



**Mayor**  
Tom Norton

**Councilmembers**

Rochelle Galindo  
Ward I

Vacancy  
Ward II

John Gates  
Ward III

Michael Finn  
Ward IV

Sandi Elder  
At-Large

Robb Casseday  
At-Large

**A City Achieving  
Community Excellence**

Greeley promotes a healthy, diverse economy and high quality of life responsive to all its residents and neighborhoods, thoughtfully managing its human and natural resources in a manner that creates and sustains a safe, unique, vibrant and rewarding community in which to live, work, and play.

# City Council Agenda

## **Regular Meeting**

**August 1, 2017 at 6:30 p.m.**

**School District Six Board of Education Meeting Room**

**1025 9<sup>th</sup> Avenue, Greeley Colorado**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Recognitions and Proclamations
5. Citizen Input
6. Approval of Agenda
7. Reports from Mayor and Councilmembers
8. Petitions from Mayor and Councilmembers

### **Consent Agenda**

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

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

9. Acceptance of the Report of the July 17, 2017 City Council/City Manager session
10. Approval of the City Council Proceedings of July 18, 2017
11. Acceptance of the Report of the July 25, 2017 City Council Worksession
12. Consideration of a Resolution of the Greeley City Council adopting and entering into a trust agreement for the Colorado Firefighter Heart and Cancer Benefits Trust

13. Introduction and first reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from R-L (Residential Low Density) and C-H (Commercial High Intensity) to R-H (Residential High Density) zoning for approximately 8.728 acres of property known as the Alpine Flats Rezone

<b>End of Consent Agenda</b>
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14. Pulled consent agenda items
15. Public hearing and final reading of an Ordinance of the City of Greeley amending Title 11 of the Greeley Municipal Code to add a new section regarding Unattended Motor Vehicle
16. Council Ward II Appointment – Candidate Interviews
17. Scheduling of meetings, other events
18. Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances
19. Adjournment

# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 1-3**

### Title

1. Call to Order
2. Pledge of Allegiance
3. Roll Call

Mayor Norton  
Councilmember Galindo  
Councilmember Gates  
Councilmember Casseday  
Councilmember Elder  
Councilmember Finn  
Ward II Vacancy

# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 4**

### Title

Recognitions and Proclamations

### Summary

Councilmember Galindo will present the What's Great About Greeley Report.

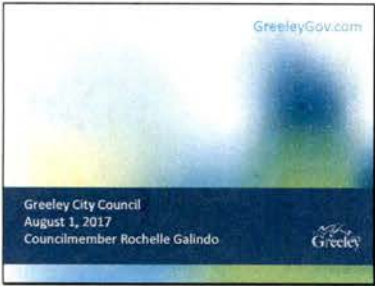
There will be a review and summary of the Sister City exchange trip presented by City Staff chaperones and students who traveled to Moriya, Japan in June.

### Attachments

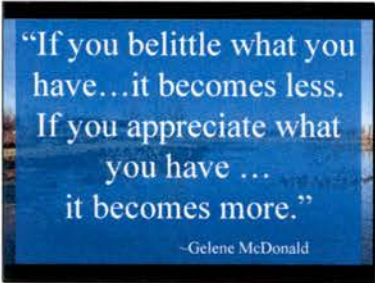
August 1, 2017 What's Great About Greeley Report



Slide 1

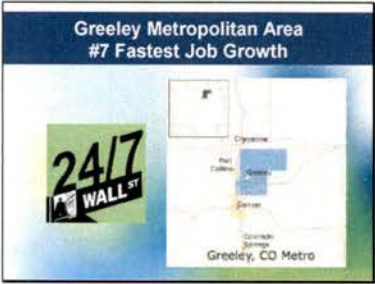


Slide 2



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

Slide 3



Weld job growth is among the fastest in the nation. The website 24/7 Wall Street has ranked the Greeley Metropolitan area #7 in the nation for areas that have added the most jobs during the past five years. For statistical data collection, the Greeley Metropolitan Area encompasses most of Weld County.

Slide 4



# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 5**

### Title

Citizen Input

### Summary

During this portion of the meeting, anyone may address the Council on any item of City business appropriate for Council's consideration that is not already listed on this evening's agenda.

Individual speakers will be limited to 3 minutes each. Council and staff will respond tonight, if possible, to questions or requests. If further time or discussion is needed, a staff member will contact you within the next couple of days. Some items may need to be scheduled for a future meeting.

# Council Agenda Summary

August 1, 2017

**Agenda Item Number 6**

Title

Approval of the Agenda

# Council Agenda Summary

August 1, 2017

## Agenda Item Number 7

### Title

Reports from Mayor and Councilmembers

### Summary

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

Board/Commission	Meeting Day/Time	Councilmember Assigned
--Team of 2-- Board/Commission Interviews	Monthly as Needed	Rotation
Water & Sewer Board	3 <sup>rd</sup> Wed, 2:00 pm	Norton
Youth Commission Liaison	4 <sup>th</sup> Mon, 6:30 pm	Vacancy
Historic Preservation Loan	As Needed	Galindo
Police Pension Board	Quarterly	Galindo
Employee Health Board	As Needed	Galindo
Airport Authority	3 <sup>rd</sup> Thur, 3:30 pm	Elder/Finn
Visit Greeley	3 <sup>rd</sup> Tues, 7:30 am	Finn
Upstate Colorado Economic Development	Last Wed, 7:00 am	Norton/Finn
Greeley Chamber of Commerce	4 <sup>th</sup> Mon, 11:30 am	Gates
Island Grove Advisory Board	1 <sup>st</sup> Thur, 3:30 pm	Gates
Weld Project Connect Committee (United Way)	As Needed	Gates
Downtown Development Authority	3 <sup>rd</sup> Thur, 7:30 am	Elder/Casseday
Transportation/Air Quality MPO	1 <sup>st</sup> Thur, 6:00 pm	Casseday/Norton, Alternate
Poudre River Trail	1 <sup>st</sup> Thur, 7:00 am	Finn
Highway 85 Coalition	As Needed	Vacancy
Highway 34 Coalition	As Needed	Vacancy
CML Policy Committee (Council or Staff)	As Needed	Norton/Vacancy, Alternate
CML Executive Board opportunity		Casseday
CML - Other opportunities	As Available/Desired	All

# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 8**

### Title

Petitions from Mayor and Councilmembers

### Summary

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

Petitions will generally fall into three categories:

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

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

### Attachments

Status Report of Council Petitions and Related Information



Greeley City Council

Status Report of Council Petitions

August 1, 2017

Council Request		Council Meeting, Worksession, or Committee Meeting Date Requested	Status or Disposition (After completion, item is shown one time as completed and then removed.)	Assigned to:
	None pending.			

# Consent Agenda

August 1, 2017

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

Once the Clerk has read each Consent Agenda item into the record, along with Council's recommended action, Council or staff may request the item be "pulled" off the Consent Agenda and considered separately under the next agenda item in the order they were listed.

*The Consent Agenda includes Items No. 9 through 13 and their recommended actions.*

## *Council's Recommended Action*

To approve Items No. \_\_\_\_ through \_\_\_\_ or

To approve Items No. \_\_\_\_ through \_\_\_\_ with the exceptions of No.(s) \_\_\_\_

# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 9**

Key Staff Contact: Betsy Holder, City Clerk, 350-9742

### Title

Acceptance of the Report of the July 17, 2017 City Council/City Manager session

### Summary

A City Council/City Manager session was held on July 17, 2017, in the City Hall Training Room at 1000 10<sup>th</sup> Street, Greeley, Colorado.

### Decision Options

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

### Council's Recommended Action

A motion to accept the Report as presented.

### Attachments

July 17, 2017 Report

City of Greeley, Colorado  
**CITY COUNCIL/CITY MANAGER SESSION REPORT**  
July 17, 2017

The session began at 7:00 a.m. and was held in the City Hall Training Room at 1000 10<sup>th</sup> Street, Greeley, Colorado.

Those present were Mayor ProTem John Gates and Councilmembers Robb Casseday, Sandi Elder, Mike Finn,.

The following items were discussed and no action taken:

1. 2017 Legislative Session Impacts to the City
2. Municipal Court Administration and Sentencing Philosophy
3. Archibeque Park Dedication

The session ended at 7:38 a.m.

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John Gates, Mayor Protem

# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 10**

Key Staff Contact: Betsy Holder, City Clerk, 350-9742

### Title

Approval of the City Council Proceedings of July 18, 2017

### Summary

A meeting of the City Council was held on July 18, 2017, in the School District Six Board of Education Meeting Room 1025 9th Avenue, Greeley, Colorado.

### Decision Options

- 1) To approve the proceedings as presented; or
- 2) Amend the proceedings if amendments or corrections are needed, and approve as amended.

### Council's Recommended Action

A motion to approve the City Council proceedings as presented.

### Attachments

July 18, 2017 Proceedings



City of Greeley, Colorado  
**CITY COUNCIL PROCEEDINGS**  
July 18, 2017

**1. Call to Order**

Mayor Tom Norton called the meeting to order at 6:30 p.m., in the School District Six Board of Education Meeting Room, 1025 9<sup>th</sup> Avenue.

**2. Pledge of Allegiance**

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

**3. Roll Call**

Jessica Diagana, Assistant City Clerk, called the roll. Those present were Mayor Tom Norton and Councilmembers Robb Casseday, Sandi Elder, Mike Finn, Rochelle Galindo, John Gates and Randy Sleight.

**4. Recognitions and Proclamations**

Councilmember Sleight presented the What's Great about Greeley Report.

Mayor Norton recognized Army Lieutenant Colonel Kurt Jerke, Finance Staff for receiving the Government Finance Officers Association Award for the Distinguished Budget, and Water & Sewer staff for the Best of the West Tap Water Taste Test Award. He also presented Councilmember Sleight with a plaque and thanked him for his service to the City of Greeley.

**5. Citizen Input**

Lavonna Longwell, Greeley resident, stated that Greeley is a great place for the non-partisan election process and has a Council who puts serving the people ahead of serving the party. She asked that Council not allow current Ward II candidates to apply for the Ward II vacancy. She expressed that she would like to allow the citizens' voices to be heard without any endorsement from the Council.

Luke Douglas, Greeley resident, stated that he is helping Lavonna Longwell with her campaign for the Ward II seat in the November election. He expressed that he feels it is in the best interest of Ward II residents if a current Ward II candidate does not fill the temporary vacancy and that voters should be able to choose a new face on an equal playing field for the seat on Council.

Stacey Suniga, Greeley resident, echoed the previous comments regarding the Ward II vacancy. She asked that Council look elsewhere to fill the vacancy besides the current candidates to help with equality. She spoke of the hard work of an election campaign and fears if Council chooses one of the Ward II candidates for the vacancy, it will give additional exposure to the chosen person and that it will be perceived as City Council endorsement.

Maydean Worley, Greeley resident, stated that voters want the opportunity of helping to decide who the next elected Ward II representative will be and that she agrees with the previous comments to allow residents to make their decision for a Ward II representative at the polls.

Floyd Worley, Greeley resident, spoke of the hard, communal work of Council and that he feels that selecting a running candidate to fill the Ward II vacancy could have the appearance of an endorsement and that Ward II has people who would competently serve temporarily on the Council.

Julie Gibbs, Greeley resident, asked that Council appoint someone to the Ward II vacancy that is not running as a candidate in the election to avoid the appearance of an endorsement which does not seem fair.

Megan Mayer, Greeley resident, reiterated the previous comments and expressed that she wants to know that Ward II votes are being fairly cast so that both candidates have a fair chance in the election.

Debbie Rhoades, Greeley resident, reiterated that she feels the same way as others who have spoken and that she would like to learn about the candidates and would not want it to seem like one has an unfair advantage over the other.

Jeri Shepherd, Greeley resident, stated that she shares the concerns others had already mentioned and asked that Council appoint someone who will be a good steward for the community, but that Council allow Ward II residents to choose who will represent them in November.

Mayor Norton expressed that this process has been used successfully in the past, and that in the November election the Ward II representative will be chosen by the citizens regardless of the activity of the Council. He stated that Council cannot tell a Ward II candidate in the November election that they cannot apply for the Ward II vacancy. He stated that Council will do the best that they can to appoint someone who will serve legitimately for the remainder of the term. He stated that there has to be someone to represent the ward for time being noting that he appreciated Councilmember Sleight's service and what he has done for the community.

Councilmember Galindo expressed her appreciation for those who came to speak and thanked Councilmember Sleight for his service. She stated that this is a controversial issue and timing and that Council has the opportunity to set a precedent to voters of Ward II noting that she agrees with the public comments that were provided, and that Council should not appoint a candidate that is currently running in the November election to fill the vacancy.

Councilmember Gates expressed that he understands the concerns, noting that the timing of the vacancy is different. He expressed that he agrees with Mayor Norton in that he doesn't think Council could exclude current candidates from applying for the vacancy.

Councilmember Elder expressed that Ward II residents will ultimately make the selection of who will represent them in the November election despite who they appoint to fill the vacancy. She spoke of the other appointments that Council makes for the various Boards and Commissions and the Council has shown integrity in those selections. She stated that per the City of Greeley Charter there is a process in place to fill the vacancy, noting that perhaps Council should revisit the process in the future with a change to the Charter.

Councilmember Casseday thanked Councilmember Sleight for his service. Councilmember Casseday stated that when he was appointed to fill the At-Large vacancy noting that he was selected out of sixteen candidates. He expressed that it was an honor to be selected to serve for a few months before he went before the voters and that he hoped it would be an advantage for him to have experience before going to the voters. He stated that he will be diligent when listening to interviewees and that the appointee will be a good replacement for Randy. He expressed that he will do his best as a Councilmember in the appointment process without diverting from the Charter and doing what is right for citizens.

Councilmember Finn expressed that this appointment is not unprecedented as he was appointed in May or June of an election year. He stated that running a campaign to be elected was a lot of work for him because no one knew who he was noting that he was running against a prior City Director. He expressed that he does not think that his appointment was an advantage, and that he worked hard, knocked on doors, and had face



time with his constituents. He stated that Ward II residents will have the ultimate selection and that the individual who is elected in November will be the person that worked the hardest.

## **6. Approval of Agenda**

The agenda was approved as presented.

## **7. Reports from Mayor and Councilmembers**

Councilmember Elder spoke of the Greeley/Weld County Airport audit that is going well and sent her condolences out to Scott Schuttenberg on the recent loss of a family member.

Councilmember Galindo spoke of her attendance on a Water Tour, the 100<sup>th</sup> year anniversary of the Weld County Courthouse, the Fourth of July parade, the Meeker Birthday Celebration, the community celebration at the Rodarte Center, and the Baskins Robbins Customer Appreciation Day. She reminded everyone of the Roundtable with Rochelle meetings that are held on the last Saturday of the month at 10:00 a.m. at Joe Molina's Art Gallery.

Councilmember Sleight spoke of his recent trip to Greeley's Sister City, Moriya, Japan and that there will be a presentation of the trip to Council at the August 1<sup>st</sup> Council meeting.

Councilmember Finn spoke of Visit Greeley and noted that the economic impact for visitors at the end of June was \$13.5 million.

Mayor Norton spoke of the UC Health groundbreaking in addition to the meeting that he had with the Counsel General of Japan and the City Manager.

Councilmember Elder added that she thinks there is a wonderful collaboration between UC Health and Banner Health especially in light of her recent successful kidney transplant.

## **8. Petitions from Mayor and Councilmembers**

There were no petitions offered from Councilmembers.

### **\*\*\*\* Consent Agenda \*\*\*\***

## **9. Acceptance of the Proceedings of the June 27, 2017 Special City Council Meeting**

The Council action recommended was to approve the Proceedings.

## **10. Approval of the Report of the July 13, 2017 City Council Worksession**

The Council action recommended was to accept the Report.

## **11. Consideration of a Resolution authorizing the Mayor of the City of Greeley to enter into an intergovernmental agreement with Weld County to participate in the November 7, 2017 coordinated election**

The Council action recommended was to adopt the resolution. **(Resolution No. 62, 2017)**

12. **Consideration of a Resolution of the Greeley City Council authorizing the City to enter into a Memorandum of Understanding concerning the high school internship program for School District 6 students**

The Council action recommended was to adopt the resolution. (Resolution No. 63, 2017)

13. **Introduction and first reading of an Ordinance of the City of Greeley amending Title 11 of the Greeley Municipal Code to add a new section regarding Unattended Motor Vehicle**

This item was pulled from the Consent Agenda.

**\*\*\*\* End of Consent Agenda \*\*\*\***

Councilmember Gates moved, seconded by Councilmember Galindo to approve the items on the Consent Agenda and their recommended actions. The motion carried: 7-0

#### **14. Pulled Consent Agenda Items**

13. **Introduction and first reading of an Ordinance of the City of Greeley amending Title 11 of the Greeley Municipal Code to add a new section regarding Unattended Motor Vehicle**

Councilmember Galindo expressed that she was curious as to the extent of the description for the change as she feels it seems excessive to monitor turn of the wheel. Greeley's Police Chief Jerry Garner reported that it mirrors State statute and that this is a housekeeping provision to keep in line with State statute.

Councilmember Galindo moved, seconded by Councilmember Gates to introduce the ordinance and schedule the public hearing and final reading for August 15, 2017. The motion carried: 7-0

15. **Public hearing and final reading of an Ordinance authorizing the City of Greeley to acquire interests in certain real property located on 10th Street between 35th Avenue and 23rd Avenue for infrastructure improvements for traffic safety by exercise of eminent domain**

Joel Hemesath, Public Works Director, reported that this is the last phase of the 10<sup>th</sup> Street project and that the rights of way have to be secured before the project can go out to bid noting that this is part of the grant requirement with the Colorado Department of Transportation. The right-of-way acquisition is being done in advance to ensure that the project keeps moving and that staff has communicated with property owners and spoke with them regarding the appraisal process.

Councilmember Elder noted that the general maps of the project are difficult to see, and Mr. Hemesath noted that he could provide Council with a better illustration.

Councilmember Finn expressed that he understands the legal need for having so much information included in the staff report, but that Council needs to be able to understand the impact that this has on the average citizen and that he would like to see a map to show what is being done and how far the right-of-way will extend. He expressed the need for this to be able to show the citizens what is being done.

Councilmember Gates reiterated Councilmember Finn's concerns noting that eminent domain always gets people's attention and that he would like to see every possible option explored before using eminent domain.

Mayor Norton opened the public hearing at 7:34 p.m., and no comments were offered.



Councilmember Elder moved, seconded by Councilmember Finn to adopt the ordinance and publish it by reference to title only. The motion carried: 7-0 (**Ordinance No. 26, 2017**)

**16. Public hearing and final reading of an Ordinance amending Municipal Code Chapter 16.32 (Electrical Code)**

Brad Mueller, Community Development Director, reported that one of the largest priorities for the City is safety and that the various building codes are designed for the health and welfare of citizens noting that this ordinance is a routine housekeeping item.

Tim Swanson, Chief Building Official, reported that these amendments have been approved by the Construction Trades and Advisory Board and highlighted the two major amendments for Council.

In response to a question from Councilmember Casseday, Mr. Swanson reported that staff electrical inspectors do obtain training on these Codes.

Mayor Norton opened the public hearing at 7:44 p.m., and no comments were offered.

Councilmember Casseday moved, seconded by Councilmember Elder to adopt the ordinance and publish it by reference to title only. The motion carried: 7-0 (**Ordinance No. 27, 2017**)

**17. Public hearing and final reading of an ordinance submitting to the registered electors of the City of Greeley, at the coordinated election to be held November 7, 2017, the question regarding restoring the City's authority to deploy broadband infrastructure used to provide high-speed internet services (advanced services) telecommunication services, and/or cable television services as defined by Section 29-27-101-3e04 of the Colorado Revised Statutes in order to promote the improvement of local broadband services within Greeley**

Victoria Runkle, Assistant City Manager, reported that the State limited cities and counties in their ability to offer any kind of broadband services and that communities must have an opt-out vote of the Senate Bill 152, which limits governments from providing high-speed internet, telecommunications, and/or cable services without a local exemption. She reported that without this opt-out vote that the City would not be able to be included in any dialogue about broadband services. She also spoke of the Broadband Feasibility study that is being done in conjunction with the Town of Windsor.

Brian Sullivan, GIS Manager, reviewed the history regarding the Broadband Strategy Work Program Item. He spoke of community and economic health in addition to broadband infrastructure needs and noted what a positive vote by citizens would allow the City to do. He spoke of the Colorado digital landscape and provider service versus municipal service.

In response to a question from Councilmember Elder, Mr. Sullivan noted that rates have dropped for communities who have opted out of Senate Bill 152.

Mr. Sullivan went on to review the proposed ballot language and provided a summary of his presentation.

Councilmember Sleight expressed his support of the opt out vote noting that it is important for the City to have control to provide better, more affordable services.

Councilmember Casseday stated that this is a largely talked about topic amongst those at the Colorado Municipal League and that it is important for communities to have local control.



Councilmember Galindo inquired about the types of outreach and education that will be provided to voters, and Ms. Runkle reported that there will be presentations to all of the Boards and Commissions and the service clubs in addition to an all-city mailing informing voters of what will be on the ballot.

Mayor Norton opened the public hearing at 8:03 p.m., and no comments were offered.

Councilmember Finn moved, seconded by Councilmember Galindo to adopt the ordinance and publish it by reference to title only. The motion carried: 7-0 (**Ordinance No. 28, 2017**)

**18. Public hearing and final reading of an Ordinance submitting to the registered electors of the City of Greeley, at the Coordinated Election to be held November 7, 2017, the question of authorizing the City to keep and spend for authorized purposes all revenues collected from the .65% Sales and Use Tax increase approved at the Election held November 3, 2015**

Mr. Hemesath spoke of the opportunity to accelerate Keep Greeley Moving and invest in the City even more, current status of Keep Greeley Moving, financial impacts, and options available for the coverage of tax money that was collected. He spoke of the vote impact and additional work that can be done using the additional funds in 2020, which will result in nine extra miles of road work.

Councilmember Finn request that staff provide information regarding administrative costs associated with issuing refund to citizens for the higher-than-anticipated Keep Greeley Moving tax money.

Ms. Runkle noted that education about this item will also be included in the presentations to Boards and Commissions and service clubs as well as the mailer that will be distributed.

Councilmember Sleight emphasized that this is not a one-time refund, but that would be required to be refunded annually which will increase the administrative costs over the years that the tax is approved for.

Mayor Norton opened the public hearing at 8:15 p.m., and no comments were offered.

Councilmember Gates moved, seconded by Councilmember Elder to adopt the ordinance and publish it by reference to title only. The motion carried: 7-0 (**Ordinance No. 29, 2017**)

**19. Public hearing and final reading of an Ordinance submitting to the registered electors of the City of Greeley at the November 7, 2017 coordinated municipal election, various amendments to amend or repeal outdated sections of the Greeley Municipal Charter**

Betsy Holder, City Clerk, reported that this item is an effort to add clarity, consistency, and to simplify various sections of the City of Greeley Charter. She noted that staff completed a review of the entire Charter in 2014 and there was an extensive list of changes noting that these changes require a vote of the Greeley voters. She provided a history of the Charter changes from the 2015 Election and reviewed the four proposals included in the proposed ordinance.

Mayor Norton opened the public hearing at 8:24 p.m., and no comments were offered.

Councilmember Galindo moved, seconded by Councilmember Gates to adopt the ordinance and publish it by reference to title only. The motion carried: 7-0 (**Ordinance No. 30, 2017**)

**20. Consideration of a Resolution of the Greeley Council authorizing the City to enter into an Intergovernmental Agreement for delivery of augmentation water between the West Greeley Conservation District and the City of Greeley**

Burt Knight, Water and Sewer Director, provided background information regarding a pilot project to study attempts to lower the groundwater table in the vicinity of Gilcrest Reservoir. He reported that this agreement would provide the delivery of water and augment the well pumping.

Councilmember Finn moved, seconded by Councilmember Galindo to adopt the resolution. The motion carried 7-0 (**Resolution No. 64, 2017**)

## **21. Ward II Appointment Discussion**

Ms. Holder thanked Councilmember Sleight for his service, and spoke of the appointment process for the vacancy and what is next. She stated that the Charter is silent as to when and how the appointment occurs and that staff looks to state law for guidance which indicates that the appointment should occur within sixty days or Council should call a special election. She stated there is not time for a special election before November because state election law states that special election no sooner than 90 days prior to a regular election and about 150 days is needed for a special election so there is not time for one.

She noted that the vacancy has been advertised and that it will close on July 28<sup>th</sup> at 5:00 p.m. noting that staff will forward those applications to Council after the deadline on Friday and that if Council concurs with the questions for the interviews that those will be provided to the applicants and those will be scheduled for the next regular meeting.

Doug Marek, City Attorney, reported that by law, the process, deliberation, and vote has to take place in an open meeting of Council.

Councilmember Galindo moved, seconded by Councilmember Gates to accept applications for Ward II position until Friday, July 28, 2017 and schedule interviews with qualified applicants for August 1, 2017. The motion carried: 7-0

## **22. Scheduling of Meetings, Other Events**

No additional meetings or events were scheduled.

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

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

## **24. Adjournment**

There being no further business to come before the Council, Mayor Tom Norton adjourned the meeting at 8:40 p.m.

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Thomas E. Norton, Mayor

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Jessica Diagana, Assistant City Clerk

# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 11**

Key Staff Contact: Betsy Holder, City Clerk, 350-9742

### Title

Acceptance of the Report of the July 25, 2017 City Council Worksession

### Summary

A City Council Worksession was held on July 25, 2017, in the School District Six Board of Education Meeting Room, 1025 9<sup>th</sup> Avenue, Greeley, Colorado.

### Decision Options

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

### Council's Recommended Action

A motion to accept the Report as presented.

### Attachments

July 25, 2017 Report



City of Greeley, Colorado  
**COUNCIL WORKSESSION REPORT**  
 July 25, 2017

The meeting was called to order at 5:02 p.m. by Mayor ProTem John Gates, in the School District Six Board of Education Meeting Room, 1025 9<sup>th</sup> Avenue.

Those present were Mayor ProTem John Gates and Councilmembers Robb Casseday, Sandi Elder, Michael Finn, and Rochelle Galindo. Mayor Norton was excused. The Ward II position is vacant.

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

### **3. 2016 FINANCIAL AUDIT REPORT**

Lezlie Phelps, Deputy Director of Finance, discussed the 2016 Financial Audit process and findings with Council. She explained that the City's net position increased by \$44 million and the general fund balance is \$25 million. Alan Holmberg, the independent auditor from Anderson & Whitney, discussed the Comprehensive Annual Financial Report. He summarized the findings of the audit, including financial statements, a report on internal controls, a report on the compliance of major federal programs, and a letter of comments and recommendations.

### **2. 2018 REVENUE REVIEW TO INCLUDE THE MONTHLY FINANCIAL REPORT**

Robert Miller, Budget and Compliance Manager, presented the 2018 Revenue Review and the Monthly Financial Report. He summarized the budget schedule for the remainder of the year and provided a general fund resource overview. In summary, he explained that Severance and Federal Mineral Taxes are lower than expected, while intergovernmental revenue; ambulance services; rents from facilities; charges for services; licenses and permits; and royalty revenues are higher than expected.

### **3. ALTERNATIVE RESPONSE VEHICLE PILOT PROGRAM REPORT FOLLOW-UP**

Dale Lyman, Fire Chief, and Jeff Stranahan, EMS Coordinator, discussed in detail the costs savings of the proposed Alternative Response Vehicle (ARV) Pilot Program. They provided Council with a side-by-side analysis of equipment, maintenance, fuel and staffing expenses. Of particular note, the most significant cost savings would be to the citizen and insurance carriers.

All attending Councilmembers expressed their appreciation to staff for successful collaboration efforts with partner agencies and expressed their support of the program.

### **4. KEEP GREELEY MOVING REFUND OPTIONS**

Joel Hemesath, Director of Public Works, discussed options for a potential Keep Greeley Moving sales tax refund and ballot measure. During the July 18, 2017 Council meeting, there was discussion about potential costs to reimburse citizens and potential administrative costs. In order to reimburse the \$997,915 from 2016, staff considered options for processes and administrative fees to issue checks or vouchers to citizens. Costs and processes for both options would be significant. Councilmembers concurred that with proper marketing and transparency, the citizens would agree to use the funds to continue road improvements. It was the consensus of Councilmembers to ask voters in the upcoming November election to use the excess money for roads.

## 5. SCHEDULING OF MEETINGS, AND OTHER EVENTS

No additional meetings or events were scheduled.

There being no further business to come before the Council, Mayor ProTem Gates adjourned the meeting at 5:47 p.m.

---

Lory Stephens, Assistant City Clerk



# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 12**

Key Staff Contact: Sharon McCabe, Human Resources Director 970-350-9714

### Title

Consideration of a Resolution of the Greeley City Council adopting and entering into a trust agreement for the Colorado Firefighter Heart and Cancer Benefits Trust.

### Summary

On May 3, 2017, Governor John Hickenlooper signed into law SB 17-214 which established the Colorado Voluntary Firefighter Cancer Benefits Program. SB 17-214 allows an employer to participate in a voluntary firefighter cancer benefits program, as a multiple employer health trust to provide benefits to firefighters by paying contributions into the established trust. An employer participating in the trust will be exempt from the presumptive eligibility mandate for workers compensation for firefighters with certain types of cancers. Currently Firefighter cancer claims are submitted as a workers compensation claim. By joining the Trust, claims will be submitted directly to the Trust and payments can begin within 10 days of claim submission. Both City administration and members of the Local 888 Firefighters Union are in favor of participating in this trust.

### Fiscal Impact

Does this item create a fiscal impact on the City of Greeley?	No additional cost
If yes, what is the initial or onetime impact?	n/a
What is the annual impact?	Annual reduction of approx \$50,000
What fund of the City will provide funding?	Workers' Compensation Fund
What is the source of revenue within the fund?	n/a
Is there grant funding for this item?	No
If yes, does this grant require a match?	n/a
Is this grant onetime or ongoing?	n/a
Additional Comments:	

### Legal Issues

None anticipated

### Other Issues and Considerations

None

### Applicable Council Goal or Objective

INFRASTRUCTURE & GROWTH – HUMAN INFRASTRUCTURE

### Decision Options

1. Adopt the resolution as presented; or

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

*Council's Recommended Action*

A motion to adopt the Resolution.

*Attachments*

Resolution

Trust Agreement

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADOPTING AND ENTERING INTO THE TRUST AGREEMENT FOR  
THE COLORADO FIREFIGHTER HEART AND CANCER BENEFITS TRUST AND  
TAKING OTHER ACTIONS IN CONNECTION THEREWITH**

**WHEREAS**, under state law, specifically, Part 3 of Article 5 of Title 29, Colorado Revised Statutes (C.R.S.), an employer as defined therein is required to maintain certain firefighter heart and circulatory malfunction benefits in accordance with and subject to the requirements and limitations of said Part 3; and

**WHEREAS**, under state law, specifically, Part 4 of Article 5 of Title 29, Colorado Revised Statutes (C.R.S.), an employer as defined therein may participate in the voluntary firefighter cancer benefits program to provide certain cancer benefits in accordance with and subject to the requirements and limitations of said Part 4; and

**WHEREAS**, in order to provide such benefits, an employer, which includes City of Greeley (the "[District/City/Town/Authority]") is authorized to participate in a multiple employer health trust; and

**WHEREAS**, the governing body of the City of Greeley [District/City/Town/Authority] has authority under Article XIV, Section 18(2)(a) of the Colorado Constitution, and Sections 10-3-903.5, 29-1-201, et seq., 29-5-302, and 29-5-402, C.R.S., as amended, to participate with other employers in a multiple employer health trust for the provision of such benefits and for related claims handling, risk management, and other functions and services related to such benefits; and

**WHEREAS**, the governing body has reviewed the Trust Agreement for the Colorado Firefighter Heart and Cancer Benefits Trust, a copy of which is attached hereto as Exhibit A, by and through which the Members (as defined therein) desire to establish a trust (the "Trust") and provide a benefit plan that provides firefighter heart and circulatory malfunction benefits and a benefit plan that provides cancer benefits consistent with the provisions of Part 3 and Part 4 of Article 5 of Title 29, C.R.S., as specified in the Colorado Firefighter Heart and Circulatory Malfunction Benefits Plan and Colorado Firefighter Cancer Benefits Plan (collectively, the "Plan"); and

**WHEREAS**, the Members intend that the Trust, together with the Plan, shall constitute an irrevocable trust exempt from taxation under Internal Revenue Code Section 115; and



**WHEREAS**, the governing body finds that membership and participation in the Trust and Plan would be in the best interests of the City of Greeley [District/City/Town/Authority], its employees and its taxpayers; and

**WHEREAS**, the governing body by this enactment desires to adopt and enter into the Trust Agreement for the Colorado Firefighter Heart and Cancer Benefits Trust, and to take other actions in connection therewith.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council [governing body] of the City of Greeley [District/City/Town/Authority] hereby:

1. Approves the contract entitled Trust Agreement for the Colorado Firefighter Heart and Cancer Benefits Trust, a copy of which is attached hereto as Exhibit A and incorporated into this Resolution by this reference (the "Trust Agreement").
2. Authorizes and directs the presiding officer of the governing body to execute the Trust Agreement on behalf of the City of Greeley [District/City/Town/Authority].
3. Directs that staff transmit to the Colorado Firefighter Heart and Cancer Benefits Trust (the "Trust"), McGriff, Seibels & Williams Inc., PO Box 1539, Portland, OR 97207-1539, executed and attested copies of this Resolution and such Trust Agreement.
4. Designates Mark Buhler as its initial Member Representative to the Trust and designates Jeff Stranahan as its initial Alternate Representative to the Trust, such persons having the addresses stated below.
5. Representative Mailing Address: 1000 10th St, Greeley CO 80631  
  
Representative E-mail address: mark.buhler@greeleygov.com  
  
Alternate Representative Mailing Address: 1000 10th St., Greeley CO 80631  
  
Alternate Representative E-mail address: jeff.stranahan@greeleygov.com
6. Understands that, with the adoption of this Resolution and subject to the terms of the Trust Agreement, the City of Greeley [District/City/Town/Authority] becomes a Member of the Trust, with its participation to commence effective as of the date determined in accordance with the Trust Agreement. The governing body of the City Council hereby requests, unless other dates are later

designated by the governing body, that coverage should begin on the following dates for the following type of coverage:

<b>Date</b>	<b>Coverage</b>
<u>August 1, 2017</u>	Heart and Circulatory Award Coverage
<u>August 1, 2017</u>	Cancer Award Coverage

IN WITNESS WHEREOF, this Resolution was adopted by a majority vote of the City Council [governing body] of the City of Greeley [District/City/Town/Authority] on the 1<sup>st</sup> day of August, 2017.

ATTEST:

Sign: \_\_\_\_\_  
Print Name: Betsy Holder  
Title: City Clerk

\_\_\_\_\_  
Presiding Officer  
  
Tom Norton  
\_\_\_\_\_  
Name in Print  
  
Mayor  
\_\_\_\_\_  
Title

**TRUST AGREEMENT**

**FOR**

**COLORADO FIREFIGHTER HEART AND CIRCULATORY  
BENEFITS TRUST**



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## TRUST AGREEMENT

THIS TRUST AGREEMENT (this "Agreement") is entered into on this 16<sup>th</sup> day of January, 2015 (the "Effective Date") by and between the undersigned Colorado governmental entities (who, together with and any other Colorado governmental entities that becomes a participating Member under this Trust, are collectively the "Members") and the undersigned trustees constituting the "Trust Committee" for the Trust, as defined herein (the "Trust Committee").

### WITNESSETH:

**WHEREAS**, the Members are exempt from federal income tax under the Internal Revenue Code of 1986, as amended, as a state or territory of the United States, or any political subdivision, municipality or agency thereof, or an agency of such political subdivision or municipality (including any corporation owned or controlled by any state or territory of the United States or by any political subdivision, municipality, or agency); and

**WHEREAS**, the Members desire by and through this Agreement to provide a benefit plan that provides heart and circulatory malfunction benefits consistent with the provisions of Part 3 of Article 5 of Title 29, Colorado Revised Statutes (C.R.S.), as specified in the Colorado Firefighter Heart and Circulatory Malfunction Benefits Plan (the "Plan"); and

**WHEREAS**, the Members desire for the Trust to accept funds that shall from time to time be paid over to the Trust Committee in accordance with the terms of this Agreement, together with the earnings and profits thereon, if any, and to hold the funds in trust (the "Trust") and to make disbursements from the Trust in accordance with the provisions of this Agreement and the Plan; and

**WHEREAS**, the Members desire to appoint the Trust Committee as a trustee to hold and administer the assets of the Plan in accordance with this Agreement; and

**WHEREAS**, the Trust Committee has agreed to serve as trustee of the trust established under this Agreement; and

**WHEREAS**, the Members intend that the Trust hereby established, together with the Plan, shall constitute an irrevocable trust exempt from taxation under Internal Revenue Code Section 115; and

**WHEREAS**, the Members intend that the Trust hereby established, together with the Plan, shall constitute a multiple employer health trust for the purpose of Part 3 of Article 5 of Title 29, C.R.S.;

**NOW, THEREFORE**, the Members and the Trust Committee hereby mutually covenant and agree as follows:



## ARTICLE I DEFINITIONS

The following words and phrases, when used herein with an initial capital letter, shall have the meanings set forth below unless a different meaning plainly is required by the context. Any reference to a section number shall refer to a section of this Agreement unless otherwise specified.

- 1.1 **Administrator** means the person, committee or entity appointed by the Trust Committee to serve as plan administrator of the Plan. The Administrator shall be retained by the Trust Committee and shall administer the Plan pursuant to an administrative services agreement entered into between the Administrator and the Trust Committee.
- 1.2 **Authorized Investment** means and is limited to those investments that are defined as permissible for investment of public funds in Section 24-75-601 et seq. C.R.S., as in effect from time to time.
- 1.3 **Beneficiary** means any person designated under the terms of the Plan to receive benefits payable upon the death of a Participant.
- 1.4 **Code** means the Internal Revenue Code of 1986, as amended.
- 1.5 **Custodian** means Wells Fargo Bank, N.A., which shall serve as custodian for the Trust Fund. To the extent any assets are held by any custodian other than Wells Fargo Bank, N.A., such party shall also be considered a Custodian for the Trust.
- 1.6 **Fiscal Year** means the accounting year of the Trust, which shall commence on January 1 and end on December 31 of each year, except that the first year shall commence on the Effective Date and shall end on the immediately following December 31.
- 1.7 **Investment Committee** means the person, committee or entity appointed in accordance with the terms of the Trust to make and effect investment decisions under the Plan and Trust. Unless the Trust Committee appoints an Investment Committee, the Trust Committee shall be deemed to be the Investment Committee.
- 1.8 **Investment Fund** means any of the separate funds established by the Investment Committee for the investment of Plan assets.
- 1.9 **Investment Manager** means any person, corporation or other organization or association appointed by the Trust Committee pursuant to the terms of Section 4.3 to manage, acquire or dispose of the assets of an Investment Fund.
- 1.10 **Members or Member** means those governmental employers listed on Exhibit A and any other governmental employer that becomes a participating Member under this Trust pursuant to Article VIII, below.

- 1.11 **Member Representative** means that person who has been designated in writing by a Member as its representative to the Trust.
- 1.12 **Participant** means an employee or former employee of the Member.
- 1.13 **Plan** means the Colorado Firefighter Heart and Circulatory Benefits Plan set forth in Part 3 of Article 5 of Title 29, Colorado Revised Statutes, and in the Plan Summary of Benefits as such Plan may be amended from time to time.
- 1.14 **Trust** means the trust established by this Agreement.
- 1.15 **Trust Committee** means the Trust Committee appointed pursuant to Section 3.1 of this Trust Agreement, acting as a group or body.
- 1.16 **Trust Fund** means the total amount of cash and other property held in the Trust under this Agreement.
- 1.17 **Trustee** means the Trust Committee members and their successors as provided by this Agreement.

## **ARTICLE II ESTABLISHMENT OF THE TRUST**

- 2.1 **Trust Established.** The Members hereby establish with the Trust Committee, as a funding medium for the Plan, a Trust consisting of the Trust Fund and such earnings, profits, increments, additions and appreciation thereto and thereon as may accrue from time to time.
- 2.2 **Limit of Interest - Impossibility of Diversion.** It shall be impossible at any time for any part of the Trust to be used for or diverted to purposes other than for the exclusive benefit of the Participants and Beneficiaries covered under the Plan, except that the payment of taxes and administration expenses may be made from Trust funds as hereinafter provided. Funds of the Trust may not be transferred to any other account or fund of a Member.
- 2.3 **Trust Committee's Acceptance.** The Trust Committee accepts the Trust hereby created and agrees to perform the duties hereby required of the Trust Committee.

## **ARTICLE III TRUSTEES AND SUCCESSOR TRUSTEES**

- 3.1 **Trustees.** The Trust shall be administered by the Trust Committee. The Trust Committee shall be comprised of seven (7) individual Trustees; provided, however, that the Trust Committee shall be deemed duly constituted and may commence operations of the Trust upon seating of and execution of this Agreement by four (4) initial Trustees. Each Trustee must be a Participant and current employee of a Member, except as provided below. Trustees shall be



appointed by the Board of Directors of the Colorado State Fire Chiefs ("CSFC Board") from among the following:

- (a) One Trustee who is a Member Representative from a fire district or fire authority serving an area having less than thirty thousand (30,000) in population;
- (b) One Trustee who is a Member Representative from a fire district or fire authority serving an area having more than thirty thousand (30,000) in population;
- (c) One Trustee who is a Member Representative from a municipality having less than thirty thousand (30,000) in population;
- (d) One Trustee who is a Member Representative from a municipality having more than thirty thousand (30,000) in population;
- (e) One Trustee who is a Participant and officer of the Colorado Professional Firefighters Association ("CPFF"), who is designated for appointment by CPFF; and
- (f) Two Trustees who are Member Representatives from two other Members of any size or type, who are elected or appointed officials or employees of the Member and are not firefighters eligible for participation in the Plan.

Nominations for Trustees from the Members and CPFF shall be made by elected governing body of the Member (i.e., district board of directors, city council, CPFF Board of Directors) and be submitted to the CSFC Board at such time as the CSFC Board may provide. Terms of the Trustees shall be two-year, overlapping terms or until their successors have been appointed, except that among the initial Trustees, four of them shall serve an initial term of two years and three of them shall serve an initial term of one year as set for below so as to establish the staggering of terms. The term shall begin on a January 1, and end at midnight on a December 31, except that the initial undersigned Trustees' terms shall begin upon the formation of the Trust.

A vacancy shall occur on the Trust Committee when a Trustee (1) submits a written resignation to the Trust Committee; (2) dies; (3) ceases to be a Participant; (4) ceases to be a Member Representative, except in the case of the CPFF Trustee to whom such requirement (4) does not apply; (5) fails to attend three consecutive regular meetings of the Trust Committee without the Committee having entered upon the record its proceedings an approval for an additional absence or absences, except that such additional absence or absences shall be excused for temporary mental or physical disability or illness; or (6) is convicted of a felony. Any vacancy on the Trust Committee shall be filled by appointment by the CSFC Board for the unexpired portion of the term. Upon appointment and written acceptance thereof, a successor Trustee shall have all the title, rights, powers and privileges and duties conferred or imposed upon the initial or predecessor Trustee.

3.2 **Successor Trustees.** No successor Trustee need examine the accounts, records and acts of any previous Trustee of any allocation of the Trust assets, nor shall such successor Trustee be

responsible for any act or omission to act on the part of any previous Trustee. All Trustees and their successors from time to time acting under this Agreement shall have all the rights, powers and duties of the initial Trustees named in this Agreement, unless this Agreement is amended to provide otherwise.

3.3 **Compensation.** The Trustees shall receive no compensation for their services rendered under this Agreement other than any compensation as an employee of a particular Member. The Trust Committee may adopt policies to reimburse Trustees for actual meeting expenses and attendance at the Trust Committee meetings and other properly incurred expenses on Trust matters.

3.4 **Chair and Officers; Sub-Committees.** The officers of the Trust Committee shall be the chair, vice chair and secretary. The officers shall be appointed by the Trust Committee from among its members. Appointment of officers shall occur at the first meeting of the Trust Committee each year. The Trust Committee may establish sub-committees necessary or appropriate to the exercise of its powers.

3.5 **Meetings.** The Trust Committee shall determine the time and place of its regular meetings. Special meetings of the Trust Committee may be called by the chair or by three (3) Trustees. The Trustees shall be provided with at least ten (10) days prior written notice designating the time, place and agenda of a regular meeting and three (3) days prior written notice designating the time, place and agenda of any special meeting. The manner of giving notice of meetings may include, without limitation, service by electronic mail to the Trustee's e-mail address. Regular and special meetings of the Trust Committee may be held by telephone or electronic (internet-based) conference call. Any meeting at which all Trustees are present in person, or concerning which all Trustees have waived notice in writing, shall be a valid meeting without the requirement to provide any notice.

3.6 **Proxy.** Any Trustee may duly authorize in writing another Trustee to cast a vote on one (1) or more specific matters to be voted on at a meeting, on behalf of such Trustee. Any such written authorization must specify the matter or matters and be given for a specific meeting and may not carry over to subsequent meetings.

3.7 **No Delegates.** A Trustee and/or the Trustee's Member Representative may not appoint a delegate to serve in his or her place.

3.8 **Quorum and Voting.**

- (a) To constitute a quorum at any regular or special meeting of the Trust Committee and for any action to be valid at such meeting, there must be present in person or by proxy at least four (4) of the seven (7) Trustees.
- (b) Valid actions at meetings at which a quorum is present require the affirmative vote of a simple majority of those Trustees present and voting, except where an absolute majority is expressly required. Each Trustee shall cast his or her vote on each matter upon which action is taken, except where abstention from voting is



required because of conflict of interest.

- (c) To approve the following items, an absolute majority vote (as defined below) is required:
  - (1) Annual budget;
  - (2) Incurring any debt other than liabilities in the ordinary course of business; and
  - (3) Settling any litigation involving the Plan or Trust.

An absolute majority vote is the affirmative vote of at least four (4) Trustees.

3.9 **Action without a Meeting.** Any action that may be taken at a meeting of the Trust Committee may be taken without a meeting upon the written consent of a sufficient number of the Trustees otherwise required to approve such action at a meeting and shall be effective on the date of the last consent, unless two (2) or more Trustees object to taking the action without a meeting. A copy of such written consent, signed by the Trustees, shall be provided within ten (10) days of the effective date of the consent to each Trustee. Consent may be signified by a signature of the Trustee on a written consent or by an electronic means, such as an affirmative email response to a request for confirmation of favorable action on a matter, approval of a specific resolution, etc.

3.10 **Conflicts of Interest.** Trustees should avoid the appearance of impropriety. A Trustee shall exercise care that the Trustee's independent judgment in the discharge of Trust Committee responsibilities is not impaired as a result of conflicts between the interests of the Trust and the Trustee's own financial interests or personal interests, or the financial interests or personal interests of the members of the Trustee's family or associates. A Trustee shall not vote or decide upon any matter relating solely to himself or herself or vote in any case in which his or her individual right or claim to any benefit under the Plan is particularly involved or in which he or she otherwise has a conflict of interest. In the event that a Trustee believes that he or she has a conflict of interest, the Trustee shall disclose the conflict to the Trust Committee and shall refrain from participating in the matter to which the conflict relates. The minutes of the meeting where the disclosure is made shall reflect the disclosure and the fact of the Trustee having abstained from participation in the matter. A Trustee shall not use confidential information acquired in the course of the performance of Trust Committee responsibilities to further that Trustee's own financial interests or personal interests, or the financial interests or personal interests of the members of the Trustee's family or associates.

3.11 **Office Location and Meeting Place.** All meetings of the Trust Committee shall be held at a place designated at least annually by the Trust Committee, or the chair, if the Trust Committee is unable to reach an agreement regarding a meeting location. The Trust shall have its principal office at 433 S. Allison Parkway, Lakewood, CO 80226.

3.12 **Agent for Service of Legal Process.** The designated agent for service of legal process

shall be Samuel J. Light, Light Kelly, P.C. 101 University Blvd., Suite 210, Denver, Colorado 80206, or any successor agent as the Trust Committee shall designate.

3.13 **Rules and Regulations.** The Trust Committee shall have the power at any regular or special meeting to adopt bylaws, rules, regulations and policies for the administration of the Trust, and for the conduct of the affairs of the Trust Committee. Any bylaws, rules, regulations and policies of the Trust Committee shall be consistent with the written provisions of the Trust Agreement, and shall be binding upon all persons dealing with the Trust and upon any and all persons claiming any benefits under the Plan.

## **ARTICLE IV DUTIES OF TRUST COMMITTEE**

4.1 **Duties.** It shall be the duty of the Trust Committee:

- (a) **Receipt of Contributions.** To receive any contributions paid to it under this Agreement in cash or in other property acceptable to the Trust Committee. The Trust Committee shall not be responsible for the calculation or collection of any contribution required to be paid by the Member to the Trust under the Plan, but shall be responsible only for property actually received by it pursuant to this Agreement.
- (b) **Management of Funds.** To hold, invest, reinvest, manage and administer (except as otherwise provided herein) all contributions so received, together with the income therefrom and any other increment thereon, for the benefit of Participants and their Beneficiaries in accordance with the terms of this Agreement.
- (c) **Payments.** To direct payments under the Plan; provided, however, that the Trust Committee may rely upon the directions received from the Administrator, and the Administrator hereby indemnifies the Trust Committee from any loss, claim, damage or liability, including legal expenses, that may arise in connection with the Trust Committee's acting upon such direction.
- (d) **Appointment of Administrator.** To appoint such person, committee or entity as the Trust Committee shall determine to serve as Administrator of the Plan, and to contract with the Administrator for provision of its services. The Trust Committee shall have the power to terminate the appointment of the Administrator upon written notice with or without cause.
- (e) **Appointment of Investment Committee.** To appoint as the Investment Committee such person, committee or entity as the Trust Committee shall determine to make and effect investment decisions under the Plan and Trust; provided, however, that the Trust Committee may appoint itself as the Investment Committee.



## ARTICLE V INVESTMENT OF TRUST ASSETS

### 5.1 General Investment Power/Investment Funds.

- (a) **Authority of Investment Committee.** Except as provided in Sections 5.2 and 5.3, the Investment Committee shall have all authority and responsibility for the management, disposition and investment of the Trust Fund, and the Trust Committee shall comply with directions of the Investment Committee. The Investment Committee shall not issue any directions that are in violation of the terms of the Plan or this Agreement.
- (b) **Investment Funds.** The Trust may be divided into one or more separate Investment Funds, the number, makeup and description of which shall be determined from time to time by the Investment Committee. The Trust Committee shall implement, terminate, value, transfer to and from and allocate the gains, losses and expenses among the Investment Funds in accordance with the proper directions of the Investment Committee, the Administrator, or their delegates, and, to the extent applicable under the terms of this Agreement, the directions of Investment Managers.
- (c) **Funding Policy.** The Trust Committee shall have responsibility for selecting or establishing and carrying out a funding policy and method, consistent with the objectives of the Plan. The Trust Committee shall be responsible for the proper diversification of the Trust Fund, for the prudence of any investment of Trust assets consistent with State law, for compliance with statutory limitations on the amount of investment in securities, and for assuring that any such investments meet the requirements of State law.

### 5.2 Investment Managers.

- (a) **Appointment.** The Investment Committee may, but shall not be required to, appoint one or more Investment Managers to manage the assets of all or any one or more of the Investment Funds. Each such Investment Manager shall be either (i) registered as an investment adviser under the Investment Advisers Act of 1940; (ii) a bank, as defined in such Act; or (iii) an insurance company qualified to perform the services of Investment Manager under the laws of more than one state. The Investment Committee shall obtain from any Investment Manager so appointed by it a written statement acknowledging (i) that such Investment Manager is or on the effective date of its appointment will become a fiduciary with respect to the Trust assets under its management; (ii) certifying that such Investment Manager has the power to manage, acquire or dispose of Trust assets in the manner contemplated by the contract or other written instrument by which its appointment is or will be effected; and (iii) certifying that it is either an investment adviser, a bank or an insurance company which is qualified to be appointed as an Investment Manager under this Agreement.

- (b) **Contractual Arrangement.** The Investment Committee shall enter into a written contract or agreement with each such Investment Manager in connection with its appointment as such, and such contract shall be subject to such terms and conditions and shall grant to the Investment Manager such authority and responsibilities in the management of the applicable Investment Fund assets as the Investment Committee deems appropriate under the circumstances. Without limiting the generality of the foregoing, such contract may establish investment objectives for the assets of the Investment Fund(s) under the management of the Investment Manager and may limit the types of assets that may be acquired or held by such Investment Fund(s).
- (c) **Trust Committee's Duties.** With respect to each Investment Fund the management of which has been delegated to an Investment Manager, the Trust Committee shall follow and carry out the instructions of the appointed Investment Manager with respect to the acquisition, disposition and reinvestment of assets of such Investment Fund, including instructions relating to the exercise of all ownership rights in such assets.
- (d) **Failure to Direct.** In the event that an appointed Investment Manager shall fail to direct the Trust Committee with respect to investment of all or any portion of the cash held in an Investment Fund under its management, the Trust Committee shall invest such cash only when and as directed by the Investment Committee.
- (e) **Termination of Appointment.** The Investment Committee shall have the power to terminate the appointment of an Investment Manager upon written notice with or without cause. Upon the termination of the appointment of an Investment Manager, the Investment Committee shall (i) appoint a successor Investment Manager with respect to the Investment Fund(s) formerly under the management of the terminated Investment Manager, (ii) direct the Trust Committee to merge or combine such Investment Fund(s) with other Investment Fund(s) or Trust assets, or (iii) direct the Trust Committee to invest the assets of such Investment Fund as the Investment Committee deems appropriate in accordance with the existing funding policy.

### 5.3 **Manner and Effect of Directions.**

- (a) **Delegation of Authority to Custodian.** The Custodian is delegated the authority and responsibility for receiving and carrying out the directions of the Trust Committee, the Administrator, the Investment Committee, any Investment Manager or their designees. With respect to any assets held by a party other than Trust Committee, the Trust Committee is authorized and directed to delegate to the Custodian the authority and responsibility for receiving and carrying out the directions of the Investment Committee, any Investment Manager or their designees. The Trust Committee is authorized and directed to enter into such



agreements with another Custodian as are deemed necessary or appropriate to effect such delegation.

- 5.4 **Authorization of Designee(s).** The Administrator and the Investment Committee may each appoint one or more designees to act on their behalf. If a designee (or designees) is appointed, the appropriate committee shall furnish the Trust Committee with written documentation of the appointment and a specimen signature of each designee. The Trust Committee shall be entitled to rely upon such documentation until the Trust Committee is otherwise notified in writing.

## **ARTICLE VI POWERS OF TRUST COMMITTEE**

- 6.1 **General Authority.** In accordance with the directions of the Investment Committee and any Investment Managers as provided in Article V, the Trust Committee shall receive, hold, manage, convert, sell, exchange, invest, reinvest, disburse and otherwise deal with the assets of the Trust, including contributions to the Trust and the income and profits therefrom, without distinction between principal and income and in the manner and for the uses and purposes set forth in the Plan and as hereinafter provided.
- 6.2 **Specific Powers.** In the management of the Trust, the Trust Committee shall have the following powers in addition to the powers customarily vested in trustees by law and in no way in derogation thereof; provided, all such powers shall be exercised only upon and in accordance with the directions of the Investment Committee and, to the extent applicable, any duly appointed Investment Managers:
- (a) **Purchase of Property.** With any cash at any time held by it, to purchase or subscribe for any authorized investment (as defined in Section 6.3) and to retain the same in trust.
  - (b) **Disposition of Property.** To sell, exchange, transfer or otherwise dispose of any property at any time held by it.
  - (c) **Retention of Cash.** To hold cash without interest in administrative accounts for contribution and distribution processing in such amounts as may be reasonable and necessary for the proper operation of the Plan and the Trust.
  - (d) **Exercise of Owner's Rights.** The Members acknowledge and agree that the Trust Committee shall have the right or power to vote proxies appurtenant to securities that it holds. The Members acknowledge and agree that the Trust Committee shall have the power to make any review of, or consider the propriety of, holding or selling any assets held in the Trust Fund in response to any tender offer, conversion privilege, rights offering, merger, exchange, public offering and/or any proxy action for any of such assets.

- (e) **Registration of Investments.** To cause any stock, bond, other security or other property held as part of the Trust to be registered in its own name or in the name of one or more of its nominees; provided, the books and records of the Trust Committee shall at all times show that all such investments are part of the Trust.
- (f) **Borrowing.** To the extent permitted by State law and at the direction of the Investment Committee, to borrow or raise money for the purposes of the Trust in such amounts, and upon such terms and conditions, as determined by the Investment Committee; and, for any sum so borrowed, to issue its promissory note as Trust Committee and to secure the repayment thereof by pledging all or any part of the Trust Fund to the extent permitted by State law; and no person lending money to the Trust Committee shall be bound to see to the application of the money lent or to inquire into the validity, expediency or propriety of any such borrowing.
- (g) **Purchase of Contracts.** To apply for, purchase, hold, transfer, surrender and exercise all incidents of ownership of any insurance, re-insurance, excess or stop loss insurance or annuity contract that the Trust Committee determines or the Investment Committee directs it to purchase or that is necessary or appropriate to carrying out the purposes of the Plan. The Trust Committee shall endeavor to obtain stop loss insurance to provide coverage for payment of benefits under the Plan above specified per claim and aggregate limits, provided such stop loss coverage can be obtained at a reasonable cost as determined by the Trust Committee.
- (h) **Execution of Instruments.** To make, execute, acknowledge and deliver any and all documents of transfer and conveyance and any and all other instruments, which may be necessary or appropriate to carry out the powers herein granted.
- (i) **Settlement of Claims and Debts.** To settle, compromise or submit to arbitration any claims, debts or damages due or owing to or from the Trust, to commence or defend suits or legal or administrative proceedings and to represent the Trust in all suits and legal and administrative proceedings.
- (j) **Establish Rules and Policies.** To establish, to the extent consistent with this Agreement and the Plan, rules and policies necessary or appropriate to the administration of the Trust or the carrying out of the powers herein granted;
- (k) **Trustee Insurance.** To purchase on behalf of the Trust Committee and the Investment Committee, trustees' errors and omissions insurance or similar coverage in such amounts as are recommended by a licensed insurance broker for benefit plans and a trust of similar size and purpose.
- (l) **Risk Management.** To establish reasonable risk management policies and procedures.



- (m) **Delegation.** To delegate in writing fiduciary responsibilities or ministerial powers and duties to such officers, agents, representatives and independent contractors as determined desirable, provide such delegation does not conflict with the provisions of this Agreement or the Plan.
- (n) **Employment of Agents, Advisers and Counsel.** To employ suitable agents, actuaries, auditors, accountants, investment advisers, brokers and counsel, and to pay their reasonable expenses and compensation.
- (o) **Appointment of Custodian.** The Trust Committee shall designate a custodian to hold Trust assets. The Trust Committee may change the custodian upon an affirmative vote of four (4) Trustees.
- (p) **Power to do any Necessary Act.** To do all acts which it may deem necessary or proper and to exercise any and all powers under the Plan and this Agreement upon such terms and conditions as it may deem in the best interests of the Trust.

### 6.3 **Authorized Investments.**

- (a) **General Definition.** “Authorized investment” as used in this Article VI shall mean and be limited to those investments that are defined as permissible for investment of public funds in Section 24-75-601 et seq. C.R.S., as in effect from time to time.
- (b) **Responsibility for Compliance.** The responsibility for determining whether any investment of Trust assets complies with the terms of this Agreement and applicable law shall lie solely with the Trust Committee.

## ARTICLE VII CONTRIBUTIONS TO THE TRUST FUND

7.1 **Member Contributions.** Subject to the limitations of this Agreement, each Member shall pay or cause to be paid contributions to the Trust at such times and in the amounts determined by the Trust Committee as are necessary to ensure funding of the Trust is sufficient, that operation of the Trust is not hazardous to the public or Participants or which the Trust Committee otherwise deems beneficial to protect the financial condition of the Trust. The Trust Committee shall establish Member contributions consistent with this Agreement, the Plan and any guidelines consistent with this Agreement and the Plan as established by the Trust Committee from time-to-time.

7.2. **Contributions on Annual Basis; Rate Structure.** The contribution rate structure for Member contributions shall provide for contributions to be made on an annual basis. Contributions shall be sufficient to fund the projected benefits and applicable expenses for the Participants receiving benefits under the Plan.



### 7.3 **Failure to Make Contributions.**

- (a) If any Member fails to make its Member contribution to the Trust within thirty (30) business days after the date on which they are due, such contributions shall bear interest from the date due at the rate of return for the three (3) month LIBOR rate set on the date when such contribution was first due plus one percent (1%), compounded monthly.
- (b) Any other Member may, with the consent of the Administrator, make the contribution on behalf of the delinquent Member and, such amount shall become a debt of the delinquent Member to the contributing Member.
- (c) The Trust Committee has the right, upon an affirmative vote of four (4) Trustees, with any Trustees from a Member in default excluded from the vote, should the delinquent Member not cure the delinquency within thirty (30) calendar days after the Administrator provides written notice to the Member of its delinquency, to terminate:
  - (1) such Member's participation in the Plan and Trust at the end of an additional thirty (30) calendar day notice period or the end of the Plan year of the Member's delinquency, if earlier, if such delinquency is not cured, and
  - (2) upon such termination, no claims submitted by Participants of the delinquent Member for benefits subsequent to the date of the termination, shall be paid by the Trust.
- (d) The Trust Committee also has the right, upon an affirmative vote of four (4) Trustees, with any Trustees from the Member in default excluded from the vote, to notify the Participants of such delinquent Member that such Member's participation in the Plan and Trust has been or will be terminated.
- (e) Nothing herein, however, shall relieve the delinquent Member of its responsibility for benefits payable to its Participants.

7.4 **TABOR Compliance.** This Agreement does not create a multiple fiscal year direct or indirect debt or other financial obligation. All financial obligations of a Member under this Agreement are contingent upon appropriation, budgeting, and availability of specific funds to discharge such obligations. No Member's contribution for any Fiscal Year shall exceed the annual contribution billed for such Fiscal Year unless additional funds for payment thereof have been appropriated by the Member.

7.5 **State Funding.** For benefits required under Section 29-5-302, C.R.S., no Member shall be required without its consent to make a contribution for a Fiscal Year in excess of the amount of state funding paid or payable to the Member under Section 29-5-302(11), C.R.S. for that Fiscal Year. There is reserved to the Members and to the Trust the right set forth in Section 29-

5-302(12) C.R.S., providing that if, at any time, the state funding provided for the benefit required by Section 29-5-302, C.R.S. is insufficient to cover the cost of the benefit, then the requirements of Section 29-5-302, C.R.S. to maintain the benefit shall become optional pursuant to Section 29-1-304.5. C.R.S. The Trust Committee may establish guidelines consistent with this Agreement governing any exercise of the right under said Section 29-5-302(12), C.R.S.

7.6 **Reports.** The Trust Committee shall provide reports needed for purposes of administration of this Agreement and the Plan.

## **ARTICLE VIII**

### **PARTICIPATION, WITHDRAWAL AND OBLIGATIONS OF MEMBERS**

8.1 **Participation in Trust by Members.** The initial participating Members in the Trust are as set forth on Exhibit A. Additional Members may participate in the Trust subject to the approval of the Trust Committee, which participation shall be effective as of the beginning of the next Fiscal Year or such other date as determined by the Trust Committee. Participation in the Trust is limited to those employers who are governmental entities participating for purposes of Part 3 of Article 5 of Title 29, C.R.S. The Trust Committee reserves the right to require a new participating Member at the time of joining the Trust to contribute to the reserves of the Trust or to make such other appropriate financial contribution as determined by the Trust Committee. The Trust Committee may reject requested participation by any additional Member for any reason. To participate in the Trust, a Member must properly adopt and enter into this Trust Agreement, which shall be evidenced by providing to the Trust Committee (i) a certified copy of the resolution or ordinance of the governing body of the Member approving and entering into this Trust Agreement, and (ii) a signed counterpart original of this Trust Agreement duly executed by presiding officer of the governing body or other authorized officer of the Member.

8.2 **Withdrawal by Member.** A Member may withdraw from participation in the entire Trust on the following terms and conditions:

- (a) Except as provided in this section, any Member which intends to withdraw from participation in the Trust must give at least ninety (90) days advance written notice to the Trust Committee. Upon a Member's withdrawal from the Trust, any Trustees who are employees of such Member shall no longer serve as Trustees.
- (b) Upon withdrawal, the Member shall be deemed to have withdrawn from participation in the entire Trust. Upon the effective date of withdrawal, the Member's Participants shall cease to participate in the Plan, provided, that if required by law, a Participant's benefits may be extended pursuant to, if and to the extent applicable, the terms and provisions of the Plan, including those Participants who have filed a claim for or are receiving benefits under the terms of the Plan prior to the effective date of the Member's withdrawal, in which case benefits shall continue subject to the withdrawing Member's payment of required contributions.
- (c) Upon withdrawal, the Trust Committee also has the right to notify the Participants



of such withdrawing Member that such Member's participation in the Plan and Trust has ceased or will cease.

- (d) In the event of a Member's withdrawal pursuant to this section, such withdrawing Member shall have no right to any of the assets, income or reserves of the Trust at any time, nor shall such Member have any right to a refund or rebate of any of its contributions to the Trust.

8.3 **Successors and Assigns.** Upon approval of the Trust Committee, a participating Member may transfer or assign its participation in the Trust to any successor in interest, whether by merger, consolidation, reorganization, restructuring, transfer of employees, or dissolution, creation or consolidation of Member entities or governing boards or otherwise.

8.4 **Powers of Members.** In addition to powers herein vested in the Members, the Members shall have the power to:

- (a) Amend the Trust Agreement by a two-thirds (2/3) vote of the Members present at a meeting. Written notice of any proposed amendment shall be provided to each Member at least forty-five (45) days in advance of any vote on the amendment.
- (b) Terminate the Plan and disburse its assets by a two-thirds (2/3) vote of all Members, pursuant to such notice and in keeping with such procedure as shall be established by the Trust Committee. In the case of such a vote, termination of the Plan shall be pursuant to provisions of Article X.

8.5 **Meetings of the Members.** Meetings of the Members shall be held as follows:

- (a) Members shall meet at least once annually at a time and place to be set by the Trust Committee, with notice mailed to each Member at least thirty (30) days in advance.
- (b) Special meetings of the Members may be called by the Trust Committee upon its own motion and shall be called by the Trust Committee upon written request of thirty (30) percent of the Members, with notice mailed to each Member at least thirty (30) days in advance.
- (c) The chair of the Trust Committee shall preside at the meetings; the vice chair shall preside in the absence of the chair.
- (d) Thirty percent (30%) percent of the Members shall constitute a quorum to conduct business.
- (e) Except for action to terminate the Plan, proxy voting shall be allowed, pursuant to such procedures as the Trust Committee may determine. Each Member shall be entitled to one vote on each issue, to be cast by its Member Representative.



8.6 **Member Obligations.** In addition to the other provisions, hereof, each Member shall have the obligation to:

- (a) Pay all contributions or other payments to the Trust at such times and in such amounts as shall be established by the Trust Committee. Any delinquent payments shall be paid with interest pursuant to a policy established by the Trust Committee and uniformly applied.
- (b) Designate in writing a Member Representative and one or more alternates for the Members' meetings. The Representative and any alternate shall be an employee of the Member, except as provided in Section 3.1, and may be changed from time to time. Any alternate may exercise all the powers of the Representative during a Member meeting in the absence of the Member Representative.
- (c) Allow the Trust Committee and Administrator and their agents reasonable access to records of the Member as required for the administration of Plan and Trust.
- (d) Cooperate fully with the Trust Committee and Administrator and their agents in matters relating to the administration of the Plan and Trust and the administration and coordination of benefits under the Plan.
- (e) Allow the Trust Committee to make decisions regarding, and to designate attorneys to represent the Member in, the investigation, settlement and litigation of any claim within the scope of benefits furnished through the Plan.
- (f) Comply with the benefits administration, claims handling and related policies established by the Trust Committee.

## **ARTICLE IX ADMINISTRATION**

### **9.1 Accounting.**

- (a) **Books and Records.** The Administrator generally shall be responsible for keeping accurate and detailed records of all investments, receipts and disbursements and other transactions hereunder, including such specific records as shall be required by law and such additional records as may be agreed upon in writing between the Administrator and the Trust Committee. All books and records relating thereto shall be open to inspection and audit at all reasonable times by any person or persons designated by the Administrator, the Member, or the Investment Committee. The Trust Committee shall promptly provide copies of such books or records to any persons designated by the Administrator.
- (b) **Accounting.** Following the close of each Plan year of the Plan, or more frequently as the Trust Committee and the Administrator may agree, the Trust Committee, with the assistance of the Administrator, shall cause to be prepared a

written statement setting forth all investments, receipts, disbursements and other transactions effected during such year or during the period beginning as of the close of the last preceding year. Except as may be required by statute or by regulations published by State or federal government agencies with respect to reporting and disclosure, as may be required pursuant to the terms of the Plan or this Agreement or as reasonably may be requested by a majority of the Members or the Investment Committee, no person shall have the right to demand or to be entitled to any further or different accounting by the Trust Committee.

- (c) **Release.** Except with regard to claims of breach of fiduciary duty, upon the expiration of 90 days from the date of presentation to the Members of such annual or other statement, the Trust Committee shall forever be released and discharged from any liability or accountability to anyone as respects the propriety of its acts or transactions shown in such account, except with respect to any acts or transactions as to which, within such 90-day period, a Member whose interest is affected by such act or transaction shall file with the Trust Committee its written disapproval. In the event such a disapproval is filed, and unless the matter is compromised by agreement of the Trust Committee, the Trust Committee shall file its statement covering the period from the date of the last annual statement to which no objection was made in any court of competent jurisdiction for audit or adjudication. The applicable statutes of limitation shall be available to the Trust Committee in the event of a claim of breach of fiduciary duty.
- (d) **Valuations.** The Trust Committee shall designate a party to be responsible for valuations of assets of the Trust for which prices are not readily available on a nationally recognized securities exchange.
- (e) **Reliance on Administrator.** The Trust Committee shall be entitled to rely on the Administrator and any Custodian, other than Trust Committee, for the maintenance and provision of all records specified in this Section.

- 9.2 **Expenses.** The expenses incurred by the Trust Committee in the performance of its duties hereunder, including fees for legal and other services rendered and all other proper charges and disbursements of the Trust Committee, including taxes of any and all kinds whatsoever, that may be levied or assessed under existing or future laws upon or in respect of the Trust or any money, property or security forming a part of the Trust Fund, shall be paid by the Trust Committee from the Trust Fund, and the same shall constitute a charge upon the Trust Fund. To the extent the Member pays any expenses that are properly payable from the Trust Fund, the Trust Committee shall reimburse the Member that has made payment from the Trust Fund if requested to do so by the Member.

## ARTICLE X AMENDMENT OF TRUST; TERMINATION OF PLAN

- 10.1 **Amendment of Trust.**



- (a) **Right to Amend.** The Members may amend this Agreement at any time or from time to time by the affirmative vote of two-thirds (2/3) of all Members, and any such amendment by its terms may be retroactive. An amendment shall require compliance with the terms of Section 8.4(a). An adopted amendment shall become effective upon the date specified in the ballot approved by the Members, without necessity of further written consent or signatures by the Members. Upon adoption of any amendment, the Trust Committee shall cause a current copy of this Agreement to be sent to each Member.
- (b) **Exclusive Benefit.** Notwithstanding the foregoing, no amendment shall be made which would authorize or permit any assets of the Trust Fund, other than such assets as are required to pay taxes and administration expenses, to be used for or diverted to purposes other than the exclusive benefit of Participants or Beneficiaries.
- 10.2 **Termination of Plan.** The Trust shall continue for such time as may be necessary to accomplish the purposes for which it was created and shall terminate only upon the complete distribution of the Trust. The Trust may be terminated as of any date (and shall in fact terminate upon the complete distribution of the funds of this Trust on such date or thereafter) by unanimous vote of the Trust Committee and approval by a two-thirds (2/3) vote of all Members. Upon termination of the Trust, provided that the Trust Committee has not received instructions to the contrary, the Trust Committee shall liquidate the Trust and, after paying the reasonable expenses of the Trust, including expenses involved in the termination, distribute the balance thereof according to the written directions of each Member for the provision of benefits similar to those provided under the Plan for the benefit of each such Member's Participants and Beneficiaries covered thereunder; provided, however, that the Trust Committee shall not be required to make any distribution until the Trust Committee is reasonably satisfied that adequate provision has been made for the payment of all taxes, if any, which may be due and owing by the Plan and the Trust; and provided, further, that in no event shall any distribution be made by the Trust Committee until the Trust Committee is reasonably satisfied that the distribution will not be contrary to the applicable provisions of the Plan dealing with termination of the Plan and the Trust.
- 10.3 **Final Accounting.** At such time as the Trust is terminated, the Trust Committee shall render a final accounting of the affairs of the Trust to each participating Member, and thereafter there shall be no claim or action against the Trust Committee or any Trustee, and they shall have no further responsibilities or duties and shall be discharged.

## ARTICLE XI MISCELLANEOUS

- 11.1 **Nonalienation of Benefits.** Neither the benefits payable from the Trust Fund nor any interest in any of the assets of the Trust Fund shall be subject in any manner to the claim of any creditor of a Participant, or Beneficiary or to any legal process by any creditor of such Participant, or Beneficiary; and neither a Participant nor any Beneficiary shall have



any right to alienate, commute, anticipate or assign any right to benefits payable from or any interest in the Trust, except as provided in the Plan.

- 11.2 **Benefit.** Except as otherwise provided in the Plan and this Agreement, no part of the Trust hereunder shall be used for or diverted to any purpose other than for the benefit of Participants and Beneficiaries or the payment of expenses as herein provided.
- 11.3 **Effect of Plan.** The Trust Committee is not a party to the Plan, and in no event shall the terms of the Plan, either expressly or by implication, be deemed to impose upon the Trust Committee any power or responsibility other than as set forth in this Agreement. In the event of any conflict between the provisions of the Plan and this Agreement, this Agreement shall be deemed to be incorporated into and be a part of the Plan, and the terms of this Agreement shall control over any inconsistent terms of the Plan not contrary to State law.
- 11.4 **Dispute Resolution.**
- (a) Disputes arising in relation to benefits under the Plan shall be resolved in accordance with the procedures established in the Plan.
  - (b) The parties to this Agreement (each, a “party”) are mutually committed to collaborative problem solving for resolving issues that may arise among or between them concerning this Agreement. In the event of a dispute, the complaining party may notify the other party of the dispute in writing and each party to the dispute will each appoint a representative to negotiate in good faith to resolve the dispute. These negotiations between representatives of the parties shall continue until the earliest of: (a) the time the dispute has been resolved; (b) the designated representatives have concluded that continued negotiation does not appear likely to resolve the dispute; or (c) thirty (30) days from the date of written notice of the dispute. If the dispute is not resolved through direct negotiations, the parties may, with the consent of all parties, attempt to settle any dispute arising out of or related to this Agreement through mediation. Unless otherwise agreed by the parties, mediation shall proceed as follows: The parties may agree on a mediator. If they are unable to agree on a mediator within thirty (30) days of the agreement to mediate, the parties shall contact an agreed upon dispute resolution organization or service and shall use its selection process to select a mediator. Each party shall bear its own costs of the mediation and the parties shall share the costs of the mediator. The mediation shall be scheduled within sixty (60) days of the agreement to mediate. If the direct negotiation process is unsuccessful and the parties do not consent to mediation or the agreed-upon mediation process does not successfully resolve the dispute within ninety (90) days of the agreement to mediate, the parties shall be entitled to pursue any other remedy allowed by law or this Agreement. However, no party shall pursue such a remedy without first exhausting the direct negotiation process.

- 11.5 **Entire Agreement.** This Agreement constitutes the entire Agreement between the parties hereto with regard to the subject matter hereof, and there are no other agreements or understandings between the parties relating to the subject matter hereof other than those set forth or provided for herein.
- 11.6 **Approval of the Members.** The Members shall have the right, on behalf of all individuals at any time having any interest in the Trust, to approve any action taken or omitted by the Trust Committee.
- 11.7 **Liability for Predecessor or Successor.** No successor Trustee hereunder in any way shall be liable or responsible for any actions or omissions of any prior Trustee in the administration of the Trust or the Trust Fund prior to the date such successor Trustee assumes its obligations hereunder, nor shall any prior Trustee in any way be liable or responsible for any actions or omissions of any successor Trustee.
- 11.8 **Liability for Acts of Others.** No Trustee shall be liable for the acts or omissions of a Member, the Custodian, the Administrator, the Investment Committee or any Investment Manager except with respect to any acts or omissions of any such party in which the Trustee participates knowingly or which the Trustee knowingly undertakes to conceal, and which the Trustee knows constitutes a breach of fiduciary responsibility of such party.
- 11.9 **Governmental Immunity.** It is specifically understood and agreed that nothing contained in this Agreement shall be construed as an express or implied waiver by the Trust, the Trust Committee, the individual Trustees, or the Members of governmental immunity or of the sovereign immunity of the State of Colorado or its instrumentalities or any provision of the Colorado Governmental Immunity Act, Section 24-10-101 et seq., C.R.S.
- 11.10 **Controlling Law.** This Agreement shall be construed according to the laws of the State of Colorado.
- 11.11 **Effective Date.** This Agreement shall be effective on and after January 1, 2015
- 11.12 **Execution in Counterpart.** This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Member and the Trust Committee have caused this Agreement to be signed by their duly authorized officers or representatives as of the day first written above.

**TRUST COMMITTEE:**

By: \_\_\_\_\_  
Trustee

Date: \_\_\_\_\_

Member Representative of:

\_\_\_\_\_

By: \_\_\_\_\_  
Trustee

Date: \_\_\_\_\_

Member Representative of:

\_\_\_\_\_

By: \_\_\_\_\_  
Trustee

Date: \_\_\_\_\_

Member Representative of:

\_\_\_\_\_

By: \_\_\_\_\_  
Trustee

Date: \_\_\_\_\_

Member Representative of:

\_\_\_\_\_

By: \_\_\_\_\_  
Trustee

Date: \_\_\_\_\_

Member Representative of:

\_\_\_\_\_

By: \_\_\_\_\_  
Trustee

Date: \_\_\_\_\_

Member Representative of:

\_\_\_\_\_

By: \_\_\_\_\_  
Trustee

Date: \_\_\_\_\_

Member Representative of:

\_\_\_\_\_

**ADMINISTRATOR:**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



MEMBER: City of Greeley, CO

1000 10th St, Greeley, CO 86031

Sign: \_\_\_\_\_

By: Thomas E. Norton JOHN GATES

Title: Mayor Pro-Tem



Betsy D. Holder  
Betsy D Holder  
Title: City Clerk

Date of Member Adoption of Agreement:

January 6, 2015

# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 13**

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

### Title

Introduction and first reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from R-L (Residential Low Density) and C-H (Commercial High Intensity) to R-H (Residential High Density) zoning for approximately 8.728 acres of property known as the Alpine Flats Rezone

### Summary

The City is considering request by RH 1 Alpine at Highland, LLC, on behalf of Richmark Real Estate Partners, LLC to rezone approximately 8.728 acres of land from R-L (Residential Low Density) and C-H (Commercial High Intensity) to R-H (Residential High Density) zone district to allow for a multi-family establishment on properties located at 5002 and 5030 20<sup>th</sup> Street.

The Planning Commission considered this request on July 25, 2017 and recommended approval to City Council by a vote of 6-1.

### Fiscal Impact

Does this item create a fiscal impact on the City of Greeley?	No, or minimal possible, due to increased density
If yes, what is the initial or onetime impact?	Varies based on build-out
What is the annual impact?	Varies based on build-out
What fund of the City will provide funding?	Development impact fees, then general revenue sources
What is the source of revenue within the fund?	Development impact fees, then general revenue sources
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

### Legal Issues

Consideration of this matter is a quasi-judicial process.

### Other Issues and Considerations

None noted.

### Applicable Council Goal or Objective

Consistency with Comprehensive Plan and Development Code standards.

#### Decision Options

1. Introduce the ordinance as presented; or
2. Amend the ordinance and approve 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 a public hearing and final reading for August 15, 2017.

#### Attachments

Ordinance

Vicinity Map



CITY OF GREELEY, COLORADO

ORDINANCE NO. \_\_\_\_, 2017

CASE NO. Z 3:17

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, FROM R-L (RESIDENTIAL LOW DENSITY) AND C-H (COMMERCIAL HIGH INTENSITY) TO R-H (RESIDENTIAL HIGH DENSITY) ZONING FOR APPROXIMATELY 8.728 ACRES OF PROPERTY KNOWN AS THE ALPINE FLATS REZONE, LOCATED AT 5002 AND 5030 20<sup>TH</sup> STREET

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

Section 1. The following described property located in the City of Greeley is hereby changed from the zoning district referred to as R-L (Residential Low Density) and C-H (Commercial High Intensity) to R-H (Residential High Density) zoning in the City of Greeley, County of Weld, State of Colorado:

See attached legal description

Section 2. The boundaries of the pertinent zoning districts as shown on the official zoning map are hereby changed so as to accomplish the above-described zoning changes, and the Mayor and City Clerk are hereby authorized and directed to sign and attest an entry which shall be made on the official zoning map to reflect this change.

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

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2017.

ATTEST:

THE CITY OF GREELEY

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

### Legal Description

A PARCEL OF LAND LOCATED IN LOTS 1, 2 & 3, CORRECTION TO THE AMENDED VACATION AND REDEDICATION OF A PART OF HIGHLAND HILLS TRACT 'B'; LOT 3, BLOCK 12, HIGHLAND HILLS AND LOTS 6-11, BLOCK 13, HIGHLAND HILLS ALL SITUATED IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 15, BEING MONUMENTED BY A 3.25" ALUMINUM CAP IN MONUMENT BOX STAMPED "LS38209", FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 15, BEING MONUMENTED BY A 3.25" ALUMINUM CAP IN MONUMENT BOX "WESNITZER LS 34990 2006 KING SURVEYOR INC", BEARS S89°53'31"E, A DISTANCE OF 2621.04 FEET (BASIS OF BEARINGS) FROM WHICH ALL BEARINGS CONTAINED HEREIN ARE RELATIVE THERETO; THENCE S89°53'31"E, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 15, A DISTANCE OF 607.17 FEET TO THE POINT OF BEGINNING;

THENCE S89°53'31"E, CONTINUING ALONG SAID NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 15, A DISTANCE OF 752.18 FEET TO THE CENTERLINE OF 50TH AVENUE EXTENDED;

THENCE S01°25'47"W, ALONG SAID CENTERLINE OF 50TH AVENUE AND SAID EXTENSION, A DISTANCE OF 531.02 FEET TO THE SOUTH LINE OF LOT 3, CORRECTION TO THE AMENDED VACATION AND REDEDICATION OF A PART OF HIGHLAND HILLS TRACT 'B' EXTENDED AS DEPICTED IN PLAT RECORDED OCTOBER 5, 1971 AS RECEPTION NUMBER 1805455 IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER;

THENCE ALONG THE SOUTH LINE OF SAID LOT 3 AND THE SOUTH LINE AND ITS EXTENSION OF LOT 3, BLOCK 12, HIGHLAND HILLS AS DEPICTED IN PLAT RECORDED JANUARY 13, 1961 AS RECEPTION NUMBER 1346042 IN SAID RECORDS OF THE WELD COUNTY CLERK AND RECORDER, THE FOLLOWING FIVE (5) COURSES:

- 1) N88°34'13"W, A DISTANCE OF 280.00 FEET TO A NON-TANGENT POINT OF CURVE TO THE LEFT;
- 2) 64.35 FEET ALONG THE ARC OF SAID CURVE, SAID ARC HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 73°44'23" AND BEING SUBTENDED BY A CHORD WHICH BEARS N88°34'13"W, A DISTANCE OF 60.00 FEET TO A POINT OF NON-TANGENCY;

- 3) N88°34'13"W, A DISTANCE OF 120.00 FEET;
- 4) N62°45'03"W, A DISTANCE OF 91.86 FEET;
- 5) N88°34'13"W, A DISTANCE OF 200.22 FEET TO THE CENTERLINE OF 51ST AVENUE;

THENCE N00°19'57"E, ALONG SAID CENTERLINE OF 51ST AVENUE AND ITS EXTENSION, A DISTANCE OF 473.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 680,211 SQUARE FEET OR 8.728 ACRES, MORE OR LESS.



# Aerial/Vicinity Map



Feet

Created: May 3, 2017  
By: duranm, CD  
File: AlpineFlats.mxd

## Alpine Flats Rezone Request R-L & C-H to R-H

Residential-Low & Commercial High-Intensity to  
Residential-High  
Subject Site Located at  
5002 and 5030 20th Street

**Legend**

Subject\_Site

Greeley Parcels

**Notes:**  
All planimetric data was digitized from aerial photographs dated 1987, 1992, 1995, 2000, 2005, and 2014. Updates are continual and data representations will change over time. This product is not necessarily accurate to engineering or surveying standards but does meet National Mapping Accuracy Standards (NMAS). The information contained within this document is not intended to be used for the preparation of construction documents.

Information contained on this document remains the property of the City of Greeley. Copying any portion of this map without the written permission of the City of Greeley is strictly prohibited.

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# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 14**

Title

Pulled Consent Agenda Items



# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 15**

Key Staff Contact: Jerry Garner, Chief of Police, 970-350-9605

### Title

Public hearing and final reading of an Ordinance of the City of Greeley amending Title 11 of the Greeley Municipal Code to add a new section regarding Unattended Motor Vehicle

### Summary

House Bill 16-1122 authorizes the use of a remote starter system provided certain "adequate security measures" are in place. This change amends the Colorado Revised Statutes Section 42-4-1206. The newly adopted provisions to the Colorado statutes authorizes municipalities to limit the time that a vehicle may be allowed to idle after started via a remote start. To maintain consistency with these the newly adopted provisions, the City of Greeley recommends amending the Greeley Municipal Code to reflect these changes. HB 16-1122 authorizes municipalities until August 10, 2017 to make changes to their "no idling" ordinances. As a home rule municipality, the City of Greeley could decline to amend our ordinance and continue to enforce it without allowing for remote starters, but recommend that we avoid confusion and amend the Greeley Municipal Code within the stated timeline. This ordinance was introduced at the July 18, 2017 City Council meeting.

### Fiscal Impact

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

### Legal Issues

This Ordinance has been reviewed by the City Attorney's Office.

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

Applicable Council Goal or Objective

Public Safety

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

Ordinance

**CITY OF GREELEY, COLORADO**

**ORDINANCE NO. \_\_\_\_, 2017**

**AN ORDINANCE OF THE CITY OF GREELEY AMENDING TITLE 11 OF THE GREELEY MUNICIPAL CODE TO ADD A NEW SECTION REGARDING UNATTENDED MOTOR VEHICLE**

WHEREAS, the City Council of the City of Greeley, Colorado is committed to enhancing the quality of life for all Greeley citizens by promoting public safety; and

WHEREAS, HB 16-1122 authorizes municipalities to make changes to their “no idling” ordinance; and,

WHEREAS, to maintain consistency with the newly adopted provisions to the Colorado statutes, the City of Greeley recommends amending the Greeley Municipal Code to coincide with the newly adopted provisions; and

WHEREAS, the Greeley Police Department has determined it is in the best interests of the citizens of the City of Greeley to amend Title 11 as stated above.

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

Section 1. Title 11 of the City of Greeley Municipal Code is amended by the addition of a new Section 11.01.1206 (2), (3) and (4) as set forth on Exhibit A attached hereto and incorporated herein by this reference.

Section 2. This Ordinance shall become effective five days following its final publication, as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 1ST DAY OF AUGUST, 2017.

ATTEST:

CITY OF GREELEY, COLORADO

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

## EXHIBIT A

- 11.01.1206 - Unattended motor vehicle.

(1) No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition and effectively setting the brake thereon, and, when standing upon any grade, said person shall turn the front wheels to the curb or side of the highway in such a manner as to prevent the vehicle from rolling onto the traveled way.

(2) THE USE OR OPERATION OF A REMOTE STARTER SYSTEM AND ADEQUATE SECURITY MEASURES IS SUFFICIENT TO COMPLY WITH SUBSECTION (1) OF THIS SECTION.

(3) AS USED IN THIS SECTION:

(a) "ADEQUATE SECURITY MEASURES" INCLUDES, BUT IS NOT LIMITED TO:

(I) USING A VEHICLE THAT REQUIRES A KEY TO PUT THE VEHICLE INTO GEAR AND MOVE THE VEHICLE;

(II) KEEPING A KEYLESS START FOB OUT OF PROXIMITY OF THE VEHICLE; OR

(III) EMPLOYING STEERING WHEEL SECURITY DEVICES.

(b) "REMOTE STARTER SYSTEM" MEANS A DEVICE INSTALLED IN A MOTOR VEHICLE THAT ALLOWS THE ENGINE OF THE VEHICLE TO BE STARTED BY REMOTE OR RADIO CONTROL.

(4) NO PERSON SHALL ALLOW AN UNATTENDED MOTOR VEHICLE TO REMAIN IDLING FOR MORE THAN TWENTY (20) MINUTES FROM THE TIME THE MOTOR WAS STARTED, BY REMOTE STARTER OR OTHER MEANS.

(a) AS USED IN THIS SUBSECTION (4), THE TERM UNATTENDED SHALL MEAN THAT THE VEHICLE HAS NOT MOVED FROM ITS ORIGINAL POSITION AND HAS NOT BEEN OCCUPIED BY A PERSON POSSESSING A VALID DRIVER'S LICENSE.



# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 16**

Key Staff Contact: Betsy Holder, City Clerk, 350-9742

### Title

Council Ward II Appointment – Candidate Interviews

### Summary

Ward II Councilmember Randy Sleight resigned effective July 18, 2017. The vacancy left by this resignation was considered by Council at the July 11<sup>th</sup> Work Session and the July 18<sup>th</sup> Council meeting.

Council looked to the City Charter for direction, which provides that, "If a vacancy occurs....the council shall appoint an eligible person to fill such vacancy until the next general municipal election..." Accordingly, applications were to be accepted, with a deadline of July 28<sup>th</sup>, and interviews were scheduled for this meeting.

The applications received by the deadline are attached. Applicants affirmed they were qualified for the position, and the qualifications were confirmed by the City Clerk's Office.

Staff suggests the following process for the interviews:

- The Clerk will draw names for the order of interviews.
- Each applicant will have 5 minutes for opening comments.
- Council will have the opportunity to ask questions of each applicant.
- Each question/answer session is limited to 15 minutes.

After the interviews, Council may deliberate and appoint the new Ward II Councilmember by motion and vote. The candidate receiving at least 4 votes will be declared the new Ward II Councilmember;

If no clear consensus is reached after verbal and public deliberation, staff will be prepared to distribute paper ballots for Council voting. The Clerk and Attorney will tally the votes, and the candidate receiving at least 4 votes will be declared the new Ward II Councilmember;

If after the interviews and deliberation, a new Ward II Councilmember is not appointed by motion and vote or by paper ballot voting, the deliberation and appointment may be continued to a Council meeting set for a date certain.

Presiding Municipal Judge Brandi Lynn Nieto will administer the oath of office to the new Councilmember at the next meeting following the appointment.

### Fiscal Impact

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

What is the annual impact?	n/a
What fund of the City will provide funding?	n/a
What is the source of revenue within the fund?	n/a
Is there grant funding for this item?	No
If yes, does this grant require a match?	n/a
Is this grant onetime or ongoing?	n/a
Additional Comments:	

#### Legal Issues

None noted.

#### Other Issues and Considerations

None noted.

#### Applicable Council Goal or Objective

Civic Infrastructure: Create a community that recognizes and capitalizes on the power of aligned principled relationships to address any challenges we face

#### Decision Options

- 1) Deliberate and appoint the new Ward II Councilmember by motion and vote;
- 2) Deliberate and appoint the new Ward II Councilmember by paper ballot voting;
- 3) Continue deliberation and appointment of the Ward II Councilmember to a future Council meeting set for a date certain.

#### Attachments

Applications

Interview Questions



RECEIVED  
JUL 20 2017  
CITY OF GREELEY  
City Clerk's Office

**CITY OF GREELEY, COLORADO**

**Application for Appointment to City Council (Ward II)**


Application deadline is 5:00 p.m., July 28, 2017

File with the City Clerk, 1000 10<sup>th</sup> Street, Greeley, Colorado 80631

I, Matthew C. Brinton (full name of applicant), who resides at 1815 14th Avenue (street address) in the City of Greeley, Colorado, hereby apply for the position of Councilmember Ward II, and certify that I satisfy the qualifications to apply for Greeley municipal office as follows:

- ☒ I am a citizen of the United States
- ☒ I am at least 21 years of age
- ☒ I hold no other elective office
- ☒ I am a resident of the City of Greeley and have been for at least one year, and
- ☒ I have been a resident of Ward II for at least 90 days
- ☒ I have no felony convictions, and

I understand that these qualifications will be confirmed.

  
Signature of Applicant

7/20/2017

Date

HOME PHONE: n/a	WORK PHONE: [REDACTED]	CELL PHONE: [REDACTED]
E-MAIL: [REDACTED]	OCCUPATION: UNC Employee - Alumni Relations	
<b>PLEASE LIST YOUR WORK EXPERIENCE, COMMUNITY INVOLVEMENT, AND EDUCATION OR TRAINING WHICH APPLY TO THIS POSITION: (attach additional sheet(s) if needed)</b>		
<p>I am currently the Associate Director of Alumni Relations at UNC. In that role I oversee a variety of programming that connects me with alumni, donors, and friends around the City. I have an extensive background in higher education administration, hold a bachelor's degree from UNC, a master's degree from the University of Denver, and am in my final year of a PhD program back at UNC. Beyond my professional work, I have volunteered on the Board of the Greeley Children's Chorale, serve as an advisor for two UNC fraternities, and am the editor of the journal <i>Technology and Higher Education. Emerging Practice</i>. As the son of a life-long public servant, I have been connected to local government work off and on throughout my life.</p>		
<b>BRIEFLY DESCRIBE THE REASONS FOR YOUR INTEREST IN SERVING ON CITY COUNCIL: (attach additional sheet(s) if needed)</b>		
<p>My wife and I met while we were both students at UNC in the early 2000's. We moved away following graduation, but regretted that decision immediately. This is our home. We came home to be married in 2006 at Centennial Village. We came home to cheer on the Bears throughout the difficult transition to Division I, and the monumental celebration of the men's basketball team winning the Big Sky Conference. We came home to volunteer. I served as the first president of UNC's Young Alumni Council. And then we just came home in 2014 when I found a position at UNC, my wife began working at UNC in 2016. We came home because this is where we wanted to raise our daughter. This is a community that we have seen grow and develop over the years, and on that has nothing to do but move forward. I want to be a small part of that change, even if it is just in an interim role until the next council is elected this fall. I believe strongly in the value of public service and the strength and value of our community. Together the possibilities are limitless. Thank you for your consideration of this application.</p>		



# MATTHEW C. BRINTON

1815 14<sup>th</sup> Avenue Greeley, CO 80631

## EDUCATION

### **Doctor of Philosophy in Higher Education and Student Affairs Leadership, University of Northern Colorado, Greeley, Colorado**

GPA. 3.94/4.0

*Anticipated Completion of Coursework: December 2016*

### **Master of Arts in Higher Education, University of Denver, Denver, Colorado**

*Emphasis. Student Development*

*Graduation Date June 4, 2010*

GPA. 3.98/4.0

*Thesis Information.*

Brinton, M (2010) *From Frat to Fraternity: An Evolutionary Model for 21<sup>st</sup> Century Greek Letter Organizations* (Unpublished master's thesis) University of Denver, Denver, CO

### **Bachelor of Science in Sport and Exercise Science, University of Northern Colorado, Greeley, Colorado**

GPA. 3.16/4.0

*Graduation Date May 10, 2005*

## HIGHER EDUCATION PROGRAMMING

- Summer 2013 - Present* Associate Director, Office of Alumni Relations, University of Northern Colorado, Greeley, Colorado
- Monitor and maintain strategic alumni communications content including social media, alumni website, and broadcast emails
  - Coordinate and collaborate on student-athlete alumni programming and overall athletic alumni engagement opportunities
  - Develop and support a strong network of alumni programming through the creation of regional and affinity alumni groups
- Fall 2010 - Summer 2013* Assistant Director, Office of Student Activities, Metropolitan State University of Denver; Denver, Colorado
- Developed and implemented a departmental philosophy that emphasized a comprehensive and holistic view of sustained programmatic variety and co-curricular, community building activities
  - Planned, implemented and evaluated approximately 100 co-curricular events, special events and large programs presented to the students, faculty, staff and campus community per academic year that reflect student, faculty and campus needs and employ the programming principles of faculty involvement, student learning, consistency and quality
  - Developed faculty/student partnerships and created meaningful out-of-class student learning opportunities based on departmental student learning outcomes
  - Managed the day to day operations of campus events and programs including but not limited to campus marketing, logistics, contracts, and social media
  - Served on over twenty campus-wide committees which plan diverse campus events

- Managed, allocated and monitored an event programs budget of approximately \$50,000 per academic year
- Oversaw all graphic design requests and projects to ensure they meet University branding guidelines, general design requirements, and meet the marketing and promotional needs of the given program or event
- Supervised the implementation, upkeep and management of all office technology
- Oversaw the digital presence of the office, including by not limited to social media and web content
- Hired, trained, developed and supervised a team of three event programmers, three graphic designers and one IT Specialist

*Fall 2009 -  
Fall 2010*

Coordinator and Special Projects Manager, Applied Learning Center,  
Metropolitan State University of Denver; Denver, Colorado

- Developed internship opportunities in specific majors for students throughout the Colorado region by making direct contact with area employers
- Plan, develop and implement a variety of programming geared towards assisting students with their internship experiences
- Managed the day to day functions of a variety of key program initiatives; these include but are not limited to office technology and computer systems, new marketing strategy, as well as the general redevelopment of established organizational policies and procedures

*Fall 2006 -  
Winter 2009*

Operations Manager, Fritz Knoebel School of Hotel, Restaurant and Tourism  
Management (HRTM), Daniels College of Business, University of Denver; Denver,  
Colorado

- Integrated applicable academic HRTM classes with their corresponding operational areas within the HRTM facility acting in the role of a Teaching Assistant/Laboratory Instructor
- Advised and supervised a revolving student staff of 35-50 students
- Responsible for day to day operations of the HRTM building, including but not limited to event management, staff/student training & development, beverage management, front of the house operations, administrative and technical support, and the operational aspects of *Beans Café*

## **VOLUNTEER MANAGEMENT**

*Fall 2013 -  
Spring 2016*

Coordinator, Young Alumni Council, University of Northern Colorado, Greeley,  
Colorado

*Fall 2009 -  
Summer 2011*

Deputy Commissioner for Volunteer Recruitment, Volunteer Commission,  
Kappa Sigma Fraternity

*Spring 2008 -  
Summer 2011*

District Grand Master, District 73 – Northern Colorado/Wyoming,  
Kappa Sigma Fraternity

*Summer 2007-  
Fall 2009*

Area 5 Coordinator, Volunteer Alumni Commission,  
Kappa Sigma Fraternity

*Fall 2006 -  
Spring 2008*

Assistant District Grand Master (ADGM) for Volunteer Recruitment and  
Development, District 50 – Colorado, Kappa Sigma Fraternity

## PERSONAL SERVICE

- Summer 2015 - Present* Member, Board of Directors, Greeley, Children's Chorale; Greeley, Colorado
- Fall 2012 - Summer 2013* President, Young Alumni Council, University of Northern Colorado Alumni Association, University of Northern Colorado, Greeley, Colorado
- Spring 2012 - Spring 2015* National Chair, Technology Knowledge Community, National Association of Student Personnel Administrators (NASPA)
- Summer 2010 - Summer 2013* Director of Communications, Board of Directors, Mikel T. Olson Foundation, Centennial, Colorado
- Summer 2010 - Summer 2013* Member, Board of Directors, Metropolitan State University of Denver Alumni Association, Metropolitan State University of Denver; Denver, Colorado
- Fall 2009 - Spring 2013* Chief Development Officer, Mikel T. Olson Memorial Golf Tournament, Mikel T. Olson Foundation, Centennial, Colorado
- Spring 2003 - Fall 2004* President & Founding Father, Xi-Chi Chapter, Kappa Sigma Fraternity, University of Northern Colorado, Greeley, Colorado

## TECHNOLOGY SKILLS

Operating Systems:	Microsoft Windows 7, MAC OS X Lion
Mobile Computing:	Apple iOS for iPad and iPhone 6
Web Page Construction	Adobe Dreamweaver, TERMINALFOUR, NetCommunity
Graphic Design and Layout:	Adobe Illustrator CC, Photoshop CC, InDesign CC
Cloud Storage & Note Taking:	DropBox, Evernote
Learning Management Systems:	Blackboard, Canvas
Multi-Media Presentations:	Microsoft PowerPoint 2016, Prezi, Keynote '09
E-Mail Management:	Microsoft Outlook 2013, iMail, Gmail
Word Processing:	Microsoft Word 2016, Pages '09
Spreadsheets:	Microsoft Excel 2016, Numbers '09
Social Media Management:	Facebook, Twitter, Instagram, LinkedIn, Swarm, TagBoard, TweetDeck, Buffer
Assessment:	Qualtrics, SPSS, StudentVoice, SurveyMonkey
Online Collaboration	Conceptboard, Delicious, ASANA, Basecamp

## RELEVANT PRESENTATIONS

- *The Person Behind the Screen. Putting Your Best Digital Self Forward* (February 2016) Co-Presenter, 2016 CPAC Annual Conference, Denver, Colorado
- *Developing Your Student Affairs Digital Toolbox*. (February 2016) Co-Presenter, 2016 CPAC Annual Conference, Denver, Colorado
- *Engaging Future Alumni. Maximizing Collaborations with Alumni Relations*. (March 2015) Co-Presenter, 2015 NASPA Annual Conference, New Orleans, Louisiana
- *#HESALtech. Developing an Ed Tech Course from Pedagogy to Pinterest*. (March 2015) Co-Presenter, 2015 NASPA Annual Conference, New Orleans, Louisiana
- *Pro-D for free. Learning and Development on a Tight Budget*. (March 2015) Co-Presenter, 2015 NASPA Annual Conference, New Orleans, Louisiana



- #SociallyAwkward (November 2014) Presenter, 2014 CPAC Careers in Student Affairs Institute, Greeley, Colorado
- Doing Good Builds GREAT College Campuses. Exploring Student Volunteerism. (March 2013) Presenter, 2013 NASPA Annual Conference, Orlando, Florida
- Tech on the Go. Meeting the Needs of the Mobile Generation. (March 2013) Presenter, 2013 NASPA Annual Conference, Orlando, Florida
- The Ultimate Unsession. Technology in Action. (March 2013) Presenter, 2013 NASPA Annual Conference, Orlando, Florida
- Finding Congruence. Bringing together the espoused and enacted values of your organization (October 2012) Presenter, 2012 Metro State Fraternity and Sorority Leadership Conference, Denver, Colorado
- Silos to Ladders. Creating Meaningful Campus Collaborations (March 2012) Co-Presenter, NASPA 2012 Annual Conference, Phoenix, Arizona
- Volunteering 201. Taking the Next Steps. (July 2011) Presenter, Kappa Sigma Fraternity's 68<sup>th</sup> Biennial Grand Conclave, Las Vegas, Nevada
- Advising Millennials. Exploring the generational foundations, general characteristics and proposing advising best practices for the millennial generation. (July 2010) Presenter, Kappa Sigma Fraternity's West Leadership Conference, Las Vegas, Nevada
- Alumni Volunteer Recruitment: The 3 R's. (July 2010) Presenter, Kappa Sigma Fraternity's West Leadership Conference, Las Vegas, Nevada
- Let's Work Together: Managing conflict resolution in the workplace. (Multiple) Guest Lecturer, Metropolitan State University of Denver, Denver, Colorado.
  - HES 4870 – Internship Orientation (March 2010)
  - RDG 3060 – Critical Reading and Thinking (March 2010)
- It's the Little Things that Matter: Putting your best professional foot forward every time. (March 2010) Guest Lecturer, Metropolitan State University of Denver, Denver, Colorado.
  - HES 4870 – Internship Orientation

## PUBLICATIONS

- Brinton, M (Fall 2014) *To Friend or Not To Friend* Leadership Exchange, National Association of Student Personnel Administrators, Washington, D C.
- Brinton, M (2013) Digital Tonality: Interpreting Computer-Mediated Communication *NASPA Knowledge Community 2013 Fall Publication.* p 54-55  
[http://www.naspa.org/images/uploads/main/2013\\_NASPAKC\\_Fall\\_Publications.pdf](http://www.naspa.org/images/uploads/main/2013_NASPAKC_Fall_Publications.pdf)
- Endersby, L., & Brinton, M (2013) F2F or IRL. Alphabet Soup in Online Communities and Networks. *NASPA Knowledge Community Conference Publication* p 63-64  
<http://www.naspa.org/kc/Spring-2013-KC-Publication-FINAL.pdf>

## RELEVANT PROFESSIONAL DEVELOPMENT

- Treasurer, CASE District VI Board of Directors (Summer 2016 – Present)
- AV Chair, 2016 CASE District VI Conference (Summer 2015 – Winter 2016)
- Logistics Coordinator, 2015 CASE District VI Conference (Summer 2013 – Winter 2014)
- Member, Council for the Advancement and Support of Education (Summer 2013 – Present)
- President, Council of Administrators, Metropolitan State University of Denver (Spring 2011 – Spring 2013)
- METROLEADER, METROLEADS Leadership Forum, Metropolitan State University of Denver (Fall 2010 – Spring 2011)
- Member, NASPA – Student Affairs Administrators in Higher Education (2010 – 2015)
- Member, ACPA – College Student Educators International (2010 – 2015)



RECEIVED

JUL 28 2017

CITY OF GREELEY  
City Clerk's Office

**CITY OF GREELEY, COLORADO**

**Application for Appointment to City Council (Ward II)**

Application deadline is 5:00 p.m., July 28, 2017

File with the City Clerk, 1000 10<sup>th</sup> Street, Greeley, Colorado 80631

I, Jediah Dean Cummins (full name of applicant), who  
resides at 2020 18<sup>th</sup> Ave Greeley, CO 80631-6845 (street address) in the City of  
Greeley, Colorado, hereby apply for the position of Councilmember Ward II, and certify that  
I satisfy the qualifications to apply for Greeley municipal office as follows:




- ☒ I am a citizen of the United States  
☒ I am at least 21 years of age  
☒ I hold no other elective office  
☒ I am a resident of the City of Greeley and have been for at least one year, and  
☒ I have been a resident of Ward II for at least 90 days  
☒ I have no felony convictions, and

I understand that these qualifications will be confirmed.

  
Signature of Applicant

2017-07-28

Date

HOME PHONE: N/A	WORK PHONE: 	CELL PHONE: 
E-MAIL: 		OCCUPATION: Higher Education
PLEASE LIST YOUR WORK EXPERIENCE, COMMUNITY INVOLVEMENT, AND EDUCATION OR TRAINING WHICH APPLY TO THIS POSITION: (attach additional sheet(s) if needed)		
Please see my attached résumé (Next two pages)		

# JEDIAH DEAN CUMMINS

2020 18<sup>TH</sup> AVE GREELEY, CO 80631-6845

INPUT | LEARNER | ANALYTICAL | ARRANGER | ACHIEVER

## RELEVANT EXPERIENCE

### TEAM COMMUNICATION

- Manage multiple simultaneous projects with University Facilities Management, Information Technology, as well as external contractors. Jetz Laundry, Waste Management, Campus Televideo, and Sprint
- Regular use of Motivational Interviewing techniques in student conduct and supervision situations
- Teambuilding with use of Gallup StrengthsFinder, Myers-Briggs Type Indicator, and other tools to develop communication, effective work skills, and task management skills in groups of four to 50 staff members

### PARTNERSHIP DEVELOPMENT

- Coordinate with Disability Support Services staff to ensure ADA Compliance in residential facilities
- For four consecutive years, coordinate interview process between 15 assistantship opportunities and Higher Education and Student Affairs Leadership program, most recently for group of over 60 candidates

## EDUCATION

### TEXAS TECH UNIVERSITY (TTU), LUBBOCK, TX

Master of Business Administration, Rawls College of Business – GPA. 3.77/4.00 8/2010 – Present

Master of Education, Higher Education Administration – GPA. 4.00/4.00 8/2008 – 5/2010

### UNIVERSITY OF NORTHERN COLORADO (UNC), GREELEY, CO

Certificate, Brewing Science – GPA: 4.00/4.00 1/2016 – 7/2017

- Coursework: Intro to Brewing Science, Laboratory Brewing Sciences, and Practical Brewing on a 7bbl system. With focus on Quality Control and Assurance Measures for Brewing Beer
  - Research into the effects of the effects of aging malts on extract potential in brewing
  - Run tasting panel of UNC Beers to determine comparability with commercial equivalents
- Bachelor of Science, Physics – Computer Science – GPA: 3.75/4.00 8/2003 – 8/2008

## ADDITIONAL EXPERIENCES

### ASSISTANT DIRECTOR OF HOUSING SERVICES

5/2014 – Present

UNC – Housing and Residential Education Greeley, CO

- Hire, train, supervise, and evaluate 1 Utility Crew Supervisor (General Laborer II), indirectly supervise 2 Utility Crew Members, 21 Custodial I Staff, 4 Custodial II Staff, 2 Custodial III staff, 1 Administrative Assistant, and 4 student assistants
- Direct use of technological solution in housing, including front desk management system, duty reporting systems, Lenel Access Control, and CS Gold for residential facility security
- Utilized Microsoft Access, Excel, Qualtrics, and spreadsheet tools for data analysis and report generation
- Research, develop, and publish policy for University Housing system including pet/animal procedures, non-affiliated guest policy, and Health and Safety procedures
- Coordinate housing work order process with team of 6, to manage 35 Residential Facilities with capacity for 3715 co-ed students; Coordinate upkeep of 8 Guest Houses, 3 Sorority Houses, and 1 Retreat Center
- Fiduciary responsibility for \$3.8 million facility allocation and \$150,000 departmental budget ensuring funds are spent in furthering housing mission and institutional goals within institutional and state policies and regulations

### COMMISSIONER

2/2016 – Present

GREELEY URBAN RENEWAL AUTHORITY, GREELEY, CO

- Represent City of Greeley citizens in housing and neighborhood assistance to individuals with lower income, assist in directing commercial rehabilitation and development in GURA bounds
- Recommend Community Development Block Grant and budget approach to City Council

### JAMES C. GRIMM NATIONAL HOUSING TRAINING INSTITUTE

ACUHO-I– The University of Georgia, Athens, GA

6/2015

- Engaged in immersive workshop designed to training future senior housing officers in over 50 competencies based on research by Diane Porter, Ph.D in 2005



**RESIDENCE HALL DIRECTOR**

1/2013 – 2/2014

UNC – Housing and Residential Education Greeley, CO

- Hired, trained, supervised, and evaluated 11 Resident Assistants (RA,) 2 Senior RAs, 1 Desk Operations Coordinator, 2 Diversity Mentors, and 9 Desk Assistants in 10 hall community of 527 co-ed students
- Increased living and learning experiences in Residential Learning Communities by working with faculty and staff including: Honors, Scholars & Leaders and Cumbres (English as a Second Language Teachers)

**RESIDENCE LIFE COORDINATOR**

6/2011 – 1/2013

TTU – University Student Housing, Lubbock, TX

- Coordinated administration of four buildings/two office locations with 1616 total co-ed students, including supervision of two Senior Office Assistants, two Graduate Hall Coordinators, one Social Media GA, 36 Community Advisors, and 10 Student Assistants
- Implement MAP-Works program to assist with retention of 435 first-time first-year students, Fall Transition Survey had 100% completion rate for two years in a row

**GRADUATE ASSISTANT FOR ENVIRONMENTAL MANAGEMENT AND SOCIAL MEDIA**

5/2010 – 6/2011

TTU – University Student Housing, Lubbock, TX

- Coordinated residence life marketing across electronic, social media, and print platforms
- Established department social media presence and policies on Facebook, Twitter, YouTube, and Flickr

**GRADUATE ASSISTANT FOR LEARNING**

7/2009 – 5/2010

TTU – University Student Housing, Lubbock, TX

- Co-advised the Residence Halls Association to promote student leadership to 6,800 students on campus, including \$50,000 budget to comply with organization strategic plan and policies
- Developed marketing campaign and web content for Student Judicial Programs
- Worked with faculty to develop large scale Last Lecture events with attendance of up to 300 students

**NASPA TECHNOLOGY KNOWLEDGE COMMUNITY (KC), CHAIR**

3/2010 – 3/2012

Student Affairs Administrators in Higher Education (NASPA), Washington, D.C.

- Generate articles and research relating to technology in student affairs and higher education
- Coordinate communication across national KC team of ten members in geographically diverse locations

**COMMITTEES & MEMBERSHIPS**

- American Society of Brewing Chemists, Member 6/2016 – Present
- Brewers Association Chemists, Member 6/2017 – Present
- Colorado Democratic Party Voter Registration/Get-Out-The-Vote 6/2016 – 11/2016
- Emotional Support Animal Committee, Member – Institutional 10/2015 – Present
- IACURH Strategic Planning Commission 8/2015 – 5/2016
- Program Review Committee, Co-chair – Departmental 8/2015 – Present
  - Develop and implement assessment of student satisfaction for use in long term program review, identify areas of concern in policies, mitigate risks through implementation of ACUHO-I best practices
- HESAL Graduate Assistantship Initiative, Coordinator – Institutional 2/2013 – Present
- UNC Innovative Technology Group 1/2013 – Present
- Gallup. StrengthsQuest Advocate Committee – Institutional 5/2009 – 12/2013

**WRITING, PUBLICATIONS, AND PRESENTATIONS**

- CPAC (Colorado state association of ACPA) Annual Conference Develop & Digitize Professional Development for Student Affairs in a Digital Age 2/2016
  - Panel Member: Developing Your Student Affairs Digital Toolbox with Dr Paul Gordon Brown, Dr. Matt Birnbaum, Matthew Brinton, and Colleen Sonnentag
  - Program Co-presenter: The person behind the screen. Putting your best digital self forward
- "It's a Trap!" Managing a Shared Electronic Workspace, NASPA Knowledge Communities 10/2012

**HONORS & AWARDS**

- Paula Bland Award for Professional Service, IACURH 11/2013
- Eagle Scout, Boy Scouts of America 12/2002

**BRIEFLY DESCRIBE THE REASONS FOR YOUR INTEREST IN SERVING ON CITY COUNCIL: (attach additional sheet(s) if needed)**

My name is Jediah Cummins and I am applying for the opening in the Ward II Council Seat on the Greeley City Council. When I initially learned of this opening, I considered it a way to give back to the Greeley community. Greeley has been my home for many years and I have a real interest in seeing the community thrive and giving back to Greeley, because it is a community which has given me much over the years.

A bit about my background, I was raised in the mountain community of Evergreen, Colorado. I applied to the University of Northern Colorado late in the spring semester of my senior year of high school. While I was delighted to find that several of my best friends were attending UNC as well, I was dismayed to learn I had applied too late to live with any of them on campus, thus I was forced to stay with people who I didn't know. This turned out to be a formative series of events for me. After a few rough first few weeks, I began to find my niche at UNC and in Greeley getting involved as a student leader and in my Major's Society of Physics Students. This involvement led me to my eventual career working in university student housing with specific interests in student involvement and facilities management. I left Greeley for a short time while earning my master's degree at Texas Tech University. After four years of graduate and full-time work at TTU, I moved back to Greeley to be closer to family and friends. Upon returning, I have gotten more involved to help shape the community I live in. I am a commissioner on the Greeley Urban Renewal Authority board, I have registered voters, and I actively participate in efforts such as Imagine Greeley. I have a genuine interest in our local community and building it to make sure that others can have the great experience I have enjoyed as a citizen of Greeley now and in the future.

To put things simply, I am applying for the Ward II Council Seat vacancy on the Greeley City Council because I want to make a difference and give back to Greeley. I have attended several council meetings and work sessions as a citizen. I have also served on the GURA board, the GET Strategic Planning group, and participated in Imagine Greeley as well as the housing access sub-group of this. I enjoy being a person who helps to shape the Greeley community. I have been a member of (with a gap for graduate school) since 2003. I have been a citizen of Ward II for the entire time I have resided in Greeley and hope to have an opportunity to serve. In speaking with members of council, I believe that I could fit in well with the team for the interim period. Based on the city's charter, I know there's not much guidance over whether a candidate for the upcoming term can or cannot apply for this role. I applaud the decision of the council in allowing all applicants regardless of their status in the 2017 election for Ward II. I am applying, in part, because I am not running for the seat in November. I had honestly considered running but wasn't sure where my job at UNC would take me over the next few years so I didn't want to commit to several years in the role of councilmember while I was unsure of what that time period would hold for me. The interim vacancy would allow me to serve Greeley and its citizens while being completely certain of my ability to commit to the role and its needs. I hope to be able to be a part of the non-partisan group that is guiding Greeley's future. Each time I attend a meeting of the council I am struck by the city's mission and vision in the lower left corner of the agenda: "Greeley promotes a healthy, diverse economy and high quality of life responsive to all its residents and neighborhoods, thoughtfully managing its human and natural resources in a manner that creates and sustains a safe, unique, vibrant and rewarding community in which to live, work, and play." I hope to fill this vacancy because these words resonate with me and I can only hope to be a person who can help continue to make them true into the future as many of you have over the years.

As stated above, I am interested in the Ward II Council Seat on the Greeley City Council because I hope to become part of the already stellar team that is in place and to bring my perspective as 10+ year resident of the UNC community and Ward II to the council during the interim vacancy. Thank you for your time and I hope to have an opportunity to continue to serve Greeley, whether in this capacity or another, because I do believe that our council's commitment to the city is one of the things that makes Greeley great!



**RECEIVED**  
JUL 14 2017  
CITY OF GREELEY  
City Clerk's Office

**CITY OF GREELEY, COLORADO**

**Application for Appointment to City Council (Ward II)**

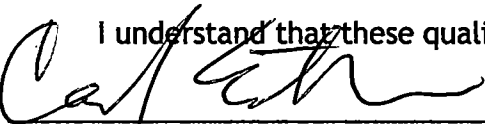
Application deadline is 5:00 p.m., July 28, 2017

File with the City Clerk, 1000 10<sup>th</sup> Street, Greeley, Colorado 80631



I, Carl Erickson (full name of applicant), who  
resides at 821 22nd St. (street address) in the City of  
Greeley, Colorado, hereby apply for the position of Councilmember Ward II, and certify  
that I satisfy the qualifications to apply for Greeley municipal office as follows:

- ☒ I am a citizen of the United States
- ☒ I am at least 21 years of age
- ☒ I hold no other elective office
- ☒ I am a resident of the City of Greeley and have been for at least one year, and
- ☒ I have been a resident of Ward II for at least 90 days
- ☒ I have no felony convictions, and

I understand that these qualifications will be confirmed.

  
Signature of Applicant

7-13-17  
Date

HOME PHONE:	WORK PHONE:	CELL PHONE: 
E-MAIL: 	OCCUPATION: Disabled	
PLEASE LIST YOUR WORK EXPERIENCE, COMMUNITY INVOLVEMENT, AND EDUCATION OR TRAINING WHICH APPLY TO THIS POSITION: (attach additional sheet(s) if needed)		
SEE ATTACHED RESUME		
BRIEFLY DESCRIBE THE REASONS FOR YOUR INTEREST IN SERVING ON CITY COUNCIL: (attach additional sheet(s) if needed)		
I have been involved in government for some time, although not in an elected role. I understand the unique nature of 'Home Rule' as it applies to Greeley. I also have an understanding of the quasi legislative nature of the council, and can use sound judgement in representing the constituency of Ward II.		



# Carl B. Erickson

821 22ND St.  
Greeley, CO 80631

Phone  
E-mail-

## Education

University High School  
Graduated 1977

Greeley, CO 80639

University Of Northern Colorado  
(Unfinished degree)

Greeley, CO 80639

Sociology - Emphasis Social Issues

Second Major Special Ed. Third Major Early Childhood Ed

## Experience

2005-2009

asurion – Evans Colorado

**Training and  
Development  
Specialist**

- Training New Hires
- Continuing Education
- Record Keeping/ Reporting
- Co-ordination With Client Requested Training

2000-2005

StarTek - Greeley North, Greeley, CO

**Trainer I /Trainer II**

Acting Training Manager  
Acting Regional Training  
Manager

- Training New Hires
- Continuing Education
- Record Keeping/ Reporting
- Co-ordination With Client Requested Training
- Ad-Hoc Training Manager (during post vacancies)
- Ad-Hoc Regional Training Manager (during post vacancies)

1999 -2000

StarTek - Greeley North, Greeley, CO

**Team Lead**

- Team Coaching
- Customer Care

1999

StarTek - Greeley North, Greeley, CO

**Customer Care Rep.**

- Customer Care

1995 – Present

Data Delivery Systems- 821 22 St. Greeley  
Lin-U-Over

**Owner/Operator**

- PC maintenance, repair, upgrading, networking, design, and new construction.
- Installation of PC systemsSoftware installation and instruction
- Network and bridging, LAN, WAN, Cisco, NetWare
- Research and installation of custom designed environmentsSoftware Instruction

1991 – 1999

Weld RE8, Ft. Lupton, CO 80621

**Interpreter/Tutor**

- Classroom interpreting
- Curriculum consulting
- Preschool to Middle School levels
- Language Development
- Parent Education
- Sign language Class instruction and curriculum development
- ADA/IDEA/504 Compliance Consulting

1990- 1991

New Life Center, 1819 Birch Greeley, CO 80631

**Assistant Social Worker/**

**Program Assistant II**

- Direct care of developmentally disabled adults
- Instruction of social skills classes
- In-servicing staff on civil rights issues
- Counseling and interaction with guardians and parents of residents

1993 - *current*

AIMS Community College - Greeley, CO

**Part time Interpreter**

- Sub Interpreter

1993 - 1998

University Of Northern CO - Greeley, CO 80639

**Part time Interpreter**

- Sub Interpreter

1992 - *Summer*

Weld County School Dist. 6- Greeley, CO

**Elementary / Middle**

**School teacher**

- Instruction to hearing impaired students
- Curriculum development

1988 - 1990

Clarkson Child Enrichment Center- Denver, CO

**Group Leader/**

**Assistant**

**Director/Acting**

**Director**

- Instruction
- Staff development
- Parent counseling
- Employment maintenance
- DOLE/CDOLE Compliance

**Additional Professional  
and Non Professional  
Activities**

Current Chair Weld Air and Water  
Current Vice-Chair North Colorado AIDS Project Regional Advisory Council  
Past Vice President of Ft. Lupton Education Association  
Past President of Northern Colo. Registry of Interpreters for the Deaf

**Languages**

Past Vice Pres. of Colo. Registry of Interpreters for the Deaf  
Past Secretary of Colo. Registry of Interpreters For the Deaf  
Eagle Scout Troop 208 Greeley CO  
Governor's Council on the Handicapped 1977  
Whitehouse Council on the Handicapped 1977  
American Sign Language – Fluent and Certified  
Seeing Essential English (sign system)-Fluent  
Signing Exact English (sign system)- Fluent  
Spanish – Novice

**Accreditations**

Registry of Interpreters for the Deaf, Expressive Translating Certificate  
Receptive Skills Certificate  
Certified AT&T New Hire Trainer

**Publications**

Seeing Essential English – Code Breaker (a sign system for the deaf)  
Seeing Essential English – Beginner's Dictionary (a sign system for the deaf)





**RECEIVED**  
JUL 27 2017  
CITY OF GREELEY  
City Clerk's Office

**CITY OF GREELEY, COLORADO**

**Application for Appointment to City Council (Ward II)**

Application deadline is 5:00 p.m., July 28, 2017

File with the City Clerk, 1000 10<sup>th</sup> Street, Greeley, Colorado 80631

I, Lavonna Longwell (full name of applicant), who resides at 1716 3rd Avenue (street address) in the City of Greeley, Colorado, hereby apply for the position of Councilmember Ward II, and certify that I satisfy the qualifications to apply for Greeley municipal office as follows:

- ☒ I am a citizen of the United States
- ☒ I am at least 21 years of age
- ☒ I hold no other elective office
- ☒ I am a resident of the City of Greeley and have been for at least one year, and
- ☒ I have been a resident of Ward II for at least 90 days
- ☒ I have no felony convictions, and

I understand that these qualifications will be confirmed.

Lavonna Longwell  
Signature of Applicant

7/27/17  
Date

HOME PHONE: [REDACTED]	WORK PHONE: <u>N/A</u>	CELL PHONE: <u>same</u>
E-MAIL: [REDACTED]	OCCUPATION: <u>Retired</u>	
PLEASE LIST YOUR WORK EXPERIENCE, COMMUNITY INVOLVEMENT, AND EDUCATION OR TRAINING WHICH APPLY TO THIS POSITION: (attach additional sheet(s) if needed)		
<u>Please see attached response &amp; overview</u>		
BRIEFLY DESCRIBE THE REASONS FOR YOUR INTEREST IN SERVING ON CITY COUNCIL: (attach additional sheet(s) if needed)		
<u>Please see attached response</u>		

## **APPLICATION RESPONSES FOR LAVONNA LONGWELL**

### **Work experience**

20 years of public service experience, working for local, state and federal government agencies.

Duties included project and program planning and implementation, contract selection and compliance, financial management and reporting, internal auditing; grant writing and reporting; understanding, interpreting and implementing federal regulations, development, implementation and assessment of training programs for small businesses.

Also included liaison between small businesses and government agencies, written and oral reporting to executive management, Board of Directors and public at large; partnering with other government agencies, non-profit organizations, community groups and industry groups, working with public, private and government stakeholders to collaboratively find solutions for problems and challenges in order to serve the public and sometimes defending and explaining those decisions in a contentious atmosphere, listening to and working with and for diverse communities to solve problems.

### **Community Involvement:**

Member of Citizens Transportation Advisory Board since 2014 Member of Greeley Evans Transit Five Year Plan Committee, Participant in Imagine Greeley Project, Member of City Form Working Group Member & Vice President of Greeley Philharmonic Orchestra Guild

Involved in diverse community activities through Rocky Mountain Indian, Asian, Black and Hispanic Chambers of Commerce

Participation in conference planning for USDOT National Civil Rights Conference, various small business training conferences and featured speaker for National Transportation Design-Build Conference

### **Education:**

Graduated from College High School 1967

Graduated with a Bachelor of Arts in Preschool Education from UNC in 1971

Graduated with Honors with a Master of Science in Project Management and Leadership from Regis University in 2004

Various courses and training in Leadership, Business Management, Team Building, Federal Contract Regulations.

### **Reasons for Interest in Serving on City Council:**

Provide for all people in my Ward to have a voice on the Council

Give back to and serve my community and its residents.

Continue to be involved in the issues and solutions our community faces as we grow in population and to ensure we honor our history, provide an abundant economy, maintain a safe and clean environment and offer many new opportunities for our community's future generations.

# Experience Overview for Lavonna Longwell

## WORK EXPERIENCE:

**West Central Small Business Transportation Resource Center – Project Director** - 2010 to June 2014  
(Region included Colorado, Nebraska, North Dakota, South Dakota, Utah, Wyoming)

**Colorado Department of Transportation Headquarters – Civil Rights Specialist** - March 2008 to August 2010

**PLAINS (Procurement Learning for American Indian Nations & Societies) - Procurement Specialist** – June 2006 to March 2008

**T-REX (Transportation Expansion Project) – DBE Compliance Administrator** – April 2001 to May 2006

**Regional Transportation District – Business Opportunity Program Manager** – August 1996 to March 2001

## EDUCATION:

Master of Science – Project Management & Leadership - Regis University – 2004

Bachelor of Arts – Preschool Education - University of Northern Colorado - 1971

Other courses

- Internal Auditor Training Course – May 2001 – Ashbrooke Quality Assurance International Limited
- Introduction to Federal Contracting – October 2006 – Management Concepts
- Federal Acquisition Regulation Overview – October 2006 – Management Concepts
- How to Become a Contractor – GSA Schedules Program course – November 2006 – IACET
- Using GSA Schedules – Customers – October 2006 – IACET
- Building Successful Native American Businesses. A Strategic Retreat for Top Management Teams – A Partnership Program – April 2007 – Tuck School of Business at Dartmouth
- Association of Procurement Technical Assistance Centers (APTAC) Training – 13.5 hours - 2007

## VOLUNTEER EXPERIENCE

National Civil Rights Transportation Conference – planning committee – 1997 -1998

Board Member of Rocky Mountain Minority Supplier Development Council - 1998

Rocky Mountain Indian Chamber Conference – Workshop and Speaker Committee Chair - 1999

Board Member of SADBOC (Small & Disadvantaged Business Opportunity Council)– 2000

National Design Build for Transportation Conference speaker, “DBE Programs for Design-Build Projects” - 2003

RES Conference – program committee – 2007

Rocky Mountain Indian Chamber Expo – planning committee – 2007

Member of Rocky Mountain Indian, Asian, Black and Hispanic Chambers of Commerce 1997 - 2014

**Greeley Philharmonic Orchestra Guild – member 2014 - 2016 and Vice -President 2015 – 2016**

**Citizens Transportation Advisory Board – Greeley, Colorado – 2014 to current**

**Greeley Evans Transit Five Year Planning Committee – 2016**

**Imagine Greeley - City Form Working Group - 2017**



## CITY OF GREELEY, COLORADO

### Application for Appointment to City Council (Ward II)

Application deadline is 5:00 p.m., July 28, 2017

File with the City Clerk, 1000 10<sup>th</sup> Street, Greeley, Colorado 80631





I, Brett Payton (full name of applicant), who resides at 1705 Montview Blvd. (street address) in the City of Greeley, Colorado, hereby apply for the position of Councilmember Ward II, and certify that I satisfy the qualifications to apply for Greeley municipal office as follows:

- ☒ I am a citizen of the United States
- ☒ I am at least 21 years of age
- ☒ I hold no other elective office
- ☒ I am a resident of the City of Greeley and have been for at least one year, and
- ☒ I have been a resident of Ward II for at least 90 days
- ☒ I have no felony convictions, and

I understand that these qualifications will be confirmed.

  
Signature of Applicant

7/19/2017  
Date

HOME PHONE: 	WORK PHONE: 	CELL PHONE: 
E-MAIL: 	OCCUPATION: Attorney	
PLEASE LIST YOUR WORK EXPERIENCE, COMMUNITY INVOLVEMENT, AND EDUCATION OR TRAINING WHICH APPLY TO THIS POSITION: (attach additional sheet(s) if needed)		
Current Chair/Board Member, Greeley Chamber of Commerce, Former Board Member, UNC BizHub Collaborative, Former Board Member/Vice Chair, Global Refugee Center, Former President and Board Member, Weld County Bar Association, Former Chairman, City Planning Commission, Greeley, (see attached resume)		
BRIEFLY DESCRIBE THE REASONS FOR YOUR INTEREST IN SERVING ON CITY COUNCIL: (attach additional sheet(s) if needed)		
See attached letter		



**Brett D. Payton**  
1705 Montview Boulevard  
Greeley, Colorado 80631-5224

July 19, 2017

**RECEIVED**  
JUL 20 2017  
CITY OF GREELEY  
City Clerk's Office

The Honorable Tom Norton, Mayor  
The Honorable John Gates, Mayor Pro Tem  
The Honorable Rochelle Galindo, City Council Member, Ward I  
The Honorable Michael Finn, City Council Member, Ward IV  
The Honorable Sandi Elder, City Council Member, At Large  
The Honorable Robb Casseday, City Council Member, At Large  
1000 10<sup>th</sup> Street  
Greeley, Colorado 80631

**RE: Application for appointment to City Council (Ward II)**

Dear Mayor and Council Members.

It is my honor and privilege to submit my application for appointment to City Council, Ward II, for your consideration in filling the vacancy following Council Member Sleight's resignation.

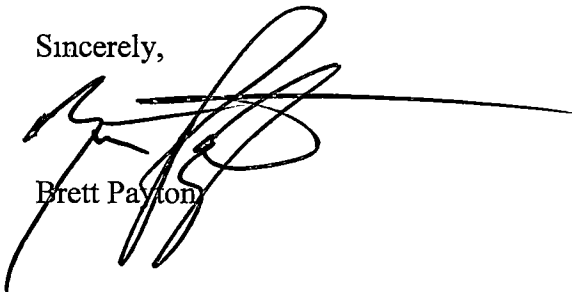
First, I want to thank Council Member Sleight for his service to the community during his time on City Council. Striking a balance between work, life and community involvement can, at times, become an insurmountable challenge forcing us to make difficult choices and sacrifices.

As a resident; active community member and business owner in Greeley, I firmly believe that being a citizen of the community demands active civic engagement and participation. Since moving to Greeley in 2007, I have continuously sought opportunities to engage this dynamic, welcoming community and find the best opportunities to give of my time and talents in the most impactful and meaningful ways.

I have served as the Chair of the Greeley Planning Commission and as Vice Chair of the Global Refugee Center and currently as the Chair of the Greeley Chamber of Commerce, to name but a few of my recent engagements in civic opportunities. As I challenge myself to find new avenues for service, I am constantly asking, "What can I do next?" The answer at this time is to step up to answer the call with the Greeley City Council.

Thank you for your time and consideration of my application. I look forward to working with all of you in the future as a Council Member, as your neighbor and as a partner in ongoing community development.

Sincerely,



Brett Payton

**Brett D. Payton**  
1705 Montview Blvd.  
Greeley, Colorado

**PROFESSIONAL SUMMARY**

- Experienced complex commercial corporate and real estate attorney with a highly successful history of counsel to large clients in diverse matters including corporate formation and governance, mergers and acquisitions, real estate development and financing, managing large diverse real estate portfolios and complex land use processes.
- Combination of experience, knowledge of the law and congenial negotiating skills.
- Unflappable, expert guidance and leadership of clients through challenging circumstances.

**PROFESSIONAL EXPERIENCE**

**Coan, Payton & Payne, LLC: Partner/Member**

**April, 2007 – Present**

- Manage and lead a team of attorneys representing clients through all manner of legal issues.
- Act as outside general counsel to companies providing expert support and guidance on corporate governance as well as advising business operations units including IT contracting, human resources, business contracting, and finance.
- Lead clients through large scale commercial litigation in State and Federal courts in Colorado, California and North Dakota.
- Conduct bench and jury trials as first chair in complex commercial litigation.
- Mentor and guide new attorneys in case management, client management and trial strategy
- Conduct large scale complex discovery in commercial litigation.
- Represent clients in international arbitration and mediation.
- Form new corporations, LLCs, closely held companies, partnerships and joint ventures as reasonable and necessary to address capital needs, mergers and/or acquisitions to protect assets and address the needs of corporate clients in capitalizing on new business opportunities and potential mergers.
- Lead clients through post-merger/post acquisition integration of business units, business contracts, and identification and evaluation of assets and liabilities.
- Lead and advise clients through corporate financing processes in obtaining traditional financing as well a financing through vehicles such as mezzanine loans, factoring and venture capital.
- Manage and lead teams of construction and development professionals including, architects, engineers, land use planners, scientists, attorneys, commissioners and local elected officials.
- Create and manage business plans, budgets and project designs with the necessary and appropriate staffing, professional contracts and vendor contracts to complete commercial real estate projects.
- Prepare applications and plans for presentations to planning commissions (city and county) and zoning boards for approval of development plans and changes in zoning when necessary
- Represent development clients in the acquisition of new development sites; obtaining applications for development licenses, permits and entitlements; negotiate development agreements.

**Silva, Clasen & Raffalow (Mercury Insurance) Coverage Attorney**

**July, 2004 – April, 2007**

- Provided written opinions on insurance coverage across all lines of coverage.

**Law Offices of Jacquelyn S. Sherlin, Associate Attorney**

**July, 2003 – July, 2004**

- Provide workers compensation litigation to large insurers and municipalities.

**DISTINCTIONS AND AWARDS**

- Weld County Bar Associations' 2010 Frank Henderson, Professionalism award.
- Colorado Law Week, 2012, "Compleat Lawyer Award" (sic).
- 2013 Northern Colorado Business Report 40 under 40 winner
- US News and World Report, 2015 Best Law Firm
- AV rated Preeminent, Martindale Hubbell
- (Personal accomplishment) Summiting Kilimanjaro, November, 2016.

## **COMMUNITY INVOLVEMENT, BOARDS AND COMMISSION**

### **Current Chair/Board Member, Greeley Chamber of Commerce, Greeley, Colorado**

- Participate in and lead the organization through member outreach events.
- Represent the organization at community events and trade events.
- Review financial and operational materials and projects within the organization.

### **Former Board Member, UNC BizHub Collaborative, Greeley, Colorado**

- Provide guidance to kick-starter businesses, incubator/accelerator businesses, and entrepreneurs.
- Provide mentorship, business plan review, advise on risk management and liability mitigation.

### **Former Board Member/Vice Chair, Global Refugee Center, Greeley, Colorado**

- Guide the organization staff in providing education, support and integration skills to refugees.
- Participate in and lead the organization through strategic planning initiatives.

### **Former President and Board Member, Weld County Bar Association, Greeley, Colorado**

- Recommend, deliberate and vote on Association policies, programs and events.
- Manage accounting and financial reporting for the Association.
- Maintain corporate governance documents for the Association.
- Develop, coordinate and present at the Association sponsored annual Nuts & Bolts CLE.

### **Former Chairman, City Planning Commission, Greeley, Colorado**

- Review USRs; PUD's; Zoning Appeals and other development applications.
- Act in a quasi-judicial role, conducting public hearings on proposed changes to planning.
- Conduct public hearings on applications for new development, zoning, growth and building.
- Propose, recommend and review legislative changes to City Building and Planning codes.

## **BAR ADMISSIONS**

State admission: California, June 2003      Colorado, January, 2006      North Dakota, November, 2013  
Federal admissions. Central District of California      Colorado District Court      10<sup>th</sup> Circuit Appeals

## **EDUCATION**

J D., Southwestern University School of Law, Los Angeles, California, May 2002

B.A. Sociology/Criminal Justice, Colorado State University, Fort Collins, Colorado, December 1996

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JUL 25 2017

CITY OF GREELEY  
City Clerk's Office



CITY OF GREELEY, COLORADO

Application for Appointment to City Council (Ward II)

Application deadline is 5:00 p.m., July 28, 2017

File with the City Clerk, 1000 10<sup>th</sup> Street, Greeley, Colorado 80631

I, William (Jack) Schneider (full name of applicant), who resides at 2137 21<sup>st</sup> Avenue (street address) in the City of Greeley, Colorado, hereby apply for the position of Councilmember Ward II, and certify that I satisfy the qualifications to apply for Greeley municipal office as follows:

- ☒ I am a citizen of the United States
- ☒ I am at least 21 years of age
- ☒ I hold no other elective office
- ☒ I am a resident of the City of Greeley and have been for at least one year, and
- ☒ I have been a resident of Ward II for at least 90 days
- ☒ I have no felony convictions, and

I understand that these qualifications will be confirmed.

William Jack Schneider  
Signature of Applicant

July 25, 2017  
Date

HOME PHONE: ~	WORK PHONE: —	CELL PHONE: [REDACTED]
E-MAIL: [REDACTED]	OCCUPATION: <u>agronomy - Real Estate Development</u>	
PLEASE LIST YOUR WORK EXPERIENCE, COMMUNITY INVOLVEMENT, AND EDUCATION OR TRAINING WHICH APPLY TO THIS POSITION: (attach additional sheet(s) if needed)		
<p>Grew up in West Greeley - High School Windsor - Military Air Force - CSU graduate in Agronomy. Job experience includes international agriculture development working with many foreign governments. Enjoy helping new immigrants dealing with our government procedures. Served on Storm Water Board. Volunteered for others.</p>		
BRIEFLY DESCRIBE THE REASONS FOR YOUR INTEREST IN SERVING ON CITY COUNCIL: (attach additional sheet(s) if needed)		
<p>Have worked with many Department heads like; Planning water &amp; Sewer, Public Works, Parks &amp; Recreation and City Manager. Short learning curve to be helpful. Like to solve problems through researching issues. My only agenda would be representing Ward II citizens. Will <del>be</del> be helpful on a short time basis. I will NOT SEEK reelection.</p>		





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JUL 27 2017

CITY OF GREELEY  
City Clerk's Office

**CITY OF GREELEY, COLORADO**

**Application for Appointment to City Council (Ward II)**

Application deadline is 5:00 p.m., July 28, 2017

File with the City Clerk, 1000 10<sup>th</sup> Street, Greeley, Colorado 80631

I, Linde Thompson (full name of applicant), who  
resides at 1616 12th Avenue (street address) in the City of  
Greeley, Colorado, hereby apply for the position of Councilmember Ward II, and certify  
that I satisfy the qualifications to apply for Greeley municipal office as follows:

- ☒ I am a citizen of the United States
- ☒ I am at least 21 years of age
- ☒ I hold no other elective office
- ☒ I am a resident of the City of Greeley and have been for at least one year, and
- ☒ I have been a resident of Ward II for at least 90 days
- ☒ I have no felony convictions, and

I understand that these qualifications will be confirmed.

Signature of Applicant <u>Linde Thompson</u>		Date <u>July 27, 2017</u>
HOME PHONE [REDACTED]	WORK PHONE [REDACTED]	CELL PHONE: [REDACTED]
E-MAIL [REDACTED]	OCCUPATION: <u>property manager</u>	
PLEASE LIST YOUR WORK EXPERIENCE, COMMUNITY INVOLVEMENT, AND EDUCATION OR TRAINING WHICH APPLY TO THIS POSITION: (attach additional sheet(s) if needed)		
<u>Please see Attachment 1</u>		
BRIEFLY DESCRIBE THE REASONS FOR YOUR INTEREST IN SERVING ON CITY COUNCIL: (attach additional sheet(s) if needed)		
<u>Please see Attachment 2</u>		

## **To the Greeley City Council and Staff**

### **Attachment 1**

Since 1985, I have been an owner of several small businesses in Greeley, most of them centered on the university neighborhood where I live.

- I started Margie's Java Joint and The Book Stop with my family many years ago, and still own that commercial property, which we now lease to five small businesses — The Farmer's Pantry, Margie's Café, Madison & Main Art Gallery, The Bar.Ber.Shop salon, and Longview Creamery.
- With my husband and business partner, Ron Thompson, I have purchased and rehabilitated several historic properties and residences and currently manage 26 apartments in Wards I and II.
- We founded The Kress Cinema & Lounge in downtown Greeley, which my family owns and operates.
- Over the past two decades, I have volunteered on City of Greeley boards and commissions, including terms on the Historic Preservation Commission, the Downtown Development Authority, and the University District.
- In addition, I've participated on the boards of the Student Media Corporation/UNC Mirror; The Stampede Troupe; Historic Greeley, Inc.; and numerous public school efforts while my daughters were students at Cameron Elementary, Heath Middle School, and Greeley Central High School.
- I've served in several statewide roles in historic preservation efforts, including board terms for Colorado Preservation, Inc. and the State Historical Fund. I've written grants totaling more than \$500,000 for rehabilitation projects in downtown Greeley.

### **Attachment 2**

With the exception of a few years in college in the 1980s, Ward II has been my home for my entire life. I not only live here, I conduct most of my business in this neighborhood, and I'm extremely vested in seeing it improve and prosper.

Like many of my neighbors in Ward II, I think that this is best accomplished by having an engaged representative on the City Council. I pledge my best effort to serve as this representative if appointed for this short term. However, I also pledge that I'm NOT a candidate for the November election for Ward II. As such, my appointment can allow the residents of Ward II to vote in November for a candidate of their choice from an even campaign field — a candidate who doesn't benefit from this interim City Council appointment.

Until then, I believe my service could provide City Council with a sincere and committed council representative for Ward II.

Thank you for your consideration, and thank you for your service to Greeley.

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JUL 28 2017

CITY OF GREELEY  
City Clerk's Office



**CITY OF GREELEY, COLORADO**

**Application for Appointment to City Council (Ward II)**

Application deadline is 5:00 p.m., July 28, 2017

File with the City Clerk, 1000 10<sup>th</sup> Street, Greeley, Colorado 80631

I, AARON K WOOTEN (full name of applicant), who  
resides at 1823 Pinecrest Lane (street address) in the City of  
Greeley, Colorado, hereby apply for the position of Councilmember Ward II, and certify  
that I satisfy the qualifications to apply for Greeley municipal office as follows:

- ☒ I am a citizen of the United States
- ☒ I am at least 21 years of age
- ☒ I hold no other elective office
- ☒ I am a resident of the City of Greeley and have been for at least one year, and
- ☒ I have been a resident of Ward II for at least 90 days
- ☒ I have no felony convictions, and

I understand that these qualifications will be confirmed.

Aaron K. Wooten

Signature of Applicant

7/28/17

Date

HOME PHONE: [REDACTED]	WORK PHONE: [REDACTED]	CELL PHONE: [REDACTED]
E-MAIL: [REDACTED]	OCCUPATION: <u>Business Owner</u>	
PLEASE LIST YOUR WORK EXPERIENCE, COMMUNITY INVOLVEMENT, AND EDUCATION OR TRAINING WHICH APPLY TO THIS POSITION: (attach additional sheet(s) if needed)		
<u>I serve on the human relations commission &amp; creative district board for the city of Greeley. I own a business in downtown Greeley. My background is in communications and I served on staff at Christ Community Church for almost 7 years.</u>		
BRIEFLY DESCRIBE THE REASONS FOR YOUR INTEREST IN SERVING ON CITY COUNCIL: (attach additional sheet(s) if needed)		
<u>I love Greeley. I own 3 houses in Ward 2. I am deeply invested in Ward 2 and in the city of Greeley. I want to continue to serve my neighbors &amp; community and believe that I'd be useful if appointed to the City Council</u>		

## Questions for 2017 Ward II Vacancy Appointment

1. What makes you uniquely qualified to serve in this Council position?
2. What do you consider to be the most critical issues facing the City of Greeley within the next five years, and what would your solutions be?
3. What is your expectation of the time commitment necessary to serve on the City Council, and are you able to invest this time?



# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 17**

### Title

Scheduling of Meetings, Other Events

### Summary

During this portion of the meeting the City Manager or City Council may review the attached Council Calendar or Worksession Schedule regarding any upcoming meetings or events.

### Attachments

Council Meetings/Other Events Calendar

Council Meeting/Worksession Schedule

# July 2017 - September 2017

August 2017						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2017						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jul 30	31	Aug 1 6:30pm City Council Meeting (1025 9th Ave)	2	3 7:00am Poudre River Trail (Finn) 3:30pm IG Adv. Board (Gates) 6:00pm MPO (Casseday, Norton))	4	5
6	7	8 5:00pm City Council Worksession (1025 9th Ave)	9	10 10:00am School District 6 Ribbon Cutting - New GAP & Career Prep West 11:30am Weld Project Connect (Finn) (United)	11	12 11:00am Archibque Park Dedication (Details forthcoming)
13	14	15 7:30am Visit Greeley (Finn) 6:30pm City Council Meeting (1025 9th Ave)	16 10:00am Applied Technology and Trades Center Ribbon-Cutting Event 2:00pm Water & Sewer Board (Norton) (School District	17 7:30am DDA (Elder/Casseday) 3:30pm Airport Authority (Elder/Finn)	18	19
20	21 7:00am Council/Manager Breakfast Meeting (Training Room, City Hall)	22 5:00pm City Council Worksession (1025 9th Ave)	23	24	25	26 10:00am Roundtables with Rochelle (Joe Molina Art Gallery, 930 8th Avenue, Greeley CO)
27	28 11:30am Greeley Chamber of Commerce (Gates) 6:30pm Youth Commission (Sleight)	29	30 7:00am Upstate Colorado Economic Development (Norton/Finn)	31 7:30am Annual Breakfast with Weld County Commissioners (Egg & I on W. 10th Street, Greeley) - Council Master Calendar	Sep 1	2
3	4	5 6:30pm City Council Meeting (1025 9th Ave)	6	7 7:00am Poudre River Trail (Finn) 3:30pm IG Adv. Board (Gates) 6:00pm MPO (Casseday, Norton))	8 4:00pm GET Regional Transportation Center Grand Opening & Open House (GET Regional Transportation Center) -	9



## City Council Meeting Schedule

<u>Date</u>	<u>Description</u>	<u>Staff Contact</u>	
August 8, 2017 Worksession	2018 Water, Sewer, & Stormwater Budgets and Rate Recommendations	Victoria Runkle	1.00
	Metropolitan Districts/Title 32 Districts Overview	Brad Mueller	1.00
	Planning Commission Interviews	Betsy Holder	1.00
August 15, 2017 Council Meeting	Resolution - Memorandum Agreement for Transportation Planning with the NFRMPO	Joel Hemesath	Consent
	Resolution - IGA for Transit Services with Fort Collins	Joel Hemesath	Consent
	Resolution - IGA with Central Colorado Water Conservancy District for Bypass Structures	Burt Knight	Consent
	Ordinance - Final - Alpine Flats Rezone	Brad Mueller	Regular
	Board and Commission Appointments	Betsy Holder	Regular
August 21, 2017 Council/Manager Breakfast Meeting			
August 22, 2017 Worksession	Human Relations Commission Report	Sharon McCabe	0.50
	2018 - 2022 Capital Improvement Program	Victoria Runkle	0.50
	2017 Budget Presentations - to include Human Resources, Information Technology, Finance, City Attorney's Office, City Clerk's Office, City Manager's Office, Economic Development, and Municipal Court	Victoria Runkle	1.20
	Executive Session		
September 5, 2017 Council Meeting			
September 12, 2017 Worksession	2018 Budget Presentations to include Culture, Parks, and Recreation, Fire, Community Development, and Public Works	Victoria Runkle	2.00
September 18, 2017 Council/Manager Breakfast Meeting			
September 19, 2017 Council Meeting	Board and Commission Appointments	Betsy Holder	Regular
September 26, 2017 Worksession	2018 Budget Presentations to include Police	Victoria Runkle	0.50
	Annual CDBG Presentation	Becky Safarik	0.50
	Sales Tax Definitions Discussion	Victoria Runkle	0.50
October 3, 2017 Council Meeting	Ordinance - Intro - 2018 Budget	Victoria Runkle	Consent
	Public Hearing - 2018 CDBG and Home Budget	Becky Safarik	Regular
October 10, 2017 Worksession	Auditor Selection	Victoria Runkle	0.10
October 16, 2017 Council/Manager Breakfast Meeting			
October 17, 2017 Council Meeting	Ordinance - Final - 2018 Budget	Victoria Runkle	
	Board and Commission Appointments	Betsy Holder	Regular
October 24, 2017 Worksession	Monthly Financial Report	Victoria Runkle	0.50
	3rd Quarter CIP Update		
November 7, 2017 Council Meeting			
November 14, 2017 Worksession			
November 20, 2017 Council/Manager Breakfast Meeting			
November 21, 2017 Council Meeting			
November 28, 2017 Worksession	Monthly Financial Report	Victoria Runkle	0.50

December 5, 2017			
Council Meeting			
December 12, 2017			
Worksession			
December 18, 2017			
Council/Manager			
Breakfast Meeting			
December 19, 2017			
Council Meeting	Board and Commission Appointments	Betsy Holder	Regular
December 26, 2017	Monthly Financial Report	Victoria Runkle	0.50
Worksession			



# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 18**

### Title

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

### Council's Recommended Action

A motion to approve the above authorizations.

# Council Agenda Summary

August 1, 2017

## **Agenda Item Number 19**

### Title

Adjournment

### Council's Recommended Action

If there is no further business, the presiding officer declares the meeting adjourned.