



Mayor
John Gates

Councilmembers

Jonathan Smail
Ward I

Brett Payton
Ward II

Michael Fitzsimmons
Ward III

Dale Hall
Ward IV

Stacy Suniga
At-Large

Robb Casseday
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.

City Council Agenda

April 16, 2019 at 6:30 PM

1001 11th Avenue, City Center South, Greeley, CO 80631

- [1.](#) Call to Order
- [2.](#) Pledge of Allegiance
- [3.](#) Roll Call
- [4.](#) Recognitions and Proclamations
- [5.](#) Citizen Input
- [6.](#) Approval of the Agenda
- [7.](#) Reports from Mayor and Councilmembers
- [8.](#) Petitions from Mayor and Councilmembers

Consent Agenda

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

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

- [9.](#) Approval of the City Council Proceedings of April 2, 2019
- [10.](#) Acceptance of the Report of the April 9, 2019, City Council Worksession
- [11.](#) Consideration of a resolution authorizing the Chief of Police to enter into a Memorandum of Understanding with the Weld County Department of Human Services regarding protocols for the notification and investigation of child abuse and neglect
- [12.](#) Introduction and first reading of an ordinance annexing to the City of Greeley, Colorado, certain unincorporated territory located in Weld County, Colorado, known as the 2034 Enclave Annexation, generally located north of Highway 34 Bypass and south of 20th Street, between 83rd Avenue and 95th Avenue
- [13.](#) Consideration of a change order to the purchase order

with J&T Consulting (J&T) for engineering design services for Phase 2 of the Bellvue Intake Structure Maintenance Project (Project), increasing the purchase order from \$47,580.00 to \$60,850.00 (an increase of approximately 28%)

- [14.](#) Consideration of the City of Greeley's Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2018 and Analysis of Impediments to Fair Housing report and plan for Submission to the U. S. Department of Housing and Urban Development
- [15.](#) Consideration of Community Priorities and Recommendation for the HUD-required Five-year Consolidated Plan

End of Consent Agenda

- [16.](#) Pulled Consent Agenda Items
- [17.](#) Public hearing and final reading of an ordinance annexing to the City of Greeley, Colorado, certain unincorporated territory located in Weld County, Colorado, known as the Jackson Annexation, located at 245 83rd Avenue
- [18.](#) Public hearing to consider a request to establish R-E (Residential Estate) zoning on approximately 38.41 acres of property located at 245 83rd Avenue, and a public hearing and final reading of an ordinance changing and affirming the official zoning map of the City of Greeley, Colorado
- [19.](#) Consideration of a resolution authorizing the Mayor to enter into an Intergovernmental Agreement Regarding Land Use, Growth Boundaries, and Future Annexations Between Kersey, Evans, and Greeley
- [20.](#) Consideration of a resolution of the Greeley City Council endorsing the candidacy of Councilmember Dale Hall for the Executive Board of the Colorado Municipal League
- [21.](#) Appointment of applicants to the Citizen Budget Advisory Committee and Museum 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

April 16, 2019

Agenda Item Number 1

Title

Call to Order

Council Agenda Summary

April 16, 2019

Agenda Item Number 2

Title

Pledge of Allegiance

Council Agenda Summary

April 16, 2019

Agenda Item Number 3

Title

Roll Call

Summary

Mayor Gates

Councilmember Smail

Councilmember Payton

Councilmember Casseday

Councilmember Fitzsimmons

Councilmember Suniga

Councilmember Hall

Council Agenda Summary

April 16, 2019

Agenda Item Number 4

Title

Recognitions and Proclamations

Summary

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

Mayor Gates will present two proclamations; one recognizing April 16, 2019 as Education and Sharing Day which calls upon government officials, educators, volunteers, and citizens to reach out to young people and work to create a better, brighter, and more hopeful future for all and one recognizing April 20, 2019 as Arbor Day which supports efforts to protect our trees and woodlands and to plant trees to promote the well being of present and future generations.

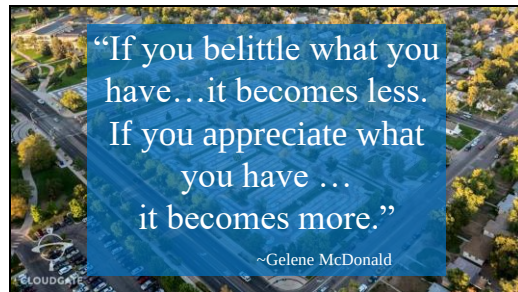
Attachments

April 16, 2019 What's Great about Greeley Report
Education and Sharing Day Proclamation
Arbor Day Proclamation

Slide 1



Slide 2



At each Council Meeting, we recognize the people, organizations and businesses that make Greeley Great.

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

Slide 3



Kudos to Frontier Academy students for winning the 2019 United States Academic Decathlon Colorado state title. The decathlon has ten categories of completion: art history science, language and literature, math, social science, interview, speech, music, essay and economics. This year, each category addressed the 1960s. They will now head to the national academic decathlon competition.

Slide 4



University of Northern Colorado journalism and media studies major, Ben Shumate, is one of six students from across the state to receive the Damon Runyon Award from The Denver Press Club.

Slide 5



University of Northern Colorado basketball standout, Jordan Davis, placed second at the Great Clips CASS Slam-Dunk Contest during the Final Four festivities.

Slide 6



Six Greeley-Evans School District 6 seniors will receive the prestigious Daniels Scholarship. Paid for through the Daniels Fund, these scholarships cover four years of tuition and fees, room and board, books and miscellaneous educational expenses and are based on the recipients character, leadership qualities and commitment to contributing to the community. The District 6 Daniels Scholarship recipients for 2019 are:

- Abigail Joyce Hubbard, Early College Academy
- Darling Michelle Perez Ramos, Greeley Central High School
- Ashton Marcus Kerwin, Tomas Gabriel Martinez, and Daniel Rodriguez, Northridge High School
- Samantha Ruby Montalvo Blanco, University High School

Slide 7



Congratulations to Greeley-Evans School District Superintendent Dr. Deirdre Pilch and Cheri Witt-Brown of the Greeley-Weld Habitat for Humanity for being named BizWest Women of Distinction. Dr. Pilch was recognized for her work in the education category. Cheri received honors in the Real Estate, Construction and Development category.

Slide 8



Congratulations to Dave Nalley and the UNC Facilities Management team for winning Xcel Energy's "2018 Self Direct Achievement Award" on April 2nd for the most energy saved in self directed programs. In just electricity alone, Dave and team reduced CO2 by 1,394 metric tons! Way to go!

Slide 9



Once a champion, always a champion. Longtime state wrestling icon Bob Smith, a Rocky Mountain Athletic Conference 115-pound champion in 1958 while competing at what now is the University of Northern Colorado, has been inducted into the Colorado Sports Hall of Fame. After UNC he coached at Wray High School for 33 years winning 10 state championships and was head of the state's wrestling coaches association.

Slide 10



Greeley-based East Colorado Business Development Center has earned the region and state Small Business Development Excellence and Innovation Award. The East Colorado Small Business Development Center offers business consulting and training that maximizes economic potential of entrepreneurs throughout eastern Colorado.

Slide 11





Education and Sharing Day

WHEREAS, excellence in education is vital to the success of our nation and to the City of Greeley; and we look to instill each child and adolescent with a good education; and

WHEREAS, education prepares our students for the responsibilities and opportunities of the future and develops the intellect through lessons in literacy, math, and science; and

WHEREAS, one shining example of what education represents was provided by the Rebbe, Rabbi Menachem Schneerson, a global spiritual leader who dedicated his life to the betterment of mankind. A tireless advocate for youth around the World, the Rebbe emphasized the importance of education and good character, and instilled the hope for a brighter future into the lives of countless people in America and across the globe; and

WHEREAS, the Rebbe taught that education should not be limited to the acquisition of knowledge and preparation for a career but also for the benefit of society through the focus of education on the building of character, with an emphasis on moral and ethical values; and

WHEREAS, in recognition of the Rebbe's outstanding and lasting contributions to World education, morality, and acts of charity, he has been awarded the Congressional Gold Medal, and the United States Congress has established his birth date as a national day to raise awareness and strengthen the education of our children; and

WHEREAS, the United State Congress has established "Education and Sharing Day, USA" to commemorate the Rebbe's achievements and the lessons and the vision he set forth are relevant to us all today; and the U.S. President proclaims this day annually in recognition of the Rebbe's vision and contribution; and

WHEREAS, Chabad-Lubavitch (Chabad Jewish Center) of Northern Colorado has been at the vanguard of Jewish outreach in the Northern Colorado region, bettering the lives of countless residents, uniting a variety of faiths and religions for the common purpose of making the World a better place; and

WHEREAS, the character of our young people is strengthened by serving a cause greater than self and by the anchor of virtues, including courage and compassion. By instilling

a spirit of service in our children, we create a more optimistic future for them and for our community.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim April 16, 2019, **EDUCATION AND SHARING DAY**, and call upon government officials, educators, volunteers, and citizens to reach out to young people and work to create a better, brighter, and more hopeful future for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 16th day of April, 2019.

John Gates
Mayor



ARBOR DAY

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, Arbor Day is now observed throughout the nation and the world;
and

WHEREAS, trees reduce the erosion of our precious topsoil, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, lumber, fuel for our fires and countless other wood products; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community.

NOW THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, Colorado, do hereby proclaim April 20, 2019, as *Arbor Day* in the City of Greeley, and I urge all citizens to support efforts to protect our trees and woodlands and to plant trees to promote the well-being of present and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 16th day of April, 2019.

John Gates
Mayor

Council Agenda Summary

April 16, 2019

Agenda Item Number 5

Title

Citizen Input

Summary

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

Individual speakers will be limited to 3 minutes each. Council and staff will respond tonight, if possible, to questions or requests. If further time or discussion is needed, a staff member will contact you within the next couple of days. Some items may need to be scheduled for a future meeting.

Council Agenda Summary

April 16, 2019

Agenda Item Number 6

Title

Approval of the Agenda

Council Agenda Summary

April 16, 2019

Agenda Item Number 7

Title

Reports from Mayor and Councilmembers

Summary

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

Board/Commission	Meeting Day/Time	Assignment
--Team of 2-- Board/Commission Interviews	Monthly as Needed	Council Rotation
Water & Sewer Board	3 rd Wed, 2:00 pm	Gates
Youth Commission Liaison	4 th Mon, 6:00 pm	Smail
Historic Preservation Loan	As Needed	Suniga
Police Pension Board	Quarterly	Suniga
Employee Health Board	As Needed	Suniga
Human Relations Commission Liaison	2 nd Monday, 12:30 P.M.	Suniga
Airport Authority	3 rd Thur, 3:30 pm	Casseday/Payton
Visit Greeley	3 rd Wed, 7:30 am	Fitzsimmons
Upstate Colorado Economic Development	Last Wed, 7:00 am	Gates/Hall
Greeley Chamber of Commerce	4 th Mon, 11:30 am	Gates
Island Grove Advisory Board	1 st Thur, 3:30 pm	Smail
Weld Project Connect Committee (United Way)	As Needed	Fitzsimmons
Downtown Development Authority	3 rd Thur, 7:30 am	Casseday/Smail
Transportation/Air Quality MPO	1 st Thur, 6:00 pm	Casseday/Gates
Poudre River Trail	1 st Thur, 7:00 am	Hall
Interstate 25 Coalition	As Needed	Gates
Highway 85 Coalition	As Needed	Payton
Highway 34 Coalition	As Needed	Payton
CML Policy Committee (Council or Staff)	As Needed	Payton and City Manager Roy Otto/Fitzsimmons alternate
CML Executive Board opportunity	As Needed	
CML - Other opportunities	As Available/Desired	

Council Agenda Summary

April 16, 2019

Agenda Item Number 8

Title

Petitions 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.

Petitions 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 Petitions and Related Information

Greeley City Council

Status Report of Council Petitions

Council Request		Council Meeting, Worksession, or Committee Meeting Date Requested	Status or Disposition (After completion, item is shown one time as completed and then removed.)	Assigned to:
03-2019	Councilmembers encouraged staff to continue looking for other creative options for addressing the trash in alleyways, etc., issue in particular parts of the community.	February 12, 2019 Worksession	This subject was discussed at the April 9 th Worksession.	Brad Mueller
04-2019	Councilmember Payton requested the City Attorney's Office prepare a Safe Harbor Ordinance in response to the Red Flag Bill currently making its way through the Colorado Legislature.	March 19, 2019 Council Meeting	An update on the Red Flag Bill and its impact on Greeley will be provided at the April 23 rd Worksession by Doug Marek, City Attorney, and Chief Mark Jones, Greeley Police Chief.	Doug Marek
05-2019	Councilmember Suniga requested that Staff research recycling options for Greeley residents including possible partnerships with neighboring municipalities.	April 2, 2019 Council Meeting	Roy Otto, City Manager, met with the Windsor Town Manager to discuss the option of partnering with them for use of Windsor's recycle center. Windsor recently moved their center from Diamond Valley to their new Public Works facility in the Northwest corner of the community. The Town Manager informs that while Windsor would be open to collaboration, their current site is sized to meet only the demands of Windsor. Other optional information for recycling in Greeley was provided in the March 11th City Manager Snapshot.	Roy Otto

Consent Agenda

April 16, 2019

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

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

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

Council's Recommended Action

To approve Items No. ____ through ____ or

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

Council Agenda Summary

April 16, 2019

Agenda Item Number 9

Key Staff Contact: Betsy Holder, City Clerk, 970-350-9742

Title:

Approval of the City Council Proceedings of April 2, 2019

Summary:

A meeting of the City Council was held on April 2, 2019, in Council's Chambers at the City Center South Campus, 1001 11th Avenue, Greeley, Colorado.

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:

April 2, 2019 Proceedings

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
 April 2, 2019

1. Call to Order

Mayor John Gates called the meeting to order at 6:30 p.m., in the Council's Chambers at the City Center South Campus, 1001 11th Avenue.

2. Pledge of Allegiance

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

3. Roll Call

Jerry Harvey, Assistant City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Robb Casseday, Michael Fitzsimmons, Dale Hall, Brett Payton, Jon Smail and Stacy Suniga.

4. Recognitions and Proclamations

Mayor Gates presented the following proclamations: Holocaust Memorial Observances, National Youth Service Day Awards, National Service Recognition Day 2019, Parkinson's Awareness Month, and National Mayor's Challenge for Water Conservation.

Councilmember Casseday presented the What's Great About Greeley Report.

5. Citizen Input

Bill Gillard, Greeley resident, thanked all involved in getting rent prices down for rental of Northridge High School football field for Northern Colorado Nightmare football team.

Patrick Kelly, Greeley resident, thanked Council and City Staff for inclusion efforts regarding disabilities. Speaking for the Commission on Disabilities, he condemned the cutting of Special Olympics funding and suggested a possible proclamation by the Mayor in support of the Special Olympics. Mr. Kelly also requested that Council or staff consider adding hypnotherapy to the City's wellness program.

Todd Loschen, Greeley resident, discussed the traffic issues still taking place at the intersection by his house. He noted that he has been working with the Greeley Police Department.

6. Approval of Agenda

The agenda was approved as presented.

7. Reports from Mayor and Councilmembers

Councilmember Hall encouraged attendance at the Poudre River Trailathon on April 20th. He also expressed his concern about specific legislation in the Colorado Legislature including Senate Bill 181 and the Red Flag Bill.

Mayor Gates reported that he delivered meals for Meals On Wheels recently and found it to be a very rewarding hour. He thanked everyone involved with that organization and encouraged the community to get involved. Mayor Gates also reminded everyone of the date and time of the State of the City Address and about a town hall with Kevin Bommer, Colorado Municipal League President, in Windsor.

8. Petitions from Mayor and Councilmembers

Councilmember Suniga requested that staff research recycling options for the City of Greeley including possibly partnering with neighboring municipalities.

Consensus was reached by Council for staff to move forward on this.

Roy Otto, City Manager, explained that there really were not recycling options for municipalities in Northern Colorado adding that the City would have to either start a new recycling facility/program or utilize the Weld County Landfill. He added that he would reach out to neighboring municipalities.

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

Councilmember Casseday stepped out of Council Chambers at 7:31 p.m.

9. Approval of the City Council Proceedings of March 19, 2019

The Council action recommended was to approve the Proceedings.

10. Acceptance of the Report of the March 26, 2019 City Council Worksession

The Council action recommended was to accept the Report.

11. Consideration of a resolution authorizing the Mayor to enter into an Intergovernmental Agreement regarding the Weld County Drug Task Force

The Council action recommended was to adopt the Resolution. **(Resolution No. 13, 2019)**

12. Introduction and first reading of an Ordinance annexing to the City of Greeley, Colorado, certain unincorporated territory located in Weld County, Colorado, known as the Jackson Annexation, located at 245 83rd Avenue

The Council action recommended was to introduce the Ordinance and schedule the Public Hearing and final reading for April 16, 2019.

13. Introduction and first reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, establishing R-E (Residential Estate) zoning for a parcel of property located in Weld County, Colorado, at 245 83rd Avenue, recently annexed and known as the Jackson Annexation

The Council action recommended was to introduce the Ordinance and schedule the Public Hearing and final reading for April 16, 2019.

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

Councilmember Payton moved, seconded by Councilmember Fitzsimmons to approve the items on the Consent Agenda and their recommended actions. The motion carried: 6-0 (Councilmember Casseday absent)

Councilmember Casseday returned to Council Chambers at 7:33 p.m.

14. Pulled consent agenda items

No items were pulled from the Consent Agenda.

15. Public hearing and final reading of an Ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2019 and for funds held in reserve for encumbrances at December 31, 2018

Robert Miller, Budget Manager, briefly discussed the 2nd appropriation of 2019. He continued by highlighting the Fund Budget Balances, appropriation categories, and appropriation funding sources. Mr. Miller also discussed the General Fund Carryover Recommendations which included descriptions of the following specific funds: Public Safety, Quality of Life, Encumbrances & Commitments, Water & Sewer, Keep Greeley Moving, Transportation Development, and Food Tax. He concluded with a summary of his presentation.

In response to a request by Mayor Gates, Mr. Miller briefly explained the appropriations process including an explanation of the need for additional appropriations and an explanation of how the City has additional monies to be appropriated after approving an annual budget.

In response to a question from Councilmember Smail regarding the former Colorado Department of Transportation (CDOT) building, Mr. Otto explained that the space will likely be used for staff being displaced during the remodeling of the City's Public Works facilities on A Street. He added that the City is looking into purchasing the property and could be able to move in within the next two years.

Mayor Gates opened the public hearing at 7:55 p.m., and no comments were offered.

Councilmember Casseday moved, seconded by Councilmember Suniga to adopt the Ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 13, 2019**)

16. Public hearing and final reading of an Ordinance authorizing a salary increase for the City Manager

Sharon McCabe, Human Resources Director, briefly discussed all three Ordinances including detailed information regarding salary increases for the City Manager, City Attorney, and Municipal Judge.

Mayor Gates opened the public hearing at 7:57 p.m.

Bill Gillard thanked Roy for his service and thinks that this increase in salary is justified.

Mayor Gates closed the public hearing at 7:58 p.m.

Councilmember Hall moved, seconded by Councilmember Payton to adopt the Ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 14, 2019**)

17. Public hearing and final reading of an Ordinance authorizing a merit pay increase for the City Attorney

Ms. McCabe detailed the amount of the salary increase for the City Attorney.

Mayor Gates opened the public hearing at 7:59 p.m., and no comments were offered.

Councilmember Suniga moved, seconded by Councilmember Payton to adopt the Ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 15, 2019**)

18. Public hearing and final reading of an Ordinance authorizing a merit pay increase for the Municipal Judge

Ms. McCabe detailed the amount of the salary increase for the Municipal Judge.

Mayor Gates opened the public hearing at 8:00 p.m., and no comments were offered.

Councilmember Payton moved, seconded by Councilmember Fitzsimmons to adopt the Ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 16, 2019**)

Mayor Gates thanked all three men for the great job they have been doing adding that the salary increase is well deserved.

19. Public hearing and final reading of an Ordinance adopting various amendments to the Greeley Municipal Code Chapters, including repealing Chapter 16.60 (Historic Preservation Code) and Chapter 16.61 (Historic Preservation Low Interest Loan Program) and enacting Chapter 18.36 (Historic Preservation), Chapter 18.37 (Historic Preservation Low Interest Loan Program), and Appendix 18-L (Illustrative Flow Chart for Historic District Designation Process), and amending Appendix 18-B (Definitions)

Brad Mueller, Community Development Director, briefly highlighted the proposed Code updates. He continued by describing the process that Community Development has gone through to reach this point followed by a discussion of the Historic Preservation Program Fundamentals, the move of Historic Preservation to Title 18 of the Code (Development Code), the addition of design guidelines, and the revision/addition of definitions within the Code. Mr. Mueller also explained the authority to review and approve/deny minor alterations; the staff review of undesignated properties for additions and accessory structures; and the designation criteria changes and the added detail to designation process. He went on to highlight revisions to Notice Requirements; discussed the Appeals, Incentives, and Enforcement (fines and penalties) sections; highlighted the Design Review Procedures along with the Criteria/Standards for review; and discussed the Council Priorities that are relevant to these changes/updates to the Code. Mr. Mueller concluded by noting that the City's Historic Preservation Commission voted unanimously to support this Ordinance.

In response to a question from Councilmember Suniga regarding in-fill in an historic district, Mr. Mueller explained that there are guidelines for new construction to create compatibility.

In response to questions from Councilmember Smail, Mr. Mueller explained that only some entities can be non-owner designees and the criteria are much higher for these. He added that it is staff's responsibility to inform the Historic Preservation Commission, Downtown Development Authority, Planning Commission, and Greeley Historic Inc., not to act in lieu of them during the Historic Preservation process.

Mayor Gates opened the public hearing at 8:27 p.m.

James Mongan, Greeley resident, expressed his frustration after working with the Historic Preservation division and added that he does not believe the Ordinance goes far enough to alter the current process.

Liberty Gerold, Chair of the Greeley Area Realtors' Association and a Greeley resident, spoke on behalf of the Greeley Area Realtor's Association. She expressed the importance of balancing Historic Preservation with the Constitutional rights of homeowners/property owners. She also expressed concern with the proposed Ordinance.

Dr. Julia Richard, Greeley resident, spoke on behalf of Historic Greeley, Inc. She expressed support for the Ordinance as presented and asked that Council approve it.

Marshall Clough, Greeley resident, also expressed support for the Ordinance on behalf of Historic Greeley, Inc.

Drew Notestine, property owner in Downtown Greeley, expressed his support of the Ordinance and for the City's Historic Preservation program/process.

Ron Thompson, Greeley resident, expressed his support for the City's Historic Preservation program/process and for the Ordinance.

Linde Thompson, Greeley resident, also expressed support for the Ordinance, as presented.

Mayor Gates closed the public hearing at 8:43 p.m.

Councilmember Casseday expressed his support for historic preservation and for this Ordinance.

Councilmember Casseday moved, seconded by Councilmember Hall to adopt the Ordinance and publish in full. The motion carried: 7-0 (**Ordinance No. 17, 2019**)

20. Scheduling of meetings, other events

No other meetings or events were scheduled.

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

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

22. Adjournment

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 8:48 p.m.

John Gates, Mayor

Jerry Harvey, Assistant City Clerk

Council Agenda Summary

April 16, 2019

Agenda Item Number 10

Key Staff Contact: Betsy Holder, City Clerk, 970-350-9742

Title:

Acceptance of the Report of the April 9, 2019, City Council Worksession

Summary:

A City Council Worksession was held on April 9, 2019, in Council's Chambers at the City Center South Campus, 1001 11th Avenue, Greeley, Colorado.

Decision Options:

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

Council's Recommended Action:

A motion to accept the Report as presented.

Attachments:

April 9, 2019 Report

City of Greeley, Colorado
COUNCIL WORKSESSION REPORT
 April 9, 2019

1. CALL TO ORDER

The meeting was called to order at 5:00 p.m. by Mayor John Gates, in the Council's Chambers at the City Center South Campus, 1001 11th Avenue.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

Cheryl Aragon, Deputy City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Robb Casseday, Michael Fitzsimmons, Dale Hall, Brett Payton, Jon Smail, and Stacy Suniga.

4. REVIEW OF COMMUNITY PRIORITIES AND RECOMMENDATION FOR THE HUD-REQUIRED FIVE-YEAR CONSOLIDATED PLAN

Becky Safarik, Assistant City Manager, introduced Carol Larson, Urban Renewal Specialist, who reported that the City annually receives funding from the U.S. Department of Housing and Urban Development (HUD) in the form of the Community Development Block Grant (CDBG) and the HOME Investment Partnership Program grant. She noted that 70 percent of CDBG and 100 percent of HOME must be to the benefit of low to moderate income residents or neighborhoods.

She went on to advise that among the Federal program obligations is a requirement to develop a five-year Consolidated Plan which serves as the framework for our community to discuss and identify housing and community development priorities that meet the grant requirements and then focus funding on those areas of need.

Ms. Larson went on to state that all of the Consolidated Planning Process steps revolve around citizen participation and that staff developed a needs assessment survey to collect a greater range of comment about community priorities.

She next reviewed recommended priorities from the Greeley Urban Renewal Authority (GURA) Board and shared results of the needs assessment surveys and comments. High priorities included preservation, maintenance and provision of affordable housing for the homeless, low to moderate income earners, underserved and special needs residents and the support for the revitalization of neighborhoods in the Redevelopment District.

Councilmembers thanked Ms. Larson for her presentation.

5. REVIEW OF ALLEY-RELATED TRASH ACCUMULATION ISSUES AND OPTIONS

Brad Mueller, Community Development Director, thanked Joe Collins, Code Compliance Supervisor, and Deb Deboutez, Neighborhood Program Specialist, for their work on this item.

Councilmember Hall stated that he is not in favor of the proposed options A-C or E and asked to focus maybe on Option D and the licensing requirements noted within. He acknowledged that this is an issue he brought up but there does not seem to be a lot of options or solutions. The real issue is free-loaders who do not want to pay for trash service dumping their trash elsewhere.

Mr. Mueller reported that alleyways are an element of earlier development for carriages, etc., and showed photos of some of the challenges the City is currently facing. He reviewed the levels of violations and compliance and noted that staff has been very understanding since the transfer from Northern Colorado Disposal to Waste Management and have not been heavy handed with citations.

He reviewed the options offered and noted that staff is recommending Option D, which is to require trash service for every property, and to include a licensing component.

As far as what is next, Mr. Mueller stated that a lot of communication would need to be done, as well as Code changes desired by Council.

Councilmember Casseday expressed a desire to see some collaboration with haulers on a way to zone the city so that all trash pick-up is on the same day for everyone within that zone.

Councilmember Smail stated that landowners many times end up responsible for what tenants will not pay for, and he wondered how that can be turned around so that the hammer is on those not paying for service.

Mr. Mueller stated that this has been tracked over the years, and stated that really, enforcement is about as balanced as it can be right now.

Mr. Collins stated that officer always try to contact whoever lives at the property but they do not really have a mechanism to make someone share tenant or landlord information.

Doug Marek, City Attorney, advised that there are legal rights to consider with trying to get that kind of information. He added that a previous Council de-criminalized these infractions and they are now civilly handled. He also stated that he is not aware of a municipality that is doing that without some sort of registration.

Councilmember Suniga expressed concern with free-loaders as well and asked if the City can require more frequent pick-ups in alleyways, and Mr. Mueller advised that free-loaders are what a majority of complaints are about.

Councilmember Payton stated that he cannot agree with any of the options provided, and noted that he has concern about the licensing component of the recommended option. He stated that the real issue is how to deal with free-loaders, and there are no solutions yet. He expressed that property owners have a tenant problem; the City does not have a trash problem.

Councilmember Hall stated that he is more inclined to go toward licensing, but some education is a good start as a baby step. He expressed disagreement with the idea that this is a landlord-tenant issue.

Mayor Gates stated that he is more inclined to go with Option D as recommended by staff, but added that he does not think this is a great way to go.

Mr. Mueller noted that requiring service at least gives staff somewhere to go with enforcement.

Councilmember Fitzsimmons expressed his opinion that we will never be able to stop the free loaders, but requiring service is a good place to start.

Roy Otto, City Manager, agreed that the free-loaders will never be stopped, but licensing might help.

Councilmember Smail expressed a desire to discuss Option D without the licensing component with the public to get a feel for how well it would be accepted.

Mr. Mueller reminded the Council that staff did conduct a trash survey, and stated that anything he does always starts with education and outreach on the issue. He advised that he would retrieve those results about mandated service and share them back out to Council.

Mayor Gates stated that staff has worked hard on this and are recommending Option D, but no consensus seems apparent for this option as it was presented.

General consensus was eventually reached to proceed with Option D, excluding the licensing component.

Mr. Mueller stated that staff will proceed with changes as noted and will give Council another look at this before finalizing it.

Councilmember Casseday reiterated his desire to zone the city for same-day pick-up by neighborhoods.

6. GREELEY FORESTRY – EMERALD ASH BORER TREATMENT PROGRAM

Shiloh Hatcher, City Forester, provided a presentation addressing the impending presence of the invasive Emerald Ash Borer (EAB) and provided news that it has made its way to Colorado, specifically Boulder.

He stated that Greeley has a high population of Ash Trees and spoke of the inventory that has been done by staff of those trees.

In response to a question from Councilmember Casseday, Mr. Hatcher stated that treatment is for a lifetime every few years. He stated that it is relatively inexpensive for the City to treat, but will be costly for private property owners.

Councilmember Hall asked that staff keep talking with property owners about what options they have in terms of treatment, and Councilmembers concurred that education is key.

Mr. Hatcher shared that staff is going out and doing consults about private ash trees with property owners and will continue to do that.

7. SCHEDULING OF MEETINGS, OTHER EVENTS

Mr. Otto advised that the Lepirino Tour is still set in spite of the impending storm on Thursday, April 11th. No other meetings or events were scheduled.

8. ADJOURNMENT

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 6:55 p.m.

Cheryl Aragon, Deputy City Clerk

Council Agenda Summary

April 16, 2019

Agenda Item Number 11

Key Staff Contact: Mark Jones, Police Chief, 970-350-9665

Title:

Consideration of a resolution authorizing the Chief of Police to enter into a Memorandum of Understanding with the Weld County Department of Human Services regarding protocols for the notification and investigation of child abuse and neglect

Summary:

The City of Greeley Police Department and the Weld County Department of Human Services work together to improve notification and investigation protocols regarding child abuse and neglect cases in our community.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	N/A
If yes, what is the initial, or, onetime impact?	N/A
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?	N/A
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	N/A
Is this grant onetime or ongoing?	N/A
Additional Comments:	This does not create a fiscal impact; it adjusts reimbursements and responsibilities of affiliate outside agencies.

Legal Issues:

The MOU has been reviewed by the City Attorney's Office.

Other Issues and Considerations:

None

Applicable Council Priority and Goal:

Public Safety

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 for MOU GPD and WC Dept. of Human Services

MOU regarding WC Dept. of Human Services protocol for notification/investigation of
child abuse and neglect

THE CITY OF GREELEY, COLORADO

RESOLUTION _____, 2019

A RESOLUTION OF THE CITY OF GREELEY COUNCIL AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE WELD COUNTY DEPARTMENT OF HUMAN SERVICES REGARDING PROTOCOLS FOR THE NOTIFICATION AND INVESTIGATION OF CHILD ABUSE AND NEGLECT

WHEREAS, in accordance with C.R.S. § 29-1-203, governments may cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each of the cooperating or contracting units of government; and

WHEREAS, child abuse and neglect is a serious and endemic problem in Greeley and Weld County; and

WHEREAS, both the City of Greeley Police Department and the Weld County Department of Human Services seek to update their protocols for effectively responding to instances of reported child abuse and neglect; and

WHEREAS, the attached memorandum of understanding defines the rights, responsibilities and duties of the parties hereto; and

WHEREAS, it is in the best interest of the public health, safety and welfare of the citizens of the City of Greeley to enter into this memorandum of understanding.

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

Section 1. The City Council hereby authorizes the City to enter into a Memorandum of Understanding to update the city-county protocols for the notification and investigation of child abuse and neglect, a copy of which is attached hereto and incorporated herein as Exhibit A.

Section 2. City staff is hereby authorized to make changes and modifications to the memorandum of understanding, so long as the substance remains unchanged.

Section 3. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _____ day of _____, 2019.

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor

MEMORANDUM OF UNDERSTANDING

WHEREAS, the following Memorandum of Understanding (Agreement) outlines the Agreement between the Greeley Police Department (hereinafter referred to as the Agency) and the Weld County Department of Human Services regarding protocols for cooperation on child welfare notification and investigation requirements.

WHEREAS, the protocols described in this Agreement provide for the cooperation and notification between the organizations of reports of child abuse and neglect and child maltreatment deaths.

WHEREAS, these protocols provide for the distribution of the Notice of Rights and Remedies, as required by C.R.S. §19-3-212.

WHEREAS, these protocols provide for joint and independent investigation procedures.

WHEREAS, each organization to this Agreement is independent and capable of complying with the requirements described in this Agreement. The organizations to this Agreement also understand that by combining their leadership, skills, talent, and legal authority, such notifications and investigations may be completed in a much more efficient and effective manner.

WHEREAS, this Agreement allows the organizations to comply with law as set forth in Title 19 of the Children's Code, including but not limited to, 19-1-307, 19-3-308, and 19-3-401.

NOW THEREFORE, the undersigned organizations and in good faith are resolved to execute this Memorandum of Understanding and enter into an Agreement as follows:

1. NOTIFICATIONS

- a. The Department of Human Services will notify the Agency:
 1. In all cases in which it is the opinion of The Department of Human Services' caseworkers that assistance of the local law enforcement agency is necessary for the protection of the child or other children under the same care, pursuant to 19-3-308(4)(b).
 2. If the Department of Human Services reasonably believes that an incident of abuse or neglect has occurred, so that the local law enforcement agency may investigate to determine if a violation of any criminal child abuse law has occurred.
 3. When there is indication for a joint investigation.
- b. Agency officials shall report all known or suspected incidents of child abuse or neglect to the Department of Human Services, as required by 19-3-308(5), even if there is no probable cause that a crime of child abuse has been committed. Agency will notify the Department of Human Services:
 1. Of all reports of child abuse and neglect within twenty-four hours of the Agency receiving the information. Written reports shall be provided to the Department of Human Services as soon as possible, pursuant to 19-3-308(5);
 2. Immediately if a joint investigation is required and /or if it seems likely that a child may need protective custody.

2. PROTECTIVE CUSTODY

- a. Pursuant to C.R.S. Section 19-3-401, law enforcement officers are the only parties, outside of the courts, who have statutory power to place a protective hold on a child. The law enforcement officer should consult with the Department of Human Services caseworker when practical prior to placing a child in protective custody, except in emergency circumstances. After removal, the officer shall contact the Department of Human Services for placement.
- b. Once a law enforcement officer has placed a child in protective custody, the Department of Human Services will place the child in either foster care, group home, residential

facility, relative placement, or in some cases back with the parent or caregiver with a safety plan put into place.

- c. If the law enforcement officer decides not to place a hold and the Department of Human Services' caseworker believes there is a danger to the child's life or health in the reasonably foreseeable future, the caseworker can seek a court order for temporary custody pursuant to 19-3-405. If such an order is granted, a law enforcement officer shall assist in enforcing the court order, when the order specifically authorizes or requires law enforcement to do so.
- d. When the Agency takes a child into protective custody, or when the court orders the Department of Human Services to take temporary custody of the child pursuant to 19-3-405, the officer or the caseworker shall deliver the NOTICE OF RIGHTS AND REMEDIES FOR FAMILIES to the parent or guardian. If both the Department of Human Services and Agency are involved, the officer and the caseworker shall document that this notice has been provided to the parents.
- e. Strong consideration should be given to placing a protective hold on other children in the environment in cases of child death, serious physical abuse/neglect, or sexual abuse. The law enforcement officer should discuss the necessity for a protective hold on other children with the Department of Human Services caseworker.
- f. There are certain cases such as domestic violence, drug violations, alcohol violations, detoxification holds, where child abuse/neglect issues are present. These child abuse or neglect issues should be identified and reported to the Department of Human Services for investigation. Even though the incident was not reported as child abuse/neglect, consideration should be given to protective hold(s) in appropriate cases.
- g. When law enforcement determines it is necessary to place a child into protective custody, but there is a relative the child could possibly be placed with, the law enforcement officer will consult with the Department of Human Services first to determine the appropriateness of that relative for placement.

3. JOINT INVESTIGATION

- a. Standards: An effective response to child protection requires a cooperative, coordinated, interactive approach among many agencies in the community. Cases for Joint Investigation by the Agency and the Department of Human Services include:
 - 1. Any death of a child;
 - 2. Any unexplained unresponsive child;
 - 3. Intrafamilial sexual abuse;
 - 4. Physical abuse where there are moderate to severe injuries;
 - 5. Severe neglect;
 - 6. At the request of the Agency, any third-party abuse or neglect where the protection and safety of the child is at risk;
 - 7. At the request of Human Services, situations where there are arrests and/or safety issues;
 - 8. If the parent refuses access to the child for investigation and/or medical assessment;
 - 9. Upon request by either agency;
 - 10. Institutional Abuse if it is in a category that would otherwise require a joint investigation;
 - 11. Court order to investigate a case.
- b. Procedures:

1. The agency receiving the report will notify the other agency that a joint investigation is indicated.
2. Each agency shall check its agency's records for previous contacts with the family and suspected perpetrator. This includes a check of Trails by the Department of Human Services and NCIC/CCIC/CBI Suspect File by the Agency.
3. The Department of Human Services caseworker and the Agency officer who will be conducting the investigation must communicate to share information and coordinate the investigation. This coordination shall include:
 - a. Where interviews are to be conducted, if not at Life Stories Child and Family Advocacy Center (NOTE: Life Stories Child and Family Advocacy Center serves all sexual abuse cases, severe physical abuse cases, child witnesses of domestic violence, and those cases likely to lead to prosecution);
 - b. The order of interviewing victims, parents, siblings, relatives, teachers, therapists, suspects, and any other witnesses;
 - c. Who will take the lead in interviewing each person;
 - d. Who will video and/or audio tape the interview;
 - e. What interviewing aids are appropriate (such as anatomical drawings, etc.);
 - f. Determining which collateral sources need to be contacted;
 - g. In cases of children with special needs, (i.e., hearing impaired, visually impaired, developmentally impaired, mentally impaired, non-English speaking), seeking an appropriate person to assist in the interview.
 - h. Determining whether a medical and/or psychological evaluation needs to be obtained and if so, seek an appropriate person for the evaluation.
4. The Agency will gather and preserve evidence. This includes:
 - a. Collecting accurate and detailed documentation of observations;
 - b. Taking photographs;
 - c. Preserving all relevant physical evidence such as the instrument that inflicted the injury, rape kit, blood and hair samples from the suspect, etc.
5. The Agency, when investigating a report of a known or suspected incident of child abuse or neglect shall be given access to child abuse records and reports pursuant to Sections 19-1-307(2)(a) and 19-3-308(5), C.R.S.
6. If there is any suspected criminal activity, the caseworker shall communicate and cooperate regarding the investigation as set forth above. However, the caseworker must ensure that Volume 7 rules and State statutes regarding the caseworker's contact with the child, the parents, the person responsible for the abuse or neglect, and any collateral sources, are interviewed within the designated time frames.

4. CHILD FATALITIES, NEAR FATALITIES, EGREGIOUS ABUSE/NEGLECT

- a. The death, near death, or egregious abuse/neglect of a child may involve a multi-disciplinary response of professionals which include the Coroner, medical personnel, the District Attorney, the Agency and other Law Enforcement officials, the Department of Human Services along with other child abuse experts. The most critical aspect of any child death, near death, or egregious abuse/neglect investigation lies with the timely notification of all appropriate entities and the continued investigative coordination amongst those agencies. It is critical for each entity to have established guidelines for responding to, investigating and documenting the various types of child deaths, near deaths, or egregious abuse/neglect.
- b. Circumstances Warranting Interagency Investigation:
 1. There is reason to know or suspect that abuse/or neglect caused or contributed to the child's death, near death, or egregious abuse/neglect.
 2. The unresponsive child or death, near death, or egregious abuse/neglect is not explained, or cause of death is unknown at the time of the child's death, near death, or egregious abuse/neglect.

3. The history given about the child's death, near death, or egregious abuse/neglect is at variance with the degree or type of injury and subsequent death, near death, or egregious abuse/neglect.
- c. Conditions that would not warrant an interagency investigation:
 1. A child who succumbs to a terminal disease.
 2. A death resulting from an accident not the result of negligence or abuse.

5. INTERAGENCY RESPONSIBILITIES

- a. The organization receiving the report will notify the other organization immediately that a joint investigation is warranted.
- b. The Agency: The role of the Agency is to establish the appropriate jurisdiction responsible for conducting the investigation. The Agency determines whether the events leading to the death of a child constitutes a crime by any act of commission or omission, and the Agency presents such information to the District Attorney for prosecution purposes, as applicable. The Agency is responsible for the scene investigation where the death occurred and the collection of evidence. The Agency is designated to be present at the post-mortem examination and autopsy, and to photograph and collect specified evidence obtained at the time of autopsy.
- c. Department of Human Services: The Department of Human Services will research the family structure and evaluate whether any other siblings within the family structure are at risk of any form of physical danger or death. The Department of Human Services may provide to Agency important background information relating to the victim's family dynamics and whether the victim child is under the purview of the Department of Human Services currently. The Department of Human Services is also responsible to list child deaths in Trails for Child Protection and to report to the State Fatality Review Committee.

6. MISCELLANEOUS

- a. Term of Agreement: The term of the Agreement shall commence on the date of execution of this Agreement and shall be perpetual.
- b. Termination of Agreement: This Agreement may be terminated by the Department of Human Services or by the Agency upon thirty (30) days written notice. Both organizations shall cooperate on all investigations pending at the time such notice is delivered, until such investigations are fully completed.
- c. Confidentiality: Both organizations shall comply with all applicable standards, rules, and regulations regarding confidentiality as may be related to their responsibilities.
- d. Authority:
 1. Upon execution this Agreement is a valid and binding obligation between the Department of Human Services and the Agency, and the making and performance of this Agreement has been duly authorized by all necessary corporate or official action, and will not constitute a violation of any law or requirement imposed by a judicial or arbitral body or governmental entity, nor the charter or by-laws of statute, ordinance or regulation controlling the Agency, nor a default under any agreement or instrument by which it is bound or affected.
 2. The making or performance of this Agreement does not require the consent or approval of any additional governmental entity other than the signing parties or, if such consent or approval is required, such has been obtained.

IN WITNESS WHEREOF, the parties hereto have duly executed the Agreement this ____ day of _____, 2019.

COUNTY:

ATTEST:

Weld County Clerk to the Board

BOARD OF COUNTY COMMISSIONERS

WELD COUNTY, COLORADO

By: _____
Deputy Clerk to the Board

Barbara Kirkmeyer, Chair

CONTRACTOR:

Greeley Police Department
2875 West 10th Street
Greeley, Colorado 80634
(970) 350-9660

By: _____
Mark Jones, Chief of Police

Date: _____

Council Agenda Summary

April 16, 2019

Agenda Item Number 12

Key Staff Contact: Brad Mueller, Community Development Director, 970-350-9786

Title:

Introduction and first reading of an ordinance annexing to the City of Greeley, Colorado, certain unincorporated territory located in Weld County, Colorado, known as the 2034 Enclave Annexation, generally located north of Highway 34 Bypass and south of 20th Street, between 83rd Avenue and 95th Avenue

Summary:

Initiated by the City of Greeley, this is a request for approval of an enclave annexation of properties that consist of 8.98 acres.

"Enclaves" are parcels of land that are completely surrounded by incorporated city limits. According to Section 18.26.050(d) of the City of Greeley Development Code and Section 31-12-106 of the Colorado Revised Statutes, annexations of enclaves may be initiated by the City Council when such enclaves have been completely surrounded by property in the City for a period of at least three years. The subject site has been entirely surrounded by the municipal boundary of the City for eighteen years and was eligible for annexation as of March, 2004.

It is in the City's interest to annex key enclaves to allow for efficient provision of city services and to provide predictability to the development process. For example, these "islands" within the city limits currently are technically served by the County Sheriff, even though in practice they lie within the patrol areas of the Police Department. Similar conditions exist for city streets and the impacts to city services such as stormwater, schools, and parks.

By annexing these properties, there is more predictability and stronger coordination for key infrastructure, such as setting the future alignment of 20th Street. Future water and sewer service would require annexation under city service policies anyway, so "filling in the holes" establishes the basis for most future development needs. As part of this process, staff has been in contact with landowners to allow them to document grandfathered conditions and rights of the property owners.

The City Attorney's Office has determined that enclave annexations do not require review by the Planning Commission, though the subsequent required establishment of zoning is required to have Planning Commission and Council review, as is typical.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	Ongoing impacts only

What is the annual impact?	Police, fire and other city services
What fund of the City will provide Funding?	Development impact fees; general budgeted funds (for operations)
What is the source of revenue within the fund?	Varies
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:	Most impacts will be commensurate with development and offset through the normal collection of impact fees and normal taxing revenue sources.

Legal Issues:

Enclave annexations do not require a resolution finding substantial compliance with State annexation laws in the manner that non-enclave annexations do, so these may be directly heard by Council on 1st and 2nd Reading.

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

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

Other Issues and Considerations:

None noted.

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 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 May 7, 2019.

Attachments:

Ordinance
Vicinity Map

CITY OF GREELEY, COLORADO

ORDINANCE NO. ____, 2019

CASE NO. ANX2018-0005

AN ORDINANCE ANNEXING TO THE CITY OF GREELEY, COLORADO, CERTAIN UNINCORPORATED TERRITORY LOCATED IN WELD COUNTY, COLORADO, KNOWN AS THE 2034 ENCLAVE ANNEXATION, GENERALLY LOCATED NORTH OF HIGHWAY 34 BYPASS AND SOUTH OF 20TH STREET, BETWEEN 83RD AVENUE AND 95TH AVENUE

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

Section 1. The City Council of Greeley, Colorado, hereby finds that the property which is legally described in Section 2 below, also known as City of Greeley Planning Case No. ANX2018-0005, has been surrounded by lands annexed into the City of Greeley for a period of time in excess of three years and therefore qualifies for annexation as an enclave, and is in all respects eligible for annexation and that said annexation proceedings have been conducted in compliance with the laws of the State of Colorado.

Section 2. The territories described below in this section are hereby approved for annexation and are hereby annexed to the City of Greeley. These territories referred to are located north of Highway 34 Bypass and south of 20th Street, between 83rd Avenue and 95th Avenue, and are described as follows:

SEE ATTACHED LEGAL DESCRIPTION

Said parcel contains 8.98 acres, more or less, and is subject to any easements or rights-of-way as granted or reserved by instruments of record, or as now existing on said described parcel of land.

Section 3. Pursuant to C.R.S. §31-12-113, one (1) copy of the map of the above-described territory and the original of the annexation ordinance shall be filed with the City Clerk of the City of Greeley, Colorado. Two (2) certified copies of this annexation ordinance and map of the area annexed shall be filed for recording with the Clerk and Recorder of Weld County, Colorado, within thirty (30) days after the effective date of this ordinance. The Clerk and Recorder of Weld County, Colorado, is required to file one (1) certified copy of the annexation ordinance and map with the Division of Local Government of the Colorado Department of Local Affairs, as required by C.R.S. §13-12-113(2)(a).

Section 4. The City of Greeley, Colorado, hereby consents pursuant to C.R.S. §37-45-136(3.6), to the inclusion of lands identified above in Section 2 into the municipal subdistrict, Northern Colorado Water Conservancy District.

Section 5. Except for the purposes of general taxation, this annexation shall be effective five (5) days after the final publication of this ordinance.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS ____ DAY OF _____, 201.

ATTEST:

THE CITY OF GREELEY

City Clerk

Mayor

LEGAL DESCRIPTION

A tract of land located in the North ½ of Section 18, Township 5 North, Range, 66 West of the Sixth

Principal Meridian Weld County Colorado more particularly described as Follows:

BASIS OF BEARING: The North line of said Section being N 89°59'50" E and all bearings contained

herein being relative thereto.

Beginning at the Northeast corner of Lot A of the Recorded Exemption No. 0959-18-1-RE176 as recorded in Reception Number 1660440 of the records of said Weld County, thence along the following courses of the Westerly line of said Lot A;

S 25°23'46" E, a distance of 309.05'

S 24°10'51" E, a distance of 316.53' to a point on the Northerly bank of the Boomerang Ditch;

Thence along said Northerly bank the following six courses;

N 40°29'23" E, a distance of 9.69'

N 70°47'52" E, a distance of 67.97'

N 86°42'26" E, a distance of 113.50'

S 84°24'39" E, a distance of 115.67'

S 60°51'34" E, a distance of 100.17'

S 45°40'48" E, a distance of 214.09' to the Southeast corner of said Lot A;

Thence continue along said Northerly bank S 45°40'48" E, a distance of 9.02' to the Northeasterly corner of a tract of land as recorded in Reception No. 4035663 of the records of said Weld County;

thence along the Easterly and Westerly line of said tract the following two courses;

S 01°18'06" E, a distance of 270.19'

N 56°29'24" W, a distance of 717.31' to the Northwest corner of said tract said point furthermore being the Southwesterly corner of a tract of land as recorded in Reception No. 2574720 of the records of said Weld County, thence along the Westerly line of said tract the following two courses;

N 56°29'24" W, a distance of 409.91'

N 57°45'27" W, a distance of 599.22' said point furthermore being the Southeast corner of a tract of land as recorded in Reception No. 1738345 of the records of said Weld County, thence along the

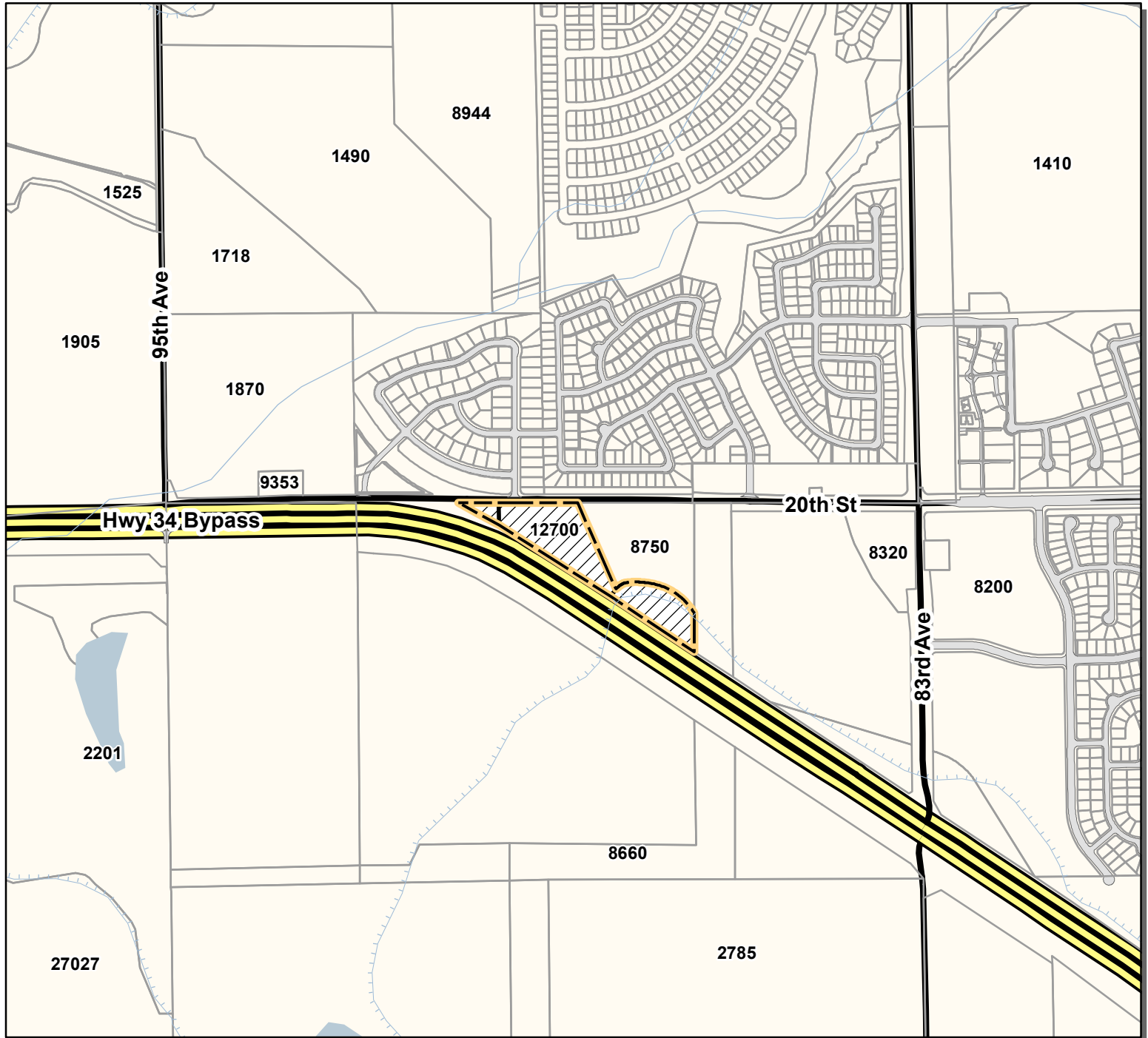
Westerly line and Northerly line of said tract the following two courses;

N 57°45'27" W, a distance of 141.88' to the Northwest corner of said tract,

N 89°59'50" E, a distance of 120.00' the Northeast corner of said tract, said point furthermore being the Northwest corner of that tract as recorded in Reception No. 2574720. Thence along the Northerly line of said tract N 89°59'50" E, a distance of 632.32' to the Point of Beginning for his description and containing 391352 S.F. or 8.98 Acres more or less.

Vicinity Map

2034 Enclave Annexation



ANX2018-0005

Legend

- | | | | |
|--|-------------------------|---|-------------------|
|  | City Limits |  | Expressway |
|  | 2034 Enclave Annexation |  | Arterials |
| | |  | Local, Collectors |
| | |  | Unknown |

0 0.25 0.5 Miles

Council Agenda Summary

April 16, 2019

Agenda Item Number 13

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

Title:

Consideration of a change order to the purchase order with J&T Consulting (J&T) for engineering design services for Phase 2 of the Bellvue Intake Structure Maintenance Project (Project), increasing the purchase order from \$47,580.00 to \$60,850.00 (an increase of approximately 28%)

Summary:

Change Order #1 with J&T involves additional work performed during the design phase of the Project. J&T has a purchase order with the City of Greeley (City) for engineering design to complete this Project. Change Order #1 for \$13,270.00 will increase the purchase order total from \$47,580.00 to \$60,850.00.

The Bellvue Intake Structure (Structure) is located in the Cache la Poudre River (River) along Highway 14 in Bellvue. The Structure diverts raw water from the River, filters out debris and sediment, and transports it to the Bellvue Water Treatment Plant (Plant) via three pipelines spanning around 5000 feet. The Structure is comprised of slide gates to regulate flows, bar screens and sedimentation basins to filter out debris and sediment, and a valve vault to control flows to the three pipelines connecting to the Plant.

The Project was identified by the Water & Sewer Department (W&S) in 2013 to rehabilitate existing facilities within the Structure in need of repair, and expand the capacity to increase flows to the Plant. These modifications and expansion items were identified in a 2013 report regarding capacity of the Plant.

Phase I of the Project was completed in 2016, rehabilitating a portion of the facilities and partially expanding the capacity through the addition of a second slide gate. Phase II of the Project includes rehabilitation to the remaining facilities needing repair, but did not include any additional capacity expansion. This Change Order is adding the remaining expansion items to the Structure, including upsizing the piping and valves within the Structure, which are currently a bottleneck.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$13,270
What is the annual impact?	\$0
What fund of the City will provide Funding?	406 – Water Replacement
What is the source of revenue within the fund?	406 – Water Rates
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:

Greeley Municipal Code 4.20.160 requires that change orders over 25% of the contract amount be referred to City Council for approval.

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. Approve change order as recommended,
2. Amend change order and approve as amended,
3. Deny change order, or
4. Continue item to a date specific.

Council's Recommended Action:

A motion to approve the Change Order #1.

Attachments:

Bellvue Intake Structure Purchase Order
Bellvue Intake Structure Change Order 1



CITY OF GREELEY
PURCHASING DIVISION
1000 10TH STREET
GREELEY, CO 80631

PURCHASE ORDER NO. 17000639

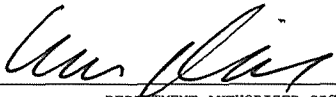
PAGE NO. 1

V 00016637 FAX: 303-920-0343
E J & T CONSULTING INC
D 305 DENVER AVE STE D
O FORT LUPTON CO 80621
R

S
H WATER & SEWER ADMIN
I CITY OF GREELEY
P 1100 10TH ST STE 300
T GREELEY CO 80631
O ATTN: SHANNON METCALF

ORDER DATE:		BUYER: CHRISTIE COLEMAN			PO DATE: 04/10/17	
TERMS: NET 30 DAYS ARO		F.O.B.: DESTINATION		DESC.: AGREEMENT 78		
ITEM	QUANTITY	UOM	DESCRIPTION	UNIT PRICE	EXTENSION	
01	1.00	EA	ENGINEERING DESIGN SERVICES FOR PHASE 2 BELLVUE INTAKE STRUCTURE MAINTENANCE	47580.0000	47,580.00	
ACCOUNT			AMOUNT	PROJECT CODE	PAGE TOTAL \$ 47,580.00	
4060088088830000 8206			47,580.00		TOTAL \$ 47,580.00	

THIS ORDER IS NOT VALID OVER \$5,000 UNLESS SIGNED BY THE DEPARTMENT


DEPARTMENT AUTHORIZED SIGNATURE

RECEIVED BY

THIS ORDER IS NOT VALID OVER \$50,000 UNLESS SIGNED BY ALL PARTIES BELOW

PURCHASING MANAGER

CITY ATTORNEY - DOUG MAREK

DIRECTOR OF FINANCE - VICTORIA RUNKLE

CITY MANAGER - ROY OTTO



J&T Consulting, Inc.

March 9, 2017

Ms. Christie Coleman, P.E.
City of Greeley Water and Sewer Department
1100 10th St., Suite 300
Greeley, CO 80631

Re: *Proposal for Engineering Design Services*
Phase 2 Bellvue Intake Structure Maintenance Project

Dear Christie,

We would like to thank you for considering our firm and allowing us to assist you with the second phase of the Bellvue Intake Structure Maintenance project. Based on our discussions with you we have prepared a scope of work and fee proposal for your review. We have included Cesare, Inc. (geotechnical / materials testing), and Ecological Resource Consultants (environmental / wetlands) as sub-consultants to assist us with the work. The attached Professional Services Scope and Fee Summary lists our proposed scope items and fees for the design phase of the project. The scope and fee summary is detailed so we will not reiterate in this letter each of the individual items. Explanations of the major components of the work are described below for your review.

DESIGN SERVICES

- Conduct Project Initiation/Kick-off Team Meeting
 - It is important that JT and the City dedicate sufficient time and staff resources for the Kick Off meeting as there will be many initial action items to discuss. This meeting will be very important for the City team and the JT project team to communicate with each other to better define the goals, objectives, success factors, alternative designs, and associated performance measures for the project. A project management plan and communication plan will be established for all of the team members involved to setup contact information and project/progress/milestone meetings.
- Project Team Coordination Meetings.
 - Progress meetings will be necessary to discuss project issues with City staff. JT anticipates that the project and progress meetings will occur at the beginning and end of major tasks/milestones. JT envisions there would be three design review/progress meetings during the design phase of the project. We will prepare and distribute meeting minutes to all team members, and prepare and distribute action plans for tasks identified in the meetings.

- Conceptual Design Report
 - Background Research and Site Investigation – JT has reviewed all of the background information on the existing structure. We have some familiarity with the diversion structure from our previous project however our team will need to develop a greater familiarity with the weir structure and wing walls to complete this project.
 - Obtain Field Measurement Data – We will gather field measurement information on the weir and wing walls. This information will be critical for the proposed maintenance of the structure.
 - Environmental Assessment and Permitting – We will work with Ecological Resource Consultants to address any permitting and authorization issues. Recent repair activities were previously determined as a Maintenance Exemption under Section 404 (f) of the Clean Water Act (CWA) in a July 24, 2015 letter (NWO-2015-01230) from the USACE. Now additional new Phase II repair activities are being considered that may not have been specifically addressed in the previous determination.
 - ERC will conduct a preliminary assessment of the proposed new Phase II repair activities to evaluate CWA compliance and potential coverage under the previous determination (NWO-2015-01230). ERC will conduct a site visit, review proposed plans with the design team and provide a summary memo addressing CWA (and Endangered Species Act) issues and concerns relevant specific to the proposed activities.
 - We will meet with the City and the project team to review potential authorization scenarios and outline specific potential USACE concerns.
 - Based on the findings of the preliminary assessment, and should the City determine that formal verification of CWA compliance from the USACE is warranted, ERC will prepare a letter requesting project review and confirmation of maintenance exemption. The letter will be similar in context to the previous July 3, 2015 letter submitted to the USACE. This task assumes the proposed activities and design are compliant with Section 404(f) requirements in that no change occurs to the character, scope or size of the original fill design. ***If required and only if authorized by the City of Greeley.***
 - Assessment of Existing Infrastructure – JT will perform a condition assessment of the existing weir and wing walls and material conditions. Cesare, Inc. will assist us with inspecting the existing weir concrete and stacked stone retaining walls. It can be very easy for a designer to recommend replacement of all old infrastructure, however the costs associated with complete replacement can be prohibitive. We will evaluate

the existing infrastructure and materials and develop plans for remediation of the existing components as warranted.

- Final Design Documents

Construction Plans and Specifications will be developed by JT based on the field measurements and assessment of the existing infrastructure. We will incorporate City comments prior to finalizing the drawings and produce final construction drawings, construction specifications, and a final opinion of probable construction costs for the intake structure modifications. At this time we are assuming that the improvements would be considered a maintenance exemption by the USACE.

CONSTRUCTION SERVICES

The extent of the modifications to the weir and retaining wall and the schedule for construction cannot be determined until after we have completed our investigations, finished our final design, and have developed the construction documents. During the construction phase of the project we will observe and document the critical infrastructure components as they are constructed to ensure the improvements are being constructed according to the approved design documents. A construction services scope and fee will be prepared to accommodate the bidding phase and the actual construction schedule when it is determined. Our construction services would include attending a Pre-Construction Conference and Project Walkthrough, on-site observation of the construction, responding to requests for information, attending construction progress meetings, reviewing shop drawings, performing a final inspection/walkthrough, developing a punchlist for final completion acceptance, and coordinating material testing with Cesare, Inc.

We appreciate this opportunity and are looking forward to working with you. Please contact me at (303) 857-6222 if you have any questions.

Sincerely,



J.C. York, P.E.
J&T Consulting, Inc.



Professional Services Scope and Fee Summary

Task Description	J&T Consulting						Sub Consultants		Subtask Subtotal
	Project Manager	Project Engineer	Senior Designer	Structural Engineer	Engineer	Designer	Geotech / Materials	Enviro / Wetlands	
	York	York/Murray	Yee	Wright	Harmon/Shaw	Schum	Cesare	ERC	
	rate	\$105	\$95	\$85	\$110	\$80	\$75		

DESIGN SERVICES

Project Management Plan Development and Maintenance	8								\$840
Conduct Project Initiation/Kick-off Team Meeting (1)	4								\$420
Project Team Coordination Meetings (3) (Design Review, Progress Meetings with City)	8							\$1,100	\$1,940
Conceptual Design Report									
Site Investigation and Field Measurement Data Review	8	8	4		4			\$1,400	\$3,660
Weir Repair Alternatives Assessment	4	8	4	6	4		\$2,500		\$5,000
Wing Wall - Stacked Stone Retaining Wall Assessment	4	8	4	16	4		\$3,000		\$6,600
USACE Maintenance Exemption Request and Verification - Weir Repair	4							\$2,500	\$2,920
T&E Screening for Excavated Area/New Retaining Wall - Prebles	4							\$4,900	\$5,320
USACE Maintenance Exemption Request and Verification - Retaining Wall Repair	4							\$3,500	\$3,920
Final Design Documents									
Construction Drawings	2	6	12	16	16	36			\$7,540
Construction Specifications	2	8	12	4	12				\$3,390
Larimer County Floodplain Permit Assistance	2	4	8		8	8			\$2,510
Final Opinion of Probable Construction Costs	2	4	4	4	4				\$1,690
Design Services Subtotals	56	46	48	46	52	44	\$5,500	\$13,400	\$45,750
								Expenses	\$1,830
								Total	\$47,580

Laura Prechel

From: JC York <jcyork@j-tconsulting.com>
Sent: Wednesday, February 13, 2019 1:05 PM
To: Laura Prechel
Subject: RE: Bellvue Diversion (Intake) Structure
Attachments: 14143 Phase 2 Bellvue Change Order No. 1 Fee Schedule 2.13.19.pdf

Categories: Bellvue Diversion

Laura –

Attached is our scope/fee for the change order to complete the work discussed in your e-mail below. We believe we have the geotech and environmental covered in our current contract which according to our accounting shows we have \$16,596.35 left in the current budgeted fees. This change order will increase that budget by \$13,270.00 to complete the final design and construction documents. Please let me know if you have any questions or concerns.

Regards,

J.C.

J.C. York, P.E.

J&T Consulting, Inc.
305 Denver Avenue, Suite D
Fort Lupton, CO 80621

Office: (303) 857-6222
Mobile: (970) 222-9530
FAX: (303) 857-6224

From: Laura Prechel [mailto:Laura.Prechel@Greeleygov.com]
Sent: Monday, February 11, 2019 2:23 PM
To: JC York
Subject: Bellvue Diversion (Intake) Structure

Green light from Adam – go ahead with the scope including the valve vault with a concrete “box” replacing the 42” steel pipe, and increasing the size of the valve vault to include a 36” valve replacing the current 24” butterfly.

I’ll dig for original drawings on that vault and send anything I find your way.

Let me know if you need anything else.

Thanks,

Laura Prechel

Please note I work a 9/80 schedule with every other Friday off -- hours 7-4

Water Resources Engineer I
Water and Sewer Department
Phone: (970) 350-9806
Cell: (970) 397-7424



Professional Services Scope and Fee Summary

Task Description	J&T Consulting						Sub Consultants		Subtask Subtotal
	Project Manager	Project Engineer	Senior Designer	Structural Engineer	Engineer	Designer	Geotech / Materials	Enviro / Wetlands	
	York	York/Murray	Yee	Wright	Harmon/Shaw	Schum	Cesare	Smith	
	<i>rate</i>	\$105	\$95	\$85	\$110	\$80	\$75		

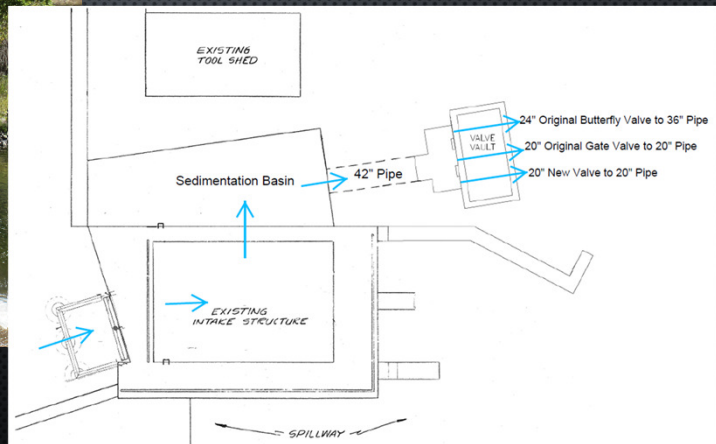
Change Order No. 1 - Include Design and Construction Documents for Additional Valve Replacements (36" and 20") and Replace Piping from Sediment Chamber to Valve Vault that will be Replaced with New Vault.									
Final Design Documents									
Construction Drawings	2	8	12	18	14	24			\$6,890
Construction Specifications	2	6	10	4	12				\$3,030
Larimer County Floodplain Permit Assistance		2	4		4	4			\$1,150
Final Opinion of Probable Construction Costs	2	4	4	4	4				\$1,690
Expenses Total									\$510
									\$13,270

BELLVUE INTAKE MAINTENANCE PHASE II CHANGE ORDER

DIVERSION MAINTENANCE, RETAINING WALL REPLACEMENT,
AND VALVE VAULT EXPANSION



BELLVUE INTAKE STRUCTURE



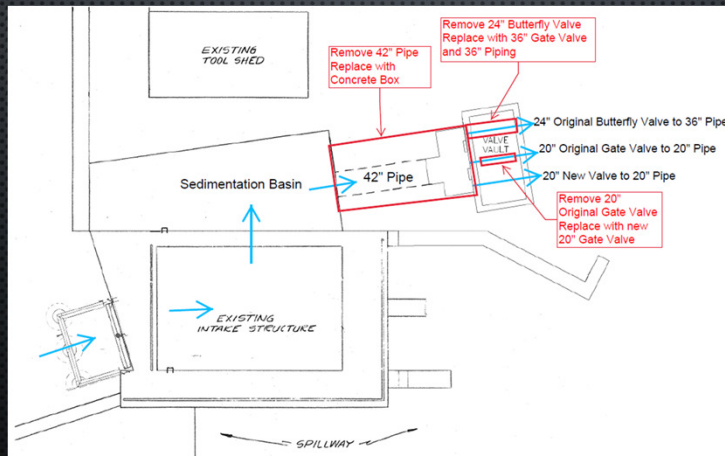
CHANGE OF DESIGN SCOPE

EXISTING DESIGN SCOPE

- DESIGN OF REHABILITATION OF RIVER WEIR
- REPLACEMENT OF DOWNSTREAM RETAINING WALL

ADDITIONAL SCOPE

- REPLACEMENT OF EXISTING 42" PIPE SEGMENT
- REPLACEMENT OF FAILING VALVES



BENEFITS TO CITY AND PROJECT

- REDUCED SHUTDOWN OF STRUCTURE
- REDUCED LOSS OF Poudre RIVER WATER (EXISTING CITY WATER RIGHTS)
- INCREASED HEAD OR FLOW TO BELLVUE WTP
- SIGNIFICANT WORK ALREADY PLANNED & DESIGN WILL ENHANCE ADDITIONAL SCOPE
- IMPROVED ECONOMICS OF ALL PLANNED MAINTENANCE PROJECTS
- IMPROVED OPERATIONAL CONTROL OF DIVERSION STRUCTURE

CHANGE ORDER SUMMARY

Design Scope	Cost
Project Management & Expenses	\$ 2,670.00
Kick-off Meeting	\$ 420.00
Project Team Coordination Meetings	\$ 1,940.00
Conceptual Design Report	\$ 27,420.00
Final Design Documents	\$ 15,130.00
Original Contract Amount	\$ 47,580.00
Change Order #1 - Design & Construction Documents for additional valve replacements and replacing piping from sediment chamber to valve vault	\$ 13,270.00
New Contract Amount	\$ 60,850.00

QUESTIONS

Council Agenda Summary

April 16, 2019

Agenda Item Number 14

Key Staff Contact: Becky Safarik, Assistant City Manager, 970-350-9785

Title:

Consideration of the City of Greeley's Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2018 and Analysis of Impediments to Fair Housing report and plan for Submission to the U. S. Department of Housing and Urban Development

Summary:

Consolidated Annual Performance and Evaluation Report

The City of Greeley annually receives two grants from the U. S. Department of Housing and Urban Development (HUD): The Community Development Block Grant (CDBG) and the HOME Investment Partnership Program (HOME) grant. CDBG grants are awarded to entitlement communities (principal cities of a Metropolitan Statistical Area or with a population greater than 50,000) to carry out a wide range of community development activities directed toward revitalization of neighborhoods, economic development, and improved facilities and services within the community. Priority must be given to activities that benefit low- moderate-income persons (including neighborhoods). HOME grants are specifically to provide affordable housing for low- moderate-income persons.

HUD sets income levels annually, which are a percentage of the average median income (AMI). In 2018, the AMI for the Greeley MSA was \$89,875 , which includes all of Weld County. The majority of CDBG funds and all HOME funds must have beneficiaries earning 80% or less of the AMI, for a neighborhood or for individual households.

To receive the grants, the City must develop a Consolidated Plan every five years to identify the community's needs and set goals to meet those needs through the approval of an Annual Action Plan for each of the five years. The current Consolidated Plan is for the years 2015-2019; work to develop the 2020-2024 Consolidated Plan is underway. At the conclusion of each action year, the City must also prepare a Consolidated Annual Performance and Evaluation Report (CAPER) that describes for the public and HUD how federal assistance was used during that action year. The attached CAPER is for the fourth year of the current Consolidated Plan (2018). The City's 2018 grants were as follows: CDBG-\$860,683; HOME-\$418,361.

Additionally, the City received funds from revolving loan funds. These funds are payments on loans provided with grant funds for one of two activities: housing rehabilitation or the Homes Again Purchase Program (reconstruction of housing units). Other funds received were in the form of minor miscellaneous program income (for

example, short term rental of property).

Reporting to HUD occurs online through the Integrated Disbursal and Information System (IDIS). Specific questions are completed for each step of the process: Five-year Plan, Annual Action Plans, and the CAPER. Each has specific questions to which the City must respond. Terminology may not be familiar to the general public; definitions or further explanation of any information in the CAPER is available from the Greeley Urban Renewal Authority. Information in forms other than written English may be provided upon request by contacting GURA. The CAPER has been available for 15 days of public comment, as required by HUD and was made available to the Citizens Committee for Community Development and non-profit agency partners; no comments were received. The GURA Board of Commissioners reviewed the Report and voted unanimously to recommend its approval at a public hearing on March 13, 2019.

Analysis of Impediments to Fair Housing Choice

A companion document with this year's CAPER is the HUD-mandated Analysis of Impediments to Fair Housing Choice (AI), which communities are required to complete every five years. This AI is part of the 2020-2024 Consolidated Planning Process.

In accordance with HUD guidelines, the AI was prepared to address the requirements of the Housing and Community Development Act of 1974 (as amended), which requires communities receiving CDBG and HOME funds to "affirmatively further fair housing" in compliance with the Fair Housing Act. The Fair Housing Act of 1974 (as amended) prohibits housing discrimination of protected classes (race, color, religion, sex, national origin, mental or physical disability, and familial status). The Colorado Civil Rights Act added marital status, creed, ancestry, and sexual orientation (including transgender status) to the federally protected classes.

Following a survey of the community and housing providers, conclusions and recommendations to further the HUD objective of furthering fair housing choices were identified, and an Action Plan setting steps to alleviate the identified impediments was developed.

The AI has been available to the community for review and comment for 30 days, as required by Greeley's Citizen Participation Plan. It was also reviewed by the Citizens Committee for Community Development and the GURA Board of Commissioners. The GURA Board also voted to recommend approval of this report.

Fiscal Impact:

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

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

Legal Issues:

None.

Other Issues and Considerations:

The CAPER is required annually by HUD to describe the City's performance relative to its adopted 5-year plan; the AI is required every 5 years, and is also to be incorporated into the City's 5-year Plan. The proposed 5-year plan will be presented to City Council at its April 9, 2019 Work Session.

Applicable Council Priority and Goal:

Safety: Manage the health, safety and welfare in a way that promotes a sense of security and well-being for residents, businesses and visitors.

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

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

Decision Options:

- 1) A motion to approve the recommendation of the Greeley Urban Renewal Authority Board and approve the reports; or
- 2) A motion to amend the reports and approve as amended; or
- 3) A motion to continue consideration of the reports to a date certain.

Council's Recommended Action:

A motion to approve the recommendation of the Greeley Urban Renewal Authority Board and approve the reports

Attachments:

City of Greeley's Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2018
Analysis of Impediments to Fair Housing report and plan

2018 Consolidated Annual Performance and Evaluation Report

(CAPER)

4th Year of the 2015-2019 Consolidated Plan

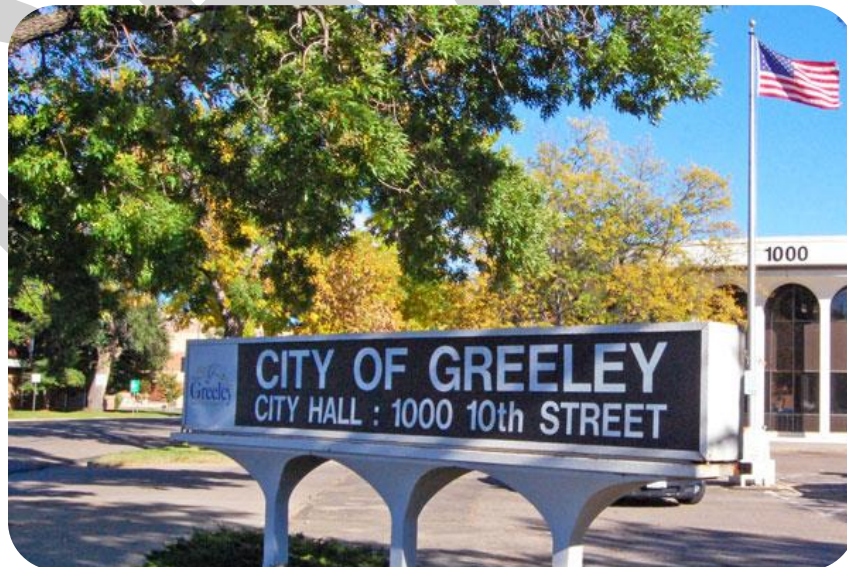


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Introduction

The City of Greeley's 2018 Consolidated Annual Performance and Evaluation Report (CAPER) provides an analysis of accomplishments and progress made toward meeting the goals of its Consolidated Plan. The Consolidated Plan is a requirement of the U. S. Department of Housing and Urban Development (HDU) for cities who receive the Community Development Block Grant and HOME Investment Partnership Program grant.

The Consolidated Plan process is intended to provide a framework for the City to assess affordable housing and community development needs and market conditions, identify activities to address the needs and conditions, and then target federal funds from the U. S. Department of Housing and Urban Development's (HUD) Community Planning and Development grant to the identified needs.

The funds from the two federal grant programs described below are utilized to implement the activities of the Consolidated Plan:

- The **Community Development Block Grant (CDBG)**, which may be used for a wide range of community development needs that are to benefit low- moderate-income residents of the City through the provision of decent, affordable housing; suitable living environments; and expansion of economic opportunities; or for clearance of blight; and
- The **HOME Investment Partnership Program (HOME)** grant, which is exclusively for the creation of affordable housing for low- moderate-income households.

The majority of the CDBG funds and all of the HOME funds must have beneficiaries that earn 80% or less of the Area Median Income (AMI) for the Greeley Metropolitan Statistical Area (MSA). The "beneficiary" may be a neighborhood, an individual, or a household. The AMI for the Greeley MSA, set annually by HUD, was \$89,875 for a family of four in 2018. (The Greeley MSA, includes all of Weld County.) By HUD definition, "moderate income" is between 51% and 80% of AMI; "low income" is 31%-50% of AMI; and "poverty level income" 30% or less of AMI.

The City's current Consolidated Plan (the Plan) is for the years 2015-2019; this CAPER reports on progress made during the fourth year (2018) of the Plan. The CDBG award in 2018 was \$860,683; the HOME award was \$418,361. Both awards were an increase from the 2017 awards of \$798,743 (CDBG) and \$308,603 (HOME).

Two CDBG activities (Single-family Housing Rehabilitation Loan Program and Homes Again Purchase Program) received income as Revolving Loan Funds (payments received for loans made with CDBG funding). A minimal amount of funds identified as program income funds was also received (for example lot rent during the Greeley Stampede or payment for mineral rights).

Reporting to HUD and draws against the grants are done online through the Integrated Disbursal and Information System (IDIS). (A "draw" is the City reimbursing itself for CDBG or HOME expenses by "drawing down" the grant funds from the U. S. Treasury through the IDIS system.) The City must respond to specific questions for each step of the Consolidated Planning process: Five-year Strategic Plan, Annual Action Plan, and the CAPER. (Space is limited in IDIS and may be a reduction of what is presented in this hard copy CAPER. Please refer to the hard copy for maximum information.)

Terminology may not be familiar to the general public; definitions or further explanation of any information in the CAPER is available from the Greeley Urban Renewal Authority (970-350-9380) during the office hours of 9:00 a.m. to 4:00 p.m. The CAPER in a form other than written English may be provided upon request by contacting GURA.

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The City continued toward meeting the 2015-2019 strategic plan goals through its 2018 Action Plan (fourth year) activities and activities identified in a Substantial Amendment to the 2016 Action Plan implemented in 2018 that utilized accumulated revolving loan funds. Activities for which funds were drawn in 2018 and which progressed the City further toward the 2015-2019 goals are noted below:

Infrastructure

- **Redevelopment District Infrastructure Phases 1 and 2-Central Greeley** – The first year (2017) activity was completed and the city continued the multi-year activity with Phase 2 (2018) of installing missing or unsafe sidewalks, curb and gutter, and ramps for handicap accessibility. The targeted area for both years was between 23rd and 11th Avenues and 11th and 13th Streets.
- **Parkway Tree Planting** – This area benefit activity addresses the declining urban forest in low-moderate-income neighborhoods of the Redevelopment District. Twenty-three properties received one or more trees, with 36 planted during 2018.

Affordable Housing

- Two CDBG Housing Rehabilitation Programs continued (one a loan program, the other a grant program).
- CDBG funds assisted the Greeley Housing Authority in the acquisition of Lincoln Square Apartments, an older development of low-income housing within the Redevelopment District. The acquisition preserved twenty-one units of affordable housing.
- HOME assistance was provided to Habitat for Humanity for new construction of affordable ownership units in the Crestview Subdivision.

Property Conditions

- The annual clean-up weekend activity was held in April.

Public Services and Facilities that Addressed an Essential Need

- The **Greeley Transitional House** continued to support a staff person who worked with homeless families on housing issues. Also part of the position was to establish connections with landlords who might rent to families exiting the shelter.
- **Catholic Charities** continued support for Guadalupe Community Center (homeless shelter) case managers who help the shelter residents work toward self-sufficiency. Catholic Charities also received assistance for window replacement at the facility.
- **North Colorado Health Alliance** and a number of community partners initiated the Community Action Collaborative, a service that helps connect 9-1-1 callers with non-emergency issues to services and housing.
- **Greeley Center for Independence** received assistance in 2018 to install a lift at Hope Apartments, a development of housing for the elderly and disabled, and completed a 2017 activity to replace windows at Stephens Farm, a facility with housing and services for persons with Acquired Brain Injuries. (Funds were drawn in 2018, beneficiaries counted in 2017.)

Public Services and Facilities that Addressed a Non-Essential Need

- Improvements to access for persons with disabilities and an extensive rehabilitation to the entryway were completed at the **Rodarte Center**, a public facility in a low-income neighborhood of northeast Greeley. The activity addressed safety concerns. The Rodarte Center provides (in part) after school and recreational opportunities for children and other residents.
- **Life Stories** received assistance with upgrades to the facility for energy efficiency (windows, HVAC) and accessibility (entry door). Life Stories works with abused and neglected children.
- **A Woman's Place**, the domestic violence shelter in Greeley, received assistance at their off-site facility to install a new ramp for improved and safer accessibility.
- **Colorado Visiting Nurse Association** completed their 2017 activity to provide in-home care to low-income persons.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

(There is not space for written comparison in IDIS – only through the table below.)

Goal	Category	Source/ Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
HOME Program-homeownership	Affordable Housing	HOME: \$	Homeowner Housing Added	Household Housing Unit	15	16	106.70%	5	3	60.00%
HOME Program-Rental housing	Affordable Housing	HOME: \$	Rental units constructed	Household Housing Unit	0	5 (2 in 2016; 3 in 2017)	500.00%	0	0	NA
Homeownership-Reconstruction of housing-HAPP	Affordable Housing	CDBG: \$	Homeowner Housing Rehabilitated	Household Housing Unit	2	3	150.00%	1	0	0.00%
Non-profit public services		CDBG: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	75	111	100.27%	20	22	100.10%
Non-profit public services		CDBG: \$	Homeless Person Overnight Shelter	Persons Assisted	0	1,030	NA	0	578	NA
Property acquisition, demo, clearance, disposition	Non-Housing Community Development	CDBG: \$	Other – TBD	Other	30	0	0.00%	2 properties or; 12 people	0	0.00%

Goal	Category	Source/ Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Public facilities	Dependent on the type of facility	CDBG: \$	Homeless Person Overnight Shelter	Persons Assisted	0	74	740.00%	30	74	246.67%
Public improvements	Non-Housing Community Development	CDBG: \$	Public Facility or Infrastructure Activities other than Low/ Moderate Income Housing Benefit	Persons Assisted	21000	44785	213.26%	4500	22475	499.44%
Public Service- Property Conditions	Non-Housing Community Development	CDBG: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	10500	6640	63.00%	2100	2247	107.00%
SF, owner-occupied housing rehab emergency grants	Affordable Housing	CDBG: \$	Homeowner Housing Rehabilitated	Household Housing Unit	40	17	45.50%	8	2	25.00%
Single-family, owner-occupied housing rehab loans	Affordable Housing	CDBG: \$	Homeowner Housing Rehabilitated	Household Housing Unit	25	16	64.00%	5	2	40.00%

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The City had a substantial amount of accumulated revolving loan funds available in 2018 and focused, in part, on utilizing those funds to meet its timeliness checkpoint. High priorities continued to be addressed during 2018, but meeting the timeliness checkpoint made identifying activities that could be implemented and completed quickly (regardless of priority ranking) of high importance.

The City's current Strategic Plan identified three high priorities. Progress toward meeting the goals associated with those priorities was made on two. The high priorities and funds expended in 2018 (that may have been drawn from IDIS in either 2018 or 2019) are noted below. The grant associated with the expense is also noted.

1. Public Improvements
 - a. Redevelopment District-Central Greeley Infrastructure
 - Completed Phase I-Redevelopment District-Central Greeley Infrastructure (CDBG): \$176,659
 - Redevelopment District-Central Greeley Infrastructure-Phase 2 (CDBG): \$468,475
 - b. Tree planting in the Parkways of the Redevelopment District neighborhoods (CDBG): \$15,000.
2. Creation and maintenance of affordable housing
 - a. Single-family housing rehabilitation loans (CDBG): \$87,325
 - b. Single-family housing rehabilitation grants (CDBG): \$3,025
 - c. Administration of the housing rehabilitation program (CDBG): \$30,680
 - d. Acquisition of Lincoln Square Apartments (CDBG): \$400,557
 - e. Habitat for Humanity (HOME-homeownership): \$88,807
3. Property Acquisition
 - a. Maintaining lots for disposal only (CDBG): \$3,595

Priorities that the City ranked medium (but which are part of the "low" priorities in IDIS) included the following:

1. Property conditions – 2018 Clean-up Weekend (CDBG): \$15,000
2. Public services and facilities that address an essential need
 - a. Three public facility activities (all CDBG)
 - Greeley Center for Independence: \$47,963
 - Catholic Charities: \$34,438

- b. Five public service activities (all CDBG)
 - North Colorado Health Alliance – Community Action Collaborative: \$36,259
 - Greeley Transitional House housing coordinator: \$12,500
 - Catholic Charities case management: \$18,750
 - United Way cold weather shelter: \$20,692
 - CVNA in home care: \$213

Low priorities (City ranking) undertaken in 2018:

- 1. Public services and facilities that addressed a non-essential need
 - a. Three public facilities (all CDBG)
 - Rodarte Cultural Center (recreation): \$558,486
 - Life Stories (abused children): \$61,637
 - A Woman's Place (domestic violence): \$7,932

The City allocated a majority percentage (approximately 95%) of its 2018 grant for activities that included infrastructure improvements, affordable housing, and property acquisition, the highest priorities of the 2015-2019 Consolidated Plan (not including administrative costs). Other priorities accounted for about 5% of the 2018 grant.

Draws in 2018 for 2017 expenses (included in totals above) included \$53,382 for CDBG expenses. Beneficiaries for those draws were counted in 2017 and are not included in Table 1 numbers. Additionally, there will be final draws of 2018 expenses in 2019. To date, \$32,482 has been drawn in 2019 for 2018 expenses. This figure may change as the City finalizes its audit later in 2019.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

Direct Benefit Activities: The City tracked demographics for the households directly benefiting from the CDBG and HOME grant programs, including race, ethnicity, family size, and (in most cases), which had female heads of households or a disability. The information is used for reporting in IDIS and also (in the case of housing activities) for fair housing statistics. There was a variety of direct benefit activities, including

- Housing activities (rehab loans and grants; acquisition of Lincoln Square Apartments)
- Public services (cold weather shelter, case manager support at two shelters, in-home care, and the Community Action Collaborative)
- Public facilities rehabs (Guadalupe Community Center, Life Stories, Hope Apartments, and A Woman's Place)

Demographic data is also collected for Habitat for Humanity-produced housing and during the monitoring of developments with HOME units.

Direct Benefit Activities	CDBG (without cold weather shelter)	Cold weather shelter	2018 HOME	HOME rental monitoring (not all HOME units are monitored annually)
White	579	289	0	50
Black or African American	20	25	1	2
Asian	3	2	1	
American Indian or American Native	21	25	0	
Native Hawaiian or Other Pacific Islander	6	7	0	
Other multi-race	37	15	1	
Total	666	363	3	52
Hispanic	239	131	0	27
Not Hispanic	427	232	3	25

Table 2a – Table of assistance to racial and ethnic populations by source of funds

In-Direct Benefit Activities: In-direct benefit activities are those that benefit an area, rather than an individual. Low-Moderate Universe (LM Universe) is total population for the area; Low-Moderate Area is the number of persons in the area that have a low- moderate-income.

CDBG Indirect Benefit Activities	LM Universe	LM Area	% LMI	% Hispanic
Redevelopment District Infrastructure Ph 1-Central Greeley (2018 completion)	1,270	935	73.62%	25.31%
Clean-up Weekend (Note: Beneficiary data was cars through the gate (2,147 vehicles; 100 double-axle trailers). Beneficiary data was not collected by the car.)	69,210	38,685	55.90	35.92% (city-wide)
Trees in Parkways	17,860	13,720	76.82	32.25%

Table 2b – Table of assistance to racial and ethnic populations by source of funds – CDBG area benefit activities

Narrative

Greeley tracks the benefit to persons identifying with the Hispanic ethnicity due to the large number of Hispanic persons in the city. As a recipient of the federal grants, the City is required to make reasonable efforts to provide language assistance to ensure meaningful access for Limited English Proficient (LEP) persons who want to access programs and activities. “Reasonable effort” includes conducting a Four-Factor Analysis to identify minorities with a high incidence of limited English proficiency and then development of a written Language Assistance Plan. The City’s Four Factor Analysis identified the Hispanic ethnicity as the only minority group with a large percentage of persons in Greeley. The Analysis data is supported by the Affirmatively Furthering Fair Housing (AFFH) data tables, which show the White, Non-Hispanic population in Greeley at 59.51% and the Hispanic population at 35.92%. Further, the AFFH data

indicates that 8.73% of the Hispanic population have a Limited English Proficiency. All other races in Greeley are represented by a percentage of less than 1.5% per race.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	Grant funds available at 1/1/18 + 2018 grant	700,926 860,683	1,250,769
	Program Income	596 931	1,525
Rehab RLF	Revolving loan program funds-BB RLF added	201,814 61,725	87,325
HAPP RLF	Revolving loan program funds-BB RLF added	1,076,016 79,894	832,740
		2,982,585	2,172,359
HOME	Grant funds available at 1/1/18 + 2018 grant	300,382 418,361	83,296
	Program Income	307,135 4,575	5,511
		1,030,453	88,807

Table 3 - Resources Made Available

Narrative

Resources available to the City during 2018 included unallocated grant funds from prior years, 2018 grant funds, minimal CDBG program income, Revolving Loan Fund payments (housing rehab and Homes Again Purchase Program) and HOME program income. CDBG expended amount includes 2018 expenses not drawn until 2019. There may be small changes to resources made available after the City's audit is complete and interest on accounts is returned to HUD.

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Redevelopment District- Comprehensive	85%	75%	Not included in the percentage within the Redevelopment District are public service activities that serve any low-income or homeless person in the community. If those activities were included, the percentage would obviously increase.

Table 4 – Identify the geographic distribution and location of investments

Narrative

There are 38 census tracts included within Greeley boundaries. Eleven of those have low-income percentages over 50% (1, 2, 4.02, 5.01, 5.02, 7.01, 7.03, 8, 10.3, 10.4, 13), thirteen if you count CT 6 and 7.05 (which are in the far NE corner and have very few residents). Additionally, there are block groups that have more than 50% low-income residents if looked at alone and not as a part of the entire census tract: CT 10.05, BG 3; CT 11, BG 1, 3, and 4; CT 12.01, BG 1. The low-income census tracts are east of 35th Avenue and are included in the Redevelopment District. There are no census tracts west of 35th Avenue in Greeley with a LMI percentage greater than 51%.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

CDBG – Applications with a match from the agency requesting funds are viewed most favorably. Those matching dollars are generally from agency fund raising events and include private, corporate, and foundation donations. When available, the City matches its activities with Quality of Life funds or Sales Tax Dollars (local programs).

HOME – The increase to available HOME match during 2018 was from Habitat for Humanity, which provided match in a number of ways, including donated goods, private funds, donations from corporations and foundations, etc.

Fiscal Year Summary – HOME Match	
1. Excess match from prior Federal fiscal year	\$4,448,038
2. Match contributed during current Federal fiscal year	\$423,679
3. Total match available for current Federal fiscal year (Line 1 plus Line 2)	\$4,871,717
4. Match liability for current Federal fiscal year	\$11,102
5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4)	\$4,860,615

Table 5 – Fiscal Year Summary - HOME Match Report

Match Contribution for the Federal Fiscal Year				
Project No. or Other ID	Date of Contribution	Cash (non-Federal sources)	Site Preparation, Construction Materials, Donated labor	Total Match
Balance Forward				\$4,448,038
Plus Match Received, detailed below				
3 rd Crestview	5/2018	121,769	5,634	
4 th Crestview	5/2018	127,753	4,727	
5 th Crestview	10/2018	155,000	8,795	
				423,679
TOTAL MATCH RECEIVED				\$4,871,717
Minus Match Liability, By Project, Below				
Three Crestview				-11,102
TOTAL MATCH LIABILITY				-11,102
Match Balance				\$4,860,615

Table 6 – Match Contribution for the Federal Fiscal Year

Funds were drawn for 1306, 1310, and 1314 29th Street Road in 2018. The City's contract is with Habitat for Humanity, and applicants and subsidies are approved individually.

HOME MBE/WBE report

Program Income – Enter the program amounts for the reporting period				
Balance on hand at beginning of reporting period \$	Amount received during reporting period \$	Total amount expended during reporting period \$	Amount expended for TBRA \$	Balance on hand at end of reporting period \$
		\$5,511.20	0	

Table 7 – Program Income

Minority Business Enterprises and Women Business Enterprises – Indicate the number and dollar value of contracts for HOME projects completed during the reporting period						
	Total	Minority Business Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Contracts – 1306, 1310, 1314 29 th St Rd.						
Number	1	0	0	0	0	0
Dollar Amount	\$88,806	0	0	0	0	0
Sub-Contracts						
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0
	Total	Women Business Enterprises	Male			
Contracts						
Number	1	0	0			
Dollar Amount	\$88,806	0	0			
Sub-Contracts						
Number	0	0	0			
Dollar Amount	0	0	0			

Minority Owners of Rental Property – Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted						
	Total	Minority Property Owners				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0

Table 8 – Minority Owners of Rental Property

Relocation and Real Property Acquisition – Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition						
Parcels Acquired						0
Businesses Displaced						0
Nonprofit Organizations Displaced						0
Households Temporarily Relocated, not Displaced						0
Households Displaced	Total	Minority Property Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Cost	0	0	0	0	0	0

Table 9 – Relocation and Real Property Acquisition

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	0	0
Number of Non-Homeless households to be provided affordable housing units	4 (2 Habitat; 2 HAPP)	3 (Habitat)
Number of Special-Needs households to be provided affordable housing units	0	0
Total	4	3

Table 10 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	4 (see above)	3 (Habitat)
Number of households supported through Rehab of Existing Units	13 (5 loans; 8 grants)	4 (2 loans; 2 grants)
Number of households supported through Acquisition of Existing Units	0	0
Total	17	7

Table 11 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

The City's goal of adding two for-sale units funded with Homes Again Purchase Program Revolving Loan Funds was not met, as there were no suitable properties available for acquisition, demolition and clearance, and reconstruction. Additionally, the costs of producing one unit has become so high that the City does not actively look for units. The City, instead, reallocated a large portion of the Revolving Loan Funds attributable to this program to several mid-2018 activities. Habitat for Humanity constructed one more house than was the goal.

The Housing Rehab Loan Program had six applications in 2018; two were completed, as noted. Two others, while underway in 2018, were not completed and will be counted under the 2019 CAPER. The other two were cancelled prior to work beginning.

Discuss how these outcomes will impact future annual action plans.

Because the Revolving Loan Funds being received from the HAPP had created issues with the City meeting its timeliness check November 2nd, a Substantial Amendment was approved in June to use part of the funds on other CDBG -eligible activities. The City will continue to look for activities that would expend the Revolving Loan Funds more quickly than waiting for a suitable housing unit. (The City still remains open to utilizing the HAPP Revolving Loan Funds on housing, but does not anticipate setting a specific annual goal with regard to housing utilizing the HAPP funds under the next Five-Year Plan.)

While the Housing Rehabilitation Loan Program met its goal, the City wants to see use of the program increase, or it will consider discontinuing the program. The GURA Board approved changes to program policies in late 2017 with the intent of making it more attractive to residents.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	548	0
Low-income	44	2
Moderate-income	6	3
Total	598	5

Table 12 – Number of Households Served

Narrative Information

The majority of extremely-low-income households identified in Table 12 were associated with services to the homeless population, including the cold weather shelter, the Community Action Collaborative, the Greeley Transitional Housing public service activity for a housing case manager, and the Guadalupe Community Center case manager support. Other activities serving the LMI population included the Housing Rehab Loan and Grant Programs, CVNA, acquisition of an affordable housing development

(Lincoln Square), and the four public facility activities (Greeley Center for Independence, Hope Apartments; Catholic Charities, Guadalupe Community Center; A Woman's Place, off-site facility; and Life Stories). One hundred percent (100%) of the activities served LMI residents in Greeley.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

- The annual Homeless Point-in-Time (PIT) Count, a condition HUD places for applying for homeless assistance funds, was conducted with a street count on January 24, 2018. United Way of Weld County used GIS mapping to define the areas for the street count and used the Salvation Army as the home base location. In addition, United Way staffed both the Lincoln Park Library and Lincoln Park for the entire day (areas of homeless congregation).
- Weld Project Connect was held in October. The one-day event provided more than 70 services onsite to persons in need, as well as free system-wide bus service in Greeley and Evans on the day of the event. Areas of service included health, community assistance, documentation and human services, wellness, education, and veterans. More than 850 people attended the event.
- Because of a strong networking history, the shelters in Greeley routinely reach out to the homeless to assess, and when possible meet, their needs. For example, Catholic Charities provided outreach services to individuals through its ongoing collaboration with other non-profits and community partners. Catholic Charities owns the only shelter currently in Weld County that serves all populations (Guadalupe Community Center). It also has a Homeless Prevention and Emergency Assistance Program. Catholic Charities responds to referrals from the services and faith-based community to determine what services might be provided to meet the needs of the homeless. The Guadalupe Community Center (Guadalupe) also served as an informal walk-in and telephone referral center for the homeless.
- Community collaborations and information sharing, strengthened by Weld Way Home, ensures the community is aware of the current services options that can lead to the development of safety plans and diversion or shelter services for some of the most at risk homeless families and individuals.
- The North Colorado Health Alliance has a team of Care Managers with two designated specifically to reach out to the homeless relative to their healthcare needs. North Colorado Health Alliance also continued the Community Action Collaborative, a program that reroutes non-emergent 911 calls to the Collaborative that includes trained mental health professionals and City emergency responders. The Collaborative helps connect homeless persons to services, as opposed to the justice or medical systems.

- Catholic Charities and/or North Colorado Health Alliance do outreach and assessment of homeless extent feasible at the cold weather shelter. (Additional information on this shelter is provided below under “emergency shelter”.)

Addressing the emergency shelter and transitional housing needs of homeless persons

Emergency Shelter

- The Guadalupe Community Center (Guadalupe) provided 17,306 nights of shelter during its 2017-2018 fiscal year. Guadalupe has 24 beds for men, six beds for women, and six separate rooms for families.
 - Single women receive emergency short-term overnight shelter and case management from April 16-October 31 at Guadalupe. In 2018, 215 single women received emergency shelter services.
 - At risk and homeless families are served on an emergency basis at Guadalupe year-round. These self-referrals, referrals from law enforcement services, and referrals from community partners receive very short-term emergency shelter, meals, necessities, and case management assessments and support.
 - A community team, the Emergency Family Coordination Team, made up of the Greeley Transitional House, A Women’s Place, Weld Department of Human Services, and Catholic Charities work with the case managers at the Guadalupe Community Center and the family to develop a housing plan and resolution of other emergency needs. In 2018, 83 families were served (including 165 children).
- The Greeley Transitional House provided emergency shelter and supportive services to families. Greeley Transitional House provided 13,152 individual nights of shelter in 2018 and served 61 families (87 adults and 142 children). Supportive services included case management, housing navigation and stabilization, and management of rapid rehousing and transitional housing grants.
- A Woman's Place provided emergency shelter for victims/survivors of domestic violence. In 2018, 6,809 nights of shelter were provided, a 24% increase over 2017 (5,504).
- Through a collaboration among the City, Catholic Charities, and United Way of Weld County, a long-term cold weather shelter solution was realized. The shelter capacity is larger than in prior years at 80. Information with regard to the shelter is available on the United Way 2-1-1 website in multiple languages. During November and December 2018, 289 unduplicated individuals were served (216 men and 73 women).

Transitional Housing

- The Greeley Transitional House provided three post-shelter housing programs for families. These programs include the Rural Rapid Re-housing program funded by the HUD Continuum of Care, the Camfield Corner Apartments (16 units of transitional housing) funded with the City’s HOME grant, and a case-management based program at scattered sites funded by Greeley Transitional House. Fifty-five families were served through these programs in 2018.
- The Guadalupe Community Center operated a Transitional Living Extended Stay Shelter program that focused on moving the residents to sustainability through income and affordable housing as quickly as possible. The greatest barriers to these goals are the lack of affordable housing and

livable wages and the difficulty for someone with a felony record to find housing. Shelter residents can continue to receive services as needed to deal with challenges that come up after transition from the shelter to housing.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

United Way provided staffing for the Housing Navigation Center. Full opening of the Navigation Center will be in 2019, with available services to include a place to receive mail, short-term storage lockers, showers, laundry, and connection to case management and housing navigation. The Navigation Center will operate under the “housing first” model. A Coordinated Assessment and Housing Placement System (CAHPS) is in place for both Weld and Larimer Counties.

Guadalupe has a collaborative plan with local facilities such as North Colorado Medical Center and the North Range Behavioral Health Crisis Center for ten-day emergency medical shelter beds for patients discharged from the hospital who are homeless and the discharging facility can meet their physical and mental health needs. The collaborating agencies work to address health related needs and develop more long-term housing plans.

As discharge planning continued in the City, there were many agencies that provided a variety of services and funds to help individuals and families avoid homelessness. While not an all-inclusive list, several are highlighted below:

General Emergency Assistance

- Catholic Charities administered the largest dollar amount of utility and rental assistance, funded by various grants, in Weld County as part of its homeless prevention focus. Homeless prevention/emergency assistance support was provided to 437 households (691 adults and 734 children). This included \$46,097 in rent assistance to 72 households and \$149,060 to 365 households for utility assistance.
- In 2018, the Greeley Transitional House provided \$30,669 in homeless prevention services (rent assistance and case management) to keep 18 households (58 individuals) in their homes. This program is funded through the Colorado Department of Local Affairs’ state income tax check-off program.
- A number of churches and other charitable organizations provided emergency funds for rent and utility assistance.
- United Way of Weld County’s 2-1-1, a free, confidential, multilingual service, provided referral for non-emergency health and human services. In 2018, 7,525 calls were received.

Assistance for Persons with a Criminal Record

- Jobs of Hope provided young men who were former gang members with training in life skills and job readiness and assisted in finding them employment upon completion of the Jobs of Hope Program. (More than 100 men have been placed in a job since the start of this non-profit.)
- The Guadalupe Shelter provided shelter and support services to those coming out of community correction system unless they were on the Sexual Registry or had committed a violent crime in the recent past.

Assistance for Veterans

- The Weld County Veterans Service Office in Greeley provided assistance to residents who served in the U. S. Armed Forces (veterans) and their dependents in obtaining any Veterans Administration (VA) benefits for which they may have been eligible and served as the liaison between the VA and veteran with regard to preparation, presentation, and appeal of VA benefits. The service had no cost.
- The Guadalupe Shelter contracts with the VA to serve homeless veterans and help them with healing and self-sufficiency goals.
- The Northern Colorado Veteran Resource Center provided multiple services for veterans and brought Volunteers of America and Assisted Living Locaters into the facility several days a week to address housing issues.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

- United Way of Weld County continued to implement “Weld’s Way Home” – the local strategic plan to address and prevent homelessness. The plan is dedicated to implementing the “Housing First” model, and all activities that are developed under the Plan’s eight initiatives will have that model as the guiding principal.
- The City of Greeley provided \$200,000 for the lease of the building that housed the cold weather shelter. The shelter is in its second cold weather season (2018-2019).
- The cities within the Northern Colorado region of the Balance of State Continuum of Care (Greeley included), utilized coordinated entry to move homeless individuals, families, and youth out of homelessness and into permanent housing as rapidly and smoothly as possible. The coordinated entry system in Northern Colorado has primarily focused on housing veterans, chronically homeless individuals, and families. As of December 31, 2018, 365 veteran households had been assessed for housing with 283 permanently housed, 468 single adults had been assessed with 85 permanently housed, and 130 families had been assessed with 59 permanently housed.

- The coordinated entry system will expand in January 2019 and launch the process to serve unaccompanied youth. To support these efforts, Northern Colorado is actively seeking additional financial support to provide more intensive housing navigation and housing retention/supportive services for people in permanent housing.
- Weld County received \$30,000 in Emergency Solutions Grant (ESG) Rapid Re-housing funding to address the need to shorten or prevent homelessness for individuals and families through direct financial services for rent, security deposits, and utilities. The Greeley Transitional House administered the funds on behalf of the County.
- Case management is provided at all shelters in Greeley, with a focus on deterring homelessness or shortening the length of stay when possible. A continuing trend is for shelter residents to be employed, but not able to find affordable housing.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

During 2018, five multi-family buildings and one single-family unit were replaced, entry level door locks were replaced in 42 units, and furnaces were replaced in three single-family units.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

The Housing Authority has a disabled public housing tenant who serves as a Commissioner on the Housing Authority Board. They also have a Tenant Advisory Committee with representatives from each public housing complex. Letters are sent to the tenants requesting representatives to attend meetings with housing management to discuss issues of concern in the residences or complex common areas and to work on problem solving and solutions with regard to the complexes. The meetings are held monthly. Homeownership is not attainable for persons in public housing in Greeley; the average income of a public housing resident was \$22,000 in 2018, which would not support homeownership.

Actions taken to provide assistance to troubled PHAs

Not applicable. The Greeley PHA is not troubled.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

Affordable housing is a high priority of the 2015-2019 Consolidated Plan (for CDBG and HOME use). Additionally, the City updated its Comprehensive Plan (*Imagine Greeley*) in 2018 and devoted a section to housing. From this, a Strategic Housing Plan was developed and then adopted by City Council to set objectives and goals designed to improve housing access for people of all backgrounds, particularly the most vulnerable, special needs population. Noting that median home values and rents have increased over time without a corresponding increase in income, Greeley strives to have housing affordable for all income levels.

Although a number of affordable housing units have been developed during the past three years, they had outside financial support (for example, CDBG-Disaster Relief grant funds and Low-Income Housing Tax Credits). The inability to privately produce more additional affordable housing units is, for the most part, driven by the high costs of construction, which include base land and raw water costs. With that said, the City is exploring ways to reduce the inputs into housing, including more permissive zoning and water dedication allowances. This would be a sustained commitment of the City for the next five years.

Lots available for new construction are typically within established subdivisions that were not developed during the housing crash of 2009-2012. At this time, there are very few lots available for purchase by a private party (most are owned by developers). The City anticipated new subdivisions being approved in 2018 that may increase the inventory of developable lots.

Because most lots are controlled by developers, new single-family house size is generally determined by the developer and the market they are targeting. A new emerging trend, however, is an increase in the proportion of attached and multi-family housing. While multi-family housing historically represented about one-third of all residential development in the city, for several successive years, it has increased to be about half of all new housing units. Additionally, new objectives in the City's Comprehensive Plan encourage developers to reconsider smaller single-family detached homes.

There were no actions taken in 2018 with regard to the public policies listed below. Comments on each, however, are provided.

Land use controls: See Zoning Ordinances below.

Tax policies affecting land: There are no tax policies that create an affordable housing barrier.

Zoning ordinances: Greeley has three Zoning Ordinance provisions that could affect housing affordability. First, in all single family zoning districts, there is a limitation that no more than two unrelated people may live in a housing unit except for group homes with eight or fewer residents.

Second, In the R-L Residential Low Density District, the minimum lot size is 6,000 square feet per dwelling. Third, there are several hundred legally nonconforming residential dwellings in industrial zoning districts which require rezoning for expansion over 25%, reconstruction after over 50% destruction, or for occupancy after six months of being vacant. The Strategic Housing Plan recommended changes to the Zoning Ordinance to address these issues during the next year.

Building codes: The City adopted the 2015 International Residential Codes, to which all residential construction is subject. Building codes do not inhibit the provision and/or maintenance of affordable housing, but are necessary to providing housing standards for safety and habitability (which HUD also expects).

Fees and charges: Real estate professionals (developers, Realtors) that were a part of the housing access committee that met for the Imagine Greeley update cited high fees as an impediment to constructing more affordable housing; however, building permit fees and development impact fees are consistent with those of other Northern Colorado cities and are necessary to provide for parks, open space, and other infrastructure needs within a growing city. The City does not anticipate lowering fees, as doing so would compromise the quality of new developments.

Growth limitations: There are no policies regarding growth limitations in Greeley. Growth is restricted by physical boundaries (Poudre and Platte Rivers; farmland) and jurisdictional boundaries, both of which force most of the growth to the west.

Policies affecting the return on residential investment: There are no public policies other than those imposed on properties that received assistance from HUD (CDBG and/or HOME) that affect the return on residential investment.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

There were no activities with the specific purpose of addressing obstacles to meeting the underserved needs in the 2018 Annual Action Plan; however, actions and activities throughout the year and as described in the CAPER also benefited the underserved population. See particularly information on Habitat for Humanity new home constructions (homeownership for families earning less than 80% AMI), acquisition of Lincoln Square Apartments (affordable rental housing), public service activities for Greeley Transitional House, Catholic Charities (Guadalupe Community Center), and United Way (homeless), and assistance to public facilities (which serve (1) child victims of abuse, (2) low-income housing residents, (3) victims of domestic abuse, and (4) residents of a low-income neighborhood. Other City programs, not funded with federal grants, also address obstacles to meeting underserved needs, some of which are mentioned in other sections of this CAPER.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

No new actions were taken in 2018 to reduce lead-based paint hazards; however, the City continued to address lead paint hazard issues through the following:

- GURA policy requires that testing for lead-based paint be done by a certified lead-based paint inspector on any house constructed prior to 1978 on which rehab is to be done anytime paint will be disturbed (single-family rehab, Homes Again Purchase Program, etc.). This policy is applicable when the proposed rehab includes work that would disturb any existing painted surface, such as replacement of windows or doors or exterior painting.
- GURA policy also requires that all rehab work that disturbs a painted surface be performed by an Environmental Protection Agency (EPA) certified Renovation, Repair, and Painting (RRP) Program contractor who has been properly trained in setup, disposal, and clearance of affected areas. Safe handling of all lead-based paint is part of the rehab contract.
- The GURA Manager holds two lead-based paint certifications from the Colorado Department of Public Health and Environment, Air Pollution Control Division. The certifications are Lead-Based Paint Inspector and Lead-Based Paint Assessor. GURA's Manager attends lead-based paint training when available.
- Applicants for all housing rehab and Homes Again Purchase Program activities are provided information packets about the dangers of lead-based paint when applying for assistance. Information is also made available to landlords of housing units constructed prior to 1978 for distribution to their tenants upon request. Both English and Spanish versions of the information are available.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

The City does not have a mechanism to track the number of families removed from poverty. There are many services administered by the non-profit agencies in the community that offer households assistance to improve their lives and increase their chances to exit a poverty existence. There are CDBG and HOME activities noted throughout the CAPER that also provide assistance.

Non-profit agencies not named elsewhere in the CAPER continued to provide assistance to LMI households in 2018 and are listed below. This list is not all-inclusive, but offers a representation of assistance that is available to those willing to access the services for the betterment of themselves and/or the family unit, particularly for potentially underserved groups.

- Women2Women provided emergency financial assistance to women by women.
- The Immigrant and Refugee Center of Northern Colorado assisted refugees and immigrants by (in part) teaching English, helping with job searches, and helping with navigation through a new culture.
- Sunrise Community Health provided health and dental care at seven locations in Greeley with payment based on the ability to pay.
- Connections for Independent Living provided assistance and advocacy for individuals with a disability needing to access services and programs. In addition to advocacy, a number of core services are offered: information and referral, peer support, independent living skills training, and assistance in finding and retaining employment.

- North Range Behavioral Health provided a comprehensive set of programs and services for persons with mental illness; addiction; in need of counseling, peer assistance, or crisis support; etc. North Range also provides a continuum of residential services, from staffed homes to supported housing and independent living. No one is denied treatment based on inability to pay.
- Weld Food Bank administered a number of programs to help alleviate hunger and poverty by providing food and food services to people in need.
- The Greeley Interfaith Association and many churches within the faith community provided assistance to those in need, including clothing and meals.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

Greeley has a solid institutional structure that includes local government, the school district, and area non-profits, and city staff has developed good working relationships with many of the executive directors and staff of the non-profit agencies that request CDBG and/or HOME funding. City staff participated in a number of community committees that met to address the needs of homeless persons, underserved populations, and low-income residents, including the Emergency Food and Shelter Program (EFSP) committee; the Northern Colorado Sub-region of the Balance of State Continuum of Care (NoCo CoC) committee and its steering committee; and the Weld Homeless Coalition and its sub-committees.

To improve regional structure specific to working on issues of homelessness, Weld (Greeley MSA) and Larimer Counties, which comprise a planning region for the Colorado Balance of State Continuum of Care (the 56-county Continuum of Care representing rural Colorado), moved toward the formation of a fourth Continuum of Care in Colorado during 2018. Over the past several years, members of this planning region have questioned the appropriateness for Northern Colorado to remain in the Balance of State Continuum of Care. The current population and projected population growth, as well as the growing infrastructure for providing services and housing to households experiencing homelessness, have contributed to Northern Colorado increasingly looking and functioning less similarly to other regions in the Balance of State. The new Continuum, if approved, would be comprised of only Weld and Larimer counties.

The city, under the guidance of United Way, continues to work toward the implementation of a housing navigation center to implement a Coordinated Assessment and Housing Placement System (CAHPS) for Weld County. The Navigation Center will be located in the same facility as the cold weather shelter, which operates mid-November to mid-April. The City currently pays the lease for this facility.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

Impediment: Housing Discrimination

- **Goal and Actions: Increase awareness and understanding of fair housing and housing discrimination through promoting distribution of information to a wide variety of housing providers and housing-type businesses (i.e. lenders), encouraging the Housing Authority and other housing non-profits to hold awareness events for residents, and updating City publications that include information on fair housing.**
 - An information portfolio with fair housing information and sample brochures is available and was provided to CDBG subrecipients and HOME property managers in 2016. During 2018 CDBG and HOME monitorings, subrecipients and managers were reminded that the information is available. The clientele served by these agencies/housing developments include persons who are at risk of discrimination: the elderly, persons with disabilities, minorities, and families.
 - The City completed an updated Analysis of Impediments to Fair Housing report in late 2018. City Council will review the report in March 2019 and adopt at that time. Discussions with executive directors of non-profits that distributed fair housing surveys included the need to educate their clientele on fair housing rights.

Impediment: Language and Culture

- **Goal and Actions: Improve access to services for persons who have Limited English Proficiency (LEP) through continuing to follow the City's LEP plan, encouraging CDBG/HOME subrecipients to adopt the City's LEP Plan (or one similar), and supporting and promoting and supporting the programs and activities of the Global Refugee Center.**
 - The City adopted a "Limited English Four-Factor Analysis" during 2015 to identify LEP populations in Greeley. The Analysis remained in force during 2018. From the Analysis, and practical knowledge, it was determined that Spanish is the only prominent language spoken in Greeley other than English. (Affirmatively Furthering Fair Housing data from HUD supports this conclusion.)
 - The City adopted Americans with Disabilities Act/Section 504 Effective Communications Policies and Procedures a number of years ago, which remained in force.
 - All ads for the Consolidated Plan process were provided in both English and Spanish, including for the neighborhood meetings during the application period, public hearing notices, environmental review comment periods, the 30-day comment period for the Annual Plan, and the 15-day comment period for the CAPER.

- The City of Greeley subscribes to a language interpretation service that is available for employee use when communicating with customers who speak a language other than English.

Impediment: Transportation

- **Goal and Actions: Improve access to public transportation through continuing to provide funding for bus tokens to non-profit agencies for distribution to households without their own transportation, continuing to provide reduced-cost bus tokens to persons who are elderly or disabled, and promoting the location of housing with convenient access to public transportation.**
 - The City continued to distribute bus passes via a Memorandum of Understanding with United Way of Weld County. In 2018, United Way was given 6,400 24-hour adult bus passes. Each pass had a value of \$4.50 and provided for unlimited rides during a 24-hour period. United Way was also given 400 paratransit trip tickets. Non-profit agencies may request passes for their clientele from United Way.
 - Greeley Evans Transit (GET) continued to offer a number of free/discount programs, including free rides to School District 6 students with identification (to school, activities, and back home), discounted fares for seniors and individuals with disabilities, and discount pass booklets further reduce costs for seniors and persons with disabilities.
 - Habitat's Crestview Subdivision is near a bus stop.

Impediment: Lack of affordable housing units disproportionately affecting some protected classes

- **Goal and Actions: Increase the supply of affordable and accessible housing with dispersal throughout the community by (1) directing funding to developments that support the disabled community, (2) promoting retention of existing housing stock by supporting housing rehab for accommodations for persons with disabilities, (3) supporting the provision of services for families in transitional housing by directing funding to organizations that provide those services, (4) encouraging additional affordable housing units for larger families by directing funding to rental and for-sale units, and (5) continuing to support Habitat for Humanity.**
 1. No 2018 funding was directly for the support of developments to support the disabled community. The City continued to monitor two projects for persons with disabilities (Twin Rivers and Fox Run), as well as Chinook Wind, a senior project where 20% of the units (of 60 total) are fully accessible. All three received HOME funds in the past and have HOME units.
 2. The Single-family Housing Rehab grant program installed ramps for accessibility through the Retired Seniors Volunteer Program (RSVP). RSVP provided labor to construct the ramps at a materials-only cost. Two ramps were installed in 2018.
 3. The following provided support for families in transitional housing:

- Sixteen townhouse-type units were available for families exiting the Greeley Transitional House shelter. Continued supportive services were available to the residents through the Transitional House.
- The City Council-approved 2018 grants to the Greeley Transitional House and Guadalupe Community Center for public services that support the homeless as they move toward finding permanent housing.
- See Section CR-25 for additional information on transitional housing at the Guadalupe Community Center.
- 4. Support for developments with larger units included:
 - CDBG funds helped acquire Lincoln Square apartments, which preserved 21 affordable units of three-bedroom apartments.
- 5. Three Habitat for Humanity houses sold in 2018 in the Crestview Subdivision.

Impediment: Higher mortgage loan denial rates for Hispanic/Latino households

- **Goals and Actions: Promote homeownership opportunities through working with area lenders to provide homeownership opportunities for qualified households of all races and ethnicities.**
 - Data from the Housing and Mortgage Disclosure Act (HMDA) is provided in Table 14, below. Based on the data from HMDA Table 4-1 (Disposition of Applications for FHA, JSA/RHS, and VA Home Purchase Loans One-to-Four Family and Manufactured Home Dwellings by Race, Ethnicity, Gender, Income of Applicant for 2017) and 4-2 (Disposition of Applications for Conventional Home Purchase Loans, 1-4 Family and Manufactured Home Dwellings by Race, Ethnicity, Gender and Income of Applicant, 2017), 10.96% of loans were denied. Table 14 averages the percentages of the two HMDA tables noted. In all cases where minorities or the Hispanic ethnicity had an unusually high percentage of denials, it was due to data from one table that pushed the overall average high. For example, the Hispanic ethnicity was denied 8.10% of the time when applying for a FHA/JSA/RHA, or VA Home loan, but 32.02% when applying for a Conventional Loan where down payments are much higher.

Housing & Mortgage Disclosure Act (HMDA) for 2017 - Using table 4-1 from HMDA website			
Total loan application	10,397		
Denied		1,139	
% denied			10.96%
By Race	Total	Denied	% Denied
Indian/Alaskan	48	14	29.17%
Asian	226	19	8.41%
Black	63	8	12.70%
Hawaiian/Pacific Islander	23	1	4.35%
White	8,885	986	11.10%
2 or more races	3	2	66.67%
White + minority	180	13	7.22%
Race not available	969	96	9.91%
By Ethnicity			
Hispanic	1,770	416	23.50%
Not Hispanic	7,373	649	8.80%
Joint Hispanic not Hispanic	368	27	7.34%
White, non-Hispanic	504	63	13.49%
Ethnicity not available	7,121	620	8.71%
Incomes	total	denied	% denied
Less than 50% of Median	720	358	49.72%
50-79%	2,208	317	14.36%
80-99%	1,747	155	8.87%
100-119%	1,658	131	7.90%
120 or more	4,254	269	6.32%
Income not available	215	8	0.00%

Table 14 – HMDA Data

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The City developed a CDBG monitoring plan that includes several layers of activity review, as briefly described below. The monitoring plan is unchanged from last year. Upon request, the full monitoring plan is available.

- At receipt of applications, all proposed activities are reviewed to ensure they further the priorities of the Consolidated Plan, meet a National Objective, and are eligible CDBG activities. Submitting agencies are required to certify they are in compliance with federal requirements as part of the application. The City strives to ensure applicants are informed with respect to the federal obligations by offering two optional-but-encouraged technical assistance meetings to discuss federal obligations prior to the applicant accepting CDBG funds and also makes staff available for consultation upon an applicant's request.
- Throughout the activity, GURA staff maintains close contact with the subrecipients of CDBG funds. Staff is involved in procurement, bidding language (Section 3; Minority and Women Owned Business statements), and contracting (when applicable); meets individually with the awardees to review the City agreements; and makes great effort to notify agencies that staff is available for technical assistance upon request.
- There is also a limited desk review at the time draw requests are received: Draw requests and invoices are reviewed, beneficiaries are counted, and it is verified that the draw is consistent with the City's agreement.
- By policy, annual on-site monitoring is conducted on a minimum of 10% of the agencies that received funding during that fiscal year with the goal of on-site monitoring of no fewer than three subrecipients, subject to staff modification based on activities and subrecipients. A Kid's Place/Life Stories facility rehab was monitored in 2018, as was the Community Action Lab (managed by North Colorado Health Alliance). Both were new subrecipients (one a public facility, one a public service). Staff determined it was unnecessary to monitor the other subrecipients as they were experienced or had recent monitorings.

Minority-and Women-Owned Business Outreach

- (The information, with the exception of the date, in the following narrative is unchanged from the 2015 CAPER.) The City does not discriminate against minority or women-owned businesses during the bidding process and has awarded bids to a number of contracts to minority- and women-owned businesses over the years. During 2018, the City contracted with a women-owned business for environmental assessment and clean up. Greeley is not a large community and has a small pool of contractors willing to bid on work that involves Federal funds. No bidder is discouraged.
- When advertising an Invitation to Bid, both the City and GURA include a statement encouraging minority- and women-owned businesses to apply. (They also include a Section 3 statement.) A sample bid invitation by GURA follows: *"Bids are being solicited for (insert job) by Greeley Urban Renewal Authority (GURA). Bids will be accepted until (time) on (date). Bidders must meet qualifications set by GURA. Women- and minority-owned businesses are encouraged to participate. Section 3 requirements for opportunities for low- moderate-income residents and businesses may apply. For more information call (GURA office phone number)."*

Citizen Participation Plan 91.105(d); 91.115(d) (updates will be made when public comment period expires)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

- Citizens had the opportunity to comment on the CAPER during a public comment period (February 24, 2019-March 12, 2019). The ad was printed in English and Spanish.
- The CAPER draft was posted on the City's website for review and comment.
- The Citizens Committee for Community Development received a hard copy and notice of the report's availability on the City's website. They were invited to submit comments.
- Non-profit agency partners with the City received notice of the availability of the CAPER and were encouraged to provide comments and share it with their clientele.
- The GURA Board of Commissioners held a public hearing to recommend that City Council accept the report. **Comments received from public? (public hearing attendees?).**
- The City Council accepted the report with no further comment on **March 19, 2019.**

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The Federal code noted (24 CFR 92.520(c) states the CAPER must evaluate the City's progress in meeting its specific objectives for reducing and ending homelessness. The questions in CR-25 mirror what is required under 24 CFR 91.520(c). To avoid duplication, please refer to CR-25 for specifics on how the City is progressing with the issue of homelessness.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

CR-50 - HOME 91.520(d)

Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

The City has 12 multi-family developments that include HOME units. City policy is a rental monitoring schedule that follows old HOME regulations (every year for projects with 26 or more units, every other year for projects with five to 25 units, and every three years for projects with one to four units). Monitoring is conducted annually in July/August; all developments due for monitoring (the twelve, noted below) were monitored. All HOME units, whether due for an on-site monitoring or not, are monitored annually for rent compliance. In 2018, the following onsite monitorings were conducted:

- **Chinook Wind** (Sixty units of senior housing; four are floating HOME units). No problems were identified.
- **Plaza del Milagro** (Thirty units of migrant/agricultural-related laborer housing; three are fixed HOME units). Staff worked with property management to get maintenance issues corrected and made recommendations for better systems to manage HOME units.
- **Plaza del Sol** (Forty-two units of migrant/agricultural-related laborer housing; seven are fixed HOME units). Staff worked with property management to get maintenance issues corrected and made recommendations for better systems to manage HOME units.
- **Stagecoach Gardens** (Thirty units of LMI housing; five are fixed HOME units). Staff worked with property management to get minor maintenance issues corrected.
- **Fox Run** (Twenty-three units of housing for persons with disabilities; three are floating HOME units). No issues.
- **Twin Rivers** (Seventeen units of housing for persons with disabilities; three are floating HOME units). No issues.
- **La Casa Rosa** (Fourteen units of senior housing; twelve are fixed HOME units). Staff worked with property management to get minor maintenance issues corrected.
- **Stephens Farm Phases I** (Ten units; three are fixed HOME units) **and Phase II** (eight units; two are fixed HOME units) for persons with Acquired Brain Injury. Staff worked with property management to get minor maintenance issues corrected.
- **Meeker Commons** (Two HOME units). The general LMI population is served at this location. The two HOME units are part of a larger affordable housing development that has no HOME units. Staff worked with property management to get minor maintenance issues corrected.

- **Harmony Way** (Eighteen units of housing for persons with mental disabilities; four are fixed HOME units). Staff worked with property management to get minor maintenance issues corrected.
- **Camfield Corner** (Sixteen units of transitional housing for families exiting homelessness; all are HOME units). Staff worked with property management to get minor maintenance issues corrected.

Rents for HOME units were verified on all HOME developments, including those named above and the following, which did not have an on-site monitoring:

- **Camelot Apartments** (Four units of housing for persons with disabilities; one is a fixed HOME unit.) Camelot Apartments sold at the end of December. The HOME Agreement was assigned to the new buyer until its expiration.

All HOME units were found to be in compliance with housing codes and other applicable regulations. The only issues were minor maintenance concerns that needed correcting.

**Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units.
92.351(b)**

Most of the City's HOME units are for a specific population:

- Plaza del Milagro and Plaza del Sol (Catholic Charities) – migrant and farm laborers
- Harmony Way (North Range Behavioral Health) – persons with mental disabilities
- Stephens Farm, both phases Greeley Center for Independence – persons with an Acquired Brain Injury
- Camelot Apartments (Greeley Center for Independence sold the property in December 2018 to Unlocking Equity Affordable Housing, LLC) – persons with disabilities
- Chinook Wind Apartments (Accessible Space) – seniors
- Twin Rivers and Fox Run Apartments (Accessible Space) – persons with disabilities
- La Casa Rosa (High Plains Housing Development Corporation) – seniors
- Camfield Corner (City of Greeley) – homeless families transitioning to self-sufficiency
- Meeker Commons (Rocky Mountain Mutual Housing) – general population with income restrictions
- Stagecoach Gardens (High Plains Housing Development Corporation) – general population with income restrictions

Of the 52 HOME units monitored in 2018, two tenants were black and 50 were Caucasian. Twenty-seven identified as Hispanic. Additionally, twenty-nine units were leased by female head-of-households; sixteen had a disability. Two units were vacant.

Other:

- Owners of the HOME units advertise with the Fair Housing symbol
- Resident Selection Criteria and/or leases include a non-discrimination statement
- The City received no complaints of discrimination in 2018

Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics

A Habitat for Humanity activity had \$5,511.20 in program income expended. This was a new construction, for-sale house sold to a low-income household. Community Housing Development Organization (CHDO) funds were also expended on the activity.

Describe other actions taken to foster and maintain affordable housing. 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 91.320(j)

The City provides Certifications of Consistency with the Consolidated Plan to developers who don't need financial assistance from the City's CDBG or HOME funds. When available, the GURA Board will consider loaning non-federal funds to assist with an affordable housing development (most recently, Porter House Apartments).

As with the CDBG program, through the HOME program the City will continue to work toward the goals identified in the Impediments to Fair Housing study. Included in the goals are action steps to reduce housing discrimination, provide better transportation opportunities for low-income persons, monitor the mortgage loan data, and consider ways to increase affordable housing opportunities.

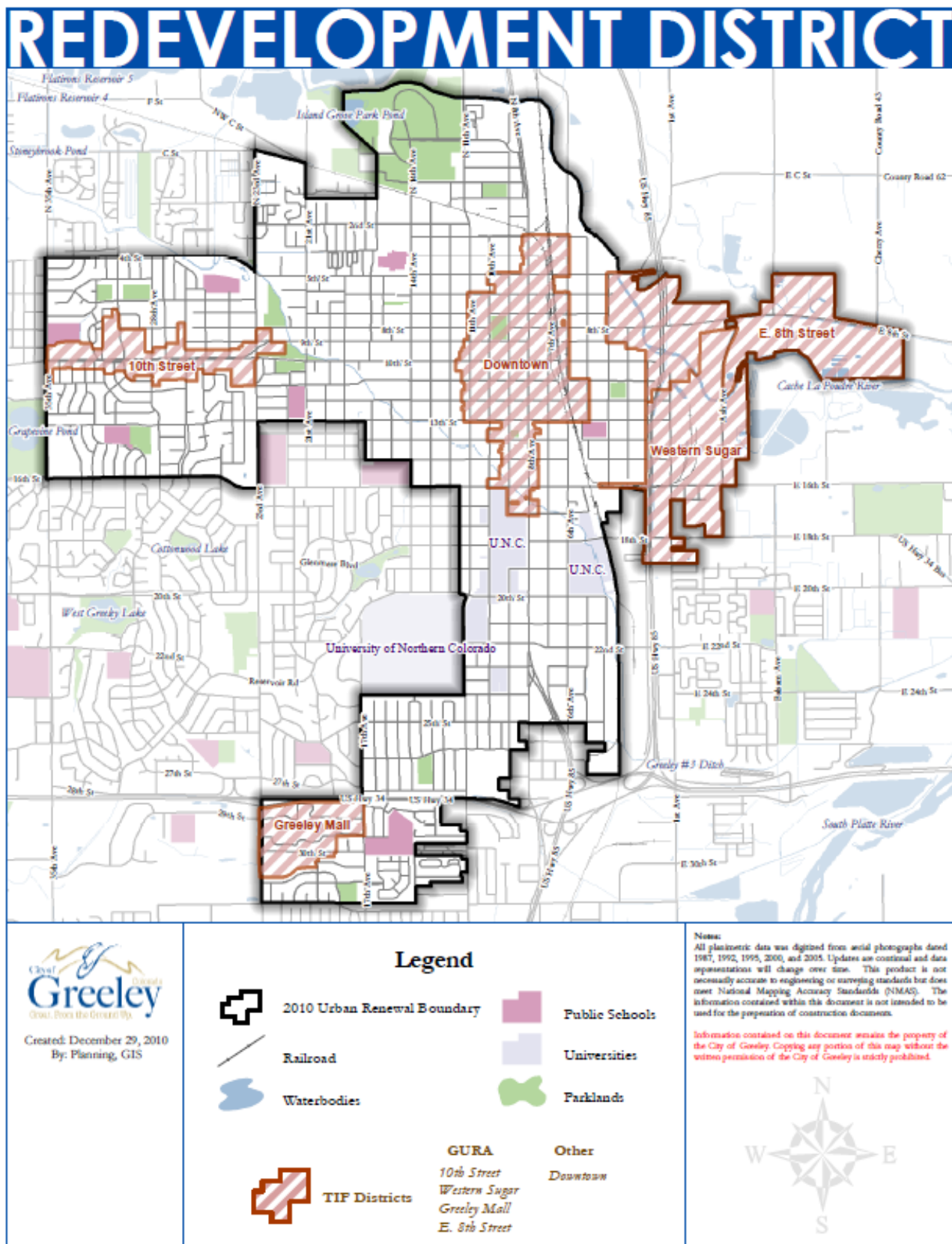
Other actions with regard to addressing obstacles to meeting underserved needs, foster and maintain affordable housing, evaluate and reduce lead-based paint hazards, reduce the number of poverty-level families, develop institutional structure, and enhance coordination between public and private housing and social service agencies were discussed in other earlier sections of the CAPER for CDBG. There is no additional information to add for the HOME program.

Attachments

- Map – Redevelopment District
- Map – Census Tracts with low-income percentages
- HOME Recapture Policy

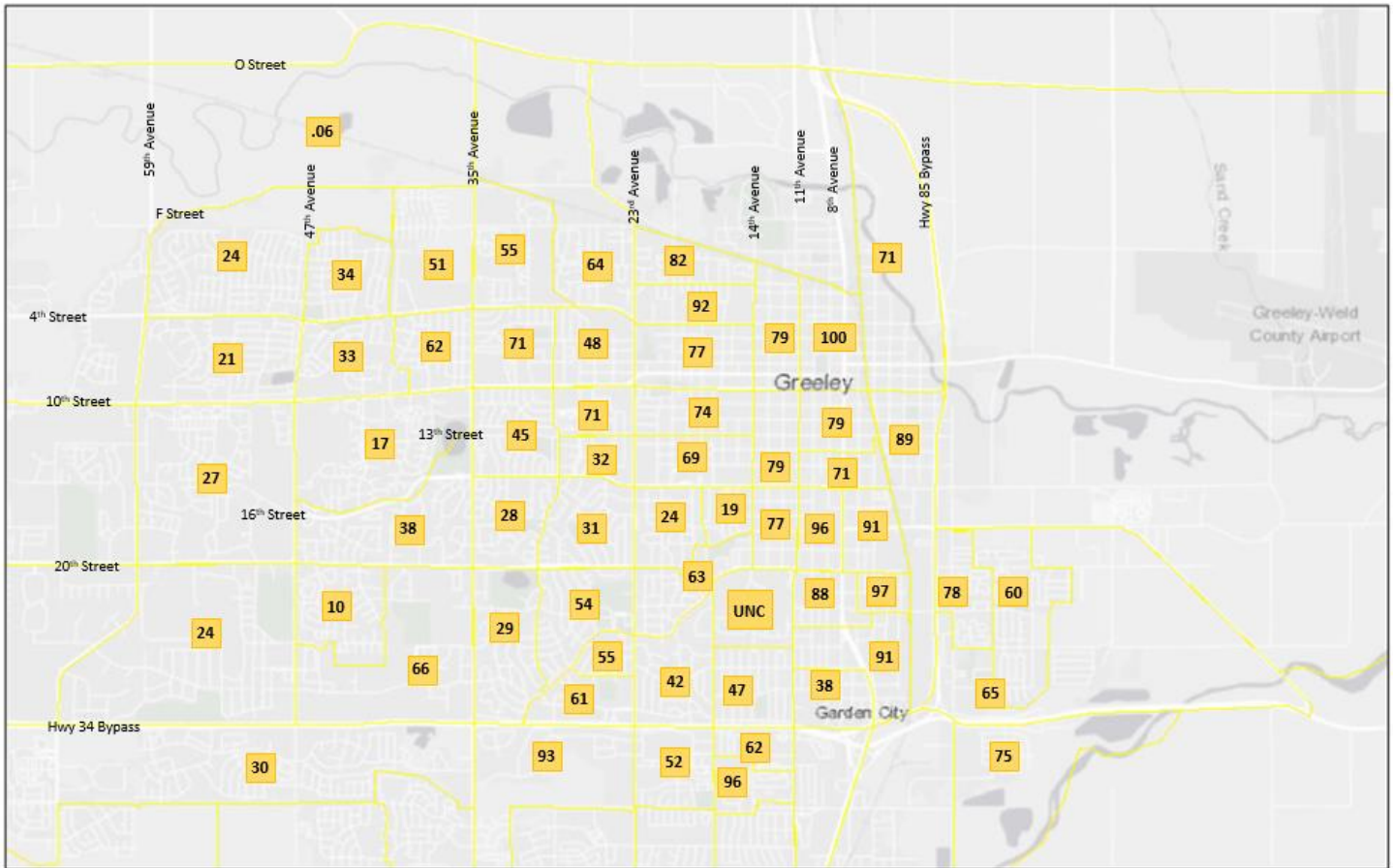
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Attachment 1 – Redevelopment District Map



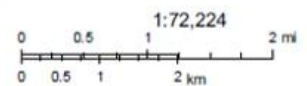
Attachment 2 – Census Tract Map (With Percentage of Low- Moderate-Income Residents)

CPD's 2014 Updated LMISD



February 28, 2018

% of Block Group that is LMI



Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

Attachmet 3 – Recapture Policy

Recapture of HOME Investment

The City of Greeley (the City) has chosen the **recapture** option to secure the affordability period. When the affordability requirements are not met for the full affordability period, the Participating Jurisdiction (City of Greeley) is required to repay the HOME funds invested in the housing to the U. S. Department of Housing and Urban Development (HUD).

Under the recapture method, the City is first allowed to require repayment of as much of the HOME funds as possible from either the homeowner or the Developer, subject to the policies established by the City. The City will thus, to the greatest extent feasible under Developer Agreements and/or Beneficiary Use Covenant with the homebuyer, recapture the HOME assistance from the homeowner, project developer, and/or Community Development Housing Organization (CHDO). (See Recapture Policy later in this document.) Any amount of HOME funds invested that is not recaptured must be repaid to HUD by the City.

The following occurrences by the home owner trigger recapture provisions because the unit can no longer be considered a HOME-assisted unit and cause the City to recapture the HOME assistance as detailed in this section.

- Voluntary sale of unit, including short sale or deed-in-lieu of foreclosure. (See Section 1 below.)
- Foreclosure. (See Section 2 below.)
- Unit is not continuously occupied by homeowner, including rental of unit to another party. (See Section 3 below.)
- Title transfer (such as upon death of homeowner). (See Section 4 below.)
- Failure to provide the required annual recertification of continuous owner-occupancy. The annual certification provides the City evidence that the buyer is maintaining the unit as their primary residence. (See Section 4 below.)
- Unit is refinanced during period of affordability. (Refinance is not allowed under the terms of the recapture provisions during the period of affordability. If, for some reason, it occurs without the City's knowledge and the City subsequently discovers the event, recapture provisions are triggered.) (See Section 4 below.)

If the homeowner decides to sell and the Developer has a First Right of Refusal Clause they choose to exercise, the following applies:

- The Developer can resell the property to a new buyer.
- The remaining time on the Beneficiary Use Covenant can be transferred to the new buyer, provided the new buyer agrees to accept that sale condition and they meet all HOME requirements.

Subject to HUD approval, the City will use any recaptured funds for other HOME-eligible activities.

Recapture of funds, by occurrence

- 1) An owner's **voluntary sale** prior to end of affordability period (including **short sale** or **deed-in-lieu of foreclosure**) will cause the City to recapture the full amount of HOME funds invested in the property as secured by the second mortgage, subject to the following: (1) The homeowner is assured a "fair return" on their investment, as defined under the scenarios in sections a-d below; and (2) The recapturable amount is limited to the net proceeds from the sale. (Net proceeds is defined as the sales price minus non-HOME loan repayments and any closing costs associated with the property sale.)
 - a) **If there are net proceeds greater** than the loan for HOME funds, the full HOME subsidy is recaptured, and the remaining proceeds belong to the homeowner entirely and are considered to be the fair return on the homeowner's investment.
 - b) If a sale results in **fewer proceeds available than are required** to meet the demands of all liens and owner investments, the amount to be recaptured will be based on the net proceeds available from the sale, rather than the entire remaining amount of HOME funds. The City requires the recapture of any amount available from net proceeds up to the amount of the remaining affordability loan. That amount will be considered full payment of obligations under the affordability/recapture agreement for the homebuyer.

The Developer is responsible for repayment of the difference between what has been recaptured from the homeowner and the full amount of HOME funds provided to develop the property.

- c) **If there are no net proceeds** from the sale, repayment will not be required from the homeowner and the affordability period will be considered satisfied for that party. The “fair return” to the homeowner will be nothing. Repayment of the HOME funds is then the responsibility of the Developer.
 - d) In the case of a short sale, the City (or the Developer, as applicable) has the option of whether or not to approve the short sale. Recapture will be based on net proceeds only, and follow the applicable provisions set forth above.
- 2) **Foreclosure**
- a) In the case of foreclosure, the City (or the Developer, as applicable) will contact the homeowner and provide information on counseling options and other guidance, as available and there is knowledge of the pending foreclosure.
 - b) Recapture, in the case of foreclosure, is based on net proceeds alone. If there are no net proceeds, the affordability restriction is terminated and there is no further obligation to the homeowner or the City (or the Developer, as applicable).
- 3) **Non-occupancy** of HOME-assisted unit as primary residence, including rental of unit
- a) If, during the period of affordability the homebuyer ceases to occupy the property as the primary residence, default occurs, and the following steps will occur:
 - The Developer shall contact the homeowner, remind them of their obligations the Beneficiary Use Covenant, and attempt to bring the unit into primary-residency compliance.
 - b) If re-occupancy doesn’t occur, the amount of HOME funds in the property will be due and payable by the homeowner. If funds can’t be recaptured from the homeowner, the Developer is responsible for repayment of the HOME funds.
 - c) Due diligence, in addition to contacting the homebuyer with regard to the default and providing a chance for re-occupancy will include:
 - Annual reminders (at a minimum) mailed to homeowners, thus trying to avoid a repayment situation.
 - Allowing for a lease term to expire and continuing with the affordability after expiration (in the case where a home has been rented and a tenant has a lease). The affordability period will thus be extended past the affordability term by the length of any lease.
 - Setting up a payment schedule for repayment of the HOME funds the loan with a term not to exceed the original term of the Beneficiary Use Covenant.
 - Pursuing collection by whatever means allowable under the law, the costs of which will be the responsibility of the homeowner(s).
 - d) The City will contact HUD with regard to the repayment of HOME funds to determine how they should be handled once returned to the City.
- 4) Default due to **title transfer, buyer misrepresentation, refinance of the first mortgage, or non-return of the annual residency certification**:
- a) The loan will be due and payable upon any title transfer or upon discovery of any misrepresentation by the homeowner. The same provisions noted above will apply.

Right of Legal Remedy in Pursuing Satisfaction of Affordability Period

In any event that the homeowner and/or the Developer do not satisfy the full terms of affordability and recapture, the City of Greeley reserves the right to pursue any remedy allowable under HUD regulations and the law for full payment by any legal means necessary. Payment of legal or any other fees will be the responsibility of the homeowner or Developer, as applicable.

Analysis of Impediments to Fair Housing Choice - Update

December 2018



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Section One - Executive Summary

This report is the 2018 update to the City of Greeley's Analysis of Impediments to Fair Housing Choice (AI), which has been prepared to address the requirements of the Housing and Community Development Act of 1974, as amended, (the Act). Under the Act, communities receiving certain federal grants from the U. S. Department of Housing and Urban Development (HUD) are required to "affirmatively further fair housing" in compliance with the Fair Housing Act; the City receives Community Development Block Grant (CDBG) and the HOME Investment Partnership Program grant from HUD, both of which require that fair housing be affirmatively furthered.

Impediments to fair housing choice under the Act are:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, national origin, sexual orientation or gender identity which restrict or have the effect of restricting housing choices or the availability of housing choices.

Fourteen formal housing discrimination complaints in Greeley were filed with HUD's Office of Fair Housing and Equal Opportunity (FHEO) or the Colorado Civil Rights Division (CCRD) in Denver (which the designated Fair Housing Assistance Program (FHAP) that investigates housing discrimination complaints for HUD in Colorado) between January 1, 2013 and July 31, 2018. Ten of those complaints involved discrimination due to disability (alone or as one of the factors for the complaint). Six of the complaints had a "no cause" determination; three remained open at the time of this report.

During the month of November 2018, the City made a survey available (in English and Spanish) to gather information about fair housing discrimination. It was distributed at two events in low-income neighborhoods and by the City's Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) partner non-profit agencies. It was also available on the City's website, with notice provided through the City's online newsletter and employee website.

There were 179 surveys completed. Forty-six responded that they had experienced discrimination, 115 said they had never been discriminated against, and 20 responded with "not sure". Twelve surveys in Spanish were completed.

The reasons most cited by persons who felt they had experienced discrimination (of a protected class) were on the basis of race/color/national origin or ancestry (54% total, with race alone reported at 26%) and disability (18%). Source of income was cited by 17%, but persons with a lack of income are not a protected class under fair housing laws. None of those who said they had experienced discrimination indicated they had filed a formal complaint. The most cited place where discrimination occurred was in rental housing (44 of 77 responses).

During review of the surveys, several general observations were made: (1) People do not necessarily differentiate between what is discrimination of a protected class under the fair housing laws and what they feel is discrimination (but does not violate fair housing laws). (2) People who have not experienced discrimination generally do not see discrimination as a problem in Greeley. (3) There is a general lack of understanding of fair housing laws. Of those responding to the question about degree of knowledge, only 31 of 151 responding to the survey felt they were "very informed". Forty-five responded "not informed". Responses to questions also indicated a general lack of knowledge (i.e.

responses did not pertain to a fair housing issue). (4) The survey provided a way to express concern for all housing issues, not just ones pertaining to fair housing.

Additionally, through discussions with non-profit agency directors who work directly with populations that could be prone to discriminatory practices, it is clear that fair housing discrimination is not a regular topic of conversation, nor has it risen to the top as an issue frequently encountered. The lack of housing (for all income levels) was identified as a much greater issue in Greeley at this time. Better education on fair housing rights within the agencies who work with low-income families and housing, however, would be beneficial.

It is evident that the Greeley community works hard to foster a culture of diversity and racial tolerance. Fair housing issues, while they certainly exist, do not appear to be severe. Housing challenges for the community are more centered around factors that do not violate fair housing laws: High cost of both rental and for-sale housing; insufficient financial resources that negatively affect the ability of low-income persons to obtain housing; and the lack of housing availability for all income levels. Those factors may affect protected classes in greater numbers and contribute to the perception that discrimination has occurred.

Impediments to Fair Housing Choice

After reviewing the impediments cited in the 2013 report, statistical and demographic information, the survey results, and other information provided for the 2018 update to the Analysis of Impediments study, it was determined that there are no new impediments to fair housing in Greeley. The goals and actions of the 2013 Fair Housing Action Plan have been modestly updated and refined, and the City will continue to address them during the years 2020-2024. Impediments follow:

- 1. Discrimination due to race, color, national origin, or ancestry or disability:** Housing discrimination appears to be taking place in Greeley, particularly in rental housing, for reasons of race, ethnicity, color, national origin, or ancestry. Greeley has a high percentage of its population that identifies as of the Hispanic ethnicity or a race other than Caucasian, which increases the possibility of discrimination occurring due to these factors. Having a disability, either mental or physical, was also cited by a high percentage of persons completing the survey and in the formal complaints filed with HUD during the last five year as a reason for discrimination. Denial of reasonable accommodation and/or service animals was particularly noted as reasons the person felt discriminated against.

While being a low-income person does not provide protection under fair housing laws, the high percentage of minorities in Greeley with a low-income (reference Table 9) could create a means for veiled discrimination. Income factors should be considered a subset of the impediment. Seventeen percent of survey responses cited income as the reason they felt they had encountered discrimination. Coupled with the high number of minorities with low-income in the community, the possibility of discrimination increases for the minority populations.

- 2. Language and culture:** Language and cultural barriers to fair housing choice are an impediment. There are two primary populations for which language and cultural barriers could be considered a barrier: Hispanic person for whom English is not their first language and refugees.

Since the passage of the Refugee Act by Congress in 1980, Colorado has participated in the federal refugee resettlement program. According to the May 2018 report (“Economic and Fiscal Impact of Refugees in Colorado” by the Colorado Office of Economic Security, Greeley and Fort Morgan together account for approximately 13% of Colorado’s annual average of 1,650 new refugees added to the population. With the location of refugees and immigrants in Greeley from many nations and the high number of persons who speak Spanish, the need for translation services and a better understanding of cultural differences will not only continue to be important, but a lack could impede fair housing choice.

3. **Transportation:** Transportation is a barrier for households that do not have their own transportation, particularly if public transportation is not easily accessed.
4. **Lack of affordable housing units disproportionately affect some protected classes:** Families with children, families headed by a single-parent, households that have a disabled member, and households of Hispanic/Latino origin are residing in Housing Authority units, using Section 8 vouchers, or are on the waiting lists for assisted housing at greater rates than these populations city-wide and could benefit from additional affordable housing geared to their needs.
5. **Higher mortgage loan denial rates for Hispanic/Latino households:** The reasons behind these higher loan denial rates may not be discriminatory, but since this cannot be fully established from the available HMDA data, it is a consideration that should be noted and monitored. The City cannot control the private real estate and loan market, but it can monitor the participants in city-sponsored or funded programs, such as G-Hope and Habitat for Humanity and encourage minority ownership.

The Fair Housing Action Plan, which includes recommendations for addressing the impediments, is in Section Eight of this report.

SECTION Two - Introduction

A. Fair Housing Act

This report is the 2018 update to the City of Greeley’s Analysis of Impediments to Fair Housing Choice (AI), which has been prepared to address the requirements of the Housing and Community Development Act of 1974, as amended, (the Act). Under the Act, communities receiving certain federal grants from HUD are required to “affirmatively further fair housing” in compliance with the Fair Housing Act; the City receives Community Development Block Grant (CDBG) and the HOME Investment Partnership Program grant from HUD, both of which require that fair housing be affirmatively furthered.

Federally protected classes under the Act are race, color, religion, national origin, gender, familial status (having children in the home under the age of 18), and disability. Colorado state law also protects from discrimination based on sexual orientation, creed, ancestry, and marital status.

Under the Federal Fair Housing Act, the following are prohibited against a member of a protected class:

- In the Sale and Rental of Housing
 - Refusal to rent, sell, or otherwise negotiate for housing
 - Making housing unavailable or otherwise denying a dwelling; falsely denying that housing is available for inspection, sale, or rental
 - Setting different terms, conditions or privileges for sale or rental of a dwelling
 - Providing different housing services or facilities; denying access to, membership or participation in any organization, facility, or service (such as a multiple listing service) related to the sale or rental of dwellings; or discriminating against any person in the terms or conditions of such access, membership or participation
 - Persuading, or trying to persuade homeowners to sell or rent dwellings by suggesting that people of a particular race, etc. have moved, or are about to move into the neighborhood (blockbusting)
- In Mortgage Lending
 - Refusal to provide information regarding loans or make a mortgage loan; refusal to purchase a loan
 - Imposing different terms or conditions on a loan, such as different interest rates, points, or fees; imposing different terms or conditions for purchase of a loan
 - Discriminating in property appraisals
- In addition, it is a violation of the Fair Housing Act to
 - Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise the right
 - Make, print, or publish any statement, in connection with the sale or rental of a dwelling, which indicates a preference, limitation, or discrimination based a protected class.
 - With regard to homeowners insurance coverage: refuse to provide coverage for a dwelling; discriminate in the terms or conditions; refuse to provide available information on the full range of coverage options available; or make, print, or publish any statement, in connection with the provision of homeowners insurance coverage, that indicates a preference, limitation, or discrimination based on a protected class

B. Fair Housing Choice

Fair housing choice is defined as the ability of persons, regardless of their race, color, religion, sex, national origin, mental or physical disability or familial status to have the same housing choices available to them as people of similar income levels. (In Colorado, the protections extend to creed, ancestry, marital status, and sexual orientation, also.) Impediments to fair housing choice, then, are those actions, omissions, or decisions that are taken because of race, color, religion, sex, national origin, mental or physical disability, or familial status (plus Colorado protected classes), and which

restrict, or have the effect of restricting the availability of housing choices because someone is a member of a protected class.

The actions recommended in this report are intended to affirmatively further fair housing choice and address the issues identified as impediments with the result to

- Identify and eliminate housing discrimination in the community
- Promote fair housing choice for all persons
- Provide opportunities for racially and ethnically inclusive patterns of housing occupancy
- Promote housing that is physically accessible to and usable by all persons, particularly persons with disabilities
- Foster compliance with the provisions of the Fair Housing Act

C. Fair Housing and Affordable Housing

This report is not intended to identify barriers to affordable housing outside the context of fair housing issues. A barrier to affordable housing may also be an impediment to fair housing choice; however, the barrier must disproportionately affect members of a protected class. Because there is a large percentage of persons identifying as a minority (by either race or ethnicity) and/or low-income in Greeley, the lack of affordable housing may be an impediment to fair housing. (Refer to Map One – Census Tracts and Map Two for census tracts and the median income percentage for each tract.)

D. Project Funding & Methodology

The funding for this project was provided by the City of Greeley's CDBG and HOME grants. This report was developed using HUD's "Fair Housing Planning Guide", and the methodology used in its preparation consisted of the following steps:

- Review of existing data on demographics; income, wages, and employment; housing (rental and for sale housing); zoning and land use; City of Greeley's adopted policies and plans; and private lending and statistics
- Discussions with the agencies distributing the survey with regard to the survey's purpose and how fair housing laws could affect their clientele
- Review and analysis of housing discrimination complaint data provided by HUD
- Analysis of the results of a survey distributed through area non-profit agencies to clients and consumers and made available to the general public
- Identification of impediments
- Development of the Fair Housing Action Plan, which includes recommendations to reduce impediments

The survey noted was developed to gather input from Greeley residents to gauge perceptions of housing discrimination in the community. It was available in English and Spanish. The survey was available during the month of November 2018 on the City's website, was available at Weld Project Connect and at a parent teacher conference at an elementary school in a low-income neighborhood,

and was distributed to residents through 11 non-profit agencies that work with clientele susceptible to fair housing discrimination. Most agencies made great effort to encourage their clientele to participate. The participating non-profit agencies and City departments, as well as findings from the questionnaire, are summarized in Section Four of this report.

Additionally, information during the formulation of the report was attained (in person, by email, or from websites) from the following:

- City of Greeley Building Inspection Office
- City of Greeley Planning Division
- City of Greeley Neighborhood Resources Office
- Colorado Civil Rights Division
- Colorado Legal Services
- Greeley-Evans Transit
- The Group Real Estate
- U. S. Census – American Community Survey 2012-2018

E. Public Comments (to be updated with current information when available)

The draft of this report was released to the public on February 3, 2019. A 30-day public comment period was open, from February 3, 2019 through March 6, 2019. The draft report was also sent to all participating agencies that were interviewed and was posted on the City's website throughout the 30-day comment period.

The draft report was available to the Citizens Committee for Community Development for review. They commented that the thing that stood out was the issue housing affordability in the community.

The Greeley Urban Renewal Authority Board will review the draft at its March 13, 2019 meeting. The Greeley City Council will review the report for acceptance at the March 19, 2019 City Council meeting.

The public review process conducted for this study is in conformance with the review process outlined in the City's Citizen Participation Plan, which was adopted for inclusion with the City's 2020-2024 Strategic Consolidated Plan.

Recommendation by Greeley Urban Renewal Authority Board (will update as needed if comments are received)

- The GURA Board voted to recommend approval of Analysis of Impediments to Fair Housing Choice study.

Action by Greeley City Council

- The Council voted to accept the Analysis of Impediments to Fair Housing Choice study.

Public Comment Period

During the public comment period, the following comments were received:

- No comments from the public were received.

SECTION THREE - Community Profile

The Community Profile is an overview of Greeley's demographic and economic picture. While a variety of sources was utilized to define the community profile, most of the information came from the U. S. Census-2012-2016 American Community Survey. Much of the information is for the Greeley Metropolitan Statistical Area (MSA, which encompasses all of Weld County. Sources are noted at the bottom of the tables. Data, though often dated, is the most current available. Map One shows the locations of Greeley's Census Tracts and Block Groups, which HUD utilizes as boundaries for much of their demographic information. Map Three is the Redevelopment District, which encompasses most of the low-income neighborhoods of the City.

A. Demographics

POPULATION AND GROWTH RATE: Greeley, Colorado is the largest community in Northern Colorado's Weld County. It serves as a regional hub for many of the small agricultural communities around it.

Greeley has seen significant growth in recent years, a trend mirrored all along Colorado's Front Range. Since 2015, there has been a greater than 2% population growth annually, and since 2000, when Greeley's population was 76,930, the city has grown 40% to an estimated population in 2018 of 107,457. (The 2018 Annual Growth and Development Projections report note that in 2012 the average household size increased from 2.7 to 2.71 persons.)

Table 1: Population and Growth Rate 2010-2018

Year	Population	Growth Rate
2010	94,358*	2.8%
2011	95,517	1.2%
2012	96,093	0.7%
2013	97,320	1.3%
2014	98,423	1.1%
2015	100,790	2.4%
2016	103,037	2.2%
2017	105,315	2.2%
Projected 2018	107,457	2.2%

Source: City of Greeley 2018 Annual Growth and Development Projections Report

AGE AND GENDER: The median age in Greeley is 30.7 years, up from 29.8 in 2010 and 28.5 in 2000. Gender distribution has remained fairly constant, and the baby boomer generation and their children continue to make up the largest segments of the Greeley population.

Table 2: Age and Gender of Population

Age	Population	% of Total Population
Total Population	98,975	100%
Under 5 years	6,972	7%
5-9 years	7,699	7.8%
10-14 years	6,388	6.5%
15-19 years	9,416	9.5%
20-24 years	10,954	11.1%
25 – 34 years	13,538	13.7%
35 – 44 years	11,688	11.8%
45 – 54 years	10,557	10.7%
55 – 59 years	5,119	5.2%
60 - 64 years	4,810	4.9%
65 - 74 years	6,490	6.6%
75 - 84 years	3,748	3.8%
85 years and over	1,596	1.6%
Gender		
Females	50,393	50.9%
Males	48,582	49.1%
Median Age	30.7 years	

Source: U. S. Census 2012 – 2016 American Community Survey

RACE AND ETHNICITY: While still a minimal part of the overall Greeley population (2.4%), the African American/Black population had the largest growth. Much of this growth came from the East African refugees who settled in Greeley in the late 2000s. The Hispanic/Latino population also had a significant increase, from 29.5% in 2000 to 37.3% in 2016. During this same period, the Caucasian/White population had only a slight increase, from 80.4% to 81.7%. Non-white races represent relatively small percentages of the total population, but their increases reflect the growing diversity in the community. While Greeley has a substantially larger Hispanic/Latino population than Colorado as a whole (36.0% vs 20.7%, respectively), it has a much smaller percentage of other races. The percentage of Asian (2.8%) and African American/Black (4.0%) populations in Colorado were more than double that of Greeley.

Table 3: Race and Ethnicity of Population

Race/Origin	Pop 2010	% of Pop	% Increase Since 2000	Pop 2016	% of Pop	% Increase Since 2000
Asian	1,245	1.3%	40.7%	1,479	1.5%	67.1%
African American/ Black	1,543	1.7%	129.6%	2,376	2.4%	253.6%
Caucasian/White	73,485	79.1%	18.8%	80,899	81.7%	30.8%
Native American	1,096	1.2%	71.5%	1,001	1.0%	56.7%
Pacific Islander	111	0.1%	4.7%	136	0.1%	28.3%
Other/Mixed Races	15,409	16.6%	20.6%	13,084	13.2%	2.4%
TOTAL Population	92,889	100.0%	-----	98,975	100%	-----
Hispanic/Latino origin	33,440	36.0%	47.4%	36,967	37.3%	63.0%

Source: U. S. Census 2010 and 2012-2016 American Community Survey

RACE AND ETHNICITY BY CENSUS TRACT: Census tracts that have a racial or ethnic concentration are those tracts that have a percentage of a population at least twice the community's overall percentage for that population. For example, the Asian/Pacific Islander population citywide in 2016 was 1.6% (see Table 4 above), so a concentration would be a tract that has an Asian/Pacific Islander population of at least 3.2%. In Greeley, there are two tracts where Asian populations are concentrated (2, 10.03); three tracts with concentrations of African Americans/Blacks (1, 3, 10.03); and three tracts with concentrations of persons of Hispanic/Latino ethnicity (5.01, 5.02, 7.01). There is one tract citywide with a concentration of at least two different races or Hispanic/Latino populations (10.03). Map Four shows the racial and ethnic distribution by census tract.

Table 4: Percent of Population by Race and Ethnicity by Census Tract

Census Tract	% Asian/ Pacific Islander	% African American	%Caucasian/ White	% Native American	% Other Mixed	% Hispanic/ Latino Origin
1	0.88%	4.79%*	48.53%	1.27%	1.61%	42.91%
2	3.18%	2.89%	65.94%	0.68%	2.28%	25.04%
3	1.28%	5.03%	79.24%	0.11%	3.69%	10.65%
4.01	1.18%	0.68%	80.00%	0.58%	1.26%	16.31%
4.02	1.05%	3.34%	57.11%	0.53%	2.15%	35.82%
5.01	0.25%	0.75%	12.19%	0.33%	0.39%	86.09%*
5.02	0.34%	1.39%	23.31%	0.36%	2.07%	72.53%*
6	0.24%	1.41%	29.13%	0.92%	1.47%	66.83%
7.01	0.52%	0.96%	20.11%	0.55%	0.69%	77.18%*
7.03	0.26%	0.73%	29.04%	0.31%	0.65%	69.02%
7.04	0.0%	0.91%	56.58%	0.3%	2.42%	39.79%
8	1.33%	1.280%	55.11%	0.7%	1.23%	40.36%
9	0.57%	0.43%	64.15%	0.57%	0.73%	33.56%
10.03	4.57%*	7.40*	30.16%	0.46%	0.83%	56.58%
11	1.16%	0.89%	66.97%	0.49%	1.79%	28.70%
12.01	1.50%	0.99%	59.25%	0.65%	2.07%	35.55%
12.02	0.84%	0.52%	76.29%	0.44%	1.84%	20.09%
13	0.32%	0.85%	42.39%	0.47%	1.32%	54.69%
14.06	0.90%	0.96%	74.35%	0.40%	1.41%	21.98%
14.07	2.07%	0.78%	84.01%	0.16%	1.03%	11.95%
14.08	0.98%	0.98%	82.84%	0.39%	2.20%	12.61%
14.09	1.82%	0.64%	75.74%	0.29%	1.41%	20.11%
14.10	0.92%	0.50%	89.39%	0.27%	1.14%	7.81%
14.11	1.64%	0.78%	79.20%	0.25%	2.35%	15.78%
14.12	1.21%	0.30%	82.37%	0.13%	1.31%	14.68%
14.13	1.42%	0.71%	68.12%	0.90%	1.22%	27.64%
14.14	1.35%	0.37%	78.35%	0.19%	1.20%	18.54%
14.15	2.14%	0.46%	76.61%	0.21%	1.55%	19.03%
14.16	1.45%	0.67%	84.61%	0.30%	1.73%	12.10%
14.17	0.94%	0.46%	66.35%	0.53%	1.04%	30.69%

Source: Affirmatively Furthering Fair Housing Mapping Tool Version 4

DISABILITY: The 2012-2016 American Community Survey estimates for persons with disabilities increased only slightly from those of 2007-2011 (from a total population with a disability of 10,317 to 10,838). War veterans returning home with disabilities are primarily in the 18-40 year range, so the number of people with disabilities within this age group may see increases. The same is true for the older age groups.

Table 5: Disability Status of Population: 2012-2016

Status	Number
Total population	96,989
Under 18/20 years	25,156
With a disability	833
18/21 - 64 years of age	60,476
With a disability	5,712
65 years and over	11,357
With a disability	4,293
Total Population with a Disability	10,838

Source: U. S. Census 2012-2016 American Community Survey

B. Income

Average weekly wages in the Greeley MSA have increased by approximately 15.8% since 4th quarter of 2012. The average weekly wage for the Greeley MSA in the fourth quarter of 2017 was \$962, compared to \$831 at the end of 2012. In contrast, the nationwide average at the end of 2017 was \$1,109; the Colorado average was \$1,133. Despite the increase in wages since 2012, Weld County (which is the Greeley MSA) had the lowest weekly wage of the nine largest Colorado counties.

Table 6: Average Weekly and Annual Wages, Nine Largest Colorado Counties: 4th Quarter 2017

Area	Average Weekly Wage	Average Annual Wage
United States	\$1,109	\$57,668
Colorado	\$1,133	\$58,916
Weld County	\$962	\$50,024
El Paso County	\$967	\$50,284
Larimer County	\$1,011	\$52,572
Adams County	\$1,133	\$58,916
Jefferson County	\$1,112	\$57,824
Arapahoe County	\$1,268	\$65,936
Boulder County	\$1,277	\$66,404
Douglas County	\$1,314	\$68,328
Denver County	\$1,334	\$69,368

Source: Bureau of Labor Statistics-Mountain-Plains Region

The economy in the Greeley MSA is specialized in mining, quarrying, oil and gas extraction; agriculture, forestry, fishing, hunting; and construction. Employment in those areas is 8.13%, 2.79%, and 1.55% (respectively), which are higher than what would be expected in a location of the same size. The largest industries are retail trade, health care and social assistance, and manufacturing.

Table 7: Weld County Weekly and Annual Wages – 4th Quarter 2017

Industry	Average Weekly Wage	Average Annual Wage
Accommodation and Food Services	\$349	\$18,173
Education Services	\$577	\$30,020
Retail Trade	\$672	\$34,938
Admin., Support, Waste Mgm., Remediation	\$699	\$36,369
Public Administration-Government	\$917	\$47,677
Health Care and Social Assistance	\$1,041	\$54,144
Construction	\$1,164	\$60,532
Manufacturing	\$1,176	\$61,155
Wholesale Trade	\$1,451	\$75,429
Mining, Quarrying, and Oil and Gas Extraction	\$1,861	\$96,786

Source: Employment Services of Weld County, 4th Quarter 2017, Data Set Esri Q4 2017

The Area Median Income (AMI) in the Greeley MSA (as provided by HUD) rose to \$89,875 in 2018 after dropping to \$66,300 in 2013. These figures are based on a family size of four persons. The percentage of owner-occupied units starts to exceed the percentage of renter-occupied households at the \$50,000-\$74,999 income mark and continues as incomes rise.

Table 8: Household by Type and Income – 2012-2016

Income range	Occupied Units	% of Occupied Units	Owner-occupied	% Owner-occupied	Renter-occupied	% Rented-occupied
Total	34,319	100%	19,675	100%	14,644	100%
Less than \$5,000	1,407	4.1%	315	1.6%	1,098	7.5%
\$5,000-\$9,999	1,167	3.4%	275	1.4%	893	6.1%
\$10,000-\$14,999	1,888	5.5%	590	3.0%	1,289	8.8%
\$15,000-\$19,999	1,888	5.5%	689	3.5%	1,201	8.2%
\$20,000-\$24,999	2,025	5.9%	469	3.3%	1,377	9.4%
\$25,000-\$34,999	3,603	10.5%	1,633	8.3%	1,948	13.3%
\$35,000-\$49,999	5,011	14.6%	2,240	12.3%	2,592	17.7%
\$50,000-\$74,999	6,932	20.2%	4,269	21.7%	2,651	18.1%
\$75,000-\$99,999	4,256	12.4%	3,443	17.5%	835	5.7%
\$100,000-\$149,999	4,050	11.8%	3,482	17.7%	571	3.9%
\$150,000 or more	2,093	6.1%	1,903	9.7%	190	1.3%
FY 2016 (family of four) Area Median Income:		\$73,375				
30% of AMI		\$22,000				
50% of AMI		\$36,700				
80% of AMI		\$58,700				

Source: U. S. Census 2012-2016 American Community Survey; U. S. Dept. of Housing and Urban Development (AMI)

Approximately 17,701 households earn less than 30% AMI, which is considered poverty-level income. Poverty rates were higher for all minorities than for those of the Caucasian race and were highest for households of the African American/Black race (47.2%), followed by those who identified as “some other race” (34.3%), and those identifying as Asian (28.5%). (See also Map Five-Demographics and Poverty.)

Table 9: Poverty Rate (and 50% of Poverty Rate) by Race and Ethnicity – 2012-2016

Race/Ethnicity	Population Estimate	% Below Poverty Level	% Below 50% of Poverty Level
White	75,837	15.9%	8.3%
Black/African American	2,106	47.2%	19.3%
American Indian/Alaska Native	927	24.2%	12.8%
Asian	1,391	28.5%	13.6%
Native Hawaiian/Pacific Islander	109	0.0%	0.0%
Some other race (alone)	9,651	34.3%	17.2%
Two or more races	2,965	24.7%	14.3%
Hispanic or Latino	35,409	23.0%	11.1%

Source: U. S. Census 2012 – 2016 American Community Survey

Poverty in 2018 was a household income of less than \$12,140 for one person and \$23,018 for a 4-person household. While the percentage of all people over the age of 18 living in poverty dropped from 20% (2007-2011) to 17.5% (2012-2016), female head-of-households with children under age five increased fairly significantly (from 59.7% in 2007-2011 to 65.4% in 2012-2016).

Table 10: Families and Households Living in Poverty

Family Type	% Living in Poverty
All Families	13.3%
w/children under 5 years of age	25.5%
Married Couple Households	6.2%
w/children under 5 years of age	7.6%
Female Headed Households	37%
w/children under 5 years of age	65.4%
Under 18 years of age	23.4%
w/children under 5 years of age	28.8%
18 years and over	17.5%
18 – 64 years of age	9.4%
65 years and over	9.4%

Source: U. S. Census 2012 – 2016 American Community Survey

C. Employment

The unemployment rate for the Greeley MSA for 2017 averaged 2.7%, compared to 7.9% in 2012. Through August 2018, the rate had risen slightly to 2.8%. (Greeley MSA rates are not seasonally adjusted.) The Colorado unemployment rate (seasonally adjusted) in 2017 averaged 2.8% and at the end of August 2018 was averaging 2.9%. These rates compare with the national rates (seasonally adjusted) of 8.1% (2012 average) and 4.4% (2018 average through August).

The 2012-2016 American Community Survey Five-year Estimates showed a Greeley civilian labor force comprised of those over the age of 16 numbering 48,575, which was an increase from the 2010 estimate of 46,355 people.

The Greeley MSA repeatedly led the country in job growth during 2013-2014 and had an 8.8% gain in the third quarter of 2014, due in large part to jobs created by oil and gas production. Within a year of that, when oil and gas prices fell significantly, Weld's ranking was among the bottom of the large counties for which job growth is tracked. Reports from the third quarter of 2017 showed the Greeley MSA again with good job growth (5%), outpacing all but two other large counties in the country, predominantly driven by increases once again in jobs in the oil and gas production industry.

The largest employers located in Greeley represent a variety of industries, as noted in the table below.

Table 11: Largest Employers Located in Greeley: 2017

Employer	# Employees	Industry Type
JBS Swift & Company	4,520	Beef processing
Banner Health: North Colorado Medical Center	3,069	Healthcare
Greeley-Evans School District 6	1,923	Education
University of Northern Colorado	1,623	Education
Weld County	1,615	Government
State Farm Insurance	1,400	Insurance
City of Greeley	812	Government
TeleTech Services Corporation	780	Financial services support
Noble Energy District Center	500	Oil & gas development
Leprino Foods	442	Food production
North Range Behavioral Health	362	Healthcare
Aims Community College	337	Education
Hensel Phelps Construction Company	315	Construction
Mountain States Lamb Coop	307	Sheep raising/processing
Colorado Premium Foods	280	Food processing

Source: Upstate Colorado Economic Development-Major Employers List

Professionals in the fields of banking, health care, real estate, and management, along with governmental officials, attending the Northern Colorado Economic Forecast in January 2018 predicted that the Northern Colorado economy would continue to rise in 2018, despite slowed growth across the state. The anticipation was that Northern Colorado, because of the diversity in industries and rebounding oil and gas prices, would remain one of the hottest performing areas economically. (Weld County produces about 90% of the state's oil and gas and is the largest natural gas county in the state.)

The Weld County Department of Human Services operates the Employment Services office in Greeley, providing comprehensive work force services to those seeking employment. These services are offered to all residents of Weld County. The Weld County government offices (including social and employment services) are located in North Greeley, accessible by bus and close to the Guadalupe Community Center (homeless shelter). Many area non-profit agencies also provide skills training and/or assistance that are specific to their clients and consumers as they look for employment, including Connections for Independent Living and the Greeley Transitional House, which are both

located in downtown Greeley on the bus routes. The Weld Project Connect event also provided employment assistance through referrals to persons that attended that annual event.

D. Housing

GROWTH IN HOUSING: Since 2013, 3,035 new housing units have been constructed in Greeley, many of which were multi-family units. The City projects continued steady growth in the number its housing units, with multi-family units expected to be a majority of those constructed. More than 300 building permits (including both single- and multi-family) for new units had been issued as of November 30, 2018.

Table 12: Housing Units and Projected Growth: 2013 - 2018

Year	Number of Housing Units	Growth Rate %
2013	36,324	0.27%
2014	36,832	1.40%
2015	37,410	1.57%
2016	38,351	2.52%
2017	38,912	1.46%
2018	39,359	1.15%

Source: City of Greeley 2018 Annual Growth and Development Projections Report

SINGLE- VS MULTI-FAMILY HOUSING UNITS: The majority of housing units in Greeley (63.57%), are single-family units, based on the City of Greeley's 2018 Annual Growth and Development Projections report. The number of multi-family units available has increased significantly since 2013, in part due to the availability of CDBG-DR grant availability following the severe flood event in 2013. Low vacancy rates in multi-family units have continued and have fueled interest in the construction of additional multi-family units.

Table 13: Housing Units by Type – 2013-2018

Year	# of SF Units	% of Total Units	# of MF Units	% of Total Units	Total Units
2013	23,743	65.36%	12,581	34.64%	36,324
2014	23,976	65.10%	12,856	34.90%	36,832
2015	24,221	64.74%	13,189	35.26%	37,410
2016	24,670	64.33%	13,681	35.67%	38,351
2017	24,910	64.02%	14,002	35.98%	38,912
2018	25,021	63.57%	14,338	36.43%	39,359

Source: City of Greeley 2018 Annual Growth and Development Projections Report

During the recession years of 2008-2012, the total number of building permits issued was 359. That five-year total was exceeded in 2013, when 430 permits were issued, and the number continued to increase in 2014 and 2015. As noted above, multi-family permits increased with the availability of CDBG-DR funds, but single-family permit issuance also increased, as families and builders recovered from the recession that caused the housing market collapse in 2008-2012.

Table 14: New Residential Construction-Number of Permits Issued – 2008-September 2018

Year	Single-Family Units	Multi-Family Units	Total Units from Permits Issued
2008	60	29	89
2009	46	0	46
2010	80	5	85
2011	35	7	42
2012	55	42	97
2013	155	275	430
2014	361	428	789
2015	449	492	991
2016	244	333	577
2017	111	238	349
TOTAL	276	83	359 2008-2012; 3,136 2013-2017
Thru 9/30/18	234	138	372 YTD

Source: City of Greeley Building Division Construction Reports, 2008 – 2013; 2013-2018

OCCUPANCY: American Community Survey data for 2012-2016 estimates substantial increases in single-parent households, with female-head-of-households increasing 16.35% and male-head-of-households increasing 8.25%. There was a decline in non-family households of 3.18%.

Table 15: Occupied Household Composition: 2012-2016

Household Type	2012-2016	Percent Change
Married couples	16,250	4.17%
Female-headed single parent	4,525	16.35%
Male-headed single parent	1,955	8.25%
Non-family households	11,589	-3.18%
Total Households	34,319	3.17%

Source: U. S. Census 2012 – 2016 American Community Survey

Owner-occupied households declined slightly from 58.7% of all households (2007-2011 ACS) to 57.3% (2012-2016 ACS). With the exception of Caucasian/White and Asian households, people of other races and ethnic groups tend to occupy rental units, rather than owner-occupants units.

Table 16: Tenure of Households by Race/Ethnicity – Greeley Jurisdiction (not MSA): 2010

Race/Ethnicity	% Owner	% Renter
African American/Black	0.29%	3.55%
Asian or Pacific Islander	0.96%	1.32%
Caucasian/White	77.18%	57.63%
Native American	0.35%	0.70%
Other Race	0.48%	1.74%
Hispanic/Latino	20.74%	35.03%
TOTAL # of Units	18,730	14,375

Source: HUD Affirmatively Furthering Fair Housing Tool, Version 4; Table #16

SALES OF HOUSING: The average homes sales price in the Greeley-Evans area dropped in 2009, but has continued to rise since. Double-digit percentage increases have occurred yearly since 2012, with the exception of a 9% increase in 2013. During the second quarter of 2018, the average sales price for the Greeley-Evans area was \$338,335. A ten-year look at sales prices is provided below.

Table 17: Greeley-Evans Average Home Sales Prices – 2008-2017

Year	Average Price	Percent Change	Homes Sold
2008	\$150,735	---	1,662
2009	\$139,410	-8%	1,671
2010	\$142,181	+2%	1,522
2011	\$142,158	0%	1,461
2012	\$162,078	14%	1,490
2013	\$177,192	9%	1,944
2014	\$202,215	14%	2,280
2015	\$224,556	11%	2,450
2016	\$252,966	13%	2,480
2017	\$277,869	10%	2,162

Source: The Group, Inc. Real Estate Insider

FORECLOSURES: Foreclosure filings dropped by nearly half between 2012 and 2013, as the housing market in Greeley rebounded. In 2017, the number of foreclosures filed fell to the lowest number in eight years. There was a slight uptick in filings in 2018, but the number of foreclosure sales continued to decline.

Table 18: Foreclosures in Weld County – 2009-October 2018

Year	Foreclosure Filings	Sales of Foreclosed Homes
2009	3,354	1,615
2010	2,757	1,721
2011	1,919	1,270
2012	1,579	938
2013	820	525
2014	602	295
2015	427	194
2016	411	131
2017	362	75
2018	375	52

Source: Weld County Public Trustee

RENTS: The average rent for a two-bedroom (1 bath) apartment rose to \$916 by spring of 2018, and the average vacancy rate for all apartments was at 1.3% (1st quarter 2018; 2.2% average for all of 2017). Vacancy rates under 5.0% mean competition for rental units is very high.

Table 19: Average Vacancy Rate and Rent: 2013-2018

Year	Average Vacancy Rate	Average Rent: 2 BR, 1BA Apartment
2013*	3.3%	\$682
2014**	3%	\$736
2015**	3%	\$808
2016**	3.75%	\$853
2017**	2.2%	\$916
2018**	1.3% (1 st Qtr. Only)	\$951.95 (1 st Qtr. Only)

Source: Colorado Multi-Family Housing Vacancy & Rental Survey First Quarter 2018

HUD annually publishes Fair Market Rents (FMR) by for each unit size. FMRs are the maximum amount a Section 8 voucher holder is allowed to pay for rent plus all utilities (excluding telephone, cable/satellite TV, internet service). The HUD FMRs for fiscal year 2018 were lower than the average area rent for all but three-bedroom units (according to the Colorado Multi-Family Housing Vacancy and Rental Survey), which has created problems for vulnerable renters utilizing Section 8 vouchers. Property owners may be able to charge a higher rent than the FMR allowed for voucher holders, which could cause the voucher holders to lose their rental in a tight housing market.

Table 20: 40th Percentile Fair Market Rent & Average Rent: 2018

Unit Type	Fair Market Rent	Average Monthly Rent*
Efficiency	\$625	\$675
1-Bedroom	\$744	\$983
2-Bedroom	\$937	\$951
3-Bedroom	\$1,363	\$1,286
4-Bedroom	\$1,275	Not Available

Sources: HUD Fair Market Rents FY 2018; CO Multi-Family Housing Vacancy & Rental Survey 1st Qtr. 2018*

HOUSING SIZE: Of the 36,061 housing units identified in the 2012-2016 American Community Survey, 21,667 of those were one-unit detached (single-family house). The most common size of housing unit in Greeley is the three-bedroom unit, most of which are found in single-family residences, as are four or more bedrooms. Two-bedroom units are the most common apartment size, which can make it difficult for large families to find an apartment rental.

Table 21: Housing Units by Number of Bedrooms – 2012-2016

Number of Bedrooms	# of Housing Units of Corresponding Size	% of Housing Units
0 bedrooms	2,336	3.4%
1 bedroom	3,282	9.1%
2 bedrooms	9,116	25.3%
3 bedrooms	11,337	31.4%
4 bedrooms	7,426	20.6%
5+ bedrooms	3,675	10.2%
TOTAL	36,061	100%

Source: U. S. Census 2012 – 2016 American Community Survey

HOUSING AFFORDABILITY: The highest rents for multi-family units are in the newer areas of West Greeley, as well as areas in and around the University of Northern Colorado. Rents are lowest in Census Tracts 4.02 (near downtown); 10.02 (near the Greeley Mall), and 13.0 (North Greeley).

As earlier mentioned, CDBG-DR funds became available following the 2013 flood and resulted in a number of new affordable apartment complexes, including Guadalupe Apartments (permanent supportive housing units), Mission Village, Porter House Apartments, and Peakview Trails Apartments. (Mission Village is a 50-unit development of townhouses and cottages. Units have two, three, or four bedrooms. Porter House Apartments is a 100-unit development of one, two, and three-bedroom apartments. Peakview Trails is a development for seniors (age 62+) with 64 one-bedroom and 32 two-bedroom units.) All used Low-Income Housing Tax Credits for financing, in addition to the CDBG-DR funds.

Accessible Space, Inc. (ASI) owns and operates two locations of housing units for persons with disabilities. Fox Run has 23 apartments, and Twin Rivers offers 17 units. ASI also developed Chinook Wind Apartments, which provides 60 units for seniors that also has accessible units. These three developments are in West Greeley. Other housing for persons with disabilities includes Hope Apartments and Stephens Farm sites operated by the Greeley Center for Independence. Accessible housing operated by the Housing Authority can be found at the 17th Avenue and 28th Street locations in Central Greeley. Accessible housing is also found in downtown at senior housing locations. North Range Behavioral Health has multiple options for housing for persons with mental illnesses. (Reference Map Six for locations of housing affordable to persons 50% and less of Area Median Income.)

Like with rental housing, the newer for-sale housing is located in West Greeley, and sales prices of housing are typically higher there. Density is also greater in the newer developments where there are no alleys, and smaller lot sizes are more common. The Greeley Area Habitat for Humanity will complete its third development of housing in 2019 and provides for the most affordable for-sale housing in the community. Buyers must meet certain criteria, including that the household income is less than 80% of the Area Median Income. Because of zero-interest first mortgages under the Habitat model, the Habitat developments provide homeownership opportunities to households who otherwise would not be able to purchase a home. Habitat has completed 100+ homes in its 30-year life in the Greeley community.

SUPPORT FOR HOUSING: The City of Greeley has incentives for encouraging the retention of existing housing in the Redevelopment District with flexibility in Building Code requirements where existing housing units are in a mixed-use, older building. Reductions in parking requirements are also available for affordable housing developments. Neighborhood park fees are waived for residential redevelopment in the Central Zone of the Redevelopment District. GURA operates the Housing Rehabilitation program, which assists low and moderate-income homeowners in making improvements to meet City Code or for increased energy efficiency. The City is also a recipient of the HOME Investment Partnership Program grant, all of which must be used in support of low-income housing.

ANTI-DISPLACEMENT AND RELOCATION: The City of Greeley has adopted and uses an Anti-Displacement and Relocation Assistance Plan that requires reasonable steps be taken to minimize

displacement of people from their homes for a project assisted with federal funds. Included is the replacement of all occupied and vacant “low/moderate-income dwellings” that are converted to any other use, or are demolished for a project. Relocation assistance is provided to low/moderate-income households that are displaced as a direct result of the conversion of a low/moderate-income dwelling or the demolition of any housing for an assisted project. If federal funding is used for an activity that results in displacement, the City will require that the low/moderate-income housing units be replaced within three years. Steps will be taken to minimize the direct/indirect displacement of people from their homes by coordinating code enforcement and rehab standards to prevent undue financial burden on owners and tenants; stage rehabilitation to allow tenants to remain in their housing; arrange for temporary housing when needed; identify and mitigate displacement resulting from intensive public investment in neighborhoods; and provide reasonable protections for tenants faced with conversion of their housing to a condominium or cooperative. Assistance to persons who are displaced will include housing counseling and referrals to comparable housing and relocation benefits and moving expense payments for each household displaced.

SECTION FOUR – Evaluation of Fair Housing

A. Fair Housing Complaints and Trends

In Colorado, housing discrimination complaints are filed with HUD’s Office of Fair Housing and Equal Opportunity (FHEO) or the Colorado Civil Rights Division (CCRD) in Denver. CCRD is the designated Fair Housing Assistance Program (FHAP) that investigates housing discrimination complaints for HUD in Colorado.

Between January 1, 2013 and July 31, 2018:

- A total of 14 housing discrimination complaints were filed involving persons living in Greeley
- Those whose complaint basis was “disability” had the highest number, with six reporting that as the only issue.
 - Another four cited “disability” with another basis for complaint:
 - Disability and religion (1)
 - Disability, national origin, and retaliation (1)
 - Disability, race, and retaliation (1)
 - Disability and retaliation (1)
- Other complaint bases were national origin (1), sex (2), and retaliation (1).
- Six of the complaints were closed with a “no cause determination”, and three remain open. Additional closure determinations included conciliation/settlement successful (2), complaint withdrawn by complainant after resolution (1), Fair Housing Assistance Program (FHAP) judicial consent order (1), and complaint withdrawn by complainant without resolution (1).

A summary of data regarding the housing discrimination complaints follows:

Table 22: Housing Discrimination Complaints: FY 2013-2018

Year	#	Basis/Issues	Status
2013	2	1 Disability (discriminatory terms, conditions, privileges, or services and facilities; otherwise deny or make housing available; failure to permit reasonable modification; failure to make reasonable accommodation)	1 Conciliation/settlement successful
		1 Religion, disability (discrimination in terms/conditions/privileges relating to rental; otherwise deny or make housing available; discriminatory acts under Section 818 (coercion); failure to permit reasonable modification; failure to make reasonable accommodation)	1 No cause determination
2014	1	National Origin (discriminatory refusal to rent; discrimination in terms/conditions/privileges relating to rental)	1 Complaint withdrawn by complainant after resolution
2015	3	3 Disability (including discriminatory refusal to rent; discriminatory terms, conditions, privileges, or services and facilities; discrimination in terms/ conditions/privileges relating to rental; otherwise deny or make housing unavailable; failure to make reasonable accommodation)	1 Fair Housing Assistance Program judicial consent order
			1 Conciliation/settlement successful
			1 No cause determination
2016	0	----	----
2017	5	2 Sex (Discriminatory refusal to rent; discrimination in terms/conditions/privileges relating to rental; otherwise deny or make housing unavailable; other discriminatory acts; discriminatory acts under Section 818 (coercion)	1 No cause determination
			1 Complaint withdrawn by complainant without resolution
		1 Disability (discrimination in terms/ conditions/privileges relating to rental; failure to make reasonable accommodation)	1 No cause determination
		1 National origin, disability, retaliation (discriminatory terms, conditions, privileges, or services and facilities; discriminatory acts under Section 818 (coercion); failure to permit reasonable modification; failure to make reasonable accommodation)	1 No cause determination
2018 – Partial year (Jan-July)	3	1 Retaliation (discriminatory terms, conditions, privileges, or services and facilities; discriminatory acts under Section 818 (coercion)	1 Remains open pending investigation
		1 Race, disability, retaliation (discriminatory terms, conditions, privileges, or services and facilities; otherwise deny or make housing unavailable; failure to make reasonable accommodation)	1 No cause determination
		1 Disability (Discriminatory acts under Section 818 (coercion); failure to make reasonable accommodation)	1 Remains open pending investigation
		1 Disability, retaliation (discriminatory terms, conditions, privileges, or services and facilities; otherwise deny or make housing unavailable; failure to make reasonable accommodation)	1 Remains open pending investigation

Source: Office of Fair Housing, U. S. Department of Housing and Urban Development

*Note: there is often more than one issue given on complaints, which means that the issue column may exceed the number of complaints actually received.

The 2013 Analysis of Impediments to Fair Housing noted that complaints filed in Greeley during the prior decade tended to reflect an increased number of complaints related to (particularly physical) disabilities; this trend continued during 2013-2018.

B. Survey Results

To gather additional information about whether housing discrimination occurs in Greeley, a survey (in English and Spanish) was distributed during the month of November by the City (online on the City's website and through City divisions) and local non-profit agencies. The non-profit agencies are/have been CDBG and/or HOME partners and work with people who are at risk of housing discrimination. The agencies (and City divisions) through which surveys were distributed are noted below; not all had surveys completed.

- A Woman's Place (shelter and services for survivors of domestic violence)
- Catholic Charities Northern – Guadalupe Community Center/Cold Weather Shelter (shelter and services for homeless persons)
- Catholic Charities - Migrant and Farm Labor Housing – Plaza del Milagro & Plaza del Sol
- City of Greeley Community Engagement Division (distributed survey at District Six parent teacher conference)
- City of Greeley Urban Renewal Authority (distributed survey at Weld Project Connect)
- Connections for Independent Living (services and advocacy for persons with disabilities)
- Greeley Center for Independence (housing and services for persons with disabilities and that are elderly)
- Greeley Habitat for Humanity (housing for low-income persons)
- Greeley Housing Authority
- Greeley Transitional House (shelter and services for homeless families)
- Immigrant and Refugee Center of Northern Colorado
- North Colorado Health Alliance (services for at-risk persons)
- North Colorado Veteran Resource Center
- Senior Resource Services (transportation service for elderly)

One hundred seventy-nine (179) surveys from Greeley residents were returned. The majority of those responding had not or were unsure if they had experienced discrimination (115/20 respondents, respectively).

Those taking the survey could provide a response to whether they felt discrimination occurs in Greeley in two ways: (1) as a person who had been discriminated against or (2) as a person who had not experienced discrimination, but believes it occurs in Greeley. Approximately 25% of the respondents said they had experienced discrimination and cited a number of reasons, including ones not associated with discrimination against a protected class. The surveys revealed that people believe they have been denied housing as a protected class on the basis of disability, family size/type, race/color, national origin, gender, marital status, and creed.

Although 47 people believe they experienced housing discrimination in Greeley, none filed a housing discrimination complaint. The reasons why included feeling it was too much trouble (9); fear of

retaliation (10); not knowing where to file a complaint (13), and not believing that filing a complaint would make a difference (16). The information gathered by the survey shows that more instances of housing discrimination might be occurring in the community than what is reported to HUD or CCRD.

Survey questions and responses are provided below:

Q1: Identify the ZIP code of your residence.

Zip Code	# of surveys returned	
80631	126	
80634	53	
Outside Greeley	17	Not counted in results

Q2: Have you ever encountered any form of housing discrimination in Greeley?

Response	# of responses
Yes	46
No	115
Not Sure	20

Q3: If yes, which of the following best describes the person responsible for discriminating against you?

Response	# of responses	
Landlord or Property Manager	49	
Real Estate Agent	7	
Lending Institution	3	
Other	9	
Neighbors/other tenants	2	
Shelter housing director	1	
Shelter	1	
Businesses	1	Not a fair housing issue
Marked every place possible	1	
Parking manager (not enough spaces)	1	Not a fair housing issue

Q4: Which of the following best describes the location where the act of discrimination occurred?

Response	# of responses
An apartment complex	40
A single-family neighborhood	12
A condo or townhouse development	6
A trailer or mobile home park	7
A public or subsidized housing project	4
When applying for a loan	2
Other	7
Marked every place possible	1
Elderly housing	1
Shelter	1
Downtown/businesses	2
Shelter housing director	1

Q5: Please explain how you believe you were discriminated against:

Responses
Comment about people smoking everywhere.
"Always get turned down."
Mental disability (3); physical disability (4). Wouldn't allow service animal. (3) No accommodation (1)
Not enough income/credit (6)/don't want lower class tenants or people with certain job types (tattoo artist) (2).
Family too large. (4) Lack of housing for single person that is safe and affordable.
Because of race/ethnicity and language. (7)
Comment about not having enough parking spaces.
Lack of education (school).
Complained of health/safety issue(s) and was evicted. (7)
In a subsidized housing program – told to get a job and get off government assistance. (2)
Lack of transportation.
"Threats. Took much stuff in one bedroom."
Homeless-old rental history. (5)
Lack of sobriety.
Increase in rent. (3)
No phone, computer illiterate so cannot get a job or housing.
Age. (3)
Criminal history (2)

Q6: On what basis do you believe you were discriminated against? Check all that apply:

Response	# of responses
Race	22
Color	9
National Origin	11
Ancestry	3
Religion	1
Creed	4
Source of Income (i.e. welfare)	17
Family status (e.g. due to children)	8
Marital Status	5
Disability	15
Sexual Orientation	3
Gender	3
Age	26
Other	13
See above for "other"	

Q7: Did you report the incident?

Response	# of responses
Yes	7
Who did you contact?	
"Authority"	
Landlord/support groups/meetings	
My case manager	
No	47
If no, why not?	
Don't know where to report	13
Afraid of retaliation	10
Too much trouble	9
Don't believe it makes a difference	16
Other	3
Do not believe in "telling on" people.	
We try to talk. "They" do not do anything.	
Not enough money for lawyer. (2)	

Q8: Have you ever been denied "reasonable accommodation" (flexibility) in rules, policies, or practices that you required to accommodate a disability related to housing?

Response	# of responses
Yes	16
No	127
If yes, what was your request?	
Provide additional entrance lighting.	
"A little more time to work on volunteer hours. It's hard with no car or sitter."	
"ADA violations: Reasonable accommodations/modifications to make home more accessible and safe for persons with disabilities."	
"Minimal stairs leading to/from/within my apartment while recovering from a broken neck."	
Bath tub/shower bars.	
Could not operate sliding glass door.	
Physical disabilities with the lack of financial disability support.	

Q9: Other than those noted in item six, are there other factors that limit your housing options in Greeley? Check all that apply.

Response	# of responses
Language barriers	22
Lack of housing units	44
Lack of affordable housing	73
Lack of public transportation	49
Income/credit score	10
Housing codes/occupancy limits	5
Lack of accessible housing	27
Community perceptions (of income level, my race/ethnicity, of persons requiring affordable housing, etc.)	36

Q10. How informed are you about housing discrimination laws?

Response	# of responses
Very well informed	31
Somewhat informed	30
A little informed	45
Not at all informed	45

Q11. Do you believe there housing discrimination occurs in Greeley and, if so, what types of discrimination problems do you think are the worst? (People who were not personally discriminated against could respond here. Responses are listed in groups with similar responses with the number of responses for that group noted. Not all responses were discrimination-related, but are none-the-less included below.)

Responses
*Discrimination by against people due to their race/ethnicity/color/national origin/language. (29)
Discrimination by income levels/class of people. (21)
*Discrimination against persons with disabilities, mental or physical, including the need for service animals and/or reasonable accommodation. (13)
*Discrimination due to family size or situation (i.e. large family, single person, adult kids living with parents) (5).
Discrimination against people due to their age. (5)
Discrimination due to one person's perception of another person. (4)
Discrimination due to criminal history. (4)
Housing costs are too high/there is not enough housing (affordable, accessible, general). (3)
*Discrimination against the LGBTQ community. (2)
*Discrimination due to a person's religion.
All means of discrimination occur.
Discrimination due to homelessness.
More education on fair housing is needed.
Note: (*) Denotes a protected class; could result in a fair housing issue.

C. Fair Housing Discrimination Suits

While there are three "open pending investigation" cases, there currently are no pending housing discrimination lawsuits involving the City of Greeley.

D. Determination of Unlawful Segregation

There are no known unlawful segregation lawsuits or court orders that have been filed or are pending against the City of Greeley.

SECTION Five – Evaluation of Public Sector Policies and Programs

A. Comprehensive Planning

The City's Comprehensive Plan (the Plan) was updated in 2018 and adopted the following vision statement:

"Greeley values and respects the diversity of its people, cultures, neighborhoods, and resources in a manner that creates and sustains a safe, unique, united, vibrant, and rewarding place in which to live, work, learn, grow, and play. The community promotes a healthy and diverse economy and a high quality of life that is responsive to all its residents, businesses, and neighborhoods."

The Plan encourages a variety of residential densities, from 1-3 units per net acre, up to more than 25 units per net acre. Higher density residential areas are intended to be located where services such as shopping, recreation and employment are close. Land use policies are also intended to protect established neighborhoods; provide a mix of housing types in a single development; create "complete neighborhoods" where all services and modes of transportation are available; and provide code enforcement and monitoring of established neighborhoods to limit negative "broken window" impacts (weeds, trash, inoperable vehicles) and identify when "at-risk" conditions warrant City attention to prevent neighborhood decline.

Redevelopment policies, included in the Plan, encourage the retention of Downtown as the community focal point; encourage stability and reinvestment in established areas and distinct neighborhoods; promote neighborhoods with a full complement of housing, neighborhood commercial, recreational, schools and related activities; and address conditions that contribute to disinvestment and blight in established areas of the community. The Plan identifies outdated regulations that encourage "greenfield development" as a challenge to redevelopment. Action items include updates to regulations tailored to the unique character of developed areas in need of reinvestment and the creation of neighborhood plans with site-specific policies and implementation strategies.

B. Zoning Regulations

Greeley's zoning regulations define "family" as a person living alone; as those related by blood, marriage, or adoption; or a maximum of two unrelated adults and their children. A "family" can legally share dwelling units, whether in multi-family development or a single-family home (detached or attached). For multi-family units containing three or more units, the number of unrelated adults is based on the City's Housing Occupancy Standards, which limit the number of people based on minimum area requirements.

Most communities limit the number of unrelated persons in a dwelling unit to avoid the conditions of overcrowding and the resulting impacts on a neighborhood. This is particularly true in a university community such as Greeley. The City enforces this definition through the Code Enforcement or Building Inspection Divisions when a complaint is made; however, there have been few complaints made, and this is a difficult issue to document. The City intends to review the Code for unrelated persons in a dwelling unit during 2019 with changes to this section of the Code anticipated.

Group homes offer another form of housing for seniors and persons with disabilities. These are

residences operated as a single dwelling for no more than eight individuals, licensed by or operated by a governmental agency, to provide special care or rehabilitation due to physical condition or illness, mental condition or illness, or social or behavioral problems. Authorized supervisory personnel must be present on the premises. Group homes for more than eight individuals allow alcoholism or drug treatment centers, work release facilities, or other housing facilities that serve as an alternative to incarceration. Group homes for fewer than eight residents and those for up to eight senior residents are allowed as a design review use in the residential and commercial zoning district; however, group homes in the Low Density and Medium Density Residential districts must be separated at least 750 feet in all directions from another group home. The separation spacing results in group homes being dispersed rather than concentrated in one location. Group homes for more than eight residents are allowed in, but require use by special review approval in the High Density Residential and the Commercial districts.

A single-room occupancy (SRO) facility can provide another type of housing and is a facility that provides a single room for living purposes for one or two persons per room, offered on a weekly tenancy basis or longer. Bathrooms are provided within the units and cooking facilities may be shared among units within the facility. SROs are a permitted use in the High Density Residential district as a special review use and in the Commercial districts. There are no SRO units in Greeley.

C. Development Fees and Incentives

Land development costs include the cost of land, development review fees, and impact fees (e.g., the cost for utilities and streets to serve a lot or development). These costs are passed on to the homebuyer in the price of a new home. These fees help local government provide the infrastructure and amenities such as streets, parks, and trails that residents come to expect. Greeley's current development impact fees for a single-family (detached) house total approximately \$21,000. The fees included are community and neighborhood parks, trails, police, fire, storm drainage, and transportation. Water tap and sewer plant investment fees account for \$15,000 of this total. Building permit and plan review fees, typically assessed as a percentage of the proposed construction cost, and utility installation costs are not included in this estimate, nor are raw water costs included.

Development review fees may account for several hundred dollars, up to several thousand, depending on the type of development review processes required. All development impact and review fees are intended to recover at least some of the City's costs incurred as a result of the development. The City's CDBG funds have been used to assist Habitat for Humanity with development impact and building permit fees. In total, Greeley's fees are lower than those of other communities in Northern Colorado.

In 2011, the City adopted Redevelopment Standards and created the Greeley Redevelopment Resource Guide to assist those interested in redevelopment. The Redevelopment District was created by the City Council and encompasses the Downtown, as well as north of Downtown; areas east of 8th Avenue; areas between 8th and 11th Avenues south to the city limits; and the area between 4th and 16th Streets west to 35th Avenue. (These are also the GURA target neighborhoods.) Map Three of the Appendix shows the boundaries of the Redevelopment District. Redevelopment may be a "scrape and build" proposal (removal of existing structures and build new); infill/new development (develop vacant or underutilized property in area surrounded by existing development); or a substantial reconstruction (modifying existing structure with building alteration or addition). There are incentives and policies for redeveloping properties within this district, including a parking and open space reduction; a variance to

storm water requirements; utilizing credits for existing taps; and alternative compliance for architecture, building height, setbacks and open space/lot coverage. Property within the Redevelopment District is exempt from paying the neighborhood park fee, which reduces impact fees by about \$1,100 per house.

There are also several “unique areas” in Greeley that include Tax Increment Finance Districts (TIF) and the General Improvement District (GID). Properties in these districts may be eligible for incentives including a raw water exemption; water and sewer tap credits; infill redevelopment standards; financial assistance; grants for façade improvements; special purpose loans; and potential tax credits by being within the Enterprise Zone.

D. Neighborhood Revitalization and Municipal Services

The City’s Community Development Block Grant (CDBG) funds have long been used for projects that help revitalize low-income neighborhoods and assist with the cost of public improvements in those same target neighborhoods, which are identified as the “Redevelopment District”. For many years, property acquisition was a significant CDBG-funded program for the City, where funds were used to acquire properties in need of rehabilitation or redevelopment. Public improvements have included new sidewalks, curb and gutter, ramps for accessibility, and lighting.

The City has two programs that target housing in the Redevelopment District, the Housing Rehabilitation Program and the G-Hope Home Owner Incentive Program (G-Hope). The Housing Rehabilitation program, also funded with CDBG, has been in operation since 1976 and has assisted with the improvement of more than 1,000 houses. The program has seen many iterations; the most current provides half of the funds as a grant if owners meet certain criteria. The G-Hope program provides an incentive in the form of down payment assistance to employees of the City of Greeley, Banner Health/North Colorado Medical Center, the University of Northern Colorado, North Range Behavioral Health, Sunrise Community Health, High Plains Library District, and Greeley-Evans School District 6 in when they buy in targeted neighborhoods. The employers and target neighborhoods are within the Redevelopment District, which includes neighborhoods around the University of Northern Colorado campus. The program promotes living close to work, while investing in older, established neighborhoods that help support the vitality of Downtown and the University of Northern Colorado.

Revitalization within the Redevelopment District (with special focus on the Downtown Development District) is supported through the Redevelopment Incentive Program, initiated in 2018. Within the program are a number of financial tools available to developers: (1) Tax Increment Assistance for infrastructure and site development assistance or façade improvements; (2) Redevelopment Fee Assistance to underwrite development fees, sales, and use tax; apply redevelopment fee credits; or to allow for shared site raw water credits; (3) Redevelopment Area Improvement Fund to support area-wide infrastructure improvements that remove impediments to redevelopment; and (4) Retail Stimulus Fund to provide support for minor redevelopment property improvements to sales tax generating operations.

Greeley has more than 300 acres of neighborhood parks at more than 40 locations (Map Seven). Twenty-three of these parks are located east of 23rd Avenue in neighborhoods where residents primarily have low-incomes. One park, Aven’s Village, opened in October 2016 and is an all-inclusive

playground geared toward people of all ages and abilities. It includes a mix of sensory, social and physical activities, and allows for visitors with various levels of ability to experience similar equipment side-by-side. The all-inclusive concept is one step further than an accessible playground and incorporates many types of play (physical, sensory, social) activities that appeal to a broad range of users.

The city has two youth sports parks, one of which is located in East Greeley, a low-income neighborhood. The City's Recreation Center is located downtown on one of the bus routes, as is the Greeley Active Adult Center (for persons over 50) and the Ice Haus.

The Rodarte Cultural Center in North Greeley offers neighborhood residents a broad range of activities, including after-school and summer childcare and a boxing club. The entrance to the Center was significantly improved for safety and accessibility with CDBG funding in 2018.

The Poudre River Trail, part of which extends through North Greeley, provides 40+ miles of paved trail for walking and biking. Greeley is a bronze level Bicycle Friendly Community and has more than 100 miles of bike lanes.

City facilities are well distributed throughout the community, with thought given to the distribution and offering of facilities and activities at each location in order to provide a variety of recreational opportunities for the areas served.

E. Public Transportation/Housing/Jobs Linkage

Greeley-Evans Transit (GET) provides public transportation in Greeley and Evans on six fixed routes (Map Eight). The routes serve the city's residential neighborhoods, linking them with employment, education, and shopping opportunities. There are bus routes and stops along key transportation corridors that are the locations of many of the services and agencies that provide support to low and moderate-income households. GET also offers fare discounts to elderly and/or disabled members of the community. GET's most frequent route runs on 11th Avenue and serves the Weld County Human Services Complex (including Weld County Employment Services), Sunrise Children's Clinic, Monfort Dental Clinic, the Guadalupe Community Center and Shelter, and Weld County and City of Greeley offices. Buses run Monday – Saturday.

A Call-N-Ride service is available to the public and has evening hours Monday through Saturday and morning-early afternoon hours on Sunday. Beginning in April 2019 with the opening of the University of Colorado Health Campus and Hospital in West Greeley, a Call-N-Ride service will be available for non-paratransit customers. The service will take people from the Greeley Mall Transfer Center to the UC Health campus.

Travel training is offered to seniors and persons with disabilities and teaches them how to travel safely and independently on the bus system.

Para-transit, a door-to-door service, is available on a reservation basis for persons certified under the Americans with Disabilities Act (ADA) requirements. Para-transit riders can also use the Call-N-Ride evening service or the Sunday Call-n-Ride service.

Nearly 44,000 Greeley residents 16 years of age and older commuted to work by driving alone or carpooling, using public transportation, walking, bicycling, and other means. More than 1,500 persons worked at home and were included in the commuter numbers.

Table 23: Commuters – 2012-2016

Total commuters 16 and older	43,935	% of Total
Car, truck or van – alone	34,225	77.9%
Car, truck or van – carpoled	5,492	12.5%
Public transportation	308	0.7%
Walked	1,494	3.4%
Bicycle	439	1.0%
Other means	439	1.0%
Worked at home	1,538	3.5%
Average travel time	22.4 minutes	-----

Source: U. S. Census 2012 – 2016 American Community Survey

The City annually provides bus tokens to United Way of Weld County through a Memorandum of Understanding. United Way then makes them available to non-profits, schools, and churches to assist persons who do not otherwise have a source of transportation.

F. Housing Authority and Assisted Housing

The Greeley and Weld County Housing Authorities operate with one staff. The Authorities own and operate public housing and manage the Section 8 Housing Choice vouchers for the City of Greeley and for Weld County. These vouchers are intended to be portable. Households that are homeless, victims of domestic violence, victims of disasters, the elderly, and/or persons with disabilities are given housing assistance priority. Longevity, or the amount of time households have been waiting for housing assistance, is also a criterion. Other area agencies that provide housing to clients or consumers use similar priorities for selecting tenants, including persons and families in crisis and most vulnerable typically receiving the highest priority for housing.

Poverty rates of Housing Authority residents by race, ethnic origin, disability, and single-parent households are shown in Table 24. Black/African American households have the highest rate of poverty at 47.2%; Caucasian households are lowest at 15.9%. Single female head-of-households in units operated by the Housing Authority experience poverty at a significantly higher rate of poverty than do single male head-of-households (47.5% vs 7.6%). (Refer to Map Four-Demographics and Poverty.)

Table 24: Poverty Rates by Race, Ethnicity, Disability, Household Type: 2012-2016

Population	Poverty Rates 2012-2016
African American/Black	47.2%
Asian	28.5%
Native American	24.2%
Pacific Islander	0.0%
Caucasian/White	15.9%
Some other race	34.3%
Hispanic/Latino Origin	23.0%
With a Disability	23.6%
Single Female Head	47.5%
Single Male Head	7.6%
Families with Children (under 18)	20.4%

Source: Greeley Housing Authority; U. S. Census 2012 – 2016 American Community Survey

Current Greeley Housing Authority residents are predominantly Caucasian/White, the majority of whom identify as of the Hispanic ethnicity. Caucasians account for 91.0% of all residents; those identifying as Hispanic were 57.5% of the Housing Authority residents. A determination of whether members of protected populations experience disproportionate barriers in fair housing choice can be made by comparing citywide poverty rates for a specific population with the rates at which these populations are residents of the Housing Authority public housing units, Section 8 voucher holders, or are on the Housing Authority's waiting lists. (See Map Nine, Publicly Supported Housing and Race/Ethnicity.)

Families with children account for the majority of households in public housing (88.5%), and single female head-of-household account for 75.9% of the public housing residents. The percentage of female head-of-households receiving a Section 8 voucher is also high at 70.5%, with families with children accounting for 46.8% of the households receiving a Section 8 voucher. The public housing units are primarily two and three-bedroom units, while the majority of voucher holders are living in two-bedroom units.

Table 25: Greeley Housing Authority Residents – 2018*

	Public Housing		Voucher Holders	
Total Households	87		376	
Household Type**				
Families with children	77	88.5%	176	46.8%
Elderly	7	8.0%	138	36.7%
Single female parent	66	75.9%	265	70.5%
Single male parent	21	24.1%	111	29.5%
Race/Ethnicity				
Asian	1	1.1%	1	0.3%
Black	19	21.8%	30	8.0%
White	66	75.9%	342	91.0%
Other	1	1.1%	1	0.3%
Hispanic/Latino	50	57.5%	188	50.0%
Units by Bedroom Size				
0 bedroom	0	0	11	2.9%
1 bedroom	0	0	142	37.8%
2 bedroom	28	32.2%	115	30.6%
3 bedroom	36	41.4%	72	19.1%
4 bedroom	22	25.3%	32	8.5%
5+ bedroom	1	1.1%	4	1.1%

Source: Greeley Housing Authority * Totals may not match due to lack of information.

** A household may fall within more than one type

Because of the large number of people on the waiting lists – 424 for public housing and 744 for Section 8), the Housing Authority wait lists have been closed for the remainder of 2018. The Housing Authority's public housing units consist of six scattered-site single-family units and apartment units in three locations (Dominic Apartments on 1st Avenue; 17th Avenue Apartments; and 28th Street Apartments). These three apartment complexes offer two, three, and four-bedroom units and one five-bedroom unit at the 28th Street location. Units that are accessible for persons with disabilities are at the 17th Avenue and 28th Street locations.

Of the households on both wait lists, the largest groups are those that have incomes of 30.0% AMI or less. The wait list includes 424 households waiting for 86 units of public housing and another 744 households waiting for one of the 406 Section 8 vouchers.

Families with children make up the largest segment of the households wait for public housing and for vouchers. Of the households on the wait lists, 85.0% are Caucasian/White households. On both wait lists, families with children and households of Hispanic/Latino ethnicity are seeking assistance at higher rates than the poverty levels for these populations citywide.

Table 26: Greeley Housing Authority Waiting List Applicants – 2018*

	Public Housing		Vouchers	
Total Households	362		657	
Income Level				
30% AMI or less	287	79.2%	550	83.71%
30.1 – 50% AMI	71	19.6%	100	23.2%
50.1 – 80% AMI	2	0.005%	3	0.004%
Household Type**				
Families with children	355	98.07%	476	22.45%
Elderly	2	0.66%	35	5.33%
Families with disabilities	6	1.66%	242	17.9%
Race/Ethnicity				
Asian	1	0.28%	3	0.46%
Black	59	16.3	52	7.91%
Native American	0	0%	1	0.15%
White	302	83.43%	560	85.24%
Other	0	0%	2	0.30%
Hispanic/Latino	204	56.35%	362	55.1%

Source: Greeley Housing Authority, 2018. *Totals may not match due to lack of information.

** A household may fall within more than one type

The Housing Authority also manages two apartment complexes that were developed with Low Income Housing Tax Credits and HOME Investment Partnership Program funds, La Casa Rosa Apartments and Stage Coach Garden Apartments. La Casa Rosa offers fourteen one-and two-bedroom apartments for seniors 55 and older. Stage Coach Garden has thirty two- and three-bedroom apartments for households with low incomes. Housing Choice Vouchers may be used toward the rent at either location.

G. Property Tax Policies

In Colorado, disabled veterans and senior income-qualified households are eligible for a property tax exemption of 50.0% of the first \$200,000 of the value of their primary residence. (The property tax exemption for seniors was not funded for tax years 2009, 2010, and 2011; however, the property tax exemption was still in effect for disabled veterans.) There is also a deferment or postponement for the payment of property taxes on an owner-occupied residence for seniors. This tax deferral program captures the deferred taxes when the property is sold or title transferred, the owner dies or moves for a reason other than ill health, or when the property is rented and becomes a source of income.

Through the Greeley Urban Renewal Authority, the City of Greeley has five Tax Increment Financing (TIF) Districts, and one additional is operated through the Downtown Development Authority. These districts can provide tax increment financing for development or redevelopment in these areas, which can be particularly beneficial for industry and the creation of new jobs.

H. Boards and Commissions

The Greeley City Council has a policy of appointing community members that reflect the diverse character of the community to serve on voluntary boards and commissions. The council considers gender, minority status, occupation or experiences, and community geographic representation. There are four citizen boards or commissions that may address housing and/or protected populations in

Greeley, as noted below. Additionally, on an as needed basis, standing committees and/or focus groups may provide additional insight into issues of housing and community development.

- **Commission on Disabilities** promotes full inclusion and integration of people with disabilities into all parts of society. Five of the members must be individuals with a disability, one member must represent an employer, and one must be the parent of a minor with a disability.
- **Human Relations Board** fosters respect and understanding to promote amicable relations among all members of the Greeley community. There are 11 members, with eight appointed by the Greeley City Council, one by the University of Northern Colorado, one by Aims Community College, and one by Greeley/Evans School District Six
- **Planning Commission** makes decisions or recommendations on land use and zoning matters, including housing developments and planning documents, such as the Comprehensive Plan and all zoning regulations.
- **Greeley Urban Renewal Authority**, administrator of the City's CDBG and HOME grants, oversees a program of housing and neighborhood assistance to individuals with lower incomes and manages commercial rehabilitation and development within the urban renewal boundaries.

These groups include representatives of the Hispanic/Latino community, persons with disabilities, males and females, representatives of varying familial status, and various occupational backgrounds relative to housing and/or protected populations.

I. Building Codes and Accessibility

The City's Building Inspection office reviews plans, issues building permits, and inspects all work performed under a permit issued in residential units. The City has adopted the 2015 International Building Codes (with the exception of 2009 International Energy Conservation Code), with some local amendments. The International Code Council's (ICC) Accessible and Usable Buildings and Facilities (A117.1) provide standards for accessibility in multi-family housing developments. Items included in these standards are accessible building entrances on an accessible route; accessible common and public use areas; usable doors; accessible route into and thru the unit; light switches, outlets, thermostats and other environmental controls in accessible locations; reinforced walls in bathrooms for future grab bar installation; and usable kitchens and bathrooms. Units are categorized as Type A units, which are fully accessible, and Type B units, which are adaptable and can be made accessible in the future. The number of required accessible units (Type A) is at least two percent, but not less than one unit for buildings containing more than 20 dwelling units or sleeping units. If a structure has four or more units in it, all units must be Type B (adaptable) units. These standards are generally consistent with HUD's Fair Housing Accessibility Guidelines and the Federal Fair Housing Act (FFHA). There are exceptions to these standards based on whether elevator service is provided, the number of stories in the structure, and/or the existence of site slope constraints.

Under the Fair Housing Act, buildings with four or more units first occupied after March 13, 1991 must have an accessible entrance on an accessible route; public and common areas that are accessible; and doors and hallways wide enough for wheelchairs. Additionally, all ground floor units and all units in buildings with elevators must have an accessible route into and throughout the unit; accessible

switches, outlets, thermostats and other environmental controls; reinforced bathroom walls that allow for the installation of grab bars in the future; and kitchens and bathrooms usable by someone in a wheelchair.

Title II and III Regulations of the Americans with Disabilities Act (ADA), which went into law in 2011, require equal access to places of public accommodation and commercial facilities for persons that have a disability. This includes recreational areas such swimming pools, exercise rooms and equipment, golf courses, play areas, saunas and steam rooms, and boating or fishing platforms. These items are included in the 2010 ADA Standards for Accessible Design, which take into account design requirements for such things as children's needs and sizes, accessibility in parking garages, assembly areas, and circulation routes and pathways, and restroom design.

Some communities have adopted visitability standards or universal design standards as a way to increase the supply of housing units that are accessible for a person that has a disability. Visitability is designing single-family homes to allow the home to be lived in or be visited by an individual who has a disability. The principles of visitability are to have at least one entrance without a step, doors and hallways wide enough for a wheelchair to get through, and a first-floor bathroom large enough for a wheelchair to fit into and be able to close the door.

Universal design refers to the design of all products and environments to be usable by all people, without the need for adaptation or specialized design. The principles of this design are:

- Equitable design, usable by and appealing to all persons
- Flexible use design, to accommodate right or left-handed use
- Simple and intuitive features, eliminating unnecessary complexity in design
- Information that is perceptible for all persons, including those with a sensory limitation
- Inclusion of fail-safe features
- Features that minimize repetitive actions

These forms of standards and design are becoming more valuable to support an aging population with their housing needs. Greeley does not require visitability or universal design standards.

SECTION SIX – Evaluation of Private Sector Policies and Programs

A. Mortgage Lending Policies and Practices

Financial institutions that provide mortgage lending must comply with fair lending practices to ensure that discrimination does not occur through their lending policies and practices. The Community Reinvestment Act (CRA) encourages financial institutions to participate in community activities, particularly those that provide assistance to low and moderate-income areas in the communities in which they do business. Participation in area non-profits as board members or other volunteer work, making donations, providing classes, and generally, investing in their local community are examples of activities that lenders may provide and encourage of their employees.

Many area lenders participate in Colorado Housing and Finance Authority (CHFA) programs, as well as the government-backed FHA and VA loan programs. FHA private mortgage insurance requirements

now require a larger insurance premium up-front, as well as the premium required for the life of the loan, which makes these loans more costly to homebuyers. In some cases, conventional loans may now be more attractive than FHA loans, if buyers have the required down payment (which is a larger percentage than FHA).

Discrimination in mortgage lending is prohibited by the Federal Fair Housing Act, making it unlawful to engage in lending practices that discriminate on the basis of race, color, national origin, religion, sex, familial status, or disability. Discriminatory lending practices may include refusing to make a loan or provide information on loans; using different terms or conditions such as interest rates, points, or fees; how property is appraised; or refusing to purchase a loan – based on the applicant’s race, color, etc. The Federal Financial Institutions Examination Council (FFIEC) collects data and monitors mortgage lending in the United States through the Home Mortgage Disclosure Act Data (HMDA). The HMDA information used for this report is for government-backed loans (FHA, VA, FSA/RHS), as well as conventional loans for homes purchased, refinanced, and for home improvement loans in Greeley. The HMDA data for 2016 is summarized in the tables that follow. Loan applications submitted for Greeley properties totaled 10,299 in 2016. Of these, 72.82% of were originated, while 9.14% were denied.

Table 27: Status of Home Loan Applications: 2016

Status	Number	Percentage
TOTAL LOAN APPLICATIONS	10,299	100%
Loan Originated	7,500	72.82%
Application approved/not accepted by applicant	286	2.78%
Application denied by lender	941	9.14%
Application withdrawn by applicant	1,126	11.9%
File closed - incomplete	346	3.6%

Source: Home Mortgage Disclosure Act Data, Table 4-1 and 4-2, Reporting Year 2016

The status of home loan applications by race and ethnicity are summarized below. Native Americans had the lowest rate of loans originated and the highest denial rates. For Hispanic/Latino applicants, 63.8% had their loan originated while 23.4% had their loans denied. In contrast, non-Hispanic/Latino residents had a 75.4% loan origination rate and a 10.0% denial rate.

Table 28: Status of Home Loan Applications by Race and Ethnicity: 2016

Race	# Applications	Percent Originated	Percent Approved Not Accepted	Percent Denied
African American/Black	63	76.2%	2.1%	10.4%
Asian	166	75.9%	4.8%	11.1%
Caucasian/White	8,617	74.0%	3.7%	11.1%
Native American	62	72.6%	2.2%	13.3%
Pacific Islander	22	77.3%	5.9%	11.8%
Hispanic/Latino	1,439	63.8%	4.2%	23.4%
Non-Hispanic/Latino	7,406	75.4%	3.6%	10.0%

Source: Home Mortgage Disclosure Act Data, Tables 4.1 – 4.2, Reporting Year 2016

Note: other outcomes - a application being withdrawn or file closed due to incompleteness are not included in this data

The reasons most cited for loan denials are summarized below by race and ethnicity. For all races/ethnicities except Black/African Americans (with just one application denial), the debt-to-income ratio reason was 28% or higher.

Table 29: Home Loan Application Denial Rate (%) Reasons by Race and Ethnicity - 2016

Race / Ethnicity	# of Apps	Debt-to-Income Ratio	Job History	Credit History	Lack of Collateral	Insufficient Cash	Info. not Verified	Incomplete Credit App	Mort. Ins. Denied	Other
African American/Black	1				100%					
Asian	16	38%	6%	13%	19%		6%			19%
Caucasian/White	492	29%	3%	18%	15%	7%	9%	9%		10%
Native American	0									
Pacific Islander	3	34%						33%		33%
Other multi-racial	4	50%		50%						
Race not available	68	28%	1%	18%	12%	18%	6%	10%		7%
Hispanic/ Latino	103	30%	6%	16%	17%	10%	6%	2%		15%
Non-Hispanic/ Latino	399	29%	3%	18%	15%	6%	10%	11%		10%
Joint ethnicity-Hisp/non-Hisp	14	29%	7%	21%		14%	14%	7%		7%
Ethnicity not available	61	28%		20%	13%	15%	7%	11%		7%

Source: Home Mortgage Disclosure Act Data, Tables 8.1 – 8.2, Reporting Year 2016

Based on the HMDA information, Hispanic/Latino applicants appear to have higher rates of denial for mortgages than the entire applicant population. Debt-to-income ratios are the primary reason for denials for this ethnicity, followed by lack of collateral and credit history. There may be other factors (other than discriminatory practices) that contribute to the higher denial rates. (As noted in Table Nine, 23% of the Hispanic population have poverty level incomes.)

B. Real Estate Practices

The Greeley area has an active Realtor® association, which includes Realtors® and affiliate members. Affiliates include appraisers, lenders, title companies, and other businesses related to the real estate industry. The Realtor® Code of Ethics includes Article 10, which generally incorporates the same provisions as the Fair Housing Act. Membership in the local real estate community is diverse, with women, members of minority populations, and persons with disabilities represented. Many real estate agencies have staff that speak Spanish and/or have access to translation services. Members are typically active in the community and participate on City boards and commissions and on the boards of area non-profits.

SECTION SEVEN – Evaluation of Current Fair Housing Programs and Activities

A. Current Fair Housing Programs and Activities

The City of Greeley’s last AI was completed in 2013 for the 2015-2019 Five-Year Consolidated Plan. The following impediments were identified at that time:

- Housing discrimination
- Language and culture
- Transportation
- Lack of affordable housing units disproportionately affect some protected classes
- Higher mortgage loan denial rates for Hispanic/Latino households

The City implemented an Action Plan to work toward alleviating the identified impediments and reports annually to HUD on actions taken to lessen the effects of those impediments. The 2013 impediments and progress made to reduce their effects are noted below.

Housing discrimination

Because survey results and information from HUD during the 2013 Analysis indicated there were Greeley residents who believed they had been treated in a discriminatory manner (although not formally reported), housing discrimination was identified as an impediment. With the intent of better informing protected classes of their fair housing rights, the City provided information on fair housing to area agencies that work with protected classes and, when appropriate, as federal grant activities were implemented. Information provided has included the brochures, “They Told Us Not to Live Here” (in English and Spanish), updates in the Rental Housing Guide, and packets of fair housing brochures to personalize with agency information.

The City tracks the beneficiaries of its CDBG and HOME programs and reports on that data annually to HUD. Not all programs are housing-related.

Language and culture

The City is aware of the diversity of cultures within the community and works diligently to support that diversity in many ways. It has a large Hispanic population and is also home to a sizable refugee community. Spanish is still the second-most prevalent language spoken in Greeley; however, there are a number of other languages/dialects spoken by the refugee and immigrant community, but the numbers are not large.

Many cultural festivals and events are supported by the City, for example, Cinco de Mayo, a Menorah Lighting Ceremony, A Walk in Their Shoes (a simulated refugee experience), and a Dia de Los Muertos celebration. Diversity is also supported at the University of Northern Colorado (UNC), where seven resource and cultural centers are housed. In addition to providing many services to the student population, the different centers host events and bring nationally recognized speakers to campus. UNC also provides equity and inclusion trainings and consultations to that academic community. The Immigrant and Refugee Center of Northern Colorado assists refugees and immigrants with the challenges of adapting to a new community through programs in education, health, finance, culture, and civil and human rights.

The City's website can be translated into a number of different languages, and the City has an adopted Administrative Rule regarding Limited English Proficiency (LEP). A Four-Factor Analysis was also conducted and verified the need for translation of documents into Spanish. Ads dealing with the federal grant processes are published in English and Spanish, and the City has a number of bi-lingual employees to assist Spanish-speakers.

The Housing Authority also provides publications in Spanish, as do many of the area agencies and organizations. Connections for Independent Living provides sign language interpreting services for those whose primary method of communication is sign language.

Transportation

Transportation was identified as a barrier for households that do not have their own transportation. The proximity of housing locations to bus routes and bus stops has a significant bearing on a household's options for housing. Because city bus routes do not extend to the far west boundaries of the city, housing options may be restricted to other areas of the Greeley. (Neighborhoods in west Greeley, for the most part, are neighborhoods where residents predominantly have incomes that exceed 80% of the AMI; transportation is not such an issue for higher income earners.)

Helping to alleviate transportation as an impediment, the City provides a number of no-cost or low-cost options for users of the transportation system in the community. Those include a free pass for students, door-to-door paratransit service for persons who qualify under the Americans with Disabilities Act of 1990 with a ticket booklet for significant savings, and a discount card that allows seniors and individuals with disabilities to take advantage of discounted fares. It also provides free passes to agencies with low-income clientele through the United Way.

Lack of affordable housing units disproportionately affect some protected classes

The 2013 Analysis of Impediments identified a lack of units for large families as an impediment. It cited families with children, families headed by a single parent, households that have a disabled member, and households of Hispanic/Latino origin as populations residing in Housing Authority units, using Section 8 vouchers, or are on the waiting lists for assisted housing at greater rates than these populations city-wide. The Analysis noted those populations could benefit from additional affordable housing geared to their needs, particularly units with three or more bedrooms.

Since publication of the 2013 Analysis, new developments have been constructed that increased the number of three-bedroom units available in the community, including Mission Village and Porter House Apartments.

While the lack of affordable housing alone is not a fair housing issue, the lack of affordable units may disproportionately keep protected classes congregated in locations east of 35th Avenue where the majority of the affordable units are located. The City's Urban Renewal Authority has policies designed to encourage the development and dispersal of affordable housing throughout all areas of the community. GURA continues to adhere to all directives issued by HUD for the administration of the Community Development Block Grant Program and the HOME Investment Partnership Program.

Information from agencies that work with low-income and homeless person continue to share that a lack of affordable housing remains a problem for low-income persons, particularly those trying to exit

homelessness. Within the City, there are a number of agencies that provide shelter and other assistance, some of which are highlighted below:

- Catholic Charities provides shelter and services for the homeless at its Guadalupe Community Center location in Greeley. There are 24 beds for men, six beds for women, and six separate family rooms. There are also beds designated for veterans.
- A Woman's Place provides emergency shelter for victims of domestic violence and their children. Shelter stays have become longer, due to a lack of other available housing, particularly for large families.
- The Greeley Transitional House provides shelter for homeless families and transitional housing for qualified families that exit the shelter.
- Migrant Farm Labor offers housing to seasonal farm workers in the area in 144 bedrooms at Plaza del Sol, as well as to year-round farm or agricultural workers and their families at Plaza de Milagro's 39 apartments. The units at Plaza del Milagro and Plaza del Sol are conveniently located to Leprino foods, a large cheese factory with high demand for dairy production workers. Leprino opened in 2011, completed its last addition in 2017, and provides about 550 agricultural-related jobs to the area.
- In October 2018, the seventh annual Weld Project Connect event, organized by United Way of Weld County, offered services to 850 Weld County residents assisted by early 500 volunteer "navigators" who helped guide them to the various services available. The event is sponsored by many local agencies, businesses, and entities and offered services that ranged from medical and dental screenings, to veterans services and legal advice. Fair housing surveys were offered to approximately 50 people prior to the event's start.

Greeley continued to conduct an annual Point-in-Time Count (PIT) of Greeley's sheltered and unsheltered homeless population, with the most recent completed in January 2018. One hundred sixty-four persons staying in one of the areas shelters (A Woman's Place, Guadalupe Community Center, and Greeley Transitional House) or transitional housing units (Camfield Corner Apartments, North Range Behavioral Health Transitional Housing) were interviewed, as were ninety unsheltered people.

Table 30: Point-in-time Survey: 2018

Location	Number of Homeless
A Woman's Place (shelter for survivors of domestic violence)	30 (12 adults; 18 children)
Greeley Transitional House (family shelter)	42 (20 adults, 22 children)
Guadalupe Community Center (general shelter)	40 (28 adults, 12 children)
Camfield Corner Apartments	35 (16 adults, 19 children)
North Range Behavioral Health Transitional Housing	17 (17 adults, no children)
On the street	90 (90 adults, 0 children)
TOTAL	254 (183 adults, 71 children)

Source: Point-in-Time Survey, January 2018

Higher mortgage loan denial rates for Hispanic/Latino households

While higher mortgage loan denial rates for Hispanic/Latino households was identified as an impediment, the City has no control over the mortgage loan application process. The mortgage loan industry has its own systems in place to identify issues.

Language barriers were identified as an impediment in the last two Analysis of Impediments to Fair Housing reports (2007 and 2013). The diversity in the community has continued to increase, as has the number of persons whose primary language is not English (76.3% identified as speaking on English in 2011; the number was down to 74.9% in 2016). Spanish is still the second-most prevalent language, but all identified languages saw some increase over the last five years. The Immigrant and Refugee Center of Northern Colorado (formerly the Global Refugee Center) opened in 2008 to assist immigrants and refugees with the challenges of retaining their own culture while adapting to a new community. It merged in 2017 with Right to Read and offers programs in education, health, finance, culture and civil and human rights.

Table 31: Language Spoken at Home: Population of 5+ years of age

Language	Number	% of Population
Speak Only English	68,904	74.9%
Speak Language other than English		
Spanish	20,551	22.3%
Indo-European	799	0.9%
Asian, Pacific Island Languages	1,158	1.3%
Other	591	0.6%
TOTAL	92,003	100%
Source: U. S. Census 2007 – 2011 and 2012 – 2016 American Community Survey		

The awareness level of the potential for language barriers has been increasing. Many of the agencies and organizations have bi-lingual staff or have access to translation services; however, rental and leasing agents and landlords may not have these language services available for prospective tenants who do not speak English. The Housing Authority provides publications in Spanish, as do many of the area agencies and organizations. Connections for Independent Living also provides sign language interpreting services for those whose primary method of communication is sign language.

The City of Greeley adopted an Administrative Rule regarding Limited English Proficiency or LEP, in 2011. The Urban Renewal Authority has since adopted this rule for use as its LEP policy for the Housing Rehabilitation and other housing programs. This Administrative Rule also provides guidance in working with individuals who are hearing or vision impaired, with service animals, and in securing translation services – either from bi-lingual employees, or through Language Line Services, which provides translation for over 200 languages. This rule provides detailed information to employees in providing translation assistance, and other forms of assistance. It also states the City's hiring preference for bilingual persons for positions that require a significant amount of public contact.

B. Other Fair Housing Organizations/Assistance

The Colorado Civil Rights Division is the designated Fair Housing Assistance Program (FHAP) for Colorado. CCRD investigates all housing discrimination complaints for HUD in Colorado. CCRD provides information and training sessions on fair housing at various locations throughout the state.

Colorado Legal Services (CLS) also provides assistance with housing discrimination inquiries to low and moderate-income persons. CLS has 13 offices statewide, (one of which is in downtown Greeley) and responds to legal issues and questions, including landlord-tenant issues and housing discrimination. This office serves residents of Morgan, Washington, Weld (including Greeley), and Yuma counties. CLS refers potential housing discrimination cases to HUD or to the CCRD for investigation.

The City of Greeley's Neighborhood Resources office operates the Community Mediation program for Greeley residents. The intent of this program is to "build strong neighborhoods by empowering residents to resolve disputes peacefully". Landlord/tenant conflicts are eligible for mediation services. The City also publishes the Rental Housing Guide for Landlords and Tenants. This guide includes a section on fair housing and renters with disabilities. This guide offers useful information for rental properties. The City's Operation Safe Stay program, started in December 2005, also provides fair housing information and training for member businesses, including owners and operators of apartment complexes and hotels/motel. While the focus of Operation Safe Stay was originally on safety at area hotels and motels, the principles of the program were expanded to include rental properties. For 2018, there were 69 active participants representing more than 6,000 rental units participating in Operation Safe Stay.

SECTION EIGHT – Impediments & Fair Housing Action Plan

It is evident that the Greeley community works hard to foster a culture of diversity and racial tolerance. Fair housing issues, while they certainly exist, do not appear to be severe. Housing challenges for the community are more centered around factors that do not violate fair housing laws: High cost of both rental and for-sale housing; insufficient financial resources that negatively affect the ability of low-income persons to obtain housing; and the lack of housing availability for all income levels. Those factors may affect protected classes in greater numbers and contribute to the perception that discrimination has occurred.

Many comments received on the surveys had to do with what is perceived to be discrimination, but were not fair housing issues under the law. Those issues have been noted in the Analysis because they are legitimate concerns with regard to housing availability in Greeley, but are not included as an impediment or made part of the Fair Housing Action Plan.

A. Impediments to Fair Housing Choice

After reviewing the impediments cited in the 2013 report, statistical and demographic information, the survey results, and other information provided for the 2018 update to the Analysis of Impediments study, it was determined that there are no new impediments to fair housing in Greeley. The goals and actions of the 2013 Fair Housing Action Plan have been modestly updated and refined, and the City will continue to address them during the years 2020-2024. Impediments follow:

- 1. Discrimination due to race, color, national origin, or ancestry or disability:** Housing discrimination appears to be taking place in Greeley to some degree, particularly in rental housing, for reasons of race, ethnicity, color, national origin, or ancestry. Greeley has a high percentage of its population that identifies as of the Hispanic ethnicity or a race other than

Caucasian, which increases the possibility of discrimination occurring due to these factors. Having a disability, either mental or physical, was also cited by a high percentage of persons completing the survey and in the formal complaints filed with HUD during the last five year as a reason for discrimination. Denial of reasonable accommodation and/or service animals were particularly noted as reasons the person felt discriminated against.

While being a low-income person does not provide protection under fair housing laws, the high percentage of minorities in Greeley with a low-income (reference Table 9) could create a means for veiled discrimination and should be considered a subset of the first impediment. Seventeen percent of survey responses cited income as the reason they felt they had encountered discrimination. Coupled with the high number of minorities with low-income in the community, the possibility of discrimination increases for the minority populations.

- 2. Language and culture:** Language and cultural barriers to fair housing choice are an impediment. With the location of refugees and immigrants in Greeley from many nations and the high number of persons who speak Spanish, the need for translation services and a better understanding of cultural differences will not only continue to be important, but a lack could impede fair housing choice.
- 3. Transportation:** Transportation is a barrier for households that do not have their own transportation, particularly if public transportation is not easily accessed.
- 4. Lack of affordable housing units disproportionately affect some protected classes:** Families with children, families headed by a single-parent, households that have a disabled member, and households of Hispanic/Latino origin are residing in Housing Authority units, using Section 8 vouchers, or are on the waiting lists for assisted housing at greater rates than these populations city-wide and could benefit from additional affordable housing geared to their needs.
- 5. Higher mortgage loan denial rates for Hispanic/Latino households:** The reasons behind these higher loan denial rates may not be discriminatory, but since this cannot be fully established from the available HMDA data, it is a consideration that should be noted and monitored. The City cannot control the private real estate and loan market, but it can monitor the participants in city-sponsored or funded programs, such as G-Hope and Habitat for Humanity and encourage minority ownership.

Fair Housing Action

This Fair Housing Action Plan is intended to establish a framework for improving fair housing choice over the next five years.

Table 32: Fair Housing Action Plan

Impediment 1: Housing Discrimination				
Goal	Actions	Participants	Timeframe	Measure
Increase awareness and understanding of fair housing and housing discrimination	1A. Promote distribution of information to real estate industry, owners and managers of apartments, and lending industry through public awareness events, written materials, or other means	GURA Greeley real estate community Property managers UNC Housing CCRD & HUD	Ongoing	- Number of events held or number of information pieces distributed - Number of attendees or persons receiving informational material
	1B. Promote distribution of information to housing providers including Housing Authority and housing nonprofits through awareness events, written materials, or other means	GURA Housing Authority Housing nonprofit agencies CCRD & HUD	Ongoing	- Number of events held or number of information pieces distributed - Number of attendees or persons receiving informational material
	1C. Encourage Housing Authority and housing non-profits to hold awareness events for residents	Housing Authority Housing nonprofit agencies CCRD & HUD	Ongoing	Number of events held or number of informational pieces distributed
	1D. Monitor City publications that include information on fair housing (Rental Guide, Operation Safe Stay, etc.) to state protected classes and update as needed	Neighborhood Resources GURA	Ongoing, as needed	Number of publications updated
Impediment 2: Language and Culture				
Goal	Actions	Participants	Timeframe	Measure
Improve access to services for persons who have Limited English Proficiency (LEP)	2A. Continue to follow the City's Administrative Policy as the LEP plan for all GURA programs	GURA	Ongoing	Number of forms and documents provided in a language other than English
	2B. Encourage the adoption of the City's LEP Plan (or similar) for all agencies funded through CDBG and HOME funds	GURA Sub-recipient agencies	Ongoing	Number of Sub-grantee agencies that adopt or create an LEP
	2C. Support and promote activities and programs of the Immigrant and Refugee Center of Northern Colorado (IRC)	City of Greeley GURA Neighborhood Resources	On-going	Number of activities supported (financial or in-kind support)

Impediment 3: Transportation				
Goal	Actions	Participants	Timeframe	Measure
Improve access to public transportation	3A. Continue to provide funding for bus tokens to non-profit agencies for distribution to households without their own transportation	Public Works/GET Non-profit agencies	On-going	Number of bus tokens distributed annually
	3C. Continue to provide reduced-cost bus tokens to persons who are elderly or disabled	Public Works/GET Non-profit agencies	On-going	Number of bus tokens distributed annually
	3B. Promote the location of housing with convenient access to public transportation	City Planning Public Works/GET GURA	On-going	Number of new housing units on bus routes
Impediment 4: Lack of affordable housing units disproportionately affect some protected classes				
Goal	Actions	Participants	Timeframe	Measure
Increases supply of affordable and accessible housing dispersed in the community	4A. Provide additional housing for persons with disabilities by directing funding to developments that support this population, both rental and for sale units	GURA GCI Connections Private developers	Ongoing	Number of new accessible units
	4B. Promote retention of existing housing stock by supporting housing rehab for accommodations for persons with disabilities	GURA City of Greeley	Ongoing	Number of rehabs completed for persons that are disabled
	4C. Encourage additional affordable housing units for larger families by directing funding for rental and for-sale units	GURA City of Greeley Non-profit housing agencies	On-going	Number of new affordable units (rental and for-sale)
	4D. Continue to support Habitat for Humanity through HOME funds	GURA Habitat	On-going	Number of units completed and sold
Impediment 5: Higher mortgage loan denial rates for Hispanic/Latino households				
Goal	Actions	Participants	Timeframe	Measure
Promote homeownership opportunities in City programs and support of Habitat for Humanity	5A. Work with area real estate community to keep them informed of new or existing homeownership opportunities that could be accessed by Hispanic/Latino households	GURA Greeley real estate professionals	On-going	Annual number of loans provided through City or Habitat programs to Hispanic/Latino households

SECTION NINE – Signature Page

I certify that this Analysis of Impediments to Fair Housing Choice for the City of Greeley has been approved by the Greeley City Council on _____, 2019.

John Gates, Mayor

Date

SECTION TEN - Appendix

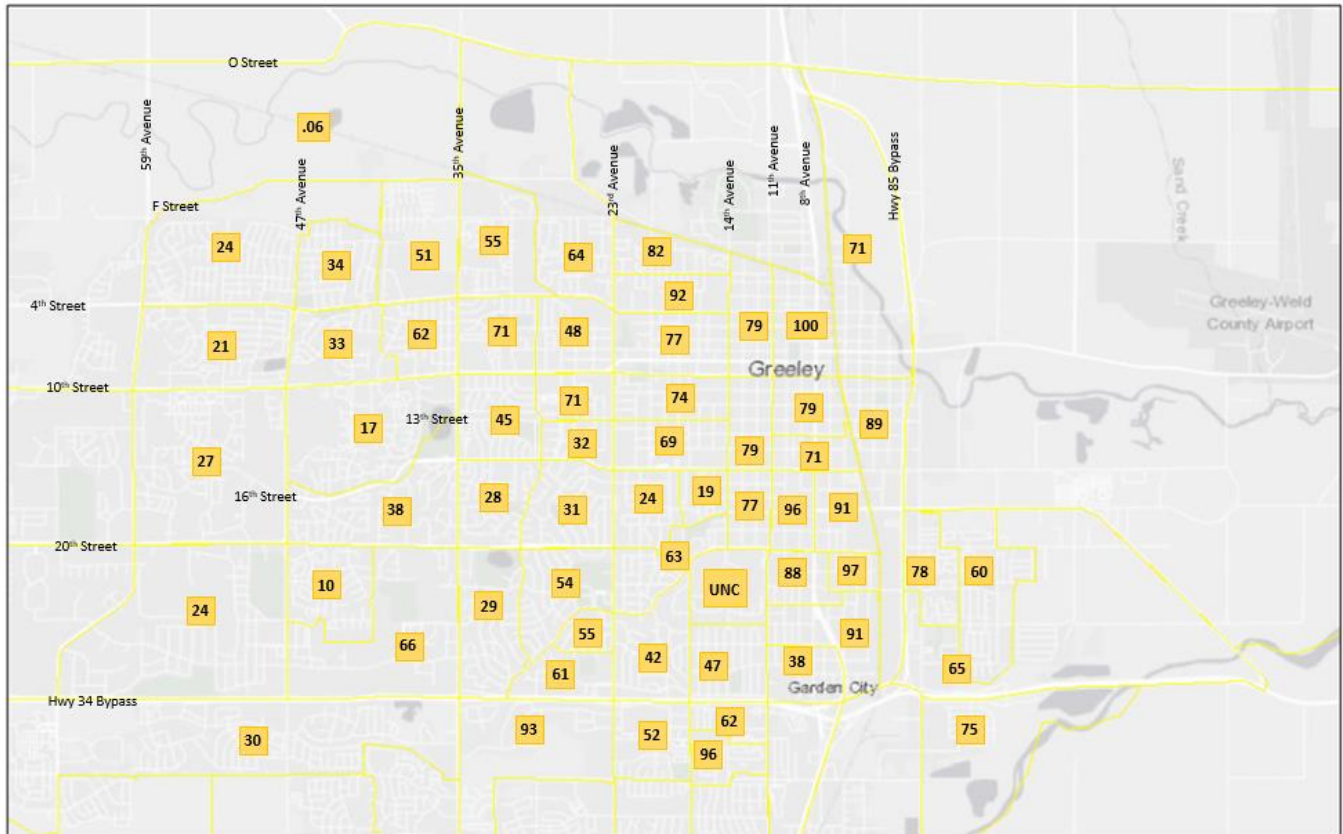
A. Maps

1. Census Tracts
2. Census Tract with income percentage
3. Redevelopment District
4. Racial and ethnic minority concentration
5. Demographics and poverty
6. City parks and other recreational and community facilities
7. Greeley-Evans Transit (GET) routes and Weld County Employment Services locations
8. Publicly supported housing and race/ethnicity
9. Location of affordable rental housing

B. Fair Housing Survey

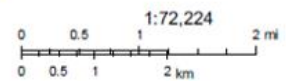
Map 2 – Low-income Census Tracts (Percentage of LMI noted)

CPD's 2014 Updated LMISD



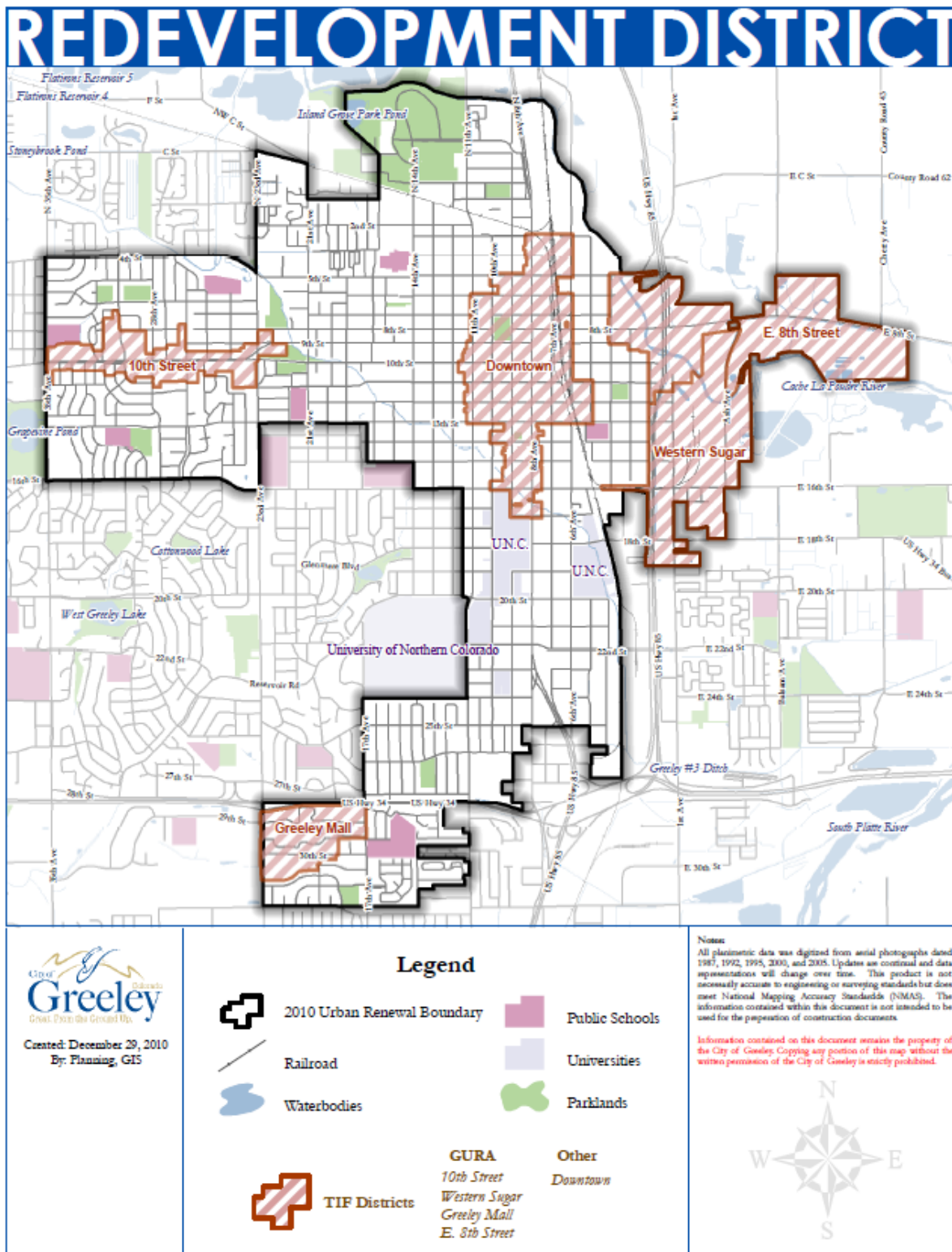
February 28, 2018

% of Block Group that is LMI



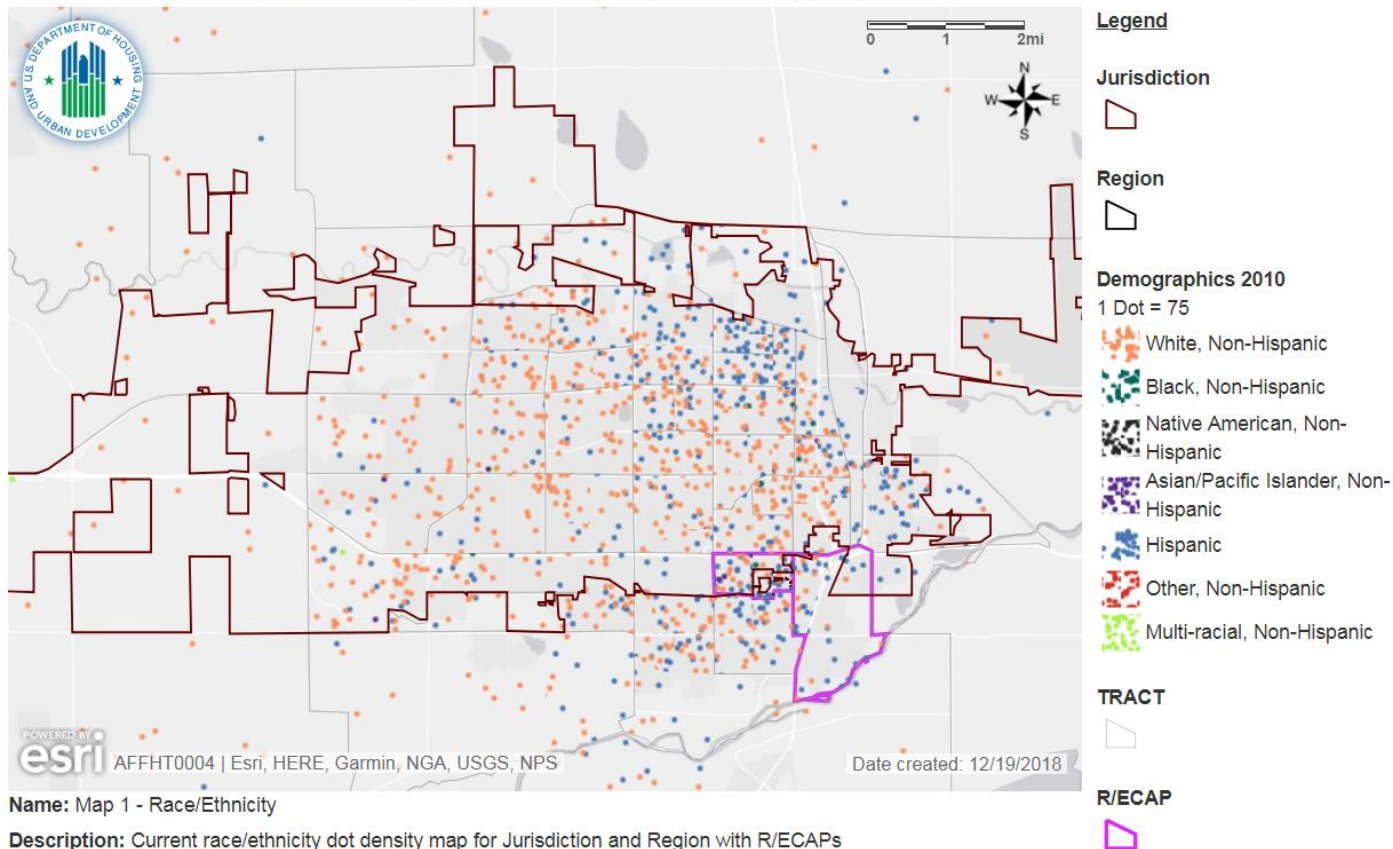
Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

Map 3 – Redevelopment District



Map 4 - Racial and ethnic minority concentrations

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



Name: Map 1 - Race/Ethnicity

Description: Current race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs

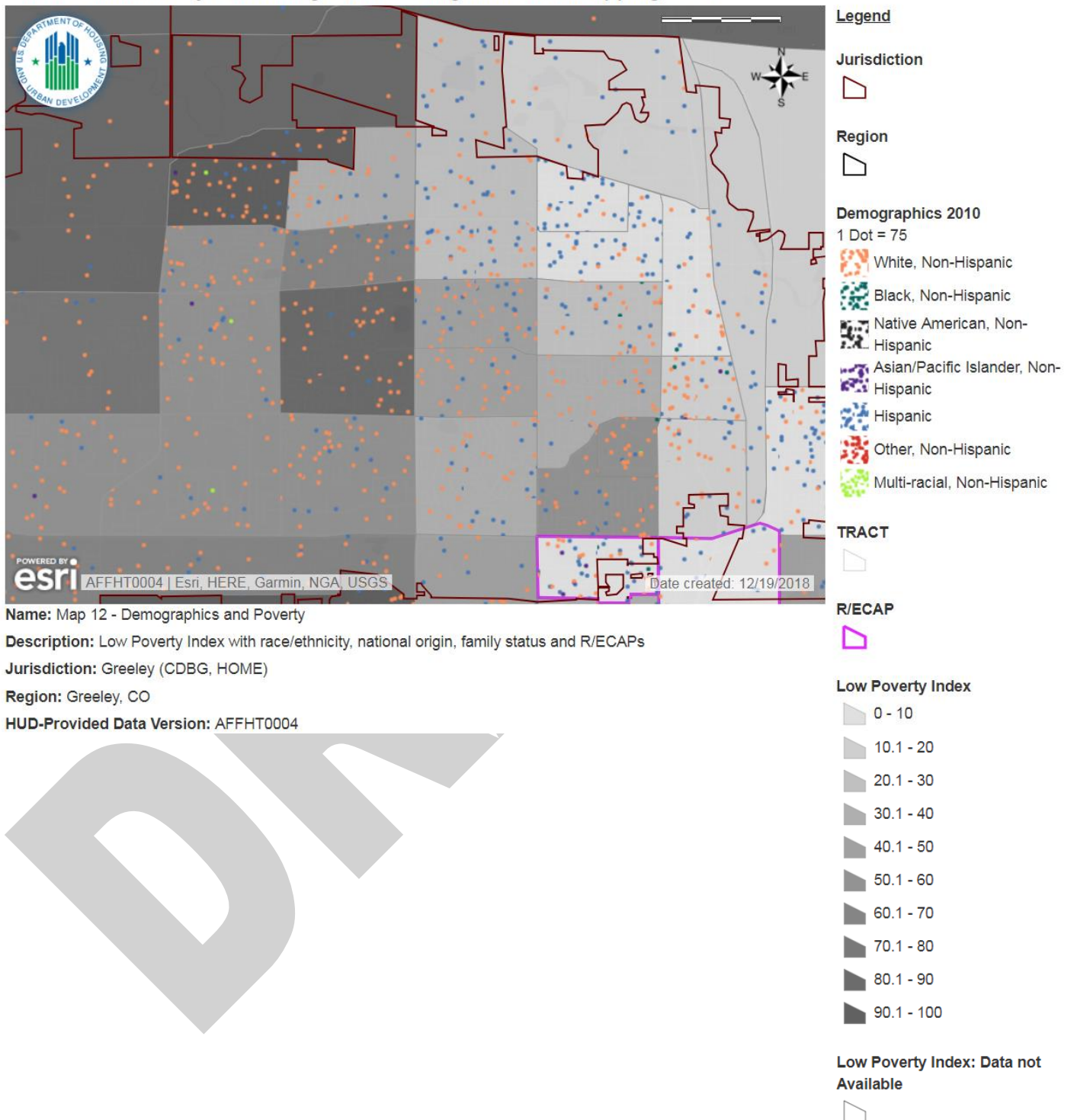
Jurisdiction: Greeley (CDBG, HOME)

Region: Greeley, CO

HUD-Provided Data Version: AFFHT0004

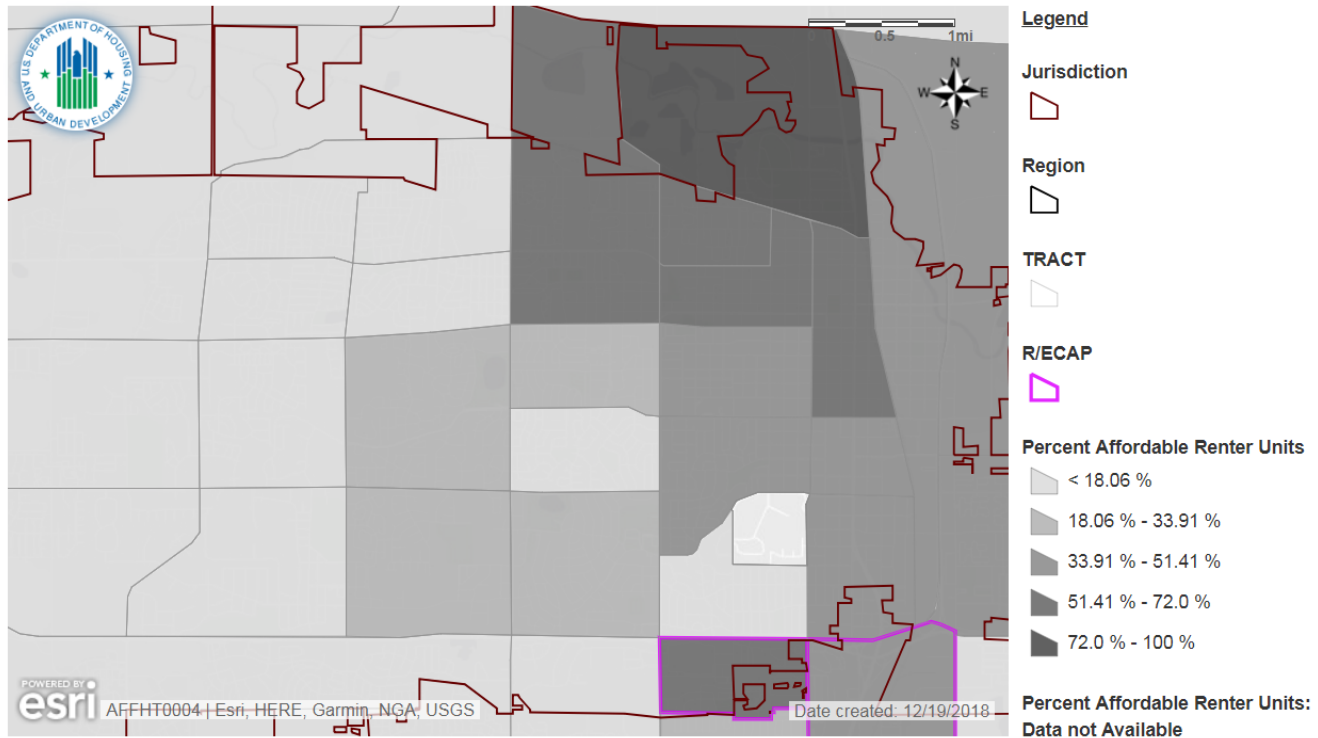
Map 5 – Demographics and poverty

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



Map 6 – Location of affordable housing

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



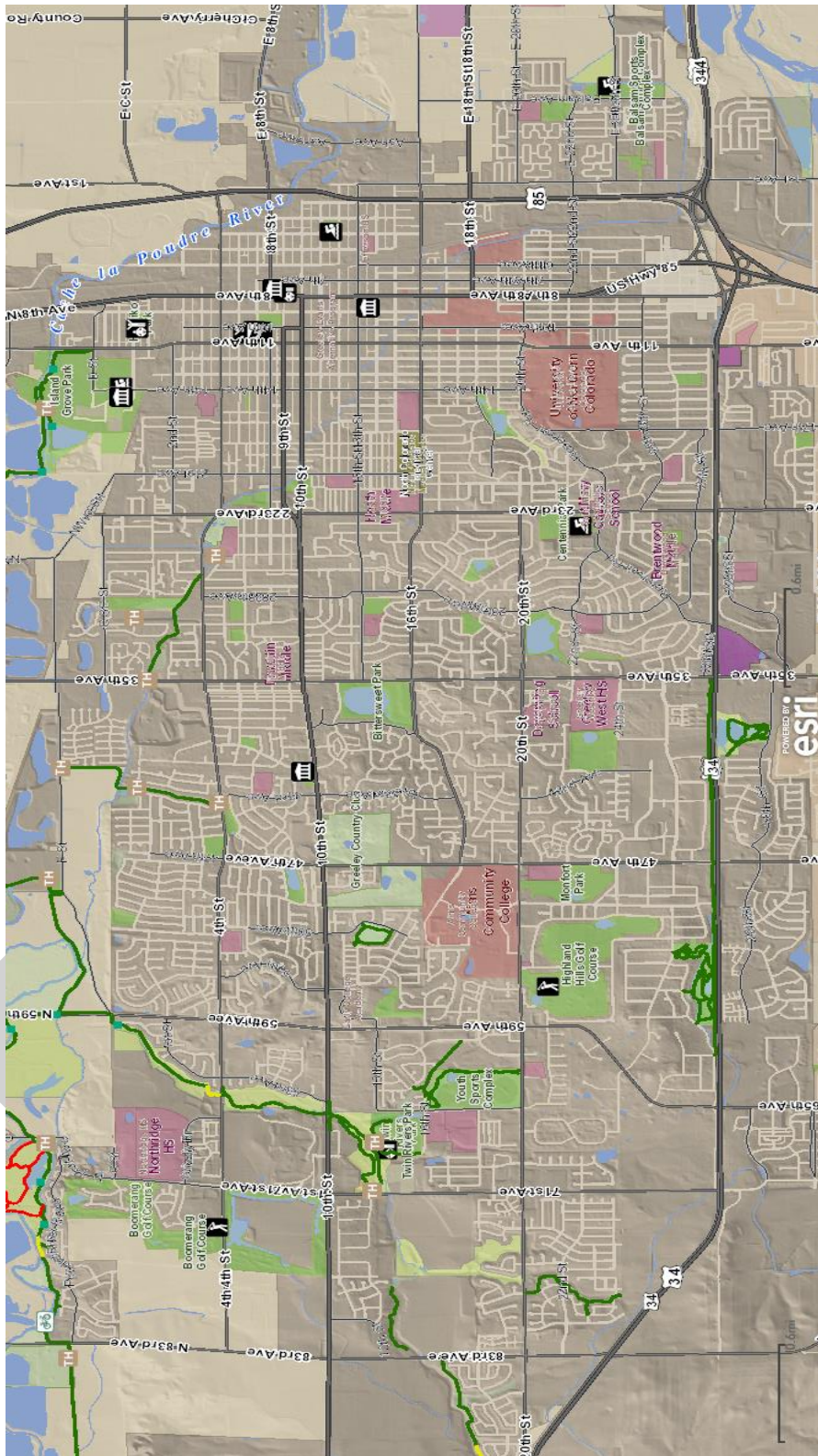
Name: Map 17 - Location of Affordable Rental Housing (% Rental Units Affordable to 50% AMI)

Description: Map of percent of rental units affordable, defined as units renting at or less than 30% of household income for a household with income at 50% of AMI.

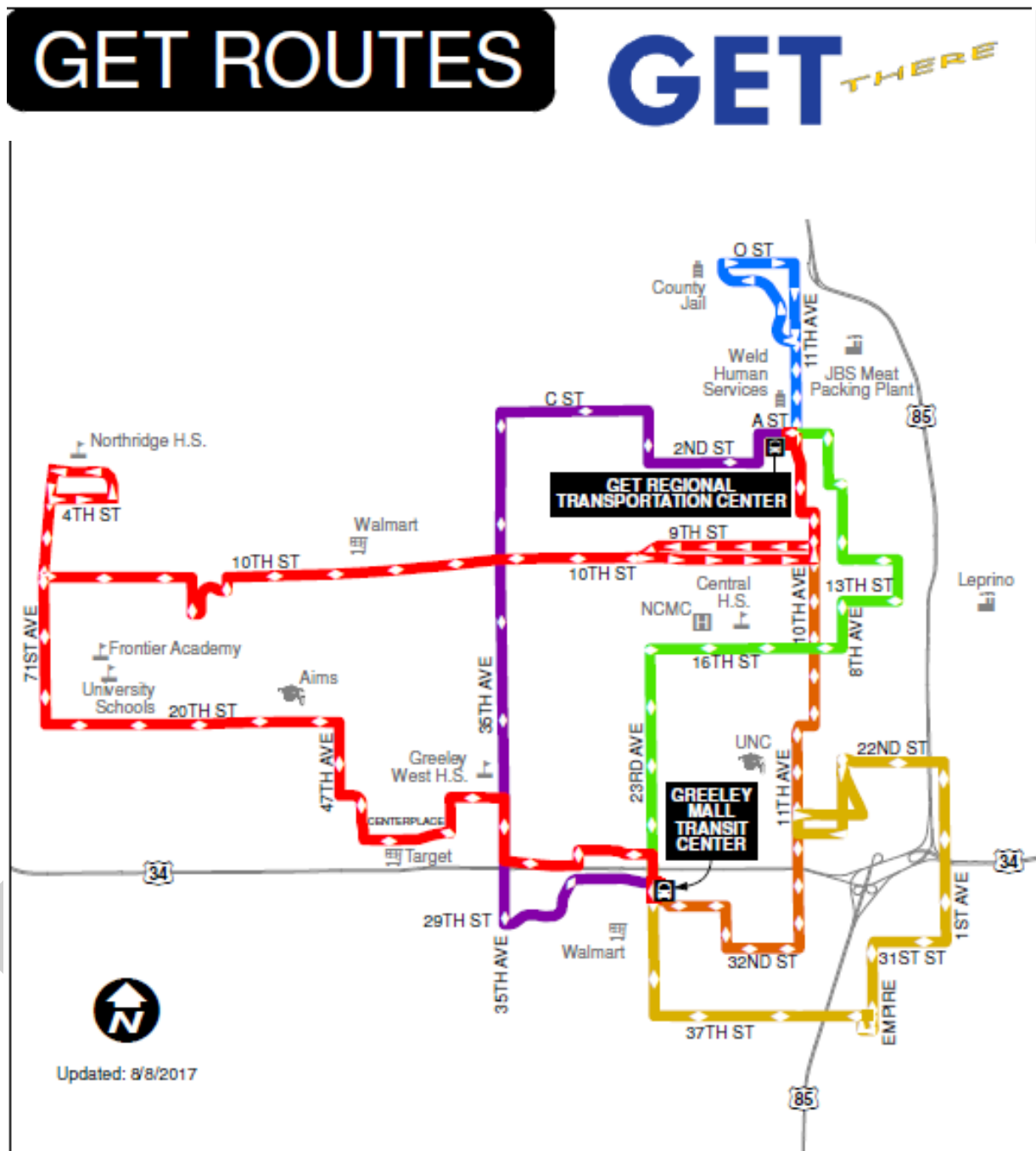
Jurisdiction: Greeley (CDBG, HOME)

Region: Greeley, CO

Map 7 - City parks, recreation facilities, and trails

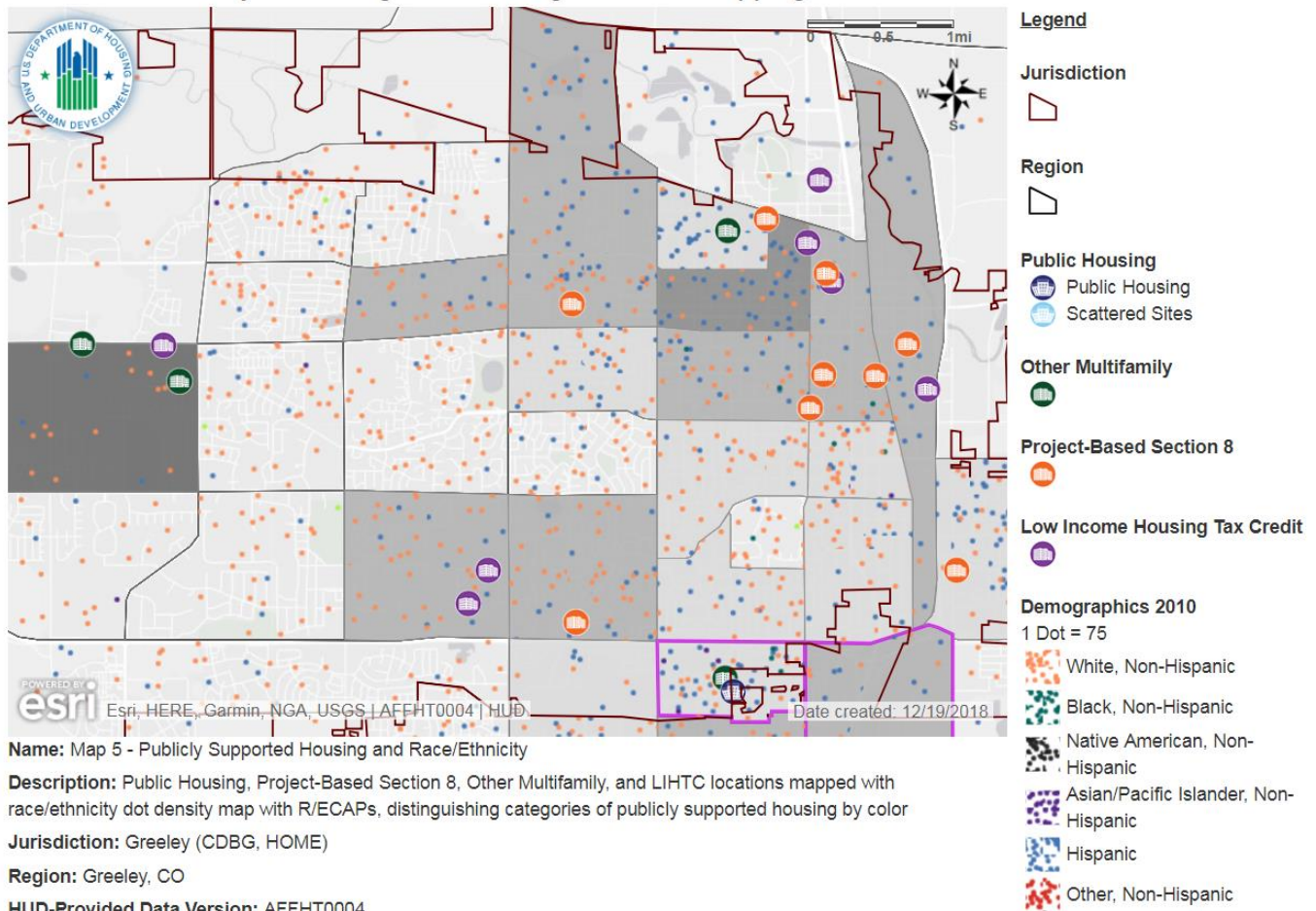


Map 8 – Greeley-Evans Transit (GET) routes



Map 9 – Publicly supported housing and race/ethnicity

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



Fair Housing Survey for Greeley Residents

The City of Greeley is conducting a study to evaluate fair housing conditions in the community and is interested in gathering information from residents on any experience they may have had with housing discrimination. Your input is needed to provide a clear picture of the situation, which will in turn assist in developing a plan to improve equal and fair housing choice for all residents. Please take a few minutes to fill out this survey. Your answers will be kept confidential. You can also respond to the survey on-line at www.greeleygov.com. For additional information, or to request the survey in a form other than written English or Spanish, please contact: Carol Larsen, 970.336.4166, carol.larsen@greeleygov.com.

1. Please identify the ZIP code of your residence. _____

2. Have you ever encountered any form of housing discrimination in Greeley?

- ☐ YES
☐ NO
☐ NOT SURE

(If YES or NOT SURE, proceed to questions 3-7. If NO, skip to question 8.)

3. If yes, which of the following best describes the person responsible for discriminating against you?

- ☐ A landlord/property manager
☐ A real estate agent
☐ A lending institution
☐ Other: _____

4. Which of the following best describes the location where the act of discrimination occurred?

- | | |
|---|---|
| ☐ An apartment complex
☐ A single-family neighborhood
☐ A condominium or townhome development
☐ When applying for a loan | ☐ A trailer or mobile home park
☐ A public or subsidized housing project
☐ Other |
|---|---|

Examples of discrimination include:

- A rental advertisement that says, "Perfect for couples or singles without children" or "No Pets" without an exception for service animals.
- A real estate agent "steers" you to houses in neighborhoods different than the ones you have requested and think you can afford.
- A landlord refuses to let you install a ramp in your shower (at your own accommo

TRACT

R/ECAP

Percent Voucher Units

- ☐ < 4.68 %
- ☐ 4.68 % - 8.13 %
- ☐ 8.13 % - 12.7 %
- ☐ 12.7 % - 18.06 %
- ☐ 18.06 % - 100 %

5. Please explain how you believe you were discriminated against:

6. On what basis do you believe you were discriminated against? Check all that apply:

- | | |
|--|---|
| ☐ Race | ☐ Family Status (e.g. due to children) |
| ☐ Color | ☐ Marital Status |
| ☐ National Origin | ☐ Disability |
| ☐ Ancestry | ☐ Sexual Orientation |
| ☐ Religion | ☐ Gender |
| ☐ Creed | ☐ Age |
| ☐ Source of Income (i.e. welfare) | ☐ Other: _____ |

7. Did you report the incident?

- ☐ YES - If Yes, who did you contact? _____
- ☐ NO - If No, why not?
- | | |
|---|--|
| ☐ Don't know where to report | ☐ Afraid of retaliation |
| ☐ Too much trouble | ☐ Don't believe it makes any difference |
| ☐ Other: _____ | |

8. Have you ever been denied "reasonable accommodation" (flexibility) in rules, policies, or practices that you required to accommodate a disability related to housing?

- ☐ YES ☐ NO

If YES, what was your request? _____

9. Other than those noted in item six, are there other factors that limit your housing options in Greeley? Check all that apply.

- | | |
|--|--|
| ☐ Language barriers | ☐ Lack of public transportation |
| ☐ Lack of housing units | ☐ Housing codes/occupancy limits |
| ☐ Lack affordable housing | ☐ Lack of accessible housing |
| ☐ Income/credit score | ☐ Community perceptions (of income level, my race/ethnicity, of persons requiring a affordable housing, etc.) |

10. How informed are you about housing discrimination laws?

- ☐ Very well informed ☐ A little informed ☐ Somewhat informed ☐ Not informed

11. Do you believe that housing discrimination occurs in Greeley and, if so, what types of discrimination problems do you think are the worst? _____

Your input is greatly appreciated!

Please return the survey by December 1, 2018 to:

Carol Larsen, Greeley Urban Renewal Authority, 1100 10th Street, Suite 201, Greeley, CO 80631
970.336-4166 (phone), 970.350-9895 (fax), carol.larsen@greeleygov.com

Encuesta de equidad de vivienda para residentes de Greeley

La ciudad de Greeley está llevando a cabo un estudio para evaluar las condiciones de vivienda en la comunidad y está interesada en recopilar información de los residentes en cualquier experiencia que puedan haber tenido con discriminación en la vivienda. Tu aporte es necesario para proporcionar una imagen clara de la situación, que ayudará a desarrollar un plan para mejorar la elección de viviendas iguales y justas para todos los residentes. Por favor tome unos minutos para completar esta encuesta. Sus respuestas se mantendrán confidenciales. También puede responder a la encuesta en línea en www.greeleygov.com. Para obtener más información, o para solicitar la encuesta en una forma que no sea escrito inglés o español, por favor póngase en contacto con: Carol Larsen, 970.336.4166, carol.larsen@greeleygov.com.

1. Por favor identificar el código postal de su residencia. _____

2. Se ha encontrado alguna forma de discriminación en la vivienda en Greeley?

- ☐ Sí
☐ NO
☐ No estoy seguro

(Si sí o no está seguro, vaya a preguntas 3-7. Si NO, pase a pregunta 8.)

3. En caso afirmativo, cuál de las siguientes mejor describe la persona responsable de discriminar contra usted?

- ☐ Un propietario/administrador
☐ Un agente de bienes raíces
☐ Una institución de prestamos
☐ Otro: _____

Ejemplos de discriminación:

- Un anuncio de alquiler que dice: "Perfecto para parejas o solteros sin hijos" o "No mascotas" sin excepción para animales de servicio.
- Un agente de bienes raíces "dirige" viva en vecindarios diferentes de las que ha solicitado y cree que usted puede proporcionar.
- Un propietario le niega a dejarle instalar una rampa en la ducha (por su propia cuenta) para acomodar su incapacidad.

4.Cuál de los siguientes describe mejor el lugar donde se produjo el acto de discriminación?

- | | |
|---|---|
| ☐ Un complejo de apartamentos | ☐ Un parque de remolque o casa móvil |
| ☐ Un desarrollo de condominio o casa | ☐ Un proyecto de vivienda público o subsidiado |
| ☐ Al solicitar un préstamo | ☐ Otro: _____ |

5. Por favor, explicar cómo cree que fue discriminado:

6. ¿En qué cree usted que fue discriminado? Marque todas las que aplican:

- | | |
|--|--|
| ☐ Raza | ☐ Situación familiar (por ejemplo, por niños) |
| ☐ Color | ☐ Adjetivo marital |
| ☐ El origen nacional | ☐ Discapacidad |
| ☐ Ascendencia | ☐ Sexual orientar |
| ☐ Religión | ☐ Género |
| ☐ Credo | ☐ Edad |
| ☐ Fuente de ingresos (ejemplo, bienestar) | ☐ Otro: _____ |

7. ¿Reporto el incidente?

- ☐ ¿Sí - si sí, quien contacto? _____
- ☐ NO - Si No, ¿por qué no?
- | | |
|---|--|
| ☐ No sabe donde informar | ☐ Miedo de la represalias |
| ☐ grande problema | ☐ No creo que haga diferencia |
| ☐ Otro: _____ | |

8. ¿Le han negado "ajustes razonables" (flexibilidad) en las normas, políticas o prácticas que se requieren para dar cabida a una discapacidad relacionada con vivienda?

- ☐ Si ☐ No

Si Si, que fue lo que pedia? _____

9. ¿Que no sean las mencionadas en el punto seis, existen otros factores que limitan sus opciones de vivienda en Greeley? Marque todas las que aplican.

- | | |
|--|--|
| ☐ Lenguaje barrera | ☐ Falta de transporte público |
| ☐ Falta de unidades de vivienda | ☐ Límites de los códigos/ocupación vivienda |
| ☐ Grave falta de viviendas accesibles | |
| ☐ Ingresos/ crédito <u>puntuación</u> | ☐ Comunidad perceptions (del nivel de ingresos, mi raza/origen étnico, de las personas que necesitan vivienda, etcetera.) |

10. ¿Que informado está sobre las leyes de discriminación de vivienda?

- | | |
|---|---|
| ☐ Eso bien informado | ☐ lo poco informado |
| ☐ Un tanto informado | ☐ No informado en todo |

11. ¿Crees que ocurre discriminación en la vivienda en Greeley y, si, ¿qué tipos de problemas de discriminación ¿y que son los peores? _____

¡Su entrada se aprecia grandemente! Por favor devuelva la encuesta por 01 de diciembre de 2018 a:

Carol Larsen, Autoridad de Renovación Urbana de Greeley, 1100 10th Street, Suite 201, Greeley, CO 80631

970.336-4166 (phone), 970.350-9895 (fax), carol.larsen@greeleygov.com

Council Agenda Summary

April 16, 2019

Agenda Item Number 15

Key Staff Contact: Becky Safarik, Assistant City Manager, 970-350-9785

Title:

Consideration of Community Priorities and Recommendation for the HUD-required Five-year Consolidated Plan

Summary:

The City of Greeley annually receives funding from the U. S. Department of Housing and Urban Development (HUD) in the form of the Community Development Block Grant (CDBG) and the HOME Investment Partnership Program (HOME) grant. Seventy-percent of CDBG and 100% of HOME must be to the benefit of low-moderate-income residents or neighborhoods.

Among the federal program obligations is a requirement to develop a Five-year Consolidated Plan, a step in the Consolidated Planning Process. The Consolidated Planning Process serves as the framework for a community to discuss and identify housing and community development priorities that meet the grant requirements and then focus funding on those areas of priority need. The Five-year Plan describes priority needs to address with these federal grant funds, which are considered on an annual basis.

All of the Consolidated Planning Process steps revolve around citizen participation. For this Five-year plan (years 2020-2024), Greeley Urban Renewal staff developed a needs assessment survey to collect a greater range of comment about community priorities. Additionally, staff provided a needs assessment survey to community organizations working with low- moderate-income residents to gain input regarding the needs of their clientele and to provide a look forward at potential agency funding needs during the next five years. Staff also consulted individually with representatives of those agencies.

The attached support material includes a summary of the community engagement process and response.

This item was reviewed at the April 9, 2019 Council Work Session.

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:

None.

Consideration of this matter is a legislative process. A public hearing was conducted on this item by the Greeley Urban Renewal Authority in developing its recommendation to Council. All public testimony is included in the agenda packet and summarized in the board meeting minutes.

Other Issues and Considerations:

The public hearing requirement for this item as required by the U.S. Department of Housing and Urban Development was satisfied with the process and hearing conducted by the GURA Board. Council may elect, but is not required, to invite additional public input with this item.

Applicable Council Priority and Goal:

Safety: Manage the health, safety and welfare in a way that promotes a sense of security and well-being for residents, businesses and visitors.

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

Decision Options:

- 1) Accept the recommendation for community priorities as presented; or
- 2) Amend the recommendation and adopt as amended; or
- 3) Continue consideration of the recommendation to a date certain.

Council's Recommended Action:

A motion to adopt the recommendation by the Greeley Urban Renewal Authority for Community Priorities for the HUD-required Five-year Consolidated Plan.

Attachments:

- A - Priorities Recommended by GURA Board
- B - Minutes of the GURA Board of Commissioners
- C - Comments Received
- D - 2020 – 2024 Projected Resources
- E - Power Point Summary

ATTACHMENT A – PRIORITIES RECOMMENDED BY GURA BOARD

HIGH PRIORITY

Support efforts to preserve, maintain, and provide access to affordable housing for homeless, low-moderate-income, underserved, and/or special needs residents. For example:

- Extend the useful life of existing affordable housing through rehabilitation loans, emergency repair grants, and weatherization programs (single-family, multi-family owned by non-profit agencies or the Greeley Housing Authority)
- Acquisition of property for new multi- or single-family development or for rehabilitation of existing structure to housing
- Infrastructure support of new multi- or single-family development
- Support for Habitat for Humanity
- Support organizations providing a public service that is directly related to housing (new or substantial increase to the number of persons benefiting from the service; service provides a collective impact)
- Support efforts to Affirmatively Further Fair Housing

Support efforts to revitalize neighborhoods of the Redevelopment District. For example:

- Install new or replace unsafe infrastructure, including curb and gutter, ramps, sidewalks, and street lights
- Reconstruct gravel alleys
- Plant trees in parkways
- Support the annual clean-up weekend and/or other activities that promote good property conditions

LOW PRIORITY

Support public facilities that serve the homeless, low- moderate-income, underserved, and/or special needs residents OR low- moderate-income neighborhoods.

Stipulations

- No funding for maintenance/cosmetic improvements; facility improvements **will increase the number of LMI persons served; CDBG provides no more than 25% of project cost;** or the facility is located in LMI neighborhood and utilized by the residents of the neighborhood (generally City facilities)

Support public services that assist homeless, low- moderate-income, underserved, and special needs residents.

Stipulations

- The service is new and addresses a clearly demonstrated need or gap in available service; **has 75% financial support other than CDBG; needs funding for a maximum of three years of CDBG support;** is not substantially similar to another service in the community or is provided by a collaborative effort
- Reduced amount available to public services; HUD allows 15% of grant annually, target a lesser percentage

ATTACHMENT B – MINUTES OF THE GURA BOARD OF COMMISSIONERS



GREELEY URBAN RENEWAL AUTHORITY Proceedings

**March 27, 2019
1001 11th Avenue – City Center
Council Chambers
4:30 p.m.**

I. Call to Order

Commissioner Costigan called the meeting to order at 4:30 p.m. Commissioners Reilly, Roberts, and Welsh were present. (Commissioners Cummins, Haas, and Paz were absent.)

II. Approval of minutes from the February 13, 2019 and February 15, 2019

Commissioner Reilly made a motion to approve the minutes for the meetings held on February 13, 2019 and February 15, 2019 as written. Commissioner Welsh seconded the motion; the motion carried 4-0. (Commissioners Cummins, Haas, and Paz were absent.)

III. Items of Business

A. Public Hearing – Consideration of Analysis of Impediments to Fair Housing Choice Study

Carol Larsen, Grant Specialist, gave an overview of the HUD-mandated Analysis of Impediments to Fair Housing Choice (AI), which communities are required to complete every five years. The AI is part of the 2020-2024 Consolidated Planning Process.

In accordance with HUD guidelines, the AI was prepared to address the requirements of the Housing and Community Development Act of 1974 (as amended), which requires communities receiving CDBG and HOME funds to “affirmatively further fair housing” in compliance with the Fair Housing Act. The Fair Housing Act of 1974 (as amended) prohibits housing discrimination of protected classes (race, color, religion, sex, national origin, mental or physical disability, and familial status). The Colorado Civil Rights Act added marital status, creed, ancestry, and sexual orientation (including transgender status) to the federally protected classes.

Following a survey of the community and housing providers, conclusions and recommendations to further the HUD objective of furthering fair housing choices were identified, and an Action Plan setting steps to alleviate the identified impediments was developed.

Commissioner Costigan opened the public hearing at 4:32 p.m. and called for public comment. There were six members of the public in attendance, but no comments were received. Commissioner Costigan closed the public hearing at 4:32 p.m.

Commissioner Roberts made a motion to recommend approval the Analysis of Impediments to Fair Housing Choice Study. Commissioner Welsh seconded the motion; the motion carried 4-0. (Commissioners Cummins, Haas, and Paz were absent.)

B. Public Hearing – Consideration of the Consolidated Annual Performance and Evaluation Report (CAPER)

Ms. Larsen noted that the City of Greeley annually receives two grants from the U. S. Department of Housing and Urban Development (HUD): The Community Development Block Grant (CDBG) and the HOME Investment Partnership Program (HOME) grant. CDBG grants are awarded to entitlement communities (principal cities of a Metropolitan Statistical Area or with a population greater than 50,000) to carry out a wide range of community development activities directed toward revitalization of neighborhoods, economic development, and improved facilities and services within the community. Priority must be given to activities that benefit low- moderate-income persons (including neighborhoods). HOME grants are specifically to provide affordable housing for low- moderate-income persons. HUD sets income levels annually, which are a percentage of the average median income (AMI). In 2018, the AMI for the Greeley MSA was \$89,875, which includes all of Weld County. The majority of CDBG funds and all HOME funds must have beneficiaries earning 80% or less of the AMI, for a neighborhood or for individual households.

To receive the grants, the City must develop a Consolidated Plan every five years to identify the community's needs and set goals to meet those needs through the approval of an Annual Action Plan for each of the five years. The current Consolidated Plan is for the years 2015-2019; work to develop the 2020-2024 Consolidated Plan is considered in the following agenda item. At the conclusion of each action year, the City must also prepare a Consolidated Annual Performance and Evaluation Report (CAPER) that describes for the public and HUD how federal assistance was used during that action year.

The Commissioners had no comment on the CAPER provided for review.

Commissioner Costigan opened the public hearing at 4:37 p.m. and called for public comment. There were six members of the public in attendance, but no comments were received. Commissioner Costigan closed the public hearing at 4:37 p.m.

Commissioner Roberts made a motion to recommend approval of the 2018 Consolidated Annual Performance and Evaluation Report to City Council. Commissioner Reilly seconded the motion; the motion carried 4-0. (Commissioners Cummins, Haas, and Paz were absent.)

C. Consideration of recommended priorities for 2020-2024 Consolidated Plan for use of CDBG and HOME funds

Ms. Larsen presented an overview of the process that determines the needs and setting the priorities for the 2020-2024 Consolidated Plan. Priorities recommended by staff were developed through a citizen participation process that included a work session by the GURA Board of Commissioners; comments received from a meeting of the Citizens Committee for Community Development; a Needs Assessment Survey and consultations with local non-profit agencies which work with the low- moderate-income residents in Greeley; and a public Needs Assessment Survey conducted both online and with clients of the non-profit agencies that work with a low- moderate-income clientele.

It was noted that the recommended priorities include potential changes to the way the City allocates its CDBG funding, specifically, addressing the issue of affordable housing more intentionally, and possibly reducing the amount available to public facilities and/or public services. Because these changes could impact agencies either currently funded with CDBG or that might request funding during 2020-2024, local non-profit agencies were invited to attend this meeting of the GURA Board and provide comments on the proposed priorities directly to the Commissioners.

The following agencies were present and provided comments on the proposed priorities for the 2020-2024 Consolidated Plan for use of CDBG and HOME funds:

Enita Kearns Hout, Regional Director for Weld County Catholic Charities, urged the Board to adopt guidelines with flexibility to respond to the most urgent needs presented yearly up to the maximum percentage allowed. She expressed the need to support valuable services that are critical to the safety and wellbeing of the community, such as the service that provides a cold weather shelter to homeless persons.

Meredith Munoz, North Colorado Health Alliance gave an overview of the Community Action Collaborative, which provides a more comprehensive and streamlined process to help 9-1-1 callers who have non-emergency issues. She expressed concern for agencies needing public service assistance not being recommended as a high priority for the 2020-2024 Consolidated Plan.

Lindsey Galindo, Greeley-Weld Habitat for Humanity (GWHFH), supported that affordable housing was a high priority in the 2020-2024 Consolidated Plan and noted the long-standing partnership between the City and GWHFH to build affordable housing. (Celia Morse and Chris McDermott, GWHFH, were also present.)

Lyle SmithGraybeal, Vice President Community Impact, United Way of Weld County, supported the priorities submitted. He expressed support for the recommendation of funding projects that provide a collective impact by agencies working together in not duplicating services.

Following the comments, the Commissioners discussed the proposed priorities and the comments heard. The priorities recommended were as follows:

HIGH PRIORITY

Support efforts to preserve, maintain, and provide access to affordable housing for homeless, low- moderate-income, underserved, and/or special needs residents. For example:

- Extend the useful life of existing affordable housing through rehabilitation loans, emergency repair grants, and weatherization programs (single-family, multi-family owned by non-profit agencies or the Greeley Housing Authority)
- Acquisition of property for new multi- or single-family development or for rehabilitation of existing structure to housing
- Infrastructure support of new multi- or single-family development
- Support for Habitat for Humanity
- Support organizations providing a public service that is directly related to housing (new or substantial increase to the number of persons benefiting from the service; service provides a collective impact)
- Support efforts to Affirmatively Further Fair Housing

Support efforts to revitalize neighborhoods of the Redevelopment District. For example:

- Install new or replace unsafe infrastructure, including curb and gutter, ramps, sidewalks, and street lights
- Reconstruct gravel alleys
- Plant trees in parkways
- Support the annual clean-up weekend and/or other activities that promote good property conditions

LOW PRIORITY

Support public facilities that serve the homeless, low- moderate-income, underserved, and/or special needs residents OR low- moderate-income neighborhoods.

Stipulations

- No funding for maintenance/cosmetic improvements; facility improvements **will increase the number of LMI persons served; CDBG provides no more than 25% of project cost**; or the facility is located in LMI neighborhood and utilized by the residents of the neighborhood (generally City facilities)

Support public services that assist homeless, low- moderate-income, underserved, and special needs residents.

Stipulations

- The service is new and addresses a clearly demonstrated need or gap in available service; **has 75% financial support other than CDBG; needs funding for a maximum of three years of CDBG support**; is not substantially similar to another service in the community or is provided by a collaborative effort
- Reduced amount available to public services; HUD allows 15% of grant annually, target a lesser percentage

Commissioner Roberts made a motion to approve the priorities as presented above for the 2020-2024 Consolidated Plan Priorities. Commissioner Welch seconded the motion; the motion carried 4-0. (Commissioners Cummins, Haas, and Paz were absent.)

IV. Board Member Comments/Reports

None

V. Staff Report

J.R. Salas, GURA Manager, noted that the buyer had rescinded the offer to purchase for 917 A Street due to possible floodplain issues.

(Commissioner Roberts exits the meeting.)

VI. Adjournment

There being no more business, the meeting was adjourned at 5:44 p.m.

Shelley Costigan, Acting Chair

Rebecca L. Safarik, Secretary

ATTACHMENT C – COMMENTS RECEIVED [Separate page(s) for each]

- A. Citizens Committee for Community Development
- B. Results of Needs Assessment Survey for Non-profit agencies
- C. Results of public Needs Assessment Survey
- D. Comments from non-profit agencies attending the GURA Board of Commissioners meeting
 - a. Catholic Charities – Guadalupe Community Center and Cold Weather Shelter
 - b. United Way – Cold Weather Shelter
 - c. North Colorado Health Alliance – Community Action Collaborative
 - d. Greeley-Weld Habitat for Humanity

Comments from Citizens Committee for Community Development

- The committee is not comfortable with complete elimination of funding for public services and public facilities. They do support
 - Reduction of the annual percentage available for services to a maximum of 5-6% of the allowable 15%
 - Better definition of what is maintenance vs a true rehab project (such as increasing available space) when accepting applications for public facilities
 - Maintaining the partnerships formed with agencies
- The committee noted they are very aware of the need for affordable housing, but question whether there are enough funds to have an effect on the problem. They support collaborations and partnerships (such as ASI) to make the biggest progress
- The committee is very supportive of neighborhood infrastructure improvements – sidewalks, ramps, curb and gutter, alleys, and (especially) trees
- The committee would set priorities as follows:
 1. Neighborhood infrastructure
 2. Housing
 3. Public services, particularly if they support housing (for example: RVNA-type activities, transportation services that keep seniors in home)
 4. Public facilities, but better define maintenance vs rehab, so that maintenance projects are the responsibility of the agency

Results of Needs Assessment Survey to Identify Priority Needs of Low- Moderate-Income Residents and Neighborhoods-City and Non-Profit Agencies

Sixteen non-profit agencies consulted with GURA staff and 17 completed a survey. All agencies noted serving clientele with incomes no greater than 50% of AMI. Service area for all was noted as "Weld County, including Greeley". Most considered the population they work with to be "underserved" by housing, facilities, and/or services.	Agency/City Department Needs						Agency Opinion of Clientele Needs										
	Infrastructure	Property Conditions	Facility Improvements	Case Management	Housing Rehab	Construction of Housing	Affordable Housing	Housing-Large Families	Transitional Housing	Accessible Housing	Rent/Utility Assistance	Job Training	Transportation	Additional Education	Health and Nutrition	More or Improved FACILITIES	More or Improved SERVICES
A Woman's Place			Security				X		X								
			Teen capacity expansion	X								X		X	X		
Boys and Girls Club				X						X						X	
Catholic Charities-Guadalupe					X												
Greeley Center for Independence						X			X			X					
Greeley Transitional House			lift stations	X				X									
Habitat for Humanity										X	X	X	X				X
Immigrant and Refugee Center												X	X				
			Expansion; parking lot; lighting								X					X	X
Life Stories				X			X			X			X				
Northern Colorado Health Alliance				X						X							X
Northern Colorad Veterans Services				X													
Senior Resource Services				X								X					
The Salvation Army			Bath rehab; showers				X		X							X	X
United Way - Cold weather shelter				X			X			X		X		X			X
United Way - Continuum of Care (homeless)				X					X								
United Way - Weld's Way Home				X													X
Weld Dept. of Human Services												X					X
Weld Dept. of Public Health/Environment							X	X		X	X						
Totals				9	1	1	14	3	3	2	7	3	8	3	2	4	7

City of Greeley

Forestry Program - Tree planting	X				
Public Works-Clean-up weekend		X			
Public Works-Infrastructure improvements	X				
Urban Renewal				X	

Results of Needs Assessment Survey to Identify Priority Needs of Low- Moderate-Income Households and Neighborhoods

The Needs Assessment survey was available on-line and provided to agencies working with LMI clientele for distribution. One hundred sixty-seven surveys were returned.

1. Is housing an issue for low-income households in Greeley

Yes - 140 No - 7 Don't know/no opinion - 18 Total - 165

If yes, what do you think are the best ways to address the housing issue?

Help the homeless get into housing	77
Improve current housing conditions	49
Increase the supply of affordable housing	107
Increase the supply of housing in general	52
Address issue of discrimination	27
Construct additional rental units for the elderly and/or disabled	49
Provide more housing choices for different sized households	36
Other	11

2. Are adequate public improvements an issue for low- moderate income neighborhoods?

Yes - 83 No - 17 Don't know/no opinion - 52 Total - 152

If yes, what type of improvements do you think are most needed?

Sidewalks where there are none	57
Sidewalks that are unsafe (cracked)	67
Ramps at intersections for accessibility	41
Street lights	54
Curb and gutter where there is none	24
Parkway trees	20
Other	7

Several comments were made with regard to a need for increased bus service/times of service/service outside of area (i.e. UC Health).

3. Is there sufficient access to public facilities east of 35th Avenue?

Yes - 65 No - 36 Don't know/no opinion - 58 Total - 159

Comment on availability of or assistance to public facilities

Not enough public facilities east of 11th Avenue. There is need for a day shelter and longer-stay shelters, and restrooms, showers, and phone charging stations for homeless persons; the area lacks a grocery store.

4. Is providing public services to low- moderate income residents a priority?

Yes - 108 No - 19 Don't know/no opinion - 34 Total - 161

Which of those named below are most important?

Transportation services	56
Assistance for low-income persons in finding housing	78
Services for persons most at risk	61
Other Services needed	4
Case management for homeless persons	43
Shelter services during cold months	60

Other services needed?

Yes - 45 No - 40 Don't know/no opinion - 76

Child care; before and after school care; less cost for recreation programs; assistance with removing diseased or damaged trees.

5. Are any of Greeley's low- moderate-income residents underserved?

Yes - 77 No - 21 Don't know/no opinion - 53

Which?

Elderly persons	40
Persons with mental disabilities	40
Persons with physical disabilities	37
Persons with addictions	30
Minority populations	27
Youth/children	22
Other	19
Persons with HIV/AIDS	5

6. Are there other issues should be a priority?

Assistance with language barriers/immigration status; property conditions/substandard rental conditions; safety; general accessibility for persons who are physically disabled; need for financial counseling; assistance for persons with a criminal history or addictions;

7. Optional Information

What is your zip code

80631	104	80634	44
80632	1	Other	7

(Not included in survey results-outside of Greeley)

With which race do you identify?

White	112	Hawaiian or Pacific Islander	0
Black	2	Native American or Alaskan	3
Asian	1	Multi-race	8

With which ethnicity do you identify?

Hispanic	49
Not Hispanic	74

Family size/income:

Family of 1	47
Family of 2	16
Family of 3	7
Family of 4	20
Family of 5	7
Family of 6	5
Family of 7 or more	2
Income 30% or less of AMI (poverty level)	40
Income 31%-80% of AMI (low/extremely low income)	53
Income over 80% of AMI	30

Note: Residents with income over 80% of AMI do not qualify for participation in funded activities.

To the GURA Board, Good afternoon,

A city is strongest when it provides for and services its weakest and most vulnerable citizens. Our police, sheriff and fire departments keep our community safe and protect its citizens. The Guadalupe Shelter and the Cold Weather Shelter keep vulnerable homeless families and adults safe.

Funding for our safety net programs from government agencies, Foundations, Corporation and Individuals is shrinking for many reasons including more competing asks. Five weeks ago, I learned that United Way had a short fall in its effort to raise funds for the Cold Weather shelter of \$75,000. United Way and I put our efforts together and with the help of the Community Foundation and significant donations from our faith-based community and Individuals—we have raised close to \$56,500.

What about next year—and the year after that? This next winter funding has been approved by GURA to support the cold weather shelter. Questions for the Board to ask?

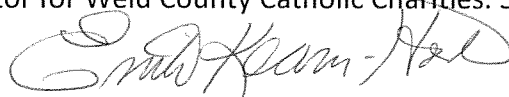
- Is the language the GURA Board is adopting restricting the Board from helping support the services of the CWS during future winters?
- Is the language the Board adopting restricting the opportunity for the Guadalupe Shelter to request funding for our emergency triage case management program for families who are living in their cars or in an unsafe place. These families stay in our community room at night with case management support received in the morning to develop an emergency safety plan.

I would respectfully suggest the Board not adopt a rigid guideline that restricts the amount of public service support to 6% percent instead of the allowable rate of 15%. This would enable each year for the GURA Board to make funding decisions based on the most compelling needs and opportunities.

Last week we had our first Tornado warning. Lyle told me that Weld County has the record of the most tornado segments recorded in the country—goggle it—it is true—Harris Texas is second. The point is: A few moments of a tragic event could change the direction of needs in the community and choices GURA wants to look at might change dramatically.

I urge you to adopt guidelines that give the Board the flexibility to respond to the most urgent needs and solutions presented yearly. Thank you and thank you to Carol who has worked hard to gather information to advise the Board on what she sees as a pressing community need—affordable housing—and we all agree. That being said—please do not throw the baby out with the bath water—and shut the door to your opportunity to support the valuable services that are critical to the safety and wellbeing of most vulnerable neighbors.

Respectfully, Enita Kearns-Hout Regional Director for Weld County Catholic Charities. 3/27/19



Comments from United Way

- Overall United Way of Weld County likes the priorities as our most urgent long-term need is more affordable/attainable housing and CDBG is a larger resource that can be used specifically for this.
- On HIGH PRIORITIES 2, “Infrastructure support in low-income census tracts,” while it is good to have this as a high priority since healthy neighborhoods need functional and safe and attractive infrastructure, I suggest this be a lower priority than housing. Also, are city budget general funds a better fit for this need since I would think it would be more difficult to get city budget general funds approved for affordable housing land acquisition?
- On HIGH PRIORITIES 3, the “total amount of public services for any year,” could this be re-worded so that the goal is 6% per year but that up to 15% per year can be used? This would allow for flexibility while still setting a goal.
- On HIGH PRIORITIES 3, the “service provides a collective impact,” we very much like this language.
- On LOW PRIORITIES 1, the whole set of language, we very much like this language. And while in agreement with the concept of funding a given project for no more than three years, as with the above on % of public services, it seems this would be better as a goal than as a concrete policy so that there is flexibility for changing circumstances.

Comments from Greeley-Weld Habitat for Humanity

- Greeley-Weld Habitat for Humanity appreciates the long term partnership with GURA and the city of Greeley
- GURA, in the past two decades, has invested over 2 million dollars in GWHFH to provide affordable home-ownership opportunities for hard-working local families, changing the course of families lives living in poverty - for generations and improving the community of Greeley
- That investment has resulted in one of the largest Habitat single family subdivisions west of the Mississippi Habitat North - where 60 families have built a community of self-reliance
- Habitat is a proven model that has successfully provided affordable home-ownership solutions to low-income families for over 31 years in the Greeley area
- Habitat homeowners have reinvested over \$220k in Greeley property taxes in the just past five years
- GWHFH has reinvested back into the local economy over 6.2 million in new construction dollars in the past five years and our ReStore annually pays over \$31K in sales tax into city coffers
- Our innovative JHS Construction Pathway Program, in partnership with District 6, (in fact a GWHFH team today is presenting this program at the HFHI affiliate Global conference in Atlanta GA to over 1300 Habitat affiliates nationwide).
- The Construction Pathway Program is providing at-risk JHS students career pathways and filling workforce voids in our community
- GWHFH has committed and is ramping up infrastructure to build and serve a greater number of families in our community
- Finally, we deeply value our long-standing partnership with GURA and the city of Greeley, and look forward to continuing our crucially important affordable housing and workforce initiatives: Both entities working together with our community to provide tangible and proven solutions to improve the lives of our city's most vulnerable low-income families and individuals.
- Thank you for your time and investment in GWHFH

Comments from North Colorado Health Alliance

- Quotes from GPD and GFD:
- Greeley Fire has been working collaboratively with North Colorado Health Alliance (NCHA) and other partnering agencies in the Greeley area to reduce the 911 call usage for non-emergency situations. The Care Managers who have been designated to work 40 hours a week on our Squad 1, along with the Community Action Collaborative (CAC) Coordinator, are crucial to our mission. These individuals and the organization as a whole provide the initial support on a 911 scene or during a prevention visit with some of frequent 911 users. Not only do they help individuals get wrapped with service provided by NCHA, they provide support and follow up with these users so they can help themselves in the future. The bulk of clients that are contacted by the Squad crew have a difficult time navigating the healthcare system and housing on their own. NCHA staff help these individuals navigate the systems for healthcare and housing which helps keep them out of the 911 system. The CAC coordinator works diligently to keep all participating organizations working together as a team instead of working in our silos, sometime duplicating efforts. Greeley Fire feels strongly that without the support and expertise of NRBH personnel assisting with our Squad program, it would be difficult to have the success we have seen with the program. LT. Stranahan
- “The police partnership with the CAC has been vital in providing better service to our community. Prior to the CAC, multiple agencies were working towards a common goal but we weren’t effectively communicating with each other on a regular basis. The Greeley Police Department is now better equipped to aid those suffering mental illness in our community knowing we can problem solve with experts in the field. Meredith has done an excellent job leading the CAC and displays genuine compassion and dedication to the people we serve.” Sgt. Patella
- Data follows:

Type of Visit	11 Month Total Feb 2018-Dec 2018	Handled as a Single Resource
911 Responses (EMS or Law)	393	192
Law Requests	156	156
Prevention Visits	683	683
Total	1,379	1031
Hours on Duty	1,500	
Days on Duty	150	
Average 911 Calls per Shift (EMS or Law)	2.8	
Average Law Requests per Shift	1.1	
Average Prevention Visits per Shift	5	
Patient Diverted to Crisis Center (911 Calls)	114	
Patient Diverted to Sunrise (911 Calls)	22	
Prevention Visit to CRT or Sunrise	38	
# of Medicaid members served via 911 response	203	
# of Medicaid members served via a prevention visit	453	453

- 60% of individuals served are on Medicaid- this number does not include individuals that have Medicare and Medicaid.
- The Community Action Collaborative provides supportive services to individuals as well as agencies to 'bridge the gap' in services. Additionally, the Community Action Collaborative is comprised of a multi-disciplinary team; paramedic for the community (Greeley Fire), Licensed therapist (North Range), and a community care manager (North Colorado Health Alliance). It is important to point out, that while affordable housing is a huge need in our community, without the supportive services in place most individuals will not be able to maintain their housing. As the survey showed, within the top three, mental health is a huge component. The Community Action Collaborative brings agencies together to case conference and do "something different" to meet the person where they are at.

Colorado Fire Department Reduces 911 Calls By Helping Frequent Callers



The Squad 1 crew makes their way to their truck at a downtown Greeley fire station. They're walking, not running, and once their truck is on the road, there are no flashing lights.

"We hardly ever use the siren," says driver Darren Conradson.

This is the Greeley Fire Department's solution to a vexing problem: 911 calls that simply aren't emergencies.

Instead of sending a big engine with several firefighters -- and possibly police officers and paramedics -- Squad 1 may take the call instead. None of the crew members are firefighters. Conradson is a community paramedic. The other crew members include a crisis intervention counselor and experts at helping people navigate the complex world of social services.

Their truck is red, but it's an ambulance. It comes to a stop at Paul Villa's small house. He's 89 and used to work in the fields and then at the local meat plant.

His goal is to keep living in his home, but he's had to resort to 911 several times for help -- but not always for what the fire department would consider an emergency.

Proactive steps, like this simple check-in, aim to prevent those non-emergency calls, Conradson said.

"So are you still good on your test strips?" Conradson asked Villa.

"Yeah," Villa replied. "I'm OK."

"And glucometer?" Conradson asked.

"M-hmm," Villa said. "Good."

Five people, 200 calls to 911

This proactive approach, mixed with Squad 1's triaging of 911 calls as they come in, represents a major shift in culture and thought for the fire department.

"We're very traditional," Chief Dale Lyman said with a laugh. "We like to send lots of people and big trucks to things."

The department is set up to respond to fires, life-or-death medical emergencies, hazardous materials situations and rescues. Yet too many 911 calls, Lyman said, are more along the lines of personal emergencies, like people who couldn't get to a doctor's appointment or can't find a way to pick up their prescription.

"So they get to a point where, 'Well, I'll call 911 and maybe somebody can help me,'" Lyman said.

For years, firefighters have exchanged anecdotes about such calls. That inspired Lyman to dive into the department's 911 data to learn more.

First, the obvious: 911 calls to the Greeley Fire Department are up significantly. Since 2001, they have risen by more than 160 percent thanks, in large part, to the city's growing population. Yet Lyman uncovered another driver of the calls: social ills.

"The data, once we started looking at it, proved it," Lyman said. "There is a segment of our population in our community that doesn't -- I'll just say it -- they don't have access to health care like you or I would."

He also identified what he calls "super utilizers," people who call the department often, posing a big challenge for the increasingly-stretched department. In 2016, just five people generated more than 200 of the department's 911 calls.

One of them was a homeless person and chronic alcohol abuser who called 86 times, prompting 86 trips to the emergency room.

Another one, with mental health problems, made 26 of the calls and took 20 trips to the ER. "It was insanity," Lyman said. "We're sending this highly-trained expensive crew -- fire apparatus, equipment -- for legitimate big-scale problems just over and over again to these things that don't need that. (...) It was a vicious cycle that needed to be stopped."

When Squad 1 hit the streets in a pilot last year using one of the station's old Chevy Suburbans, the frequent callers didn't just stop. But once the crew started securing long-term services and/or substance abuse help for the group, the number of 911 calls they made dropped significantly.

Squad 1 in action

After saying goodbye to Paul Villa at his house, Squad 1's crew gauge what they can do for him. Team member Meredith Munoz is also a coordinator with the nonprofit North Colorado Health Alliance and the Community Action Collaborative.

"He's afraid if he goes and gets care because they're going to say you need to go to a nursing home or something," she said. "His wish is to die in this house so he's very reluctant to even leaving."

That concerns Jayme Clapp, a mental health therapist with the nonprofit North Range Behavioral Health.

"I'm assessing his loneliness and if he's had contact because that can lead to a lot of physical problems," she said. "We want to make sure he doesn't lose contact with somebody who is checking to see."

Lyman said Squad 1 has the potential to make a positive dent on the homeless community. He told the story of one man who was linked to counseling and services through the crew and has since found a job.

"That's huge," Lyman said. "That's one less person that might be out on the streets or sleeping in the park because of substance abuse or whatever the case may be."

Greeley isn't alone in trying the concept. Departments in Colorado Springs and at least two other states -- New Mexico and Arizona -- have similar units and other departments around the country are studying the idea.

A growing need

So far this year, more than 12,700 calls have been made to 911. Squad 1 began operating in Feb. 1, and since then has run more than 350 of those calls

Yet the number of calls the squad is potentially needed for is much higher -- two, maybe even three, times as high. The squad only has funds to run 40 hours a week, not round-the-clock, meaning firefighters are still responding to non-emergency 911 calls.

But before Squad 1 existed, Lyman said, firefighters weren't always able to help people facing a personal crisis. That led to frustrations, he said, because firefighters want to be helpful. Now, firefighters can refer cases to the squad's crew for follow-up.

He said he's seeking additional streams of funding to cover more hours for the unit.

The existing funding is from the nonprofits that participate and, on the department's side, carved out of a savings the squad helped create. Because of Squad 1, the department hasn't had to send out his big engines to respond to as many 911 calls.

"Less miles," Lyman said. "Less wear and tear. Less fuel."

Lyman: New collaborative program in Greeley has reduced emergency medical responses by over 550 this year

June 2018

The Greeley Fire Department, along with a group of community partners, has implemented a new response vehicle that has reduced the number of emergency medical calls it has responded to by more than 550, year to date.

The effort is part of a group called the Community Action Collaborative and is comprised of representatives from: city of Greeley (police, fire, courts, probation), North Colorado Health Alliance, North Range Behavioral Health, Banner Health (paramedic service, ER), United Way of Weld County, High Plains Library District, Sunrise Community Health, various shelters and Weld County (Department of Human Services, jail, courts and probation).

In recent years, the Greeley Fire Department experienced a dramatic increase in 911 responses. A data analysis showed many of them were “low acuity,” or not really a medical emergency. Most entities in the collaborative have experienced similar dramatic increases in their demands for services.

The objective of the group and the fire department is to “right size” the response to non-emergency 911 calls using diversion and prevention efforts and modifying previous response models. Rather than send the traditional fire engine to all 911 calls, the members of the Community Action Collaborative have deployed a “team” consisting of a fire department paramedic (funded by the city of Greeley), a mental health crisis counselor (funded by North Range Behavioral Health) and a community health care manager (funded by North Colorado Health Alliance), referred to as “Squad 1,” which responds in an ambulance-sized vehicle. The “right size” response and appropriate resources address the needs of the caller.

The Squad 1 team targets frequent 911 users, mental health, substance abuse, the homeless population and patients with chronic medical conditions. The team also works to educate residents who lack an understanding of the health care systems available in the area.

The Squad 1 team responds to those 911 calls, which sound like the caller could benefit from their services with ultimately focusing on prevention and diversion efforts. The paramedic can perform an assessment and determine if the patient really needs to be transported to a hospital or if diversion to an alternative destination such as North Range Behavioral Health, Sunrise Clinic or detox is a more appropriate location.

If an alternative location is the case, the squad can then provide transportation to one of these locations without tying up an ambulance or police vehicles, allowing those resources to stay in service and available for other community needs.

Additionally, by diverting the caller to the appropriate care facility, there is one less unnecessary visit to the hospital emergency department. While not responding on calls, the team works in the preventative mode, following up with previous contacts to ensure they are taking medicines,

following through on doctors' appointments and preventing them from calling 911 when it isn't necessary.

The Community Action Collaborative meets monthly to hold case reviews and share information. So far, the data collected has been impressive and the benefits, especially for emergency response agencies, have been profound. Emergency response resources are available for true emergencies and callers are connected with the service they need. The goals of the Community Action Collaborative include:

- » Reduction of use of 911.
- » Reduction in use of emergency department for non-emergencies.
- » Reduction in crime/jail use.
- » Education and prevention efforts to improve lifestyle and health in the community.

Because the program has been so successful in its short existence, next steps include obtaining grants to assist in funding and sustaining the program so the impact can be multiplied and have an even greater positive influence on the community.

— Dale Lyman is the chief of the Greeley Fire Department.

Man taken into protective custody at University of Northern Colorado after negotiating with police for more than 12 hours

January 10, 2019

UNC police negotiated with a man in the rafters of the Bank of Colorado Arena for more than 12 hours overnight. (Kelsy Schlotthauer/kschlotthauer@greeleytribune.com)

The Bank of Colorado Arena at the University of Northern Colorado reopened Thursday morning after first responders negotiated with a man who refused to come down from the rafters for more than 12 hours.

The man was unarmed and not considered a threat to others, and UNC police Chief Dennis Pumphrey said he willingly came down and was taken into protective custody after 10 a.m. Thursday. He had been in the rafters since at least 9:20 p.m. Wednesday.

Pumphrey said the man was taken to North Colorado Medical Center for mental health treatment, and no charges would be pursued.

“This was a situation where we had a scared individual with some mental health concerns, and it just really isn’t appropriate to pursue charges under the circumstance,” Pumphrey said.

Pumphrey said the man didn’t have a real awareness of what he was doing, and pursuing charges wouldn’t help anyone in the end. If someone had been hurt, then the decision would probably change, but Pumphrey described the hours-long negotiations as “a minor inconvenience.”

Pumphrey said the man was active Wednesday night, running around in the rafters, so Greeley fire and paramedics were on standby in case he fell, but he slowed down Thursday morning. UNC police and Greeley police’s crisis intervention team talked with the man overnight, but Greeley fire’s Squad 1 finally convinced him to come down.

Squad 1 is a team comprised of a paramedic, North Range Behavioral Health mental health professional and Northern Colorado Health Alliance care manager, said Darren Conradson, a Greeley fire paramedic. The team, active for a year now, responds to calls that don’t necessitate an emergent response and helps connect patients with resources for better care, Conradson said.

Pumphrey said Squad 1 had dealt with the man before and had a “pretty good” relationship with him.

The University of Northern Colorado sent an emergency alert about 7:25 a.m. Thursday advising students to avoid the gym as police negotiated with the man. The gym’s closure affected only one class in the building, which was moved to another location, according to a second alert.

The closure didn’t affect athletics much, either.

Ryan Pfeifer, assistant director of strategic communications for the athletic department, said the kerfuffle didn't disrupt any basketball practices Thursday morning because none were scheduled in the main gym. The auxiliary gym is where basketball teams most often practice, and there are other entrances to the weight room attached to the main gym.

"It really didn't affect any day-to-day operations for us," Pfeifer said.

UNC police look toward a man who refused to come down from the rafters in the Bank of Colorado Arena overnight. (Kelsy Schlotthauer/kschlotthauer@greeleytribune.com)

Football players huffed and puffed past the locked gym during a workout, and students and staff wandering by stopped intermittently to glance through the windows into the gym. For a time, the man was sitting on a ledge above an illuminated Bank of Colorado sign, swinging his legs. His statements were mostly muffled through the doors, though it was possible to make out a couple of expletives.

Facilities management employees in safety vests inside stood watch by the doors to the gym while police negotiated with the man.

Pfeifer said there's no telling how the man gained access into the gym, which is normally locked, but it's possible a door might have been left unlocked or propped open accidentally. Pfeifer said it was a sad situation, for the man was probably only trying to keep warm. Temperatures overnight dipped into the lower 20s.

Greeley and Evans' cold weather emergency shelter is organized especially to combat those cold and potentially deadly nights.

The shelter offers single adults a warm, safe place to stay from 7 p.m. to 7 a.m. through April 15 within the Sunrise Community Health Center, 2930 11th Ave., in Evans. No background screening is required for those wishing to stay at the shelter, but they must have some form of identification.

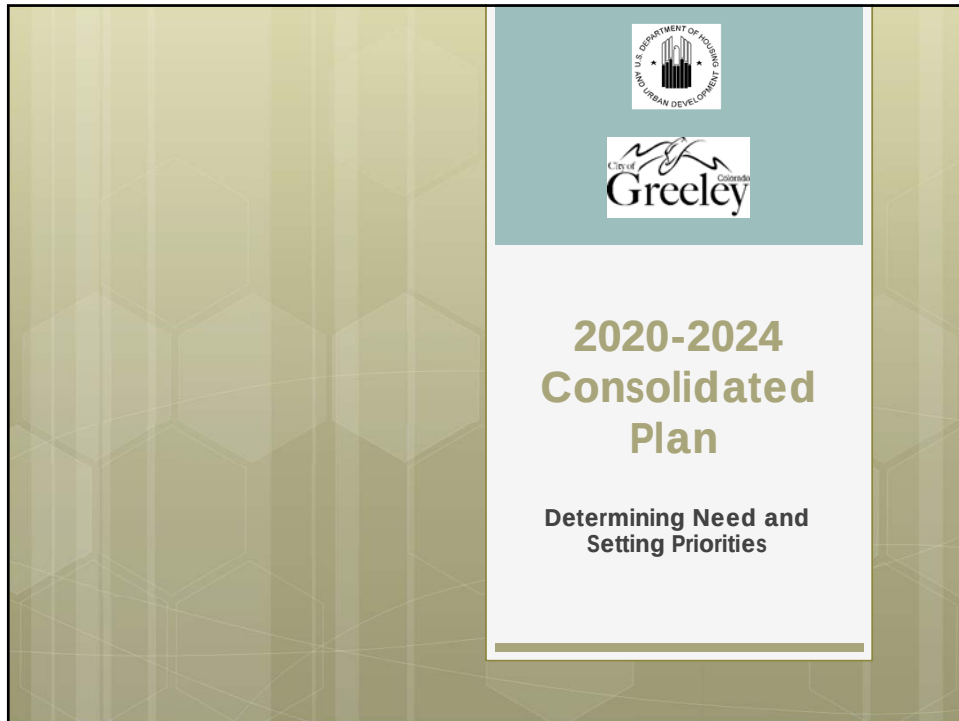
— *Kelsy Schlotthauer covers breaking news and just about anything else for the Greeley Tribune. Reach her at kschlotthauer@greeleytribune.com, (970) 392-4439 or on Twitter @K_Schlott.*

EXHIBIT D - 2020-2024 PROJECTED RESOURCES

	Annually	5-year
Projected grant amount	850,000	4,250,000
Rehab loan payments	25,000	125,000
HAPP loan payments	35,000	175,000
Potential annual available	910,000	4,550,000
Admin	-170,000	-850,000
Rehab RLF for that program	-25,000	-125,000
Available to projects other than rehab	715,000	3,575,000
15% maximum available for services	127,500	
HOME (only housing)	300,000	1,500,000
CHDO-Habitat (15% required)	-45,000	-225,000
Administration	-30,000	-150,000
Available to Non-CHDO projects	225,000	1,125,000

USE OF FUNDS EXAMPLE

CDBG Example	Administration	Infrastructure	Housing	Facilities	Services	Total
Percentage	20%	50%	20%	4%	6%	100%
\$\$ Amount	170,000	425,000	170,000	34,000	51,000	850,000
Potential HAPP RLF			35,000			



Determining Needs

1. Determining
Needs
Con Plan

Consultation, surveys, institutional knowledge

Priority needs recommendation determined through

- ❑ Board Work Session
- ❑ Citizens Committee for Community Development
- ❑ Needs assessment surveys and consultation with non-profits providing housing and/or services
- ❑ Needs assessment surveys of non-profit clientele and general public

Determining Needs

Consultations with non-profit agencies with LMI clientele and City department/divisions

Group informational meeting; individual consultations with non-profits below.

A Woman's Place	Habitat for Humanity
Boys & Girls Club	Life Stories
Catholic Charities-Guadalupe Center	No. CO Continuum of Care-United Way
City-Streets	Northern Colorado Veterans Services
Community Action Collaborative-NCHA	Senior Resource Services
Greeley Center for Independence	The Salvation Army
Greeley Transitional House	Welds Way Home-United Way
City-Forestry	United Way for Cold Weather Shelter

Also invited to consult: Catholic Charities Farm Labor Housing; Connections for Independent Living; Greeley-Evans School District Six; Greeley Housing Authority; High Plains Library; Immigrant & Refugee Center (provided survey); North Range Behavioral Health; Maxfield Services Corporation; Other City Departments; Sunrise Community Health; Weld County Public Health & Environment (provided surveys); Weld Food Bank

Determining Needs

Needs Assessment survey of non-profit agencies serving low- moderate-income persons

➤ 17 surveys returned - Responses (top three):

- ❑ **Clientele**-People with medical/health needs; homeless, disabled (tie); seniors, people with financial difficulties (tie)
Income range-all low to very low; **Is your clientele underserved?** 13 yes
- ❑ **Services provided**-Housing, youth services, temporary or shelter housing
- ❑ **Geographic area served**-13 serve Weld County, 4 serve broader area (other counties; homeless)
- ❑ **Clients' greatest needs**-Affordable housing (12), rent/ utility assistance (7), transportation/improved access (6)
- ❑ **Five-year projected need**-Continued support of services; rehab of housing units (GCI); facility expansion

Determining Needs

Needs Assessment – Survey of public

➤ 165 surveys returned-Is this a priority? (Affirmative responses)

- ❑ **Housing** 140 (of 165)
- ❑ **Infrastructure** 83 (of 152)
- ❑ **Public Facilities** 65 (of 159)
- ❑ **Public Services** 108 (of 161)

Underserved populations

- Elderly people (40); people with mental disabilities (40); people with physical disabilities (37); people with addictions (30); minorities, people seeking asylum, and people with limited-English (27); youth (22); people with HIV/AIDS (5); low-income people/people on the edge (3); large families, single people with no children

Determining Needs

Responses – Ways to address housing

- ❑ Increase supply of affordable housing **107**
- ❑ Help homeless get housing **77**
- ❑ Increase supply of housing in general **52**
- ❑ Improve current housing (rehab) **49**
- ❑ Construct additional rental housing for elderly and/or disabled **49**
- ❑ Provide more rentals for large families **36**
- ❑ Address issues of discrimination **27**
- ❑ Other **11** (Look at more than evictions-2; address discrimination at application-2; lower rent; more studio/1-bedroom units)

Determining Needs

Responses – Ways to assist in Public Improvements

- ❑ Replace unsafe sidewalks **67**
- ❑ Sidewalks where missing **57**
- ❑ Street lights **54**
- ❑ Ramps for accessibility **41**
- ❑ Curb and gutter where missing **24**
- ❑ Street trees **20**
- ❑ Other **7**

Determining Needs

Responses – Public Facilities

- Are there sufficient facilities east of 35th Avenue? (i.e. parks, recreation, youth centers, clinics, etc.)
 - YES-65; NO-33; DON'T KNOW-34

Determining Needs

Responses – Most needed Public Services

- Help with locating housing 78
- Services for most at risk (elderly, disabled, youth, mentally/physically ill) 61
- Shelter services for cold weather months 60
- Transportation services 56
- Case management for homeless persons 43
- Other 4

Determining Needs

Responses – What other supportive services/public facilities needed

- ❑ Transportation services to outside areas (i.e. UC Health)
- ❑ Lack of facilities east of 11th Avenue
- ❑ Assistance to LMI single parent households (i.e. child care)
- ❑ Before and after school programs for at risk children
- ❑ Affordable and easier-to-access recreation programs
- ❑ Services for people who are homeless or mentally ill
- ❑ Memory care and skilled/unskilled nursing homes
- ❑ Need for day shelter; longer-stay shelters
- ❑ Removal of aged/damaged/diseased trees

Determining Needs

Responses – Other than named priorities, what other issues are there?

- ❑ Lack of access to groceries (7); quality food; health facilities (3)
- ❑ Hours public transportation is available (4)
- ❑ Property conditions (3); substandard rental conditions
- ❑ Safety (3)-concerns noted for downtown parks and east of Highway 85 (pool, parks)
- ❑ Accessibility in general for physically disabled (2)
- ❑ Child care (2)
- ❑ Language barriers; immigration status
- ❑ Lack of affordable housing; housing history; affordable housing close to amenities, shopping, schools, public transportation; wait list for not enough housing for very-low-income; high rent
- ❑ Financial counseling needed
- ❑ Assistance for persons exiting criminal justice system; with addictions; stigmas about low-income persons
- ❑ People who fall into eligibility gaps (i.e. between work and disability payments; incomes too much to qualify for assistance, not enough to live comfortably)
- ❑ Lack of public restrooms/showers/laundry/charging stations

Setting Priorities

2. Setting
Priorities
Con Plan

Recommended general changes to priority setting

- ❑ Prior years
 - Broad categories to cover as many activity types as possible
- ❑ 2020-2024 recommendation
 - Limit priorities; be intentional
- ❑ Reduced support for public facilities and services
 - Target housing-related services

Setting Priorities – Recommendations

- ❑ **Support affordable housing - HIGH**
 - Rehab loans and emergency grants (single-/multi-family)
 - Acquisition for new multi- or single-family development or rehabilitation existing building to housing units
 - Infrastructure support of new multi- or single-family development
 - Habitat for Humanity
 - Public services directly related to housing (new or substantial increase in number service; provides a collective impact)
- ❑ **Support of LMI neighborhoods - HIGH**
 - Infrastructure improvements and public services
 - Curb and gutter, ramps, sidewalks; parkway trees; alley reconstruction; street lights; parkway tree planting; clean-up weekend or other service to promote good property conditions

Setting Priorities – Recommendations

- ❑ **Support public facilities – LOW**
 - No maintenance/cosmetic improvements; **will increase number of LMI persons served; CDBG provides no more than 25% of project cost**; located in LMI neighborhood and utilized by the residents of the neighborhood (generally City facilities)
- ❑ **Support other public services - LOW**
 - New and addresses a clearly demonstrated need or gap in service; **agency has 75% of financial support other than CDBG; maximum three years of CDBG support**; not substantially similar to another service in the community or is provided by a collaborative effort
 - **Reduced amount available to public services; HUD allows 15% of grant annually, target a lesser percentage**

Resources – Annual Estimates

3. Determining
Resources
Con Plan

- ❑ **CDBG** - \$850,000
- ❑ **HOME** - \$300,000
- ❑ **Revolving Loan Funds** - (specific to Rehab loans and Homes Again property sales and house payments)
- ❑ **Other Program Income** – (property sales, rent, HOME payments, etc.)

Next Steps

4. Setting Goals
Con Plan

- ❑ Council **sets priorities** in April
- ❑ **Goals** to address priorities developed by Staff, approved by Board in May for inclusion in Consolidated Plan
- ❑ **Application** process begins June 1
- ❑ **First annual plan** (for year 2020) is developed through CDBG process to begin addressing priorities and goals

Council Agenda Summary

April 16, 2019

Agenda Item Number 16

Title

Pulled Consent Agenda Items

Council Agenda Summary

April 16, 2019

Agenda Item Number 17

Key Staff Contact: Brad Mueller, Community Development Director, 970-350-9786

Title:

Public hearing and final reading of an ordinance annexing to the City of Greeley, Colorado, certain unincorporated territory located in Weld County, Colorado, known as the Jackson Annexation, located at 245 83rd Avenue

Summary:

The applicants, Ron Jackson and Jeanne Jackson, are petitioning to annex a 38.41 acre parcel of unincorporated property located at 245 83rd Avenue. In the summer of 2018, the applicants approached Weld County with a proposal to subdivide a parcel of land and construct a single-family home. Due to the parcel's contiguity to the City of Greeley, annexation is required of the applicants in order to obtain City water service, per City policy. Through inter-jurisdictional review and coordination, the applicants were allowed to complete the recorded exemption process through the County to divide their property, and receive a building permit for the construction of the single-family home, with the agreement that the residence would not be able to connect to City water until annexed.

The Planning Commission met on March 26, 2019, and unanimously recommended approval to City Council. Discussion centered around the applicant's desire for city water service and city policy in that regard, as well as the secondary benefits to other residents in the area who currently have extra-territorial city water service and would have improved water pressure if this service is built. This ordinance was introduced at the April 2, 2019 Council meeting.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	Ongoing impacts only
What is the annual impact?	Police, fire and other city services
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	Varies
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	Impacts will be proportionate to any new development of the property in the future, though adequate public facility policies are designed to ensure that new growth pays for its initial costs.

Legal Issues:

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

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

Other Issues and Considerations:

None noted.

Applicable Council Priority and Goal:

Consistency with Comprehensive Plan and Development Code standards.

Decision Options:

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

Council's Recommended Action:

Finding in favor of the annexation, two motions are required:

- A) A motion directing the City Attorney to prepare a resolution setting forth the Council's findings and conclusions that: 1) the applicable parts of the Colorado Revised Statutes, Sections 31-12-104 and 31-12-105 are met; 2) an election is not required; and 3) there are no additional terms and conditions imposed.
- B) A motion to adopt the findings of the Planning Commission that, based on the project summary and accompanying analysis, the proposed annexation meets the required Development Code criteria of Section 18.26.050(a) as follows: 1) the annexation is in conformance with the City's Comprehensive Plan Policies; 2) adequate services are, or will be, available to support anticipated development; 3) the annexation provides a continual and rational boundary; 4) the annexation is needed to accommodate future land use requirements; 5) the annexation promotes geographic balance of the City's land use pattern; and the proposed annexation meets State statutory requirements; and, therefore, adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance

Planning Commission Minutes-Draft (March 26, 2019)

Planning Commission Summary (Staff Report) (March 26, 2019)

CITY OF GREELEY, COLORADO

ORDINANCE NO. ____, 2019

CASE NO. ANX2018-0006

AN ORDINANCE ANNEXING TO THE CITY OF GREELEY, COLORADO, CERTAIN UNINCORPORATED TERRITORY LOCATED IN WELD COUNTY, COLORADO, KNOWN AS THE JACKSON ANNEXATION, LOCATED AT 245 83RD AVENUE

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

Section 1. The City Council of Greeley, Colorado, hereby finds that the property which is legally described in Section 2 below, for which one hundred percent (100%) of the land owners have petitioned for annexation to the City of Greeley, is in all respects eligible for annexation and that said annexation proceedings have been conducted in compliance with the laws of the State of Colorado.

Section 2. The territories described below in this section are hereby approved for annexation and are hereby annexed to the City of Greeley. These territories referred to are located at 245 83rd Avenue, and are described as follows:

SEE ATTACHED LEGAL DESCRIPTION

Said parcel contains 38.41 acres, more or less, and is subject to any easements or rights-of-way as granted or reserved by instruments of record, or as now existing on said described parcel of land.

Section 3. Pursuant to C.R.S. §31-12-113, one (1) copy of the map of the above-described territory and the original of the annexation ordinance shall be filed with the City Clerk of the City of Greeley, Colorado. Two (2) certified copies of this annexation ordinance and map of the area annexed shall be filed for recording with the Clerk and Recorder of Weld County, Colorado, within thirty (30) days after the effective date of this ordinance. The Clerk and Recorder of Weld County, Colorado, is required to file one (1) certified copy of the annexation ordinance and map with the Division of Local Government of the Colorado Department of Local Affairs, as required by C.R.S. §13-12-113(2)(a).

Section 4. The City of Greeley, Colorado, hereby consents pursuant to C.R.S. §37-45-136(3.6), to the inclusion of lands identified above in Section 2 into the municipal subdistrict, Northern Colorado Water Conservancy District.

Section 5. Except for the purposes of general taxation, this annexation shall be effective five (5) days after the final publication of this ordinance.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS ____ DAY OF _____, 2019.

ATTEST:

THE CITY OF GREELEY

City Clerk

Mayor

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6th PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6 TO BEAR NORTH $86^{\circ}36'27''$ EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER, THENCE SOUTH $02^{\circ}51'51''$ WEST, 2151.34 FEET; THENCE NORTH $89^{\circ}08'51''$ EAST, 643.46 FEET; THENCE NORTH $00^{\circ}50'54''$ WEST, 559.99 FEET; THENCE NORTH $89^{\circ}39'15''$ EAST, 791.07 FEET; THENCE NORTH $87^{\circ}39'10''$ EAST, 497.79 FEET; THENCE NORTH $02^{\circ}20'50''$ WEST, 29.93 FEET; THENCE SOUTH $87^{\circ}38'01''$ WEST, 494.48 FEET; THENCE NORTH $3^{\circ}39'27''$ EAST, 417.37 FEET; THENCE NORTH $85^{\circ}14'29''$ WEST, 210.13 FEET; THENCE NORTH $88^{\circ}25'21''$ WEST, 49.91 FEET; THENCE NORTH $88^{\circ}38'26''$ WEST, 565.90 FEET; THENCE NORTH $2^{\circ}37'36''$ EAST, 1130.98' TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE ALONG SAID NORTH LINE SOUTH $86^{\circ}36'27''$ WEST, 575.15 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 1,673,177.6 SQUARE FEET OR 38.41 ACRES MORE OR LESS.



PLANNING COMMISSION Proceedings

March 26, 2019

**City Center South
Council Chambers Room
1001 11th Avenue
1:15 p.m.**

I. Call to Order

Chair Yeater called the meeting to order at 1:15 p.m. Commissioners Schulte, Andersen, Modlin and Rarick were present. (Commissioner Briscoe was absent and one vacancy exists.)

II. Approval of minutes for meeting held on February 26, 2019

Commissioner Andersen moved to approve minutes of the meeting held on February 26, 2019. Commissioner Rarick seconded the motion. The motion carried 5-0. (Commissioner Briscoe was absent and one vacancy exists.)

III. A public hearing to consider annexation of 38.41 acres of unincorporated property located at 245 83rd Avenue into the City of Greeley

Project Name: Jackson Annexation
Case No.: ANX2018-0006
Applicant: Ron Jackson and Jeanne Jackson
Location: 245 83rd Avenue
Presenter: Rachel Prelog, Planner II

Ms. Prelog addressed the Commission and requested that her presentation be presented as one presentation with two separate motions.

A public hearing to consider establishment of R-E (Residential Estate) zoning for property being petitioned for annexation located at 245 83rd Avenue

Project Name: Jackson Annexation Establishment of Zoning
Case No.: ZON2018-0015
Applicant: Ron Jackson and Jeanne Jackson
Location: 245 83rd Avenue
Presenter: Rachel Prelog, Planner II

Ms. Prelog addressed the Commission and entered the staff report into the record. She provided a memo with corrections clarifying a general description of the property location. She also presented a public notice attached with a letter from Beverley Webster and the Glenn H. Webster Trust, which were received after packets had been mailed.

(Commissioner Briscoe joined the hearing at 1:20 p.m.)

Ms. Prelog presented a map showing the location of the property and gave a brief description. She provided history of the area and its surroundings. Ms. Prelog provided background information about the applicants' first approach to Weld County for a proposal to subdivide a parcel of land and construct a single-family home. She stated that due to the contiguity to the City of Greeley, annexation by the applicants was required in order to obtain city water service.

The applicants requested water services from the City to serve the subject site and support residential development. The water main line is located through a 16-inch water line located along 83rd Avenue east of the site, for which the applicants are requesting a water tap. Appropriate fees would be applied and paid for by the applicants. The City's Water and Sewer Department has been working with the property owner and they are able to provide water to the property upon certain improvements. Ms. Prelog stated that the proposed annexation meets all the goals and objectives of the Comprehensive Plan and meets all criteria per GC 1.5 annexations that can be developed in a positive way, as an addition to the City and should be considered. Ms. Prelog stated that the site is in an area in which the City expects to see continued development and need for City services.

Mrs. Prelog addressed the Commission with the Jackson Annexation Establishment of Zoning, and the request to establish Residential Estate zoning on 38.41 acres, located west of 83rd Avenue and north of 4th Street. She presented a land use guidance map, showing the proposed area and its surroundings. She described the criteria found in section 18.26.070 (b) (1-2) of the Development Code. Ms. Prelog stated that this requested (R-E) Residential Estate zoning is the most appropriate zoning for the proposed use given the existing surrounding uses.

Ms. Prelog summarized the presentation with notices that were sent to the neighboring properties, where she received four letters objecting the proposed annexation. Ms. Prelog also met with Betty and Floyd Weiderspon and Marlynda Gerwig and they discussed the annexation further. She also received a phone call on the morning of March 26, 2019 with questions about these proposals. Staff found that all criteria had been met and recommended approval of the annexation and establishment of zoning.

Commissioner Rarick asked if the main concerns were the water issues. Mr. Prelog clarified that there was confusion about the water issues and what staff had previously communicated and what was currently happening. After speaking with Water & Sewer, due to the development north of the proposed site there is infrastructure available to provide a water tap in the area. Commissioner Schulte asked for clarification on zoning in a Residential Estate zone district versus a Residential Low zone district. Some of the uses include single-family dwellings, parks, open space and farming in that zoning district.

Ms. Prelog stated that the difference is in minimum lot size. Residential Low zoning has a minimum of 6,000 square feet versus Residential Estate having a minimum of 13,000 square feet lot size. Commissioner Modlin questioned how many lots have water taps from the City in this area. Ms. Prelog directed him to the maps presented showing the existing infrastructure and stated she was not clear on how many had water taps.

Commissioner Yeater expressed the concerns with the neighboring properties becoming part of the City. He asked for clarification about the City's process for these properties to become part of the city limits. Ms. Prelog stated that an application would have to be brought forward by one of the property owners, and they would have to petition the City for an annexation if interested. Mike Garrott, Planning Manager, addressed the Commission and clarified there are periods of time for any annexation of three years if land is not owned and briefly described the process that would need to take place for any future annexations.

Commissioner Yeater questioned if specific use would continue to grandfather for annexations. Ms. Prelog stated that part of the annexation protocol is that any existing uses or conditions would be grandfathered. Commissioner Yeater questioned neighbors' concerns about access to the property. Ms. Prelog addressed the concern, pointing out the recorded exemption done through Weld County. She presented the map showing the split parcel on the established access easement from 83rd Avenue to the property. The access also goes to the northern property at 217 83rd Avenue.

Commissioner Briscoe questioned the use for the property adjacent to the south, if this property were in the city limits. Ms. Prelog clarified that the property was in the county. Commissioner Briscoe asked about the RV lots and dedicated water. Ms. Prelog clarified that the applicants are required to dedicate the water, pay plant investment fees and make some improvements to the water line to connect to 83rd Avenue. Commissioner Yeater asked about subdividing the properties. Ms. Prelog stated that it would be very difficult to develop. Commissioner Yeater questioned the amount of taps associated in this area and wanted reference to the sewer line. Paul Tucker, Water & Sewer T&D Superintendent, addressed the Commission and stated there are seven existing taps. Mr. Tucker stated the sewer line was a mile away from Poudre River Ranch subdivision.

Commissioner Andersen expressed her concerns on the permits granted by the county without available water. Ms. Prelog stated that the permits were granted by Weld County and she is unable to speak on their behalf. She clarified that the home is currently under construction.

Ron Jackson addressed the Commission and clarified that he had several meetings with the City prior to building and was assured that they would be supported with water taps. He stated that payments were made for infrastructure and that the Jacksons traded their water shares. Mr. Jackson believed the proposal would help with water issues for the neighboring residence. He shared history on the court battle for this property due to misinformation. He stated that City staff suggested that due to the hardship, a water tap would be possible and this is why they moved forward with the proposal. Commissioner Andersen expressed her concerns about the City assuring Mr. Jackson that he would receive a water tap and commented that there would be steps to take in order for approval. She also questioned the communication between staff with the neighboring properties about issues that could arise.

Chair Yeater opened the public hearing at 1:39 p.m.

Floyd Weiderspon addressed the Commission with his concerns about the property and shared history about living in the area. He stated that he bought a four-inch line from 4th to 83rd Avenue through the agriculture division. He stated that the City requested it back for maintenance purposes. He stated that he enjoyed living outside city limits and was not against the Jacksons, but he was concerned about the water issues and opposed the proposal. He expressed his concerns about the large amount of water that is normally used, especially during the summer months. He also expressed concerns about the water tap issues.

Marlynda Gerwig, addressed the Commission with history on the Jacksons' purchase of the property and the court issues. She shared her concerns about the water supply. She referred to Colorado inspection codes and the required inspections before purchasing a property. Ms. Gerwig felt that communication was not well shared with the neighboring properties about both of these proposals.

John Sharmon addressed the Commission with his concerns about communication between staff and the neighboring properties about these proposals. He stated that Mr. Jackson approached him requesting permission to enter his property to view his water system. He allowed both him and City staff into his home to look at the water system and was thankful that staff was able to provide very useful information about water while they were there. He expressed his concerns about permits and asked for clarification on the long-term impact of the proposals.

Chair Yeater closed the public hearing at 1:41 p.m.

Ron Jackson addressed the Commission and clarified he was misinformed about the property and the water issues. He understands the neighbors' concerns and stated that there is no intention for future building on this property.

Paul Tucker, Water & Sewer T&D Superintendent, addressed the Commission and stated that the properties are located on a dead ended four-inch water line from the Bellevue water line. He stated water pressure would be about 20-28 lbs. and the flow rate would be about 70-80 gallons depending if the plant is pushing water out. He explained that adjustments could be made and stated that all the homeowners would benefit from the adjustments.

Commissioner Modlin expressed concerns about additional housing in this area. Ms. Prelog stated that a preliminary subdivision would be required and would have to adhere to standards. Brad Mueller, Community Development Director, stated that the development would be very well reviewed prior to any approval. There were questions by the Commissioners about annexation in this area. Mr. Mueller clarified that this area is part of the long-range redevelopment area. He clarified communication between the county and staff.

Commissioner Briscoe requested a clarification about annexations and spot zoning. Ms. Prelog explained the requirements for annexations and stated that with any annexation, establishment of zoning is required within 90 days of the annexation. She added that staff is required to review the most appropriate zoning, in this case Residential Estate.

Commissioner Rarick moved that, based the application received and the preceding analysis, the Planning Commission finds that the proposed annexation meets the required Development Code criteria of Section 18.26.050(a) (1-5); and recommended approval of the Annexation to the City Council. Commissioner Schulte seconded the motion the motion carried 6-0. (One vacancy exists.)

Commissioner Schulte moved that, based on the application received and the preceding analysis, the Planning Commission finds that the proposed R-E (Residential Estate) zone district meets the review criteria found in the following Development Code Section 18.26.070(b)(1-2) and recommend approval to the City Council. Commissioner Rarick seconded the motion the motion carried 6-0. (One vacancy exists.)

V. A public hearing to consider approval of the Kersey, Evans, and Greeley Intergovernmental Agreement

Project Name: Kersey, Evans, Greeley Intergovernmental Agreement
Case No.: AGR2019-0001
Presenter: Rachel Prelog, Planner II

Ms. Prelog addressed the Commission with a project overview and background of the agreement. She stated this document recognized each jurisdiction's growth boundaries and established annexation protocol where such boundaries overlap. She added that it provided a plan for future land use and urban development through the establishment of a cooperative planning area.

Ms. Prelog presented maps showing the areas. She stated that Kersey, Evans, and Greeley recognized the value of the South Platte River corridor, which lies between the communities. She added that the communities wish to cooperatively plan this area for their mutual benefit and avoid annexation, land use and environmental conflicts.

Ms. Prelog reported that the agreement shall remain in effect for a period of five years from the effective date. Thereafter it would be automatically renewed for successive five-year terms unless at least 120 days prior to the scheduled expiration, any party notifies the other parties of its decision that the agreement shall not be renewed.

Commissioner Schulte asked if any changes were made from the previous worksession for this matter. Ms. Prelog clarified that no changes were made. Commissioner Schulte asked whether joined parties were also being sent to Planning Commissions to vote or review this proposal. Commissioner Andersen expressed her concerns about the land uses and the criteria. Mr. Mueller clarified the land use and pointed out the areas on the map presented. Commissioner Andersen shared her concerns about land uses issues and RV and outdoor storage. Mr. Mueller addressed the Commission with the envisioned future land use and desire to assist neighboring municipalities with limited resources.

Kayla Meyer addressed the Commission on behalf of the City of Evans and offered to answer any questions. She shared a brief job description and thanked the Commission and city staff. Ms. Meyer supported the proposal for the agreement.



Planning Division MEMORANDUM

TO: The City of Greeley Planning Commission

RE: ANX-0006 & ZON-0015 – Additions to the Record

FROM: Rachel Prelog, Planner II

DATE: March 26, 2019

Correction

The courtesy letter sent to property owners within 500 ft. of the application contained an incorrect general description of the property's location. The subject site was referred to as east of 83rd Avenue and should have read west of 83rd Avenue (*see Attachment A – Notice Letter*).

Public meetings require a sign to be posted on the property, a notice to be published in the newspaper, and a courtesy notice mailed to surrounding property owners. When possible, the notice shall include a general description to the property. The letter must contain the name and address of the applicant, an abbreviated legal description, a description of the request, hearing times and dates, and a statement that additional information is available upon request. The City's Attorney's office has received the notice in accordance with Section 18.18.040 Public meeting notice and finds that land use request was noticed according to Development Code requirements.

Additional Public Comment

Please find the attached public comment from Beverly Webster and the Glenn H. Webster Trust which was provided after Planning Commission packets were mailed (*see Attachment B – Beverly Webster Comment Letter*).

Attachments:

Attachment A – Notice Letter

Attachment B – Beverly Webster Comment Letter



Community Development Department – Planning Division
1100 10th Street, Suite 202 Greeley, CO 80631
970-350-9780
www.greeleygov.com/services/cd

PUBLIC NOTICE

Mailing Date: March 16, 2019

A public hearing will be held to discuss the following proposals in your neighborhood:

The City of Greeley is considering a request from Ron and Jeanne Jackson to annex 38.41 acres of unincorporated property into the City of Greeley.

AND

A request to establish R-E (Residential Estate) zoning on 38.41 acres of land petitioned to be annexed into the city. (See attached map)

Project Name: Jackson Annexation & Establishment of Zoning

Applicant: Ron and Jeanne Jackson

Case Number: ANX2018-0006 & ZON2018-0015

Telephone: 970-590-6980

Property Address: 245 83rd Avenue

Address: 217 83rd Avenue

Property Location: North of 4th Street and east of 83rd Avenue

As a courtesy, property owners within 500 feet, as derived from the Weld County Assessor's Office, are notified when an application is scheduled for public hearing. As those records are not always current, please feel free to notify your neighbors of this hearing date, so that all may have an opportunity to participate. Interested parties may appear and speak on the matter at the public hearing and/or file written comment with the Planning Division by March 19, 2019.

**City of Greeley City Center South
City Council Chambers
1001 11th Avenue**

Planning Commission: March 26, 2019

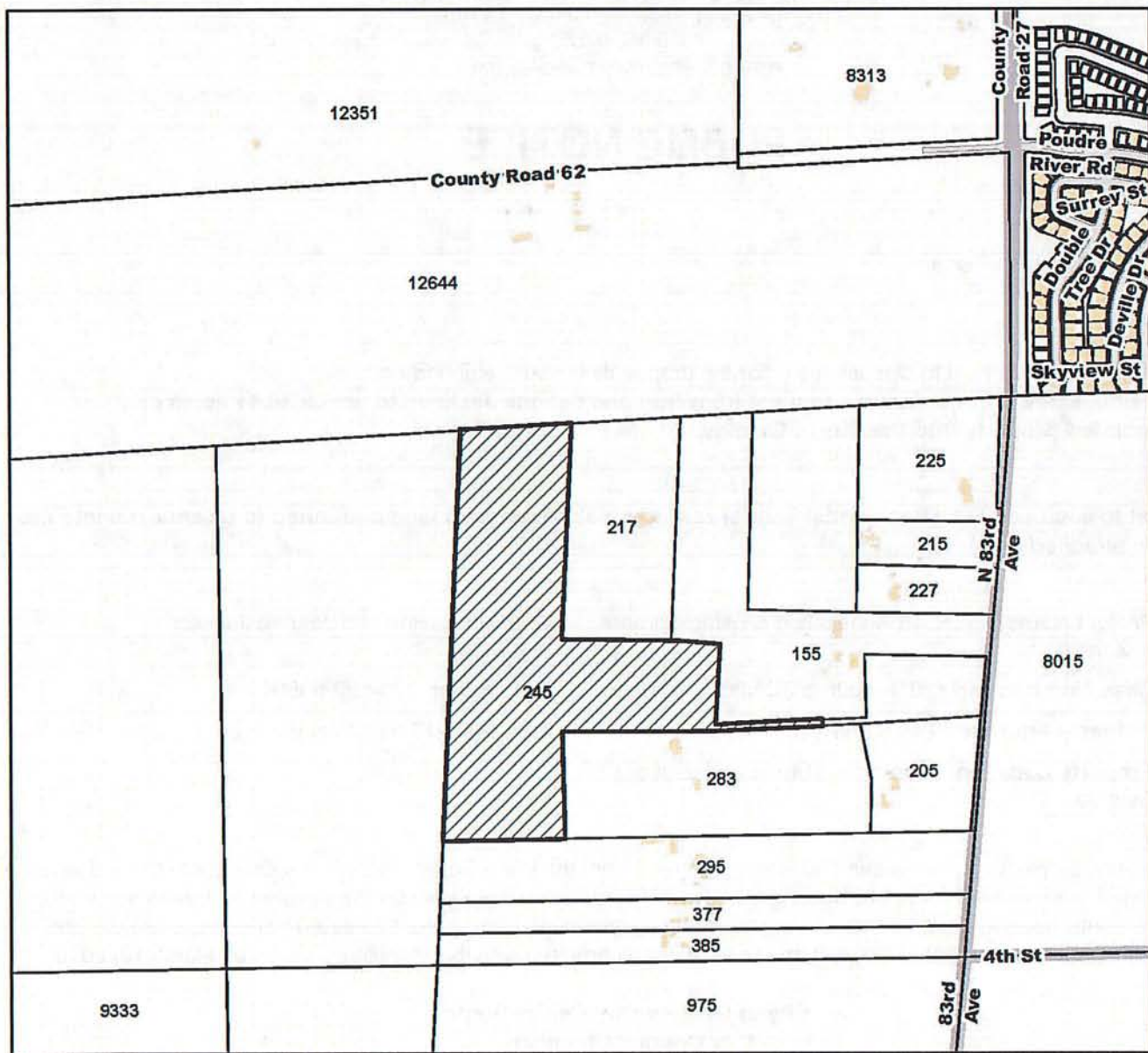
Hearing Time: 1:15 p.m.

City Council: April 16, 2019

Hearing Time: 6:30 p.m.

Rachel Prelog, Planner II
Ph: 970-350-9823
E: rachel.prelog@greeleygov.com

Vicinity Map



Legend

-  245 83rd Avenue
-  Building
-  Arterial Streets
-  Local Streets

ANX2018-0006 & ZON2018-0015 Jackson Annexation & Establishment of Zoning

0 0.25 0.5 Miles



03/20/2019

City of Greeley
Community Development Department- Planning Division
Rachel Prelog, Planner II

Case Number: ANX2018-0006 & ZON2018-0015

Greetings,

I wish to register a strong protest against this Annexation and especially the establishment of the R-E Zoning.

After living in this location (215 83rd Ave.) for forty plus years. I believe that rezoning this area will negatively affect the quality of life in the area. The annexation itself is not as much of a concern as the change of zoning from agricultural too residential.

There is also a concern for the added financial burden and possible loss of the "Right to Farm" that will likely accompany this change.

I also have a concern that this is a clear case of "Spot Zoning", in that it will benefit one individual and negatively impact others in the area.

Please feel free to contact me at any time.

Respectfully

Beverly B. Webster

Beverly B. Webster and Glenn H. Webster Trust
Account: R1969586 and R1969886
215 83rd Ave, Greeley Colorado 80634

PLANNING COMMISSION SUMMARY

ITEM: Annexation

FILE NUMBER: ANX2018-0006

PROJECT: Jackson Annexation

LOCATION: 245 83rd Avenue

APPLICANT: Ron and Jeanne Jackson

CASE PLANNER: Rachel Prelog, Planner II

PLANNING COMMISSION HEARING DATE: March 26, 2019

PLANNING COMMISSION FUNCTION:

Review the proposed annexation for compliance with Section 18.26.050 of the Greeley Development Code and make a recommendation to the City Council.

EXECUTIVE SUMMARY

The property owners have petitioned the City to annex a total of 38.41 acres of unincorporated property into the City of Greeley (*see Attachments A – Vicinity Map and Attachment B – Annexation Plat*).

A. REQUEST

Approval of an annexation known as the Jackson Annexation.

B. STAFF RECOMMENDATION

Approval

C. LOCATION

The property is located approximately 1,400 feet west of 83rd Avenue, north of 4th Street, addressed 245 83rd Avenue (*see Attachment A– Vicinity Map*).

Current Zoning: County “AG” Agriculture

Proposed Zoning: R-E (Residential Estate)

Abutting Zoning: North: County “AG” Agriculture
South: County “AG” Agriculture
East: County “AG” Agriculture
West: R-L (Residential Low Density)

Site Conditions: The site largely undeveloped and contains an access drive/easement leading through the parcel to the adjacent property

to the north and through the property to the east onto 83rd Avenue. There is one single family residence currently under construction, anticipated to be complete in the summer of 2019.

Lot Size: 38.41 acres

Contiguity: 26.67% (16.67% or 1/6 required)

Abutting Land Uses: North: Single family residential
South: Single family residential
East: Single family residential
West: Undeveloped land

D. BACKGROUND

In the summer of 2018, the applicants approached Weld County with a proposal to subdivide a parcel of land and construct a single family home. Due to the parcel's contiguity to the City of Greeley, annexation was required of the applicant in order to obtain City water service. Through inter-jurisdictional review and coordination, the applicant was allowed to complete the recorded exemption to subdivide their property and pull a building permit for the construction of the single-family home, with the agreement that the residence would not be able to connect to City water until annexed.

E. KEY ISSUES and ANALYSIS/APPROVAL CRITERIA

The Commission shall consider comment from review agencies and offices, the staff recommendation, citizen comments, and the following criteria in taking action to recommend approval, denial, or to table the annexation for future consideration.

1. The proposed annexation is in conformance with the Comprehensive Plan.

The following Imagine Greeley: The City of Greeley Comprehensive Plan, 2018 policies apply to this request:

Comprehensive Plan Policies & Objectives:

GC-1.5 Annexations: When considering a proposed annexation, the City should find persuasive evidence that the inclusion of the property into the City's jurisdiction meets the goals and objectives of the Comprehensive Plan, and that the property can be developed in a manner that will be a positive addition to the city, improve the quality of Greeley's neighborhoods, and can be provided with municipal services.

Staff Comment: The subject site is presently undeveloped land surrounded by large lot residential uses. Based on current development trends, it is assumed that the surrounding areas within the City would continue to be developed. The inclusion of this property would help provide a

rational city boundary and aid in the extension of municipal services across a pocket of unincorporated land.

The Imagine Greeley Comprehensive Plan envisions this area would remain a rural neighborhood. Rural neighborhoods provide a transition from more urban areas to natural areas or open lands. The proposed large acreage residential use compliments the surrounding existing uses as well as the vision for the area.

The request complies with this criterion.

2. The proposed annexation promotes geographical balance if the City's land use pattern.

Staff Comment:

The subject site is an area in which the City expects to see continued development and need for City services. When looking at the larger vicinity, much of the surround land is currently undeveloped. However, City properties to the west are expected to urbanize in the near future. These lands collectively known as Lake Bluff, are part of a Metro District approved in 2018 and currently have a Planned Unit Development application in for review with the City. The annexation of this property and extension of services would help future infrastructure connections. Properties immediately surrounding the subject site are used as large lot residential. The inclusion of this use into the city provides a desired mix of housing type and price point.

The proposal complies with this criterion.

3. Adequate services are, or will be, available to support the development expected to result from the proposed annexation.

Staff Comment:

The applicant requested water service from the City to serve the subject site and support residential development. There is a 16-inch water line located in 83rd Avenue, east of the subject site into which the applicant would like to tap into. Per Water & Sewer Board and City Council Joint Resolution No 66, 1998, any property outside the city requesting service, which is adjacent to city limits, must annex on order to receive service (*see Attachment C – Resolution 66*).

The nearest sewer line is approximately one mile northeast of the subject site in 83rd Avenue, adjacent to the Poudre River Subdivision. The subject site will utilize an individual septic system. The property owners would be required to connect to City sewer if services are extended south adjacent to their property and when/if their septic systems fails.

The request complies with this criterion.

4. The proposed annexation provides for a continual and rational boundary.

Staff Comment: As proposed, the annexation exceeds the State's one-sixth contiguity requirement by approximately ten percent. This property's inclusion would also help provide a continual and rational boundary by filling in gaps of unincorporated land that are within the Long Range Expected Growth Area.

This request complies with this criterion.

5. The proposed annexation is needed to accommodate future land use requirements.

Staff Comment: Properties immediately surrounding the subject site are used as large lot residential. The inclusion of this use into the city provides a desired mix of housing type and price point.

The proposal complies with this criterion.

6. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The subject site is known as Lot B of recorded exemption RE 0959-06-01, approved December 21, 2018 (Rec No. 4456605).

2. HAZARDS

There are no known hazards on the subject site.

3. WILDLIFE

A portion of the subject is located in an area moderate ecological significance according to the City's Areas of Ecological Significance Map. Ecological impacts would be looked at in greater detail through any future land use request.

4. FLOODPLAIN

The subject site is not located within a floodway or floodplain, according to the adopted Federal Emergency Management Administration (FEMA) flood data. No change is expected to this area as a result of this annexation request.

5. DRAINAGE AND EROSION

The existing drainage patterns are expected to continue to follow the existing lay of the land, which generally flows north. Drainage patterns would be examined in greater detail through any future land use requests.

6. TRANSPORTATION

The subject site is an internal lot located in between 83rd Avenue and 95th Avenue north of 4th Street. Per recorded exemption RE 0959-06-01, the subject site is provided legal access via a 30-foot access and utility easement leading out to 83rd Avenue. The Public Works Department reviewed this request and it was determined that traffic impacts would be minimal considering the rural nature of the area at this time.

7. SERVICES

1. WATER

There is a 16-inch water line located in 83rd Avenue, east of the subject site. Upon annexation approval, the applicant would tie into existing City of Greeley Water lines to provide service to a planned residence.

2. SANITATION

The nearest sewer line is approximately one mile northeast of the subject site in 83rd Avenue, adjacent to the Poudre River Subdivision. The subject site will utilize an individual septic system. The property owners would be required to connect to City sewer if services are extended south, adjacent to their property and when/if their septic systems fails.

3. EMERGENCY SERVICES

The subject site is currently served by the Windsor/Severance Fire Protection District. With the successful annexation, the applicant would petition to withdraw the property from the Windsor/Severance Fire Protection District. The City of Greeley Fire Department would then take over fire services for the property. The closest fire station, Fire Station #7, is approximately 2 ½ miles southeast of the subject site. The City of Greeley Police Department would also serve this area with the completion of the annexation.

4. PARKS/OPEN SPACES

No public parks or public open space areas are proposed with this request nor identified within this area on the Parks, Trails, and Open Lands Master Plan.

5. SCHOOLS

The subject site is within the Windsor School District boundary. An annexation impact report was sent to the district for their review and comment. No response has been received from them to date.

8. NEIGHBORHOOD IMPACTS

1. VISUAL

No known visual impacts would be created by the annexation. There is one single family residence under construction on the property; which would be consistent with large acreage properties in the area.

2. NOISE

It is not anticipated that the proposed annexation would create any significant increase in noise.

9. COST-BENEFIT ANALYSIS

Depending on the anticipated land uses, staff may conduct a Cost-Benefit Analysis to analyze the potential impacts an annexation may have on municipal services, along with any potential revenue sources that would become available to the City.

The property within this annexation proposal is proposed to be zoned R-E (Residential Estate). Once annexed, the property owner(s) would be required to extend water service to the property and pay applicable tap fees. The City will also receive property tax in coming years once, the site is annexed.

The City would be responsible to provide fire and police protection services; nonetheless these service are expected to be minimal.

Staff finds that the proposed annexation cost impacts should be minimal in nature and will relate only to the additional maintenance of police and fire protection services.

10. PUBLIC NOTICE AND COMMENT

A copy of the Annexation Impact Report was forwarded to the Weld County of Board of County Commissioners, to the Windsor/Severance School District RE-4, and the Windsor/Severance Fire Protection District. No response from any of these entities has been received to date.

Neighborhood notices were mailed to surrounding property owners within 500 ft. of the subject site on March 16, 2019 per Development Code requirement. Two signs were posted, one along the eastern side of the property along 83rd Avenue, and one along the private access drive as one enters the property.

Staff has received three letters from neighboring property owners objecting to the proposed annexation (*see Attachment D – Neighbor Comment Letters*). Staff also met with Betty and Floyd Weiderspon (no letter provided) and Marlynda Gerwig (letter included) to discuss the annexation further.

Neighbors have expressed concern that the proposed annexation could alter the character of their rural neighborhood and encourage development. There is also concern regarding the extension of municipal boundaries and the affect that had on surrounding properties, making other properties, in their words, “One step closer to being an enclave.” Frustration was

expressed at the lack of due diligence on the applicant's part in what was viewed to be an oversight in the properties viability for development and the perceived repercussions the annexation has on neighboring properties.

11. PLANNING COMMISSION RECOMMENDED MOTION

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed annexation meets the required Development Code criteria of Section 18.26.050(a)(1-5); and recommend approval of the Annexation to the City Council.

ATTACHMENTS

Attachment A – Annexation Impact Report
 Exhibit A – Vicinity Map
 Exhibit B – Annexation Plat
 Exhibit C – Legal Description
Attachment B – Site Analysis Map
Attachment C – Resolution 66
Attachment D – Neighbor Comment Letters

ANNEXATION IMPACT REPORT JACKSON ANNEXATION

PROPERTY OWNERS	Jeanne and Ronnie Jackson
REPRESENTATIVE	Rachel Prelog, Planner II City of Greeley, Community Development
LOCATION	West of 83 rd Avenue, North of 4 th Street
SIZE	38.41 Acres
CONTIGUITY	Required 16.67% Provided 26.67% (2151.34' / 8067.59')
EXISTING USES	Site is undeveloped with an access drive/easement for adjacent residence to north.
SURROUNDING LAND USES	North: Single Family Rural Residential South: Single Family Rural Residential East: Single Family Rural Residential West: Undeveloped
CURRENT ZONING	Weld County A (Agriculture)
SURROUNDING ZONING	North: Weld County A (Agriculture) South: Weld County A (Agriculture) East: Weld County A (Agriculture) West: R-L (Residential Low Density – City)
AVAILABLE UTILITIES	Private utility companies provide the site with electric, gas, telephone, fiber optics, and cable television service. Following annexation, the applicant will tie into existing City of Greeley water lines to provide service to the site. Sewage would be handled with an on-site septic system until such time as sanitary sewer facilities are available in 83 rd Avenue.
TAXING DISTRICTS	Weld County School District RE-4 Windsor Northern Colorado Water Windsor-Severance Fire Protection District Windsor-Severance Fire Protection District (Bond) Aims Junior College Clearview Library District West Greeley Conservation
INTENDED/PROPOSED USES	Single family residential use

COMPREHENSIVE PLAN

The entire site lies within the Long-Range Expected Growth (LREGA). It is anticipated that the site will be developed with low density / rural residential uses.

ANALYSIS

State annexation standards require a minimum one-sixth boundary contiguity (16.66%) for annexation. This parcel is approximately 26.67% contiguous with existing city boundaries. Contiguous area is 2151.34', of total 8067.59' perimeter.

The Annexation is located directly west of 83rd Avenue and consists of 38.41 acres.

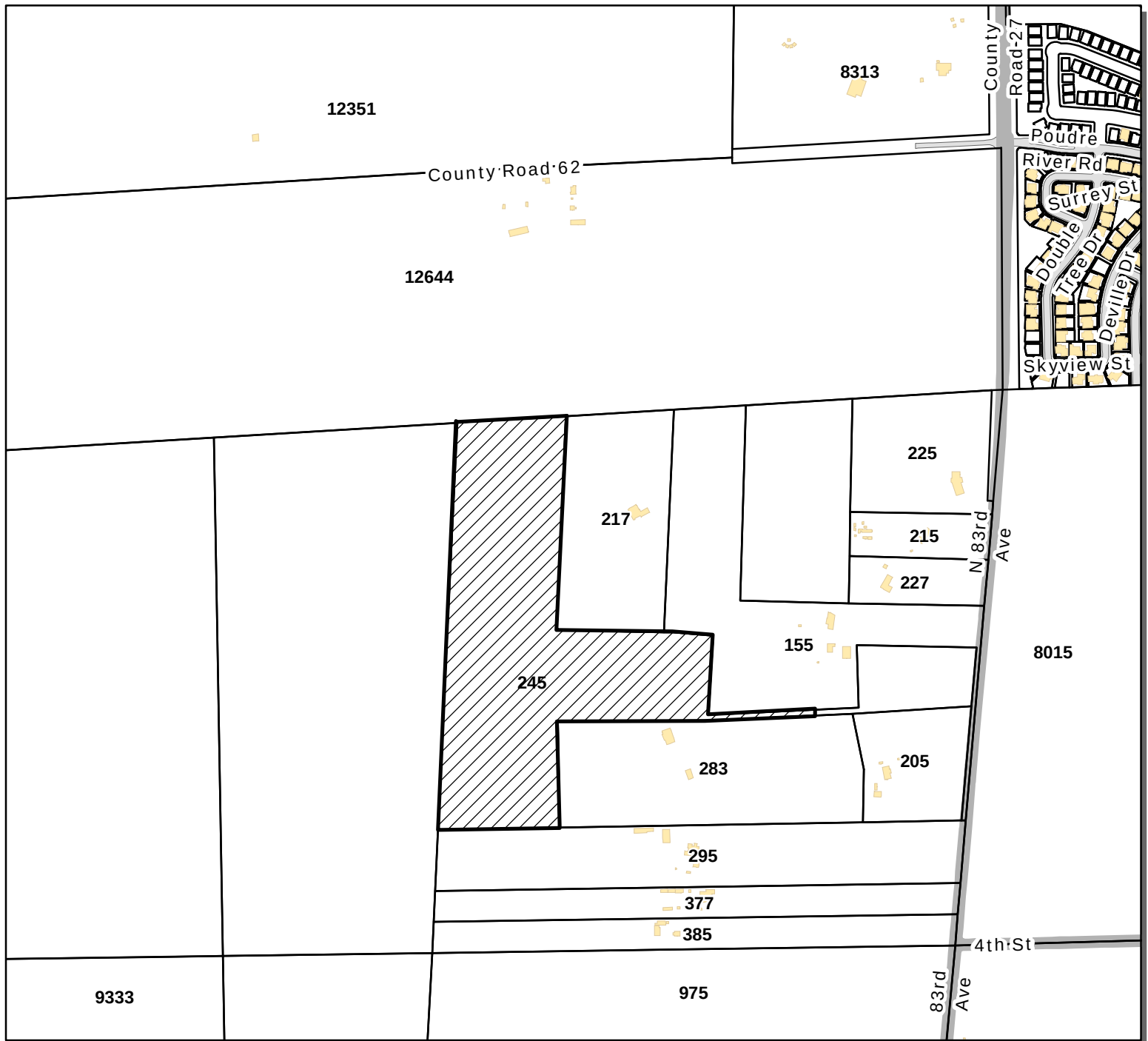
The property is proposed to be withdrawn from the Windsor-Severance Fire Protection District and receive fire services from the Greeley Fire Department.

The annexation of this property into the City would be consistent with present growth patterns and Comprehensive Plan policies. There is evidence that this site shares a common interest with the City's future. The requirements of State Statutes and City of Greeley Comprehensive Plan Policies for annexation appear to have been met by this requested annexation.

ATTACHMENTS:

Exhibit A - Vicinity Map
Exhibit B - Annexation Plat
Exhibit C - Legal Description

Exhibit A – Vicinity Map



Legend

-  143 83rd Avenue
-  Building
-  Arterial Streets
-  Local Streets

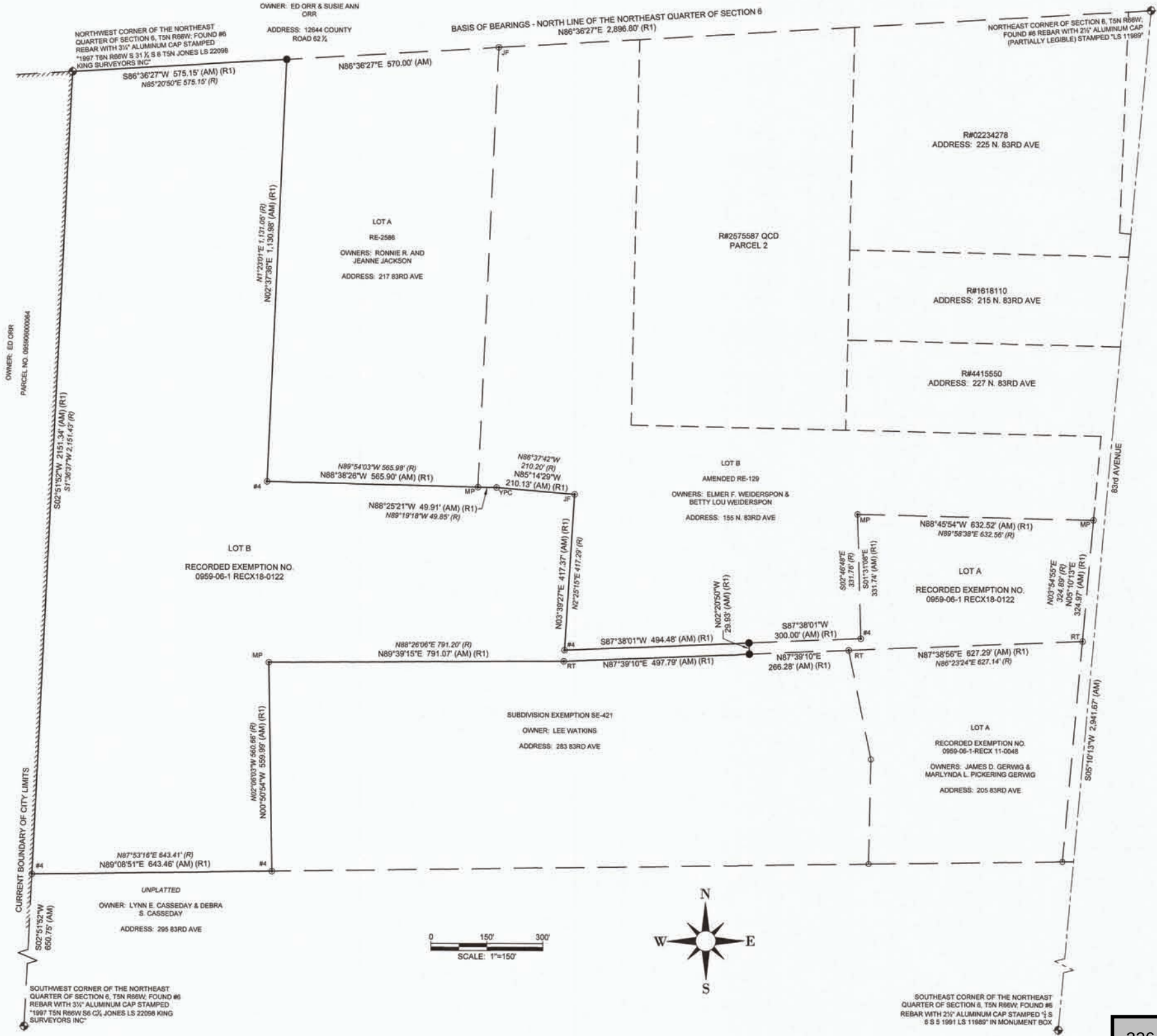
ANX2018-0006 & ZON2018-0015
Jackson Annexation & Establishment of Zoning

0 0.25 0.5
Miles



Exhibit B – Annexation Plat

JACKSON ANNEXATION
A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 6,
TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO
(AREA AS SURVEYED 1,673,177.6 SQ. FT.
OR 38.41 ACRES MORE OR LESS)



- LEGEND**
- (AM) AS MEASURED BEARING AND DISTANCE
 - (R1) RECORD INFORMATION PER RECORDED EXEMPTION NO. 0959-06-1 RECX18-0122 (WELD COUNTY CLERK AND RECORDER RECEPTION NO. 445605)
 - (R2) RECORD INFORMATION PER RECORDED EXEMPTION NO. 0959-06-1 RECX11-0048 (WELD COUNTY CLERK AND RECORDER RECEPTION NO. 382522)
 - SECTION MONUMENT FOUND AS DESCRIBED
 - FOUND MONUMENT, #4 REBAR WITH 1" YELLOW PLASTIC CAP STAMPED "THOMAS LS 11989"
 - FOUND MONUMENT, #4 REBAR WITH 1" YELLOW PLASTIC CAP STAMPED "PAIGE LS 18471"
 - FOUND MONUMENT, #4 REBAR WITH ILLEGIBLE 1 1/2" YELLOW PLASTIC CAP
 - FOUND MONUMENT, #4 REBAR WITH 1" YELLOW PLASTIC CAP STAMPED "LS 4382"
 - FOUND MONUMENT, #4 REBAR
 - FOUND MONUMENT AS DESCRIBED
 - MONUMENT SET, #5 REBAR WITH 1 1/2" ALUMINUM CAP STAMPED "BENCHMARK SURVEYING LS 38383"
 - CALCULATED CORNER POSITION NO MONUMENT FOUND OR SET
 - WELD COUNTY CLERK AND RECORDER RECEPTION NUMBER

LEGAL DESCRIPTION (PER RECORDED EXEMPTION NO. 0959-06-1 RECX18-0122, WELD COUNTY CLERK AND RECORDER RECEPTION NUMBER 445605, DATED 12/27/2018):

LOT B, RECORDED EXEMPTION NO. 0959-06-1 RECX18-0122, RECORDED DECEMBER 27, 2018 AT RECEPTION NO. 445605, BEING IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

THE ABOVE PARCEL OF LAND CONTAINS 38.41 ACRES, MORE OR LESS AND IS SUBJECT TO RECORDED RIGHTS-OF-WAY AND EASEMENTS.

LEGAL DESCRIPTION AS SURVEYED:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6 TO BEAR NORTH 89°30'27" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER, THENCE SOUTH 02°31'31" WEST, 2151.34 FEET, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, THENCE DEPARTING SAID WEST LINE, NORTH 89°08'51" EAST, 643.46 FEET, THENCE NORTH 00°50'54" WEST, 559.99 FEET, THENCE NORTH 89°30'18" EAST, 791.07 FEET, THENCE NORTH 87°39'10" EAST, 487.79 FEET, THENCE NORTH 02°20'50" WEST, 29.93 FEET, THENCE SOUTH 87°39'11" WEST, 484.48 FEET, THENCE NORTH 9°39'27" EAST, 417.37 FEET, THENCE NORTH 85°14'29" WEST, 210.13 FEET, THENCE NORTH 89°25'21" WEST, 48.91 FEET, THENCE NORTH 89°38'28" WEST, 565.90 FEET, THENCE NORTH 2°37'36" EAST, 1130.98 TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER, THENCE ALONG SAID NORTH LINE, SOUTH 86°38'27" WEST, 575.15 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 1,673,177.6 SQUARE FEET OR 38.41 ACRES MORE OR LESS.

SURVEYORS CERTIFICATE:

THAT I, NATHANIEL E. KEANE, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THIS LAND, INCLUDING ALL EXISTING RIGHTS-OF-WAY AND EASEMENTS, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION, IN ACCORDANCE WITH THE REGULATIONS OF THE STATE OF COLORADO.

NATHANIEL E. KEANE
CO PLS #38,383
FOR AND ON THE BEHALF OF
BENCHMARK SURVEYING, LLC
560 SOUTH 45TH STREET
BOULDER CO, 80305
720-253-4080



ANNEXATION DATA:

TOTAL AREA = 38.41 ACRES MORE OR LESS OR 1,673,177.6 SQUARE FEET

TOTAL PERIMETER = 8,067.59'

CONTIGUOUS PERIMETER = 2,151.34' (26.66%)

ACCEPTANCE:

SAID ANNEXATION MAP HAS BEEN ACCEPTED BY THE CITY OF GREELEY, WELD COUNTY, COLORADO, AND THE TERRITORY DESIGNATED HEREON IS MADE A PART OF THE CITY OF GREELEY AND INCLUDED WITHIN THE LIMITS AND JURISDICTION THEREOF THIS _____ DAY OF _____ A.D. 2019.

ATTEST: _____ CITY CLERK _____ MAYOR

CITY ENGINEER'S APPROVAL:

APPROVED THIS _____ DAY OF _____ A.D. 2019.

CITY ENGINEER

COMMUNITY DEVELOPMENT DIRECTOR APPROVAL:

APPROVED THIS _____ DAY OF _____ A.D. 2019.

COMMUNITY DEVELOPMENT DIRECTOR

- SURVEYOR NOTES:**
- THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF RONNIE R. JACKSON AND JEANNE JACKSON, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON NOR ADDITIONAL PARTY WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR OF RECORD ADDING SAID ADDITIONAL PARTY.
 - BASIS OF BEARINGS: GPS DERIVED BASIS OF BEARINGS BASED ON COLORADO STATE PLANE NORTH ZONE, NAD83(2011), BEING NORTH 89°30'27" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 66 WEST, OF THE 6TH P.M., BETWEEN THE MONUMENT LOCATED AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 6, BEING A FOUND #6 REBAR WITH A 3 1/4" ALUMINUM CAP STAMPED "1997 TSN R86W 531 1/2 S 6 TSN JONES LS 22098 KING SURVEYORS INC." AS SHOWN AND DESCRIBED HEREON, AND THE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SAID SECTION 6 BEING A FOUND #6 REBAR WITH A PARTIALLY ILLEGIBLE 2 1/2" ALUMINUM CAP STAMPED "LS 11989" AS SHOWN AND DESCRIBED HEREON, WITH ALL OTHER BEARINGS AND DISTANCES SHOWN HEREON RELATED THERETO.
 - HORIZONTAL DATUM FOR THIS PROJECT: NAD83(2011), COLORADO STATE PLANE NORTH ZONE, GEOID 12B. THE VERTICAL DATUM FOR ALL ELEVATION INFORMATION SHOWN HEREON IS NAVD83.
 - DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET.



THIS MAP WAS PREPARED BY
BENCHMARK SURVEYING, LLC.
PROFESSIONAL LAND SURVEYING & MAPPING
560 SOUTH 45TH STREET
BOULDER, CO 80305
(720) 253-4080
www.BMSURV.com

© 2019 BENCHMARK SURVEYING, LLC.
ALL RIGHTS RESERVED.

Exhibit C – Legal Description

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6th PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6 TO BEAR NORTH 86°36'27" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER, THENCE SOUTH 02°51'51" WEST, 2151.34 FEET; THENCE NORTH 89°08'51" EAST, 643.46 FEET; THENCE NORTH 00°50'54" WEST, 559.99 FEET; THENCE NORTH 89°39'15" EAST, 791.07 FEET; THENCE NORTH 87°39'10" EAST, 497.79 FEET; THENCE NORTH 02°20'50" WEST, 29.93 FEET; THENCE SOUTH 87°38'01" WEST, 494.48 FEET; THENCE NORTH 3°39'27" EAST, 417.37 FEET; THENCE NORTH 85°14'29" WEST, 210.13 FEET; THENCE NORTH 88°25'21" WEST, 49.91 FEET; THENCE NORTH 88°38'26" WEST, 565.90 FEET; THENCE NORTH 2°37'36" EAST, 1130.98' TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE ALONG SAID NORTH LINE SOUTH 86°36'27" WEST, 575.15 FEET TO THE POINT OF BEGINNING.

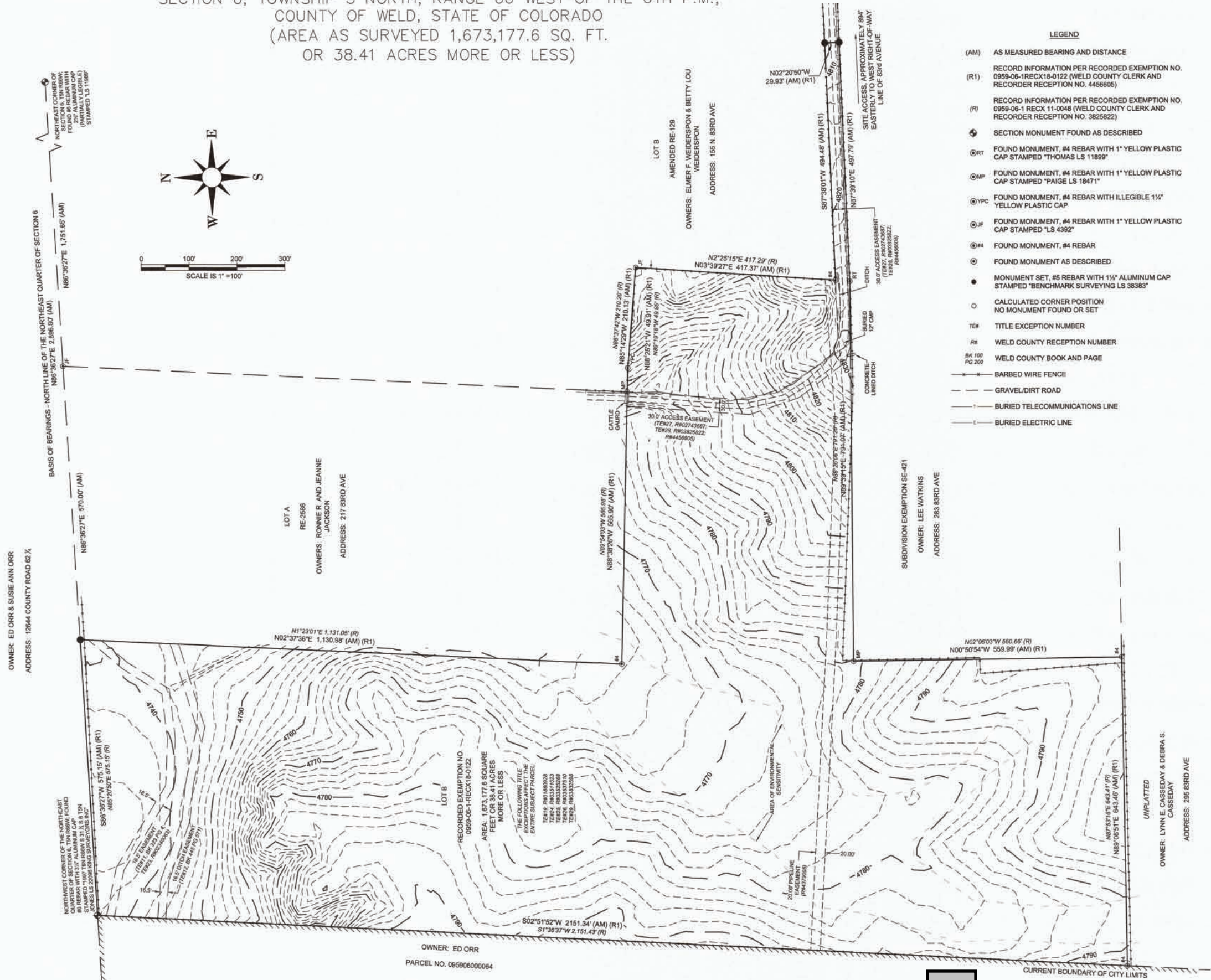
SAID PARCEL CONTAINING 1,673,177.6 SQUARE FEET OR 38.41 ACRES MORE OR LESS.

Legal Description prepared by:

Nathaniel E. Keane
Colorado PLS 38383
Benchmark Surveying LLC
560 S. 45th Street
Boulder, CO, 80305.

Attachment B

SITE ANALYSIS MAP - JACKSON ANNEXATION A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO (AREA AS SURVEYED 1,673,177.6 SQ. FT. OR 38.41 ACRES MORE OR LESS)



**WATER AND SEWER BOARD
AND CITY COUNCIL
JOINT RESOLUTION NO. 66, 1998**

GUIDING PRINCIPLES FOR OUTSIDE SERVICES

WHEREAS, development in the region of Greeley's water and/or sewage collection system has generated and will continue to generate request for outside-the-City service; and

WHEREAS, the Greeley City Council and the Water and Sewer Board desire to establish guiding principles for considering outside service requests; and

WHEREAS, such principles should be consistent with land use policies of the City and County; and

WHEREAS, such principles should assure that the interests of Greeley citizens who are the owners of the water and sewer systems, are protected and enhanced.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AND THE
WATER AND SEWER BOARD OF THE CITY OF GREELEY, COLORADO:**

1. Service agreements with other municipalities are wholesale agreements while agreements with individual property owners are retail. Neither type of agreement shall degrade service for City customers or system reliability.
2. Properties requesting retail water or sewer service which are outside but adjacent to Greeley city limits must be willing to annex prior to receiving services.
3. Properties requesting retail water or sewer service which are outside, not adjacent to Greeley city limits, but within the city-established growth area (defined by the comprehensive plan) must execute an agreement to annex when annexation becomes legally permissible and the City so requests.
4. All outside retail water or sewer service agreements shall require the customer to submit to the City all development plans for review and approval for conformance with Greeley's development code, subdivision regulations, and comprehensive plan policies as amended from time to time.
5. Outside wholesale customers, such as Evans and Windsor, shall not diminish Greeley's water rights to inside customers. No risk nor dependency upon Greeley's water rights shall be created by an outside wholesale service agreement. Both retail and wholesale customers shall provide adequate raw water in accordance with City policy.

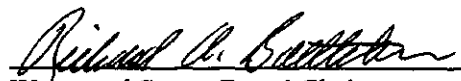
6. Outside customers shall not vest in City of Greeley facilities or water rights.
7. Payments for outside service shall be in accordance with rates using cost of service models and which present a financial benefit to Greeley citizens.
8. All outside entities must agree to follow water and sewer policies and standards regarding line extensions, flow measurement, water usage, backflow prevention, industrial wastewater pretreatment, and other requirements, as applicable.
9. Exceptions to this policy may be made by the City Council after receiving a recommendation from the Water and Sewer Board and the City Manager.
10. All water or sewer line extensions or connections outside the City of Greeley shall be in accordance with policies of the appropriate municipal and county jurisdiction and explicitly approved by such jurisdiction(s).

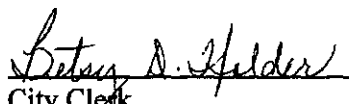
PASSED AND ADOPTED, SIGNED, AND APPROVED this 6th day of October, 1998.

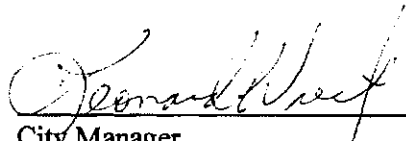
ATTEST:

WATER AND SEWER BOARD


Mayor


Water and Sewer Board Chairman


City Clerk


City Manager

Lynn and Debra Casseday
295 83rd Avenue
Greeley CO 80634

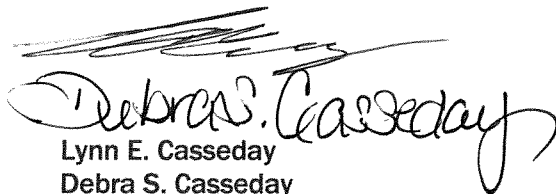
Community Development Department – Planning Division
1100 10th Street, Suite 202
Greeley CO 80631

March 17, 2019

Case Number: ANX2018-0006 & ZON2018-0015

Thank you for your time concerning the projected annexation of a property known as 495 83rd Avenue.

The new owner of this property is asking for annexation into the City of Greeley. This area has always been a rural community with several residences living on acreages ranging from 5 to 65 acres. The majority of these owners are farmers raising cattle, horses, and other farm related animals. Corn and hay are the raised crops. We like our rural environment and annexing within this area would only encourage urban development. Something we are not in favor of. Please consider denying the request for annexation.



Lynn E. Casseday
Debra S. Casseday
Owners,
295 83rd Avenue

March 19, 2019

City of Greeley
Community Development Department – Planning Division
1100 10th Street, Suite 202
Greeley, CO 80631

Planning Commission:

We are writing to you to express our displeasure for the proposal to annex (case number ANX2018-0006) and to establish R-E zoning (case number ZONE2018-0015) of the 38.1 acres of land owned by Ronnie R. and Jeanne Jackson into the City of Greeley.

It is our understanding the last available recorded exemption for the property in question has been approved and no other divisions of the property would be possible. This property is only accessible via Noble Energy's service road. If the zoning were changed and the property were subdivided, this use is not compatible with existing **surrounding** land uses. There also comes into question adequate water supply which if this has been satisfied, we would be very curious as to the solution. The City of Greeley has been adamant that they will not add any more water taps on the west side of 83rd Avenue in the 200 block.

Also, a major concern for us is the issue of first responders. If this small parcel of land is annexed into the City of Greeley and the surrounding property is not, this will cause a great deal of unnecessary confusion. When we call 911 will there be a question of who is to respond – City of Greeley, Weld County Sheriff's Department, City of Greeley Fire Department, Windsor Fire Department? This could contribute significant delay time in a catastrophic situation.

In closing, it is interesting that property owners new to the neighborhood have asked to change the zoning and quite possibly the entire dynamic of an established neighborhood. Why do the desires of one take precedence over the desires of many? The Jackson's now have two homes on their property and have stated they want to sell one. We think this will be difficult without a recorded exemption. The possible solution they seek is to annex their property into the City of Greeley at a cost to those that own property around them. Perhaps they should have considered their situation before making their neighbors bear the burden for them.

James and Marlynda Gerwig
205 83rd Avenue
Greeley, Colorado 80634
970-330-1569

Lee and Lynn Watkins
283 83rd Avenue
Greeley CO 80634

Community Development Department – Planning Division
1100 10th Street, Suite 202
Greeley CO 80631

March 17, 2019

Case Number: ANX2018-0006 & ZON2018-0015

Thank you for your time concerning the projected annexation of a property known as 245 83rd Avenue.

The new owner of this property is asking for annexation into the City of Greeley. This area has always been a rural community with several residences living on acreages ranging from 5 to 65 acres. The majority of these owners are farmers raising cattle, horses, and other farm related animals. Corn and hay are the raised crops. We like our rural environment and annexing within this area would only encourage urban development. Something we are not in favor of. Please consider denying the request for annexation.

Lee Watkins
Lynn Watkins
Owners,
283 83rd Avenue

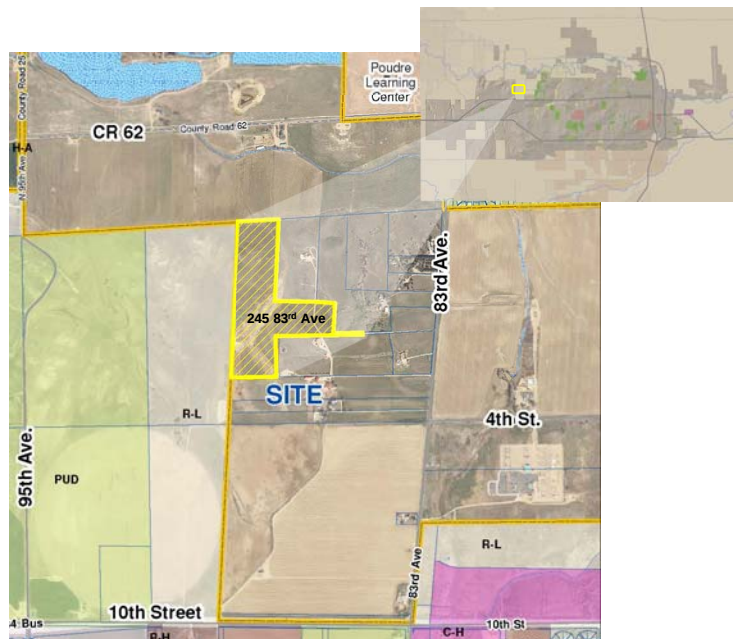
Jackson Annexation & Establishment of Zoning

GREELEY CITY COUNCIL

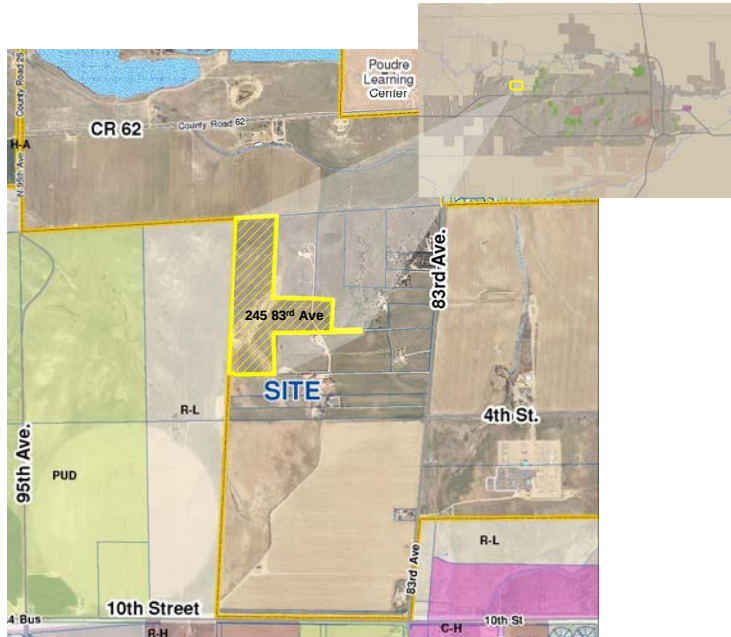
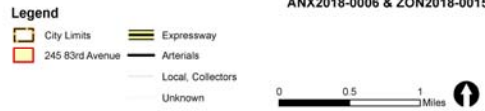
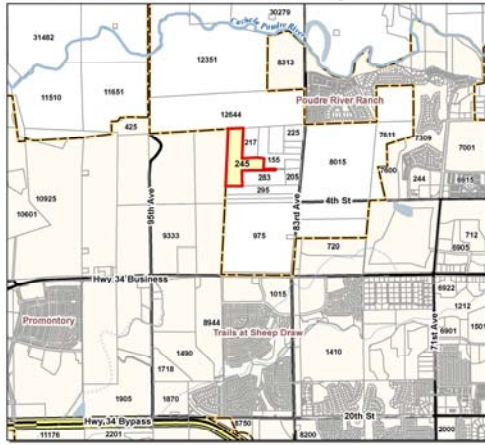
APRIL 16, 2019

Location:

- 245 83rd Avenue
- 38.41 acres

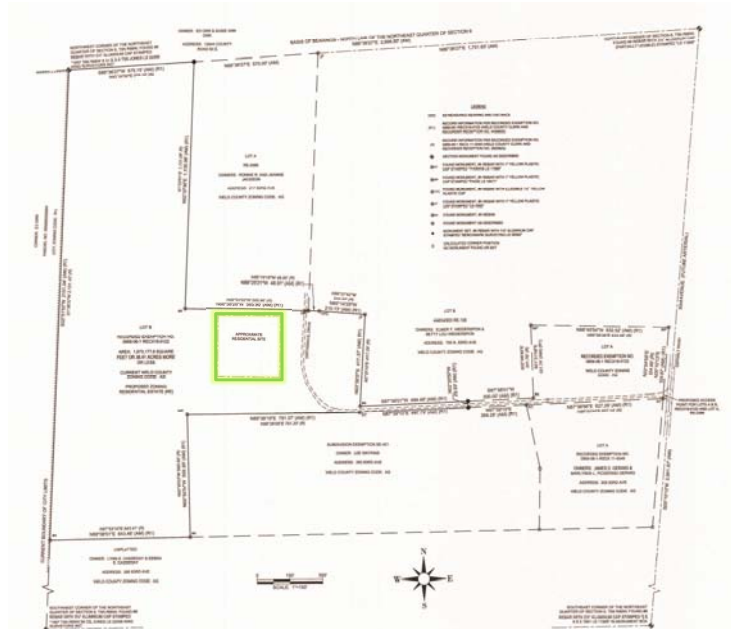


Vicinity Map
Jackson Annexation & Establishment of Zoning



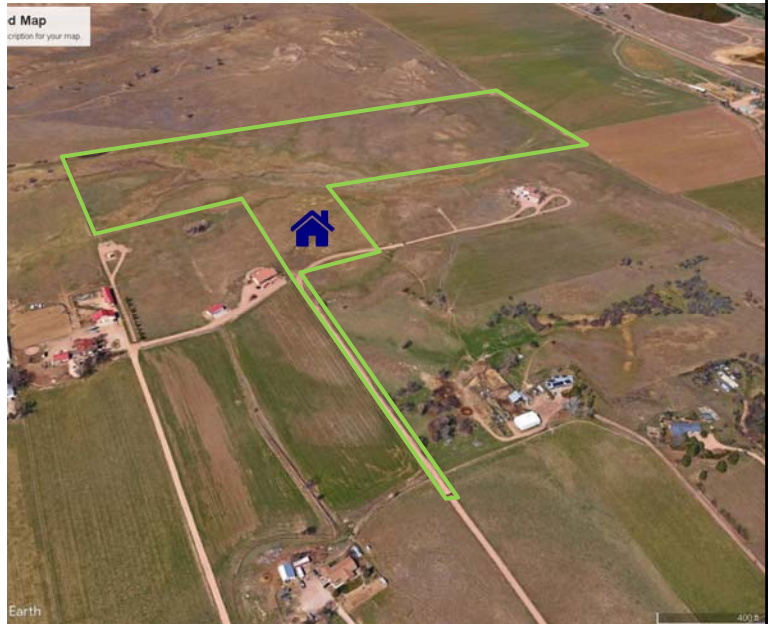
Background:

- New single-family residence
- Requesting City water service
- Properties that are eligible must annex to receive central services



Background:

- Finished recorded exemption with Weld County
- Obtained building permits from the County
- Required to annex, pay plant investment fees, and dedicate raw water/pay cash-in-lieu before receiving a water tap



Annexation Approval Criteria

In conformance with the Comprehensive Plan?

Yes	Per GC-1.5 Annexations the property can be developed to be a positive addition to the city, improve the quality of Greeley's neighborhoods, and can be provided with services.
-----	--

Promotes geographic balance of land use patterns?

Yes	Rural neighborhoods provide a transition to natural areas and County agricultural lands.
-----	--

Adequate services are or will be available?

Yes	Property will be provided a water tap.
-----	--

The annexation provides a continual and rational boundary?

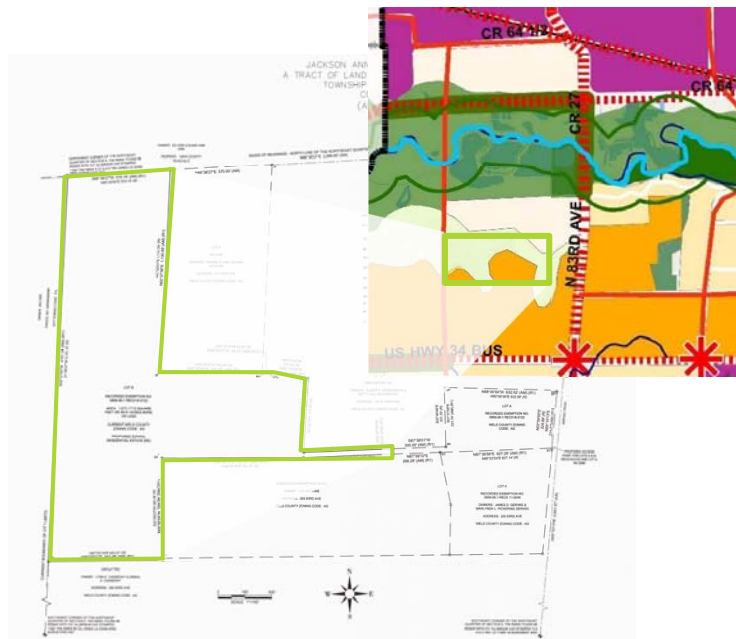
Yes	Exceeds 1/6 contiguity requirements.
-----	--------------------------------------

The annexation is needed to accommodate future land use requirements?

Yes	Provides diversity in housing stock.
-----	--------------------------------------

Background:

- Requesting R-E (Residential Estate) zoning
- Land Use Guidance Map recognizes as in the bluffs and appropriate for Rural Neighborhoods



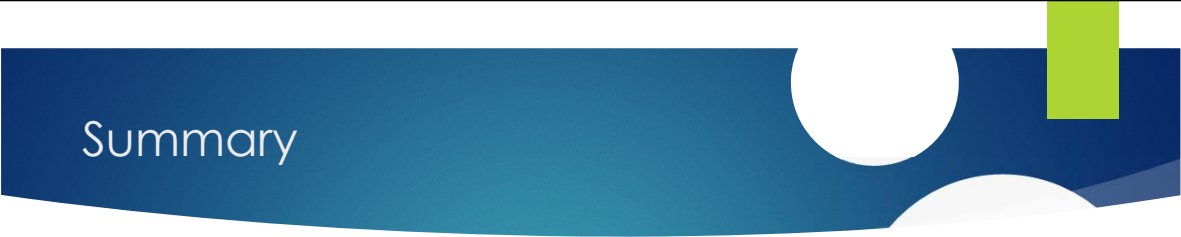
Zoning Approval Criteria

If land use approval or development are not pending, the subject property is considered transitional and should be placed in Agricultural Holding zoning district

OR

The City Council shall place the newly annexed property into the most appropriate zoning district according to the goals and objectives of the Comprehensive Plan

Yes	The applicant is constructing a single-family residence. R-E zoning conforms to Land Use Guidance Map and surrounding uses.
-----	---



Summary

Notice:

- Two sign posted on property
- Received four letters from neighbors
- One in-person meeting with Floyd & Betty Weiderspon and Marlynda Gerwig

Recommendation:

- Planning Commission: approval of Annexation & Establishment of R-E zoning
- Annexation requires 2 motions; zoning requires 2 motions

Council Agenda Summary

April 16, 2019

Agenda Item Number 18

Key Staff Contact: Brad Mueller, Community Development Director, 970-350-9786

Title:

Public hearing to consider a request to establish R-E (Residential Estate) zoning on approximately 38.41 acres of property located at 245 83rd Avenue, and a public hearing and final reading of an ordinance changing and affirming the official zoning map of the City of Greeley, Colorado

Summary:

In the summer of 2018, the applicants approached Weld County with a proposal to subdivide a parcel of land and construct a single-family home. Due to the parcel's contiguity to the City of Greeley, annexation was required of the applicant in order to obtain City water service, consistent with City policy. Through inter-jurisdictional review and coordination, the applicant was allowed to complete, through the County, the recorded exemption process to divide their property, and to pull a building permit for the construction of the single-family home, with the agreement that the residence would not be able to connect to City water until annexed.

The applicants are required by State annexation laws to request establishment of zoning within 90 days of the annexation. The applicants are requesting the establishment of R-E (Residential Estate) zoning for the property and believes it is the most contextually appropriate zoning for the area and intended use.

The Planning Commission met on March 26, 2019 and unanimously recommended approval to City Council. This ordinance was introduced at the April 2, 2019 Council meeting.

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 which includes the following public hearing steps:

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

Other Issues and Considerations:

None noted.

Applicable Council Priority and Goal:

Consistency with Imagine Greeley Comprehensive Plan, and the following Council priorities:

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

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

Decision Options:

Regarding the establishment of zoning:

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

Regarding the map change request:

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

Council's Recommended Action:

Finding in favor of establishing zoning, two motions are required:

- A) A motion that, based on the project summary and accompanying analysis, the proposed establishment of zoning to R-E (Residential Estate) zone district meets Development Code Section 18.30.070(b)(1-2); and, therefore approve the establishment of zoning.
- B) A motion to adopt the map change ordinance and publish with reference to title only.

Attachments:

Ordinance

Draft Planning Commission Minutes (March 26, 2019)

Planning Commission Summary (Staff Report) (March 26, 2019)

CITY OF GREELEY, COLORADO

ORDINANCE NO. ____, 2019

CASE NO. ZON2018-0015

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, ESTABLISHING R-E (RESIDENTIAL ESTATE) ZONING FOR A PARCEL LOCATED IN WELD COUNTY, COLORADO, AT 245 83RD AVENUE, RECENTLY ANNEXED AND KNOWN AS THE JACKSON ANNEXATION

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

Section 1. The following described property located in the City of Greeley known as the Jackson Annexation is hereby placed into the R-E (Residential Estate) zoning district in the City of Greeley, County of Weld, State of Colorado, and is described as follows:

SEE ATTACHED LEGAL DESCRIPTION

Said described parcel of land contains 38.41 acres, more or less.

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 _____, 2019.

ATTEST:

THE CITY OF GREELEY

City Clerk

Mayor

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6th PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6 TO BEAR NORTH $86^{\circ}36'27''$ EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER, THENCE SOUTH $02^{\circ}51'51''$ WEST, 2151.34 FEET; THENCE NORTH $89^{\circ}08'51''$ EAST, 643.46 FEET; THENCE NORTH $00^{\circ}50'54''$ WEST, 559.99 FEET; THENCE NORTH $89^{\circ}39'15''$ EAST, 791.07 FEET; THENCE NORTH $87^{\circ}39'10''$ EAST, 497.79 FEET; THENCE NORTH $02^{\circ}20'50''$ WEST, 29.93 FEET; THENCE SOUTH $87^{\circ}38'01''$ WEST, 494.48 FEET; THENCE NORTH $3^{\circ}39'27''$ EAST, 417.37 FEET; THENCE NORTH $85^{\circ}14'29''$ WEST, 210.13 FEET; THENCE NORTH $88^{\circ}25'21''$ WEST, 49.91 FEET; THENCE NORTH $88^{\circ}38'26''$ WEST, 565.90 FEET; THENCE NORTH $2^{\circ}37'36''$ EAST, 1130.98' TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE ALONG SAID NORTH LINE SOUTH $86^{\circ}36'27''$ WEST, 575.15 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 1,673,177.6 SQUARE FEET OR 38.41 ACRES MORE OR LESS.



PLANNING COMMISSION Proceedings

March 26, 2019

**City Center South
Council Chambers Room
1001 11th Avenue
1:15 p.m.**

I. Call to Order

Chair Yeater called the meeting to order at 1:15 p.m. Commissioners Schulte, Andersen, Modlin and Rarick were present. (Commissioner Briscoe was absent and one vacancy exists.)

II. Approval of minutes for meeting held on February 26, 2019

Commissioner Andersen moved to approve minutes of the meeting held on February 26, 2019. Commissioner Rarick seconded the motion. The motion carried 5-0. (Commissioner Briscoe was absent and one vacancy exists.)

III. A public hearing to consider annexation of 38.41 acres of unincorporated property located at 245 83rd Avenue into the City of Greeley

Project Name: Jackson Annexation
Case No.: ANX2018-0006
Applicant: Ron Jackson and Jeanne Jackson
Location: 245 83rd Avenue
Presenter: Rachel Prelog, Planner II

Ms. Prelog addressed the Commission and requested that her presentation be presented as one presentation with two separate motions.

A public hearing to consider establishment of R-E (Residential Estate) zoning for property being petitioned for annexation located at 245 83rd Avenue

Project Name: Jackson Annexation Establishment of Zoning
Case No.: ZON2018-0015
Applicant: Ron Jackson and Jeanne Jackson
Location: 245 83rd Avenue
Presenter: Rachel Prelog, Planner II

Ms. Prelog addressed the Commission and entered the staff report into the record. She provided a memo with corrections clarifying a general description of the property location. She also presented a public notice attached with a letter from Beverley Webster and the Glenn H. Webster Trust, which were received after packets had been mailed.

(Commissioner Briscoe joined the hearing at 1:20 p.m.)

Ms. Prelog presented a map showing the location of the property and gave a brief description. She provided history of the area and its surroundings. Ms. Prelog provided background information about the applicants' first approach to Weld County for a proposal to subdivide a parcel of land and construct a single-family home. She stated that due to the contiguity to the City of Greeley, annexation by the applicants was required in order to obtain city water service.

The applicants requested water services from the City to serve the subject site and support residential development. The water main line is located through a 16-inch water line located along 83rd Avenue east of the site, for which the applicants are requesting a water tap. Appropriate fees would be applied and paid for by the applicants. The City's Water and Sewer Department has been working with the property owner and they are able to provide water to the property upon certain improvements. Ms. Prelog stated that the proposed annexation meets all the goals and objectives of the Comprehensive Plan and meets all criteria per GC 1.5 annexations that can be developed in a positive way, as an addition to the City and should be considered. Ms. Prelog stated that the site is in an area in which the City expects to see continued development and need for City services.

Mrs. Prelog addressed the Commission with the Jackson Annexation Establishment of Zoning, and the request to establish Residential Estate zoning on 38.41 acres, located west of 83rd Avenue and north of 4th Street. She presented a land use guidance map, showing the proposed area and its surroundings. She described the criteria found in section 18.26.070 (b) (1-2) of the Development Code. Ms. Prelog stated that this requested (R-E) Residential Estate zoning is the most appropriate zoning for the proposed use given the existing surrounding uses.

Ms. Prelog summarized the presentation with notices that were sent to the neighboring properties, where she received four letters objecting the proposed annexation. Ms. Prelog also met with Betty and Floyd Weiderspon and Marlynda Gerwig and they discussed the annexation further. She also received a phone call on the morning of March 26, 2019 with questions about these proposals. Staff found that all criteria had been met and recommended approval of the annexation and establishment of zoning.

Commissioner Rarick asked if the main concerns were the water issues. Mr. Prelog clarified that there was confusion about the water issues and what staff had previously communicated and what was currently happening. After speaking with Water & Sewer, due to the development north of the proposed site there is infrastructure available to provide a water tap in the area. Commissioner Schulte asked for clarification on zoning in a Residential Estate zone district versus a Residential Low zone district. Some of the uses include single-family dwellings, parks, open space and farming in that zoning district.

Ms. Prelog stated that the difference is in minimum lot size. Residential Low zoning has a minimum of 6,000 square feet versus Residential Estate having a minimum of 13,000 square feet lot size. Commissioner Modlin questioned how many lots have water taps from the City in this area. Ms. Prelog directed him to the maps presented showing the existing infrastructure and stated she was not clear on how many had water taps.

Commissioner Yeater expressed the concerns with the neighboring properties becoming part of the City. He asked for clarification about the City's process for these properties to become part of the city limits. Ms. Prelog stated that an application would have to be brought forward by one of the property owners, and they would have to petition the City for an annexation if interested. Mike Garrott, Planning Manager, addressed the Commission and clarified there are periods of time for any annexation of three years if land is not owned and briefly described the process that would need to take place for any future annexations.

Commissioner Yeater questioned if specific use would continue to grandfather for annexations. Ms. Prelog stated that part of the annexation protocol is that any existing uses or conditions would be grandfathered. Commissioner Yeater questioned neighbors' concerns about access to the property. Ms. Prelog addressed the concern, pointing out the recorded exemption done through Weld County. She presented the map showing the split parcel on the established access easement from 83rd Avenue to the property. The access also goes to the northern property at 217 83rd Avenue.

Commissioner Briscoe questioned the use for the property adjacent to the south, if this property were in the city limits. Ms. Prelog clarified that the property was in the county. Commissioner Briscoe asked about the RV lots and dedicated water. Ms. Prelog clarified that the applicants are required to dedicate the water, pay plant investment fees and make some improvements to the water line to connect to 83rd Avenue. Commissioner Yeater asked about subdividing the properties. Ms. Prelog stated that it would be very difficult to develop. Commissioner Yeater questioned the amount of taps associated in this area and wanted reference to the sewer line. Paul Tucker, Water & Sewer T&D Superintendent, addressed the Commission and stated there are seven existing taps. Mr. Tucker stated the sewer line was a mile away from Poudre River Ranch subdivision.

Commissioner Andersen expressed her concerns on the permits granted by the county without available water. Ms. Prelog stated that the permits were granted by Weld County and she is unable to speak on their behalf. She clarified that the home is currently under construction.

Ron Jackson addressed the Commission and clarified that he had several meetings with the City prior to building and was assured that they would be supported with water taps. He stated that payments were made for infrastructure and that the Jacksons traded their water shares. Mr. Jackson believed the proposal would help with water issues for the neighboring residence. He shared history on the court battle for this property due to misinformation. He stated that City staff suggested that due to the hardship, a water tap would be possible and this is why they moved forward with the proposal. Commissioner Andersen expressed her concerns about the City assuring Mr. Jackson that he would receive a water tap and commented that there would be steps to take in order for approval. She also questioned the communication between staff with the neighboring properties about issues that could arise.

Chair Yeater opened the public hearing at 1:39 p.m.

Floyd Weiderspon addressed the Commission with his concerns about the property and shared history about living in the area. He stated that he bought a four-inch line from 4th to 83rd Avenue through the agriculture division. He stated that the City requested it back for maintenance purposes. He stated that he enjoyed living outside city limits and was not against the Jacksons, but he was concerned about the water issues and opposed the proposal. He expressed his concerns about the large amount of water that is normally used, especially during the summer months. He also expressed concerns about the water tap issues.

Marlynda Gerwig, addressed the Commission with history on the Jacksons' purchase of the property and the court issues. She shared her concerns about the water supply. She referred to Colorado inspection codes and the required inspections before purchasing a property. Ms. Gerwig felt that communication was not well shared with the neighboring properties about both of these proposals.

John Sharmon addressed the Commission with his concerns about communication between staff and the neighboring properties about these proposals. He stated that Mr. Jackson approached him requesting permission to enter his property to view his water system. He allowed both him and City staff into his home to look at the water system and was thankful that staff was able to provide very useful information about water while they were there. He expressed his concerns about permits and asked for clarification on the long-term impact of the proposals.

Chair Yeater closed the public hearing at 1:41 p.m.

Ron Jackson addressed the Commission and clarified he was misinformed about the property and the water issues. He understands the neighbors' concerns and stated that there is no intention for future building on this property.

Paul Tucker, Water & Sewer T&D Superintendent, addressed the Commission and stated that the properties are located on a dead ended four-inch water line from the Bellevue water line. He stated water pressure would be about 20-28 lbs. and the flow rate would be about 70-80 gallons depending if the plant is pushing water out. He explained that adjustments could be made and stated that all the homeowners would benefit from the adjustments.

Commissioner Modlin expressed concerns about additional housing in this area. Ms. Prelog stated that a preliminary subdivision would be required and would have to adhere to standards. Brad Mueller, Community Development Director, stated that the development would be very well reviewed prior to any approval. There were questions by the Commissioners about annexation in this area. Mr. Mueller clarified that this area is part of the long-range redevelopment area. He clarified communication between the county and staff.

Commissioner Briscoe requested a clarification about annexations and spot zoning. Ms. Prelog explained the requirements for annexations and stated that with any annexation, establishment of zoning is required within 90 days of the annexation. She added that staff is required to review the most appropriate zoning, in this case Residential Estate.

Commissioner Rarick moved that, based the application received and the preceding analysis, the Planning Commission finds that the proposed annexation meets the required Development Code criteria of Section 18.26.050(a) (1-5); and recommended approval of the Annexation to the City Council. Commissioner Schulte seconded the motion the motion carried 6-0. (One vacancy exists.)

Commissioner Schulte moved that, based on the application received and the preceding analysis, the Planning Commission finds that the proposed R-E (Residential Estate) zone district meets the review criteria found in the following Development Code Section 18.26.070(b)(1-2) and recommend approval to the City Council. Commissioner Rarick seconded the motion the motion carried 6-0. (One vacancy exists.)

V. A public hearing to consider approval of the Kersey, Evans, and Greeley Intergovernmental Agreement

Project Name: Kersey, Evans, Greeley Intergovernmental Agreement
Case No.: AGR2019-0001
Presenter: Rachel Prelog, Planner II

Ms. Prelog addressed the Commission with a project overview and background of the agreement. She stated this document recognized each jurisdiction's growth boundaries and established annexation protocol where such boundaries overlap. She added that it provided a plan for future land use and urban development through the establishment of a cooperative planning area.

Ms. Prelog presented maps showing the areas. She stated that Kersey, Evans, and Greeley recognized the value of the South Platte River corridor, which lies between the communities. She added that the communities wish to cooperatively plan this area for their mutual benefit and avoid annexation, land use and environmental conflicts.

Ms. Prelog reported that the agreement shall remain in effect for a period of five years from the effective date. Thereafter it would be automatically renewed for successive five-year terms unless at least 120 days prior to the scheduled expiration, any party notifies the other parties of its decision that the agreement shall not be renewed.

Commissioner Schulte asked if any changes were made from the previous worksession for this matter. Ms. Prelog clarified that no changes were made. Commissioner Schulte asked whether joined parties were also being sent to Planning Commissions to vote or review this proposal. Commissioner Andersen expressed her concerns about the land uses and the criteria. Mr. Mueller clarified the land use and pointed out the areas on the map presented. Commissioner Andersen shared her concerns about land uses issues and RV and outdoor storage. Mr. Mueller addressed the Commission with the envisioned future land use and desire to assist neighboring municipalities with limited resources.

Kayla Meyer addressed the Commission on behalf of the City of Evans and offered to answer any questions. She shared a brief job description and thanked the Commission and city staff. Ms. Meyer supported the proposal for the agreement.



Planning Division MEMORANDUM

TO: The City of Greeley Planning Commission

RE: ANX-0006 & ZON-0015 – Additions to the Record

FROM: Rachel Prelog, Planner II

DATE: March 26, 2019

Correction

The courtesy letter sent to property owners within 500 ft. of the application contained an incorrect general description of the property's location. The subject site was referred to as east of 83rd Avenue and should have read west of 83rd Avenue (*see Attachment A – Notice Letter*).

Public meetings require a sign to be posted on the property, a notice to be published in the newspaper, and a courtesy notice mailed to surrounding property owners. When possible, the notice shall include a general description to the property. The letter must contain the name and address of the applicant, an abbreviated legal description, a description of the request, hearing times and dates, and a statement that additional information is available upon request. The City's Attorney's office has received the notice in accordance with Section 18.18.040 Public meeting notice and finds that land use request was noticed according to Development Code requirements.

Additional Public Comment

Please find the attached public comment from Beverly Webster and the Glenn H. Webster Trust which was provided after Planning Commission packets were mailed (*see Attachment B – Beverly Webster Comment Letter*).

Attachments:

Attachment A – Notice Letter

Attachment B – Beverly Webster Comment Letter



Community Development Department – Planning Division
1100 10th Street, Suite 202 Greeley, CO 80631
970-350-9780
www.greeleygov.com/services/cd

PUBLIC NOTICE

Mailing Date: March 16, 2019

A public hearing will be held to discuss the following proposals in your neighborhood:

The City of Greeley is considering a request from Ron and Jeanne Jackson to annex 38.41 acres of unincorporated property into the City of Greeley.

AND

A request to establish R-E (Residential Estate) zoning on 38.41 acres of land petitioned to be annexed into the city. (See attached map)

Project Name: Jackson Annexation & Establishment of Zoning

Applicant: Ron and Jeanne Jackson

Case Number: ANX2018-0006 & ZON2018-0015

Telephone: 970-590-6980

Property Address: 245 83rd Avenue

Address: 217 83rd Avenue

Property Location: North of 4th Street and east of 83rd Avenue

As a courtesy, property owners within 500 feet, as derived from the Weld County Assessor's Office, are notified when an application is scheduled for public hearing. As those records are not always current, please feel free to notify your neighbors of this hearing date, so that all may have an opportunity to participate. Interested parties may appear and speak on the matter at the public hearing and/or file written comment with the Planning Division by March 19, 2019.

**City of Greeley City Center South
City Council Chambers
1001 11th Avenue**

Planning Commission: March 26, 2019

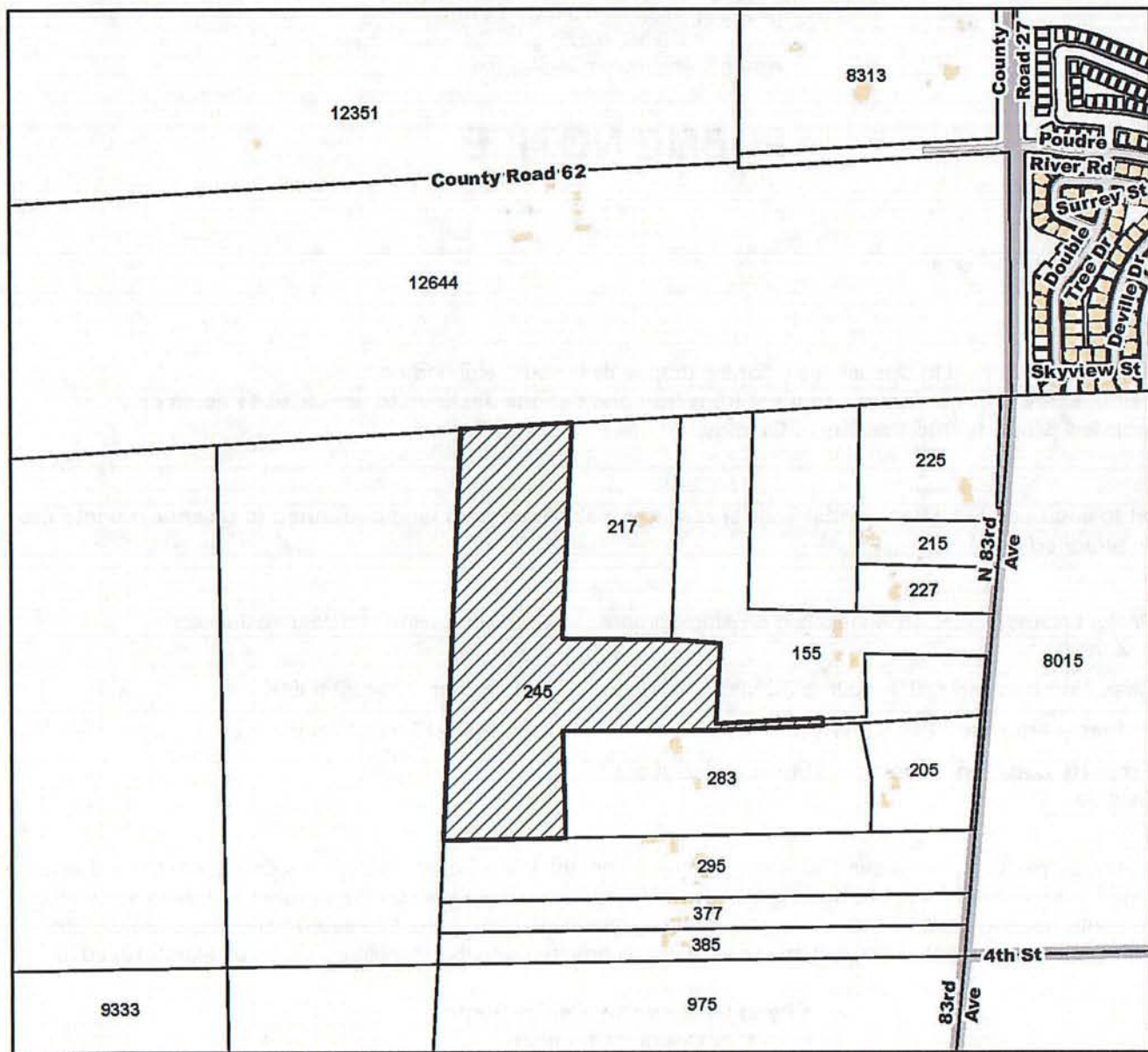
Hearing Time: 1:15 p.m.

City Council: April 16, 2019

Hearing Time: 6:30 p.m.

Rachel Prelog, Planner II
Ph: 970-350-9823
E: rachel.prelog@greeleygov.com

Vicinity Map



Legend

-  245 83rd Avenue
-  Building
-  Arterial Streets
-  Local Streets

ANX2018-0006 & ZON2018-0015 Jackson Annexation & Establishment of Zoning

0 0.25 0.5 Miles



03/20/2019

City of Greeley
Community Development Department- Planning Division
Rachel Prelog, Planner II

Case Number: ANX2018-0006 & ZON2018-0015

Greetings,

I wish to register a strong protest against this Annexation and especially the establishment of the R-E Zoning.

After living in this location (215 83rd Ave.) for forty plus years. I believe that rezoning this area will negatively affect the quality of life in the area. The annexation itself is not as much of a concern as the change of zoning from agricultural too residential.

There is also a concern for the added financial burden and possible loss of the "Right to Farm" that will likely accompany this change.

I also have a concern that this is a clear case of "Spot Zoning", in that it will benefit one individual and negatively impact others in the area.

Please feel free to contact me at any time.

Respectfully

Beverly B. Webster

Beverly B. Webster and Glenn H. Webster Trust
Account: R1969586 and R1969886
215 83rd Ave, Greeley Colorado 80634

PLANNING COMMISSION SUMMARY

ITEM: Establishment of Zoning

FILE NUMBER: ZON2018-0005

PROJECT: Jackson Annexation Establishment of Zoning

LOCATION: 245 83rd Avenue

APPLICANT: Ron and Jeanne Jackson

CASE PLANNER: Rachel Prelog, Planner II

PLANNING COMMISSION HEARING DATE: March 26, 2019

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 18.26.070 of the Development Code.

EXECUTIVE SUMMARY

The City of Greeley is considering a request to establish R-E (Residential Estate) zoning on 38.41 acres, located west of 83rd Avenue and north of 4th Street (*see Attachments A – Vicinity Map and Attachment B – Property Boundary Map*).

A. REQUEST

Approval of an establishment of zoning for annexed land, known as the Jackson Annexation.

B. STAFF RECOMMENDATION

Approval

C. LOCATION

The property is located approximately 1,400 feet west of 83rd Avenue, north of 4th Street, addressed 245 83rd Avenue (*see Attachment A– Vicinity Map*).

Current Zoning: County “AG” Agriculture

Proposed Zoning: R-E (Residential Estate)

Abutting Zoning: North: County “AG” Agriculture
South: County “AG” Agriculture
East: County “AG” Agriculture
West: R-L (Residential Low Density)

Site Conditions: The site largely undeveloped and contains an access drive/easement leading through the parcel to the adjacent property to the north and through the property to the east onto 83rd Avenue. There is one single family residence currently under construction, anticipated to be complete in the summer of 2019.

Lot Size: 38.41 acres

Abutting Land Uses: North: Single family residential
South: Single family residential
East: Single family residential
West: Undeveloped land

D. BACKGROUND

In the summer of 2018, the applicants approached Weld County with a proposal to subdivide a parcel of land and construct a single family home. Due to the parcel's contiguity to the City of Greeley, annexation was required of the applicant in order to obtain City water service. Through inter-jurisdictional review and coordination, the applicant was allowed to complete the recorded exemption to subdivide their property and pull a building permit for the construction of the single-family home, with the agreement that the residence would not be able to connect to City water until annexed.

The applicant is required by State annexation laws to request establishment of zoning within 90 days of the annexation. The applicant is requesting the establishment of R-E (Residential Estate Zoning) for the property and believes it is the most contextually appropriate zoning for the area and intended use.

E. KEY ISSUES and ANALYSIS/APPROVAL CRITERIA

The review criteria found in Section 18.26.070(b) (1-2) of the Development Code shall be used to evaluate the establishment of zoning application.

The City shall consider zoning such newly annexed areas under the appropriate zoning category as follows:

- 1. If land use approval and or development of area being considered for annexation are not pending upon completion of annexation, if the subject property is in a transitional state regarding development, or if it is in the best interest of the City, the City Council shall place the newly annexed property into the H-A (Holding Agriculture) zoning District.**

Staff Comment: The applicant is seeking annexation into the City in order to receive water service for the development of a single family residence. The requested R-E (Residential Estate) zoning is the most contextually appropriate zoning for the proposed use and given the existing surrounding uses (*see Attachment C – Zoning Suitability Map*).

The request complies with this criterion.

2. **Request for a zoning district other than the H-A (Holding Agriculture) District may be considered in conjunction with the submittal of all applicable requirements for a zoning suitability plan or a rezoning application. The City Council shall place the newly annexed property into the zoning district most appropriate considering the goals and objectives of the City's Comprehensive Plan and the applicant's future development plans.**

Comprehensive Plan Policies & Objectives:

GC-1.5 Annexations: *When considering a proposed annexation, the City should find persuasive evidence that the inclusion of the property into the City's jurisdiction meets the goals and objectives of the Comprehensive Plan, and that the property can be developed in a manner that will be a positive addition to the city, improve the quality of Greeley's neighborhoods, and can be provided with municipal services.*

Staff Comment: The subject site is presently undeveloped land surrounded by large lot residential uses. Based on current development trends, it is assumed that the surrounding areas within the city would continue to develop. The inclusion of this property would help provide a rational city boundary and aid in the extension of municipal services across a pocket of unincorporated land.

The *Imagine Greeley Comprehensive Plan* Land Use Guidance Map envisions the subject area as rural neighborhood. Rural neighborhoods provide a transition from more urban areas to natural areas or open lands. The proposed large acreage residential use compliments the surrounding large lot residential uses, and with its proximity to the Poudre River, provides the described transition of the urban/natural interface.

The request complies with this criterion.

F. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The subject site is known as Lot B of recorded exemption RE 0959-06-01, approved December 21, 2018 (Rec No. 4456605).

2. HAZARDS

There are no known environmental hazards within the subject site.

3. WILDLIFE

A portion of the subject is located in an area moderate ecological significance according to the City's Areas of Ecological Significance Map. Ecological impacts would be looked at in greater detail through any future land use request.

4. FLOODPLAIN

The subject site is not located within a floodway or floodplain, according to the adopted Federal Emergency Management Administration (FEMA) flood data. No change is expected to this area as a result of this enclave annexation request.

5. DRAINAGE AND EROSION

The existing drainage patterns are expected to continue to follow the existing lay of the land, which generally flows north. Drainage patterns would be examined in greater detail through any future land use requests.

6. TRANSPORTATION

The subject site is an internal lot located in between 83rd Avenue and 95th Avenue north of 4th Street. Per recorded exemption RE 0959-06-01, the subject site is provided legal access via a 30-foot access and utility easement leading out to 83rd Avenue. The Public Works Department reviewed this request and it was determined that traffic impacts would be minimal considering the rural nature of the area at this time (*see Attachment C – Zoning Suitability Map*).

G. SERVICES

1. WATER

There is a 16-inch water line located in 83rd Avenue, east of the subject site. Upon successful annexation and establishment of zoning, the applicant would tie into existing City of Greeley Water lines to provide service to a planned residence.

2. SANITATION

The nearest sewer line is approximately one mile northeast of the subject site in 83rd Avenue, adjacent to the Poudre River Subdivision. Sewage would be handled with an on-site septic system until such time as sanitary sewer facilities are available to the site.

3. EMERGENCY SERVICES

The subject site is currently served by the Windsor/Severance Fire Protection District. With the successful annexation, the applicant would petition to withdraw the property from the Windsor/Severance Fire Protection District. The City of Greeley Fire Department would then take over fire services for the property. The closest fire station, Fire Station #7, is approximately 2 ½ miles southeast of the subject site. The City of Greeley Police Department would also serve this area with the completion of the annexation and establishment of zoning.

4. PARKS/OPEN SPACES

No public parks or public open space areas are proposed with this request nor identified within this area on the Parks, Trails, and Open Lands Master Plan.

5. SCHOOLS

The subject site is within the Windsor School District boundary. An annexation impact report was sent to the district for their review and comment. No response has been received from them to date.

H. NEIGHBORHOOD IMPACTS

1. VISUAL

No known visual impacts would be created by the requested establishment of zoning. There is one single family residence under construction on the property; which would be consistent with large acreage properties in the area.

2. NOISE

It is not anticipated that the proposed establishment of zoning would create any significant increase in noise.

I. PUBLIC NOTICE AND COMMENT

Neighborhood notices were mailed to surrounding property owners within 500 ft. of the subject site on March 16, 2019 per Development Code requirement. Two signs were posted, one along the eastern side of the property along 83rd Avenue, and one along the private access drive as one enters the property.

Staff has received three letters from neighboring property owners objecting to the proposed annexation (*see Attachment E – Neighbor Comment Letters*). Staff also met with Betty and Floyd Weiderspon (no letter provided) and Marlynda Gerwig (letter included) to discuss the annexation further.

Neighbors have expressed concern that the proposed annexation could alter the character of their rural neighborhood and encourage development. There is also concern regarding the extension of municipal boundaries and the affect that had on surrounding properties, making other properties, in their words, “One step closer to being an enclave.” Frustration was expressed at the lack of due diligence on the applicant’s part in what was viewed to be an oversight in the properties viability for development and the perceived repercussions the annexation has on neighboring properties.

J. PLANNING COMMISSION RECOMMENDED MOTION

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed R-E (Residential Estate) zone district meets the review criteria found in the following Development Code Section 18.26.070(b)(1-2) and recommend approval to the City Council.

ATTACHMENTS

Attachment A – Vicinity Map

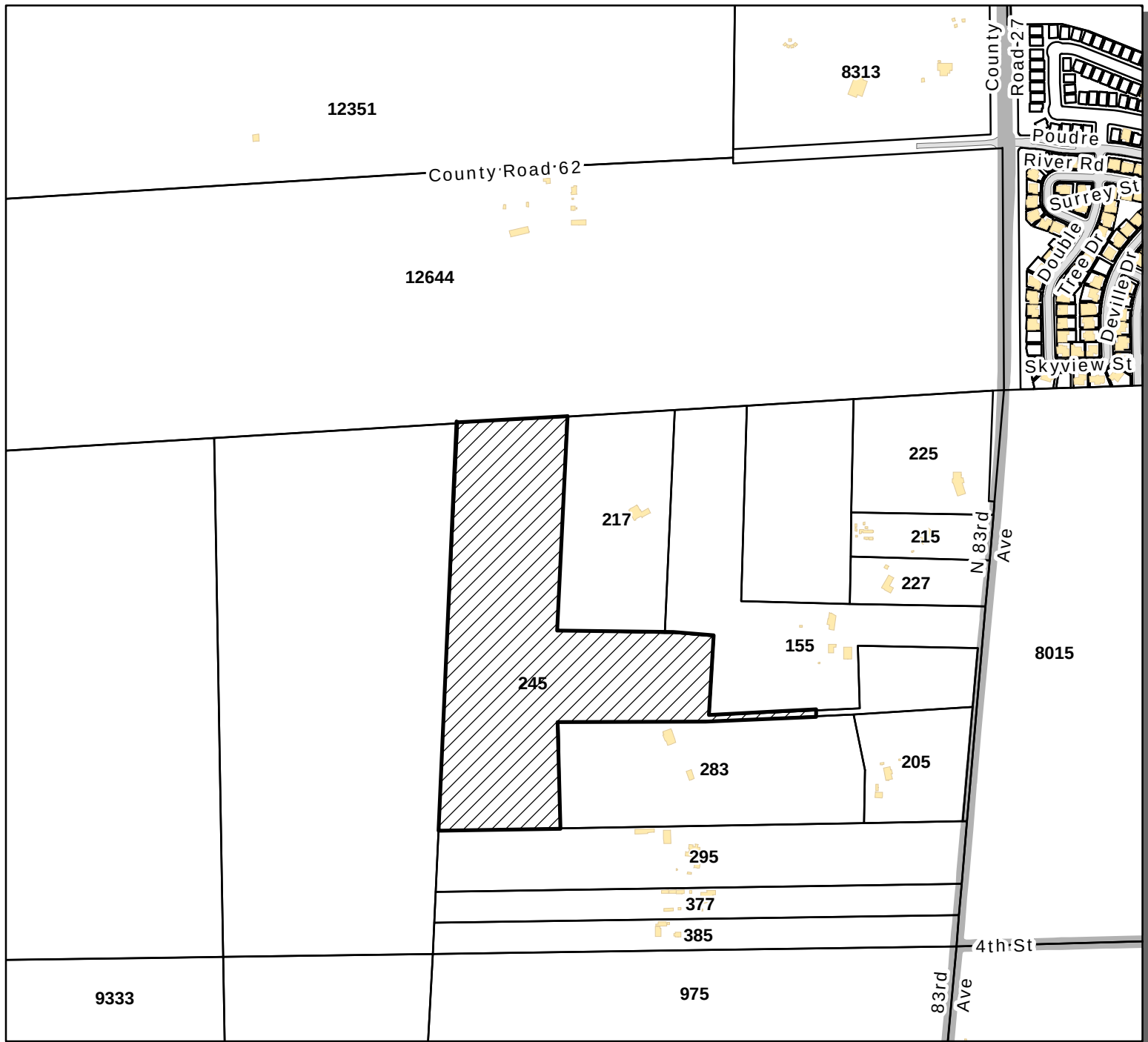
Attachment B – Property Boundary Map

Attachment C – Zoning Suitability Map

Attachment D – Site Analysis Map

Attachment E – Neighbor Comment Letters

Vicinity Map



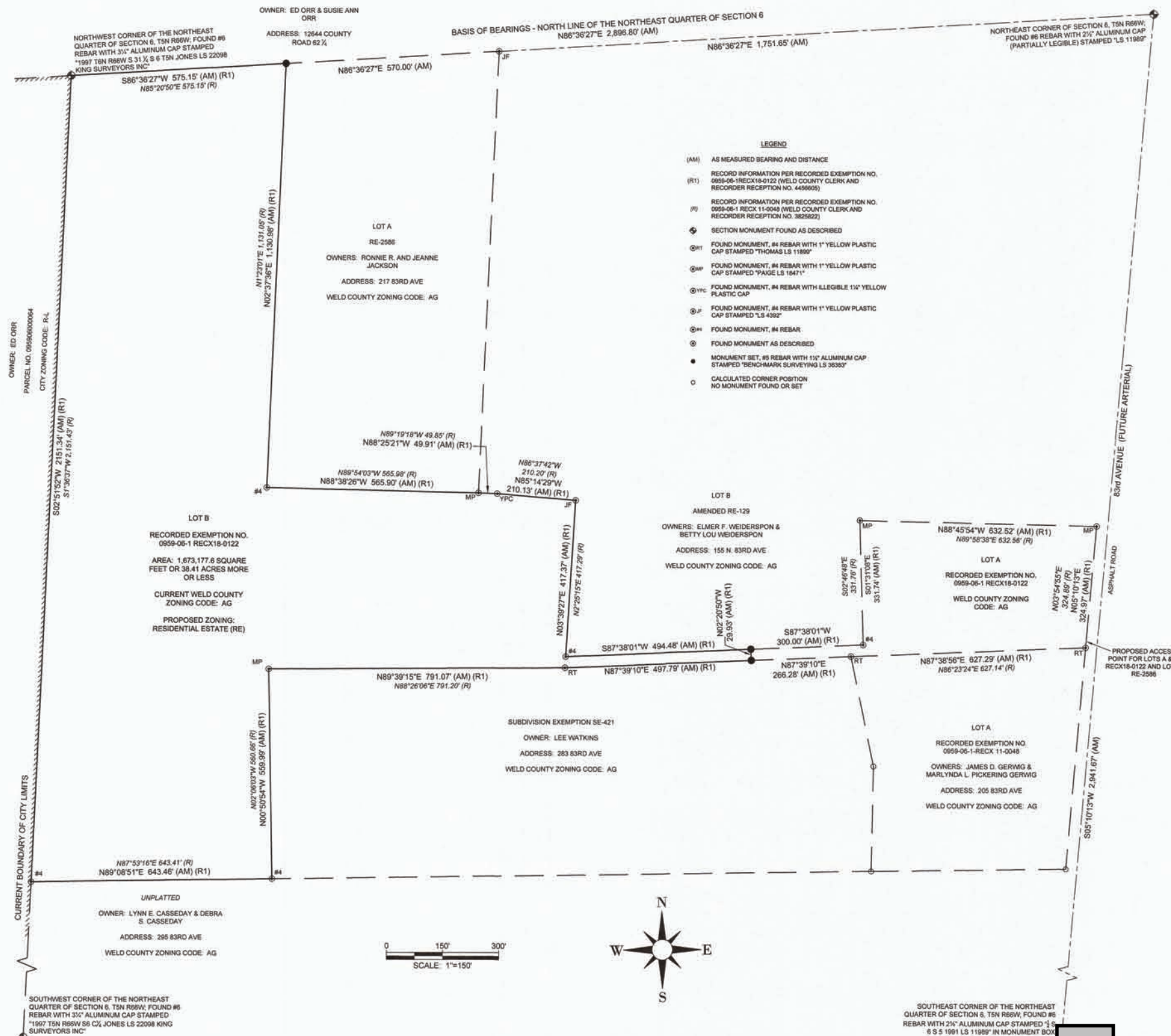
Legend

-  245 83rd Avenue
-  Building
-  Arterial Streets
-  Local Streets

ANX2018-0006 & ZON2018-0015 Jackson Annexation & Establishment of Zoning

0 0.25 0.5 Miles

Attachment B



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Attachment C



© 2019 BENCHMARK SURVEYING LLC.
ALL RIGHTS RESERVED.

JACKSON ANNEXATION – ZONING – SITE ANALYSIS MAP
A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF
SECTION 6, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO
(AREA AS SURVEYED 1,673,177.6 SQ. FT.
OR 38.41 ACRES MORE OR LESS)



- LEGEND
- (AM) AS MEASURED BEARING AND DISTANCE
 - (R1) RECORD INFORMATION PER RECORDED EXEMPTION NO. 0959-06-1-REX 18-0122 (WELD COUNTY CLERK AND RECORDER RECEPTION NO. 4456605)
 - (R) RECORD INFORMATION PER RECORDED EXEMPTION NO. 0959-06-1-REX 11-0048 (WELD COUNTY CLERK AND RECORDER RECEPTION NO. 3825822)
 - SECTION MONUMENT FOUND AS DESCRIBED
 - FOUND MONUMENT, #4 REBAR WITH 1" YELLOW PLASTIC CAP STAMPED "THOMAS LS 11899"
 - FOUND MONUMENT, #4 REBAR WITH 1" YELLOW PLASTIC CAP STAMPED "PAIGE LS 18471"
 - FOUND MONUMENT, #4 REBAR WITH ILLEGIBLE 1 1/2" YELLOW PLASTIC CAP
 - FOUND MONUMENT, #4 REBAR WITH 1" YELLOW PLASTIC CAP STAMPED "LS 4392"
 - FOUND MONUMENT, #4 REBAR
 - FOUND MONUMENT AS DESCRIBED
 - MONUMENT SET, #5 REBAR WITH 1 1/2" ALUMINUM CAP STAMPED "BENCHMARK SURVEYING LS 38383"
 - CALCULATED CORNER POSITION
NO MONUMENT FOUND OR SET
 - TE# TITLE EXCEPTION NUMBER
 - R# WELD COUNTY RECEPTION NUMBER
 - BK 100
PG 200 WELD COUNTY BOOK AND PAGE
 - BARBED WIRE FENCE
 - GRAVEL/DIRT ROAD
 - BURIED TELECOMMUNICATIONS LINE
 - BURIED ELECTRIC LINE
 - BURIED WATER LINE

- NOTES:
- HERITAGE TITLE COMPANY FILE NO. 459-H0482202-081-NMC, AMENDMENT NO. 7, DATED NOVEMBER 1, 2016, WAS ENTIRELY RELIED UPON FOR THE LEGAL DESCRIPTION AND RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND OTHER ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY. THIS MAP DOES NOT REPRESENT A TITLE SEARCH PERFORMED BY BENCHMARK SURVEYING, LLC., OR THE UNDERSIGNED.
 - THIS MAP WAS PREPARED FOR THE EXCLUSIVE USE OF RONNIE R. JACKSON AND JEANNE JACKSON, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON NOR ADDITIONAL PARTY WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR OF RECORD ADDING SAID ADDITIONAL PARTY.
 - THIS MAP IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
 - BASIS OF BEARINGS: GPS DERIVED BASIS OF BEARINGS BASED ON COLORADO STATE PLANE NORTH ZONE, NAD83(2011), BEING NORTH 86°36'27" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 66 WEST, OF THE 6TH P.M., BETWEEN THE MONUMENT LOCATED THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 6, BEING A FOUND #6 REBAR WITH A 3 1/4" ALUMINUM CAP STAMPED "1997 TSN R66W S31 1/2 S 6 TSN JONES LS 22068 KING SURVEYORS INC." AS SHOWN AND DESCRIBED HEREON, AND THE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SAID SECTION 6 BEING A FOUND #6 REBAR WITH A PARTIALLY ILLEGIBLE 2 1/2" ALUMINUM CAP STAMPED "LS 11988" AS SHOWN AND DESCRIBED HEREON, WITH ALL OTHER BEARINGS AND DISTANCES SHOWN HEREON RELATED THERETO.
 - HORIZONTAL DATUM FOR THIS PROJECT: NAD83(2011), COLORADO STATE PLANE NORTH ZONE, GEOID 12B. THE VERTICAL DATUM FOR ALL ELEVATION INFORMATION SHOWN HEREON IS NAVD88.
 - ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO MISDEMEANOR PURSUANT TO SEC. 18-4-508 C.R.S.
 - THE AREA OF THE PARCEL IS 1,673,177.6 SQ. FT. OR 38.41 ACRES MORE OR LESS.
 - THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON VISIBLE SURFACE EVIDENCE AT THE TIME OF SURVEY AND UTILITY LOCATING SERVICE PROVIDED BY ACCURATE UNDERGROUND LLC ON SEPTEMBER 12, 2018. LOCATIONS OF UNDERGROUND UTILITIES AND STRUCTURES MAY VARY FROM LOCATIONS DEPICTED HEREON. ADDITIONAL BURIED UTILITIES AND STRUCTURES MAY EXIST. NO EXCAVATIONS WERE MADE DURING THE COURSE OF THIS SURVEY TO LOCATE BURIED UTILITIES AND STRUCTURES. ALL UNDERGROUND UTILITIES MUST BE FIELD LOCATED BY THE APPROPRIATE AGENCY PRIOR TO ANY EXCAVATION, PURSUANT TO SEC. 9-1-5-103 C.R.S.
 - DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET.
 - THE PROPERTY IS CURRENTLY ZONED "AG" PER THE WELD COUNTY ASSESSOR PROPERTY MAP PORTAL.
 - THE CONTOURS DEPICTED HEREON AT THE REQUEST OF THE CLIENT WERE INTERPOLATED BY AUTODESK CIVIL3D 2016 SOFTWARE BETWEEN FIELD OBSERVED SPOT ELEVATIONS. DEPENDING ON THE DISTANCE FROM THE NEAREST SPOT ELEVATIONS AND VARIATION IN TOPOGRAPHY, THE CONTOURS SHOWN WILL NOT BE AN EXACT REPRESENTATION OF THE SITE TOPOGRAPHY. ADDITIONAL TOPOGRAPHIC INFORMATION MAY BE NEEDED WITHIN SPECIFIC AREAS OF INTEREST.
 - NATIONAL GEODETIC SURVEY BENCHMARK Q136 WAS USED AS A REFERENCE FOR THE ELEVATION INFORMATION SHOWN HEREON.

SURVEYOR'S CERTIFICATION:

I, NATHANIEL E. KEANE, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY TO RONNIE R. JACKSON AND JEANNE JACKSON, THAT, SUBJECT TO THE NOTES SHOWN HEREON, A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, THAT IT IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED, THAT IT IS, TO THE BEST OF MY KNOWLEDGE, ACCURATE AND COMPLETE.

NATHANIEL E. KEANE
COLORADO LICENSED PROFESSIONAL
LAND SURVEYOR NO. 38383
FOR, AND ON BEHALF OF,
BENCHMARK SURVEYING LLC
DATE: FEBRUARY 4, 2019

BMS LLC, PROJECT NO. 18.221
217 83RD AVENUE
GREELEY, CO 80634



THIS MAP WAS PREPARED BY
BENCHMARK SURVEYING, LLC.
PROFESSIONAL LAND SURVEYING & MAPPING
560 SOUTH 45TH STREET
BOULDER, CO 80305
(720) 253-4080
www.BMSURV.com
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Lynn and Debra Casseday
295 83rd Avenue
Greeley CO 80634

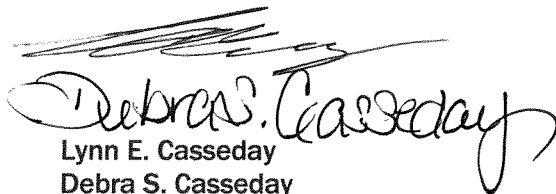
Community Development Department – Planning Division
1100 10th Street, Suite 202
Greeley CO 80631

March 17, 2019

Case Number: ANX2018-0006 & ZON2018-0015

Thank you for your time concerning the projected annexation of a property known as 495 83rd Avenue.

The new owner of this property is asking for annexation into the City of Greeley. This area has always been a rural community with several residences living on acreages ranging from 5 to 65 acres. The majority of these owners are farmers raising cattle, horses, and other farm related animals. Corn and hay are the raised crops. We like our rural environment and annexing within this area would only encourage urban development. Something we are not in favor of. Please consider denying the request for annexation.



Lynn E. Casseday
Debra S. Casseday
Owners,
295 83rd Avenue

March 19, 2019

City of Greeley
Community Development Department – Planning Division
1100 10th Street, Suite 202
Greeley, CO 80631

Planning Commission:

We are writing to you to express our displeasure for the proposal to annex (case number ANX2018-0006) and to establish R-E zoning (case number ZONE2018-0015) of the 38.1 acres of land owned by Ronnie R. and Jeanne Jackson into the City of Greeley.

It is our understanding the last available recorded exemption for the property in question has been approved and no other divisions of the property would be possible. This property is only accessible via Noble Energy's service road. If the zoning were changed and the property were subdivided, this use is not compatible with existing **surrounding** land uses. There also comes into question adequate water supply which if this has been satisfied, we would be very curious as to the solution. The City of Greeley has been adamant that they will not add any more water taps on the west side of 83rd Avenue in the 200 block.

Also, a major concern for us is the issue of first responders. If this small parcel of land is annexed into the City of Greeley and the surrounding property is not, this will cause a great deal of unnecessary confusion. When we call 911 will there be a question of who is to respond – City of Greeley, Weld County Sheriff's Department, City of Greeley Fire Department, Windsor Fire Department? This could contribute significant delay time in a catastrophic situation.

In closing, it is interesting that property owners new to the neighborhood have asked to change the zoning and quite possibly the entire dynamic of an established neighborhood. Why do the desires of one take precedence over the desires of many? The Jackson's now have two homes on their property and have stated they want to sell one. We think this will be difficult without a recorded exemption. The possible solution they seek is to annex their property into the City of Greeley at a cost to those that own property around them. Perhaps they should have considered their situation before making their neighbors bear the burden for them.

James and Marlynda Gerwig
205 83rd Avenue
Greeley, Colorado 80634
970-330-1569

Lee and Lynn Watkins
283 83rd Avenue
Greeley CO 80634

Community Development Department – Planning Division
1100 10th Street, Suite 202
Greeley CO 80631

March 17, 2019

Case Number: ANX2018-0006 & ZON2018-0015

Thank you for your time concerning the projected annexation of a property known as 245 83rd Avenue.

The new owner of this property is asking for annexation into the City of Greeley. This area has always been a rural community with several residences living on acreages ranging from 5 to 65 acres. The majority of these owners are farmers raising cattle, horses, and other farm related animals. Corn and hay are the raised crops. We like our rural environment and annexing within this area would only encourage urban development. Something we are not in favor of. Please consider denying the request for annexation.

Lee Watkins
Lynn Watkins
Owners,
283 83rd Avenue

Council Agenda Summary

April 16, 2019

Agenda Item Number 19

Key Staff Contact: Brad Mueller, Community Development Director, 970-350-9786

Title:

Consideration of a resolution authorizing the Mayor to enter into an Intergovernmental Agreement Regarding Land Use, Growth Boundaries, and Future Annexations Between Kersey, Evans, and Greeley

Summary:

In 2018 the City of Greeley committed to a work program item to develop an Intergovernmental Agreement (IGA) with the Town of Kersey. Throughout the year, and after increasing the scope to include the City of Evans, the attached proposed IGA is being presented to City Council.

The origins of this initiative began late in 2017, when Kersey provided notice to Greeley of their intent to annex the Weld County Parkway (i.e., County Road 47/49) that was located north of Highway 34 and continued to just south of East 8th Street by the airport. This led to meetings attended by Mayor Gates, Councilmember Payton and Kersey officials, first to express concern, given this area is in the Greeley Long Range Expected Growth Area, followed by a commitment to future coordination. Kersey completed its annexation in early 2018.

As a result of this annexation and the conditions that now exist, staff undertook discussions with Kersey with the goal of defining a common vision for future growth areas. Later, the City of Evans was added to the conversation, since their growth area overlaps Kersey's projected growth area south of the South Platte River.

From these discussions, staff has gained an appreciation for the fact that Kersey's and Evans' visions for the South Platte River Corridor are very similar to those of Greeley's, desiring to recognize the high value of the natural habitat and the recreation potential of the riparian area along the river. In addition, the three municipalities agree on the value of this joint planning area as a gateway to the communities.

The result of this discussion is the attached proposed Intergovernmental Agreement, which can help all three municipalities jointly plan this area. The IGA agreement is a first step in a future planning effort. It is anticipated that this agreement will form the basis of joint applications for funds for conservation from outside sources such as Great Outdoors Colorado, the Colorado Water Conservation Board, the Colorado Department of Local Affairs and others.

For context, the City of Greeley has a history of seeking land use coordination and cooperation with neighboring jurisdictions. For example, when Greeley, Windsor, and Severance began to grow toward each other, they recognized that an

intergovernmental agreement acknowledging their respective growth areas, describing appropriate land uses, and setting forth design standards would be useful in protecting each community's interests, as well as their shared interests. Eventually, the City has goals to have intergovernmental agreements with all our surrounding municipalities, as well as Weld County.

Staff and Council discussed the proposal in detail at the March 26, 2019, Council worksession. Kersey and Evans councils have also reviewed the proposal in worksessions, and Evans is scheduled to adopt the IGA on April 9, 2019, while Kersey is preparing for formal adoption on April 16, 2019.

The Greeley Planning Commission considered this item on March 26, 2019, and is recommending approval, by a vote of 5-1.

Fiscal Impact:

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

Legal Issues:

Intergovernmental Agreements (IGA) are a legal tool through which jurisdictions can formally adopt policies related to one another. The City has other existing land use IGAs with Evans, Windsor, and Severance.

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

Consistency with Imagine Greeley Comprehensive Plan, and with the following Council goals:

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

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

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

Decision Options:

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

Council's Recommended Action:

A motion to adopt the resolution, with the condition that minor language changes to the document as reflected in the Council memo dated April 10, 2019, be incorporated

Attachments:

Resolution, including proposed Intergovernmental Agreement
Draft Planning Commission Minutes (March 23, 2019)
Planning Commission Summary (Staff Report) (March 23, 2019)
City Council memo regarding text changes (April 10, 2019)

CITY OF GREELEY, COLORADO

RESOLUTION NO. ___, 2019

A RESOLUTION OF THE CITY OF GREELEY COUNCIL AUTHORIZING THE CITY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT REGARDING LAND USE, GROWTH BOUNDARIES, AND FUTURE ANNEXATIONS BETWEEN KERSEY, EVANS, AND GREELEY

WHEREAS, the Parties of the City of Greeley, the City of Evans, and the Town of Kersey recognize the high natural, aesthetic, and wildlife value of the South Platte River Corridor, and

WHEREAS, the Parties recognize and wish to support in particular the Comprehensive Plans, and Parks and Recreation Master Plans that each has adopted, each of these plans recognizing and building upon the high natural values of the South Platte River Corridor, and

WHEREAS, the Parties wish to cooperate on joint funding and resource opportunities along the South Platte River Corridor; and

WHEREAS, the Parties recognize each other's adopted long range growth management boundaries; and

WHEREAS, the Parties wish to cooperatively plan this area for their mutual benefit; and

WHEREAS, the Parties wish to avoid annexation, land use, and environmental conflicts which could potentially degrade the high natural, aesthetic, and wildlife values of the South Platte River Corridor; and,

WHEREAS, The Planning Commission recommended that the Greeley City Council adopt an Intergovernmental Agreement between the Parties.

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

Section 1. City Council hereby authorizes the mayor to enter into that Intergovernmental Agreement, attached hereto as Exhibit A, and incorporated herein by reference.

Section 2. City staff is hereby authorized to make changes and modifications to the Agreement, so long as the substance of the Agreement remains unchanged.

Section 3. This Resolution shall become effective immediately.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS ____ DAY OF _____, 2019.

ATTEST:

THE CITY OF GREELEY,
COLORADO

City Clerk

Mayor

**AN INTERGOVERNMENTAL AGREEMENT
REGARDING LAND USE, GROWTH BOUNDARIES, AND
FUTURE ANNEXATIONS
BETWEEN KERSEY, EVANS, AND GREELEY**

This Agreement is made this ____ day of _____, 2019, by and between **The Town of Kersey**, Colorado, a statutory municipality, (“Kersey”), **The City of Evans**, Colorado, a home rule municipality, (“Evans”), AND **The City of Greeley**, Colorado, a home rule municipality, (“Greeley”), (collectively, the “Parties,” and each individually, a “Party”), establishing the terms and conditions for land uses, within a Cooperative Planning Area, and setting forth an agreement to develop a plan for future land use and urban development that each municipality may consider adopting, and that may, if agreed upon, form the basis for amending this agreement.

RECITALS

WHEREAS, the Parties recognize the high natural, aesthetic, and wildlife value of the South Platte River Corridor, and

WHEREAS, the Parties recognize and wish to support in particular the Comprehensive Plans, and Parks and Recreation Master Plans that each has adopted, each of these plans recognizing and building upon the high natural values of the South Platte River Corridor, and

WHEREAS, the Parties wish to cooperate on joint funding and resource opportunities along the South Platte River Corridor; and

WHEREAS, the Parties recognize each other’s adopted long range growth management boundaries; and

WHEREAS, the Parties wish to cooperatively plan this area for their mutual benefit; and

WHEREAS, the Parties wish to avoid annexation, land use, and environmental conflicts which could potentially degrade the high natural, aesthetic, and wildlife values of the South Platte River Corridor.

NOW, THEREFORE, in consideration of the promises made herein, it is mutually agreed by and between the Parties as follows:

1. KERSEY, EVANS, AND GREELEY COOPERATIVE PLANNING AREA

There is hereby established a Kersey, Evans, and Greeley Cooperative Planning Area (“CPA”), the boundaries and conditions of which are shown on Exhibit A.

2. ANNEXATION

A. Annexation Outside of Adopted Growth Management Areas. The Parties each agree that within the CPA, no Party will annex outside their adopted Growth Management Areas as such areas exist at the time of this Agreement except when it is necessary to annex the remainder of a parcel that is more than 50% contained within the particular jurisdiction's existing Growth Management Area.

B. Overlapping Adopted Growth Management Areas. Where two or more municipalities include a parcel within their respective Growth Management Areas, the municipality initiating the annexation or in receipt of an Annexation Petition shall promptly notify the other municipalities to consider who would have first priority to annex the property. The Parties acknowledge that the landowner initiating the request for annexation shall have the right to petition to annex to the municipality of their choice within areas that lie within overlapping adopted Growth Management Areas.

C. Annexation requests not included in more than one adopted Growth Management Area. If any Party to this agreement is presented with a petition for annexation of land located in the adopted Growth Management boundary of another Party to this agreement, that Party shall direct the petitioner to the municipality within which the land is planned for annexation in accordance with this agreement. Only upon the written notice that the annexation petition will not be accepted by the municipality within which the land is planned for annexation may another municipality consider any such annexation, and then only upon the written agreement of the Parties to this agreement.

3. LAND USES

A. Allowed Land uses. Each municipality agrees to permit only those land uses as set forth in its duly adopted Comprehensive Plan, as it exists at the time of this Agreement.

B. Prohibited Land Uses. Notwithstanding any other provisions of this agreement, the following uses shall not be permitted within the Cooperative Planning Area:

Adult businesses also known as sexually-oriented businesses; and

Industrial uses, such as: auto dismantling, bulk storage of flammable liquids & gases, chemical manufacturing plants, co-generation & power plants, concrete and asphalt batch plants, confined animal feeding operations and feedlots, crematoriums, dispensaries, food & beverage processing facility (major), foundries, junk & salvage yards, liquid propane tanks as per Fire Code, meat processing & packaging plants, outdoor storage facilities, recycling centers, refuse transfer stations, rendering plants, slaughterhouses, or truck or freight terminals.

If any Party to this Agreement believes a proposed land use, not listed above, is in conflict with the spirit/intent of the Agreement, said Party must provide written objection and just cause to the reviewing municipality. Said land use will only be allowed by a majority consent of all Parties.

4. REQUIRED NOTICE FOR DEVELOPMENT

Each Party will notify the other Parties of all intended development within one half-mile of or within that Party's Growth Management Area no less than four (4) weeks prior to the first official consideration of the land use matter by the municipality reviewing the intended development. All notifications shall be in writing and shall include the complete submittal package for review and consideration by the reviewing municipalities. The reviewing Party shall review the documents and respond in writing with its comments to the reviewing municipality in a timely manner. For purposes of this agreement, these submittal packages, notices, and comments may be digital or hard copy.

Each Party shall provide the other parties with a designated point of contact for the transmission of all communications and documentation contemplated and described in this paragraph.

When making any land use decisions in the CPA, each Party agrees that it may not approve any land use in contravention to the uses states in subsection 3.B, or any land use not in conformance with its Comprehensive Plan, or annex outside its Growth Management Area without prior written consent of the other Parties.

5. RELEASE AND HOLD HARMLESS

Each municipality is a public entity as that term is defined by the Colorado Governmental Immunity Act, §§ 24-10-101, et seq., CRS. The Parties to this agreement have the benefits and responsibilities enumerated in the Colorado Governmental Immunity Act. Each party shall defend any and all claims for injuries or damages pursuant to and in accordance with the requirements and limitations of the Colorado Governmental Immunity Act occurring as a result of negligent or intentional acts or omissions of the Parties, their agents, employees and assigns.

6. NO BENEFICIARIES OTHER THAN THE SIGNERS

It is expressly understood and agreed that the terms and the enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, are strictly reserved to the undersigned Parties and nothing in this Agreement shall give or allow any claim or right or cause of action whatsoever by any other person not included in this Agreement. It is the express intention of the undersigned Parties that no person and/or entity, other than the undersigned Parties, receiving services or

benefits under this Agreement shall be deemed any more than an incidental beneficiary only.

7. NON-COMPLIANCE

Notwithstanding any other provision in this Agreement, if any Party fails to comply with the provisions of this Agreement, any other Party, after providing written notification to the noncomplying Party and upon the failure of the noncomplying Party to achieve compliance within a reasonable time after such notice under the circumstances, or ninety (90) days, whichever is less, may bring an action in a court of competent jurisdiction in Weld County for specific performance, injunctive, or other relief against the non-complying Party. In the event of such litigation, the prevailing Party shall be entitled to payment by the defaulting Party, of its actual attorney's fees and costs incurred.

8. AMENDMENTS

This Agreement may be amended in writing only by the mutual agreement of the governing bodies of the Parties hereto.

9. ADDITIONS AND MODIFICATIONS

The Parties hereto agree that they shall cooperate with one another and Weld County in making such additions and modifications to this Intergovernmental Agreement as may be necessary to effectuate its purposes.

10. TERMS AND TERMINATION

This Agreement shall remain in effect for a period of five (5) years from its effective date. Thereafter, it shall be automatically renewed for successive five (5) year terms unless at least 120 days prior to the scheduled expiration, any Party notifies the other Parties of its decision that the Agreement shall not be renewed.

11. COLORADO LAWS

This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado. Venue for any action under this agreement must be filed in Weld County.

12. WAIVER OF BREACH

A waiver of a breach of any of the provisions of this Agreement shall not constitute waiver or a waiver of any subsequent breach of the same or another provision of this Agreement.

13. NOTICE

All notices or other communications hereunder shall be sufficiently given and shall be deemed given upon (a) personal delivery to the recipient designated in this section; (b) date of signature on a certified mail receipt; or (c) after the lapse of ten business days following mailing by certified mail, postage prepaid, addressed as follows:

TO KERSEY:
Town of Kersey
332 3rd Street
Kersey, CO 80644

TO EVANS:
City of Evans
Community Development
1100 37th Street
Evans, CO 80620

TO GREELEY:
City of Greeley
Community Development – Planning Division
1100 10th Street
Greeley, CO 80631

14. EFFECT OF INVALIDITY

If any portion of this Agreement is finally held invalid or unenforceable by a court of competent jurisdiction as to any or all Parties such invalidity or unenforceability shall not affect the other paragraphs of this Agreement, except that any corresponding right or obligation of the other Parties under the invalidated portion shall also be deemed invalid.

15. RELIANCE BY THE PARTIES

The Parties understand that each is relying upon all of the promises made by the other in this Agreement, and each agrees (i) not to assert to any court or other body the invalidity or unenforceability of any portion of this Agreement; (ii) to promptly notify the other Party of any legal action which might affect this Agreement; (iii) to allow the other Party to participate in such legal action as the other Party deems appropriate; and (iv) to defend this Agreement in such legal action.

IN WITNESS WHEREOF, the Parties hereto have executed this Intergovernmental Agreement the day and year first written above.

TOWN OF KERSEY:

Board of Trustees

By: _____ Mayor
Gary Lagrimanta, Mayor

CITY OF EVANS

City Council

By: _____ Mayor
Brian Rudy, Mayor

CITY OF GREELEY

By: _____ Mayor
John Gates, Mayor

Exhibits

Exhibit A: Cooperative Planning Area Map

Exhibit B: Definitions

Exhibit A: Kersey, Evans, and Greeley Cooperative Planning Area

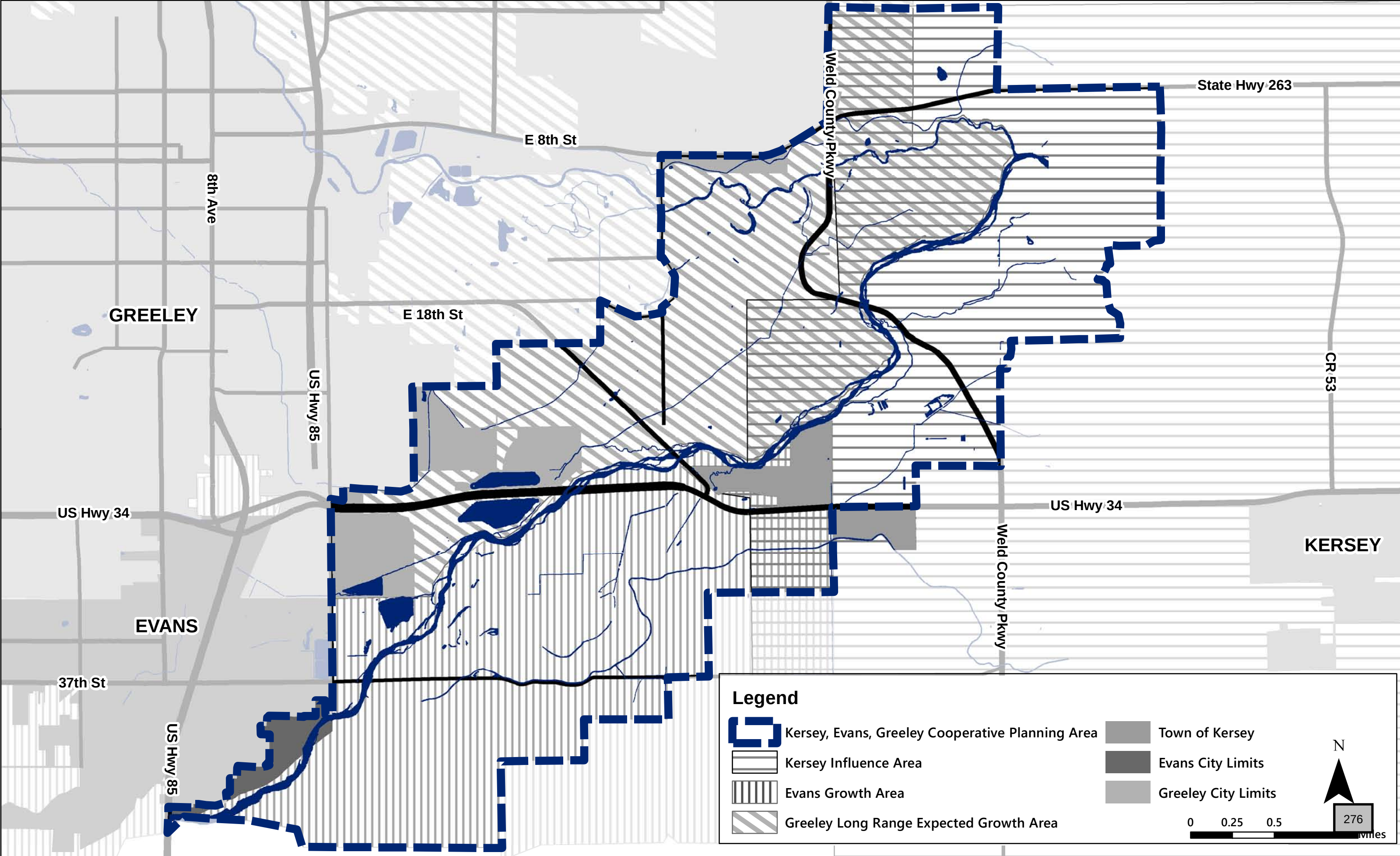


Exhibit B – DEFINITIONS

The terms used herein are defined as follows:

Adult business shall mean any store, establishment, tavern, club or theater having a substantial portion of its stock in trade, books, magazines or other periodicals; video movies, films, slides or photographs; instruments, devices or paraphernalia; or live performances, which are characterized by their emphasis on matters depicting, describing, or related to *specified anatomical areas* or *specified sexual activities*. For the purposes of this definition, a business shall not be considered an adult business if it carries less than twenty percent (20%) of its stock in adult materials and it prevents the public from viewing or observing merchandise or products that depict *specified anatomical areas* or *specific sexual activities*, as may be displayed by the products or on the packaging.

a. *Specified anatomical areas* means:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks and female breast above or below a point which would expose any portion of the areola; and
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

b. *Specified sexual activities* means:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breast;
2. Human genitals in a state of sexual stimulation or arousal;
3. Sex acts, actual or simulated, including intercourse, oral copulation or sodomy;
4. Masturbation, actual or simulated; or
5. Excretory functions as part of or in connection with any of the activities set forth in Paragraphs 1 through 4 above.

Asphalt plant or asphalt batch plant shall mean a facility for the purposes of manufacturing asphalt and other forms of coated road stone, sometimes collectively known as blacktop or asphalt concrete.

Bulk storage shall mean an area or building where equipment and/or supplies are stored in large quantities.

Chemical plant or chemical manufacturing plant shall mean a facility for the purposes of manufacturing or otherwise processing chemicals.

Co-generation plant shall mean a facility for the purposes of producing power as a by-product of a manufacturing or power-producing process.

Concrete plant or concrete batch plant shall mean a facility for the purposes of manufacturing concrete.

Crematorium shall mean a place for the cremation of human or animal remains.

Dispensary shall mean a place in which a person can purchase cannabis and cannabis related items for medical or recreational use.

Feedlot or confined animal feeding operations shall mean an area or building where livestock are fed or fattened up prior to slaughter.

Food and beverage processing facility (major) shall mean a facility for the purposes of transforming raw agricultural commodities and semi-processed food products into a broad range of food and beverage products ready for consumption or for further processing.

Food and beverage processing facility (minor) shall mean a facility for the purposes of packaging, producing, or processing food or beverages that meets the definition of *Food and beverage processing (major)* but which dedicates a portion of the building, minimum ten percent [10%] of the building's footprint and up to fifty percent [50%] to sales of food, beverages, or other retail for on premise purchase or consumption; and which occupies a site of three (3) acres or less; and which cannot generate offensive odors, emissions, traffic or other off-site impacts.

Foundry shall mean a workshop or factory for casting metal.

Junk or refuse shall mean garbage and all other waste matter or discarded or unused material such as, but not limited to, salvage materials, scrap metal, scrap materials, bottles, tin cans, paper, boxes, crates, rags, used lumber and building materials; manufactured goods, appliances, fixtures, furniture, machinery, motor vehicles or other such items which have been abandoned, demolished or dismantled, or are in such a condition as to be unusable for their original use, but may be used again in present or different form for a new use; discarded or inoperable vehicles, machinery parts and tires; and other materials commonly considered to be refuse, rubbish or junk.

Junkyard or salvage yard shall mean an industrial use for collecting, storing or selling scrap metal or discarded material or for collecting, dismantling, storing, salvaging or demolishing vehicles, machinery or other material and including the sale of such material or parts.

Meat packing shall mean the business or industry of slaughtering cattle and other meat animals and processing the carcasses for sale, sometimes including the packaging of processed meat products.

Outdoor storage means storage of materials, supplies, parts, machines, equipment, containers, operable vehicles, tractor-trailers, unoccupied mobile homes and not kept in a permitted structure having at least four (4) walls and a roof. This definition shall not apply to items for sale to the general public such as new and used cars, recreational vehicles, boats and landscape and building materials; nor to parking of vehicles regularly used in connection with the operation of the primary business or parked for less than forty-eight (48) hours for maintenance service.

Power plant means any electrical generating facility with an energy generation capacity less than 50 megawatts, and any facilities appurtenant thereto, or any expansion, extension or enlargement thereof increasing the existing design capacity but still less than 50 megawatts.

Recycling and collection center shall mean a facility used for the collection and/or processing of reusable material, including but not limited to, metals, glass, plastic and paper.

Refuse transfer station shall mean a facility for the purposes of separation, aggregation and/or compaction of solid waste prior to delivery to a landfill.

Rendering plant shall mean a place that converts waste animal tissue into industrial fats, oils, and various other products.

Slaughterhouse shall mean a place where animals are slaughtered for food.

Truck or freight terminal shall mean an area and/or building where trucks load and unload cargo and freight and where such cargo and freight may be separated or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation and/or for storage.



PLANNING COMMISSION Proceedings

March 26, 2019

**City Center South
Council Chambers Room
1001 11th Avenue
1:15 p.m.**

I. Call to Order

Chair Yeater called the meeting to order at 1:15 p.m. Commissioners Schulte, Andersen, Modlin and Rarick were present. (Commissioner Briscoe was absent and one vacancy exists.)

II. Approval of minutes for meeting held on February 26, 2019

Commissioner Andersen moved to approve minutes of the meeting held on February 26, 2019. Commissioner Rarick seconded the motion. The motion carried 5-0. (Commissioner Briscoe was absent and one vacancy exists.)

III. A public hearing to consider annexation of 38.41 acres of unincorporated property located at 245 83rd Avenue into the City of Greeley

Project Name: Jackson Annexation
Case No.: ANX2018-0006
Applicant: Ron Jackson and Jeanne Jackson
Location: 245 83rd Avenue
Presenter: Rachel Prelog, Planner II

Ms. Prelog addressed the Commission and requested that her presentation be presented as one presentation with two separate motions.

A public hearing to consider establishment of R-E (Residential Estate) zoning for property being petitioned for annexation located at 245 83rd Avenue

Project Name: Jackson Annexation Establishment of Zoning
Case No.: ZON2018-0015
Applicant: Ron Jackson and Jeanne Jackson
Location: 245 83rd Avenue
Presenter: Rachel Prelog, Planner II

Commissioner Rarick moved that, based the application received and the preceding analysis, the Planning Commission finds that the proposed annexation meets the required Development Code criteria of Section 18.26.050(a) (1-5); and recommended approval of the Annexation to the City Council. Commissioner Schulte seconded the motion the motion carried 6-0. (One vacancy exists.)

Commissioner Schulte moved that, based on the application received and the preceding analysis, the Planning Commission finds that the proposed R-E (Residential Estate) zone district meets the review criteria found in the following Development Code Section 18.26.070(b)(1-2) and recommend approval to the City Council. Commissioner Rarick seconded the motion the motion carried 6-0. (One vacancy exists.)

V. A public hearing to consider approval of the Kersey, Evans, and Greeley Intergovernmental Agreement

Project Name: Kersey, Evans, Greeley Intergovernmental Agreement
Case No.: AGR2019-0001
Presenter: Rachel Prelog, Planner II

Ms. Prelog addressed the Commission with a project overview and background of the agreement. She stated this document recognized each jurisdiction's growth boundaries and established annexation protocol where such boundaries overlap. She added that it provided a plan for future land use and urban development through the establishment of a cooperative planning area.

Ms. Prelog presented maps showing the areas. She stated that Kersey, Evans, and Greeley recognized the value of the South Platte River corridor, which lies between the communities. She added that the communities wish to cooperatively plan this area for their mutual benefit and avoid annexation, land use and environmental conflicts.

Ms. Prelog reported that the agreement shall remain in effect for a period of five years from the effective date. Thereafter it would be automatically renewed for successive five-year terms unless at least 120 days prior to the scheduled expiration, any party notifies the other parties of its decision that the agreement shall not be renewed.

Commissioner Schulte asked if any changes were made from the previous worksession for this matter. Ms. Prelog clarified that no changes were made. Commissioner Schulte asked whether joined parties were also being sent to Planning Commissions to vote or review this proposal. Commissioner Andersen expressed her concerns about the land uses and the criteria. Mr. Mueller clarified the land use and pointed out the areas on the map presented. Commissioner Andersen shared her concerns about land uses issues and RV and outdoor storage. Mr. Mueller addressed the Commission with the envisioned future land use and desire to assist neighboring municipalities with limited resources.

Kayla Meyer addressed the Commission on behalf of the City of Evans and offered to answer any questions. She shared a brief job description and thanked the Commission and city staff. Ms. Meyer supported the proposal for the agreement.

The public hearing opened at 2:29 p.m. There being no comment, the public hearing closed at 2:29 p.m.

Commissioner Andersen moved that the Planning Commission recommend that the City Council adopt an Intergovernmental Agreement Regarding Land Use, Growth Boundaries, and Future Annexations between Kersey, Evans and Greeley. Commissioner Modlin seconded the motion. The motion carried 5-1, with Commissioner Andersen voting against the motion. (One vacancy exists.)

VI. Staff Report

Brad Mueller addressed the Commission and stated that a Council worksession for the Kersey, Evans, Greeley Intergovernmental Agreement would take place on March 26, 2019.

Mr. Mueller introduced Patrick O'Shea, Engineering Technician. Mr. O'Shea addressed the Commission and provided a brief description of his duties. He thanked the Commission and staff.

Mr. Mueller updated the Commission on the construction for the first floor of City Center North.

Commissioner Modlin asked about the IGA and requested staff to include information in the next packet. Commissioner Yeater also requested a clear color quality of the *Imagine Greeley* map. Mr. Mueller stated staff will continue to help improve the map quality and will decide on a date for IGA packets.

VII. Adjournment

The meeting was adjourned at 2:38 p.m.

Justin Yeater, Chair

Brad Mueller, Secretary

PLANNING COMMISSION SUMMARY

ITEM: Adoption of a *Kersey, Evans, and Greeley Intergovernmental Agreement*

PROJECT: An Intergovernmental Agreement Regarding Land Use, Growth Boundaries, and Future Annexations Between Kersey, Evans, and Greeley

FILE NUMBER: AGR2019-0001

PLANNER: Rachel Prelog, Planner II

PLANNING COMMISSION HEARING DATE: March 26, 2019

PLANNING COMMISSION FUNCTION:

To review the proposed Intergovernmental Agreement and make a recommendation to the City Council in the form of a motion.

A. PROJECT OVERVIEW AND BACKGROUND:

Regional collaboration and planning has been key for promoting livability and a high quality of life for Northern Colorado communities. Intergovernmental Agreements acts as a tool to ensure that communities can realize their own goals and visions without competing/ conflicting with neighboring jurisdictions.

The City of Greeley is currently a part of several intergovernmental agreements (IGAs) with surrounding municipalities such as the Town of Windsor, the Town of Severance, and the City of Evans. As development pressure continues to extent outwards into growth management areas it behooves the communities of Kersey, Evans, and Greeley to enter into an IGA to recognize each other's growth boundaries, establish annexation protocol where such boundaries overlap, and to plan for future land use and urban development through the establishment of a cooperative planning area.

Kersey, Evans, and Greeley recognize the high natural, aesthetic, and wildlife value of the South Platte River Corridor which lie between the respected communities. Therefore, the communities wish to cooperatively plan this area for their mutual benefit and avoid annexation, land use, and environmental conflicts.

Exhibit A of *An Intergovernmental Agreement Regarding Land Use, Growth Boundaries, and Future Annexations Between Kersey, Evans, and Greeley* establishes a cooperative planning area with generally extends east from Highway 85 to County Road 51 and from County Road

52 north to County Road 62 (*see Attachment A – An Intergovernmental Agreement Regarding Land Use, Growth Boundaries, and Future Annexations Between Kersey, Evans, and Greeley*). The proposed IGA establishes protocol for the annexation of land within the cooperative planning area including noticing requirements and remedies for non-compliance. In order to preserve the natural character of the area and to support the goals of visions each municipalities Comprehensive Plans, a list of prohibited land uses was also specified.

Said agreement will remain in effect for a period of five years from its effective date and then review automatically for successive five-year terms unless a termination is requested by one of the parties.

B. STAFF RECOMMENDATION

Approval

C. PLANNING STAFF RECOMMENDED MOTION

The Planning Commission recommends that the City Council adopt an Intergovernmental Agreement Regarding Land Use, Growth Boundaries, and Future Annexations Between Kersey, Evans, and Greeley.

ATTACHMENTS:

Attachment A – An Intergovernmental Agreement Regarding Land Use, Growth Boundaries, and Future Annexations Between Kersey, Evans, and Greeley
Exhibit A: Kersey, Evans, and Greeley Cooperative Planning Area Map
Exhibit B: Land Use Definotons

**AN INTERGOVERNMENTAL AGREEMENT
REGARDING LAND USE, GROWTH BOUNDARIES, AND
FUTURE ANNEXATIONS
BETWEEN KERSEY, EVANS, AND GREELEY**

This Agreement is made this ____ day of _____, 2019, by and between **The Town of Kersey**, Colorado, a statutory municipality, (“Kersey”), **The City of Evans**, Colorado, a home rule municipality, (“Evans”), AND **The City of Greeley**, Colorado, a home rule municipality, (“Greeley”), (collectively, the “Parties,” and each individually, a “Party”), establishing the terms and conditions for land uses, within a Cooperative Planning Area, and setting forth an agreement to develop a plan for future land use and urban development that each municipality may consider adopting, and that may, if agreed upon, form the basis for amending this agreement.

RECITALS

WHEREAS, the Parties recognize the high natural, aesthetic, and wildlife value of the South Platte River Corridor, and

WHEREAS, the Parties recognize and wish to support in particular the Comprehensive Plans, and Parks and Recreation Master Plans that each has adopted, each of these plans recognizing and building upon the high natural values of the South Platte River Corridor, and

WHEREAS, the Parties wish to cooperate on joint funding and resource opportunities along the South Platte River Corridor; and

WHEREAS, the Parties recognize each other’s adopted long range growth management boundaries; and

WHEREAS, the Parties wish to cooperatively plan this area for their mutual benefit; and

WHEREAS, the Parties wish to avoid annexation, land use, and environmental conflicts which could potentially degrade the high natural, aesthetic, and wildlife values of the South Platte River Corridor.

NOW, THEREFORE, in consideration of the promises made herein, it is mutually agreed by and between the Parties as follows:

1. KERSEY, EVANS, AND GREELEY COOPERATIVE PLANNING AREA

There is hereby established a Kersey, Evans, and Greeley Cooperative Planning Area (“CPA”), the boundaries and conditions of which are shown on Exhibit A.

2. ANNEXATION

A. Annexation Outside of Adopted Growth Management Areas. The Parties each agree that within the CPA, no Party will annex outside their adopted Growth Management Areas as such areas exist at the time of this Agreement except when it is necessary to annex the remainder of a parcel that is more than 50% contained within the particular jurisdiction's existing Growth Management Area.

B. Overlapping Adopted Growth Management Areas. Where two or more municipalities include a parcel within their respective Growth Management Areas, the municipality initiating the annexation or in receipt of an Annexation Petition shall promptly notify the other municipalities to consider who would have first priority to annex the property. The Parties acknowledge that the landowner initiating the request for annexation shall have the right to petition to annex to the municipality of their choice within areas that lie within overlapping adopted Growth Management Areas.

C. Annexation requests not included in more than one adopted Growth Management Area. If any Party to this agreement is presented with a petition for annexation of land located in the adopted Growth Management boundary of another Party to this agreement, that Party shall direct the petitioner to the municipality within which the land is planned for annexation in accordance with this agreement. Only upon the written notice that the annexation petition will not be accepted by the municipality within which the land is planned for annexation may another municipality consider any such annexation, and then only upon the written agreement of the Parties to this agreement.

3. LAND USES

A. Allowed Land uses. Each municipality agrees to permit only those land uses as set forth in its duly adopted Comprehensive Plan, as it exists at the time of this Agreement.

B. Prohibited Land Uses. Notwithstanding any other provisions of this agreement, the following uses shall not be permitted within the Cooperative Planning Area:

Adult businesses also known as sexually-oriented businesses; and

Industrial uses, such as: auto dismantling, bulk storage of flammable liquids & gases, chemical manufacturing plants, co-generation & power plants, concrete and asphalt batch plants, confined animal feeding operations and feedlots, crematoriums, dispensaries, food & beverage processing facility (major), foundries, junk & salvage yards, liquid propane tanks as per Fire Code, meat processing & packaging plants, outdoor storage facilities, recycling centers, refuse transfer stations, rendering plants, slaughterhouses, or truck or freight terminals.

If any Party to this Agreement believes a proposed land use, not listed above, is in conflict with the spirit/intent of the Agreement, said Party must provide written objection and just cause to the reviewing municipality. Said land use will only be allowed by a majority consent of all Parties.

4. REQUIRED NOTICE FOR DEVELOPMENT

Each Party will notify the other Parties of all intended development within one half-mile of or within that Party's Growth Management Area no less than four (4) weeks prior to the first official consideration of the land use matter by the municipality reviewing the intended development. All notifications shall be in writing and shall include the complete submittal package for review and consideration by the reviewing municipalities. The reviewing Party shall review the documents and respond in writing with its comments to the reviewing municipality in a timely manner. For purposes of this agreement, these submittal packages, notices, and comments may be digital or hard copy.

Each Party shall provide the other parties with a designated point of contact for the transmission of all communications and documentation contemplated and described in this paragraph.

When making any land use decisions in the CPA, each Party agrees that it may not approve any land use in contravention to the uses states in subsection 3.B, or any land use not in conformance with its Comprehensive Plan, or annex outside its Growth Management Area without prior written consent of the other Parties.

5. RELEASE AND HOLD HARMLESS

Each municipality is a public entity as that term is defined by the Colorado Governmental Immunity Act, §§ 24-10-101, et seq., CRS. The Parties to this agreement have the benefits and responsibilities enumerated in the Colorado Governmental Immunity Act. Each party shall defend any and all claims for injuries or damages pursuant to and in accordance with the requirements and limitations of the Colorado Governmental Immunity Act occurring as a result of negligent or intentional acts or omissions of the Parties, their agents, employees and assigns.

6. NO BENEFICIARIES OTHER THAN THE SIGNERS

It is expressly understood and agreed that the terms and the enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, are strictly reserved to the undersigned Parties and nothing in this Agreement shall give or allow any claim or right or cause of action whatsoever by any other person not included in this Agreement. It is the express intention of the undersigned Parties that no person and/or entity, other than the undersigned Parties, receiving services or

benefits under this Agreement shall be deemed any more than an incidental beneficiary only.

7. NON-COMPLIANCE

Notwithstanding any other provision in this Agreement, if any Party fails to comply with the provisions of this Agreement, any other Party, after providing written notification to the noncomplying Party and upon the failure of the noncomplying Party to achieve compliance within a reasonable time after such notice under the circumstances, or ninety (90) days, whichever is less, may bring an action in a court of competent jurisdiction in Weld County for specific performance, injunctive, or other relief against the non-complying Party. In the event of such litigation, the prevailing Party shall be entitled to payment by the defaulting Party, of its actual attorney's fees and costs incurred.

8. AMENDMENTS

This Agreement may be amended in writing only by the mutual agreement of the governing bodies of the Parties hereto.

9. ADDITIONS AND MODIFICATIONS

The Parties hereto agree that they shall cooperate with one another and Weld County in making such additions and modifications to this Intergovernmental Agreement as may be necessary to effectuate its purposes.

10. TERMS AND TERMINATION

This Agreement shall remain in effect for a period of five (5) years from its effective date. Thereafter, it shall be automatically renewed for successive five (5) year terms unless at least 120 days prior to the scheduled expiration, any Party notifies the other Parties of its decision that the Agreement shall not be renewed.

11. COLORADO LAWS

This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado. Venue for any action under this agreement must be filed in Weld County.

12. WAIVER OF BREACH

A waiver of a breach of any of the provisions of this Agreement shall not constitute waiver or a waiver of any subsequent breach of the same or another provision of this Agreement.

13. NOTICE

All notices or other communications hereunder shall be sufficiently given and shall be deemed given upon (a) personal delivery to the recipient designated in this section; (b) date of signature on a certified mail receipt; or (c) after the lapse of ten business days following mailing by certified mail, postage prepaid, addressed as follows:

TO KERSEY:
Town of Kersey
332 3rd Street
Kersey, CO 80644

TO EVANS:
City of Evans
Community Development
1100 37th Street
Evans, CO 80620

TO GREELEY:
City of Greeley
Community Development – Planning Division
1100 10th Street
Greeley, CO 80631

14. EFFECT OF INVALIDITY

If any portion of this Agreement is finally held invalid or unenforceable by a court of competent jurisdiction as to any or all Parties such invalidity or unenforceability shall not affect the other paragraphs of this Agreement, except that any corresponding right or obligation of the other Parties under the invalidated portion shall also be deemed invalid.

15. RELIANCE BY THE PARTIES

The Parties understand that each is relying upon all of the promises made by the other in this Agreement, and each agrees (i) not to assert to any court or other body the invalidity or unenforceability of any portion of this Agreement; (ii) to promptly notify the other Party of any legal action which might affect this Agreement; (iii) to allow the other Party to participate in such legal action as the other Party deems appropriate; and (iv) to defend this Agreement in such legal action.

IN WITNESS WHEREOF, the Parties hereto have executed this Intergovernmental Agreement the day and year first written above.

TOWN OF KERSEY:

Board of Trustees

By: _____ **Mayor**
Gary Lagrimanta, Mayor

CITY OF EVANS

City Council

By: _____ **Mayor**
Brian Rudy, Mayor

CITY OF GREELEY

By: _____ **Mayor**
John Gates, Mayor

Exhibits

Exhibit A: Cooperative Planning Area Map

Exhibit B: Definitions

Exhibit A: Kersey, Evans, and Greeley Cooperative Planning Area

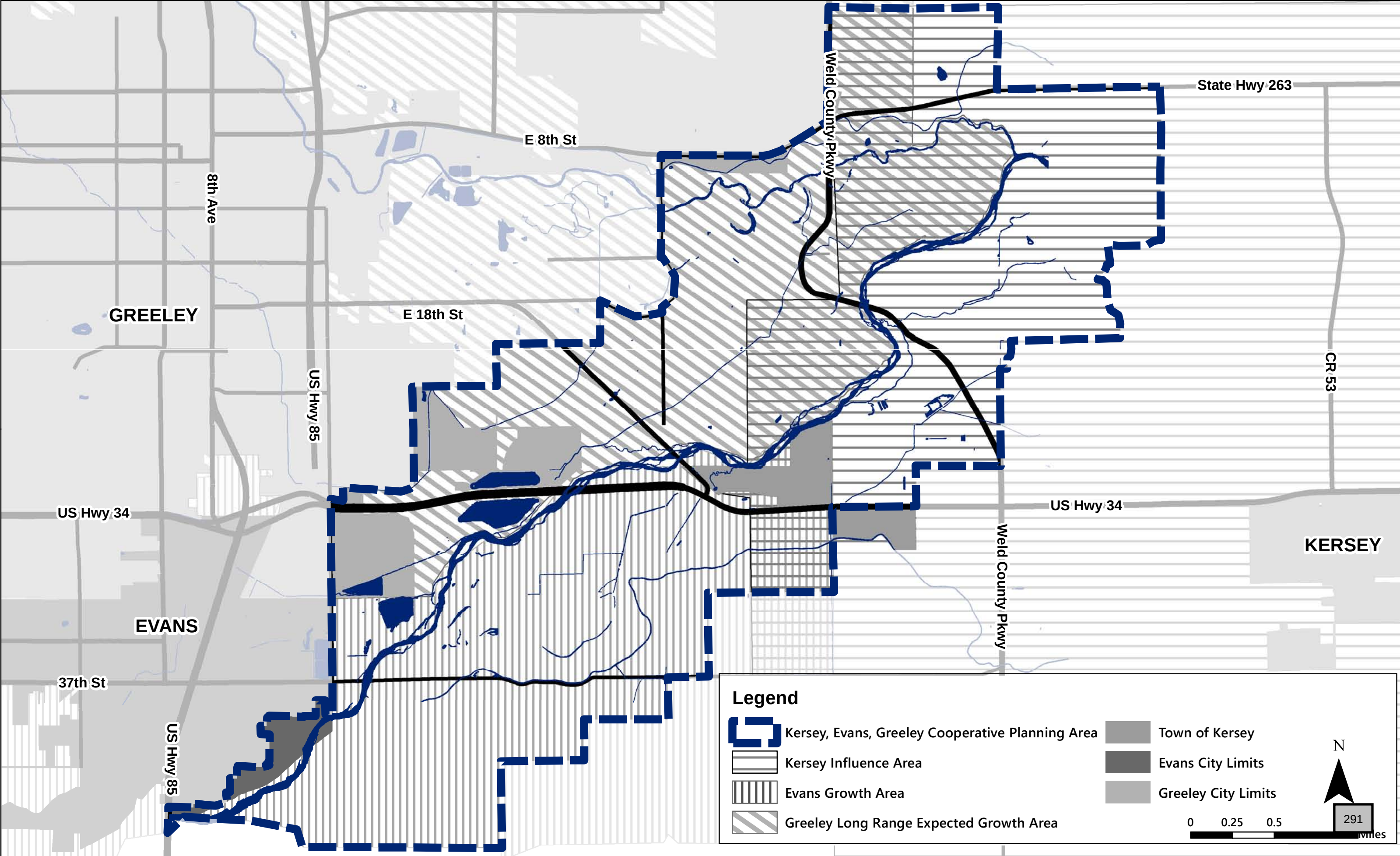


Exhibit B – DEFINITIONS

The terms used herein are defined as follows:

Adult business shall mean any store, establishment, tavern, club or theater having a substantial portion of its stock in trade, books, magazines or other periodicals; video movies, films, slides or photographs; instruments, devices or paraphernalia; or live performances, which are characterized by their emphasis on matters depicting, describing, or related to *specified anatomical areas* or *specified sexual activities*. For the purposes of this definition, a business shall not be considered an adult business if it carries less than twenty percent (20%) of its stock in adult materials and it prevents the public from viewing or observing merchandise or products that depict *specified anatomical areas* or *specific sexual activities*, as may be displayed by the products or on the packaging.

a. *Specified anatomical areas* means:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks and female breast above or below a point which would expose any portion of the areola; and
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

b. *Specified sexual activities* means:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breast;
2. Human genitals in a state of sexual stimulation or arousal;
3. Sex acts, actual or simulated, including intercourse, oral copulation or sodomy;
4. Masturbation, actual or simulated; or
5. Excretory functions as part of or in connection with any of the activities set forth in Paragraphs 1 through 4 above.

Asphalt plant or asphalt batch plant shall mean a facility for the purposes of manufacturing asphalt and other forms of coated road stone, sometimes collectively known as blacktop or asphalt concrete.

Bulk storage shall mean an area or building where equipment and/or supplies are stored in large quantities.

Chemical plant or chemical manufacturing plant shall mean a facility for the purposes of manufacturing or otherwise processing chemicals.

Co-generation plant shall mean a facility for the purposes of producing power as a by-product of a manufacturing or power-producing process.

Concrete plant or concrete batch plant shall mean a facility for the purposes of manufacturing concrete.

Crematorium shall mean a place for the cremation of human or animal remains.

Dispensary shall mean a place in which a person can purchase cannabis and cannabis related items for medical or recreational use.

Feedlot or confined animal feeding operations shall mean an area or building where livestock are fed or fattened up prior to slaughter.

Food and beverage processing facility (major) shall mean a facility for the purposes of transforming raw agricultural commodities and semi-processed food products into a broad range of food and beverage products ready for consumption or for further processing.

Food and beverage processing facility (minor) shall mean a facility for the purposes of packaging, producing, or processing food or beverages that meets the definition of *Food and beverage processing (major)* but which dedicates a portion of the building, minimum ten percent [10%] of the building's footprint and up to fifty percent [50%] to sales of food, beverages, or other retail for on premise purchase or consumption; and which occupies a site of three (3) acres or less; and which cannot generate offensive odors, emissions, traffic or other off-site impacts.

Foundry shall mean a workshop or factory for casting metal.

Junk or refuse shall mean garbage and all other waste matter or discarded or unused material such as, but not limited to, salvage materials, scrap metal, scrap materials, bottles, tin cans, paper, boxes, crates, rags, used lumber and building materials; manufactured goods, appliances, fixtures, furniture, machinery, motor vehicles or other such items which have been abandoned, demolished or dismantled, or are in such a condition as to be unusable for their original use, but may be used again in present or different form for a new use; discarded or inoperable vehicles, machinery parts and tires; and other materials commonly considered to be refuse, rubbish or junk.

Junkyard or salvage yard shall mean an industrial use for collecting, storing or selling scrap metal or discarded material or for collecting, dismantling, storing, salvaging or demolishing vehicles, machinery or other material and including the sale of such material or parts.

Meat packing shall mean the business or industry of slaughtering cattle and other meat animals and processing the carcasses for sale, sometimes including the packaging of processed meat products.

Outdoor storage means storage of materials, supplies, parts, machines, equipment, containers, operable vehicles, tractor-trailers, unoccupied mobile homes and not kept in a permitted structure having at least four (4) walls and a roof. This definition shall not apply to items for sale to the general public such as new and used cars, recreational vehicles, boats and landscape and building materials; nor to parking of vehicles regularly used in connection with the operation of the primary business or parked for less than forty-eight (48) hours for maintenance service.

Power plant means any electrical generating facility with an energy generation capacity less than 50 megawatts, and any facilities appurtenant thereto, or any expansion, extension or enlargement thereof increasing the existing design capacity but still less than 50 megawatts.

Recycling and collection center shall mean a facility used for the collection and/or processing of reusable material, including but not limited to, metals, glass, plastic and paper.

Refuse transfer station shall mean a facility for the purposes of separation, aggregation and/or compaction of solid waste prior to delivery to a landfill.

Rendering plant shall mean a place that converts waste animal tissue into industrial fats, oils, and various other products.

Slaughterhouse shall mean a place where animals are slaughtered for food.

Truck or freight terminal shall mean an area and/or building where trucks load and unload cargo and freight and where such cargo and freight may be separated or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation and/or for storage.



Community Development Department MEMORANDUM

TO: City Council
RE: Text changes to the Kersey, Evans & Greeley IGA
FROM: Brad Mueller, Community Development *BM*
DATE: April 10, 2019

Staff received a request from the Town of Kersey regarding the IGA document as Council packets were being finalized for the April 16, 2019, hearing.

Kersey's attorney is suggesting the changes described in the attached e-mail. The Greeley City Attorney's office and Greeley staff have reviewed these changes and find them to be acceptable, as they have no negative impact on the intent and substance of the IGA document.

Staff recommends that the proposed changes be incorporated, which will ensure that a consistent document is adopted by all three parties (i.e., Kersey, Evans and Greeley).

Brad Mueller

From: Christian Morgan <CMorgan@KerseyGov.com>
Sent: Tuesday, April 9, 2019 3:20 PM
To: Brad Mueller
Subject: [EXTERNAL] FW: IGA with Greeley and Evans

Follow Up Flag: Follow up
Flag Status: Flagged

Brad,

Here's the specific comments from Rick Zier, our attorney. His phone number is 970-222-4713.

Paragraph 5 does not deal with releases or hold harmless (indemnity) matters, so the title is not appropriate. More importantly, the section doesn't really say anything. It is a fact that the parties are all covered by the CO Governmental Immunity Act - it isn't necessary to state that and, if it is stated, then all the section should say is that the parties don't waive any rights under the Act. The last sentence of the existing section is gratuitous and isn't something the parties should be committing to, I think. If there is a claim against any of the parties by anyone, that party will defend itself however it feels appropriate.

In short, the section accomplishes nothing except maybe to create obligations concerning defense of claims that are not necessary or appropriate.

Section 11 should be titled "Governing Law and Venue". Its second sentence should read, "Sole venue for any action brought to enforce or interpret this Agreement shall be the state courts of Weld County, Colorado, and no such action shall be removed to any other court or jurisdiction."

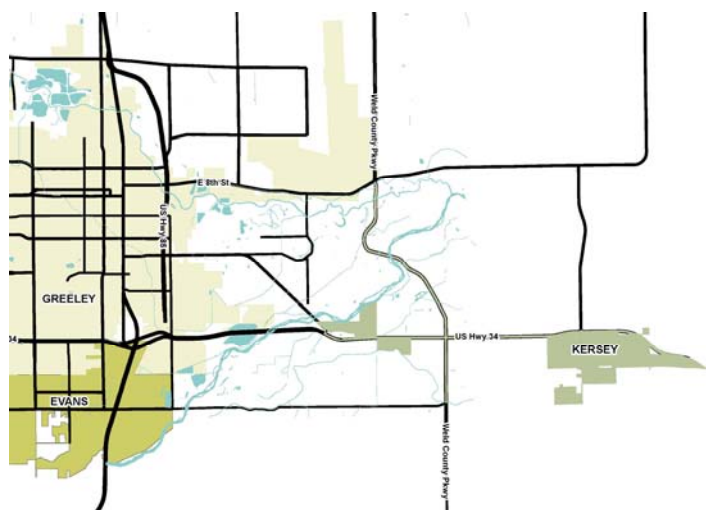
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Kersey, Evans, and Greeley Intergovernmental Agreement

City Council
April 9, 2019

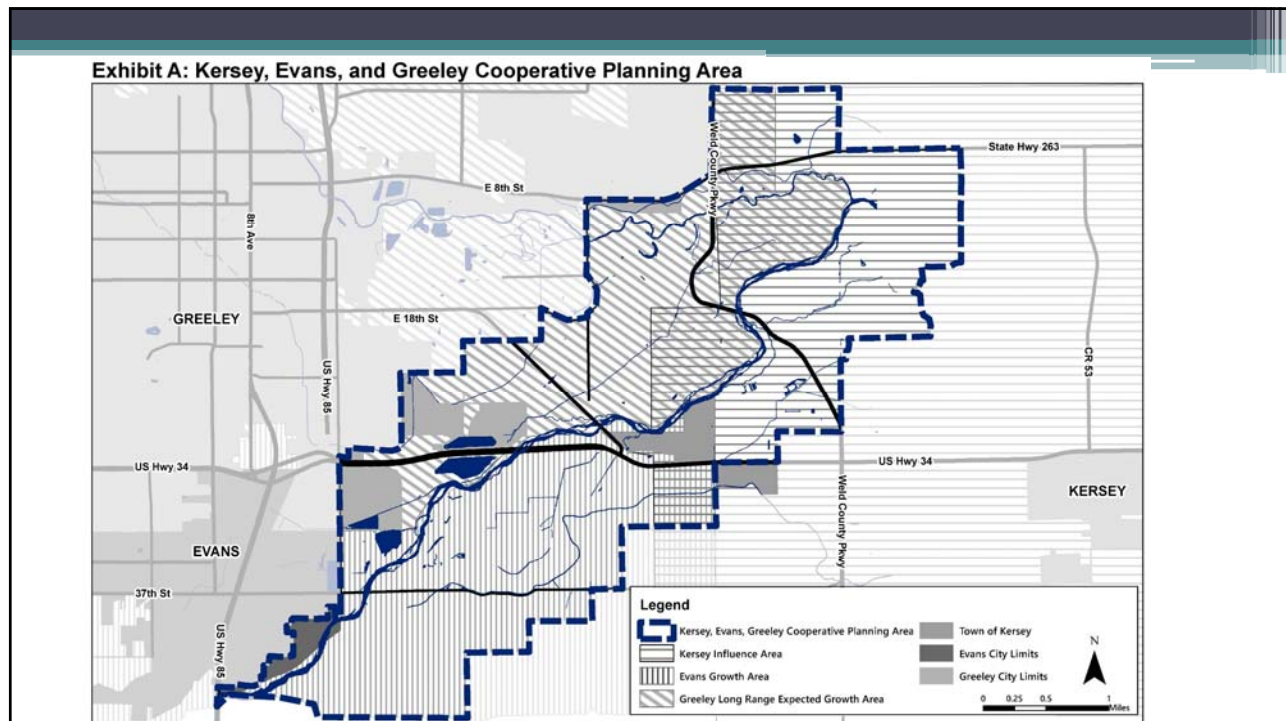
Background

- 2018 -Kersey Annexation of Weld County Parkway north of South Platte River
- Community discussions surrounding South Platte River Corridor and jointly planning the area for mutual benefit



Document Purview

- Recognizes each jurisdictions' Growth Management Boundaries
- Establishes a Cooperative Planning Area (CPA)
- Establishes Annexation protocol within the CPA
- Identifies restricted land uses within the CPA
- Stipulates noticing requirements for development within the CPA
- Sets forth terms for future amendments, terminations, remedies, etc.



Annexation Protocol

Annexation Outside of Adopted Growth Management Areas (GMA)

- Parties agree not to annex outside their GMA; except,
- If necessary to annex the remainder of a parcel that is more than 50% within their GMA, or
- If annexation petition is not accepted by the municipality within which the land is planned, other municipalities may consider the annexation with the written agreement by all parties.

Overlapping GMAs

- Notification required to other municipalities to consider whom has first priority
- Landowner has the right to petition the municipality of their choice when within areas that overlap

Land Uses

Allowed Land Uses

- As allowed by each municipalities Comprehensive Plan at the time of this agreement

Prohibited Land Uses

- Adult Businesses
- “Intense” Industrial Uses
- Parties may object to a land use not listed if they believe it is not in the spirit/intent of the Agreement

Prohibited Industrial Uses

- auto dismantling
- bulk storage of flammable liquids & gases
- chemical manufacturing plants
- co-generation & power plants, concrete and asphalt batch plants
- confined animal feeding operations and feedlots
- crematoriums
- dispensaries
- food & beverage processing facility (major)
- foundries
- junk & salvage yards
- liquid propane tanks as per Fire Code
- meat processing & packaging plants
- outdoor storage facilities
- recycling centers
- refuse transfer stations
- rendering plants
- slaughterhouses
- truck or freight terminals

Noticing Requirements

- Required for all development within 1/2 mile of or within their GMA
- Must be provided 4 weeks prior to first official consideration
- All notices must be given in writing and contain the complete submittal package
- Each Party must provide a point of contact for transmission of documentation

Additional Terms

Non Compliance

- After providing written notification to the noncomplying Party, and given 90 days to achieve compliance, other Parties may bring action against the non-complying Party.

Amendments, Additions, and Modifications

- By mutual agreement of all Parties

Terms and Termination

- Agreement will stay in effect for 5 years from its effective date
- Automatically renew for successive 5 year periods; unless,
- Notice given to other Parties 120 days prior to its scheduled expiration

Recommendation

- Follows City Council worksession on March 26
- **APPROVAL**
 - Planning Commission recommendation (5-1)

Council Agenda Summary

April 16, 2019

Agenda Item Number 20

Key Staff Contact: Betsy Holder, City Clerk, 970-350-9742

Title:

Consideration of a resolution of the Greeley City Council endorsing the candidacy of Councilmember Dale Hall for the Executive Board of the Colorado Municipal League

Summary:

Councilmember Hall is seeking a position on the Executive Board of the Colorado Municipal League (CML). A Resolution of support for Councilmember Hall's candidacy is attached for Council's consideration. If approved, the application packet will be transmitted to CML.

Fiscal Impact:

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

Legal Issues:

None.

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

Civic Infrastructure – Engage community members to support civic development and services

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

A RESOLUTION OF THE GREELEY CITY COUNCIL ENDORSING THE CANDIDACY OF COUNCILMEMBER DALE HALL FOR THE EXECUTIVE BOARD OF THE COLORADO MUNICIPAL LEAGUE

WHEREAS, the Greeley City Council encourages members of Council to participate in local and statewide programs and organizations to further their knowledge and experience which, in turn, enhances their service to Greeley; and

WHEREAS, the Colorado Municipal League (CML) has a long history of valuable service to the City of Greeley and Colorado municipalities statewide; and

WHEREAS, there are open positions on the Executive Board of the Colorado Municipal League, specifically for representatives from larger communities such as Greeley; and

WHEREAS, Councilmember Dale Hall wishes to be a candidate for a large-city position, with the selection of such candidates to be determined by a majority vote of the CML members present at the annual CML Conference in June; and

WHEREAS, Councilmember Dale Hall has demonstrated his qualification and preparation to serve in this capacity through his dedicated service at the State, County, and local level as an elected official at would be a valuable asset to CML and its membership.

WHEREAS, the City Council of the City of Greeley is confident Councilmember Dale Hall is the best candidate for this position, will serve Greeley and represent all Colorado communities in an exceptional way.

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

1. The City Council wholeheartedly supports the candidacy of Councilmember Dale Hall for an Executive Board position with the Colorado Municipal League.
2. This Resolution shall become effective immediately following its passage.

PASSED AND ADOPTED, SIGNED AND APPROVED this 16th day of April, 2019.

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

By: _____
Mayor

Council Agenda Summary

April 16, 2019

Agenda Item Number 21

Key Staff Contact: Betsy Holder, City Clerk, 970-350-9742

Title:

Appointment of applicants to the Citizen Budget Advisory Committee and Museum 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.

As noted in the attached April Boards & Commissions Transmittal, there are two appointments to be made to the Rodarte Community Center Advisory Board as well as appointments to the boards listed in the title of this item. Due to scheduling conflicts with one of the applicants, the Council Interview Team has decided to postpone the appointments to the Rodarte Community Center Advisory Board until May 7th to allow time to interview all three applicants.

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 Goal or Objective:

Infrastructure & Growth – Establish the capital & human infrastructure to support & maintain a safe, competitive, appealing, and dynamic 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
- April 2019 Boards and Commissions Transmittal Summary



Applicants for the boards and/or commission listed below are in alphabetical order and recommendations from the interviewing team of Councilmembers are shown in bold.

***** BALLOT *****

Citizen Budget Advisory Committee	
<i>2 Vacancies</i>	
☐	RON ADAMS
☐	Aleksandir Cummins
☐	(RECRUIT FOR ADDITIONAL APPLICANTS)

Museum Board	
<i>1 Vacancy</i>	
☐	EMILY BURKHARDT
☐	Grant Haas
☐	Mary Kosmicki
☐	(Recruit For Additional Applicants)

(I) = Incumbent

Boards & Commissions Transmittal

April 5, 2019

Key Staff Contact: Jerry Harvey, Assistant City Clerk, 350-9746

Interview Date

April 10, 2019

Council Interview Team

Councilmembers Casseday and Fitzsimmons

Council Appointment Date

April 16, 2019

Boards and Commissions Being Interviewed

- **Citizen Budget Advisory Committee**
- **Museum Board**
- **Rodarte Community Center Advisory Board**

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

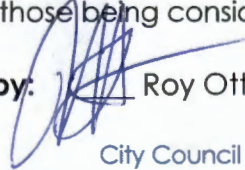
Infrastructure & Growth – Establish the capital & human infrastructure to support & maintain a safe, competitive, appealing, and dynamic community.

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:  Roy Otto, City Manager

 Betsy Holder, City Clerk

Council Agenda Summary

April 16, 2019

Agenda Item Number 22

Title

Scheduling of Meetings, Other Events

Summary

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

Attachments

Council Meeting/Worksession Schedule
Council Meetings/Other Events Calendar

City Council Meeting Schedule

<u>Date</u>	<u>Description</u>	<u>Staff Contact</u>	
April 23, 2019 Worksession Meeting	2020 Water & Sewer Enterprise Budget and CIP	Sean Chambers	0.50
	Update on Red Flag Bill	Doug Marek/Mark Jones	0.50
	Monthly Financial Report	Renee Wheeler	0.50
May 7, 2019 Council Meeting	National Tourism Week Proclamation	Betsy Holder	Recognitions
	National Kids to Parks Day Proclamation	Betsy Holder	Recognitions
	Historic Preservation Month	Betsy Holder	Recognitions
	Ordinance - Final - 2034 Annexation	Brad Mueller	Regular
May 14, 2019 Worksession			
May 21, 2019 Council Meeting	Board & Commission Appointments	Betsy Holder	Regular
May 28, 2019 Worksession	Monthly Financial Report	Renee Wheeler	0.50
June 4, 2019 Council Meeting	Alzheimer's Proclamation	Betsy Holder	Recognitions
June 11, 2019 Worksession			
June 18, 2019 Council Meeting	Board & Commission Appointments	Betsy Holder	Regular
June 25, 2019 Worksession	Monthly Financial Report	Renee Wheeler	0.50
July 2, 2019 Council Meeting			
July 9, 2019 Worksession			
July 16, 2019 Council Meeting	Board & Commission Appointments	Betsy Holder	Regular
July 23, 2019 Worksession	Monthly Financial Report	Renee Wheeler	0.50
August 6, 2019 Council Meeting			
August 13, 2019 Worksession			
August 20, 2019 Council Meeting	Board & Commission Appointments	Betsy Holder	Regular
August 27, 2019 Worksession	Monthly Financial Report	Renee Wheeler	0.50
September 3, 2019 Council Meeting			
September 10, 2019 Worksession			
September 17, 2019 Council Meeting	Board & Commission Appointments	Betsy Holder	Regular
September 24, 2019 Worksession	Monthly Financial Report	Renee Wheeler	0.50
October 1, 2019 Council Meeting			
October 8, 2019 Worksession			
October 15, 2019 Council Meeting	Board & Commission Appointments	Betsy Holder	310 ular

April 15, 2019 - April 21, 2019

April 2019							May 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5	6			1	2	3	4
7	8	9	10	11	12	13		5	6	7	8	9	10
14	15	16	17	18	19	20		12	13	14	15	16	17
21	22	23	24	25	26	27		19	20	21	22	23	24
28	29	30						26	27	28	29	30	31

Monday, April 15

Tuesday, April 16

5:00pm - 6:00pm Sister City Reception (City Center South Main Lobby (just outside Council Chambers)) - Council Master Calendar

6:30pm - 7:30pm City Council Meeting (1001 11th Avenue)

Wednesday, April 17

7:30am - 8:30am Visit Greeley (Fitzsimmons)

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

Thursday, April 18

7:30am - 8:30am DDA (Casseday/Smail)

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

Friday, April 19

Saturday, April 20

10:00am - 11:00am City Chat with Councilmember Suniga (TBD)

Sunday, April 21

April 22, 2019 - April 28, 2019

April 2019							May 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5	6			1	2	3	4
7	8	9	10	11	12	13		5	6	7	8	9	10
14	15	16	17	18	19	20		12	13	14	15	16	17
21	22	23	24	25	26	27		19	20	21	22	23	24
28	29	30						26	27	28	29	30	31

Monday, April 22

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

6:00pm - 7:00pm Youth Commission (Smail)

Tuesday, April 23

5:00pm - 6:00pm City Council Worksession (1001 11th Avenue)

Wednesday, April 24

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

3:00pm - 4:00pm New Police Officer Swearing-in Ceremony (Kent Donahue Room - GPD Headquarters) - Council Master Calendar

Thursday, April 25

Friday, April 26

6:00pm - 8:00pm 2019 Greeley Stampede Hall of Fame Induction Dinner (Zoe's Events Center, 715 10th Street) - Council Master Calendar

Saturday, April 27

Sunday, April 28

April 29, 2019 - May 5, 2019

April 2019							May 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5	6			1	2	3	4
7	8	9	10	11	12	13		5	6	7	8	9	10
14	15	16	17	18	19	20		12	13	14	15	16	17
21	22	23	24	25	26	27		19	20	21	22	23	24
28	29	30						26	27	28	29	30	31

Monday, April 29

Tuesday, April 30

Wednesday, May 1

7:30am - 9:00am RSVP Required: Frontier House 8th Annual Breakfast (Greeley Country Club, 4500 W. 10th Street) - Council Master Calendar

Thursday, May 2

7:00am - Poudre River Trail (Hall) ☉

3:30pm - IG Adv. Board (Smail) ☉

6:00pm - MPO (Gates/Casseday) ☉

Friday, May 3

Saturday, May 4

10:00am - 11:00am Cinco de Mayo Parade (TBD) - Council Master Calendar

Sunday, May 5

May 6, 2019 - May 12, 2019

May 2019							June 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3	4						1
5	6	7	8	9	10	11		2	3	4	5	6	7
12	13	14	15	16	17	18		9	10	11	12	13	14
19	20	21	22	23	24	25		16	17	18	19	20	21
26	27	28	29	30	31			23	24	25	26	27	28
								30					

Monday, May 6

Tuesday, May 7

6:30pm - 7:30pm City Council Meeting (1001 11th Avenue) 🕒

Wednesday, May 8

Thursday, May 9

9:00am - 10:30am CML Spring Outreach Meeting & Listening Tour with Director Kevin Bommer (City Council Chambers - City Center South) - Council Master Calendar

Friday, May 10

Saturday, May 11

Sunday, May 12

May 13, 2019 - May 19, 2019

May 2019							June 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3	4						1
5	6	7	8	9	10	11		2	3	4	5	6	7
12	13	14	15	16	17	18		9	10	11	12	13	14
19	20	21	22	23	24	25		16	17	18	19	20	21
26	27	28	29	30	31			23	24	25	26	27	28
								30					

Monday, May 13

Tuesday, May 14

5:00pm - 6:00pm City Council Worksession (1001 11th Avenue)

Wednesday, May 15

7:30am - 8:30am Visit Greeley (Fitzsimmons)

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

Thursday, May 16

7:30am - 8:30am DDA (Casseday/Smail)

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

Friday, May 17

Saturday, May 18

10:00am - 11:00am City Chat with Councilmember Suniga (TBD)

Sunday, May 19

Council Agenda Summary

April 16, 2019

Agenda Item Number 23

Title

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

Council's Recommended Action

A motion to approve the above authorizations.

Council Agenda Summary

April 16, 2019

Agenda Item Number 24

Title

Adjournment