

City of Greeley, Colorado
COUNCIL WORKSESSION REPORT
April 23, 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

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. 2019 PROPOSED HOUSING PLAN IMPLEMENTATION WORK PROGRAM

Ben Snow, Economic Health and Housing Director, provided a brief history of the 2019 Housing Plan. He continued by highlighting the recommended strategies from this plan and the potential implementation requirements including Ordinances, Council Action, and coordination between departments. Mr. Snow concluded by discussing the action items contained within the memo attached to this agenda item including completion timelines.

In response to questions from Councilmember Suniga relating to manufactured homes and development of affordable housing, Mr. Snow explained that the savings related to manufactured homes comes in the upfront cost of the home. He added that, in order to better incentivize developers to build affordable housing, the City would need to tweak its incentive formulas adding that staff would look into options for this. The expansion of the Greeley Home Ownership Program for Employees (GHOPE) could also help this effort.

Councilmember Fitzsimmons asked whether transportation issues like congestion were considered during the creation of or included in the Housing Plan. Mr. Snow explained that it was not included in this plan with Brad Mueller, Community Development Director, adding that it would be more appropriate for that topic to be considered within a transportation master plan or during the zoning/annexation process.

In response to a question from Councilmember Smail, Mr. Snow explained that the list of properties that are available for development are used as handouts to developers. He added that the City does create a vision/idea for certain properties and tries to partner with the right developer for the given vision.

Councilmember Payton asked what "partnering" means in the context of the Economic Health and Housing Department. Mr. Snow explained that the City is not in the housing business, but this typically refers to joint/venture partnerships between the City and developers.

5. REPORT: HOUSE BILL 19-1177, THE “DEPUTY ZACKARI PARRISH III VIOLENCE PREVENTATION ACT” (EXTREME RISK PROTECTIVE ORDER – “RED FLAG BILL”)

Doug Marek, City Attorney, provided a report on the status of the Red Flag Bill, which was recently signed into law by Governor Polis. Mr. Marek highlighted the materials contained within the agenda packet, provided a background of the law, and described the process of filing and executing this type of protective order. He continued by explaining that, once the State creates rules of procedure and guidelines, municipalities will have 30 days to adopt those rules of procedure or adopt an amended version. Mr. Marek added that the City Attorney’s Office is working with neighboring municipalities in creating protocols and rules of procedure. He concluded by explaining that protective orders will not be able to be filed before January 1, 2020, and he added that this law will likely be challenged in court before that date.

Councilmember Payton expressed his concern with the Constitutionality of this law adding that he believes it will put police officers in danger. He also expressed his desire for an Ordinance that outlines the Constitutional issues and police officer safety issues of this law.

Mr. Marek noted that the City would need to be a party to a court order to remove someone’s guns before we would have standing to challenge the law in court.

Councilmember Hall reiterated Councilmember Payton’s concerns and asked how this law would help fix the issue of mental health. Mr. Marek explained that the law does not require that someone have mental health issues before a protective order can be executed.

Councilmember Suniga expressed her belief that the intention of the law is good but that there are a number of issues with it including the fact that it does not address mental health or police officer safety. She added that she believe the City should wait to take any action, like an Ordinance, until we see whether the law is challenged in court.

Councilmember Casseday also expressed his concern about the Constitutionality of this law and for the potential for frivolous orders being filed.

Council reached consensus and directed the City Attorney to draft a Safe Harbor Ordinance that outlines Council’s opposition to the Red Flag Law.

Mr. Marek explained that this action will not keep the City from receiving court orders to execute protective orders in the future.

6. PRELIMINARY DISCUSSION OF WATER AND SEWER’S 2020 CAPITAL AND OPERATING BUDGETS

Roy Otto, City Manager, removed this item from the agenda and explained that it will be discussed later in the summer during the complete budget process.

7. MONTHLY FINANCIAL REPORT

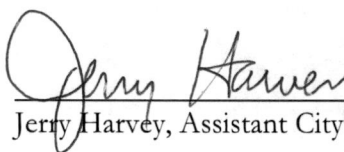
Robert Miller, Budget Manager, provided the March Monthly Financial Report. He described the General Fund Summary, General Fund Revenue, and General Fund Expenditures noting a revenue increase of over \$1 million. Mr. Miller continued by highlighting the Sales Tax Distribution, Sales Tax Summary by Category, Retail Sales Tax, Property Tax, Franchise Fees and Telephone Tax, General Use Tax, Auto Use Tax, and Building Use Tax. He concluded by describing the Building Permit Valuations, Water Funds, Sewer Funds, Stormwater Funds, and Lodging Tax Revenues.

8. SCHEDULING OF MEETINGS, OTHER EVENTS

No additional meetings or other events were scheduled.

9. ADJOURNMENT

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 6:12 p.m.

A handwritten signature in cursive script, reading "Jerry Harvey", is written over a horizontal line.

Jerry Harvey, Assistant City Clerk