



Mayor

John Gates

Councilmembers

Tommy Butler
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

December 03, 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.](#) Acceptance of the Special City Council Proceedings of the November 12, 2019
- [10.](#) Approval of the City Council Proceedings of November 19, 2019
- [11.](#) Consideration of a Resolution Approving the 2020 Budget for the Greeley Downtown Development Authority and Appropriating Funds for that Budget
- [12.](#) Consideration of a Resolution Establishing the 2019 Downtown Development Authority Tax Levy and Directing the Certification of the same to the Board of County Commissioners
- [13.](#) Consideration of a resolution of the Greeley City Council authorizing the City to enter into an intergovernmental agreement between and among the City of Fort Collins, The Town of Windsor, and the City of Greeley for the operation of the Poudre Express transit service project

- [14.](#) Introduction and first reading of an ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2019 and for funds held in reserve for encumbrances at December 31, 2018
- [15.](#) Introduction and first reading of an Ordinance re-authorizing various Boards and Commissions for three years
- [16.](#) Introduction and first reading of an ordinance amending Sections 16.36.090 and 16.36.100 of The Greeley Municipal Code amending the International Fire Code, and adding Chapter 16.40 of the Greeley Municipal Code regarding fireworks

End of Consent Agenda

- [17.](#) Pulled Consent Agenda Items
- [18.](#) Public hearing to consider a change of zone from R-L (Residential Low Density), C-D (Conservation District), and C-L (Commercial Low Intensity) to I-M (Industrial Medium Intensity) zoning for approximately 39.18 acres of property located at 145 North 35th Avenue, known as the Best Way Rezone, and public hearing and final reading of an Ordinance changing the official zoning map to reflect the same (*item withdrawn*)
- [19.](#) Appointment of applicants to the Citizen Budget Advisory Committee, Construction Trades Advisory & Appeals Board, Greeley Urban Renewal Authority, Greeley/Weld Airport Authority, Historic Preservation Commission, Human Relations Commission, and Museum Board
- [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

December 3, 2019

Agenda Item Number 1

Title

Call to Order

Council Agenda Summary

December 3, 2019

Agenda Item Number 2

Title

Pledge of Allegiance

Council Agenda Summary

December 3, 2019

Agenda Item Number 3

Title

Roll Call

Summary

Mayor Gates

Councilmember Butler

Councilmember Payton

Councilmember Casseday

Councilmember Fitzsimmons

Councilmember Suniga

Councilmember Hall

Council Agenda Summary

December 3, 2019

Agenda Item Number 4

[Title](#)

Recognitions and Proclamations

[Summary](#)

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

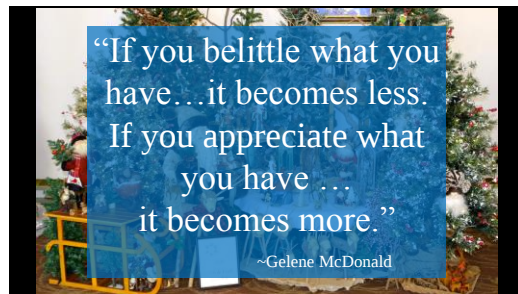
[Attachments](#)

December 3, 2019 What's Great about Greeley Report

Slide 1



Slide 2



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

Slide 3



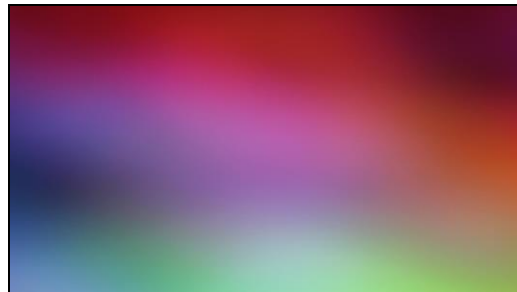
Weld Werks has been listed on Paste Magazine's "The 50 Best American breweries of the 2010s" list earning a respectable 35th for their first time on the list.

Slide 4



University of Northern Colorado wrestler Dalton Robertson has been named the Big 12 Wrestler of the Week. The award is only the second for Northern Colorado since the team joined the Big 12 in 2015.

Slide 5



Slide 6



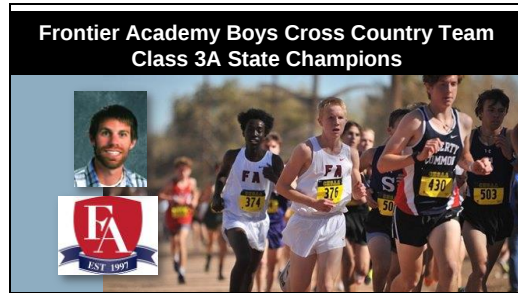
Congratulations to the Northridge High School unified bowling team for winning their second state championship in a row...beating out 39 other teams. Unified bowling became an officially sanctioned sport by the Colorado High School Activities Association earlier this year, which means their first state win is considered unofficial, but it's a win non-the-less. Teams are comprised of athletes with a disability paired with another student from their school. Congratulations to Northridge and to the other local teams from West and Central that also participated.

Slide 7



University of Northern Colorado Women's Soccer team took the 2019 Big Sky Tournament Championship after defeating Eastern Washington 1-0. This the second conference tournament title for the Bears since the program began. The win also qualified the team for their second trip to the NCAA Division 1 Tournament. Congratulations lady Bears! We look forward to another exciting season next Fall.

Slide 8



Kudos to the Frontier Boys Cross Country team who won the Class 3A state title...not bad for a team that had been dubbed as the underdog. The team dominated with four runners in the top 25. And there's even more good news, Coach Brett Shanklin was named the Colorado High School Activities Association Class 3A Coach of the Year. Way to go Wolverine's!!

Slide 9



Council Agenda Summary

December 3, 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

December 3, 2019

Agenda Item Number 6

Title

Approval of the Agenda

Council Agenda Summary

December 3, 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	TBD
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	TBD
Weld Project Connect Committee (United Way)	As Needed	Fitzsimmons
Downtown Development Authority	3 rd Thur, 7:30 am	Casseday/TBD
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	Dale Hall
CML - Other opportunities	As Available/Desired	

Council Agenda Summary

December 3, 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:
Mayor ProTem Casseday petitioned staff to look into both requests regarding contractor licensing and pop-up hail damage tents to see what other municipalities are doing.	Worksession (TBA)	There is currently a Worksession being planned to discuss Contractor Licensing Requirements. It has not been scheduled yet.	Brad Mueller

Consent Agenda

December 3, 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 16 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

December 3, 2019

Agenda Item Number 9

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

Title:

Acceptance of the Special City Council Proceedings of the November 12, 2019

Summary:

A Special City Council meeting was held on November 12, 2019, in Council's Chambers at the City Center South Campus, 1001 11th Avenue, Greeley, Colorado.

Decision Options:

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

Council's Recommended Action:

A motion to accept the Proceedings as presented.

Attachments:

November 12, 2019 Proceedings

City of Greeley, Colorado
SPECIAL CITY COUNCIL PROCEEDINGS
November 12, 2019

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

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

4. REMARKS AND RECOGNITIONS FROM COUNCIL

Mayor Gates and Councilmembers offered remarks and gratitude for outgoing Councilmember Smail and his service to the City and the Community.

Councilmember Smail offered parting remarks and thanked the staff and Council for their mentorship.

5. ADJOURNMENT

Councilmember Casseday moved, seconded by Councilmember Hall to adjourn the Council meeting sine die. The motion carried: 7-0.

The meeting was adjourned sine die at 6:45 p.m.

6. INSTALLATION OF THE INCOMING MAYOR AND COUNCILMEMBERS

Municipal Court Judge Mark Gonzales administered the Oaths of Office to John Gates as Mayor, Dale Hall as Ward IV Councilmember, and Tommy Butler as Ward I Councilmember.

7. SEATING OF NEW COUNCIL

The new Council was seated at 6:49 p.m.

8. CALL TO ORDER

Mayor John Gates called the meeting to order at 6:50 p.m., in the Council's Chambers at the City Center South Campus, 1001 11th Avenue.

9. ROLL CALL

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

10. REMARKS FROM COUNCIL

Councilmember Butler offered remarks and thanked his supporters, family, and friends.

Mayor and Councilmembers offered welcoming remarks to Councilmember Butler.

11. ADJOURNMENT

Councilmember Fitzsimmons moved, seconded by Councilmember Payton to adjourn the Council meeting. The motion carried: 7-0.

The meeting was adjourned at 7:03 p.m.

John Gates, Mayor

Jerry Harvey, Assistant City Clerk

Council Agenda Summary

December 3, 2019

Agenda Item Number 10

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

Title:

Approval of the City Council Proceedings of November 19, 2019

Summary:

A meeting of the City Council was held on November 19, 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:

November 19, 2019 Proceedings

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
 November 19, 2019

1. Call to Order

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

2. Pledge of Allegiance

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

3. Roll Call

Jessica Diagana, Assistant City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Robb Casseday, Michael Fitzsimmons, Dale Hall, Brett Payton, Tommy Butler and Stacy Suniga.

4. Recognitions and Proclamations

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

Mayor Gates presented a proclamation recognizing the 16 Days of Activism Against Gender Violence.

5. Citizen Input

No citizen input was offered.

6. Approval of Agenda

The agenda was approved upon noting the removal of Item No. 15.

7. Reports from Mayor and Councilmembers

There were no Reports offered from Councilmembers.

8. Petitions from Mayor and Councilmembers

There were no petitions offered from Councilmembers.

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

9. Acceptance of the Report of the October 8, 2019, City Council Worksession

The Council action recommended was to accept the Report.

10. Approval of the City Council Proceedings of October 15, 2019

The Council action recommended was to approve the Proceedings.

11. Consideration of a resolution appointing Cheryl Aragon to the position of Interim City Clerk

The Council action recommended was to adopt the resolution. (Resolution No. 48, 2019)

12. Consideration of a resolution of the Greeley City Council ratifying the Appointment of certain nominees to the Board of Trustees of the High Plains Library District

The Council action recommended was to adopt the resolution. (Resolution No. 49, 2019)

13. Consideration of a resolution the City to enter into the First Amendment to the Intergovernmental Agreement establishing water and sewer plant investment fees, raw water dedication requirements, sanitary sewer lift station cost recovery, and water main oversizing reimbursement with Greeley-Weld county Airport Authority

The Council action recommended was to adopt the resolution. (Resolution No. 50, 2019)

14. Consideration of a resolution authorizing the City to enter into the Fifth Amendment to the Fifth Interim Agreement between the Municipal Subdistrict, Northern Colorado Water Conservancy District Windy Gap Firming Project Water Activity Enterprise, and the City of Greeley for participation in the Windy Gap Firming Project

The Council action recommended was to adopt the resolution. (Resolution No. 51, 2019)

15. Introduction and first reading of an ordinance amending Sections 16.36.090 and 16.36.100 of The Greeley Municipal Code amending the International Fire Code, adding Chapter 16.40 of the Greeley Municipal Code regarding fireworks, and amending Section 2.08.035 of the Greeley Municipal Code providing the Municipal Court with jurisdiction over juveniles who violate Chapter 16.40

This item was removed from the agenda for consideration at a later date.

***** 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: 7-0

16. Pulled consent agenda items

No items were pulled from the Consent Agenda.

17. Public hearing and final reading of an ordinance 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 (Poudre Trunk Line)

Sean Chamber, Water & Sewer Director, provided an overview of the Poudre Trunk Line acquisition noting that the sewer line would be extended approximately 8,000 feet. He provided an area map for the

easement acquisitions and concluded his report by noting that this item has been approved by the Water & Sewer Board.

Mayor Gates opened the public hearing at 6:48 p.m.

Edwin Grant, Greeley resident, asked about cost associated with this project, and Mr. Chambers reported that under the Greeley Municipal Code, staff is authorized to spend up to \$1 million for the upsizing of the sewer line and that this will get paid back to the ratepayer through plan investment fees.

Mayor Gates closed the public hearing at 6:49 p.m.

Councilmember Casseday moved, seconded by Councilmember Fitzsimmons to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 49, 2019**)

18. Public hearing to consider a change of zone from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) zoning for approximately 8.82 acres of property located north of 13th Street and west of 59th Avenue, known as the Shops at Sunset Ridge Rezone, and public hearing and final reading of an Ordinance changing the official zoning map to reflect the same

Brad Mueller, Community Development Director, reviewed the rezone request for the Shops at Sunset Ridge including location, site, request, zoning and vicinity map, background of the property, proposed uses, rezone criteria and the recommendation of approval from the Planning Commission.

Councilmember Suniga mentioned that upon noticing the surrounding area of the proposed development that only one comment was received concerning impacts to traffic. Mr. Mueller reported that there is a negligible amount of traffic that will impact 59th Avenue as it is an arterial road that is designed to carry a significant amount of traffic.

In response to a question from Mayor Gates, Mr. Muller noted that activity center in terms of development refers to more intense uses such as commercial or retail and that activity centers are spaced which is reflective of this proposal.

Mayor Gates opened the public hearing at 7:04 p.m.

Edwin Grant, Greeley resident, expressed concern with naming streets and avenues in this area as the street is curved at it can be confusing. Mr. Mueller assure that there is an addressing protocol with addressing standards that is conjunction with the Post Office and emergency response.

Mayor Gates closed the public hearing at 7:08 p.m.

Councilmember Fitzsimmons moved, seconded by Councilmember Suniga to find that, based on the application received and subsequent staff analysis, the proposed rezone from C-L (Commercial Low Intensity) to C-H (Commercial high Density) meets Development Code Section 18.30.050(c)(3) a, b, f, g and h; and, therefore approves the rezone The motion carried: 7-0

Councilmember Fitzsimmons moved, seconded by Councilmember Butler to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 50, 2019**)

24. Scheduling of meetings, other events

Councilmember Hall moved, seconded by Councilmember Fitzsimmons to cancel the November 26, 2019 Worksession meeting due to a lack of items for consideration. The motion carried: 7-0

Councilmember Casseday moved, seconded by Councilmember Payton to schedule a Transition Meeting for December 10, 2019 at 5 p.m. The motion carried: 7-0

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

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

26. Adjournment

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:12 p.m.

John Gates, Mayor

Jessica Diagana, Assistant City Clerk

Council Agenda Summary

December 3, 2019

Agenda Item Number 11

Key Staff Contact: Renee Wheeler, Finance Director, 350-9732

Title:

Consideration of a Resolution Approving the 2020 Budget for the Greeley Downtown Development Authority and Appropriating Funds for that Budget

Summary:

This resolution approves the Greeley Downtown Development Authority (DDA) budget and authorizes the appropriations for the fiscal year 2020 (January 1, 2020 through December 31, 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?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	Total appropriations for the Greeley Downtown Development Authority in the resolution are \$398,350 for Normal Operations expenditures.

Legal Issues:

None.

Other Issues and Considerations:

None.

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

Greeley Downtown Development Authority Board of Directors Meeting 11/21/2019
Minutes

Greeley Downtown Development Authority 2020 Budget

CITY OF GREELEY

RESOLUTION NO.____, 2019

RESOLUTION APPROVING THE 2020 BUDGET OF THE GREELEY DOWNTOWN DEVELOPMENT AUTHORITY AND APPROPRIATING FUNDS FOR THAT BUDGET.

WHEREAS, the Downtown Development Authority (the “DDA”) in the City of Greeley, Colorado was created under the provisions of Part 8 of Article 25 of Title 31, C.R.S.; and

WHEREAS, the Board of Directors of the DDA in the City of Greeley, Colorado, has reviewed and considered a proposed budget on November 21, 2019.

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

Section 1. Pursuant to 31-25-816(1), C.R.S., the City of Greeley hereby approves for fiscal 2020 (January 1, 2020 to December 31, 2020) the annual budget for the DDA in the City of Greeley, Colorado; which consists of a document designated as such, including proceeds of a tax levy of 5.000 mills upon real and personal property within the DDA.

Section 2. The annual budget of the DDA for the year 2020, as adopted by the DDA and approved by the City, shall be on file in the City Clerk's office for public inspection during office hours of such office for the entire year of 2020; that budget attached hereto and incorporated herein as Exhibit “A”.

Section 3. There are hereby appropriated for fiscal year 2020 the following amounts:

Fund Description	Amount
Normal Operations	\$ 398,350
Total	\$ 398,350

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 3rd DAY OF DECEMBER, 2019.

ATTEST:

THE CITY OF GREELEY

City Clerk

Mayor

**Greeley Downtown Development Authority
Minutes – Board of Directors November 21, 2019**

Board Members in Attendance: Phil Grizzle, Chair & Zoe's Café & Events; Drew Notestine, Vice Chair/Secretary & Thomas & Tyler LLC; Ken Schultz, Treasurer; Mike Ketterling, Northern Engineering; Linda Winter, Accessories With A Flair!...and Hair; Brian Seifried, Luna's Tacos & Tequila; Tom Grant, Grant & Hoffman; Justin Ghofrani, Kress Cinema & Lounge, Tommy Butler, Greeley City Council; Logan Richardson, Richmark Companies

Additional Attendees: Ben Snow, City of Greeley; Steve Moreno, Weld County Commissioner; Officer Andy Wronkoski, Greeley Police Department, Stephanie Orozco, Greeley Police Department Intern; Officer Arped Bality, Greeley Police Department; Suzanne Sereff, Warm Hugs, Alex Alvarez, C3 Realty; Will Jones, City of Greeley

DDA Staff in Attendance: Bianca Fisher, Executive Director; Alison Hamling, Director of Downtown Experience; Karen Baumgartner, Project Coordinator; Abby Froom, Administrative Coordinator; Kiersten Johnson, Intern

Meeting Called to Order:

Phil Grizzle called the meeting to order at 7:34 am.

Minutes:

Phil Grizzle referenced the October DDA Minutes. Tom Grant moved to approve, Ken Schultz seconded, motion carried.

Treasurer's report from Ken Schultz:

Ken Schultz reported that there has not been much change in funding since our last meeting, so he thought the meeting time would be better spent on discussing the budget for this year and next year.

2019 Amended Budget & 2020 Budget:

Bianca Fisher reminded everyone that we go through the process of amending our budget every November to comply with the audit that is done by the City. On the Operational Budget, we are not projecting much out of the norm from when we budgeted this time last year. The only expense category that was over budget was office supplies because of the need to purchase a new computer, projector, office chairs and a desk. With the amended budget, we are projecting a \$3,386 deficit which will be covered with TIF funds, but Bianca believes there will be actually be a surplus carried over to the reserve account and TIF funds will not be needed. Ken Schultz moved to approve the 2019 Amended DDA Operational Budget, Tom Grant seconded, motion carried. *See attached budget for reference

As for the 2020 Operational Budget, Bianca shared that we have received preliminary figures from the County regarding how much mill levy we should be receiving and based off these figures should see an increase of approximately \$45,000 in mill levy revenue over this year. We continue to budget conservatively for Oktobrewfest since we are always at the mercy of the weather. On the expense side, the budget did not change much from last year. One change is that we will keep Bill's salary in the Operating Budget as opposed to moving this expense to TIF as it has been done in the past; this is to ease the process for our accountants. Ken Shultz moved to approve the 2020 Proposed DDA Operational Budget, Tom Grant seconded, motion carried. *See attached budget for reference

This year we will also be approving a 2020 TIF budget to show where we pull funds to cover our projected, budgeted operational deficit. The Public Realm Committee reviewed all expenses related to the Public Realm and approved based on past expenses and projected 2020 projects. There is a new expense budgeted for updating the downtown strategic plan similar to what PUMA completed for us in 2011. The TIF revenue we are projecting to receive is about \$100,000 less next year than this year but still far greater than any year prior to this year. The reason TIF will decrease is because the gross assessed district value is always split between the base and the increment and these percentages change from year to year

depending on the non-reassessment changes occurring (ie, demolitions, change of taxable status, etc.). Ken Schultz moved to approve the 2020 DDA TIF budget, Tom Grant seconded, motion carried. *See attached budget for reference

Safety Report from the Greeley Police Department:

Officer Andy Wronkoski reported that not a lot has changed, and there is no one of interest pertaining to the downtown area. There were vandalisms at Mad Cow and Brix Brewery & Tap house, and both have no suspects. He gave the reminder to keep cars locked and valuables out of sight as well as not to keep your car running because there are more car vandalisms happening in the wintertime. There have been people stealing packages from porches and shoplifting in stores, so keep your eyes open during the holiday season. The police department has been receiving multiple calls about the Millennium Event Center with concerns about over-serving and serving under-age people during private events.

Weld County Updates from Steve Moreno:

Steve Moreno reported that the county has been doing a lot of redevelopment of their offices with two new judges starting soon. They will relocate the Coroner's office to O Street in Fall 2020. Motor Vehicle Recording and Elections Recording offices will move into the Startek building in late 2020. The county is still considering adding another 77 employees. The Board of County Commissioners hearings are now being streamed live. There is concern over Bill 181 as to how it will affect the economy here, what the proposals are, and what they want to do with the Oil and Gas Department.

City Updates from Ben Snow:

Ben Snow reported that he and Drew Notestine did a tour of the 55+ Resort in Windsor and they were pleased with what they saw. He also did a hard hat tour of the Maddie Apartments and is excited for the new addition to downtown. Ben stated that the Lincoln Plaza building located at 1020 9th Street as well as a few parcels adjacent from the building are under contract with a group called Unlocking Equity. They would like to take the building which is currently split into office and residential spaces and renovate it to be all residential. There is a small footprint grocery store interested in downtown Greeley, and they will be visiting in December to discuss possibilities.

Parking Update from Will Jones:

Will Jones reported that until a few weeks ago, the feedback on the parking policy has been overwhelmingly positive. Evaluating and making tweaks to the policy was always a part of the plan and will continue to be, so they will be holding an open house discussion on December 4th from 4-6:30pm at the Greeley Ice Haus as well as on December 6th from 11:30-1:30pm. The main purpose of the parking changes was to create availability and turnover. 9th Avenue went from a 3% availability in 2018 to 66% in 2019. 8th Street was at 0% and has gone up to 10%. The parking policy serves as an educational opportunity with over 6,700 warnings given out from April 1st - Oct 31st which means zero fines associated with these tickets. Fine citations are down 44%, and from a revenue standpoint, the City is down 12%. There have been 8,200 pay-to-stay sessions with 2,100 active users and 250 new app users a month. Also, as a reminder there is a phone number to call if the user is not able to download the app. Areas 2 and 3 have permit wait-lists, but they are starting to oversell the lots so that the spaces stay filled (people are gone on vacation, sick, spots aren't always filled etc.)

The City is trying to add more free parking areas and has been working with Public Works and Great Western Railway to add free parking spaces along 7th Avenue and also add lighting. They are looking at adjusting the orange zone based off of capacity data. They are also discussing the hourly pay rates and entire day pay amounts with a possible difference between orange zone and green zone prices. Proposed ideas from downtown business owners include having merchant validation, options for bus passes for employees, a need/option for a more on-demand service in the evening for buses to come, specialized maps for residents to know where parking is available, and improving signage size and verbiage. They are working with the Passport App to fix the adding time problem. A parking garage is on their radar and they are evaluating different cities to see what they do; however, a parking garage would cost \$22 million (roughly \$20,000-\$30,000 per space) with an annual upkeep cost of over \$250,000. There will be a work session with the City Council to discuss parking on December 11th.

Public Realm Update from Mike Ketterling:

Mike Ketterling reported that they went through the TIF budget during their meeting. The City Art Commission wants to install a few more art trees further south on 8th Avenue around the Maddie Apartments and the committee will cover the cost of the planter bases. They are still working on the trash issue between 8th and 9th and are researching if there is a way to clean up the alley. We will continue to use TopGun to clean the sidewalks, with a comprehensive clean occurring once a year. Additionally, TopGun will be cleaning 9th street once a month from May-September during Friday Fest season.

GDA Update from Suzanne Sereff:

Suzanne Sereff reported that Cranford Cove is currently shut down until January for renovation. If you haven't visited the new Aunt Helen's Express, it is nice. She reiterated making sure your employees are watching out for shoplifters.

Experience Update from Alison Hamling:

Alison Hamling reported that Holiday Open House is coming up on November 30th from 10am-5pm with the parade and lighting of the trees in Lincoln Park following. There is an event on the DDA Facebook page that can be shared. The DDA is running the Dazzle Downtown competition, and you can receive a mini grant of \$100 from DDA to decorate your windows/doors. There will be a Menorah lighting on December 23rd with Rabbi Gorelik on the plaza. The Friday Fest annual budget is being reviewed, and they are not anticipating any big changes. The Creative District is hosting a fundraiser tonight called "Do Tell" featuring six Greeley residents, and it is similar to the concept "Ted Talks." The Union Colony Civic Center is currently working on art installation in the bathrooms. Alison is thinking about doing a Fat Tuesday celebration downtown with the DDA since we have no events that happen in February.

Executive Director Report from Bianca Fisher:

Bianca Fisher reported:

Property Updates

On the Market:

- 1130 8th Avenue (former Firestone) – price negotiable, 10,200 SF
- 608 9th Street (Buckboard Bean) – \$850,000; 0.78 Acres, 9,500 SF
- 1120 6th Avenue (old Ice House Building) – \$1.5M; 29,000 SF
- 615 8th Avenue (Academy of Natural Therapy) – \$5.3M; 31,260 SF

Under Contract:

- 1515 7th Ave – Ivanhoe Apartments (4 multifamily + 4 single family homes)- set to close in December or January to 2 Denver investors; only 1508 9th Ave in DDA district but have asked about possible annexation of other properties

Recently Sold:

- 814 16th Street (Blackjack Pizza bldg)- \$335,000 on 10/9 to 2121 LLC (Vincent E. Schmuhl Living Trust)
- 1113 8th Avenue (former Creative Center for Spiritual Living)- \$337,500 on 10/9 to Al Rahmah Islamic Center of Greeley
- 501 8th Avenue (current Greeley Tribune)- \$4M to High Plains Library District

Highlighted Retail/Commercial for Lease:

- 800 8th Avenue, Ste. 130 — restaurant/retail; 3,500 SF; \$15-\$17/SF NNN
- 800 8th Avenue, Ste. 140 — former DMV space; 1,200-5,493 SF; \$16-\$18/SF Gross
- 807 17th Street, Unit C (current Textbook Brokers) — 2,845 SF; \$13.50/SF
- 807 17th Street, Unit H (former EKHO Lounge) — 4,000 SF; \$6.50/SF
- 1540 & 1640 8th Avenue (new Maddie Apts) – commercial endcaps; \$30/NNN
- 1320 8th Avenue (Former Deals on Wheels) – brewery/restaurant space

Business Updates

Now Open:

- Points West Bank & Aunt Helen's Express– 940 9th Avenue (former Woody's Newsstand)

Coming Soon:

- New restaurant at 905 16th Street (former Kitchen space)

Closed:

- 11:11 Boutique- 918 1/2 9th Avenue
- Tainted Hearts Creations- 1008 8th Avenue; will be new tattoo shop called Union Colony Underground

Finance

- Review TIF Cash Flow

Economic Development

- Most anticipated news finally announced—new Lincoln Park Library at the Tribune building!!
- Attended the NoCo Housing NOW conference in Loveland and heard from experts on land trusts, water costs and development, challenges of affordable housing, and current legislative policies
- Met with the 55+ Apartment group and City staff to discuss timing of putting together a redevelopment agreement; looking like after the new year before we begin this process
- Discussed proposed parking and streetscape improvements while continuing business outreach at our University District executive team meeting; heard presentation on the new Greeley Image Campaign pivot and discussed creative ways to market it
- Met with several current and new downtown business owners to discuss benefits of being in the DDA district and help provide business support
- At the Broadband Task Force, heard the findings from the citizen and business surveys; key takeaways were that internet service satisfaction is below average, the city is preferred provider for both residential and business, and a slight majority would support a bond issue to fund construction
- A big thanks to Richmark for the two hard hat tours they gave our Board the last couple of Fridays; the apartments are coming along beautifully and will be an excellent addition to downtown

Public Realm

- Discussed budget for 2020, which was approved by the committee
- Approved funding toward art tree planter bases that will be purchased by the City Art Commission for 2 new art trees on the east side of 8th Avenue between 16th and 17th Streets
- Approved 2020 plaza and alley maintenance plan that includes a monthly cleaning of the alley/walkthroughs and 9th Street (street, parking spots & sidewalks) for the months of May-September, and one comprehensive core cleaning that will be done in May
- Met with Levi Gallegos to strategize on alley dumpster consolidation and the possibility of a trash enclosure in the Area 2 parking lot

Promotion & Community Partnerships

- Attended the Complete Count Committee meeting where we discussed grant funding, the need to help recruit employees for the Census, and marketing strategies for the upcoming months
- Shared about Downtown Greeley happenings at the monthly BizWest Editorial Board & Greeley Downtown Alliance (GDA) October meeting
- Presented to the Redeye Rotary and to the ProRealty staff meeting to share about downtown projects, program, events, and development
- Attended the monthly ULI meeting and heard a presentation on water source development approaches, particularly using non-potable sources

Professional Development

- Had the opportunity to attend the Women's Leadership Summit in Denver last Friday and hear inspiring stories from women in a variety of industries; topics focused on leadership characteristics, building your value, finding your voice, increasing productivity, and more

Downtown “In the News” Highlights

- Greeley's Sculpture on Loan program nears end after decades growing city's permanent art collection
- Adding to growing local industry, The Hemp Factory plans to be up and running in historic Greeley building next year
- Greeley's Festival of Trees is a holiday tradition you don't want to miss
- High Plains Library's \$4 million purchase of Greeley Tribune building paves way for downtown flagship branch
- Downtown Greeley to host Trick-or-Treat Street

The meeting adjourned at 8:58am

2019 Approved Budget & 2019 Amended DDA Operational Budget

2019 INCOME			
	2019 Approved Budget	Actual (11/13)	2019 AMENDED BUDGET
4110- Grant Income City of Greeley	\$ 48,750	\$ 44,688	\$ 48,750
4112- Mill Levy & Specific Ownership	\$ 182,958	\$ 169,570	\$ 169,570
4114- Interest Income	\$ 50	\$ 98	\$ 98
4120- Contributions	\$ 30,000	\$ 33,350	\$ 33,350
4140- Parking Lease	\$ 2,400	\$ 2,400	\$ 2,400
4143- Misc Income		\$ 178	\$ 178
4150- Oktobrewfest Income	\$ 80,000	\$ 95,838	\$ 95,838
4300- Event Sponsors	\$ 6,000	\$ 7,900	\$ 7,900
TOTAL INCOME	\$ 350,158	\$ 354,022	\$ 358,084

2019 EXPENSES			
5101- Salaries	\$ 215,000	\$ 183,994	\$ 215,000
5102- Simple IRA Match	\$ 6,500	\$ 4,708	\$ 5,500
5103- Payroll Expense	\$ 20	\$ -	\$ -
5105- Worker's Comp Insurance	\$ 1,500	\$ 1,041	\$ 1,100
5106- Health & Wellness		\$ 190	\$ 400
5108- Payroll Taxes	\$ 20,000	\$ 14,040	\$ 16,000
5109- EZ Fund 1.5% Admin Fee	\$ 450	\$ 416	\$ 420
5110- Advertising Expense	\$ 10,000	\$ 4,808	\$ 7,000
5112- Bank Charges	\$ 350	\$ -	\$ -
5113- Interest Expense TIF	\$ 800	\$ 337	\$ 500
5117- Professional Fees	\$ 5,000	\$ 4,378	\$ 5,000
5121- Miscellaneous Expense	\$ 500	\$ 1,017	\$ 1,500
5132- Office Supplies & Equipment	\$ 4,500	\$ 5,245	\$ 5,500
5134- Professional Development	\$ 3,500	\$ 1,035	\$ 1,200
5135- Memberships/Dues	\$ 1,500	\$ 611	\$ 700
5153- Office Expense- Cleaning & Trash	\$ 1,300	\$ 152	\$ 400
5154- Printing & Publication	\$ 1,600	\$ 611	\$ 700
5155- Parking Lot Expense & Tax	\$ 200	\$ 194	\$ 250
5185- Rent Expense/Utilities/Permits	\$ 32,000	\$ 26,779	\$ 33,000
5190- Board Expenses	\$ 2,700	\$ 2,016	\$ 2,500
5192- Sales Tax	\$ 50	\$ -	
5195- Repairs & Maintenance	\$ 300	\$ -	\$ 300
5200- Oktobrewfest	\$ 56,000	\$ 50,291	\$ 55,000
5500- Special Events	\$ 7,000	\$ 6,375	\$ 7,000
5704- Treasurers Fee- Mill	\$ 2,800	\$ 2,376	\$ 2,500
TOTAL EXPENSES	\$ 373,570	\$ 310,615	\$ 361,470
NET (TIF payment if negative)	\$ (23,412)	\$ 43,407	\$ (3,386)

2020 Proposed DDA Operational Budget

INCOME	
4110- Grant Income City of Greeley	\$ 48,750
4111- Specific Ownership	\$ 10,000
4112- Mill Levy	\$ 200,000
4114- Interest Income	\$ 100
4120- Contributions	\$ 30,000
4140- Parking Lease	\$ 2,400
4143- Misc Income	\$ 150
4150- Oktobrewfest Income	\$ 80,000
4300- Event Sponsors	\$ 6,000
TOTAL INCOME	\$ 377,400

EXPENSES	
5101- Salaries	\$ 235,000
5102- Simple IRA Match	\$ 6,500
5105- Worker's Comp Insurance	\$ 1,500
5106- Health & Wellness	\$ 1,500
5108- Payroll Taxes	\$ 20,000
5109- EZ Fund 1.5% Admin Fee	\$ 500
5110- Advertising & Marketing Expense	\$ 8,000
5112- Bank Charges	\$ 200
5113- Interest Expense TIF	\$ 800
5117- Professional Fees	\$ 5,000
5121- Miscellaneous Expense	\$ 1,000
5132- Office Supplies & Equipment	\$ 4,500
5134- Professional Development	\$ 2,500
5135- Memberships/Dues	\$ 1,500
5153- Office Expense- Cleaning & Trash	\$ 1,300
5154- Printing & Publication	\$ 1,000
5155- Parking Lot Expense & Tax	\$ 250
5185- Rent Expense/Utilities/Permits	\$ 35,000
5190- Board Expenses	\$ 2,500
5195- Repairs & Maintenance	\$ 300
5200- Oktobrewfest	\$ 60,000
5500- Special Events	\$ 7,000
5704- Treasurers Fee Mill	\$ 2,500
TOTAL EXPENSES	\$ 398,350
NET (TIF funds cover if negative)	
	\$ (20,950)

2020 DDA TIF Budget

	Budget
Anticipated TIF Balance (1-1-20)	\$ 1,100,000
REVENUES	
Tax Incremental Finances (TIF)	\$ 797,022
EXPENDITURES	
Annual TIF Reimbursements	
City of Greeley	\$ 208,080
Lincoln Park Hotel LLC	\$ 8,944
Building Improvement Grants	\$ 300,000
Legal Expenses	\$ 5,000
Strategic Planning Consulting	\$ 75,000
Planters	\$ 20,000
Public Art	\$ 15,000
Façade Grants	\$ 22,500
Tree Lighting Maintenance	\$ 15,000
Plaza & Alley Maintenance	\$ 17,000
Cameras	\$ 2,000
Streetscape	\$ 55,000
Holiday Mini Grants	\$ 1,000
Advertising & Events (paid to DDA Operating Acct.)	\$ 20,950
Treasurer's Fees- TIF	\$ 15,000
Interest Expense & Bank Fees	\$ 1,000
Total Expenditures	\$ 781,474
End-of-Year TIF Balance	\$ 1,115,548

Council Agenda Summary

December 3, 2019

Agenda Item Number 12

Key Staff Contact: Renee Wheeler, Finance Director, 350-9732

Title:

Consideration of a Resolution Establishing the 2019 Downtown Development Authority Tax Levy and Directing the Certification of the same to the Board of County Commissioners

Summary:

This resolution establishes the 2019 tax levy for taxes to be collected in 2020 and authorizes the City Clerk to certify to the Board of County Commissioners that the tax levy has been established for 2019. The electors of the Downtown Development Authority (DDA) approved a 5 mill ad valorem real and personal property tax on property of the DDA on November 4, 2008. This resolution imposes that 5 mill increase.

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:

City Charter requires the City Council to establish the tax levy and authorize the City Clerk to certify to the Board of County Commissioners that the tax levy for 2019 has been established.

Other Issues and Considerations:

None

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
Certification of Tax Levy
Notice of Tax Levy for 2019
Certification of Valuation

CITY OF GREELEY

RESOLUTION NO.____, 2019

**RESOLUTION ESTABLISHING THE 2019 DOWNTOWN DEVELOPMENT
AUTHORITY TAX LEVY AND DIRECTING THE CERTIFICATION OF THE SAME
TO THE BOARD OF COUNTY COMMISSIONERS.**

WHEREAS, the Downtown Development Authority (the “DDA”) in the City of Greeley, Colorado, was created under the provisions of Part 8 of Article 25 of Title 31, C.R.S.; and

WHEREAS, by special election held November 4, 2008, the qualified electors of the DDA approved a five mill ad valorem tax on real and personal properties within the District;

WHEREAS, pursuant to said election approval and the provisions of Section 31-25-817 C.R.S., the City Council of the City of Greeley is authorized, in addition to the regular ad valorem tax and special assessments for improvements, to impose and levy an ad valorem tax on all real and personal property within the boundaries of the DDA not exceeding five mills on the valuation for assessment of such property; and

WHEREAS, the Board of Directors of the DDA in the City of Greeley, Colorado, considered a proposed budget on November 21, 2019 and recommended to the Greeley City Council that it impose and levy five mills on all real and personal property within the boundaries of the DDA; and

WHEREAS, the City Council considered the proposed DDA budget, and has considered the certificate from the Weld County Assessor showing that the total assessed valuation of property attributable to the five mill ad valorem property tax by the Downtown Development Authority District in the City of Greeley for the year of 2019 is \$31,132,878; and,

WHEREAS, based upon consideration of the data referred to above, the City Council has determined that the additional rate of taxation necessary to produce the required tax revenues for the 2020 DDA budget is 5.000 mills.

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

Section 1. The tax levy to be applied to the valuation for assessment of property subject to taxation by the City of Greeley, Colorado as certified by the County Assessor for the current year, for the properties located within the DDA boundaries is hereby established at 5.000 mills, in addition to all regular ad valorem tax and special assessments.

Section 2. The Mayor is hereby authorized and directed to sign a statement certifying to the Board of County Commissioners that the tax levy for 2019 for the DDA has been established at 5.000 mills, in addition to all other regular ad valorem taxes and special assessments.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 3RD DAY OF
DECEMBER, 2019.

ATTEST:

THE CITY OF GREELEY

City Clerk

Mayor

**CITY OF GREELEY
FOR THE
DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT**

CERTIFICATION OF TAX LEVY

FOR 2019

STATE OF COLORADO)
COUNTY OF WELD)
CITY OF GREELEY)

The undersigned Mayor of the City of Greeley, Colorado hereby certifies that the City Council of the City of Greeley, on December 3, 2019, established by resolution that the 2019 tax levy for property in the Downtown Development Authority in the City of Greeley will be 5.000 mills in addition to all regular ad valorem taxes and special assessments. All steps and hearings required to be conducted and completed prior to the establishment of the tax levy were in fact taken and concluded, in accordance with law. A true copy of the resolution establishing said levy is attached hereto.

Dated this 3rd day of December, 2019.

City Clerk

Mayor

NOTICE OF TAX LEVY FOR 2019
(Downtown Development Authority Property in the City of Greeley, Colorado)

STATE OF COLORADO)
COUNTY OF WELD)
CITY OF GREELEY)

Whereas, at the regular meeting of the Council of the City of Greeley held at 1001 11th Avenue, in the City of Greeley, on the 3rd day of December, 2019, the following resolution was unanimously adopted:

"Be it Resolved and Ordered by the City Council, that upon valuation of assessable property within the boundaries of the Downtown Development Authority in the City of Greeley as certified by the County Assessor for the current year, in addition to all regular and ad valorem taxes and special assessments, there be and is hereby levied for:

Purposes authorized by 31-25-817, C.R.S.	5.000 mills
Interest	mills
Payment of Bonds	mills
Outstanding Warrants	mills
Special Improvements	mills
Parks	mills
Library	mills
Streets and Alleys	mills
Contingent	mills
TOTALS	5.000 mills

Passed by the City Council of Greeley, Colorado and approved this 3rd day of December, 2019.

ATTEST:

City Clerk

Mayor

(Seal)

Note: The Clerk or Secretary will immediately upon passage of this resolution deliver or cause to be delivered to the County Commissioners of the County and State aforesaid, a certified copy of said resolution with the seal thereto attached; also signed by the Mayor or President and Clerk or Secretary of Board.

CERTIFICATION OF VALUATION BY WELD COUNTY ASSESSOR

Name of Jurisdiction: 0802 - DOWNTOWN DEVELOPMENT AUTHORITY

IN WELD COUNTY ON 8/15/2019

New Entity: No

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) AND 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2019 IN WELD COUNTY, COLORADO

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$24,259,014
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: *	\$40,756,080
3. LESS TIF DISTRICT INCREMENT, IF ANY:	\$9,623,202
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$31,132,878
5. NEW CONSTRUCTION: **	\$169,294
6. INCREASED PRODUCTION OF PRODUCING MINES: #	\$0
7. ANNEXATIONS/INCLUSIONS:	\$0
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: #	\$0
9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b) C.R.S.): ##	\$0
10. TAXES COLLECTED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1))(a) C.R.S.):	\$0.00
11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a) C.R.S.) and (39-10-114(1)(a)(I)(B) C.R.S.):	\$25,857.10

* This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec.20(8)(b), Colo.

** New construction is defined as: Taxable real property structures and the personal property connected with the structure.

Jurisdiction must submit respective certifications (Forms DLG 52 AND 52A) to the Division of Local Government in order for the values to be treated as growth in the limit calculation.

Jurisdiction must apply (Forms DLG 52B) to the Division of Local Government before the value can be treated as growth in the limit calculation.

USE FOR 'TABOR' LOCAL GROWTH CALCULATIONS ONLY

IN ACCORDANCE WITH THE PROVISION OF ARTICLE X, SECTION 20, COLO CONST, AND 39-5-121(2)(b), C.R.S. THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2019 IN WELD COUNTY, COLORADO ON AUGUST 25, 2019

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: @	\$184,211,716
ADDITIONS TO TAXABLE REAL PROPERTY:	
2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: !	\$1,139,921
3. ANNEXATIONS/INCLUSIONS:	\$0
4. INCREASED MINING PRODUCTION: %	\$0
5. PREVIOUSLY EXEMPT PROPERTY:	\$0
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	\$0
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT:	\$0

(If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.)

DELETIONS FROM TAXABLE REAL PROPERTY:

8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	\$0
9. DISCONNECTIONS/EXCLUSION:	\$0
10. PREVIOUSLY TAXABLE PROPERTY:	\$0

@ This includes the actual value of all taxable real property plus the actual value of religious, private schools, and charitable real property.

! Construction is defined as newly constructed taxable real property structures.

% Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS : 1. TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY:----->

\$0

NOTE: All levies must be Certified to the Board of County Commissioners NO LATER THAN DECEMBER 15, 2019

Data Date: 8/15/2019

Council Agenda Summary

December 3, 2019

Agenda Item Number 13

Key Staff Contact: Joel Hemesath, Public Works Director, 970-350-9795

Title:

Consideration of a resolution of the Greeley City Council authorizing the City to enter into an intergovernmental agreement between and among the City of Fort Collins, The Town of Windsor, and the City of Greeley for the operation of the Poudre Express transit service project

Summary:

The approval of this Intergovernmental Agreement (IGA) memorializes a financial and operational agreement to provide express transit service between Greeley and Fort Collins through Windsor. This service, which was approved within the City of Greeley's 2019/2020 budgetary process, is in collaboration with the Town of Windsor, City of Fort Collins, Colorado State University (CSU) and the Colorado Department of Transportation (CDOT). The adoption of this IGA outlines a commitment by all three communities (Fort Collins, Windsor and Greeley) to contribute the necessary local match needed for a Colorado Department of Transportation FASTER (Funding Advancements for Surface Transportation and Economic Recovery) Grant as well as contribute annually to fund the local match needed for the necessary capital replacement (buses).

This service, which was outlined within Greeley Evans Transit's (GET) 5-10 Year Strategic plan and the North Front Range Metropolitan Planning Organization (NFRMPO) Regional Transportation Plan, will provide not only an option for those 15,000 plus employees and students traveling between the three communities but also those who have no other travel option. An in depth study route study was completed in May of 2018 and outlined the need/desire for the service. A copy of this study is attached.

The service is planned to operate seven trips per day, Monday through Friday, between Greeley and Fort Collins. Stops will be made at Colorado State University (CSU), University of Northern Colorado (UNC) and in Windsor. Passengers will be able to make transfers to Routes 1, 3 and 5 within the GET system and multiple routes within the Fort Collins bus system (Transfort). Additionally, transfers can be made to CDOT's Bustang service at the Harmony Transportation Center.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$110,118
What is the annual impact?	\$110,118
What fund of the City will provide Funding?	General Fund
What is the source of revenue within the fund?	Sales Tax

Is there grant funding for this item?	Yes
If yes, does this grant require a match?	Yes
Is this grant onetime or ongoing?	Ongoing
Additional Comments:	The above outlined annual impact is expected to grow annually based off salary and benefit cost increases.

Legal Issues:

None. Approved by City Attorney's office.

Other Issues and Considerations:

This project demonstrates significant regional collaboration and has already been approved by both the Windsor Town Board and Fort Collins City Council.

Applicable Council Priority and Goal:

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

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

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

Decision Options:

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

Council's Recommended Action:

A motion to adopt the Resolution.

Attachments:

Resolution for Poudre Express IGA between Windsor and Fort Collins
Intergovernmental Agreement
Northern Colorado Regional Route Study & Business Plan

THE CITY OF GREELEY, COLORADO

RESOLUTION _____, 2019

A RESOLUTION AUTHORIZING THE GREELEY CITY COUNCIL TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN AND AMONG THE CITY OF FORT COLLINS, THE TOWN OF WINDSOR, AND THE CITY OF GREELEY FOR THE OPERATION OF THE POUFRE EXPRESS TRANSIT SERVICE PROJECT.

WHEREAS, The City of Fort Collins, a Colorado home rule municipality (“Fort Collins”), the Town of Windsor, a Colorado home rule municipality (“Windsor”), and the City of Greeley, a Colorado home rule municipality (“Greeley”), desire to enter into an intergovernmental agreement in order to provide regional connector bus services between their respective jurisdictions; and

WHEREAS, Fort Collins has its own fixed-route bus system (“Transfort”); and,

WHEREAS, Greeley has its own fixed-route bus system (“GET”); and,

WHEREAS, Windsor does not own or operate its own fixed-route bus system but desires to participate in regional transit services as set forth in the intergovernmental agreement to provide its residents transportation options; and,

WHEREAS, the parties have determined that the Poudre Express Transit Service will result in significant economic and efficiency benefits for their respective jurisdictions; and,

WHEREAS, the Parties wish to record their mutual understanding in an intergovernmental agreement; and,

WHEREAS, pursuant to Section 02.07.040, *Greeley Municipal Code*, Greeley has the authority to enter into cooperative or joint activities with other governmental bodies if approved by resolution; and,

WHEREAS, it is in the best interest of the citizens of the City of Greeley for the parties to enter into this intergovernmental agreement.

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

Section 1. The City Council hereby authorizes the City Manager, or his or her designee, to enter into the “Intergovernmental Agreement for the Operation of the Poudre Express Transit Service Project,” a copy of which is attached hereto and incorporated herein as Exhibit A.

Section 2. The City Council hereby authorizes City staff to make minor modifications to the Agreement, so long as the substance of the Agreement remains unchanged, and to take all necessary and appropriate action in performance of the terms and conditions of the agreement.

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

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

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor

**INTERGOVERNMENTAL AGREEMENT FOR THE OPERATION OF THE
POUDRE EXPRESS TRANSIT SERVICE PROJECT BY, BETWEEN AND
AMONG THE CITY OF FORT COLLINS, THE TOWN OF WINDSOR AND
THE CITY OF GREELEY**

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”) dated this ____ day of _____, 2019, is made and entered into by and between the City of Fort Collins, a Colorado home rule municipality, (“Fort Collins”), the Town of Windsor, a Colorado home rule municipality (“Windsor”) and the City of Greeley, a Colorado home rule municipality (“Greeley”). The parties identified above may be collectively referred to herein as “Parties”.

RECITALS

WHEREAS, the Parties desire to provide regional connector bus service between their respective jurisdictions; and

WHEREAS, Fort Collins has its own fixed-route bus system (“Transfort”);

WHEREAS, Greeley has its own fixed-route bus system (“GET”); and

WHEREAS, Windsor does not own or operate its own fixed-route bus system but desires to participate in regional transit services as set forth herein to provide its residents transportation options; and

WHEREAS, the Parties have determined that the Poudre Express Transit Service, as described herein will result in significant economic and efficiency benefits.

NOW, THEREFORE, in consideration of the mutual promises herein and other good and valuable consideration, receipt and adequacy of which is acknowledged, the Parties agree as follows:

1. Service. Greeley shall provide regional connector bus service, which shall be referred to as the *Poudre Express*, in accordance with the terms of this Agreement and as specifically identified and described in the Scope of Services, attached hereto as **Exhibit A** and incorporated herein by this reference, throughout the term of this Agreement. The services identified and described in Exhibit A are subject to increase, modification, reduction and termination, pursuant to this Paragraph 1 and Paragraph 4 of this Agreement.

a. Increased service beyond that described in Exhibit A may be provided by Greeley, at its sole discretion, to the extent Greeley determines appropriate given the demand for service and available resources. Prior to providing additional service at its expense, Greeley shall provide thirty (30) days’ advance written notice to Fort Collins and Windsor. If Greeley desires to increase service with contribution from Fort Collins and Windsor, prior written agreement to such

increased service and cost allocation shall be required. If the Parties agree to the increased service Exhibits A and B will be amended to reflect the changed service and the respective cost share associated with the change. If the Parties do not agree to increase contribution and service, then Greeley reserves the right to modify the service pursuant to paragraph (b) below to accommodate demand. Any such additional service that exceeds the services described in Exhibit A may be reduced, modified or terminated by Greeley, at its sole discretion. Prior to reducing, modifying or terminating any such additional service, Greeley shall provide thirty (30) days' written notice to Fort Collins and Windsor.

b. In the event Fort Collins or Windsor determines that circumstances require modification of Poudre Express services to better accommodate the demand for service or the efficient provision of service, Greeley shall be entitled to implement such modification at its sole discretion provided that thirty (30) days' advance written notice of any such modification is provided to Fort Collins and Windsor and to the extent that such modifications do not increase the Parties' contributions. Such modifications shall not result in a reduction in the overall level of service described in Exhibit A.

c. In the event any request for modification of service by Fort Collins or Windsor results in an increase in cost to Greeley, prior written agreement to such increased service and cost allocation shall be required before Greeley implements services in response to the request for modified service.

d. All services provided under this Agreement shall be consistent with GET operating policies and procedures, as the same may be amended in Greeley's sole discretion, and that all such services shall be consistent with the GET operation schedule.

2. Term of Agreement. This Agreement shall take effect on the date first appearing above, and shall run through December 31, 2020, unless otherwise renewed, modified or terminated as provided herein.

a. Renewal. This Agreement shall automatically renew for additional calendar-year terms unless one of the Parties provides notice to the other Parties of their intent to terminate this Agreement pursuant to Paragraph 13.

b. Rates. Any such renewal shall be at the same rates, and subject to the same terms and conditions as the original term of this Agreement, except that Greeley may request an increase in rates based on projected increased operating costs. Any increase in labor costs must be substantiated by Greeley. Any increase based on increases in fuel, oil or other petroleum products and parts must be substantiated by valid purchase orders or other such documents verifying that such increase is actual, unavoidable and beyond the control of Greeley. By no later than August 1 of each calendar year, Greeley shall submit detailed cost breakdowns for the prior calendar year of operations under this Agreement in order to permit

verification of any increase request. Any request for an increase in proposed fees shall be made no less than sixty (60) days prior to implementation of increased cost allocation as described in this sub-paragraph.

3. Consideration. In consideration of the services provided by Greeley under this Agreement, and the mutual financial commitments herein made, Fort Collins and Windsor agree to contribute to the direct and indirect costs of operating the Poudre Express, as supplemented by such additional federal or state grant funds as may be available therefor. The Parties agree to use service data to help formulate the annual cost share associated with each of the Parties as demonstrated on **Exhibit B** attached hereto and incorporated herein by this reference.

a. Unless modified as provided herein, for each term of this Agreement Fort Collins shall pay Greeley the amount of One-Hundred-Twenty-Thousand-Dollars (\$120,000.00) for the Poudre Express service during each calendar year as its share of direct and indirect costs of operating the Poudre Express. This amount includes any additional line items identified on invoice (i.e. system donation or contributions, fleet replacement local match referenced in paragraph 4.). Greeley will invoice Fort Collins in the first quarter of each calendar year for Fort Collins' anticipated share of Poudre Express service costs to be provided in that calendar year, and will continue to invoice Fort Collins in the first quarter of each subsequent year during which Fort Collins remains a party to this Agreement. Payment shall be made within 30 days after receipt of an invoice.

b. Unless modified as provided herein, for each term of this Agreement Windsor shall pay Greeley the amount of One-Hundred-Fifteen-Thousand-Dollars (\$115,000.00) for the Poudre Express service during each calendar year as its share of direct and indirect costs of operating the Poudre Express. This amount includes any additional line items identified on invoice (i.e. system donation or contributions, fleet replacement local match referenced in paragraph 4.). Greeley will invoice Windsor in the first quarter of each calendar year for Windsor's anticipated share of Poudre Express service costs to be provided in that calendar year, and will continue to invoice Windsor in the first quarter of each subsequent year during which Windsor remains a party to this Agreement. Payment shall be made within 30 days after receipt of an invoice.

c. Any additional revenues collected by Fort Collins or Windsor from Poudre Express ridership shall be remitted to Greeley. Such revenue, and any additional revenues collected by Greeley from Poudre Express ridership, shall be used to defer operation expenses equally for all Parties.

d. The Parties agree to run ridership analysis on an annual basis and if needed, the Parties will implement modifications to Poudre Express routing and/or timing based on this analysis.

- e. The Parties acknowledge and agree that the budget proposal for operation of the Poudre Express for the term of this Agreement includes projections of the Poudre Express Revenue and anticipated revenues from bus fares pursuant to Paragraph 6 (“the Poudre Express Fare Revenue”). If the Poudre Express Revenue and the Poudre Express Fare Revenue for the term of this Agreement is insufficient to meet the budget for operation of the Poudre Express, the Parties may elect to appropriate and pay their pro-rata share of any shortage. If either Fort Collins or Windsor does not appropriate and pay its pro-rata share of the shortage in the Poudre Express Revenue and the Poudre Express Fare Revenue, Greeley in its sole discretion may reduce or modify the Poudre Express services as necessary to reduce operating expenses in an amount sufficient to address such a shortage, or terminate the Poudre Express service. Prior to any reduction or termination in service, Greeley shall provide advance written notice to Fort Collins and Windsor as provided in Paragraph 1b of this Agreement.
4. Equipment. Greeley shall be responsible for providing the buses and other equipment necessary to operate the Poudre Express; however, part of the consideration outlined in Paragraph 4, includes the local match necessary for fleet replacement required to maintain the operation of the Poudre Express.
5. Fares. The basic cash fare to be charged for the Poudre Express shall be One Dollar and Fifty Cents (\$1.50) per ride. Greeley in its sole discretion shall be entitled to modify the fare to be charged by up to fifty percent (50%) as necessary for the efficient and cost-effective operation of the Poudre Express, provided that thirty (30) days’ advance written notice of any such modification is provided to Fort Collins and Windsor.
- a. All GET discounted fare categories will apply to the Poudre Express.
- b. Greeley shall collect any fares due from passengers and accurately record and account for such fare receipts and ridership levels. Greeley shall prepare quarterly reports of such receipts and ridership levels and shall provide such quarterly reports to Fort Collins and Windsor.
- c. All Greeley Evans Transit bus pass programs and transfers from Transfort will be accepted as full fare to ride the Poudre Express. Additionally, Greeley reserves the right to accept other passes and/or forms of ID as full fare. Transfers from the Poudre Express to the Transfort and GET bus systems will be honored.
6. Facilities. The City of Greeley and Fort Collins (Transfort) shall allow Greeley Evans Transit (GET) to use Transfort-owned or controlled facilities as necessary to operate the Poudre Express. Such facilities include: Bus Stops listed in the Operating Plan and portions of the Harmony Transportation Center and the Colorado State University Transit Center.
7. Employment of Personnel. Greeley shall be responsible for all recruitment, screening, testing, selection, training, scheduling, supervision, discipline, termination,

and other functions related to personnel required to perform Greeley's obligations under this Agreement. Fort Collins and Windsor shall have no supervision or control over Greeley's personnel; Greeley is responsible for the performance of Greeley's personnel in compliance with the terms and conditions of this Agreement.

- a. Greeley's employees shall be competent and qualified to provide transportation services and other services in accordance with the requirements of this Agreement.
- b. Greeley does not have any employment contracts or Labor Agreements with its general employees. Nonetheless, Greeley may, in its sole discretion enter into written agreements with its employees, and shall keep Fort Collins and Windsor fully informed in writing of the status of any organized labor negotiations related to employees performing work pursuant to this Agreement.
- c. Greeley shall ensure that regularly assigned drivers or back-up personnel are available and on time each day to ensure consistent and reliable service. All personnel must be familiar with the contracted services, and also with the services with which they connect, in order to provide accurate information to passengers.
- d. Greeley shall ensure that drivers wear appropriate uniforms at all times which identify them as employees of Greeley.
- e. Greeley shall provide all drivers with training programs which meet State of Colorado Department of Motor Vehicles (DMV) and Federal DOT standards. Drivers shall be trained on actual route operation before the first day of service.
- f. All drivers shall be required to have valid Colorado licenses for operation of the vehicles to which they are assigned. All drivers must also have in their possession at all times when operating a vehicle deployed for Poudre Express service a valid Colorado Department of Motor Vehicles (DMV) Medical Examiner's Certificate and valid Training Card (or equivalent) issued by the State of Colorado DMV. Greeley shall be responsible for monitoring Department of Motor Vehicle records for drivers to ensure their continued qualification and suitability for public transit vehicle operation.
- g. With respect to persons employed by it to provide the transportation services and any other services under this Agreement, Greeley will comply with all applicable federal, state, and local employment statutes and regulations.

8. Records and Reporting.

- a. Greeley shall maintain all invoices, supporting documents, vehicle maintenance records, and any other records associated with transportation services provided under this Agreement. The same shall be provided to

representatives of Fort Collins and Windsor as set forth in Paragraph 2.b above, or otherwise made available for inspection by Fort Collins and Windsor.

b. Greeley will prepare and submit quarterly ridership reports to the other Parties that include, but will not necessarily be limited to passenger counts, ridership per hour, and related information for the Poudre Express.

c. Greeley will provide Fort Collins and Windsor with appropriate Major Incident and Other Safety Incident Reports (as with all other reports) quarterly. In addition, Greeley shall immediately inform Fort Collins and Windsor of any incident involving fatalities, or injured transported by emergency service providers to hospitals. Greeley shall comply with all applicable federal, state, and local laws, ordinances, regulations and guidance documents as they relate to the provision of public transportation services.

d. Greeley agrees to prepare and submit any applications, reports, or other documentation required in connection with the grant funding provided for the Poudre Express service. Greeley will meet National Transit Database reporting requirements for the route and Greeley for the Greeley/Garden City/LaSalle Urbanized Zoning Area will claim those statistics.

9. Each Party shall designate a representative, who shall be responsible for managing such Party's performance of the terms of this Agreement, and shall provide the other Party with written notice thereof, along with address, telephone, and email information. All notices to be provided under this Agreement shall be provided to such designated representatives and to the Parties listed below. Any notice required by this Agreement shall be hand-delivered or sent by U.S. mail, return receipt requested, and addressed to the designated representative. Any such notice shall be deemed given upon hand-delivery to the designated representative or their address or three (3) days after mailing.

If to Greeley:

City of Greeley
Greeley Evans Transit Manager
101 11th Avenue
Greeley, CO 80631

With a copy to:

City Attorney
City of Greeley
1100 10th Street, Suite 401
Greeley, CO 80631

If to Fort Collins:

City of Fort Collins
Transfort & Parking Services Director
City of Fort Collins
250 N. Mason Street
Fort Collins, CO 80522

With a copy to:

City Attorney
City of Fort Collins
250 N. Mason Street
Fort Collins, CO 80522

If to Windsor:

Town Manager
Town of Windsor
301 Walnut Street
Windsor, CO 80550

With a copy to:

Town Attorney
Town of Windsor
301 Walnut Street
Windsor, CO 80550

10. Surveys. The Parties agree to cooperate fully in the development and implementation of any surveys or studies undertaken to evaluate demand, usage, cost, effectiveness, efficiency, or any other factor relating to the success or performance of the Poudre Express or the need for such service. However, such cooperation shall not require the expenditure of funds more than the specific amounts set forth in Paragraph 4 and Exhibit B unless approved in writing and appropriated by the Parties.

11. Advertising. Fort Collins and Windsor will not prevent advertising to be placed on Poudre Express vehicles operating within their respective jurisdictions. If permitted by local municipality, advertising on bus benches and shelters at Poudre Express Bus Stops will be managed separately by each municipality's contractual agreement. Revenue from advertising will be applied to transit operations, excluding facilities owned or controlled by Transfort that are used by GET pursuant to Paragraph 6.

12. Annual Appropriation and Funding

a. The Parties acknowledge that their obligations under this Agreement are subject to annual appropriation by the governing body of each respective Party and shall not constitute or give rise to a general obligation or other indebtedness of either Party within the meaning of any constitutional or statutory provision or limitation of the State of Colorado nor a mandatory charge or requirement against either Party in any ensuing fiscal year beyond the current fiscal year.

b. If the governing body of a Party fails to budget and appropriate funds for its share of expenses as described in this Agreement, then this Agreement shall terminate as to that Party at the end of the fiscal year for which such funds were last budgeted and appropriated.

c. The Parties acknowledge that Fort Collins is receiving funding for this Agreement from Colorado State University ("CSU"). If CSU fails to provide Fort Collins funding for Fort Collins' share of expenses as described in this Agreement, Fort Collins and Greeley will discuss in good faith whether it is possible to continue the services without the CSU funding. However, Fort Collins will not be obligated to continue the services without the CSU funding and Fort Collins will not be obligated to pay any portion of the funding that CSU fails to pay.

13. Termination, Default, Cure.

a. Upon written notice given 60 days prior to the renewal of this Agreement, any Party may terminate performance of this Agreement in whole, or in part. Unless otherwise expressly agreed, Greeley, after receipt of a Notice of Termination, shall cease service.

b. Any failure of a Party to perform the undertakings set forth herein shall be deemed a default. In the event a Party is declared in default by written notice, such defaulting Party shall be allowed a period of thirty (30) days within which to cure said default. In the event the default remains uncorrected following expiration of the cure period, the Party declaring default may elect to withdraw from this Agreement and so notify the other Parties in writing. Any amounts due from a defaulting Party to the non-defaulting Parties shall be paid within fifteen (15) days of the date of notice of withdrawal is received.

d. Upon withdrawal of only one Party, the remaining Parties may choose to continue Poudre Express service, except that if Greeley terminates its involvement, then this Agreement shall terminate as to all other Parties. If Fort Collins or Windsor is the terminating or withdrawing Party, the remaining Parties may modify the route to eliminate service within the jurisdiction of the terminating or withdrawing Party.

14. Liability. Liability of the Parties shall be apportioned as follows:

- a. Greeley shall be responsible for all claims, damages, liability and court awards, including costs, expenses, and attorney fees incurred, as a result of any action or omission of Greeley or its officers, employees, and agents, in connection with the performance of this Agreement. Greeley shall give Fort Collins and Windsor immediate notice of any suit or action filed or prompt notice of any claim made against Greeley arising out of the performance of this Agreement. Greeley shall furnish immediately to Fort Collins and Windsor copies of all pertinent papers received by Greeley.
- b. Fort Collins shall be responsible for all claims, damages, liability and court awards, including costs, expenses, and attorney fees incurred, as a result of any action or omission of Fort Collins or its officers, employees, and agents, in connection with the performance of this Agreement.
- c. Windsor shall be responsible for all claims, damages, liability and court awards, including costs, expenses, and attorney fees incurred, as a result of any action or omission of Windsor or its officers, employees, and agents, in connection with the performance of this Agreement.
- d. Nothing in this Paragraph or any other provision of this Agreement shall be construed as a waiver of the notice requirements, defenses, immunities, and limitations the Parties may have under the Colorado Governmental Immunity Act (C.R.S. § 24-10-101, et seq.) or any other defenses, immunities, or limitations of liability available to any Party by law.

15. Law. This Agreement is subject to and shall be interpreted under the law of the State of Colorado. Court jurisdiction and venue shall exclusively be in the Colorado District Court for Weld County, Colorado.

16. Miscellaneous.

- a. This Agreement embodies the entire agreement of the Parties. The Parties shall not be bound by or be liable for any statement, representation, promise, inducement or understanding of any kind or nature not set forth herein.
- b. No changes, amendments or modifications of any of the terms or conditions of this Agreement shall be valid unless reduced to writing and signed by the Parties, except as provided herein.
- c. Any provision rendered null and void by operation of law shall not invalidate the remainder of this Agreement to the extent that this Agreement is capable of execution.

- d. Either Party's failure to enforce any provision of this Agreement shall not in any way be construed as a waiver of any such provision or prevent that Party thereafter from enforcing each and every other provision of this Agreement.
- e. This Agreement does not and is not intended to confer any rights or remedies upon any person other than the Parties.
- f. The Parties shall not discriminate on the basis of race, color, national origin, gender orientation or sex in the performance of this Agreement. Failure by any Party to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement.
- g. The Parties acknowledge and agree that this is a negotiated Agreement, and that as such no term shall be construed against any Party as the author thereof. This Agreement embodies the entire agreement of the Parties.
- h. The Parties shall not be bound by or be liable for any statement, representation, promise, inducement or understanding of any kind or nature not set forth herein.
- i. This Agreement may be executed by electronic signature in accordance with C.R.S. 24-71.3-101 et seq. and all Parties consent to the use of electronic signatures.
- j. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same document.
- h. The parties hereto recognize that there are legal constraints imposed upon them by the constitution, statutes, and rules and regulations of the State of Colorado and of the United States, and their respective governing statutes, charters, ordinances, rules and regulations, and that, subject to such constraints, the parties intend to carry out the terms and conditions of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, in no event shall either of the parties be obligated hereunder to exercise any power or take any action that is prohibited by the above applicable law. Whenever possible, each provision of this Agreement shall be interpreted in such a manner so as to be effective and valid under applicable law.
- i. The Fort Collins City Manager shall have the authority to execute amendments to this Agreement, including changing routes or increasing or decreasing Fort Collins' contribution amounts, if such amendments do not substantially change the terms set forth in this Agreement.

IN WITNESS WHEREOF, the Parties hereto being duly authorized have executed this Agreement on the date first appearing above.

FOR GREELEY, COLORADO:

ATTEST:

By: _____
John Gates, Mayor

By: _____ (Seal)
City Clerk

APPROVED AS TO SUBSTANCE:

By: _____
Roy Otto, City Manager

APPROVED AS TO AVAILABILITY OF FUNDS:

By: _____
Renee Wheeler, Director of Finance

APPROVED AS TO LEGAL FORM

By: _____
Doug Marek, City Attorney

FOR CITY OF FORT COLLINS, COLORADO:
a municipal corporation

By: _____
Wade Troxell, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney

FOR TOWN OF WINDSOR, COLORADO:

By: _____
Shane Hale, Town Manager

ATTEST:

Krystal Eucker, Town Clerk

APPROVED AS TO FORM:

Ian D. McCargar, Town Attorney

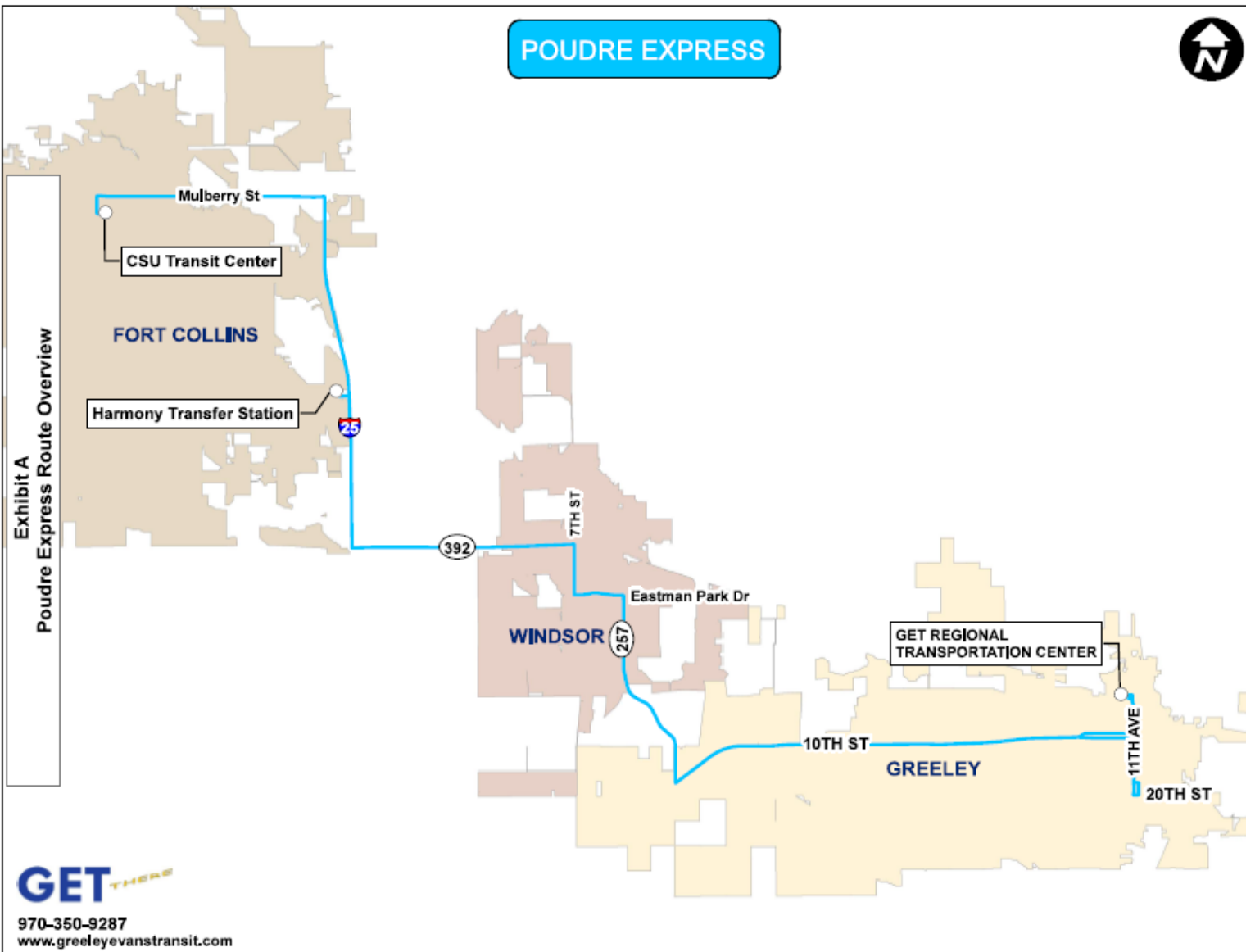




Exhibit B Poudre Express Partnership Cost Share

2020 Service Overview:

Days of Service - Monday-Friday except for the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

Hours of Service - Monday-Friday 5:00 a.m. - 8:15 p.m.

Frequency - Route will start at 5:00 a.m. with buses leaving Greeley and Fort Collins seven times throughout the day*.

Partnership Cost Allocation - The below costs detail regional partnership joint funding, anticipated fare box recover and expected state funding through the Colorado Department of Transportation's FASTER Grant program.

Service Partner	Operating	Capital	Fares	Cost
				\$115,000
Town of Windsor Contribution	\$110,000	\$5,000		0
				\$100,000
City of Fort Collins Contribution	\$95,000	\$5,000		0
			\$5,000	
Colorado State University (CSU)	\$15,000	\$ 0	0	\$20,000
				\$110,000
City of Greeley Contribution	\$110,000	**		0
			\$5,000	\$345,000
Total Partnership Funds	\$315,000	\$25,000	0	0
Anticipated Fare box Recovery				\$20,000
				\$200,000
CDOT FASTER Grant				0
				\$565,000
Total Funding				0

*Route times remain tentative until this service is fully established

**City of Greeley will be responsible for local match on remaining capital needs at time of bus purchase.



NORTHERN COLORADO REGIONAL ROUTE STUDY & BUSINESS PLAN

Connecting communities.....

May 2018

Participating Organizations	1
References	1
Demand & Existing Service Analysis	2-3
Greeley/Evans Routing Alternatives	4
Windsor Routing Alternatives	5
Fort Collins Routing Alternatives	6
Proposed Regional Express Route & Stops	7

Participating Organizations

TRANSFORT



References



Colorado Department of Transportation Division of Transit and Rail



Colorado Department of Transportation
Division of Transit and Rail

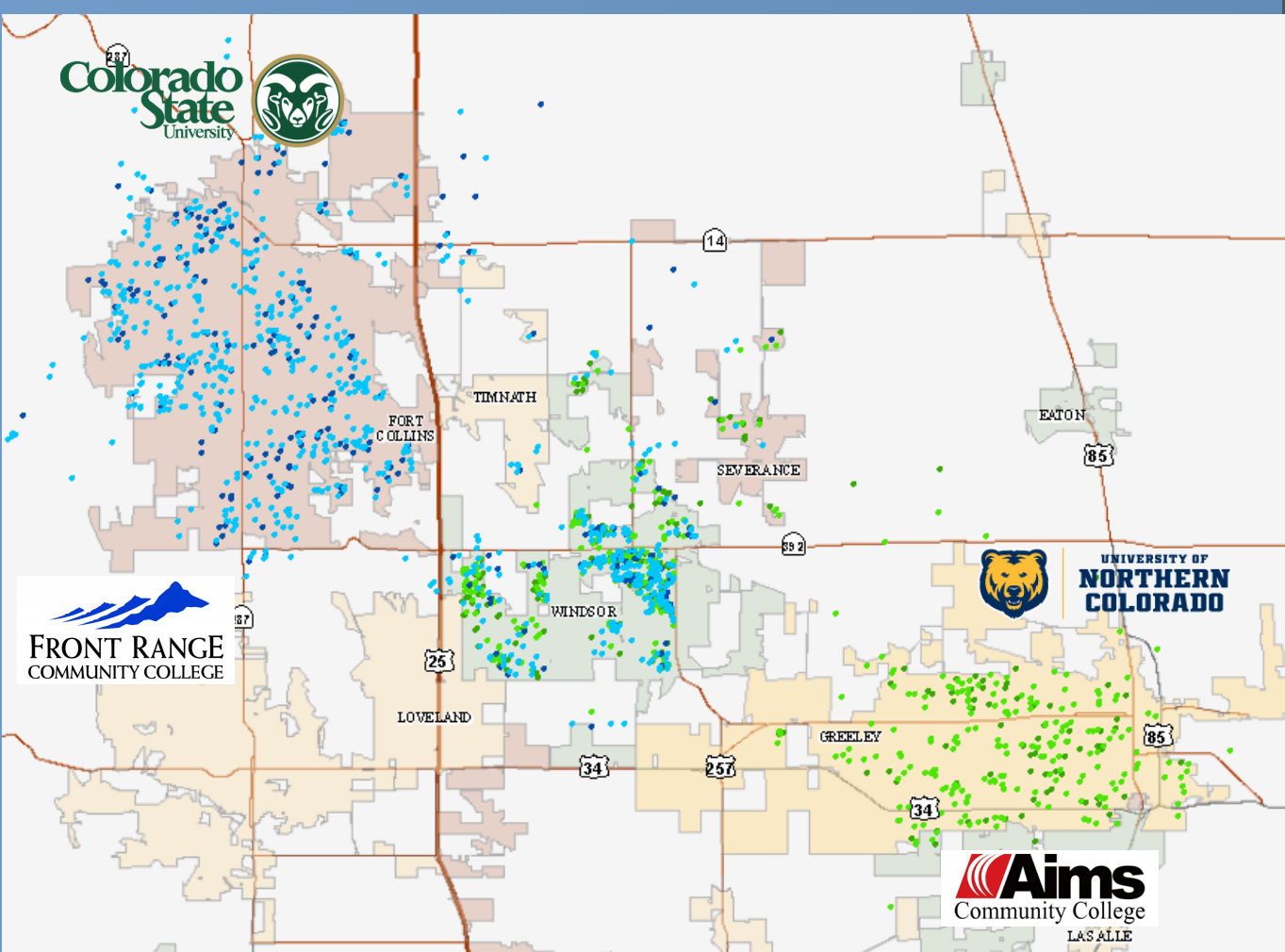
Statewide Intercity and Regional Bus
Network Study

Demand & Existing Service Analysis

Faculty and Students Currently Commuting



2938



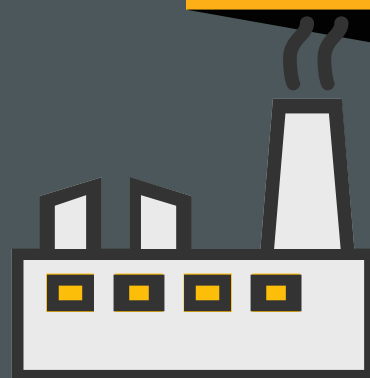
14156

of people commuting between cities for work.

*Based of 2014 Census Data

2017 Online Survey Results

1,755 Completed Surveys (91% Confidence Level with 2% Margin of Error)



657

of respondents said they would take three to five days a week to get to work



225

of respondents said they would take three to five days a week to get to school



#1

Overall convenience (i.e. How easy it is for me to get to my destination?)



#2

The time it takes to reach your destination (i.e. How long does it take to get to my final destination?)



151,320

of potential single occupancy car trips this route could take off the road. *Based off survey data and those who responded they would ride three to five times a week

Current Travel Options



\$139
Per Month



\$66
Per One-Way
Trip



\$60
Per One-Way
Trip



Drive

\$9,169
Average Annual
Cost to Drive



Demand & Existing Service Analysis (cont.)

Projected 2025 Population Increase

North Front Range Metropolitan Planning Organizations Model's Projected Growth



Study Key Takeaways

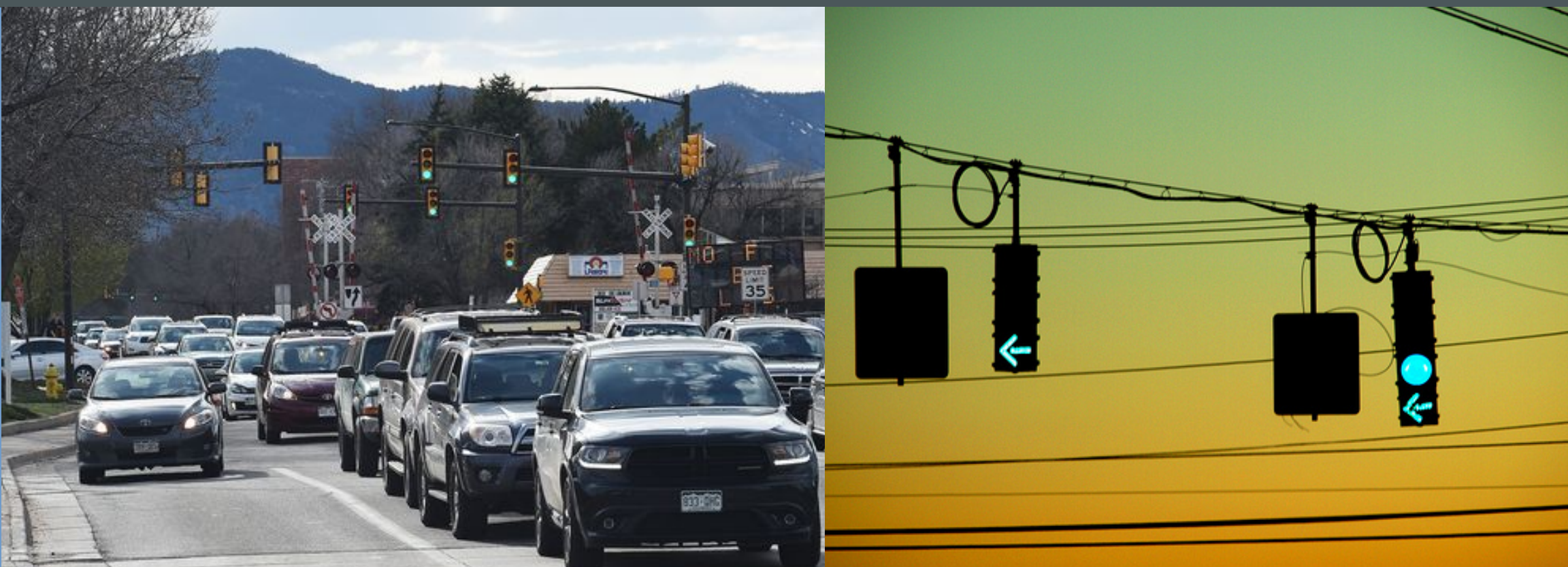
Survey and travel pattern data demonstrates a need for regional service.

Survey feedback demonstrates a desire for regional service from citizens in all four communities.

With continued population growth in Northern Colorado, the above mentioned demand and desire will only grow.

A regional route would help reduce the number of cars on the road daily and fill an important transportation gap for citizens in all four communities without reliable transportation.

The development of a Regional Route Business Plan is warranted.



Greeley Routing Alternatives Evaluated

Routing Alternative #1



Pro's

- Facilitates JBS, CDOT and State Farm Employment Centers.
- Route/Stops in direction of travel for majority of potential riders.
- Allows for transfers to Route's 1, 3 and 5.
- Identified in GET's 5-10 Year Plan as Rapid Transit Corridor.

Con's

- A couple minutes longer

Preferred Route

Routing Alternative #2



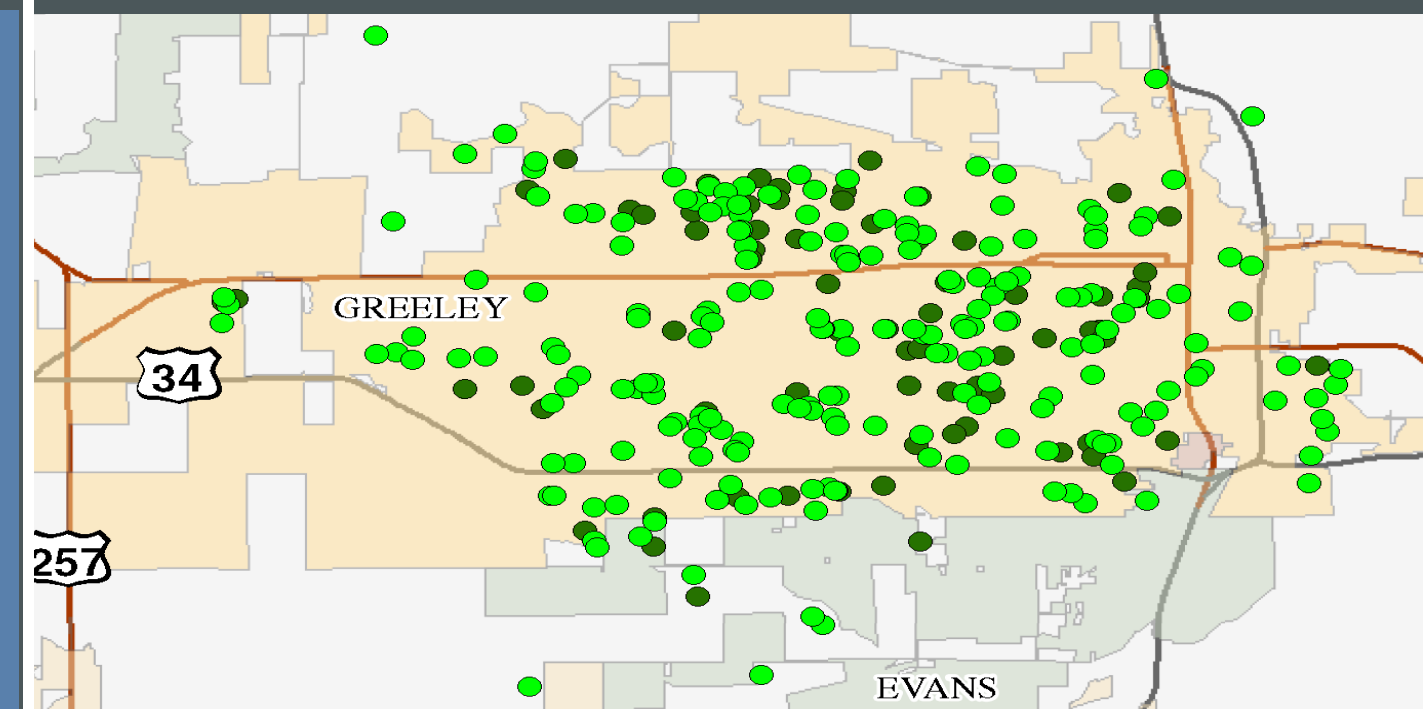
Pro's

- Couple minutes faster.

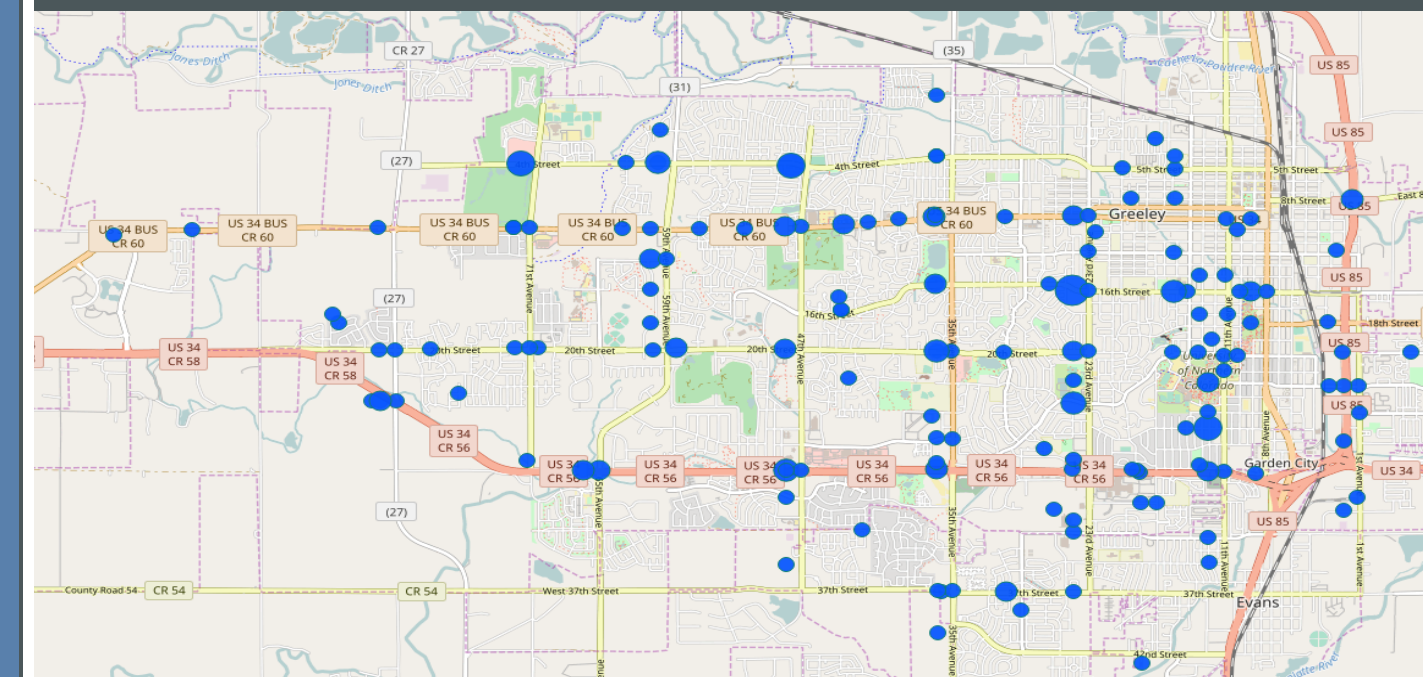
Con's

- Does not facilitate JBS, CDOT or State Farm Employment Centers.
- Route/Stops not in direction of travel. Hence requiring riders to travel backwards to board a bus.
- Only allows for transfers to Route 2 and 5.

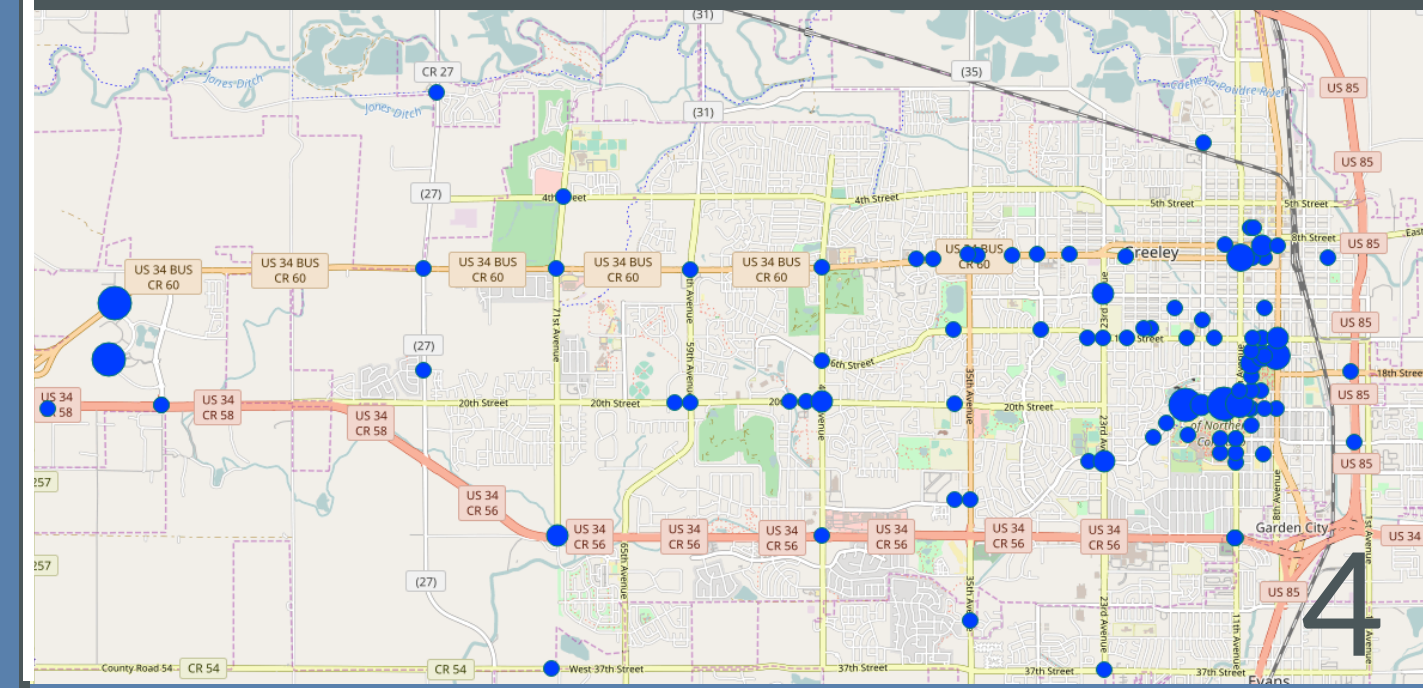
CSU Faculty and Students



Survey Home Data

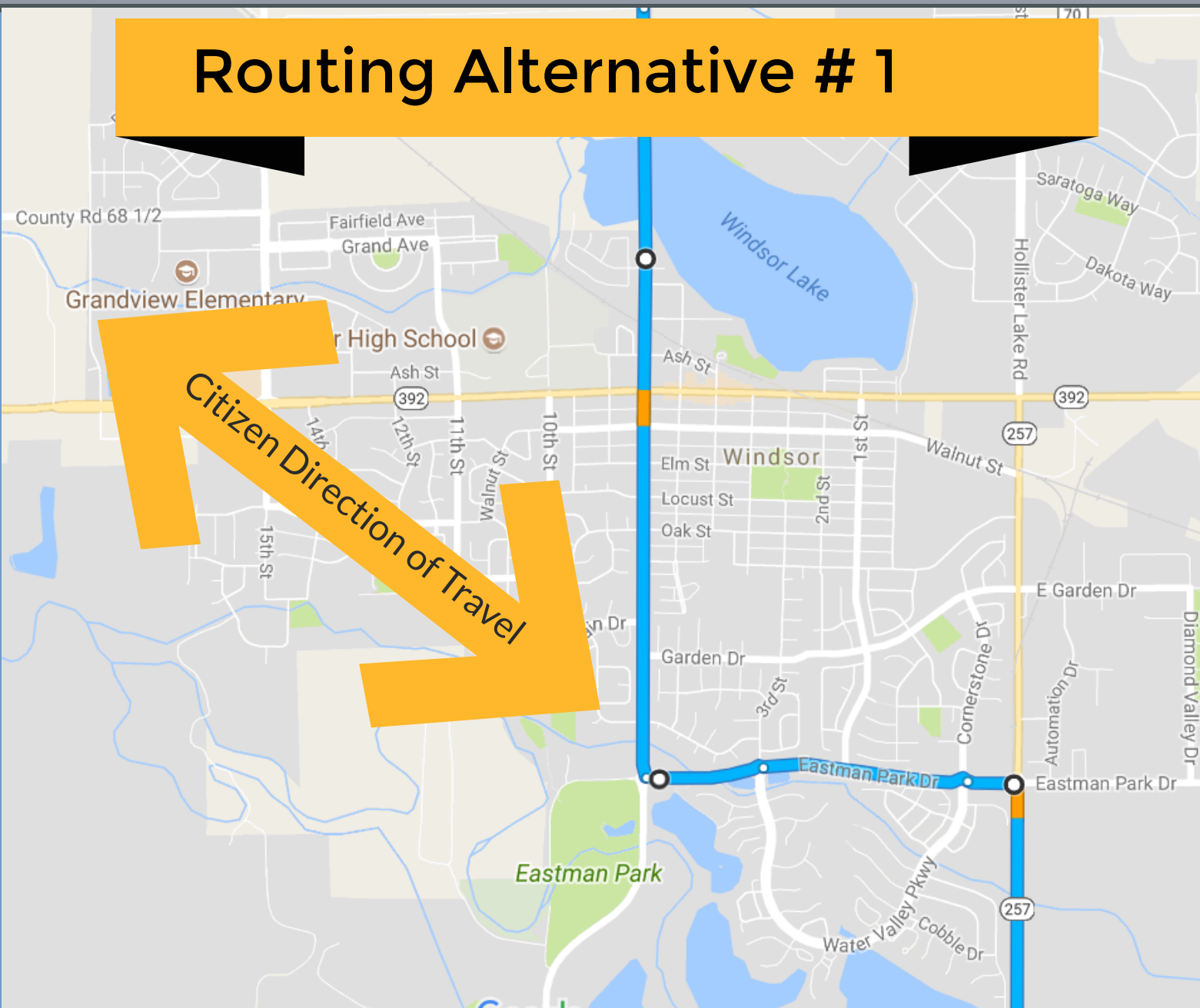


Survey Employment Data



Windsor Routing Alternatives Evaluated

Routing Alternative # 1



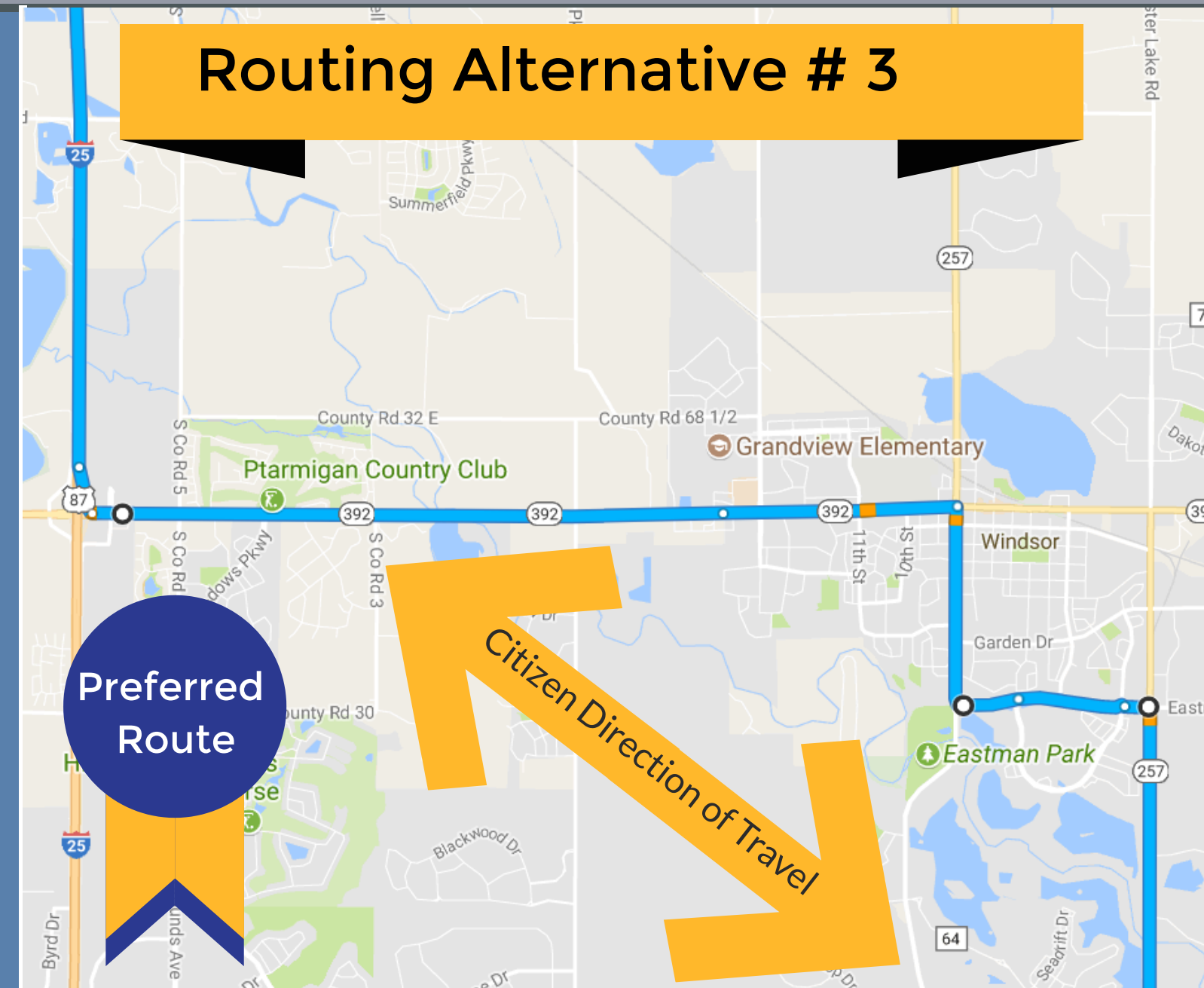
Pro's

- Quickest routing option
- Serves apartments along 7th Street
- Avoids majority of railroad crossings

Con's

- Does not serve those in west Windsor

Routing Alternative # 3



Pro's

- Serves apartments along 7th St, majority of Main Street and residents in west Windsor
- Provides for best parking options

Con's

- A couple minutes longer

Routing Alternative # 2



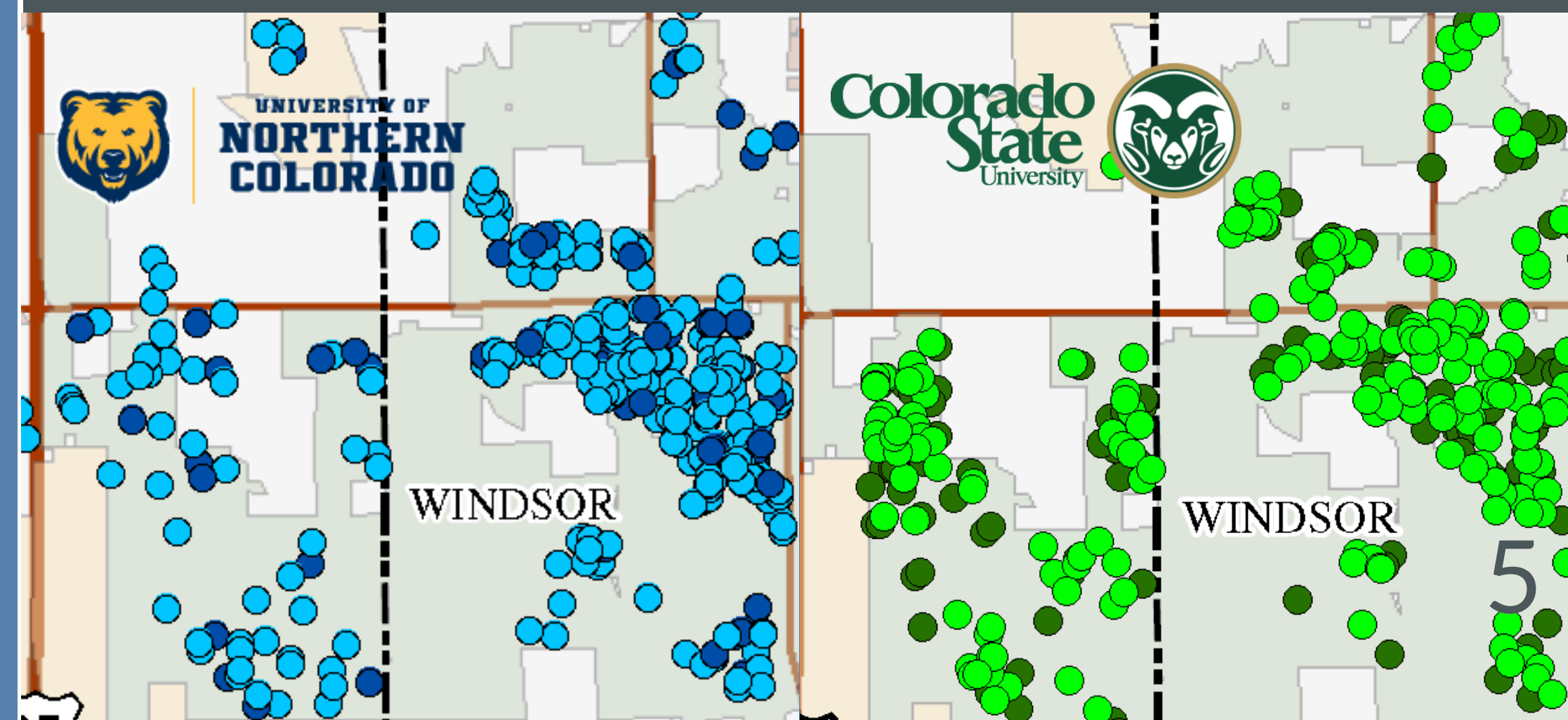
Pro's

- Route travels through downtown Windsor

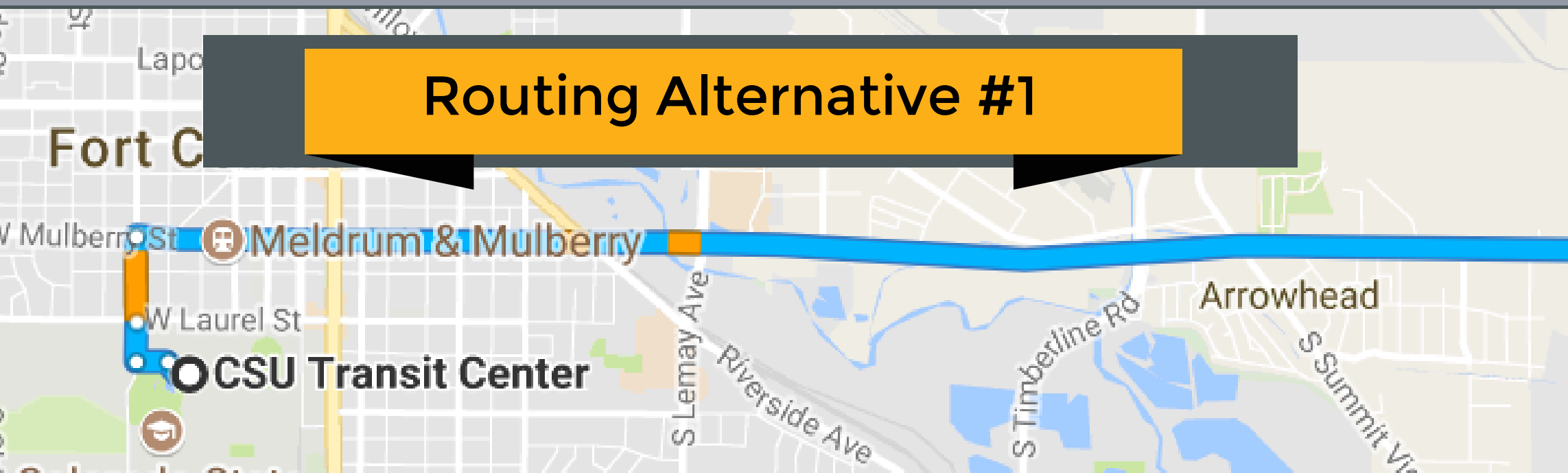
Con's

- Five Railroad Crossings
- Potential delays due to trains
- Increases strain on parking downtown.
- Does not serve those in west Windsor.

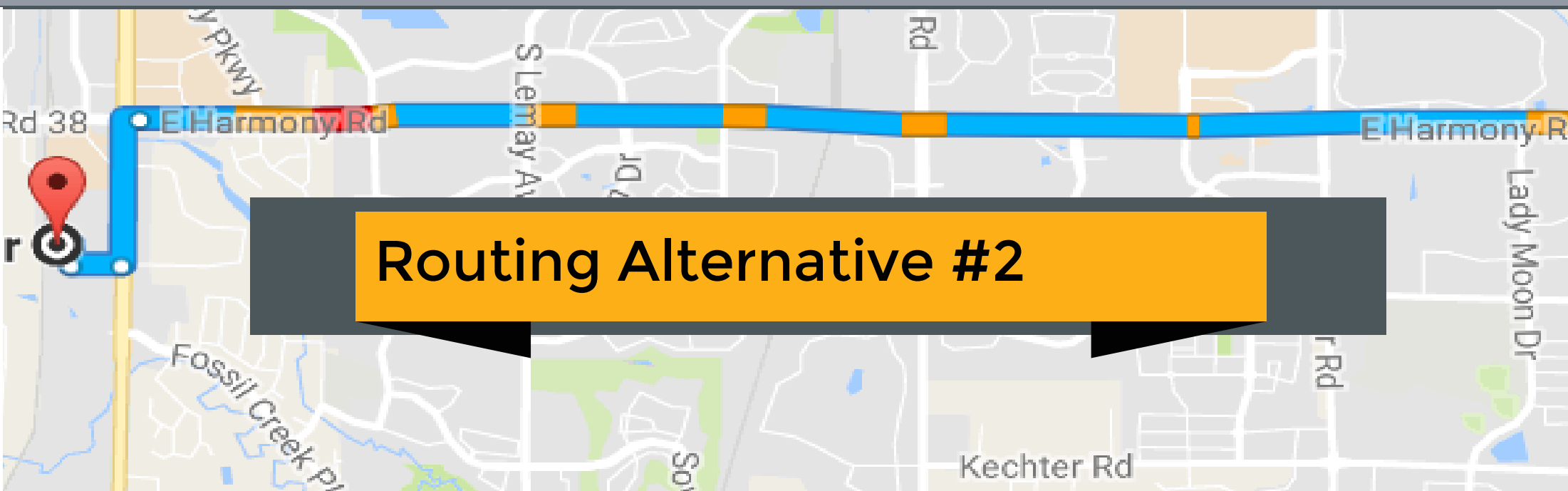
UNC & CSU Faculty and Students



Fort Collins Routing Alternatives Evaluated



Routing Alternative #1



Routing Alternative #2

Pro's

- Direct travel for CSU Students/Faculty and those who work in downtown area.

Con's

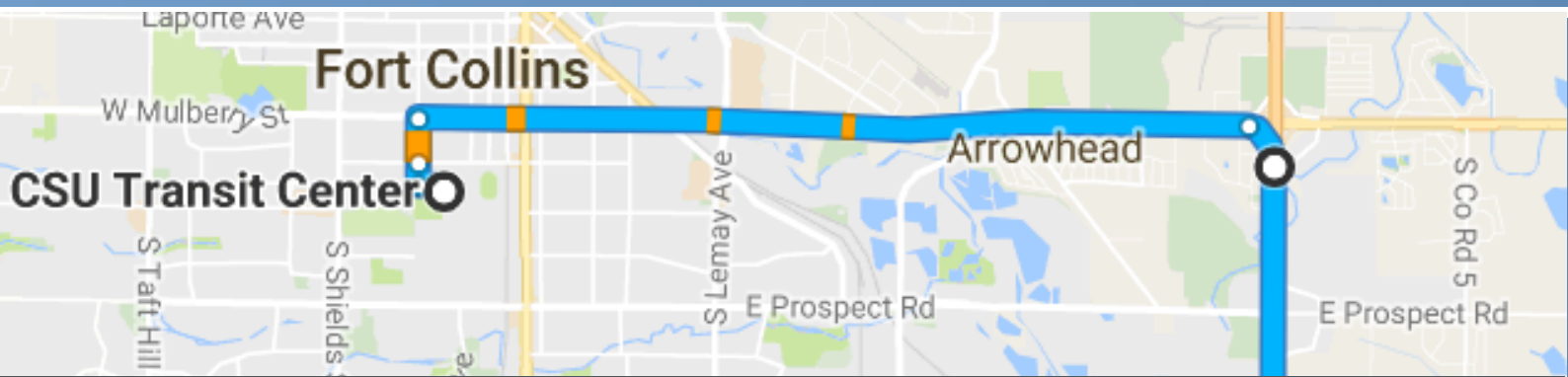
- People who live in 80525, 80526, 80528 will not commute north to then travel south.

Pro's

- Facilitates travel easily to and from all three communities

Con's

- Not a one seat ride to CSU/Downtown
- Adds 10+ minutes to trip and a transfer



Routing Alternative #3

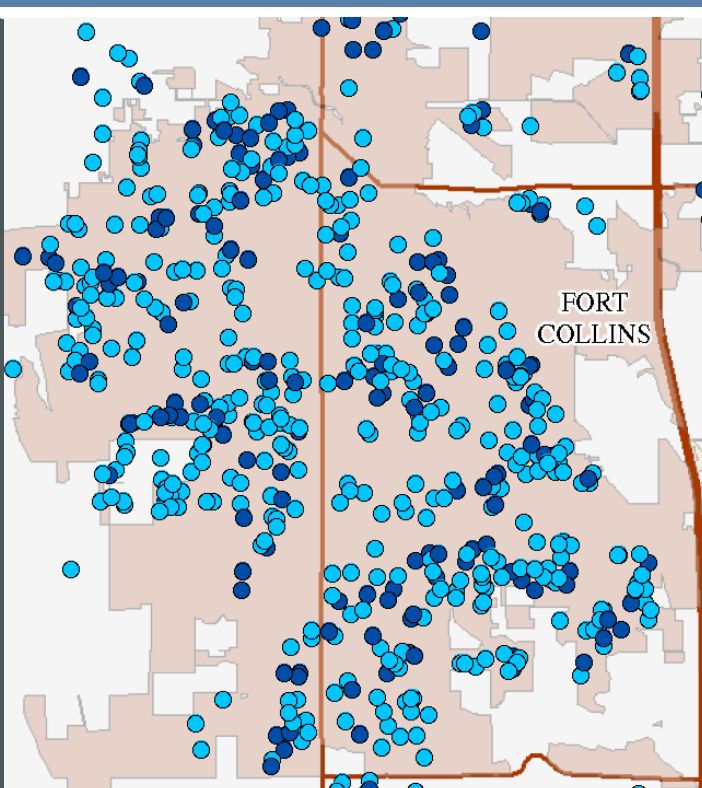
Pro's

- One seat ride to CSU/Downtown
- Facilitates transfers to Transfort's Route 16 for service throughout Fort Collins and CDOT's Bustang for regional trips.
- I-25's future managed lane

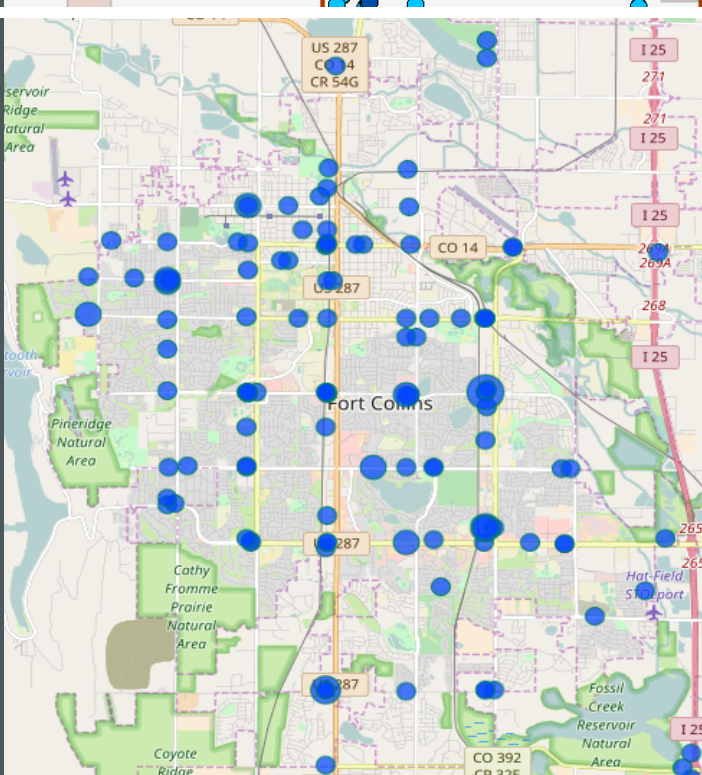
Con's

- I-25 has the possibility, both now and during construction, to impact reliability.
- Harmony Transportation Center Parking availability

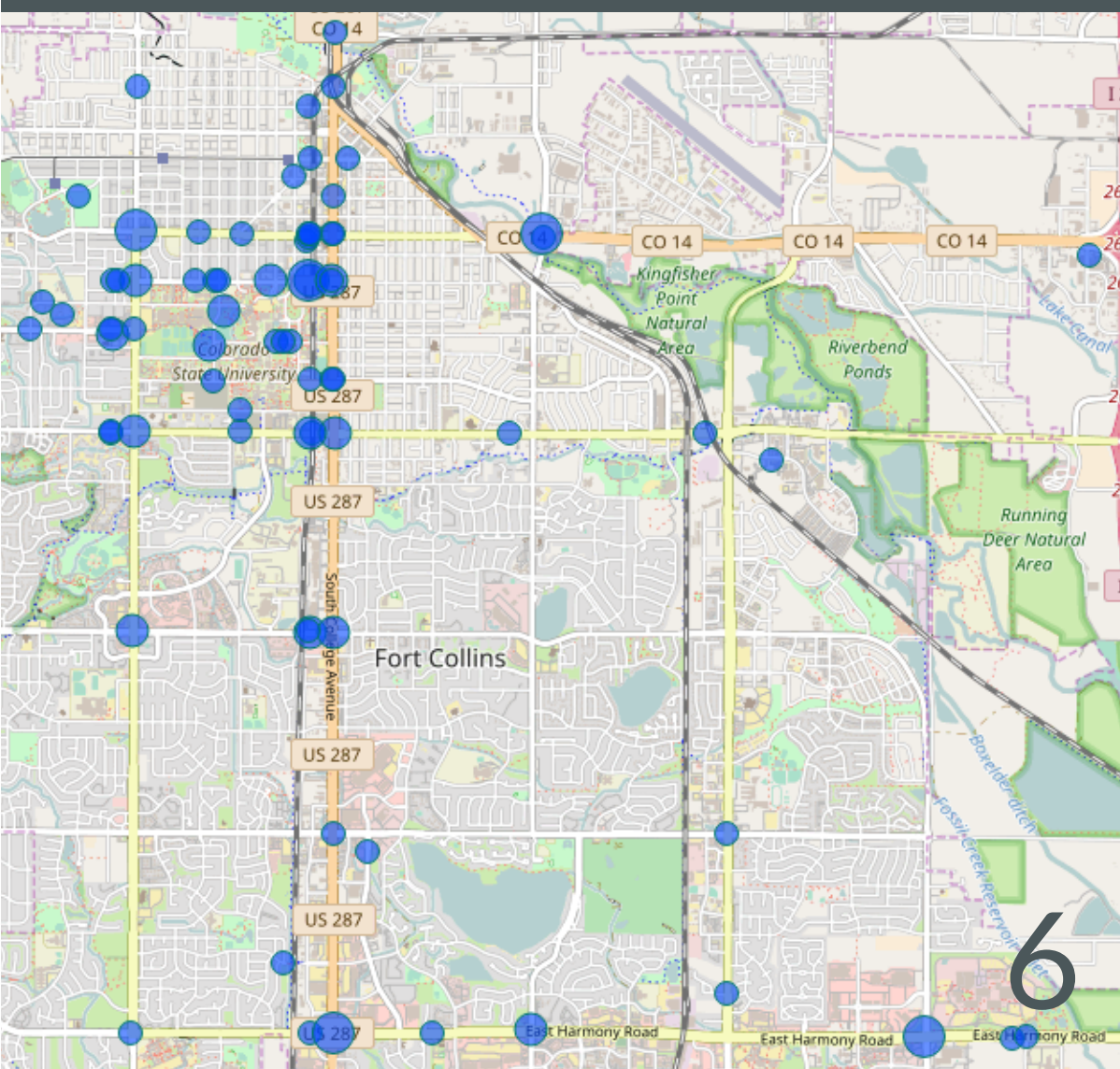
UNC Faculty and Students



Survey Home Locations

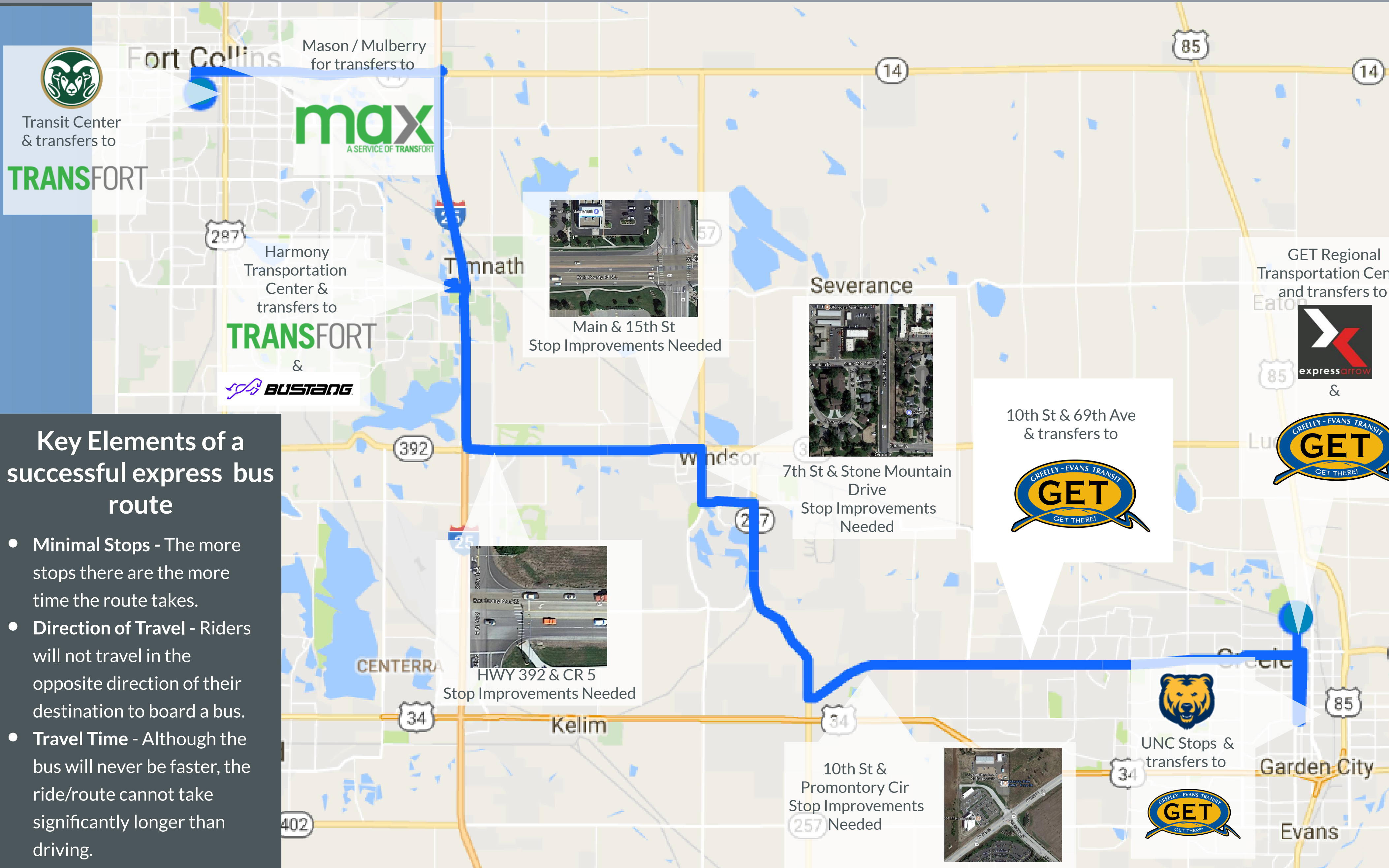


Survey Employment Locations



Preferred Route

Proposed Regional Express Route & Stops



Key Elements of a successful express bus route

- **Minimal Stops** - The more stops there are the more time the route takes.
- **Direction of Travel** - Riders will not travel in the opposite direction of their destination to board a bus.
- **Travel Time** - Although the bus will never be faster, the ride/route cannot take significantly longer than driving.

Proposed Service Schedule



Weekday Service Only



Schedule Best Facilitates Departure & Arrival Times Based off Survey

Greeley/Evans/Garden City > Windsor > CSU Transit Center													
Westbound							Eastbound						
Greeley Regional Transportation Center	University of Northern Colorado 10th Ave & 20th St - Greeley	10th St & 69th Ave - Greeley	7th St & Garden Dr - Windsor	HWY 392 & CR 5	Harmony Transportation Center	Mulberry St & Mason St - Fort Collins	CSU Transit Center	Mulberry St & Mason St - Fort Collins	Harmony Transportation Center	HWY 392 & CR 5	7th St & Garden Dr - Windsor	10th St & 69th Ave - Greeley	University of Northern Colorado 10th Ave & 20th St - Greeley
5:00 AM	5:10 AM	5:25 AM	5:40 AM	5:51 AM	5:56 AM	6:13 AM	6:40 AM	6:43 AM	6:58 AM	7:05 AM	7:16 AM	7:33 AM	7:48 AM
5:25 AM	5:35 AM	5:50 AM	6:05 AM	6:16 AM	6:21 AM	6:38 AM	7:05 AM	7:08 AM	7:23 AM	7:30 AM	7:41 AM	7:58 AM	8:13 AM
6:25 AM	6:35 AM	6:50 AM	7:05 AM	7:16 AM	7:21 AM	7:38 AM	8:05 AM	8:08 AM	8:23 AM	8:30 AM	8:41 AM	8:58 AM	9:13 AM
7:35 AM	7:45 AM	8:00 AM	8:15 AM	8:26 AM	8:31 AM	8:48 AM	9:15 AM	9:18 AM	9:33 AM	9:40 AM	9:51 AM	10:08 AM	10:23 AM
2:45 PM	2:55 PM	3:10 PM	3:25 PM	3:36 PM	3:41 PM	3:58 PM	4:25 PM	4:28 PM	4:43 PM	4:50 PM	5:01 PM	5:18 PM	5:33 PM
3:45 PM	3:55 PM	4:10 PM	4:25 PM	4:36 PM	4:41 PM	4:58 PM	5:25 PM	5:28 PM	5:43 PM	5:50 PM	6:01 PM	6:18 PM	6:33 PM
5:15 PM	5:25 PM	5:40 PM	5:55 PM	6:06 PM	6:11 PM	6:28 PM	6:55 PM	6:58 PM	7:13 PM	7:20 PM	7:31 PM	7:48 PM	8:03 PM



VS



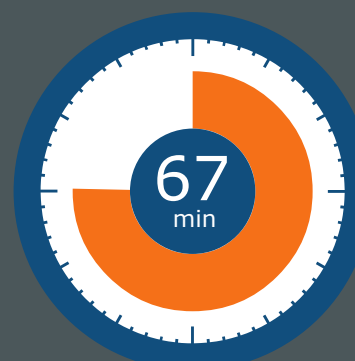
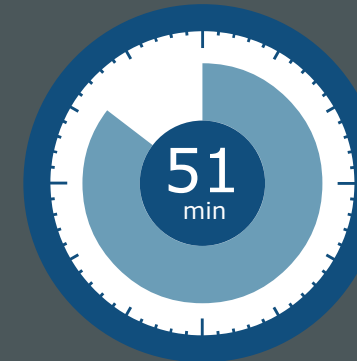
UNC to CSU



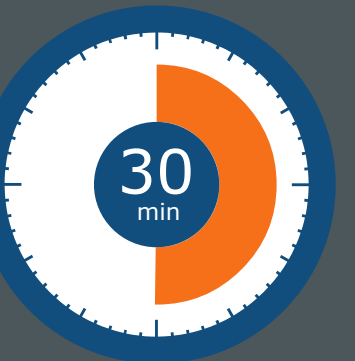
Windsor to CSU



CSU to UNC



Windsor to UNC



Council Agenda Summary

December 3, 2019

Agenda Item Number 14

Key Staff Contact: Renee Wheeler, Finance Director, 970-350-9732

Title:

Introduction and first reading of an ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2019 and for funds held in reserve for encumbrances at December 31, 2018

Summary:

This is the fifth additional appropriation ordinance modifying the 2019 budget.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$ 17,595,820
What is the annual impact?	\$ 17,595,820
What fund of the City will provide Funding?	See Ordinance
What is the source of revenue within the fund?	Sales & Use Tax, Fund Balance, Grants, Oil Royalties, Highway User Tax Fund, Operating Transfers, Bond Proceeds, Expense Reimbursement, Sale of Assets, Weld County Drug Task Force, DDA Property Taxes, Insurance Recoveries, Intergovernmental Agreements, Donation, Interest Earnings, Fees, and Private Contributions.
Is there grant funding for this item?	Yes Items 2, 12, 19, 20, 21, 22, 23, 24, 25 26, 27, 34, 35, & 45
If yes, does this grant require a match?	Yes, Item 34
Is this grant onetime or ongoing?	Onetime
Additional Comments:	Total appropriations made by this ordinance are \$17,595,820. The following funding sources will be used to cover the appropriations made by this ordinance.

	Sales & Use Tax	\$ 9,533,805
	Fund Balance	2,738,772
	Grants	1,434,181
	Oil Royalties	798,387
	Highway User Tax Fund	578,729
	Operating Transfers	537,950
	Bond Proceeds	446,233
	Expense Reimbursement	389,451
	Sale of Assets	314,500
	Weld County Drug Task Force	276,763
	DDA Property Taxes	204,000
	Insurance Recoveries	162,250
	Intergovernmental Agreement	145,809
	Interest Earnings, Private Contributions, Fees & Donations	34,990
	Grand Total	\$ 17,595,820

Legal Issues:

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

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

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

Decision Options:

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

Council's Recommended Action:

A motion to introduce the ordinance and schedule the public hearing and final reading for December 17, 2019.

Attachments:

Ordinance
Detail Supporting Schedule
PowerPoint Presentation

THE CITY OF GREELEY
ORDINANCE NO.____, 2019

AN ORDINANCE APPROPRIATING ADDITIONAL SUMS TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF GREELEY FOR THE BALANCE OF THE FISCAL YEAR OF 2019 AND FOR FUNDS HELD IN RESERVE FOR ENCUMBRANCES AT DECEMBER 31, 2018.

WHEREAS, the City of Greeley has or will incur expenses for certain activities described below during the 2019 fiscal year, and

WHEREAS, the revenues received in the City of Greeley in 2018, exceeded the amount of revenues estimated in the 2018 Budget by more than the total amount of the expenditures in the same year;

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

Section 1. In accordance with section 5-17 of the Greeley Charter, from actual and anticipated revenues which exceed the revenue estimates in the 2019 budget and amounts held in fund balance reserves from 2018, there is hereby appropriated the following designated sums to be allocated for use during the remainder of 2019:

Fund	Total
001 General Fund	\$ 2,036,987
103 Community Development	607,095
104 Streets & Roads	407,420
105 Conservation Trust	6,050
106 Sales & Use Tax	9,533,805
108 Designated Revenue	190,495
110 Conference Center Development	204,000
111 Downtown Development Authority TIF	204,000
112 NEAHR Grants	407,363
113 Weld Drug Task Force Equitable Sharing	276,763
301 Public Improvement	1,154,962
304 Food Tax	120,000
309 Island Grove Development	33,227
312 Transportation Development	1,591,334
318 Quality of Life	15,029
401 Sewer	60,000
502 Equipment Maintenance	110,000
507 Liability	635,000
604 Senior Citizen	955
607 Community Memorials	1,335
Grand Total	\$ 17,595,820

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

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

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

ATTEST:

THE CITY OF GREELEY

City Clerk

BY _____
Mayor



City of Greeley
2019 Appropriation No. 5
City Council Meetings: December 3 & December 17

Fund	Item	Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
001 General Fund							
1	Insurance Recoveries		Hail storms during the summer of 2018 caused damage to numerous city buildings. Travelers Property Causality Company of America is reimbursing estimated damages of \$540,702. An appropriation for \$485,710 was done in 2018 [Ordinance 59]. This appropriation is to appropriate the additional amount of \$54,992.	-	54,992	54,992	-
2	Grant		The Adaptive and Inclusive Recreation [AIR] program has received an \$8,000 grant from Inclusion Matters by Shane's Inspiration. The \$8,000 grant funds are to be used to support AIR programs in 2019 [and carried through June, 2020] through the General Fund.	-	8,000	8,000	-
3	Oil Royalties		Funding is being requested for a drone that will be used for emergency management with a total cost of approximately \$11,900 to cover equipment and software cost to All Mobile Video and Multicopter Warehouse. The mobile incident command post drone and camera system will function under the drone and camera unit as part of the Greeley Fire Department, providing an additional streaming interface system with real-time viewing in the incident command post. The NEAHR 2017 grant award was intended to pay for this, however this necessitated FAA policy approval. Although the City has existing drones, the current established policies do not meet the qualifications necessary to use this grant. To avoid jeopardizing grant compliance, approvals and funding, use of City Funds from oil royalties will be used to complete the purchase.	-	11,900	11,900	-
4	Oil Royalties		After launching eTRAKIT in 2018 the capacity for applicants to apply and pay online created a sharp increase in eCheck and credit card processing fees. Additionally, the daily and monthly limits for paying by eCheck were increased, increasing the amount of fees collected. Funding is necessitated to alleviate incurred credit card charges in excess of budgeted amounts. A long-term plan to mitigate and/or lessen these fees in being established, including possibilities such as: placing a cap on the amount that can be charged using a credit card, encouraging applicants to pay online by eCheck rather than credit card, and charging a convenience fee for credit card transactions similar to surrounding jurisdictions.	-	35,000	35,000	-
5	Oil Royalties		The City has received additional funding from Western Hills for Fire equipment & vehicle replacement that has allow the City to replace Ladder 5 using cash funds rather than leasing. In order to continue using cash to fund the replacement of Fire apparatus, this request is to use \$500,000 in oil royalties that have been collected in excess of the current 2019 budget.	-	500,000	500,000	-
6	Oil Royalties		Funding is requested to remove a negative Drug & Alcohol Surcharge fund balance using oil royalties. Expenditures totaling \$30,000 are paid to North Range Behavioral Health annually. However, revenues have not matched this amount in previous years, resulting in the program incurring a negative balance in 2017. Funding from general fund oil royalties in the amount of \$33,221 will be allocated. \$13,221 will be allocated for the removal a negative fund balance for 2018 Year-end, \$10,000 for 2019, and \$10,000 for 2020 to cover maximum shortfalls in revenue.	-	33,221	33,221	-
7	Oil Royalties		Funding is needed to remove a negative balance in the Victim's Assistance using identified oil royalties. Advertising expenditures in 2018 created a negative balance after a \$10,000 transfer.	-	10,266	10,266	-
8	Oil Royalties		Funding from oil royalties is requested to support the continuance of Priority Based Budgeting [PBB] and the recurring subscription associated with this initiative.	-	25,000	25,000	-
9	Oil Royalties		The request is to use oil royalties to support the executive search for both a new Human Resources Director and City Clerk, due to the scheduled retirements for each of these positions.	-	73,000	73,000	-
10	Operating Transfer: Sales & Use Tax		Due to a close election, which required a recount, additional funds are requested for the City's portion to Weld County.	-	12,000	12,000	-

Fund	Item	Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
11	Expense Reimbursement		Request to appropriate reimbursed expenditures received from the Front Range Fire Consortium, Front Range Fire Apparatus, Banner Heath, Urban Search & Rescue Colorado Task Force 1, University of Northern Colorado & Heartland Education Computer Systems Inc. for services and supplies purchased and provided by the Fire Department. The Front Range Fire Consortium [FRFC] reimbursed \$2,408 in supplies and \$24,574 for academy training. The Front Range Fire Apparatus reimbursed \$1,836 in Adobe® licensing and memberships. Banner Health reimbursed \$15,876 for unexpected cradle points costs, repairs and recertification of Autopulse, cell phone expenditures, ESO software contract costs, updating of base radios for ambulance service, and ambulance prox card expenditures. University of Northern Colorado [UNC] & Heartland Education Computer Systems Inc. reimbursed \$1,220 for Paramedic uniforms for the paramedic class at AIMS Community College. Urban Search & Rescue Colorado Task Force 1 reimbursed \$26,656 for overtime expenditures, deployments, an oil well fire, along with fees for an Emergency Medical Services [EMS] standby.	-	72,570	72,570	-
12	Grant		Grant Funds were received by the State Emergency Performance Grant (EMPG) and Plains American Pipeline. These funds are being requested to purchase iPads, radios and antennas supporting the Emergency Operations Center [EOC].	-	93,003	93,003	-
13	Sale of Assets		Funding for fire expenditures relating to used exercise equipment being sold will offset some of the overages for cost incurred from unexpected departures from the Greeley Fire Department [\$1,500]. Additionally, funding available from money received from a vendor who repurchased a trailer. These funds are being used to cover cleaning supplies and other overages within the Fire Department [\$13,000].	-	14,500	14,500	-
14	Insurance Recoveries		Funding from insurance recoveries paid to the City is being requested for the repairs of Fire Unit 886 that was damaged due to vandalism.	-	6,206	6,206	-
15	Insurance & Damage Recoveries		This is a request to transfer funds from the insurance and damage recoveries accounts as a result of insurance reimbursements for damages to city property during 2019. Many of these damages were to medians and landscapes along roadways where an automobile accident resulted in damaged City of Greeley property, and one vehicle on vehicle accident where the citizen was at-fault. These monies will replace money already spent to repair/replace the damaged landscape or City equipment and is needed to balance the budgets.	-	26,052	26,052	-
16	Expense Reimbursement		The Greeley Police Department has been awarded funding from the Colorado State Patrol for auto theft prevention. By the end of the year expenditures will be approximately \$17,500 to cover overtime expenditures.	-	17,500	17,500	-
17	Expense Reimbursement		Evidence expenditures are reimbursed from the county at a rate of 29%. Evidence expenditures have increased above projections for this year equating to an increase in reimbursement. Expected projections for the remainder of 2019 will exceed expenditures by approximately \$12,000. The additional reimbursement amount is requested for offsetting expenditures.	-	12,000	12,000	-
18	Fees		The Greeley Police Department hosted a Special Weapons and Tactics [SWAT] for sniper and basic training. Outside agencies are required to pay \$100 for registration with the Greeley Police Department to purchase the equipment and materials for the course. \$3,200 has been received in registration costs that are being requested for the correlating training expenditures.	-	3,200	3,200	-
19	Grant		The Greeley Police Department has been awarded funding from the Colorado Department of Transportation for our Data Driven Approached to Crime and Traffic Safety [DDACTS] project. The requested use of these grant funds is for overtime expenditures which will total \$66,500 at year end.	-	66,500	66,500	-
20	Grant		The Greeley Police Department has received an award from the State of Colorado Department of Transportation regarding the Click it Or Ticket grant equating to \$7,000. These funds have been awarded in full. Funding from this grant will be used for overtime expenditures.	-	7,000	7,000	-
21	Grant		The Greeley Police Department was awarded \$261,663 by the Department of Local Affairs in regards to the Gray & Black Marijuana Enforcement Grant. This grant is to provide financial assistance through reimbursement for the expenditures related to investigation of unlicensed marijuana cultivation for marijuana related cases and equipment.	-	261,663	261,663	-

Fund	Item	Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
22	Grant		The Weld County Drug Task Force [WCDTF] receives funds from the High Intensity Drug Trafficking Award [HIDTA]. This year awards totaled \$98,163 for 2019 with approximately \$28,000 remaining from the 2018 grant that will be used before the end of the year. The grant funds received are for investigations personnel, overtime, building projects and vehicle leases in conjunction with our drug task force.	-	126,163	126,163	-
23	Grant		Colorado Department of Transportation awarded a High Visibility Enforcement [HVE] grant. By the end of 2019, approximately \$9,000 of the grant will be used for overtime expenditures.	-	9,000	9,000	-
24	Grant		The Greeley Police Department was awarded \$82,620 for the Justice Assistance Grant [JAG]. These funds are requested to pay for license plate readers, star chase equipment, and radars.	-	82,620	82,620	-
25	Grant		The Greeley Police Department was awarded \$7,350 for the Peace Office Standards and Training [POST] grant, which were used to pay for training equipment, sims handguns and simmunition for training purposes.	-	7,350	7,350	-
26	Grant		The Greeley Police Department's Victim Assistance Unit receives funds from Victim Assistance in Law Enforcement [VALE] to pay for Colorado Organization for Victim Assistance [COVA] and the Colorado Association of Sex Crimes Investigators [CASCI] training that supports coordinators and volunteers. This request is to allocate the \$6,363 that has been received in grant training funds to this year's correlating expenditures.	-	6,363	6,363	-
27	Grant		The Greeley Police Department's Victim Assistant Unit [VAU] has received funds from the Victims of Crime Act Assistance Funds [VOCA]. These funds are used for the following: a full-time employee, two part-time employees, equipment and supplies to assist coordinators and volunteers. An additional \$26,867 was received above the original approved budget of \$49,512 to support the staff and necessary equipment and supplies.	-	26,867	26,867	-
28	Intergovernmental Agreement		The Greeley Police Department has been awarded \$3,809 for an intergovernmental agreement with Internet Crimes Against Children [ICAC]. The funds from this grant are used to help with training expenditures.	-	3,809	3,809	-
29	Intergovernmental Agreement		The Greeley Police Department implemented a records guard terminal fee charging outside agencies a set rate for using our records department. This request will use fees received in 2019 totaling \$42,000 to pay associated costs regarding the records department.	-	42,000	42,000	-
30	Insurance Recoveries		By the end of 2019 the Greeley Police Department should receive approximately \$75,000 in insurance recoveries from cruisers that have been damaged in an accident. The insurance recovery funds will allow for the necessary repairs.	-	75,000	75,000	-
31	Operating Transfer: Sales & Use Tax		Sales & use tax revenues and expenditures are expected to exceeded the original budget. This request is to appropriate the General Fund share of the estimated additional sales & use tax revenues and related audit and refund expenditures for 2019.	-	131,792	131,792	-
32	Operating Transfer: Conservation Trust		Union Colony Civic Center [UCCC] Plaza master plan design consists of 30% Construction drawings requiring extensive topographical survey and utility depth locates, requiring potholing, beyond the initial scope of work identified by the consultant. Those associated costs have now been identified to be an additional \$6,050 beyond the original scope. Funding in the amount of \$6,050 is requested from the Conservation Trust Fund [CTF].	-	6,050	6,050	-
33	Operating Transfer: Weld County Drug Task Force		The City has received our share of the Weld County Drug Task Force equitable sharing funds from the county. This request is to use these fund to purchase equipment for \$18,900.	-	18,900	18,900	-
34	Grant		The City of Greeley has been awarded a \$47,500 Department of Local Affairs 2020 Census Outreach Grant to support the accurate counting of the population of the state, specifically hard-to-count populations that have been historically under-counted by previous decennial censuses. The City of Greeley is also putting \$10,000 in matching funds towards this community effort to meet requirements by the grant that matching funds be in place. 2019 Grant Funds will be transferred to the City of Greeley by December 29, 2019.	-	47,500	47,500	-
001 General Fund				-	1,926,987	1,926,987	-

Fund	Item	Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
103 Community Development							
35	Grant & Fund Balance		Grant funds are being distributed for the Community Development Block Grant and HOME programs along with income derived from these programs. The following properties are part of the HOME project: 1318 29th Street Road, 1322 29th Street Road, 1326 29th Street Road, and 1330 29th Street Road.	322,306	284,789	607,095	-
103 Community Development				322,306	284,789	607,095	-
104 Streets & Roads							
36	Sale of Assets		The design for the new facility built at Bestway was completed in 2019 from the sale of recycled asphalt in 2018. Currently all equipment is stored at the following locations, 1203 3rd street shop, "A" street complex, the GROW Center, and Bestway. Several pieces of equipment are still stored outside due to the lack of inside storage. Operational efficiency would be improved with equipment being more centrally located to properly store snow plows, street sweepers, loaders, graders, mowers and small trucks. In addition, this would free up space at the "A" street complex allowing all equipment could be stored inside. The Street Division is also looking at a future salt storage facility and wash bay at this site. Funds are being held from recycled asphalt sales to fund the new Streets Storage Facility. The estimated cost to build these facilities is \$3,000,000.	-	300,000	300,000	-
37	Expense Reimbursement		A Community Development Block Grant [GURA] has been received from Greeley Urban Renewal to reconstruct 12 alleys with Recycled Asphalt and coat with a liquid rejuvenate to provide an extended life span to the surface of approximately ten to twelve years. By completing these alleys it eliminates dust and improves the drainage and makes a smooth driving service.	-	95,420	95,420	-
38	Operating Transfer: Designated Revenue		The Transportation Division is requesting funds for a speed feedback trailer to address demands for speed reduction within neighborhoods. Speed feedback trailer signs are radar activated changeable message signs that display to drivers their speed. These devices are used to reduce traffic speeds by making drivers aware of how fast they are moving relative to the speed limit and helping them to adjust their speed accordingly. This speed feedback trailer may be installed in conjunction with a regularly posted speed limit sign in neighborhood areas, school zones, or in work zones. Studies have shown that speed feedback trailer signs result in drivers reducing their speed. This speed feedback trailer will be rotated within neighborhoods on a weekly basis to address speeding concerns.	-	12,000	12,000	-
104 Streets & Roads				-	407,420	407,420	-
106 Sales & Use Tax							
39	Sales & Use Tax Revenues		Operating Transfer of additional sales & use tax revenues to Food Tax Fund, Designated Revenue Fund, Quality of Life Fund, Debt Service Fund, and General Fund.	-	9,533,805	9,533,805	-
106 Sales & Use Tax				-	9,533,805	9,533,805	-
108 Designated Revenue							
40	Fund Balance		First, \$13,255 in funding is requested to assist Greeley Evans School District 6 with replacing equipment to operate Channel 16, the school district's access channel. The Comcast franchise agreement with the City of Greeley is expected to oversee and support other access providers. The funds requested will be used to upgrade the technology and equipment that is necessary to keep the school district and City of Greeley in compliance with the Franchise Agreement. Second, \$600 in funding is requested to upgrade equipment used by the city's e-Media Specialist to shoot and create the required content for GTV 8 per the franchise agreement. Public, Educational and Governmental (PEG) Fees fund will be used as the funding source for these requests as the requirements established in the franchise agreement allow.	13,855	-	13,855	-

Fund	Item	Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
41	Fund Balance		Funding is being requested for the GTV8 Access Channel upgrade and replacement of equipment from standard definition to high definition. Additionally, to finish the studio move and to replace old equipment, the tape based record deck with a file based recorder needs to be updated. To finish the studio move into the new building sound dampening panels need to be added. Replacement of the E-Media Specialists TV Camera and accessories, two wireless mic systems and a studio tripod with a crane system are in need of replacement. Funds will be used for the purchase of the final equipment segment of the move from the Lincoln Park Annex to the City Center South. Lastly, funds will be used for the replacement of a 7 year old television camera and 20 year old wireless mic systems, and exchanging a tripod for a crane jib arm system.	20,250	-	20,250	-
42	Fund Balance		Reimbursement for the expenditures relating to the construction of the fire training facility, which was completed in 2018, using funds from public safety [0.16] that were budgeted in 2018, but not transferred. This request will allow for the previously approved transfer to occur.	116,211	-	116,211	-
43	Operating Transfer Sales & Use Tax		Sales & use tax revenues and expenditures are expected to exceeded the original budget. This request is to appropriate the designated Public Safety share of the estimated additional sales & use tax revenues and related audit and refund expenditures for 2019.	-	28,179	28,179	-
108 Designated Revenue				150,316	28,179	178,495	-
110 Conference Center Development							
44	Operating Transfer: Downtown Development Authority TIF		Funds are needed as part of the tax increment payment from the DDA TIF regarding the Lincoln Park Hotel agreement.	-	204,000	204,000	-
110 Conference Center Development				-	204,000	204,000	-
112 NEAHR Grants							
45	Grant		The State Department of Public Safety has awarded the City of Greeley, as the Fiscal Agent, the 2019 Northeast Colorado All Hazards Region [NEAHR] grant in the amount of \$407,363. The expenditures are designated by the Regional Homeland Security Coordinator and the Grant Steering Committee. This appropriation will allow the funds to be expended and later requested as reimbursements from the State of Colorado.	-	407,363	407,363	-
112 NEAHR Grants				-	407,363	407,363	-
113 Weld Drug Task Force Equitable Sharing							
46	Weld County Drug Task Force		The Weld County Drug Task Force board provides oversight for the Weld County Drug Task Force [WCDF] equitable sharing funds as held by the Greeley Police Department for the county. A portion of the county's funds were distributed to the Weld County Sheriff's Office [WCSO] and the City of Evans. The remaining balance will be held in the fund until it is necessary to distribute as determined by the board.	-	794,965	276,763	518,202
113 Weld Drug Task Force Equitable Sharing				-	794,965	276,763	518,202
301 Public Improvement							
47	Interest Earnings & Private Contributions		This request is to use contributions and interest earnings to complete the 16th Street project for a total cost of \$30,000. The City received \$20,400 in contributions from Downtown Development Authority (DDA) - \$8,700, University of Northern Colorado (UNC), - \$8,700, and Banner Health - \$3,000. The remaining \$9,600 will come from 2019 interest earnings in the Public Improvement Fund.	-	30,000	30,000	-
48	Bond Proceeds & Intergovernmental Agreement		Certificates of Participation were issued for the replacement of Fire Station #2 and addition of Fire Station #6 for a total of \$12,446,233. In April 2019, ordinance #13 \$12 million was appropriated from the anticipated issuance. This request is to appropriate the actual remaining amount of \$446,233 to cover issuance costs of \$246,233 and final construction funds of \$200,000. An additional \$100,000 is also being requested for Fire Station #2 from a potential intergovernmental agreement with the library to expand the library parking lot.	-	546,233	546,233	-

Fund	Item	Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
49	Highway User Tax Fund		The state is distributing additional funding from Highway Users Tax Fund [HUTF] where the total amount is determined upon a formula. These funds are requested for the East 8th Street project that is under design and will be constructed in 2020. Additional design work related to the floodplain was determined in late summer and additional modeling is needed to get Federal Emergency Management Agency [FEMA] approval. Additionally, more utility work will be needed during construction to take stormwater lines under a large sanitary sewer line. Hence, costs are likely to be higher than estimated requiring additional funding.	-	578,729	578,729	-
301 Public Improvement				-	1,154,962	1,154,962	-
304 Food Tax				-			-
50	Expense Reimbursement		In 2017, the Culture, Parks and Recreation Department assumed regular maintenance duties and capital maintenance within the Greeley and Weld County portions of the Poudre River Trail. Riverbank erosion has caused the need for trail repairs, and Weld County has budgeted \$100,000 in 2019 to repair areas within the County for the City of Greeley's portion of the trail. Weld County has agreed to allow the City of Greeley to complete the repairs and invoice the County for the actual costs. Public Works is providing assistance with engineering project management, design, permitting, and reconstruction.	-	100,000	100,000	-
51	Expense Reimbursement		The Union Colony Civic Center [UCCC], for many years, has had a broken dock plate [the device used to span the gap between the facility dock and large trucks full of equipment for performances]. Funding was identified to replace that equipment in 2019. Additionally, the parking lot shared with the Recreation Center, which serves as the approach for the loading dock, was scheduled for resurfacing in 2019. Partnering with the Public Works department the UCCC staff was able to identify changes to the parking lot that would substantially improve the safety of loading and unloading trucks at the UCCC by rebuilding the parking lot, adding a level and reinforcing the concrete pad for semi-tractor trailers. Rather than simply re-surfacing the old parking lot, it was determined that further reconstruction of the lot was needed to reduce hazards and liability. Funding is available from seasonal salary savings [smaller performances by rental tenants generated lower needs for staffing than in previous years], and lower than expected needs in the operating supplies area of the 2019 UCCC budget.	-	20,000	20,000	-
304 Food Tax				-	120,000	120,000	-
309 Island Grove Development							
52	Fund Balance		In 2018, the Island Grove Development Fund's revenue exceeded their expenditures by more than \$65,000. A portion of this revenue is requested to make final payment on an advance from the Water Replacement Fund. This will allow the advance to be paid in full two years, resulting in lower interest charges.	33,227	-	33,227	-
309 Island Grove Development				33,227	-	33,227	-
312 Transportation Development							
53	Fund Balance		The 23rd Avenue Turn Lanes project for Fire Station 2 is currently funded for 2020. Part of the project includes the relocation of Xcel Energy® transmission lines which are required to be completed before the main project can begin. Xcel Energy® requires 6 to 8 months to relocate the transmission lines; therefore \$129,373 will be appropriated from the approved 2020 budget to the 2019 budget.	129,373	-	129,373	-
54	Fund Balance		The City of Evans will be widening 47th Avenue from 37th Street to Greeley's city limits starting in the spring of 2020. Greeley would like to complete the widening of its portion of 47th Avenue from 31st Street to our city limits so that the sections match, as a 4 lane road. Greeley will use the city of Evans design consultant to complete this design, which they already have under contract. Construction will also be coordinated with Evans, but this appropriation request is only for design services. An additional request for construction funds will come in 1st quarter of 2020.	250,000	-	250,000	-
55	Expense Reimbursement		The Transportation Division is requesting funds for street light installations in residential neighborhoods of the Redevelopment District. This project calls for installing thirty-two street lights along residential streets to address public safety issues. Installations will be completed where street lights are considered substandard along un-lit corridor segments, curvilinear streets, bus stops, high pedestrian crossing locations, and wider intersections. Total cost for the installation of the street lights is \$71,961.03. Project will be reimbursed by a 2018 Community Development Block Grant [CDBG] approved by City Council this year.	-	71,961	71,961	-

Fund	Item	Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
56	Fund Balance		The fire station program includes multiple projects, including the Butch Butler turn lane project. This project is currently funded for 2020 in the amount of \$600,000. A final design has been finalized and the final project costs are estimated to be \$510,000, leaving \$90,000 in over allocated funds. The \$90,000 is requested for appropriation to supplement the construction of the 20th Street project. Currently there is \$900,000 budgeted for the 20th Street project in 2020. The request is to move the approved 2020 budget of \$900,000 to 2019 along with the previously identified savings of \$90,000 to start the 20th Street project in 2019 rather than waiting until 2020.	990,000	-	990,000	-
57	Fund Balance		Traffic Signal Poles for Fire Station 6 have been funded for 2020 with a completion date of July 31, 2020. The poles and other long lead items for the traffic signal require approximately 6 months of lead time. Therefore these items need to be ordered and purchased to maintain the projects timeline.	150,000	-	150,000	-
312 Transportation Development				1,519,373	71,961	1,591,334	-
318 Quality of Life							
58	Operating Transfers: Sales & Use Tax		Sales & use tax revenues and expenditures are expected to exceeded the original budget. This request is to appropriate the Quality of Life Fund share of the estimated additional sales & use tax revenues and related audit and refund expenditures for 2019.	-	15,029	15,029	-
318 Quality of Life				-	15,029	15,029	-
401 Sewer							
59	Fund Balance		Funding will support sludge hauling expenditure increases resulting from an increase of 180,000 pounds [dry weight] in incoming BOD [biochemical oxygen demand] as compared to the first 3 months of 2018. Increased incoming BOD resulted in higher solids yield. Sludge volume was also impacted by a lower solids content in sludge due to process improvements in dewatering polymer utilization. Those process improvements resulted in an average annual decrease of dewatering polymer dosing from 54 pounds of polymer per dry ton of sludge to 38 pounds of polymer per dry ton of sludge. Lower dewatering polymer usage balanced increases in thickening polymer usage caused by the higher polymer consumption of the new volute thickening process. Lower dewatering polymer usage also resulted in a lower solids content in dewatered sludge. This lower sludge solids content, from 17.5% in 2018 to 16.5% YTD 2019, was an additional factor contributing to the need for increases in total sludge hauled. Increased sludge hauling needs are met with an additional 120 loads over the 2018 load count. Estimated cost per load is \$504 based on a cost of \$.0104 / lb. and a 48,500 lb. load weight.	60,000	-	60,000	-
401 Sewer				60,000	-	60,000	-
502 Equipment Maintenance							
60	Operating Transfer: General Fund		Recent weather events have caused hail damage to the city fleet vehicles. Approximately sixty units have been affected. Repairs will be limited to the newer units in the fleet [2015 and newer]. Some vehicles will have selective repairs including hoods and trunks but not roofs depending on year and use. Police vehicles will receive more in depth repairs because of impacts with the public. Remaining hail dents will not affect resale at auction. The hail damage will be repaired by a local contractor with approval of the Fleet division.	-	110,000	110,000	-
502 Equipment Maintenance				-	110,000	110,000	-
507 Liability							
61	Fund Balance		Four businesses have filled Demand Letters with the City of Greeley on July 7, 2017 regarding damages they incurred as a result of a water main break near 59th Avenue and 20th Street on January 24, 2017. The parties participated in mediation in the course of litigation and entered into a settlement agreement totaling \$635,000. Settlement agreements were approved by City Council on October 15, 2019 at the regular Council meeting.	635,000	-	635,000	-
507 Liability				635,000	-	635,000	-

Fund	Item	Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
604 Senior Citizen							
62	Donations		Donations have been received regarding the senior citizen's fund along with interest earnings for \$955. This request is to use these funds to completed events at the Active Adult Center.	-	955	955	-
604 Senior Citizen				-	955	955	-
607 Community Memorials							
63	Fund Balance		The Longworth Fund awarded a \$1000 scholarship. The original budget for the scholarship was \$500. This appropriation increases the budget by \$500 to fund the \$1000 scholarship.	500	-	500	-
64	Donations		Appropriation to have a tree planted in honor of a loved one for the City's memorial tree program with funding provided by citizens.	-	835	835	-
607 Community Memorials				500	835	1,335	-
Total Less Additional Operating Expenditures Between Funds				2,720,722	15,061,250	17,263,770	518,202
Additional Operating Expenditures Between Funds							
5	Operating Transfer: General Fund		Cash for Future Fire Replacements - Operating Transfer of Oil Royalties: General Fund to Fire Equip & Acquisition Replacement	-	500,000	-	500,000
6	Operating Transfer: General Fund		Drug & Alcohol Surcharge - Operating Transfer of Oil Royalties: General Fund to Designated Revenue	-	33,221	-	33,221
7	Operating Transfer: General Fund		Victim's Assistance - Operating Transfer of Oil Royalties: General Fund to Designated Revenue	-	10,266	-	10,266
32	Fund Balance		Union Colony Civic Center (UCCC) Plaza Topo Locates - Operating Transfer of Fund Balance: Conservation Trust to General Fund	6,050	-	6,050	-
36	Operating Transfer: Streets & Roads		Bestway Streets Building - Operating Transfer of Sale of Assets: Streets & Roads to Public Improvement	-	300,000	-	300,000
38	Fund Balance		Speed Feedback Trailer - Operating Transfer of Fund Balance: Designated Revenue to Streets & Roads	12,000	-	12,000	-
39	Operating Transfer: Sales & Use Tax		Sales Tax Allocation to Funds - Operating Transfer of Sales & Use Tax Revenues: Sales & Use Tax to Food Tax, Quality of Life and Designated Public Safety	-	9,346,805	-	9,346,805
42	Operating Transfer: Designated Revenue		Fire Training Facility - Operating Transfer of Fund Balance: Designated Revenue to Public Improvement	-	116,211	-	116,211
44	DDA Property Taxes		Lincoln Park Hotel Tax Increment - Operating Transfer of DDA Property Taxes: Downtown Development Authority TIF to Conference Center Development	-	204,000	204,000	-
56	Operating Transfrer: Transportation		20th Street Project: Operating Transfer of 1% for Public Art	-	10,182	-	10,182
60	Oil Royalties From General Fund		2019 Hail Damage - Fleet Vehicles - Operating Transfer of Oil Royalties From General Fund: General Fund to Equipment Maintenance	-	110,000	110,000	-
Total Additional Operating Expenditures Between Funds				18,050	10,630,685	332,050	10,316,685
Grand Total				2,738,772	25,691,935	17,595,820	10,834,887

December 3rd & 17th, 2019

Renee Wheeler | Finance Director

Presented By
Robert Miller | Budget & Compliance Manager

2019 5th Additional Appropriation



Fifth Appropriation - 2019

- Allocation of Fund Balances
- Ensures Completion of Projects and Commitments.
- Records Grants and Received Revenues.



Fund	2019 Budget	Ordinance	2019 Revised Budget
001 General Fund	\$ 119,773,308	\$ 2,036,987	\$ 121,810,295
103 Community Development	788,773	607,095	1,395,868
104 Streets & Roads	10,557,106	407,420	10,964,526
105 Conservation Trust	961,938	6,050	967,988
106 Sales & Use Tax	75,809,193	9,533,805	85,342,998
108 Designated Revenue	1,655,052	190,495	1,845,547
110 Conference Center Development	553,000	204,000	757,000
111 Downtown Development Authority TIF	225,000	204,000	429,000
112 NEAHR Grants	572,563	407,363	979,926
113 Weld Drug Task Force Equitable Sharing	-	276,763	276,763
301 Public Improvement	34,113,529	1,154,962	35,268,491
304 Food Tax	10,166,149	120,000	10,286,149
309 Island Grove Development	69,378	33,227	102,605
312 Transportation Development	12,386,925	1,591,334	13,978,259
318 Quality of Life	14,812,644	15,029	14,827,673
401 Sewer	8,035,934	60,000	8,095,934
502 Equipment Maintenance	3,278,135	110,000	3,388,135
507 Liability	1,681,980	635,000	2,316,980
604 Senior Citizen	50	955	1,005
607 Community Memorials	595	1,335	1,930
Grand Total	\$ 295,441,252	\$ 17,595,820	\$ 313,037,072

All Funds	\$ 563,938,391	\$ 17,595,820	\$ 581,534,211
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Fund Budget Balance



Appropriation Funding Sources

Funding Sources	Amount
Sales & Use Tax	\$ 9,533,805
Fund Balance	2,738,772
Grants	1,434,181
Oil Royalties	798,387
Highway User Tax Fund	578,729
Operating Transfers	537,950
Bond Proceeds	446,233
Expense Reimbursement	389,451
Sale of Assets	314,500
Weld County Drug Task Force	276,763
DDA Property Taxes	204,000
Insurance Recoveries	162,250
Intergovernmental Agreement	145,809
Interest Earnings, Private Contributions, Fees & Donations	34,990
Grand Total	\$ 17,595,820



General Fund

Request	Funding Source	Ordinance
Sales & Use Tax Audits & Refunds: General Fund	Operating Transfer: Sales & Use Tax	\$ 131,792
Repair Hail Damage - Buildings	Insurance Recoveries	54,992
2020 Census	Grant: Department of Local Affairs (DOLA)	47,500
Roadway Medians & Landscapes	Insurance & Damage Recoveries	26,052
2019 Election Costs	Operating Transfer: Sales & Use Tax	12,000
Adaptive and Inclusive Recreation Programs	Grant: Adaptive and Inclusive Recreation [AIR]	8,000
Union Colony Civic Center (UCCC) Plaza Topo Locates	Operating Transfer: Conservation Trust	6,050
General Fund Total (Excludes Oil Royalties, Police & Fire)		\$ 286,386

General Fund – Oil Royalties

Request	Funding Source	Ordinance
Future Fire Apparatus Replacements (Eliminate Lease)	Oil Royalties	\$ 500,000
Human Resources & City Clerk Executive Search	Oil Royalties	73,000
eTRAKiT Transaction Fees	Oil Royalties	35,000
Drug & Alcohol Surcharge Funding: Designated Revenue	Oil Royalties	33,221
Priority Based Budgeting	Oil Royalties	25,000
City Drone for Fire Emergency Management Program	Oil Royalties	11,900
Victim's Assistance Funding: Designated Revenue	Oil Royalties	10,266
General Fund Total (Oil Royalties Only)		\$ 688,387



General Fund - Fire

Request	Funding Source	Ordinance
Equipment & Supplies: Emergency Operations Center [EOC]	Grant: State Emergency Performance Grant (EMPG) and Plains American Pipeline	\$ 93,003
Related Salaries, Supplies, Materials, Adobe® Licensing, Banner Health Partnership Expenditures, Deployments, EMS Standby, & Academy Costs.	Expense Reimbursement: Front Range Fire Consortium, Front Range Fire Apparatus, Banner Heath, Urban Search & Rescue Colorado Task Force 1, University of Northern Colorado & Heartland Education Computer Systems Inc.	72,570
Fire Supplies & Equipment	Sale of Assets: Equipment & Trailer	14,500
Fire Unit Vandalism Repairs	Insurance Recoveries	6,206
General Fund Total (Fire Department Only)		\$ 186,279

General Fund - Police

Request	Funding Source	Ordinance
Investigation of Unlicensed Marijuana	Grant: Gray & Black Marijuana Enforcement	\$ 261,663
Drug Task Force Investigative Expenditures	Grant: High Intensity Drug Trafficking Award [HIDTA]	126,163
License Plate, Star Chase, & Radar Equipment	Grant: Justice Assistance Grant [JAG]	82,620
Accident Repairs to Vehicles	Insurance Recoveries	75,000
Data Driven Approached to Crime and Traffic Safety [DDACTS] Overtime	Grant: Colorado Department of Transportation [CDOT]	66,500
Records Guard Terminal Fee	Intergovernmental Agreement	42,000
Salaries, Equipment, Supplies & Volunteer Expenditures	Grant: Victims of Crime Act Assistance Funds [VOCA]	26,867
Police Equipment	Weld County Drug Task Force Equitable Sharing	18,900
Auto Theft Prevention Overtime	Expense Reimbursement: Colorado State Patrol [CSP]	17,500

General Fund - Police

Request	Funding Source	Ordinance
Evidence Supplies & Services	Expense Reimbursement: Weld County	12,000
Overtime Expenditures: High Visibility Enforcement [HVE]	Grant: High Visibility Enforcement [HVE]	9,000
Training Equipment, Handguns & Simmunition	Grant: Peace Office Standards and Training [POST]	7,350
Overtime Expenditures: Click It Or Ticket [CIOT]	Grant: Click It Or Ticket [CIOT]	7,000
Colorado Organization for Victim Assistance [COVA] and the Colorado Association of Sex Crimes Investigators [CASCI] Related Expenditures	Grant: Victim Assistance in Law Enforcement [VALE]	6,363
Training Expenditures	Intergovernmental Agreement: Internet Crimes Against Children [ICAC]	3,809
Special Weapons and Tactics [SWAT] Course Materials	Fees: Special Weapons and Tactics [SWAT] Course	3,200
General Fund Total (Police Department Only)		\$ 765,935

General Fund Transfers

Required Operating Transfers	Funding Source	Ordinance
2019 Hail Damage - Fleet Vehicles: Equipment Maintenance	Oil Royalties	\$ 110,000
Total		\$ 110,000



Special Revenue Funds

Request	Funding Source	Ordinance
Sales & Use Tax Allocation to Funds	Sales & Use Tax Revenues	\$ 9,533,805
Community Development Block Grant [CDBG] and HOME Programs	Grant & Fund Balance	607,095
2019 NEAHR Grant Funds	Grant: Northeast All Hazard Region Homeland Security (NEAHR)	407,363
Reserves for Bestway Streets Building	Sale of Assets: Recycled Asphalt	300,000
Distribution of Weld County Drug Task Force Equitable Sharing Funds	Weld County Drug Task Force Equitable Sharing	276,763
Conference Center Loan Repayment	Operating Transfer: DDA TIF Property Taxes	204,000
Fire Training Facility Reimbursement	Fund Balance: Public Safety (.16)	116,211
Reconstruct 12 Alleys	Expense Reimbursement: Community Development Block Grant	95,420

Special Revenue Funds

Request	Funding Source	Ordinance
Sales & Use Tax Audits & Refunds: Public Safety	Operating Transfer: Sales & Use Tax	28,179
Communication & Engagement - GTV8 Access Channel Equipment Upgrade	Fund Balance: Public, Educational and Governmental (PEG) Fees	20,250
Communication & Engagement - Channel 16 & e-Media Equipment Upgrade	Fund Balance: Public, Educational and Governmental (PEG) Fees	13,855
Speed Feedback Trailer	Operating Transfer: Traffic Calming Funds	12,000
Active Adult Activities	Donations & Interest Earnings	955
Memorial Tree Program: Tree Plant	Donations	835
Longworth Fund Scholarship Award	Fund Balance: Longworth Fund	500
Total		\$11,617,231

Special Revenue Transfers

Required Operating Transfers	Funding Source	Ordinance
Conference Center Loan Repayment	Downtown Development Authority (DDA) TIF Revenues	\$ 204,000
Speed Feedback Trailer	Fund Balance: Designated Revenue	12,000
Union Colony Civic Center (UCCC) Plaza Topo Locates	Fund Balance: Conservation Trust	6,050
Total		\$ 222,050



Capital Funds

Request	Funding Source	Ordinance
Promontory Parkway	Fund Balance: 2020 Budgeted Funds	\$ 990,000
East 8th Street	Highway User Tax Fund	578,729
2019 COPs, Fire Stations #2 & #6	Bond Proceeds & Intergovernmental Agreement	546,233
47th Avenue Road Widening Design with Evans	Fund Balance: Transportation Development	250,000
Traffic Signal Poles for Fire Station #6	Fund Balance: 2020 Budgeted Funds	150,000
23rd Avenue Turn Lanes for Fire Station #2	Fund Balance: 2020 Budgeted Funds	129,373
Poudre Trail Stabilization	Expense Reimbursement: Weld County	100,000

Capital Funds

Request	Funding Source	Ordinance
Street Light Installations	Expense Reimbursement: Community Development Block Grant	71,961
Repayment of Internal Loan	Fund Balance: Island Grove Development Revenue	33,227
16th Street Project	Interest Earnings & Private Contributions	30,000
Union Colony Civic Center (UCCC) Parking Lot	Expense Reimbursement: UCCC Budget	20,000
Sales & Use Tax Audits & Refunds: Quality of Life	Operating Transfers: Sales & Use Tax	15,029
Total		\$ 2,914,552

Enterprise Funds

Request	Funding Source	Ordinance
Biochemical Oxygen Demand [BOD]: Sludge Hauling	Fund Balance: Sewer Rates	\$ 60,000
Total		\$ 60,000



Internal Service Fund

Request	Funding Source	Ordinance
2019 Hail Damage - Fleet Vehicles	Operating Transfer: Oil Royalties	\$ 110,000
Claims: Water Main Break 59th Avenue & 20th Street	Fund Balance: Liability Fund	635,000
Total		\$ 745,000



Summary

- Total Appropriated Amount: \$17,595,820
- Affirmation of Prior Commitments
- Maintain Transparency and Accounting Standards
- Demonstrates Transparency of Restricted Funds



Council Agenda Summary

December 3, 2019

Agenda Item Number 15

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

Title:

Introduction and first reading of an Ordinance re-authorizing various Boards and Commissions for three years

Summary:

Section 2-8 of the City Charter provides that Council is to review its appointed advisory groups every three years and determine whether the board or commission continues to serve the purpose for which it was created and decide whether or not to authorize its continuance.

This provision was added to the Charter in 2001 and a staggered schedule was developed for reviewing one-third of the groups each year. Reauthorization has been approved for all groups since the addition of this Charter amendment.

The early process for triennial reviews included a Work Session meeting between Council and each Board to discuss Board accomplishments, goals and continued relevance. After several cycles of meeting with Council every three years, boards began preparing a written report for Council's review instead of the verbal report at a Work Session. Currently, Council receives an update of Board activity and plans through the quarterly *Department Updates*. Any programs or issues a Board or the Council would like discussed has been and can continue to be scheduled as needed.

The attached Ordinance re-authorizes the groups scheduled for a triennial review in 2019. An Ordinance is appropriate for the re-authorization because each group was initially authorized in the same fashion.

Fiscal Impact:

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

Legal Issues:

None.

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

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

Decision Options:

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

Council's Recommended Action:

A motion to introduce the ordinance and schedule the public hearing and final reading for December 17, 2019.

Attachments:

Ordinance

CITY OF GREELEY, COLORADO

ORDINANCE NO. _____, 2019

AN ORDINANCE RE-AUTHORIZING VARIOUS BOARDS AND COMMISSIONS FOR THREE YEARS

WHEREAS, in November, 2001, Greeley voters approved an amendment to the Home Rule Charter, in Section 2-8 Appointive Boards and Commissions, to require that City Council review its advisory groups every three years to determine whether the board or commission continues to serve the purpose for which it was created and decide whether or not to authorize its continuance; and

WHEREAS, Ordinance No. 59, 2002, was adopted by City Council October 15, 2002, to implement this Charter amendment and thereby created a triennial review schedule for appointive boards and commissions; and

WHEREAS, City Council is prepared to re-authorize these appointive groups for a three-year period.

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

Section 1. The following groups are hereby re-authorized for a period of three years from January 1, 2020, to expire December 31, 2022:

- 1) Citizen Budget Advisory Committee
- 2) Citizen Transportation Advisory Board
- 3) Commission on Disabilities
- 4) Downtown Development Authority
- 5) Golf Board
- 6) Historic Preservation Commission
- 7) Rodarte Community Center Advisory Board
- 8) Stormwater Board
- 9) Youth Commission

Section 2. This ordinance shall become effective five days after its final publication as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS 17TH DAY OF DECEMBER, 2019.

ATTEST:

CITY OF GREELEY, COLORADO

City Clerk

Mayor

Council Agenda Summary

December 3, 2019

Agenda Item Number 16

Key Staff Contact: Mark Jones, Police Chief, 970-350-9665
Dale Lyman, Fire Chief, 970-350-9500

Title:

Introduction and first reading of an ordinance amending Sections 16.36.090 and 16.36.100 of The Greeley Municipal Code amending the International Fire Code, and adding Chapter 16.40 of the Greeley Municipal Code regarding fireworks

Summary:

This ordinance revises the Greeley Municipal Code to allow violations of the fire code to be written into Municipal Court as misdemeanor infractions. Additionally, this ordinance adds a Chapter to the Greeley Municipal Code to regulate what type of fireworks can be used in the City, and adds to the Fire Department's ability to regulate firework displays and the retail sale of fireworks in the City. Previously, the only authority the City had to regulate fireworks was found in state statutes, and through the Fire Code. This ordinance specifies what types of fireworks are illegal, and allows tickets for illegal fireworks to be written into Municipal Court as misdemeanor infractions. The ordinance provides that illegal fireworks can be seized and held until the ticket is resolved.

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.

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

Council's Recommended Action:

A motion to introduce the ordinance and schedule the public hearing and final reading for December 17, 2019.

Attachments:

Ordinance

CITY OF GREELEY, COLORADO

ORDINANCE NO. _____, 2019

**AN ORDINANCE AMENDING SECTIONS 16.36.090 AND 16.36.100 OF
THE GREELEY MUNICIPAL CODE AMENDING THE INTERNATIONAL
FIRE CODE, AND ADDING CHAPTER 16.40 OF THE GREELEY MUNICIPAL CODE
REGARDING FIREWORKS**

WHEREAS, the City of Greeley has adopted the International Fire Code at 16.36.010 of the Municipal Code; and

WHEREAS, the possession, manufacture, storage, sale, handling and use of fireworks is prohibited by Section 5601.1.3 of the International Fire Code except where allowed by applicable laws; and

WHEREAS, Colorado State Statutes Section 24-33.5-2007 allow certain fireworks to be possessed, sold, and used within incorporated areas of the State of Colorado unless restricted by local law in those incorporated areas; and

WHEREAS, the use of illegal fireworks within the City poses a danger to the health and wellbeing of the citizens of Greeley; and

WHEREAS, revision of the Greeley Municipal Code related to violations of the Fire Code is necessary to protect the health and safety of Greeley citizens; and

WHEREAS, the addition of Chapter 16.40 will provide city staff, including the Police and Fire Departments, with additional resources in order to insure that fireworks are used safely and appropriately within the Greeley city limits; and

WHEREAS, violations of the International Fire Code should be punished in the Greeley Municipal Court; and

WHEREAS, City Council finds that adoption of this Ordinance is in the best interests of the citizens of the City of Greeley.

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

Section 1. Sections 16.36.090 and 16.36.100 of the Greeley Municipal Code of Ordinances are hereby amended as set forth on Exhibit A attached hereto and incorporated herein by this reference.

Section 2. Title 16 of the Greeley Municipal Code of Ordinances is hereby amended by the addition of Chapter 6.40 regarding Fireworks as shown on Exhibit B attached hereto and incorporated herein by this reference.

Section 3. This Ordinance shall become effective five (5) days following 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, COLORADO

City Clerk

By: _____
Mayor

16.36.090 - Section 109.4 amended; Violation penalties.

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

109.4 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 infraction, and subject to the sentencing guidelines of Chapter ~~1.33~~ 1.32 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 amended; Failure to comply.

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

111.4 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 infraction, and subject to the sentencing guidelines of Chapter ~~1.33~~ 1.32 of the Greeley Municipal Code.

CHAPTER 16.40 FIREWORKS

16.40.010- Definitions

As used in this Article, the following terms shall have the meanings indicated:

“Display” means a supervised public display of fireworks by municipalities, fair associations, amusement parks or other organizations.

“Fireworks” means any combustible or explosive composition, or any substance or combination of substances or particles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, the type of balloons that require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, roman candles, Day-Glo bombs, any devices containing any explosive or flammable compound or any tablets or other devices containing any explosive substances , except that the term *fireworks* shall not include automobile flares, sparklers or other devices of like construction, paper caps containing not in excess of an average of twenty-five hundredths (.25) of a grain of explosive content per cap manufactured in accordance with the Interstate Commerce Commission regulations for packing and shipping as provided therein, and toy pistols, toy canes, toy guns or other devices for use of such caps, the same and use of which shall be permitted at all times.

“Permissible fireworks” means the following small fireworks devices designed to produce audible or visual effects by combustion, complying with the requirements of the United States consumer product safety commission as set forth in 16 CFR 1500.1 to 1500.272 and 1507.1 to 1507.12, and classified as consumer fireworks UN0336 and UN0337 pursuant to 49 CFR 172.101:

- (a) Cylindrical fountains, total pyrotechnic composition not to exceed seventy-five grams each for a single tube or, when more than one tube is mounted on a common base, a total pyrotechnic composition of no more than two hundred grams;
- (b) Cone fountains, total pyrotechnic composition not to exceed fifty grams each for a single cone or, when more than one cone is mounted on a common base, a total pyrotechnic composition of no more than two hundred grams;
- (c) Wheels, total pyrotechnic composition not to exceed sixty grams for each driver unit or two hundred grams for each complete wheel;
- (d) Ground spinner, a small device containing not more than twenty grams of pyrotechnic composition venting out of an orifice usually in the side of the tube, similar in operation to a wheel, but intended to be placed flat on the ground;
- (e) Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed two hundred grams each;
- (f) Dipped sticks and sparklers, the total pyrotechnic composition of which does not exceed one hundred grams, of which the composition of any chlorate or perchlorate shall not exceed five grams;
- (g) Any of the following that do not contain more than fifty milligrams of explosive composition:
 - (1) Explosive auto alarms;
 - (2) Toy propellant devices;
 - (3) Cigarette loads;
 - (4) Strike-on-box matches; or
 - (5) Other trick noise makers;

- (h) Snake or glow worm pressed pellets of not more than two grams of pyrotechnic composition and packaged in retail packages of not more than twenty-five units;
- (i) Fireworks that are used exclusively for testing or research by a licensed explosives laboratory;
- (j) Multiple tube devices with:
 - (1) Each tube individually attached to a wood or plastic base;
 - (2) The tubes separated from each other on the base by a distance of at least one-half of one inch;
 - (3) The effect limited to a shower of sparks to a height of no more than fifteen feet above the ground;
 - (4) Only one external fuse that causes all of the tubes to function in sequence; and
 - (5) A total pyrotechnic composition of no more than five hundred grams.

16.40.020. - Manufacture, sale, use or possession of fireworks.

- (a) Pursuant to Section 5601.1.3 of the International Fire Code, as adopted by the City at Section 16.36.010 of this Code, the possession, storage, sale, handling and use of fireworks is illegal except as set forth herein.
- (b) The Greeley Fire Department may adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks and retail sale of fireworks within the City.
 - (1) Such permits may be granted upon application to the Greeley Fire Department.
 - (2) The Department may prescribe reasonable requirements for the issuance of such permits, including but not limited to a reasonable fee for such permits,

the posting of an appropriate bond, limitation as to the type of fireworks displayed, time and location of such display, requirements concerning the licensure or certification of the operator of the display and disposal of unused fireworks.

(c) Permits issued by the Greeley Fire Department for a public display of fireworks within the city must be reviewed and approved in writing by the Chief of Police. No permit issued by the Greeley Fire Department shall be valid in the absence of the written approval thereof by the Chief of Police.

(d) Permissible fireworks may possessed, stored, sold, handled and used within the City of Greeley by any individual age 16 and older.

16.40.030 Penalty

Any person who violates this Article commits a misdemeanor infraction and shall be punished as provided in Section 1.32 of this Code.

16.30.030 - Seizure of illegal fireworks.

The Greeley Police Department or any Greeley police officer shall seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks offered or exposed for sale or stored or held in violation of this Article or of the adopted portions of the International Fire Code.

APPENDIX OF EXISTING ORDINANCES
(as required by Section 3-16 of the Greeley Municipal Charter)

16.36.090 - Section 109.4 amended; Violation penalties.

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

109.4 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.

(Ord. 47, 2016 , §§1(Exh. A) and 2(Exh. B), 12-20-2016)

16.36.100 - Section 111.4 amended; Failure to comply.

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

111.4 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.

(Ord. 47, 2016 , §§1(Exh. A) and 2(Exh. B), 12-20-2016)

Council Agenda Summary

December 3, 2019

Agenda Item Number 17

Title

Pulled Consent Agenda Items

Council Agenda Summary

December 3, 2019

Agenda Item Number 18

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

Title:

Public hearing to consider a change of zone from R-L (Residential Low Density), C-D (Conservation District), and C-L (Commercial Low Intensity) to I-M (Industrial Medium Intensity) zoning for approximately 39.18 acres of property located at 145 North 35th Avenue, known as the Best Way Rezone, and public hearing and final reading of an Ordinance changing the official zoning map to reflect the same (*item withdrawn*)

Summary:

The applicant, City of Greeley Public Works, is withdrawing this specific application.

See the attached letter; it is anticipated that a different application will be submitted for the subject property, which is owned by the City of Greeley.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	N/A
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

None

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

Consistency with Comprehensive Plan and Development Code standards.

Decision Options:

None – items is withdrawn.

Council's Recommended Action:

Item withdrawn – no action.

Attachments:

Letter from Public Works dated November 22, 2019



November 22, 2019

Brad Mueller
Community Development Director
City of Greeley
1100 10th Street
Greeley, CO 80631

Re: Bestway Rezone and Use by Special Review

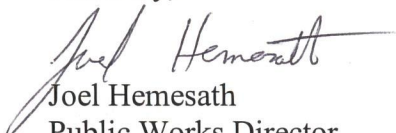
Dear Mr. Mueller:

The Public Works Department would like to withdraw its application for the rezoning and Use by Special Review (USR) of the property the City of Greeley owns northwest of the corner of 4th Street and 35th Avenue. After the November 12 Planning Commission meeting its clear that better definition and limitation of the land uses the city intends to us on this property is needed in an effort to gain the support of the Planning Commission and provide the comfort and protection of the adjacent property owners. The City wishes to be a good neighbor and is willing to adjust the proposal to address concerns heard thus far.

The Public Works Department will work with your staff to develop a Development Concept Master Plan (DCMP) that will better define and limit the industrial type uses that are being proposed. We expect to have this information back to your department in early 2020 for review.

Please contact me at 350-9795 should you have any questions.

Sincerely,


Joel Hemesath
Public Works Director
City of Greeley

Cc: Jerry Pickett, Streets Superintendent

Council Agenda Summary

December 3, 2019

Agenda Item Number 19

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 970-350-9742

Title:

Appointment of applicants to the Citizen Budget Advisory Committee, Construction Trades Advisory & Appeals Board, Greeley Urban Renewal Authority, Greeley/Weld Airport Authority, Historic Preservation Commission, Human Relations Commission, and Museum Board

Summary:

Council appointment is needed to the above-mentioned boards and commissions due to vacancies and term expirations. As was noted in the transmittal summary, applications were received for vacancies for Youth Commission Ex-Officio Adults. Those positions are appointed by the Youth Commission, not City Council, so those positions do not appear on the attached ballot. 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

November/December 2019 Boards and Commissions Transmittal Summary



Applicants for the boards and/or commission listed below are in alphabetical order and recommendations from the interviewing team of Councilmembers are shown in bold.

***** BALLOT *****

Citizen Budget Advisory Committee	
<i>4 Vacancies</i>	
☐	KENNETH "TRENT" HOWELL (I)
☐	(RECRUIT FOR ADDITIONAL APPLICANTS)

Construction Trades Advisory & Appeals Board	
<i>1 Vacancy</i>	
☐	Stephen Schaps
☐	RICHARD SPITLER
☐	(Recruit For Additional Applicants)

Greeley Urban Renewal Authority	
<i>3 Vacancies</i>	
☐	CHRIS LEFFLER
☐	(RECRUIT FOR ADDITIONAL APPLICANTS)

Greeley/Weld Airport Authority	
<i>1 Vacancy</i>	
☐	CRAIG SHENKENBERG (I)
☐	Matthew Vanlandingham
☐	(Recruit For Additional Applicants)

Historic Preservation Commission	
<i>3 Vacancies</i>	
☐	JOHN GIFFORD
☐	LAURA SATTLER
☐	(RECRUIT FOR ADDITIONAL APPLICANTS)

Human Relations Commission	
<i>1 Vacancy</i>	
☐	Kathryn Heffron
☐	JACOB SUTTON
☐	(Recruit For Additional Applicants)

Museum Board	
<i>1 Vacancy</i>	
☐	ASHLEY WILSON
☐	(Recruit For Additional Applicants)

(I) = Incumbent

Boards & Commissions Transmittal

November 15, 2019

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

Interview Date

November 22, 2019

Council Interview Team

Councilmembers Fitzsimmons and Hall

Council Appointment Date

December 3, 2019

Boards and Commissions Being Interviewed

- **Citizen Budget Advisory Committee**
- **Construction Trades Advisory Board**
- **Greeley Urban Renewal Authority**
- **Greeley/Weld Airport Authority**
- **Historic Preservation Commission**
- **Human Relations Commission**
- **Museum Board**
- **Youth Commission (Ex-Officio Adult)**

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

 Cheryl Aragon, Interim City Clerk

Council Agenda Summary

December 3, 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 11/27/2019

<u>Date</u>	<u>Description</u>	<u>Staff Contact</u>	
December 10, 2019 Transition & Worksession Meeting	New Council Orientation: City Manager's Overview of Orientation	Roy Otto	0.25
	New Council Orientation: City Manager's Office	Roy Otto	0.25
	New Council Orientation: City Clerk's Office	Cheryl Aragon	0.25
	New Council Orientation: City Attorney's Office	Doug Marek	0.25
	New Council Orientation: Municipal Court	Mark Gonzales	0.25
	Downtown Parking Update	Joel Hemesath	0.50
December 17, 2019 Council Meeting	Ordinance - Final - Fifth Additional Appropriation	Renee Wheeler	Regular
	Ordinance - Final - Triennial Review of Various Boards and Commissions	Betsy Holder	Regular
	New Council Orientation: CML Facilitated Discussion with Kevin Bommer	Cheryl Aragon	1.00
	New Council Orientation: Community Development	Brad Mueller	0.25
	New Council Orientation: Economic Health and Housing	Ben Snow	0.25
	New Council Orientation: Public Works	Joel Hemesath	0.25
December 24, 2019 Worksession Meeting	New Council Orientation: Water & Sewer	Sean Chambers	0.25
	Cancelled (at 09/17/2019 Council Meeting)		
January 7, 2020 Council Meeting	Resolution - Cooperation Agreement btw the City of Greeley and the Greeley Urban Renew	Becky Safarik	Consent
	New Council Orientation: Finance	Renee Wheeler	0.25
	New Council Orientation: Human Resources	Sharon McCabe	0.25
	New Council Orientation: Information Technology	Scott Magerfleisch	0.25
January 14, 2020 Worksession Meeting	New Council Orientation: Communication & Engagement	Kelli Johnson	0.25
	New Council Oreintation: Culture, Parks & Recreation	Andy McRoberts	0.25
	New Council Oreintation: Police	Mark Jones	0.25
	New Council Orientation: Fire	Dale Lyman	0.25
	Transportation and Transit Services Update	Joel Hemesath	0.50
January 21, 2020 Council Meeting	Resolution - Reimbursement for expenses in advance of Water & Sewer Bonds	Renee Wheeler	Consent
January 28, 2020 Worksession Meeting			
February 4, 2020 Council Meeting	Executive Session - Annual Review of the City Manager	Sharon McCabe	
	Resolution - IGA with High Plains Library District for Parking Expansion	Andy McRoberts	Consent
February 11, 2020 Worksession Meeting			
February 18, 2020 Council Meeting	Executive Session - Annual Review of the City Attorney	Sharon McCabe	
February 25, 2020 Worksession Meeting			
March 3, 2020 Council Meeting	Executive Session - Annual Review of the Municipal Court Judge	Sharon McCabe	
March 10, 2020 Worksession Meeting	Year-End Report	Renee Wheeler	0.50
	Food Tax/Keep Greeley Moving Renewal	Renee Wheeler	1.00
	Broadband Taskforce	Scott Magerfleisch	0.50
March 17, 2020 Council Meeting	Ordinance - Intro - First Additional Appropriation	Renee Wheeler	Consent
March 24, 2020 Worksession Meeting			
April 7, 2020 Council Meeting	Ordinance - Final - First Additional Appropriation	Renee Wheeler	Regular
April 14, 2020 Worksession Meeting	Quarterly Financial Report	Renee Wheeler	0.50
April 21, 2020 Council Meeting	Youth Service Day Awards	Betsy Holder	Recognitions
April 28, 2020 Worksession Meeting	Overview of the CIS Project	Renee Wheeler	0.50

December 2, 2019 - December 8, 2019

December 2019						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
	7	8	9	10	11	12
	13	14	15	16	17	18
	19	20	21	22	23	24
	25	26	27	28	29	30
	31					

January 2020						
Su	Mo	Tu	We	Th	Fr	Sa
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Monday, December 2

Tuesday, December 3

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

Wednesday, December 4

11:00am - 1:30pm City of Greeley Employee Holiday Lunch (Island Grove Event Center) - Council Master Calendar

Thursday, December 5

7:00am - Poudre River Trail (Hall)

3:30pm - IG Adv. Board (TBD)

6:00pm - MPO (Gates/Casseday)

Friday, December 6

Saturday, December 7

Sunday, December 8

December 9, 2019 - December 15, 2019

December 2019						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
	7	8	9	10	11	12
	13	14	15	16	17	18
	19	20	21	22	23	24
	25	26	27	28	29	30
	31					

January 2020						
Su	Mo	Tu	We	Th	Fr	Sa
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19	20	21	22	23	24	25
26	27	28	29	30	31	

Monday, December 9

Tuesday, December 10

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

Wednesday, December 11

Thursday, December 12

Friday, December 13

Saturday, December 14

Sunday, December 15

December 16, 2019 - December 22, 2019

December 2019						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January 2020						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Monday, December 16

Tuesday, December 17

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

Wednesday, December 18

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

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

Thursday, December 19

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

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

Friday, December 20

Saturday, December 21

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

Sunday, December 22

December 23, 2019 - December 29, 2019

December 2019						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
	7	8	9	10	11	12
	13	14	15	16	17	18
	19	20	21	22	23	24
	25	26	27	28	29	30
	31					

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

Monday, December 23

- 11:30am - 12:30pm Greeley Chamber of Commerce (Gates) ☉
- 5:30pm - 6:00pm Menorah Lighting (9th Street Plaza) - Council Master Calendar
- 6:00pm - 7:00pm Youth Commission (TBD) ☉

Tuesday, December 24

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

Wednesday, December 25

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

Thursday, December 26

Friday, December 27

Saturday, December 28

Sunday, December 29

December 30, 2019 - January 5, 2020

December 2019						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
	7	8	9	10	11	12
	13	14	15	16	17	18
	19	20	21	22	23	24
	25	26	27	28	29	30
	31					

January 2020						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Monday, December 30

Tuesday, December 31

Wednesday, January 1

Thursday, January 2

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

Friday, January 3

Saturday, January 4

Sunday, January 5

Council Agenda Summary

December 3, 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

December 3, 2019

Agenda Item Number 22

[Title](#)

Adjournment