

Greeley City Council Agenda

Regular Meeting
Tuesday, March 19, 2024 at 6:00 PM

City Council Chambers at City Center South, 1001 11th Avenue, Greeley, CO 80631
via Zoom at: <https://greeleygov.zoom.us/j/83020598460>

NOTICE:

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

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

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

Watch Meetings:



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



Meetings are televised live on GTV8 on cable television.



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

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

Meeting agendas, minutes, and archived videos are available on the City's meeting portal at <https://greeleyco.portal.civicclerk.com/>

Comment in real time:

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



In person attendees can address the Council in the Chambers.



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

Submit written comments:



Email comments about any item on the agenda before Noon on the day of the meeting to cityclerk@greeleygov.com



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



Mayor

John Gates

Councilmembers

Tommy Butler - Ward I

Deb DeBoutez - Ward II

Johnny Olson - Ward III

Dale Hall - Ward IV

Brett Payton - At-Large

Melissa McDonald - At-Large



City Council Regular Meeting Agenda

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

via Zoom at: <https://greeleygov.zoom.us/j/83020598460>

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

Consent Agenda

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

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

10. A motion to approve the City Council Meeting Proceedings of February 20, 2024, and City Council Work Session Proceedings of February 27, 2024
11. A resolution authorizing the City of Greeley to enter into a grant agreement between the City of Greeley and the Urban Sustainability Directors Network (USDN), a non-profit organization regarding receipt of grant funding for Greeley Tree Canopy Rescue
12. A resolution authorizing the city to enter into an Intergovernmental Agreement with the City of Fort Collins regarding certain aspects of the Halligan Water Supply Project

13. Introduction and first reading of an ordinance amending Title 1, Chapter 12 and Title 2, Chapter 12 of the Greeley Municipal Code relating to code compliance and chronic public nuisance
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 2024 and for funds held in reserve for encumbrances through December 31, 2023

End of Consent Agenda

15. Pulled Consent Agenda Items
16. Appointments to Boards and Commissions
17. 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 any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and ordinances
18. Scheduling of Meetings, Other Events
19. A motion to go into Executive Session for the purpose of receiving feedback pertaining to completing the annual performance review of the City Manager
20. Adjournment



Council Agenda Summary

Title:

Recognitions and Proclamations

Summary:

Mayor Gates will present the following proclamations:

Fair Housing Month Proclamation
Community College Month Proclamation
Parkinson Awareness Month Proclamation

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

Attachments:

Fair Housing Month Proclamation
Community College Month Proclamation
Parkinson Awareness Month Proclamation
What's Great Report



Fair Housing Month 2024

WHEREAS, April 2024 marks the 56th anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act; and

WHEREAS, the Act outlines national policy of fair housing for all individuals who live in the United States and protects individuals from discrimination based on race, color, sex, disability, religion, family status, and national origin; and

WHEREAS, in Colorado, housing laws also protect against discrimination due to marital status, ancestry, sexual orientation, gender identity and expression, veterans/military, source of income, and creed; and

WHEREAS, Fair Housing is essential to the ethical commitment of the City and plays a central role in our community. Where we grow up and live impacts our educational attainment, health disparities, career opportunities, and creation of generational wealth; and

WHEREAS, the impact of historical discrimination persists to this day and such inequities limit the availability and stability of housing; and

WHEREAS, the laws of this nation, our state, and the City of Greeley seek to ensure such equality of choice for all transactions involving renting or buying a home, receiving a mortgage, seeking housing assistance, and engaging in other housing related activities; and

WHEREAS, the ongoing struggle for dignity and housing opportunity for all is not the exclusive province of the Federal government, and local efforts to combat discrimination can be as effective, if not more so, than Federal efforts; and

WHEREAS, illegal barriers to equal opportunity in housing, no matter how subtle, diminish the rights of all;

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim April 2024 as Fair Housing Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 19th day March 2024.

John Gates
Mayor



2024 Community College Month

WHEREAS, Aims Community Colleges plays a vital role in shaping the future of Northern Colorado and its economy through providing high-quality education and training to students of all backgrounds and ages; and

WHEREAS, Aims Community College continues to foster equitable access by keeping college as affordable as possible by providing access to a college education at the lowest tuition rate in Colorado for Weld County residents; and

WHEREAS, Aims Community College offers a wide range of programs and services, including technical training, transfer degrees, workforce development, early college experiences and adult education, all designed to meet the needs of students and employers; and

WHEREAS, Aims serves nearly 10,000 students each year, providing them with the skills and knowledge needed to pursue their academic and professional goals, and to become active and engaged members of their communities; and

WHEREAS, the Aims is an integral part of the region's economy, having an annual community impact of \$244 million and providing employers with the skilled workforce that is essential to the growth and prosperity of Northern Colorado's businesses and industries; and

WHEREAS, with recognition of the dedication and hard work of the faculty, staff and leadership of Aims in providing exceptional education and training to students and acknowledgment of the vital role they play in helping build a stronger and more prosperous Northern Colorado.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim April 2024 as Community College Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 19th day March 2024.

John Gates
Mayor



PARKINSON'S AWARENESS MONTH

WHEREAS, Parkinson's disease is a chronic, progressive neurological disease and is the second most common neurodegenerative disease in the United States, after Alzheimer's disease; and

WHEREAS, it is estimated that over 1.5 million people in the United States and an estimated ten million in the world live with Parkinson's disease. Closer to home, there are over 400 known people in the Greeley area who suffer from this disease; and

WHEREAS, every year an estimated 60,000 people in the United States are diagnosed with Parkinson's disease; and

WHEREAS, there are millions of people who are caregivers, family members and friends who are impacted by this disease; and

WHEREAS, the combined direct and indirect costs of Parkinson's disease including treatment, disability and lost income from the inability to work are estimated at fifty-two billion dollars per year; and

WHEREAS, at this time there is no known cure or drug to slow or halt the progression of this disease, but we are getting close. Everyone's continued financial support is still needed and appreciated; and

WHEREAS, the symptoms vary from person to person and can include tremors, slowness of movement, rigidity, gait and balance difficulty, speech and swallowing, cognitive impairment, dementia, mood disorders and much more.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim the month of April 2024, as Parkinson's Disease Awareness Month, and do hereby proclaim April 11, 2024, as Parkinson's Disease Recognition Day in Greeley, to raise awareness and advocacy for Parkinson's Disease.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 19th day of March 2024.

John Gates
Mayor



City Council Meeting
March 19, 2024

An aerial photograph of a city, likely Denver, with a large white banner overlaid in the center. The banner has a torn, paper-like edge. The background shows a vast cityscape with green trees, buildings, and parking lots, leading up to a range of mountains under a clear sky.

***In all ways, we will transmit
this City not only, not less, but
greater and more beautiful than
it was transmitted to us.***

- Athenian Oath

Five UNC Students Receive Outstanding Delegation Award at Rocky Mountain Model Arab League

- National Council on U.S.-Arab Relations' flagship Youth Leadership Development Program.



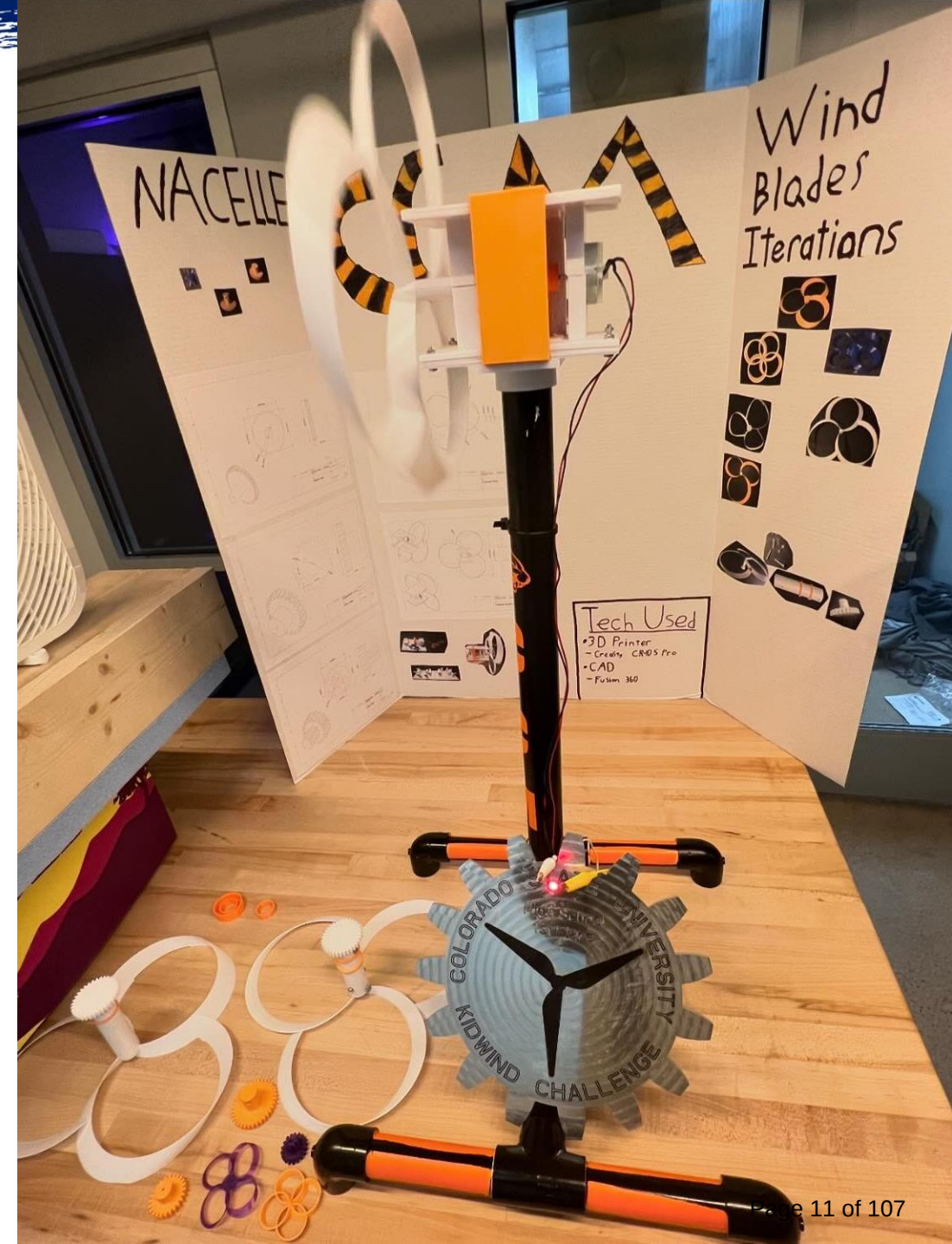
Model Arab League

Student Leadership Development Program from the National Council on U.S.-Arab Relations



Greeley Central Wins First at CSU KidWind Challenge

- Hosted by Colorado State University Energy Institute at Powerhouse Campus
- Team: Ethan Krommendyk, Yael Leon Cid, Everett Mash, Coen McCall, Ruben Rueda-Casteneda, Ryan Schneberger, Odin Schultz, Matthew Ward, and Jesus Zuniga Hernandez



UNC's Kyra Rabess Named 2023-24 Western Athletic Conference Freshman of the Year







Council Agenda Summary

Title

Citizen Input

Summary

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

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

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



Council Agenda Summary

Title

Reports from Mayor and Councilmembers

Summary

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



Council Agenda Summary

Title

Initiatives from Mayor and Councilmembers

Summary

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

Initiatives will generally fall into three categories:

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

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

Attachments

Status Report of Council Initiatives and Related Information

Greeley City Council

Status Report of Council Initiatives

Initiative No.	Council Member Initiating	Council Request	Council Meeting or Work Session Date Requested	Next Steps & Schedule	Anticipated Deliverable & Date (Report, Council Presentation, etc.)	Assigned to:
15-2021	Olson	Formation of a committee for implementation of a funding strategy for the 35th and 47th interchanges.	December 7, 2021 Council Meeting	•Next grant application expected May 2023	•We were notified on January 25, 2024, the MERGE project was not selected for funding under any of the MPDG funding opportunities. Staff have a scheduled debrief with USDOT on February 14, 2024. Staff are reviewing options to submit a grant application under the recently announced USDOT Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant program for the Interchanges at US34BYP and 35th & 47th Avenues. The RAISE grant submittals are due February 28, 2024.	Paul Trombino
03-2023	Butler	Campaign Contribution Limits	February 7, 2023 Council Meeting	•Presented at Nov 28 Work Session	•Intro/1st Rdg Ordinance scheduled for May 7, 2024. Council Meeting; 2nd Rdg Ordinance scheduled for May 21, 2024.	Stacey Aurzada/ Heidi Leatherwood
04-2023	Hall	Pumpkin Ridge - Bridge	March 7, 2023 Council Meeting	•PW report provided to Council on March 24, 2023. Neighborhood meeting planned on June 29, 2023. •Included Raymond's 9/1/2023 Council Update	•A Neighborhood meeting was held on December 13th with residents of Pumpkin Ridge. Approx. 28 people attended. PW proposed constructing a low-rise crossing at the current sidewalk location. Work is anticipated to occur in 2024. •Update included in the January 5, 2024 Council Report ; •Will remain on this list until the foot bridge is complete	PW
08-2023	DeBoutez	Public Nuisance Ordinance	May 9, 2023 Council Work Session	•Presented at December 12, 2023, Work Session	•1st Rdg Code Updates scheduled for March 19 and Public Hearing and second Rdg April 2	Doug Marek Brian McBroom
11-2023	Clark/Butler	Artificial turf and landscape standards	August 1, 2023 Council Meeting	•Come back to Council with a draft ordinance	•Council consensus: Staff to bring back minor updates to the front yard landscaping regulations for consideration •Due to current legislation artificial turf amendmentments may be delayed other landscaping amendments may be presented late first quarter	Brian McBroom

1-2020	Hall	Follow-up on the Poudre River Trail-Narrows Project	August 1, 2023 Council Meeting	•The grant application, which will be submitted in October, will complete baseline river modeling in addition to an alternative alignment analysis which will also look at the existing alignment, with high level cost estimates for each alternative. The scope will also include a 30% design of the preferred alignment. Working with existing consultants, we've established an estimated cost for the design process to get to a 30% of roughly \$150,000. •Unless a new alignment comes out of the design process, utilizing the existing alignment or an alternative on the north side of the river identified by past studies will likely exceed \$2 million to completed design/permitting and	•It was submitted in fall of 2023 and we will hear from Colorado Parks and Wildlife District Wildlife Manager (DWM) early in the process as they do a site visit as a first pass before awarding. This grant will find the design for improvements at the Narrows location along the Poudre Trail.	Diana Frick
12-2023	Butler	Funding Options Regarding the Greeley-Evans Transit	October 3 Council	Staff to bring back information for funding and ridership of the Greeley Evans Transit	•Transit/Mobility Update Report Sent to CMO 01/29/2024-Work Session scheduled for March 19, 2024	Paul Trombino
13-2023	Hall	City Grants	12/20/2023	Provide report identifying the grants that were received so Councilmember Hall can provide to CML	•Report was gathered from Finance and will be sent to CMO staff •Target date is end of March	Finance/HH
14-2023	Butler	Charter Review	12/19/2023	Asked Staff to start process of Charter review	•Setup monthly meetings with stakeholder's •Target date to bring options to Council is late April	CAO/CCO
1-2024	DeBoutez	Oil and Gas 101	January 16, 2024 City Council Meeting	Asked that staff prepare an educational presentation with the following data: Number of: oil wells, plugged, abandoned, active; also monitoring wells status, long range plans and underground pipeline monitoring	•Work Session tentatively scheduled for April 23, 2024	CD
2-2024	Butler	Ballot Language for the Police Sergeant initiative	January 16, 2024 City Council Meeting	Asked CAO staff to create more descriptive language for the police sergeant ballot question for 2024	• Stacey Aurzada sent out a private communication to council on February 2, 2024	CAO



Council Agenda Summary

Meeting Date: March 19, 2024

Key Staff Contact: Raymond Lee, City Manager

Title:

University of Northern Colorado Spring Update

Summary:

University of Northern Colorado (UNC) President Andy Feinstein will be present to provide Council with an update on UNC's operations and programs.

Attachment:

None



Council Agenda Summary

March 19, 2024

Key Staff Contact: Heidi Leatherwood, City Clerk

Title:

A motion to approve the City Council Meeting Proceedings of February 20, 2024, and City Council Work Session Proceedings of February 27, 2024

Summary:

A meeting of the City Council was held in the City Council's Chambers on February 20, 2024 and a Work Session of the City Council was held in the City Council's Chambers on February 27, 2024.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
Is there grant funding for this item?	No

Legal Issues:

Legislative

Other issues and Considerations:

None

Strategic Focus Area:



High-Performance Government

Decision Options:

- 1) Approve the motion; or
- 2) Amend the motion and approve as amended; or
- 3) Deny the motion; or
- 4) Continue consideration of the motion to a future date.

Council's Recommended Action:

Approve the motion.

Attachments:

1. City Council Proceedings February 20, 2024 -draft
2. Council Work Session Minutes February 27, 2024 - draft

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
February 20, 2024

1. Call to Order

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

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance.

3. Roll Call

Heidi Leatherwood, City Clerk called the roll.

The following were present:

Councilmember Butler

Councilmember DeBoutez

Mayor Pro Tem Hall

Councilmember Payton

Councilmember Olson

Councilmember McDonald

Mayor Gates

4. Approval of the Agenda

No changes were requested.

5. Recognitions and Proclamations

Mayor Gates read the Youth Arts Month 2024 Proclamation at 6:01 p.m. Frontier Academy Art Teacher Lauren Thurman, and Greeley Central Highschool Art Teacher Joni Wilson were present in Council Chambers to accept.

Mayor Gates read the Black History Month Proclamation at 6:05 p.m. Greeley West High School Principal Jeff Cranson, and Greeley West High School students Brooklyn Tinnin, Omari Edwards, and Zanayah Shanks were present in Council Chambers to accept.

Councilmember Butler presented What's Great about Greeley? report at 6:10 p.m.

6. Citizen Input

1. Todd Lotion addressed council with the concern of individuals speeding through his neighborhood and wants to know what engineering can be done to mitigate these concerns. Mayor Gates informed Mr. Lotion that he can offer to have the intersection reviewed again and asked that staff connect with Mr. Lotion.

2. Javier Lomeli spoke about the Lambda Upsilon Lambda Fraternity (La Unidad Latina) from the University of Northern Colorado.
3. Steve Teets spoke about the bus transportation system in Greeley and asked for system improvements.
4. David Meek asked that Council reinstate him as a volunteer at Centennial Village. Mayor Gates informed Mr. Meek that this is not a council decision.
5. Ben Dooster, student, provided the council with information on a project related to environmental impacts.

Mayor Gates welcomed three new members of the City of Greeley's leadership team (Deb Callies, Caleb Weitz, and Diana Frick) at 6:32 p.m.

7. Reports from Mayor and Councilmembers

Councilmember McDonald reported that she and Councilmember Butler visited Greeley West High School and spoke to their student council. Councilmember Butler added that this was a great opportunity to see the future leaders we have in our community.

Councilmember Olson reported on his attendance to the United States Department of Transportation (USDOT) Resilience Coalition. He encouraged fellow councilmembers to read the related report.

8. Initiatives from Mayor and Councilmembers

None

Consent Agenda

9. **A motion to approve the City Council Proceedings of the January 23, 2024, Work Session**
10. **A resolution expressing the City of Greeley's support for the development of the College of Osteopathic Medicine at the University of Northern Colorado (UNC)**
11. **A resolution authorizing the City of Greeley to provide fire protection service to the Schneider Farms Annexation, as set forth in Exhibits A of the petition to exclude territory from Windsor Severance Fire Protection District, and directing the City Attorney to commence a court action to exclude the property from the Windsor-Severance Fire Protection District**
12. **A resolution appointing Stacey Aurzada to the position of Interim City Attorney**
13. **Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado from HA (Holding Agriculture) to PUD (Planned Unit Development)**

Development) changing the underlying land use designations for approximately 8.51 acres of property located on the parcel North of W. 19th Street Road, East of 82nd Avenue (Mountain Vista PUD)

14. **Introduction and first reading of an Ordinance Amending Title 20, Chapters 2, 3, and 5 of the Greeley Municipal Code relating to water and sewer service**

End of Consent Agenda

Councilmember Butler moved to approve the Consent Agenda Items 9 and 11-14. Councilmember Payton seconded the motion. The motion passed 7-0 at 6:40 p.m.

Mayor Gates congratulated Stacey Aurzada as Interim City Attorney.

15. **Pulled Consent Agenda Items**

Council DeBoutez asked to pull consent agenda Item 10 - A resolution expressing the City of Greeley's support for the development of the College of Osteopathic Medicine at UNC. Council DeBoutez provided a few brief comments acknowledging the history of the relationship between the city and UNC. She expressed her support for the College of Osteopathic Medicine at the University and sees it as a great opportunity to benefit the school, city, and region.

Mayor Gates called UNC President Andy Feinstein and Dean Beth Longenecker to the podium to provide brief details of their vision for this petition. Dean Beth Longenecker informed the Council this is a great opportunity to bring 150 students a year to train the next generation of future physicians.

Mayor Gates provided his thanks and support to the President and Dean of UNC, and asked council for a motion.

Councilmember DeBoutez moved to approve the resolution. Councilmember Butler seconded the motion. The motion passed 7-0 at 6:45 p.m.

16. **Informational presentation on Private Activity Bonds Fiscal Year 2024**

Affordable Housing Manager Ashley Weesner introduced the item at 6:46 p.m.

In January 2024, the city received an annual allocation letter from the State Division of Housing for Private Activity Bonds. Greeley has been allocated a total of \$6,932,476 for Fiscal Year (FY) 2024. With the completion of the Housing Needs Assessment, specific measurable goals over the next 2 years are needed to meet the growing demand of market

rate and affordable housing units. Private Activity Bonds can be used to help finance new construction, rehabilitation, and acquisition projects.

Next Steps:

January 15 – Greeley notified of Allocation amount - \$6,932,476

- Establish PAB priorities
- Do nothing – PAB back to DOLA
- Keep PAB – need resolution with inducement for DOLA
- Assign PAB to CHFA (or other authority) to support a specific project or to promote first time ownership investment
- Continued collaboration with City Attorney’s Office and other applicable internal departments to ensure best practice
- September 15 – Must notify DOLA of PAB plans
- December 23 – Last day to Induce or Close Bond Transaction
- February 15, 2025– Must file Carryforward with Internal Revenue Service (IRS) along with designation of use

Councilmember DeBoutez asked if the money can be set aside to be used for an affordable housing “savings account” or is it required to be linked to a specific developer or project. Ms. Weesner replied that the money does need to be tied to a developer but there are different options such as holding on to the funds longer to have a higher amount to put towards low-income housing tax credit project. Currently with PAB’s, the funds that go into a low-income housing tax credit project must account for 50% of those development costs and the amount needs to be large enough to make a difference.

Councilmember Butler asked for clarification in a scenario when the City doesn’t use their PAB Allocations and if it goes to back to the State. He also asked whether we have ever received PAB Allocations from the state. Ms. Weesner replied that she does not have that data but would acknowledge that the developers would apply for the statewide balance.

Councilmember Butler asked if the County’s process for PAB’s works like the city’s process and if their funds can be used for the city’s projects. Ms. Weesner confirmed it does and those PAB allocations from the County can be used for the City’s projects.

This item was for information only.

17. Appointments to Boards & Commissions

City Clerk Leatherwood announced the appointments:

- **Golf Advisory Board: Patti Brug was appointed for a 3-year term**
- **Parks and Recreation Advisory Board – Rand Morgan was appointed for a 3-year term**

- **Island Grove Advisory Board – James Herman was appointed for a 3-year term**
- **Stormwater Board – Casey Christensen and Jerrod Carlson were appointed each for 3-year terms**

- 18. 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 any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and ordinances**

Councilmember Payton moved to approve the motion. Mayor Pro Tem Hall seconded the motion. The motion passed with a voice vote 7-0 at 6:56 p.m.

- 19. Scheduling of Meetings, Other Events**
None.

- 20. Adjournment**

With no further business to come before the Council, Mayor Gates adjourned the meeting at 6:56 p.m.

Approved:

John Gates, Mayor

Attest:

Heidi Leatherwood, City Clerk

City of Greeley, Colorado
CITY COUNCIL WORK SESSION REPORT
February 27, 2023

1. Call to Order

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

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance.

3. Roll Call

City Clerk Heidi Leatherwood called the roll.

The following members of Council were present:

Councilmember Tommy Butler

Councilmember Deb DeBoutez

Mayor Pro Tem Dale Hall

Councilmember Johnny Olson

Councilmember Melissa McDonald

Mayor John Gates

Councilmember Brett Payton – Excused

4. Reports from Mayor and Council Members

Mayor Pro Tem Dale Hall provided a report on the community meeting to discuss West Greeley growth. Councilmember Olson joined Mayor Pro Tem and 80-90 participants for this well received event.

Mayor Pro Tem Dale Hall provided a report on his presentation to tenth-grade students of three Civics classes at Day Spring School. The students were engaged and welcoming.

Councilmember Olson noted that the number one topic discussed at the West Greeley meeting was transportation. He also reported that the North Front Range will have an agenda item on grants and contracts with the Department of Transportation (DOT).

Councilmember McDonald attended the Police Award Ceremony and expressed her appreciation for the department.

Mayor Gates provided a reminder that the State of the City address will be Thursday, February 29th and encouraged attendance.

5. Leadership Roadmap

Chief of Staff Kelli Johnson introduced the item at 6:07 p.m. Assistant City Manager Blair Snow and Chief Information Officer Bret Naber co-presented.

The last 24 months have been intentionally focused on evolving and developing a culture that supports being a high-performing organization. Greeley has been driven to elevate organizational effectiveness and efficiencies through thoughtful and transformational leadership.

Ms. Johnson shared the evolution of the City’s “Leadership Roadmap.” The roadmap serves as a commitment to the organization, a measurement of accountability, and a blueprint for this leadership’s vision and path toward becoming a high-performing organization.

6. Customer Experience Initiative

Assistant City Manager Blair Snow Director introduced the item at 6:21 p.m.

The City of Greeley is placing a significant emphasis on prioritizing the customer experience within the organization.

Ms. Snow introduced an initiative focused on enhancing customer experiences within the City of Greeley, to improve satisfaction and engagement for all stakeholders.

Mayor Gates shared his appreciation for the emphasis on customer experience. Mayor Pro Tem Hall expressed the importance of customer service and eagerness for this effort.

Councilmember DeBoutez concurred and shared the importance of customer service and provided a few examples of City staff that exemplify exceptional customer service: Jerry Pickett in Public Works, Brian Sullivan in IT, and Eric Bloomer in CPR.

Councilmember McDonald shared some suggestions and feedback for customer service training such as surveys and peer-to-peer training with senior staff members.

7. Customer Experience 311

IT Director Bret Naber introduced the item at 7:45 p.m.

The City of Greeley IT Department began researching options for a 311 solution to help meet needs requested by the organization. The solution includes processes for the intake of requests from citizens and employees for asset management, actions, and information.

Goals and Vision for the 311 Project:

- Automate and Digitize Service Request
- Improve Communications - Residents to City & City to Residents

- Efficiently Manage Processes - Transparent Pane of Work
- Create a Better Experience - Improved Customer Service
- Define & Display Improvement - KPI View & Understanding

Mayor Pro Tem Hall asked for clarification on automated responses. Mr. Naber explained that the responses will depend on the type of service requested. Ms. Johnson noted the first phase is the online web portal, the second phase is mobile application. Communication will be sent out to the community as the project progresses.

Councilmember McDonald inquired about the possibility of a chat feature available on the website or the mobile app. Mr. Naber summarized discussions related to chatbots and artificial intelligence (AI) options and will continue to explore. Councilmember McDonald shared some suggestions for tiered responses and data collection.

Councilmember Butler asked for clarification on staffing required for the 311 service. Ms. Johnson explained that staff is exploring the need and how expensive it is. Councilmember Butler suggested automating processes for programs such as Share the Shade, Food Tax and Utility Rebate.

Councilmember DeBoutez asked about people in the community who do not have the ability or access to use technology. Ms. Snow added that this is an area of focus, and effort will be made to make it easier for citizens to connect to the right department by calling just one place.

8. DDA Sales Tax Agreement Amendment

Economic Development Director John Hall introduced the item at 6:53 p.m. Executive Director of the Greeley Downtown Development Authority Bianca Fisher joined Mr. Hall and was available for questions.

Mr. Hall presented some history of the Downtown Development Authority (DDA) Voluntary Sales Tax Agreement and proposed an amendment to be considered for approval at the March 5, 2024, City Council meeting.

The DDA was established in 1998. An accompanying DDA “Plan of Development” was approved by the Council in 2002 forming the Tax Increment Financing District (TIF). In conjunction with the TIF a companion sales tax incentive agreement was also approved by the Council (“Agreement for Voluntary Allocation of Sales Tax”). Due to fluctuations in sales tax, the City opted to provide annual financial support to augment the general operating budget of the DDA.

The existing language of the agreement makes it difficult to forecast the annual amount for the DDA. Mr. Hall proposed simplifying the calculation that determines the amount the DDA will receive from the City each year. The change will amend the agreement to include annual support to the DDA in an amount equal to 10% of the aggregate annual sales tax revenue generated within the entire DDA district in the prior year, not to exceed \$250,000 in any given year or less than \$50,000.

Councilmember Hall inquired about the \$250,000 ceiling. Mr. Hall shared that other communities fund their DDAs at a higher amount. Deputy City Manager Don Tripp added that it is an ongoing process, right now developing accountability around reporting and spending with long-term plans. Ms. Fischer emphasized the work of the DDA focus on three areas: economy, environment, and experience.

Mr. Hall noted how the DDA reports back to council. Currently staff and two council members attend monthly DDA board meetings, in which a written report is provided and the Executive Director reports on the activities of the DDA. Mr. Hall suggested that the DDA Executive Director could provide periodic updates to Council.

Council consensus was to move the item forward.

9. Scheduling of Meetings, Other Events

None.

10. Adjournment

Mayor Gates adjourned the meeting at 7:04 PM

Approved:

John D. Gates, Mayor

Attest:

Heidi Leatherwood, City Clerk



Council Agenda Summary

March 19, 2024

Key Staff Contact: Diana Frick, Cultural Parks and Recreation Director, Eric Bloomer, Parks Superintendent

Title:

A resolution authorizing the City of Greeley to enter into a grant agreement between the City of Greeley and the Urban Sustainability Directors Network (USDN), a non-profit organization regarding receipt of grant funding for Greeley Tree Canopy Rescue

Summary:

The purpose is to create a planting plan and strategic plan that addresses tree management, canopy inequity, goals and objectives for canopy increases, and increased canopy with targeted tree planting. Greeley will engage a contractor to provide an Urban Tree Canopy (UTC) study that will determine the extent of the tree canopy within city limits. A Geographic Information System (GIS) tree inventory of all city-managed trees within parks, public buildings, and rights-of-way will be conducted through a Geographic Information System (GIS) using experienced arborists. This inventory will also be the first step of this project as it is a data collection process. A contractor will also lead an Urban Forest Strategic Plan (UFSP) with support from the City of Greeley.

The plan will be a 15-year document with goals, strategies, and funding recommendations. The strategic plan will serve as a guide for the community to move their urban forestry program forward. Greeley will purchase trees and supplies through their Share the Shade program. They will conduct tree-planting events with the support of their department through community volunteers. This approach has worked in the community previously and will be enhanced by the number of trees that are projected to be planted.

Additionally, planting will be tied to the strategic planning process to help community members understand their role in creating an increased and healthier tree canopy. The overall project success will be measured by the increase/decrease in canopy over time, long-term diverse community engagement in both the planning and planting components of the tasks, and the city's tree care cycles meeting the needs of the inventory. Trees will be planted and added to the city's inventory, and a measure of success will identify the locations of trees planted in relation to what is determined by the canopy study.

Council approval is required for a resolution to accept the grant funding from the Urban Sustainability Directors Network (USDN).

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$689,134.00
What is the annual impact?	\$229,711.33
What fund of the City will provide Funding?	100 - General

What is the source of revenue within the fund?	Federal Grant - Urban Sustainability Directors Network (USDN)
Is there grant funding for this item?	Yes
If yes, does this grant require a match?	No
Is this grant onetime or ongoing?	One-Time (Three Annual Payments)

Legal Issues:

Consideration of this matter is a legislative process.

Other issues and Considerations:

None

Strategic Focus Area:



Infrastructure and Mobility



Quality of Life

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:

1. Res 9, 2024 with Exhibit A

**THE CITY OF GREELEY, COLORADO
RESOLUTION 9, 2024**

**A RESOLUTION AUTHORIZING THE CITY OF GREELEY TO ENTER INTO A
GRANT AGREEMENT BETWEEN THE CITY OF GREELEY AND THE URBAN
SUSTAINABILITY DIRECTORS NETWORK (“USDN”), A NONPROFIT
ORGANIZATION REGARDING RECEIPT OF GRANT FUNDING FOR GREELEY
TREE CANOPY RESCUE**

WHEREAS, the City of Greeley is charged with the implementation of Greeley Tree Canopy Rescue; and

WHEREAS, USDN is a nonprofit organization that brings local government sustainability practitioners together to learn, collaborate and accelerate the work of local sustainability; and

WHEREAS, USDN’s project The Center for Regenerative Solutions (“CRS”) is charged with administering the U.S. Forest Service award to USDN; and

WHEREAS, the City of Greeley works to address canopy loss, unequal distribution of trees, and tree management in the City of Greeley; and

WHEREAS, USDN through CRS desires to provide the City of Greeley with grant funds in the amount of \$689,134.00 to support Greeley Tree Canopy Rescue; and

WHEREAS, in order to receive the grant funds the City must execute a Grant Agreement with USDN, the “Grant Agreement Between the Urban Sustainability Directors Network and the City of Greeley” a copy of which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the grant funds shall be used to create a planting plan and strategic plan that addresses tree management, canopy inequity, goals and objectives for canopy increases, and increased canopy with targeted tree planting; and

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

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

Section 1. That the City Manager is hereby authorized to finalize and execute the Grant Agreement, attached as Exhibit A, for the receipt of grant funds to be used for Greeley Tree Canopy Rescue, in a form modified and approved by the City Attorney consistent with the terms, conditions, and objectives of the agreement presented to Council.

Section 2. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _____ day of _____, 2024.

ATTEST:

THE CITY OF GREELEY, COLORADO

By:_____
City Clerk

By:_____
Mayor

GRANT AGREEMENT BETWEEN THE URBAN SUSTAINABILITY DIRECTORS NETWORK AND THE CITY OF GREELEY

This Grant Agreement (“Agreement”), dated **February 27, 2024** (“Effective Date”), is between the Urban Sustainability Directors Network, an Illinois nonprofit with offices at 208 SO Lasalle St, Suite 814, Chicago, IL 60604-1101 (“USDN” or “Grantor”), and City of Greeley, incorporated under the laws of the State of Colorado and located at 2631 52nd Avenue CT, Greeley, CO 80634 (“Grantee”) (collectively, the “Parties”).

WHEREAS, the City of Greeley is charged with the implementation of Greeley Tree Canopy Rescue; and

WHEREAS, USDN is a nonprofit organization that brings local government sustainability practitioners together to learn, collaborate, and accelerate the work of local sustainability; and

WHEREAS, USDN’s project The Center for Regenerative Solutions (“CRS”) is charged with administering the U.S. Forest Service (“USFS”) Investment Recovery Act (“IRA”) Federal Award Identification Number (FAIN) 24-CA-11132544-016 award to USDN; and

WHEREAS, the City of Greeley works to address canopy loss, unequal distribution of trees, and tree management in the City of Greeley; and

WHEREAS, CRS desires to make a grant of **\$689,134.00** (the “Grant”) to the **City of Greeley** to support **Greeley Tree Canopy Rescue** (“Project”), which seeks to create a planting plan and strategic plan that addresses tree management, canopy inequity, goals and objectives for canopy increases, and increased canopy with targeted tree planting; and

NOW, THEREFORE, the Parties seek to enter into this Agreement, subject to the following terms and conditions:

1. Term.

The Term of this Agreement shall commence on **February 27, 2024**, and shall continue through **February 27, 2027** (the “Term”). The Term may be extended upon mutual written agreement of the Parties, subject to the terms set forth in the [USDN Award Guidelines and Policies](#).

2. Scope of Work.

The Parties shall perform the work described in Scope of Work contained in Appendix A and B, attached hereto and made a part hereof.

3. Payment.

USDN shall provide funding to Grantee in an amount not to exceed **\$689,134.00**, in increments made according to the Payment Schedule set forth in Appendix A and with sufficient evidence of scheduled progress in Grantee progress reports.

4. Invoices.

Grantee shall submit to USDN a completed ACH Authorization Form, W-9 Form and Form AD-1048. USDN processes approved invoices within 30 days of receipt. Grantee shall address invoices to:

Urban Sustainability Directors Network (USDN)

Reference: **CRS07 – Greeley, CO**

Attn: Jamal Brown, USDN Director of Finance, People, and Culture

jamalbrown@usdn.org

5. Prohibited Uses. Grant funds shall not be used for lobbying or equipment purchases.

6. Procurement. All non-Federal entities must follow the procurement standards in [§§ 200.318](#) through [200.327](#).

7. Primary Contacts.

a. **USDN:** Jamal Brown, USDN Director of Finance, People, and Culture, jamalbrown@usdn.org

b. **Grantee: City of Greeley**

c. **Project Manager:** Shiloh Hatcher, Forestry Manager, 2631 52nd Avenue CT, Greeley, CO 80634, (970) 351-5151, Shiloh.hatcher@greeleygov.com

Secondary Contact: Eric Bloomer, Parks Superintendent, eric.bloomer@greeleygov.com

8. Entire Agreement.



CRS07 – Greeley, CO
Project Amount: \$689,134
Project Completion Date: February 27, 2027

This Agreement and the Appendices herein constitutes the final and entire agreement between USDN and Grantee. The terms of this Agreement may be modified only by a written amendment signed by both Parties. If the Grantee proves unable to meet the commitments contained within this document, USDN will consult with the Grantee and USFS to seek an appropriate solution. If the default cannot be remedied, USDN retains the right to require a refund of any unobligated and/or unspent funds within 30 days of prior written notice to the Grantee.

IN WITNESS WHEREOF, the Parties hereby accept and agree to the foregoing terms and conditions of this Agreement and have executed this Agreement as of the date written below.

City of Greeley

By: _____Shiloh Hatcher_____

Title: City of Greeley Forestry Manager

URBAN SUSTAINABILITY DIRECTORS NETWORK

By: _____
Jamal Brown

Title: USDN Director of Finance, People, and Culture

Date: _____

Appendix A. Roles and Responsibilities

This appendix describes partnership roles, deliverables, due dates, and invoicing schedule.

1. **Purpose and Scope.** The work is described in greater detail in the Final Project Proposal, Appendix 2.
2. **Project Term.** If more time is required than what is specified in the signed grant agreement, the Lead Community indicates this to their assigned CRS team member as soon as that is known, so an extension can be discussed and documented. Please reference the [USDN Award Guidelines and Policies](#) for more information about this process.
3. **Responsibilities**
 - a. **USDN.** CRS/USDN, as Grantor, is responsible for:
 - i. **Funding.** USDN provides funding for the project in an amount not to exceed **\$689,134.00** USD. Payment(s) are made according to the schedule shown in Table 1.
 - ii. **Technical Assistance.** USDN contracts directly with [Sutherland & Associates](#) (S&A) to facilitate execution of these award agreements. S&A assists the CRS team with any decision-making that impacts this MOU or any associated agreements / payments. The CRS team receives, confirms, and processes all deliverables, quarterly reports, and invoices throughout the life of the project. They monitor progress and capture the impacts of the investment.
 - iii. **Payment Processing.** USDN processes Grantee invoices upon receipt via the Lead Community, within 30 days.
 - Invoices are submitted to the CRS team.¹ Once they approve, invoices are forwarded to and paid by USDN.
 - Project funds are expended per the proposed budget to fulfill the scope of the final and awarded proposal.
 - b. **City of Greeley.** The Grantee is responsible for:
 - i. **Budget and disadvantaged community confirmations.** Confirming that (1) the budget does not exceed the awarded amount and meets the requirements per the [USFS Award Administration Guide](#); and (2) the communities being served are represented in the U.S. Environmental Protection Agency's (EPA) [IRA Disadvantaged Communities Map](#) or a similar tool.
 - If using any other tool, like the EPA Environmental Justice and Screening Mapping Tool or other agency or state tools, provide proof of disadvantaged status from those tools.
 - Contact the CRS team to discuss use of other tools.
 - ii. **Project Management and Coordination.** Providing the project management and

¹ To prevent any payment delays, the Grantee lets CRS staff know of any schedule or staffing changes with as much advance notice as possible so that schedules can be adjusted.

coordination necessary to complete the project.

- iii. **Regular Updates.** Submitting reports twice a year, following the reporting form(s) received from the CRS team and in accordance with the schedule in Table 1.
 - **Federal Impact Reporting Platform.** To support consistent and transparent public access to project outcomes funded through the Inflation Reduction Act, grantees are required to report quantitative and qualitative project accomplishments for reporting periods ending June 30 and December 31 to a public-facing Impact Reporting Platform. Grantees will be provided instructions for project impact reporting.
 - iv. **Final Products and Reporting.** By **February 27, 2027**, submitting:
 - **Project Products / Outputs.** All substantial products and outputs produced as high-quality deliverables, for posting to the USDN website.
 - **Final Project Report.** The final reporting form will be sent via email by the CRS team with reporting date reminders.
 - **High Resolution Photos.** High resolution .jpg photographs of project work, to potentially be used in USDN communications.
 - **Project Budget and Expenditures.** A detailed record of project expenditures, including a comparison of original budget to award expenditures. Please simply modify and return your proposal budget to show proposed and actual expenditures.
 - v. **USDN Communications.** Grantees may be asked to present project outcomes during a CRS/USDN virtual or in person meeting, if requested.²
4. **Project Participants and Primary Contacts.** In addition to the Grantee and Primary Contact specified in this agreement's item 6, the project team includes these participants:
- a. **Project Participant.**
 - i. **Colorado State Forest Service**, Dana Coelho, Urban and Community Forestry Program Manager, 5060 Campus Delivery, Fort Collins, CO 80523, (970) 491-6303, dana.coelho@colostate.edu
Role: The Colorado State Forest Service supports this grant funding to help achieve collaboration among Front Range Communities.
 - ii. **City of Greeley, Diana Frick, Director of Culture, Parks, and Recreation**, 651 10th Ave, Greeley, CO 80631, (970) 350-9400, cprd@greeleygov.com
Role: Support of the project, it's managers, and the processes and projects that are part of this grant request.
 - iii. **City of Greeley, John Gates, Mayor**, 1000 10th Street, Greeley, CO 80631, (970) 350-9772, john.gates@greeleygov.com
Role: Involvement is support of the project(s) as they relate to increasing the canopy of Greeley.

² This request is subject to USDN's communications schedule and is not guaranteed to be made.

- iv. **University of Northern Colorado**, Chelsie Romulo, Associate Professor of Environmental and Sustainability Studies, 501 20th Street, Greeley, CO 80639, (970) 351-1565, Chelsie.romulo@unco.edu

Role: The University of Northern Colorado supports this grant and will provide tree planting and planning support through their undergraduate program.

Project Participant Check List:

- **Add as needed.** Name any CBO partners and state what kind of relationship they have with the community they are serving.
- Provide CRS staff with any supporting documentation, like a support letter, a task plan for the CBO, etc. as proof of this.
- Ensure that any contractors noted in the narrative are secured in accordance with federal procurement guidelines. (All non-Federal entities must follow the procurement standards in §§ 200.318 through 200.327)

5. **Project Scope: Deliverables, Timeline, Reporting and Payment Schedule.** Project activities, deliverables, and due dates are scheduled below in Table 1.³

Table 1. Schedule of Project Deliverables and Payments

#	Activity	Deliverables	Due Date	Payment / Recipient
		Agreements: Signed MOU and other project agreements	Not later than 30 days after MOU is delivered	Payment 1 upon fully executed MOU and associated invoice: \$229,711.33 to City of Greeley
Year 1 – 2024				
1	Activity 1. Hire a contract to conduct canopy study.	Deliverable 1: Executed contract.	Date: April 17, 2024	
	Progress Update 1	250-word update	PR1: June 1, 2024	
2	Activity 2. An Urban Tree Canopy Study.	Deliverable 2: Canopy study conducted and produced: Tree Canopy Benefits using i-Tree, Priority Planting Index to determine all possible planting areas, Tree Canopy Change Assessment identifying points of growth and loss within the city, Heat Island and Surface Temperature Study, Social Equity and Tree Canopy comparisons, and General Tree Canopy Health.	Date: September 18, 2024	

³ Please add these dates to calendars(s) and proactively notify CRS staff if it is anticipated that any deliverable due dates will shift after this award agreement is executed. Schedules will be adjusted accordingly. Table 1 becomes the project's Deliverables Report. Each time a deliverable is received, it is returned to the Lead Community from CRS with notes/links as a receipt. This method keeps each party clear and aligned on the status of the work.

	Progress Update 2	250-word update	PR2: December 1, 2024	
Year 2 – 2025				
3	Activity 3. Roadmap for planting.	Deliverable 3: Road map and tool for the city to determine planting locations.	Date: January 22, 2025	Payment 2 receipt of deliverable and associated invoice: \$229,711.33 to City of Greeley
	Progress Update 3	250-word update	PR3: June 1, 2025	
4	Activity 4. A GIS tree inventory.	Deliverable 4: City managed tree inventory.	Date: August 20, 2025	
	Progress Update 4	250-word update	PR4: December 1, 2025	
Year 3 – 2026				
5	Activity 5. An Urban Forest Strategic Plan (UFSP).	Deliverable 5: Draft of the UFSP.	Date: March 18, 2026	Payment 3 upon receipt of deliverable and associated invoice: \$229,711.33 to City of Greeley
	Progress Update 5	250-word update	PR5: June 1, 2026	
6	Activity 6. Planting 1000 trees.	Deliverable 6: The program “Share the Shade” completes its 1000 tree planted.	Date: October 21, 2026	
	Progress Update 6	250-word update	PR6: November 1, 2026	
7	Activity 7. Final Urban Forest Strategic Plan (UFSP).	Deliverable 7: Final Urban Forest Strategic Plan (UFSP).	Date: January 27, 2027	
	Final Project Report, Photos, and Budget Reconciliation	Final project report describing lessons / impacts, high resolution photos (.jpg format) and the final reconciled budget	Date: February 27, 2027	
	USDN Presentation	Possible scheduling of a presentation to the network: dependent on the outcomes, audience, and USDN network communications schedule		

Budget Check List. Grantee confirms that:

- The yearly budget breakdown coincides with the project term (e.g.: 3 years max)
- The preferred cadence for fund disbursement works for you (e.g., the total amount of the award split over 3 years)?
- The budget categories (e.g., personnel, fringe, travel, equipment, supplies, contractual, etc.) does not include lobbying or equipment purchase.
- They used the 10% de minimis rate or an approved negotiated indirect cost rate agreement (NICRA) Rate. Indirect costs are not required.

Appendix B. Full Project Proposal



Council Agenda Summary

March 19, 2024

Key Staff Contact: Kelen Dowdy, Water Resource Planning Manager

Title:

A resolution authorizing the city to enter into an Intergovernmental Agreement with the City of Fort Collins regarding certain aspects of the Halligan Water Supply Project

Summary:

The City of Fort Collins and the City of Greeley are engaging in discussions regarding the Halligan Water Supply Project, aimed at enlarging the Halligan Reservoir on the North Fork of the Poudre River. These discussions include efforts to address potential water quality impacts resulting from operational changes to the river and potential adjustments to operations and reservoir releases at Milton Seaman Reservoir in Greeley. Greeley is concurrently undertaking a critical capital infrastructure project to replace the reservoir release gate at Milton Seaman, prompted by long-standing concerns and evolving state standards.

To address mutual concerns and objectives, the parties propose entering into an intergovernmental agreement to share the costs of engaging a consultant. The consultant will evaluate water quality mitigation options and gate design alternatives, based on an agreed-upon scope of work. The findings will inform the development of an implementation plan, including assessing future impacts, identifying appropriate mitigation measures, and evaluating preliminary gate designs.

The IGA was approved through resolution on February 20, 2024, by Fort Collins City Council. Please see the Fort Collins Agenda summary here: <https://fortcollins-co.municodemeetings.com/bc-citycouncil/page/city-council-regular-meeting-30>

This IGA was approved by the Greeley Water & Sewer Board on Feb. 21, 2024. The Board's recommendation was to have Greeley City Council approve the IGA.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	Onetime - \$280,435.5
What fund of the City will provide Funding?	Water and Sewer Enterprise Fund
Is there grant funding for this item?	No

Legal Issues:

Consideration of this matter is a legislative process.

Section 2-186 of the Municipal Code authorizes the City to enter into contracts with other governmental

bodies to furnish governmental services and make charges for such services or enter into cooperative or joint activities with other governmental bodies. If the agreement involves a monetary payment in excess of \$100,000, then the agreement must be approved by city council resolution or ordinance.

Other issues and Considerations:

None

Strategic Focus Area:



Infrastructure and Mobility

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 authorizing the City to enter into an intergovernmental agreement with the City of Fort Collins regarding certain aspects of the Halligan Water Supply Project.

Attachments:

1. Res 10, 2024 with Appendix A
2. Exhibit A of the IGA - Scope of Work

**CITY OF GREELEY, COLORADO
RESOLUTION NO. 10, 2024**

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GREELEY AND
THE CITY OF FORT COLLINS REGARDING CERTAIN ASPECTS OF THE
HALLIGAN WATER SUPPLY PROJECT**

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

WHEREAS, in accordance with Greeley Municipal Code § 2-186, Greeley has the authority to enter into cooperative or joint activities with other governmental bodies by intergovernmental agreement; and

WHEREAS, through the Halligan Water Supply Project (“Halligan Project”), Fort Collins is pursuing the enlargement of Halligan Reservoir, an existing reservoir located on the North Fork of the Cache la Poudre River; and

WHEREAS, Greeley owns Milton Seaman Reservoir, an existing reservoir located on the North Fork downstream of Halligan Reservoir; and

WHEREAS, Greeley is in the process of an urgent capital project to replace the reservoir release gate at Milton Seaman Reservoir; and

WHEREAS, the Parties have been in discussion regarding potential structural changes at Milton Seaman Reservoir and/or Greeley’s Bellvue Water Treatment Plant necessary to mitigate certain anticipated water quality impacts caused by and operational changes due to the Halligan Project and potential operational and reservoir release gate design changes at Milton Seaman Reservoir necessary to accommodate certain environmental mitigation and enhancement commitments on behalf of Fort Collins; and

WHEREAS, the parties would like to retain a consultant to evaluate the water quality impacts to Greeley and revise the reservoir release gate design to accommodate Fort Collins’ commitments; and

WHEREAS, as governmental entities, the parties are authorized to enter into the following intergovernmental agreement pursuant to C.R.S. §29-1-203; and

WHEREAS, it is in the best interest of the citizens of Greeley for the parties to enter into the Intergovernmental Agreement between the City of Greeley and the City of Fort Collins Regarding Certain Aspects of the Halligan Water Supply Project (“Intergovernmental Agreement”).

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

Section 1. The City Council hereby approves the Intergovernmental Agreement, attached hereto and incorporated herein as Appendix A, and authorizes the appropriate City officials to execute the same.

Section 2. The City Council hereby delegates authority to City staff and legal counsel to make minor revisions to the Intergovernmental Agreement before execution, provided the material substance remains unchanged, and authorizes City staff to perform all terms and conditions contemplated by the Intergovernmental Agreement upon its final execution.

Section 3. This resolution shall become effective immediately upon its passage and signature.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS ____ DAY OF _____, 2024.

Attest:

THE CITY OF GREELEY, COLORADO

By: _____
Mayor

By: _____
City Clerk

Appendix A
CITY OF GREELEY, COLORADO
RESOLUTION NO. 10, 2024

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GREELEY AND
THE CITY OF FORT COLLINS REGARDING CERTAIN ASPECTS OF THE
HALLIGAN WATER SUPPLY PROJECT**

(Water Quality Analysis and Mitigation Measures, and
Milton Seaman Reservoir Release Gate Design)

This Intergovernmental Agreement (“Agreement”) is entered into on the date of execution shown on the signature pages, by and between the City of Fort Collins, a home rule municipal corporation, (“Fort Collins”) and the City of Greeley, a home rule municipal corporation, (“Greeley”) (together “Parties,” and individually “Party”).

RECITALS

- A. Through the Halligan Water Supply Project (“Halligan Project”), Fort Collins is pursuing the enlargement of Halligan Reservoir, an existing reservoir located on the North Fork of the Cache la Poudre River (“North Fork”); and,
- B. Greeley owns Milton Seaman Reservoir, an existing reservoir located on the North Fork downstream of Halligan Reservoir; and,
- C. Greeley is in the process of an urgent capital project to replace the reservoir release gate at Milton Seaman Reservoir (“Replacement Gate Design Project”); and,
- D. The Parties have been in discussion regarding potential structural changes at Milton Seaman Reservoir and/or Greeley’s Bellvue Water Treatment Plant necessary to mitigate certain anticipated water quality impacts caused by and operational changes due to the Halligan Project (“Greeley’s Concerns”) and potential operational and reservoir release gate design changes at Milton Seaman Reservoir necessary to accommodate certain environmental mitigation and enhancement commitments on behalf of Fort Collins (“Fort Collins’ Objectives”); and,
- E. The Parties recognize that Greeley’s current Replacement Gate Design Project design may need to be modified to accommodate Fort Collins’ Objectives; and,
- F. The Parties would like to retain a consultant to evaluate Greeley’s Concerns and redesign the Replacement Gate Design Project to meet Greeley’s requirements and accommodate Fort Collins’ Objectives; and,
- G. The Parties’ efforts will comprise of two general phases:

Phase 1 – Analysis and Preliminary Design

Phase 2 – Implementation

- H. The Parties desire that AECOM, as an existing consultant for both Parties, should perform Phase 1; and,
- I. The Parties have developed the attached scope of work, attached hereto as Exhibit A (“Study”), which includes water quality analysis and an evaluation and comparison of certain water quality mitigation measures, including oxygenation and aeration and a multi-level outlet tower (“Tasks 1-6”) and gate design that would allow for smaller releases to accommodate Fort Collins’ Objectives (“Task 7”); and,
- J. The Parties intend to use the Study as a basis for developing an implementation plan for Phase 2 that will be the subject of a subsequent agreement, including establishing potential future impacts, identifying appropriate mitigation measures, and evaluating preliminary gate designs (“Purpose”); and,
- K. As governmental entities, the Parties are authorized to enter into the following intergovernmental agreement pursuant to C.R.S. §29-1-203.

AGREEMENT

1. **Incorporation of Recitals.** The foregoing recitals are hereby incorporated as if fully restated in their entirety.
2. **Purpose.** The purpose of this Agreement is to establish the Parties’ respective financial and management obligations and their mutual understanding and agreement as to the Purpose for the Study. Nothing in this Agreement addresses Phase 2 – Implementation.
3. **Funding.** Greeley and Fort Collins will split the cost evenly. Greeley will contract with AECOM and will be responsible for making all payments. Greeley will invoice Fort Collins for its share of the cost, with payment due to Greeley thirty (30) days after receipt.
4. **Management Obligations.**
 - 4.1. **Water Quality and Mitigation Analysis—Tasks 1-6.**
 - 4.1.1. Notwithstanding Greeley’s contractual relationship with AECOM, Greeley and Fort Collins will jointly manage AECOM and the development of Tasks 1-6. Each Party will appoint a project manager who will be responsible for conferring with their counterpart before providing any direction to AECOM. For purposes of this Agreement, the project managers (each a “PM”) are as follows:

Fort Collins Project Manager: Halligan Project Manager
Attn: Darren Parkin
Phone: (307) 630-9414

dparkin@fcgov.com

Greeley Project Manager: Water & Sewer Chief Engineer,
Attn: Adam Prior, P.E.
Phone: (970) 350-9875
Adam.Prior@greeleygov.com

- 4.1.2. The Greeley PM will be responsible for ensuring that the Fort Collins PM is provided with copies of all reports, data, drawings, computer programs, or other reproducible, tangible things developed by AECOM in connection with Tasks 1-6 (“Water Quality Work Product”). In addition, Greeley will obtain AECOM’s agreement that Fort Collins may use the Water Quality Work Product for any purpose connected to this Agreement.
- 4.1.3. Each Party will be entitled to review and provide feedback on the Water Quality Work Product via their respective PM. All comments must be provided within a reasonable time to maintain the schedule as identified in the Scope. Once a consensus has been reached, the Greeley PM will be responsible for providing any necessary direction to AECOM and ensuring that the Fort Collins PM is included in all communication with AECOM related to the Study. Greeley may (but is not required to) include the Fort Collins PM on non-substantive communication such as coordinating schedules and/or internal Greeley billing processes and procedures.
- 4.1.4. If the PMs disagree on the direction or feedback to provide AECOM on Tasks 1-6, the Parties’ respective management team will meet to discuss the conflict until a resolution has been reached. If a meeting becomes necessary to resolve a conflict, the PMs shall promptly schedule the meeting so as not to delay the schedule identified in the Scope.

4.2. **Replacement Gate Design Project—Task 7**

- 4.2.1. Greeley will manage AECOM on all matters related to Task 7 and shall have sole discretion over any design changes or modifications to the reservoir release gate and related facilities.
- 4.2.2. To accommodate Fort Collins’ Objective, the Greeley PM will be responsible for ensuring that the Fort Collins PM is provided with copies of the reports, data, drawings, computer programs, or other reproducible and tangible things developed by AECOM in connection with Task 7 (“Gate Design Work Product”).
- 4.2.3. Fort Collins’ will be entitled to review and provide feedback on the Gate Design Work Product via their PM. All comments must be provided within a reasonable time to maintain the schedule as identified in the Scope. Greeley will consider, and in good faith seek to incorporate Fort Collins’

feedback in order to ensure that the designed reservoir release gate is capable of meeting Fort Collins' Objectives without compromising Greeley's needs. Greeley PM will be responsible for, and reserves the right to, direct AECOM regarding all aspects of the Gate Design Work Product.

5. **Term.** This Agreement will be in effect on the last date it is signed by the Parties until final payment of the Study has been submitted to AECOM and Fort Collins has satisfied its obligation to Greeley under Paragraph 3.

6. **Claimed Confidential Information.**

6.1. **CORA.** The Parties acknowledge that the documents and communications created under this Agreement may be subject to the Colorado Open Records Act, C.R.S. §§24-72-101 *et seq.* ("CORA").

6.2. **Confidential Information Procedures.** If a Party ("Providing Party") desires to provide documents or information to the other Party ("Receiving Party") that the Providing Party claims to be confidential ("Confidential Information"), the Providing Party may invoke the terms and conditions of this Paragraph 6.2.

6.2.1. If the Providing Party intends to claim that certain information is confidential under this Paragraph 6.2 and desires to have the Receiving Party take certain precautions under this Agreement with such claimed Confidential Information, then within three calendar days of when the Providing Party provides the claimed Confidential Information to the Receiving Party, the Providing Party shall provide written notice to the Receiving Party containing the following:

- (i) an identification of each piece of information that is claimed to be Confidential Information;
- (ii) for each piece of such information, an identification of the documents, files, or other forms of communication provided to the Receiving Party in which the claimed Confidential Information is located; and
- (iii) for each piece of such information, a brief statement identifying the basis for which the Providing Party may claim the information to be confidential.

6.2.2. With respect to the claimed Confidential Information identified pursuant to Paragraph 6.2.1, the Receiving Party hereby agrees:

- (i) to hold the claimed Confidential Information in confidence and to take all reasonable precautions to protect such Confidential Information from inadvertent or accidental disclosure; and

- (ii) to not disclose any such claimed Confidential Information to any third person, except pursuant to Paragraph 6.2.4.

In the normal course of business, the Receiving Party may also dispose of any documents containing claimed Confidential Information.

6.2.3. The obligations of the Receiving Party with respect to claimed Confidential Information under this Paragraph 6.2 shall not apply to:

- (i) Claimed Confidential Information beginning six months after the termination of this Agreement pursuant to Paragraph 5;
- (ii) Claimed Confidential Information that the Receiving Party can document:
 - (A) is or has become (through no improper action or inaction by the Receiving Party or any affiliate, agent, consultant, or employee) generally available to the public;
 - (B) was in its possession prior to receipt from the Providing Party under Paragraph 6.2.1, except to the extent that such information was unlawfully appropriated by the Receiving Party;
 - (C) was independently developed by the Receiving Party without use of any claimed Confidential Information of the Providing Party under Paragraph 6.2.1; or
 - (D) was disclosed pursuant to the requirements of law, subject to Paragraph 6.2.4.

6.2.4. Nothing herein shall affect the obligations of a Receiving Party to either make disclosures or preserve the confidentiality of claimed Confidential Information to the extent required by law or court order, including, but not limited to, requirements under the Colorado Open Records Act, CRS §24-72-201 *et seq.*, and other Colorado and federal statutes, court rules, and administrative rules and regulations. If a Receiving Party receives a request under law for the Providing Party's claimed Confidential Information, or if a Receiving Party would otherwise be required to disclose the Providing Party's claimed Confidential Information pursuant to law, the Receiving Party shall notify the Providing Party as soon as practicable of the request or pending disclosure, and in such event, upon the request of the Receiving Party, the Providing Party may take such timely action as may be required to obtain a declaratory judgment as to the confidential status of the Confidential Information, and, if the Providing Party elects not to do so,

then the Receiving Party's obligation to preserve that Confidential Information shall have been waived hereunder, except as otherwise provided by law.

- 6.2.5. The Providing Party shall have the right to require the return and destruction of claimed Confidential Information in the possession of a Receiving Party as set forth in this paragraph. Such right shall exist from the effective date of this Agreement through six months after the date of termination of this Agreement pursuant to Paragraph 5. If claimed Confidential Information has been copied or transcribed into another document, such documents will be destroyed, erased, or modified to remove the claimed Confidential Information.

7. **Fiscal Contingency.** Notwithstanding any other provisions of this Agreement to the contrary, the obligations of the Parties in fiscal years after the initial fiscal year of this Agreement shall be subject to appropriation of funds sufficient and intended therefor, with the Party having the sole discretion to determine whether the subject funds are sufficient and intended for use under this Agreement. The failure of a Party to appropriate such funds shall be grounds for termination of this Agreement as to such Party upon written notice pursuant to Paragraph 11.

8. **No Third-Party Beneficiaries.** This Agreement is entered into between the Parties for the purposes set forth herein. It is the intent of the Parties that they are the only beneficiaries of this Agreement and that the Parties are benefitted only to the extent provided under the express terms and conditions of this Agreement.

9. **Governing Law and Enforceability.** This Agreement shall be construed in accordance with the laws of the State of Colorado. The Parties recognize that the constitutions, statutes, and rules and regulations of the State of Colorado and of the United States, as well as the Parties' respective bylaws, city charters and codes, and rules and regulations, impose certain legal constraints on each Party and that the Parties intend to carry out the terms and conditions of this Agreement subject to those constraints. Whenever possible, each provision of this Agreement shall be interpreted in such a manner so as to be effective and valid under applicable law.

10. **Waiver.** A waiver of a breach of any of the provisions of this Agreement shall not constitute a waiver of any subsequent breach of the same or another provision of this Agreement. Nothing in this Agreement shall be construed as any waiver of governmental immunity of the Parties who are governments or any other governmental provisions of State law. Specifically, by entering into this Agreement, no Party waives the monetary limitations on liability or any other rights, immunities, or protections provided by the Colorado Government Immunity Act, C.R.S. § 24-10-101, *et seq.*, or any successor or similar statutes of the State of Colorado.

11. **Notices.** All notices or other communications hereunder shall be sufficiently given and shall be deemed given (i) when personally delivered; (ii) on the date and at the time of delivery or refusal of acceptance of delivery if delivered or attempted to be delivered by an overnight courier service to the party to whom notice is given at the address specified below; (iii) on the date and at the time shown on the electronic mail if sent by electronic transmission at the email addresses set

forth below and receipt of such electronic mail is acknowledged by the intended recipient thereof; or (iv) after the lapse of five business days following mailing by certified mail-return receipt requested, postage prepaid, addressed as follows:

To Fort Collins: City Manager
City Hall West
300 LaPorte Avenue; P.O. Box 580
Fort Collins, Colorado 80522-0580

With copy to: Fort Collins City Attorney
300 LaPorte Avenue; P.O. Box 580
Fort Collins, Colorado 80522-0580
epotyondy@fcgov.com

and: Fort Collins Utilities
Attn: Sr. Director of Water Planning and Sciences
4316 LaPorte Ave.
Fort Collins, Colorado 80521

To Greeley: City of Greeley
Attn: Director of Water & Sewer
1001 11th Ave, 2nd Floor,
Greeley, Colorado 80631

With a copy to:
Greeley City Attorney
1100 10th Street, Suite 401
Greeley, Colorado 80631
Jerrae.Swanson@greeleygov.com

12. Construction. This Agreement shall be construed according to its fair meaning as it was prepared by the Parties. Headings in this Agreement are for convenience and reference only and shall in no way define, limit, or prescribe the scope or intent of any provision of this Agreement.

13. Representations. Each Party represents to the other parties that it has the power and authority to enter into this Agreement and the individual signing below on behalf of that Party has the authority to execute this Agreement on its behalf and legally bind that Party.

14. Assignment. No Party may assign any rights or delegate any duties under this Agreement without the written consent of all other Parties.

15. Severability. If any provision of this Agreement shall prove to be illegal, invalid, unenforceable, or impossible of performance, the remainder of this Agreement shall remain in full force and effect.

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CITY OF FORT COLLINS, a municipal corporation

By: _____
Kelly DiMartino, City Manager

Date: _____

ATTEST:

By: _____
Interim City Clerk

APPROVED AS TO FORM:

By: _____
City Attorney's Office

CITY OF GREELEY, a municipal corporation

APPROVED AS TO SUBSTANCE:

By: _____ Date: _____
City Manager

AVAILABILITY OF FUNDS:

By: _____ Date: _____
Director of Finance

APPROVED AS TO LEGAL FORM

By: _____ Date: _____
City Attorney's Office

**EXHIBIT A TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
GREELEY AND THE CITY OF FORT COLLINS REGARDING CERTAIN ASPECTS
OF THE HALLIGAN WATER SUPPLY PROJECT**

(See attached Scope of Work)

February 21, 2024

*** Sent via Email ***

Mr. Adam Prior, PE
Chief Engineer
Greeley Water and Sewer
1001 11th Avenue, 2nd Floor
Greeley, CO 80631

**Subject: Water Quality Analysis and Outlet Tower Feasibility Study,
Milton Seaman Reservoir**

Dear Mr. Prior,

Enclosed as requested is AECOM Technical Services, Inc. (AECOM)'s proposed scope, schedule, and fee for the following:

1. Water quality analysis of the City of Greeley's (Greeley) Milton Seaman Reservoir with changes due to the planned Halligan Water Supply Project (HWSP) and enlargement of Halligan Reservoir located upstream.
2. Management and infrastructure recommendations for water quality issues on the North Fork of the Poudre River and in Milton Seaman Reservoir, including a comparison of options, such as a multi-level outlet tower and supporting systems and an oxygenation/aeration system.
3. If deemed to be the best option, continuation of the engineering feasibility study of a multi-level outlet tower and supporting systems that would allow Greeley to better manage water quality of releases from Milton Seaman Reservoir.
4. Progress preliminary design of Milton Seaman slide gates from 30 to 60%, and re-select the jet flow gate valve equipment. The design should include a range of smaller releases that includes flows in the 1 to 5 cfs range.

AECOM assumes all project-related documentation will be submitted to Greeley (emails, deliverables, invoices, etc.). Greeley should coordinate with Fort Collins for any input or reviews. If directed and approved by Greeley, AECOM's HWSP team can request data or other inputs from Fort Collins on an individual basis. AECOM's HWSP team will not overlap with this project team, and no information will be shared with AECOM's HWSP team without Greeley's direction and consent. A detailed description of this work is provided in the following sections.

STATEMENT OF QUALIFICATIONS

AECOM is uniquely qualified to complete this work based on our familiarity with the project conditions and technical capabilities. AECOM's proposal is conditioned on mutually acceptable contract terms and conditions similar to current and previous AECOM-Greeley work. Key AECOM team members include:

- **Nathan Walker, PE** will serve as Project Manager and has worked successfully with you to complete past projects. Mr. Walker has 23 years of experience including slide gate and similar improvements associated with dams and reservoirs.
- **Tammy Karst-Riddoch, Ph.D.** will serve as Senior Limnologist on the water quality analysis portions of the project. Dr. Karst-Riddoch is an accomplished senior aquatic scientist, bringing more than 25 years of research and consulting experience to the AECOM team. She manages, leads, and advises on complex surface water and watershed management projects for government, industry, and private stakeholders across North America.
- **Lorin Hatch, Ph.D.** will serve as Independent Technical Reviewer on the water quality analysis portions of the project. Dr. Hatch is a federal program/project manager and water quality expert with over 30 years of experience in water resources and ecosystem management.

Resumes for the key AECOM team members are attached.

PROJECT UNDERSTANDING

Water quality at the Milton Seaman Reservoir outlet will be evaluated for current conditions and for potential changes due to the HWSP. Along with this evaluation, a feasibility analysis and evaluation/comparison for water quality mitigation alternatives will be performed for oxygenation and reservoir aeration systems. Additionally, an engineer's opinion of probable costs, generally consistent with an AACE Class 4, for the selected aeration and/or oxygenation system option will be prepared. AECOM understands Greeley is willing and able to inject permanganate at the treatment plant to supplement the selected option.

AECOM understands Greeley's desire to continue the engineering feasibility study of the development of a multi-level outlet tower and associated system components. A conceptual design analysis will be prepared summarizing the details of construction along with criteria and resulting ability to meet some or all of Greeley's needs. Additionally, an engineer's opinion of probable costs, generally consistent with an AACE Class 4, for the proposed outlet tower and supporting systems will be prepared.

AECOM understands that a comparative analysis of the two water quality options and their combination should be included to understand the pros and cons of these systems.

AECOM understands Greeley's desire to continue the design of the slide gates at Milton Seaman Reservoir. This work was previously completed by AECOM to a 30% design level. AECOM will advance to a 60% design level and also re-select the jet flow gate valve equipment. The design will include a range of smaller releases that includes flows in the 1 to 5 cubic feet per second (cfs) range, be it part of the main gates or separate release gates and/or valve structure.

1. SCOPE OF WORK

Task 1: Project Management

AECOM will coordinate project management and meetings with Greeley. Under this Task a project work plan, schedule, and general administration tasks will be prepared and carried out. A site visit is included in the scope for this task.

PHASE 1

Phase 1 represents the analysis of a water quality mitigation plan for Milton Seaman Reservoir due to the HWSP.

Task 2: Water Quality Data Review and Analysis

AECOM will complete a limnological assessment of the Milton Seaman Reservoir and the North Fork of the Poudre River to characterize seasonal water quality with the changes in inflow/outflow, water levels and water quality for current conditions and potential changes anticipated due to the HWSP. The assessment will consider key water quality concerns that may impact treatment at the Bellvue Water Treatment Plant as well as recreational activities and aquatic ecology of the reservoir. AECOM's analysis will consider relevant information provided by both Fort Collins and Greeley.

It is understood that an oxygenation/aeration system could be needed to address issues with anoxia, which presently drives high concentrations of manganese and iron in the reservoir. Anoxia also contributes to an enhanced flux of nutrients from the sediments that promote algal activity, increasing the potential production of algal metabolites such as taste and odor compounds (2-Methylisoborneol (MIB), Geosmin) and cyanotoxins, as well as organic matter that leads to additional oxygen demand.

The purpose of this assessment is to identify patterns and drivers of water quality concerns to inform the selection and design of effective and feasible mitigation options to address them. This includes input for the proposed oxygenation/aeration system and the Outlet Tower Feasibility Analysis (i.e., to establish depths of the outlets to optimize the quality of water discharged downstream).

To perform the assessment, AECOM will collect and review available relevant physical, chemical, and biological data for the Milton Seaman Reservoir and for the inflow from the Halligan Reservoir under existing conditions and with the HWSP. Data that would support the assessment include, but are not limited to:

- Bathymetry
- Water levels
- Inlet/Outlet flows
- Field water quality parameters (depth profiles of temperature, dissolved oxygen, pH, conductivity, oxygen reduction potential)
- General water chemistry (alkalinity, hardness, metals, nutrients [phosphorus and nitrogen], total suspended solids, total and dissolved organic carbon, and chemical and biochemical oxygen demand)
- Chlorophyll-a (or other indicators of algal biomass and community composition)
- Taste and Odor compounds (MIB, Geosmin)
- Cyanotoxins
- Sediment quality (to assess oxygen demand, and metals and nutrient flux)

Additional information on past water quality events causing treatment or operational issues at the water treatment plant would also be beneficial to support the assessment.

AECOM recognizes that there may be missing data to fully characterize mixing and stratification patterns and water quality of the reservoir, and as input to design the aeration/oxygenation system. Where feasible, limnological theory and methods will be used to fill data gaps to inform the assessment. AECOM will notify Greeley of critical data gaps and provide recommendations to collect the missing information.

AECOM will request oxygenation/aeration designs, technical specifications, and cost estimates from up to three (3) technology suppliers. These suppliers will be given relevant data from the

limnological assessment to support their proposals for meeting the oxygen transfer requirements necessary to maintain the reservoir's water quality. Key information may include:

- Reservoir water quality (oxygen concentrations, oxygen demand)
- Area and depth of the reservoir
- Stratification depth
- Atmospheric and water temperature
- Water cycling in and out of the reservoir
- Locations and elevations of inlets and outlets

The design proposals will be compared and evaluated in Task 3. As a result from this analysis, any other mitigation options that may be suitable will be identified. Greeley could consider if adding any additional options to the scope, beyond those presented in Tasks 2 and 4, is needed.

DELIVERABLES

- Draft Water Quality Tech Memo, including:
 - Identification and assessment of key water quality concerns that may impact treatment at the Bellvue Water Treatment Plant as well as recreational activities and aquatic ecology of the reservoir.
 - Analysis required by vendors to complete their design proposals, as noted above.
 - Identification of any mitigation alternatives other than aeration system and multi-level outlet tower.
- Final Water Quality Tech Memo including same items noted above in the Draft Report.

ASSUMPTIONS

- Expected list of information required to complete this review as listed above. AECOM collection of data is limited to coordination with Greeley and Fort Collins to obtain available water quality data relevant to this effort and in a format suitable for use.
- Data review will be limited to the level of effort shown for this task.
- Detailed water quality modeling will not be performed as part of this task. Qualitative analysis will be used to anticipate potential changes in water quality due to the HWSP.
- No hydrologic or hydraulic model will be required at this time for analysis.
- Extent of analysis will be limited by data availability. Gap analysis may need to be performed if insufficient data is available. The AECOM team will require data through the water column to show temperature change through the water column in order to size aeration technology properly.
- Only the analysis of the aeration option and the multi-level outlet tower are included in the scope under Tasks 3 through 6. If additional mitigation options are identified during this task, additional selected option(s) could be added to the scope at Greeley's direction.

Task 3: Feasibility 15% Design for Oxygenation and Aeration Systems

AECOM will evaluate design plans received from up to three (3) aeration system vendors requested in Task 2. In the review of equipment options, oxygenation systems will be considered. A technical specialist in oxygenation systems with demonstrated experience in designing well-functioning hypolimnetic oxygenation systems will be utilized in this review. An overview description will be provided for each technology, and the technologies will be compared with respect to several evaluation criteria that may include:

- Equipment Cost
- Operational Cost
- Maintenance Burden
- Ease of Operation
- Ease of Construction
- Oxygen Transfer Efficiency
- Vendor Proof of Experience

Based on the evaluation, and in consultation with Greeley, the preferred technology will be selected.

This preferred system will be used to develop a Basis of Design Report and 15% design drawings which will include process-mechanical designs and layout, structural and electrical designs. Process Mechanical will size the compressed air system, inclusive of the compressor, dryer, air receivers, and associated line piping. A layout for all Process Mechanical equipment will be provided to the building layout team. One plan and no more than seven section views are anticipated. Total anticipated drawing generation will be four. Structural designs will include a Floor Plan sheet, a Roof Plan sheet, a section of the building, and at least one Detail sheet showing pipe encasement. Electrical will include design of lighting, receptacles, power to equipment, electrical service, grounding, lightning protection system, and associated systems. In addition, feasibility level, conceptual design will provide connections for the control system as needed. The electrical feasibility level, conceptual design anticipates site power, telemetry plan, and preliminary one-line diagram and network diagrams. Total 15% design package is expected not to exceed 20 sheets. Cost estimating will be part of Task 5.

DELIVERABLES

- Draft Oxygenation and Aeration Systems Feasibility Design Report, including:
 - Technology descriptions and evaluations
 - Comparison and selection of preferred technology
 - Basis of design for the preferred technology
 - Sections from Process-Mechanical, Structural, and Electrical design disciplines describing basis of design.
- 15% Design Package for the preferred technology:
 - Process-Mechanical: up to four drawing sheets including one plan, and no more than seven section views.
 - Structural: up to two plan sheets, one building section, one detail sheet, and one shaft elevation view.
 - Electrical: up to eight sheets including site plan, power plan, one-line and schedules, details, lightning protection system, and control schematics.
- Final Oxygenation and Aeration Systems Feasibility Design Report and 15% Design Drawings Package including same items noted above in the Draft Report.

Task 4: Feasibility Design and Engineering of Multi-Level Outlet Tower

Task 4A Data Review and Development of Study Approach

AECOM will review available and pertinent information relative to the design, construction, operation and previous analyses of the dam and associated structures. This information will include as-built drawings, construction records, previous AECOM design reports, and additional information available from Greeley.

Task 4B Civil and Structural Analysis for Alternatives**Slide Gate Analysis**

In 2019, AECOM presented to the City of Greeley a Basis of Design and Preliminary Engineering Report for the rehabilitation of the five leaking slide gates located at the outlet works of the Milton Seaman Reservoir. As part of the 30% design, AECOM proposed the construction of a new tunnel bulkhead and gate structure located immediately downstream of the existing slide gates. A reinforced concrete and steel trashrack structure is located at the reservoir intake upstream of the slide gates.

With the inclusion of an outlet tower, Greeley and AECOM will evaluate the potential of replacing the existing guard gates located at the tunnel inlet along with installation of new slide gates located at multiple levels on the new outlet tower. The new tower gates would allow Greeley to better manage water quality of reservoir releases by selectively withdrawing water from one or more levels within the reservoir. Development of a concept for measuring reservoir releases and automating gate operation will also be provided.

Planned Bulkhead Considerations

A new outlet tunnel bulkhead was proposed as part of the 2019 30% Basis of Design. The concrete bulkhead structure, or plug, would be located immediately downstream of the existing slide gates. The conceptual design of the new outlet tower will consider structural, hydraulic, and operational compatibility with the planned bulkhead. The team will also evaluate whether the bulkhead would still be required with the construction of the outlet tower.

Fish Exclusion Analysis

The Feasibility Study (Study) will review alternatives to prevent fish passage through the outlet tower. The design will consider intake screen options, preliminary backwash equipment sizing, design flows, screen bar spacing, and head loss considerations.

Tower Layout Alternatives

Two Outlet Intake Tower location alternatives will be developed and evaluated as part of this Study.

Option 1: Locate tower near upstream of the tunnel intel at the existing trashrack

This alternative assumes that the existing trashrack and supporting structure will be demolished and removed, and a new outlet tower would be constructed near the upstream face of the tunnel inlet. The tower should be founded on rock and this location is anticipated to minimize foundation excavation. However, a temporary cofferdam and bypass system will be needed to convey flows around the work area and discharge over the spillway or through the existing outlet tunnel during tower construction.

Option 2: Locate tower east of the existing trashrack

This tower location alternative assumes removal of the existing trashrack and construction of a new outlet tower at a location adjacent to the existing trashrack structure. This could allow for conveyance of reservoir flows through the existing outlet tunnel during tower construction and could minimize the need for temporary cofferdam and bypass piping. Excavation for the intake tower foundation is expected to increase compared to Option 1 and will be evaluated based on estimated depth to bedrock. Results from this option will be used to evaluate constructability, risk, and whether the additional cost of tower excavation is less than the Option 1 costs for the temporary cofferdam and bypass piping.

Cofferdam and Reservoir Bypass Analysis

The use of a cofferdam and bypass system would allow for the construction of the outlet tower at the existing trashrack location. The system will need sized to divert flows from the reservoir and protect the work area. Conceptual capacity and sizing of the cofferdam and bypass system will be developed.

Foundation Excavation Analysis

AECOM will review previous geologic and seismic hazard studies performed as well as geotechnical data for the potential tower locations. Under this Task, required excavation depths to a suitable foundation for each tower location alternative will be estimated to support the alternative's development and evaluation.

Reservoir Dredging Analysis

The City of Greeley has expressed interest in the potential of dredging sediment from the Reservoir as part of the Tower Study. AECOM will evaluate alternatives for disposal and placement of the dredged material in accordance with United States Army Corps of Engineers (USACE) requirements. AECOM will also consider material properties and quantities associated with restoring the reservoir bathymetry to as-built grades based on available information and explore possible interest by others in use of this material in planned reservoir construction that could occur near the site in the near future.

Water Quality Analysis and Management Plan

Water quality management of reservoir releases is a desirable component for the proposed outlet tower design. AECOM will review available water quality data, project goals and requirements to inform recommendations for development of a reservoir water quality monitoring and management plan. Considerations for water quality during construction will also be provided. However, the development of detailed monitoring and management activities is beyond the scope of this study.

Task 4C Mechanical and Electrical Analysis for Alternatives**New Control House Analysis**

The existing control house is located east of the reservoir outlet works and currently houses the hydraulic pump and fluid reservoir and is served with a 240-volt, single-phase electrical service.

A new control house is proposed to supply power and house equipment for the outlet tower system components. A preliminary location, layout, and power source of the new control house will be developed as part of this Study.

Gate Operator, Screen Backwash, and Aeration System Mechanical Equipment Analysis

As part of the new outlet tower concepts, AECOM will evaluate the feasibility of installing oxygenation, air compressor, and accumulator equipment that will be housed within the new control house for a new reservoir aeration system. Evaluation of hydraulic or electric operator options for the new gates will be developed to recommend basis of design for gate operators.

AECOM will evaluate preliminary sizing and placement of a screen backwash system as part of the outlet tower construction. The backwash equipment will be housed within the new control house. Backwash equipment sizing will consider fish exclusion requirements.

Outlet Tower Site Power System Requirements

New site power will be evaluated by connecting the proposed outlet tower and control house to the existing three-phase electrical located at the site access road. This will include correspondence with the power provider, along with review of assumed or estimated connected loads, to review feasibility and basis of cost.

DELIVERABLES

- Draft Feasibility Study Report, including:
 - Descriptions of conceptual design elements
 - Discussion of detailed design considerations
 - Conceptual drawings of outlet tower options
- Final Feasibility Report including same items noted above in the Draft Report.

Task 5: Evaluation and Cost Estimating of Water Quality Mitigation Options

AECOM will evaluate the aeration system and multi-level outlet tower mitigation options. The criteria for this evaluation may include:

- Cost
- Environmental Impact
- Resilience to extreme weather or seasonal changes in water quality
- Regulatory Compliance
- Energy Consumption
- System Reliability
- Operational Flexibility

AECOM will develop preliminary design material and equipment quantities for the construction of the proposed outlet tower and aeration system alternatives and associated work. These quantities will be used to develop a cost estimate that is generally consistent with an AACE Class 4 estimate. AECOM will develop the engineer's estimate of construction cost utilizing industry accepted methods including budgetary costs provided from manufacturers or vendors of major equipment when available.

DELIVERABLES

- Draft Water Quality Mitigation Tech Memo, including:
 - Memo summarizing mitigation evaluation methods and results, and their benefits
 - AACE Class 4 cost estimates for a single aeration system and single multi-level outlet tower mitigation options presented in Tasks 3 and 4
- Final Water Quality Mitigation Tech Memo including same items noted above in the Draft Report.

Task 6: Water Quality Mitigation Plan Recommendations and Reporting

Based on stakeholder reviews of the deliverables above, AECOM will provide a final mitigation plan. This will include a compiled report containing the conclusions from Tasks 2 through 5, summary of cost estimate provided in Task 5, and an implementation schedule.

DELIVERABLES

- Draft Water Quality Mitigation Plan Recommendations Report, including:
 - Summary of conclusions/design considerations from Tasks 2 through 5
 - Summary of cost estimate provided in Task 5
- Draft Water Quality Mitigation Plan Recommendations Report including same items noted above in the Draft Report.

PHASE 2

Phase 2 represents advancing the Tunnel Bulkhead and Gate Replacement from 30 to 60% design and incorporating the HWSP minimum release requirement of 1 cfs. Phase 2 is not anticipated to begin until Phase 1 is complete, so that any conclusions from Phase 1 can be incorporated into Phase 2.

Task 7: Outlet Gates 60% Design

AECOM will progress the Tunnel Bulkhead and Gate Replacement, Option 4 from 30% to an approximately 60% level of design, and revise the design to accommodate a 1 to 5 cfs streamflow release range requirement for the HWSP, be it part of the main gates or separate release gates and/or valve structure. The work under this task will include development of 60% design drawings, draft technical specifications, Preliminary Engineering Report (PER), and 60% cost estimate.

AECOM anticipates approximately 15 design drawings including title sheet and location map, site plan, existing outlet works plan and profile, existing slide gate sections, hydraulic conduit plans and sections, hydraulic conduit details, standard reinforcement details, bulkhead structure plan and sections, and typical reinforcement sections. AECOM does not anticipate and has not included primary power site electrical improvements in this scope of work.

Draft technical specifications will be developed for major equipment, key work activities and dam safety related activities that involve State Engineering Office (SEO) approval to provide design-build teams information to use as the basis of their proposal. The draft specifications are anticipated to follow Division 16 MasterFormat 1995 format and include Summary of Work, Environmental Standards, State Engineer Requirements, Reservoir Control, Stream Diversion, and Slide Gates. Additional technical specifications, such as Cast-In-Place Concrete, will be identified in the Specifications Table of Contents but will not be drafted in this scope and will need developed during final design by the selected design-builder.

A PER will be developed documenting the basis of design for the proposed improvements. This will include the SEO required plan approval submittal schedule, and supporting calculations and equipment catalog cut sheets. The PER can be included in the design-build solicitation and will not include the 60% cost estimate.

An AACE Class 3 cost estimate will be developed based on the 60% design drawings and draft technical specifications. However, this cost estimate will typically not be included in Greeley's design-build solicitation, and therefore, will be submitted to Greeley separately from the design drawings, specifications and PER.

AECOM anticipates that a draft 60% design submittal should be reviewed for comments by the SEO in addition to Greeley's review and comments. This will be confirmed during the Task 1 SEO consultation, and SEO comments along with Greeley comments will be incorporated into a final 60% design submittal for Greeley's use in solicitation of design-build proposals.

Water quality management of reservoir releases is a desirable component for the proposed outlet tower design. AECOM will review available water quality data and project goals and requirements to inform recommendations for development of a reservoir water quality monitoring and management plan. Considerations for water quality during construction will also be provided. However, the development of detailed monitoring and management activities is beyond the scope of this study. This will be completed as part of Task 5, and updated as needed for consideration of this task.

DELIVERABLES

- 60% Design Drawings
- 60% Technical Specifications
- Preliminary Engineering Report
- AACE Class III Cost Estimate
- Greeley procurement documents review comments.

ASSUMPTIONS

- Electrical improvements are not required.
- Greeley will identify list of local permits for inclusion in preliminary specifications.
- State permits including SEO review and approval and SWMP will be obtained by design-builder.
- National permits such as USACE 404 Nationwide Permit for Maintenance are not required.
- Greeley will provide notification to the United States Forest Service under the Special Use Agreement or obtain a permit Amendment, if required.
- No intrusive investigations such as rock coring are required to develop the 60% design.

2. SCHEDULE

The total project duration is estimated to be approximately 19 months based on the number of conceptual design elements and the various subject matter expertise needed. Notice to Proceed (NTP) is estimated to be May 10, 2024 and project milestones and anticipated durations have been estimated as follows, and subject to verification as part of the fee estimate level of effort:

- Anticipated NTP: May 10, 2024
- Task 2 Draft Completion: June 10, 2024
- Task 2 Final Completion: July 10, 2024 (allowing 2 weeks for stakeholders to comment, 2 weeks for AECOM to finalize)
- Tasks 3 & 4 Start and Draft Completion: July 10 – October 10, 2024
- Tasks 3 & 4 Final Completion: December 10, 2024
- Task 5 Start and Draft Completion: December 10, 2024 – February 15, 2025
- Task 5 Final Completion: March 15, 2025
- Task 6 Start and Draft Completion: March 15, 2025 – May 30, 2025
- Task 6 Final Report Completion (End of Phase 1): July 1, 2025
- Phase 2 (Task 7) Completion: July 1, 2025 – December 1, 2025

3. ENGINEERING FEES

A summary of task costs is presented in Table 1. AECOM's 2023 billing rates are based on AECOM's attached proposed rates for Greeley's As Needed Services/Design and Engineering for Water & Sewer.

Table 1. Time & Materials Not To Exceed Fee

Task	Description	Fee Estimate
Task 1	Project Management	\$43,422
Task 2	Water Quality Data Review and Analysis	\$25,850
Task 3	Feasibility 15% Design for Oxygenation and Aeration Systems	\$76,344
Task 4	Feasibility Design and Engineering of Multi-Level Outlet Tower	\$207,798
Task 5	Evaluation and Cost Estimating of Water Quality Mitigation Options	\$28,717
Task 6	Water Quality Mitigation Plan Recommendations and Reporting	\$14,098
	PHASE 1 SUBTOTAL	\$396,229
Task 7	Outlet Gates 60% Design	\$164,642
	TOTAL	\$560,871

We look forward to the opportunity to provide engineering support to the City of Greeley for successful completion of this project. Please contact me at 303-740-2622 or nathan.walker@aecom.com if you have questions or require additional information.

Sincerely,

AECOM Technical Services, Inc.

Nathan Walker, PE
Project Manager

Kathy Schlosser, PE
Associate Vice President

enclosures: : Nathan Walker Resume
Tammy Karst-Riddoch Resume
Lorin Hatch Resume
Detailed Fee Estimate
2024 Fee Schedule

cc: :

Nathan Walker, PE

Project Manager

Education	Years of Experience	Areas of Expertise	Professional Registration
BS, Civil Engineering, University of Akron, 2001	With AECOM: 13 With Other Firms: 10	Dams & Reservoirs Civil Infrastructure Utility Engineering	Professional Engineer: Colorado, New Mexico, Washington

Summary

Mr. Walker has 22 years of planning, design, construction, and management experience as the Engineer of Record involving the preparation of studies, construction drawings, cost estimates, and technical specifications associated with site civil and utility engineering including improvements associated with more than a dozen dams and water storage reservoirs.

Project Experience

Arapahoe County Water and Wastewater Authority, Chamber Reservoir Phase II Remediation Reservoir Liner, Centennial CO. Principal Engineer and Engineer of Record for design of reservoir liner including coordination of approval with the State Engineer's Office associated with remediation of a Jurisdictional Dam including development of liner material alternatives analysis and final construction drawings and specifications. Reservoir liner involves 1.7M SF of geosynthetic liner, geotextile, anchor trenches and mechanical connections to seven dam structures.

United States Air Force Academy, Kettle Creek Dry Dam Modifications, Colorado. Principal Engineer and Engineer of Record for design of dam modifications including coordination of approval with the State Engineer's Office associated with conversion of a High Hazard Dam to an Exempt Structure involving dam breach analysis, dam hazard classification, development and evaluation of alternatives, and development of final construction drawings and specifications. Dam modifications involve removal of earthen embankment dam, coordination with CDOT, protection of utilities, drainage improvements and modifications to detention features within the dam.

United States Air Force Academy, Non-Potable Reservoir 1 Dam Repairs, Colorado. Principal Engineer and Engineer of Record for design of dam repairs including coordination of approval with the State Engineer's Office and development of final construction drawings and specifications for repair of a Significant Hazard Dam. Repairs involve two (2) 18-inch diameter CMP inlet conduits, one 18-inch diameter steel outlet conduit, reinforced concrete outlet tower, emergency spillway, toe drain, earthen embankment, and including the demolition of existing work and structures. Conduit repairs involved cured-in-place pipe (CIPP) for the two (2) inlet conduits and grouted steel pipe slip-lining of the outlet conduit.

Colorado Springs Utilities, Woodland Park, Northfield Dam Modifications Project, Colorado. Project Manager during construction management services involving improvements of a small, Significant Hazard Dam in El Paso County including the rehabilitation of the dam outlet works, new concrete spillway chute, new toe drain system, and an 8-foot raise of the earthen dam embankment in coordination with State Engineer approval. Conduit rehabilitation involved grouted steel pipe slip-lining of the outlet conduit.

City of Aurora, Box Creek Reservoir Forebay and Diversion Structure Project, Kobe, CO. Project Manager for development and evaluation of alternatives analysis and identification of recommendations for water supply diversion options and forebay storage options including a zoned earthen embankment dam to provide reservoir storage for up to 15,000 acre-feet of capacity, geotechnical site investigation along with development of design documents for a replacement diversion structure.

City of Santa Fe, Nichols and McClure Dam Rehabilitation, Santa Fe, New Mexico. Lead Engineer, Non-Dam Safety. Led a team that completed design of the non-dam safety aspects of the Nichols Reservoir Rehabilitation project. Design elements included raw water pipeline improvements at the Nichols site and the Canyon Road WTP site along with a below grade flow control and future hydropower valve vault, a below grade Nichols reservoir outlet valve vault, and an above grade mechanical equipment building. The multi-discipline design team involved site civil, structural, process, mechanical, electrical, power distribution, instrumentation, and controls engineering coordinated closely with the City team.

Bradner Dam and Peterson Dam Alternatives Analyses, Las Vegas, New Mexico. Hydraulic Engineer. Developed and completed analysis of hydraulic transient pressures for raw water supply pipeline from Bradner reservoir to the City's water treatment plant.

Upper Yampa Water Conservancy District, Yamcolo Reservoir Outlet Control Valve Replacement, Yampa, Colorado.

Project Manager for replacement of the existing American Water Works Association (AWWA) C504, Class 150B, 36-inch cast iron butterfly valve addressing a fracture that developed on the valve leaf/disc suspected to have resulted from the effects of frazil ice buildup or other wear and tear, such as harmonics from vortex shedding. Included evaluation of valve replacement options including AWWA C529 high performance butterfly valves involving single, double, and triple offset along with salvage and reuse of the existing hydraulic valve operator.

Colorado Parks and Wildlife, Beaver Park Reservoir Flow Control Optimization, South Fork, Colorado. Technical Lead to conduct flow testing of the reservoir outlet works, evaluate hydraulic conditions and equipment performance, and develop improvements to maximize the operational capacity of the structure. AECOM determined the removal of the 42-inch butterfly valve (BFV) was necessary to provide full operating capacity at full reservoir levels. AECOM developed design drawings to allow for removal of the BFV in order to maximize the flow releases provided by the 42-inch cone valve and evaluated equipment options to replace the existing valve with a full port isolation valve including a bonneted knife gate, stainless steel ball valve, and plug valve suitable for these high velocity and low pressure conditions

United States Air Force Academy, Non-Potable Reservoir 2 Hazard Classification, Colorado. Principal Engineer for dam hazard classification of a High Hazard Dam in accordance with Colorado Division of Water Resources Rules and Regulations for Dam Safety and Dam Construction. Hazard classification included dam breach analysis, dam hazard classification, and development of an emergency response plan.

United States Air Force Academy, Non-Potable Reservoir 3 Hazard Classification, Colorado. Principal Engineer for dam hazard classification of a Significant Hazard Dam in accordance with Colorado Division of Water Resources Rules and Regulations for Dam Safety and Dam Construction. Hazard classification included dam breach analysis, dam hazard classification, and development of an emergency response plan.

Integrated Utility Master Plan, City of Thornton, Thornton, Colorado. Project Manager. Developed utility wide master plan for water supply, treatment, distribution and wastewater collection systems following an integrated planning approach and including evaluation of facilities performance, operations, water quality, redundancy, reliability, resiliency and development of a prioritized capital improvement program including rehabilitation and replacement costs for all pipelines based on prioritized evaluation of risk and consequence of failure associated with each asset. System modeling involves water balance and water quality mitigation alternatives and limnologic analysis for water supply reservoir water quality.

Private Client, Water Supply Projects, Weld County, CO: Design and construction of multiple water supply projects including development of water supply systems, water storage reservoirs, and water pumping, distribution and delivery systems.

Private Client, Water Supply and Utilities Planning, Western Slope, CO: Lead Utility Engineer for engineering, master planning and permitting services for new public water system, wastewater utility and utility systems including alternative development and analysis of multiple water supply diversions, water storage reservoirs, water treatment facilities, water distribution system components including pipelines, pump stations, and multiple pressure zones.

Pandora Water Supply Project, Town of Telluride, CO: Principal Engineer provided design and construction engineering services for completion of new water supply sources, raw water transmission system, water treatment facility, hydroelectric generation plant, treated water transmission system, booster pump station, support facility, and related infrastructure.

Topock Marsh Infrastructure Improvements, U.S. Fish and Wildlife Service, Needles, CA: Provided design of 60 CFS raw water pump station and associated piping, valving and electrical systems. Floating pump system was part of improvements to intake and canal structures.

Santa Ana National Wildlife Refuge, U.S. Fish and Wildlife Service, Hidalgo and Cameron Counties, TX: Provided design of 3,000 gpm raw water pump stations and associated piping, valving and electrical systems including floating barge-pump system at five (5) separate sites within the NWR.

City of Aurora, Aurora Rampart Raw Water Lines Relocation at US 85 and Titan Road, Aurora, Colorado. Design and relocation of two critical raw water transmission lines in Aurora to accommodate Highway 85 re-construction by CDOT. The work involved extensive coordination with Aurora's water department, CDOT, and adjacent utilities to ensure continuous water supply.

Xcel Shoshone Hydroelectric Penstock Repair, Glenwood Springs, Colorado. Provided design engineering services to rehabilitate the twin 108-inch diameter penstocks at the Shoshone Hydroelectric Plant due to a catastrophic rupture of one of the existing penstocks just above the turbine building. Evaluated hydraulic transient pressures of repair and replacement options and recommended installing new 100-inch diameter welded steel pipe lining inserts inside each of the existing penstocks.

Tammy Karst-Riddoch, Ph.D.

Senior Aquatic Scientist/Limnologist and Paleolimnologist

Education	Years of Experience	Professional History	Training and Certifications
BSc (honours), Biology, Laurentian University, 1994	With AECOM: 8 With Other Firms: 12	07/2017 - Present, AECOM Senior Aquatic Scientist/Limnologist	AECOM Certified Project Manager (2019)
MSc, Aquatic Ecology and Paleolimnology, Queen's University, 1997	Professional Affiliations	01/2010 - 06/2017, Hutchinson Environmental Sciences Ltd. Senior Aquatic Scientist, Manager, Director	Low Impact Development Treatment Train Tool Workshop (2017)
PhD, Aquatic Ecology and Paleolimnology, Queen's University, 2004	North American Lake Management Society (NALMS)	07/2006 - 01/2010, AECOM Senior Aquatic Scientist	Project Management Institute (PMI) Training (2015)
		06/2005 - 04/2006, Ontario Ministry of the Environment and University of Toronto Postdoctoral Research Fellow	Lake and Pond Phosphorus Inactivation and Interception Workshop (NALMS, 2013)
		06/2001 - 05/2005, University of Waterloo Postdoctoral Research Fellow	

Summary

Dr. Tammy Karst-Riddoch is an accomplished senior aquatic scientist, bringing more than 25 years of research and consulting experience to the AECOM team. She manages, leads and advises on complex surface water and watershed management projects for government, industry, and private stakeholders across North America.

Tammy specializes in the use of physical, biological, chemical and geochemical information to assess the responses of aquatic systems to natural (e.g., climate change and variability, hydrological changes, vegetation dynamics, fire, etc.) and human disturbances (e.g., effluent discharge, mining, land-clearance, agriculture, watershed development, river regulation, flooding, etc.). She has expert knowledge of approaches to improve the health of natural and built aquatic systems, including in-lake technologies, best management practices, and low impact development to control sources of nutrients and solids. She has used this knowledge to develop mitigation and management plans that address site-specific issues while considering social, political, and economic concerns. Tammy is a technical lead for the development and application of AECOM's innovative algae harvesting technology for nutrient reduction and the mitigation of harmful algal blooms.

Tammy is well respected in the scientific community; she has published 14 papers on limnology, hydrology, and ecology of lakes and wetlands, and has acted as a peer reviewer of original research (Journal of Lake and Reservoir Management, Journal of Paleolimnology).

Tammy's key skills and areas of expertise are: surface water and watershed management; limnology and paleolimnology; algal bloom dynamics, aquatic plant and nutrient management; scientific synthesis, peer review, and expert testimony; advanced statistical analysis; effluent receiving water and assimilative capacity assessment; and aquatic monitoring program design and implementation.

Project Experience

West Columbia, City of, Drinking Water Source Quality Assessment, West Columbia, South Carolina, US. Technical lead investigating sources of taste and odour events due to Geosmin and 2-methylisoborneol in Lake Murray to inform source water protection planning and treatment plant upgrade needs. [2019-ongoing]

West Kelowna, City of, Roseville Reservoir Water Quality Assessment and Management Recommendations, British Columbia. Technical Lead for the assessment of water quality and factors promoting cyanobacteria blooms in a large drinking water reservoir. Evaluating existing management strategies including dam operations, algaecide applications and aeration on water quality, with the goal to enhance management for improved water quality at the drinking water intake. [2019-ongoing]

Irvine Ranch Water District, Reservoir Water Quality Management System Design, Orange County, CA. Technical Lead for the assessment of source water quality and evaluation of oxygenation and aeration technologies in support of the Syphon Reservoir Improvement Project. [2021]

Peel, Region of, Lorne Park Water Treatment Plant Review of Algae and Water Quality Monitoring Technology, Ontario. Technical Lead for the assessment of source water quality and the evaluation of innovative technologies to monitor changes in raw water quality sourced from Lake Ontario related to algae blooms that have caused damages to the traveling screens and plant water production interruptions. Providing oversight of the installation of the monitoring equipment and data analysis. [2020-ongoing]

Northwest Florida Water Management District NFWFMD), Intact Cellular Algae Harvesting with Simultaneous Nutrient Export Demonstration Project, Lake Munson, FL. Technical lead on NFWFMD's demonstration research project that will use of a 1 MGD Hydronucleation Flotation Technology (HFT) as a sustainable and environmentally safe lake management solution to address eutrophication and HABs in Lake Munson, Leon County, FL. Responsible for senior technical input including for the preparation of the Quality Assurance Protection Plan, design of water quality monitoring and modeling programs, monitoring and evaluation of HFT, and development of a long-term HFS treatment plan to mitigate HABs in Lake Munson and alleviate nutrient enrichment concerns downstream of the lake in Munson Slough and the Floridan Aquifer. [2021-ongoing]

US Army Corps of Engineers (USACE), HABITATS Phase 2, Lake Chautauqua, NY and Saddle Creek, FL. Technical lead for the award winning Harmful Algal Bloom Interception, Treatment and Transformation System (HABITATS) research program, providing input to program design and responsible for performance data collection and analysis, AECOM project reporting, and technical review of the USACE ERDC report. The success of HABITATS was recognized by USACE, which received the 2020 USACE Innovation of the Year Award and the 2020 National Environmental Business Journal Award. [2019-2021]

Various clients, Drinking Water Source Protection (DWSP) Technical Studies. Completed surface water studies (intake characterization, vulnerability and threats assessments) in support of the provincial DWSP initiative for municipal intakes in North Bay, Callander and South River and peer reviewed studies for surface water intakes in Sydenham and the Trent Source Protection Area. Developed and completed pilot technical studies for the District of Muskoka and Town of Cobden.

City of Markham, Swan Lake Chemical Treatment to Reduce Nutrients and Control Cyanobacteria Blooms, Markham, ON. Developed a chemical treatment plan for the application of polyaluminum chloride in Swan Lake to strip phosphorus from the water column and inactivate sediment phosphorus. Provided field oversight during the application. Initial results of the treatment showed significant decreases in lake water total phosphorus concentration and improvements in water clarity, without evidence of harmful side effects of the product. [2021]

New York State Department of Environmental Conservation and Office of General Services, NY, Lake Agawam Cyanobacteria and Microcystin Removal Demonstration. Technical lead for overseeing monitoring activities, evaluating efficiencies and reporting on novel algae harvesting treatment technology (dissolved air flotation and ozonation) to remove cyanobacteria and associated toxins and nutrients from Lake Agawam. The treatment achieved greater than 95% removal of algae and reduced microcystin concentrations in effluent to below the US EPA drinking water standard. [2019-2021]

Town of Richmond Hill, Lake Wilcox Management Plan Update, Richmond Hill, Ontario. Technical Lead for a comprehensive management plan to address impacts of urbanization on water quality, cyanobacteria blooms and aquatic habitat in a large kettle lake on the Oak Ridges Moraine. Project work included detailed limnological assessment (water quality, aquatic biota, internal phosphorus loading), and modeling of phosphorus and chloride loading and lake response to those loads. Effective and feasible management options were recommended to address existing and emerging concerns identified from the study, and in consideration of socioeconomic and planning constraints. [2017-2019]

City of Hamilton, Bayfront Beach Water Quality Investigation and Implementation Strategy, Hamilton, Ontario. Senior Aquatic Scientist. Evaluated the effectiveness of measures implemented to reduce bacteria contamination (source controls) and elevated cyanobacteria toxins (ultrasound technology) that have caused an increasing number of closures of two beaches in Hamilton Harbour. Project work included assessment of bird population and scat counts, water quality, algal community composition and biomass, zooplankton vitality and fish presence at control and impact sites. [2017-2018]

Various Clients, Lake Water Quality Modeling Technical lead on Lakeshore Capacity phosphorus modeling projects for numerous lakes in central and northern Ontario including regional studies for the City of Elliot Lake, the Township of Seguin, City of Greater Sudbury and District of Muskoka. Studies included the determination of phosphorus and water loads to the lakes and modeling to predict phosphorus concentrations that consider in-lake dynamics of phosphorus settling and internal loading from lake sediments. Management recommendations were developed to include technical and planning approaches.

Lake of Bays Water Quality Monitoring Program, Lake of Bays, Ontario. From 2006 to 2016, provided technical guidance and oversight for the Lake of Bays Association water quality monitoring program. Revised the program over the years to maximize resources and address emerging water quality concerns. Completed annual reports to document existing conditions, assess trends in phosphorus and *E.coli*, and evaluated mechanisms influencing those trends.

Seguin Township Water Quality Monitoring Program, Seguin, Ontario. Developed a comprehensive water quality monitoring program for spring overturn total phosphorus, and end-of-summer dissolved oxygen, temperature and total phosphorus in more than 60 area lakes. Conducted annual reviews and summaries of monitoring results and provided support to the Town's field staff from 2008 to 2017. [Prior to AECOM]

Peer Reviewed Publications

- Branaavan, S., A.M. Paterson, K.M. Rühland, D. Köster, **T.L. Karst-Riddoch** and J.P. Smol, 2018: Diatom responses to 20th century shoreline development and climate warming in three embayments of Georgian Bay, Lake Huron. *Journal of Great Lakes Research*, 44: 1339-1350.
- Faulkenham, S.E., R.I. Hall, P.J. Dillon and **T.L. Karst-Riddoch**, 2003: Effects of drought-induced acidification on diatom communities in Ontario lakes. *Limnology and Oceanography* 48:1662-1673.
- Karst, T.L.**, and J.P. Smol, 1998: Tracking the cultural eutrophication history of Collins Lake (southeastern Ontario, Canada) using paleolimnological techniques. *Journal of Lake and Reservoir Management* 14:456-465.
- Karst, T.L.**, and J.P. Smol, 2000: Paleolimnological evidence of limnetic nutrient concentration equilibrium in a shallow, macrophyte-dominated lake. *Aquatic Sciences*. 62:20-38.
- Karst-Riddoch, T.L.**, M.F.J. Pisaric and J.P. Smol, 2005: Diatom responses to 20th century climate-related environmental changes in high-elevation mountain lakes of the northern Canadian Cordillera. *Journal of Paleolimnology* 33: 265-282.
- Karst-Riddoch, T.L.**, M.F.J. Pisaric, D.K. Youngblut and J.P. Smol, 2005: Postglacial record of diatom assemblage changes related to climate in an alpine lake from the northern Rocky Mountains, Canada. *Canadian Journal of Botany* 83: 968-982.
- Karst-Riddoch, T.L.**, H.J. Malmquist and J.P. Smol, 2009: Relationships between freshwater sedimentary diatoms and environmental variables in Subarctic Icelandic lakes. *Fundamental and Applied Limnology* 175:1-28.
- McGowan, S., P.R. Leavitt, R.I. Hall, B.B. Wolfe, T.W.D. Edwards, **T.L. Karst-Riddoch** and S.R. Vardy, 2011: Interdecadal declines in flood frequency increase primary production in lakes of a northern river delta. *Global Change Biology* 17:1212-1224.
- Pisaric, M.F.J., J.M. Szeicz, **T.L. Karst** and J.P. Smol, 2000: Comparison of pollen and stomate spectra as indicators of treeline in montane and alpine lake sediments from northwestern Canada. *Canadian Journal of Botany*. 78:1180-1186
- Pisaric, M.F.J., C. Holt, J.M. Szeicz, **T.L. Karst** and J.P. Smol. 2003: Holocene treeline dynamics in the mountains of northeastern British Columbia, Canada, inferred from fossil pollen and stomates. *The Holocene*. 13(2): 161-173
- Sinnatamby, R.N., Y. Yi, M.A. Sokal, K.P. Clogg-Write, T. Asada, S.R. Vardy, **T.L. Karst-Riddoch**, W.M. Last, J.W. Johnston, R.I. Hall, B.B. Wolfe and T.W.D. Edwards, 2010. Historical and paleolimnological evidence for expansion of Lake Athabasca (Canada) during the Little Ice Age. *Journal of Paleolimnology* 43:705-717.
- Wolfe, B.B., **T.L. Karst-Riddoch**, S.R. Vardy, M. Falcone, R.I. Hall and T.W.D. Edwards, 2005: Impacts of climate and river flooding on the hydro-ecology of a floodplain basin, Peace-Athabasca Delta, Canada since A.D. 1700. *Quaternary Research* 64: 147-162.
- Wolfe, B.B., **T.L. Karst-Riddoch**, R.I. Hall, T.W.D. Edwards, B. English, R. Palmi, S. McGowan, P.R. Leavitt and S.R. Vardy, 2006: Classification of water balance and hydro-limnological relationships in northern floodplain basins (Peace-Athabasca Delta, Canada) from analysis of stable isotopes ($\delta^{18}\text{O}$, $\delta^2\text{H}$) and water chemistry. *Hydrological Processes*. 21 (2) 151-168.
- Wolfe, B.B., R.I. Hall, W.M. Last, T.W.D. Edwards, M.C. English, **T.L. Karst-Riddoch**, A. Paterson, R. Palmi, 2006: Reconstruction of multi-century flood histories from oxbow lake sediments, Peace-Athabasca Delta, Canada. *Hydrological Processes* 20:4131-4153.

White Papers

- Page, M. B. MacAllister, M. Campobasso, A. Urban, C. Thomas, C. Cender, C. Arnett, C. White, E. Martinez-Guerra, A. Boyd, E. Gao, A. Kennedy, T. Biber, K. Pokrzywinski, C. Grasso, B. Fernando, C. Veinotte, J. Riley, A. Gonzalez, J. Miller, K. Gunderson, L. Schideman, Y. Zhang, B.K. Sharma, D. Levy, W. Colona, D. Pinelli, **T. Karst-Riddoch**, and W. Lovins, 2021: Optimizing the Harmful Algal Bloom Interception, Treatment, and Transformation System (HABITATS). US Army Corps of Engineers, Engineer Research and Development Center (ERDC). Technical Report TR-21-18. 227 pp.
- Karst-Riddoch, T.L.**, D. Jackson, D. And S. Bhavsar, 2008: Changes in contaminant burdens in Niagara River sport fish following remedial actions to reduce toxic loadings since 1986/87. University of Toronto and Ontario Ministry of Environment. ISBN 978-1-4249-7674-4.
- Clark, B. and **T.L. Karst-Riddoch**, 2011: Ontario: Surface Water Intakes. *LakeLine*, North American Lake Management Society, 31:3 9-11.

Lorin Hatch, Ph.D.

Independent Technical Reviewer, Limnologist, Water Quality Specialist

Education	Years of Experience	Professional History	Training and Certifications
Doctor of Philosophy (PhD), Ecology, University of California - Davis, 1997	With AECOM: 1 With Other Firms: 30	07/2021 - Present, AECOM USACE Program/Project Manager	Technology of Participation Facilitation Training
Bachelor of Arts (BA), Biology, University of Iowa, 1989	Professional Affiliations	03/2019 - 06/2021, Widseth Smith Nolting water quality specialist	National Environmental Policy Act
Master of Science (MSc), Ecology, Iowa State University, 1992	Minnesota Water Resources Planning Committee	08/2017 - 08/2018, RMB Environmental Laboratories Director of Operations 06/2015 - 02/2017, WSB Senior Scientist 08/2006 - 06/2015, HDR Engineering Senior water quality specialist	

Summary

Dr. Hatch has over 30 years of experience in water resources and ecosystem management in the academic, public, and private sectors. He has worked on lakes, rivers, streams, watersheds, and estuaries on multiple spatial and temporal scales, ranging from pristine to highly impacted ecosystems across the country. He has extensive experience in project and team management. Dr. Hatch has served as an adjunct professor and student advisor at the University of Minnesota in both the Water Resources Science and the Conservation Biology graduate programs. He has over 20 peer-reviewed publications. Trained as a limnologist Lorin specializes in watershed management, monitoring program design, modeling, water chemistry, and algal response. Given his emphasis on water chemistry he has worked in many sectors including drinking water, wastewater, water resources, environmental, and hydropower.

Project Experience

Xcel Energy, Cabin Creek Hydro Relicensing Project, Clear Creek County, Colorado. Water Quality Expert. Assisted with the development of a water quality monitoring plan to support the relicensing of a 324 MW pump storage facility, as well as designed strategic sampling efforts to understand iron dynamics in the system. Task also involved assisting with a feasibility study to mitigate excess iron in the system.

City of Gillette Wyoming, Fishing Lake TMDL, Gillette, WY. Water Quality Expert. Gillette Fishing Lake has been placed on the WY DEQ 303 (d) List of Waterbodies with Water Quality Impairments (siltation and phosphorus). As part of the project team, Dr. Hatch assisted the City of Gillette, WY to complete the requirements to gain access to the grant money and provide baseline environmental data so that implementation can be effective. The project involved stakeholder coordination, project management, water quality sampling, modeling and data analysis, completing the TMDL report, and on-going public involvement.

City of Cheyenne, Board of Public Works Manganese, Iron and Biological Study, Wyoming. Water Quality Expert. Evaluated the sources of manganese and iron entering the Sherard Water Treatment Plant (WTP). A review of flow and water quality data for the Sherard WTP supply indicated that the problem arose in the reservoir system and in the raw water pipeline. Responsibilities involved developing multiple alternative solutions for avoiding colored water events and recommended corrective actions in a staged approach to prevent future manganese events. The recommended actions included hypolimnetic aeration of the terminal reservoir, additional oxidation of manganese, improvements to mixing and coagulation, and provision of a sequesterant feed system.

Minnehaha Creek Watershed District, MCWD, Stubbs Bay Improvement Project/Classen Wetland Restoration, Hennepin County, MN. Project Manager and Water Quality Expert. Dr. Hatch analyzed water quality issues in this eutrophic bay of Lake Minnetonka and proposed wetland restoration and headwater lake controls to restore hydrology in the Classen Creek subwatershed. Part of project utilized University of Minnesota students for their senior capstone project.

Minnehaha Creek Watershed District, Lake Water Quality Data Analysis, Hennepin County, MN. Water Quality Expert. Dr. Hatch performed long-term trend analysis on multiple lake sites for several parameters and made recommendations to streamline monitoring efforts on both a spatial and temporal basis. He also reviewed the client's long-term water quality monitoring program and provided feedback to improve the program.

PacifiCorps, Pilot Study of Algal Conditions Management within a Selected Reservoir Cove, CA. Water Quality Expert. Dr. Hatch reviewed multiple mechanical alternatives to reduce the intensity of blue- green algal blooms in Iron Gate Reservoir on the Klamath River, California. Alternatives included low- speed paddlewheels, impeller-aspirator systems, axial flow pumps, pump and cascade systems, air- powered mixers, and sonicators.

USACE Kansas City District, Lake Contrary Restoration Project, St. Joseph, MO. Water Quality Expert. A Planning Design and Analysis Report (PDA) for the Section 514 Missouri and Mississippi River Enhancement Project at St. Joseph, Missouri was prepared. The project was a continuation of activities to analyze six alternatives to restore Lake Contrary, an oxbow lake that became hypereutrophic due in part to sedimentation. Dr. Hatch used the SCS method to calculate water budgets, and the RUSLE method to calculate sediment loads.

Private Client, Swan Lake Pumped Storage Project, OR. Water Quality Expert. Researched and prepared a water quality feasibility report for a proposed pumped lake storage project in southern Oregon. Dr. Hatch examined the potential impacts of temperature and chemical constituents on future water quality conditions and possible algal issues.

Water Environment Federation, Management of Disruptive Aquatic Species in Pacific Northwest Drinking Water Supplies, WA. Senior Algal Ecologist and Water Quality Expert. Analyzed water quality and algal monitoring data to determine cause-and-effect relationships as well as invasive algal species niche analysis for the two largest water suppliers in Washington State. The study addressed drinking water quality and treatment issues related to alien or indigenous plankton species in source waters of the Coastal Pacific Northwest region, focused on understanding what drives the production of problem species, developed monitoring strategies and tools to help utilities predict occurrence in source waters, and provided practical guidelines for managing the impacts of problem species on drinking water supplies.

Vadnais Lake Area Water Management Org, Water Quality Modeling of the VLA WMO Watershed, St. Paul, MN. QA/QC Reviewer and Modeler. Developed a BATHTUB water quality model for lakes in the watershed. This model was used to set individual lake water quality goals and guide management activities in the watershed.

Stearns County Environmental Services, Pelican Lake of St. Anna Clean Water Partnership Phase I Diagnostic Study, Stearns County, MN. Project Manager and Water Quality Expert. Assisted with writing project reports, modeling, and providing technical advice to Pelican Lake Association for the CWP grant to monitor the lake and stream water quality for two years.

Riley Purgatory Bluff Creek Watershed District, Aquatic Invasive Species Management Plan, Chanhassen, MN. Project Manager and Water Quality Expert. Reviewed aquatic invasive species (AIS) concerns in the District, determined vectors and pathways for those organisms, developed an AIS prevention matrix, recommended implementation plan alternatives and associated costs, and wrote the final plan.

City of San Francisco, Lake Merced Harmful Algal Bloom Monitoring, San Francisco, CA. Limnologist and Water Quality Expert. Dr. Hatch conducted a field visit with City staff and is guiding analysis of available water quality data to provide the client with monitoring guidance for this backup non-potable water supply for the City.

City of Watertown, Phosphorus Removal Facility Project, Watertown, SD. Senior Algal Ecologist. Provided technical support for the modification of a functional, but recently decommissioned water treatment facility (1.5 MGD capacity), along the shores of highly-eutrophic Lake Kampeska to grow algae year-round to remove phosphorus from the lake water. The algae were harvested and the lower-phosphorus water returned to the lake to reduce the overall P content in the lake over time.

Water Environment Research Foundation, Nutrient Regulatory Issues: Nutrient Effluent Discharge Permitting Guidelines. Water Quality Expert. Assisted with the development of a report that reviewed how nutrients are addressed in NPDES discharger permits. Case studies were analyzed, and emphasis was placed on watershed permitting, water quality trading programs, and nutrient offsets.

Chisago Lakes Lake Improvement District, Basin-Wide SWAT Model, Chisago County, Minnesota. Ecologist. Developed a preliminary SWAT model targeted to the Chisago Chain of Lakes. The SWAT models used to simulate the movement of sediment and phosphorus through the Chisago Chain of Lakes system. The model builds upon the body of knowledge developed in previous studies such as the Storm Water Management Model and the BATHTUB modeling projects

California Department of Water Resources, Bay Delta Conservation Plan, Sacramento, California. Water Quality Expert. Assessed current water quality conditions for the EIR/EIS and the impacts of selected management strategies to support the Bay Delta Conservation Plan which examines strategies to deliver high-quality water to central and southern California, while at the same time addressing environmental issues pertaining to fisheries in the Sacramento-San Joaquin Delta. Parameters assessed included sediments, nutrients, heavy metals, pesticides, PAHs, and emerging contaminants.

Texas Water Development Board, Nueces Watershed Pre- and Post-Development Nutrient Budgets, Texas. Water Quality Expert. Evaluated pre-development and current conditions nutrient budgets, quantified differences between these budgets, assessed potential causes of these differences (e.g., reservoir operations, frequent and extended drought periods, etc.), and facilitated consideration of metrics for identification of the desired future condition for estuarine productivity. Once any potential nutrient imbalances were identified through the nutrient budgeting process, cost-effective strategies to address such imbalances were developed. Responsibilities also involved assisting with data management and analysis.

Exhibit A to the IGA - Scope of Work

HWSP Water Quality Mitigation Plan, Milton Seaman Reservoir
City of Greeley

Prepared: JC / TKR
Reviewed: CK
Approved: NW

Date: 21-Feb-24
Date: 21-Feb-24
Date: 21-Feb-24

2/21/2024

Fee Estimate

Task/Scope	LABOR HOURS BY CLASSIFICATION																				TOTAL HOURS	LABOR COST	EXPENSE COST	TOTAL COST
	Project Manager	Project Engineer	Project Controller / Tech Editing	Senior Limnologist	Mid-level Limnologist	Independent Technical Review (Limnology)	Independent Technical Review (Engineering)	Aeration System SME Reviewer	Senior Electrical Engineer	Electrical Engineer	Structural Engineer	Structural Drafting	Process Mechanical Design (Aeration)	CAD Designer	Cost Estimator	Senior Engineering Geologist	Tower Structural	Project Engineer	Independent Technical Reviewer	Gates Expert				
	N. Walker	J. Crouch	Project Controller	T. Karst- Riddoch	B. Winston	L. Hatch	V. Adams, R. Hawthorne, B. Skolozdra	Aeration System SME	C. Adams	Q. Harlen	S. Pauls	G. Hesseltine	S. Weber	R. Carpio	R. Watts	Sr. Geologist	M. Simon	S. Warren	ITR	L. Gerbig				
	\$271	\$162	\$191	\$177	\$144	\$253	\$271	\$336	\$271	\$120	\$186	\$130	\$221	\$205	\$236	\$289	\$271	\$158	\$365	\$452				
PHASE 1																								
Task 1: Project Management	62	48	32	28	0	0	0	0	0	0	0	0	0	0	0	2	14	6	0	0	192	\$40,966	\$2,456	\$43,422
Site Visits	12	24		24													12				72	\$14,640	\$2,456	\$17,096
H&S Plan			6																		6	\$1,146	-	\$1,146
Kick-Off Meeting (Phase 1 and 2)	20	4																			24	\$6,068	-	\$6,068
Progress Meetings	20	20		4												2	2	6			54	\$11,436	-	\$11,436
Project Set-Up			6																		6	\$1,146	-	\$1,146
Prepare Invoices	10		20																		30	\$6,530	-	\$6,530
Task 2: Water Quality Review and Analysis	8	12	4	44	60	10		6													144	\$25,850	\$0	\$25,850
Task 3: Feasibility Design for Oxygenation and Aeration Systems	24	78	6	18	0	2	14	12	44	40	38	30	28	52	0	0	0	0	0	0	386	\$76,344	\$0	\$76,344
Oxygenation and Aeration System Options Analysis	20	72		16		2		12													122	\$24,454	-	\$24,454
Prepare 15% BODR	4	4	6	2			4		40		8		16								84	\$20,180	-	\$20,180
Prepare 15% Design Drawings (Includes: Draft, comment responses, and Final)		2							4	40	30	30	12	52							170	\$29,000	-	\$29,000
QAQC							10														10	\$2,710	-	\$2,710
Task 4: Feasibility Design and Engineering of Multi-Level Outlet Tower	39	76	45	8	0	0	0	4	36	54	0	0	75	80	30	64	151	158	22	55	897	\$207,798	\$0	\$207,798
Task 4A Data Review and Development of Study Approach	2	72							4	8			12	0	0	10	16	16	4	8	152	\$31,732	-	\$31,732
Task 4B Civil and Structural Analysis for Alternatives	32	2	30	8				4	0	0			4	80	30	24	100	100	18	17	449	\$105,940	-	\$105,940
Task 4C Mechanical and Electrical Analysis for Alternatives	5	2	15						32	46			59	0	0	30	35	42	0	30	296	\$70,126	-	\$70,126
Task 5: Evaluation and Cost Estimating of Water Quality Mitigation Options	9	58	12	2	8	2	0	0	2	6	4	2	4	0	16	0	6	18	2	1	152	\$28,717	\$0	\$28,717
Evaluation of options	8	56	12	2	8																86	\$15,038	-	\$15,038
Prepare Cost Estimate (Task 5)	1	2				2			2	6	4	2	4		16	0	6	18	2	1	66	\$13,679	-	\$13,679
Task 6: Water Quality Mitigation Plan Recommendations and Reporting	4	12	10	2	4	4			4		4		4			4	4	4	2	2	64	\$14,098	\$0	\$14,098
PHASE 1 Subtotal	146	284	109	102	72	18	14	22	86	100	46	32	111	132	46	70	175	186	26	58	1835	\$393,773	\$2,456	\$396,229
PHASE 2																								
Task 7: Outlet Gates 60% Design	28	104	32	10	0	0	0	0	24	40	0	0	0	164	24	31	80	274	9	10	830	\$164,642	\$0	\$164,642
60% Design Drawings	24	100							8	40				164		18	48	124	4	6	536	\$105,266	-	\$105,266
Draft Technical Specifications			16						8							2	8	30	2	4	70	\$15,248	-	\$15,248
Basis of Design Report									8							10	6	45	2		71	\$14,524	-	\$14,524
Cost Estimate															24	1	4	34	1		64	\$12,774	-	\$12,774
Draft Submittal			10	6													2	7			25	\$4,620	-	\$4,620
Final Submittal	4	4	6	4													12	34			64	\$12,210	-	\$12,210
PROJECT Total	174	388	141	112	72	18	14	22	110	140	46	32	111	296	70	101	255	460	35	68	2665	\$558,415	\$2,456	\$560,871

AECOM FEE SCHEDULE 2024 – WATER BUSINESS LINE – US WEST REGION

The following describes the basis for compensation for services performed. This Fee Schedule will be effective through the end of the year. Each subsequent year, this Fee Schedule will be adjusted annually to reflect merit increases, economic salary increases, inflation increases, cost of living increases, and changes in the expected level and mode of operations for the new year. The new Fee Schedule will apply to existing and new assignments.

PERSONNEL CHARGES

The charge for labor time required in performing the Scope of Services, including office, field, and travel time, will be at the Unit Price Hourly Rates set forth below for the labor classifications indicated.

<u>Labor Classification</u>	<u>HourlyRate</u>
Assistant/Support Staff 1	57
Assistant/Support Staff 2	71
Assistant/Support Staff 3	86
Assistant/Support Staff 4	100
Assistant/Support Staff 5	113
Assistant/Support Staff 6	130
Assistant/Support Staff 7	144
Assistant/Support Staff 8	158
Assistant/Support Staff 9	172
Assistant/Support Staff 10	186
Staff 1	105
Staff 2	120
Staff 3	134
Staff 4	148
Staff 5	162
Project 1	177
Project 2	191
Project 3	205
Project 4	221
Project 5	236
Consultant 1	253
Consultant 2	271
Consultant 3	289
Consultant 4	305
Consultant 5	322
Principal 1	336
Principal 2	365
Principal 3	394
Principal 4	423
Principal 5	452

Project Manager classification rates are by levels and depend on the size and complexity of the job.

Charges for temporary personnel under Company supervision and using Company facilities will be invoiced according to the hourly rate corresponding to their classification, if not billed as subcontractors.

When Company staff appear as expert witnesses at court

This fee schedule contains AECOM confidential business information. Do not disclose, copy, or distribute without written permission from AECOM.

trials, arbitration hearings, mediation, and depositions, their time will be charged at a negotiated Expert Witness rate.

Overtime (hours worked in excess of 8 hours per day) by exempt personnel will be charged at the above straight time hourly rate. Overtime by non-exempt personnel will be charged at time and a half.

Project accounting reporting and financial services, including submission of invoice support documentation, will be charged at the appropriate rate of the staff performing the work.

OTHER PROJECT CHARGES

Subcontracts

The cost of services subcontracted by the Company to others will be charged at cost plus 15%.

Travel and Other Direct Costs

The cost of travel (airfare, lodging, meals, rental vehicles, parking fees, baggage handling cost, etc.) or other direct costs (field supplies, report binding supplies, leased or rented field equipment, etc.) will be charged at cost plus 15%. A per diem may be used for lodging and meals.

Communications

A flat rate of 3% of the total labor charges will be invoiced for charges for normal telephone, long-distance telephone, cellular telephone, facsimiles, email, and normal correspondence mailing. All other communication fees (e.g., Express Mail, other shipping, etc.) will be charged as Other Direct Costs.

Document Reproduction

In-house labor for document reproduction will be charged directly to projects. External reproduction will be charged at cost plus 15%.

Vehicles and Mileage

Company owned or leased field vehicles (cars, pickups, vans, trucks, etc.) used on project assignments will be charged at the current mileage rate established by the Internal Revenue Service or other project-specific negotiated rate. The mileage charge for personal autos will be the current mileage rate established by the Internal Revenue Service.



Council Agenda Summary

March 19, 2024

Key Staff Contact: Brian McBroom, Community Development Director

Title:

Introduction and first reading of an ordinance amending Title 1, Chapter 12 and Title 2, Chapter 12 of the Greeley Municipal Code relating to code compliance and chronic public nuisance

Summary:

At the December 12th City Council Work Session, at City Council's request, staff presented alternatives for strengthening the city's regulations pertaining to "chronic public nuisances". Based upon the feedback the City Council provided, several amendments to Chapter 12 are proposed. Below are highlights only. The full draft of the code amendments is included in the packet.

- TITLE 1, CHAPTER 12 - Chronic Public Nuisance Violations
 - Section 1-292 – amendments to the definitions lower the threshold for chronic public nuisance determinations.
 - Section 1-293 – amendments set minimum fines for chronic public nuisances at \$1,000.
 - Section 2-1043 – makes interfering with an abatement order a misdemeanor.
 - Section 2-1044 – permits a code inspector right of entry without a warrant under specific, objective conditions.
- Article V - Procedure for Chronic Public Nuisances
 - Section 2-1045 - Reduces the threshold for declaring a chronic public nuisance, consistent with Section 1 above.
 - Section 2-1049 – allows for mitigating factors when a property owner has been a victim of property crimes by tenants of a chronic nuisance property or has otherwise taken steps to prevent chronic public nuisance activities on site.

Staff recommends that this ordinance amending Chapter 12 be accepted on first reading and that second reading and a Public Hearing be scheduled for the April 2, 2024, City Council meeting.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
Is there grant funding for this item?	No

Legal Issues:

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

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

Other issues and Considerations:

This proposed ordinance is pursuant to Council Initiative 2023-08

Strategic Focus Area:



Community Vitality



Housing For All



Quality of Life



Safe and Secure Communities

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 second reading for April 2, 2024

Attachments:

1. Ord 4, 2024 with Appendix A

**CITY OF GREELEY, COLORADO
ORDINANCE NO. 4, 2024**

**AN ORDINANCE AMENDING TITLE 1, CHAPTER 12 and TITLE 2, CHAPTER 12
OF THE GREELEY MUNICIPAL CODE RELATING TO CODE COMPLIANCE**

WHEREAS, the City of Greeley, Colorado (“City”) is a home rule municipality, and pursuant to Article XX, Section 6 of the Colorado constitution has the right to enact, administer and enforce ordinances; and

WHEREAS, it is the responsibility of multiple departments in the City to respond to code violations, requiring a coordinated response to community and neighborhood concerns; and

WHEREAS, strengthening the provisions and the penalties of public nuisance violations will further discourage persistent violations of the Greeley Municipal Code; and

WHEREAS, the recommended amendments to the Greeley Municipal Code would ensure compliance with the code to meet neighborhood and community expectations, encourage economic stability and growth, and protect the health, safety and welfare of the city and its inhabitants.

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

Section 1. Chapter 12, Chronic Public Nuisance Violations, of Title 1, General Provisions, shall be amended as shown in Appendix A.

Section 2. Sections 2-1035, 2-1042, 2-1043, 2-1044 of Article III, Procedures for Administrative Code Violations, Chapter 12, Administrative Hearing Process, of Title 2, Administrative and General Government, shall be amended as shown in Appendix A.

Section 3. Sections 2-1045, 2-1049, 2-1050, 2-1051 of Article V, Procedures for Chronic Public Nuisance Violations, Chapter 12, Administrative Hearing Process, of Title 2, Administrative and General Government, shall be amended as shown in Appendix A.

Section 4. This ordinance shall become effective five (5) days following its final publication as provided by Section 3-16 of the Greeley City Charter.

**PASSED AND ADOPTED, SIGNED AND APPROVED, THIS ____ DAY OF _____,
_____, 2024.**

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor

APPENDIX A
ORDINANCE NO. 4, 2024

**ORDINANCE AMENDING TITLE 1, CHAPTER 12 AND TITLE 2, CHAPTER 12 OF
THE GREELEY MUNICIPAL CODE**

Section 1. Chapter 12, Chronic Public Nuisance Violations, of Title 1, General Provisions, shall be amended to read as follows to read as follows:

Sec. 1-291. Purpose; cooperative compliance efforts.

The purpose of this chapter is to promote the health, safety and welfare of the residents of the city by encouraging and promoting compliance with this Code. Recurring violations on parcels of property in the city can result in the creation of public nuisances, which seriously threaten the health, peace and safety of neighboring residents and undermine the quality of life of the residents of the city. In furtherance of this policy, the city shall provide enforcement mechanisms to reduce chronic violations of the Code and State statutes as further outlined in this chapter.

Sec. 1-292. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Chronic public nuisance property means a parcel of real property or a unit within a complex for which activities have resulted in a conviction of or finding of liability for public nuisance violations, against a person or business owning or occupying the property two times within a 12-month period, or three times within an 18-month period. For the purposes of counting only, multiple violations occurring on the same day count as one violation.

Chronic public nuisance violator means a person or business who or which has been convicted of or found liable for two public nuisance violations within a 12-month period, or three public nuisance violations within an 18-month period. For the purposes of counting only, multiple violations occurring on the same day shall be counted as one violation. A chronic public nuisance violator can be a property owner, agent, or tenant.

Drug-related activity means an activity at a property in violation of C.R.S. Title 18, Article 18, Part 4, including the unlawful manufacture, cultivation, growth, production, delivery, sale, storage, possession, use, or giving away of any controlled substance.

Public nuisance violation means a conviction or finding of liability under any nontraffic laws of the city, county, or the state, that harms the health, safety, or welfare of the residents of the city.

Person of interest means any person owning or claiming any legal or equitable interest or right of possession in the property, tenants and occupants of the property, and managers and agents for any person claiming a legal or equitable interest in the property.

Public nuisance activity means any violation under the nontraffic laws of the city, county, or the state, that harms the health, safety, or welfare of the residents of the city, and that occurs or exists on a property.

Vacant or abandoned building means any building that has not been lawfully occupied for 60 days, demonstrates signs of neglect and has been wholly or partially boarded up and does not show any evidence of ongoing or substantial construction activity pursuant to a valid building permit.

Sec. 1-293. Violations.

(a) Chronic public nuisance property. A parcel of real property or a unit within a complex for which public nuisance activities occurred, three times within a 120 day period, or five times within a 12 month period, or two drug-related activities within 30 days, or a public nuisance activity at a vacant or abandoned property. For the purposes of counting only, multiple violations occurring on the same day count as one violation.

(b) Chronic public nuisance violator. A person or business who or which public nuisance activities occurred, three times within a 120 day period, or five times within a 12 month period, or two drug-related activities within 30 days, or a public nuisance activity at a vacant or abandoned property. For the purposes of counting only, multiple violations occurring on the same day shall be counted as one violation. A chronic public nuisance violator can be a property owner, agent, or tenant.

(c) Special offender – chronic public nuisance violator. It is a violation to commit a public nuisance activity as a Chronic Public Nuisance Violator. Any person in violation commits a misdemeanor offense and shall be punishable pursuant to Chapter 9 of Title 1 of this code.

(d) All violations under this chapter shall be strict liability violations requiring no culpable mental state of any type or degree.

Sec. 1-2934. Penalties.

(a) Chronic public nuisance violations; shall be subject to a fine of not less than \$1,000.00 and the property and violator will be placed on the chronic public nuisance databases. When a property or violator is currently designated a chronic public nuisance, any subsequent violations shall be subject to a fine of not less than \$1,000.00.

Sec. 1-2945. Chronic public nuisance databases.

(a) Chronic public nuisance violator database.

(1) Maintenance of database. The city shall maintain a database of the name of any property owner, agent or tenant who has been declared a chronic violator pursuant to section 1-295. The database shall be available to the general public.

(2) Removal from database. The city shall remove the name of a property owner, agent, or tenant from the chronic violator database when the city learns or is notified that the property owner, agent, or tenant has not been convicted or found liable for any public nuisance violations within 12 months of placement on the database.

(b) Chronic public nuisance property database.

(1) Maintenance of database. The city shall maintain a database of the addresses of each property parcel or unit within complexes that has been declared to be a chronic public nuisance property pursuant to section 2-1045. The database shall be available to the general public.

(2) Removal from database. The city shall remove the address from the database when the city learns or is notified of one of the following events:

a. That the parcel or unit has not been the location of a conviction or finding of liability for any public nuisance violations within 12 months of the placement on the database; or

b. That the parcel or unit has been transferred in a documented transaction, subject to the requirements outlined in section 2-1048.

Sec. 1-2956. Action against chronic public nuisance violator/chronic public nuisance property.

An action against a chronic violator or chronic violation property shall be in the nature of an administrative proceeding. All issues of fact and law in such actions shall be heard by the

Administrative Hearing Officer pursuant to procedures set forth in chapter 12 of title 2 of this Code. Because such actions may affect the marketability of real property, the city may record with the county clerk and recorder a notice of lis pendens against the real property involved to fully inform and protect the interests of any bona fide innocent third-party purchaser.

Sec. 1-297. Required procedures for commencement of chronic public nuisance action.

(a) Before the city files an action for a chronic public nuisance violation, the city must provide notice of the public nuisance activities and a warning to the property of an impending complaint unless the requisite number of public nuisance activities have been adjudicated in the administrative hearing process or the municipal court.

(b) The notice shall be served in accordance with section 2-1029. If no contact is made by a person of interest to the city by a date set in the notice, the city may file an action for a chronic public nuisance violation.

(c) A person of interest may be given the opportunity to enter into a settlement agreement with the city prior to filing a complaint. The terms of the agreement would require the person of interest to take corrective action to abate and avoid nuisance conditions.

(d) If the person of interest does not comply with the conditions of the settlement agreement, the city may file an action for a chronic public nuisance violation.

Sec. 1-2968. Remedies under other laws unaffected.

Nothing in this chapter shall be construed as limiting the city or any other person from pursuing any other remedies available at law or in equity, including referral to the county district attorney for consideration of charges pursuant to C.R.S. § 16-13-301 et seq.

Section 2. Sections 2-1035, 2-1042, 2-1043, 2-1044 of Article III, Procedures for Administrative Code Violations, Chapter 12, Administrative Hearing Process, of Title 2, Administrative and General Government, shall be amended to read as follows to read as follows:

Sec. 2-1035. Abatement orders; ~~emergency abatement.~~

(a) Issuance of abatement orders: If the administrative hearing officer determines that the Code violation should be abated by the city, the administrative hearing officer shall issue an order for abatement by the city of the violation, charged to the owner of the property. A copy of such order shall be served on the owner of the property pursuant to this chapter.

(1) Every abatement order shall set forth the reasons for its issuance; shall be reasonably specific in its terms; shall describe in reasonable detail the acts and conditions authorized, required or prohibited; and shall be binding upon the parcel, the parties to the action, their attorneys, agents and employees and any other person named as a party-defendant in the action and served with a copy of the order.

(b) Notice after abatement completed by city: Within 45 calendar days of the date that the property is abated pursuant to an abatement order, the city shall serve notice to the owner of the property of the following:

(1) The abatement action has taken place;

(2) The owner has been charged a reasonable amount for the abatement, together with an administrative fee set in accordance with chapter 2 of Title 1, plus 20 percent of the costs for

abating the violation, inspections, and other expenses, to cover the city's costs for performing the abatement and to encourage citizen compliance with the Code; and

(3) That the owner has the right to move the administrative hearing officer for reconsideration of the abatement charges.

(~~e~~4) If the owner does not move for reconsideration of the abatement charges, the costs of abatement shall become final and shall be collected in accordance with this chapter.

(~~d~~5) If the owner moves for reconsideration, and the abatement charges are upheld by the administrative hearing officer, the costs of abatement shall become final and shall be collected.

(~~e~~c) Emergency abatement order: If the city determines that a Code violation is a cause of imminent danger to the public health, safety, or welfare, the city may request an ex parte emergency abatement order from the administrative hearing officer, without providing notice to the owner.

(1) If the administrative hearing officer determines that the city has proven that such order is reasonably necessary to avoid imminent danger to the public health, safety, or welfare and that the violation should be abated, he shall issue an order for emergency abatement.

(2) An emergency abatement request by the city shall be reviewed by the administrative hearing officer as soon as possible, preferably within 48 hours ~~2 business days~~.

(3) The purpose of an emergency abatement order shall be to temporarily abate an alleged repeated or chronic violation pending the final determination of the violation at a hearing. An emergency abatement order may be issued by the administrative hearing officer pursuant to the provisions of this section even if the effect of such order is to change, rather than preserve, the status quo.

Sec. 2-1042. Failure to comply with orders of administrative hearing officer.

Failure to comply with any order issued by the administrative hearing officer shall constitute a ~~criminal violation~~ misdemeanor offense of this Code and a respondent who fails to comply may be subject to prosecution before the municipal court and be penalized pursuant to chapter 9 of title 1 of this Code.

Sec. 2-1043. Interference with abatement.

It is unlawful to interfere with an abatement, which is ordered by the administrative hearing officer. This violation shall constitute a misdemeanor offense of this Code and a respondent who fails to comply may be subject to prosecution before the municipal court and be penalized pursuant to chapter 9 of title 1 of this Code.

Sec. 2-1044. Inspection and entry.

(a) A code compliance inspector with reasonable suspicion to believe a public nuisance exists on a property may enter onto it, without a warrant, to inspect and abate any existing public nuisance and prevent the nuisance from recurring provided the code compliance inspector does not enter a building on the property, enter the curtilage of a residential building on the property, or enter an area of the property enclosed by a privacy fence or similar enclosure. If the suspected public nuisance is within a building, the curtilage of a residential building, or enclosed by a privacy fence or similar enclosure, a code enforcement officer may enter such areas only with the consent of the owner, lessee, agent, or occupant, as applicable, or after obtaining a warrant as provided in subsection (c) of this Section.

(b) If entry is refused by the owner, lessee, agent, or occupant, as applicable, or they cannot be located after a reasonable effort, the code enforcement officer shall either personally serve the owner, lessee, agent, or occupant, as applicable, if they are located or, if not located, post on the property in a conspicuous location a written notice of intention to inspect and abate not sooner than 24 hours after the time specified in such notice. The notice shall state that the owner, lessee, agent, or occupant, as applicable, has the right to refuse entry, and if such entry is refused, inspection and abatement may be made only upon issuance of a search warrant by a municipal judge, or by a judge of any other court having jurisdiction.

(c) After the expiration of the 24 hour period from the serving or posting of the notice of intent to inspect and abate, the code enforcement officer may appear before a municipal judge or a judge of any other court having jurisdiction and, upon a showing of probable cause by written affidavit, obtain a search warrant entitling the code enforcement officer to enter the building, curtilage area, or fenced area, as applicable, to inspect the property, abate any nuisance, and prevent the nuisance occurring again. Upon presentation of the search warrant and proper credentials to any persons in possession of the property, or possession of the warrant in the case of an unoccupied property, the code enforcement officer may enter the building, the curtilage area, or fenced area, as applicable, and may use such reasonable force as may be necessary to gain entry to inspect the property, abate any nuisance, and prevent the nuisance occurring again.

(d) It is unlawful for any owner, lessee, agent, or occupant of the building or on the property to deny entry to a code enforcement officer or to resist reasonable force used by such officer acting pursuant to a search warrant issued pursuant to this Section.

(e) Whenever a public nuisance exists on a property that constitutes an emergency immediately threatening the life or safety of any person or other exigent circumstance exists, a code enforcement officer may enter any building on the property or any other portion of the property without a search warrant as reasonably necessary to abate the public nuisance constituting the emergency and prevent it from occurring again, and the code enforcement officer may use such reasonable force as is necessary to enter the building or onto the property to do so.

Section 3. Sections 2-1045, 2-1049, 2-1050, 2-1051 of Article V, Procedures for Chronic Public Nuisance Violations, Chapter 12, Administrative Hearing Process, of Title 2, Administrative and General Government, shall be amended to read as follows to read as follows:

Sec. 2-1045. Declaration and procedures for chronic public nuisance violations.

(a) The administrative hearing officer shall declare a property owner, agent, or tenant a chronic public nuisance violator or a property a chronic public nuisance property if:

(1) At a hearing, the city ~~establishes~~ proves the number ~~and time period~~ of public nuisance violations during a time period as required by this chapter 12 of title 1; or

(2) The property owner, business, agent, or tenant fails to appear at a hearing, notice of which was served pursuant to this chapter; or

(3) The property owner, agent, or tenant stipulates to the declaration.

(b) A finding of liability or conviction of a public nuisance violation is deemed conclusive evidence.

~~(b)~~ (c) All elements of a public nuisance activity, which has not been previously adjudicated, must be established by the city by a preponderance of the evidence.

(d) Upon declaration, the administrative hearing officer shall order:

(1) Placement on the database described in section 1-294; and

- (2) Payment of fines, fees and costs unless the city and the owner, business, agent, or tenant stipulates to orders and remedies, emergency or permanent, that are different from those provided in this chapter or chapter 10 and chapter 12 of title 1; and
- (3) Other remedies or acts necessary for the city to abate the nuisance or to take steps to prevent nuisance activities from occurring on the property.

Sec. 2-1049. Stipulated alternative remedies.

- (a) The city and respondent may voluntarily stipulate to orders and remedies, temporary or permanent, that are different than those provided in this code.
- (b) The administrative hearing officer shall make such stipulations for alternative remedies an order of the court and they shall be enforceable as an order of the court.

Sec. 2-1050. Mitigating factors.

If the owner, lessee, agent, or occupant who is a party-defendant in an action under this Article was the victim of or person harmed by the nuisance activity or activities that form the basis for the public nuisance on the property or for the property becoming a chronic nuisance property, the court may take this fact into consideration as a mitigating factor in determining such party's liability or guilt in such action, but only if the court also finds that:

- (1) The party or someone acting on their behalf promptly reported the nuisance activity or activities to the proper law enforcement agency; and
- (2) At the time the activity or activities occurred, the party, owner or lessee of the property, had reasonably effective means in place to prevent such activity or activities from occurring on the property or to manage them if prevention is not reasonably practicable. These means may include, without limitation, security cameras, security services, fencing, on-site personnel, and any other services, equipment, or facilities that have as their function to prevent, in whole or in part, nuisance activities from occurring or existing on the property.

Sec. 2-1051. Remedies under other laws unaffected.

Nothing in this chapter shall be construed as limiting or forbidding the city or any other person from pursuing any other remedies available at law or in equity, or requiring that evidence or property seized, confiscated, closed, forfeited or destroyed under other provisions of the law be subjected to the special remedies and procedures provided in this chapter.

Secs. 2-1052 ~~2-1049~~—2-1057. Reserved.



Council Agenda Summary

March 19, 2024

Key Staff Contact: Caleb Weitz, Budget and Policy Director

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 2024 and for funds held in reserve for encumbrances through December 31, 2023

Summary:

This is the first supplemental appropriation ordinance modifying the 2024 budget. This appropriation ensures that existing commitments that were in progress at 2023 year-end can be completed in 2024, designates resources for additional priorities and commitments, and appropriates funding to support various capital improvement projects.

This appropriation includes 45 requests that are outlined in more detail on the attached Detail Supporting Schedule and totals \$63.7 million. More than half (54 percent) of the requests are re-appropriation of previously approved requests. Listed below are highlights of the requests included in the requested appropriation:

\$34.4 million to appropriate previously approved requests (Various Funds).

\$6.6 million to acquire water shares (Water Rights Acquisition Fund).

\$4.3 million in new grant funding to support the Cameron Peak Fire mitigation (Water Operations Fund).

\$2.5 million to build two dog parks in identified areas in central & west Greeley (Park Development Fund).

\$2.4 million to support the creation of a Real Time Information Center (Public Safety Fund).

\$2.2 million to support the Lead Service Line Inventory & Replacement project (Water Capital Replacement Fund).

\$1.0 million for legal expenses related to the Bellvue Water Treatment Plant litigation (Water Operations Fund).

\$1.0 million to purchase the Ferguson Property (Park Development Fund).

The attached ordinance includes the proposed budget increases to ensure the City meets the requirements of the charter that expenditures do not exceed what has been appropriated by Council. Council may adjust or remove any of the budget requests prior to adoption at the proposed second reading on April 2, 2024.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime	\$63,740,563

impact?		
What is the annual impact?		\$63,740,563
What fund of the City will provide Funding?		See Ordinance
What is the source of revenue within the fund?		Fund balance, Expense Reimbursements, Refund of Expenditures, Grants, and Loan Proceeds
Is there grant funding for this item?		Yes
If yes, does this grant require a match?		Yes: Various Items
Is this grant onetime or ongoing?		One-time
Additional Comments:	Total appropriations made by this ordinance, excluding transfers, are \$63,740,563. The following funding sources will be used to cover the appropriations made by this ordinance.	
	Source	Total
	Fund Balance	\$ 42,800,395
	Grant	15,528,702
	Expense Reimbursement	2,204,600
	Loan Proceeds	1,906,866
	Refund of Expenditures	1,300,000
	Grand Total	\$ 63,740,563

Legal Issues:

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

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

Other issues and Considerations:

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

Strategic Focus Area:



High-Performance Government



Housing For All



Infrastructure and Mobility



Quality of Life



Safe and Secure Communities

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 second reading for April 2, 2024

Attachments:

1. Ord 5, 2024
2. 2024 Appropriation - Detail Supporting Schedule

CITY OF GREELEY, COLORADO
ORDINANCE NO. 5, 2024

**AN ORDINANCE APPROPRIATING ADDITIONAL SUMS TO DEFRAY THE EXPENSES
AND LIABILITIES OF THE CITY OF GREELEY FOR THE BALANCE OF THE FISCAL
YEAR OF 2024 AND FOR FUNDS HELD IN RESERVE FOR ENCUMBRANCES AT
DECEMBER 31, 2023**

WHEREAS, the City of Greeley has or will incur expenses for certain activities described below during the 2024 fiscal year; and

WHEREAS, the revenues received in the City of Greeley in 2023, exceeded the amount of revenues estimated in the 2023 Budget by more than the total amount of the expenditures in the same year.

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

Section 1. In accordance with section 5-17 of the Greeley Charter, from actual and anticipated revenues which exceed the revenue estimates in the 2024 budget and amounts held in fund balance reserves from 2023, there is hereby appropriated the following designated sums to be allocated for use during the remainder of 2024:

Fund	Amount	Transfers	Total
100 GENERAL FUND	\$ 1,047,808	-	\$ 1,047,808
103 HUD GRANTS FUND	4,499,244	-	4,499,244
104 STREETS AND ROADS	262,132	-	262,132
121 PUBLIC SAFETY .16%	2,633,052	-	2,633,052
140 MUSEUMS	90,000	-	90,000
300 PUBLIC IMPROVEMENT	2,427,000	-	2,427,000
304 FOOD TAX	1,023,954	-	1,023,954
318 QUALITY OF LIFE	3,776,046	-	3,776,046
321 STREET INFRASTRUCTURE	315,905	-	315,905
330 DEVELOPMENT FUNDS	17,403,365	-	17,403,365
410 SEWER	32,500	-	32,500
420 WATER	27,520,211	-	27,520,211
430 STORMWATER	1,650,000	-	1,650,000
500 EMPLOYEE BENEFIT	235,000	-	235,000
510 EQUIPMENT & FLEET	722,346	-	722,346
520 INFORMATION TECHNOLOGY	102,000	-	102,000
Grand Total	\$ 63,740,563	-	\$ 63,740,563

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 take effect on the fifth day following its final publication, as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ____ DAY OF _____, 2024.

ATTEST

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor



City of Greeley 2024 Appropriation City Council Meetings: March 19th & April 2nd

Fund	Item	Department	Funding Source	Type	Description	Fund Balance	Revenue	Expenditures	Net Impact
100 - GENERAL FUND									
	1	FIRE	Fund Balance	R	This request will reappropriate 2023 funding from an Opioid settlement that is being managed by the Greeley Fire Department. Not all of the funding was obligated and needs to be included in the 2024 Budget to support the purchase of additional items.	78,299	-	78,299	-
	2	PW	Fund Balance	R	This request will reappropriate funding for the Mobility Development/Strategic Plan. Although this was budgeted for in 2023, there were delays in obligating the funding. This plan is required by the Federal Transit Administration (FTA) for operating, planning, preventative maintenance, and capital. This plan must be updated every five years for compliance and to qualify for the FTA grant.	400,000	-	400,000	-
	3	HR	Fund Balance	R	This request reappropriate funding to support four (4) positions within Human Resources to meet the 2024 demands of employee recruitment and retention efforts in the City. The positions include two Talent Acquisition Partners, one Talent Acquisition Sourcer, and one Benefits Analyst.	430,120	-	430,120	-
	4	NON-DEPT	Fund Balance	N	This request will appropriate additional funding for polling work related to potential ballot measures for the November 2024 election. The City completed an initial poll in December 2023 and has plans to conduct a second poll in June 2024. This funding request will support additional qualitative public opinion research in the form of focus groups this spring. This work will increase engagement to educate and inform residents of the city's funding needs and to better understand community priorities.	46,460	-	46,460	-
	5	CD	Grant	N	The Community Development department is receiving a grant from History Colorado to complete a reconnaissance and intensive level survey of approximately 544 properties in the Sunrise Neighborhood in Greeley, Colorado. \$92,929 is being awarded in state funding with the requirement of a 5% city match (\$4,892). The 5% match can be covered with existing 2024 Budget.	-	92,929	92,929	-
100 - GENERAL FUND						954,879	92,929	1,047,808	-
103 - HUD GRANTS FUND									
	6	HH	Grant	R	This request will reappropriate the HOME-ARP (American Rescue Plan) federal grant funding in the amount of \$1,481,453. Per the 2023 Grant Ordinance, these funds have already been made available for the department for the intended uses. This appropriation action is simply a ratification.	-	1,481,453	1,481,453	-
	7	HH	Grant	R	This request will reappropriate the federal Community Development Block Grant (CDBG-CV) in the amount of \$170,000. Per the 2023 Grant Ordinance, these funds have already been made available for the department for the intended uses. This appropriation action is simply a ratification.	-	170,000	170,000	-
	8	HH	Grant	R	This request will reappropriate the HOME Investment Partnership Grant for administration of the grant and for affordable housing projects that meet the regulations of the grant. Per the 2023 Grant Ordinance, these funds have already been made available for the department for the intended uses. This appropriation action is simply a ratification.	-	2,449,072	2,449,072	-
	9	HH	Grant	R	This request is to reappropriate Community Development Block Grant (CDBG) funding for activities that will continue into 2024. Per the 2023 Grant Ordinance, these funds have already been made available for the department for the intended uses. This appropriation action is simply a ratification.	-	398,719	398,719	-
103 - HUD GRANTS FUND						-	4,499,244	4,499,244	-
104 - STREETS AND ROADS FUND									
	10	PW	Grant	N	This request will appropriate state grant funding that was awarded in 2022 & 2023, but not completely spent. These are both reimbursable grants and considered new funding. One of the grants is for crime prevention (\$150,000) that does not require a match and remains available for reimbursement. This funding will specifically be used for the Safer Streets Program which is from the Colorado Division of Criminal Justice to facilitate improvements in a key downtown alley. This will improve safety through enhanced lighting, waste collection consolidation, and placemaking efforts. The second grant is the Waste Characterization Study (\$147,895) that requires a local match of \$19,650. To date, \$112,132 remains available. This funding is being reimbursed from the Colorado Department of Public Health & Environment (CDPHE) and is part of the Front Range Water Diversion program. This will be used for a waste characterization study to include sampling process, data analysis, and project management.	-	262,132	262,132	-
104 - STREETS AND ROADS FUND						-	262,132	262,132	-
121 - PUBLIC SAFETY .16%									
	11	POLICE	Fund Balance	N	This request will appropriate \$233,750 for a patrol rifle program. The Greeley Police Department has never had a formal patrol rifle program. SWAT rifles were purchased as far back as 2001. The Greeley Police Department does not have, nor has ever had rifles to issue to all sworn officers. This critical piece of safety equipment is tied to growth, retention, and safe and secure communities. It should be known that historically, the Greeley Police Department has utilized the Federal Government 1033-Exchange program. The Greeley Police Department has used these issued rifles, but they are not in service. The department would like to return all current rifles back to the federal government.	233,750	-	233,750	-
	12	POLICE	Fund Balance	N	The Greeley Police Department is creating a Real Time Information Center (RTIC) to leverage cutting edge technology, data analytics and the collective expertise of our highly skilled professionals to enhance public safety, solve and prevent crimes. This request will appropriate fund balance to support the initial start-up costs in 2024.	2,399,302	-	2,399,302	-
121 - PUBLIC SAFETY .16%						2,633,052	-	2,633,052	-
140 - MUSEUMS									
	13	CPRD	Fund Balance	N	This request will fund the replacement of a new museums collections database and website redevelopment. The current system is not accessible online and is no longer fit for purpose in a modern museum. An online platform will allow the City to increase revenue from sales of image and document re-prints, and will allow the City to showcase the richness of over 80,000 collection items.	90,000	-	90,000	-
140 - MUSEUMS						90,000	-	90,000	-

Fund	Item	Department	Funding Source	Type	Description	Fund Balance	Revenue	Expenditures	Net Impact
301 - PUBLIC IMPROVEMENT									
	14	PW	Fund Balance	N	This request will appropriate funding from the Road Development Fund to repay a federal grant for the 10th Street Improvements project. On October 28, 2022, the Colorado Department of Transportation (CDOT) notified the City that the federal award for the project was withdrawn due to project documentation deficiencies regarding the Federal Buy America Act regulations as outlined in the executed Intergovernmental Agreement (IGA). The amount of funding (\$2,178,420) originally reimbursed to the City must be repaid to CDOT. This request will allow for the first two payments to be made.	1,100,000	-	1,100,000	-
	15	PW	Refund of Expenditures	N	As part of the Ironwood Development Agreement between the City and All Recycling Inc, the City of Greeley agreed to design and construct Apricot Avenue (including street lights, sidewalks, landscape, and irrigation) and to install water & sewer utilities in the Ironwood Business Park to complete the street system. The funding for this work was approved as part of the 2024 GURA budget and will come from the Western Sugar Tax Increment Financing account on a reimbursable basis and will not exceed \$1,300,000.	-	1,300,000	1,300,000	-
301 - PUBLIC IMPROVEMENT						1,100,000	1,300,000	2,400,000	-
304 - FOOD TAX									
	16	PW	Fund Balance	R	This request will reappropriate funding to create one large parking lot at the FunPlex and Twin Rivers Community Park. Funding will also be used to replace the City Center North parking lot.	500,000	-	500,000	-
	17	CPRD	Grant / Fund Balance	R	This request will reappropriate original grant funding in 2021 that was budgeted as part of Trail Capital Maintenance that has since exceeded the 3-year limitation. Approximately 200 linear feet of bank restoration on the Cache la Poudre River and trail reconstruction of the adjacent Poudre River Trail has been undercut by high river flows over the past several years. Additional funds are for staff salaries for grant program management as an in-kind match.	261,977	261,977	523,954	-
304 - FOOD TAX						761,977	261,977	1,023,954	-
305 - SOFTBALL IMPROVEMENT									
	18	CPRD	Fund Balance	N	This request will appropriate funding from the Softball Improvement Fund to accommodate the production and installation of new field signage at the Twin River Sports Complex and to replace a water bottle filler/drinking fountain at the Twin Rivers Softball restroom building that is no longer functional.	27,000	-	27,000	-
305 - SOFTBALL IMPROVEMENT						27,000	-	27,000	-
318 - QUALITY OF LIFE									
	19	CPRD	Fund Balance	R	This request will reappropriate the remaining project fund balance within Quality of Life to complete the construction improvements at Delta Park. This project has taken longer than projected due to COVID-19 and difficulties in gathering public input during the public engagement and design process. The Trust for Public Lands has partnered with the City to complete the design and construction projects in Delta Park.	3,426,046	-	3,426,046	-
	20	CPRD	Fund Balance	N	This appropriation request will fund a design firm to perform outreach and design an updated master plan of Lincoln Park, with an end result of constructing the designed improvements. The previous master plan is over 20 years old and the needs of the community for the park have changed. The goals are to reactivate the space, develop innovative and new amenities, increase the ability to host public events that will draw citizens to downtown, and to improve the overall flow and usability of the park.	350,000	-	350,000	-
318 - QUALITY OF LIFE						3,776,046	-	3,776,046	-
321 - STREET INFRASTRUCTURE IMPROVEMENTS									
	21	PW	Fund Balance	R	This request will reappropriate the 4th Ave Between 22nd & 25th Repair project as it has exceeded the three-year limit. Funding is being requested to support the repair of drainage issues related to a deteriorated road with a missing curb, gutter, and sidewalk. Significant work is required beyond just mill and overlay construction. Funding will support a comprehensive investigation and design to address these concerns.	315,905	-	315,905	-
321 - STREET INFRASTRUCTURE IMPROVEMENTS						315,905	-	315,905	-
334 - ROAD DEVELOPMENT									
	22	PW	Grant	N	This request will appropriate \$2,178,420 in grant funding to support the 83rd Ave project. This grant was originally awarded from the Colorado Department of Transportation (CDOT) for the 10th Street project; however, the funding was withdrawn due to deficiencies regarding the Federal Buy America Act regulations. Staff requested CDOT and the North Range Metropolitan Planning Organization (NFRMPO) to transfer the withdrawn funds to the existing 83rd Avenue project. CDOT and NFRMPO supported the transfer for these federal funds and action was finalized on May 4, 2023. This appropriation allows the funding to be used for needed improvements on the 83rd Ave Corridor.	-	2,178,420	2,178,420	-
	23	PW	Fund Balance	R	This request will reappropriate the 35th Ave Widening: 4th Street to F Street project as it has exceeded the three-year limit. This project will widen 35th Avenue from 4th Street to F Street. The existing roadway is a two-lane rural paved road with limited right turn lanes and no sidewalk and roundabouts at C street and F Street. This project will also include landscaped medians and tree lawns. This project is the third and final capacity project associated with the first round of Keep Greeley Moving.	4,136,383	-	4,136,383	-
	24	PW	Fund Balance	R	This request will reappropriate funding for the O Street 59th Ave Intersection Improvement project as it has exceeded the three-year limit. This project will widen O street to a 4-lane road with sidewalks, medians, and street lights per the Transportation Plan.	7,113,562	-	7,113,562	-
334 - ROAD DEVELOPMENT						11,249,945	2,178,420	13,428,365	-

Fund	Item	Department	Funding Source	Type	Description	Fund Balance	Revenue	Expenditures	Net Impact
335 - PARK DEVELOPMENT									
	25	CPRD	Fund Balance	N	This request will appropriate funding to build two dog parks in identified areas in central and west Greeley. In the original Island Grove Master Plan, a dog park was going to be built at Island Grove. Due to flood mapping and a change in the Master Plan, the original project no longer fits. Though a competitive bid process, a designer will be hired to perform outreach alongside City staff and to fully design and construct documents for 2 new off-leash dog parks. Funding will also be used to bid on the construction.	2,500,000	-	2,500,000	-
	26	CPRD	Fund Balance	N	Utilizing Park Development fund balance, Parks plans to purchase 22 acres of land known as the Ferguson Property to build a new large-scale dog park. Parks was tasked to find suitable land for a large regional-type dog park to complement the existing facilities and create more options for citizens. The site is west of Redtail Park and will also complete a trail connection from Redtail Park to the neighboring Homestead Heights Subdivision, and ultimately connect to the Highway 34 trail and the Sheepdraw Trail. These subdivisions were built before the property dedication ordinance was adopted, so no park sites have been built in this area. An opportunity to purchase land before it becomes developed is rare and a fantastic opportunity to expand offerings in this area.	1,000,000	-	1,000,000	-
335 - PARK DEVELOPMENT						3,500,000	-	3,500,000	-
336 - TRAILS DEVELOPMENT									
	27	CPRD	Fund Balance	N	This request will appropriate funding to support the acquisition costs of future projects in relation to Trails development. These funds will allow the flexibility required to acquire the trail corridors and fund the associated costs for due diligence.	475,000	-	475,000	-
336 - TRAILS DEVELOPMENT						475,000	-	475,000	-
411 - SEWER OPERATIONS									
	28	W&S	Fund Balance	N	This request will appropriate funding to support the needed expertise to complete easement and other real estate acquisitions for a number of capital projects and infrastructure protection. The current Real Estate department does not have sufficient staff to provide the necessary expertise. Staff augmentation will be required through an outside consultant.	32,500	-	32,500	-
411 - SEWER OPERATIONS						32,500	-	32,500	-
421 - WATER OPERATIONS									
	29	W&S	Fund Balance	N	This request will appropriate an additional \$337,00 to fund Water Resources assessments. The City is a 3/8th owner of the ditch and the City has not paid its portion of ownership since 2016 due to the company not invoicing. The assessment is for \$180,000 and was higher than expected due to higher general inflation costs. The City needs to pay its portion in 2024 to be current in its account and for the maintenance agreement negotiations that the City is actively working on to continue. The City is also responsible for a minimum annual payment of \$100,000 each year related to the State Land Board Lease. This lease must be maintenance since its tied to the Terry Ranch contract that closed in 2020. The City is also the only shareholder in the Boyd and Freeman Irrigation Co. (BIC). There is extensive engineering required to expand the ditch capacity. The \$57,000 assessment was not included in the 2024 Budget due to the ditch company holding their annual board meeting after the budget was completed.	337,000	-	337,000	-
	30	W&S	Grants / Fund Balance	N/R	This request will appropriate \$8,660,00 in funds related to the Cameron Peak Fire mitigation efforts (\$1,395,000 was previously appropriated as reimbursable federal funding, \$2,289,000 was previously appropriated as reimbursable state funding, \$349,000 of City funding was previously appropriated, and \$4,300,000 is a new federal award from the United States Forest Service (USFS)). \$676,000 is also being requested from Fund Balance to support the overall mitigation from the ongoing damage that occurred from the Cameron Peak fire.	676,000	7,984,000	8,660,000	-
	31	W&S	Fund Balance	N	This request will appropriate funding to support the needed expertise to complete easement and other real estate acquisitions for a number of capital projects and infrastructure protection. The current Real Estate department does not have sufficient staff to provide the necessary expertise. Staff augmentation will be required through an outside consultant.	102,500	-	102,500	-
	32	W&S	Fund Balance	N	This request will appropriate an additional \$1M to fund the ongoing Bellvue Water Treatment Plant construction defect claims litigation for January through April of this year. The claims litigation was authorized by City Council in 2022.	1,000,000	-	1,000,000	-
421 - WATER OPERATIONS						2,115,500	7,984,000	10,099,500	-
422 - WATER CONSTRUCTION									
	33	W&S	Expense Reimbursement / Fund Balance	N	This request is to appropriate funding for the 2024 easement acquisitions that will purchase land for the next seven miles of pipeline and to begin the easement acquisition process for the remaining pipeline segments to Terry Ranch. In 2023, funding was moved to construction to take advantage of favorable pricing for steel pipe. This request will reload the original budget for land acquisition. Water & Sewer and the Budget Office has addressed the issue that caused difficulty with tracking capital budgets in 2023.	492,400	1,969,600	2,462,000	-
	34	W&S	Fund Balance	N	This request will appropriate an additional \$861,000 to support the F Street and 47th Ave Waterlines project. This project was originally scheduled for design in 2023 with construction in 2026. The project is installing waterlines that will provide water service to the future F Street City Operations Campus for Water, Sewer, Parks, Streets, and others. Funding will also support support a Civil Engineer III to manage the project and to design the water line. The position will then transition to supporting the F Street Building and other Water Line construction and replacement projects in 2025 and beyond.	861,000	-	861,000	-
	35	W&S	Fund Balance	N/R	This request is to appropriate an additional \$800,000 for the Greeley West Non-Potable Expansion project. At the time of the budget development in 2023, it was not yet designed and pricing was based on staff's best estimates. Unfortunately, pricing design came in higher than forecasted. An additional \$250,000 for the Non-Potable Expansion project is also being reappropriated as it was delayed until 2024. The remaining difference includes a transfer of funding to Public Art.	1,060,500	-	1,060,500	-
422 - WATER CONSTRUCTION						2,413,900	1,969,600	4,383,500	-

Fund	Item	Department	Funding Source	Type	Description	Fund Balance	Revenue	Expenditures	Net Impact
423 - WATER CAPITAL REPLACEMENT									
	36	W&S	Fund Balance	N/R	This request is to appropriate \$4,280,345 to support the Distribution Pipeline Replacement, Transmission System Rehabilitation, and the Treated Water Reservoir Rehabilitation projects. Since these are annual projects, this request is to reappropriate the unspent funds from 2023 so that these urgent projects can move forward. Due to the size of the contracts and internal delays, contracts for some urgent projects were not completed in time to encumber the budget in 2023. Included in the total is an additional \$720,000 to support the Transmission System Rehabilitation project due to cost increases.	4,280,345	-	4,280,345	-
	37	W&S	Grant / Loan Proceeds	N	This request will appropriate \$12,572,850 in revenues, consisting of a grant from the Colorado Water Quality Control Division (\$250,000) and part of a loan (\$12,322,850) from the Colorado Drinking Water Revolving Fund Loan Program. The additional \$8M in revenue associated with the loan will be added in the 2025 Budget. These funds will help support the current expenditure budget in 2024 for the Lead Service Line Inventory & Replacement project, including \$2,156,866 in additional expenditures. This project is necessary for identifying and replacing lead pipes being driven by regulations for public water systems.	-	12,572,850	2,156,866	10,415,984
423 - WATER CAPITAL REPLACEMENT						4,280,345	12,572,850	6,437,211	10,415,984
424 - WATER RIGHTS ACQUISITION									
	38	W&S	Fund Balance	N	In addition to the current budget, \$6,600,000 is being appropriated to acquire water shares. Due to limited water right supply, increased competition, and price escalation, the funds are needed this year to acquire the identified available water shares. The conclusion of the Integrated Water Resources Plan (IWRP) identified that continued water acquisition is necessary in order to meet the City's water needs and to support future projected growth.	6,600,000	-	6,600,000	-
424 - WATER RIGHTS ACQUISITION						6,600,000	-	6,600,000	-
432 - STORMWATER CONSTRUCTION									
	39	PW	Fund Balance	N	This request will appropriate funding from the Stormwater Construction fund to support the 12th Street Outfall Phase 1B project. Additional funding is needed due to contaminated soil and additional protection for the river bank. This was not originally identified by original geotechnical testing.	550,000	-	550,000	-
	40	PW	Fund Balance	N	This request will appropriate funding for an emergency design that has been approved by Council and the City Manager's office to address the recurring stormwater-related flooding and sedimentation issues in the Poudre River Ranch neighborhood.	700,000	-	700,000	-
432 - STORMWATER CONSTRUCTION						1,250,000	-	1,250,000	-
433 - STORMWATER CAPITAL REPLACEMENT									
	41	PW	Fund Balance	R	This request will reappropriate funding for the T-Bone Ranch large detention pond project. This project is to clean up invasive vegetation, to remove silt, and to replace the outlet structure. This project was funded in 2023; however, it was not completed due to HOA issues. The pond is now out of compliance and should be dealt with in 2024. This project is ready to proceed as engineering was completed in 2023.	400,000	-	400,000	-
433 - STORMWATER CAPITAL REPLACEMENT						400,000	-	400,000	-
500 - EMPLOYEE BENEFIT									
	42	HR	Expense Reimbursement	N	Aetna, the City's health insurer provides reimbursements for qualified expenditures for employee wellness. This request will appropriate the revenue to support additional employee wellness expenditures in 2024.	-	235,000	235,000	-
500 - EMPLOYEE BENEFIT						-	235,000	235,000	-
512 - FLEET REPLACEMENT									
	43	POLICE	Fund Balance	R	This request will reappropriate funding from 2023 that was unable to be encumbered for an upfit on the Bomb Truck.	56,000	-	56,000	-
	44	PW	Fund Balance	R	This request will reappropriate funding from 2023 in the Fleet Replacement Fund. Cost increases, delays on vehicle orders, and cancellations from vendors prevented the City from obligating these funds.	666,346	-	666,346	-
512 - FLEET REPLACEMENT						722,346	-	722,346	-
521 - IT OPERATIONS									
	45	IT	Fund Balance	R	This request will reappropriate funding from April of 2023 that was originally intended to support a contracted employee through the end of the year. This position will now be hired in 2024 to support a training program that is designed to help employees better understand how to best utilize many of the key software tools throughout the City.	102,000	-	102,000	-
521 - IT OPERATIONS						102,000	-	102,000	-
TOTAL (Less Additional Operating Expenditures Between Funds)						\$ 42,800,395	\$ 31,356,152	\$ 63,740,563	\$ 10,415,984
OPERATING TRANSFERS									
	35	W&S	Operating Transfer		Non-Potable Expansion Projects Operating Transfer of Fund Balance WATER CONSTRUCTION TO PUBLIC ART	-	10,500	-	10,500
						-	10,500	-	10,500
						\$ 42,800,395	\$ 31,366,652	\$ 63,740,563	\$ 10,426,484



Council Agenda Summary

Title:

Pulled Consent Agenda Items

Summary:

Pulled Consent Agenda items will be considered in the order they appeared on the consent agenda.



Council Agenda Summary

March 19, 2024

Key Staff Contact: Heidi Leatherwood, City Clerk

Title:

Appointments to Boards and Commissions

Summary:

Council appointment is needed to the above-mentioned Boards and Commissions due to vacancies and Council appointment is needed to the above-mentioned Boards and Commissions due to vacancies and term expirations. City staff continues to actively recruit to fill all other vacant positions. Water & Sewer Board applicants are incumbents applying for their own seats and therefore will not be interviewed.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
What is the source of revenue within the fund?	N/A
Is there grant funding for this item?	No

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 recuses themselves from that particular item. 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:

None

Strategic Focus Area:



Community Vitality

Decision Options:

- 1) Appoint or reappoint the individuals to serve on an applicable board or commission
- 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:

1. Sample Ballot
2. Boards and Commissions March Transmittal



Applicants for the boards and/or commissions listed below are in alphabetical order and recommendations from the interview team are shown in bold. Virtual interviews are customarily held on the second week of each month, and appointments are decided during the second City Council meeting (third week of the month).

***** BALLOT *****

Museum Board	
<i>2 Positions: 3 Year Term</i>	
☐	Floris Mikkelson (I)
☐	Emma Pena-McMleave (I)
☐	(Recruit for Additional Applicants)

Youth Commission	
<i>3 Positions: 3 Year Term</i>	
☐	Levi Aldrige
☐	Miranda Contreras
☐	(Recruit for Additional Applicants)

(I) = Incumbent

Boards & Commissions Transmittal

March 6, 2024

Key Staff Contact: Ashton Reinhardt Boards and Commissions Administrative Assistant

Interview Date

March 11, 2024

Council Interview Team

Councilmember Deboutez & Mayor Pro Tem Hall

Council Appointment Date

March 19, 2024

Boards and Commissions Being Interviewed

- **Museum Board**
- **Youth Commission**

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. Membership Rosters for above mentioned Boards and Commissions
4. Applications of those being considered for appointment

Transmittal reviewed by:

^{DS}
RLU

Raymond Lee, City Manager

^{DS}
HL

Heidi Leatherwood, City Clerk



Council Agenda Summary

Title:

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 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

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 Planning Calendar and Schedule for City Council Meetings and Work Sessions and make any necessary changes regarding any upcoming meetings or events.

Attachments:

Council Meetings and Other Events Calendars

Council Meeting and Work Session Schedule/Planning Calendar

March 18, 2024 - March 24, 2024

March 2024							April 2024						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

Monday, March 18

Tuesday, March 19

 **6:00pm City Council Meeting** (R_CCS_Council Chambers - WiFi Ready; R_CCS_Council Chambers Overflow Room 103) - Council Master Calendar 

Wednesday, March 20

 **7:30am - Visit Greeley (Butler)** (902 7th Ave Greeley) 
 **2:00pm - 5:00pm Water & Sewer Board (Gates)** 

Thursday, March 21

 **7:30am - 8:30am Downtown Development Authority (DeBoutez/Butler)** (802 9th St #100, Greeley, CO 80631) 
 **9:00am - 9:30am The Landline Company Ribbon Cutting Ceremony**
 **3:30pm - 4:30pm Airport Authority (Gates/Payton)** (Greeley-Weld Airport, 600 Airport Road) 

Friday, March 22

Saturday, March 23

Sunday, March 24

March 25, 2024 - March 31, 2024

March 2024							April 2024						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1	2		1	2	3	4	5
3	4	5	6	7	8	9		7	8	9	10	11	12
10	11	12	13	14	15	16		14	15	16	17	18	19
17	18	19	20	21	22	23		21	22	23	24	25	26
24	25	26	27	28	29	30		28	29	30			
31													

Monday, March 25

- 6:45am - 8:00am Success Foundation Annual Breakfast (Tointon Academy of Pre-Engineering 717 71st Ave, Greeley, CO 80634) - Council Master Calendar
- 11:30am - 12:30pm Greeley Chamber of Commerce (Hall) ↻

Tuesday, March 26

- 6:00pm City Council Work Session Meeting (R_CCS_Council Chambers - WiFi Ready; R_CCS_Council Chambers Overflow Room 103) - Council Master Calendar ↻

Wednesday, March 27

- 7:00am - 8:00am Upstate Colorado Economic Development (Hall) (Upstate Colorado Conference Room) - Council Master Calendar ↻
- 1:00pm - 1:30pm SCI US-Japan Sister Cities Roundtable- March 27 via Zoom (zoom) - Council Master Calendar

Thursday, March 28

Friday, March 29

Saturday, March 30

Sunday, March 31

April 1, 2024 - April 7, 2024

April 2024							May 2024						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5	6			1	2	3	4
7	8	9	10	11	12	13		5	6	7	8	9	10
14	15	16	17	18	19	20		12	13	14	15	16	17
21	22	23	24	25	26	27		19	20	21	22	23	24
28	29	30						26	27	28	29	30	31

Monday, April 1

Tuesday, April 2

 **6:00pm City Council Meeting** (R_CCS_Council Chambers Overflow Room 103; R_CCS_Council Chambers - WiFi Ready) - Council Master Calendar 

Wednesday, April 3

 **5:30pm - 7:00pm Appreciation Event Honoring City of Greeley B&C Members** (2101 10th Ave Greeley CO 80639 (University of Northern Colorado University Center- Longs Peak)) - Council Master Calendar

Thursday, April 4

 **7:30am - 9:00am Regional Leadership Initiative 2024 Planning (Gates, Hall) Mayor and Mayor Pro Tem only** (Rialto Theater (228 E 4th St, Loveland, CO 80537)) - Council Master Calendar

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

 **3:30pm - IG Adv. Board (Butler)** 

 **6:00pm - 8:30pm North Front Range MPO Meeting (Olson/Payton)** 

Friday, April 5

Saturday, April 6

Sunday, April 7

April 8, 2024 - April 14, 2024

April 2024							May 2024						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6				1	2	3	4
7	8	9	10	11	12	13	5	6	7	8	9	10	11
14	15	16	17	18	19	20	12	13	14	15	16	17	18
21	22	23	24	25	26	27	19	20	21	22	23	24	25
28	29	30					26	27	28	29	30	31	

Monday, April 8

Tuesday, April 9

 **6:00pm City Council Work Session Meeting**
(R_CCS_Council Chambers Overflow Room 103; R_CCS_Council Chambers - WiFi Ready) - Council Master Calendar 

Wednesday, April 10

Thursday, April 11

 **6:00pm - 8:00pm Urban/Non-Urban Definitions Stakeholder Meeting (Hall)** (Weld County Administration Building Events Center, 1150 O Street, Greeley) - Council Master Calendar

Friday, April 12

Saturday, April 13

Sunday, April 14

 **6:00pm - 7:00pm Holocaust Memorial Observation Interfaith Service (Gates)** (Beth Israel Congregation (1625 Reservoir Rd, Greeley, CO 80631)) - Council Master Calendar

City Council Meeting Scheduling 2024			
	3/12/2024		
	This schedule is subject to change		
Date/Type	Description	Sponsor Presenter/Director or Project Manager	Placement/Time
March 19, 2024 Council Meeting	Proclamation- Fair Housing Month	Mayor	Intro
	Proclamation- Community College Month	Mayor	Intro
	Proclamation- Parkinsons Awareness Month	Mayor	Intro
	UNC Spring Update	UNC President Feinstein	Intro
	Minutes- Feb 27 WS; Feb 20 CC	Heidi Leatherwood	Consent
	Resolution - Grant Funding for Greeley Tree Canopy Rescue	Eric Bloomer/Diana Frick	Consent
	Resolution- IGA with Fort Collins Regarding Certain Aspects of the Halligan Water Supply Project	Sean Chambers	Consent
	Intro & 1st Rdg Ord - Initiative 08-2023 Public Nuisance	Brian McBroom	Consent
	Intro & 1st Rdg Ord - 2024 Appropriations	Caleb Weitz	Consent
	Boards & Commission Appointments	Heidi Leatherwood	Regular
	Executive Session - City Manager Performance Review	Council/CM	
March 26, 2024 Council Work Session	Follow Up Ballot Presentation (Tentative)	Kalen Myers	Work Session
	State of Public Safety in Greeley	Adam Turk	Work Session
	End of Year Financial Report	Tyra Litzau/ Rodney Rhoades	Work Session
	Claims Reserve Fund	Tyra Litzau/John Goodson	Work Session
	Exe Session Municipal Judge Performance Review	Council/MJ	Work Session
April 2, 2024 Council Meeting	Proclamation - National Library Week (Tentative)	Mayor	Intro
	Proclamation - Sexual Assault Awareness Month (Tentative)	Mayor	Intro
	Holocaust Memorial Observances Proclamation	Mayor	Intro
	Minutes - March 12 WS; March 19 CC	Heidi Leatherwood	Consent
	Intro & 1st Rdg Ord - Changes to CM Contract	Caleb Weitz/Kimberly Southern-Weber	Consent
	Intro & 1st Rdg Ord - Update the Greeley Municipal Code for Liquor Enforcement and PST (Tentative)	PD/CAO/CCO	Consent
	Intro & 1st Rdg Ord - Update the general Municipal Code for Liquor Laws (Tentative)	PD/CAO/CCO	Consent
	Intro & 1st Rdg Ord - Photo Radar Ordinance Revision	Adam Turk	Consent
	1st Quarter CIP Update	Paul Trombino	Consent
	PH & 2nd Rdg - W&S Development Code 2024 Update	Sean Chambers	Regular
	PH & 2nd Rdg - Initiative 08- 2023 Public Nuisance	Brian McBroom	Regular
	PH & 2nd Rdg - 2024 Appropriations	Caleb Weitz/Phillip Belmudez	Regular
April 09, 2024 Council Work Session	Sign Code Amendments	Don Threewitt	Work Session
	Initiative 12-2023 - Transit Update	Paul Trombino	Work Session
	Small Business Land Use Center	Brian McBroom	Work Session
	Proclamation - National Crime Victim's Rights Week	Mayor	Intro

City Council Meeting Scheduling 2024			
	3/12/2024		
	This schedule is subject to change		
Date/Type	Description	Sponsor Presenter/Director or Project Manager	Placement/Time
April 16, 2024 Council Meeting	Proclamation - Arbor Day	Mayor	Intro
	Proclamation - National Youth Service Day Award	Mayor	Intro
	Proclamation - Small Business Week (Tentative)	Mayor	Intro
	Minutes March 12 WS; April 2 CC	Heidi Leatherwood	Consent
	PH & 2nd Rdg- Update the general Municipal Code for Liquor Laws (Tentative)	CCO/PD/CAO	Regular
	PH & 2nd Rdg - Update the Greeley Municipal Code for Liquor Enforcement and PST (Tentative)	CCO/PD/CAO	Regular
	PH & 2nd Rdg- Photo Radar Ordinance Revision	Adam Turk	Regular
	PH & 2nd Rdg - Changes to CM Contract	Kimberly Southern-Weber	Regular
	Boards & Commission Appointments	Heidi Leatherwood	Regular
April 23, 2024 Council Work Session	Waste Diversion Study Update	Will Jones/ Paul Trombino	Work Session
	Initiative 1-2024 - Oil & Gas 101 (Tentative)	Brian Kuznik/Don Threewitt	Work Session
	Annexation Priority-Setting (Tentative)	Brian McBroom/Don Threewitt	Work Session
	East Subarea Plan Kickoff (Tentative)	Brian McBroom/Don Threewitt	Work Session



Council Agenda Summary

March 19, 2024

Key Staff Contact: Kimberly Southern, Chief Human Capital Officer

Title:

Executive Session for the purpose of receiving feedback pertaining to completing the annual performance review of the City Manager

Summary:

An executive session is needed to enable the City Council to receive feedback pertaining to completing the annual performance review of the City Manager. If Council concurs, a motion to adjourn into Executive Session is needed.

Strategic Focus Area:



High-Performance Government

Council's Recommended Action:

A motion to go into an Executive Session to discuss the following matter as provided under C.R.S. Section 24-6-402(4)(f) and Greeley Municipal Code Section 2.151(6)(a):

To discuss personnel reporting to the City Council.

Attachments:

None