the meeting held on August 11, 2021 as written. Commissioner Welsh seconded the motion; the motion carried 6-0. (Commissioner Cummins was absent.)

**III. Items of Business**

**Public Hearing to consider the Substantial Amendment #3  
for use of CDBG-CV 1 and 3 grant funds**

Carol Larsen, Grant Specialist, oriented the Commissioners on the CARES Act Funding received through two rounds of the Community Development Block Grant Coronavirus (CDBG-CV 1 and 3). The total of the two rounds of funding received is \$1,020,067. The grants are specifically for the preparation for, prevention of, and response to the COVID-19 pandemic. The City has tried to implement several activities to use funds, but only support for the Bonell Non-Congregate Shelter moved forward to actually utilize the funds.

**Proposed Substantial Amendments**

1. Increase CDBG-CV 1 administration funding from \$88,273.64 to \$88,277.00 (about 18% of an allowable 20%).
2. Priority A, originally funded with \$34,160.00 without an identified activity is changed to funding of \$360,000.00 to assist with the provision of public services at the new Cold Weather Shelter/Housing Navigation Center/day use facility for up to 12 months or until COVID-19 is no longer a concern.
3. Priority B funding (for the Bonell non-congregate shelter) is reduced from \$180,003.36 to \$45,000, due to expenses being less than what was projected.

4. Cancel the activity under Priority D (acquire/rehab a new facility for a cold weather shelter/ housing navigation center/day use facility). The new facility is being rented, not purchased, with funding for rehab coming from other sources.
5. Increase CDBG-CV 3 administration from \$76,790 to \$105,358 (full 20% allowable).
6. Cancel the activity under CDBG-CV 3 Priority A (acquire/rehab building for multi-family housing). The building is no longer available for purchase

Vice Chair Haas opened the public hearing at 4:54 p.m. and called for public comment. There being no one from the public present, the hearing closed.

Commissioner Silva made a motion to recommend to the Greeley City Council approval of Substantial Amendment #3 to the 2020-20234 Consolidated Plan and 2020 Action Plan for the activities and budgets cited with the Amendment. Commissioner Utrata seconded the motion; the motion carried 6-0. (Commissioner Cummins was absent.)

#### **Consideration of a HOME application submitted by the Greeley-Weld Habitat for Humanity**

Ms. Larsen presented the application Greeley-Weld Habitat for Humanity (Habitat) submitted for Affordable Housing Program funds. The application covers 10 houses in the Northview Estates (aka Clover Meadows) development. HOME funding was provided to the first two houses in that subdivision; both of those are completed and sold.

The 10 houses will be modular units, rather than the stick-built houses Habitat generally families constructs. They expect to begin setting the houses in November/December this year and are planning to complete all 10 by the end of 2022. HOME funds can only be used for low- moderate-income housing, and there are strict regulations for their use.

Available funds to consider are HOME Entitlement funds [the HOME grant minus 10% for administration and 15% for Community Development Housing Organizations (CHDOs) and a build-up of the CHDO funds (approximately \$228,498.) There are two active CHDOs in Greeley: Habitat and High Plains Housing Development Corporation. At this time, GURA staff does not believe High Plains has immediate need for CHDO funds. New CHDO funds will be available when the 2022 HOME grant is received by the City.

Board approval will be to **reserve** HOME funds only. Funds would be used to fill the buyer's gap in financing and will only be committed as homebuyers are identified and houses near completion. The cost per house is expected to be around \$235,000, and buyers typically have first mortgages of approximately \$185,000. The HOME funds are secured for 10 years by a Deed, Note, and Homebuyer Agreement, per HUD regulations.

Commissioner Welsh asked why the units would be modular units, rather than the stick-built houses. Commissioner Leffler replied that modular units are less expensive, faster to put in place, and are of high quality.

Commissioner Leffler made a motion to reserve funds for ten houses at approximately \$33,000 each (approximately \$330,000) to Greeley-Weld Habitat for Humanity and formal commitment of the funds as buyers are identified and houses near completion for sale. Commissioner Welsh seconded; the motion carried 6-0. (Commissioner Cummins was absent.)

**IV. Board Member Comments/Reports**

Commissioner Welsh asked if there are plans/projects for the remaining CDBG-CV funds, noting that there is a need for internet access for some lower income residents. Ms. Larsen noted that the funds would need to be used specifically for the preparation for, prevention of, and response to the COVID-19 pandemic. Benjamin Snow, Economic Health & Housing Director noted that by supporting the Bonell Non-Congregate Shelter would hopefully free up funds that the Housing Navigation Center could use towards that type of program.

Vice Chair Haas asked staff about the East 8<sup>th</sup> Street property. J.R. Salas, GURA Manager gave a brief update and history of the site.

Commissioner Utrata noted that Weld Project Connect will be October 15, 2021. It is a one-day event providing free on-site services to those in need.

Commissioner Silva reported that he attended the internship reception. He encouraged the other Commissioners to attend future events to hear the experiences of students.

**V. Staff Report**

None

**VI. Adjournment**

There being no more business, the meeting was adjourned at 5:12 p.m.

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Benjamin Snow, Secretary

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Suann Haas, Vice Chair

# **Substantial Amendment to the 2020-2024 Consolidated Plan and 2020 Action Plan**

**November 16, 2021**

**Benjamin Snow, CEcD  
Director, Economic Health & Housing  
City of Greeley  
[Benjamin.Snow@greeleygov.com](mailto:Benjamin.Snow@greeleygov.com)**



# History of Funding

- **April 2, 2020 = \$493,277**
- **September 11, 2020 = \$526,790**
- **Total from CARES = \$1,020,067**
  
- **City Approved Previous Amendments in June 2020 and July 2021**

# Summary of Current Amendment

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- 1. CDBG CV 1 – Reduce funding supporting the non-congregate shelter/personal isolation facility at Bonell.**
- 2. CDBG CV 1 – Change proposed activity to acquire/rehab a new Cold Weather Shelter/Housing Navigation Center/ other day use center to a public service activity to support costs to open and provide services at a new congregate Cold Weather Shelter/Housing Navigation Center/other day use facility;**
- 3. CDBG CV 3 – Remove the activity to acquire and/or rehab an existing building for multi-family housing;**
- 4. CDBG CV 1 and 3 – Administrative percentage adjustments.**



# Next Steps and Recommendation

- **Once Approved by Council**
  - **Substantial Amendment will be forwarded to HUD for approval. Funds will then become available for use.**
- **Fiscal Impact & Legal Issues**
  - **One-time fiscal impact of \$1,020,067**
  - **No ongoing or annual fiscal impact**
- **Recommendation**
  - **Motion to accept the Substantial Amendment as presented.**

# Questions . . .

**Benjamin Snow, CEcD**  
**Director, Economic Health & Housing**  
**City of Greeley**  
**[Benjamin.Snow@greeleygov.com](mailto:Benjamin.Snow@greeleygov.com)**



# Council Agenda Summary

November 16, 2021

Key Staff Contact: Anissa Hollingshead, City Clerk, 970-350-9742

**Title:**

Appointment of applicants to the Citizen Transportation Advisory Board, Greeley Art Commission, Greeley Urban Renewal Authority, Historic Preservation Commission, and Stormwater Board.

**Summary:**

Council appointment is needed to the above-mentioned boards and commissions due to vacancies and term expirations. Staff continues to actively recruit to fill all vacant positions.

**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?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

**Legal Issues:**

The City Attorney's Office reviewed the applications and advised of potential conflicts of interest.

It should be noted that there is a possibility that the applicants currently serve as a volunteer on a board or commission besides the one they are applying to. It is also important to point out to the applicants that there are always potential conflicts that exist with business and investments, current jobs or relatives and family members coming before the Board or Commission.

Should such conflicts arise, the Board or Commission member simply excuses themselves from that particular item but such a potential conflict does not preclude anyone from serving on a Board or Commission in general, just that particular agenda item.

**Other Issues and Considerations:**

Not applicable.

**Applicable Council Priority and Goal:**

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

**Decision Options:**

- 1) Appoint or reappoint the individuals to serve on applicable board or commission;  
or
- 2) Direct staff to re-advertise applicable vacancy.

**Council's Recommended Action:**

No motion is necessary. The City Council's Policies and Protocol authorize appointment of Board and Commission members by written ballot, which can be used in lieu of a motion or voice vote for individual or multiple appointments. This policy was adopted by Council as a time-savings measure. Accordingly, a ballot is attached for Council's use in making appointments. Candidates receiving a majority vote (at least 4 votes) are appointed with no further action needed by Council.

**Attachments:**

Ballot

November 2021 Boards and Commissions Transmittal Summary

**Boards & Commissions**

Appointment Ballot

November 16, 2021

Council Member Hall



Applicants for the boards and/or commissions listed below are in alphabetical order and recommendations from the interview team are shown in bold.

\*\*\*\*\* BALLOT \*\*\*\*\*

<b>Citizen Transportation Advisory Board</b>	
<i>2 Positions</i>	
<input type="checkbox"/>	Raymond Amaya
<input type="checkbox"/>	Bart Smith
<input type="checkbox"/>	(Recruit For Additional Applicants)

<b>Greeley Art Commission</b>	
<i>2 Positions</i>	
<input type="checkbox"/>	Dominic Anaya
<input type="checkbox"/>	(Recruit For Additional Applicants)

<b>Greeley Urban Renewal Authority</b>	
<i>1 Position</i>	
<input type="checkbox"/>	Cynthia Welsh (I)
<input type="checkbox"/>	(Recruit For Additional Applicants)

<b>Historic Preservation Commission</b>	
<i>2 Positions</i>	
<input type="checkbox"/>	Christen DePetron (I)
<input type="checkbox"/>	Robert Brunswig (I)
<input type="checkbox"/>	(Recruit For Additional Applicants)

<b>Stormwater Board</b>	
<i>1 Position</i>	
<input type="checkbox"/>	Monica Ramirez
<input type="checkbox"/>	(Recruit For Additional Applicants)

(I) = Incumbent

# Boards & Commissions Transmittal

November 5, 2021

Key Staff Contact: Allie Powell, Assistant City Clerk, 350-9746

## Interview Date

November 10, 2021

## Council Interview Team

Councilmembers Clark and Payton

## Council Appointment Date

November 16, 2021

## Boards and Commissions Being Interviewed

- Stormwater Board
- Citizen Transportation Advisory Board
- Historic Preservation Commission
- Greeley Art Commission
- Greeley Urban Renewal Authority

## Council's Recruitment and Qualifications Policy

General recruitment efforts shall be made with special measures being taken to balance ward representation and attract minority and special population applicants. Generally, volunteers will be limited to serving on one board or commission at a time. (14.2. (c)(2) City Council, Policies and Protocol)

Demographic information of existing board members and any specialty requirements are contained within the attached Membership Rosters.

## Legal Issues

The City Attorney's Office reviewed the applications and the attached memorandum addresses any potential conflicts of interest.

It should be noted that there is a possibility that the applicants currently serve as a volunteer on a board or commission besides the one they are applying to. It is also important to point out to the applicants that there are always potential conflicts that exist with business and investments, current jobs or relatives and family members coming before the Board or Commission.

Should such conflicts arise, the Board or Commission member simply excuses themselves from that particular item but such a potential conflict does not preclude anyone from serving on a Board or Commission in general, just that particular agenda item.

## Applicable Council Goal or Objective

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

## Decision Options

1. Recommend candidates for appointment; or
2. Direct staff to re-advertise applicable vacancy.

## Attachments

1. Interview Schedule
2. Conflict Memorandum from City Attorney's Office
3. Sample Ballot
4. Membership Rosters & Input from above mentioned Boards and Commissions
5. Applications of those being considered for interview and/or considered for appointment

Transmittal reviewed by: RLU Raymond Lee, Acting City Manager AH Anissa Hollingshead, City Clerk  
City Council Agenda - City of Greeley, Colorado

# Council Agenda Summary

## Title

Scheduling of Meetings, Other Events

## Summary

During this portion of the meeting the City Manager or City Council may review the attached Council Calendar or Worksession Schedule regarding any upcoming meetings or events.

## Attachments

Council Meetings and Other Events Calendar  
Council Meeting and Work Session Schedule

# November 15, 2021 - November 21, 2021

November 2021

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

December 2021

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

## Monday, November 15

## Tuesday, November 16

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

## Wednesday, November 17

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

## Thursday, November 18

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

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

## Friday, November 19

## Saturday, November 20

## Sunday, November 21



# November 22, 2021 - November 28, 2021

November 2021

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

December 2021

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

## Monday, November 22

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

## Tuesday, November 23

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

## Wednesday, November 24

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

## Thursday, November 25

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

## Friday, November 26

## Saturday, November 27

## Sunday, November 28

# November 29, 2021 - December 5, 2021

November 2021

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

December 2021

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

**Monday, November 29**

**Tuesday, November 30**

**Wednesday, December 1**

**Thursday, December 2**

- 3:30pm - IG Adv. Board (Butler)
- 6:00pm - MPO (Gates/Payton)

**Friday, December 3**

**Saturday, December 4**

**Sunday, December 5**

# December 6, 2021 - December 12, 2021

December 2021

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

January 2022

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

**Monday, December 6**

**Tuesday, December 7**

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

**Wednesday, December 8**

**Thursday, December 9**

7:30am - Poudre River Trail (Hall)

**Friday, December 10**

**Saturday, December 11**

**Sunday, December 12**

## City Council Meeting Scheduling 2021

Current as of 11/12/2021			
This schedule is subject to change			
Date	Description	Sponsor	Placement/Time
November 23, 2021 Worksession Meeting	Cancelled		
December 7, 2021 Council Meeting	Ordinance-First Draft and Reading GMC Updates related to the non-potable water development policy	Sean Chambers	Consent
	Resolution – 2022 DDA Budget	John Karner	Consent
	Resolution – 2022 DDA Tax Levy Certification	John Karner	Consent
	Ordinance - Final - 2000 16th Street Rezone	Becky Safarik	Regular
	Ordinance – Final - Fourth Additional Appropriation	John Karner	Regular
	Ordinance - Final - Authorizing Fiscal Year 2021 salary increase for the Municipal Judge	Paul Fetherston	Regular
	Ordinance - Final - Authorizing Fiscal Year 2021 salary increase for the City Attorney	Paul Fetherston	Regular
December 14, 2021 Worksession Meeting	Resolution - Approving Contract with City Manager <i>-tentative</i>		Regular
	COVID-19 Update	Raymond Lee	0.25
	2020 Financial Audit Report and Comprehensive Annual Financial Report	John Karner	0.25
December 21, 2021 Council Meeting	Utility Billing Status Update - tentative	Sean Chambers	0.25
	Under Consideration for cancellation		
December 28, 2021 Worksession Meeting	Under Consideration for cancellation		
	COVID-19 Update		0.25