

Greeley City Council Agenda

Regular Meeting
Tuesday, June 18, 2024 at 6:00 PM

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

NOTICE:

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

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

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

Watch Meetings:



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



Meetings are televised live on GTV8 on cable television.



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

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

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

Comment in real time:

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



In person attendees can address the Council in the Chambers.



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

Submit written comments:



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



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



Mayor

John Gates

Councilmembers

Tommy Butler - Ward I

Deb DeBoutez - Ward II

Johnny Olson - Ward III

Dale Hall - Ward IV

Brett Payton - At-Large

Melissa McDonald - At-Large



City Council Regular Meeting Agenda

Tuesday, June 18, 2024 at 6:00 PM

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

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

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.

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9. A motion to approve the City Council Meeting Proceedings of May 21, 2024 and City Council Work Session Proceedings of May 28, 2024
 10. A resolution appointing Stacey Aurzada to the position of City Attorney
 11. A resolution supporting the grant application for a Generation Wild Planning Grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of Generation Wild of Greeley
 12. A resolution authorizing the City Attorney's Office to institute legal action for the purpose of recovering damages against companies who manufacture, market, and sell aqueous film-forming (AFFF) foam and/or products containing per- and polyfluoroalkyl (PFAS) substances

13. Introduction and first reading of an ordinance relating to acquiring Real Property by Purchase or Exercise of Eminent Domain (37th Street Bridge Improvement Project)
14. Introduction and first reading of ordinance relating to acquire Real Property by Purchase or Exercise of Eminent Domain (4th Street and 83rd Avenue Improvement Project)
15. Introduction and first reading of an ordinance relating to acquiring Real Property by Purchase or Exercise of Eminent Domain (4th Street - 5th Street and 23rd Avenue Project)
16. Introduction and first reading of an ordinance to establish Local Improvement District No. 346590 for the Westgate Non-Potable Pump Station under Title 18, Chapter 6 (Local Improvement Districts) of the Greeley Municipal Code

End of Consent Agenda

17. Pulled Consent Agenda Items
18. Public hearing and second reading of an ordinance authorizing a salary and certain benefits for the City Attorney, Stacey Aurzada
19. Appointments to Boards and Commission - Water and Sewer Board, Museum Board, and Downtown Development Authority
20. 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
21. Scheduling of Meetings, Other Events
22. Adjournment



Council Agenda Summary

Title:

Recognitions and Proclamations

Summary:

Mayor Gates will present the following proclamations:

- World Refugee Day Proclamation
- Greeley Stampede Days Proclamation
- Park and Recreation Month
- Recognizing Juneteenth Independence Day

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

Attachments:

World Refugee Day Proclamation

Greeley Stampede Days Proclamation

Park and Recreation Month Proclamation

Recognizing Juneteenth Independence Day Proclamation

Item 5 – What's Great About Greeley Presentation



World Refugee Day

WHEREAS, On World Refugee Day, we honor the contributions and resilience of those forced to flee from their homelands due to violence, persecution, or natural disasters. The hard-earned wisdom, diverse experiences, and unceasing courage of refugees enrich our nation and strengthen America's unique narrative as a beacon of hope that opens our doors to those in need. Today, we celebrate the triumph of the human spirit exemplified by these displaced individuals and acknowledge the compassion of those who welcome them into their homes and communities, and:

WHEREAS, returning to their native soil is not an option for many refugees, many of whom have found a haven in Weld County. Refugees face daunting challenges in an unfamiliar society with new rules, new resources, and often a new language. Yet, refugees are survivors despite all they have faced: harrowing acts of violence and devastation, flights across borders in search of aid and shelter, uncertain and prolonged stays in camps, and travel to a strange, distant country; and

WHEREAS, living in the United States presents an opportunity to move forward, one that countless refugees from all over the globe have embraced. Weld County has joined in this proud heritage, playing an increasingly important role in refugee resettlement in Colorado and the Western U.S. Refugees bring with them determination and optimism that strengthens our cultural, economic, and intellectual fabric. Their remarkable determination to rebuild a brighter future amid tremendous adversity embodies our nation's promise and spirit of boundless possibility; and

WHEREAS, on June 20th, we recognize the past 44 years of refugee resettlement as a demonstration of our overall efforts to support people in need around the world. We renew our commitment to ensuring that liberty and opportunity are available to all who seek it, working towards a common goal of strengthening and empowering refugee populations. We pledge to continue creating a welcoming community where refugees can safely live and ultimately flourish.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, Colorado, do hereby proclaim June 20th as World Refugee Day in the City of Greeley.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, this 18th day of June 2024.

John Gates, Mayor



GREELEY STAMPEDE DAYS JUNE 26 – JULY 7, 2024

WHEREAS, the Greeley Stampede is rich in tradition and heritage dating back to the late 1800s. The first official event in 1922 was called the Greeley Spud Rodeo to honor the local potato farmers. The community celebration has grown into an internationally acclaimed festival attracting over 200,000 people annually to our community; and

WHEREAS, the Greeley Stampede strengthens our community by making a positive financial impact through donations, park improvements and tourism; and

WHEREAS, the City of Greeley is a sponsor of the Greeley Stampede and provides a great deal of support to the Greeley Stampede, including staff, equipment and facilities; and

WHEREAS, we extend our thanks to the individuals, businesses, sponsors and hundreds of volunteers who have made the Stampede Greeley's largest community event.

NOW THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, on behalf of the City Council and all our residents, do hereby proclaim that June 26 through July 7, 2024, shall be known as Greeley Stampede Days.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, this 18th day of June 2024.

John Gates
Mayor



Park and Recreation Month 2024

WHEREAS, parks and recreation is an integral part of communities through this country including the City of Greeley; and

WHEREAS, parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's; and

WHEREAS, parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS, park and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS, parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation is fundamental to the environmental well-being of our community; and

WHEREAS, parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

WHEREAS, our parks and natural areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the City of Greeley recognizes the benefits derived from parks and recreation resources.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim July 2024 as Park and Recreation Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 18th day of June 2024.

John Gates
Mayor



RECOGNIZING JUNETEENTH INDEPENDENCE DAY

WHEREAS, President Abraham Lincoln’s Emancipation Proclamation was issued January 1, 1863; and

WHEREAS, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free; and

WHEREAS, African Americans who had been slaves in the Southwest celebrated June 19, commonly known as “Juneteenth Independence Day”, as inspiration and encouragement for future generations; and

WHEREAS, the City of Greeley acknowledges the historical significance of Juneteenth Independence Day to the United States and recognizes that the end of slavery is an important part of the history and heritage of the United States; and

WHEREAS, Juneteenth Independence Day provides an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the United States; and

WHEREAS, the City of Greeley encourages all residents to commit themselves to the work of equity, equality, and justice.

THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim June 19, 2024, as Juneteenth Independence Day in the City of Greeley.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 18th day of June 2024.

John Gates
Mayor



City Council Meeting
June 18, 2024

An aerial photograph of a city, likely Denver, with a large white banner overlaying the center. The banner contains a quote in bold, italicized blue text. The background shows a vast cityscape with green spaces, buildings, and a range of mountains in the distance under a clear sky.

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

- Athenian Oath

UNC's Jerome Campbell Qualifies for NCAA Outdoor Track & Field Finals

- Placed 7th overall
- Received his 2nd career First Team All American honor.



Aims Automotive Students Win at SkillsUSA State Championships

- Six Aims students competed.
- Three students won gold and will represent Colorado in the SkillsUSA Championships.







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 July 16, 2024. Council Meeting; 2nd Rdg Ordinance scheduled for August 6, 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 •Council work session late 3rd quarter or early 4th 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.	•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. 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.	Diana Frick
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 Update pending second quote information	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 Retreat is scheduled for July 17, 2024	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
5-2024	Hall	Impact Fee Study Structure	May 7, 2024 Council Meeting	Requested staff bring a report to a future work session explaining more in depth the Impact Fee Study Structure - how the ratio is calculated, review process, timeline of review, and development fees	Meeting with staff	Brian McBroom/Paul Trombino/Sean Chambers/Tyra Litzau
6-2024	Butler	Sidewalk Funding Projects	May 21, 2024 Council Meeting	Requested staff to come to a work session to report on sidewalk work and plans being done		Paul Trombino



Council Agenda Summary

June 18, 2024

Key Staff Contact: Heidi Leatherwood, City Clerk

Title:

A motion to approve the City Council Meeting Proceedings of May 21, 2024 and City Council Work Session Proceedings of May 28, 2024

Summary:

The regular meeting of the City Council was held in City Council Chambers on March 21, 2024, and a Work Session of the City Council was held in City Council Chambers on March 28, 2024.

The draft proceedings of each meeting are presented for the Council's review and approval.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
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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 May 21, 2024 Draft
2. Council Work Session Minutes May 28, 2024 Draft

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
May 21, 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

Jennifer Middleton, Deputy City Clerk called the roll.

The following were present:

Councilmember Tommy Butler

Councilmember Deb DeBoutez

Mayor Pro Tem Dale Hall

Councilmember Brett Payton - via Zoom

Councilmember Johnny Olson

Councilmember Melissa McDonald

Mayor John Gates

4. Approval of the Agenda

None.

5. Recognitions and Proclamations

Proclamations:

Mayor Gates read the National Travel and Tourism Week proclamation at 6:02 p.m. and City of Greeley Deputy Director of External Communications, Jaqueline Villegas, Executive Director of the Downtown District Authority Bianca Fischer, Founders of Greeley Blues Jam Al and Pam Bricker, City of Greeley Cultural Affairs Manager Megan Weiler, and Vice President of Sales and Marketing for Double Tree Hotel Wendy Peterson were present in Council Chambers to accept.

What's Great About Greeley

Councilmember Butler presented the *What's Great about Greeley?* presentation at 6:07 p.m.

Mayor Gates introduced and welcomed Director of Information Technology Nick Hoyle, Director of Human Resources Martha Lanaghen, and Assistant City Manager of Community Resilience and Vibrancy Kelli Johnson at 6:08 p.m.

6. Citizen Input

1. Steve Teets spoke about roundabouts, a possible transfer station between 35th and 47th Ave along Highway 34, and a recycling plant. He thinks money is better spent on the bus system and infrastructure, and he does not want new taxes on the ballot.

2. Ken Spadey spoke about being a demolition contractor at the old University Northern Colorado (UNC) Foundation Hall. He said his crew and himself were unknowingly exposed to asbestos. He claimed the Greeley Police Department would not let him file a police report, and he had to file one with the Weld County Sheriff's Department instead.

7. Reports from Mayor and Councilmembers

Mayor Pro Tem Hall read his endorsement letter for the application of nomination to the Colorado Municipal League's Executive Board. Mayor Gates expressed how beneficial it was to have a representative on the CML Board and asked for consensus from the council for their endorsement. The council reached consensus.

8. Initiatives from Mayor and Councilmembers

Councilmember Butler spoke about meeting with Public Works Director Paul Trombino. During that conversation they spoke about sidewalk funding. Councilmember Butler would like to have a work session in the coming months to let the community know what sidewalk projects are coming to them.

Mayor Gates asked the council for consensus on a Sidewalk Work Session. The council reached consensus to move forward with this initiative.

Consent Agenda

9. A motion to approve the City Council Meeting Proceedings of April 16, 2024, and City Council Work Session Proceedings of April 23, 2024

10. A motion to cancel the July 2, 2024 Council Meeting

11. A resolution authorizing the City to adopt the revised City of Greeley Investment Policy

13. Introduction and first reading of an ordinance amending Title 24 of the Greeley Municipal Code relating to an affordable housing parking reduction

End of Consent Agenda

Councilmember Butler moved to approve the Consent Agenda Items 9-12
Councilmember DeBoutez seconded the motion. The motion passed at 6:23 p.m.

14. 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 2023

Treasurer Robert Miller introduced the item at 6:23 p.m. with a presentation.

He reminded Council that he had presented an overview of the request at the May 14, 2024 Work Session, regarding changes for the American Rescue Plan Act funds. The request included a supplemental appropriation modifying the 2023 Budget to align with changes made during the 2022 Financial Audit to better account for federal funds. The appropriations have no impact on the overall 2023 Budget and allows for projects to be completed as previously approved by City Council.

Council did not have any questions.

Mayor Gates opened the public hearing at 6:25 p.m.

1. Steve Teets requested to know what 2022 projects had been approved with ARPA funds. Mayor Gates asked Mr. Miller if that was something that could be provided easily. Mr. Miller explained that information is noted in the October 17, 2023 Work Session Minutes. Mr. Teets agreed that he would like that sent to him.

Mayor Gates closed the public hearing at 6:26 p.m.

Mayor Pro Tem Hall moved to approve the motion. Councilmember DeBoutez seconded the motion. The motion passed 7-0 at 6:27 p.m.

15. Appointments to Boards & Commissions

Deputy City Clerk Jennifer Middleton announced the appointments:

- Youth Commission Board – Mackenzie Franks; 2-year term
- Union Colony Civic Advisory Center Board – Austin Southern; 3-year terms

16. 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 Olson seconded the motion. The motion passed with a voice vote 7-0 at 6:28 p.m.

17. Scheduling of Meetings Other Events

None.

18. Adjournment

With no further business to come before the Council, Mayor Gates adjourned the meeting at 6:28 p.m.

Approved:

John Gates, Mayor

Attest:

Jennifer Middleton, Deputy City Clerk

City of Greeley, Colorado
CITY COUNCIL WORK SESSION REPORT
May 28, 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 Avenue, 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, attended remotely via that City's Zoom platform

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 McDonald announced that it has been 6 months since she became councilmember. She attended the "Meet the Fleet" event with various departments to view the large equipment and trucks. It was attended by 100+ participants.

5. Downtown Overlay District

Community Development Director Brian McBroom and Planner III Douglas May introduced the item at 6:02 p.m.

Mr. McBroom announced that this item is best described as Phase 1 of an overlay district to the Downtown. It was initially the updated Downtown Master Plan adopted in January 2023 by the City Council. Mr. McBroom noted that the Downtown Development Authority (DDA) has been a very involved thought partner. He introduced Doug May to proceed with the presentation.

Mr. May described the project as one that creates new design standards and guidelines for Downtown that focus on consistent treatment to the public realm, streetscape, building frontages and character. The hope is to encourage redevelopment in Downtown Greeley

and better connections between the University of Northern Colorado (UNC) campus and downtown area by expanding the general improvement district. The idea is to extend the General Improvement District (GID) along 8th Avenue from 11th Street to 17th Street.

Mayor Pro Tem Hall asked for clarification on the difference between urban versus suburban development. Mr. McBroom explained the current development code required many steps for urban style development. The goal of the overlay is to achieve similar development with a simpler process.

Mayor Pro Tem Hall asked if this would allow more hardscape rather than landscape. Mr. McBroom replied that was true.

Councilmember Olson asked if parking reductions were due to the new state law. Mr. McBroom replied that the new law affects affordable housing.

Councilmember DeBoutez inquired how this change would help with providing public open space or parks. Mr. McBroom noted that this is a key question and that allowing more urban style development along the corridor would in some ways change the nature of the development in those areas. If the development does not have sufficient parking, then the public rights of way would need to have parking available for the uses we expect to see. And if the development code requires a private park, this overlay would no longer require that. Yet in some cases, developers do provide private open space areas on site anyway.

Phase one overlay is specific to the property that fronts 8th Avenue. Mr. McBroom responded to Mayor Pro Tem Hall's inquiry on building heights, at this point that it had not been anticipated. Councilmember Olson commented that the responsibility for open space and maintenance should not fall on the City, this should be included in the development fees.

Mayor Gates asked about the communication efforts with long-term businesses. Mr. May noted that a presentation had been shared with the DDA and so for those business owners being part of the DDA, they were informed. Currently no other long-term outreach has been conducted.

Council consensus was to proceed with the proposal.

6. Small Business Land Use Center Overview

Community Development Director Brian McBroom introduced the item at 6:21 p.m.

The Small Business Land Use Center is a response to a challenge that staff noticed. The development review process and city's development standards over time are more complicated. This is a function of changes in the principles and practices of regulating

land use development and a response to the City's interest in attracting high quality development and keeping pace with practices and best practices. However, for small businesses unfamiliar with development review, the process can be difficult, confusing and time-consuming. Key staff are being identified to serve as leaders to work more closely with small businesses seeking development approvals, especially for the first time.

The Small Business Land Use Center would provide a higher level of service to small businesses navigating the process. Additional services such as qualified professional list, financial assistance grants and potential code changes may be incorporated in later phases. Mr. McBroom asked for council feedback and questions. Next steps are to roll out the programs, track results and prepare for possible requests of additional funds.

Mayor Pro Tem requested clarification on the definition of "small business." Mr. McBroom replied that this will be defined with the development of the program, the intent is not to define "small" in terms of footprint. He provided an example of a new business that is a non-franchise business.

Councilmember McDonald asked how this would work with the Small Business Development Center (SBDC) and stated realtors should be considered as well. Mr. McBroom expressed that there is a reciprocal opportunity to promote through SBDC and communicate awareness of the program with businesses that they interact with.

Councilmember DeBoutez showed her support and suggested having a basic website that provides information about buildings. She also noted the importance of knowledgeable staff providing positive first-encounter experiences with potential new business owners.

Council consensus: Support for the concept of the project.

7. Scheduling of Meetings, Other Events

Mayor Gates reminded staff of the Habitat for Humanity Grand Opening event at Hope Springs, located between 32nd Street and 23rd Avenue, on Thursday, May 30, 2024 at 12 p.m.

8. Adjournment

Mayor Gates adjourned the meeting at 6:33 p.m.

Approved:

John D. Gates, Mayor

Attest:

Heidi Leatherwood, City Clerk



Council Agenda Summary

June 18, 2024

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

Title:

A resolution appointing Stacey Aurzada to the position of City Attorney

Summary:

The City Council has selected Stacey Aurzada to be appointed as the Greeley City Attorney. The City Council has negotiated a contract with Ms. Aurzada which will be presented to Council for approval.

Fiscal Impact:

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

Legal Issues:

Consideration of this matter is a legislative process.

Other issues and Considerations:

None

Strategic Focus Area:



High-Performance Government

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. 18 , 2024

**CITY OF GREELEY, COLORADO
RESOLUTION NO. 18, 2024**

A RESOLUTION APPOINTING A CITY ATTORNEY

WHEREAS, Stacey Aurzada has applied for, been selected and offered the position of City Attorney; and

WHEREAS, Article VI, Section 6-1 of the City Charter of Greeley establishes that the City Attorney shall be appointed by the City Council for an indefinite term.

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

Section 1. That Stacey Aurzada has applied for, been selected and offered the position of City Attorney of Greeley, Colorado and has accepted the offer.

Section 2. That Stacey Aurzada is hereby appointed City Attorney, effective June 26, 2024.

Section 3. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS 18th DAY OF JUNE, 2024.

ATTEST

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor



Council Agenda Summary

June 18, 2024

Key Staff Contact: Diana Frick, Cultural Parks and Recreation Director, Benjamin Alexander, Business Manager, Justin Scharton, Natural Areas & Trails Manager

Title:

A resolution supporting the grant application for a Generation Wild Planning Grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of Generation Wild of Greeley

Summary:

Greeley is one of the fastest-growing communities in Colorado, the population is expected to double by 2060. In correlation with this growth, natural areas and trails must be prioritized.

In 2017, the Cache la Poudre Inspire Coalition, funded by an Inspire Initiative planning grant from Great Outdoors Colorado (GOCO), completed an initial planning effort to identify barriers and opportunities to engage youth and families with the outdoors. East Greeley was identified as one of the most “Nature Disadvantaged” areas in Greeley. In addition to being nature disadvantaged, East Greeley is geographically isolated by major highways from the rest of the city, and therefore many amenities are difficult to access.

The City of Greeley, Natural Areas & Trails (NAT) division, is seeking Generation Wild Planning funds to gather pivotal people and organizations and build on the momentum in East Greeley. Generation Wild aligns with multiple priorities in NAT’s 2021 Get Outdoors Greeley Strategic Plan, including equitably creating physical connections to nature and providing inclusive educational, volunteer, and leadership opportunities for all Greeley residents.

Generation Wild of Greeley will build on the foundation laid by previous planning efforts. To continue the support of these initiatives Natural Areas and Trails is applying for grant funding with the Great Outdoors Colorado (GOCO) for planning and community engagement.

- Total grant funding: \$150,000
- Total matching funds required: \$47,750 (City Funds, Partner Funds, and in-kind match)

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	One Time
What is the annual impact?	\$47, 450
What fund of the City will provide Funding?	Natural Areas and Trails

What is the source of revenue within the fund?	Great Outdoors Colorado (GOCO)
Is there grant funding for this item?	Yes
If yes, does this grant require a match?	Yes
Is this grant onetime or ongoing?	One Time

Legal Issues:

Consideration of this matter is legislative

Other issues and Considerations:

None

Strategic Focus Area:



Quality of Life

Decision Options:

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

Council's Recommended Action:

A motion to adopt the resolution.

Attachments:

1. Res No. 19, 2024

**CITY OF GREELEY, COLORADO
RESOLUTION NO. 19, 2024**

**A RESOLUTION SUPPORTING THE APPLICATION OF A GRANT TO THE BOARD
OF THE GREAT OUTDOORS COLORADO TRUST FUND FOR A GENERATION
WILD PLANNING GRANT IN THE EAST GREELEY NEIGHBORHOODS**

WHEREAS, the City of Greeley supports the Great Outdoors Colorado grant application for the Generation Wild grant cycle for a planning grant to continue engagement and planning efforts in east Greeley. If the grant is awarded, the City of Greeley supports the completion of the project.

WHEREAS, the City of Greeley has requested \$150,000 from Great Outdoors Colorado to complete a 5-year plan to increase access to and connection to nature for youth in east Greeley, and the City will provide \$17,000 in match for the grant, primarily through in-kind contribution of staff time.

WHEREAS, it is in the best interest of the citizens of Greeley to apply for this grant, and accept funds for the project if awarded.

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

- Section 1. The City Council of the City of Greeley strongly supports the application for a grant with Great Outdoors Colorado.
- Section 2. If the grant is awarded, the City Council of the City of Greeley strongly supports the fulfillment of the project.
- Section 3. If the grant is awarded, the City Council hereby authorizes the Culture, Parks and Recreation Department Director to sign the grant agreement with Great Outdoors Colorado.
- Section 4. If the grant is awarded, the City Council of the City of Greeley authorizes the expenditure of funds necessary to meet the terms and obligations of the grant agreement.
- Section 5. This resolution to be in full force and effect from and after its passage and approval.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 18th DAY OF JUNE 2024.

ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor



Council Agenda Summary

June 18, 2024

Key Staff Contact: Stacey Aurzada, Interim City Attorney, Sean Chambers, Water & Sewer Director

Title:

A resolution authorizing the City Attorney's Office to institute legal action for the purpose of recovering damages against companies who manufacture, market, and sell aqueous film-forming (AFFF) foam and/or products containing per- and polyfluoroalkyl (PFAS) substances

Summary:

As widely reported and in accordance with regulations recently promulgated by the Environmental Protection Agency ("EPA"), and as acknowledged by numerous state and local governments across the United States, public water systems throughout the country are undertaking extensive efforts to protect their citizens and customers from potential aqueous film-forming foam ("AFFF") and polyfluoroalkyl substances ("PFAS") contamination in their domestic water supplies. The City of Greeley ("City"), as the owner and operator of a public water system that provides domestic water service throughout Greeley and the surrounding region, has incurred costs and potential damages in the course of treating its raw water sources for AFFF and PFAS substances, and desires to investigate and pursue a recovery of such costs and damages from the parties responsible.

Several other Colorado county and municipal governments have sought the services of special counsel to investigate potential claims against companies who manufacture, market, and sell AFFF and PFAS substances, to initiate appropriate legal action with respect to their similar claims. The City has an opportunity to join pending multi-district litigation already initiated against companies who manufacture, market, and sell AFFF and PFAS substances, and to submit claims for the recovery of its damages from settlements negotiated, and the City Attorney recommends this course of action to City Council.

The proposed resolution would authorize and direct the City Attorney to initiate appropriate legal action for the purposes described above.

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?	N/A

Legal Issues:

Section 6-3 of the Greeley City Charter authorizes and requires the City Attorney to institute any suit, action or proceeding on behalf of the municipal government, or agency thereof, when so directed by City Council.

Consideration of this matter is a legislative process.

Other issues and Considerations:

None.

Strategic Focus Area:



High-Performance Government

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. 20, 2024

THE CITY OF GREELEY, COLORADO

RESOLUTION NO. 20, 2024

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY’S OFFICE
TO INSTITUTE LEGAL ACTION FOR THE PURPOSE OF RECOVERING DAMAGES
AGAINST COMPANIES WHO MANUFACTURE, MARKET, AND SELL AQUEOUS
FILM-FORMING FOAM (“AFFF”) AND/OR PRODUCTS CONTAINING PER- AND
POLYFLUOROALKYL SUBSTANCES (“PFAS”)**

WHEREAS, as widely reported and in accordance with regulations recently promulgated by the Environmental Protection Agency (“EPA”), and as acknowledged by numerous state and local governments across the United States, public water systems throughout the country are undertaking extensive efforts to protect their citizens and customers from potential AFFF and PFAS contamination in their domestic water supplies; and

WHEREAS, the City of Greeley (“City”), as the owner and operator of a public water system that provides domestic water service throughout Greeley and the surrounding region, has incurred costs and potential damages in the course of treating its raw water sources for AFFF and PFAS substances, and desires to investigate and pursue a recovery of such costs and damages from the parties responsible; and

WHEREAS, Section 6-3 of the Greeley City Charter authorizes and requires the City Attorney to institute any suit, action or proceeding on behalf of the municipal government, or agency thereof, when so directed by City Council; and

WHEREAS, several other Colorado county and municipal governments have sought the services of special counsel to investigate potential claims against companies who manufacture, market, and sell AFFF and PFAS substances, to initiate appropriate legal action with respect to their similar claims; and

WHEREAS, the City has an opportunity to join pending multi-district litigation already initiated against companies who manufacture, market, and sell AFFF and PFAS substances, and to submit claims for the recovery of its damages from settlements negotiated, and the City Attorney recommends this course of action to City Council; and

WHEREAS, it is in the best interests of the citizens of the City of Greeley for City Council to authorize and direct the City Attorney to initiate appropriate legal action for the purposes described above.

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

Section 1. The City Attorney is hereby authorized to initiate appropriate legal action for the purposes described above, including, without limitation, to retain the law firm of Keller

Rohrback, L.L.P. to join the pending multi-district litigation already initiated against companies who manufacture, market, and sell AFFF and PFAS substances, to submit claims for the recovery of its damages from settlements negotiated, and to undertake any other action reasonably necessary to pursue its potential claims related to AFFF and PFAS substances.

Section 2. Any actions taken by City staff and the City Attorney's Office prior to the passage of this Resolution and associated with the subject matter described above are hereby ratified.

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

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 18th DAY of JUNE 2024.

ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor



Council Agenda Summary

June 18, 2024

Key Staff Contact: Paul Trombino, Public Works Director

Title:

Introduction and first reading of an ordinance relating to acquiring Real Property by Purchase or Exercise of Eminent Domain (37th Street Bridge Improvement Project)

Summary:

This ordinance authorizes the acquisition of property interests by purchase or by exercise of power of eminent domain, if deemed necessary, required to construct the bridge and road improvement at the 37th Street Bridge over the Greeley Loveland Irrigation Company ditch.

The City of Greeley was awarded a federally funded reimbursable grant by the Colorado Department of Transportation for this project. The grant will reimburse the project for \$1,384,000 with a \$346,000 City match for a total of \$1,730,000. The City Council approved the intergovernmental agreement with the Colorado Department of Transportation to obligate the funds for this project in the June 4th council meeting.

The purpose of the project is to reconstruct the 37th Street bridge over the Greeley Loveland Irrigation Company ditch to improve traffic flow, safety, and multimodal infrastructure. The project will replace the existing structurally deficient bridge, geometry and safety issues and provide better connectivity for residents with a reinforced concrete box culvert. These improvements are vital to address the capacity needs on 37th Street and replace an obsolete bridge as the surrounding area is developed.

The Project will require the acquisition of tracts of fee, simple right of way, permanent easements, and temporary construction easements along 37th Street. City staff will begin discussions with owners within the project area. As the Project progresses, staff will continue to work with owners to meet the goals of the project, address site considerations, and acquire the property interests necessary for the project. Staff fully intend to negotiate in good faith and follow a uniform acquisition process for all affected owners. However, if an agreement cannot be reached, and to meet the schedule and budget requirements of the project, the City may consider the use of eminent domain.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	To be negotiated
What is the annual impact?	None
What fund of the City will provide Funding?	334
What is the source of revenue within the fund?	Road Development Fees

Is there grant funding for this item?	Yes
If yes, does this grant require a match?	Yes, 20% (\$346,000)
Is this grant onetime or ongoing?	Onetime

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:

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

Strategic Focus Area:



Community Vitality



Infrastructure and Mobility



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 July 16, 2024.

Attachments:

1. Ord No. 16, 2024 with Exhibit A

THE CITY OF GREELEY, COLORADO

ORDINANCE NO. 16, 2024

AN ORDINANCE AUTHORIZING THE CITY OF GREELEY TO ACQUIRE INTERESTS IN REAL PROPERTY LOCATED IN WELD COUNTY, COLORADO FOR ROAD IMPROVEMENTS AND ASSOCIATED FACILITIES BY PURCHASE OR EXERCISE OF THE POWER OF EMINENT DOMAIN, PURSUANT TO SECTION 7 OF ARTICLE XVI, SECTION 15 OF ARTICLE II, AND SECTIONS 1 AND 6 OF ARTICLE XX OF THE COLORADO CONSTITUTION AND COLORADO REVISED STATUTES § 38-1-101, ET SEQ. (37TH STREET BRIDGE IMPROVEMENT PROJECT)

WHEREAS, the City of Greeley (“City”) is a Colorado home-rule municipality authorized by Article II, Section 15, and Article XX, Sections 1 and 6 of the Colorado Constitution, as affirmed by Section 1-3 of the City of Greeley City Charter, to exercise the power of eminent domain to acquire interests in real property for public purposes, including, without limitation, the purposes of constructing, operating, and maintaining transportation systems and other public works such as roadway improvements, upon the payment of just compensation; and,

WHEREAS, Article 15 of Title 31, and Article 1 of Title 38, of the Colorado Revised Statutes, set forth the statutory authority and procedures by which the City may exercise the power of eminent domain to acquire real property interests as described above; and

WHEREAS, the City has determined that the public infrastructure improvements to 37th Street in the City of Greeley, are needed for the public purpose of replacing an obsolete bridge, maintaining general public safety, improved traffic flow and for connectivity, and thereby, promoting the health, safety, and welfare of its citizens and the general public; and

WHEREAS, accordingly, the City has determined it necessary to acquire the interests in real property located in Weld County and more particularly identified on Exhibit A, attached hereto and incorporated herein, for the public purposes described above, whether by purchase or exercise of the City’s power of eminent domain.

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

Section 1. The City Council hereby finds and determines that it is necessary and in the interest of the health, safety, and welfare of its citizens and the general public, to acquire, whether by purchase or exercise of the power of eminent domain, the real property interests identified on Exhibit A for public infrastructure improvements to 37th Street bridge over the Greeley Loveland Irrigation Company ditch in the City of Greeley, which are necessary for the public purposes of replacing an obsolete bridge, maintaining general public safety, improved traffic flow and for connectivity.

Section 2. The City Council hereby directs City staff to undertake all action necessary to acquire the real property interests identified on Exhibit A by eminent domain, including, without limitation, obtaining immediate possession of such real property interests pursuant to the provisions of the Colorado Revised Statutes set forth above, in the event that City staff is unsuccessful in negotiating a mutual agreement for the purchase of such real property interests.

Section 3. The City Council hereby ratifies any actions previously undertaken by City staff and legal counsel concerning the City's acquisition of the real property interests identified on Exhibit A, including, without limitation, concerning notice of the City's intent to acquire such real property interests and any offers previously extended to purchase such real property interests. Nothing contained in this ordinance is intended or shall be construed as precluding City staff from continued good faith negotiations with the owners of such real property to purchase the interests identified on Exhibit A.

Section 4. This ordinance shall take effect on the fifth (5th) day following its final publication, as contemplated by Section 3-16 of the City of Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 16TH DAY OF JULY 2024.

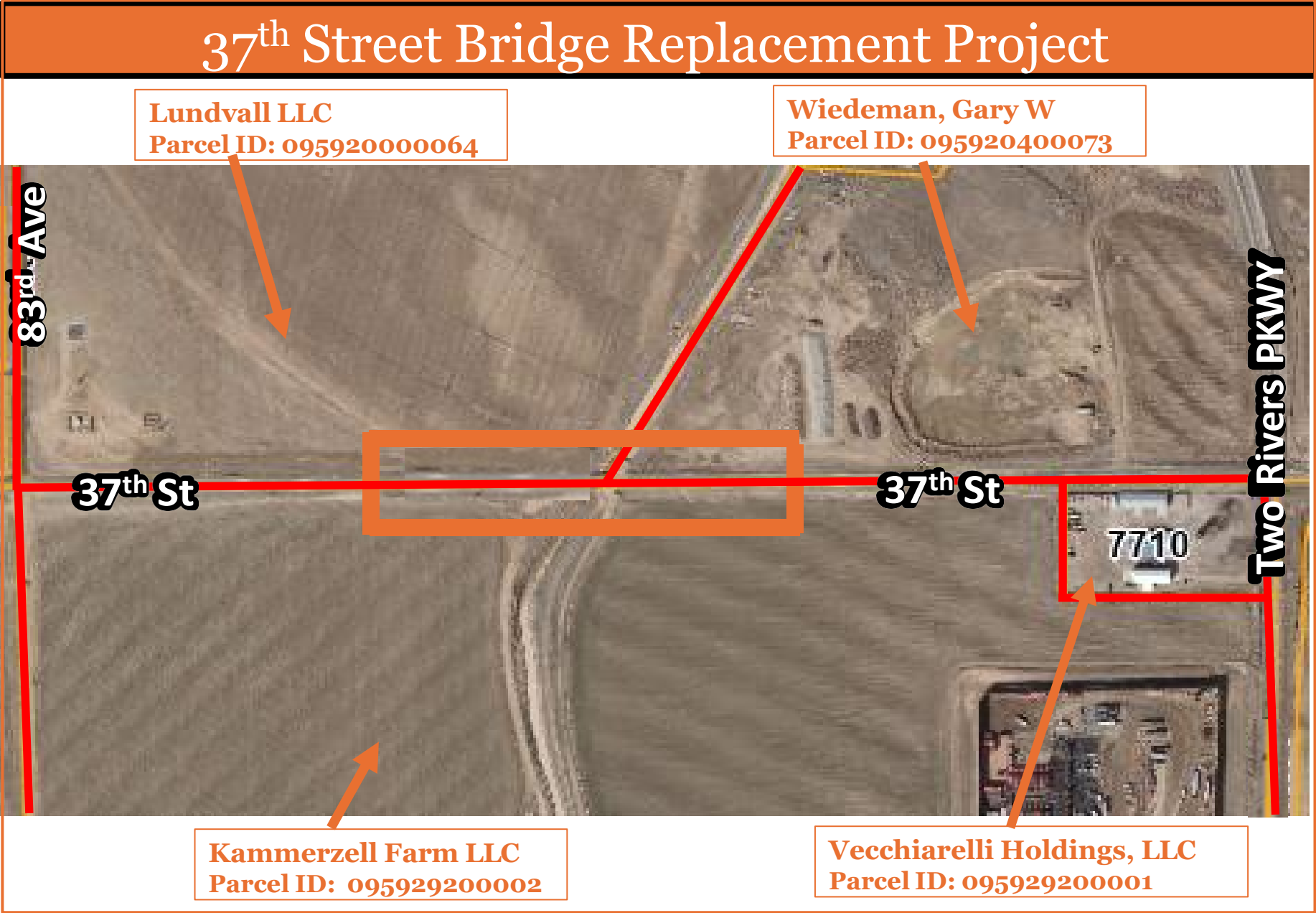
ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor

EXHIBIT A: PROPERTY OWNERS MAP





Council Agenda Summary

June 18, 2024

Key Staff Contact: Paul Trombino, Public Works Director

Title:

Introduction and first reading of ordinance relating to acquire Real Property by Purchase or Exercise of Eminent Domain (4th Street and 83rd Avenue Improvement Project)

Summary:

This ordinance authorizes the acquisition of property interests by purchase or by exercise of power of eminent domain, if deemed necessary, required to construct the intersection improvement at 4th Street and 83rd Avenue.

The purpose of the project is to redesign the intersection at 4th Street and 83rd Avenue for improving traffic flow, safety, and multimodal infrastructure. The project will resolve existing grade, geometry and safety issues and provide better connectivity for residents. 4th Street and 83rd Avenue in these project limits is currently in Weld County jurisdiction. As part of the project development, the limits of 4th Street and 83rd Avenue in the project limits will be annexed in the City of Greeley. The intersection improvements are vital to address the capacity needs on 4th Street and 83rd Avenue as the surrounding area is developed.

The Project will require the acquisition of tracts of fee simple right of way, permanent easements, and temporary construction easements along 4th Street and 83rd Avenue. City staff have begun discussions with owners within the project area. As the Project progresses, staff will continue to work with owners to meet the goals of the project, address site considerations, and acquire the property interests necessary for the project. Staff fully intend to negotiate in good faith and follow a uniform acquisition process for all affected owners. However, if an agreement cannot be reached, and to meet the schedule and budget requirements of the project, the City may consider the use of eminent domain.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	To be negotiated
What is the annual impact?	None
What fund of the City will provide Funding?	334 - Road Development
What is the source of revenue within the fund?	Road Development Fees

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:

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

Strategic Focus Area:



Community Vitality



Infrastructure and Mobility



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 July 16, 2024

Attachments:

1. Ord No. 17, 2024 with Exhibit A

THE CITY OF GREELEY, COLORADO

ORDINANCE NO. 17, 2024

AN ORDINANCE AUTHORIZING THE CITY OF GREELEY TO ACQUIRE INTERESTS IN REAL PROPERTY LOCATED IN WELD COUNTY, COLORADO FOR STREETS, PUBLIC ROADWAY IMPROVEMENTS, AND ASSOCIATED FACILITIES, WHETHER BY PURCHASE OR EXERCISE OF THE POWER OF EMINENT DOMAIN, PURSUANT TO SECTION 15 OF ARTICLE II, SECTION 7 OF ARTICLE XVI, AND SECTIONS 1 AND 6 OF ARTICLE XX, OF THE COLORADO CONSTITUTION AND TITLES 31 AND 38 OF THE COLORADO REVISED STATUTES (4th STREET AND 83rd AVENUE ROADWAY IMPROVEMENT PROJECT)

WHEREAS, the City of Greeley (“City”) is a Colorado home rule municipality authorized by Section 15 of Article II, Section 7 of Article XVI, and Sections 1 and 6 of Article XX, of the Colorado Constitution, as affirmed by Section 1-3 of the City of Greeley City Charter, to exercise the power of eminent domain to acquire interests in real property for public purposes, including, without limitation, the purposes of constructing, operating, and maintaining transportation systems and other public works such as streets and public roadway improvements, upon the payment of just compensation; and,

WHEREAS, Article 15 of Title 31, and Article 1 of Title 38, of the Colorado Revised Statutes, set forth the statutory authority and procedures by which the City may exercise the power of eminent domain to acquire real property interests as described above; and

WHEREAS, the City has determined that public infrastructure improvements to 4th Street, 83rd Avenue, and the intersection of the two public streets in the City of Greeley and Weld County, are necessary for the public purposes of maintaining general public safety, facilitating citizen mobility and multi-modal transportation, and alleviating potential traffic flow issues, and thereby, promoting the health, safety, and welfare of its citizens and the general public; and

WHEREAS, accordingly, the City has determined it necessary to acquire the interests in real property located in the City of Greeley and Weld County and more particularly identified on Exhibit A, attached hereto and incorporated herein, for the public purposes described above, whether by purchase or exercise of the City’s power of eminent domain.

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

Section 1. The City Council hereby finds and determines that it is necessary and in the interest of the health, safety, and welfare of its citizens and the general public, to acquire, whether by purchase or exercise of the power of eminent domain, the real property interests identified on Exhibit A for public infrastructure improvements to 4th Street, 83rd Avenue, and the intersection of the two public streets in the City of Greeley and Weld County, which are necessary for the public purposes of maintaining general public safety, facilitating citizen mobility and multi-modal transportation, and alleviating potential traffic flow issues.

Section 2. The City Council hereby directs City staff to undertake all action necessary to acquire the real property interests identified on Exhibit A by eminent domain, including, without limitation, obtaining immediate possession of such real property interests pursuant to the provisions of the Colorado Revised Statutes set forth above, in the event that City staff is unsuccessful in negotiating a mutual agreement for the purchase of such real property interests.

Section 3. The City Council hereby ratifies any actions previously undertaken by City staff and legal counsel concerning the City's acquisition of the real property interests identified on Exhibit A, including, without limitation, concerning notice of the City's intent to acquire such real property interests and any offers previously extended to purchase such real property interests. Nothing contained in this ordinance is intended or shall be construed as precluding City staff from continued good faith negotiations with the owners of such real property to purchase the interests identified on Exhibit A.

Section 4. This ordinance shall take effect on the fifth (5th) day following its final publication, as contemplated by Section 3-16 of the City of Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 16TH DAY OF JULY 2024.

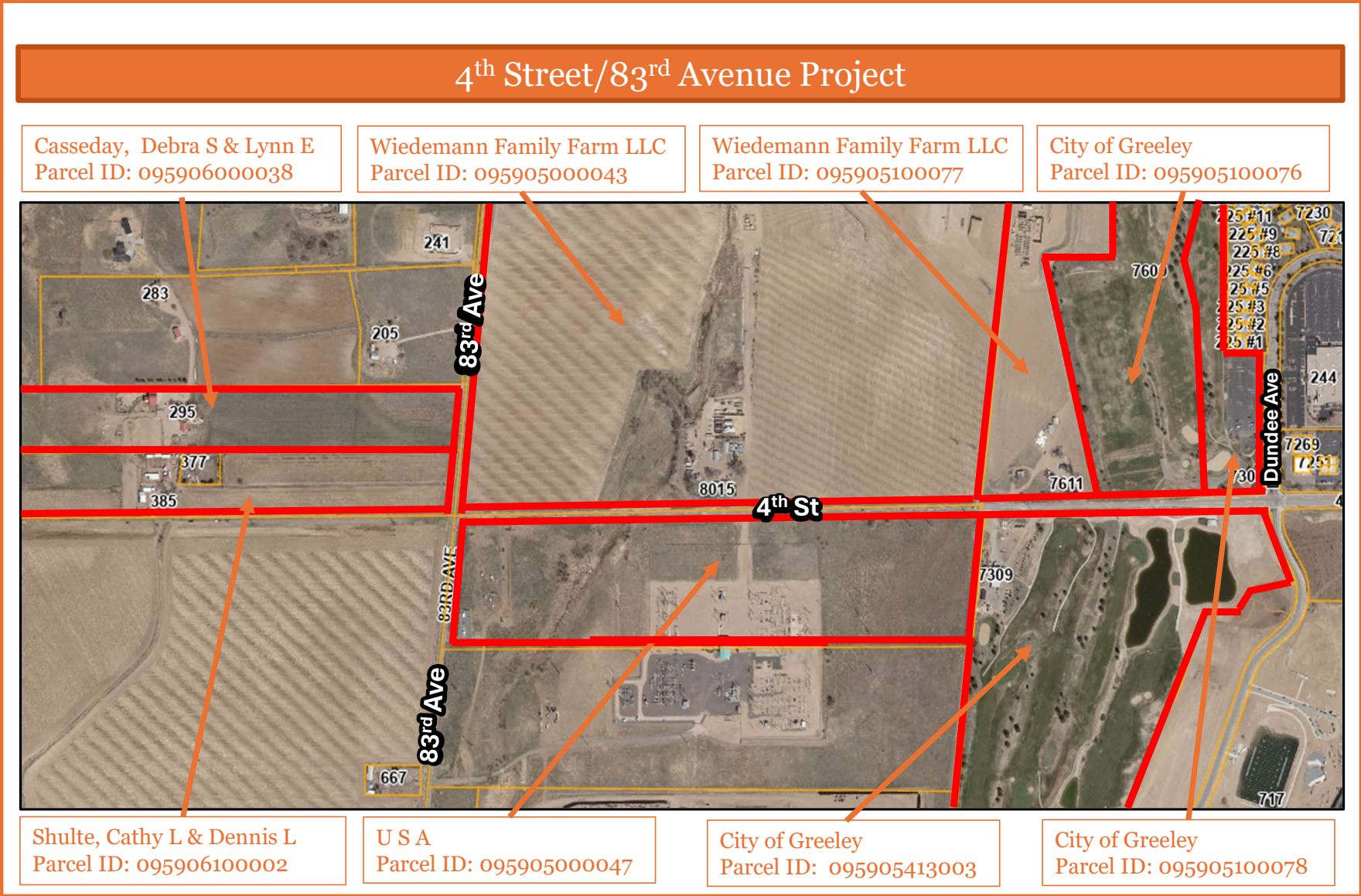
ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor

EXHIBIT A: PROPERTY OWNERS MAP



PROJECT LOCATION MAP





Council Agenda Summary

June 18, 2024

Key Staff Contact: Paul Trombino, Public Works Director

Title:

Introduction and first reading of an ordinance relating to acquiring Real Property by Purchase or Exercise of Eminent Domain (4th Street - 5th Street and 23rd Avenue Project)

Summary:

This ordinance authorizes the acquisition of property interests by purchase or by exercise of power of eminent domain, if deemed necessary, required to construct the intersection improvement at the 4th St/5th St and 23rd Avenue as part of the 4th Street – 5th Street and 23rd Avenue Improvement Project.

The purpose of the project is to redesign the intersection at the 4th Street/5th Street and 23rd Avenue for improving safety and multimodal infrastructure in conjunction with the 5th Street over the Greeley Irrigation Ditch No. 3 bridge replacement. The project will resolve existing grade, geometry and safety issues and provide connectivity for residents and school children in the neighborhood. If not completed the existing intersection will continue to be unsafe and provide minimum multimodal options to the residents.

The Project will require the acquisition of tracts of fee simple right of way, permanent easements, and temporary construction easements along 4th Street, 5th Street and 23rd Avenue. City staff have begun discussions with owners within the project area. As the Project progresses, staff will continue to work with owners to meet the goals of the project, address site considerations, and acquire the property interests necessary for the project. Staff fully intend to negotiate in good faith and follow a uniform acquisition process for all affected owners; however, if an agreement cannot be reached, and to meet the schedule and budget requirements of the project, the City may consider the use of eminent domain.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	To be negotiated
What is the annual impact?	None
What fund of the City will provide Funding?	334 - Road Development
What is the source of revenue within the fund?	Road Development Fees

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:

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

Strategic Focus Area:



Community Vitality



Infrastructure and Mobility



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 July 16, 2024

Attachments:

1. Ord No. 18, 2024 with Exhibit A

THE CITY OF GREELEY, COLORADO

ORDINANCE NO. 18, 2024

AN ORDINANCE AUTHORIZING THE CITY OF GREELEY TO ACQUIRE INTERESTS IN REAL PROPERTY LOCATED IN GREELEY, COLORADO FOR ROAD IMPROVEMENTS AND ASSOCIATED FACILITIES BY PURCHASE OR EXERCISE OF THE POWER OF EMINENT DOMAIN, PURSUANT TO SECTION 7 OF ARTICLE XVI, SECTION 15 OF ARTICLE II, AND SECTIONS 1 AND 6 OF ARTICLE XX OF THE COLORADO CONSTITUTION AND COLORADO REVISED STATUTES § 38-1-101, ET SEQ. (4th STREET – 5th STREET AND 23rd AVENUE - ROADWAY IMPROVEMENT PROJECT)

WHEREAS, the City of Greeley (“City”) is a Colorado home-rule municipality authorized by Article II, Section 15, and Article XX, Sections 1 and 6 of the Colorado Constitution, as affirmed by the City’s Charter, Sections 1-3, to exercise the power of eminent domain to acquire real property to construct, operate and maintain transportation systems and other public works and everything required to do so, with the payment of just compensation; and,

WHEREAS, Article 15 of Title 31, and Article I of Title 38, Colorado Revised Statutes, provide statutory authority and procedures for the exercise of the power of eminent domain by the City; and

WHEREAS, the City has determined that the public infrastructure improvements to 4th Street – 5th Street and 23rd Avenue, are needed for the public purpose of safety, improved traffic flow and for connectivity, and thereby, to promote growth and the health, safety, and welfare of the public; and

WHEREAS, accordingly, the acquisition of interests in real property in Weld County identified and depicted on Exhibit A, attached hereto and incorporated herein, either through purchase or exercise of the City’s power of eminent domain, is necessary.

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

Section 1. The City Council hereby finds and determines that it is in the interest of the health, safety and welfare of the public, serves a public purpose, and is necessary, to acquire, through the exercise of the power of eminent domain, the property or portions thereof generally described on Exhibit A (the “Property”), for improvements to 4th Street – 5th Street and 23rd Avenue, for safety, improved traffic flow and for connectivity.

Section 2. Should City staff be unsuccessful in negotiating a mutual agreement for the purchase of the Property, the City Council hereby directs City staff to begin acquisition by eminent domain, including, but not limited to, obtaining immediate possession of the Property, pursuant to the above- named statutes.

Section 3. The City Council hereby ratifies any previous actions by City staff in providing notice of the City's intent to acquire the Property and extending an offer to purchase the Property. Nothing contained in this ordinance shall be construed as precluding or preventing continued good faith negotiations by City staff in an effort to purchase the Property.

Section 4. This ordinance shall take effect five (5) days after its final publication as provided by the City’s Charter, Section 3-16.

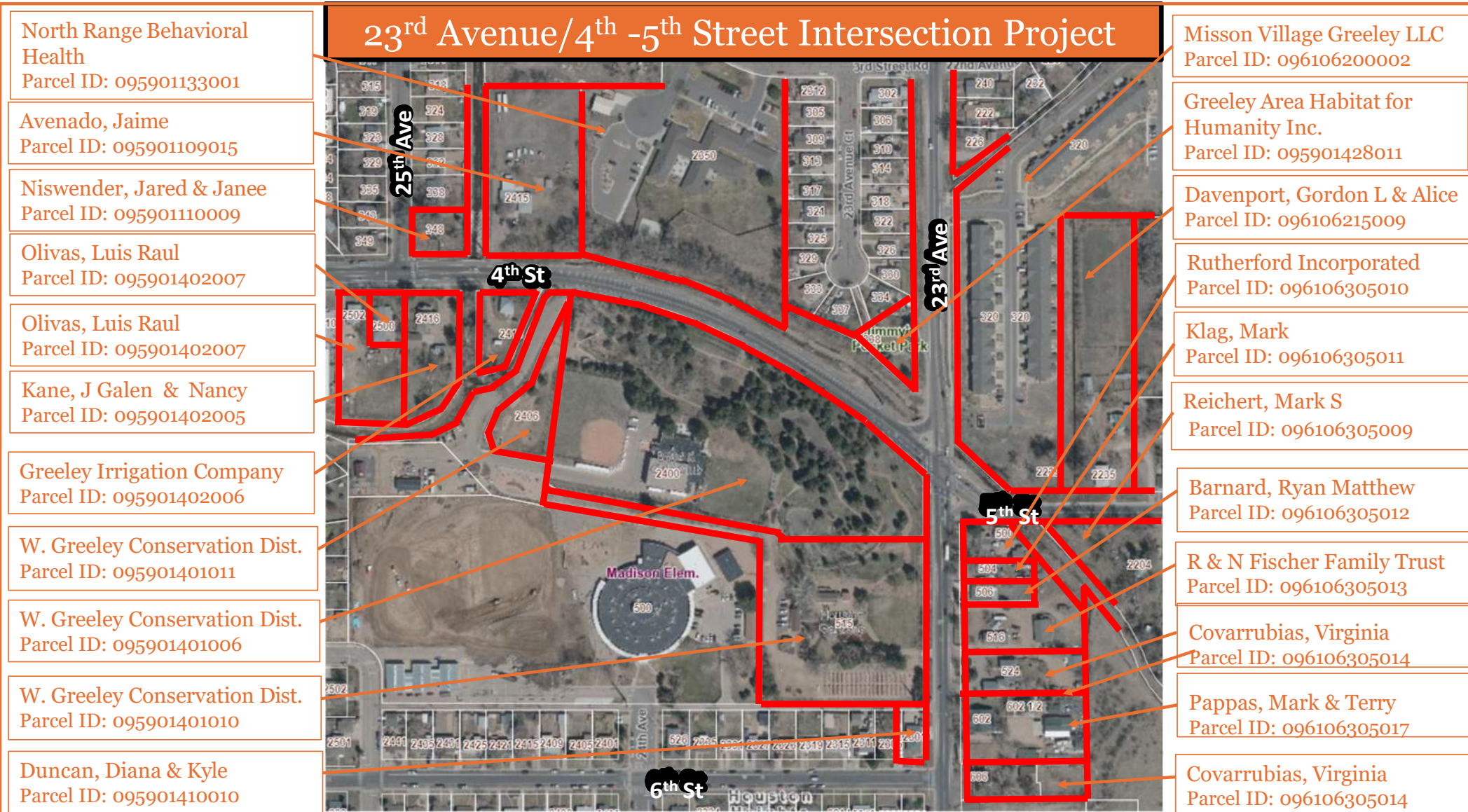
PASSED AND ADOPTED, SIGNED AND APPROVED THIS 16TH DAY OF JULY 2024

ATTEST: THE CITY OF GREELEY, COLORADO

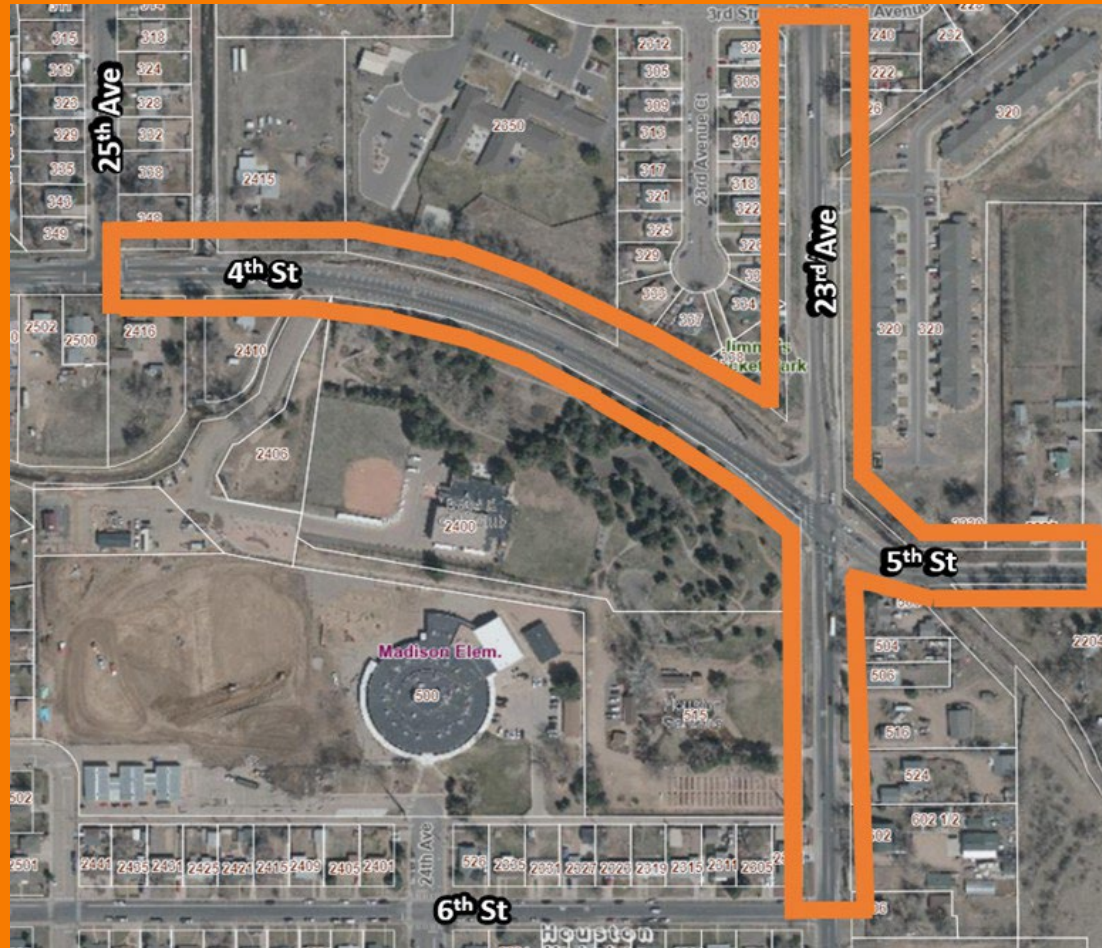
By: _____
City Clerk

By: _____
Mayor

EXHIBIT A: PROPERTY OWNERS MAP



PROJECT LOCATION MAP





Council Agenda Summary

June 18, 2024

Key Staff Contact: Adam Prior, Chief Engineer

Title:

Introduction and first reading of an ordinance to establish Local Improvement District No. 346590 for the Westgate Non-Potable Pump Station under Title 18, Chapter 6 (Local Improvement Districts) of the Greeley Municipal Code

Summary:

The city has finalized construction of the Westgate Area Irrigation Pump Station on South 71st Avenue that will serve the Westgate Subdivision and the surrounding development areas north of the Highway 34 Bypass. This new regional non-potable water irrigation pump station was constructed under the guidance of the non-potable master plan for the benefit of properties within the specific service area of the public station. Therefore, a Local Improvement District (LID) framework is appropriate to reimburse the city for area specific infrastructure, and ensure that growth in this area has adequate public facilities. This Ordinance will establish the maximum fee per acre for each parcel yet to be developed within the LID to reimburse the City their proportional cost of the regional non-potable Westgate pump station.

The Westgate non-potable project LID was reviewed and recommended for approval by the Greeley Water & Sewer Board on February 21, 2024. An informational meeting was held on March 28, 2024, to make landowners within the Westgate Local Improvement District area aware of the project and its costs, and to provide them an opportunity to ask questions. Letters were mailed to the landowners in advance of the meeting. The meeting was held at the City Council Chambers with the option to attend virtually.

Background on Non-Potable Systems: The Westgate project and others were prioritized in the 2021 Non-Potable System Master Plan because it offers cost efficiency, service reliability, climate resiliency and supports a clean green and beautify city. Building regional non-potable pump stations in advance of the development provides for the opportunity to achieve economies of scale in infrastructure, an investment that will provide cost effective irrigation water. A regional pump station more cost effective to operate than several smaller pump stations, and city operations and maintenance will provide a high standard of service and reliability (compared to some neighboring communities where O&M is an obligation of the metro district or HOA).

The city utilizes irrigation ditches to convey non-potable water to non-potable (raw water) storage ponds and then pumps the water to both city and private customers for landscape irrigation. This existing network of ditch, canal, buried ditch and lateral infrastructure that has been conveying irrigation water for more than 125 years is a significant benefit for our community and our water system. The city uses non-potable water for irrigation because it makes best use of very affordable lower Poudre River supplies that are not suitable quality for drinking and leverages the network of ditch infrastructure across the city that deliver raw water cost effectively. Furthermore, the use of lower quality raw water and

non-potable infrastructure for irrigation allows the city to make the most efficient use of our water treatment facilities and pipeline capacities for drinking and commercial uses. For these reasons, the policy provides for a discount on water Plant Investment Fees (PIFs) where non-potable water is used for irrigation, in some cases a 50% discount on PIFs for aggressive non-potable use.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$1,381,152.61 to be recovered through improvement Local Improvement District (LID) payments
What is the annual impact?	None
What fund of the City will provide Funding?	422 - Water Construction
What is the source of revenue within the fund?	Plant Investment Fees and LID reimbursement
Is there grant funding for this item?	No

Legal Issues:

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

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

Other issues and Considerations:

None

Strategic Focus Area:



Community Vitality



Infrastructure and Mobility

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 July 16, 2024.

Attachments:

1. Ord No. 19, 2024 with Exhibit A

CITY OF GREELEY, COLORADO
ORDINANCE NO. 19, 2024

**AN ORDINANCE ESTABLISHING LOCAL IMPROVEMENT DISTRICT NO. 346590
FOR THE CONSTRUCTION OF A NON-POTABLE IRRIGATION PUMP STATION IN
GREELEY, COLORADO; DETERMINATION OF LOTS AND LANDS TO BE INCLUDED
WITHIN LOCAL IMPROVEMENT DISTRICT 346590; SETTING FORTH THE MAXIMUM
COSTS OF CONSTRUCTION; AND SETTING FORTH THE PROPERTY TO BE INCLUDED
AND NAMES OF THE APPARENT OWNERS OF PROPERTY TO BE INCLUDED
(WESTGATE NON-POTABLE IRRIGATION PUMP STATION)**

WHEREAS, the City of Greeley, Colorado (“City”) is a home rule municipality empowered pursuant to Sections 1 and 6 of Article XX, and Section 7 of Article X of the Colorado Constitution to, *inter alia*, levy assessments against real property within the City for municipal purposes, including, without limitation, for local improvements; and

WHEREAS, the Charter for the City of Greeley, Colorado further empowers the City to establish local improvement districts, for the purpose of, *inter alia*, constructing local improvements and assessing the costs thereof upon the property especially benefitted by such improvements; and

WHEREAS, Title 18, Chapter 6 (Local Improvement Districts) of the Greeley Municipal Code sets forth the particular authority and procedures by which the City may establish such local improvement districts; and

WHEREAS, the City anticipates continued development in west Greeley, with new developments containing over two (2) acres of irrigable area being required to utilize non-potable water for irrigation purposes, and has accordingly identified a need for additional non-potable irrigation infrastructure in this general area; and

WHEREAS, the City has identified more specifically a near-term need for a non-potable irrigation pump station (“Westgate Non-Potable Irrigation Pump Station”) to serve the geographic area located generally south of 20th Street, north of Highway 34 Bypass, and west of 65th Avenue in southwest Greeley (“Westgate Non-Potable Irrigation Pump Station Service Area”); and

WHEREAS, the City Council desires, on its own initiative, to establish a local improvement district for the construction of the Westgate Non-Potable Irrigation Pump Station, for the benefit of properties that will be required utilize non-potable irrigation service within the Westgate Non-Potable Irrigation Pump Station Service Area in Greeley;

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

Section 1. Establishment of Local Improvement District 346590. Pursuant to the authority set forth in Section 18-379(d) of the Greeley Municipal Code, the City Council hereby orders the creation of a local improvement district for the construction of the Westgate Non-Potable Irrigation Pump Station, for the benefit of properties that will be required to utilize non-potable irrigation service within the

Westgate Non-Potable Irrigation Pump Station Service Area in Greeley. The local improvement district shall be assigned number 346590 and contain the lots and lands set forth in Section 7 below. The location of the Westgate Non-Potable Irrigation Pump Station and the lots and lands to be included within Local Improvement District No. 346590 are shown on the map attached hereto as Exhibit A.

Section 2. Westgate Non-Potable Irrigation Pump Station Service Area. The City anticipates that the Westgate Non-Potable Irrigation Pump Station will serve 417.284 bulk acres. Of that total service area acreage, 195.662 acres have been identified by the City as conversion areas. A conversion area is defined in Section 5 of the City's Design Criteria as "a previously developed parcel that is currently irrigated by potable water but may consider switching to non-potable irrigation in the future." The remaining 221.622 bulk acres of that total service area acreage may be required by the Greeley Municipal Code to connect to the City's non-potable irrigation infrastructure.

Section 3. Estimation and Description of Maximum Costs. The total maximum cost of construction for the Westgate Irrigation Pump Station Infrastructure is estimated at this time to be \$2,600,522 (i.e., \$6,232.02 per bulk acre). This total estimated maximum cost includes expenses for which the City will be responsible, as described in Section 4 below.

Section 4. City Portion of Infrastructure Costs. Of the total estimated maximum cost set forth in Section 3, the City will bear at a minimum the construction costs attributable to the 195.662 bulk acres associated with conversion areas described in Section 2 above and to those properties within the Westgate Non-Potable Irrigation Pump Station Service Area that are owned by the City. The minimum cost to be borne by the City is estimated at this time to be \$1,219,369.39.

Section 5. Assessments against Local Improvement District 346590 Properties. The final determination of assessments to be made against the lots and lands included in Local Improvement District 346590 shall be established by an ordinance adopted after completion of the Westgate Non-Potable Irrigation Pump Station improvements described herein, and such assessments shall be based upon the costs of construction and a fair market rate of projected interest to be recommended by the Director of Finance and set forth in the assessment ordinance at the time it is adopted. Interest shall accrue on each assessment from the date of the City's final payment on construction costs until the assessment is paid in full. The portion of the total maximum cost of construction for the Westgate Non-Potable Irrigation Pump Station not borne by the City shall be allocated to the 221.622 bulk acres within the Westgate Non-Potable Irrigation Pump Station Service Area that may be required by the Greeley Municipal Code to connect to the City's non-potable irrigation infrastructure, as is shown on the map attached hereto as Exhibit A. Within such allocation, the costs and interest shall then be assessed proportionally in accordance with the bulk acreage of each parcel that connects to the City's non-potable irrigation system. Assessments shall be due from the property owner at the earlier of: (i) final plat approval, or (ii) a request from the property owner for connection to the City's non-potable irrigation system, and payable in accordance with the terms set forth in the assessment ordinance.

Section 6. Construction of the Westgate Non-Potable Irrigation Pump Station commenced prior to the passage of this ordinance. The City shall ensure construction is completed within a reasonable time after passage of this ordinance.

Section 7. Lots and Lands to be Included in Local Improvement District 346590; Owners. The lots and lands that shall be included within Local Improvement District 346590, the street addresses (if applicable) and legal descriptions of such lots and lands, and the current record owners of such lots and lands, according to the records of the Weld County Clerk and Recorder's Office, are as follows.

1. Owner(s): Samad D. and Susan K. Aghajani
Mailing Address of Owner(s): P.O. BOX 200375
EVANS, CO 80620
Address of LID Property: N/A
Weld County Parcel No.: 095918101002
Legal Description of LID Property: LOT 2 GREELEY STORAGE MINOR
2. Owner(s): Noble Energy, Inc.
Mailing Address of Owner(s): c/o K.E. Andrews
1900 DALROCK ROAD
ROWLETT, TX 750885526
Address of LID Property: N/A
Weld County Parcel No.: 095918110001
Legal Description of LID Property: Lot 1 FRANCIS MINOR SUB
3. Owner(s): City of Greeley
Mailing Address of Owner(s): c/o Real Estate Management
1000 10th STREET
GREELEY, CO 80631-3808
Address of LID Property: N/A
Weld County Parcel No.: 095918108004
Legal Description of LID Property: GR TAL OUTLOT I TALON
4. Owner(s): City of Greeley
Mailing Address of Owner(s): c/o Real Estate Management
1000 10th STREET
GREELEY, CO 80631-3808
Address of LID Property: N/A
Weld County Parcel No.: 095917208007
Legal Description of LID Property: OUTLOT H TALON
5. Owner(s): Creek View Commercial Holdings, LLC
Mailing Address of Owner(s): 7251 W 20TH STREET, UNIT L-200
GREELEY, CO 80634-4626
Address of LID Property: N/A
Weld County Parcel No.: 095917232002
Legal Description of LID Property: TRACT 1 OWL RIDGE 5TH FG
6. Owner(s): Jim L. Ells
Mailing Address of Owner(s): 2435 71ST AVENUE
GREELEY, CO 80634-9609
Address of LID Property: 2435 71ST AVENUE
GREELEY, CO 80634
Weld County Parcel No.: 095917000027

- Legal Description of LID Property: GR PT SE4 17-5-66 (BRIGGS & ELLS ANNEX) BEG S0D22'W 435.6' OF E4 COR SEC S0D22'W 330' N89D57'W 739.35' S46D39'W 145.25' N87D45'W 898.87' N88D30'W 912.82' N0D07'W 807.69' S89D57'E 1662.31' S0D22'W 435.6' S89D57'E 1000' TO BEG (.25R)
7. Owner(s): Jim L. Ells
Mailing Address of Owner(s): 2435 71ST AVENUE
GREELEY, CO 80634-9609
Address of LID Property: 2423 71ST AVENUE
GREELEY, CO 80634
Weld County Parcel No.: 095917000024
Legal Description of LID Property: GR PT SE4 17-5-66 (BRIGGS & ELLS ANNEX) BEG AT E4 COR OF SEC W1000' S435.6' E1000' N435.6' EXC UPRR RES (.25R)
8. Owner(s): Green Keen Acres, LLC
Mailing Address of Owner(s): 254 ALABASTER WAY
JOHNSTOWN, CO 80534-9474
Address of LID Property: N/A
Weld County Parcel No.: 095916300025
Legal Description of LID Property: GR PT SW4 16 5 66 (WEST RIDGE AREA ANNEX) BEG SW COR SEC N0D05W 2191.13 N89D53E 580.8' TO TPOB TH CONT N89D53E 449.55' N59D30E 109.92' S0D14E 18' S12D09E 680.21' S90DW 688.63' N0D05W 446.43' N89D54E 1.97' TH N0D05W 180' TO TPOB
9. Owner(s): Jay E. Goza Trust No. 1
Mailing Address of Owner(s): c/o Calven Goza
40373 SKYLARK DRIVE
FORT COLLINS, CO 80524-9029
Address of LID Property: N/A
Weld County Parcel No.: 095916306000
Legal Description of LID Property: GR PA L1 & 8 BLK1 & L1-3 & 5-7 BLK2 (WEST RIDGE AREA ANNEX) PETERSON-ALEXANDER
10. Owner(s): Green Keen Acres, LLC
Mailing Address of Owner(s): 254 ALABASTER WAY
JOHNSTOWN, CO 80534-9474
Address of LID Property: N/A
Weld County Parcel No.: 095916300024
Legal Description of LID Property: GR PT SW4 16-5-66 (WEST RIDGE AREA ANNEX) BEG NE COR L1 PETERSON 1ST FG N90DW 434.16' TO POB TH CONT N90DW 310' N0D05W 1022' N90DE 688.63' S12D09E 110.79' S02D07E 400.82' N90DW 415.17' S0DW 513.15' TO TPOB
11. Owner(s): Amezcua Family Trust
Mailing Address of Owner(s): 2272 DEEDS COURT
LOVELAND, CO 80538-4877
Address of LID Property: 6815 28TH STREET

	Weld County Parcel No.:	GREELEY, CO 80634 095916300015
	Legal Description of LID Property:	GR 17590-D PT SW4 16-5-66 (WEST RIDGE AREA ANNEX) BEG NE COR L1 PETRSON SUB 1ST FILING W434.16' N513.15' E415.17' S02D07'E 513.50' TO BEG
12.	Owner(s):	Schroetlin Commercial Holdings, LLC
	Mailing Address of Owner(s):	2224 GLEN HAVEN DRIVE LOVELAND, CO 80538-4903
	Address of LID Property:	N/A
	Weld County Parcel No.:	095916308012
	Legal Description of LID Property:	Lot 12A WESTRIDGE 5TH FG 2ND RPLT
13.	Owner(s):	Schroetlin Commercial Holdings, LLC
	Mailing Address of Owner(s):	2224 GLEN HAVEN DRIVE LOVELAND, CO 80538-4903
	Address of LID Property:	N/A
	Weld County Parcel No.:	095916308003
	Legal Description of LID Property:	Lot 3A WESTRIDGE 5TH FG 2ND RPLT
14.	Owner(s):	Schroetlin Commercial Holdings, LLC
	Mailing Address of Owner(s):	2224 GLEN HAVEN DRIVE LOVELAND, CO 80538-4903
	Address of LID Property:	N/A
	Weld County Parcel No.:	095916308002
	Legal Description of LID Property:	Lot 2A WESTRIDGE 5TH FG 2ND RPLT
15.	Owner(s):	Schroetlin Commercial Holdings, LLC
	Mailing Address of Owner(s):	2224 GLEN HAVEN DRIVE LOVELAND, CO 805384903
	Address of LID Property:	N/A
	Weld County Parcel No.:	095916308001
	Legal Description of LID Property:	Lot 1A WESTRIDGE 5TH FG 2ND RPLT
16.	Owner(s):	Golden Eye Investments, LLC
	Mailing Address of Owner(s):	361 71ST AVENUE GREELEY, CO 80634-9782
	Address of LID Property:	N/A
	Weld County Parcel No.:	095916308007
	Legal Description of LID Property:	Lot 7A WESTRIDGE 5TH FG 2ND RPLT
17.	Owner(s):	Golden Eye Investments, LLC
	Mailing Address of Owner(s):	361 71ST AVENUE GREELEY, CO 80634-9782
	Address of LID Property:	N/A
	Weld County Parcel No.:	095916308006
	Legal Description of LID Property:	Lot 6A WESTRIDGE 5TH FG 2ND RPLT
18.	Owner(s):	Schroetlin Commercial Holdings, LLC
	Mailing Address of Owner(s):	2224 GLEN HAVEN DRIVE LOVELAND, CO 80538-4903

- Address of LID Property: N/A
Weld County Parcel No.: 095916308004
Legal Description of LID Property: Lot 4A WESTRIDGE 5TH FG 2ND RPLT
19. Owner(s): Golden Eye Investments, LLC
Mailing Address of Owner(s): 361 71ST AVENUE
GREELEY, CO 80634-9782
Address of LID Property: N/A
Weld County Parcel No.: 095916308005
Legal Description of LID Property: Lot 5A WESTRIDGE 5TH FG 2ND RPLT
20. Owner(s): Golden Eye Investments, LLC
Mailing Address of Owner(s): 361 71ST AVENUE
GREELEY, CO 80634-9782
Address of LID Property: N/A
Weld County Parcel No.: 095916308011
Legal Description of LID Property: Lot 11A WESTRIDGE 5TH FG 2ND RPLT
21. Owner(s): Golden Eye Investments, LLC
Mailing Address of Owner(s): 361 71ST AVENUE
GREELEY, CO 806349782
Address of LID Property: N/A
Weld County Parcel No.: 095916308010
Legal Description of LID Property: Lot 10A WESTRIDGE 5TH FG 2ND RPLT
22. Owner(s): Golden Eye Investments, LLC
Mailing Address of Owner(s): 361 71ST AVENUE
GREELEY, CO 806349782
Address of LID Property: N/A
Weld County Parcel No.: 095916308009
Legal Description of LID Property: Lot 9A WESTRIDGE 5TH FG 2ND RPLT
23. Owner(s): Linda C. and Stephen R. Zumbrun
Mailing Address of Owner(s): 2655 65TH AVENUE
GREELEY, CO 80634-8904
Address of LID Property: N/A
Weld County Parcel No.: 095916303010
Legal Description of LID Property: GR 5WR1-4 L4 (WEST RIDGE AREA ANNEX) REPLAT OF
BLK1 WESTRIDGE 5TH FILING
24. Owner(s): Linda C. and Stephen R. Zumbrun
Mailing Address of Owner(s): 2655 65TH AVENUE
GREELEY, CO 80634-8904
Address of LID Property: N/A
Weld County Parcel No.: 095916303009
Legal Description of LID Property: GR 5WR1-3 L3 (WEST RIDGE AREA ANNEX) REPLAT OF
BLK1 WESTRIDGE 5TH FILING
25. Owner(s): Linda C. and Stephen R. Zumbrun
Mailing Address of Owner(s): 2655 65TH AVENUE
GREELEY, CO 80634-8904

Address of LID Property: N/A
Weld County Parcel No.: 095916303013
Legal Description of LID Property: GR 5WR1-2 L2 (WEST RIDGE AREA ANNEX) REPLAT OF BLK1 WESTRIDGE 5TH FILING

26. Owner(s): Linda C. and Stephen R. Zumbrun
Mailing Address of Owner(s): 2655 65TH AVENUE
GREELEY, CO 80634-8904
Address of LID Property: N/A
Weld County Parcel No.: 095916303012
Legal Description of LID Property: GR 5WR1-1 L1 (WEST RIDGE AREA ANNEX) REPLAT OF BLK1 WESTRIDGE 5TH FILING

27. Owner(s): Angela and Jukka Koponen
Mailing Address of Owner(s): 205 CARROLL STREET
CENTER, TX 75935-3503
Address of LID Property: N/A
Weld County Parcel No.: 095916300011
Legal Description of LID Property: GR 17589-D PT SW4 16 5 66 (WEST RIDGE AREA ANNEX) ELY 200' OF FOL DESC PARCEL BEG 191.79' W OF S4 COR W489.17' N41D41'E 89.46' N464.21'E 386.87' S0D08'E 30.54' N41D44'E 57.90' S0D25'E 543.63' M/L TO BEG

Section 8. Properties within the boundaries of Local Improvement District No. 346590 remain subject to all requirements of the Greeley Municipal Code regarding City non-potable water service and irrigation, including, without limitation, the requirement to construct additional distribution main line extensions, if necessary, to facilitate connection to the Westgate Non-Potable Irrigation Pump Station.

Section 9. This ordinance shall take effect on the fifth (5th) day following its final publication, as set forth in Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS 16TH DAY OF JULY 2024.

ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor

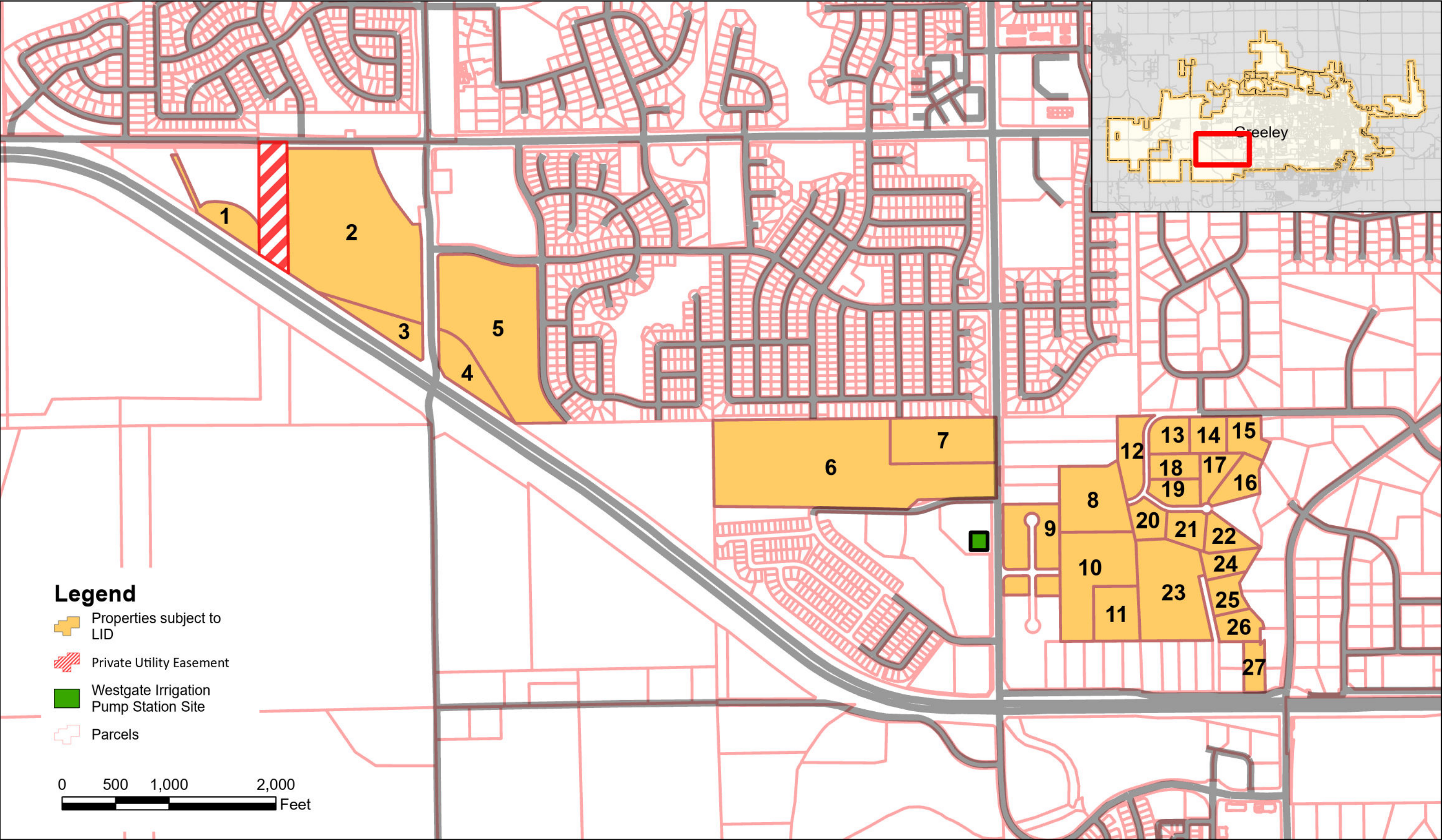


Exhibit - Local Improvement District No. 346590 - Westgate

Coordinate System: NAD 1983 HARN StatePlane Colorado North FIPS 0501 Feet
Units: Foot US

Date: 5/13/2024
WestgateLS_LID_02072024.mxd



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

June 18, 2024

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

Title:

Public hearing and second reading of an ordinance authorizing a salary and certain benefits for the City Attorney, Stacey Aurzada

Summary:

The City Council has selected Stacey Aurzada to be appointed as the Greeley City Attorney. The City Council has negotiated a contract with Ms. Aurzada which will be presented to Council for adoption of the ordinance.

A motion to introduce the ordinance and schedule a public hearing and second reading for June 18, 2024, was approved with a 7-0 vote on June 4, 2024.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	To be determined
Is there grant funding for this item?	No

Legal Issues:

Section 6-1 of the Greeley Municipal Charter requires the fixing of compensation to be by ordinance. Consideration of this matter is a legislative process.

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. 15, 2024 with Attachment A

CITY OF GREELEY, COLORADO
ORDINANCE NO. 15, 2024

AN ORDINANCE AUTHORIZING A SALARY AND CERTAIN BENEFITS FOR THE CITY ATTORNEY

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

WHEREAS, effective June 26, 2024, Stacey Aurzada is appointed to the position of City Attorney for the City of Greeley; and

WHEREAS, the City Council has negotiated an amount of compensation with Ms. Aurzada set out in the employment agreement in Attachment A

WHEREAS, the City Council wishes to set the City Attorney's compensation.

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

Section 1. The City Attorney's salary is hereby set at Two Hundred Forty-Six Thousand Two Hundred Seventy-Nine Dollars and Sixty-One Cents (\$246,279.61) annually.

Section 2. Additional terms of employment are provided in a City Attorney Employment Agreement, which is attached hereto as Attachment A.

Section 3. This ordinance shall become effective in accordance with Greeley City Charter Section 3-16.

Section 4. The Mayor is hereby authorized to execute the attached City Attorney Employment Agreement.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS 18th DAY OF JUNE, 2024.

ATTEST

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor

CITY ATTORNEY EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT ("Agreement") is entered into by and between the City of Greeley, Colorado (the "City") and _____ (the "Employee") this ____ day of _____, 2024.

WHEREAS, the City desires to employ the services of the Employee as City Attorney of the City as provided in Article VI, Section 6-1 of the City Charter in accordance with the terms and conditions of this Agreement; and

WHEREAS, the Employee desires to accept employment with the City as City Attorney in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the City and the Employee agree as follows:

I. DUTIES

The City agrees to employ the Employee as City Attorney to perform the functions and duties specified in the City Charter and Code of Ordinances as they now exist or as they may hereafter be amended, and to perform such other legally permissible duties and functions as assigned by City Council. The Employee shall comply with all terms, conditions, and requirements of the City Charter and Code of Ordinances as are applicable to her position as City Attorney. Employee acknowledges and agrees that as City Attorney she is an at-will City employee and is classified as an exempt employee under the Fair Labor Standards Act.

II. TERM

A. Commencement of Employment. The Employee shall commence employment as the City Attorney on June 26, 2024 ("Effective Date").

B. As required by Article VI, Section 6-1 of the City Charter, the term of this Agreement shall be an indefinite term.

III. COMPENSATION AND BENEFITS

A. The City shall pay the Employee an annual base salary of Two Hundred Forty-Six Thousand Two Hundred Seventy-Nine Dollars and Sixty-One Cents (\$246,279.61), payable in installments at the same time as the other employees of the City are paid. Consideration shall be given on an annual basis to increase the base salary or make other changes to the benefits offered to the Employee. Any subsequent modifications of Employee's salary will be accomplished by Council ordinance.

B. Disability, Health, and Life Insurance. The City will offer and provide Employee and her qualified dependents the same insurance benefit package and plans provided to all full-time employees of the City, which benefit packages and plans currently include, without limitation,

group life, accidental death and dismemberment insurance, long-term and short-term disability insurance, health and dependent care flexible spending accounts, dental insurance, vision insurance, and major medical insurance.

C. Benefits. Except as otherwise provided in the Agreement, the benefits offered to the Employee shall be consistent with those provided by the City to other benefitted employees. Nothing herein shall be construed as prohibiting the City from changing, at any time, the level of benefits available under its benefit plans to all employee participants in the plan(s), or from changing the employees' share of the cost of the plan premium(s). If any such changes occur during the term of this Agreement, the Employee's level of benefits and/or premium cost shall be adjusted accordingly.

D. Retirement. The City shall contribute 12% of Employee's annual base salary to the City's 401(k) retirement savings plan. The City's contributions shall be contributed in installments corresponding with Employee's usual pay schedule and shall be calculated based on the amount of Employee's salary paid each pay period. As of the Effective Date, the City's contributions shall be fully vested on behalf of Employee.

E. Paid Time Off (PTO). The Employee shall accrue, hold, and utilize paid time off as if Employee has tenure with the City of twenty-one years or more in accordance with City paid time off policy for Executive Employees as described in City policy or in the City's employee handbook. In the event of termination of employment, whether voluntary or involuntary, the Employee shall be paid for all accrued, but unused, PTO.

F. Holidays. The Employee shall be entitled to utilize all paid holidays given to general City employees as outlined in the City's policies, as amended.

IV. GENERAL EXPENSES AND PROFESSIONAL DEVELOPMENT

A. General Expenses. The City shall pay directly or reimburse Employee for non-personal and generally job-related expenses upon receipt of proper documentation as authorized by applicable policies or administrative procedures of the City.

B. Professional Development. The City agrees to budget for and to pay for professional dues and subscriptions for the benefit of Employee necessary for continuation and full participation in International Municipal Lawyers Association, and Colorado Municipal League (CML), which are necessary and desirable for the Employee's continued professional participation, growth, and advancement, and for the good of the City. Further, the City agrees to budget for and to pay for travel and subsistence expenses of Employee for professional and official travel, meetings, and occasions necessary and desirable for Employee's professional development and to pursue necessary official functions for the City, including, but not limited to, the IMLA Annual Conference, the IMLA mid-year seminar, the Colorado Municipal League attorney's seminar, and the Colorado Municipal League Annual Conference.

V. TERMINATION AND SEVERANCE

A. Pursuant to Article VI of the City Charter, the Council may remove Employee from her position as City Attorney by a majority vote of the City Council, with or without cause.

B. If Employee is removed from her position as City Attorney by the Council for “cause,” Employee shall only be entitled to such accrued compensation and benefits as are required to be paid or provided to her under this Agreement. As used in this Section V, the word for “cause” shall mean: (1) failure of the Employee to carry out her duties under this Agreement after written notice from the City Council; (2) failure of the Employee to desist from any act or omissions believed by the Council to be contrary to the best interests of the City after written notice to the Employee to desist; (3) conviction of a felony or a crime of moral turpitude; (4) dishonesty towards, fraud upon, or deliberate injury or attempted injury to the City; (5) uncured breach by Employee of a term or condition of this Agreement; (6) disbarment or (7) any physical or mental disability that substantially limits a major life function of the Employee and that results in her inability to carry out any essential function of her job as City Attorney, with or without reasonable accommodations by the City.

C. If Employee voluntarily resigns from her employment with the City under this Agreement, Employee shall not be entitled to receive any further compensation, including, without limitation, severance pay, from the City accruing after the effective date of her resignation. Employee shall, however, be entitled to receive from the City all compensation and benefits that have accrued under this Agreement up to the effective date of her resignation. If Employee voluntarily resigns from her position as City Attorney, Employee shall provide no less than thirty (30) days’ notice to the City.

D. For the purposes of this Section V, termination shall occur if any of the following events occur:

1. If the City materially reduces Employee’s base salary, compensation, or any other benefit, unless such reduction is applied in a proportionally equal manner to all City employees;
2. If Employee resigns following an offer to accept resignation, whether formal or informal, by a member of City Council as representative of the governing body after a majority vote of the Council.
3. Employment is terminated by City Council with cause, but without providing the Employee with advance written notice of the cause and an opportunity to refute the cause at a public meeting of City Council.
4. The Employee resigns following the breach of this Agreement by the City after written notice of the breach to the City Council and not less than 30 days to cure the breach.

E. If Employee is removed from her position as City Attorney by the City Council for any reason other than for "cause" as defined in Section V.B. above, or if a termination event occurs as defined in Section V.D. above, the City shall provide a severance payment equal to:

1. If Employee is removed from her position as provided in Section V.D. in the first year of the Term of this Agreement, the City shall pay Employee one hundred percent (100%) of her annual base salary. If Employee is removed from her position as provided in Section V.D. in the second year of the Term of this Agreement, the City shall pay Employee eighty percent (80%) of her annual base salary. If Employee is removed from her position as provided in Section V.D. in the third year of the Term of this Agreement, the City shall pay Employee sixty percent (60%) of her annual base salary;
2. If Employee is removed from her position as provided in Section V.D. in the fourth year of the Term of this Agreement, or any time thereafter, the City shall pay Employee fifty percent (50%) of her annual base salary.

F. The severance payment payable to Employee shall be paid in a lump sum unless otherwise agreed to by the City and Employee. The payment to be made is intended to compensate employee for release of all legal and equitable claims of Employee and shall be paid only if Employee executes a release of such claims in a form acceptable to the City.

G. If Employee voluntarily resigns from her position as City Attorney under this Agreement or is removed from her position by the Council with or without cause, Employee shall retain all rights and benefits that may have accrued to her under any of the benefit, pension, or deferred compensation plans provided to her under this Agreement and that she is entitled to retain in accordance with the provisions of such plans and applicable law as any City employee who has resigned or been terminated from employment with the City would be entitled to retain.

VI. PERFORMANCE EVALUATION

A. City Council shall review the performance of the Employee no later than March 1 of each year in accordance with the performance review process for all City employees. The review shall focus on Employee's performance of the duties and responsibilities assigned to the City Attorney position by the City Charter, City Code, and this Agreement, as well as the achievement of any goals or performance objectives established by the City Council in consultation with Employee. The review process shall, at a minimum, include the opportunity for the Parties to: (1) prepare a written evaluation, (2) meet and discuss the evaluation in a closed or open meeting of the City Council at the option of Employee; and (3) present a written summary of the evaluation results. The final written evaluation shall be completed and delivered to Employee within thirty (30) days of the evaluation meeting.

B. City Council agrees to increase said base salary and/or other benefits of Employee in such amounts and to such extent as City Council may determine that it is desirable to do so on the basis of (1) merit following an annual performance evaluation made at the same time as similar consideration is given other employees general; and (2) an annual analysis of salaries and compensation for similar positions within Colorado and nationally, conducted by the Human Resources Department or a third party consultant, to ensure the Employee's salary and benefits remain market competitive.

VII. RESIDENCY REQUIREMENT

Pursuant to the City Charter, Employee agrees to reside within the boundaries of the City at all times during her employment pursuant to this Agreement.

VIII. OUTSIDE ACTIVITIES

The employment provided by this Agreement shall be Employee's sole employment. Recognizing that certain outside consulting, teaching, or speaking opportunities provide indirect benefits to the City and the community, Employee may accept, with the Council's approval, limited consulting, teaching, and speaking opportunities where such opportunities shall not constitute interference with, nor a conflict of interest with, Employee's responsibilities under this Agreement. Employee shall submit all requests for outside consulting, teaching or speaking opportunities in writing to the Council.

XI. INDEMNIFICATION

To the Extent the City is required and authorized to do so under the Colorado Governmental Immunity Act (C.R.S. § 24-10-101 *et seq.*) and other applicable law, the City shall indemnify and defend Employee for all civil claims brought against Employee which arise out of an alleged act or omission by Employee occurring during the performance of this Agreement, within the scope of her employment as City Attorney, and provided that such act or omission is not willful or wanton.

X. BONDING

City shall bear the full cost of any fidelity or other bond required of Employee under any law or ordinance and which is within the scope of her employment as City Attorney.

XI. ANNUAL APPROPRIATION

All financial obligations of the City under this Agreement shall be subject to the Council's annual appropriation of the funds necessary to satisfy such obligations.

XII. NOTICES

Any notice or other communication required or permitted hereunder shall be in writing and shall be served personally, or via email. Notice to the City shall be sent to the city email address for the current Mayor. Notice to the Employee shall be sent to the city email address for the Employee.

XIII. GENERAL PROVISIONS

A. Integration. This Agreement sets forth the entire understanding between the City and Employee relating to the employment of Employee by the City. Any prior discussions or representations by or between the Parties are merged into and rendered null and void by this Agreement. The terms of this Agreement may only be modified by a writing signed by the Parties.

B. Applicable Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado and any judicial action brought by either Party to enforce the terms and conditions of this Agreement and/or to recover damages for a breach of this Agreement, shall be brought in the state courts located in Weld County, Colorado.

C. Assignment. This agreement is personal to the City and to Employee and may not be assigned or delegated by either Party without the prior written consent of the other Party.

D. No Waiver. All rights and remedies, whether conferred hereunder or by any other instrument or law, will be cumulative and may be exercised singularly or concurrently. No failure of either Party to enforce any term of this Agreement shall be deemed a waiver of future enforcement of that or any other term.

E. Severability. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable, such determination shall not affect the validity of the remaining provisions of this Agreement.

F. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective heirs, personal representatives, successors, and assigns.

G. Counterparts and Electronic Signatures. This Agreement may be executed in any number of counterparts, and each of such counterparts shall, for all purposes, be deemed to be an original, and all such counterparts shall together constitute on and the same agreement. Facsimile and electronic signatures shall constitute original signatures for all purposes of this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first above written.

CITY OF GREELEY, COLORADO:

EMPLOYEE:

By: _____
Mayor John Gates

Stacey Aurzada

ATTEST:

By: _____
Heidi Leatherwood
City Clerk

APPROVED AS TO LEGAL FORM:

By: _____
Jenny Lopez Filkins
Special Counsel



Council Agenda Summary

June 18, 2024

Key Staff Contact: Heidi Leatherwood, City Clerk

Title:

Appointments to Boards and Commission - Water and Sewer Board, Museum Board, and Downtown Development Authority

Summary:

Council appointments are needed due to vacancies and term expirations on the Water and Sewer Board, Museum Board, and Downtown Development Authority. City staff continues to actively recruit to fill all other vacant positions.

Water & Sewer Board applicants were interviewed by Council at the June 11, 2024, Work Session meeting.

Fiscal Impact:

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

Legal Issues:

The City Attorney's Office reviewed the applications and advised of potential conflicts of interest. It should be noted that there is a possibility that the applicants currently serve as a volunteer on a board or commission besides the one they are applying to. It is also important to point out to the applicants that there are always potential conflicts that exist with business and investments, current jobs or relatives and family members coming before the Board or Commission. Should such conflicts arise, the Board or Commission member simply recuses themselves from that particular item. Such a potential conflict does not preclude anyone from serving on a Board or Commission in general, just that particular agenda item.

Other issues and Considerations:

None

Strategic Focus Area:



Community Vitality

Decision Options:

- 1) Appoint or reappoint the individuals to serve on an applicable board or commission
- 2) Direct staff to re-advertise applicable vacancy

Council's Recommended Action:

No motion is necessary. The City Council's Policies and Protocol authorize appointment of Board and Commission members by written ballot, which can be used in lieu of a motion or voice vote for individual or multiple appointments. This policy was adopted by Council as a time-savings measure. Accordingly, a ballot is attached for Council's use in making appointments. Candidates receiving a majority vote (at least 4 votes) are appointed with no further action needed by Council.

Attachments:

1. Sample Ballot
2. Boards & Commission June Transmittal



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

***** BALLOT *****

Museum Board	
<i>2 Positions: 3 Year Term</i>	
☐	Scott Chartier (Recruit for Additional Applicants)

Water and Sewer Board	
<i>2 Positions: 3 Year Term</i>	
☐	Matthew Anderson
☐	Fred Otis (I)
☐	(Recruit for Additional Applicants)

Downtown Development Authority	
<i>3 Positions: 4 Year Term</i>	
☐	Andy Feinstein (I)
☐	Kevin Ross (I)
☐	Linda Winter (I)
☐	(Recruit for Additional Applicants)

(I) = Incumbent

Comments:

Boards & Commissions Transmittal

June 11, 2024

Key Staff Contact: Jennifer Middleton 970-350-9743

Interview Date

June 11, 2024

Council Interview Team

Councilmembers Butler and Payton

Council Appointment Date

June 18, 2024

Boards and Commissions Being Interviewed

- **Water and Sewer Board**
- **Museum Board**
- **Downtown Development Authority**

Council's Recruitment and Qualifications Policy

General recruitment efforts shall be made with special measures being taken to balance ward representation and attract minority and special population applicants. Generally, volunteers will be limited to serving on one board or commission at a time. (14.2. (c)(2) City Council, Policies and Protocol).

Demographic information of existing board members and any specialty requirements are contained within the attached Membership Rosters.

Legal Issues

The City Attorney's Office reviewed the applications and the attached memorandum addresses any potential conflicts of interest.

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

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

Applicable Council Goal or Objective

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

Decision Options

1. Recommend candidates for appointment; or
2. Direct staff to re-advertise applicable vacancy.

Attachments

1. Interview Schedule
2. Conflict Memorandum from City Attorney's Office
3. Sample Ballot
4. Membership Rosters from above mentioned Boards and Commissions
5. Applications of those being considered for interview and/or considered for appointment

Transmittal reviewed by: RL Raymond Lee, City Manager HL Heidi Leatherwood, City Clerk



Council Agenda Summary

Title:

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

Council's Recommended Action:

A motion to approve the above authorizations.



Council Agenda Summary

Title:

Scheduling of Meetings, Other Events

Summary:

During this portion of the meeting the City Manager or City Council may review the attached Council Calendar or Planning Calendar and Schedule for City Council Meetings and Work Sessions and make any necessary changes regarding any upcoming meetings or events.

Attachments:

Council Meetings and Other Events Calendars

Council Meeting and Work Session Schedule/Planning Calendar

June 17, 2024 - June 23, 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 17

Tuesday, June 18

8:00am 2024 CML Annual Conference (Embassy Suites (4705 Clydesdale Pkwy, Loveland, CO 80538)) - Council Master Calendar 

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

Wednesday, June 19

Juneteenth Holiday - Administrative Buildings Closed

8:00am 2024 CML Annual Conference (Embassy Suites (4705 Clydesdale Pkwy, Loveland, CO 80538)) - Council Master Calendar 

2:00pm - 5:00pm Water & Sewer Board (Gates) Moved to June 26 at 2 p.m. 

Thursday, June 20

7:30am - 8:30am Downtown Development Authority (DeBoutez/Butler) (802 9th St #100, Greeley, CO 80631) 

8:00am 2024 CML Annual Conference (Embassy Suites (4705 Clydesdale Pkwy, Loveland, CO 80538)) - Council Master Calendar 

10:00am - 11:00am StarRise Ground Breaking Ceremony (Hoshiko Park (1st St & 9th Ave, Greeley, Colorado 80631)) - Council Master Calendar 

3:30pm - 4:30pm Airport Authority (Gates/Payton) (Greeley-Weld Airport, 600 Airport Road) 

Friday, June 21

Saturday, June 22

6:00pm - 7:00pm Big Buckle Ball (Gates, McDonald, Butler) (TBD) - Council Master Calendar 

Sunday, June 23

June 24, 2024 - June 30, 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 24

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

Tuesday, June 25

2:00pm - 3:00pm Greeley Fire Department Promotional Ceremony

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

Wednesday, June 26

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

1:30pm - 3:00pm Delta Park Groundbreaking Celebration (2191 1st Ave (2191 1st Ave, Greeley, Colorado 80631)) - Council Master Calendar

4:00pm - 5:00pm Greeley Stampede Grand Opening Ceremony
(600 N. 14th Avenue, Greeley CO 80631 Park Admission Gate) - Council Master Calendar

5:00pm - 9:00pm Greeley Stampede Bull Riding and Dinner (600 N 14th Ave (600 N 14th Ave, Greeley, Colorado 80631)) - Council Master Calendar

Thursday, June 27

Friday, June 28

8:30am - 1:00pm Annual Naturalization Ceremony (1475 A St (1475 A St, Greeley, Colorado 80631)) - Council Master Calendar

4:00pm - 7:00pm Retirement Open House - John Gates (715 10th Street Greeley CO 80631 (Zoe's Cafe Suite 100)) - Council Master Calendar

Saturday, June 29

Sunday, June 30

July 1, 2024 - July 7, 2024

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

Monday, July 1

Tuesday, July 2

6:00pm City Council Meeting Cancelled

Wednesday, July 3

3:00pm - 4:00pm Greeley Police Department Swearing-In Ceremony (Greeley Police Department; Donahue Conference Room) - Council Master Calendar

Thursday, July 4

- 7:30am - Poudre River Trail (Hall)
- Independence Day Holiday - Administrative Buildings Closed
- 8:00am - 11:00am Greeley 4th of July Parade (TBD) - Council Master Calendar
- 3:30pm - IG Adv. Board (Butler)
- 6:00pm - 8:30pm North Front Range MPO Meeting (Olson/Payton)

Friday, July 5

Saturday, July 6

Sunday, July 7

July 8, 2024 - July 14, 2024

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

Monday, July 8

Tuesday, July 9

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

Wednesday, July 10

Thursday, July 11

Friday, July 12

Saturday, July 13

Sunday, July 14

City Council Meeting Scheduling 2024			
	6/11/2024		
	This schedule is subject to change		
Date/Type	Description	Sponsor Presenter/Director or Project Manager	Placement/Time
June 18, 2024 Council Meeting	Proclamations - Greeley Stampede	Mayor	Intro
	Proclamation - World Refugee Day	Mayor	Intro
	Proclamation - Parks and Recreation	Mayor	Intro
	Minutes - May 21 CC; May 28 WS	Heidi Leatherwood	Consent
	Resolution - Appointment of City Attorney	Kimberly Southern-Weber	Consent
	Resolution - Generation Wild Planning Grant Application from the State Board of the Great Outdoors Colorado	Diana Frick	Consent
	Resolution - Authorize AFFF and PFAS Litigation	Sean Chambers/Stacey Aurzada	Consent
	Intro & 1st Rdg Ord - Eminent Domain 37th Street Bridge Project	Bhooshan Karnik/ Paul Trombino	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 23rd Avenue and 4th/5th Street Project	Bhooshan Karnik/ Paul Trombino	Consent
	Intro & 1st Rdg Ord - Westgate Non - Pot Local Improvement District	Ryan Duve/ Adam Prior/ Sean Chambers	Consent
	PH & 2nd Rdg Ord - City Attorney Salary and Benefits	Kimberly Southern-Weber	Regular
	Boards & Commissions Appointments	Heidi Leatherwood	Regular
June 25, 2024 Council Work Session	Metropolitan District Standards – Options and Recommendations	Don Threewitt	Worksession
	Public Finance Tools and Incentives for Economic Development	John Hall	Work Session
	Executive Session - West Greeley	John Hall	Executive Session
July 02, 2024 Council Meeting	Cancelled		
July 09, 2024 Council Work Session	Budget Preview	Caleb Weitz	WS
	Proposed Revision to the Cooperation Agreement Between the City and GURA	John Hall	WS
	Creation of Housing Advisory Board Meeting	Deb Callies	WS
	Overview of Poudre River Stormwater Project	Bhooshan Karnik/ Paul Trombino	WS
	Council Policies and Protocol	Heidi Leatherwood	WS
July 16, 2024 Council Meeting	Proclamations -	Mayor	Intro
	Introduction - Mandy Shreve, Director of Homeless Solutions	Mayor	Intro
	Minutes - June 4 & June 18 CC; June 11 & June 25 WS	Heidi Leatherwood	Consent
	Motion: Special Meeting for July 23, 2024 (Tentative)	Heidi Leatherwood	Consent
	Motion: Appointment to the Housing Authority Board	Heidi Leatherwood	Consent
	Resolution - Council Policies and Protocol	Heidi Leatherwood	Consent
	Intro & 1st Rdg Ord - Campaign Contributions Limits and Election Amendments	Heidi Leatherwood/Stacey Aurzada	Consent
	Intro & 1st Rdg Ord - Collective Bargaining for Police Sergeants	Stacey Aurzada	Consent

City Council Meeting Scheduling 2024			
	6/11/2024		
	This schedule is subject to change		
Date/Type	Description	Sponsor Presenter/Director or Project Manager	Placement/Time
	Intro & 1st Rdg Ord - Eminent Domain Poudre River Ranch Stormwater Drainage Improvement Project (Tentative)	Bhooshan Karnik/ Paul Trombino	Consent
	Intro & 1st Rdg Ord- Ashcroft Local Improvement District	Sean Chambers	Consent
	Intro & 1st Rdg Ord - Amendment to Cooperation Agreement Between the City and GURA	John Hall	Consent
	Intro & 1st Rdg Ord - Housing Advisory Board	Deb Callies	Consent
	PH & 2nd Rdg Ord - Eminent Domain 37th Street Bridge Project	Bhooshan Karnik/ Paul Trombino	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 23rd Avenue and 4th/5th Street Project	Bhooshan Karnik/ Paul Trombino	Regular
	PH & 2nd Rdg Ord - Westgate Non-Pot Local Improvement District	Ryan Duve/ Adam Prior/ Sean Chambers	Regular
	Boards & Commissions Appointments	Heidi Leatherwood	Regular
	Executive Session - West Greeley	John Hall	Executive Session
July 17, 2024	Budget Retreat	Caleb Weitz	
July 23, 2024 Council Work Session	June Polling Results	Kalen Myers	WS
	Ballot Measure Decisions	Kalen Myers	WS
Special Meeting (Tentative)	West Greeley	John Hall	
August 06, 2024 Council Meeting	Minutes July 2, 2024 CC: July 9 WS	Heidi Leatherwood	Consent
	Resolution - IGA coordinate election with the County	Heidi Leatherwood	Consent
	Resolution - Private Activity Bonds Retention	Ashley Weesner	Regular
	Intro & 1st Rdg- Ordinances for ballot measures	Kalen Myers	Consent
	Intro & 1st Rdg Ord - Code amendment to change the retention period for Administrative Hearing Officer Records (tentative)	Tasha Reynolds/ Heidi Leatherwood	Consent
	Budget Preview	Tyra Litzau	Regular
	PH & 2nd Rdg Ord - Campaign Contributions Limits and Election Amendments	Heidi Leatherwood/Stacey Aurzada	Regular
	PH & 2nd Rdg Ord - Collective Bargaining for Police Sergeants	Stacey Aurzada	Regular
	PH & 2nd Rdg Ord - Request for Eminent Domain Authority for Poudre River Ranch Stormwater Drainage Improvement Project (Tentative)	Bhooshan Karnik/ Paul Trombino	Regular
	PH & 2nd Rdg Ord- Ashcroft Local Improvement District	Sean Chambers	Regular
	PH & 2nd Rdg Ord - Amendment to Cooperation Agreement Between the City and GURA	John Hall	Regular
	PH & 2nd Rdg Ord - Housing Advisory Board	Deb Callies	Regular
August 13, 2024 Council Work Session	1st and 2nd Quarter Finance Information	Tyra Litzau/Robert Miller	Work Session
	Image and Tourism Update	Jaqueline Villegas	Work Session
	Planning Commission Interviews	Heidi Leatherwood	Work Session



Council Agenda Summary

Title

Adjournment