



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

August 20, 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 August 6, 2019
- [10.](#) Consideration of a resolution authorizing the Mayor to enter into a Memorandum of Understanding between the City of Greeley's Police Department and the Weld County Sheriff's Office regarding distribution of joint funding provided by the Bureau of Justice Assistance
- [11.](#) Introduction and first reading of an ordinance amending portions of the Greeley Municipal Code Chapters 16.04 (Building Code), 16.06 (Residential Code), 16.08 (Mechanical Code), 16.10 (Property Maintenance Code), 16.12 (Existing Building Code), 16.16 (Energy Conservation Code), 16.28 (Plumbing Code), 16.30 (Fuel Gas Code) and 16.36 (Fire Code)
- [12.](#) Introduction and first reading of an ordinance vacating a portion of the alley right-of-way between 1530 and 1528 3rd Avenue, located east of 3rd Avenue and west of 2nd Avenue

- [13.](#) Introduction and first reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from I-L (Industrial Low Intensity) to R-H (Residential High Density) zoning for approximately .210 acres of property located at 1530 3rd Avenue known as the 1530 3rd Avenue Rezone
- [14.](#) Introduction and first reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from I-M (Industrial Medium Intensity) to C-H (Commercial High Intensity) zoning for approximately .66 acres of property located at 3529 4th Street known as the 354 Business Park Rezone #2
- [15.](#) Introduction and first reading of an ordinance authorizing the acquisition of additional property interests in real property located in Weld County, Colorado for water lines by purchase or exercise of the power of eminent domain pursuant to Section 7 of Article XVI, Section 15 of article II, and Sections 1 and 6 of Article XX of the Colorado Constitution and Colo. Rev. Stat. § 38-1-101, et seq. (Gold Hill Segment Pipeline Project)

End of Consent Agenda

- [16.](#) Pulled Consent Agenda Items
- [17.](#) Consideration of a resolution of the City of Greeley Council authorizing the assignment to the Colorado Housing and Finance Authority of a private activity bond allocation of the City of Greeley pursuant to the Colorado Private Activity Bond Ceiling Allocation Act
- [18.](#) Industrial Hemp Overview
- [19.](#) Appointment of applicants to the Commission on Disabilities, Human Relations Commission, Judicial Review Board, and Planning Commission
- [20.](#) Scheduling of Meetings, Other Events
- [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
- [22.](#) Adjournment

Council Agenda Summary

August 20, 2019

Agenda Item Number 1

[Title](#)

Call to Order

Council Agenda Summary

August 20, 2019

Agenda Item Number 2

Title

Pledge of Allegiance

Council Agenda Summary

August 20, 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

August 20, 2019

Agenda Item Number 4

Title

Recognitions and Proclamations

Summary

During this portion of the meeting Council will present any recognitions and proclamations.

Attachments

None

Council Agenda Summary

August 20, 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

August 20, 2019

Agenda Item Number 6

Title

Approval of the Agenda

Council Agenda Summary

August 20, 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

August 20, 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:
None			

Consent Agenda

August 20, 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

August 20, 2019

Agenda Item Number 9

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

Title:

Approval of the City Council Proceedings of August 6, 2019

Summary:

A meeting of the City Council was held on August 6, 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:

August 6, 2019 Proceedings

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
August 6, 2019

1. Call to Order

Mayor ProTem Casseday 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 ProTem Casseday led the Pledge of Allegiance to the American Flag.

3. Roll Call

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

4. Recognitions and Proclamations

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

5. Citizen Input

Steve Teets, Greeley resident, was present and stated that he has noticed a lot of construction on 8th Avenue with a lot of tall buildings going up and they don't fit in this area. His biggest concern about this is parking for the apartments and businesses in the area.

Councilmember Casseday stated that he understands his concerns and asked that the Community Development Director talk him through how parking is addressed for developments such as these.

6. Approval of Agenda

The agenda was approved as presented.

7. Reports from Mayor and Councilmembers

Councilmember Hall reported that he has been working since August 1st on the Bright Futures Program where some funding discussions are ongoing and noted that things are looking good for workforce development in this community. He also advised that he is on the Colorado Municipal League (CML) Audit Committee.

Councilmember Fitzsimmons reported on his attendance at the Water Consortium recently and recognized the City Manager's role in this event and the work of the City's Water & Sewer Director in this regard as well. He also offered prayers and thoughts to former Colorado Senator Hank Brown as he recovers from a recent accident.

Councilmember Suniga visited the Greeley Train Museum recently with her grandchildren and loved it and encouraged anyone who has not yet been there to go visit it. She also noted that she attended the

Greeley Chamber's 100 Years event which was very well done and also announced that her City Chat will resume in August with topics and speakers at each event.

Councilmember Casseday reported that he read the Proclamation for the High Plains Chautauqua event and encouraged the community to attend it.

8. Petitions from Mayor and Councilmembers

Councilmember Hall asked about a 10th Street update, and Joel Hemesath, Public Works Director, reported that work will get going again later this week or next.

Councilmember Fitzsimmons asked about 47th Avenue and US Highway 34 and noted that the left turn and right turn lanes in this area are too quick to turn and are causing accidents. He asked Mr. Hemesath to take a look at this intersection.

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

9. Approval of the City Council Proceedings of July 16, 2019

The Council action recommended was to approve the Proceedings.

10. Acceptance of the Report of the July 23, 2019, City Council Worksession

The Council action recommended was to accept the Report.

11. Consideration of a resolution of the Greeley City Council approving amendment of Bylaws and Ratification of the High Plains Library District Board of Trustee Bylaws

The Council action recommended was to adopt the resolution. (Resolution No. 33, 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 (Gates excused)

12. Pulled consent agenda items

No items were pulled from the Consent Agenda.

13. Public hearing and final reading of an ordinance repealing Title 7, Animals, of the Greeley Municipal Code and replacing it with a new Title 7, Animals

Adam Turk, Deputy Police Chief, reported that in February of 2016, the U.S. District Court found fault with the animal impoundment procedures as outlined in the City of Greeley Municipal Ordinances Title 7- Animals. He stated that the language in the previous Ordinance failed to clearly establish guidelines and procedures to protect the due process of violators during the impoundment of animals and did not provide sufficient protections to the property interests of the animal owners in these cases.

He advised that since that time, the Police Department's Animal Control Officers have utilized the animal impoundment procedures of the Weld County Court system, which can be more cumbersome and less efficient than the municipal process. A committee comprised of Municipal Court Judge Gonzales, the Greeley City Attorney's Office, and representatives of the Greeley Police Department reviewed and modified the language in the Ordinance to correct the shortcomings of the previous Ordinance and align the new Ordinance with current industry best practices. The entire Ordinance was reviewed and the necessary modifications were approved by the committee to ensure consistency and accuracy. The revised ordinance incorporates current standards as outlined by the American Animal Hospital Association (AAHA) and the State of Colorado Department of Public Health and Environment (CDPHE) related to vaccinations, rabies control, and quarantine. It also includes provisions to protect the property interest and due process of violators.

Deputy Chief Turk noted that this Ordinance was introduced at the July 16, 2019 Council meeting.

Mayor ProTem Casseday opened the public hearing at 6:51 p.m., and no comments were offered.

Councilmember Fitzsimmons moved, seconded by Councilmember Hall to adopt the ordinance and publish it by reference to title only. The motion carried: 6-0 (Gates excused) **(Ordinance No. 33, 2019)**

14. Scheduling of meetings, other events

No additional meetings or events were scheduled.

15. 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 Suniga moved, seconded by Councilmember Hall to approve the above authorizations, and the motion carried: 6-0 (Gates excused)

16. Adjournment

There being no further business to come before the Council, Mayor ProTem Casseday adjourned the meeting at 6:53 p.m.

Robb Casseday, Mayor ProTem

Cheryl Aragon, Deputy City Clerk

Council Agenda Summary

August 20, 2019

Agenda Item Number 10

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

Title:

Consideration of a resolution authorizing the Mayor to enter into a Memorandum of Understanding between the City of Greeley's Police Department and the Weld County Sheriff's Office regarding distribution of joint funding provided by the Bureau of Justice Assistance

Summary:

The Memorandum of Understanding is between Weld County and the City of Greeley for the division of funds that has been pre-determined and provided by the Bureau of Justice Assistance for each agency's designated program.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$42,128
What is the annual impact?	Unknown
What fund of the City will provide Funding?	General Fund
What is the source of revenue within the fund?	Grant
Is there grant funding for this item?	Yes
If yes, does this grant require a match?	No
Is this grant onetime or ongoing?	One Time
Additional Comments:	Approval of a Memorandum of Understanding is a requirement to receive the grant funds of \$54,247 (\$42,128 for the City of Greeley and \$12,119 for Weld County).

Legal Issues:

None.

Other Issues and Considerations:

None.

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.

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

Memorandum of Understanding

THE CITY OF GREELEY, COLORADO

RESOLUTION _____, 2019

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF GREELEY'S POLICE DEPARTMENT AND THE WELD COUNTY SHERIFF'S OFFICE REGARDING DISTRIBUTION OF JOINT FUNDING PROVIDED BY THE BUREAU OF JUSTICE ASSISTANCE

WHEREAS, the City of Greeley's Police Department and the Weld County Sheriff's Office desire to enter into a Memorandum of Understanding regarding the Bureau of Justice Assistance joint funding in the amount of \$54,247; and

WHEREAS, both parties acknowledge that their needs and use for the funds are different, and the Greeley Police Department and the Weld County Sheriff's Office are each willing to cooperate in this matter under terms and conditions set forth in the Memorandum of Understanding; and

WHEREAS, it is in the best interest of the citizens of the City of Greeley to enter into this agreement between the Greeley Police Department and the Weld County Sheriff's Office.

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

1. The Mayor of the City of Greeley, Colorado, is authorized to execute a Memorandum of Understanding between and the City of Greeley, Colorado and Weld County Board of County Commissioners for the receipt of grant funds.

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

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

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

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is made this ____ day of _____, 2019, by and between THE CITY OF GREELEY, COLORADO and THE WELD COUNTY BOARD OF COUNTY COMMISSIONERS, COUNTY OF WELD, COLORADO.

WHEREAS, the Bureau of Justice Assistance has provided joint funding that is available to both the City of Greeley and Weld County; and

WHEREAS, the funding that is being provided by the Bureau of Justice Assistance is in the total amount of \$54,247; and

WHEREAS, the City of Greeley Police Department will be the Fiscal Agent for the grant and will initially receive the total grant award of \$54,247; will remit the amount of \$12,119 to Weld County as the Sheriff's Office portion of the grant award; and, will retain the amount of \$42,128 as the City of Greeley Police Department's portion of the award.

WHEREAS, as with previous funding, both agencies have determined that they have different needs and uses for the funds being made available; and

WHEREAS, this Memorandum of Understanding provides for the division of funds being made available; and

WHEREAS, the parties wish to reduce their understanding to writing.

THE PARTIES HEREBY AGREE AS FOLLOWS:

1) Upon receipt of the total funding amount of \$54,247, the Greeley Police Department (Fiscal Agent) will pay the sum of \$12,119 to the Weld County Sheriff's Office as and for the Weld County's portion of the Edward Byrne Memorial Justice Assistance Grant (JAG) formula program.

2) The remaining sum in the amount of \$42,128 will be retained by the City of Greeley as and for the Greeley Police Department's portion Edward Byrne Memorial Justice Assistance Grant (JAG) formula program.

3) The financial reporting to the Bureau of Justice Assistance will be maintained by the Greeley Police Department (Fiscal Agent) with each party maintaining a financial and operational record of their respective portions of the program and in compliance with the Federal Financial Guide, the parameters of the grant and any special conditions as noted in the SOGA

award. The Weld County Sheriff's Office shall transmit said records to the Greeley Police Department upon request by the Department.

IN WITNESS WHEREOF, the parties have executed this contract on the day and year first written above.

THE CITY OF GREELEY, COLORADO

WELD COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____
Mayor

By: _____
Chair

ATTEST:

ATTEST:

City Clerk

Approved as to Substance:

Approved as to Legal Form:

By: _____
City Manager

By: _____
County Attorney

Approved as to Legal Form:

By: _____
City Attorney

Recommended:

Approved as to Finance:

By: _____
Sheriff
Weld County Sheriff's Office

By: _____
Director of Finance

Recommended:

By: _____
Chief of Police
Greeley Police Department

Council Agenda Summary

August 20, 2019

Agenda Item Number 11

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

Title:

Introduction and first reading of an ordinance amending portions of the Greeley Municipal Code Chapters 16.04 (Building Code), 16.06 (Residential Code), 16.08 (Mechanical Code), 16.10 (Property Maintenance Code), 16.12 (Existing Building Code), 16.16 (Energy Conservation Code), 16.28 (Plumbing Code), 16.30 (Fuel Gas Code) and 16.36 (Fire Code)

Summary:

The proposed code changes are made to reflect adoption of the 2018 International Building Code (IBC) and the Residential (IRC), Mechanical (IMC), Property Maintenance (IPMC), Existing Building (IEBC), Energy Conservation (IECC), Plumbing (IPC), Fuel (IFGC), and Fire (IFC) Codes. Adoption of these internationally-recognized codes is generally done approximately every three years, coincident with the work of the International Code Council. Doing so allows the City of Greeley to maintain best practices in the construction trades related to the health, safety, and welfare of its citizens. Council last adopted the current set of the 2015 International Codes, with amendments, in 2016.

Construction-related topics are discussed at the national level, and the most notable changes this cycle are found in the Energy and Residential Codes, which are discussed more below. The national construction industry, City staff, and the citizen Construction Trades Advisory and Appeals Board ("CTABB") have been looking at certain topics related to single-family residences and energy for over ten years.

With modifications, CTABB, and staff are recommending adoption. The most notable amendment is to exempt out the residential sprinkler requirement for all single-family homes smaller than 5,000 square feet in size.

The Family of International Codes

The City has a long history of amending certain elements of the adopted codes to reflect local circumstances. Other than the two changes discussed below, the new modifications presented here are minor in nature and were reviewed and approved for recommendation to Council by the CTAAB unanimously on June 20, 2019.

The Energy Conservation Code

The International Energy Conservation Code (IECC) sets minimum requirements for energy efficiency that affect the building thermal envelope (i.e., windows, doors, and insulation), the lighting systems, and heating and cooling. The City of Greeley currently has the 2009 edition adopted.

New State law, HB19-1260, signed this year and effective 1/1/2020, requires that local

governments adopting any codes must move to a more current IECC, one within the last three published editions. Aside from this, staff and CTAAB members had already been reviewing over the last couple years this relatively significant shift in the industry regarding the approach to energy efficiency, as represented by the newer editions that were developed by the International Code Council after 2009.

To date, the City has remained on the earlier version of the IECC so that the practical effects of these codes could be observed in practice in the construction industry. However, staff and the CTAAB are recommending that now the time is right to adopt the newest version. In surveying over 60 other Colorado jurisdictions, Chief Building Official Tim Swanson determined that 82% are on newer versions of the IECC.

With the new edition, IECC has incorporated several new features. Some of the more notable ones include better sealing of the building envelope to assure less than three air changes per hour to better control air flow, and increased insulation and window requirements.

Those in the construction trades have expressed concerns about the additional cost, mostly related to the third-party “blower door” testing, in which the house is closed in and the frequency of air exchanges is measured. This is the method by which to test that the energy standards are effective. While some agreed with the staff estimate that the basic cost might be \$500 for the blower door test on a home, others indicated that the true cost for upgrading to the 2018 IECC could be \$2,000 to \$5,000. Some noted the cost for additional private plan design (\$600).

With these noted, there are not many alternatives to ensure compliance, so the CTAAB and staff are recommending adopting the Code as proposed, and consistent with the State requirement.

The International Residential Code

The purpose of the International Residential Code (IRC) is to establish minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment, and to provide safety to firefighters and emergency responders during emergency operations.

This level of preventative safety is ensured by inspections at all stages of construction; the average single-family detached home is inspected dozens of times before a Certificate of Occupancy is issued.

The nature of safety in modern homes has evolved over the decades, such that – for example – it is now normal that basement windows are sized to allow emergency escape. Decades ago that was not typical, but today we think of it as common-sense.

One of the more recent evolutions in building safety is adding non-commercial fire sprinkler heads to the existing plumbing system. It is likely this system will be seen as a common-sense and typical home feature in the future.

The 2009 International Residential Code (IRC) included a new mandatory requirement for residential fire sprinklers in one and two-family dwellings, as well as townhouses. In 2011, when implementation would have begun, Greeley opted to amend out this requirement for one- and two-family dwellings, until this new standard became more commonplace throughout the country. (The requirement remained in place for townhouses.) The citizen advisors of CTAAB and staff are recommending that now is the time to begin to adapt to this new standard.

Those in the local construction industry have generally expressed concerns regarding this requirement, although some have expressed support. Most concerns relate to the anticipated costs. A national survey and staff's own calculations suggest these could be installed at \$1.35 a square foot, which would be roughly \$2,000 for a 1,500 square foot house. Local builders have challenged this, however, suggesting that the amount is closer to \$2.50 or higher per square foot. They cite the concern that plumbers won't accept the "field design" that is intended, and will instead charge more and claim liability concerns. While the City plumbing experts do not believe this should be the case, we acknowledge that the plumbing industry is still reacting in this way.

There are many misconceptions about the residential fire requirement, which can confuse the debate. These include:

- Commercial-grade systems are required
 - o NO. Sprinkler heads are like adding a faucet to the room. No regular maintenance is required; they are like a toilet connection.
- Costs will be extra-ordinary
 - o NO. A study prepared by the Newport Partners, and funded by the National Fire Prevention Association (NFPA) in 2008 and 2013, showed that the cost to install a residential fire sprinkler system has steadily come down in price, now estimated to be \$1.35 per square foot.
- These are "new" and not being installed anywhere.
 - o NO. Residential fire sprinklers are not new to local plumbers, since contractors have already been using them since the adoption of the 2012 Code to meet the required lightweight framing protection of flooring systems built over basements. Homes built by the Greeley Urban Renewal Authority (GURA) have been successfully built with these. In addition, these systems have been fully installed in hundreds of townhouses since 2011.
- Homeowner insurance rates will go up.
 - o NO. Data shows that these save lives, which improve insurance rates. Because these systems are new, there is not a long enough history to have good statistics on this. However, a recent poll of property and casualty insurers by the Home Fire Sprinkler Coalition, showed that discounts as high as 35% are offered for homes with sprinklers. In addition, a rating agency for insurance companies is the Insurance Services Office (ISO). Greeley's current rating of the Building Department is a 4, and it likely would have been 3 (better) if residential sprinklers were required by Code.
- Sprinkler heads are triggered throughout the house and will accidentally burst.
 - o NO. Sprinkler head triggers are not inter-connected, so only the heat source will trigger them; they cannot be house-wide. Commercial systems (such as in businesses, or what had been required in the past in gated communities or

- those with limited fire access) are more vulnerable because of backflow devices, accidental contact, etc. Checking in with Greeley Fire, staff was unable to verify the number of incidents, as they are not reported.
- They are ugly and will get mis-used as coat hangers, or otherwise damaged.
 - o NO. Most installations will be flush-mounted, effectively out-of-sight and tamper resistant.
 - No other jurisdictions are adopting these.
 - o NO. Eleven jurisdictions require residential sprinklers, and others are considering it. Those that have adopted it are Westminster, Golden, Kiowa, Aspen, Elizabeth, Blue River, Elbert County, Boulder County, Greenwood Village, Cherry Hills Village and Vail. Some of these are higher-end communities, of course, but life-safety concerns are common across all. Some of the communities require sprinklers only of mid- and large-sized homes.
 - There is limited support in the industry.
 - o Insurance companies, FEMA, sprinkler associations, and firefighter advocates all support and encourage the use of residential fire sprinklers. More information is available at www.homefiresprinkler.org. A Fact Sheet from the Home Fire Sprinkler Coalition is found as Attachment B.

Safety for residents and firefighters is the main reason that the CTAAB, Building Inspection staff, and the Fire Department support the Residential Code update. Firefighters in particular know that today's fires burn hotter and faster and create toxic smoke, due to the multitude of petroleum-based products and furnishings common in our homes today.

Local developers and builders have questioned the need during open house conversations, asking whether such effort is useful given the limited number residential fires, for example (26 in Greeley in 2018). Some noted that "it is hard not to vote for safety," but that the cost-benefit was not adequate to justify requiring these systems, or, at least, difficult to determine.

As noted above, the CTAAB, Building Inspections, and Fire Department response to these statements is that this simple safety technique can be built into the life of homes, and that residential sprinkler systems will become commonplace, just as basement exit windows have become.

However, to recognize the transition to this national standard, and to balance concerns about cost and practical installation, the proposed amendments include an exemption of the residential sprinkler requirement for all single-family homes smaller than 5,000 square feet in size.

Review Process

In addition to input from the CTAAB, the proposed changes were sent to a list of builders and realtors that have been historically active in the Greeley area, and they were posted on the City website for the general public. There was limited feedback during this time.

A worksession was held with City Council on this topic on July 23, 2019, at which time a couple of stakeholders provided comment. Many of these concerned potential costs, although some comments were based on the misunderstanding of a

commercial-grade sprinkler system. Council discussed various aspects of the proposal, noting the importance of safety and efficiency, but also expressing some concerns with sprinkler systems in particular.

An Open House for stakeholders and the general public was held on August 1, 2019, to again get feedback on the proposed updates. Some attending expressed the concerns discussed above, and there was general discussion about the nature of how to provide practical safety feature but balance these with overall housing needs.

The Construction Trades Advisory and Appeals Board last considered the set of proposed adoptions and amendments on June 20, 2019, and is unanimously recommending approval. By electronic vote the week of June 7, they also considered and support the residential sprinkler exemption for homes smaller than 5,000 square feet, by a vote of 7-1. See Attachments C and D.

This item is being presented on first reading, with second reading planned for September 3, 2019, and an effective date of January 1, 2020.

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:

Consideration of this matter is a legislative process.

Other Issues and Considerations:

None noted.

Applicable Council Priority and Goal:

- Safety
- Economic Health & Development: Active support of business development

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 September 3, 2019.

Attachments:

- | | |
|--------------|--|
| Attachment A | Ordinance, with Appendices A through I |
| Attachment B | Fact Sheet from the Home Fire Sprinkler Coalition |
| Attachment C | Construction Trades Advisory and Appeals Board Meeting Minutes
(June 20, 2019) |
| Attachment D | Construction Trades Advisory and Appeals Board Meeting Minutes
(November 6, 2018) |
| Attachment E | Correspondence Received |

CITY OF GREELEY, COLORADO

ORDINANCE NO. ____, 2019

AN ORDINANCE AMENDING PORTIONS OF THE GREELEY MUNICIPAL CODE CHAPTERS 16.04 (BUILDING CODE), 16.06 (RESIDENTIAL CODE), 16.08 (MECHANICAL CODE), 16.10 (PROPERTY MAINTENANCE CODE), 16.12 (EXISTING BUILDING CODE), 16.16 (ENERGY CONSERVATION CODE), 16.28 (PLUMBING CODE), 16.30 (FUEL GAS CODE) AND 16.36 (FIRE CODE)

WHEREAS, it becomes necessary to update the Greeley Municipal Code from time to time to adopt the most recent publication of the International Codes, with local amendments;

WHEREAS, the City of Greeley had previously adopted the 2015 International Codes, with local amendments; and

WHEREAS, the 2018 International Codes have been published and are the most recent editions.

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

Section 1. Chapter 16.04, Building Code, of the Greeley Municipal Code, is amended as set forth in Appendix A to this ordinance.

Section 2. Chapter 16.06, Residential Code, of the Greeley Municipal Code, is amended as set forth in Appendix B to this ordinance.

Section 3. Chapter 16.08, Mechanical Code, of the Greeley Municipal Code, is amended as set forth in Appendix C to this ordinance.

Section 4. Chapter 16.10, Property Maintenance Code, of the Greeley Municipal Code, is amended as set forth in Appendix D to this ordinance.

Section 5. Chapter 16.12, Existing Building Code, of the Greeley Municipal Code, is amended as set forth in Appendix E to this ordinance.

Section 7. Chapter 16.28, Plumbing Code, of the Greeley Municipal Code, is amended as set forth in Appendix F to this ordinance.

Section 8. Chapter 16.30, Fuel Gas Code, of the Greeley Municipal Code, is amended as set forth in Appendix G to this ordinance.

Section 9. Chapter 16.16, Energy Conservation Code, of the Greeley Municipal Code, is amended as set forth in Appendix H to this ordinance.

Section 10. Chapter 16.36, Fire Code, of the Greeley Municipal Code, is amended as set forth in Appendix I to this ordinance.

Section 11. This ordinance shall become effective January 1, 2020.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS ____ DAY OF _____, 2019.

ATTEST:

THE CITY OF GREELEY

City Clerk

Mayor

APPENDIX A

Greeley Municipal Code Chapter 16.04 is amended as follows (additions indicated by underline; deletions indicated by strikethrough):

16.04.010 - International Building Code adopted.

The International Building Code, 2015-2018 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Building Code." The Building Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Building Code provides the standards for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures.

16.04.020 - Additions, deletions and amendments to Building Code designated.

Sections 105.2, 109.3, 109.4, 109.6, 109.7, 110.3.5, 110.6, 113.1, 113.2, 113.3, 113.4, 114.1, 114.4, ~~406.3.4(1)~~ 406.3.2.1, 419.1.1(5), 1008.3, ~~1507.2.9.4~~, ~~1507.2.9.5~~, 1608.2, 1907.2 and 2707.1 of the Building Code are hereby enacted as amended, added or deleted to read as set out in Sections ~~16.04.040~~ through ~~16.04.210~~ below.

16.04.140 - Section ~~406.3.4(1)~~ 406.3.2.1 amended; Separation Dwelling unit separation.

Section ~~406.3.4(1)~~ 406.3.2.1 of the Building Code is amended to read as follows:

1. The private garage shall be separated from the dwelling unit and its attic area by means of a minimum $\frac{5}{8}$ -inch (15.9 mm) Type X gypsum board or equivalent applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than $\frac{5}{8}$ -inch (15.9 mm) Type X gypsum board or equivalent. Where the separation is a floor-ceiling assembly, or the ceiling is providing separation, the structure supporting the separation shall also be protected by not less than $\frac{5}{8}$ -inch (15.9 mm) Type X gypsum board or equivalent. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than $1\frac{3}{8}$ inches (34.9 mm) thick, or doors in compliance with Section 716.5.3 with a fire protection rating of not less than 20 minutes. Doors shall be self-closing and self-latching.

~~16.04.180 - Section 1507.2.9.4 added; Sidewall flashing.~~

~~Section 1507.2.9.4 of the Building Code is added to read as follows:~~

~~**1507.2.9.4 Sidewall flashing.** Flashing against a vertical sidewall shall be by the step flashing method. The flashing shall be a minimum of 4 inches (102 mm) high and 4 inches (102 mm) wide. At the end of the vertical sidewall the step flashing shall be turned out in a manner that directs water away from the wall and onto the roof and/or gutter.~~

~~16.04.190~~ Section 1507.2.9.5 added; Other flashing.

~~Section 1507.2.9.5 of the Building Code is added to read as follows:~~

~~**1507.2.9.5 Other flashing.** Flashing against a vertical front wall, as well as soil stack, vent pipe and chimney flashing, shall be applied according to the asphalt shingle manufacturer's printed instructions.~~

16.04.210 - Section 2701.1 amended; Scope.

Section 2701.1 of the Building Code is amended to read as follows:

~~**2701.1 Scope.** This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the adopted National Electrical Code. Other references within this code regarding electrical shall be considered amended to read "the adopted National Electrical Code".~~

2701.1 Scope. The provisions of this chapter and NFPA 70 shall govern the design, construction, erection and installation of the electrical components, appliances, equipment and systems used in buildings and structures covered by this code. The *International Fire Code*, the *International Property Maintenance Code* and NFPA 70 shall govern the use and maintenance of electrical components, appliances, equipment and systems. The *International Existing Building Code* and the adopted NFPA 70 shall govern the alteration, repair, relocation, replacement and addition of electrical components, appliances, or equipment and systems.

APPENDIX B

Greeley Municipal Code Chapter 16.06 is amended as follows (additions indicated by underline; deletions indicated by strikethrough):

16.06.010 - International Residential Code adopted.

The International Residential Code 2015-2018 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Residential Code." The Residential Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Residential Code provides the standards for the design, erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of one- and two-family dwellings and townhouses.

16.06.020 - Additions, deletions and amendments to Residential Code designated.

Sections R105.2~~-(1)~~, R108.3, R108.5, R108.6, R108.7, R109.4, R112, R113.1, R113.4, Table R301.2(1), R302.3(2), Table R302.6, R302.7, R302.11(3), R310.1, R310.5, R311.3.2, ~~R313.2, R327-R328,~~ R405.2.3, R405.2.3.1, R506.3, M1801.1, G2412.9, G2412.10, G2415.9, G2415.12, G2417.4.1, G2417.4.2, G2425.8(7), G2445, P2603.5, P2705.1(5), P2708.1, P2708.1(2), P2718.1, P2904.3.1, P2904.8.1, P2904.8.1(6), Table 3005.4.1, P3005.4.2, Table 3005.4.2, 3007.6, Table P3105.1, P3107.3, Table P3107.3, P3108.3, Table P3108.3, P3109.4, Table P3109.4, P3110.1, P3114.3, Table P3201.7 and Part VIII of the Residential Code are hereby enacted as amended, added or deleted to read as set out in Sections ~~16.06.025~~ 16.06.030 through 16.06.500 below.

16.06.030 - Section R105.2 (1) amended; Work exempt from permit.

Section R.105.2~~-(1)~~ of the Residential Code is amended to read as follows:

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures ~~used as tool and storage sheds, playhouses and similar uses,~~ provided the floor area does not exceed 120 square feet (11.15 m²).
2. Fences not over 7 feet (2134 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2:1.

5. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
6. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
7. Swings and other playground equipment.
8. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
9. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

Note: All flatwork requires a permit and shall comply with the applicable provisions of Section 18.38.020 of the Development Code.

16.06.140 - Section R302.7 amended; Under stair protection.

Section R302.7 of the Residential Code is amended to read as follows:

R302.7 Under stair protection. Enclosed accessible space under stairs that is accessed by a door or access panel shall have walls, under stair surface and any soffits protected on the enclosed side with 5/8-inch (15.9 mm) Type X gypsum board or equivalent.

16.06.185 - Section R313.2 ~~deleted~~ amended; One- and two-family dwellings automatic fire sprinkler systems.

Section R313.2 of the Residential Code, adopted at [Section 16.06.010](#) is ~~deleted in its entirety~~ amended to read as follows:

R313.2 One- and two-family dwellings automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in ~~one- and two-family dwellings~~ all single-family dwellings exceeding 5,000 square feet, including unfinished and finished basements, all levels above grade, including finished and unfished habitable attic spaces, and in all two-family dwellings.

16.06.200 - Section ~~R327-R328~~ added; Electric ~~Fences~~ fences.

Section ~~R327-R328~~ of the Residential Code is added in its entirety to read as follows:

**SECTION ~~R327-R328~~
ELECTRIC FENCES**

~~R324.1-R328.1~~ Definition. For the purposes of this section, any fence using, carrying or transmitting an electrical current for any purpose is considered an electric fence.

~~R324.2-R328.2~~ Permit required. In all cases, electric fences will require approval, and a building permit. All electrical components must be listed and labeled,

by a nationally recognized independent testing agency, and installations must be made per the manufacturer's specifications, and the listing requirements.

R324.3–R328.3 Signs. Permanent signs stating "DANGER, ELECTRIC FENCE" must be installed on or around the fence, as deemed necessary by the Building Inspection Division.

R324.4–R328.4 Location. All electric fences must be installed inside a non-electric fence, placed so as to prevent accidental contact from the outside. This subsection does not apply to approved agricultural uses.

R324.5–R328.5 Existing fences. Any existing electric fence identified after the adoption of this code that does not conform to these requirements, shall have 60 days from the date of identification of the fence to come into compliance with these requirements, or ~~remove~~ the electric fence shall be removed.

16.06.210 - Section R405.2.3 amended; Drainage system.

Section ~~R405.1.2~~ R405.2.3 of the Residential Code is amended to read as follows:

R405.2.3 Sump pit Drainage system. Where it is not possible to convey the drainage by gravity, subsoil drains shall discharge to an accessible sump pit. A sump pit shall be at least eighteen (18) inches (457 mm) in diameter, twenty-four (24) inches (610 mm) in depth, and provided with a fitted cover including rough-in discharge piping. The sump pump, if provided, shall have an adequate capacity to discharge all water coming into the sump as it accumulates to the required discharge point, and the capacity of the pump shall not be less than fifteen (15) gpm (1.0 L/s).

The discharge piping for the sump pump shall include the following:

- (1) Be one and one-half (1½) inches in diameter;
- (2) Terminate within five (5) feet horizontally of the sump pit;
- (3) Extend a minimum of twelve (12) inches below the floor joists above;
- (4) Terminate at the exterior of the structure with a removable cap.

APPENDIX C

Greeley Municipal Code Chapter 16.08 is amended as follows (additions indicated by underline; deletions indicated by strikethrough):

16.08.010 - International Mechanical Code adopted.

The International Mechanical Code, ~~2015~~2018 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Mechanical Code." The Mechanical Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Mechanical Code provides the standards for the design, installation, alteration and inspection of mechanical systems within this jurisdiction.

APPENDIX D

Greeley Municipal Code Chapter 16.10 is amended as follows (additions indicated by underline; deletions indicated by strikethrough):

16.10.010 - International Property Maintenance Code adopted.

The International Property Maintenance Code, ~~2015~~2018 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Property Maintenance Code." The Property Maintenance Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Property Maintenance Code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

APPENDIX E

Greeley Municipal Code Chapter 16.12 is amended as follows (additions indicated by underline; deletions indicated by strikethrough):

16.12.010 - International Existing Building Code adopted.

The International Existing Building Code, 2015-2018 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Existing Building Code." The Existing Building Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Existing Building Code provides the standards for the alteration, repair, addition, moving, change of occupancy and relocation of existing buildings.

16.12.020 - Additions, deletions and amendments to Existing Building Code designated.

Sections 108.4, 112.1, and 113.4 ~~and 1401.2~~ of the Existing Building Code are hereby enacted as amended, added or deleted to read as set out in Sections 16.12.040 through ~~16.12.070-16.12.060~~ below.

~~16.12.070—Section 1401.2 amended; applicability.~~

~~Section 1401.2 of the Existing Building Code is amended to read as follows:~~

~~**1401.2 Applicability.** Structures existing at the time of adoption of this code in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this Chapter or the provisions of Chapters 5 through 13. The provisions of Sections 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.~~

APPENDIX F

Greeley Municipal Code Chapter 16.28 is amended as follows (additions indicated by underline; deletions indicated by strikethrough):

16.28.010 - International Plumbing Code adopted.

The International Plumbing Code, ~~2015-2018~~ Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Plumbing Code." The Plumbing Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Plumbing Code provides the standards for erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction.

16.28.020 - Additions, deletions and amendments to Plumbing Code designated.

Sections 106.6.3, 108.4, 108.5, 109, 305.4, 405.3.1, ~~405.5-405.6~~ 406.2, ~~414.2-417.2, 417.4-421.4, 421.4~~ Exception, 712.4.2, 712.4.3, Table 906.1, Table 909.1, 914.1, 915.3, 918.3, 1003.3.4.1, 1103.1, 1113.1.2, and 1113.1.3 of the Plumbing Code are hereby enacted as amended, added or deleted to read as set out in Sections 16.28.030 through 16.28.240 of this Chapter.

16.28.090 - Section ~~405.5-405.6~~ amended; Water-tight joints.

Section ~~405.5-405.6~~ of the Plumbing Code is amended to read as follows:

~~405.5-405.6~~ **Water-tight joints.** In facilities designed for public use, joints formed where fixtures come in contact with walls or floors shall be sealed.

16.28.110 - Section ~~414.2-417.2~~ amended; Waste connection.

Section ~~414.2-417.2~~ of the Plumbing Code is amended to read as follows:

~~414.2-417.2~~ **Waste connection.** Garbage can washers shall be located only in weather-tight enclosures and shall be trapped separately. The receptacle receiving the waste from the washer shall have a removable basket or strainer to prevent the discharge of large particles into the drainage system.

16.28.120 - Section ~~417.4-421.4~~ amended; Shower compartments.

Section ~~417.4-421.4~~ of the Plumbing Code is amended to read as follows:

~~417.4-421.4~~ **Shower compartments.** All shower compartments shall have a minimum of 1,024 square inches (.66 m²) of interior cross-sectional area. Shower compartments shall not be less than 32 inches (813 mm) in minimum dimension measured from the finished interior dimension of the compartment, exclusive of fixture valves, showerheads, soap dishes, and safety grab bars or rails. Except as required in Section 404, the minimum required area and dimension shall be measured from the finished interior dimension at a height equal to the top of the threshold and at a point tangent to its centerline and shall be continued to a height not less than 70 inches (1,778 mm) above the shower drain outlet.

16.28.130 - Section ~~417.4~~421.4 deleted; Exception, Shower compartments.

Section ~~417.4~~421.4, Exception, of the Plumbing Code is deleted in its entirety.

APPENDIX G

Greeley Municipal Code Chapter 16.30 is amended as follows (additions indicated by underline; deletions indicated by strikethrough):

16.30.010 - International Fuel Gas Code adopted.

The International Fuel Gas Code, ~~2015~~2018 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Fuel Gas Code." The Fuel Gas Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Fuel Gas Code shall apply to the installation of fuel-gas piping systems, fuel-gas utilization equipment and related accessories.

16.30.020 - Additions, deletions and amendments to Fuel Gas Code designated.

Sections 106.6.3, 108.4, 108.5, 109, 401.9, 401.10, 404.9, 404.12, 406.4.1, 406.4.2, and 621 of the Fuel Gas Code are hereby enacted as amended, added, or deleted to read as set out in Sections ~~16.30.060~~16.30.030 through 16.30.110 of this Chapter.

APPENDIX H

Greeley Municipal Code Chapter 16.16 is amended as follows (additions indicated by underline; deletions indicated by strikethrough):

16.16.010 - International Energy Conservation Code adopted.

The International Energy Conservation Code, ~~2009~~2018 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Energy Conservation Code." The Energy Conservation Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Energy Conservation Code regulates the design and construction of buildings for the effective use of energy.

APPENDIX I

Greeley Municipal Code Chapter 16.36 is amended as follows (additions indicated by underline; deletions indicated by strikethrough):

16.16.010 - International Fire Code adopted.

The International Fire Code, ~~2015-2018~~ Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Fire Code." The Fire Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Fire Code shall establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life, safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to firefighters and emergency responders during emergency operations.

16.06.020 - Additions, deletions and amendments to Fire Code designated.

Sections 101.1, 102.3, 102.4, 102.7, 104.1.1, 105.6.32, ~~108.1~~ 109.1, ~~109.4~~ 110.4, ~~111.4~~ 112.4, 903.2.8, 5504.3.1.1.3, 5704.2.9.6.1, 5706.3.1, 5706.3.1.1, 5706.3.1.2, 5706.3.1.3.1, 5706.3.1.3.2, 6104.2.1 and 6104.3.2 of the Fire Code are hereby enacted as amended, added or deleted to read as set out in Sections 16.36.020 through 16.36.200 of this Chapter.

16.36.080 - Section ~~108.1~~ 109.1 amended; Appeals process.

Section ~~108.1~~ 109.1 of the Fire Code is amended to read as follows:

~~108.1~~ 109.1 Appeals process. All appeals shall first be made in writing to the Fire Marshal. A subsequent appeal to the Fire Marshal's decision shall be made in writing to the Fire Chief. An appeal to the Fire Chiefs decision shall be made in writing to the City of Greeley Construction Trades Advisory and Appeals Board. All decisions and findings shall be rendered in writing to the appellant with a duplicate copy filed in the Office of the Fire Marshal. Rulings by the City of Greeley Construction Trades Advisory and Appeals Board shall be final.

16.36.090 - Section ~~109.4~~ 110.4 amended; Violation penalties.

Section ~~109.4~~ 110.4 of the Fire Code is amended to read as follows:

~~109.4~~ 110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, and subject to the sentencing guidelines of Chapter 1.33 of the Greeley Municipal Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

16.36.100 - Section ~~111.4~~ 112.4 amended; Failure to comply.

Section ~~111.4~~ 112.4 of the Fire Code is amended to read as follows:

~~111.4~~ 112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, and subject to the sentencing guidelines of Chapter 1.33 of the Greeley Municipal Code.



Home Fire Sprinklers: Separating Fact from Fiction

This fact sheet was prepared by the nonprofit Home Fire Sprinkler Coalition, Inc. (HFSC), a 501(c)(3) charitable organization.

HFSC is the only national, noncommercial organization working exclusively to educate the public about the life-saving value of home fire sprinklers. HFSC develops a wide range of fire safety educational materials for consumers; members of the homebuilding industry, insurance and real estate professionals; for water purveyors and local officials; for the media; and for the fire service to use in local educational outreach. All materials are provided at no charge and most are available for free download at HFSC's website: HomeFireSprinkler.org.

Home Fires: No Prevention Strategy Has as Much Documented Life Safety Effectiveness as Fire Sprinklers

The fire problem in the U.S. is overwhelmingly a home fire problem. According to the National Fire Protection Association's (NFPA) U.S. data, 92% of all civilian structure fire deaths and 86% of all civilian structure fire injuries resulted from home fires. Quite clearly, any improvements in overall fire safety must be improvements in *home fire safety*, and no strategy has as much documented life safety effectiveness as installed fire sprinklers.

Fires Today "Burn Faster and Kill Quicker"

Research conducted by the National Institute of Standards and Technology (NIST) has shown that home fires become deadly in as few as three minutes. "Fires today seem to burn faster and kill quicker, because the contents of modern homes (such as furnishings) can burn faster and more intensely," says NIST senior engineer Richard Bukowski, P.E..

New and old homes alike are filled with these newer contents and furnishings, which provide less margin for success for smoke alarms and add to the need for fire sprinklers. Modern lightweight home construction products, especially wood truss roof systems and wood joists, can rapidly fail under fire conditions, an extreme risk to firefighters responding to a fire.

To watch home fire sprinklers in action, visit the United States Fire Administration (USFA) website and view NIST/USFA video clips showing a typical home Christmas tree fire with and without fire sprinkler protection: http://www.usfa.dhs.gov/fireservice/research/dsn/dry_tree.shtm

Important Information about Smoke Alarms

Working smoke alarms provide valuable early warning in dwellings. HFSC recommends that every home have smoke alarms installed on each level. For smoke alarms to be effective, occupants must react quickly and escape immediately when the alarm warns of a fire. Every household should hold regular fire drills to practice how to properly respond to a fire alarm.

-more-

Smoke alarms are designed only to signal a warning, which gives residents time to put their escape plan into action. Many high-risk populations – infants, children, people with disabilities, older adults – can have difficulty hearing and waking to smoke alarms, and difficulty reacting quickly and effectively enough for a safe escape. Their lives depend on stopping the fire early in its development. Their lives depend on fire sprinklers.

Fire Sprinklers Make Up for Human Error

Fire sprinklers provide a level of protection that no other fire protection technology can offer. Like smoke alarms, sprinklers detect a fire; but they do even more. Fire sprinklers automatically respond to a fire while it is still small, controlling the spread of deadly heat, flames and toxic smoke. Fire sprinklers are effective whether or not the residents have responded to the smoke alarm. Fire sprinklers make up for human error, and they provide a life-saving cushion for a time-consuming escape.

How Fire Sprinklers Work

In most settings where there is a municipal water supply, sprinklers operate off the household water main. When the water supply is a well, or there is not enough water pressure, a holding tank is used. Sprinklers are linked by a network of piping, typically hidden behind walls and ceilings. The high temperature of an early-stage fire (135°-165°F) will cause the sprinkler to activate. Only this high heat initiates the sprinkler to flow water (neither smoke nor a smoke alarm can activate a fire sprinkler). Only the sprinkler closest to the fire will operate, flowing water directly on the flames in the area of the fire's origin. This quick action controls or extinguishes the flames (often before the fire department arrives). Fire sprinklers slow the spread of deadly heat and toxic smoke, preventing flashover. This also provides residents with more time to safely escape.

Each Sprinkler Works Individually

Unlike interconnected smoke alarms (if one signals, they all signal), fire sprinklers activate independently. In a survey of home fires*, 90% of the time a single sprinkler was sufficient to control the fire. Despite the fictional special effects commonly seen in action movies, fire sprinklers do not spray water all at once. They do not operate in response to smoke, burned toast, cooking vapors, steam, an activating smoke alarm, or anything other than high heat.

Home Fire Sprinklers Are Simple to Maintain

Home fire sprinklers require very little maintenance. In fact, the sprinklers themselves require nothing more than an occasional look to ensure they are not painted and that nothing is hanging from them, or blocking them. Valves should be similarly checked to ensure they are turned on. According to the National Fire Protection Association, every six months, homeowners or sprinkler contractors should conduct a water flow test of the fire sprinklers. If a tank is present, it should be checked to confirm water level and pumps should be operated to verify functionality. That's it.

Fire Sprinklers in Cold Climate Homes

Wet-pipe fire sprinklers can be installed in homes where freezing may occur. Several design options exist in NFPA 13D, including the use of proper insulation, heating of sprinkler piping areas, installing sprinkler piping in interior walls, and dry-pipe and preaction sprinklers.

Home Fire Sprinklers Are Good for the Environment

According to a groundbreaking joint research project from FM Global and HFSC on the environmental impact of fires, automatic fire sprinklers can reduce greenhouse gas emissions by 98%, reduce fire damage by up to 97%, reduce water usage to fight a home fire by as much as 91% and reduce water pollution.**

Fire Sprinklers Are a Smart Investment for Developers

A national 2013 report from the Fire Protection Research Foundation found that the average cost to builders to install sprinklers in new homes was \$1.35 per sprinklered square foot. Reduced labor costs and municipal trade-up incentives have made fire sprinklers a valuable way for homebuilders to protect their bottom line. Options vary by jurisdiction, but typical trade ups for a sprinklered residential development or sub-division include street width reduction, additional units, and increased hydrant spacing.

Fire Sprinklers Are a Smart Investment for Homeowners

Fire sprinklers are paid for over the life of a mortgage, just as is the home's electrical or plumbing system. In a national Harris Poll survey conducted for HFSC, seven in 10 U.S. homeowners said a sprinklered house has more value. In fact, 74% of them said they would be more likely to buy a home with fire sprinklers than one without fire sprinklers. Paralleling the results of the Harris Poll survey, a Johns Hopkins study of homeowners reported that 75% of homeowners were more likely to buy a sprinklered home than an unsprinklered one in the future.

The Home Insurance Industry Encourages Sprinkler Installations

The insurance industry banks on the fact that having installed fire sprinklers not only protects against fire injuries and deaths; they also protect against fire damage. As an incentive for customers, insurance companies offer discounts ranging from 5% to 25% off the fire portion of homeowner premiums. HFSC urges consumers to shop around for the best insurance discount.

*Scottsdale, AZ 15-year Report

** Environmental Impact of Automatic Fire Sprinklers," FM Global, March 2010

Learn more by visiting the Home Fire Sprinkler Coalition online: HomeFireSprinkler.org

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CONSTRUCTION TRADES ADVISORY & APPEALS BOARD

Proceedings

June 20, 2019
1100 10th Street
City Hall Annex
9:00 a.m.

I. Call to Order

President Jim Morris called the meeting to order at 9:06 a.m. Board members Jim Morris, Don Hobart, Brian Persons, Dave Powell, Wendell Heyen and Bill Gillard were present. Board members Andy Phelps, Curtis Hansen, Brad Shade, Gene Leach and Larry Pickrell were absent. Staffs present were Chief Building Official Tim Swanson, Senior Plans Examiner Matt Wagdy, Acting Fire Marshall Bob Fries and Administrative Specialist Sue Anderson.

II. Introductions

III. Approval of the November 6, 2018 Meeting Minutes

Jim Morris asked if everybody had a chance to review the minutes from the past meeting, Wendell Heyen moved to approve the minutes, Bill Gillard seconded the motion. Motion passed unanimously. Tim Swanson commented that some grammatical errors had been noted, nothing that changes content, that would be correct for the official signed minutes.

IV. Review of Survey regarding proposed amendments to the Greeley Municipal Code.

Jim turned the meeting over to Tim. Tim stated that the reason for the meeting was that in the previous meeting in November of last year, when there was a discussion regarding residential fire sprinklers, that he had alluded that probably half the metro area was requiring them. After the meeting he had decided that before taking the matter to City Council, he should survey other Building Officials in Colorado, from other jurisdictions. He had a great response, but the survey revealed that he was far off from what he had reported. The survey showed that out of 67 jurisdictions in Colorado reporting, only 4 were fully enforcing the residential fire sprinkler requirements. He thought that he should get the Board together to discuss the results, that going forward with this will be a battle. He then asked for any comments.

Dave Powell asked if this was just a review of what we talked about at the last meeting. Tim replied, yes, this was no new information, other than based on the survey results, if the Board wanted to change its opinion.

Dave asked how many of the jurisdictions are requiring the sprinklers in the basements. Tim replied that he had not asked that, but some of them had volunteered they were not requiring it in the basement. Dave said that because of the how it was presented at the beginning, since we were already doing the basement for firefighter protection, that it would not be a hardship to add a few more to the main level.

Tim replied that he would report to City Council the Boards decision, and that he was on the calendar to go before City Council with this, along with the Energy Code, which probably half of the reporting jurisdictions had moved to the 2012 or the 2015.

Bill Gillard stated they were going to be required eventually, period. He said that cost was going to be a factor, and asked about the fire, with houses getting tighter. Bob Fries stated that it did change the fire dynamics, and the time that it starts to die down, it will burn hotter, but die down quicker. They have to do things properly, so there would not be chance of backdraft. Bill said that then a sprinkler would help. Bob said yes we would get water on it right away. Bill said that bottom line is that all he wants is to save

lives, that if there is one fire that claims lives, the public will be on our back. It is something we need to look at.

Jim Morris stated that he agreed with what Bill was saying; do we do it before something happens, or do we mop up after something happens? It happens all the time; how many times is there an accident at this intersection, before they put up a light?

Bill said that he was from California, and they have been doing it. People get used to it, they just roll the \$2,000-\$3,000 cost into the house, over the life of the loan, and it is not going to be that much.

Don Hobart asked if the cost was not offset by insurance savings. Tim replied that he could not answer that. Wendell Heyen said that it depends on the insurance company. Some are saying it might be more, fear of pipes leaking, mold, others say it will cost less, to save the house.

Matt Wagy said that with the previous systems that were required in the gate community's, the required backflow devices would discharge, so many were shut off, leaving them with no protection. The benefit of the system that would be installed now is that it can't be turned off, it is part of the water system.

Jim asked if this was only for new homes, not for remodels or additions. Tim replied that yes it would only apply to new construction.

Wendell said that he thought we should stick with the sprinklers, and he hoped that some other cities would follow along, that since we were already doing the basements with sprinklers instead of drywall that would cost just as much. Matt agreed, the cost analysis showed that sprinklers were less than drywall.

Matt said that he thought we should be proactive on the sprinklers, that in the case of carbon monoxide detectors, it took deaths to require them.

Bill asked if the sprinklers would get rid of the smoke alarms, Matt said no they would still be required.

Dave Powell confirmed that we are talking about four heads in a basement, how many for the rest of the house. Tim said that a quick count we were looking at typically another ten heads for the rest of the house.

Bill said that we will probably have a lot of moaning and groaning about it, but he would rather that than have a death on our hands.

Tim stated that he just wanted the Board to have the new information, so that when he brings it before City Council, he can show that not only did the Board discuss it once, but they had discussed it twice.

Jim said that as far as the moaning and groaning, it will come back to education; contractors will be thinking they have to put in a commercial system, rather than the residential type system that is not going to be as costly.

Don stated that at that point, the education will need to be about the offsets.

Jim said he would entertain a motion to stay with the previous vote on residential fire sprinklers, Bill made the motion, Wendell seconded, and the aye vote was unanimous.

Don asked if we could discuss the Energy Code. He continued, stating that he had received some information from an educated HVAC supplier, that one of the requirements of the 2018 IECC, was inadvertently destroying commercial equipment. He wanted to make sure we looked further into this, and possibly amend that requirement out of the code.

Jim said he would entertain a motion to adjourn, Don made a motion to adjourn, it was seconded, and the

motion was unanimously approved.

V. Adjournment

Meeting adjourned at 9:35 AM

Jim Morris, Chair_____

Timothy H. Swanson, Secretary

CONSTRUCTION TRADES ADVISORY & APPEALS BOARD
Proceedings

November 6, 2018
1100 10th Street
City Hall Annex
12:00 p.m.

I. Call to Order

President Jim Morris called the meeting to order at 12:06 PM. Board members Jim Morris, Gene Leach, Don Hobart, Brian Persons, Brad Shade, Dave Powell, Wendell Heyen and Andy Phelps were present. Board members Curtis Hansen, Bill Gillard and Larry Pickrell were absent. Staff present were Chief Building Official Tim Swanson, Senior Plans Examiner Matt Wagy, Senior Electrical Inspector Steve Gregory and Fire Marshall Pete Morgan.

II. Introductions

III. Approval of the January 24, 2018 Meeting Minutes

Tim Swanson reported that he had made a mistake in asking Don Hobart to review and sign the meeting minutes before the rest of the Board had had a chance to review. (The minutes were sent to the Board a week before this meeting) Tim asked if anyone had any corrections to the minutes. Brad Shade asked if they had been sent out. Tim replied they had, and asked if Brad wanted to have a chance to review the minutes, which he did. After his review Jim Morris called for the vote, the minutes were unanimously approved.

IV. Review of proposed amendments to the Greeley Municipal Code.

Jim stated that the purpose of the meeting was to review the proposed amendments to the 2018 International Codes for adoption. Jim turned it over to Tim Swanson to discuss the review. Tim started with saying that the amendments were pretty straightforward, that the proposed amendments were exactly the same as what is currently adopted, staff had no additions, deletions or changes to propose.

The two talking points for this meeting were the International Energy Conservation Code (IECC) edition, the City had not moved forward with a new edition since the 2009 IECC. Tim recommended if the Board did want to move to a newer edition, that the move should be made to the 2018 edition, as the biggest changes had been in the 2012, which is why we had remained on the 2009.

Andy Phelps asked if the blower door test was required in the 2012? Tim stated yes, that was one of the reasons the Board at the time did not want to move forward with the 2012. He also stated that should the Board move forward with the 2018, he did not want to make amendments to that code that would lessen it, such as taking the blower door testing out. The IECC was one of the codes that needed to be adopted as is.

Andy said that back in the day, when builders said they built to code standards, and it wasn't that good. Now if you build to standards of the building code, it is really good, with insulation levels up, air sealing and duct sealing. He didn't know how much more they could do, the houses are already tight. He wasn't a fan of the blower door test, it is expensive unless you know someone. Tim asked how would you prove the tightness without the blower door testing. Andy said that he understood. But with that, you have to bring outside air in, and you run fans 24/7. Tim said yes, and that it is where adopting it broke down years ago in the 2012 cycle.

Tim went on to say that since the Board had last discussed the IECC, he had taken an online class offered by EnergyLogic, that really opened his eyes to the idea of bringing outdoor air in. Rather than depending on a leaky house to bring outdoor air in, you seal it to control the air flow. Build tight, ventilate right.

Wendell Heyen said that he was in favor of moving up in the energy codes. He is working for a jurisdiction that is on the 2015 IECC, and the builders are not having any problems passing the blower door test. Nobody is complaining about the cost, it has come down quite a bit, from what it was. You really do need to control the air flow, not depending on leaks to bring it in.

Don Hobart asked if Wendell was saying bring it up to the current edition, Wendell replied yes, that is what he would like to see. If you wait for another cycle to the 2021, then there will be a few more changes. If you go from the 2009 to the 2021 IECC, that would be a really big jump. Tim added that the Governors Energy Office had not been really active, but with a new Governor coming in, they may get involved again.

Jim asked if it was affecting our ratings (Insurance Service Office (ISO), rating). Tim replied that surprisingly it had negatively affected the rating last time through. That and the amendment eliminate residential fire sprinklers for the Residential Code, which is what else the Board needs to discuss next.

Tim asked if anyone else had anything to add to the IECC discussion? Is it the 2009, or go to the 2018? Tim added that he agreed with Wendell, that is not going to be that big of a surprise, that builders are already building better, tighter houses. Don said then let's just mandate it in the individual codes.

Andy said it was just the blower door that he didn't like, he was already putting R-49 in the attics anyway, R-19, 23 in the walls. He added that he had passed the blower door test, but he has been doing the energy code thing a long time. He said that Tim was right, there is not a way to test a house without blower door testing it.

Pete Morgan asked if there was any data on the effect of the IECC on fires in the house? He thought that maybe with the house being tighter, it may contain heat faster, for a quicker flashover. Tim replied that he had not heard of anything, or anyone testing it.

Dave Powell asked what the insulation requirements were. Wendell replied R-21 in the walls, R-49 in the ceiling. Gene Leach said that if you look at the calculations, the wall isn't the problem, it is your windows and doors, and how often you open them, and your ceiling. Going to 19 or 21 in your walls is a waste of money. Beyond R-38 in the ceiling, there is no payback for the extra insulation. At what point do you stop. With the extra insulation, there is the extra cost of that, taller heels on trusses, siding. At what point does the logic outweigh the science.

Wendell said that in the 2018 you can still use the performance path, where you can still use R-38 in the attic, and R-15 in the walls, if other components can calculate the reduction. Gene said that basically you have outlawed 2x4 walls. Andy said you can spray foam them. Gene said he understood, but basically you have outlawed 2x4 walls. By the time you pay for spray foam insulation, a 2x6 wall would be cheaper. From the socio-economic standpoint, how do you do cost efficient housing, how do you do low income housing without significant subsidies.

Andy said that when he was building the Habitat for Humanity housing he was getting a 19 out of 100 for energy star ratings, and that he felt the costs were not substantial to upgrade. And that if you figure it over the life of a 100 year old house the payback is going to be significant. He went from 2x4 to 2x6 walls, R-15 to R-19 for insulation, R-49 in the attic. He figured it was an increase of \$800 to \$900 in a 1200 square foot house. It is doable, not a budget breaker.

Gene said that he figures the wall as an entire assembly, and that figuring it that way, you can get to R-19 and still use R-15 insulation.

Brad Shade asked what the cost impact is going to be if we made the change to the 2018. Andy

thought that in a 1400 square foot house that it would probably be about \$1 per square foot. He thought it would payback in ten years easy. He said that it makes no difference to him, he builds that way anyway. Sealing plates, caulking, uses sill sealer over the truss clips to seal there.

Don Hobart asked if when the blower door testing is done, if that is someone independent? Andy said yes. Don asked what that charge was? Andy said it had been a while, but they were doing full ratings for EnergyStar. He thought it was around \$500 for them, but they also had to come back. There was duct testing for leakage, a lot more testing than the blower door. Don said that the requirements are in the code now, but it did not have to be tested.

Jim Morris mentioned that if you remove requirements, you are lessening the code, and that is not a good idea.

It was discussed how the owners will unhook fans, plugging the outside air after the fact, but that is what happens. But that it can be done in effective ways.

Jim Morris asked for a motion to recommend the adoption of the 2018 Energy Code. Tim did mention that he felt it did need to be voted on separately. Wendell Heyen made a motion to recommend the adoption of the 2018 IECC, moving from the 2009 IECC. Andy Phelps seconded the motion.

The aye vote was not unanimous, Don Hobart voted in opposition. He feels like there will be significant costs. He added that Johnstown, and Weld County are both still on the 2006 IECC.

Gene Leach wanted it to be clarified that he abstained on the vote. He understands that there is value in increasing insulation, but that with new codes we are driving up the costs, which could have cultural impacts. We sometimes overstep our boundaries in an attempt to do good, and end up doing bad. There was general discussion regarding the cost vs. the life span of the house.

Don pointed out that in his opinion, all the codes are about life/safety, except the energy code. That we could have made the 2009 more restrictive, but chose not to, because it is not life/safety. He said that he still has contractors that want him to install 80% furnaces. He said that he feels the fact that we do not have a restrictive energy code is why builders choose to build in Greeley, vs. Fort Collins. Nobody is preventing a builder from building over the code if they want to.

Gene said that he thinks there are more energy factors than just the energy code. The color of the roof, landscaping.

Andy said he thinks that if the homeowner if they would want to spend the \$1,500 to do it better on energy, they would say yes.

Don said that isn't the case with A/C, people will not spend more money to have a more efficient A/C, because they only use it during the day, during the summer. If electric costs skyrocket, then it would pay for itself.

Andy said you just have to learn, do the upfront things like caulking, sealing. Again, he thinks that if the homeowner if they would want to spend the \$1,500 to do it better on energy, they would say yes. The builder would say no.

Don said the builder is the only one that gets to talk to the homeowner.

Gene added the builder is the only one that gets to price the improvements, and there is the problem. If it is \$1500 to the builder, is the builder going to mark that up? Or charge \$1500, hopefully they wouldn't mark it up.

Tim said that he thought that if it were builders that work off a price point, they would want to keep on that price point. As discussed, it is cheaper to buy in Greeley, so they are going to want to keep their price

point.

Andy said that it is minimal work, other than the blower door testing, on the builders part, you just make a call and tell them to use more.

Brad Shade said that his main concern was the ultimate impact to the consumer, and that if we truly are close to a \$1.00 per square foot, people will say that's a decent payoff. If we find out it is going to be \$10-20.00 per square foot, that's another story.

Gene said that it is not going to be.

Jim asked if with all this extra discussion, if we wanted to table issue for more information. Gene pointed out that they had already approved it. He said that there really isn't any objection from around the table, and hoped he wasn't speaking for Don, that they had anything against energy conservation. There are there other issues. But, he thinks we should be in line with our codes, if anything for subcontractors that work in multiple jurisdiction's, that if there are a variety of codes out there, it is a nightmare. From that standpoint only, he would support the 2018 IECC.

After more general discussion about buildings already built, Don said that they had already passed it, it was time to move on.

Tim said that the other issue that he felt needed to be discussed again was the residential fire sprinklers (P2904) that the City has currently amended out of the International Residential Code (IRC) in one and two-family dwellings. The last time the Board had met, there had been a fairly extended conversation about them. That is the reason he asked Fire Marshall Pete Morgan to join them. Tim asked if the Board felt that they should continue to recommend to Council that fire sprinklers are not required upstairs? The P2904 systems have been used in basement as lightweight framing protection for the past six years, and from the beginning there was no pushback. Is it time to pull the plug and say that we need to put the P2904 in the entire house?

Don said that he was not familiar with the P2904 reference, and wondered if it was the system that just tied to the domestic water supply that was in the house already, that you can't turn off.

Matt said you can turn it off, you just don't have water to take a shower or wash your hands.

Tim said that he felt like it needed to be said out loud, whether to keep the P2904 fire sprinkler system amended out of one and two-family dwellings, or put it back in.

Wendell Heyen asked if Tim had through his work with the Colorado Chapter whether any other City's are requiring the P2904?

Tim said that he thought in the metro area they were requiring them, and asked if where Wendell was inspecting in Thornton, what they were doing? Wendell said that The CBO, Greg Wheeler was amending them out again. Tim said that he for sure the Westminster required them, as did Golden.

Brian Persons said that in Adams County, if you are not close to a fire hydrant you have to sprinkler.

Gene asked Pete whether the sprinkler requirement was tied to response times, how long it took to get to a fire. Pete said no there isn't.

Tim said that right now, in gated communities, and long cul-de-sacs, sprinklers are required.

Pete said that if the area north of town, the "Budweiser annexation" is far enough away, that they might be required due to response time. Gene said that he had heard some cities had done that. Pete said yes, he had some that had done it as trade-offs. Say, someone is putting in a new development that is outside existing response areas, they might require a fire station, or as a trade-off, sprinkler the houses. Pete said

he didn't know if the Fire Chief would buy off on that, but maybe fewer hydrants, or more spacing.

Brad asked how far between hydrants do you need to be to not require? Pete said he thought it was 500 feet, with sprinklers maybe they could do 750. He didn't know how much that would save on infrastructure cost. Speaking of cost, the P2904 cost is a fraction of an NFPA 13D, which we are planning on amending out of houses. Pete said he thought that was part of the issue previously.

Tim said that the P2904 requirement was part of the 2009 code cycle, and that it had a one year lag for the sprinklers. So, he adopted the 2009 cycle, with the sprinklers, that would go into effect in 2010. Being one of the first to adopt, when all the other jurisdiction's around us began adopting, they were amending the sprinklers out. Two months before the implementation date, there was a massive pushback from the building community, so Council voted to amend the P2904 one and two-family dwelling requirement out, leaving it in townhouses.

Don asked what argument was being used for amending them out? Tim replied it was cost, back then the thought was that the systems were going to add \$15,000 to the cost of the house. They were thinking of the NFPA 13D, with dedicated fire line, backflow devices, testing. No matter how much he and Matt, and the current Fire Marshall, Dale Lyman preached that this was a different system, tied to domestic water. It is a \$20 head, an extra piece of pipe, and the time to install it, not the same thing at all.

Pete said that he thought it might be partly a social issue, that maybe has got better with time. The Hollywood vision of, you pull a lever and 40 sprinkler heads go off. There may be concern on the builders side, how are they going to educate their consumers about the sprinkler system?

Andy asked if you had to have them in second floors? Tim said yes, throughout. Andy asked if you needed them in the attic? Tim replied no. Matt added none in the garage, any rooms less than 54 square feet, like bathrooms and closets. You use a wall mount sprinkler so it can be located on an interior wall to prevent freezing.

Andy asked where the data is, how many houses have burned down with just the basement sprinklered? Tim replied that they really have not been installed long enough to have that info. Andy asked if even one? Wendell said that if you have a kitchen fire, the basement sprinklers are not going to help. Pete said that the purpose of the sprinklers is not for property protection, it is for life safety. The entire goal is to give the occupants time to get out of the house. He went on to say, can they put the fire out and save the house? Yes, they can, and most likely would.

Andy asked if this would make homeowners insurance cheaper? Tim said that was another item he was going to point out, was that the most recent Insurance Services Office (ISO) Building Code Effectiveness Grading Schedule (BCEGS) that his office submitted, there was a deduction in points for having amended fire sprinklers out. ISO rating are supposed to drive insurance rates, nobody has seen any data to back that up, but he still has to do the BCEGS every five years.

Pete replied to Gene, back to your question about response times, and also back to the energy code, with modern furnishing, fires now get bigger, hotter, faster, quicker. Pete said even if they had a Fire Station in the neighborhood, they would have a hard time getting there before flashover occurred. Just because how homes are furnished today, without fire sprinklers, fire are going to be hotter and more deadly.

Matt said that the reason we are going to amend the use of the NFPA 13D out of homes, is because there are many of them that are simply turned off, he has been told this. There is a required backflow device that could flood the basement. Jim asked if Pete was requiring backflow testing on the ones that are installed, Pete said yes, testing is required he doesn't have any jurisdiction to go in existing homes to see the testing.

Gene said that he hopes this discussion is highlighted in the minutes that will go to Council, as to the discussion about sprinklers in a home, this is the first time he has heard about how they are furnished, has a huge impact. Fire's response time could be ideal, and it would be too late. He said he thought a lot of

people need to know that, about why this is even being considered, it's not that we are wanting to make this a burden financially on someone, it is truly a matter about getting people out of a structure that is on fire, getting them out so they can live. Our goal is not to make it so people can't afford it, but if they are there, we want them to survive.

Brad said that if he remembered right, the price wasn't that bad, what are we talking about if we add another floor.

Tim restated, you have a \$20 head, maybe 10 feet of plastic pipe, and the labor to install it, he has said from the beginning, if your plumber is charging you more than \$50-\$75 a head, they are taking advantage of you.

Dave said that last time we talked about this we were talking \$400 for the basement. Matt said no, that is really too high, if we are at \$75, with every fitting you can imagine on it, and you need four heads in the basement. Tim said the next level shouldn't be any different. Dave pointed out a basement doesn't have partition walls. Pete stated that you have one head per bedroom, maybe two in the master, one or two in the hallway, depending on how long it is, two in the kitchen, two in the living room. Dave said so that would be ten on the main, where you have four in the basement. Still not that substantial.

Brad asked, where he works at the University, and they buy this particular head, he is curious if it is a different head for houses, is it more protected? He's just thinking of his kids throwing a football in the house. Tim said that most of them are flush mount, you couldn't hang something on it, or knock it off. Brad said you can take away the stupid factor. Pete said that was a good point, that they run more sprinkler head breaks, than they do fires.

Gene said that was the argument before, that it was going to cost \$10-15,000, they assumed you had to put a commercial type sprinkler system, with a commercial installation company doing the work in residential construction.

Pete said not the way Greeley is doing it. He said he wanted to be transparent, he was at a Fire Marshalls conference the week before, and he told them about his intention to amend 13D systems out of residential, he didn't know if he would be invited back. He said we are progressive here.

Matt said that it is the plumber who is going to have to do it, as it is the potable water source.

Jim asked that it is not a separate tap, you come off the house tap? No backflows? Tim said correct, no backflow device.

Matt said he has heard of some jurisdictions that are actually doing plan reviews. He said that is not what the requirement was developed for, it was developed for simplicity. Greeley has great water pressure, 72 to 75 psi, for a 400 square foot head you need 12 gallons a minute flow, if they are at 60 psi at the head, it is more than what is required.

Brad asked that if you don't need additional pumps, are they really plumbed as well, do you get stagnant water at the sprinkler head. Wendell said no, you just don't dead end at a head.

Pete mentioned that if we make the best decision, one drawback could be, using smoke alarms as a example, Fire Department gets a lot of calls for smoke alarms, "help me with my smoke alarm, it is beeping, chirping. Change the batteries, fix it". He can imagine there will be some of that with the sprinkler system. "Hey, I broke my sprinkler head, it's flowing, what do I do?" or "I broke my head, I shut it off and drained my system, what do I do now?" Those situations could be obstacles. Matt said it would be no different that breaking a stop on your toilet, a line on your ice maker, to your dishwasher. Matt said that there is a house on 13th Avenue and 11th Street that GURA built many years ago, and they put in a P2904 system as a test, there has been no problems with it. Tim said there is a tri-plex down on 11th Avenue and 3rd Street that has the P2904 system in it, no problems there. Matt said that there is a duplex that is splitting into a four-plex, that is putting in the P2904 system, instead of a NFPA 13R, which

then could be shut off.

Pete said he had a little data to provide, that deaths in a fire sprinkled building are incredibly uncommon, however, he had seen one in Greeley, but it was a smoker, using oxygen, had inhaled the flames.

Brad said he didn't understand what they were being asked to do.

Tim stated that he was merely pointing out that there is an amendment in the code right now so as to not require sprinklers in one and two-family dwellings. Does the Board want to keep that amendment, or take the amendment out, so as to return to the base code requirement for sprinklers in one and two-family dwellings? Andy clarified that they are in basements now, and we are talking about upstairs now. Pete added that it is currently just unfinished basements. Matt added that it is only for engineered lumber.

Andy asked again how many houses have burned down with sprinklers in the basement. How many houses burn down now that are new. There is no more aluminum wire, metal boxes. Pete said Andy was right, they don't have a rash of fires. Smoke detectors, human behaviors have significantly reduced the number of fires. Andy asked if most of the fires would be mechanical room and kitchen? Pete responded cooking fires and smoking are the two biggest causes.

Tim said that basically the conversation is do we just move along and leave it alone, or do we take the amendment out, and require residential fire sprinklers?

Wendell said that he is always in favor of adopting the code the way it reads. Tim said that his argument is that it did effect the City's ISO/BCEGS rating.

Pete said he didn't know if the Board would take into consideration whether the building industry is ready for this. Tim said he thought that was what this conversation was about. Don said it has been hanging out there for years. Wendell said they have had nine years to get ready for it, that it has been in the code. Tim said that he would tell them that with the action they took on the energy code, if the Board opted to remove the amendment, and require sprinklers, he would pull the adoption date of January 1st back, and give some time from training and education, because there will be phone calls, and pushback, which he is fine with.

Don asked phone calls to whom. Tim replied that it would be contractors calling Council members, and the City Manager, that then it would make its way down to him.

Brad want to clarify that we are talking about only new construction. Tim said yes, and it would be the same with the energy code, that they do not require retroactive or remodels. Pete said that if it were a case of splitting a single family into a duplex, then yes, we would require that to be fire sprinklered. Tim said that if you put a master bedroom addition on, no you would not have to sprinkler that.

Brad wanted to know why it was only the basement right now. Tim explained it was lightweight framing protection. I-joint webs burn out quickly and leave the floor diaphragm hanging in suspension, and then firefighters would walk out on the floor and it would collapse. Which did happen to a couple, which was the driving force for whole house sprinklering in the code.

Gene said contrary to his argument about the cost, we do have an aging population. 25% of the population will be over 65 by 2030, and we have a responsibility, code wise, to protect them, so in that regard he would be in favor of the sprinklers. As the population ages, there becomes mobility issues, and with the sprinklers that will give them more time to get out of the house.

Don said that we are talking about any home, and it is a life safety issue, and that he would be in favor of removing the amendment and require sprinklers. Gene said again he would be for removing the amendment. Brad asked if anyone at the table was fighting for it. Andy said if there was any data. Matt said that he could provide data about fuel loads.

Pete went to the whiteboard and drew an x-shape on the Board, and starting at the top left, said that was 30-40-50 years ago, that was the number of fires, and the bottom right, was the number of deaths. So, lots of fires, not a lot of deaths. Wool, cotton, wood, the fires burned for 30-40 minutes, and not get raging. Marking the bottom right he said, today number of fires significantly lower. Public awareness, building codes, human behaviors, they have driven the number of fires down, pointing to the top right but the number of death are higher, because today fire is not survivable. Noxious fumes. That black smoke you see today, you didn't see 40 years ago. Plastic is made from petro-chemical products.

Andy said that he gets it, and he doesn't dispute it, he asked if that number was 1 per 100,000, and the old number was 10 per 100,000? Pete said he would have to get those numbers. Andy said that was fine, he just want to know apples to apples. Fires have gone down, if we are talking about intense fires, if there were 50, and there were 20 deaths, and now we are talking about 10 fires and 5 deaths. If they have gone up comparably, or have exceeded the old fire deaths. He just thinks we build differently than we used to.

Gene said on the continuum on the planning basis, is going back to a higher density. We used to see old villages and towns were built very compactly, a house next to a house, next to a house. Then we started building on bigger lots, 10-12,000 square feet. Now lots are less than 6,000, some are 3,000. And now we are building more compact, and we are building up. And now your fire sprinklers are important, very important. Wendell said you only see 10 feet between the houses now.

Andy said he was cool, he's not going to buck it and have someone get hurt.

Steve Gregory asked Pete how many fire death there has been in Greeley in the last 20 years. Pete said off the top of his head, maybe 15, and to be fully transparent, most of those were in mobile homes, which those will never have a fire sprinkler system.

Jim asked if there was not a need for any further discussion, he would entertain a motion. Gene made a motion to remove the amendment, and require fire sprinklers in one and two-family dwellings.

Andy asked what the other jurisdictions are doing. He is building in Fort Collins right now and they do not require it. Wendell said they are hit and miss right now, everybody is going through the same discussion. Tim said he figures around 50%.

Don asked if this was about one and two-family dwelling, or the additional floors. Tim said that it is both, since we are sprinklering basements now, it would be the additional floors. Don said he understood that. It's not that we are suddenly requiring them in one and two-family dwellings, it is the additional cost of going up. Pete said what the proposal would be is when you build a one and two-family dwelling, regardless of finish, you sprinkler it top to bottom.

Don asked if there were tradeoffs for this cost, a break on homeowner's insurance, the duplex separation. Matt said you still need the separation.

Wendell asked if we had a second yet, Jim said no. Wendell seconded the motion. Jim called for a vote, motion did not pass unanimously, Andy Phelps abstained.

Tim stated that as far as any other amendments, they were all amendments previously adopted, other than some editorial, number changes and so forth.

Wendell asked if there were any contractors arguing about the amendment that requires 5/8" Type X drywall under stairs and in garages, from the base code required 1/2" drywall. Tim replied that the amendment had been in since the 2003 adoption in 2004, so builders were used to it.

Brad asked about the language in the administrative section, that changed the language from "penalties" to "punishments", and what was the reason for the language used. Tim replied that he could not say, it is the same language that was used in 2004, that he has carried through in subsequent adoptions. He said that a lot of the language was carried over from the Uniform Code adoptions in the past, that someone

must have thought it was more appropriate.

Jim asked that in the demolition amendments, if there were a requirement for compaction testing of backfill. Tim replied that he thought it was in there, but that he would research it, and if it weren't it would be a good idea to add it in.

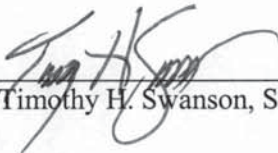
Jim said that was all he had. Gene asked if we needed a motion for the adoption of the amendments as discussed. Tim replied that yes we do.

Gene made a motion to adopt the International Building Code, Residential Code, Existing Building, the Mechanical, Plumbing and Fuel gas Codes, the Energy Code, Property Maintenance Codes, with amendments as discussed. Wendell seconded the motion, the motion was unanimously approved.

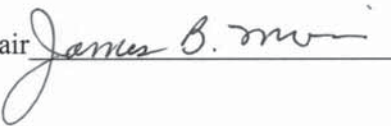
Wendell made a motion to adjourn, it was seconded, the motion was unanimously approved.

V. Adjournment

Meeting adjourned at 1:34 PM



Timothy H. Swanson, Secretary

Jim Morris, Chair 

ATTACHMENT E

Correspondance: Communication & Conversations (Tim Swanson, Chief Building Official)

I called Larry B. from J&J/Journey to advise him of the Construction Trades Advisory and Appeals Board (CTAAB) action with Residential Fire Sprinklers (RFS) & International Energy Conservation Code (IECC), also told him the results of the survey. He stated that the Energy conservation Code would drive prices up, and that the RFS would prevent them from building in Greeley in the future.

6/10-14/2019

7/5/2019 Sent email out to Builder-Realtor Group regarding upcoming timeline for Code Adoption

Email from Craig Valenti, asking about existing commercial roofs, if they would be required to replace to the 2018 IECC requirements.

7/5/2019

Email from Jaime Baessler, Baessler Homes, asking me to add five more of his key staff to the Builder-Realtor list

7/5/2019

Email from Jaime B., asking who the CTTAB members were, and what other communities in CO are doing RFS. I sent him the results of the survey, and the minutes from the June 2019 CTAAB meeting.

7/8/2019

Email from Charlie Atwood, Hartford homes, asking for an appointment for him to come in and discuss email.

7/8/2019

Met with Charlie Atwood and Chuck Hawn from Hartford homes for one hour.

7/9/2019

Barbara Kelzer - 303-886-5675 - GARA - wants to talk about the RFS requirements. Called her back and discussed RFS for 20 minutes.

7/10/2019

Email from Northern Colorado HBA Assistant to the Director, requesting Worksession meeting time and location information, and requested adding the Director and assistant contact info be added to the Builder-Realtor list. Replied with info and added to list.

7/17/2019

7/17/2019 Resent email out to Builder-Realtor Group regarding upcoming timeline for Code Adoption

Received an email from Bob Peterson on behalf of himself, and N. CO Homebuilders speaking against RFS.

7/20/2019

Received an email from Greeley Area Association of Realtors (GARA) stating their opposition to RFS.

7/22/2019

Morgan Kidder, emailed and asked for links to the "studies" that were cited at the Worksession on 7/23. Sent him the link for the Fee Study, and a link for the National Fire Sprinkler Coalition.

7/24/2019

Email from Barbara Koelzer, asking to be notified of open house date, and asking about Council Reading dates. I replied with requested information.

7/24/2019

Morgan wanted the studies about sheltering in place during Sandy. I sent him the links.

7/26/2019

Talked to Phil, a walk-in citizen about sprinkler his idea of the estimated sprinkler cost.

7/29/2019

Received letter via email from Jaime Baessler regarding IECC and RFS.

7/20/2019

Brad Mueller

Subject: FW: City of Greeley updates to the Building Code planned
Attachments: Copy of Copy of SURVEY - 5-2019.xlsx; 11062018 CONSTRUCTION TRADES ADVISORY _ APPEALS BOARD MINUTES.pdf

From: Tim Swanson
Sent: Monday, July 8, 2019 1:45 PM
To: 'Jamie Baessler' <Jamie@baesslerhomes.com>
Subject: RE: City of Greeley updates to the Building Code planned

Hi Jaime,

I have attached the survey I did of other Colorado AHJ's positions on both the Energy Code, and the residential fire sprinkler requirement.

I have also attached the Construction Trades Advisory and Appeals Board's meeting minutes from last November, it lists the Board Members.

Tim Swanson, CBCO, CFCO
Chief Building Official
1100 10th Street Ste 114
Greeley, CO 80631
O-970.350.9853 F-970.350.9844
tim.swanson@greeleygov.com

From: Jamie Baessler <Jamie@baesslerhomes.com>
Sent: Monday, July 08, 2019 1:30 PM
To: Tim Swanson <Tim.Swanson@Greeleygov.com>
Subject: [EXTERNAL] RE: City of Greeley updates to the Building Code planned

Hello Tim,

Two questions for you on this.

1. Who are the members of the Construction Trades Advisory and Appeals Board?
2. To your knowledge, which other communities in northern Colorado are requiring residential sprinklers on single family detached homes currently?

Thanks, Jamie



Jamie Baessler
President & CEO

3780 W 10th Street – Suite 200
Greeley, CO 80634

 970-353-1492

 970-573-5220

 970-539-3232

 Jamie@BaesslerHomes.com

BaesslerHomes.com

Brad Mueller

From: Tim Swanson
Sent: Thursday, July 18, 2019 2:17 PM
To: 'NOCO HBA Office - Front Desk'
Subject: RE: Northern Colorado Home Builders Association

Good Afternoon Julie,

I'm a first name guy, if that is OK.

Here is the meeting information for the Worksession. As you can see, public input is generally not taken at Worksessions.

I will gladly add both of your emails to my Builder-Realtor mailing list.

As was saddened by Greg's passing last year, he was quite active with Greeley meetings. I hope that trend can be started again.

Have a great rest of your week.

Worksessions

Open to the public. Public input is generally not taken at these meetings.

When: 5:00 p.m., 2nd and 4th Tuesdays of every month

Where: Council Chambers at City Center
- 1001 11th Ave, Greeley CO 80631

Tim Swanson, CBCO, CFCO
Chief Building Official
1100 10th Street Ste 114
Greeley, CO 80631
O-970.350.9853 F-970.350.9844
tim.swanson@greeleygov.com

From: NOCO HBA Office - Front Desk <assistant@nocohba.com>
Sent: Thursday, July 18, 2019 1:41 PM
To: Tim Swanson <Tim.Swanson@Greeleygov.com>
Subject: [EXTERNAL] Northern Colorado Home Builders Association

Hello Mr. Swanson,

I am reaching out to you today from the Northern Colorado Home Builders Association about our concerns over the new building codes, we would like to attend the working session next week to discuss these concerns. May I please have the

time and place for the meeting so that I can send it on to my board members? I would also like to be added to your mailing list along with my Executive Officer Nikki Giordano, nikki@nocoeba.com.
I hope you are having a great week and I appreciate all you do for the building community,

Thank you,

Julie Darling-Zarria

Executive Assistant

Northern Colorado Home Builders Association

1907 N Boise Ave, Unit 1 | Loveland, CO 80538

Office: 970-686-2798

Cell: 970-599-6806

www.nocoeba.com

www.nahb.org/ma

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Brad Mueller

Subject: Code Changes

From: Bob Peterson <rbpeterson@Abd-ltd.com>

Sent: Saturday, July 20, 2019 3:25 PM

To: Tim Swanson

Cc: Nikki Giordano; Brandon Myers; doug@buerhomes.com; Jamie@baesslerhomes.com

Subject: [EXTERNAL] Code Changes

Dear Mr. Swanson and others,

I am writing on behalf of not only myself, but of the entire residential building industry in Northern Colorado. My purpose is to express concern over the plan to recommend mandatory fire-sprinklers in all new single family and dual family residences in the City of Greeley.

I am asking that this be re-considered due to several reasons.

For introduction purposes, I am and have been an active builder/remodeler in Northern Colorado since the mid-seventies. So over 40 years. I have worked nationally on code issues and personally testified in front of state and national officials as well as local in support of quality "smart" regulations, but against regulations that needlessly increase housing costs. I know that all builders work hard to build affordable homes, safe homes and to provide for housing for all who desire and need it. There are very few, which you alluded to, local building departments in not only the state, but the nation who have adopted the IRC Sprinkler codes. Many have in minor matters and some fire-districts have required in areas of high fire danger, mountains and un-accessible areas hard to service via conventional fire protection methods.

First, the science used is flawed. It has been proven that what save the lives is actually the already in place requirement for smoke detectors. Smoke detectors in residences are proven to sound and alarm residents of a fire 4-6 minutes prior to fire sprinklers actually being activated.. Of course neither works if either are not properly maintained and kept active. If operable smoke detectors give people the opportunity to evacuate before flames are fully engulfing anything.

Second, Sprinkler systems actually cause more expense in rebuilding due to saturation of entire structures with the water used.

Third, I am at this time building two single family residences in Larimer County which have required, by Fire Districts, residential sprinkler systems being installed. Both systems are costing between \$15,000.00 and \$20,000.00. Both systems created a burden to the home Owners in being able to afford their residence. Neither home owner wanted the system. It makes no sense to any northern Colorado builder to have the City of Greeley, who just recently announced a desire to build, don't remember the number, but I think around 1500 homes over the next few years and immediately make those home even more unaffordable. Very sad since Greeley is one of the last affordable cities in the Northern Colorado front range!

Fourth, As a general contractor, I can cite several incidences locally where fire sprinkler systems have burst, no fire present and caused thousands of \$'s worth of damage to buildings, both commercial and residential single family. That is not only expensive to repair, but have and can develop danger mold levels due to the damage if not fully repaired.

Lastly, to make fire sprinklers efficient, adequate water supply has to be present. Water, a very precious resource in Northern Colorado, is in very short supply. The addition of supply (cistern) tanks and pumps, plus back-up power is a major cost driver in system cost.

I get the argument that lives should be saved, see the first argument. The argument that I do not see in your notes that it saves structure, is week at best. The Insurance industry spends considerable more money in cleaning up and repairing water soaked buildings with tremendous liability of after claims due to mold and other chemical issues, than they do to re-build from fire destruction. Smoke detectors save lives, but admittedly only when residents maintain them. When do people need to be responsible for their safety. Regulations can't save everyone.

Thank you for reading this and taking to heart the affordability of housing in Greeley, Colorado. Most of the other Northern Colorado jurisdictions have not used blanket regulations, only when location and circumstance is a must to make their sprinkler rulings and to help maintain housing affordability.

Sincerely,

Bob D. Peterson

Bob Peterson, GMR, CAPS, CGP
President



NAHB 2007 National Remodeler of the Year

2008 Colorado Builder of the Year

2009 Northern Colorado Remodeler of the Year

2011 Chairman of National Association of Home Builders

2013/2014 Colorado State Representative on HBA Board

2014 HBA Northern Colorado Chairman of the Board

2015-16 NAHB National Area Chairman

4803 Innovation Dr, Suite 1, Ft Collins, CO 80525

ph 970.225.2323, www.abd-ltd.com

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Brad Mueller

From: Tim Swanson
Sent: Monday, July 22, 2019 2:23 PM
To: Brad Mueller
Subject: FW: Greeley Area REALTOR Association Comments on the 2018 IRC Code Amendments

FYI

Tim Swanson, CBCO, CFCO
Chief Building Official
1100 10th Street Ste 114
Greeley, CO 80631
O-970.350.9853 F-970.350.9844
tim.swanson@greeleygov.com

From: Barbara Koelzer <barbara@ires-net.com>
Sent: Monday, July 22, 2019 1:24 PM
To: Tim Swanson <Tim.Swanson@Greeleygov.com>
Cc: Brad Mueller <Brad.Mueller@Greeleygov.com>; Roy Otto <Roy.Otto@Greeleygov.com>; John D. Gates <John.Gates@Greeleygov.com>; Benjamin Snow <Benjamin.Snow@Greeleygov.com>; Julie Jensen <juliejensengara@gmail.com>
Subject: Greeley Area REALTOR Association Comments on the 2018 IRC Code Amendments

Please see the letter (below) from the Greeley Area REALTOR Association. Feel free to contact me if you have any questions.

Barbara Koelzer

Regional Government Affairs Director
303.886.5675
[@NoCoGovtAffairs](https://twitter.com/NoCoGovtAffairs) 



*"Information is the currency of democracy."
Thomas Jefferson*

Tim Swanson
Chief Building Official
City of Greeley
Via Email

Dear Tim,

We really appreciate the advance warning that the City of Greeley's Construction Trades Advisory and Appeals Board (CTABB) is recommending that the City adopt the 2018 International Residential Code (IRC) with the provision requiring interior sprinklers for all new single-family and duplex homes. We understand this will be discussed at a work session on July 23 and that the IRC will be adopting during a public hearing process beginning on August 6.

The Greeley Area REALTOR® Association, which includes members who specialize in selling new construction, strongly opposes this particular provision of the 2018 IRC. We agree that safety is vitally important, but we feel interior sprinklers are unnecessary and will only make new homes more expensive at a time when new residential construction is already going up in cost.

While the sprinkler requirement has been in the model code since 2009, Greeley has deleted that provision in its code updates for the last decade. Other major cities in Northern Colorado such as Fort Collins and Loveland also do not require sprinklers for single-family homes and we do not believe it is in Greeley's best interest to be the first large city in our region to do so.

You've estimated the cost of adding the sprinklers to be \$1.35 per square foot at a minimum, or \$3,375 for a 2,500 square foot home. That is a significant increase in cost that would be borne by homebuyers. We are concerned that the actual cost could easily be more, meaning the actual price consumers will pay will be higher than \$1.35 per square foot.

Our members are concerned that the sprinklers will not add value for homeowners and they will consider buying a new home in another Northern Colorado community at a lower price. Now is not the time to add yet another expense to the cost of new construction when it is already difficult to attract the residential development Greeley once enjoyed.

You mentioned that as part of your research, you surveyed over 60 jurisdictions in our state. Only six to eight require sprinklers now, included Cherry Hills and Aspen. Perhaps buyers in those towns would not see an additional cost of \$3,375 as a deal breaker but we assure you that Greeley homebuyers would.

There are other ways to ensure new homes are safe. We encourage the City to delete the sprinkler provision.

Sincerely,

Liberty Gerold

Liberty Gerold, Chair
Greeley Area REALTOR® Association

From PHILTAYLOR, 7/23/19

2019 National Construction Estimator – 67th Edition

Includes inside the back cover:

Inside the back cover of this book you'll find a software download certificate. To access the download, follow the instructions printed there. The download includes the National Estimator, an easy-to-use estimating program with all the cost estimates in this book. The software will run on PCs using Windows XP, Vista, 7, 8 or 10 operating systems.

Quarterly price updates on the Web are free and automatic all during 2019. You'll be prompted when it's time to collect the next update. A connection to the Web is required.

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Edited by
Richard Pray

Craftsman Book Company
6058 Corte del Cedro / Carlsbad, CA 92011

Greeley is at 105% of national average
of \$ 2.16/sf * 105% = \$ 2.27/sf direct
cost or extra \$4536 for 2000 SF House
The sub marks up his costs 25% making
his contract at \$5675 per house.

The builder marks up the sub at
least 25% for finance, sales, overhead
& profit.

The total cost to consumer will be at
least \$ 7,053 or \$ 3.55/sf

Contents

How to Use This Book	3-5
Abbreviations and Symbols	6
Craft Codes and Crews	7-9
Residential Division Labor Cost	10
Adjusting Labor Costs	11
Area Modification Factors	12-15
Credits and Acknowledgments	16
Residential Division	17-304
Adhesives	17
Basement doors	23
Building permit fees	28
Cabinets, kitchen	29
Carpentry, rule of thumb	32
Carpentry, assemblies	33
Carpentry, piecework rates	37
Carpentry, detailed breakdown	39
Carpentry, finish work	52
Carpentry, steel	57
Ceilings, suspended	79
Concrete work	84
Decking	98
Demolition	100
Doors, jambs, frames, and trim	105
Electrical work, subcontract	127
Elevators and lifts, subcontract	133
Excavation and backfill	135
Fences	142
Fire sprinkler systems	150
Flooring	153
Framing connectors	159
Garage doors	164
Glass, glazing	166
Gutters and downspouts	167
Gypsum drywall and accessories	168
Hardware	169
Heating and cooling	172
Insulation	181
Insurance and bonding	185
Landscaping	187
Lighting fixtures	190
Log home construction	192
Lumber and plywood	194
Markup (Overhead and Profit)	208
Masonry	209
Moldings	222
Paint removal	233
Paints, coatings, and supplies	234
Paneling	242
Paving	243
Plastering	244
Plumbing fixtures and equipment	245
Plumbing and heating piping	251

Siding	274
Skylights	277
Stairs	281
Taxes, Payroll	285
Tile	287
Wallcoverings	293
Windows	297
Construction Economics Division	307
Industrial & Commercial Division Labor Cost	309
Industrial & Commercial Division	310-639
General Requirements 1	310-332
Existing Conditions 2	332-338
Concrete 3	338-371
Concrete formwork	339
Reinforcing steel	346
Foundations	361
Masonry 4	371-382
Reinforcing and flashing	372
Brick and block walls	373
Metals 5	383-389
Structural steel	383
Steel floor and roof decking	384
Wood and Composites 6	389-397
Framing carpentry	389
Thermal & Moisture Protection 7	397-412
Thermal insulation	398
Roof insulation	399
Membrane roofing	401
Openings 8	412-423
Metal doors	412
Hardware	420
Finishes 9	423-440
Gypsum wallboard	423
Ceilings and flooring	429
Specialties 10	440-449
Partitions	443
Equipment 11	449-470
Furnishings 12	470-475
Special Construction 13	475-488
Conveying Equipment 14	488-491
Fire Suppression 21	491-493
Plumbing 22	494-535
Pipe and fittings	494
Hangers and supports	516
Valves, pumps, gauges	519
HVAC 23	535-541
Gas fired heaters	535
Hydronic & steam heating	537
Electrical 26	541-588
Rigid steel conduit and wire	543
EMT conduit and wire	546
PVC conduit and wire	551
Conduit supports & hangers	554
Wire and cable	557

Earthwork 31	594-609
Excavation and backfill	597
Shoring, bulkheads, piles	605
Exterior Improvements 32	609-626
Paving and curbs	609
Fencing and gates	617
Utilities 33	626-639
Pressure water pipe	628
Drain pipe	630
Index	640

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**Silt fence, black 6 mil poly with stakes 8' OC, staked and buried 9" deep
3' high, 100 LF roll**

BL@.030	LF	0.34	0.98	1.32
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Fiberglass and Polycarbonate Panels Nailed or screwed onto wood frame.

Corrugated polycarbonate, 8', 10', 12' panels, 2-1/2" corrugations, standard colors. Costs include 10% loss for coverage and waste.

Polycarbonate, 26" wide, gray or white	BC@.012	SF	1.52	0.48	2.01
Polycarbonate, 26" wide, clear	BC@.012	SF	1.52	0.48	2.01
PVC, 26" wide panels	BC@.012	SF	1.04	0.48	1.52

Corrugated fiberglass, 8', 10', 12' panels, 2-1/2" corrugations, standard colors. Costs include 10% loss for coverage and waste.

Polycarbonate, 26" wide, gray or white	BC@.012	SF	2.51	0.48	2.99
Polycarbonate, 26" wide, clear	BC@.012	SF	2.51	0.48	2.99

Flat panels, clear, green or white

.06" flat sheets, 4' x 8', 10', 12'	BC@.012	SF	3.55	0.48	4.03
.03" rolls, 24", 36", 48" x 50'	BC@.012	SF	3.02	0.48	3.51
.037" rolls, 24", 36", 48" x 50'	BC@.012	SF	2.61	0.48	3.10

Accessories

Nails, ring shank with rubber washer, 1-3/4" (labor included with panels)

100 per box (covers 130 SF)	-@.000	CSF	3.99	-	3.99
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Self-tapping screws, 1-1/4", rust-proof (labor included with panels)

100 per box (covers 130 SF)	-@.000	CSF	4.90	-	4.90
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Horizontal closure strips, corrugated (labor included with panels)

Molded plastic, 3/4" x 1-1/4"	-@.000	LF	0.55	-	0.55
Wood, 3/4" x 13/16"	-@.000	LF	0.38	-	0.38
Poly-foam, 15/16" x 3/4"	-@.000	LF	0.61	-	0.61
Rubber, 1" x 1"	-@.000	LF	0.53	-	0.53

Vertical crown molding

Redwood, 1-1/2" x 1" or poly-foam, 1" x 1"	-@.000	LF	0.38	-	0.38
Rubber, 1" x 1"	-@.000	LF	0.98	-	0.98

Ridge cap, covers the joint where panels meet at the roof peak

Polycarbonate, 48" long	-@.000	LF	6.01	-	6.01
-------------------------	--------	----	------	---	------

Ornamental Iron, Railings and Fence, Subcontract Typical prices, fabricated, delivered and installed.

Handrail, 1-1/2" x 1" rectangular top rail tubing, 1" square bottom rail tubing,

1/2" square pickets with 5-1/2" space between					
36" high railing for single family dwelling	-@.000	LF	-	-	42.37
42" high apartment style railing	-@.000	LF	-	-	33.75
Add for inclined runs	-@.000	LF	-	-	7.78

Pool fence

5' high, 4-1/2" centers	-@.000	LF	-	-	42.37
Add for gate, with self-closer and latch	-@.000	LS	-	-	199.07

Fire Sprinkler Systems, Subcontract Systems installed in new residences not over four stories high in accord with NFPA 13D and 13R. Includes hydraulic design, typical permits and tap fees (\$350), connection to a domestic water line, exposed riser with shut-off and drain valves, flow switch, alarm, backflow preventer and inspection of the completed system. Using CPVC or PEX concealed pipe and residential sprinkler heads. Per SF of protected area, including closets, attached garage, attic and basement when required. For scheduling purposes, estimate that a crew of 2 can install the rough-in piping for 1,500 to 1,600 SF of protected area in an 8-hour day and about the same amount of finish work in another 8-hour day.

Fabricate, install, and test system

Single residence with basement	--@.000	SF	--	2.16
Tract work or multi-family residence	--@.000	SF	--	1.84
Add if copper pipe is required	--@.000	SF	--	2.16
Add if a booster pump is required (well water)	--@.000	LS	--	3,725.89

2019 Residential Hourly Labor & SF Craftsman Costs Greeley, CO 806

Date Prepared: July 21, 2019

Date Revised:

Craft	Area	Base Wage	Taxable	Insurance &	Insurance &	Non-taxable	Total Hour	Location	Daily Cost	Travel	Total	Total	Subcont.
	Region - 806	per hour	Benefits	Emp. Taxes	Emp. Taxes	Benefits	Cost	Factor		Allowance	Daily	Hourly	Markup
			5.49%	%	\$	4.85%		108%	8				1.2469
Bricklayer		\$ 27.48	\$ 1.51	25.06%	\$ 7.26	\$ 1.33	\$ 37.59	\$ 40.59	\$ 325	\$ -	\$ 325	\$ 40.59	\$ 50.62
Bricklayer Helper		\$ 20.36	\$ 1.12	25.06%	\$ 5.10	\$ 0.99	\$ 27.57	\$ 29.77	\$ 238	\$ -	\$ 238	\$ 29.77	\$ 37.12
Building Laborer		\$ 20.78	\$ 1.14	32.27%	\$ 6.71	\$ 1.01	\$ 29.63	\$ 32.01	\$ 256	\$ -	\$ 256	\$ 32.01	\$ 39.91
Carpenter		\$ 25.85	\$ 1.42	31.17%	\$ 8.06	\$ 1.25	\$ 36.58	\$ 39.51	\$ 316	\$ -	\$ 316	\$ 39.51	\$ 49.26
Cement Mason		\$ 26.13	\$ 1.43	22.97%	\$ 6.00	\$ 1.27	\$ 34.83	\$ 37.62	\$ 301	\$ -	\$ 301	\$ 37.62	\$ 46.91
Drywall Installer		\$ 26.74	\$ 1.47	23.32%	\$ 6.24	\$ 1.30	\$ 35.74	\$ 38.60	\$ 309	\$ -	\$ 309	\$ 38.60	\$ 48.13
Drywall Taper		\$ 26.69	\$ 1.47	23.32%	\$ 6.22	\$ 1.29	\$ 35.67	\$ 38.53	\$ 308	\$ -	\$ 308	\$ 38.53	\$ 48.04
Electrician		\$ 30.65	\$ 1.68	19.71%	\$ 6.04	\$ 1.49	\$ 39.86	\$ 43.05	\$ 344	\$ -	\$ 344	\$ 43.05	\$ 53.68
Floor layer		\$ 25.08	\$ 1.38	23.61%	\$ 5.92	\$ 1.22	\$ 33.59	\$ 36.28	\$ 290	\$ -	\$ 290	\$ 36.28	\$ 45.24
Glazier		\$ 26.08	\$ 1.43	25.47%	\$ 6.64	\$ 1.26	\$ 35.42	\$ 38.25	\$ 306	\$ -	\$ 306	\$ 38.25	\$ 47.70
Lather		\$ 26.83	\$ 1.47	21.12%	\$ 5.67	\$ 1.30	\$ 35.27	\$ 38.09	\$ 305	\$ -	\$ 305	\$ 38.09	\$ 47.50
Marble Setter		\$ 24.80	\$ 1.36	21.20%	\$ 5.26	\$ 1.20	\$ 32.62	\$ 35.23	\$ 282	\$ -	\$ 282	\$ 35.23	\$ 43.93
Millwright		\$ 26.29	\$ 1.44	23.95%	\$ 6.30	\$ 1.28	\$ 35.30	\$ 38.13	\$ 305	\$ -	\$ 305	\$ 38.13	\$ 47.54
Mosaic & Terrazzo Worker		\$ 26.35	\$ 1.45	24.65%	\$ 6.50	\$ 1.28	\$ 35.57	\$ 38.42	\$ 307	\$ -	\$ 307	\$ 38.42	\$ 47.90
Operating Engineer		\$ 30.93	\$ 1.70	28.21%	\$ 8.73	\$ 1.50	\$ 42.85	\$ 46.28	\$ 370	\$ -	\$ 370	\$ 46.28	\$ 57.71
Painter		\$ 27.74	\$ 1.52	28.21%	\$ 7.83	\$ 1.35	\$ 38.43	\$ 41.51	\$ 332	\$ -	\$ 332	\$ 41.51	\$ 51.76
Plaster		\$ 26.46	\$ 1.45	24.08%	\$ 6.37	\$ 1.28	\$ 35.57	\$ 38.41	\$ 307	\$ -	\$ 307	\$ 38.41	\$ 47.90
Plaster Helper		\$ 20.76	\$ 1.14	2.27%	\$ 0.47	\$ 1.01	\$ 23.38	\$ 25.25	\$ 202	\$ -	\$ 202	\$ 25.25	\$ 31.48
Plumber		\$ 31.69	\$ 1.74	43.34%	\$ 13.73	\$ 1.54	\$ 48.70	\$ 52.60	\$ 421	\$ -	\$ 421	\$ 52.60	\$ 65.58
Reinforcing Ironworker		\$ 27.78	\$ 1.53	25.74%	\$ 7.15	\$ 1.35	\$ 37.80	\$ 40.83	\$ 327	\$ -	\$ 327	\$ 40.83	\$ 50.91
Roofer		\$ 26.45	\$ 1.45	43.34%	\$ 11.46	\$ 1.28	\$ 40.65	\$ 43.90	\$ 351	\$ -	\$ 351	\$ 43.90	\$ 54.74
Sheet Metal Worker		\$ 30.34	\$ 1.67	25.74%	\$ 7.81	\$ 1.47	\$ 41.29	\$ 44.59	\$ 357	\$ -	\$ 357	\$ 44.59	\$ 55.60
Sprinkler Fitter		\$ 31.14	\$ 1.71	24.86%	\$ 7.74	\$ 1.51	\$ 42.10	\$ 45.47	\$ 364	\$ -	\$ 364	\$ 45.47	\$ 56.70
Tile Layer		\$ 26.59	\$ 1.46	21.20%	\$ 5.64	\$ 1.29	\$ 34.98	\$ 37.77	\$ 302	\$ -	\$ 302	\$ 37.77	\$ 47.10
Truck Driver		\$ 22.37	\$ 1.23	25.95%	\$ 5.81	\$ 1.08	\$ 30.49	\$ 32.93	\$ 263	\$ -	\$ 263	\$ 32.93	\$ 41.06
Average		\$ 26.49	\$ 1.45		\$ 6.83	\$ 1.28	\$ 36.06	\$ 38.94	\$ 311.56	\$ -	\$ 311.56	\$ 38.94	\$ 48.56

Travel	Week	Day
Room - 2 men - 4 nights	\$ -	\$ -
Meals	\$ -	\$ -
Driving Cost - 2 men - 120 miles	\$ -	\$ -
Driving Time - 4 hours @ \$30/hr.	\$ -	\$ -
Total	\$ -	\$ -

Regional Locational Factors

Area	Material	Labor	Equipment	Average
Region - Denver, CO 802	103%	113%	101%	108%

Region - Greeley, CO 806	103%	108%	101%	105%
Region - Winter Park, CO 80482	104%	108%	102%	123%
Region - San Diego, CA 919-921	103%	113%	101%	108%

Single Family Home Costs

Item	Manpower	% of Total	Unit	Material	Labor	Equipment	Total per SF	Total - 1600 SF house
Excavation	3 men 2 days	1.2	SF		\$ 1.13	\$ 0.37	\$ 1.50	\$ 2,400
Foundation, slab piers	3 men 4 days	3.7	SF	\$ 1.85	\$ 2.32	\$ 0.46	\$ 4.63	\$ 7,408
Flatwork (drive and walk)	3 men 3 days	2.4	SF	\$ 1.20	\$ 1.50	\$ 0.30	\$ 3.00	\$ 4,800
Brick heath and veneer	2 men 1 day	0.7	SF	\$ 0.35	\$ 0.44	\$ 0.09	\$ 0.88	\$ 1,408
Rough hardware		0.6	SF	\$ 0.30	\$ 0.38	\$ 0.07	\$ 0.75	\$ 1,200
Finish hardware		0.2	SF	\$ 0.15	\$ 0.10		\$ 0.25	\$ 400
Rough lumber		6.4	SF	\$ 8.00			\$ 8.00	\$ 12,800
Finish lumber		0.5	SF	\$ 0.63			\$ 0.63	\$ 1,008
Rough carpentry labor	2 men 20 days	8.9	SF		\$ 11.13		\$ 11.13	\$ 17,808
Finish carpentry labor	1 man 7 days	1.7	SF		\$ 2.13		\$ 2.13	\$ 3,408
Countertops	1 man 2 days	1.5	SF	\$ 1.13	\$ 0.75		\$ 1.88	\$ 3,008
Cabinets	2 men 2 days	3.7	SF	\$ 3.70	\$ 0.93		\$ 4.63	\$ 7,408
Insulation (R 19 ceiling)	1 man 3 days	2.3	SF	\$ 1.87	\$ 1.01		\$ 2.88	\$ 4,608
Roofing	4 men 3 days	5.5	SF	\$ 4.13	\$ 2.75		\$ 6.88	\$ 11,008
Painting	2 men 3 days	3.6	SF	\$ 1.58	\$ 2.92		\$ 4.50	\$ 7,200
Shower and tub enclosure	1 man 1 day	0.5	SF	\$ 0.38	\$ 0.25		\$ 0.63	\$ 1,008
Prefabricated fireplace	1 man 1 day	0.9	SF	\$ 0.85	\$ 0.23	\$ 0.05	\$ 1.13	\$ 1,808
Bath accessories	1 man 1 day	0.7	SF	\$ 0.59	\$ 0.29		\$ 0.88	\$ 1,408
Build-in appliances	1 man 1 day	1.6	SF	\$ 1.80	\$ 0.20		\$ 2.00	\$ 3,200
Heating and ducting	5 men 5 days	2.9	SF	\$ 1.45	\$ 2.18		\$ 3.63	\$ 5,808
Plumbing and sewer connection	3 men 5 days	7.3	SF	\$ 3.65	\$ 4.57	\$ 0.91	\$ 9.13	\$ 14,608
Doors	2 men 2 days	1.9	SF	\$ 1.55	\$ 0.83		\$ 2.38	\$ 3,808
Garage door	1 man 1 day	0.4	SF	\$ 0.38	\$ 0.12		\$ 0.50	\$ 800
Auum. Windows, door	1 man 2 days	1.2	SF	\$ 0.90	\$ 0.60		\$ 1.50	\$ 2,400
Exterior stucco	3 men 3 days	6.4	SF	\$ 5.20	\$ 2.40	\$ 0.40	\$ 8.00	\$ 12,800
Gypsum wallbosrd	2 men 6 days	4.7	SF	\$ 2.63	\$ 3.25		\$ 5.88	\$ 9,408
Resilent flooring	1 man 1 day	2.0	SF	\$ 1.18	\$ 1.32		\$ 2.50	\$ 4,000
Carpeting	2 men 1 day	2.4	SF	\$ 2.40	\$ 0.60		\$ 3.00	\$ 4,800
Wiring (Romex)	1 man 10 days	3.2	SF	\$ 1.60	\$ 2.40		\$ 4.00	\$ 6,400
Lighting fixtures		1.2	SF	\$ 1.20	\$ 0.30		\$ 1.50	\$ 2,400
Subtotal: Direct Job Costs		80.2	SF	\$ 50.65	\$ 47.03	\$ 2.65	\$ 100.33	\$ 160,528

These cost are for a good quality single famuly residence \: 1600 SF ranch non-tract 3 bedroom, 1 3/4 bath plus attached two car (450SF) garage. Cost assume a conventional floor, stucco exterior, wallboard interior, shinkle roof, single fireplace, forced air heating, copper water supply, ABS drain lines, range with double oven, garbage disposal, dishwasher and 100 SF of concrete work

These costs are for a good quality 1600 SF home in suburban area with no basement, builder overhead and profit, 450 SF garage. The cost of a finish basement will be approximately 30% of the square foot cost for the living area.

If the garage area is more or less of 450 SF, use 50% adjustment of living area for smaller or larger garage.

Construction Cost Adjustment

Item	Factor	Percent	Unit	Material	Labor	Equipment	Total per SF	Total - 1600 SF house
Subtotal: Direct Job Costs		80.2	SF	\$ 50.65	\$ 47.03	\$ 2.65	\$ 100.33	\$ 160,528
Regional Adjustments				104%	108%	102%		
Subtotal: Region Direct Job Costs				\$ 52.68	\$ 50.79	\$ 2.70	\$ 106.17	\$ 169,874
Add for 1800 Sf house (better quality)		4.0						
Add for 2000 Sf house (better quality)		3.0						
Deduct for over 2400 SF house		3.0						
Add for split level house		3.0						
Add for 3 story house		10.0						
Add for basement								
Add for garage								
Add for masonry construction		9.0						
Add for Type II A and B								
Add for Type III A and B								
Add for Type VA and VB								
Subtotal: Region Direct Job Costs				\$ 52.68	\$ 50.79	\$ 2.70	\$ 106.17	

Construction Costs for Subcontractors

Item	Percent
Excavation	1.2
Flatwork (drive and walk)	2.4
Foundation, slab piers	3.7
Brick heath and veneer	0.7
Rough hardware	0.6
Finish hardware	0.2
Rough lumber	6.4
Finish lumber	0.5
Rough carpentry labor	8.9
Finish carpentry labor	1.7
Countertops	1.5
Cabinets	3.7
Insulation (R 19 ceiling)	2.3
Roofing	5.5
Painting	3.6
Shower and tub enclosure	0.5
Prefabricated fireplace	0.9
Bath accessories	0.7
Build-in appliances	1.6

Heating and ducting	2.9
Plumbing and sewer connection	7.3
Doors	1.9
Garage door	0.4
Auum. Windows, door	1.2
Exterior stucco	6.4
Gypsum wallbosrd	4.7
Resilent flooring	2
Carpeting	2.4
Wiring (Romex)	3.2
Lighting fixtures	1.2
Subtotal - Direct Labor	80.2
Insurance, payroll tax	4.8
Plans and specs.	0.4
Permits and utilities	1.7
Final cleanup	0.4
Overhead and profit	12.5
Subtotal - Subcontractor Markup	19.8

Brad Mueller

From: Tim Swanson
Sent: Friday, July 26, 2019 4:58 PM
To: Brad Mueller
Subject: Fw: City Council Work Session

FYI

From: Tim Swanson
Sent: Friday, July 26, 2019 4:55 PM
To: Morgan Kidder
Cc: Larry Buckendorf; Scott McDonald
Subject: Re: City Council Work Session

<https://aceee.org/files/proceedings/2014/data/papers/1-439.pdf>

<http://www.swenergy.org/energy-codes-are-life-safety-codes>

From: Morgan Kidder <Morgan@crow-creek.com>
Sent: Friday, July 26, 2019 10:35 AM
To: Tim Swanson
Cc: Larry Buckendorf; Scott McDonald
Subject: [EXTERNAL] RE: City Council Work Session

Tim,

You mentioned a study about Energy efficient houses during hurricane sandy allowing the home owners to stay longer.

Sincerely

Morgan Kidder
Project Manager
Journey Homes, LLC
7251 W. 20th Street, L-200
Greeley, CO 80634
(970) 352-7072 (o)
(970) 330-5357 (f)
(970) 397-9882 (c)

From: Tim Swanson [mailto:Tim.Swanson@Greeleygov.com]
Sent: Wednesday, July 24, 2019 9:35 AM
To: Morgan Kidder
Cc: Larry Buckendorf; Scott McDonald
Subject: RE: City Council Work Session

This was the study.

<http://homefiresprinkler.org/wp-content/uploads/2016/05/HomeFireSprinklerCostAssessment2013.pdf>

I don't recall another "study", I did cite that the information in the PowerPoint came from Home Fire Sprinkler Coalition.

<https://homefiresprinkler.org/home-fire-sprinkler-coalition/>

Tim Swanson, CBCO, CFCO
Chief Building Official
1100 10th Street Ste 114
Greeley, CO 80631
O-970.350.9853 F-970.350.9844
tim.swanson@greeleygov.com

From: Morgan Kidder <Morgan@crow-creek.com>
Sent: Wednesday, July 24, 2019 9:24 AM
To: Tim Swanson <Tim.Swanson@Greeleygov.com>
Cc: Larry Buckendorf <Larry@journeyhomes.com>; Scott McDonald <Scott@journeyhomes.com>
Subject: [EXTERNAL] City Council Work Session

Tim,

Can you send me the 2 studies that were mentioned during last night's City Council work session.

Sincerely

Morgan Kidder
Project Manager
Journey Homes, LLC
7251 W. 20th Street, L-200
Greeley, CO 80634
(970) 352-7072 (o)
(970) 330-5357 (f)
(970) 397-9882 (c)

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Brad Mueller

Subject: FW: [EXTERNAL] RE: Building Inspection Open House Meeting, 8/1/19

From: Tim Swanson
Sent: Friday, July 26, 2019 9:58 AM
To: 'Robert Coon' <Rcoon.business@comcast.net>
Subject: RE: [EXTERNAL] RE: Building Inspection Open House Meeting, 8/1/19

Hi Robert,

Thanks for the reply.

Yes, I do know how you feel about the IECC, new State law will require we move to the 2012 at the minimum.

Thanks for the feedback on the RFS.

Good luck with the Berthoud project!

Tim

From: Robert Coon <Rcoon.business@comcast.net>
Sent: Friday, July 26, 2019 9:54 AM
To: Tim Swanson <Tim.Swanson@Greeleygov.com>
Subject: [EXTERNAL] RE: Building Inspection Open House Meeting, 8/1/19

Tim,
I won't be able to make the open house. I'm managing a jobsite in Berthoud and it's been a handful.

Thanks for the invite though.

I don't have any concerns about residential sprinklers and you already know my opinion on adopting the latest version of the Energy Code.

Thanks.

Robert Coon

"Managing Success"
RCC
CONSTRUCTION
(970)-590-2203
www.RCCconstructionCO.com

July 30, 2019

Greeley City Council
1001 11th Ave
Greeley, CO 80631

Via US Mail and email
Brad.Mueller@GreeleyGov.com

Hello Councilmembers,

I wanted to take a few minutes to say thank you to each of you for the creation of the Greeley Strategic Housing Plan. It is very encouraging to see this level of understanding of the critical need for housing for all members of our community along with a public commitment to see this to reality. As we all know, shelter is one of the essentials for survival, but I believe you want more than just survival for the residents of the City of Greeley. I believe you would like to see all residents thriving within the City of Greeley, as do I.

As a board member of the Boys and Girls Club of Weld County, I have been able to witness some of the struggles that the residents of Greeley endure day in and day out, specifically with some of the youngest residents of our city. Poor housing situations are a significant factor in a child's struggles to learn and develop life skills.

I think we can all agree that the lack of affordable housing is one of the top three most significant issues affecting the residents of the City of Greeley, if not the most significant. This again is why we are so thankful for the time and effort that city staff and you, the councilmembers, have put into the Greeley Strategic Housing Plan in a dedicated effort to address this issue and bring over 5,500 new homes to Greeley over the next 5 years.

Our Baessler Homes team has thoroughly reviewed this plan and have met with several members of the City of Greeley staff regarding it. We have been discussing numerous ways to move this plan forward to meet the housing needs of the residents of the Greeley. Our conversations have primarily focused on the tremendous need for affordable housing and the need for a collaborative effort from three stakeholder groups to effectively move this plan forward. These stakeholders are developers, homebuilders and city staff.

As homebuilders, we have been pursuing new, innovative homes and processes to more efficiently and cost effectively create new housing in Greeley. We have recently launched a new single family detached home product that starts at \$260,000. Additionally, we have some townhome style homes that will start at \$225,000. Both product lines are well below the median home price in Greeley and will open up new opportunities for home ownership for many residents.

We are working with developers on some new development processes, specifications and community designs that will allow us to reduce the costs of developing homesites. By creating more affordable homesites it will allow us to further reduce the cost of housing within the City of Greeley.

We are also working with the City of Greeley Staff to determine specific areas of the development and homebuilding process, codes, guidelines and fees to find more economical and efficient ways to provide housing to the residents of Greeley. City staff has been very helpful, and we are currently developing a top 10 list of areas where we can work together to reduce the overall cost of bringing new housing units to Greeley.

For the Greeley Strategic Housing Plan to be realized, participation from homebuilders and developers will be very important but it is critical that this is lead by the City of Greeley. You, the councilmembers, along with city staff must continue to drive this by updating and implementing policy that takes steps to reduce costs wherever

possible as a priority. We will be sure we make ourselves available to help the city determine the best possible solutions to housing issues without increasing the cost of housing.

Currently, there are two proposals that have been placed in front of the City Council for consideration. The first one is the recommendation to adopt the 2018 Energy Code. There are many elements of this code that we believe are good for the residents of Greeley as it will increase the energy efficiency and reduce the costs for each family to live in each home over the course of time.

It is important to know that this change will increase the cost of new homes from \$2,000 to \$5,000 per home if the code is adopted without any amendments. However, we believe that with one minor amendment the City of Greeley could reduce the cost implications of the energy code by approximately \$600 per home. The suggestion is as follows:

1. Do not require energy certifications (blower door test and certificate) for every new home built. Instead, allow the Building Department to require certifications on up to every 10th home completed by the builder.

Note: This would be at the discretion of the building department based on the builder's performance.

With this change, you will have implemented the most important aspects of the 2018 Energy Code but will have minimized the administrative costs involved with this code. This would be a tremendous win/win for the residents of Greeley and the City as it would (1) reduce the living costs of a new home and (2) minimize the cost increases to build a new home, keeping housing in Greeley as affordable as possible in alignment with the Greeley Strategic Housing Plan.

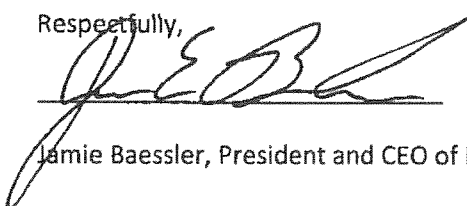
The second proposal being requested is the potential removal of the existing Greeley amendment to the standard International Residential Code (IRC) that currently deletes the requirement for whole-house residential fire sprinklers in one and two-family dwellings. Should this existing amendment be deleted, it would be a lose/lose for the residents of Greeley and the City as it would (1) increase the price of every new home \$2,500 - \$5,000, (2) increase the cost of living in the home as these systems will need maintenance and (3) decrease the affordability of housing in Greeley, completely counter to the intentions of the Greeley Strategic Housing Plan.

A choice to remove this amendment would be a stumbling block to all the residents of Greeley that are seeking an affordable housing option for their families. This will affect all the children in our community that are in desperate need for a stable housing situation and give them an opportunity to learn and develop life skills. Thousands of Greeley residents are negatively affected when shelter is unattainable.

Councilmembers, I implore you to maintain the existing Greeley amendment that deletes the requirement for whole-house residential fire sprinklers in one and two-family dwellings. Your decision to do this will be a significant step toward realizing your vision defined in the Greeley Strategic Housing Plan and bringing 5,500 new homes to this great community!

Thank you for the time and effort you each put in to care for the residents of this great, thriving city. Should you have any follow up questions, please feel free to call me directly at 970.539.3232 or email me at Jamie@BaesslerHomes.com.

Respectfully,



Jamie Baessler, President and CEO of Baessler Homes

Council Agenda Summary

August 20, 2019

Agenda Item Number 12

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

Title:

Introduction and first reading of an ordinance vacating a portion of the alley right-of-way between 1530 and 1528 3rd Avenue, located east of 3rd Avenue and west of 2nd Avenue

Summary:

The alley right-of-way was platted as part of the Sanborn Subdivision. The 20-foot alley runs east-west connecting 3rd Avenue to 2nd Avenue. According to the applicant, the alley has not been used as right-of-way since at least 1976. Access to the alley from 3rd Avenue has not been provided for several years, as curb and gutter exist along 3rd Avenue adjacent to the alley. Photographic evidence shows this has been the condition since at least 1998. The applicant is requesting vacation of the alley right-of-way.

The Planning Commission will consider the request on August 13, 2019.

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

Legal Issues:

Consideration of this matter is a quasi-judicial process.

Other Issues and Considerations:

None noted.

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 September 3, 2019.

Attachments:

Ordinance
Vicinity Map

CITY OF GREELEY, COLORADO

ORDINANCE NO. ____, 2019

CASE NO. ROW2019-0002

AN ORDINANCE VACATING A PORTION OF THE ALLEY RIGHT-OF-WAY BETWEEN 1530 AND 1528 3RD AVENUE, LOCATED EAST OF 3RD AVENUE AND WEST OF 2ND AVENUE

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

Section 1. The following described street rights-of-way, as described as follows, and located in the City of Greeley is hereby vacated:

See Exhibit A, attached

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:

CITY OF GREELEY, COLORADO

City Clerk

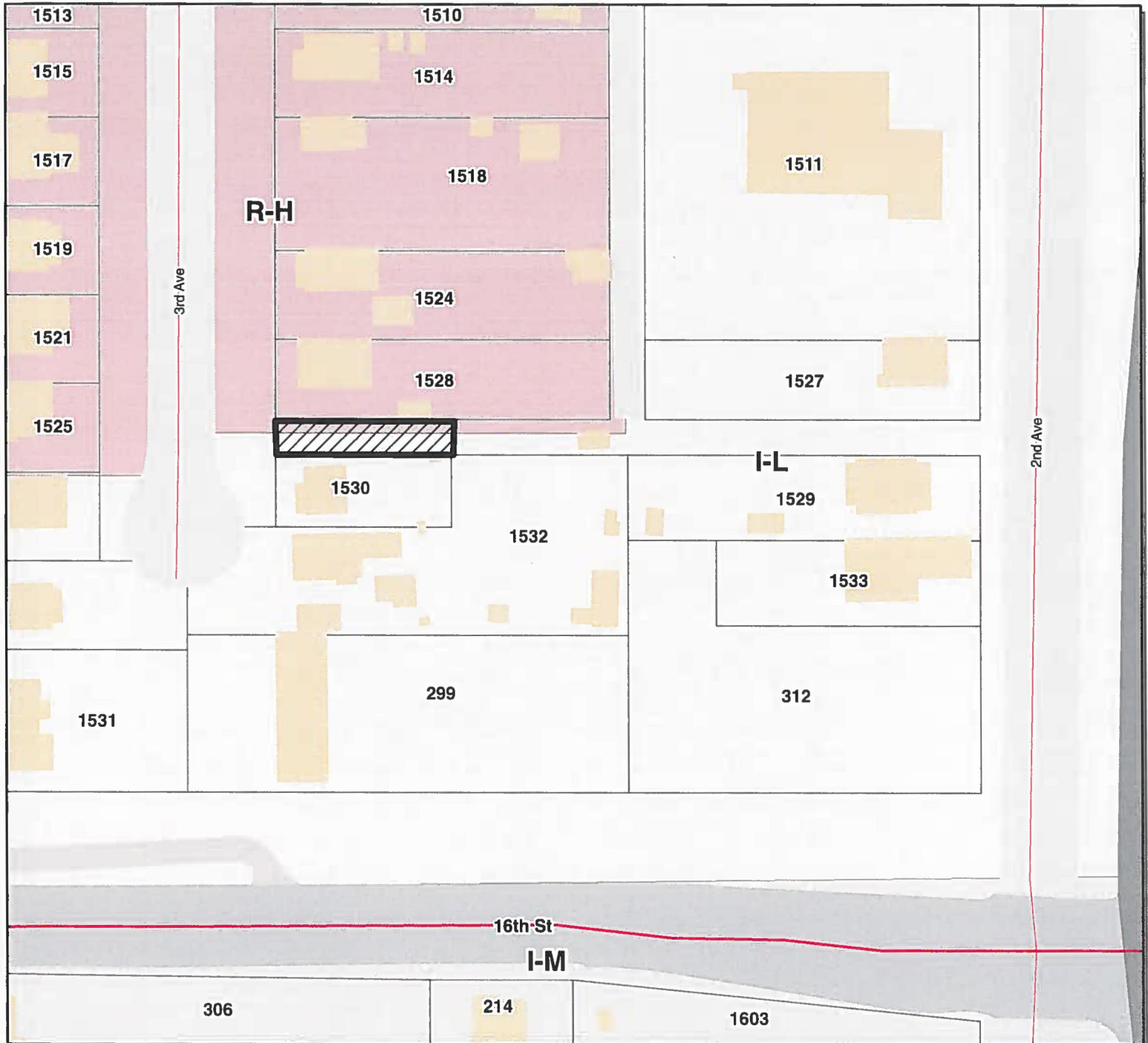
Mayor

Exhibit A
Legal Description

A STRIP OF LAND LOCATED WITHIN THE EAST-WEST ALLEY AS SHOWN ON SANBORN'S SUBDIVISION OF BLOCK 170, CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

A 20.00 FOOT STRIP OF LAND NORTHERLY OF AND ADJACENT TO LOTS 27-30, INCLUSIVE, SAID SANBORN'S SUBDIVISION OF BLOCK 170, AS SHOWN ON THE EXHIBIT MAP PREPARED BY DREXEL, BARRELL & CO., DATED MAY 2, 2019, JOB NO. 21313-00.

Vicinity Map Alley Right-of-Way Vacation



Legend

Street Centerlines

CLASSIFICATION

- Expressway
- Arterials
- Local, Collectors
- Unknown

City Limits

Building

Weld Parcels

ROW2019-0002



Council Agenda Summary

August 20, 2019

Agenda Item Number 13

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

Title:

Introduction and first reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from I-L (Industrial Low Intensity) to R-H (Residential High Density) zoning for approximately .210 acres of property located at 1530 3rd Avenue known as the 1530 3rd Avenue Rezone

Summary:

The City of Greeley is considering a request from Joshua Tikal to rezone approximately .210 acres of land, located at 1530 3rd Avenue, from I-L (Industrial Low Intensity) zone district to the R-H (Residential High Density) zone district.

The Planning Commission will consider the request on August 13, 2019.

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?	Development impact fees, then general revenue sources
What is the source of revenue within the fund?	Development impact fees, then general revenue sources
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a quasi-judicial process.

Other Issues and Considerations:

None noted.

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 September 3, 2019.

Attachments:

Ordinance
Vicinity Map

CITY OF GREELEY, COLORADO

ORDINANCE NO. ____, 2019

CASE NO. ZON2019-0007

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, FROM I-L (INDUSTRIAL LOW INTENSITY) TO R-H (RESIDENTIAL HIGH DENSITY) ZONING FOR APPROXIMATELY .210 ACRES OF PROPERTY KNOWN LOCATED AT 1530 3RD AVENUE KNOWN AS THE 1530 3RD AVENUE REZONE

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

Section 1. The following described property located in the City of Greeley is hereby changed from the zoning district referred to as I-L (Industrial Low Intensity) to R-H (Residential High Density), in the City of Greeley, County of Weld, State of Colorado:

See attached legal description

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

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

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS ____ DAY OF _____, 2019.

ATTEST:

THE CITY OF GREELEY

City Clerk

Mayor

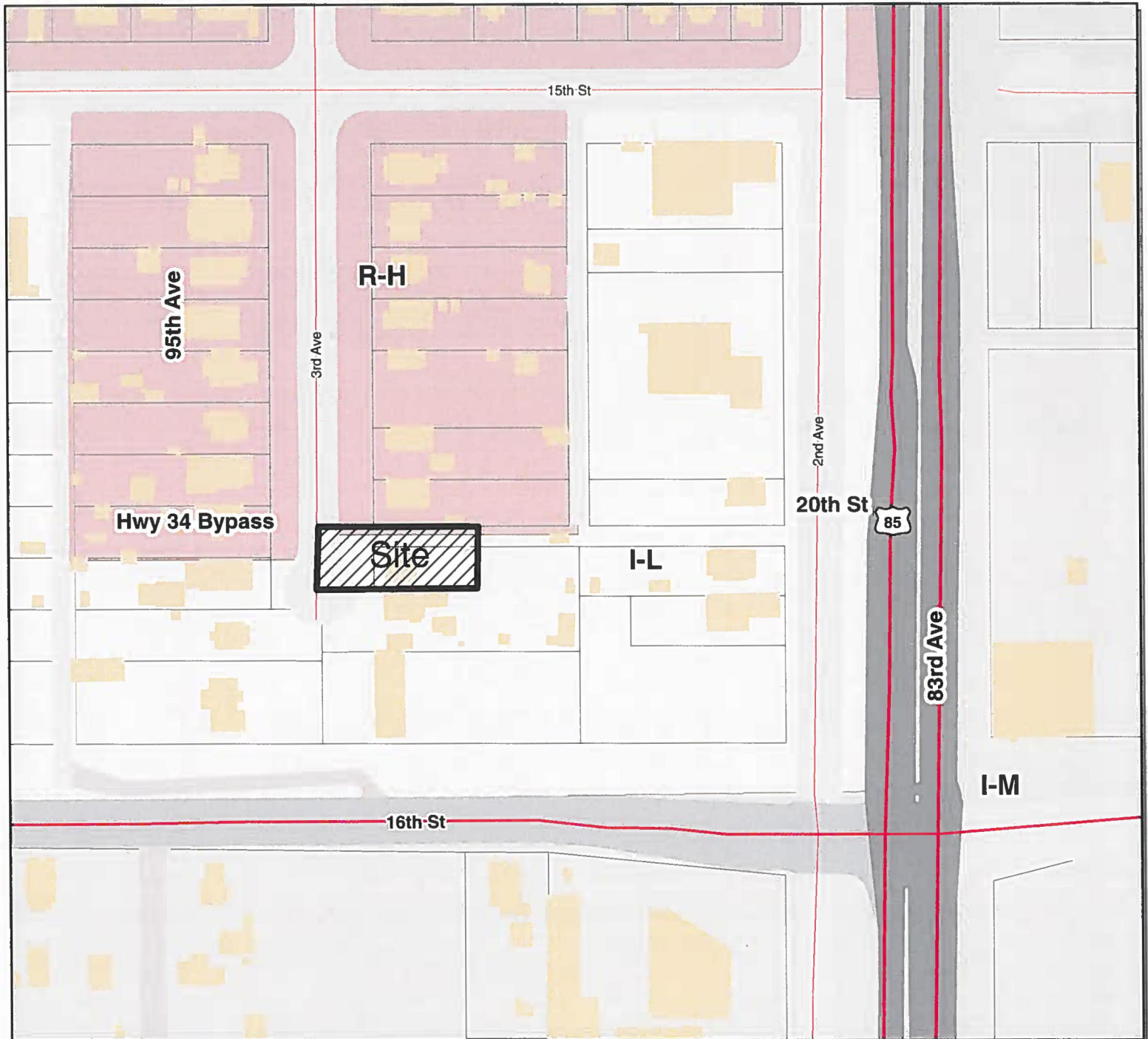
Legal Description

THE NORTH 40.00 FEET OF LOTS 27-30, INCLUSIVE, SANBORN'S SUBDIVISION OF BLOCK 170, TOGETHER WITH A PORTION OF THE 20.00 FOOT ALLEY NORTHERLY OF AND ADJACENT TO LOTS 27-30, INCLUSIVE, SAID SANBORN'S SUBDIVISION OF BLOCK 170, CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO.

TOGETHER WITH THE EASTERLY 50.00 FEET OF 3RD AVENUE, ADJACENT TO AND WESTERLY OF THE ABOVE DESCRIBED PARCEL.

Vicinity Map

1530 3rd Avenue Rezone



Legend

StreetCenterlines

CLASSIFICATION

- Expressway
- Arterials
- Local, Collectors
- Unknown

-  City Limits
-  Building
-  Weld Parcels

ZON2019-0007

0 150 300
Feet



Council Agenda Summary

August 20, 2019

Agenda Item Number 14

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

Title:

Introduction and first reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from I-M (Industrial Medium Intensity) to C-H (Commercial High Intensity) zoning for approximately .66 acres of property located at 3529 4th Street known as the 354 Business Park Rezone #2

Summary:

The City of Greeley is considering a request from David Lee and Lief Jensen to rezone approximately .66 acres of land, located at 3529 4th Street, from I-M (Industrial Medium Intensity) zone district to the C-H (Commercial High Intensity) zone district.

The Planning Commission will consider the request on August 13, 2019.

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?	Development impact fees, then general revenue sources
What is the source of revenue within the fund?	Development impact fees, then general revenue sources
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a quasi-judicial process.

Other Issues and Considerations:

None noted.

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 September 3, 2019.

Attachments:

Ordinance
Vicinity Map

CITY OF GREELEY, COLORADO

ORDINANCE NO. ____, 2019

CASE NO. ZON2019-0005

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, FROM I-M (INDUSTRIAL MEDIUM INTENSITY) TO C-H (COMMERCIAL HIGH INTENSITY) ZONING FOR APPROXIMATELY .66 ACRES OF PROPERTY LOCATED AT 3529 4TH STREET KNOWN AS THE 354 BUSINESS PARK REZONE #2

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

Section 1. The following described property located in the City of Greeley is hereby changed from the zoning district referred to as I-M (Industrial Medium Intensity) to C-H (Commercial High Intensity), in the City of Greeley, County of Weld, State of Colorado:

See attached legal description

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

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

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS ____ DAY OF _____, 2019.

ATTEST:

THE CITY OF GREELEY

City Clerk

Mayor

Legal Description

A PARCEL OF LAND BEING A PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 2, AND CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2 TO BEAR NORTH 06°10'17" EAST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 84°45'56" EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., A DISTANCE OF 10.00 FEET TO A POINT ON THE CENTERLINE OF 35TH AVENUE RIGHT-OF-WAY;

THENCE NORTH 06°10'17" EAST ALONG THE CENTERLINE OF 35TH AVENUE, BEING PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 266.13 FEET, TO THE POINT OF BEGINNING;

THENCE NORTH 89°55'38" WEST AND BEING PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 591.90 FEET;

THENCE SOUTH 06°10'17" WEST AND BEING PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 265.23 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, SAID LINE ALSO BEING THE CENTERLINE OF 4TH STREET;

THENCE NORTH 89°55'38" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, SAID LINE ALSO BEING THE CENTERLINE OF 4TH STREET RIGHT-OF-WAY, A DISTANCE OF 3.55 FEET;

THENCE NORTH 06°10'17" EAST AND BEING PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 311.99 FEET;

THENCE SOUTH 89°55'38" EAST AND BEING PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 595.45 FEET TO A POINT ON THE CENTERLINE OF 35TH AVENUE RIGHT-OF-WAY;

THENCE SOUTH 06°10'17" WEST ALONG THE CENTERLINE OF 35TH AVENUE RIGHT-OF-WAY, A DISTANCE OF 46.76 FEET TO THE POINT OF BEGINNING.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 28,624 SQUARE FEET (0.66 ACRES), MORE OR LESS, AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

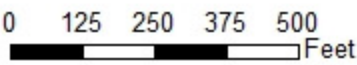
Vicinity Map



LEGEND

 Site

ZON2019-0005
354 Business Park Rezone #2



Council Agenda Summary

August 20, 2019

Agenda Item Number 15

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

Title:

Introduction and first reading of an ordinance authorizing the acquisition of additional property interests in real property located in Weld County, Colorado for water lines by purchase or exercise of the power of eminent domain pursuant to Section 7 of Article XVI, Section 15 of article II, and Sections 1 and 6 of Article XX of the Colorado Constitution and Colo. Rev. Stat. § 38-1-101, et seq. (Gold Hill Segment Pipeline Project)

Summary:

This ordinance authorizes the acquisition of additional identified property interests required to construct and maintain the Gold Hill Segment Transmission Pipeline Project.

The Gold Hill Segment Pipeline Project will complete the Bellvue 60" Transmission Pipeline Project which will deliver treated water from the Bellvue Water Treatment Plant to west Greeley. The property interests are being acquired now to insure that the project can be constructed in the future as needed with development.

On September 18, 2018, City Council adopted Ordinance No. 44, 2018, authorizing the acquisition of property interests by purchase or the exercise of the power of eminent domain in order to construct and maintain water transmission lines within the Gold Hill Segment of the Greeley Bellvue Pipeline. Continued investigations by City staff have revealed that the Pipeline will also traverse real property that was not included in the original 2018 authorization request. To maintain a uniform acquisition process for all property interests required for the project, City Staff requests a supplemental authorization for the acquisition of property interests needed on the additional identified real property. The Water and Sewer Board approved this acquisition of property interests on the additional real property, either through purchase or exercise of the power of eminent domain, and recommends that City Council adopt this ordinance authorizing the same, in order to increase the capacity of the Bellvue Transmission Pipeline System for the citizens of Greeley and thereby promote growth.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	Unknown – to be negotiated
What is the annual impact?	None
What fund of the City will provide Funding?	404 – Water New Construction

What is the source of revenue within the fund?	Plant Investment Fees
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:

The Colorado Constitution and the Greeley Municipal Code authorize the City to acquire interests in real property for water and sewer purposes, including by eminent domain when necessary.

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

Infrastructure and Growth - Environmental Infrastructure

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 September 3, 2019.

Attachments:

Ordinance
Water & Sewer Board Resolution No. 4 2019
Presentation

CITY OF GREELEY, COLORADO

ORDINANCE NO. ___, 2019

AN ORDINANCE AUTHORIZING THE ACQUISITION OF INTERESTS IN REAL PROPERTY LOCATED IN WELD COUNTY, COLORADO FOR WATER TRANSMISSION LINES, BY PURCHASE OR EXERCISE OF THE POWER OF EMINENT DOMAIN, PURSUANT TO SECTION 7 OF ARTICLE XVI, SECTION 15 OF ARTICLE II, AND SECTIONS 1 AND 6 OF ARTICLE XX OF THE COLORADO CONSTITUTION AND COLO. REV. STAT. § 38-1-101, et seq. (GREELEY BELLVUE PIPELINE, GOLD HILL SEGMENT)

WHEREAS, the City of Greeley (“City”) is a Colorado home-rule municipality empowered, pursuant to Sections 1 and 6 of Article XX of the Colorado Constitution, to, *inter alia*, construct, purchase, acquire, lease, add to, maintain, conduct, and operate water works and everything required therefor, within or without its territorial limits, for the use of the City; and

WHEREAS, Section 15 of Article II and Section 7 of Article XVI of the Colorado Constitution further authorize the City to acquire water pipeline easements for domestic, irrigation, drainage, and other purposes; and

WHEREAS, the Greeley City Council (“Council”), on the recommendation of City staff and the City of Greeley Water and Sewer Board, has determined that the development of additional water transmission lines and associated facilities from the City’s Bellvue Water Treatment Plant to the City, traversing properties located in Larimer and Weld Counties, is necessary for the continued overall operation of the water works, and more specifically for the delivery of treated domestic water to the citizens of the City and other served communities and individuals; and

WHEREAS, the City Council adopted Ordinance 44, 2018 in September 2018, which *inter alia*, authorized the acquisition of certain interests in real property for construction of the Gold Hill Segment of the Greeley Bellvue Pipeline, the location of which is one such area where additional treated water transmission lines and associated facilities will need to be located, and is an area that is generally experiencing growth and redevelopment into more intensive land uses; and

WHEREAS, via its adoption of Ordinance 44, 2018, the City Council determined that the acquisition of interests in the real property identified on Exhibit A thereto, either through purchase or exercise of the City’s power of eminent domain, is necessary in order to construct and maintain such treated water transmission lines within the Gold Hill Segment of the Greeley Bellvue Pipeline; and

WHEREAS, continued investigations by City staff in the course of acquiring the aforementioned interests in real property authorized by Ordinance 44, 2018 revealed that the Gold Hill Segment of the Greeley Bellvue Pipeline will also traverse the real property generally depicted on Exhibit 1, which is attached to this ordinance and incorporated by reference; and

WHEREAS, the City's staff and counsel have accordingly determined that the treated water transmission lines for the Gold Hill Segment of the Greeley Bellvue Pipeline described above will need to be installed in the ground at varying depths, and that the acquisition of interests in real property is necessary in order to construct and maintain such treated water transmission lines within the real property generally depicted on Exhibit 1 to this Resolution, in addition to the real property generally depicted on Exhibit A to Ordinance 44, 2018; and

WHEREAS, the City Council has determined that the aforementioned acquisition of interests in real property, either through purchase or exercise of the City's power of eminent domain, is necessary for the development and use of said treated water transmission lines for the Gold Hill Segment of the Greeley Bellvue Pipeline.

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

Section 1. The City Council hereby reaffirms its determination that it is necessary for the City to acquire, either through purchase or exercise of the power of eminent domain, permanent easements and temporary construction easements for the installation, operation, maintenance, repair, and replacement of treated water transmission lines, for the continued overall operation of the water works, and more specifically for the delivery of treated domestic water to the citizens of the City and other served communities and individuals.

Section 2. The City Council hereby reaffirms its determination that the acquisition of permanent easements and temporary construction easements is necessary within the Gold Hill Segment of the Greeley Bellvue Pipeline depicted on Exhibit A to Ordinance 44, 2018, either through purchase or exercise of the power of eminent domain, for the above-described purposes.

Section 3. The City Council hereby determines that the acquisition of permanent easements and temporary construction easements for the Gold Hill Segment of the Greeley Bellvue Pipeline is also necessary across the real property generally depicted on Exhibit 1 to this Ordinance, either through purchase or exercise of the power of eminent domain, for the above-described purposes.

Section 4. The City's staff and counsel are hereby directed to continue with the acquisition of the above-described interests in real property, either through purchase or exercise

of the power of eminent domain, as authorized by Ordinance 44, 2018 and this Ordinance. The City Council hereby ratifies any previous actions by City staff in negotiating the acquisition of such interests in real property, and in providing notice of the City's intent to acquire such interests, in accordance with Colo. Rev. Stat. § 38-1-101, et seq.

Section 5. This ordinance shall take effect on the fifth day following its final publication, as provided in Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS ____ DAY OF _____ 2019.

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor

**CITY OF GREELEY, ACTING BY AND THROUGH
ITS WATER AND SEWER BOARD**

RESOLUTION NO. 4, 2019

CONCERNING THE ACQUISITION OF INTERESTS IN REAL PROPERTY LOCATED IN WELD COUNTY, COLORADO FOR SANITARY SEWER INFRASTRUCTURE, BY PURCHASE OR EXERCISE OF THE POWER OF EMINENT DOMAIN, PURSUANT TO SECTION 7 OF ARTICLE XVI, SECTION 15 OF ARTICLE II, AND SECTIONS 1 AND 6 OF ARTICLE XX OF THE COLORADO CONSTITUTION AND COLO. REV. STAT. § 38-1-101, et seq. (ASHCROFT LIFT STATION)

WHEREAS, the City of Greeley (“City”) is a Colorado home-rule municipality empowered, pursuant to Sections 1 and 6 of Article XX of the Colorado Constitution, to, *inter alia*, construct, purchase, acquire, lease, add to, maintain, conduct, and operate water works and everything required therefor, within or without its territorial limits, for the use of the City; and

WHEREAS, Section 15 of Article II and Section 7 of Article XVI of the Colorado Constitution further authorize the City to acquire easements for domestic, irrigation, drainage, and other purposes; and

WHEREAS, Section 17-4 of the Greeley City Charter authorizes and requires the City Water and Sewer Board (“Board”) to acquire, develop, convey, lease, and protect water and sewer assets, supplies, and facilities; and

WHEREAS, Section 17-1 of the Greeley City Charter authorizes the Board to qualify the Water and Sewer functions and operations as an ‘enterprise’ as that term is contained in Section 20 of Article X of the Colorado Constitution, and to provide for every function and operation of an enterprise, including but not limited to, the issuance of bonds and all other necessary and ordinary functions of the Water and Sewer operations, which enterprise is established by Chapter 14.04 of the Greeley Municipal Code; and

WHEREAS, the Board has determined that the development and use of additional sanitary sewer lines and associated facilities in the Ashcroft Draw Basin Area, generally depicted on Exhibit A, is necessary for the continued overall operation of the water works, and more specifically to increase the capacity of sanitary sewer service for the citizens of the City, and thereby, to promote growth; and

WHEREAS, the Ashcroft Draw Basin Area is one such area where additional sanitary sewer lines and associated facilities will need to be located, and is an area that is generally experiencing growth and redevelopment into more intensive land uses; and

WHEREAS, City staff and legal counsel have determined that the additional sanitary sewer lines and associated facilities described above will need to be installed in the ground at varying depths, and that, accordingly, the acquisition of interests in real property is necessary in

order to construct and maintain such sanitary sewer lines and associated facilities in the area depicted on Exhibit A; and

WHEREAS, the Board has determined that the aforementioned acquisition of interests in real property, either through purchase or exercise of the City's power of eminent domain, is necessary for the development and use of said sanitary sewer lines and associated facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. The Board hereby determines that it is necessary for the City to acquire, either through purchase or exercise of the power of eminent domain, permanent easements and temporary construction easements for the installation, operation, maintenance, repair, and replacement of sanitary sewer lines and associated facilities, for the continued overall operation of the water works, and more specifically to increase the capacity of sanitary sewer service for the citizens of the City.

2. The Board hereby determines that the acquisition of permanent easements and temporary construction easements is necessary within the Ashcroft Draw Basin Area depicted on Exhibit A, either through purchase or exercise of the power of eminent domain, for the above-described purposes.

3. City staff and legal counsel are hereby authorized and directed to continue with the acquisition of the above-described interests in real property, either through purchase or exercise of the power of eminent domain. The Board hereby ratifies any previous actions by City staff and legal counsel in negotiating the acquisition of such interests in real property, and in providing notice of the City's intent to acquire such interests, in accordance with Colo. Rev. Stat. § 38-1-101, et seq.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 19 DAY OF JUNE 2019.

ATTEST:

DocuSigned by:
Roy Otto
Secretary to the Board

Harold Evans
Board Chairman

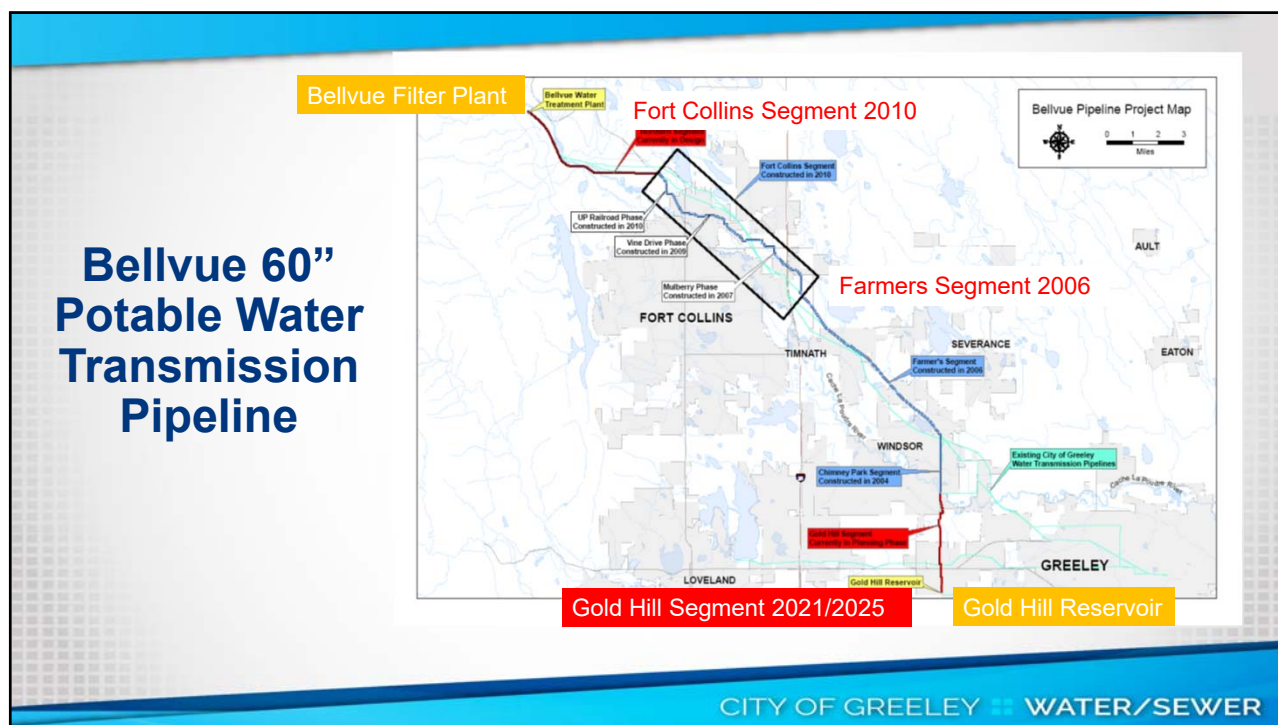
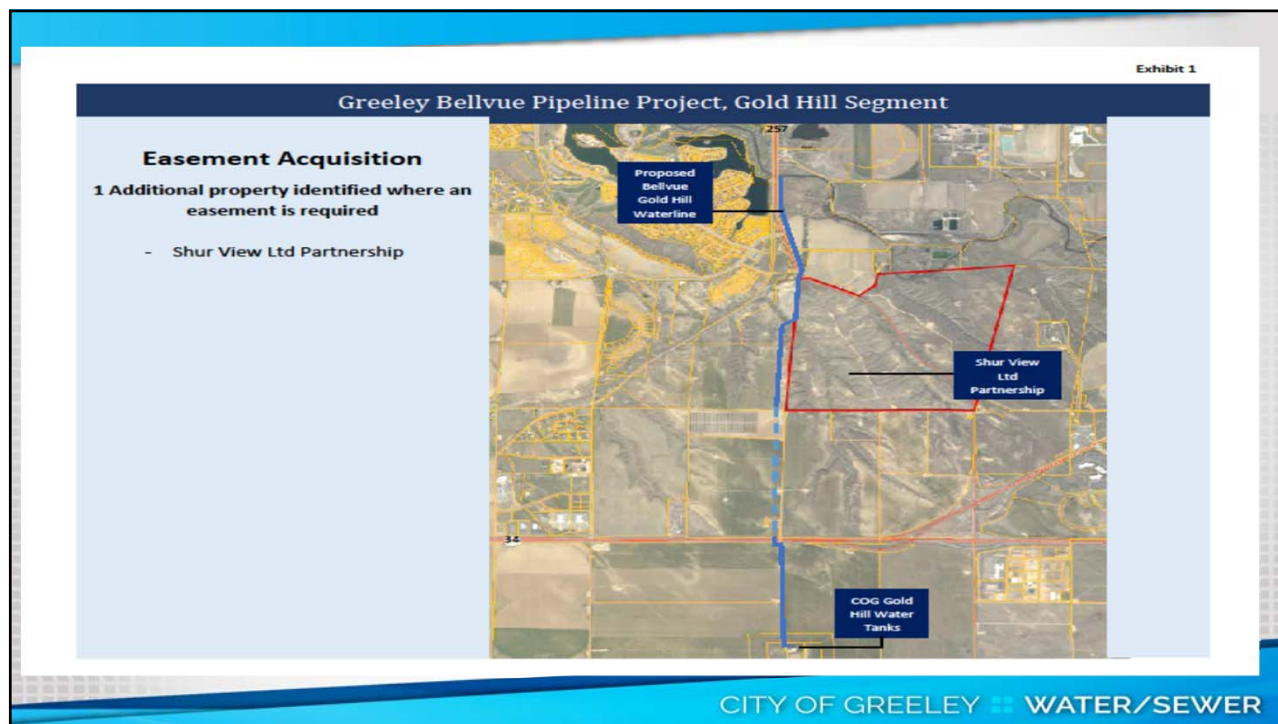


Gold Hill Water Transmission Pipeline Easement Acquisition

August 20, 2019

Overview

- Phased Construction of 60" Potable Water Transmission Main
- Current Segment from Windsor up towards Gold Hill
- Prior Sept. 2018 Easement approval did not include Shur View
 - Shur View is a preferred alignment alternative to the neighboring property which has limited right of way.



QUESTIONS?

Council Agenda Summary

August 20, 2019

Agenda Item Number 16

Title

Pulled Consent Agenda Items

Council Agenda Summary

August 20, 2019

Agenda Item Number 17

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

Title:

Consideration of a resolution of the City of Greeley Council authorizing the assignment to the Colorado Housing and Finance Authority of a private activity bond allocation of the City of Greeley pursuant to the Colorado Private Activity Bond Ceiling Allocation Act

Summary:

The federal government provides each state an annual private activity bond allocation. The State then allocates that to cities and counties within the State. In 2019, the City of Greeley's allocation based on population is \$5,586,840 up from \$5,489,243 last year.

The City must take one of three actions on its allocation:

1. No action: If the City takes no action, the State absorbs the allocation and then has bond money to dedicate to various revenue producing housing and economic development types of projects throughout the State.
2. Use the proceeds for an eligible project within our City. The City could use these monies for an eligible project within our boundary. This would require issuing the Private Activity Bonds. We had no city-sponsored project in 2019.
3. Assign the Private Activity Bonds to an eligible project. Other organizations within our City can request our allocation be dedicated to their project.

Recommendation: Assign the City's Private Activity Bond allocation to the Colorado Housing and Finance Authority (CHFA) for use by the FirstStep program for the purpose of assisting first time home buyers in Greeley.

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 assignment of this bond allocation specifically helps to address the Imagine Greeley Comprehensive Plan goal HO-1 Improve access to housing for all income-levels, ages and physical abilities. It is specifically related to the housing strategy, because it is a financing tool the City uses to encourage the construction of affordable housing.

The Colorado Housing and Finance Authority (CHFA) has respectfully requested consideration by the City of Greeley's 2019 Private Activity Bond (PAB) allocation to support of homeownership activities for first time homebuyers within CHFA's FirstStep program. Greeley's proximity to the front range and its affordable housing stock make it a prime destination for homebuyers to purchase their first home. The CHFA FirstStep program matrix is attached to provide an overview of the program. The FirstStep program income limit and purchase price limit table is also attached. The Weld County purchase price limit is \$423,700 with income limits of \$102,900 for 1-2 person household and \$120,100 for households with 3 or more people.

Applicable Council Priority and Goal:

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

Decision Options:

- 1) Adopt the resolution as presented; or
- 2) Amend the resolution and adopt as amended; or
- 3) Deny the resolution; or
- 4) Continue consideration of the resolution to a date certain.

Council's Recommended Action:

A motion to adopt the Resolution.

Attachments:

Resolution

CHFA Request for the FirstStep Program

CHFA FirstStep Program Matrix

CHFA FirstStep Program Income and Purchase Price Limits

Historical Listing of City of Greeley Private Activity Bond Cap Allocation Assignments

CITY OF GREELEY, COLORADO

RESOLUTION____, 2019

A RESOLUTION OF THE CITY OF GREELEY COUNCIL AUTHORIZING ASSIGNMENT TO THE COLORADO HOUSING AND FINANCE AUTHORITY OF A PRIVATE ACTIVITY BOND ALLOCATION OF THE CITY OF GREELEY PURSUANT TO THE COLORADO PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT

This Assignment of Allocation (the "Assignment"), dated this 20st day of August, 2019 is between the City of Greeley, Colorado (the "Assigner" or the "Jurisdiction") and the Colorado Housing and Finance Authority (the "Assignee").

WHEREAS, the Assignor and the Assignee are authorized and empowered under the laws of the State of Colorado (the "State") to issue revenue bonds for the purpose of financing qualified residential rental projects for low- and moderate-income persons and families; and

WHEREAS, the Assignor and the Assignee are authorized and empowered under the laws of the State of Colorado (the "State") to issue revenue bonds for the purpose of providing single- family mortgage loans to low- and moderate-income persons and families; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), restricts the amount of tax-exempt bonds ("Private Activity Bonds") which may be issued in the State to finance such projects and for certain other purposes (the "State Ceiling"); and

WHEREAS, pursuant to the Code, the Colorado legislature adopted the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), providing for the allocation of the State Ceiling among the Assignee and other governmental units in the State, and further providing for the assignment of allocations from such other governmental units to the Assignee; and

WHEREAS, pursuant to an allocation under Section 24-32-1706 of the Allocation Act, the Assignor has an allocation of the 2019 State Ceiling for the issuance of a specified principal amount of Private Activity Bonds prior to September 15, 2019, (the "2019 Allocation"); and

WHEREAS, the Assignor has determined that, in order to increase the availability of adequate affordable rental housing for low- and moderate-income persons and families within the Jurisdiction, Colorado and elsewhere in the State, it is necessary or desirable to provide for the utilization of all or a portion of the 2019 Allocation; and

WHEREAS, the City Council of the Assignor has determined to assign to the Assignee all or a portion of its 2019 Allocation, and the Assignee has agreed to accept such assignment, which is to be evidenced by this Assignment.

NOW, THEREFORE, in consideration of the premises and the mutual promises hereinafter set forth, the parties hereto agree as follows:

1. The Assignor hereby assigns to the Assignee \$5,586,840 of its 2019 Allocation [the "Assigned Allocation"], subject to the terms and conditions contained herein. The Assignor represents that it has received no monetary consideration for said assignment.

2. The form and substance of the Assignment of Allocation be and hereby are approved; provided, however, that the City Council be and hereby is authorized to make such technical variations, additions or deletions in or to such Assignment of Allocation as they shall deem necessary or appropriate and not inconsistent with the approval thereof by this resolution.
3. The City Council of the City of Greeley be and hereby is authorized to execute and deliver the Assignment of Allocation on behalf of the City of Greeley and to take such other steps or actions as may be necessary, useful or convenient to effect the aforesaid assignment in accordance with the intent of this resolution.
4. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.
5. This resolution shall be in full force and effect upon its passage and approval.

IN WITNESS WHEREOF, the parties hereto have duly executed this Assignment on the date first written above.

ATTEST:

City of Greeley, Colorado

By: City Clerk

By: Mayor

COLORADO HOUSING AND FINANCE
AUTHORITY

ATTEST:

By:

By:



denver

1981 Blake Street
Denver, CO 80202
303.297.chfa (2432)
800.877.chfa (2432)

PO Box 60
Denver, CO 80201
800.659.2656 tdd
www.chfainfo.com

western slope

348 Main Street
Grand Junction, CO 81501
970.241.2341
800.877.8450

CHFA's REQUEST FOR ASSIGNMENT OF CITY OF GREELEY'S 2019 PRIVATE ACTIVITY BOND (PAB) CAP

The Colorado Housing and Finance Authority (CHFA) respectfully requests consideration by the City of Greeley's City Council for assignment of the 2019 PAB cap, \$5,586,840, to CHFA for use in its single family homeownership program known as FirstStep.

Private Activity Bonds are used to support single family housing, multifamily housing and small manufacturing projects. Greeley has been a long-time partner with CHFA, assigning PAB in 2016 for Woodside Village; in 2017 for Peakview Trails; and in 2018 for Pineview Estates. With the growth in population in Greeley, the strong real estate market and the availability of affordable inventory, this is a perfect time to continue our partnership between the City and CHFA and assist more families purchase their first home.

The CHFA program requirements mirror the IRS PAB program requirements:

- Borrowers must be a first-time homebuyer (cannot have owned their primary residence in the last three years) or a qualified (honorably or generally discharged) veteran;
- Borrowers must reside in the home as their primary residence;
- Borrowers must meet the program income and purchase price limits; and
- Borrowers may be required to pay Recapture Tax (CHFA reimburses any borrower who is subject to Recapture Tax).

Upon receipt of the PAB assignment, CHFA will create a setaside for 12 months within the FirstStep program equivalent to the 2019 City of Greeley's PAB allocation of \$5,586,840. Any homebuyers who meet the above requirements and are purchasing their first home within the City will have their loans funded from the Greeley setaside. At the end of 12 months, any unused funds in the setaside will be incorporated into the general FirstStep program to be used anywhere in the state. CHFA's FirstStep program is supported by PAB cap. All homebuyers will be eligible to receive a 4% downpayment and closing cost assistance deferred loan funded by CHFA.

In 2016-2018:

- 65 families purchased homes in Greeley using the FirstStep program.
- \$16,260,088 total mortgage amount
- Average:
 - Income - \$66,140
 - Household size – 3.5 persons
 - Loan Amount - \$250,155

CHFA is confident that the full amount of the setaside will be expended in Greeley within the 12-month setaside period, continuing to serve the new families that will be calling Greeley home.

program matrix



CHFA FirstStepsm and FirstStep Plussm

effective April 1, 2019

key features	Term	30-year term
	Loan Purpose	Purchase
	Interest Rate	Fixed interest rate
	Optional CHFA Second Mortgage/ FirstStep Plus	Second mortgage for up to 4% of first mortgage loan amount. Zero-percent silent second, no monthly payments required, no accrued interest. Second must be paid in full upon sale, refinance, or if property is no longer the borrower's primary residence. • Proceeds may go toward down payment, closing costs, and/or prepaids. • Participating lender must document and fund at closing on behalf of CHFA. • No subordinate financing allowed except those that meet underlying FHA guidelines.
	Recapture Tax	First and second mortgage may be subject to the Recapture Tax provision. CHFA will reimburse Recapture Tax if borrower is subject to tax after the sale of the property; borrower must submit CHFA Reimbursement Request Form 950.
	Reservation/ Extensions	HomeConnection is available at www.chfainfo.com on business days from 9:30am-10:00pm MST, with the exception of scheduled or unscheduled system maintenance. Delivery period is 60 days.
eligibility	Limits	Income and purchase price limits are available on the website at www.chfainfo.com . The maximum loan limit for all mortgage loans is the lower of \$484,350 or the amount determined by FHA. See reverse for additional income calculation information.
	First-time Homebuyer	Borrowers must be a First-time Homebuyer or Qualified Veteran. An Applicant who has had no present ownership interest in a principal residence at any time during the three-year period ending on the date the mortgage is executed (i.e. the Mortgage Loan Closing Date). A Qualified Veteran may be treated as a First-time Homebuyer. • Non-targeted Areas: Borrower must be a first-time homebuyer or a qualified veteran. • Targeted Areas: Borrower does not need to be a first-time homebuyer. Targeted areas also offer higher income limits.
	Homebuyer Education	CHFA requires all borrowers and co-borrowers to individually complete an online or classroom-based CHFA-approved homebuyer education course provided by a CHFA-approved provider, prior to the closing date.
	Minimum Financial Investment	• \$1,000 for all loan products (may be a gift) • Consult the Seller's Guide for a complete list of items that can be counted towards the minimum financial investment.
	Loan Type	FHA [no FHA 203(k)]
	Property	Single family, one unit, attached, detached homes; PUDs, attached, detached; condominiums; and manufactured housing on a permanent foundation (including singlewide). • The property must be owner-occupied.
underwriting	LTV/Combined LTV	Follow FHA guidelines.
	Land Trust/ Deed Restriction/ Covenants	If the property is in a land trust, or the property is subject to a deed restriction or affordable housing covenant, CHFA will accept the property subject to FHA guidelines and lender's underwriter approval. Lender must also complete CHFA Form 780.
	Cosigners & Nonoccupying Co-borrowers	CHFA does not allow cosigners or nonoccupying co-borrowers. CHFA does not permit non-borrowing spouses or others not obligated to the underlying mortgage loan to take title to the subject property.
	Buydowns	CHFA will permit temporary interest rate buydown subject to FHA guidelines.
	AUS/Manual Underwriting	• Acceptable automated underwriting system - DU or LPA • Manual underwriting acceptable if required/allowed by FHA.
	Document Checklists	Refer to Form 750, FirstStep Compliance Review Submission Checklist; Form 751, FirstStep Purchase Review Submission Checklist. Second mortgage requires Form 305, CHFA Note; Form 310, CHFA Deed of Trust.
	Affidavits	Form 401, Initial Applicant Affidavit; Form 402, Final Applicant Affidavit; Form 407, Notice of Potential Recapture Tax; Form 220, Tax-exempt Financing Rider (to be attached to the first mortgage Deed of Trust)
	Credit/DTI Requirements	Minimum mid credit score of 620 for all scored borrowers • No credit score or manually underwritten loan allowed if required/allowed by FHA. DTI ratio determined by AUS findings or, if applicable, manual UW guidelines.

program matrix

CHFA FirstStepsm and FirstStepPlussm

fees paid by lender

- Real estate tax service fee (\$68)
- Upfront loan delivery extension fee - 30 days
0.35% OPB of a first mortgage loan to extend the delivery period
- Suspension penalty
0.25% OPB of a first mortgage loan that is suspended for purchase due to missing, incorrect, or incomplete information and is not corrected within 10 days of date of suspension
- Loan delivery penalty
0.25% OPB of a first mortgage loan that is not delivered to CHFA within the initial delivery period
- Funding extension penalty
0.25% OPB of a first mortgage loan that is not approved for purchase within the funding review period
- Late document fee
\$150 for every mortgage loan not completed through post closing within 120 days of purchase
- Rate adjustment penalty
To buy down the interest rate over the mortgage loan term if closed at the wrong interest rate

premiums paid to lender

- Servicing release premium
1.5% UPB first mortgage loan
- Non-metro premium
0.5% OPB first mortgage loan
- Par premium
(FirstStep loans with no down payment assistance)
0.250% OPB first mortgage
- Participating lender may receive a maximum of two out of the three of AMI, credit score, or low loan amount premiums.
 - AMI premium: 0.125% for loans with borrowers making less than 80% AMI (HomeAccess and SectionEight excluded)
 - Credit score premium: 0.125% for loans with borrowers with mid credit score 700 or above
 - Loan amount premium: 0.125% for loan amounts under \$75,000.00
- 0.250% for loan sold to CHFA within 30 days of reservation date
- 0.125% for loan sold to CHFA within 45 days of reservation date

income calculations

whose income

Gross annual income: Equal to the current total gross annual income for all loan applicants [i.e., borrower(s) and co-borrower(s)], any spouse or civil union partner of any borrower or co-borrower who will reside in the residence, and any other individual who is expected to both live in the residence and to be secondarily liable on the Mortgage Loan. All sources of income for all such individuals must be included.

exclusions

- Cash back to the borrower(s) at closing

CHFA will defer to FHA guidelines with respect to whether the borrower may receive cash back at closing, and, if permitted, the amount. In any event, the borrower must always meet the minimum borrower contribution requirements for CHFA's programs. Proceeds of CHFA grant or second mortgage may never be given as cash back to borrower.

- No MCCs allowed with CHFA FirstStep.

CHFA Home Finance

1981 Blake Street
Denver, Colorado 80202

888.320.3688
800.659.2656 tdd

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348 Main Street
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970.241.2341



*financing the places where
people live and work*

With respect to its programs, services, activities, and employment practices, Colorado Housing and Finance Authority does not discriminate on the basis of race, color, religion, sex, age, national origin, disability, or any other protected classification under federal, state, or local law. Requests for reasonable accommodation, the provision of auxiliary aids, or any complaints alleging violation of this nondiscrimination policy should be directed to the Nondiscrimination Coordinator, 303.297.7309, TDD/TTY 800.659.2656, CHFA, 1981 Blake Street, Denver, Colorado 80202-1272, available weekdays 8:00am to 5:00pm.

income & purchase price limits



CHFA FirstStepsm and CHFA FirstStep Plussm

Income and purchase prices may not exceed these limits in the following counties:

effective June 3, 2019

county	income limit non-targeted		income limit targeted	
	1-2 person	3+ person	1-2 person	3+ person
Adams	\$92,800	\$106,700	\$111,300	\$129,900
purchase price limit	\$484,350		\$484,350	
Alamosa	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Arapahoe	\$92,800	\$106,700	\$111,300	\$129,900
purchase price limit	\$484,350		\$484,350	
Archuleta	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Baca	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Bent	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Boulder	\$113,600	\$130,600	\$136,300	\$159,000
purchase price limit	\$484,350		\$484,350	
Broomfield	\$92,800	\$106,700	\$92,800	\$106,700
purchase price limit	\$484,350		\$484,350	
Chaffee	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$366,800		\$366,800	
Cheyenne	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Clear Creek	\$92,800	\$106,700	\$92,800	\$106,700
purchase price limit	\$484,350		\$484,350	
Conejos	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Costilla	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Crowley	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Custer	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Delta	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Denver	\$92,800	\$106,700	\$111,300	\$129,900
purchase price limit	\$484,350		\$484,350	

county	income limit non-targeted		income limit targeted	
	1-2 person	3+ person	1-2 person	3+ person
Dolores	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Douglas	\$92,800	\$106,700	\$92,800	\$106,700
purchase price limit	\$484,350		\$484,350	
Eagle	\$94,000	\$108,100	\$94,000	\$108,100
purchase price limit	\$484,350		\$484,350	
Elbert	\$92,800	\$106,700	\$92,800	\$106,700
purchase price limit	\$484,350		\$484,350	
El Paso	\$85,800	\$98,600	\$102,900	\$120,100
purchase price limit	\$305,300		\$373,100	
Fremont	\$85,800	\$98,600	\$102,900	\$120,100
purchase price limit	\$283,300		\$346,300	
Garfield	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$484,350		\$484,350	
Gilpin	\$92,800	\$106,700	\$92,800	\$106,700
purchase price limit	\$484,350		\$484,350	
Grand	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$362,200		\$362,200	
Gunnison	\$85,800	\$98,600	\$102,900	\$120,100
purchase price limit	\$321,800		\$393,400	
Hinsdale	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$385,000		\$385,000	
Huerfano	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Jackson	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Jefferson	\$92,800	\$106,700	\$111,300	\$129,900
purchase price limit	\$484,350		\$484,350	
Kiowa	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Kit Carson	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Lake	\$85,800	\$98,600	\$102,900	\$120,100
purchase price limit	\$283,300		\$346,300	

county	income limit non-targeted		income limit targeted	
	1-2 person	3+ person	1-2 person	3+ person
La Plata	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$377,700		\$377,700	
Larimer	\$87,200	\$100,200	\$104,600	\$122,000
purchase price limit	\$393,300		\$480,700	
Las Animas	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Lincoln	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Logan	\$85,800	\$98,600	\$102,900	\$120,100
purchase price limit	\$283,300		\$346,300	
Mesa	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Mineral	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Moffat	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Montezuma	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Montrose	\$85,800	\$98,600	\$102,900	\$120,100
purchase price limit	\$283,300		\$346,300	
Morgan	\$85,800	\$98,600	\$102,900	\$120,100
purchase price limit	\$283,300		\$346,300	
Otero	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Ouray	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$382,900		\$382,900	
Park	\$92,800	\$106,700	\$92,800	\$106,700
purchase price limit	\$484,350		\$484,350	
Phillips	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	

county	income limit non-targeted		income limit targeted	
	1-2 person	3+ person	1-2 person	3+ person
Pitkin	\$103,400	\$118,900	\$103,400	\$118,900
purchase price limit	\$484,350		\$484,350	
Prowers	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Pueblo	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Rio Blanco	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Rio Grande	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
Routt	\$86,100	\$99,000	\$86,100	\$99,000
purchase price limit	\$484,350		\$484,350	
Saguache	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
San Juan	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	
San Miguel	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$484,350		\$484,350	
Sedgwick	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Summit	\$89,100	\$102,400	\$89,100	\$102,400
purchase price limit	\$484,350		\$484,350	
Teller	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$305,300		\$305,300	
Washington	\$85,800	\$98,600	\$85,800	\$98,600
purchase price limit	\$283,300		\$283,300	
Weld	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$423,700		\$423,700	
Yuma	\$102,900	\$120,100	\$102,900	\$120,100
purchase price limit	\$346,300		\$346,300	

The maximum loan limit for all Mortgage Loans is the lower of \$484,350 or the amount determined by FHA.

Some counties have certain tracts or areas within the county that are designated as a Targeted Area. Please refer to Chapter 11 of the Seller's Guide for targeted areas census tract descriptions.

CHFA Home Finance

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Private Activity Bond Cap Allocations

Year	Amount of Cap Allocation	Assignment	Purpose
2010	\$4,216,410	Relinquished to the statewide balance	
2011	\$4,423,628	Relinquished to the statewide balance	
2012	\$4,431,133	Relinquished to the statewide balance	
2013	\$4,480,960	Relinquished to the statewide balance	
2014	\$4,773,800	Relinquished to the statewide balance	
2015	\$4,815,300	CHFA	Meadowview build 100 low income Greeley apartments (leverage Weld County cap)
2016	\$4,933,300	CHFA	Woodside Village 160 Greeley apartments rehab
2017	\$5,065,100	CHFA	Peakview Trails 96 unit Greeley senior living
2018	\$5,489,243	CHFA	Pine View Estates 63 unit senior living in Greeley (leveraged Weld County cap)
2019	\$5,586,840	CHFA FirstStep Program	First time home buyer assistance in Greeley

CHFA response when asked what the source was for the 2016-2018 Greeley FirstStep participants (noted in the request document).

Weld County also was assigning for multifamily used during these years, so these loans were made NOT through a set aside, but using CHFA's allocation. Since that time, there is tremendous competition at CHFA for PAB cap. The multifamily/tax credit team wants it for their deals; the home finance team wants it for single family mortgages.

So if there is a multifamily project in a community which has received tax credits, we ask for an assignment on behalf of that project. If there is no specific project within a community AND there is still affordable (house) inventory that meet the FirstStep purchase price limits, we ask for an assignment for the FirstStep program. That is what we are doing for Greeley and Weld County.

Council Agenda Summary

August 20, 2019

Agenda Item Number 18

Benjamin Snow, Economic Health & Housing Director, 970-350-9384

Title:

Industrial Hemp Overview

Background:

At the request of City Manager Otto, I have prepared an Industrial Hemp Overview to share with the Council. Congress passed the 2018 Farm Bill last December, which included provisions to remove hemp from the Controlled Substances Act definition of marijuana and move hemp regulation to the Agricultural Improvement Act of 1946, which treats hemp like all other crops in the United States and gave oversight to the United States Department of Agriculture (USDA). Since that time, our office has received a lot of interest from players in the hemp industry. Colorado is well established as one of the leading states in hemp research and cultivation since the passage of the previous Farm Bill in 2014 and Greeley is well-positioned to add hemp processing as another business class in our value-added agricultural sector given our location in Weld County - the ag capital of the state. We are embracing this opportunity and have subsequently taken a very proactive approach to nurturing this nascent industry.

Decision Options:

For council information, review and feedback.

Attachments:

Summary brief – Hemp Regulation: A Colorado Municipal Perspective
Summary Brief – Industrial Hemp: A Brief Overview
PowerPoint

Hemp Regulation: A Colorado Municipal Perspective

By Laurel Witt, CML staff attorney

The ban is lifted and the race kicks off as farmers and businesses around the United States begin to grow hemp, America's newest cash crop. Like marijuana, hemp is a strain of the *Cannabis sativa* L. plant, but unlike marijuana, hemp contains less than three-tenths of a percent of tetrahydrocannabinol (THC). THC is the psychoactive component of marijuana causing the characteristic "high." Hemp can be used in a wide range of industries, but the most lucrative use comes from the plant's high concentration of cannabinoid (CBD). Many claim CBD oil has positive benefits, helping with a range of ailments from arthritis to migraines. Products containing CBD, from topical lotions to dog treats, are flying off the shelves even as claims remain unsubstantiated.

The swirl of excitement around the legalization of hemp has every layer of government asking what it can do to regulate the plant, ensuring the safe cultivation, production, and, in the case of CBD, consumption. This article will describe federal and state regulation before turning to what Colorado municipal governments can do to promote the health and safety of their residents.

Evolution of Federal Regulation

Congress outlawed hemp in the United States in 1970 with the enactment of the Controlled Substances Act (CSA). The CSA classified any use of the *Cannabis sativa* L. plant as extremely dangerous—a "schedule 1" substance, which includes the most dangerous narcotics found in the United States, for example cocaine and heroin. The CSA defined marijuana as "all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin." 21 U.S.C.A. § 812(1)(c)(17) (2016).

In the last twenty years, interest in industrial hemp began to resurface with research showing hemp as a sustainable crop for use in clothing, makeup, oils, medicine, etc. In response, Congress permitted hemp cultivation in certain pilot programs around the United States in the Agricultural Act of 2014, P.L. 113-79 (2014 Farm Bill). The Agricultural Act is adopted by Congress every four to five years to shape national food and agriculture policy. Hemp, however, remained illegal under the CSA, and several federal law enforcement agencies continued to enforce all strains of *Cannabis sativa* L. as a schedule 1 substance. Tension brought lawsuits and a wake of confusion for would-be producers about how federal authorities would respond to hemp cultivation.

Congress responded in the Agriculture Improvement Act of 2018 (2018 Farm Bill) by removing hemp from the CSA definition of marijuana. It moved hemp regulation to the Agriculture Marketing Act of 1946, which treats hemp like all other crops in the United States, and gave oversight authority to the United States Department of Agriculture (USDA). The 2018 Farm Bill passed before the launching of high consumer demand for CBD.

The Bill also empowers state and tribal governments to create a regulatory framework for hemp within their respective jurisdictions. These plans must be submitted to the USDA Secretary through the state department of agriculture in consultation with the governor and the chief law enforcement officer of the state. State and tribal governments can choose not to regulate hemp, in which case the USDA will regulate and license hemp businesses within the state or tribal jurisdiction. The USDA is currently developing regulations for the oversight process.

Hemp in Colorado

Amendment 64, approved by Colorado voters in 2012, directed the Colorado General Assembly to “enact legislation concerning the cultivation, processing and sale of industrial hemp.” The General Assembly gave the Colorado Department of Agriculture (CDA or the Department) authority to regulate the *cultivation* of hemp in Colorado, including registration of hemp producers and enforcement authority. The CDA enacted further regulations on hemp while emphasizing it only regulates the cultivation of hemp as a farm product. The Department does require applicants to first check local regulations before applying for a license; however, the process does not require CDA officials to confirm with local governments before granting a license. For hemp in consumable products, the Colorado General Assembly gave oversight to the Colorado Department of Public Health and Environment (CDPHE).

The Palisade Police Department experienced the issue of conflicting regulations firsthand last year with a case that reached the Colorado Supreme Court. The police executed a warrant on a suspected illegal marijuana grow that had the hallmarks of illegal activity including visual sightings of the plants and distinctive odor. The police tested the seized plants and through scientific testing discovered that the plants contained less than three-tenths of a percent of THC. The homeowner had registered as a hemp grower with the CDA. The Court held probable cause existed in the search warrant, but the limited communication between regulatory arms remains a problem. *People v. Cox*, 429 P.3d 75 (Colo. 2018). CML will advocate for better communication and accountability in this area.

In response to the 2018 Farm Bill, the Colorado General Assembly adopted and Gov. Jared Polis signed two bills in 2019, Senate Bill 19-220 (SB 220) and Senate Bill 19-240 (SB 240). These new state laws require the CDA to submit a state plan to the USDA, which will detail the state’s plan to regulate and oversee hemp with input from stakeholders. CML will be actively engaged in the process of developing the Colorado state plan, with a primary goal of gaining more coordination and communication with the state on issues such as permitting locations for hemp cultivation.

The General Assembly gave local governments authority to regulate businesses engaged in processing, extraction, and manufacturing hemp in Senate Bill 240. Local governments can also regulate businesses involved in the sale of industrial or food products containing hemp so long as those regulations do not conflict with state law. C.R.S. § 31-15-501.

Both state and federal regulations continue to evolve. For example, the federal Food and Drug Administration (FDA) is conducting ongoing stakeholder meetings to discuss how hemp should be regulated in consumable products on a federal level.¹ CDPHE will likely add on additional requirements after the FDA releases its rules. Both agencies are concerned with the potential health and safety risks to consumers while also improving regulatory pathways for marketing of products.

Colorado municipal governments are left to figure out how to regulate hemp manufacturing and processing within the authority given by the 2019 legislative session and previously held powers. Before the passage of SB 240, municipal governments did not have explicit authority to regulate hemp. Now, with the demand frenzy for CBD, hemp growhouses are cropping up in industrial and residential areas, unregulated and causing problems with odor and noise. The lack of federal and state oversight has left a vacuum of regulation, leaving municipalities unsure how to best to protect the health, safety, and general welfare of their residents.

Practical Steps for Municipalities

Under the guise of federal and state regulation, the state of affairs for municipalities is confusing at best. However, municipalities can take steps today to regulate the proliferation of hemp and hemp producers while safeguarding residents. Listed below are examples of concrete steps municipalities can begin now.

Cultivation

- *Zoning.* The state government controls hemp cultivation regulations. However, a local government may treat hemp like any other unnamed and enumerable industrial crop within its ordinances (e.g., corn, soybeans) and enforce zoning regulations accordingly.
- *Noise and odor regulations.* Municipalities may enforce their noise and odor regulations on hemp cultivation as they would on any other industrial crop.
- Likely, any sort of license for hemp at the cultivation stage will be considered preempted by state law if challenged in the courts. Additionally, testing the plants for compliance with the three tenths of a percent or less of THC requirement is a state level function.

Storage, Extracting, Processing, and Manufacturing

¹ The FDA has only legally approved four specific drugs with hemp as a component, all of which require a doctor's prescription: Epidiolex, Marinol, Syndros, and Cesamet. If a company markets CBD products as disease-curing or therapeutic and sells the products online, the company will receive a warning letter from the FDA.

- *Broad Authority.* The legislature, under C.R.S. § 31-15-501, gave broad authority to municipalities in regulating the storing, extracting, processing, and manufacturing of hemp. This means that after the cultivation process, municipalities have broader authority to regulate the stages of hemp.
- *Licensing.* Municipalities may require businesses with hemp components to get a local license to operate in the industry. These licenses can have additional requirements, similar to other local business licenses.
- *Zoning and building codes.* Municipalities have broad power to enact and enforce zoning and building codes. Municipalities may enforce these codes on businesses engaged in the storing, extracting, processing, and manufacturing of hemp.
- *Noise and odor regulations.* Municipal noise and odor regulations may also be applied equally to businesses engaged in the storing, extracting, processing, and manufacturing of hemp.
- *Temporary food product regulation.* C.R.S. § 31-15-501 restricts municipalities from imposing additional food *production* regulations that conflict with state law. As these food laws are being developed, municipalities may temporarily step into the regulatory vacuum and enact regulations until and if state law preempts the regulation. After the state enacts its own regulations, municipalities may then wish to weigh in on additional regulations that do not conflict for processing of food.

Selling

- *Licensing.* Municipalities may require businesses with hemp components to get a local license to operate in the industry. These licenses can have additional requirements, similar to other local business licenses.
- *Selling of food product.* While state law articulates restrictions on the production of food, there is not a restriction on regulating the selling of food containing hemp. A municipality may still require a local license to sell food containing hemp.

As a warning, the status of hemp regulation will continue to evolve. Before acting on any of the preceding regulatory options, we recommend consulting with your municipal attorney. Unlike marijuana, the cultivation of hemp is treated as an agricultural product, which means the federal government will continue to develop regulations in addition to any state laws. CML will continue to update municipalities on developments with hemp regulation.

Industrial Hemp: A Brief Overview

Compiled from multiple sources by Benjamin L. Snow, Director, Economic Health & Housing, City of Greeley, Colorado, 970-939-4415, benjamin.snow@greeleygov.com.

Hemp is one of the oldest domesticated crops known to man. It has been used for paper, textiles, and cordage for thousands of years. In fact, the Columbia History of the World states that the oldest relic of human industry is a scrap of hemp fabric dating back to approximately 8,000 BC.

Hemp can be grown as a renewable source for raw materials that can be incorporated into thousands of products. Its seeds and flowers are used in health foods, organic body care, and other nutraceuticals.

The fibers and stalks are used in hemp clothing, construction materials, paper, biofuel, plastic composites, and more.



Hemp is an attractive rotation crop for farmers. As it grows, hemp breathes in CO₂, detoxifies the soil, and prevents soil erosion. What's left after harvest breaks down into the soil, providing valuable nutrients.

Hemp requires much less water to grow — and no pesticides — making it more environmentally friendly than traditional crops.

Hemp vs Marijuana: The Differences Explained

Due to almost a century of misinformation about Cannabis, the distinction between Cannabis and its two primary species — hemp and marijuana —

has become unclear to many and some even consider the three plants to be one and the same.

Because of this, the three terms are often used interchangeably, which has created difficulties when understanding the usage and benefits of Hemp vs Marijuana and Cannabis in general.

So, what exactly is the difference between Cannabis, Hemp and Marijuana?

Cannabis, Hemp, and Marijuana are not the same thing. Because Hemp and Marijuana both derive from the Cannabis Sativa family, they do share certain similarities; however, due to each plant's biological structure, they have several very distinct differences.

Anatomy

To the untrained eye, hemp and marijuana can appear similar, but if you know what to look for, each plant has very clear distinctions.

Marijuana features broad leaves, dense buds and has a short, bushy appearance. In stark contrast, Hemp features skinny leaves that are concentrated towards the top of the plant and grows taller and skinnier than Marijuana, with few branches beneath its upper portion.

When compared side by side, the two plants can each clearly be identified. A deeper dive into the anatomy of the two plants reveals crucial differences in their chemical composition.

Composition

Cannabis contains a variety of different compounds called Cannabinoids. The most dominant and well known are Tetrahydrocannabinol (THC) and Cannabidiol (CBD).

THC induces psychoactive effects (gets the user "high"), while CBD does not contain any psychoactive properties. When comparing Hemp vs Marijuana, this is a huge distinction; while Hemp contains a very low concentration of THC (0.3% or less), Marijuana has very high concentrations of THC, typically ranging from 10% to 40%.

Because of this, Hemp is grown primarily for industrial purposes, while Marijuana is grown for recreational and medicinal purposes.

Usages

Because Marijuana is high in THC content, it is naturally grown for its psychoactive properties, whether it be for recreational or medicinal use. Marijuana can be smoked, inhaled, ingested or injected directly into the body. THC is also commonly extracted from the plant and used in a variety of methods including vaporizers, capsules, edibles and more.

Hemp, on the other hand, is primarily used for industrial purposes as it is capable of producing hundreds of resources such as paper, clothing, building materials, biofuel, food products, oils and more. With the fast-growing popularity of CBD across the globe, hemp is also used to produce a wide variety of THC-free CBD products.

Legal History

The presence of THC in Hemp vs Marijuana not only plays a huge role in how each plant is used, but it is also the defining factor in the legality of each plant.

Each state/country has varying laws based on the usage, sales, transportation, and cultivation of Hemp, which widely depends on the THC-content of the Hemp plant.

In the United States, the allowed THC-content for hemp to be classified as legal is 0.3%, while in much of the rest of the world, it is 0.2%. Because Hemp naturally contains very little THC, it is legal in most parts the world, and where it is not, the legal consequences are minor.

In 1937, the Marijuana Tax Act strictly regulated the cultivation and sale of all cannabis varieties. The Controlled Substances Act of 1970 classified all forms of cannabis — including hemp — as a Schedule I drug, making it illegal to grow it in the United States (which is why we have been forced to import hemp from other countries as long as it contains scant levels of THC — 0.3% is the regulation for hemp cultivation in the European Union and Canada). As a result of this long-term prohibition, most people have forgotten the industrial uses of the plant and continue to misidentify hemp with its cannabis cousin, marijuana.

The 2014 US Farm Bill allowed states that have passed their own industrial hemp legislation to grow industrial hemp for purposes of research and development. Several states — including Kentucky, Colorado, and Oregon — have already been conducting hemp pilot projects. After many years of prohibition, American farmers are finally reacquainting themselves with industrial hemp.

The 2018 US Farm Bill (Agricultural Improvement Act of 2018) legalized the commercial production of industrial hemp for the first time in more than 80 years, and also permanently removed hemp from the Controlled Substances Act. Now that the federal prohibition of hemp has been repealed, the world's oldest domesticated crop is once again available for a wide variety of commercial uses.



Industrial Hemp Overview

CITY OF GREELEY, COLORADO

AUGUST 20, 2019

Department of Economic Health & Housing
Benjamin L. Snow, Director



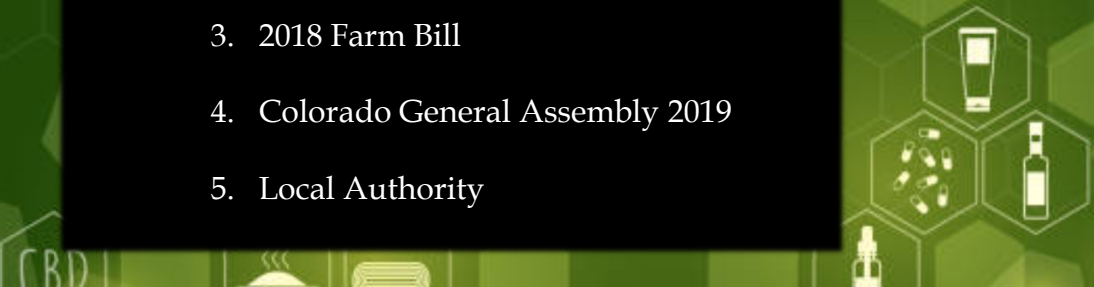
- Industrial Hemp: A Brief Overview
- CML Legal Brief
- The Many Uses of Hemp
- CBD - Extraction Process
- Vantage Hemp Coming to Greeley





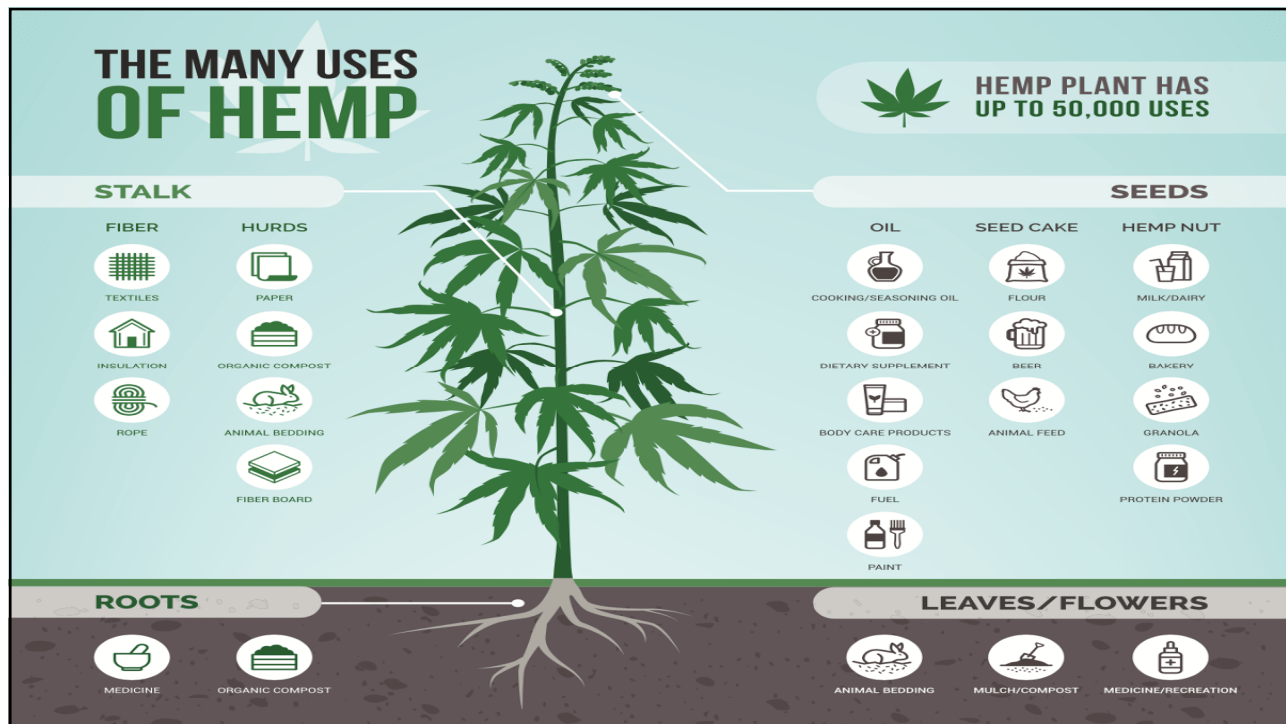
➤ Industrial Hemp: A Brief Overview

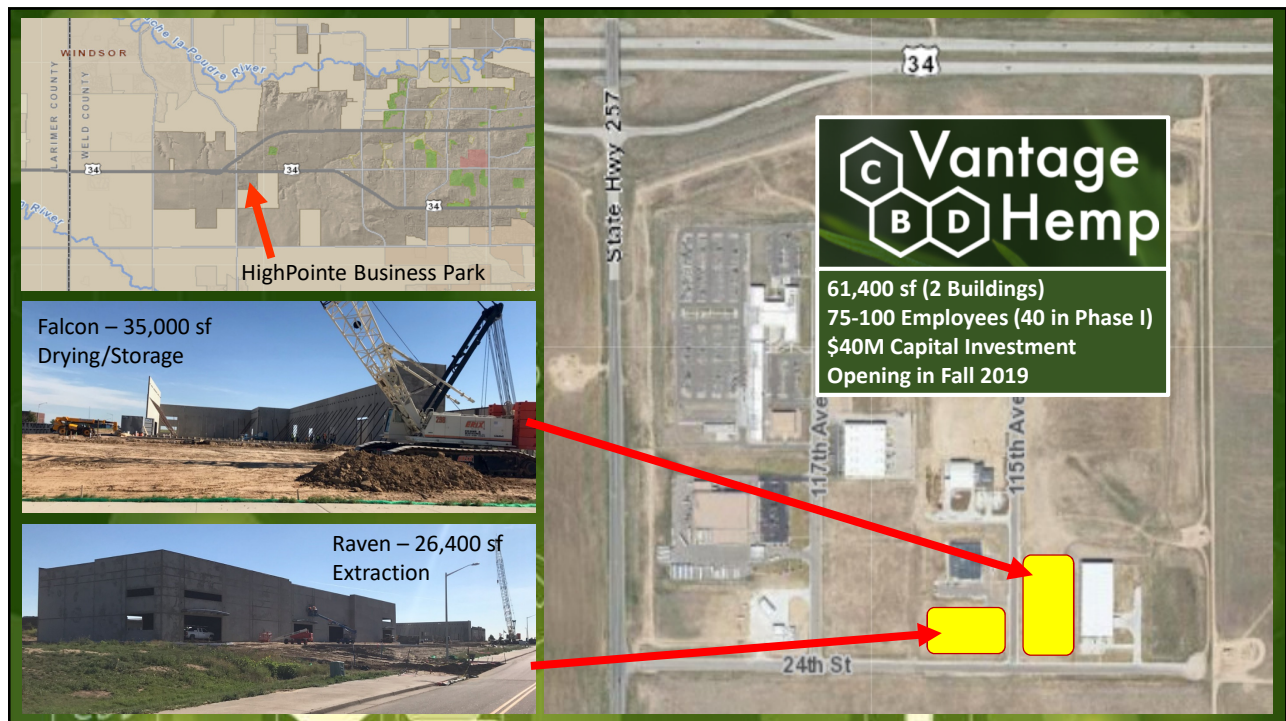
1. One of the oldest domesticated crops
2. Renewable resource of raw materials
3. Hemp vs Marijuana
4. Usages



➤ CML Legal Brief Highlights

1. Swirl of excitement
2. 20 years of renewed interest in industrial hemp
3. 2018 Farm Bill
4. Colorado General Assembly 2019
5. Local Authority







Council Agenda Summary

August 20, 2019

Agenda Item Number 19

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

Title:

Appointment of applicants to the Commission on Disabilities, Human Relations Commission, Judicial Review Board, and Planning Commission

Summary:

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

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

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

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

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

Other Issues and Considerations:

Not applicable.

Applicable Council 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

August 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 *****

Commission on Disabilities	
<i>2 Vacancies</i>	
☐	DOUGLAS PETERS (I)
☐	DARVEL SILDA
☐	(Recruit For Additional Applicants)

Judicial Review Board	
<i>1 Vacancy</i>	
☐	Chad Gentry (I)
☐	WALTER SEHL
☐	(Recruit For Additional Applicants)

Human Relations Commission	
<i>2 Vacancies</i>	
☐	JERRY MANZER
☐	SYLVIA TORREZ
☐	(Recruit For Additional Applicants)

Planning Commission	
<i>2 Vacancies</i>	
☐	Erik Briscoe (I)
☐	Brian Franzen
☐	Thomas Roche
☐	(Recruit For Additional Applicants)

(I) = Incumbent

Boards & Commissions Transmittal

August 9, 2019

Key Staff Contact: Jerry Harvey, Assistant City Clerk, 350-9746

Interview Date
August 12, 2019

Council Interview Team
Councilmembers Casseday and Payton

Council Appointment Date
August 20, 2019

Boards and Commissions Being Interviewed

- **Commission on Disabilities**
- **Human Relations Commission**
- **Judicial Review Board**
- **Planning Commission (Interviews at August 13th Council Worksession)**

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

August 20, 2019

Agenda Item Number 20

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

Current as of 8/16/2019

<u>Date</u>	<u>Description</u>	<u>Staff Contact</u>	
August 27, 2019 Worksession Meeting	2020 Operating Budget Presentation (Human Resources, Information Technology, City Clerk, Municipal Court and City Attorney will be presenting)	Renee Wheeler	1.00
	Review of the Oil and Gas Regulation Matrix and Monitoring/Participating in the SB-181 Rule Making Process	Brad Mueller	1.00
September 3, 2019 Council Meeting	Ordinance - Intro - Fourth Additional Appropriation	Renee Wheeler	Consent
	Ordinance - Intro - Bestway Rezone	Brad Mueller	Consent
	Ordinance - Intro - Promontory PUD Area F, L and M Rezone	Brad Mueller	Consent
	Ordinance - Intro - Promontory Imagine School 2nd Filing Preliminary PUD	Brad Mueller	Consent
	Ordinance - Final - Building Code Amendments to the Greeley Municipal Code	Brad Mueller	Regular
	Ordinance - Final - 354 Business Park Rezone #2	Brad Mueller	Regular
	Ordinance - Final - 1530 3rd Avenue ROW Vacation	Brad Mueller	Regular
	Ordinance - Final - 1530 3rd Avenue Rezone	Brad Mueller	Regular
September 10, 2019 Worksession Meeting	16th Street Improvements (Non-Action Item)	Becky Safarik	Regular
	2020 Operating Budget Presentation (Finance, City Manager's Office, Culture, Parks & Recreation, Public Works, Stormwater and Water & Sewer will be presenting)	Renee Wheeler	1.50
	Discussion regarding Updates to Fire Station Nos. 2 & 6	Joel Hemesath	0.50
September 17, 2019 Council Meeting	Transportation Masterplan Map Update	Joel Hemesath	0.50
	Ordinance - Intro - 2600 36th Avenue Rezone	Brad Mueller	Consent
	Ordinance - Final - Fourth Additional Appropriation	Renee Wheeler	Regular
	Ordinance - Final - Bestway Rezone	Brad Mueller	Regular
	Ordinance - Final - Promontory PUD Area F, L and M Rezone	Brad Mueller	Regular
	Ordinance - Final - Promontory Imagine School 2nd Filing Preliminary PUD	Brad Mueller	Regular
	Ordinance - Intro - Issuance of Certificates of Participation for Fire Stations	Renee Wheeler	Consent
	Council Meeting Discussion (Non-Action Item)	Betsy Holder	Regular
September 24, 2019 Worksession	Board & Commission Appointments	Betsy Holder	Regular
	2020 Operating Budget Presentation (Police, Fire, Community Development, Communication & Engagement, Economic Health and Housing and CDBG Annual Budget	Renee Wheeler	1.50
October 1, 2019 Council Meeting	My Greeley Campaign	Becky Safarik	0.50
	Ordinance - Final - Issuance of Certificates of Participation for Fire Stations	Renee Wheeler	Regular
	Ordinance - Final - 2600 36th Avenue Rezone	Brad Mueller	Regular
	Public Hearing to approve CDBG 2020 budget and 2020-2024 Consolidated Plan	Ben Snow	Regular
October 8, 2019 Worksession	Ordinance - Intro & Public Hearing- 2020 Budget Adoption	Renee Wheeler	Regular
	Operating Budget Follow-up (if necessary)	Renee Wheeler	0.50
October 15, 2019 Council Meeting	School Fee-inlieu Discussion	Brad Mueller	0.50
	Ordinance - Final - 2020 Budget Adoption	Renee Wheeler	Regular
October 22, 2019 Worksession	Board & Commission Appointments	Betsy Holder	Regular
	3rd Quarter CIP Update	Joel Hemesath	0.50
November 5, 2019 Council Meeting	Quarterly Financial Report	Renee Wheeler	0.50
	Ordinance - Intro - Dissolution of GGID	Renee Wheeler	Consent
November 12, 2019 Transition Meeting			
November 19, 2019 Council Meeting	Ordinance - Final - Dissolution of GGID	Renee Wheeler	Regular
	Board & Commission Appointments	Betsy Holder	Regular
November 26, 2019 Worksession			
December 3, 2019 Council Meeting	Ordinance - Intro - Fifth Additional Appropriation	Renee Wheeler	Consent
December 10, 2019 Worksession			
December 17, 2019 Council Meeting	Ordinance - Final - Fifth Additional Appropriation	Renee Wheeler	Regular
	Board & Commission Appointments	Betsy Holder	Regular

August 12, 2019 - August 18, 2019

August 2019						
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September 2019						
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Monday, August 12

Tuesday, August 13

5:00pm - 6:00pm City Council Worksession (1001 11th Avenue)

Wednesday, August 14

Thursday, August 15

7:30am - 8:30am DDA (Casseday/Smail)

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

3:30pm - 4:00pm Congressional Badge of Bravery Ceremony
(Donahue Room, GPD) - Council Master Calendar

Friday, August 16

Saturday, August 17

10:00am - 11:00am City Chat with Councilmember Suniga (TBD)

Sunday, August 18

August 19, 2019 - August 25, 2019

August 2019						
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September 2019						
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Monday, August 19

1:00pm - 3:00pm Aims Flight Training Center Grand Opening
(Northern Colorado Regional Airport, 6350 Aviation Circle, Loveland CO) - Council Master Calendar

Tuesday, August 20

6:30pm - 7:30pm City Council Meeting (1001 11th Avenue)

Wednesday, August 21

7:30am - 8:30am Visit Greeley (Fitzsimmons)

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

Thursday, August 22

Friday, August 23

8:00am - 5:00pm 2019 Water & Sewer Board & Council Summer Tour (TBD - details to come) - Council Master Calendar

3:00pm - 3:30pm Clay Buckingham Retirement Celebration
(Donahue Room, Greeley Police Department) - Council Master Calendar

Saturday, August 24

Sunday, August 25

August 26, 2019 - September 1, 2019

August 2019						
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September 2019						
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Monday, August 26

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

6:00pm - 7:00pm Youth Commission (Smail)

Tuesday, August 27

5:00pm - 6:00pm City Council Worksession (1001 11th Avenue)

Wednesday, August 28

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

5:30pm - 8:00pm RSVP Required AgriCulture Feast (Centennial Village Museum) - Council Master Calendar

Thursday, August 29

Friday, August 30

Saturday, August 31

Sunday, September 1

September 2, 2019 - September 8, 2019

September 2019						
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October 2019						
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Monday, September 2

Tuesday, September 3

6:30pm - 7:30pm City Council Meeting (1001 11th Avenue) 🕒

Wednesday, September 4

Thursday, September 5

7:00am - Poudre River Trail (Hall) 🕒

3:30pm - IG Adv. Board (Smail) 🕒

6:00pm - MPO (Gates/Casseday) 🕒

Friday, September 6

Saturday, September 7

6:00pm - 9:00pm RSVP Required: 2nd Annual Emeritus Dinner
presented by the Poudre Heritage Alliance (Greeley Country Club,
4500 W. 10th Street) - Council Master Calendar

Sunday, September 8

September 9, 2019 - September 15, 2019

September 2019						
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October 2019						
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Monday, September 9

 **12:00pm - 1:00pm RSVP Required: Joint Lunch Meeting with the Weld County Commissioners** (Back room at Kenny's Steakhouse, 3502 W. 10th Street) - Council Master Calendar

Tuesday, September 10

 **5:00pm - 6:00pm City Council Worksession (1001 11th Avenue)** 

Wednesday, September 11

Thursday, September 12

Friday, September 13

Saturday, September 14

Sunday, September 15

Council Agenda Summary

August 20, 2019

Agenda Item Number 21

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

August 20, 2019

Agenda Item Number 21

[Title](#)

Adjournment