City of Greeley, Colorado

CITY COUNCIL WORK SESSION

April 8, 2025

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**
   City Clerk Heid Leatherwood called the roll.
   The following were present:

   Councilmember Tommy Butler
   Councilmember Deb DeBoutez
   Mayor Pro Tem Dale Hall
   Councilmember Brett Payton
   Councilmember Johnny Olson
   Councilmember Melissa McDonald
   Mayor John Gates

4. **Reports from Mayor and Councilmembers**
   Councilmember Olson thanked residents for their interest in the West Greeley project reporting that he received several questions.

   Mayor Pro Tem Hall attended the Poudre River Trail meeting and was excited about the steward program with volunteers.

5. **Major Project Review**
   City Manager, Raymond Lee introduced the item at 6:03 p.m. Interim Budget and Policy Director Kalen Meyers, Managing Director Paul Trombino, Assistant City Manager Kelli Johnson, and Deputy City Manager CFO Allena Portis participated in the presentation as well.

   Ms. Johnson shared an Eisenhower Matrix of Council's key initiatives from their February 2024 Retreat. She emphasized balancing the community's needs with long term priorities and financial realities. Ms. Johnson stressed that their desire was for Council to guide them on what projects the most urgent and important priorities.

   Ms. Meyers began a comprehensive overview of 21 major projects. She started with projects that were funded, noting their respective funding sources, and explained that unfunded projects were listed as “to be determined” (TBD) as some were not far along enough in concept planning or design to quantify costs yet.

Ms. Meyers explained what resources were available, with approximately $11 million in one-time funding available for the 2026 budget process for base expenses like compensation and inflationary increases. Finance recommended any remaining funds could be used towards closing the gap between recuring revenues and expenditures and to fund the revenue stabilization mechanism. She emphasized that until sales tax trends and development activity improved, there were no available ongoing resources to commit to new priorities. New ongoing commitments would require cuts to existing programs or new revenue through voter approved tax increases.

Strategies were proposed to Council that included voter polling and potential tax proposals, debt, which would require general bonds through voter approval, and continued focus on completing concept designs for top priorities so they were prepared to act when the financial outlook improved. She also asked Council to keep in mind economic considerations such as the projected decline in U.S. economic growth for 2025, continued inflation concerns, continued sales tax shortfalls, and the impact of federal government policy decision such as tariffs.

Ms. Meyers concluded by explaining they would conduct a comparative poll later this month, and Council would be presented with a 10-year financial plan, as well as development code and impact fee study updates in the next month or so.

Council discussed concerns about funding the downtown civic campus project and prioritizing the list of projects. Other topics included downtown parking, MERGE grants, Certificates of Participation and how this type of financing worked. Council concluded with conversation on downtown facilities and the need for a master plan that included upkeep and maintenance of buildings and infrastructure in the future.

Council requested an additional opportunity to prioritize the projects.

Mayor Gate thanked everyone for the information.

6. **2025 Ballot Measure Planning**
Interim Budget and Policy Director, Kalen Meyers, introduced the item at 7:11 p.m.

Ms. Meyers reminded Council that an initiative was requested at the February 18th Council meeting requesting a cost analysis to conduct voter polling. The cost was estimated at $75,240 for 2 polls of approximately 500 residents.

Ms. Meyers recommended that a “comparative” poll be conducted in April with a more “targeted” poll in June. She asked for direction from Council on what subjects to include in the poll. Ms. Meyers provided a timeline of upcoming tax renewals and when they would need to be submitted to voters.

She shared a list of possible measures provided to Council for consideration, including an increase to the Public Safety Tax, a Quality-of-Life Tax, a General Sales and Use Tax, or Property Taxes, or introducing a new Open Space Tax, Economic Development and Community Revitalization Tax, or a Homeless and Housing Solutions Tax. Ms. Meyers provided examples of comparative polls from December of 2023 and concluded by asking for Council feedback.

Mayor Gates asked if they should be limiting the number of issues on the first poll. Councilmember Olson commented that he did not think general items were informative enough. Assistant City Manager Kelli Johnson said they had spoken with the consultant firm regarding that and concurred. Staff clarified it was more favorable for specific items. There was discussion among Councilmembers and staff about the various subjects, including a homeless shelter.

Mayor Gates went through each subject and asked for consensus. Council reached consensus to move forward on an Economic Development Tax, increase to the Public Safety Tax, and the Homelessness and Housing Tax. Ms. Meyers suggested going straight to a targeted poll with these items.

Mayor Gates thanked everyone for the information and called a recess at 7:42 p.m.

Council returned to the meeting at 7:53 p.m.

7. **Development Review Process Overview**
Director of Community Development Brian McBroom presented the item at 7:53 p.m.

Mr. McBroom shared a high-level overview of the development review process, highlighting its importance in regulating private property development to meet codes and standards.

The review involves six steps, from land use approval to final inspections and occupancy. Recent updates to development codes and design criteria have caused some adjustment challenges. The city is currently auditing its development code to improve quality and efficiency.

Mr. McBroom discussed efforts to streamline processes per the Housing Strategic Plan, improve training, launch new tools like the Small Business Land Use Center, and introduce more data tracking and public feedback.

Questions from Council focused on review timelines, developer familiarity with the process, and infrastructure responsibilities. Mr. McBroom noted that experienced developers generally navigate the process more efficiently and outlined upcoming initiatives, including a quarterly report for Council.

Mayor Gates thanked staff for the information.

8. **Overview of the Pre-Development Services and Financing Agreement for the West Greeley project**
City Attorney Stacey Aurzada introduced this item at 8:24 p.m. partnering with Dalton Kelley and Dawn Bookhardt from Butler Snow, Deputy City Attorney Moses Garcia, and Interim Supervising Senior City Attorney Daniel Biwer.

Ms. Aurzada reviewed the key milestones from the Memorandum of Understanding signed in July of 2024 through the market study, economic and fiscal impact study and financial modeling to date, including negotiations with The Water Valley Company (TWVC).

Ms. Aurzada explained the purpose of the PDSA was to memorialize the terms and agreements between the City and TWVC prior to the execution of design and construction contracts and development agreements. It would also provide a framework for TWVC to serve as the City's fee developer for the Entertainment District project known as the "Catalyst Project" and certain terms regarding the broader development of the surrounding are known as the "Cascadia Project".

Ms. Aurzada noted that part of the agreement was the purchase of land, for which the City will pay $5 million for 100.59 acres, which will be funded from the Certificates of Participation (COP's). The agreement will allow the City to conduct due diligence.

Preliminary funding was reviewed, covering the issuance of COP's for $115 million, the cost of the Catalyst project and supporting improvements. Mr. Kelley provided more details to Council regarding the different financing mechanisms and risk mitigation regarding eligible costs.

Ms. Aurzada explained the required actions for the COP's, anticipating an authorizing ordinance introduced on April 15th and final adoption on May 6th, a lease, a site lease, an indenture, and a reimbursement ordinance. A review of the conduit bonds and the 501(c)3 was also provided.

Mr. Kelley explained the Public Improvement Fees (PIF's) that would be involved, These would help repay the conduit bond. He also briefly reviewed the GID and how Water Valley would submit a petition with Council serving on the GID Board.

Ms. Aurzada continued the presentation on potential business incentives and a lease agreement for the Eagles with a term of 30 years. Additionally, Water Valley would be committing to use its best efforts to attract a certain amount of residential, retail, and commercial development.

Ms. Bookhart spoke about a coordination agreement that would set forth terms for both parties to coordinate development between the Catalyst and Cascadia projects. It would establish expectations on items such as required studies, infrastructure development and submittal requirements and will be an exhibit to the PDSA.

Ms. Aurzada explained that the PDSA aims to mitigate risk, but all risk can't be eliminated.

Mr. Kelley reminded Council of the different ways mitigation has been built into the PDSA. Councilmembers asked various questions about the mitigations, land and design ownership and water tap fees, as well as the Eagles lease. Staff and the consultants provided clarification.

Mayor Gates thanked everyone for the presentation.

9. Motion to go into Executive Session to receive legal advice and to instruct negotiators regarding development terms outlined in the Pre-Development Services Agreement for the West Greeley Project

A motion to go into an Executive Session to discuss the following matter as provided under C.R.S. Section 24-6-402(4)(b) and 24-6-402(4)(e)(I), Greeley Municipal Code Sections 2-151(a)(2) and 2-151(a)(5): To receive legal advice related to and determine positions, develop strategy, and instruct negotiators about the Pre-Development Services Agreement with The Water Valley Company.

Councilmember McDonald moved to approve the motion. Councilmember Butler seconded the motion. The motion passed 7-0 at 9:21 p.m.

10. Scheduling of Meetings, Other Events
None.

11. Adjournment
With no further business to come before the Council, Mayor Gates adjourned the meeting at 9:21 p.m.

9. Executive Session to receive legal advice and to instruct negotiators regarding development terms outlined in the Pre-Development Services Agreement for the West Greeley Project

Mayor Gates called this executive session to order at 9:32 p.m. The session was recorded as required by Open Meetings Law.

Present for participation in this executive session, which was convened in the Colorado Room in City Center South were all members of City Council plus with the following persons:

- City Attorney Stacey Aurzada
- City Manager Raymond Lee
- Chief Financial Officer and Deputy City Manager Allena Portis
- Chief Operations Officer Blair Snow
- Deputy City Attorney Moses Garcia
- Supervising Attorney Dan Biwer
- Dalton Kelley and Dawn Bookhardt, Attorneys with Butler Snow
- Jason Simmons with Hilltop Financial
- Ashely Stiles with Tribe

This executive session was for the following purposes:

- To confer with City Attorney to receive legal advice and to determine positions, develop strategies, and
- To provide instructions to negotiators regarding the Pre-Development Agreement with The Water Valley Company; as provided in C.R.S. 24-6-402{4){b) and 24-6-402(4){e){I), and Greeley Municipal Code 2-151{a){2) and 2-lSl{a){S).

Mayor Gates cautioned each participant in the executive session to confine discussion to these stated purposes, and reminded all participants that no formal action may occur in executive session. Mayor Gates asked if at any point in the executive session any participant believed that the discussion is going outside the proper scope of the executive session, to please interrupt the discussion and raise an objection.

The City Attorney made an announcement regarding privileged communication and asked the Mayor to turn off the tape. Mayor Gates turned the recorder on because the confidential attorney-client privileged conversation had ended.

Mayor Gates concluded the executive session at 10:15 p.m. The recording of this executive session will be retained as provided in the City's records retention policy and in conformity with Colorado Open Meetings Law for a period of 90 days.

Approved

X

John Gates
Mayor

Attest

X

Heidi Leatherwood
City Clerk