

Greeley City Council Agenda

Regular Meeting
Tuesday, May 7, 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/85706217450>

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

Tuesday, May 7, 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/85706217450>

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

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.

9. A motion to approve the City Council Meeting Proceedings of April 2, 2024, and City Council Work Session Proceedings of April 9, 2024
10. A motion for an appointment to the Greeley/Weld Housing Authority
11. A resolution authorizing the City of Greeley to enter into an Intergovernmental Agreement with the Weld County RE-5J School District regarding land dedication for schools
12. Introduction and first reading of an ordinance adding Chapter 8 to Title 18 of the Greeley Municipal Code relating to Museums

13. 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 2023

End of Consent Agenda

14. Pulled Consent Agenda Items
15. 2024 Ballot Planning Focus Group Summary
16. Public hearing and second reading of an ordinance authorizing a salary increase for the City Manager
17. Public hearing and second reading of an ordinance authorizing a salary increase for the Municipal Judge
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
19. Scheduling of Meetings, Other Events
20. Adjournment



Council Agenda Summary

Title:

Recognitions and Proclamations

Summary:

Mayor Gates will present the following proclamations:

- Mental Health Month
- Historic Preservation Month
- Public Works Week
- National Police Week

Introduction Deputy City Manager/Chief Financial Officer Allena Portis

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

Attachments:

Mental Health Month Proclamation

Historic Preservation Month Proclamation

Public Works Week Proclamation

National Police Week Proclamation

Item 5 – What's Great About Greeley Presentation



Mental Health Month

WHEREAS, more than ever, we must understand that the health of our minds is as important as physical health; and

WHEREAS, one in every four people are affected by mental illness, with more Weld County residents having reported mental health challenges such as depression, anxiety, or other mental health conditions than in years past; and

WHEREAS, Greeley residents can find recovery through a variety of outpatient, residential, and critical walk-in crisis support options through Weld County's community mental health center, North Range Behavioral Health, Banner Health, UC Health; and

WHEREAS, Greeley residents are healthier because of local commitment to preventing hospitalizations, incarcerations, trauma, suicides, and substance use disorder through collaboration with community health centers, school districts, human services, law enforcement, United Way, and many others; and

WHEREAS, National Mental Health Month is observed every May to raise awareness about behavioral health, recovery and hope, the importance of prevention, and the factors that contribute to mental wellness.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, Colorado, do hereby proclaim May, as ***Mental Health Month***, and call upon the citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of behavioral health and understanding the need for appropriate and accessible services for all citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, this 7th day of May 2024.

John Gates
Mayor



Historic Preservation Month

WHEREAS, historic preservation is an effective tool for revitalizing neighborhoods, fostering local pride, realizing economic growth, and maintaining community character, and is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as people; and

WHEREAS, the City of Greeley and the Greeley Historic Preservation Commission desire to collaborate in honoring Greeley's and Colorado's historic resources and sites and promoting the importance of preserving those resources; and

WHEREAS, May is National Historic Preservation Month, and in recognition of this month the Commission plans to celebrate by showing the Windows of Time documentaries on GTV8, hosting a Historic Preservation Month celebration at Syntax Distillery, presenting Historic Preservation Month awards, hosting a History Presentation about the CSU Architectural Virtual Library, sharing then and now and recent Historic Register designations on social media, and promoting the historically designated Warnoco site through the Speak Up Greeley public engagement page.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim May 2024 as Historic Preservation Month and call upon the people of Greeley to join their fellow citizens across the United States in recognizing and participating in this special observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, this 7th day of May 2024.

John Gates
Mayor



National Public Works Week

WHEREAS, public works professionals focus on infrastructure, facilities, fleet and mobility services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of City of Greeley, Colorado: and

WHEREAS, these infrastructure, facilities, fleet and mobility services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, stormwater public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders, in City of Greeley, Colorado to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2024 marks the 64th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, Colorado, do hereby proclaim May 19-25, 2024, as ***National Public Works Week***. I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and advancing quality of life for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, this 7th day of May 2024.

John Gates
Mayor



National Police Week

WHEREAS, in 1962 the U.S. Congress proclaimed May 15th as National Peace Officers Memorial Day and the week in which May 15th occurs as National Police Week for the purpose of honoring American law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

WHEREAS, this year May 12 - May 18, 2024, will be National Police Week; and

WHEREAS, federal statute directs that all flags be flown at half-staff on May 15th in honor of fallen officers and their families; and

WHEREAS, since 1791 more than 22,000 law enforcement officers in the United States have made the ultimate sacrifice of their lives; and

WHEREAS, Greeley Police Department Officers Lee Whitman and Jameson Longworth are among the officers slain; and

WHEREAS, the City of Greeley wishes to honor all American law enforcement officers who have made the supreme sacrifice.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, Colorado, do hereby proclaim May 12-18, 2024, as ***National Police Week*** in the City of Greeley and publicly salute the service of the law enforcement officers of Greeley and other communities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, this 7th day of May 2024.

John Gates
Mayor



City Council Meeting
May 7, 2024

An aerial photograph of a city, likely Denver, with a large white banner overlaying the center. The banner has a torn, paper-like edge. In the background, a range of mountains with snow-capped peaks is visible under a clear sky. The foreground shows a mix of urban buildings, green spaces, and trees with some autumn-colored foliage.

***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

Northridge Grizzlies Giselle and Jorge Named QuestBridge Scholars

- NAF – National Academy Foundation
- Scholarship covers expenses for all four years of college.



CONGRATULATIONS!



GISELLE P.

NAF Academy of Math & Science
and Information Technology Student
Northridge High School



JORGE H.

NAF Academy of Math & Science Student
Northridge High School

Greeley Central's Adriana Para Herrera Awarded \$80,000 Wilbert Wiedeman Scholarship

- Scholarship will help pay for postsecondary school.



Greeley Ranked #4 Most Popular Place for Denverites to Move

- From 2015 to 2019, 7,538 moved to Greeley from the Denver metro area.



Assistant City Manager Juliana Kitten Presented Success of Housing First Program During Housing First Partners Conference

- Presentation was in collaboration with Milwaukee County Housing Division, Wisconsin
- Focused on key elements needed for successful programs



J&T Feeds Named Best Overall Single-Store Retailer by Pet Business Magazine



Celebrating Greeley Day at the Capitol

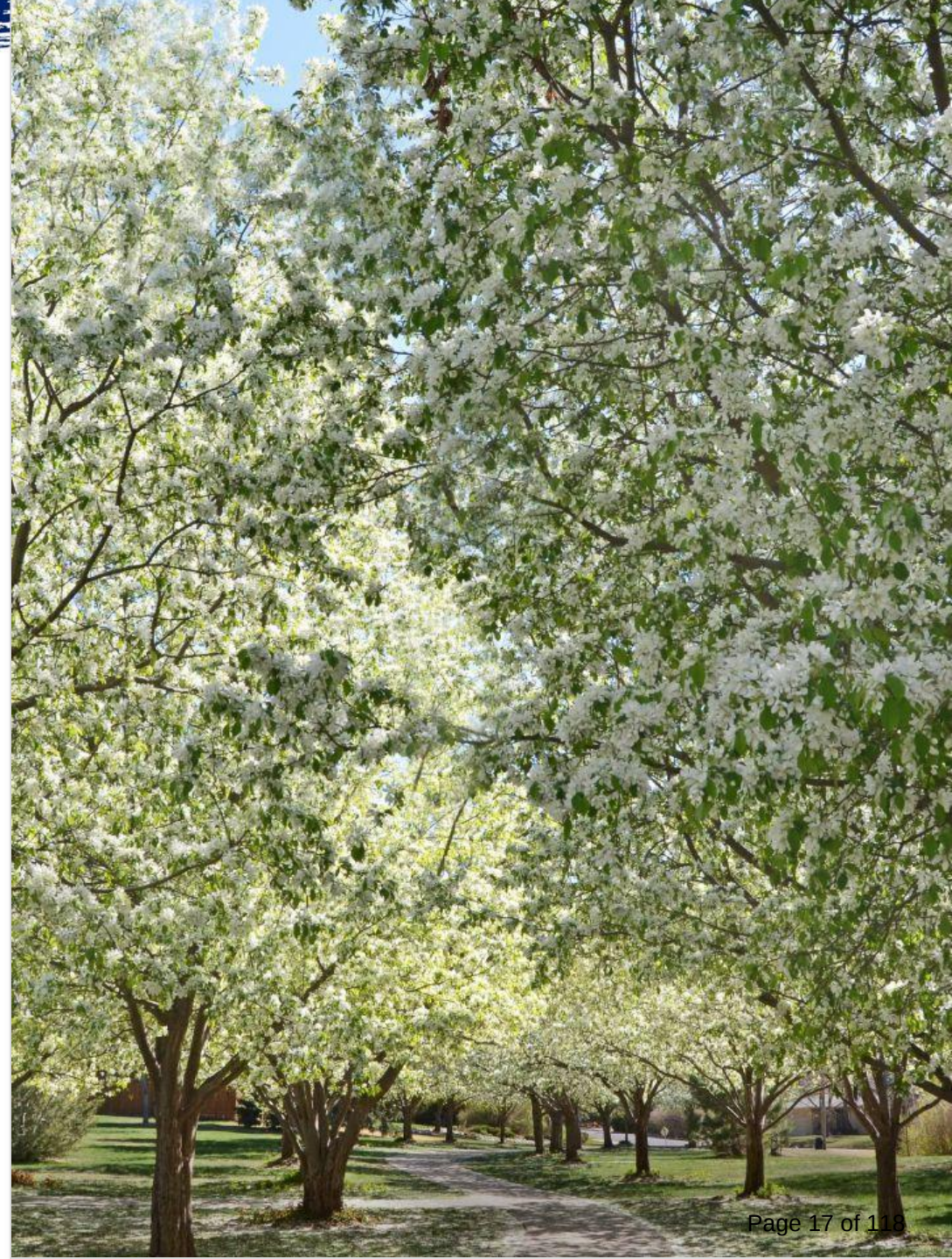
Representatives included:

- City of Greeley
- University of Northern Colorado
- Aims Community College
- Greeley-Evans School District 6
- Greeley Area Chamber of Commerce
- Greeley Downtown Development Authority.



Greeley Recognized as a Tree City USA by National Arbor Day Foundation

- Forty-four consecutive years



HB24-1231 That Enhances Health Sciences Education Signed by Governor Polis

- Authorizes funding for UNC's proposed College of Osteopathic Medicine







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	•The RAISE grant was submitted on February 28, 2024. Discussions continue with CDOT for next steps in the process	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 June 4, 2024. Council Meeting; 2nd Rdg Ordinance scheduled for June 18, 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	•Survey complete, will reach 60% design by end of May. Still on track for construction by end of year.	PW
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 amendment 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 construction for this section.	•Natural Areas and Trails division of CPRD has contracted Otak to conduct geotechnical analysis for the Narrows section of the Poudre River Trail in west Greeley. After completing several test bores in the area in late March, the consultant is completing analysis of the testing and will be hosting a workshop with CPRD and Public Works staff, along with representatives from the Poudre River Trail Corridor, Inc. (PRTC) a non-profit board in May. We received a \$45,000 planning grant from the State Trails program in Colorado Parks and Wildlife, and PRTC is contributing \$25,000 toward the design process at this integral section of the trail.	Diana Frick
13-2023	Hall	City Grants	12/20/2023	Provide report identifying the grants that were received so Councilmember Hall can provide to CML	• This report will be incorporated in the 1st Quarter Grants Report at the May 14 Work Session	Tyra Litzau
14-2023	Butler	Charter Review	12/19/2023	Asked Staff to start process of Charter review	Will schedule a follow up report/work session to provide council with cost analysis and CAO will provide information on immediate need changes	CAO/CCO

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	Pending CAO Scheduling of a Council Meeting	CAO
3-2024	Butler	Requested a Budget Retreat for 2025 Budget	April 2, 2024 City Council Meeting	Requested a Budget Retreat for 2025 Budget	Budget has developed agenda ideas and is proposing a mid-July timeframe for the retreat.	Caleb Weitz
4-2024	Butler	Requested Work Session for information on the Lincoln Park Redesign- to include status of project, timeline of project and overview of the coming outreach Work Session	April 2, 2024 City Council Meeting	Requested Work Session for information on the Lincoln Park Redesign- to include status of project, timeline of project and overview of the coming outreach Work Session	A team of staff in CPRD is working to reimage uses for Lincoln Park which includes activation of the space bringing the community to downtown. RFP submitted, proposals were due April 15th. Once the consultant is selected, we will begin internal and external stakeholder and community outreach work.	CPRD



Council Agenda Summary

May 7, 2024

Key Staff Contact:

Title:

A motion to approve the City Council Meeting Proceedings of April 2, 2024, and City Council Work Session Proceedings of April 9, 2024

Summary:

A meeting of the City Council was held in the City Council's Chambers on April 2, 2024, and a Work Session of the City Council was held in the City Council's Chambers on April 9, 2024.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	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 April 2, 2024 -draft
2. Council Work Session Minutes April 09, 2024 - draft

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
April 2, 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 Tommy Butler

Councilmember Deb DeBoutez

Mayor Pro Tem Dale Hall

Councilmember Johnny Olson

Councilmember Melissa McDonald

Mayor John Gates

Councilmember Payton was excused.

4. Approval of the Agenda

None.

5. Recognitions and Proclamations

Proclamations:

Mayor Gates read the Days of Remembrance Proclamation at 6:01 p.m. and Hollis Berendt was present in Council Chambers to accept.

What's Great About Greeley

Councilmember DeBoutez presented the *What's Great about Greeley?* presentation at 6:05 p.m.

6. Citizen Input

1. Edwin Grant spoke about water line project to mitigate lead and increased national debt.

7. Reports from Mayor and Councilmembers

Councilmember McDonald reported that the winner of the National Youth Service Day Award will be announced at an upcoming council meeting, and she was impressed with each of the nominees.

She mentioned the Commercial Crime Collaborative that the Greeley Police Department hosted and her visit to the Water and Sewer Department.

Councilmember Butler spoke about attending the Legislative Luncheon at the Capitol.

Mayor Gates spoke on visiting the Day Spring Elementary construction going with Congresswoman Yadira Caraveo and Public Works to look at some issues out on West 10th Street where they are trying to secure State and Federal Funding. He attended the Ribbon Cutting Ceremony for the Orthopedic Center of the Rockies and was amazed at the building. Finally, he reminded the Council about the Boards and Commission Appreciation Event on April 3, 2024, at the University of Northern Colorado.

8. Initiatives from Mayor and Councilmembers

Councilmember Butler requested consensus from Council on a new initiative to conduct a Budget Retreat for 2025 and asked for consensus on a second initiative on information about the Lincoln Park redesign status, timeline, and overview of the coming outreach.

Mayor Gates asked the council for consensus on the Budget Retreat.
The council reached consensus to move forward with this initiative.

Mayor Gates asked for consensus on staff providing information about the Lincoln Park Redesign. The council reached consensus to move forward with this initiative.

Consent Agenda

- 9. A motion to approve the City Council Meeting Proceedings of March 5, 2024**
- 10. Introduction and first reading of an ordinance Amending Chapter 1 of Title 16 of the Greeley Municipal Code to address Automated Enforcement Systems, also known as camera radar, to detect speeding violations**
- 11. Introduction and first reading of an ordinance amending Title 2, Chapter 11 of the Greeley Municipal Code relating to authority to issue summons and complaints**
- 12. Introduction and first reading of an ordinance amending Title 8, Chapter 13 and Title 14, Chapter 6 of the Greeley Municipal Code relating to alcohol**

End of Consent Agenda

Councilmember Butler moved to approve the Consent Agenda Items 9-12. Councilmember Olson seconded the motion. The motion passed 6-0 at 6:20 p.m. with Councilmember Payton absent.

- 13. Pulled Consent Agenda Items**
None.

14. Public hearing and second reading of an ordinance to amend Title 20, Chapters 2, 3, and 5 of the Greeley Municipal Code relating to water and sewer service

Deputy Director of Utility Finance and Customer Service Erik Dial introduced the item at 6:21 p.m. with a presentation.

In September 2021, the Greeley City Council amended Title 24 of the Greeley Municipal Code (Development Code). The updates to Title 24 were wide ranging and modernized the Development Code requirements to adapt to a more diverse housing market. To align with the updates to the Development Code, Title 20, Chapters 2, 3, and 5 of the Greeley Municipal Code relating to water and sewer service need to be updated. This information also displays the requested change for the Plan Investment Fee Schedule.

Councilmember DeBoutez asked if the Water and Sewer Board compares rates to other communities in Northern Colorado and if so, she asked where Greeley falls in that comparison. In response, Mr. Dial confirmed that the comparison does occur annually when the rate resolution is brought to the Water and Sewer Board for consideration. The average monthly bill as well as the plan investment fee schedule is compared to the rest of the Front Range. He also added that raw water is a little more difficult to compare because there's so much variability. Even though there is variability that comparison was provided as well. Mr. Dial said that Greeley is in the middle range of comparison.

The public hearing opened at 6:29 p.m.

1. Edwin Grant spoke about the water rates continuing to increase and the importance of monitoring these rates.

With no further speakers, the public hearing closed at 6:31 p.m.

Councilmember DeBoutez moved to approve the motion. Councilmember Butler seconded the motion. The motion passed with a vote 6-0 at 6:32 p.m. with Councilmember Payton absent.

15. Public hearing and second 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 nuisances

Community Development Director Brian McBroom introduced the item at 6:32 p.m. with a presentation. Chief Deputy Mike Zeller, Judge Mark Gonzales, and Assistant City Attorney Bobbier Cranston were available for questions.

Mr. McBroom commented that this is an ordinance that will change several regulations for dealing with chronic public nuisances. He added that this effort began in May of last year as a Council Initiative and feedback from the December work session guided the following amendments that redefine public nuisances, adjust penalties for chronic public nuisances, provide additional guidance for legal right of entry, help elevate certain chronic

public nuisances to criminal offenses to better manage them, and improve the abatement process.

Councilmember Olson asked for clarification with regards to safety when entering a property and assurance that code compliance officers have a police officer with them when engaging in these types of situations. In response, Ms. Cranston said that they may enter the property, but not a building, so long as there isn't a fence around the property. She added that there is collaboration with police to assure officers are available to respond to these situations and asked Deputy Zeller to confirm. Deputy Chief Zeller confirmed that the Neighborhood Action Team works closely with code officers and will assist when called.

The public hearing opened at 6:38 p.m.

With no speakers, the public hearing closed at 6:39 p.m.

Mayor Gates commented that unfortunately public nuisance situations occur, and this was a great way to address these concerns. He thanked Councilmember DeBoutez for taking the lead on this initiative and thanked staff for their hard work.

Councilmember Olson also thanked Councilmember DeBoutez for starting the effort and recognized the great work completed by the staff.

Councilmember Butler supported the amendments and stated that the changes in this ordinance were needed. He added that this solution is not for the occasional overgrown weed offenses that happen, but for the chronic offenders that are bringing down the property values in neighborhoods. He asked that staff return to provide an update on progress.

Mayor Pro Tem Hall reiterated that this is a not a case of code compliance citing a complaint and where the resident complies. This ordinance is about those that refuse to correct the violation.

Councilmember DeBoutez noted that there is some financial assistance available to citizens that are trying to correct these problems. She thanked the staff for their work.

Councilmember DeBoutez moved to approve the motion. Councilmember Olson seconded the motion. The motion passed with a vote 6-0 at 6:32 p.m. with Councilmember Payton absent.

16. Public hearing and second 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

Director of Budget & Policy Caleb Weitz introduced the item at 6:43 p.m. with a presentation.

Councilmember DeBoutez asked for clarification on the project on 83rd Avenue, and whether it was between 10th and 12th Street. In response, Deputy Public Works Director Bhooshan Karnik responded that the 83rd Avenue Project from 12th Street, north to 10th Street was approved with previous funding. The refund was returned to the Colorado Department of Transportation so that the funds can be transferred to add onto the project. He confirmed that the entire corridor of 83rd Avenue will begin construction next year.

The public hearing opened at 6:48 p.m.

With no speakers, the public hearing closed at 6:49 p.m.

Councilmember Butler moved to approve the motion. Councilmember Olson seconded the motion. The motion passed with a vote 6-0 at 6:49 p.m. with Councilmember Payton absent.

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

Mayor Pro Tem Hall moved to approve the motion. Councilmember Butler seconded the motion. The motion passed with a voice vote of 6-0 at 6:48 p.m. with Councilmember Payton absent.

18. **Scheduling of Meetings, Other Events**
None.

19. **Adjournment**
With no further business to come before the Council, Mayor Gates adjourned the meeting at 6:49 p.m.

Approved:

John Gates, Mayor

Attest:

Heidi Leatherwood, City Clerk

City of Greeley, Colorado
CITY COUNCIL WORK SESSION REPORT
April 9, 2024

1. Call to Order

Mayor John 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

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 Payton

Councilmember Johnny Olson

Councilmember Melissa McDonald

Mayor John Gates

4. Reports from Mayor and Council Members

Councilmember Olson provided an update from the North Front Range meeting. The US 34 Coalition will be creating a Transportation Management Organization (TMO) between Kersey and Loveland, CO. The company Steer on Board will be leading the changes.

Councilmember Butler asked for consensus that the ordinance which includes ballot language regarding the police sergeants and collective bargaining be brought to the next regular meeting for consideration. The council granted consensus.

Mayor Gates noted that the Greeley Police Department will be showcasing the results of the department's assessment. The link is on greeleygov.com and will begin Wednesday, April 10, 2024, at 5 p.m.

5. Greeley Mobility Services Update

Public Works Director Paul Trombino, Deputy Public Works Director Will Jones, Mobility Coordinator Hanna Johnson, and Transit Manager Michelle Johnson presented the item at 6:05 p.m.

On October 3, 2023, the City Council requested Initiative 12-2023 asking that staff provide an update on the status and direction of Mobility Services. The presentation included updates, information, and data on key projects. This item also included insights on Greeley's first Micromobility Pilot and Mobility Development Plan.

Mayor Gates asked for additional information if disruptive rider behavior is limited to students, and if drivers feel safe. Mr. Jones responded that disruptive rider behavior spans across all age ranges. The panel unanimously replied that the drivers are very grateful for the added security. Mr. Jones noted that most municipalities in the surrounding areas provide security on bus transit systems now.

Councilmember McDonald inquired if an age requirement is needed to use a scooter if baskets are included on scooters and what was stakeholder interest. In response, Ms. Johnson stated that the age requirement is 18 for liability purposes and terms of use. E-bikes will have baskets. Stakeholders were contacted and bike and scooter shops expressed concern about the competition. Micro transit is "on demand" based and works through the mobile application.

Mayor Pro Tem Hall expressed concerns for unattended units. Ms. Johnson explained that there are additional dedicated parking and places for scooters which encourages users to park correctly. Other options to incentivize proper return of the scooters are being considered. Ms. Johnson explained that the scooters can be picked up for redistribution.

Councilmember Butler asked how complaints will be handled when scooters are not returned correctly. Ms. Johnson shared that when a scooter is not parked or returned correctly, a fine will be issued to the user, which can be appealed.

Councilmember Olson asked for additional details on the mobile application. Mr. Jones explained that the University of Northern Colorado (UNC) will be the primary user. An application has been developed, and options for tying into the existing technology are being explored. Councilmember Olson added a suggestion that Uber or Lift could be used in conjunction with this program.

Councilmember DeBoutez asked about the liability to the City for users. City Attorney Stacey Aurzada replied that the liability terms would be explored in the contract process. Councilmember DeBoutez requested clarification on whether parking or riding could be ticketed. Ms. Johnson explained that the rules and regulations of the street must be followed.

Mayor Gates expressed opposition to the scooters, however recognized the value of transit options for the community.

6. Greeley Public Safety Picture 2023

Police Chief Adam Turk presented the item at 6:54 p.m.

The Greeley Police Department had five goals in 2023 and 2024.

1. Improve traffic safety
2. Pursue violent offenders,
3. Work with external partners to address public safety issues,
4. Provide excellent police service, and
5. Recruit and retain qualified public safety servants.

Community policing and addressing quality of life complaints continue to be priorities for the police department. In 2023, the largest decreases in Part I Crimes have been motor vehicle theft and aggravated assault.

The presentation provided the city council and the community with a public safety overview focusing on the 2023 year in review and forecasting some things for 2024.

Councilmember Olson expressed appreciation and support for the Greeley Police Department and asked for clarification on traffic enforcement actions. In response, Chief Turk explained that staffing, increased supervision, and an emphasis on traffic safety was a priority. As the City grows, the population will increase, and so will accidents.

Councilmember Olson inquired about over hiring. Chief Turk said the focus is on quality hiring. While over-hiring has been approved, there was still an officer shortage, and over-hiring, unfortunately, is a problem that we currently do not have.

Councilmember McDonald asked if for the leading cause for police officers leaving. Chief Turk explained that police work is not work-from-home work. Our officers are educated and talented and they are seeking opportunities that provide better work-life balance. The case load is heavy in the City of Greeley, we do not have take-home vehicles, and opportunities are limited.

Mayor Gates discussed vehicle theft prevention and commended the Greeley Police Department on a 32% reduction. Chief Turk noted that leaving vehicles unlocked with the keys in them was a contributing factor to the number of vehicle thefts, and locking vehicles would significantly reduce vehicle theft.

Councilmember DeBoutez asked for statistics on violent crimes, specifically, stranger to stranger vs known assailants. Chief Turk expressed that most of the time person-to-person crimes are reported with a named suspect, conversely, property crimes very often do not have a named suspect when reported.

7. Scheduling of Meetings, Other Events

None.

8. Executive Session for the purpose of discussing personnel reporting to City Council

Recommended Motion:

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(a)(6):
To discuss personnel reporting to the City Council.

Councilmember Payton moved to approve the motion. Councilmember Butler seconded the motion. The motion passed 7-0 at 7:35 p.m.

The mayor added that Council will not return to the meeting after the adjournment of the Executive Session.

9. Adjournment

Mayor Gates adjourned the meeting at 7:36 p.m.

8. Executive Session for the purpose of discussing personnel reporting to Council.

The Executive Session was called to order at 7:40 p.m. for the purpose of discussing personnel reporting to City Council

Present for participation in the executive session, which is convened in person in the Executive Session room of Council Chambers are all members of Council with no additional personnel.

Mayor Gates cautioned each participant to confine discussion to the stated purpose and provided a reminder that no formal action may occur in the Executive Session. If at any point any participant believed that the discussion was going outside the proper scope of the Executive Session, participants were advised to interrupt the discussion and raise an objection.

The meeting concluded at 8:42 p.m.

The recordings will be retained as provided in the City's records retention policy and in conformity with the Colorado Open Meetings Law for a period of 90 days.

Approved:

John D. Gates, Mayor

Attest:

Heidi Leatherwood, City Clerk



Council Agenda Summary

May 7, 2024

Key Staff Contact: Heidi Leatherwood, City Clerk

Title:

A motion for an appointment to the Greeley/Weld Housing Authority

Summary:

On February 1, 2000, City Council adopted a resolution authorizing that the local Housing Authority shall be composed of seven commissioners appointed by the Mayor pursuant to the newly enacted Sections of C.R.S. 29-4-205. On June 16, 2020, City Council adopted a resolution expanding the membership to 9 commissioners by adding two additional seats that are recommended by the Board of County Commissioners (BOCC) of Weld County for appointment by the Mayor. The BOCC of Weld County, Colorado, recommends the appointment of Ernest Cienfuegos-Baca as a Weld County Representative, with a term to expire September 30, 2029.

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:

Consideration of this matter is a legislative process

Other issues and Considerations:

None

Strategic Focus Area:



Community Vitality



Housing For All

Decision Options:

- 1) Approve the appointment of Ernest Cienfuegos-Baca; or
- 2) Deny the appointment

Council's Recommended Action:

A motion to approve the appointment of Ernest Cienfuegos-Baca to the Greeley/Weld Housing

Authority.

Attachments:

1. Letter to Mayor - Appointment Recommendation
2. Weld County Resolution



OFFICE OF THE BOARD OF COMMISSIONERS

PHONE: 970-400-4200

FAX: 970-336-7233

1150 O STREET

P.O. BOX 758

GREELEY, CO 80632

March 27, 2024

The Honorable John Gates
Mayor of Greeley
1001 11th Avenue
Greeley, Colorado 80631

RE: Housing Authority of City of Greeley

Dear Mayor Gates,

In accordance with the City of Greeley resolution dated June 16, 2020, regarding membership of the Greeley Housing Authority, the Board of Commissioners passed a resolution recommending the appointment of Ernest Cienfuegos-Baca as a Weld County Representative.

Enclosed is a copy of our resolution stating we recommend appointment. Please advise our office of your decision.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Kevin D. Ross, Chair

C: Tom Teixeira

RESOLUTION

RE: APPROVE APPOINTMENT TO GREELEY HOUSING AUTHORITY

WHEREAS, the Board of County Commissioners of Weld County, Colorado, pursuant to Colorado statute and the Weld County Home Rule Charter, is vested with the authority of administering the affairs of Weld County, Colorado, and

WHEREAS, a vacancy currently exists on the Greeley Housing Authority, and

WHEREAS, the Weld County Board of Commissioners recommends the Mayor of the City of Greeley appoint Ernest Cienfuegos-Baca to said board as a Weld County Representative, with a term to expire September 30, 2029.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Weld County, Colorado, that Ernest Cienfuegos-Baca, be, and hereby is, recommended for appointment to the Greeley Housing Authority, with a term to expire September 30, 2029.

The above and foregoing Resolution was, on motion duly made and seconded, adopted by the following vote on the 18th day of March, A.D., 2024.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST: Cather G. Meick

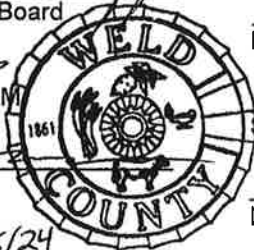
Weld County Clerk to the Board

BY: Whitney N. King
Deputy Clerk to the Board

APPROVED AS TO FORM

[Signature]
County Attorney

Date of signature: 03/18/24



[Signature]
Kevin D. Ross, Chair

[Signature]
Perry L. Buck, Pro-Tem

[Signature]
Mike Freeman

[Signature]
Scott K. James

[Signature]
Lori Saine

CC:BOCC(KF)
03/18/24

2024-0655
HA0003



Council Agenda Summary

May 7, 2024

Key Staff Contact: Caleb Jackson, Interim Chief Planner

Title:

A resolution authorizing the City of Greeley to enter into an Intergovernmental Agreement with the Weld County RE-5J School District regarding land dedication for schools

Summary:

The City of Greeley is served by four school districts. In 2020, the City of Greeley entered into intergovernmental agreements with three school districts (Greeley-Evans, Windsor-Severance, Eaton) to require residential developers to dedicate land within their project area for school sites or pay cash-in-lieu of land dedication to help purchase land for schools in the vicinity.

In 2022, the Johnstown-Milliken School District completed an updated assessment of land dedication and cash-in-lieu needs and instructed their staff to initiate intergovernmental agreements with municipalities. Greeley is beginning to approve zoning for residential development within the Johnstown-Milliken School District. Almost seven square miles of the Johnstown-Milliken School District is located within Greeley's Long Range Expected Growth Area, and around half of that area is already annexed into southwestern Greeley. By adopting an intergovernmental agreement, residential developers within the Johnstown-Milliken School District would be required to set aside land for schools and/or remit cash to the district to purchase school sites to serve future residential development.

City Council provided consensus to move forward with the intergovernmental agreement at their work session on January 9, 2024. The agreement is provided today, to be adopted by the City Council by resolution.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
---	-----------

Legal Issues:

Consideration of this matter is a legislative process.

Other issues and Considerations:

None

Strategic Focus Area:



Community Vitality

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 as presented.

Attachments:

1. Res No. 12, 2024 with Exhibit A - Weld County RE-5J

**CITY OF GREELEY, COLORADO
RESOLUTION NO. 12, 2024**

**A RESOLUTION OF THE CITY OF GREELEY COUNCIL AUTHORIZING
THE CITY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT
CONCERNING LAND DEDICATIONS OR PAYMENTS IN-LIEU FOR SCHOOL
PURPOSES WITH WELD COUNTY RE-5J SCHOOL DISTRICT**

WHEREAS, local governments are encouraged and authorized to cooperate or contract with other units of government, pursuant to section 29-20-105, C.R.S., for the purpose of planning or regulating the development of land, including, but not limited to, the joint exercise of planning, zoning, subdivision, building, and related regulations; and

WHEREAS, Section 22-54-102(3)(a), C.R.S., authorizes local governments to cooperate with school districts through intergovernmental agreements to fund, construct, maintain, or manage capital construction projects, provided that funding is provided by a source of local government revenue that is otherwise authorized by law; and

WHEREAS, pursuant to section 31-23-206, C.R.S., the City of Greeley (“the City”) has adopted through the City of Greeley Comprehensive Plan various goals, policies, and supporting data in order to plan for the orderly growth of the City; and

WHEREAS, pursuant to sections 31-23-301 and -303, C.R.S., the City is furthermore authorized to regulate and restrict the density of population of the City for the purpose of promoting health, safety, morals, and general welfare of the community; and to adopt regulations in accordance with the comprehensive plan to facilitate the adequate provision of schools; and

WHEREAS, the growth in residential land development in the City necessitates the building of additional school facilities and making improvements to existing school facilities in order to accommodate the corresponding increases in the student population. The dedication of sites and land areas for schools, or payments in lieu thereof ("in-lieu payments"), made in connection with new residential construction within the City, will help to meet such demand; and

WHEREAS, the Weld County RE-5J School District (“the School District”) has adopted certain planning standards and a methodology for calculating the nature and extent of the impact any proposed land-use approval by the City will have on the adequacy of school sites for the School District and the future residents thereof; and

WHEREAS, the City is authorized by state and local law to adopt appropriate ordinances and regulations for the purpose of promoting and preserving the public health, safety, and welfare of the citizens of the City; and,

WHEREAS, there is an essential nexus between the need for the dedication of school sites or in-lieu payments and the legitimate local governmental interest of promoting and preserving the public health, safety, and welfare of the citizens of the City and the School District; and

WHEREAS, in order to provide adequate school facilities to serve new residential land developments, it is imperative that the School District be consulted regarding land dedication or in-lieu payments for school sites in order to achieve rational and cost-effective planning and to assure that the dedication or in-lieu payment requirements are roughly proportional to the impact of the proposed use on the City and School District, and

WHEREAS, school land dedication or in-lieu payments serve to implement the City's Comprehensive Plan, by making provisions for public improvements in a manner appropriate for a modern, efficiently functioning City; and by implementing those provisions of the Plan that are intended to ensure that new development does not negatively impact the provision of municipal services. Such dedication or in-lieu payments specifically promote Council's Goal EH-4: "Support and collaborate with the city's school districts" and Objective EH-4.1: "[W]ork with the school districts and developers of residential projects to set aside sites for schools needed to serve their developments;" and

WHEREAS, in cases where annexation is proposed, resulting in future zoning and subdivision, the City has an affirmative requirement, per section 31-12-108.5(1), C.R.S., to prepare a report prior to annexation addressing the effect of the proposed annexation upon the School District "including the estimated number of students generated and the capital construction required to educate such students." Upon completion of a statutorily required public hearing, the City must determine whether the state statutory requirements for annexation are met, and whether additional terms and conditions should be imposed; and

WHEREAS, the City, upon consideration of the effect of residential land developments and the ability of the School District to provide school facilities in the City, has determined that it is in the best interests of the citizens of the City to enter into an Intergovernmental Agreement with the School District for the purpose of providing for the dedication of land for school sites or payments in lieu thereof as provided in this Agreement; and

WHEREAS, the City and School District desire to define their respective rights and obligations with respect to the planning, collection, and use of such land dedications and in-lieu payments.

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

Section 1. City Council hereby authorizes the mayor to enter into that Intergovernmental Agreement, attached hereto as Exhibit A, and incorporated herein by reference.

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

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

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

ATTEST:

THE CITY OF GREELEY, COLORADO

By:_____
City Clerk

By:_____
Mayor

Exhibit A
CITY OF GREELEY, COLORADO
RESOLUTION NO. 12, 2024

**INTERGOVERNMENTAL AGREEMENT CONCERNING LAND
DEDICATIONS OR PAYMENTS IN-LIEU FOR SCHOOL PURPOSES**

THIS AGREEMENT is entered into by and between the Weld County RE-5J School District ("School District"), a political subdivision of the State of Colorado, and the City of Greeley, Colorado ("City"), a municipal corporation of the State of Colorado, to be effective as of the _____ day of _____, 2024 ("Effective Date").

RECITALS

A. Local governments are encouraged and authorized to cooperate or contract with other units of government, pursuant to section 29-20-105, C.R.S., for the purpose of planning or regulating the development of land, including, but not limited to, the joint exercise of planning, zoning, subdivision, building, and related regulations.

B. Section 22-54-102(3)(a), C.R.S., authorizes local governments to cooperate with school districts through intergovernmental agreements to fund, construct, maintain, or manage capital construction projects, provided that funding is provided by a source of local government revenue that is otherwise authorized by law.

C. Pursuant to section 31-23-206, C.R.S., the City has adopted through the City of Greeley Comprehensive Plan various goals, policies, and supporting data in order to plan for the orderly growth of the City.

D. Pursuant to sections 31-23-301 and -303, C.R.S., the City is furthermore authorized to regulate and restrict the density of population of the City for the purpose of promoting health, safety, morals, and general welfare of the community; and to adopt regulations in accordance with the comprehensive plan to facilitate the adequate provision of schools.

E. The growth in residential land development in the City necessitates the building of additional school facilities and making improvements to existing school facilities in order to accommodate the corresponding increases in the student population. The dedication of sites and land areas for schools, or payments in lieu thereof ("in-lieu payments"), made in connection with new residential construction within the City, will help to meet such demand.

F. The School District has adopted certain planning standards and a methodology for calculating the nature and extent of the impact any proposed land-use approval by the City will have on the adequacy of school sites for the School District and the future residents thereof.

G. The City is authorized by state and local law to adopt appropriate ordinances and regulations for the purpose of promoting and preserving the public health, safety, and welfare of the citizens of the City.

H. There is an essential nexus between the need for the dedication of school sites or in-lieu payments and the legitimate local governmental interest of promoting and preserving the public health, safety, and welfare of the citizens of the City and the School District.

I. In order to provide adequate school facilities to serve new residential land developments, it is imperative that the School District be consulted regarding land dedication or in-lieu payments for school sites in order to achieve rational and cost-effective planning and to assure that the dedication or in-lieu payment requirements are roughly proportional to the impact of the proposed use on the City and School District.

J. School land dedication or in-lieu payments serve to implement the City's Comprehensive Plan, by making provisions for public improvements in a manner appropriate for a modern, efficiently functioning City; and by implementing those provisions of the Plan that are intended to ensure that new development does not negatively impact the provision of municipal services. Such dedication or in-lieu payments specifically promote Council's Goal EH-4: "Support and collaborate with the city's school districts" and Objective EH-4.1: "[W]ork with the school districts and developers of residential projects to set aside sites for schools needed to serve their developments."

K. In cases where annexation is proposed, resulting in future zoning and subdivision, the City has an affirmative requirement, per section 31-12-108.5(1), C.R.S., to prepare a report prior to annexation addressing the effect of the proposed annexation upon the School District "including the estimated number of students generated and the capital construction required to educate such students." Upon completion of a statutorily required public hearing, the City must determine whether the state statutory requirements for annexation are met, and whether additional terms and conditions should be imposed.

L. The City, upon consideration of the effect of residential land developments and the ability of the School District to provide school facilities in the City, has determined that it is in the best interests of the citizens of the City to enter into an Intergovernmental Agreement with the School District for the purpose of providing for the dedication of land for school sites or payments in lieu thereof as provided in this Agreement.

M. The City and School District desire to define their respective rights and obligations with respect to the planning, collection, and use of such land dedications and in-lieu payments.

AGREEMENT

NOW, THEREFORE, in consideration of the objectives, policies, and findings expressed in the Recitals to this Agreement, incorporated by this reference, and the mutual promises contained in this Agreement, the City and School District agree as follows:

1. Definitions. Capitalized terms used herein and not otherwise defined have the meanings specified below:

"Developer" means the person or entity seeking land-use approval from the City and the party responsible for land dedication or in-lieu payments hereunder.

"Dwelling Unit" means a housekeeping unit designed and used for occupancy by a single individual or a family, containing cooking, living, sleeping, and sanitary facilities and having a separate entrance.

"Land Development Project" or "Project" means any proposed subdivision approval or any subsequent amendment to a previously approved subdivision that will result in new or additional Dwelling Units or a population density or population greater than that contemplated by the previously approved subdivision proposal.

"Methodology" means the formulas, based upon the School Planning Standards, for calculating land dedication requirements and in-lieu payments, as shown on Exhibit A, attached hereto and incorporated by this reference.

"School Planning Standards" or "Standards" means the adopted School District land use standards set forth on Exhibit B, attached hereto and incorporated by this reference, that include student yields per dwelling unit for separate school levels, school facility enrollment capacities, school site acreage requirements, and the fair market value of real property that is located within the boundaries of both the City and the School District.

2. Determination of Land Dedication or In-Lieu Payment Requirements.

a. The City and School District find and agree that the current School Planning Standards in Exhibit B are reasonable, that there is an essential nexus between the dedication or payment contemplated and a legitimate local government interest, and that the dedication or payment is roughly proportional both in nature and extent to the impact of the proposed Land Development Project. The City and School District furthermore agree that the current School Planning Standards in Exhibit B will be administratively reviewed annually by both the District and the City no later than April 1 of each calendar year and adjusted by mutual agreement as needed so that the then-current Standards will apply to any proposed Land Development Project thereafter.

b. Prior to or at the time that any proposed plans are submitted to the City for any annexation or Land Development Project, the Superintendent of the School District or a designee will meet with the Developer, for the purpose of determining whether the School District desires the dedication of any land for schools within the Project, consistent with the School Planning Standards. In the event the School District requests a dedication of land that, based upon the

application of the Standards and Methodology, results in a parcel that in itself would be of insufficient size for a school site, the School District agrees to discuss with the Developer:

- i. the potential reservation by the Developer or acquisition by the School District of the balance of the property needed to provide an adequate site; or
- ii. an in-lieu payment as provided in this Agreement in the event the dedication of sites and land areas is not deemed feasible or in the best interests of the School District.

c. Upon formal submission of any annexation application or any proposed Land Development Project to the City, the City will submit the Developer's proposal to the School District for its review, comments, and recommendations concerning the adequacy of school sites and facilities within the context of the proposed Land Development Project. The School District will promptly review the proposal and submit its comments and recommendations to the City.

d. The School District will make a determination concerning the impact of the Project upon the adequacy of school sites and facilities based upon the School Planning Standards which are in effect at the time the Developer's proposal is submitted by the City to the School District for its review.

e. Upon receipt of the School District's determination as to whether land should be dedicated, the City will, to the extent permitted by law, implement said determination as provided in subsection (f) below.

f. The City agrees that as a condition of final approval of a subdivision plat for a Land Development Project, it will: (i) require proof of the dedication of land or the appropriate reservation of land for future dedication to the School District in accordance with Section 3 below, or (ii) require proof that the cash-in-lieu payment, as described in Paragraph 4 below, has been paid to and received by the School District. The Superintendent of the School District, or the Superintendent's designee, will provide such proof in a timely manner to the Community Development Department of the City. This requirement will apply to each Land Development Project for which application is made on or after the effective date of this Agreement, subject only to the exemptions contained in Section 7 below.

3. Conveyance of Dedicated Land.

a. If land is to be dedicated to the School District as part of the approval of any Land Development Project, the School District will notify the City in writing. Upon receipt of such notification, the City will thereafter accept the final plat for the Land Development Project, or any portion of it, for recording only if such plat provides for the contemporaneous dedication and conveyance of such land to the School District.

b. If land is to be reserved for future dedication to the School District as part of the approval of any Land Development Project, the School District will so notify the City in writing. Upon receipt of such notification, the City will thereafter accept the final plat for the Land Development Project, or any portion of it, for recording only if such plat shows the reservation of such land for such future dedication to the School District.

c. Dedication of the reserved site shall occur no later than the date of final approval of the Land Development Project. Prior to the issuance of the first residential building permit for the Land Development Project, the dedicated site shall have raw water dedicated, overlot grading, direct access to a publicly dedicated street improved to City standards, and utilities stubbed to the site. The School District will promptly certify to the City in writing that the dedication has been made. In the event that the School District determines, in its sole discretion, that the dedication of a reserved site is necessary prior to the issuance of any building permit for the Project within which such site is located, the School District will so notify the person(s) shown by the records of the Weld County Assessor as being the then-current owner(s) of such site. Said notice will be sent by certified mail, return receipt requested. Within 60 days of the mailing of said notice, the reserved property that is the subject of the mailing shall be dedicated to the School District by the owner(s) thereof, as a condition of the City's final approval of the Land Development Project.

d. Title to the dedicated site shall be conveyed to the School District by general warranty deed, free and clear of all liens, encumbrances, and exceptions (except those approved in writing by the School District), including, without limitation, real property taxes, which will be prorated, and paid as of, the date of conveyance. The Developer will provide a title insurance commitment and policy in an amount equal to the fair market value of the dedicated property, as a condition of the City's final approval of the Land Development Project.

e. The City and the School District agree that the substance of the preceding subsections 3.c. and 3.d. will be required to be set forth in any preliminary, final, or annexation plats before any such plat will be approved by the City.

4. Assessment and Amount of In-Lieu Payment.

In the event that the School District determines, under Section 2. above, that the dedication of land with respect to a particular Land Development Project would not further the planning objectives of the School District, either because the parcel that could be required to be dedicated would be of insufficient size for a school site or because the location of the dedicated site would be inappropriate, then the amount of the in-lieu payment will be determined and paid to the School District, according to the Methodology then in effect, prior to approval and recording of the final plat for the Land Development Project. In the event the Developer obtains approval from the City for the phasing of the Land Development Project that results in separate filings and final plats for each phase, the Developer may defer the payment of the in-lieu payment until the recording of the final plat for each phase; provided, however, that in such case the amount of the payment will

be based upon the School Planning Standards and Methodology in effect at the time of the approval of each phase.

5. Methodology for Assessing In-Lieu Payments

a. The parties agree that the Methodology has been developed in a manner so as to fairly apportion the cost of acquiring school sites made necessary by residential development, and to ensure that any in-lieu payments will be used for the purposes of school site acquisition and development and capital facilities planning within the School District boundaries senior high school feeder attendance area boundaries that include the Land Development Project for which the payment is being made, unless mutually agreed in writing by the Developer, School District, and City. All dedication requirements and in-lieu payments will be based upon the School Planning Standards and the Methodology, as the same may be amended from time to time in accordance with subparagraph (b) below, which are in effect at the time the Developer applies for land-use approval.

b. The School Planning Standards and Methodology adopted pursuant to the provisions of this Agreement will be updated annually from the date of its submission to the City, or less often, as determined by the School District. Updated versions of Exhibits A and B, reflecting such changes, will be furnished to the City within 30 days after their adoption by the School District.

6. Collection, Deposit, and Expenditure of In-Lieu Payments.

a. All in-lieu payments paid to the School District shall be properly identified and promptly deposited into a separate interest-bearing account in the name of the School District authorized by sections 24-75-601 to -605, C.R.S. The School District will be the owner of the funds in the account.

b. The funds deposited into the account will be earmarked and expended solely for the purposes of school site acquisition and development and capital facilities planning within the senior high school feeder attendance area boundaries that include the Land Development Project for which the payment was made. Subject to the time limitations contained in this Agreement, the time for, nature, method, and extent of such planning or development will be within the sole discretion of the School District.

7. Exemptions.

a. The following will be exempted from land dedication requirements or in-lieu payments:

i. Alteration or expansion of a Dwelling Unit.

- ii. Replacement of a Dwelling Unit.
- iii. Construction of an accessory building, or structure.
- iv. Long-term care facilities or group homes as defined in the City's ordinances.
- v. Commercial and industrial developments.

b. Any claim of exemption as provided in this Section 7 shall be made no later than the time of submission of the Project for approval. Any claim not so made may be deemed by the School District and the City to have been waived by the Developer.

8. Annual Report, Accounting, and Audit.

a. The School District will establish and maintain an accounting system to ensure that all in-lieu payments are expended in accordance with Section 6.b. above.

b. The School District and the City will cause an audit to be performed annually of the in-lieu payments collected and expended in accordance with this Agreement. The audit will be conducted in accordance with generally accepted accounting principles for governmental entities and may be part of any general audit annually conducted by the School District. A copy of said audit will be furnished to the City. The cost of the audit will be paid from the School District's general fund.

c. At any time deemed necessary, the City may request an accounting from the Superintendent of the School District concerning the expenditure of the in-lieu payments made to the School District.

9. Term.

The term of this Agreement will commence on the effective date hereof and continue for a period of ten (10) years thereafter unless the City repeals the implementing ordinance adopted by the City concurrent with this Agreement. This Agreement will automatically renew for additional ten (10) year periods unless one party notifies the other of intent to non-renew at least 30 days prior to expiration of the then current term.

10. Miscellaneous.

a. Faith and Credit. Neither party will extend the faith or credit of the other to any third person or entity.

b. Amendments. This Agreement may be amended only by mutual

agreement of the parties, evidenced by a written instrument authorized and executed with the same formality as accorded this Agreement.

c. Notice. Any notice required by this Agreement shall be in writing. If such notice is hand delivered or personally served, it will be effective immediately upon such delivery or service. If given by mail, it will be by certified mail, return receipt requested, and addressed to the following addresses:

City of Greeley
1000 10th Street
Greeley, CO 80631
Attention: City Manager

Weld County RE-5J School District
Attention: Superintendent of Schools
110 South Centennial Dr., Ste. A
Milliken, CO 80543

Notice given by mail will be effective three days after it is deposited in the United States mail depository correctly addressed and with sufficient postage for delivery.

d. Governing Law. This Agreement and the rights and obligations of the parties hereto will be interpreted and construed in accordance with the laws of the State of Colorado.

e. Severability. If this Agreement, or any portion of it, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the Parties will deem that portion to be a separate, distinct, and independent provision, and such holding will not affect the validity of the remaining portions of the Agreement.

f. Indemnification. The City agrees to cooperate in the defense of any legal action that may be brought contesting the validity of this Agreement or the implementing ordinances. The School District will be responsible for defending such claim (whether filed against the City, the School District, or both) and for the payment of any final monetary judgment entered against the City in any such action. Nothing contained in this Agreement constitutes any waiver for the City or the School District of the provisions of the Colorado Governmental Immunity Act or other applicable immunity defense. This provision will survive termination of the Agreement, and be enforceable until all claims are precluded by statutes of limitation.

g. Survival. Any provision or obligation of this Agreement, for the benefit of either party, that has not been fully performed or discharged at the time of termination will survive such termination and continue to bind the party until the expiration of any applicable

legal or equitable period of limitation.

h. Financial Obligations. This Agreement is not a pledge of the credit of the City or the School District, or a collection or payment guarantee by the City to the School District. Nothing in this Agreement may be construed to create a multiple-fiscal year direct or indirect municipal or district debt or financial obligation.

i. No Third Party Beneficiaries. None of the terms, conditions, or covenants in this Agreement gives or allows any claim, benefit, or right of action by any third person not a party hereto. Any person other than the City or the School District receiving services or benefits under this Agreement is only an incidental beneficiary.

j. Recording of Agreement. This Agreement will be recorded by the School District with the Weld County Clerk and Recorder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, which is in full force and effect the day and year first above written.

CITY OF GREELEY, COLORADO

By: _____
Mayor

Date: _____

ATTEST: _____
City Clerk

APPROVED AS TO LEGAL FORM: _____
City Attorney

APPROVED AS TO CONTENT: _____
City Manager

WELD COUNTY RE-5J SCHOOL DISTRICT

By: _____
President, Board of Education

Date: _____

ATTEST: _____
Secretary of the School Board

ATTEST AS TO LEGAL FORM: _____
School District Attorney

**Weld County School District RE-5J
Johnstown/Milliken, Colorado**



**Exhibit A
School District Planning Standards**

		Single Family Detached	Single Family Attached	Mobile Home	Apartment
i.	Student Yields				
	Elementary School	0.301	0.106	0.469	0.187
	Middle School	0.148	0.053	0.224	0.091
	High School	0.170	0.071	0.306	0.123
	Total	0.619	0.230	0.999	0.401
ii.	School Facility Enrollment Capacities				
	Elementary School	640			
	Middle School	930			
	High School	1350			
iii.	School Site Acreage Requirements				
	Elementary School	10			
	Middle School	23			
	High School	40			
iv.	Developed Land Value per Acre (Including Basic Infrastructure)				
	\$171,681				

Revised 11/04/2022 based on information provided by Western Demographics, Inc.

**Weld County School District RE-5J
Johnstown/Milliken, Colorado**



**Exhibit B
School District Methodology**

Based on the School District Planning Standards, contained in Exhibit A, calculation of land dedication or in-lieu payments uses the following procedures:

	Student Yield	Acres per Student Capacity	Acres Required per Housing Unit	Per Acre Value	Cash in Lieu Amount Per Unit
Single Family Detached					
Elementary	0.301	0.05	0.0047	\$ 171,681	\$ 807
Middle	0.148	0.02	0.0037	\$ 171,681	628
High School	0.170	0.02	0.0050	\$ 171,681	866
Total	0.619		0.0134		\$ 2,301
Single Family Attached					
Elementary	0.106	0.02	0.0017	\$ 171,681	\$ 284
Middle	0.053	0.01	0.0013	\$ 171,681	225
High School	0.071	0.01	0.0021	\$ 171,681	362
Total	0.230		0.0051		\$ 871
Apartment					
Elementary	0.187	0.03	0.0029	\$ 171,681	\$ 502
Middle	0.091	0.01	0.0023	\$ 171,681	386
High School	0.123	0.01	0.0036	\$ 171,681	626
Total	0.401		0.0088		\$ 1,514
Mobile Home					
Elementary	0.469	0.07	0.0073	\$ 171,681	\$ 1,258
Middle	0.224	0.02	0.0056	\$ 171,681	951
High School	0.306	0.03	0.0091	\$ 171,681	1,557
Total	0.999		0.0220		\$ 3,766

Revised 11/04/2022 based on information provided by Western Demographics, Inc.



Council Agenda Summary

May 7, 2024

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

Title:

Introduction and first reading of an ordinance adding Chapter 8 to Title 18 of the Greeley Municipal Code relating to Museums

Summary:

The City of Greeley has operated a museum for its citizens since its purchase of the Meeker Home Museum in 1929. The museum, including collections of historical objects and documents, were formerly adopted into the City Charter in 1958 when the City was directed to “provide for museums”. Article XVI, Section 16-1 of the Municipal Code directs the City to provide for museums by ordinance. The Code further establishes the Museum Board, its Purpose and functions, in Article V Section 2 2-665 and 2-666.

Now with 4 museum facilities, nearly 40 historic buildings, and 12 acres of land with unclear designation as either parks or museum grounds, there is a need to further define museum operations. The proposed ordinance seeks to tie together the original intent of the City Charter with existing codes. In doing so, the ordinance defines for the first time: the designation of museum land; the professional stewardship of City collections; the need for inclusive education and programs relating to the Museums’ mission; the ability to establish hours of operation of facilities and grounds; and the legal protection from trespass outside of these hours.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
What is the source of revenue within the fund?	General Fund
Is there grant funding for this item?	No
Additional Comments:	This ordinance reflects the ongoing funding for City of Greeley Museums.

Legal Issues:

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

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

Other issues and Considerations:

None

Strategic Focus Area:



Quality of Life

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 May 21, 2024

Attachments:

1. Ord No. 12, 2024 with Appendix A

CITY OF GREELEY, COLORADO
ORDINANCE NO. 12, 2024

**AN ORDINANCE ADDING CHAPTER 8 TO TITLE 18 OF THE
GREELEY MUNICIPAL CODE RELATING TO MUSEUMS**

WHEREAS, the stewardship in public trust preserves the collections of objects, documents, buildings and structures of historical significance to the City of Greeley and Weld County; and

WHEREAS, the interpretation of Greeley and Weld County's cultural development from prehistory to the present day provides educational benefits for of all Greeley and Weld County citizens; and

WHEREAS, the creation and maintenance of museum facilities as amenities contribute to the Quality of Life of citizens and visitors to Greeley; and

WHEREAS, the Museum Advisory Board recommends this ordinance be adopted; and

WHEREAS, the recommended addition to the Municipal Code would ensure the proper administration of the museums in the City of Greeley for future generations.

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

Section 1. That Chapter 8 of Title 18 of the above-entitled ordinance shall be added as shown on Appendix A, attached hereto and incorporated herein.

Section 2. 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
COLORADO**

THE CITY OF GREELEY,

By: _____
City Clerk

By: _____
Mayor

APPENDIX A
CITY OF GREELEY, COLORADO
ORDINANCE NO. 12, 2024

**ORDINANCE ADDING CHAPTER 8, MUSEUMS OF TITLE 18 STREETS,
SIDEWALKS AND PUBLIC PLACES OF THE GREELEY MUNICIPAL CODE**

Section 1. Chapter 8 of Title 18 of the above-entitled ordinance shall be added to read as follows:

Secs. 18-455—18-799. Reserved.

Chapter 8. Museums.

Sec. 18-800. Museum Administration.

(a) The City Council shall appropriate sums in its annual budget necessary for the maintenance, staffing and operation of the city's museums.

(b) The museums shall be operated, maintained and managed by museum staff as directed by the City Manager.

(c) The museums include the Greeley History Museum, Centennial Village Museum including structures and grounds, Meeker Home Museum including structures and grounds, and the White-Plumb Farm Learning Center including structures and grounds.

(d) The museums shall ethically collect and care for items on the basis of their educational, historical or exhibition value relating to the unique cultural development of Greeley from prehistory to the present. The museum collection shall primarily comprise of culturally significant items placed in the public trust and care of the museums through donations and loans.

(e) The museums shall provide for the development and presentation of inclusive educational programing, interpretive programs and exhibitions.

(f) Museum collections shall be the property of the City subject to the control of City Council and shall be administered in accord with the standards of the American Alliance of Museums. The museum collection shall not be considered a part of the City's inventory of fixed assets. The acquisition or disposal of items shall be under the advisement of the Museum Advisory Board, as set forth in Section 2-666(b) of this Code, and shall be subject to the Museums Collections Management Policy and other relevant policies of the City of Greeley. Acquisition and disposal of loaned items shall be governed by C.R.S. title 38, article 14.

Sec. 18-801. Museum Hours.

(a) The museum grounds of Meeker Home Museum and White Plumb Farm Learning Center are closed to the public between the hours of 11:00 p.m. and 5:00 a.m., unless an event or extension of hours has been authorized by the Director of Culture, Parks and Recreation. Centennial Village Museum and the Greeley History Museum are closed to the public at all times, except during designated open hours, events or private rentals where the public is invited. All museum structures are only open when appropriately staffed at hours designated by the Director.

(b) Notices of hours shall be posted in conspicuous places on museum grounds, sufficient to inform the public of the opening and closing hours of buildings and grounds.

Sec. 18-802. Violation of Closed Hours Unlawful; exceptions.

It is unlawful for any person to be on museum grounds or structures when the museum is closed to the public. This prohibition shall not extend to persons employed to work at the museum or authorized volunteers and during events of a public nature for which a permit has been previously granted. A violation is a misdemeanor offense and, upon conviction thereof, shall be punished pursuant to chapter 9 of title 1 of this Code.



Council Agenda Summary

May 7, 2024

Key Staff Contact: Tyra Litzau, Finance Director, Robert Miller, Treasurer

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 2023

Summary:

This supplemental appropriation ordinance modifies the 2023 budget to align the budget with the changes made during the 2022 Audit to better account for federal funds from the American Rescue Plan Act (ARPA). Since the changes to the 2022 financial statements were finalized in January of 2024, this appropriation was not able to be completed in 2023.

The change in ordinance results from the city claiming access to the funds based on the lost revenue category allowed in the details of the ARPA Coronavirus State and Local Fiscal Recover Funds: 2022 Final Rule. The lost revenue category provides for streamlined reporting requirements and allows the city to use the funds for government services. Government services generally include any services traditionally provided by a government unless the Treasury has stated otherwise. One of the main areas cities have applied lost revenue funds to is provision of police, fire, and other public safety services.

The City of Greeley spent \$2,239,527 on specific projects related to response the to the COVID incident (\$910,778 in 2021 and \$1,328,749 in 2022). The remaining \$18,752,068 was identified to be used on specific projects (internal and external) reviewed by the assigned committee with final determination by City Council. The projects were identified and presented to City Council in October 2023.

When finishing up the 2022 audit and Annual Comprehensive Financial Report (ACFR) we determined it would be very beneficial for the City to report the remaining \$18,752,068 to the Treasury as public safety support within the General fund in 2022.

This appropriation ensures that existing commitments made in the fifth appropriation on October 17, 2023 will be budgeted appropriately in the General Fund in 2023. The appropriation will move appropriated funds in the Grants Fund to the General Fund with no net impact to the overall 2023 City of Greeley Budget. The attached ordinance includes the proposed budget adjustment to ensure the City meets the requirements of the charter that expenditures do not exceed what has been appropriated by Council.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	\$0

What is the annual impact?	\$0
What fund of the City will provide Funding?	See Ordinance
What is the source of revenue within the fund?	Fund Balance and Interest Earnings
Is there grant funding for this item?	No
Additional Comments:	Total appropriations made by this ordinance are \$0. This ordinance is to assign expenditures to the appropriate fund in 2023.

Legal Issues:

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

Other issues and Considerations:

Strategic Focus Area:



High-Performance Government

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 May 21, 2024.

Attachments:

1. Ord No. 13, 2024
2. Detail Supporting Schedule

CITY OF GREELEY, COLORADO
ORDINANCE NO. 13, 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 2023

WHEREAS, the City of Greeley has incurred expenses for certain activities described below during the 2023 fiscal year; and

WHEREAS, the revenues received in the City of Greeley in 2022, exceeded the amount of revenues estimated in the 2022 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 2023 budget and amounts held in fund balance reserves from 2022, there is hereby appropriated the following designated sums to be allocated for use during the remainder of 2023:

Fund Description	Amount	Transfers	Total
General (100)	-	20,254,734	20,254,734
Grants (170)	-	(20,254,734)	(20,254,734)
Total Expenditures by Fund	-	-	-

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



Detail Supporting Schedule

City of Greeley

2023 Appropriation

City Council Meetings: May 7 & May 21

Fund	Item	Department	Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
100 - GENERAL FUND								
	1	NON	Fund Balance & Interest Earnings	This request will appropriate previously approved American Rescue Plan Act (ARPA) dollars to General Fund monies that will be transferred to support the 2023 Budget in the Public Improvement Fund. The total amount also includes anticipated interest earnings to support capital projects in the Public Improvement Fund.	18,754,734	1,500,000	20,254,734	-
100 - GENERAL FUND					18,754,734	1,500,000	20,254,734	-
170 - GRANTS FUND								
	1	NON	Fund Balance & Interest Earnings	This request will appropriate previously approved American Rescue Plan Act (ARPA) dollars to General Fund monies that will be transferred to support the 2023 Budget in the Public Improvement Fund. The total amount also includes anticipated interest earnings to support capital projects in the Public Improvement Fund.	(18,754,734)	(1,500,000)	(20,254,734)	-
170 -GRANTS FUND					(18,754,734)	(1,500,000)	(20,254,734)	-
Total					\$ -	\$ -	\$ -	\$ -



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

May 7, 2024

Key Staff Contact: Kalen Myers, Special Projects Manager

Title:

2024 Ballot Planning Focus Group Summary

Summary:

The purpose of this informational item is to provide the City Council with key takeaways from the focus group that took place in early April. The City worked with public opinion research consultant Aspect Strategic to conduct the focus group which engaged a group of 39 Greeley residents on the items currently under consideration for the November 2024 ballot. These items include the food tax renewal, a transportation debt issuance, an increase to the public safety tax and a new dedicated open space tax. Attached are the slides to be presented during the meeting along with a memo from the Citizen Budget Advisory Committee with their recommendation on this item. Staff is seeking consensus from Council about which of the four items under consideration should be included in the follow-up poll planned for June. The June poll results will help inform final ballot decisions in August.

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:

Informational

Other issues and Considerations:

None

Strategic Focus Area:



High-Performance Government

Decision Options:

Staff is seeking feedback and consensus from the Council about which items to include in the June poll.

Council's Recommended Action:

Informational

Attachments:

1. Citizen Budget Advisory Committee Memo - 2024 Ballot Agenda
2. Item 15 - 2024 Ballot Planning Focus Group Summary Presentation
3. Open Space Greeley Letter



MEMORANDUM

To: Mayor John Gates, City Council and City Manager Raymond C. Lee III

From: Barry Eastman, on behalf of the Citizen Budget Advisory Committee (CBAC)

Date: 4/15/2024

Subject: CBAC Recommendations for the 2024 Ballot Agenda

Background: During the March and April meetings of the Citizen Budget Advisory Committee (CBAC), information was presented about the items under consideration for the fall ballot agenda. The committee emphasized a concern that pursuing three tax-related items on the ballot would create tax-fatigue, a negative perception by voters and, therefore, issues would not be given equal consideration. After a robust dialogue, the committee agreed to present Council with a recommendation for the upcoming Ballot Agenda regarding the following issues:

- Renewal of the Food Tax
- Transportation Debt Issuance
- An increase to the Public Safety Tax
- A potential new Open Space Tax

Committee Discussion: The food tax is a critical funding source for Greeley's capital improvement program and, as such, CBAC feels the renewal of this item is the most important under consideration for the 2024 ballot. At both the March and April CBAC meetings, the committee discussed the risks associated with this item considering recent inflation, rising utility rates, property taxes, and the City of Loveland's recent repeal of their food tax. Marketing the food tax renewal is a top priority.

CBAC also discussed the proposed transportation debt issuance and agrees low-cost financing of such a large infrastructure project makes financial sense. With that said, debt is a complicated topic and one that requires a lot of education and outreach for the public to understand. CBAC supports this measure but would like to emphasize the need for a strong public education campaign surrounding it.

The Public Safety Tax increase, which forecasts an additional \$7M in revenue for the City to address staffing issues for police and fire, is an item the CBAC committee supports bringing forward for additional polling. With the safety of the community being of utmost importance, and the costs associated with these services continuing to rise, CBAC believes this is a funding need to prioritize now, not later.

Finally, CBAC discussed the proposed Open Space Tax which would create a new funding source for land acquisition, conservation, and increased trail construction. While neighboring cities have implemented dedicated tax revenue to fund the preservation of open public spaces, the committee feels the timing for this issue isn't right for Greeley voters and that it would be more prudent to direct existing resources towards improved operations and maintenance of our existing natural areas.

Recommendation: CBAC recommends removing the Open Space Tax from consideration for the upcoming 2nd public opinion poll, leaving the Food Tax renewal, transportation debt issuance, and the Public Safety Tax to proceed in this year's ballot planning process. This recommendation was adopted at the April 10, 2024 meeting on a 7-2 vote.



2024 Ballot Planning

Focus Group Discussion

Kelli Johnson, Chief of Staff

Winna MacLaren, Director of Communications and Engagement

Kalen Myers, Deputy Budget and Policy Director

Alex Dunn, Vice President, Aspect Strategic

City Council Meeting – May 7, 2024



Agenda

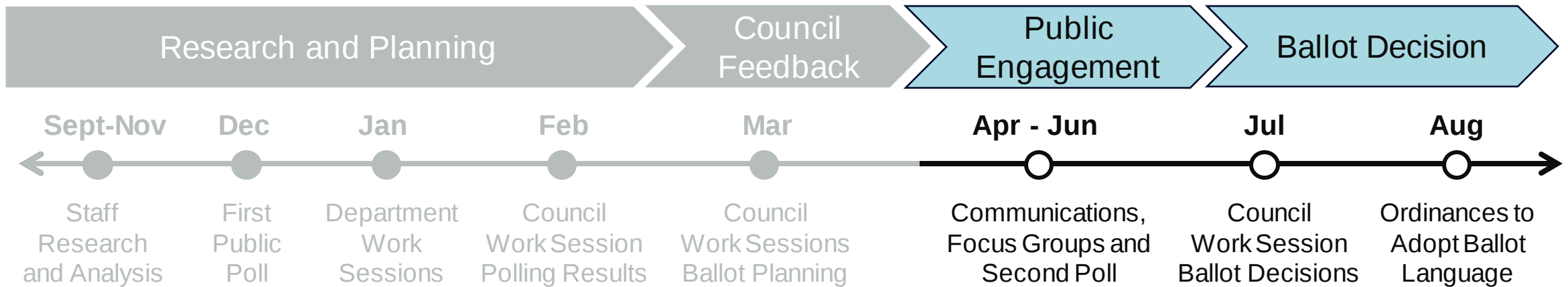


- Project Review and Timeline
- Focus Group Methodology
- Focus Group Summary Results
- Purpose: Consensus on Scope of Second Poll

Project Review



Timeline



Topics

Food Tax
Renewal

Transportation
Debt Issuance

Dedicated Open
Space Tax

Public Safety Tax
Increase

Focus Group Methodology

- This analysis is based on a **multi-day online discussion** among residents of Greeley
- The discussion took place **April 8-12** among **39 Greeley residents** from across the city representing a diversity of backgrounds
- This discussion was qualitative in nature and should **not** be treated like a statistically valid survey. Instead, it was **designed to provide a window into residents' awareness and understanding of the complicated issues facing Greeley**, as well as how they arrive at their opinions and perspectives

A few notes on qualitative research

This was designed to:

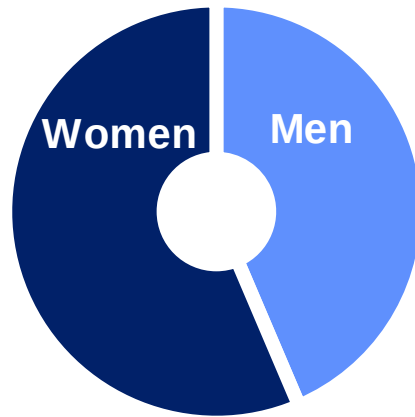
- Hear residents' concerns and priorities in their own words
- Understand “the why” behind their thinking
- See how they process new information about city programs, budgets, and goals

This was not designed to:

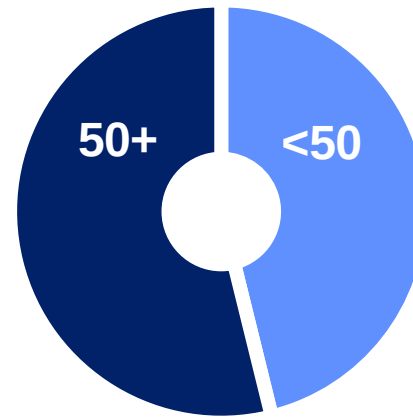
- Measure attitudes in a quantitative fashion
- Make viability determinations for specific proposals

A profile of respondents

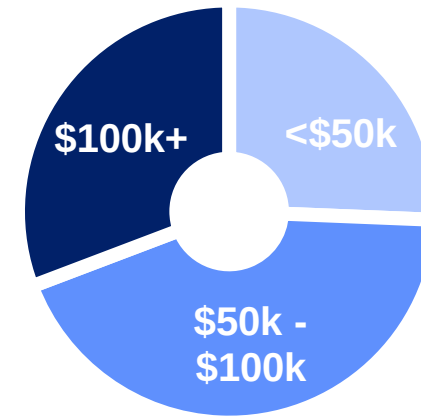
Gender



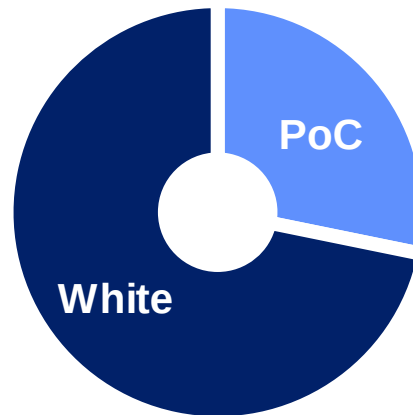
Age



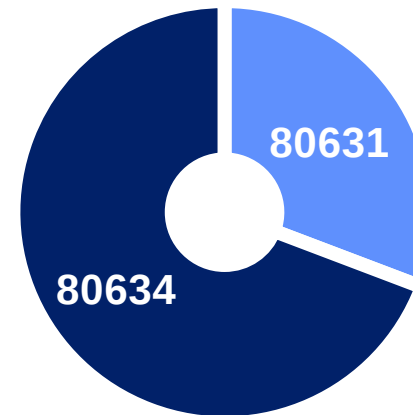
Income



Race



ZIP



How did the discussion work?

**S1Q7 - 6**

Putting aside our frustrations for a moment, what makes Greeley a unique and special place to live? When you think of Greeley, what comes to mind?

**Robert K**

624

\$250K+1

Caucasian31

Enough funding14

Taxes: Somewhat oppose18

Bachelors16

Split A23

16 days ago

...

The climate. The size of the city and surrounding area. The proximity to Denver without being too close.

[Follow Up](#) [Like](#) [Add Insight](#) [Add to Workbench Theme](#)

**Denise K**

631

\$80K-\$100K9

Caucasian31

Need additional funding29

Taxes: Somewhat support25

Associates6

Split A23

16 days ago

...

Greeley wasn't in our radar when we decided to move back to northern CO because it's known for being smelly and a big farming cattle city. But it's because of that history that make's Greeley the town it is. We need to embrace the history of Greeley and keep Greeley's Western heritage strong. We love the stampede and events that come with it. Greeley. We do need to get the message out that Greeley is not just a farming city.

[Follow Up](#) [Like](#) [Add Insight](#) [Add to Workbench Theme](#)

**Ashlyn T**

351

\$35K-\$50K6

Other ethnicity1

Need additional funding29

Taxes: Somewhat support25

GED3

Split A23

16 days ago

...

The reason I first moved to Greeley is because it gives the small town feeling while also being somewhat of a municipality. Small town vibes with city feels.

[Follow Up](#) [Like](#) [Add Insight](#) [Add to Workbench Theme](#)

**Robert W**

662

\$50K-\$80K13

Caucasian31

Need additional funding29

Taxes: Somewhat support25

Some Post Grad1

Split A23

16 days ago

...

Greeley is unique from several different viewpoints. The proximity to the mountains, Front Range, and the Denver Metro area create a triangle of possibilities. The cost of living is reasonable in comparison to other locations offering the same proximities.

[Follow Up](#) [Like](#) [Add Insight](#) [Add to Workbench Theme](#)

Q: Issues and Challenges in Greeley these days

Growth / Development

“The growth in this area is exploding...Part of me embraces this because growth brings opportunity and jobs and events but it also brings traffic and crowds. I know we can't avoid these things in Colorado. I just hope Greeley can stay 'smaller' and control the growth.”

“Growth. Everywhere you look, they are clearing farm land for new housing, single family and multi family. I do not like it.”

Safety / Crime

“I'm concerned about the rise in crime in this area! And now with the posting that we will have a diminished police force I feel like we have opened our community to even more potential for crime and violence.”

“I live on the West side so we do seem to have better access to nice parks and shopping areas that aren't as worn down or scary to visit, but I worry it won't be long and the crime from downtown will move this direction.”

Cost of Living

“We have a huge increase in building and housing but our infrastructure needs to be attended to, to properly accommodate everyone. Prices are very high, in my opinion, of most things, causing hardship on a lot of residents.”

“Quality of life here in Greeley is definitely going down for numerous reasons...housing and most of all affordability of just like basic necessities like clothes, food, etc.”

Q: What makes Greeley a unique and special place to live?

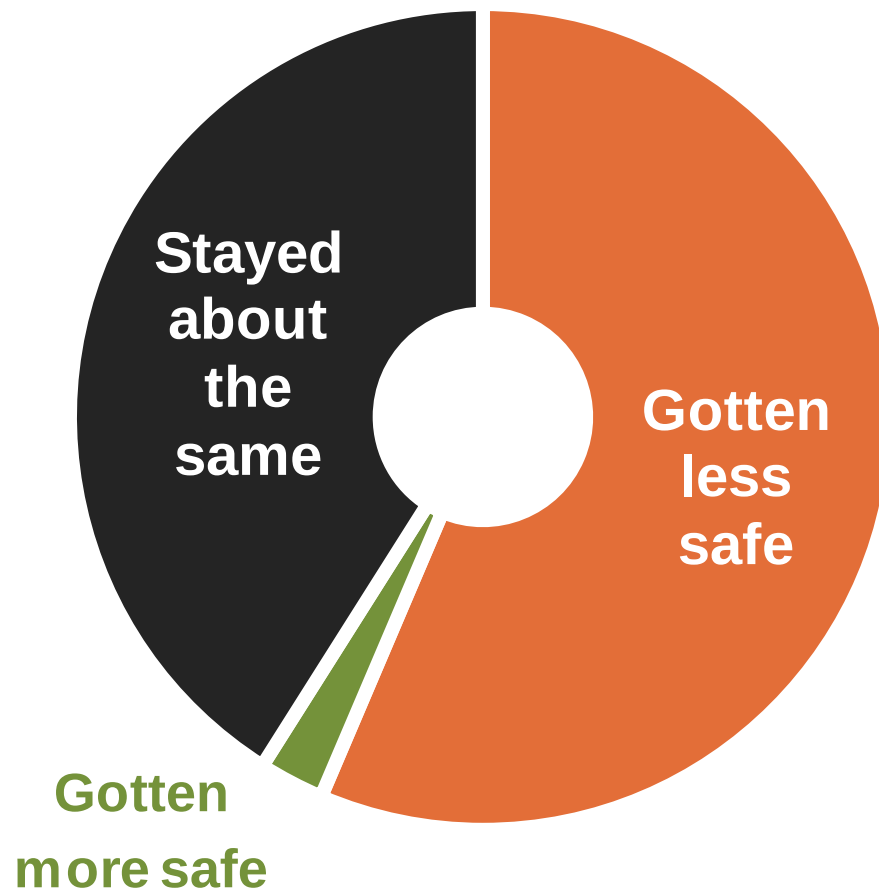
- ✓ Family friendly
- ✓ Smaller community feel
- ✓ Access to mountains
- ✓ Improving amenities
- ✓ Still more affordable than other parts of the Front Range

“I feel Greeley is a great place to raise a family.”

“It can still feel like a small hometown place where you grew up, you know tons of people, and the familiarity is nice. Plus, I like the western/country/farmer feel about it.”

“Greeley is unique from several different viewpoints. The proximity to the mountains, Front Range, and the Denver Metro area...The cost of living is reasonable in comparison to similar locations.”

Over the last 5 years or so, would you say Greeley has...



- ✓ Crime seems to be on the rise
- ✓ Police are spread too thin
- ✓ Need to “clean up” the city
- ✓ Issues with gangs, drugs

Q: What problems / challenges should city funding go toward?

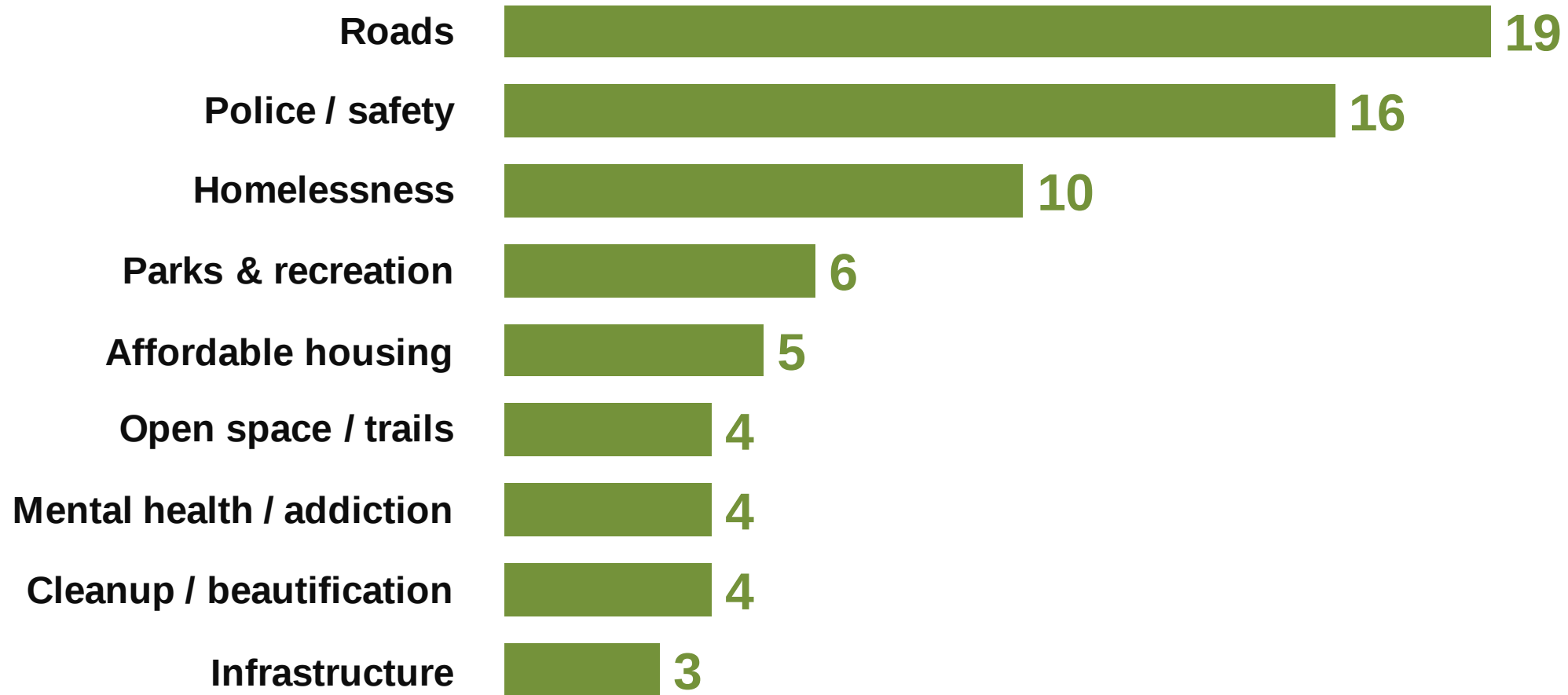


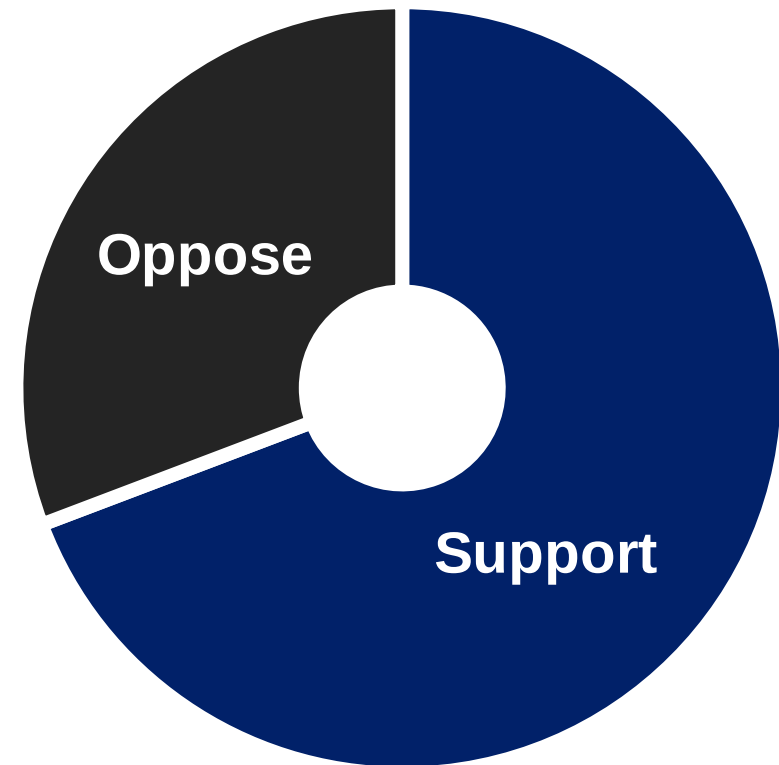
Chart depicts total number of mentions (some respondents mentioned multiple topic areas).

Food Tax renewal (initial reactions)

Without imposing a new tax, shall the existing voter-approved sales tax rate on food currently in effect be permanently extended until such authorization is altered or repealed by Greeley City Council or Greeley voters for the purpose of continuing to fund the financing or refinancing of city capital improvement projects, including without limitation the acquisition, construction, improvement, maintenance, and repair of:

- Parks
- Streets
- Recreational facilities
- Public buildings

With such expenditures to be approved by Greeley City Council, subject to independent review by a citizens committee appointed by the Greeley City Council, and shall the proceeds of such tax and the income from their investment be collected, kept, and spent as a voter-approved revenue change and an exception to any revenue or expenditure limits that would otherwise apply?



Food Tax renewal (initial reactions)

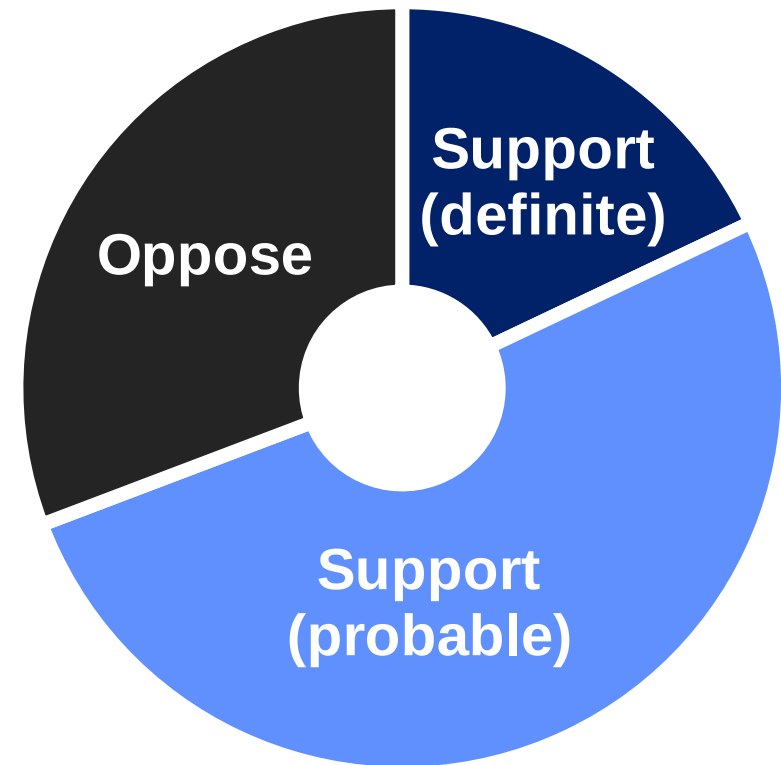
What inspired enthusiasm:

- Most of the funding areas, especially streets
- No new taxes
- Review by a citizens' committee

What inspired skepticism:

- Taxing food when affordability concerns are elevated
- Funding public buildings
- Citizens' committee shouldn't be appointed by Council

Mixed verdict: Permanent extension vs. sunset

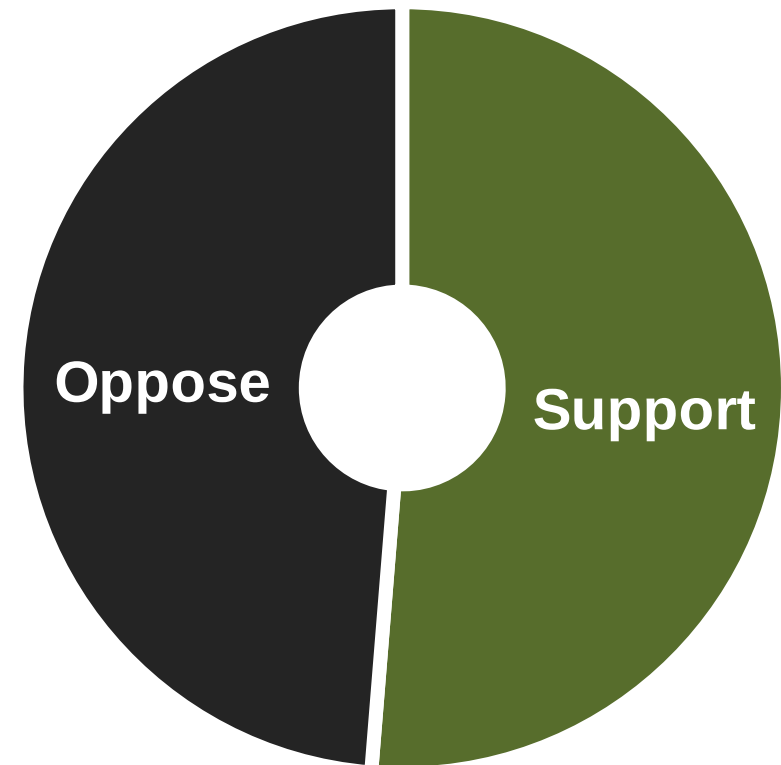


Debt issuance (initial reactions)

Without imposing a new tax, shall City of Greeley debt be increased by \$65 million, with a repayment cost of \$93 million, to be repaid over 50 years using the revenues of voter-approved city taxes for transportation purposes, including but not limited to:

- Constructing new highway 34 interchanges at 35th and 47th Avenue to improve traffic flow, decrease congestion, and improve safety
- Expanding Greeley's regional bus service with routes to Loveland, Severance, Denver, and the airport
- Constructing traffic safety improvements and beautifying major traffic corridors such as Greeley's Downtown 8th Avenue

With such expenditures to be approved by Greeley City Council and subject to independent review by a citizens committee appointed by the Greeley City Council?



Debt issuance (initial reactions)

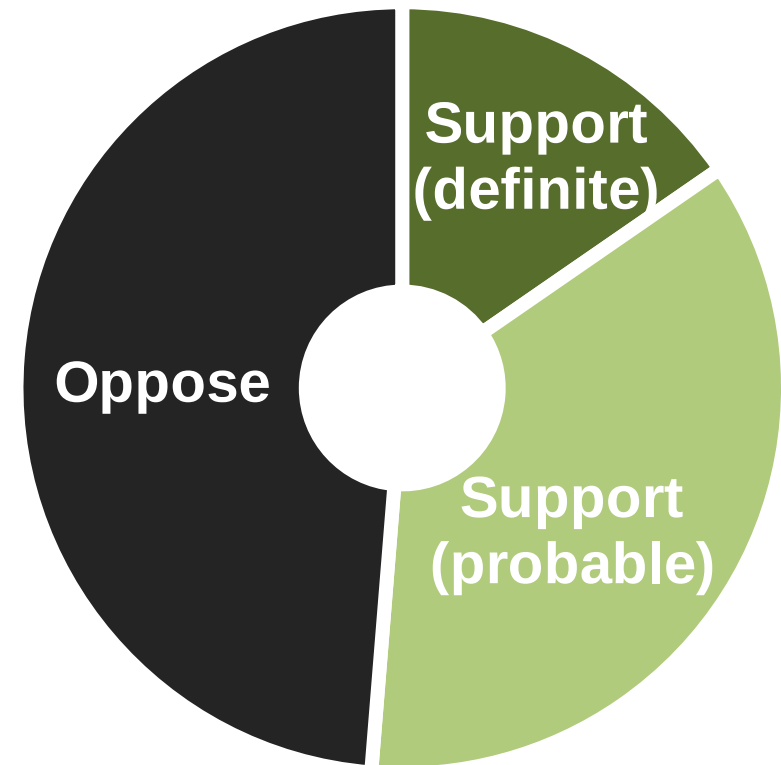
What inspired enthusiasm:

- Funding updates to US34
- Improving safety and traffic flow
- No new taxes

What inspired skepticism:

- The repayment cost / interest on the debt
- Lack of clarity on how it would be paid for and how it would impact taxpayers
- Funding street beautification

Mixed verdict: Funding regional bus service



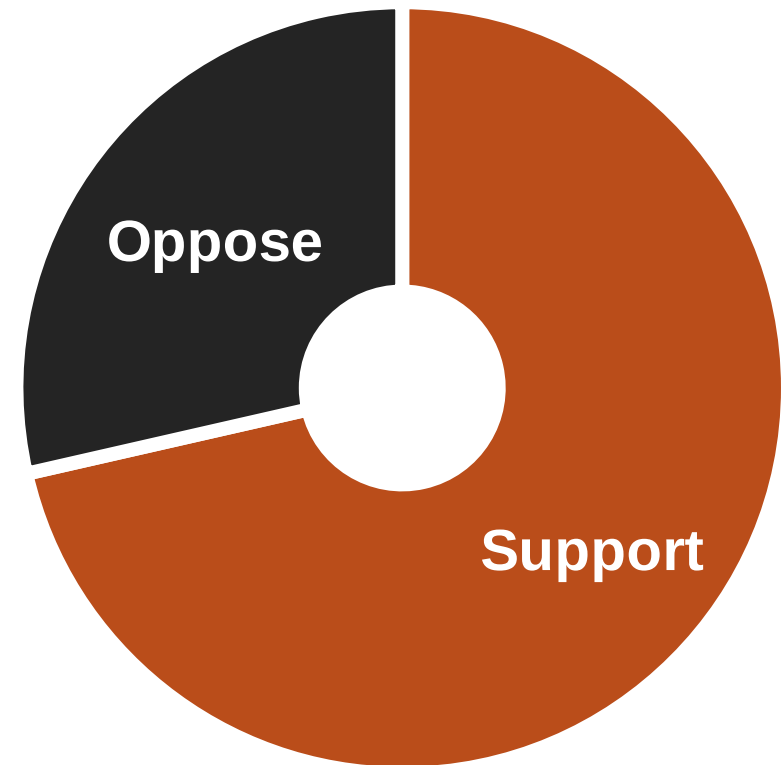
Public safety (initial reactions)*

Shall Greeley taxes be increased by \$7 million in 2025 and by whatever additional amounts are received each year thereafter for the purpose of supporting and improving public safety services, including but not limited to:

- Paying market-value wages to recruit and retain high-quality firefighters, police officers, and public safety administrative and support staff
- Protecting public safety staff and personnel by ensuring access to updated equipment, technology, and facilities

By increasing the existing sales tax and use tax (excluding the city sales tax on food) by 0.25% (equal to 25 cents on a \$100 purchase);

With such expenditures to be approved by Greeley City Council, subject to independent review by a citizens committee appointed by the Greeley City Council, and shall the proceeds of such tax and the income from their investment be collected, kept, and spent as a voter-approved revenue change and an exception to any revenue or expenditure limits that would otherwise apply?



*Asked of only half the sample (small sample size).

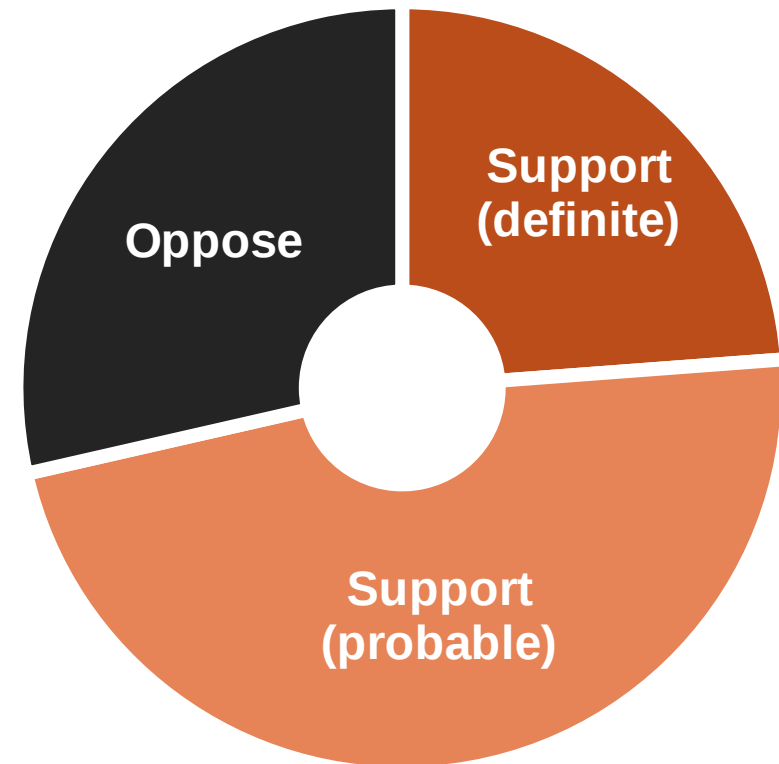
Public safety (initial reactions)*

What inspired enthusiasm:

- The chance to support public safety personnel
- Aligns with widely shared priority for city
- Rate of .25% generally viewed as reasonable

What inspired skepticism: Difficult time to increase taxes

Mixed verdict: Should it include a sunset?



*Asked of only half the sample (small sample size).

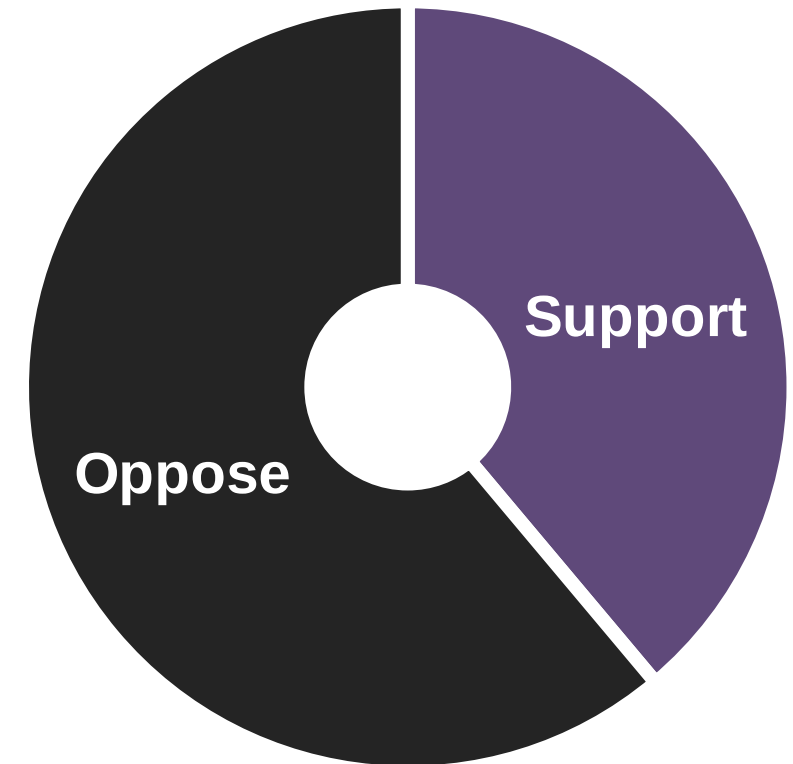
Open space (initial reactions)*

Shall Greeley taxes be increased by \$7 million in 2025 and by whatever additional amounts are received each year thereafter for the purpose of supporting open space, trails, and natural areas, including but not limited to:

- Conserving natural areas, open spaces, and wildlife habitat
- Protecting lands that preserve water quality and the Poudre River, lakes and streams
- Improving the maintenance, condition, and cleanliness of trails
- Maintaining, acquiring, improving, and operating natural areas, open spaces, and trails
- Protecting working farms and ranches

By increasing the existing sales and use tax (excluding the city sales tax on food) by 0.25% (equal to 25 cents on a \$100 purchase),

With such expenditures to be approved by Greeley City Council, subject to independent review by a citizens committee appointed by the Greeley City Council, and shall the proceeds of such tax and the income from their investment be collected, kept, and spent as a voter-approved revenue change and an exception to any revenue or expenditure limits that would otherwise apply?



*Asked of only half the sample (small sample size).

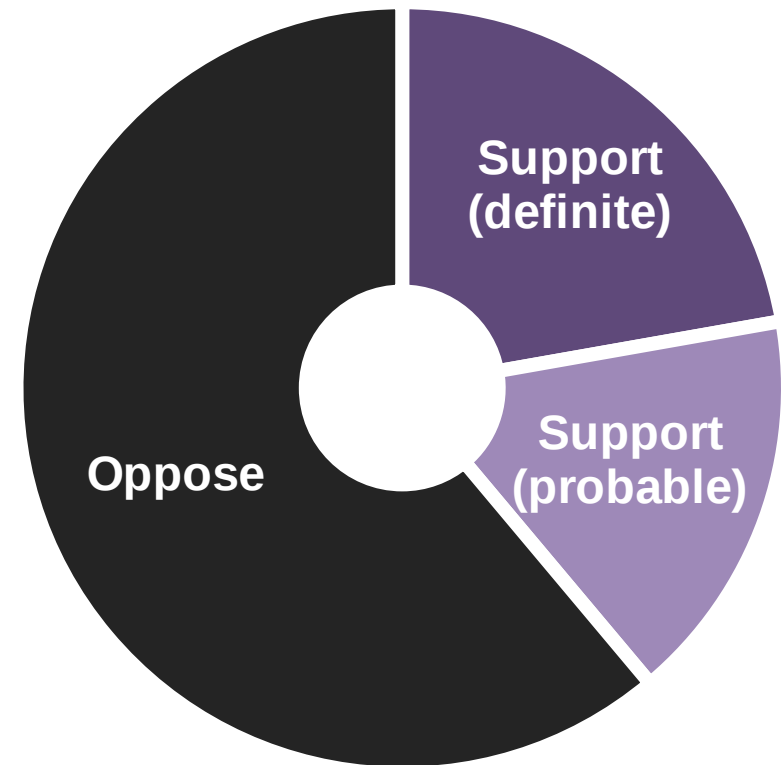
Open space (initial reactions)*

What inspired enthusiasm: The funding areas, especially trails and open space

What inspired skepticism:

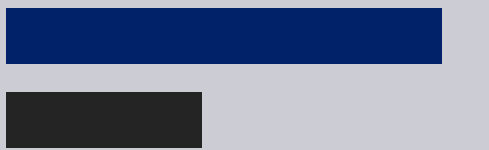
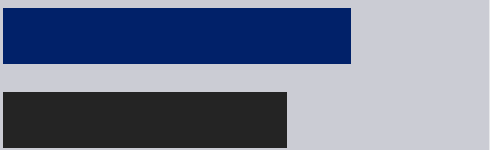
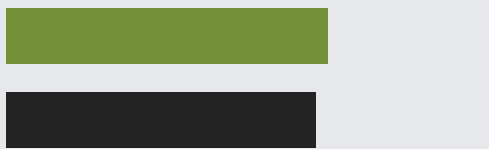
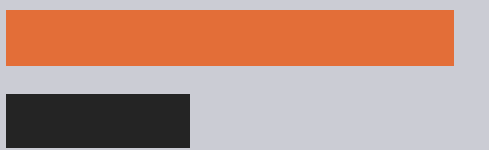
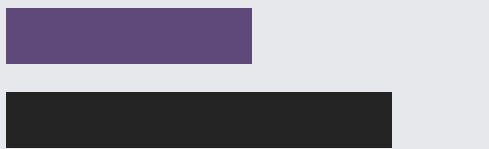
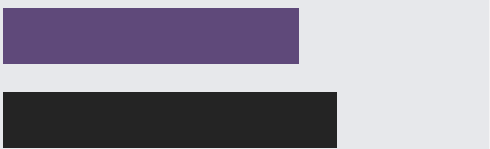
- Cost of living is too high for what some consider “non-essential” funding
- Lack of sunset

Mixed verdict: Rate of .25% generally seemed reasonable but \$7 million total price tag felt loftier



*Asked of only half the sample (small sample size).

Re-evaluating proposals after pro-con statements

	Initial reactions	After pros/cons	What drove the shift?
Food Tax			Concerns that taxing food hurts families
Debt issuance			Concerns over quantity of debt and interest
Public safety*			Timing of tax increase, objections to multiple measures at once
Open space*			Lack of dedicated open space funding and desire to keep up with neighboring communities

*Asked of only half the sample (small sample size).

Reactions to possibility of 3+ ballot proposals: 3 camps

Support all 3

"All are vital to the community and in need of funding."

"I would more than likely support all three, as only one is implementing a new tax, but all three are addressing areas that need improvement."

"I would support all three measures. They are needed badly to improve the way of life for us living here."

Support 1 or 2

"This does make me pause and consider which tax proposals are more important than others. I might change my mind and only vote for 1 or maybe 2 proposals. Voting for all three of them will push out which proposal is closer to what I would agree to support and I'm sure others would do the same. Of the three, I might put the transportation one on hold...ugh."

"Ya they need to pick and choose! Introducing all 3 of these at one time is a recipe for disaster."

Oppose all 3

"Greeley has more people so that means more taxes, so they don't need any more funding."

"The city should show the citizens how the money they already receive is put to use."

"I'd like to see where the tax money received over the last few years has gone."

Considerations for Second Poll

Why it's important to narrow the scope:

- A poll can thoroughly vet community attitudes on 1-2 potential ballot proposals
- Each additional proposal substantially reduces our ability to gather quality information

Summary and Next Steps

We're seeking consensus on what topics to include in the second poll
Options:

Food Tax Renewal

Include in Second Poll?

✓ YES

X NO

Transportation Debt
Issuance

Include in Second Poll?

✓ YES

X NO

Dedicated Open
Space Tax

Include in Second Poll?

✓ YES

X NO

Public Safety Tax
Increase

Include in Second Poll?

✓ YES

X NO

Important Upcoming Dates:

Mid June | Second Poll

July 23 | Council Work Session: Poll Results and Ballot Decisions

August | First and Second Readings of Ballot Ordinances

Thank You



Open Space Greeley*

May 6, 2024

Dear Mayor and Members of Greeley City Council,

We thank you sincerely for your earlier consideration in allowing sales tax polling to include the question of funding for open space. As we noted in our previous letter to you, the polling results as presented at the February 13, 2024 Council Work Session reflected significant support shared equally for the public safety and open space tax questions, both essential aspects of community life that complement each other.

While not a scientific survey, we were likewise heartened with a follow up reader opinion survey presented by the Greeley Tribune within the past month that presented 68% support for preserving community open space by those completing the survey.

We also know there are competing community priorities for funding.

We are cognizant of the aggressive growth estimates that the City projects for Greeley and the concerns it has raised by residents. More than ever, leaders need to prepare thoughtfully for a community that has been developed by design versus by default, managing all of its resources to build a quality of life for its residents and visitors that is appealing, healthy, sustainable, and balanced. We strongly believe conservation and enhancement of our unique open space areas needs to be part of that equation.

As you contemplate the taxing questions to pose to the Greeley electorate, we hope you will include an open space question in that decision. We stand ready to provide information, support, and enthusiasm to help voters understand the important options such a resource would provide and its significant return on investment for the community.

Thank you for your time, attention, and dedication to serving our community.

Yours sincerely,

*Neil Allen
Sharon Bywater-reyes
Chelsie Romulo
Ray Tschillard*

*Larry Rogstad
Casey Davenport
Becky Safarik*

*Bob Hinderaker
Don Hjar
Clint Torczon*

* formerly Friends of Greeley Open Space



Council Agenda Summary

May 7, 2024

Key Staff Contact: Kimberly Southern-Weber, Chief Human Capital Officer

Title:

Public hearing and second reading of an ordinance authorizing a salary increase for the City Manager

Summary:

City Council conducted the annual performance review of the City Manager on March 19, 2024. Based on this annual review, the City Council found that City Manager Lee's 2023 performance substantially exceeded expectations and in accordance with merit increases for all non-union employees with a similar performance review directed that the following adjustment be presented for adoption by the City Council with an effective date of February 15, 2024:

- A merit increase of 10%;
- One-time performance incentive: \$10,000 lump sum incentive to be paid out in 2024 for City Manager Lee's outstanding performance in 2023. This performance incentive is intended to both acknowledge achievement of critical goals in 2023 and to incentivize retention in 2024.

In addition, the City Council directed that the following be presented for adoption by the City Council with an effective date of February 15, 2024:

- Increasing City Manager's Paid Time Off (PTO) accrual rate from 9.23 hours (6 weeks annually) per pay period to 13.23 hours (8.6 weeks annually) per pay period

A motion to introduce the ordinance and schedule a public hearing and second reading for May 7, 2024, was approved with a 7-0 vote on April 16, 2024.

City Manager Current Salary	274,428.85
Value of 10.00% General Wage Increase for City Manager	27,442.89
Fiscal Year 2024 City Manager salary effective February 15, 2024	301,871.74
One-time performance bonus	\$10,000

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
---	-----

If yes, what is the initial, or, onetime impact?	\$10,000 performance bonus
What is the annual impact?	\$27,442.89 for salary \$3,018.81 retirement contribution increase

Legal Issues:

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

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

Other issues and Considerations:

None

Strategic Focus Area:



High-Performance Government

Decision Options:

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

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

1. Ord No, 10, 2024
2. Item 16 & 17 - Salary increases for the City Manager and Municipal Judge Presentation

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

**AN ORDINANCE AUTHORIZING A SALARY
AND CERTAIN BENEFITS FOR THE CITY MANAGER**

WHEREAS, Section 3-15 of the Greeley City Charter requires the fixing of compensation to be by ordinance; and

WHEREAS, on January 4, 2022 Raymond C. Lee III was appointed to the position of City Manager for the City of Greeley; and

WHEREAS, the City Council conducted the City Manager's annual review on March 19, 2024; and

WHEREAS, the City Council has determined that it is appropriate to make changes to certain other benefits provided to the City Manager.

WHEREAS, the City Council feels that it is appropriate to set the City Manager's compensation.

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

Section 1. The City Manager's salary is increased ten percent (10%) to \$301,871.74 annually.

Section 2. The City Manager shall receive a lump sum performance incentive of \$10,000.00 to be paid out in 2024 for his performance in 2023. This performance incentive is intended to both acknowledge achievement of critical goals in 2023 and to incentivize retention in 2024.

Section 3. The City shall maintain its current contribution of eleven percent (11%) of the City Manager's base salary to the City's 401(k) retirement savings plan on City Manager's behalf.

Section 4. The City Manager shall accrue paid time off at the rate of 13.23 hours per pay period and shall accumulate, hold, and utilize paid time off as if Employee has a tenure with the City of twenty-one years or more in accordance with the City paid time off accrual schedule for Executive Employees as described in City policy.

Section 4. To the extent the terms in this ordinance differ from the terms of the Employment Agreement executed by Raymond C. Lee III and the City on January 4, 2022, the terms in this ordinance shall control.

Section 5. The above referenced ordinance shall be effective for the pay period beginning February 15, 2024.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _ DAY OF MAY 2024.

ATTEST:

THE CITY OF GREELEY, COLORADO

BY: _____
CITY CLERK

BY: _____
MAYOR

**CITY OF GREELEY, COLORADO
ORDINANCE NO. 11, 2024**

**AN ORDINANCE REAPPOINTING AND AUTHORIZING A
SALARY INCREASE FOR THE PRESIDING MUNICIPAL JUDGE**

WHEREAS, Mark C. Gonzales was appointed by the City Council to the position of Presiding Municipal Judge effective May 21, 2018 for a term of four years; and

WHEREAS, City Council reappointed Judge Gonzales to the position of Presiding Municipal Judge on May 18, 2022 for a term of four years; and

WHEREAS, Section 3-15 of the Greeley City Charter requires the fixing of compensation to be by ordinance, and salary and benefits are a part of the Presiding Municipal Judge's compensation package; and

WHEREAS, on March 26, 2024 the City Council conducted the Presiding Municipal Judge's annual review; and

WHEREAS, the City Council feels that it is appropriate to set the Presiding Municipal Judge's compensation; and

WHEREAS, on April 17, 2018 the City Council passed Resolution 26, 2018 providing the Presiding Municipal Judge with the authority and responsibility for appointment and supervision of the Municipal Court Clerk, as authorized by Section 2-947 of the Greeley Municipal Code; and

WHEREAS, upon Judge Gonzales' request, City Council finds it appropriate to support a review of the compensation and classification of the employees supervised by the Presiding Municipal Judge.

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

Section 1. Mark C. Gonzales was reappointed to the position of Presiding Municipal Judge, effective on May 18, 2022 for a term of four years as authorized by Section 7-1 of the Greeley Charter.

Section 3. The Municipal Judge's salary is increased by nine percent (9.0%) to \$201,473.29 annually.

Section 4. The Municipal Judge shall accrue paid time off at the rate of 13.23 hours per pay period and shall accumulate, hold, and utilize paid time off as if Employee has a tenure with the City of twenty-one years or more in accordance with City paid time off accrual schedule for Executive Employees as described in City policy.

Section 5. The City Council directs the Human Resources department to undertake a compensation and classification review of employees under the Municipal Judge and Municipal Court Clerk's supervision, and to provide a report and recommendations to the Municipal Judge at the conclusion of such review.

Section 5. The above referenced ordinance shall be effective for the pay period beginning February 15, 2024.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _ DAY OF APRIL, 2024.

ATTEST:

THE CITY OF GREELEY, COLORADO

BY:_____
CITY CLERK

BY:_____
MAYOR



Public Hearings and Second Reading of Ordinances Authorizing Salary Increases for the City Manager and Municipal Judge

Kimberly Southern-Weber, Chief People Officer

Kimberly.Southern@greeleygov.com

City Council Meeting – May 7, 2024



Agenda

- One presentation for both City Manager and Municipal Judge items
- Review and Compensation process
- City Manager's salary increase
- Municipal Judge's salary increase
- Purpose: Adopt the ordinances and publish with reference to title only

Process

- Annual Review based on compilation of City Council feedback and ratings
 - City Manager: Review conducted by outside consultant seeking feedback from City Council members
 - Municipal Judge: Judicial Review Board feedback and City Council feedback
 - Compensation increases consistent with general government non-union employee merit increases with similar performance ratings and market-driven
- City Charter Requirement: Compensation of City Manager and Municipal Judge is fixed by City Council via ordinance process



City Manager Salary Increase

- Annual Review conducted on March 19, 2024
- Merit Increase of 10%
 - Current Salary = \$274,428.85
 - FY 2024 Salary Retroactive to February 15, 2024 = \$301,871.74
- One Time Performance Bonus: \$10,000
- Increasing to Paid Time Off (PTO) accrual rate from 9.23 hours (6 weeks annually) per pay period to 13.23 hours (8.6 weeks annually) per pay period



Municipal Judge Salary Increase

- Annual Review conducted on March 26, 2024
- Merit Increase of 9.0%
 - Current Salary = \$184,837.88
 - FY 2024 Salary Retroactive to February 15, 2024 = \$201,473.29
- Increase to the Paid Time Off (PTO) accrual rate from 9.23 hours (6 weeks annually) per pay period to 13.23 hours (8.6 weeks annually) per pay period



Questions





Council Agenda Summary

May 7, 2024

Key Staff Contact: Kimberly Southern-Weber, Chief Human Capital Officer

Title:

Public hearing and second reading of an ordinance authorizing a salary increase for the Municipal Judge

Summary:

City Council conducted the annual performance review of the Municipal Judge on March 26, 2024. Based on this annual review, the City Council found that Municipal Judge Gonzales' 2023 performance met expectations and in accordance with merit increases for all non-union employees with a similar performance review directed that the following adjustment be presented for adoption by the City Council with an effective date of February 15, 2023:

- A merit increase of 9.0%.

In addition, the City Council directed that the following be presented for adoption by the City Council with an effective date of February 15, 2024:

- Reappointment of Mark C. Gonzales as Presiding Municipal Court Judge, effective *nunc pro tunc* (retroactive) May 18, 2022 for a term of four years; and
- Increasing the Municipal Judge's Paid Time Off (PTO) accrual rate from 9.23 hours (6 weeks annually) per pay period to 13.23 hours (8.6 weeks annually) per pay period

A motion to introduce the ordinance and schedule a public hearing and second reading for May 7, 2024, was approved with a 7-0 vote on April 16, 2024.

Municipal Judge's Current Salary	184,837.88
Value of 9.0% General Wage Increase for Municipal Judge	16,635.41
Fiscal Year 2024 Municipal Judge salary effective February 15, 2024	201,473.29

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$16,635.41
What is the annual impact?	General

Legal Issues:

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

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

Other issues and Considerations:

None

Strategic Focus Area:



High-Performance Government

Decision Options:

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

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

1. Ord No. 11, 2024
2. See Item 16 Presentation – Salary increases for the City Manager and Municipal Judge Presentation

**CITY OF GREELEY, COLORADO
ORDINANCE NO. 11, 2024**

**AN ORDINANCE REAPPOINTING AND AUTHORIZING A
SALARY INCREASE FOR THE PRESIDING MUNICIPAL JUDGE**

WHEREAS, Mark C. Gonzales was appointed by the City Council to the position of Presiding Municipal Judge effective May 21, 2018 for a term of four years; and

WHEREAS, City Council reappointed Judge Gonzales to the position of Presiding Municipal Judge on May 18, 2022 for a term of four years; and

WHEREAS, Section 3-15 of the Greeley City Charter requires the fixing of compensation to be by ordinance, and salary and benefits are a part of the Presiding Municipal Judge's compensation package; and

WHEREAS, on March 26, 2024 the City Council conducted the Presiding Municipal Judge's annual review; and

WHEREAS, the City Council feels that it is appropriate to set the Presiding Municipal Judge's compensation; and

WHEREAS, on April 17, 2018 the City Council passed Resolution 26, 2018 providing the Presiding Municipal Judge with the authority and responsibility for appointment and supervision of the Municipal Court Clerk, as authorized by Section 2-947 of the Greeley Municipal Code; and

WHEREAS, upon Judge Gonzales' request, City Council finds it appropriate to support a review of the compensation and classification of the employees supervised by the Presiding Municipal Judge.

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

- Section 1. Mark C. Gonzales was reappointed to the position of Presiding Municipal Judge, effective on May 18, 2022 for a term of four years as authorized by Section 7-1 of the Greeley Charter.
- Section 3. The Municipal Judge's salary is increased by nine percent (9.0%) to \$201,473.29 annually.
- Section 4. The Municipal Judge shall accrue paid time off at the rate of 13.23 hours per pay period and shall accumulate, hold, and utilize paid time off as if Employee has a tenure with the City of twenty-one years or more in accordance with City paid time off accrual schedule for Executive Employees as described in City policy.

Section 5. The City Council directs the Human Resources department to undertake a compensation and classification review of employees under the Municipal Judge and Municipal Court Clerk's supervision, and to provide a report and recommendations to the Municipal Judge at the conclusion of such review.

Section 5. The above referenced ordinance shall be effective for the pay period beginning February 15, 2024.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _ DAY OF MAY, 2024.

ATTEST:

THE CITY OF GREELEY, COLORADO

BY: _____
CITY CLERK

BY: _____
MAYOR



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

May 13, 2024 - May 19, 2024

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

Monday, May 13

Tuesday, May 14

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

Wednesday, May 15

- 7:30am - 8:30am Quarterly Joint Breakfast Weld/Greeley** (Doug's Diner - Greeley (801 9th St, Greeley, CO 80631)) - Council Master Calendar
- 7:30am - Visit Greeley (Butler)** (902 7th Ave Greeley) 
- 11:00am - 1:00pm United Way Community Leaders Luncheon- Let me know if you would like to go-We are planning on getting a table** (DoubleTree by Hilton – 919 7th St – Greeley) - Council Master Calendar
- 2:00pm - 5:00pm Water & Sewer Board (Gates)** 
- 3:00pm - 3:30pm Greeley Police Department Promotion of Sergeant Samuel KellerTwigg** (Greeley Police Department; Donahue Room) - Council Master Calendar

Thursday, May 16

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

Friday, May 17

Saturday, May 18

Sunday, May 19

May 20, 2024 - May 26, 2024

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

Monday, May 20

Tuesday, May 21

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

Wednesday, May 22

Thursday, May 23

 **6:00pm - 7:00pm BOCC & Weld Municipalities Quarterly Conference Call** (Teams) - Council Master Calendar

Friday, May 24

Saturday, May 25

Sunday, May 26

May 27, 2024 - June 2, 2024

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

Monday, May 27

- 8:00am Memorial Day Holiday- All Administrative Buildings Closed
- 9:00am - 10:00am Memorial Day Proclamation (Linn Grove Cemetery (1700 Cedar Ave, Greeley, CO 80631)) - Council Master Calendar
- 11:30am - 12:30pm Greeley Chamber of Commerce (Hall)

Tuesday, May 28

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

Wednesday, May 29

- 7:00am - 8:00am Upstate Colorado Economic Development (Hall) (Upstate Colorado Conference Room) - Council Master Calendar
- 5:00pm - 7:30pm Colorado Municipal League Spring District Meetings (Urban Egg a daytime eatery (4861 Thompson Pkwy, Johnstown, CO 80534)) - Council Master Calendar

Thursday, May 30

Friday, May 31

Saturday, June 1

- 10:00am - 11:00am Linn Grove's 150th Anniversary Program (Gates) (Linn Grove Cemetery (1700 Cedar Ave, Greeley, CO 80631)) - Council Master Calendar

Sunday, June 2

June 3, 2024 - June 9, 2024

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

Monday, June 3

8:00am - 8:30am Hold: Weld County/City of Greeley Meeting

Tuesday, June 4

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

Wednesday, June 5

8:00am - 8:30am Hold : Weld County/City of Greeley Meeting

Thursday, June 6

7:30am - 9:00am Regional Leadership Initiative 2024 Planning (Gates, Hall) Mayor and Mayor Pro Tem only (Windsor Public Services Facility (922 15th St, Windsor, CO 80550)) - 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, June 7

8:00am - 3:30pm Hold: W&S Annual bus tour for Council and W&S Board members (City Center South 1001 11th Ave., 2nd Floor) - Council Master Calendar

Saturday, June 8

Sunday, June 9

City Council Meeting Scheduling 2024			
	4/30/2024		
	This schedule is subject to change		
May 07, 2024 Council Meeting	Proclamation- Public Works Week	Mayor	Intro
	Proclamation - Historic Preservation Month	Mayor	Intro
	Proclamation - Mental Health Month	Mayor	Intro
	Proclamation - National Police Week Proclamation	Mayor	Intro
	Minutes - April 2 CC; April 9 WS	Heidi Leatherwood	Consent
	Motion Appointing Ernest Cienfuegos-Baca to the Greeley/Weld Housing Authority Board	Heidi Leatherwood	Consent
	Resolution - IGA with Weld RE-5J School District	Caleb Jackson	Consent
	Intro & 1st Rdg Ord - Adding Chapter 8 to Title 18 of the Greeley Municipal Code Relating to Museums	Chris Bowles	Consent
	Intro & 1st Rdg Ord - Supplemental Budget Appropriation for 2023	Tyra Litzau	Consent
	Focus Group Results	Kalen Myers	Regular Informational
	PH & 2nd Rdg - Municipal Judge Salary Increase	Kimberly Southern-Weber	Regular
	PH & 2nd Rdg - City Manager Salary Increase	Kimberly Southern-Weber	Regular
May 14, 2024 Council Work Session	1st Quarter Grants Update	Tyra Litzau/Robert Miller	Work Session
	Revision of the City of Greeley Investment Policy	Tyra Litzau/Robert Miller	Work Session
	Waste Diversion Study Update	Will Jones/ Paul Trombino	Work Session
May 21, 2024 Council Meeting	Proclamation - National Travel & Tourism Week Proclamation (Tentative)	Mayor	Intro
	Introduction - Deputy City Manager Allena Portis	Mayor	Intro
	Minutes - April 16 CC; April 23 WS	Heidi Leatherwood	Consent
	Resolution - Update to City Investment Policy	Tyra Litzau/Robert Miller	Consent
	Intro & 1st Rdg Ord - Affordable Housing Parking Reduction	Caleb Jackson	Consent
	PH & 2nd Rdg Ord - Adding Chapter 8 to Title 18 of the Greeley Municipal Code Relating to Museums	Chris Bowles	Regular
	PH & 2nd Rdg - Supplemental Budget Appropriation for 2023	Tyra Litzau	Regular
	Boards & Commissions Appointments	Heidi Leatherwood	Regular
May 28, 2024 Council Work Session	Facilities Update (Tentative)	Paul Trombino	Work Session
	Downtown Overlay Zoning	Don Threewitt/ Brian McBroom	Work Session
	Small Business Land Use Center	Brian McBroom	Work Session
June 04, 2024 Council Meeting	Minutes - May 7 CC; May 14 WS	Heidi Leatherwood	Consent
	Resolution - CDOT IGA Funding for New Culvert #3 Ditch at 23rd Avenue and 5th Street	Paul Trombino	Consent
	Resolution - At Home Greeley	Brian McBroom	Consent
	Intro & 1st Rdg Ord - Campaign Contributions Limits and Election Amendments	Heidi Leatherwood/Stacey Aurzada	Consent
	Intro & 1st Rdg Ord - Request for Eminent Domain Authority for 83rd avenue 4th Street Project	Bhooshan Karnik/ Paul Trombino	Consent
	Intro & 1st Rdg Ord - Request for Eminent Domain Authority for Poudre River Ranch Stormwater Improvements	Bhooshan Karnik/ Paul Trombino	Consent

City Council Meeting Scheduling 2024			
	4/30/2024		
	This schedule is subject to change		
	Intro & 1st Rdg Ord - Request for Eminent Domain Authority for 23rd Avenue and 4th/5th Street Project	Bhooshan Karnik/ Paul Trombino	Consent
	Sign Code Amendments (Tentative)	Don Threewitt	Regular Informational
	PH & 2nd Rdg Ord - Affordable Housing Parking Reduction	Caleb Jackson	Regular
June 11, 2024 Council Work Session	Water & Sewer Board Interviews	Heidi Leatherwood/Ashton Reinhardt	Work Session
	Culture, Parks, and Recreation Comprehensive Plan Update	Diana Frick	Work Session
	Open Space Update	Diana Frick	Work Session
	1st Quarter CIP Update	Paul Trombino	Work Session
June 18, 2024 Council Meeting	Proclamations - Greeley Stampede	Mayor	Intro
	Proclamations - Juneteenth	Mayor	Intro
	Proclamation - World Refugee Day	Mayor	Intro
	Minutes - May 21 CC; May 28 WS	Heidi Leatherwood	Consent
	Intro & 1st Rdg Ord - Sign Code Amendments (Tentative)	Don Threewitt	Consent
	PH & 2nd Rdg Ord - Campaign Contributions Limits and Election Amendments	Heidi Leatherwood/Stacey Aurzada	Regular
	PH & 2nd Rdg Ord - Request for Eminent Domain Authority for 83rd avenue and 4th Street Project	Bhooshan Karnik/ Paul Trombino	Regular
	PH & 2nd Rdg Ord - Request for Eminent Domain Authority for Poudre River Ranch Stormwater Improvements	Bhooshan Karnik/ Paul Trombino	Regular
	PH & 2nd Rdg Ord - Request for Eminent Domain Authority for 23rd Avenue and 4th/5th Street Project	Bhooshan Karnik/ Paul Trombino	Regular
	Boards & Commissions Appointments	Heidi Leatherwood	Regular
June 25, 2024 Council Work Session	Image and Tourism Update	Jaqueline Villegas	Worksession
	Meeting (Council and B&C) Streaming and Storage	Winna MacLaren, Heidi Leatherwood	Worksession
	Metropolitan District Standards – Options and Recommendations	Don Threewitt	Work Session