



Mayor
Tom Norton

Councilmembers

Rochelle Galindo
Ward I

Brett Payton
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

September 5, 2017 at 6:30 p.m.

School District Six Board of Education Meeting Room

1025 9th 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 Proceedings of the August 15, 2017 City Council Meeting
10. Approval of the Report of the August 21, 2017 City/Manager Breakfast Agenda
11. Approval of the Report of the August 22, 2017 City Council Worksession
12. Consideration of a Resolution finding substantial compliance with state annexation laws for a parcel of property known as the Dale Annexation, located at 398 East 18th Street

13. Consideration of three (3) Resolutions finding substantial compliance with state annexation laws for three (3) parcels of property known as the Signature Bluffs Natural Area Annexations Nos. 1-3, located east of County Road 27 and north of River Run Drive
14. Consideration of a Resolution dedicating two portions of 20th Street between 1st Avenue and Balsam Avenue
15. Consideration of a Resolution authorizing assignment to the Colorado Housing and Financing Authority of a Private Activity Bond Allocation of the City of Greeley pursuant to the Colorado Private Activity Bond Ceiling Allocation Act
16. Consideration of a Resolution of the City Council of the City of Greeley, Colorado, accepting the Human Relations Commission's August 22, 2017 Report on Immigration
17. Introduction and first reading of an ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2017 and for funds held in reserve for encumbrances at December 31, 2016

End of Consent Agenda

18. Pulled consent agenda items
19. Appointment of Applicants to the Planning Commission
20. Scheduling of meetings, other events
21. 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
22. Adjournment

Council Agenda Summary

September 5, 2017

Agenda Item Number 1-3

Title

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

Mayor Norton
Councilmember Payton
Councilmember Galindo
Councilmember Gates
Councilmember Casseday
Councilmember Elder
Councilmember Finn

Council Agenda Summary

September 5, 2017

Agenda Item Number 4

Title

Recognitions and Proclamations

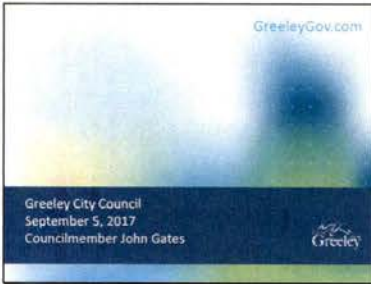
Summary

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

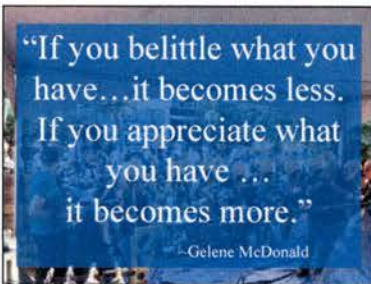
Attachments

September 5, 2017 What's Great About Greeley Report

Slide 1

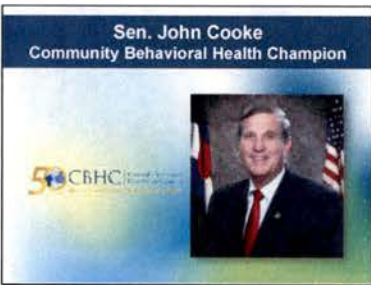


Slide 2



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



Congratulations to Senator John Cooke for being chosen as a Community Behavioral Health Champion by the Colorado Behavioral Healthcare Council. The Council selects the honorees by determining who consistently demonstrates a passion for advancing public policy related to behavioral health.

Slide 4



Greeley West High School agri-science teacher Samantha Maxwell has been named an Agri-science Teacher Ambassador by the National Agri-science Teacher Academy, joining 369 other teachers with this distinction across the country.

Slide 5



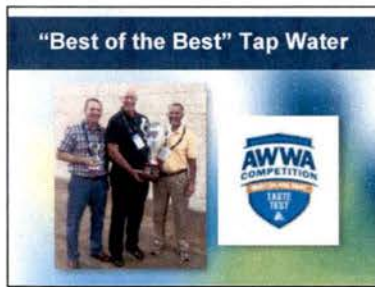
Dan Dennie of Greeley, a former United Way of Weld County board chairman, was named as an Outstanding Volunteer by the 2017 Governor's Service Awards. The awards are given in recognition of community service leaders and AmeriCorps members who distinguish themselves by providing outstanding service.

Slide 6



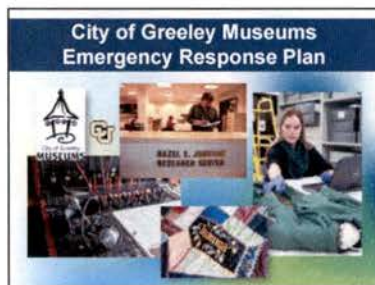
BizWest recently recognized a number of Northern Colorado individuals with the annual Bravo awards. Congratulations to Dean Herl with Noffsinger Manufacturing who was selected as Entrepreneur of the Year and Neil Fisher, WeldWerks Brewing co-owner, who received the Bravo! Emerging Entrepreneur of the Year Award.

Slide 7



Greeley has won the thirteenth annual “Best of the Best” Tap Water Taste Test from the American Water Works Association. The event, comprised of 34 regional winners from water-tasting competitions across North America, was held at the association’s Annual Conference and Exposition in Philadelphia. The People’s Choice award winner, as determined by the conference attendees, was also awarded to the City of Greeley from among almost 1,000 entries. This is the first time in history that a municipality has won both awards in the same year.

Slide 8



Samantha Eads with the CU Museum of Natural History, reached out to our Museums’ staff to learn about Greeley Museums’ emergency response plan. She’s planning to model their plan after Greeley’s. It is just another example of how our museums and the City of Greeley sets the standard for excellent work that others seek to model within their programs.

Slide 9



Council Agenda Summary

September 5, 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

September 5, 2017

Agenda Item Number 6

Title

Approval of the Agenda

Council Agenda Summary

September 5, 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 rd Wed, 2:00 pm	Norton
Youth Commission Liaison	4 th Mon, 6:30 pm	Payton
Historic Preservation Loan	As Needed	Galindo
Police Pension Board	Quarterly	Galindo
Employee Health Board	As Needed	Galindo
Airport Authority	3 rd Thur, 3:30 pm	Elder/Finn
Visit Greeley	3 rd Tues, 7:30 am	Finn
Upstate Colorado Economic Development	Last Wed, 7:00 am	Norton/Finn
Greeley Chamber of Commerce	4 th Mon, 11:30 am	Gates
Island Grove Advisory Board	1 st Thur, 3:30 pm	Gates
Weld Project Connect Committee (United Way)	As Needed	Gates
Downtown Development Authority	3 rd Thur, 7:30 am	Elder/Casseday
Transportation/Air Quality MPO	1 st Thur, 6:00 pm	Casseday/Norton, Alternate
Poudre River Trail	1 st Thur, 7:00 am	Finn
Highway 85 Coalition	As Needed	Payton
Highway 34 Coalition	As Needed	Payton
CML Policy Committee (Council or Staff)	As Needed	Norton/Payton, Alternate
CML Executive Board opportunity		Casseday
CML - Other opportunities	As Available/Desired	All

Council Agenda Summary

September 5, 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
September 5, 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

September 5, 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 17 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

September 5, 2017

Agenda Item Number 9

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

Title

Approval of the City Council Proceedings of August 15, 2017

Summary

A meeting of the City Council was held on August 15, 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

August 15, 2017 Proceedings

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
August 15, 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 9th 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 Brett Payton.

4. Recognitions and Proclamations

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

5. Citizen Input

Steve Teets, Greeley resident, expressed his disappointment with residents of Greeley during Senator Gardner's visit. Mr. Teets also spoke of the Veteran Affairs Clinic that is relocating to Loveland and asked Council to consider adding transit services to this area because it can be difficult for people to get to Loveland. Mayor Norton noted that Transit staff is working on a plan that would make it easier for people to get to the clinic.

6. Approval of Agenda

The agenda was approved upon noting the addition of Item No. 14A and additional documentation for Item No. 16.

7. Reports from Mayor and Councilmembers

Councilmember Elder expressed her condolences for the family of Mike Geile and spoke of the Greeley/Weld County Airport audit that went well; Councilmember Galindo spoke of the visits from Senators Bennett and Gardner; and her attendance at the Police Pension Board meeting, the West Greeley Conservation District BBQ at Houston Gardens, the park dedication for the renaming of the Charlie and Laura Archibeque Park, and the School District Six Kick-Off event. She reminded her constituents of her Roundtable with Rochelle meetings that are held on the last Saturday of the month at 10:00 a.m., noting that future meetings will be held at the Cranford Cove Tea Tavern located at 823 10th Street.

8. Petitions from Mayor and Councilmembers

There were no petitions offered from Councilmembers.

****** Consent Agenda ******

9. Acceptance of the Proceedings of the August 1, 2017 City Council Meeting

The Council action recommended was to approve the Proceedings.

10. Approval of the Report of the August 8, 2017 City Council Worksession

The Council action recommended was to accept the Report.

11. Consideration of a Resolution of the City of Greeley Council authorizing the City to enter into a memorandum of agreement for transportation planning and programing between North Front Range Metropolitan Planning Organization, Transfort, Greeley Evans Transit, and The Colorado Department of Transportation

The Council action recommended was to adopt the resolution. (Resolution No. 66, 2017)

12. Consideration of a Resolution of the City of Greeley Council authorizing the City to enter into an intergovernmental agreement for the provision of supplemental transit services by the City of Greeley, Colorado to the City of Fort Collins, Colorado for Colorado State Football game day service

The Council action recommended was to adopt the resolution. (Resolution No. 67, 2017)

13. Consideration of a Resolution of the Greeley City Council Authorizing Entry into an Intergovernmental Agreement with the Central Colorado Water Conservancy District for Use of the Ogilvy Ditch Bypass Structure

The Council action recommended was to adopt the resolution. (Resolution No. 68, 2017)

14. Consideration of a Resolution approving a reimbursement agreement with the Federal Aviation Administration for work undertaken to complete an update of the Greeley-Weld County Airport master plan

The Council action recommended was to adopt the resolution. (Resolution No. 69, 2017)

14A. Consideration of a Resolution authorizing the Mayor to enter into a Memorandum of Understanding between the City of Greeley's Police Department and the Weld County Sheriff's Office regarding distribution of joint funding provided by the Bureau of Justice Assistance

The Council action recommended was to adopt the resolution. (Resolution No. 70, 2017)

***** 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

15. Pulled Consent Agenda Items

There were no items pulled from the Consent Agenda.

16. Public hearing to consider a change of zone from R-L (Residential Low Density) and C-H (Commercial High Intensity) zone districts to R-H (Residential High Density) zoning for approximately 8.728 acres of property known as Alpine Flats, located at 5002 and 5030 20th

Street, and a public hearing and final reading of an Ordinance changing the official zoning map to reflect the same

Councilmember Casseday recused himself from the matter and left the meeting at 6:52 p.m.

Brad Mueller, Community Development Director, reviewed the rezone request by Richmark Real Estate Partners, LLC for Alpine Flats located at 5030 and 5002 20th Street. He reviewed the existing zoning, the request for a zone change, the rezone boundary map, definitions for zoning, the Development Concept Master Plan (DCMP) including the applicant's proposal for additional restrictions on the property through the DCMP, minimum buffer yard requirements, height and building location limitations, proposed density study, visuals of the proposed location, and site considerations.

Joel Hemesath, Public Works Director, spoke of the proposed rezone in regards to traffic and traffic counts noting that a nearby intersection does not meet traffic signal warrants, but is getting close. He reported that there are sidewalk concerns, which will be addressed during construction, if approved. Staff will do a speed study at 50th and 51st Avenues to determine if there is a need for a school signal to slow down traffic during school hours.

Councilmember Galindo expressed the need to ensure that the traffic study was done accurately and is good information for her and the rest of Council to make a decision. She inquired as to what it would take to have a traffic signal installed, and Mr. Hemesath reviewed the pertinent criteria regarding traffic signal warrants.

Councilmember Elder requested that he provide Council with specific numbers for the traffic counts that would warrant a signal.

Mr. Mueller noted that a request like this requires a number of studies, not just traffic, to assess a recommendation. He reviewed the rezoning criteria used to evaluate the request, the administrative review conducted by staff, neighborhood notification, and the Planning Commission's recommendation of approval on July 25, 2017.

Tyler Richardson, applicant, thanked Council for hearing this request noting that it was carefully thought through to address concerns by the community. He reported that he travels, lives, and works near the site often and understands the issues. He explained that he is a local business owner and that this development will be done in a way to ensure it will give the community what it needs. He expressed that this request is different than one that was filed in 2015 that aims to reduce traffic and asked Council to approve the application.

Stephanie Hanson, Urban Designer, spoke of the proposed site and provided a history for the property including other offers that have been made including construction of a bank and a convenience store. She listed other uses that are approved under the existing zoning that could impact traffic. She reviewed the City zoning patterns, use by right, recent newspaper articles regarding the city-wide need for more housing, proposed zoning, the self-imposed DCMP including a landscape buffer, land use code, and a neighborhood meeting held with the newly proposed plan. She spoke of plans to address the neighborhood's concerns of increased traffic, increased crime, decrease in property values, upkeep of property, and potential parking issues. She spoke of the DCMP from 2015 and the one from today noting that there are no variance requests associated with this application.

Councilmember Elder inquired about trailer and recreational vehicle parking, and Ms. Hanson reported that there are regulations regarding these types of vehicles especially on the street and that the covenants of the property would address this issue.

Mayor Norton requested a show of hands of those in the audience to show those that are opposed/in favor of the rezone; it appeared a larger number of audience members opposed the rezone request.

Mayor Norton opened the public hearing at 7:49 p.m.

Cheryl Phillips, Greeley resident, expressed her opposition for the rezone, noting that her home is her most valuable asset and that she has worked hard to achieve it and wants to protect it. She stated that each house in this subdivision is unique and that a development such as this would lower home values by 14⁰% and that there are 35 single family homes that will be affected. She stated that the Greeley Municipal Code regarding development promotes quality development and land uses that are compatible with its surroundings and that this request does not fit within that.

Colleen Frost, Greeley resident, thanked Mr. Richardson for private meetings with citizens noting that she lives right across from the proposed site. She stated that she cannot agree with the rezone request as she has put her house up for sale and has been unable to sell it because of this proposed project. She expressed concerns about home values and the possibility that she will not be able to sell her home.

Kevin and Kelcy Kline, Greeley residents, both spoke in favor of the rezone stating that they are recent graduates and that finding housing when they first moved to Greeley was difficult. They expressed that they would love to see more young professionals move to this area and there is a need to build within Greeley city limits. They expressed their view that this development would allow affordable alternatives.

Lynne Zoyiopoulos, Greeley resident, expressed her opposition for the rezone stating that safety is the primary concern noting concerns for the schools in the area and associated traffic. She asked Council to think of the quality of life for those living in the area.

Steve Teets, Greeley resident, expressed his opposition noting concerns about safety and that this area would be more appropriate for duplexes or something like that. He agrees there is a need for affordable housing, but that the surrounding area is going to continue to grow and create more problems and that apartments are not the solution.

Charlotte Telleson, Greeley resident, spoke in opposition of the rezone noting traffic and sidewalk concerns and that when it snows it is difficult for this area to melt which will only be exacerbated by a 40' tall building.

Justin Davenport, Greeley resident, reported that he has lived in Greeley his whole life and that he would like other young professionals to have the opportunity to live in the City and noted his support for this project.

Melissa Corriveau, Greeley resident, noted that her family moved here from the western slope in 2011 and chose Greeley. She expressed concerns of safety, privacy, and crime noting that she appreciates the fact that Richmark wants to build something on this property but that she would like to see something that is more compatible with the current zoning, asking that Richmark consider townhomes instead of an apartment complex.

Mal Elkins, Greeley resident, expressed opposition for the rezone noting that he felt this type of development would benefit downtown better because that is where the growth is being promoted.

Jeff Corriveau, Greeley resident, stated that he is opposed to the unknown as residents do not know what is going to be built and that they want to be able to participate in the process. He asked that Council table this item as Richmark has already been working on it for three years. Mayor Norton noted that these details

regarding this project would go through the Planning Department if the rezone is approved.

Burnita Walters, Greeley resident, spoke of her opposition to the rezone stating that she is appealing to Council's emotions asking that Council respect voters and deny the request.

Carol Stephens, Greeley resident, was opposed to the rezone expressing that it will only benefit the Richardson group and would be detrimental to the neighborhood. She stated that there are no other three story apartment buildings in the area and that residents are not opposed to building on this site, but that the development needs to be in line with the neighborhood. She asked that council rule against the rezone request.

Frank Hummel, Greeley resident, reported that he was the first golf pro in the City and that this subdivision is a golf course community. He stated that he has big concerns that there are no specifics with the plans involved and that residents have so much invested in their own properties. He stated residents have paid for the streets, water, and sewer and that this is not being considered at all.

Richard Stephens, Greeley resident, is opposed to the rezone reporting that he came to Greeley 5 years ago to retire, specifically choosing Greeley, and that the future of the subdivision is in their hands noting that this development is a game of economics.

Matt Wagy, Greeley resident, expressed that his main concern is compatibility and that by City Code it should have harmony in design. He stated that he would like to see this developed as duplexes, 4-plexes, or townhomes and asked Council to consider the compatibility of 3-story apartments next to single-family homes.

Paul Roquet, Greeley resident, stated that zoning is designed to keep different densities separate, maintain the neighborhood, keep private interests out, channel traffic, and not hurt property values. He asked that Council consider these factors because by definition zoning is designed to keep this sort of development from happening.

Nancy McNamee, Greeley resident, asked that Council vote no on this rezone noting concerns that it is difficult to exercise in this area because there are no sidewalks and that she walks in the bike lane for safety. She expressed concern for children walking to school with the amount of traffic that will occur with this project.

Mick Phillips, Greeley resident, stated that this project would destroy the quality of life in this subdivision noting that there are no formal plans from Richmark. He spoke of the downtown hotel project, which Richmark is involved in, and that those involved with Richmark have contributed to Mayor Norton's campaign in the past. He asked that Councilmembers recuse themselves from this vote if there is a conflict of interest.

Randy Burt, Greeley resident, stated that he has lived in Greeley his entire life and that he recognizes that there are mixed feelings about the rezone request. He expressed that he is confident that this change will be positive and asked Council to support the rezone to alleviate limited housing, increase tax revenue and bring additional customers to Greeley businesses.

Lisa Roquet, Greeley resident, noted that walking in this area is not a possibility due to the 40 mile per hour speed limit. She expressed that this process favors development and those with money noting that many of her neighbors are not present because they do not want to live in this area anymore with the proposed development.

David Andre, Greeley resident, stated that this is a highly emotional decision as there is a need for housing, but in appropriate areas and that zoning is supposed to preserve the character of the neighborhood. He stated that residents are sharing that the biggest investment of their lives is going to be changed and that Council should listen to that. He stated that he has no question that the Richardson family has good intentions, but that this area is inappropriate highlighting safety and traffic concerns.

Jeff Wenaas, Greeley resident, stated that he is President and CEO of Hensel Phelps noting that he is very familiar with the area and that Hensel Phelps is not involved in this project or any residential building. He stated that Hensel Phelps employs 200 people, and that less than half live in Greeley. He expressed that he feels this is a great opportunity to increase property values and that this rezone will be beneficial.

LaVerne Dressor, Greeley resident, reported that she bought her home in 1962 and that she would be interested in moving into this development in the future because she needs to downsize her home, but expressed concern that she will not be able to sell her home in the future, if this project comes to fruition.

Brian Sear, Greeley resident, reported that Greeley is the fourth fastest growing city, outpacing Denver, and even California and that there is a need for all types of housing. He expressed that this development would be attractive and inclusive with the proximity to the Centerplace Shopping Center, golf, and parks, which is why he lends his support to this project.

Kelley Roquet, Greeley resident, stated that apartments on this site for young professionals is not a good idea as it is not a good fit.

Sean Hagan, Greeley resident, expressed that apartment complexes are not the place to go to establish yourself in a city noting that established residents in this area are concerned about property values and want to move from this area because of already existing traffic congestion.

Bob Hubert, Greeley resident, asked for clarity with the development as to what will actually be built and if the cul-de-sac that he lives on near the proposed development will be opened up if this rezone is approved. Mayor Norton stated that the cul-de-sac could be opened and that would allow access to the development from either side. Mr. Hubert expressed that this development is hard to get on board with, as he does not know if it is for Greeley's greater good and beneficial to the neighborhood.

Mayor Norton closed the public hearing at 9:06 p.m.

Ms. Hanson addressed concerns that were expressed regarding compatibility, snow and ice, required setbacks, noting that the sidewalks will be completely rebuilt to increase safety. She stated that 200 units is a maximum number that would be developed on the site, but that it would likely be less than that.

In regards to the cul-de-sac, Mr. Mueller reported that this is an access by right to this property and that, if approved, any development would be required to be reviewed against City Code in an administrative review process.

Councilmember Galindo expressed her appreciation for citizen participation and that she has concerns with traffic congestion, but that the project meets all of the zoning requirements. Ms. Galindo reported that she has not received any campaign contributions from any developers, and that she is in support of this project.

Councilmember Elder stated that she hears the concerns of residents, but that there is a need for housing in Greeley and that this development meets the zoning criteria. She expressed concern about traffic and school traffic noting that she would like to see another traffic study done in 6-8 months if this project is approved. She expressed her support for the rezone stating that she wants what is best for the neighborhood.

Councilmember Gates stated that regardless of the decision made by Council, there are going to be people who are upset. He stated he is aware of the strong opposition for the rezone in the neighborhood and that he read all of the communications provided in the agenda packet. He stated that this has been a vacant lot for the last 10 years that is unsightly and that any development on this site is going to impact the neighborhood. He stated that he scrutinized the traffic study and that since this development meets all of the rezone criteria, he will support this request.

Mayor Norton spoke of campaigns and campaign donors noting that he does not believe that this would require him to recuse himself as he has no financial interest in the project and there is no gain for him as he is term limited. He expressed his support for the rezone request noting that he is trying to do the right thing for the community as a whole.

Councilmember Gates moved, seconded by Councilmember Elder to find that, based on the project summary and accompanying analysis, the proposed rezoning from R-L (Residential Low Density) and C-H (Commercial High Intensity) zone districts to R-H (Residential High Density) zoning, with an associated Development Concept Master Plan, meets Development Code Section 18.30.050(c)(3) a, b, f, g and h; and Sections 18.30.055 and 18.38.140; and, therefore, approves the rezone. The motion carried: 6-0 (Councilmember Casseday was recused)

Councilmember Gates moved, seconded by Councilmember Galindo to adopt the ordinance and publish with reference to title only. The motion carried: 6-0 (Councilmember Casseday was recused) (**Ordinance No. 32, 2017**)

17. Appointment of applicants to the following Boards and Commissions: Civil Service Commission, Commission on Disabilities, Human Relations Commission, and Rodarte Center Advisory Board

Civil Service Commission	Kristi Ogren
Commission on Disabilities	Kate Stewart Recruit for additional applicants
Human Relations Commission	Ron Heil
Rodarte Center Advisory Board	Kyle Oliver Recruit for additional applicants

18. Scheduling of Meetings, Other Events

Roy Otto, City Manager, made mention of the upcoming memorial service for past Councilmember Ed Philipson and of the Fire Station No. 1 grand opening.

19. 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: 6-0 (Councilmember Casseday was recused)

20. Adjournment

There being no further business to come before the Council, Mayor Tom Norton adjourned the meeting at 9:27 p.m.

Thomas E. Norton, Mayor

Jessica Diagana, Assistant City Clerk

Council Agenda Summary

September 5, 2017

Agenda Item Number 10

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

Title

Acceptance of the Report of the August 21, 2017 City Council/City Manager session

Summary

A City Council/City Manager session was held on August 21, 2017, in the City Hall Training Room at 1000 10th 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

August 21, 2017 Report

City of Greeley, Colorado
CITY COUNCIL/CITY MANAGER SESSION REPORT
August 21, 2017

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

Those present were Mayor Tom Norton and Councilmembers Robb Casseday, Sandi Elder, Rochelle Galindo, and John Gates. Councilmembers Finn and Payton were excused.

The following items were discussed and no action taken:

1. Ambulance Contract Review
2. Uptown/Downtown Incentive Discussion

The session ended at 8:10 a.m.

Thomas E. Norton, Mayor

Council Agenda Summary

September 5, 2017

Agenda Item Number 11

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

Title

Acceptance of the Report of the August 22, 2017 City Council Worksession

Summary

A City Council Worksession was held on August 22, 2017, in the School District Six Board of Education Meeting Room, 1025 9th 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

August 22, 2017 Report

City of Greeley, Colorado
COUNCIL WORKSESSION REPORT
 August 22, 2017

The meeting was called to order at 5:04 p.m. by Mayor ProTem John Gates in the School District Six Board of Education Meeting Room, 1025 9th Avenue.

Those present were Mayor ProTem Gates and Councilmembers Robb Casseday, Sandi Elder, Michael Finn, Rochelle Galindo, and Brett Payton. Mayor Tom Norton arrived late.

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

1. HUMAN RELATIONS COMMISSION REPORT

Mayor Norton arrived at 5:07 p.m.

Roger Muller, Human Relations Commission (HRC) Member, provided a review of the report conducted by the City's Human Relations Commission relative to a public inquiry conducted on issues pertaining to human rights as requested by the City Council at its March 21st meeting. He noted that specifically, the request was for the HRC to initiate a review of all efforts currently in place in Greeley to educate the immigrant and non-immigrant populations on immigration issues in this community.

Mr. Muller's highlights of the report included information on the groups identified for contact, which included religious, governmental, individual, resource, organizational, and educational; development of questions to ask; a determination of what is going on in the community, which he noted that there are tremendous resources and services available to serve this population; debunking some myths about this population and the realization that there are a lot of misunderstandings in the community; the identification of gaps and fears in terms of resources; a note about what is going on to educate people about immigration in general; the responsibility of local law enforcement, which appeared to show that law enforcement is following protocol called out; and finally, the identification of what the local community could do.

Mr. Muller reviewed the recommendations offered from the Human Relations Commission which included the acknowledgement of the positive past and ongoing contributions of immigrants to this community; the acknowledgement of the on-going efforts of local law enforcement in the prevention and suppression of crime in this community; the continuation of bridge building to celebrate diversity and ethnic backgrounds by continued support of neighborhoods, the Drug Task Force, School Resource Officers, Neighborhood nights, and many other events in the community; the continued communication between the City Council and the HRC to address and resolve community issues; and an acknowledgement by the City Council that immigration is a significant emotional issue for this community consisting of many different perspectives which must be discussed and addressed.

Mayor Norton expressed appreciation for the work and efforts put forward by the HRC on this and encouraged ongoing work and recognition just as recommended.

Councilmember Elder expressed appreciation for the difference between undocumented individuals and refugees. She also announced an upcoming event titled "A Walk in Their Shoes" and encouraged everyone to participate if possible.

Councilmember Galindo stated that there does seem to be a lot of good support out there for Greeley's refugee population and noted that a lot of really good community members stepped up here to address

this important issue. She especially appreciated that the Report seemed to debunk the myths out there about what is or is not going on, and asked what the City Council can do moving forward. She also offered kudos to law enforcement for what it is already doing to respect someone's constitutional rights.

Aaron Wooten, HRC Member, conveyed to the Council that the HRC will continue to be a sounding board and resource for the City Council in this arena. He stressed that there are a lot of opportunities to build better and stronger relationships and to make some connections.

Councilmember Gates stated that the best way to honor this work done by the HRC is to formally accept this written report.

Deb Suniga, HRC Member, emphasized all the work that has been done and pointed out the diversity of the membership of the HRC who work throughout the entire State. She stated that she wants to continue to work closely with Council to build better communication.

Jeremy Davis, HRC Member, recommended the sharing of this powerful information. It is a very broad look at the pulse of the community, and there is a responsibility to share and educate the community in various conversations with family, friends, and constituents.

Mayor Norton expressed his agreement to accept this report and agreed with continued work and communication. He asked that staff publish and disseminate this report to the community and that this Report be placed on a future Council agenda for formal acceptance.

2. 2018 PROPOSED BUDGET PRESENTATIONS

Victoria Runkle, Assistant City Manager, introduced Robert Miller, Budget Manager, who reported that the proposed 2018 Budget will be provided to the Council in a series of meetings. He stated that this is the second year of the 2017-2018 Biennial Budget limited primarily to changes. He noted that updates will be provided by each Department over three upcoming Worksessions, and that this particular meeting would include budget overviews from Human Resources, IT, Finance, City Attorney's Office, City Council/City Clerk/City Manager's Offices, Economic Development, and Municipal Court.

Sharon McCabe, Human Resources Director, provided a review of the Department's accomplishments for 2017 and highlights for 2018. The total budget shows no changes, and staff count will remain the same. Charts showing employee turnover rates and 401K participation were discussed.

Discussion ensued about a policy change to be more competitive in the Labor Trades and Professional job classifications. Ms. McCabe noted that staff is looking at skill-based pay and a potential change to the merit policy, as well as some merit differential.

Mayor Norton asked that staff come back to Council with some recommended options to address this concern. He also suggested some comparisons with private sector companies rather than just the typical municipal government comparisons.

Patty Stokes, Information Technology Director, reviewed 2017 accomplishments for the Department, as well as 2018 highlights.

Discussion ensued about Spillman software and the recent upgrade, and overall some improvements and speed are being realized.

Ms. Runkle, Assistant City Manager and Finance Director, reviewed 2017 accomplishments and 2018 highlights.

Councilmember Galindo inquired about the average per person refund through the City's Food Tax Rebate Program, and Ms. Runkle advised that she would follow up and provide that to the Council and include the faith-based groups that were part of staff's outreach efforts as part of this program.

Doug Marek, City Attorney, noted that the 2018 budget is a status quo budget with no changes and reviewed 2017 achievements and 2018 highlights, and reviewed active projects by Department.

Betsy Holder, City Clerk, reviewed the policy and administration budgets, including Municipal Court, by looking at 2017 achievements and 2018 highlights.

Councilmember Elder inquired about the possibility of increasing parking tickets from \$10 in an effort to try and impact the number of people who don't pay fines because they are low.

Ms. Runkle advised that parking permits will be increasing, and Ms. Holder stated that a graduated fine schedule has been discussed.

Roy Otto, City Manager, reviewed the Economic Development Budget by discussing 2017 achievements and 2018 highlights. He discussed the Director position being held open going into 2018.

Councilmember Finn expressed that he continues to not be a fan of having an Economic Development Department and asked about collaborative efforts with Upstate.

Mr. Otto advised that the Economic Development Manager is very well connected with Upsate and engages with them and follow up on Upstate's leads on a regular basis.

Councilmember Finn noted that there are never any City staff members at the Upstate Board meeting each month, and Mr. Otto emphasized that it is at the request of Upstate that no staff be in attendance.

Councilmember Galindo expressed appreciation for the Economic Development staff and their young, fresh ideas and perspectives.

Mr. Miller noted that another budget review will occur at the next Worksession on September 12, 2017.

3. 2018 – 2022 CAPITAL IMPROVEMENT PROGRAM

Mr. Miller provided a brief review of the 2018-2022 CIP and individually reviewed the 2018 resources by fund and overall capital spending.

Item Nos. 4 and 5 below were switched at Council's request.

4. PLANNING COMMISSION INTERVIEWS

Councilmembers conducted interviews with Paulette Weaver and Gloria Hice-Idler for a vacant Planning Commission position. Candidate Lou Rotella did not show up for his scheduled time with the Council for this position.

5. EXECUTIVE SESSION

Councilmember Elder moved, seconded by Councilmember Finn to go into Executive Session to discuss pending litigation, potential litigation, and a cross-conveyance and stipulation of interest with Union Colony Company as provided under Colorado Revised Statutes 24-6-402(4)(b) and (e) and Greeley Municipal Code sections 2.04.020(2) and (5) in order to receive or request legal advice from the City Attorney and to provide instructions to negotiators. A vote on the motion was taken, and it carried: 7-0

The Executive Session began at 7:37 p.m. and ended at 8:33 p.m.

6. SCHEDULING OF MEETINGS, AND OTHER EVENTS

No additional meetings or events were scheduled.

There being no further business to come before the Council, Mayor Norton adjourned the meeting at 9:03 p.m.

Cheryl Aragon, Deputy City Clerk

Council Agenda Summary

September 5, 2017

Agenda Item Number 12

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

Title

Consideration of a Resolution finding substantial compliance with state annexation laws for a parcel of property known as the Dale Annexation, located at 398 East 18th Street

Summary

Dale Land, LLC, is petitioning to annex a parcel of property comprising approximately 5.03 acres located at 398 East 18th Street. The landowner is seeking annexation because of the proximity to city limits and to have access to city services.

Colorado Revised Statutes §31-12-104 and §31-12-105 establish the legal requirements for annexation. The City Attorney's Office has determined the proposal meets the statutory requirements to be considered for annexation (see attached memo). The annexation derives its contiguity, meeting State requirements, from East 18th Street to the north, and the northern boundary of the Sommersett Subdivision to the south.

Fiscal Impact

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial or onetime impact?	On-going impacts only
What is the annual impact?	Police, fire & other city services
What fund of the City will provide funding?	General budgeted funds
What is the source of revenue within the fund?	Varies
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments: None	

Legal Issues

Fulfills State requirements to allow a hearing.

Other Issues and Considerations

None noted.

Applicable Council Goal or Objective

Consistency with Comprehensive Plan and Development Code standards.

Decision Options

- 1) Adopt the resolution as recommended; or
- 2) Amend the resolution and adopt as amended; or

- 3) Deny the resolution; or
- 4) Continue the item to a date specific.

Council's Recommended Action

A motion to adopt the Resolution and set the public hearing for October 17, 2017.

Attachments

Resolution with Legal Description

Vicinity Map

Attorney's Office Determination of Substantial Compliance

CITY OF GREELEY, COLORADO

RESOLUTION NO. ____, 2017

A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE WITH STATE ANNEXATION LAWS FOR PROPERTY KNOWN AS DALE LAND ANNEXATION LOCATED AT 398 E. 18TH STREET INTO THE CITY OF GREELEY. THE SUBJECT SITE IS COMPRISED OF 5.03 ACRES.

WHEREAS, Dale Land, LLC submitted an annexation petition to the City of Greeley for annexation of property located at 398 E. 18th Street.

SEE ATTACHED LEGAL PROPERTY DESCRIPTION

WHEREAS, the City of Greeley staff has found substantial compliance of the annexation petition in conformance with C.R.S. §31-12-101, *et seq.*; and

WHEREAS, C.R.S. §31-12-108 requires that the City Council establish a date, time, and place to hold a hearing to determine if the proposed annexation complies with C.R.S. §§ 31-12-104 and 31-12-105, or such parts thereof, to establish eligibility for annexation to the City of Greeley; and

WHEREAS, the City Clerk shall deliver notice and publish the date, time, and place for said hearing.

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

1. The annexation petition is found to substantially comply with C.R.S. §§ 31-12-104 and 31-12-105.
2. The public hearing for consideration of the proposed annexation petition is hereby set for October 17, 2017, at the School District Six Board of Education Meeting Room, 1025 9th Avenue, Greeley, Colorado, during a regular City Council meeting beginning at 6:30 p.m.
3. The City Clerk is hereby authorized to publish and notify required parties pursuant to C.R.S. §31-12-108(2).
4. This resolution shall become effective immediately upon its passage.

PASSED, AND ADOPTED, SIGNED AND APPROVED THIS 5TH DAY OF SEPTEMBER, 2017.

ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor

EXHIBIT 'A'

LEGAL DESCRIPTION

LOT 1 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, ACCORDING TO THE SUBDIVISION OF LAND MADE BY THE UNION COLONY OF COLORADO, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9 AND CONSIDERING THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO BEAR NORTH 89°22'03" EAST, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 89°22'03" EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9, A DISTANCE OF 996.42 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89°22'03" EAST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 332.09 FEET TO THE NORTHEAST CORNER OF SAID LOT 1;

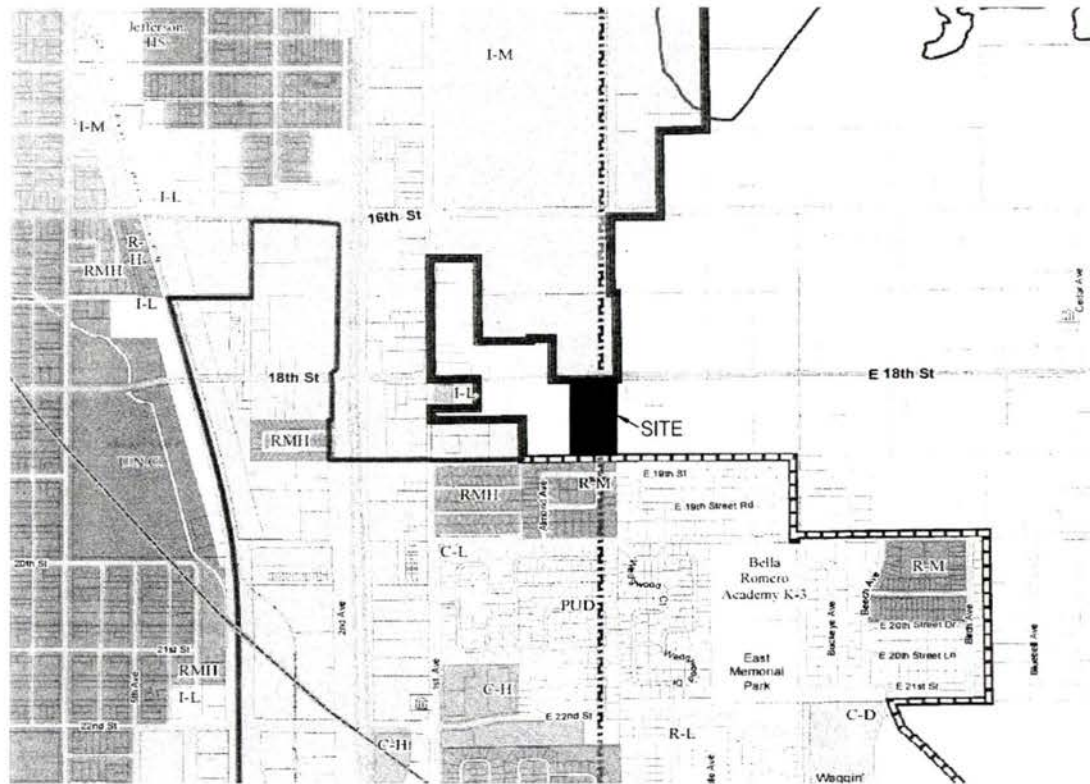
THENCE SOUTH 00°19'19" EAST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 661.15 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE SOUTH 89°30'39" WEST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 331.66 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1;

THENCE NORTH 00°21'32" WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 660.32 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING THE POINT OF BEGINNING.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 5.03 ACRES, MORE OR LESS, AND IS SUBJECT TO RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

DALE LAND VICINITY MAP



THOMAS LAND SURVEYING, LLC
2619 WEST 11TH STREET ROAD,
GREELEY, COLORADO 80634
970-304-0984

1611.042
DALE LAND VICINITY MAP



CITY ATTORNEY'S OFFICE MEMORANDUM

To: Cheryl Aragon, Deputy City Clerk
Val Scheffer, Senior Administrative Specialist
From: Susan M. Henderson, Senior Assistant City Attorney
Subject: Dale Land Annexation
Date: August 30, 2017

This office has reviewed the Petition for the Dale Land Annexation into the City of Greeley and finds that the Petition for Annexation is in substantial compliance with the requirements of C.R.S. §31-12-107. Additionally, this office has reviewed the Petition for compliance with annexation requirements contained in C.R.S. §§31-12-104 and 31-12-105 and finds that the Petition meets the legal requirements of those sections.

Please prepare the Resolution (a draft is attached) and schedule this matter for hearing in accordance with C.R.S. §31-12-108.

Attachment

cc: Marian Duran, Planner

Council Agenda Summary

September 5, 2017

Agenda Item Number 13

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

Title

Consideration of three (3) Resolutions finding substantial compliance with state annexation laws for three (3) parcels of property known as the Signature Bluffs Natural Area Annexations Nos. 1-3, located east of County Road 27 and north of River Run Drive

Summary

The City of Greeley is petitioning to annex three (3) parcels together comprising approximately 32.337 acres of land located east of County Road 27 and north of River Run Drive. The City recently acquired the subject properties for open space purposes in conjunction with a GOCO (Great Outdoors Colorado) grant. A land management plan has been developed for the properties as part of their acquisition as open space.

Colorado Revised Statutes §31-12-104 and §31-12-105 establish the legal requirements for annexation. The City Attorney's Office has determined the proposal meets the statutory requirements to be considered for annexation (see three (3) attached memos). The annexation derives its contiguity, meeting State requirements, from its adjacency to the Poudre River Ranch subdivision to the south (Annexation 1) and the Signature Bluffs Natural Area to the east (Annexations 2 and 3).

Fiscal Impact

Does this item create a fiscal impact on the City of Greeley?	Yes, minimally
If yes, what is the initial or onetime impact?	On-going impacts only
What is the annual impact?	Police, fire & other city services
What fund of the City will provide funding?	General budgeted funds
What is the source of revenue within the fund?	Varies
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments: None	

Legal Issues

Fulfills State requirements to allow a hearing.

Other Issues and Considerations

None noted.

Applicable Council Goal or Objective

Consistency with Comprehensive Plan and Development Code standards.

Decision Options

- 1) Adopt the resolutions as recommended; or
- 2) Amend the resolutions and adopt as amended; or
- 3) Deny the resolutions; or
- 4) Continue the item to a date specific.

Council's Recommended Action

A motion to adopt Resolutions 1 - 3 and set the public hearing for each for October 17, 2017.

Attachments

Resolutions 1-3, with Legal Descriptions

Vicinity Maps

Attorney's Office Determination of Substantial Compliance (Annexations 1-3)

CITY OF GREELEY, COLORADO

RESOLUTION NO. ____, 2017

A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE WITH STATE ANNEXATION LAWS FOR PROPERTY KNOWN AS SIGNATURE BLUFFS NATURAL AREA ANNEXATION NO. 1 LOCATED IN A PORTION OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 66 WEST OF THE 6TH P.M., IN WELD COUNTY, COLORADO INTO THE CITY OF GREELEY. THE SUBJECT SITE IS COMPRISED OF 29.006 ACRES.

WHEREAS, the City of Greeley submitted an annexation petition to the City of Greeley for annexation of property located in a portion of Section 32, Township 6 North, Range 66 West of the 6th P.M., in Weld County, Colorado.

SEE ATTACHED LEGAL PROPERTY DESCRIPTION

WHEREAS, the City of Greeley staff has found substantial compliance of the annexation petition in conformance with C.R.S. §31-12-101, et seq.; and

WHEREAS, C.R.S. §31-12-108 requires that the City Council establish a date, time, and place to hold a hearing to determine if the proposed annexation complies with C.R.S. §§31-12-104 and 31-12-105, or such parts thereof, to establish eligibility for annexation to the City of Greeley; and

WHEREAS, the City Clerk shall deliver notice and publish the date, time, and place for said hearing.

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

1. The annexation petition is found to substantially comply with C.R.S. §§31-12-104 and 31-12-105.
2. The public hearing for consideration of the proposed annexation petition is hereby set for October 17, 2017, at the School District Six Board of Education Meeting Room, 1025 9th Avenue, Greeley, Colorado, during a regular City Council meeting beginning at 6:30 p.m.
3. The City Clerk is hereby authorized to publish and notify required parties pursuant to C.R.S. §31-12-108(2).
4. This resolution shall become effective immediately upon its passage.

PASSED, AND ADOPTED, SIGNED AND APPROVED THIS 5TH DAY OF SEPTEMBER, 2017.

ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor

Exhibit "A"
Legal Description

A tract of land located in a portion of Section 32, Township 6 North, Range 66 West of the 6th P.M., in Weld County, Colorado, more particularly described as follows:

BASIS OF BEARING: The West line of the Southwest 1/4 of Section 32 shown on a Land Survey Plat as recorded in Reception No. 4144591 of the records of Weld County, Colorado, said line being N 00°45'07" E from the Southeast corner of said tract to the West 1/4 corner of said section 32.

Commencing at the Southwest corner of said Section 32; Thence along the west line of the Southwest 1/4 of said Section 32 N 00°45'07" E, a distance of 1924.11'; Thence S89°14'32" E, a distance of 30.00' to a point on the east right-of-way of 83rd Avenue, said point being the POINT OF BEGINNING for this description; Thence along the North line of Poudre River Ranch 3rd Filing the following fourteen (14) courses S 89°14'53" E, a distance of 281.50'; Thence S 73°38'27" E, a distance of 145.77'; Thence S 66°48'55" E, a distance of 296.78'; Thence S 72°34'58" E, a distance of 120.35'; Thence S 75°27'49" E, a distance of 101.05'; Thence S 80°52'03" E, a distance of 127.84'; Thence S 86°34'55" E, a distance of 230.64'; Thence S83°11'41"E, a distance of 102.15'; Thence S 76°42'01" E, a distance of 219.07'; Thence N 65°52'58" E, a distance of 233.93'; Thence N 69°29'44" E, a distance of 173.15'; Thence N 77°25'21" E, a distance of 261.66'; Thence N 81°16'54" E, a distance of 249.13'; Thence N 77°13'37" E, a distance of 105.58' to the Northeast corner of said Poudre River Ranch 3rd Filing, said point futhermore being the Northwest corner of Poudre River Ranch 2nd Filing; Thence along the North line of said Poudre River Ranch 2nd Filing for five (5) courses N 71°19'20" E, a distance of 191.38'; Thence N 66°46'57" E, a distance of 138.57'; Thence N 70°57'31" E, a distance of 229.27'; Thence N 76°09'47" E, a distance of 276.81'; Thence S72°16'42"E a distance of 70.31' more or less to a point on the Westerly line of a tract of land as described under Reception No. 3148885 of the records of said Weld County, Colorado Thence along the Westerly line of said tract of land N 13°50'13" W, a distance of 129.37' more or less to a point on the approximate centerline of the Cache La Poudre River; Thence along said approximate centerline of Cache La Poudre River the following fourteen (14) courses S 76°09'47" W, a distance of 341.26'; Thence S70°57'31"W, a distance of 206.30'; Thence N 77°15'35" W, a distance of 443.97'; Thence N 28°11'31" W, a distance of 118.53'; Thence N 04°32'45" E, a distance of 418.64'; Thence N 62°28'00" W, a distance of 111.80'; Thence S 72°32'00" W, a distance of 158.11'; Thence S 38°35'54" W, a distance of 541.40'; Thence S 08°39'37" W, a distance of 350.99'; Thence S 38°30'06" W, 341.82'; Thence N 76°33'49" W, a distance of 562.21'; Thence N 48°28'29" W, a distance of 612.76'; Thence N 23°47'07" W, a distance of 368.20'; Thence N 39°01'45" W, a distance of 596.63' to a point on the West line of a tract of land as described in Reception No. 1827327 of the records of said Weld County; Thence along the Westerly line of said Reception No 1827327 S 00°01'08" E, a distance of 936.93'; Thence N 89°15'12" W, a distance of 21.30' to a point on the East right-of-way line of 83rd Avenue; Thence along said east right-of-way line S 00°45'07" W, a distance of 153.94' to the POINT OF BEGINNING;

Said tract of land containing 1263499.3 Sq. Ft, or 29.006 Acres more or less.

CITY OF GREELEY, COLORADO

RESOLUTION NO. ____, 2017

A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE WITH STATE ANNEXATION LAWS FOR PROPERTY KNOWN AS SIGNATURE BLUFFS NATURAL AREA ANNEXATION NO. 2 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 66 WEST OF THE 6TH P.M., IN WELD COUNTY, COLORADO INTO THE CITY OF GREELEY. THE SUBJECT SITE IS COMPRISED OF 0.574 ACRES.

WHEREAS, the City of Greeley submitted an annexation petition to the City of Greeley for annexation of property located in the Southeast Quarter of Section 32, Township 6 North, Range 66 West of the 6th P.M., in Weld County, Colorado.

SEE ATTACHED LEGAL PROPERTY DESCRIPTION

WHEREAS, the City of Greeley staff has found substantial compliance of the annexation petition in conformance with C.R.S. §31-12-101, et seq.; and

WHEREAS, C.R.S. §31-12-108 requires that the City Council establish a date, time, and place to hold a hearing to determine if the proposed annexation complies with C.R.S. §§31-12-104 and 31-12-105, or such parts thereof, to establish eligibility for annexation to the City of Greeley; and

WHEREAS, the City Clerk shall deliver notice and publish the date, time, and place for said hearing.

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

1. The annexation petition is found to substantially comply with C.R.S. §§31-12-104 and 31-12-105.
2. The public hearing for consideration of the proposed annexation petition is hereby set for October 17, 2017, at the School District Six Board of Education Meeting Room, 1025 9th Avenue, Greeley, Colorado, during a regular City Council meeting beginning at 6:30 p.m.
3. The City Clerk is hereby authorized to publish and notify required parties pursuant to C.R.S. §31-12-108(2).
4. This resolution shall become effective immediately upon its passage.

PASSED, AND ADOPTED, SIGNED AND APPROVED THIS 5TH DAY OF SEPTEMBER 2017.

ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor

Exhibit "A"
(Legal Description)

A tract of land located in the Southeast 1/4 of Section 32, Township 6 North, Range 66 West of the 6th P.M., in Weld County, Colorado, more particularly described as follows:

BASIS OF BEARING: The North line of the Southeast 1/4 of Section 32 shown on a Land Survey Plat as recorded in Reception No. 4144591 of the records of Weld County, Colorado, said line being N 89°40'02" E from the Center 1/4 corner of said Section 32 to the East 1/4 corner of said section 32.

Beginning at the East 1/16 corner of C---C of said Section 32 and assuming the North line of the Southeast 1/4 of said Section 32 bears N 89°40'02" E and all other bearings contained herein being relative thereto; Thence along said North line of the Southeast 1/4 of Section 32 N 89°40'02" E, a distance of 225.53' more or less to the centerline of the Cache La Poudre River; Thence along said centerline the following three (3) courses S 08°26'46" W, a distance of 37.37'; Thence S 50°28'14" W, a distance of 113.40'; Thence S 65°30'40" W, a distance of 148.15' more or less to a point on the West line of the Southeast 1/4 of the Southeast 1/4 of said Section 32; Thence along said West line N 00°45'47" E, a distance of 169.26' to the POINT OF BEGINNING;

Said tract of land containing 25004.3 Sq. Ft, or 0.574 Acres more or less.

CITY OF GREELEY, COLORADO

RESOLUTION NO. ____, 2017

A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE WITH STATE ANNEXATION LAWS FOR PROPERTY KNOWN AS SIGNATURE BLUFFS NATURAL AREA ANNEXATION NO. 3 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 66 WEST OF THE 6TH P.M., IN WELD COUNTY, COLORADO INTO THE CITY OF GREELEY. THE SUBJECT SITE IS COMPRISED OF 2.757 ACRES.

WHEREAS, the City of Greeley submitted an annexation petition to the City of Greeley for annexation of property located in the Southeast Quarter of Section 32, Township 6 North, Range 66 West of the 6th P.M., in Weld County, Colorado.

SEE ATTACHED LEGAL PROPERTY DESCRIPTION

WHEREAS, the City of Greeley staff has found substantial compliance of the annexation petition in conformance with C.R.S. §31-12-101, et seq.; and

WHEREAS, C.R.S. §31-12-108 requires that the City Council establish a date, time, and place to hold a hearing to determine if the proposed annexation complies with C.R.S. §§31-12-104 and 31-12-105, or such parts thereof, to establish eligibility for annexation to the City of Greeley; and

WHEREAS, the City Clerk shall deliver notice and publish the date, time, and place for said hearing.

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

1. The annexation petition is found to substantially comply with C.R.S. §§31-12-104 and 31-12-105.
2. The public hearing for consideration of the proposed annexation petition is hereby set for October 17, 2017, at the School District Six Board of Education Meeting Room, 1025 9th Avenue, Greeley, Colorado, during a regular City Council meeting beginning at 6:30 p.m.
3. The City Clerk is hereby authorized to publish and notify required parties pursuant to C.R.S. §31-12-108(2).
4. This resolution shall become effective immediately upon its passage.

PASSED, AND ADOPTED, SIGNED AND APPROVED THIS 5TH DAY OF SEPTEMBER, 2017.

ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor

Exhibit "A"
(Legal Description)

A tract of land located in the Southeast 1/4 of Section 32, Township 6 North, Range 66 West of the 6th P.M., in Weld County, Colorado, more particularly described as follows:

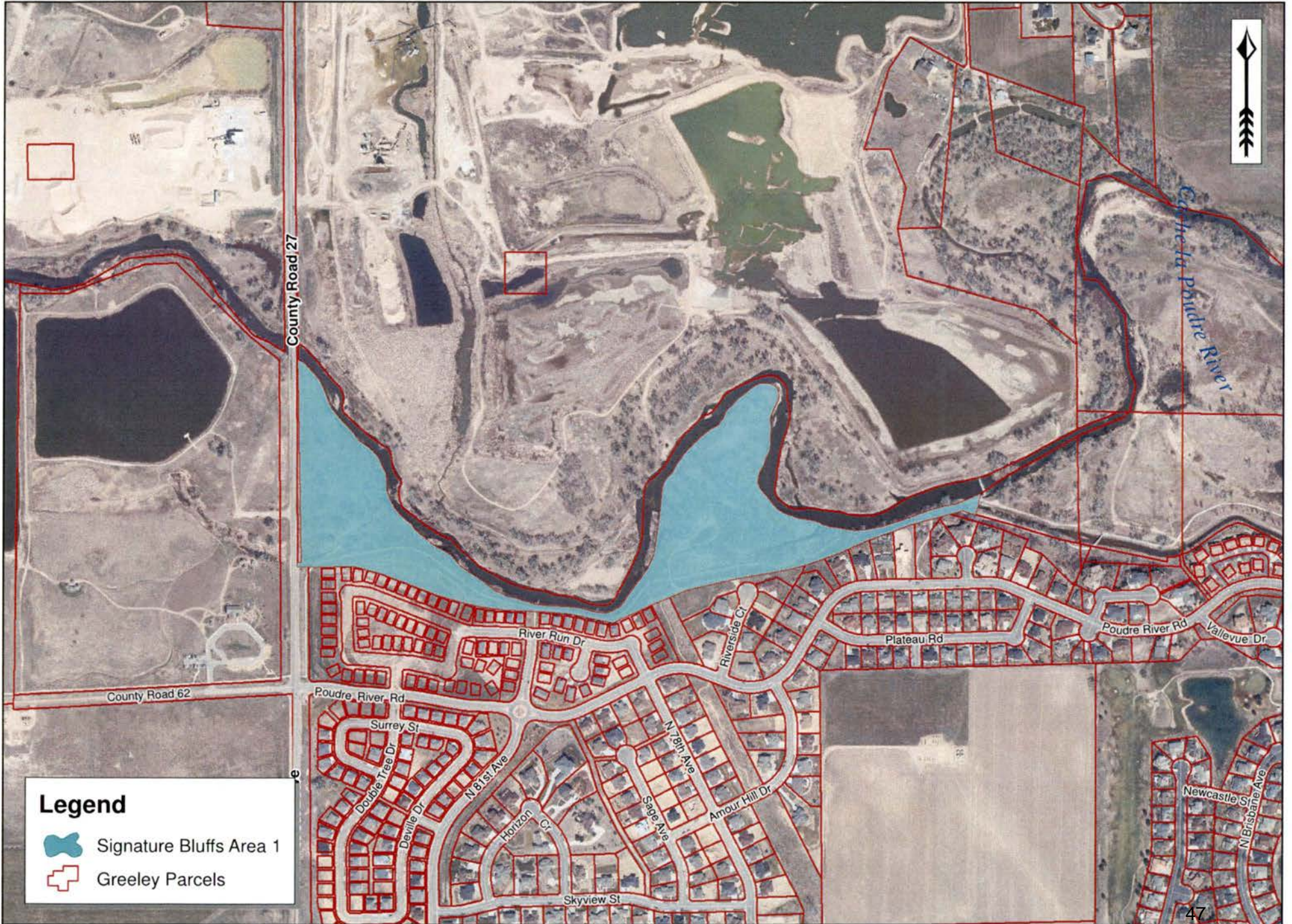
BASIS OF BEARING: The North line of the Southeast 1/4 of Section 32 shown on a Land Survey Plat as recorded in Reception No. 4144591 of the records of Weld County, Colorado, said line being N 89°40'02" E from the Center 1/4 corner of said Section 32 to the East 1/4 corner of said section 32.

Beginning at the East 1/16 corner of C---C of said Section 32 and assuming the North line of the Southeast 1/4 of said Section 32 bears N 89°40'02" E and all other bearings contained herein being relative thereto.

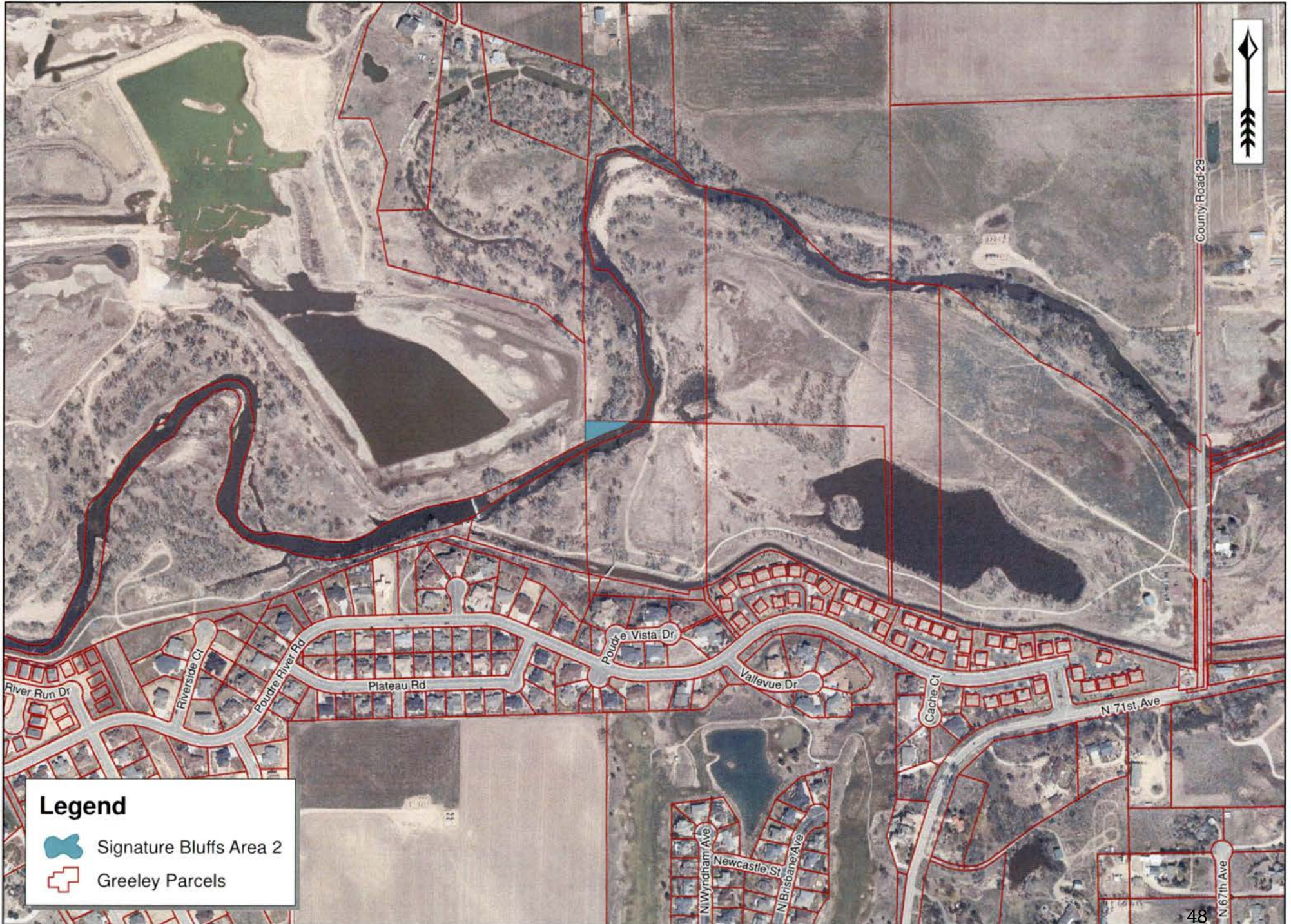
Beginning at the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 32; Thence along the West line of the Southeast 1/4 of the Northeast 1/4 of said Section 32 N 00°46'25" E, a distance of 654.47' more or less to a point on the approximate center line of the Cache La Poudre River; thence S 39°04'01" E, a distance of 312.21'; Thence S 18°35'00" E, a distance of 96.79'; Thence S 04°32'51 " E, a distance of 160.30'; Thence S 08°26'46" W, a distance of 160.91' more or less to a point on the North line of the Southeast 1/4 of the Southeast 1/4 of said section 32; Thence along said North line S 89°40'02" W, a distance 225.53' more or less to the POINT OF BEGINNING;

Said tract of land containing 120097.9 Sq. Ft, or 2.757 Acres more or less.

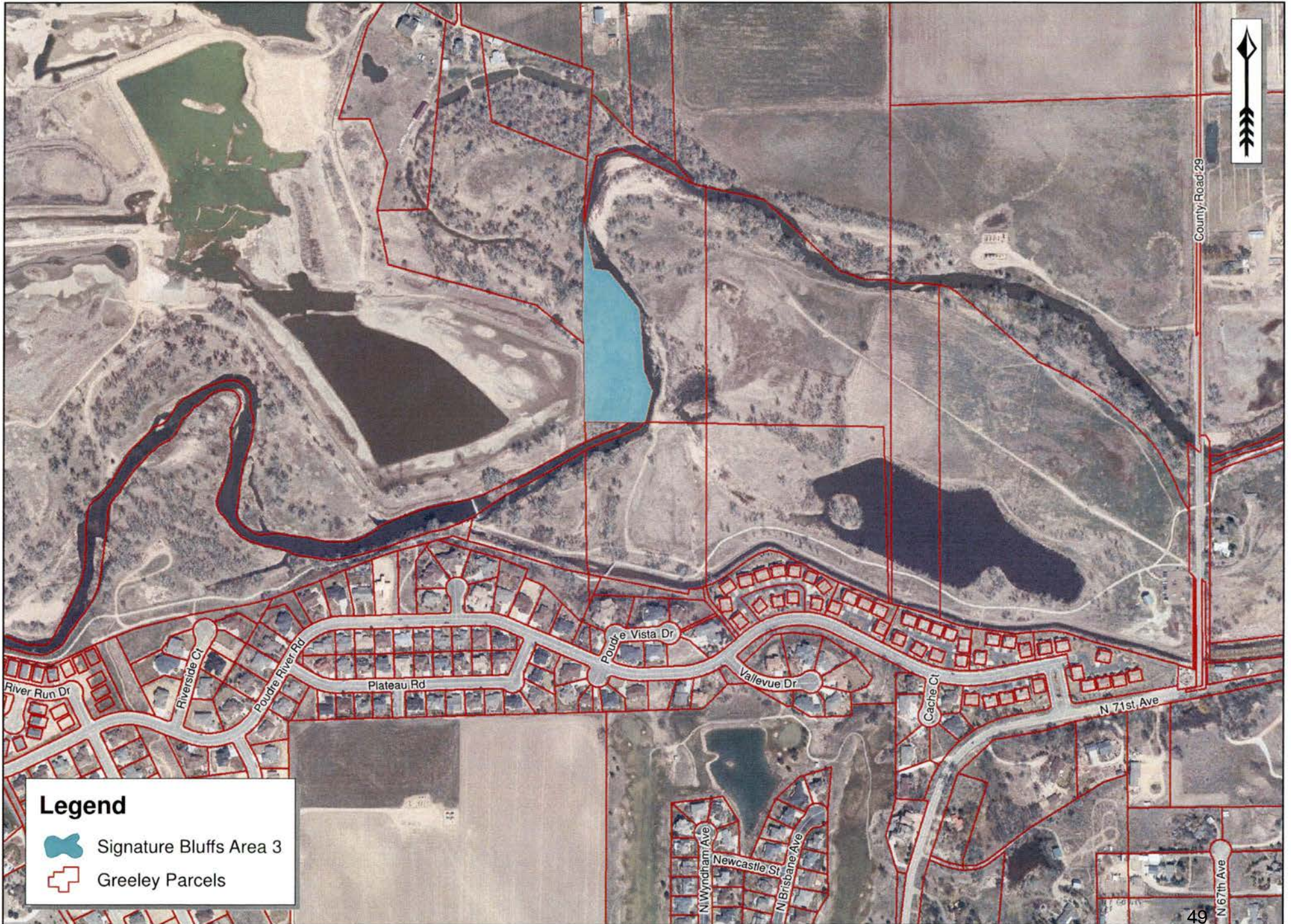
Aerial/Vicinity Map - Signature Bluffs Natural Area 1



Aerial/Vicinity Map - Signature Bluffs Natural Area 2



Aerial/Vicinity Map - Signature Bluffs Natural Area 3





CITY ATTORNEY'S OFFICE MEMORANDUM

To: Cheryl Aragon, Deputy City Clerk
Val Scheffer, Senior Administrative Specialist
From: Susan M. Henderson, Senior Assistant City Attorney
Subject: Signature Bluffs Natural Area Annexation No. 1
Date: August 30, 2017

This office has reviewed the Petition for the Signature Bluffs Natural Area Annexation No. 1 into the City of Greeley and finds that the Petition for Annexation is in substantial compliance with the requirements of C.R.S. §31-12-107. Additionally, this office has reviewed the Petition for compliance with annexation requirements contained in C.R.S. §§31-12-104 and 31-12-105 and finds that the Petition meets the legal requirements of those sections.

Please prepare the Resolution (a draft is attached) and schedule this matter for hearing in accordance with C.R.S. §31-12-108.

Attachment

cc: Marian Duran, Planner



CITY ATTORNEY'S OFFICE MEMORANDUM

To: Cheryl Aragon, Deputy City Clerk
Val Scheffer, Senior Administrative Specialist
From: Susan M. Henderson, Senior Assistant City Attorney
Subject: Signature Bluffs Natural Area Annexation No. 2
Date: August 30, 2017

This office has reviewed the Petition for the Signature Bluffs Natural Area Annexation No. 2 into the City of Greeley and finds that the Petition for Annexation is in substantial compliance with the requirements of C.R.S. §31-12-107. Additionally, this office has reviewed the Petition for compliance with annexation requirements contained in C.R.S. §§31-12-104 and 31-12-105 and finds that the Petition meets the legal requirements of those sections.

Please prepare the Resolution (a draft is attached) and schedule this matter for hearing in accordance with C.R.S. §31-12-108.

Attachment

cc: Marian Duran, Planner



CITY ATTORNEY'S OFFICE MEMORANDUM

To: Cheryl Aragon, Deputy City Clerk
Val Scheffer, Senior Administrative Specialist
From: Susan M. Henderson, Senior Assistant City Attorney
Subject: Signature Bluffs Natural Area Annexation No. 3
Date: August 30, 2017

This office has reviewed the Petition for the Signature Bluffs Natural Area Annexation No. 3 into the City of Greeley and finds that the Petition for Annexation is in substantial compliance with the requirements of C.R.S. §31-12-107. Additionally, this office has reviewed the Petition for compliance with annexation requirements contained in C.R.S. §§31-12-104 and 31-12-105 and finds that the Petition meets the legal requirements of those sections.

Please prepare the Resolution (a draft is attached) and schedule this matter for hearing in accordance with C.R.S. §31-12-108.

Attachment

cc: Marian Duran, Planner

Council Agenda Summary

September 5, 2017

Agenda Item Number 14

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

Title

Consideration of a Resolution dedicating two portions of 20th Street between 1st Avenue and Balsam Avenue

Summary

The City of Greeley is requesting approval of right-of-way dedication for two areas along 20th Street, which are City-owned land, for the purpose of continued maintenance of 20th Street, between 1st Avenue and Balsam Avenue.

Planning Commission heard this matter on August 8, 2017, and unanimously recommended approval to City Council.

Fiscal Impact

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial or onetime impact?	
What is the annual impact?	
What fund of the City will provide funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments: Most impacts will be commensurate with development and off-set through the normal collection of impact fees and normal taxing revenue sources.	

Legal Issues

None.

Other Issues and Considerations

None.

Applicable Council Goal or Objective

Consistency with Comprehensive Plan and Development Code standards.

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

Draft Planning Commission Minutes (August 8, 2017)

Planning Commission Summary (Staff Report) (August 8, 2017)

CITY OF GREELEY, COLORADO

RESOLUTION NO. _____, 2017

A RESOLUTION ACCEPTING DEDICATION OF TWO PORTIONS OF 20TH STREET
BETWEEN 1ST AVENUE AND BALSAM AVENUE

WHEREAS, the property described on the legal description attached hereto as Exhibit A is proposed for dedication to the City of Greeley; and

WHEREAS, the right-of-way needs to be dedicated to the City of Greeley for use as roadway right-of-way for the continued use of 20th Street; and

WHEREAS, the right-of-way dedication is not detrimental to the public health, safety or welfare; and

WHEREAS, the right-of-way dedication does not deprive any parcel of adequate access to a public road or street.

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

1. The subject property is hereby accepted.

PASSED, ADOPTED, SIGNED AND APPROVED THIS 5TH DAY OF SEPTEMBER, 2017.

ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor

EXHIBIT A

The City of Greeley, Colorado being the sole owner in fee of the following two (2) parcels of land located in the Southwest 114 of Section 9, Township 5 North, Range 65 West of the 6th P.M., City of Greeley, Weld County, Colorado and further described as follows:

PARCEL 1:

A tract of land in the southerly portion of Lots 5 and 6 of the SW 1/4 of Section 9, Township 5 North, Range 65 West of the 6th P.M., in the City of Greeley, County of Weld, State of Colorado, according to the Subdivision of land made by the Union Colony of Colorado, excepting therefrom that tract of land as described at Reception Number 2010216 and Reception Number 3443507 and also excepting that tract of land as described in Book 11 at Page 330 of the records of said Weld County, Colorado, more particularly described as follows;

Commencing at the SW comer of said Section 9; thence along the south line of said Section 9 N 89°23'5 1" E (said bearing being the basis of bearing for this description and all other bearings contained herein being relative thereto), a distance of 40' to a point on said south line of said Section 9; Thence N 00°33'11" W, a distance of 20' to a point of intersection with the east right-of-way of 1st Avenue and the north right-of-way of 20th Street, said point being the Point of Beginning for this description;

Thence N 00°33'11" W, a distance of 35.00' along said east right-of-way of 1st Avenue; Thence S 45°34'40" E, a distance of 28.27'; Thence N 89°23'51" E, a distance of 603.31' to a point on the east line of said Lot 6; Thence S 00°30'57" E, a distance of 15.00' along the east line of said Lot 6 to a point on the north right-of-way of 20th Street; Thence S 89°23'51" W, a distance of 623.30' along said north right-of-way to the Point of Beginning for this description and containing 9549.624 square feet of 0.219 acres more or less.

PARCEL 2:

A tract of land described as follows:: Commencing at the SW comer of said Section 9; Thence along the South line of said Section 9 N 89°23'51" E (said bearing being the basis of bearing for this description and all other bearings contained here being relative thereto), a distance of 2303.45'; Thence N 00°49'46"W, a distance of 15.00' to the Southwest comer of a parcel of land as described at Reception Number 3941949 of Weld County Records, said point being the Point of Beginning for this description; Thence N 00°49'46" W along the west line of said parcel, a distance of 20.00'; Thence N 89°23'5 1" E, 150.00' to a point of the east line of said parcel; Thence S 00°49'46" E, a distance of 20.00' to SE comer of said parcel; Thence S 89°23'51" W along the south line of said parcel, a distance of 150.00' to the Point of Beginning and containing 3000 square feet or 0.069acres more or less.



PLANNING COMMISSION Proceedings

August 8, 2017

1025 9th Avenue
District 6 Administration Building
School Board Meeting Room
1:15 p.m.

I. Call to Order

Chair Hall called the meeting to order at 1:15 p.m. Commissioners Schulte, Rarick, Andersen, Weaver, Yeater and Mirick were present.

II. Approval of minutes for meeting held on July 25, 2017

Commissioner Rarick moved to approve the minutes for the meeting held on July 25, 2017. Commissioner Andersen seconded the motion. The motion carried 7-0.

III. A public hearing to consider a request for a Use by Special Review for placement of an 85-foot telecommunications monopole at the Greeley Country Club. The USR area consists of 531 square feet and is located on a property consisting of approximately 119 acres in a Residential Low Density zoning district.

Project Name: 4500 10th Street USR
Case No.: USR 4:17
Applicant: Michelle Williams for Centerline Solutions
Location: 4500 10th Street
Presenter: Rachel Prelog, Planner I

Rachel Prelog addressed the Commission and requested a continuance of the hearing on behalf of the applicant. She stated that the applicant had asked for a continuation in order to provide legal notices to mineral right owners. Ms. Prelog asked the Chair to consider a motion to continue the hearing to September 26, 2017.

Commissioner Rarick moved to continue the hearing until September 26, 2017. Commissioner Schulte seconded the motion. The motion carried 7-0.

Commissioner Mirick asked about the required number of ADA parking spaces. Mr. Flebbe reported that there are currently seven parking spaces meeting the Code requirement for ADA parking. Commissioner Mirick also asked about whether the existing detention area was adequate to service additional sheet water running off from the expanded parking area. Mr. Flebbe deferred to the applicant to respond to any other questions about drainage.

Jason Fast, 4611 Bushmills Avenue, Evans, Colorado, addressed the Commission and reported that there is a complete set of engineered plans detailing drainage and flow patterns. Mr. Fast added that at the time of the original USR approval in USR 2002, the detention pond was sized to accommodate a 2500 square foot expansion.

Chair Hall opened the public hearing at 1:46 p.m. There being no public comment, the public hearing was closed at 1:46 p.m.

Commissioner Weaver made a motion that, based on the application received and the preceding analysis, the Planning Commission finds that the proposed Amendment to a Use by Special Review request in an R-L (Residential Low Density) zone district for a 5,500 square foot building expansion plus a 688 square foot chair storage addition off of the auditorium, a seating capacity expansion from 500 to 1,000 and a parking lot expansion of 118 spaces meets with Development Code Section 18.20.070(a) (Items 1 through 5); and, therefore, approves the Use by Special Review as presented herein with the following condition: With any further expansion or development of the site, the remainder of the western buffer yard is installed along the western property line. Commissioner Mirick seconded the motion. The motion carried 7-0.

V. A public hearing to consider dedication of .288 acres of land as right-of-way for the purpose of continued maintenance of an existing right-of-way on 20th Street between 1st Avenue and Balsam Avenue.

Project Name: 20th Street; 1st Avenue to Balsam Right-of-Way Dedication
Case No.: D 1:17
Applicant: City of Greeley
Location: Two portions of 20th Street between 1st Avenue and Balsam Avenue
Presenter: Darrell Gesick, Planner III

Darrell Gesick addressed the Commission and entered the staff report into the record. He advised that the application pertains to a right-of-way dedication in two areas along 20th Street between 1st Ave & Balsam Avenue identified in the packet as Parcels 1 and 2. Mr. Gesick reported that in 2014-15, the City acquired both areas and made improvements along 20th Street. It was recently discovered that the area was not formally dedicated as a right-of-way.

Mr. Gesick presented photographs of the area. The Administrative Review Team reviewed the application and all comments were addressed. Mr. Gesick advised that neighborhood notification was not required. Staff recommended approval to City Council.

Chair Hall opened the public hearing at 1:50 p.m. There being no public comment, the public hearing was closed at 1:50 p.m.

Commissioner Rarick made a motion that, based on the application received and the preceding analysis, the Planning Commission finds that the proposed right-of-way dedication request meets the Development Code criterion found in Section 18.04.810; and, therefore, recommends approval to the City Council. Commissioner Schulte seconded the motion. The motion carried 7-0.

V. Staff Report

Brad Mueller, Community Development Director, introduced two new members of the department: Kim Meyer, Planner III, and Chris Holmes, staff engineer. He noted that Mr. Flebbe had filled in to keep projects moving forward and thank him for his assistance during the interim between planners.

Brian Sullivan, GIS Manager, and Joel Hemesath, Public Works Director, provided information about several measures that will be on the November ballot. Both of them answered questions from the Commission about SB-152, Keep Greeley Moving, and proposed updates to the City Charter.

Mr. Mueller reported that the City Clerk's office is looking into every Board and Commission adopting or revising Bylaws on a regular basis. He stated that information would be provided to the Commission at a future date. Mr. Mueller announced the upcoming grand openings of the downtown hotel and new fire station and stated that he will provide those dates as they become available. He also expressed appreciation to those who attended the recent Imagine Greeley workshops and added that a survey available at the workshops is now available online.

VI. Adjournment

The meeting was adjourned at 2:33 p.m.

Dale Hall, Chair

Brad Mueller, Secretary

PLANNING COMMISSION SUMMARY

ITEM: Right-of-Way Dedication

FILE NUMBER: D 1:17

PROJECT: 20th Street, 1st Avenue to Balsam Avenue Right-of-way Dedication

LOCATION: 20th Street, Between 1st Avenue and Balsam Avenue

APPLICANT: City of Greeley

CASE PLANNER: Darrell Gesick, Planner III

PLANNING COMMISSION HEARING DATE: August 8, 2017

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, and review the request for compliance with Section 18.04.810 of the Greeley Subdivision Regulations, and approve, approve with conditions, or deny the request.

EXEXECUTIVE SUMMARY

The City of Greeley is requesting approval of right-of-way dedication for two areas along 20th Street, which are City owned land, for the purpose of continued maintenance of 20th Street between 1st Avenue and Balsam Avenue (see Attachments A and B).

A. REQUEST

The applicant, City of Greeley, is requesting to dedicate two portions of 20th Street right of way between 1st Avenue and Balsam Avenue (see Attachments A and B).

B. STAFF RECOMMENDATION

Approval (see Section K)

C. LOCATION

Current Zoning: C-L (Commercial Low Intensity), PUD (Planned Unit Development), and R-L (Residential Low Density)

Surrounding Zoning: North: RMH (Residential Medium Density) and R-L
South: C-L (Commercial Low), PUD, and R-L
East: R-M (Residential Medium Density), and R-L
West: I-M (Industrial Low Intensity) and R-L

Surrounding Land Uses: North: Mobile Home Community and Single-Family Residential
South: Single-Family Residential, Contactor Business, and Elementary School
East: Single-Family Residential
West: 1st Avenue and Detention Pond

Area to be Dedicated: Parcel One – 9,549.624 Square Feet, 0.219 Acres
Parcel Two – 3,000 Square Feet, .069 Acres

D. BACKGROUND

The City of Greeley acquired the two areas, Parcel One in 2014 and Parcel Two in 2015, for the expansion of East 20th Street, between 1st Avenue and Balsam Avenue. The improvements to East 20th Street occurred in 2015 and in 2016, which included sidewalks, curb, gutter, bike lanes, and vehicle travel lanes. It was discovered by the City of Greeley Public Works Department that these two areas were never formally dedicated as right-of-way. This request would accomplish the formal dedication.

E. APPROVAL CRITERIA

According to Section 18.94.810 of the Greeley Subdivision Regulations, the following criterion shall be used to evaluate right-of-way dedication requests.

The right-of-way dedication request is not detrimental to the public health, safety, or welfare and the request does not deprive any parcel of adequate access to a public road or street right-of-way.

Staff Comment: This right-of-way dedication is necessary for the purpose of continued maintenance of 20th Street, between 1st Avenue and Balsam Avenue, and to formally dedicate land owned by the City of Greeley that is currently being used as right-of-way. Since the right-of-way improvements have already been completed, this request is not detrimental to the public health, safety, or welfare, and should not deprive any parcel of adequate access to the public road or street.

The request meets this criterion.

F. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The subject areas are not part of a new subdivision plat. Both areas were platted as part of the original Union Colony plat.

2. HAZARDS

Staff is unaware of any potential hazards that presently exist in the area.

3. WILDLIFE

The site is not located in an area identified for moderate or high wildlife impacts.

4. FLOODPLAIN

The property is not located within the 100-year floodplain, according to the adopted Federal Emergency Management Administration (FEMA) flood data.

5. DRAINAGE AND EROSION

There are no concerns with drainage or erosion in the area.

6. TRANSPORTATION

The right-of-way dedication should not affect the traffic flow in the area.

G. SERVICES

1. WATER

The City of Greeley provides water service to this area and made infrastructure improvements at the time 20th Street was improved.

2. SEWER

The City of Greeley provides sewer service to this area and made infrastructure improvements at the time 20th Street was improved.

3. EMERGENCY SERVICE

The City of Greeley Police and Fire Departments serve this area. The proposed dedication will not affect emergency services.

4. PARKS/OPEN SPACE

Parks and open spaces areas would not be impacted by this right-of-way request.

5. SCHOOLS

Bella Romero K-3 Elementary School has an existing access to 20th Street. This right-of-way dedication would not deprive the school of adequate access to the public road or street nor would it impact any future improvements to the school property.

H. NEIGHBORHOOD IMPACTS -

1. VISUAL

It is anticipated and expected that this right-of-way dedication would not create any visual impacts to the surrounding area.

2. NOISE

It is anticipated and expected that this right-of-way dedication would not create any noise impacts to the surrounding area.

I. ADMINISTRATIVE REVIEW TEAM COMMENTS:

The Administrative Review Team reviewed this proposal, and there are no outstanding comments pertaining to the right-of-way dedication request.

J. NEIGHBORHOOD NOTIFICATION

Notification is not required for right-of-way dedication since there is no hearing associated with the application, but rather only a public meeting.

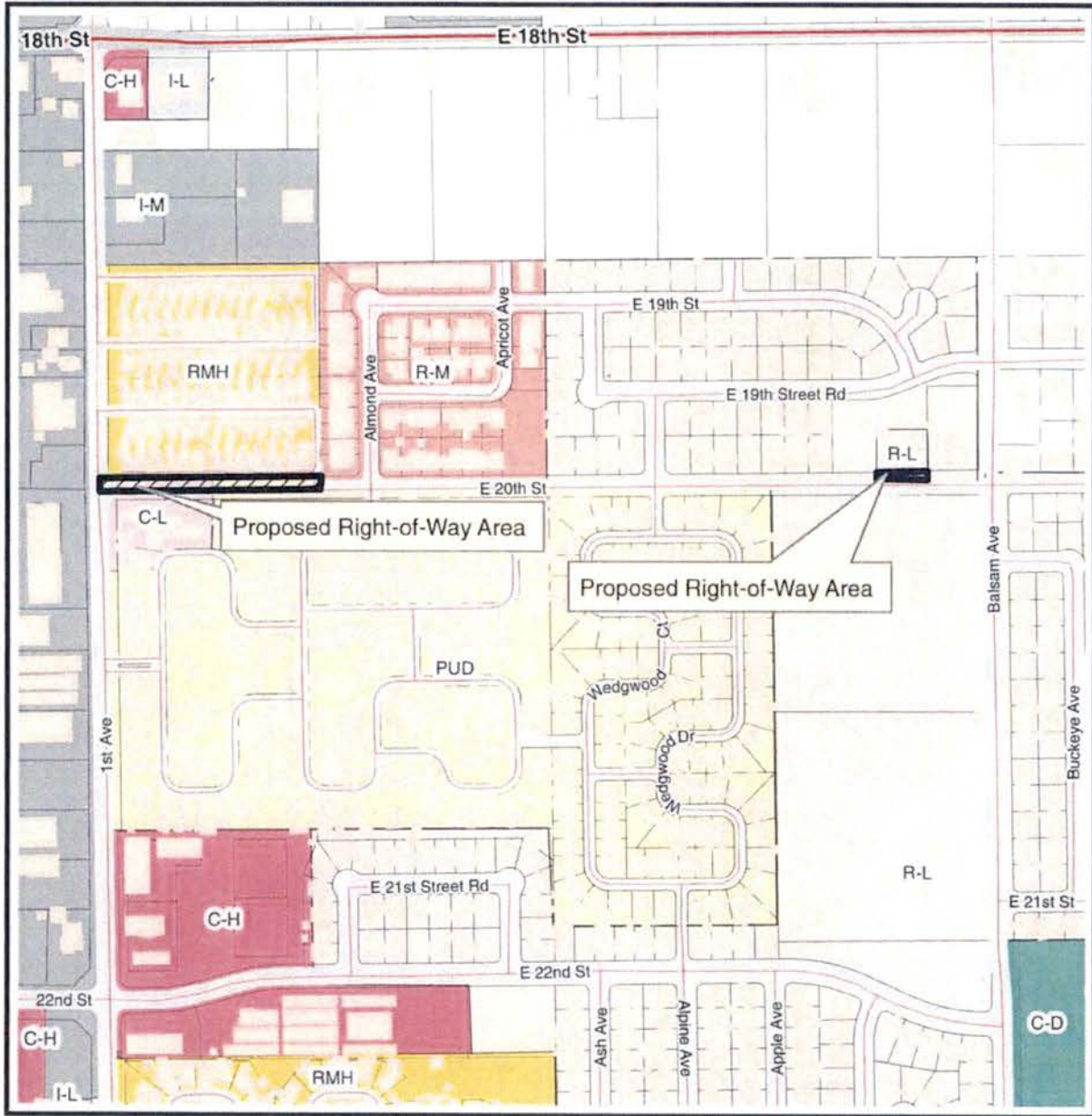
K. PLANNING COMMISSION RECOMMENDED MOTION:

Based on the application received and preceding analysis, the Planning Commission find that the proposed right-of-way dedication request meets the Development Code Criterion found in Section 18.04.810 and therefore recommends approval to the City Council.

ATTACHMENT

Attachment A – Zoning/Vicinity Map

Attachment B – Right-of-Way Dedication Exhibit



Legend

StreetCenterlines
CLASSIFICATION
 — Arterials
 — Local Collectors

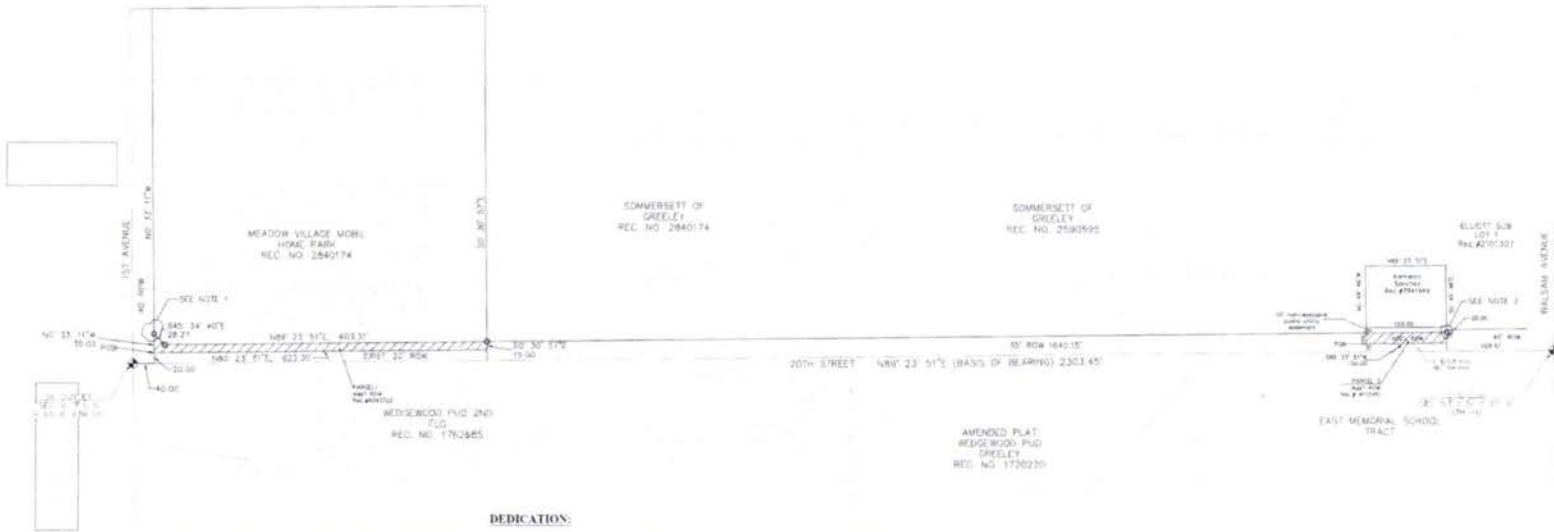
FEATURE_SUBTYPE
 Structure

Roads
Classification
 Arterial
 Local
 Unpaved
 Greeley Parcels

East 20th Street Right-of-Way Dedication



**20TH STREET & 1ST AVENUE TO BALSAM AVENUE
RIGHT-OF-WAY DEDICATION
SW 1/4 SECTION 9, TOWNSHIP 65 NORTH RANGE 65 WEST, 6TH P.M.
CITY OF GREELEY, WELD COUNTY, COLORADO**



DEDICATION:

The City of Greeley, Colorado, being the sole owner in fee of the following described parcels of land located in the Southwest 1/4 Section 9, Township 65 North, Range 65 West of the 6th P.M., City of Greeley, Weld County, Colorado and Deeds Recorded as follows:

- PARCEL 1**
A tract of land as the westerly portion of Lot 9 and as the SW 1/4 of Section 9, Township 65 North, Range 65 West of the 6th P.M., in the City of Greeley, County of Weld, State of Colorado, according to the subdivision of land made by the Town of Greeley, Colorado, excepting therefrom that tract of land so described as Township Number 20 (2018) and Exception Number 1441767 and also excepting that tract of land so described as Block 11 of Page 149 of the records of said Weld County, Colorado, more particularly described as follows:
- Commencing at the NW corner of said Section 9, thence along the north line of said Section 9 to 2517.75' E 1/4, and thence being the line of bearing for the description of all other bearings contained herein being either a bearing; a distance of 47' to a point on said north line of said Section 9, thence S 91° 34' 41" W, a distance of 20' to a point of intersection with the west right-of-way of 1st Avenue, and thence being the Point of Beginning for the description;
- Thence N 0° 11' 11" W, a distance of 15.69' along said east right-of-way of 1st Avenue, thence S 47° 34' 41" E, a distance of 28.27', thence S 89° 24' 52" E, a distance of 407.11' to a point on the east line of said Lot 9, thence S 90° 17' 07" E, a distance of 1.58' along the east line of said Lot 9 to a point on the north right-of-way of 20th Street, thence S 92° 27' 17" W, a distance of 124.07' along said north right-of-way to the Point of Beginning for the description and continuing 3906.624 square feet of 2.28 acres more or less.
- PARCEL 2**
A tract of land described as follows: Commencing at the NW corner of said Section 9, thence along the north line of said Section 9 to 2517.75' E 1/4 and thence being the line of bearing for the description of all other bearings contained herein being either a bearing; a distance of 280.47', thence N 10° 17' 40" W, a distance of 17.69' to the southwest corner of a parcel of land so described as Exception Number 1841143 of Weld County Records, and thence being the Point of Beginning for the description; thence S 90° 47' 42" W, along the east line of said parcel, a distance of 20.00', thence S 00° 22' 52" E, 176.46' to a point on the east line of said parcel, thence S 00° 49' 42" E, a distance of 25.00' to the NE corner of said parcel, thence 0 00° 21' 17" W, along the north line of said parcel, a distance of 150.00' to the Point of Beginning and continuing 1000 square feet to 1000 square feet or less.
- Also hereby dedicating to the public the above right-of-way as shown on this map.

City of Greeley
Town/Section Signatures

ATTEST: City of Greeley
Betsy Miller, City Clerk



- NOTES**
1. Proposed corner is 28.27' to north point, 176.46' set = 20.00' to north point.
 2. Set P 10' to the NW corner of the 20' additional Right-of-Way along the North-Eastern corner of the 1st Ave.

BASIS OF BEARING:

Basis of bearing being S 89° 24' 52" E between the southwest corner of Section 9, Township 65 North, Range 65 West of the 6th P.M., and the north 1/4 corner of said Section 9, for a distance of 2517.75 feet.

SURVEYOR'S STATEMENT:

I hereby certify that this plat and dedication thereof was prepared by me and are correct to the best of my knowledge and belief.

Ernest F. Hines, P.E.
Cada Reg No. 03225

City of Greeley	Project No. 2024-001
Division of Engineering	Drawn by: J. Smith
Checked by: M. Jones	Scale: As Shown
Date: 10/26/2024	Sheet No. 1 of 1



PUBLIC WORKS DEPARTMENT
DIVISION OF ENGINEERING
1001 NINTH AVENUE
GREELEY, COLORADO 80631

20TH STREET RIGHT-OF-WAY DEDICATION
BETWEEN 1ST AVENUE AND BALSAM AVENUE

DATE	BY	REVISION

WELD COUNTY
COLORADO
REGISTERED SURVEYOR
Ernest F. Hines, P.E.
Cada Reg No. 03225

SHEET

Council Agenda Summary

September 5, 2017

Agenda Item Number 15

Key Staff Victoria Runkle, Assistant City Manager, 350-9730

Title

Consideration of a Resolution authorizing assignment to the Colorado Housing and Financing Authority of a Private Activity Bond Allocation of the City of Greeley pursuant to the Colorado Private Activity Bond Ceiling Allocation Act

Summary

The federal government provides each state with an annual private activity bond allocation. The State then parses that to cities and counties within the State. In 2016 the City of Greeley's allocation is \$5,065,100.

The City must make one of three actions on its allocation:

1. No action: If the City takes no action, the State absorbs the allocation and then has bond money to dedicate to various revenue producing housing and economic development types of projects throughout the state.
2. Use the proceeds for an eligible project within our City. The City could use these monies for an eligible project within our boundary. This would require issuing the Private Activity Bonds. We had no city-sponsored project in 2017.
3. Assign the Private Activity Bonds to an eligible project. Other organizations within our city can request our allocation be dedicated to their project.

Recommendation: Assign the City's Private Activity allocation to the Colorado Housing Finance Authority (CHFA) for the construction of a 96-unit senior living project to be constructed in our community. The one and two-bedroom units will serve 30%, 50% and 60% Average Median Income levels for seniors aged 62+. The total cost of the project is \$14.1 million. In addition to receiving an allocation of non-competitive tax credits, the project is also benefitting from State tax credits.

Fiscal Impact

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

Additional Comments:

Legal Issues

None

Other Issues and Considerations

None

Applicable Council Goal or Objective

Image: Healthy Neighborhoods and Quality of Life

Decision Options

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

Council's Recommended Action

A motion to adopt the Resolution.

Attachments

Resolution

Assignment of Allocation

City Attorney Certificate

CITY OF GREELEY, COLORADO

RESOLUTION _____, 2017

A RESOLUTION OF THE CITY OF GREELEY COUNCIL AUTHORIZING
ASSIGNMENT TO THE COLORADO HOUSING AND FINANCE AUTHORITY OF
A PRIVATE ACTIVITY BOND ALLOCATION OF THE CITY OF GREELEY
PURSUANT TO THE COLORADO PRIVATE ACTIVITY BOND CEILING
ALLOCATION ACT

WHEREAS, the City of Greeley is authorized and empowered under the laws of the State of Colorado (the "State") to issues revenue bonds for the purpose of financing qualified residential rental projects for low-and moderate-income persons and families; and

WHEREAS, the City of Greeley is authorized and empowered under the laws of the State of Colorado (the "State") to issue revenue bonds for the purpose of providing single-family mortgage loans to low-to-moderate income persons and families; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), restricts the amount of tax-exempt bonds (the "Private Activity Bonds") which may be issued in the State to provide such mortgage loans and for certain other purposes; and

WHEREAS, pursuant to the Code, the Colorado legislature adopted the Colorado Private Activity Bond Ceiling Allocation Act, Part 17, of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), providing for the allocation of the State Ceiling to the Colorado Housing and Financing Authority (chfa) (the "Authority"); and

WHEREAS, pursuant to an allocation under Section 234-32-1706 of the Allocation Act, the City of Greeley has an allocation of the 2015 State Ceiling for the issuance of a specified principal amount of Private Activity Bonds prior to September 15, 2017 (the "2017 Allocation"); and

WHEREAS, the City of Greeley has determined that the 2017 Allocation, or a portion thereof, can be utilized most efficiently by assigning it to the Authority to issue Private Activity Bonds for the purpose of financing one or more multi-family rental housing projects for low – and moderate-income persons and families or to issue Private Activity Bonds for the purpose of providing single-family mortgage to low – moderate –income persons and families ("Revenue Bonds") or for the issuance of mortgage credit certificates; and

WHEREAS, the City Council of the City of Greeley has determined to assign \$5,065,100 of its 2017 Allocation to the Authority, which assignment is to be evidenced by an Assignment of Allocation between the City of Greeley and the Authority (the "Assignment of Allocation").

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greeley as follows:

1. The assignment to the Authority of \$5,065,100 of the City of Greeley's 2017 Allocation be and hereby is approved.
2. The form and substance of the Assignment of Allocation be and hereby are approved; provided, however, that the City Council be and hereby is authorized to make technical variations, additions, or deletions in or to such Assignment of Allocation as they shall deem necessary or appropriate and not inconsistent with the approval thereof by this resolution.
3. The City Council of the City of Greeley be and hereby is authorized to execute and deliver the Assignment of Allocation on behalf of the City of Greeley and to take such other steps or actions as may be necessary, useful or convenient to effect the aforesaid assignment in accordance with the intent or this resolution.
4. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.
5. This Resolution shall become effective immediately upon its passage, as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED, AND APPROVED THIS 5TH day of SEPTEMBER, 2017.

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor



assignment of allocation - city

Multifamily Housing Facility Bonds/Single Family Mortgage Revenue Bonds

This Assignment of Allocation (the "Assignment"), dated this _____ day of _____, 2017, is between the City of Greeley Colorado (the "Assignor" or the "Jurisdiction") and the Colorado Housing and Finance Authority (the "Assignee").

WITNESSETH:

WHEREAS, the Assignor and the Assignee are authorized and empowered under the laws of the State of Colorado (the "State") to issue revenue bonds for the purpose of financing qualified residential rental projects for low- and moderate-income persons and families; and

WHEREAS, the Assignor and the Assignee are authorized and empowered under the laws of the State of Colorado (the "State") to issue revenue bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), restricts the amount of tax-exempt bonds ("Private Activity Bonds") which may be issued in the State to finance such projects and for certain other purposes (the "State Ceiling"); and

WHEREAS, pursuant to the Code, the Colorado legislature adopted the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), providing for the allocation of the State Ceiling among the Assignee and other governmental units in the State, and further providing for the assignment of allocations from such other governmental units to the Assignee; and

WHEREAS, pursuant to an allocation under Section 24-32-1706 of the Allocation Act, the Assignor has an allocation of the 2017 State Ceiling for the issuance of a specified principal amount of Private Activity Bonds prior to September 15, 2017, (the "2017 Allocation"); and

WHEREAS, the Assignor has determined that, in order to increase the availability of adequate affordable rental housing for low- and moderate-income persons and families within the Jurisdiction, Colorado and elsewhere in the State, it is necessary or desirable to provide for the utilization of all or a portion of the 2017 Allocation; and

WHEREAS, the Assignor has determined that the 2017 Allocation, or a portion thereof, can be utilized most efficiently by assigning it to the Assignee to issue Private Activity Bonds for the purpose of financing one or more multifamily rental housing projects for low- and moderate-income persons and families or to issue Private Activity Bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families ("Revenue Bonds"), and the Assignee has expressed its willingness to attempt to issue Revenue Bonds with respect to the 2017 Allocation assigned herein; and

WHEREAS, the City Council of the Assignor has determined to assign to the Assignee all or a portion of its 2017 Allocation, and the Assignee has agreed to accept such assignment, which is to be evidenced by this Assignment.

NOW, THEREFORE, in consideration of the premises and the mutual promises hereinafter set forth, the parties hereto agree as follows:

1. The Assignor hereby assigns to the Assignee \$ 5,065,100 of its 2017 Allocation [the "Assigned Allocation"], subject to the terms and conditions contained herein. The Assignor represents that it has received no monetary consideration for said assignment.

2. The Assignee hereby accepts the assignment to it by the Assignor of the Assigned Allocation, subject to the terms and conditions contained herein. The Assignee agrees to use its best efforts to issue and sell Revenue Bonds in an aggregate principal amount equal to or greater than the Assigned Allocation, in one or more series, and to make proceeds of such Revenue Bonds available from time to time for a period of two (2) years from the date of this Assignment to finance multi-family rental housing projects located in the Jurisdiction, or to issue Revenue Bonds for the purpose of providing single-family mortgage loans to low- and moderate income persons and families in the Jurisdiction.

3. The Assignor hereby consents to the election by the Assignee, if the Assignee in its discretion so decides, to treat all or any portion of the Assigned Allocation as an allocation for a project with a carryforward purpose or to make a mortgage credit certificate election, in lieu of issuing Revenue Bonds.

4. The Assignor and Assignee each agree that it will take such further action and adopt such further proceedings as may be required to implement the terms of this Assignment.

5. Nothing contained in this Assignment shall obligate the Assignee to finance any particular multi-family rental housing project located in the Jurisdiction or elsewhere or to finance single-family mortgage loans in any particular amount or at any particular interest rate or to use any particular percentage of the proceeds of its Revenue Bonds to provide mortgage loans or mortgage credit certificates to finance single-family housing facilities in the Jurisdiction, provided that any Revenue Bond proceeds attributable to the Assigned Allocation shall be subject to paragraph 2 above.

6. This Assignment is effective upon execution and is irrevocable.

IN WITNESS WHEREOF, the parties hereto have duly executed this Assignment on the date first written above.

[S E A L]

City of Greeley, Colorado

By: _____

Name: _____

Title: _____

ATTEST:

By: _____

Name: _____

Title: _____

COLORADO HOUSING AND FINANCE
AUTHORITY

[S E A L]

By: _____

Name: _____

Title: _____

ATTEST:

By: _____
Assistant Secretary

CERTIFICATE OF THE CITY OF GREELEY, COLORADO
CONCERNING ASSIGNMENT OF
PRIVATE ACTIVITY BOND VOLUME CAP ALLOCATION

I, the undersigned, hereby certify that I am a duly chosen, qualified and City Attorney of the City of Greeley, Colorado (the "City"), and that:

1. The City is a public body politic and corporate, duly organized and existing under the constitution and laws of the State of Colorado.

2. The City has been previously notified that, pursuant to Section 24-32-1706 of the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), it has an allocation of the State ceiling (as defined in the Allocation Act) for 2017 in the amount of \$4,933,300 (the "2017 Allocation").

3. Attached hereto as Exhibit A is a true and correct copy of a resolution and the related minutes thereto (the "Resolution") authorizing the assignment to the Colorado Housing and Finance Authority (the "Authority") of all or a portion of the 2017 Allocation in an amount equal to \$4,933,300 (the "Assigned Allocation"), and authorizing the execution and delivery of an Assignment of Allocation dated as of _____, 2017 (the "Assignment of Allocation") between the City and the Authority in connection therewith, which Resolution was duly adopted by the City Council of the City (the "City Council") at a meeting thereof held on _____, 2017, at which meeting a quorum was present and acting throughout and which Resolution has not been revoked, rescinded, repealed, amended or modified and is in full force and effect on the date hereof.

4. The meeting of the City Council at which action has been taken with respect to the Assignment of Allocation was a regular meeting properly called and open to the public at all times.

5. With respect to the Assigned Allocation, the City has not heretofore: (a) issued private activity bonds; (b) assigned the Assigned Allocation to another "issuing authority," as defined in the Allocation Act; (c) made a mortgage credit certificate election; or (d) treated the Assigned Allocation as an allocation for a project with a carryforward purpose, as defined in the Allocation Act.

6. The Assignment of Allocation, attached hereto as Exhibit B, is in the form presented to and approved by the City Council at the meeting thereof held on _____, 2017.

7. On or before the date hereof, counterparts of the Assignment of Allocation were officially executed by the Mayor and the City Clerk of the City. On the date of such signing, such persons were the duly sworn, qualified and acting officers of the City authorized to execute the Assignment of Allocation and holding the offices of the Mayor and City Clerk, respectively.

8. The City has authorized the execution, delivery and due performance of the Assignment of Allocation, and the execution and delivery of the Assignment of Allocation and the compliance by the City with the provisions thereof, will not, to the best of my knowledge, conflict with or constitute on the part of the City a breach of or a default under any existing Colorado law, City resolution, court or administrative regulation, decree or order or any agreement or other instrument to which the City is subject or by which it is bound.

9. To the best of my knowledge, there does not exist any action, suit, proceeding or investigation pending, or threatened against the City, contesting (a) the corporate existence of the City, (b) the title of its present officers or any of them to their respective offices, including, without limitation, the members of the City Council, (c) the validity of the Assignment of Allocation or (d) the power of the City to execute, deliver or perform the Assignment of Allocation.

10. No referendum petition has been filed concerning the Resolution; and to the best of my knowledge none is being circulated or planned for circulation.

WITNESS my hand and the seal of the City this _____, 2017.

City Attorney

(SEAL)

Council Agenda Summary

September 5, 2017

Agenda Item Number 16

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

Title

Consideration of a Resolution of the City Council of the City of Greeley, Colorado, accepting the Human Relations Commission's August 22, 2017 Report on Immigration

Summary

At the August 22, 2017 Council Worksession, the Greeley Human Relations Commission provided both written and verbal reports on the results of their review of efforts in the Greeley community to educate immigrant and non-immigrant populations in Greeley of immigration issues in the community. The report included recommendations and specific actions for City Council to take in regard to this issue. Council expressed a desire to accept the Commission's recommendations and requested that staff place the item on the agenda of the next regular 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?	
What is the annual impact?	
What fund of the City will provide funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues

None

Other Issues and Considerations

None

Applicable Council Goal or Objective

Infrastructure & Growth – Human infrastructure; Image – Quality of life

Decision Options

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

Council's Recommended Action

A motion to adopt the Resolution.

Attachments

Resolution

HRC Report on Immigration

Attachments to Report

THE CITY OF GREELEY, COLORADO

RESOLUTION ____, 2017

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREELEY,
COLORADO, ACCEPTING THE HUMAN RELATIONS COMMISSION'S AUGUST 22,
2017 REPORT ON IMMIGRATION.**

WHEREAS, on March 21, 2017 the Greeley City Council requested that the Greeley Human Relations Commission initiate a review of efforts currently being undertaken in Greeley to educate immigrant and non-immigrant populations in Greeley of immigration issues in our community; and

WHEREAS, the Greeley City Council also requested the Human Relations Commission to provide suggestions to improve these efforts and identify what role, if any Greeley City Government should have;

WHEREAS, following completion of such inquiry and review, the Human Relations Commission prepared a written report to City Council which was provided to City Council along with a verbal report to Council at the August 22, 2017 Worksession and is attached hereto; and

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

- 1) City Council hereby acknowledges the positive past and on-going contributions of immigrants to our community;
- 2) City Council hereby acknowledges the on-going efforts of local law enforcement in the prevention and suppression of crime in our community;
- 3) City Council desires to continue to build bridges in our community to celebrate our diversity and ethnic backgrounds by continuing to support and fund efforts to support neighborhoods and quality of life issues in our community and in our neighborhoods. For example: Neighborhood Building Blocks; Drug Task Force; School Resource Officers; Neighborhood Nights; Communication and Engagement Office initiatives, such as Inclusion Advocates Network events and projects; Diversity and Inclusion training; City of Greeley Communication and Engagement Guide usage; G Town Tours; the Community Network database; GreeleyGov.com website translations; Hispanic Heritage Month, Refugee Month and Black History Month proclamations; as well as bridging constituent communities by sponsoring and/or supporting select special events (i.e. Greeley Multi-Cultural Festival, Oktobrewfest, Refugee Run, Weld Project Connect). Plus Neighborhood Resource Office projects such as Billie Martinez and East Memorial neighborhood block parties;
- 4) City Council desires to work together with all community constituencies to address and resolve community issues such as gangs and violence;

- 5) City Council hereby acknowledges that immigration is a significant emotional issue for our community consisting of different perspectives which must be discussed and addressed.
- 6) This Resolution shall become effective immediately upon its passage, as provided by the Greeley City Charter.

PASSED, AND ADOPTED, SIGNED AND APPROVED THIS 5TH DAY OF SEPTEMBER, 2017.

ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____

By: _____
Mayor



TO: Mayor and Members of City Council
FROM: Members of the Greeley Humans Relations Commission
DATE: August 22, 2017
SUBJECT: Immigration Initiative - 2017

In March, 2017, City Council requested that the Human Relations Commission initiate a review of the efforts currently being undertaken in Greeley to educate immigrant and non-immigrant populations on immigration issues in the community. As part of the charge, Council was interested in a listing of what local organizations, religious, law enforcement and educational entities are doing to educate the public on this issue. The City Council was also interested in suggestions from the Human Relations Commission to improve these efforts and the role, if any, of Greeley City Government. Input was to include all segments of the community in each of the four Wards and the diversity of thoughts spanning age, gender and ethnicity.

With the review needing to cover a broad spectrum of information, the members of the Human Relations Commission believed that to be effective all members of the Commission should work in the same environment and base all inquiries from the same frame and content. Each member was provided an opportunity to expand the contacts and questions from that baseline. After compiling a list of groups and entities, questions were developed and each of the members of the Commission took on the task of making contact with assigned entities.

The groups identified included:

Religious

Catholic Charities – Enita Hout
Christ Community Church
Family of Christ Presbyterian Church – Nathan Soule-Hill
First Congregational Church – Rev Ben Konecny
Greeley Interfaith Association – Rick Mawson
Lutheran Family Services – Ryan Gray
Trinity Episcopal Church
St. Mary Catholic Church

Governmental

Greeley Police Department
Weld County Sheriff's Office

Individual & Resources

Agricultural Community
Dr. Andres Guerrero
Immigration Attorney – Penny Gonzales-Soto
Immigration Information Resources
Individuals who asked to be informed about HRC plans
Refugee Collaboration meetings

Organizational

Al Frente de Lucha – Ricardo Romero
Colorado Citizenship Now – Juan Gallegos
Colorado Immigration Rights Coalition – Sonia Marquez
Colorado People's Alliance – Ana Rodriguez
Global Refugee Center
Northern Colorado Latino Foundation
Poder Latino of Greeley – Cynthia Silva
Right to Read
Soccer without Borders – Abby Smith
United Way of Greeley – Jeannine Truswell
Young Dreamers

Educational

Aims Community College - Dr Richard Hanks, Bill Brown
BOCES - Aracely Calderon
Greeley/Evans School District
Greeley/Evans School District Welcome Center – Karen Wainscott & Jessica Cooney
University of Northern Colorado

I. Questions asked

HRC members asked the same questions of those interviewed while having flexibility to adapt the questions to the audience as well as in response to their answers. The basic group of questions developed included:

1. Who are the primary constituents your organization serves?
2. What do you believe is currently going on in Greeley and the surrounding area regarding immigration?
 - a. What resources do you have available to impact the issues?
 - b. Where are the gaps?
3. What does your organization do to educate the public on the issues faced by our immigrant population?
 - a. How does your organization differentiate between the various terminologies often used with regard to immigrants?
 - b. Do you believe that the public has an understanding as to the terms used in conjunction with the term immigrant, such as “illegal, documented, undocumented, refugee, etc”?
4. What do you see as our top three immigration issues that need to be addressed?
5. What actions would you recommend the City of Greeley consider to be able to appropriately support the needs of our immigrant population?
 - a. Do you have or know anyone who would be willing to share their life experiences with the HRC or a member of the HRC?
6. How welcomed do you feel as part of the Greeley community?
 - a. Do you feel free to express your cultural celebrations in the Greeley community?
 - b. Why did you choose to live in this community?
 - c. What did you expect when you arrived?
 - d. How easy or difficult was it to obtain information for services or other needs?
 - e. Was there any information you needed but were unable to find?

II. What is going on in the community?

We found that our community has tremendous resources and services serving the immigrant and refugee populations. Dependent on the organizational background and foundation, organizations represented various types of services and perspectives.

Lutheran Family Services work with refugees, those with asylum status, Cuban parolees (non-incarcerated), Somalis, Burmese, and Congolese as families. They work with other organizations in the community to support refugees in their adjustment into the community and they do not work with Syrians or undocumented immigrants.

Greeley Interfaith Association was founded in 1976 and consists of representatives from various faith communities as well as social service agencies. GIA provides donated clothing items to both documented and undocumented immigrants. GIA distinguishes between the various groups of immigrants and their status, i.e. US citizen, naturalized citizen, permanent and temporary residents, refugees, asylum and undocumented immigrants. The group views that the national political environment has provided a growing fear on the part of the immigrant/refugee population, not only citizenship, but fear of deportation and separation from families coupled with a fear of harassment, personal violence and ridicule.

BOCES has held three community meetings in the past months, to discuss needs in the event there are deportations.

Family of Christ Presbyterian church views themselves as an older religious community who view themselves as a “sanctuary church” but there has never been a formal declaration as such. Their congregation is made up of both immigrants and mainstream community members. The church strives to be a place where families feel protected and not broken apart and a place where they can come should there be another threat to families. The congregation of Christ Presbyterian is made up of both immigrants and mainstream community members.

First Congregational Church established a non-formal group known as the TBD. They have been working on establishing a rapid response team to support families if another ICE raid should occur. Additionally they have been working with community groups that could interact with our new refugee community to build a better understanding and appreciation for the positives of being a diverse Greeley community. The members see themselves as working with the undocumented person as well as refugees.

A myth that is in the community is that “refugees are taking away jobs from other community people”. It is found that many advertised jobs at the meat packing plant are not applied for by locals. A second myth is that “illegals get benefits, like health care, food stamps, etc. from state and federal agencies that they are not qualified to have”. Again not a true statement as there is a strict screening process that is used before anyone can receive any benefits. The persons in the program have already been through an extreme vetting process before they ever come to our community.

Al Fuente de Luche is an organization in Greeley that serves “migrant” families both documented and undocumented. The concern of the organization is that the community feeling in recent years is changing from more welcoming to less welcoming. There was expressed an identity gap in the Hispanic community relating to a lack of knowledge about the history of their indigenous ancestors that dates back over 500 years in Colorado and other parts of the United States.

Soccer Without Borders is an organization that began in 2011 and is unique in that it works with the youth of the community, mostly middle, junior high and high school youth during the school year. They do work with the younger youth during the summer with a variety of programs. Their immigrant population comes from Eastern Africa, Burma, Malaysia, Guatemala, Mexico, and the Middle East. Because they deal with primarily the youth of those communities, they have little contact with the family but they do work with Northern Colorado Soccer, UNC, District #6 and the Food Bank. Their focus is to make a difference in the life of the “newcomer” kids in our community.

Aims College is finding that the diversity of the community and surrounding area is growing. One such group is the Somali population and the work force at JBS. The Latino community also is statistically growing throughout the region and a recent study project that in 20 years the Latino population will be near 50%. Regardless of the cultural background and immigration status, Aims College does not delineate status with regard to documented, undocumented or refugee designation. From an academic standpoint, there may be personal forces that affect those who may be in questionable status as it pertains to the application process for scholarships or financial aid as an individual may not wish to disclose personal information that may be required on the application.

United Way facilitates a Refugee Collaboration Committee consisting of many agencies throughout the community involved in immigrant and refugee services. They also have staff assigned to specific agency and outreach programs are involved in bringing together service providers to develop a response plan in the event deportations do occur.

III. Facts and Misunderstandings

It is important to acknowledge that without exception, individuals we have talked with have a common desire to punish criminals who commit crimes, violence and gang activity within our community.

There is misinformation and confusion about who are refugees seemingly stemming from a confusion of terms and identity along with stereotyping. The HRC was provided an overview of immigration status and found a variety of types of status definitions. This included citizen by birth/birth certificate, naturalization, LPR (Lawful Permanent Resident), the Conditional Permanent Resident, Family Sponsored Visas that can be documented such as Tourist, Work, Student, Diplomatic, etc. as there are 185 types, VAWA Self Petitioner, Special Immigrant Juvenile (SIJ) status, Refugee/Asylum/Aslyee as well as status for crime victims and victims of trafficking in persons. Additional definitions can be found at the United States Citizenship and Immigration Services and the United Nations Refugee Agency definitions. Refer Attachment I.

Most of the organizations do not differentiate between the terminologies often used with regard to immigrants. For example, Soccer Without Borders uses the term “newcomer” when talking about the youth they work with since they feel that too much baggage attaches to terms like refugee, immigrant or illegal.

A running theme with the individuals interviewed is the sense that there is significant misunderstanding about refugees in Greeley and their legal status. Some community members perceive that “all” immigrants are undocumented and they do not have a legal right to be in the United States, “they are taking away jobs from other community people” and illegally utilizing the governmental services such as food stamps, health care, etc. It has been found that many advertised jobs at the meat packing plant are not applied for by locals. The second myth that “illegals get benefits, like health care, food stamps, etc. from state and federal agencies that they are not qualified to have”. For documented immigrants, this is not a true statement as there is a strict screening process before anyone can receive any benefits. The persons in the program have already been through an extreme vetting process before they ever come to our community. For undocumented immigrants, they would not have the necessary paperwork to be able to apply for these benefits.

The Colorado Department of Human Services 1st Quarter report for 2017 reflects that total arrivals to the state were 112 persons the largest percentage being of refugee status. Fifty percent of those entering the country were married with children and 19% single parent families totaling 69% family related. Seventy eight percent were between the ages of 0-44 and 22% 45+. A general overview of the basic facts on immigration can be found in the reports provided by the Department of Homeland Security at the website of <http://www.dhs.gov/immigration-statistics>. This website contains information with regard to Fact sheets on Immigration, Immigration Enforcement Action 2016 (refer Attachment II), Enforcement Priorities, Definitions of types of immigrants and Special Reports to name a few.

IV. Gaps and Fears

Gaps that have been identified include:

- Transportation and being able to get around the community and to work;
- Day care is a big gap for refugees who work;
- Other employment opportunities in the community outside of the meat packing industry;
- Lack of training programs for employment such as painting, janitorial, etc.
- Ability to obtain driver’s licenses in Colorado under the current format;

- Lack of “safe” opportunities to become acquainted with one another and sharing cultural and ethnic backgrounds by working together;
- Limited working relationships between the college, community and business community to identify needs of those entering into the community. As an example, the work force needs at JBS with regard to transportation, technical and other work force training to achieve proficiency in certain job tasks.

The community as a whole is confused in their understanding of those who are new to our community. Some community members see them all as illegal and are unaware that not all refugees chose to come to the United States but the choice is made for them.

Increased fears seem to be the theme in the immigrant community with regard to ICE and even the police. Persons have a fear for their families and friends as they fear being taken advantage. An example given to a pastor was a day laborer was shorted by 1/3rd of his promised salary and felt he had no recourse to seek the other third and was fearful to make a report. Day laborers are promised one thing but at the end of the work, are not paid what they were told.

Overall the view as to the three greatest issues with regard to immigration includes:

1. The need to educate the public about the refugee/immigrant community with correct information about the general make-up of the community as a whole. Much information that is incorrect is being shared in the community. The confusion as to the economic impact of the immigrant community on our community as a whole and that for the most part immigrants does not take inappropriate advantage of the “system” or employment from other community persons.
2. The need to maintain or establish appropriate centers of cultural recognition for people who have migrated to or fled from other countries to Greeley. We need to be able to welcome refugees in an orderly and transparent way by lessening the confusion for refugees/immigrants as well as for the citizens in our community in their understanding.

A better clarification of the issues facing the immigrant/refugee community is needed. Welcoming different kinds of people into the community requires a focus more on identifying similarities rather than differences. There is a need to develop ways in which all persons may feel more “wholly” a part of rather than apart from our community and dispel fears and myths about the immigrant and refugee population.

3. Assuring that law enforcement is being transparent in their communication with the general public as to operational procedures for the handling of undocumented persons in Greeley and that they are following the rules of justice and fairness.

V. **What is currently going on to educate people about immigration?**

Some organizations such as United Way provide Refugee 101 presentations to the general public and several to specific service clubs, churches, and groups. Other presentations included “Walk in their Shoes Simulation” that was open to the public, community tabletop discussions with refugees, an open house at the Greeley Mosque and as well as other presentations. Agency requests included outreach and programs at Lutheran Family Services, Right to Read, Global Refugee Center, Soccer Without Boards and School District #6.

Pastors in various churches throughout Greeley attempt to speak to the issues and share obtained information with the congregation. The reverend at Faith Lutheran Church in Eaton tries to humanize information and not just present cold facts and looks for more of the positives rather than the negatives. The pastor at Family of Christ Presbyterian makes the issue of immigration a regular discussion including

immigrants versus undocumented or refugees. He does so as he feels that the general public is confused about refugees, immigrants, illegals and undocumented peoples.

Lutheran Family Services is an organization that is willing to provide programs on their organization and clientele to any group or organization to include schools, churches and service groups. Currently they work with other organizations in the community to support refugees in their adjustment into our community and their successes.

Greeley Interfaith Association is an organization that has sponsored monthly programs related to immigrant and refugee populations. These programs have included "Improving Police-Community Relations", "Addressing Islam phobia and Anti-Semitism in Greeley", "Issues Facing Our Refugee Neighbors" and "Respecting Cultural Boundaries While Building Relationships" to name a few. GIA has provided information to their clientele literature pointing to health, training and community services.

The mission at Aims Community College is to help build a stronger community by providing knowledge and skills to advance the quality of life, economic vitality and overall success to the communities being served. In doing so, they serve a diverse demographic at the school. The most recent survey indicates a 60% Caucasian, 33% Hispanic and 7% Other population being served with the majority of students coming from the 18-29 age groups.

The college offers a number of venues for the student and the community. Organizations supported by Aims College on campus include Men of Color, Women of Color, bridge programs, ESL classes, LULAC, Aims Multicultural Club and others. Programs such as iFocus include presentations to the community on issues that affect the community, students and individuals. Many multi-cultural activities are scheduled to include foods of various cultures that are provided to expose students to the different ethnicities and cultures. They are promoted to educate the public as to issues and myths that are fostered in the community. Classes such as ESL are taken on a regular basis by an older demographic in need of learning English.

VI. What is the responsibility/authority of local law enforcement?

Both the Greeley Police Department and the Weld County Sheriff's Office have stated that their respective agencies do not prohibit their officers from cooperating with the federal government. Chief Garner related in an article in the Greeley Tribune that there have been cases in which Greeley Police officers have assisted immigrations and Customs Enforcement agents in serving arrest warrants on suspected felons who are in the country illegally. In that same article, Sheriff Reams agreed with the sentiment stating the Sheriff's Office does not have a policy in place prohibiting employees from communicating with ICE.

Chief Garner went on to say police officers do not ask about a person's immigration status and the time of an arrest or during an investigation as they are not federal officers. Sheriff Reams added that he does not believe his deputies have an obligation to track down people in the country illegally and report them. His office allows ICE officials into the jail to find immigrants without proper documentation and all inmates' information is forward to the Colorado Bureau of Investigation which in turn hands it over to ICE.

The difference in dealing with ICE stems from one particular point. Sometimes ICE requests the jail to hold a person 48 hours after their release date so agents can detain them. Sheriff Reams feels this is a violation of constitutional rights and will not hold the person past his release date. Non-citizens, even those in the country illegally, still have rights under the Constitution that was established in our court system going back to more than a century.

Local law enforcement are in agreement that they are not federal law officers and do not ask a person to prove their immigration status during an investigation or arrest. They will however enforce the local and state laws and make those arrests and process the arrestee through the system. The law enforcement agencies in Weld County follow the position statement on Immigration Law provided by the Colorado Association of Chiefs of Police provided 2/17/2017. Refer Attachment III.

VII. What can/should our community do?

Suggestions from organizations and individuals contacted ranged from the practical to the idealistic. They included:

- Provide opportunities for direct interaction between the community leaders and the immigrant population thereby encouraging people to get to know one another and their cultures.
- Showcase outcomes of work that is bringing the community together through a support of community diversity.
- Encourage education about our diverse cultural backgrounds to include subjects about local Hispanic and indigenous history to develop pride and understanding of diversity.
- Sponsor cultural celebrations to educate people about each other's gifts.
- Promote the hiring, election and appointments of a more diverse representation throughout the community to better approximate our demographics.
- Support an educational process that provides the immigrant population with information that protects their families should another deportation event occur in the community.
- Bring the community together through events like a community venue of music, food, crafts, etc. where different community groups are able to experience at one time a large part of our community.
- Establish a better and safer method of reporting unjust labor practice and hold those accountable who would abuse their power or position to exploit the immigrant.
- Communicate and clarify of the use of language around refugee, migrant, undocumented, etc.
- Community businesses, the City of Greeley and educational forces should better team up to identify the needs of those entering into the community in the areas such as basic needs and operation involving household management, finances, technical skills for the workforce, language and other identified issues.
- Community colleges can have an impact at the starting place for most training and advanced education and should, as the city mirror the makeup of the community. Local businesses would benefit from a better trained employee as well as develop a larger work force pool of applicants and the community as a whole benefits from a well-rounded diverse workforce and community that are accepting in its diversity.

VIII. Recommendations from the Human Relations Commission

The Human Relations Commission recommends the following:

- City Council acknowledge the positive past and on-going contributions of immigrants to our community;
- City Council acknowledge the on-going efforts of local law enforcement in the prevention and suppression of crime in our community;
- City Council continue to build bridges in our community to celebrate our diversity and ethnic backgrounds by continuing to support and fund efforts to support neighborhoods and quality of life issues in our community and in our neighborhoods. For example: Neighborhood Building Blocks; Drug Task Force; School Resource Officers; Neighborhood Nights; Communication and Engagement Office initiatives, such as Inclusion Advocates Network events and projects; Diversity and Inclusion training; City of Greeley Communication and Engagement Guide usage; G Town Tours; the Community Network database; GreeleyGov.com website translations; Hispanic Heritage Month,

Refugee Month and Black History Month proclamations; as well as bridging constituent communities by sponsoring and/or supporting select special events (i.e. Greeley Multi-Cultural Festival, Oktobrewfest, Refugee Run, Weld Project Connect). Plus Neighborhood Resource Office projects such as Billie Martinez and East Memorial neighborhood block parties.

- City Council communicate a desire to work together with all community constituencies to address and resolve community issues such as gangs and violence;
- City Council acknowledges that immigration is a significant emotional issue for our community consisting of different perspectives which must be discussed and addressed.

Respectfully submitted,

Members of the Greeley Human Relations Commission

Roger Muller, Chair

Montez Butts

Jeremy Davis

Lonnie Eakle

Rick Mawson

Joe Perez

Val Smythe

Deborah Suniga

Lisa Taylor

Aaron Wooten

Attachments:

I - Definitions of varying immigration status taken from United States Citizenship and Immigration Services (USCIS) and the United Nations (UN) Refugee Agency

II - Annual Flow Report DHS Immigration Enforcement: 2016

III - Colorado Association of Chiefs of Police, Inc. Position Statement on Immigration Law

Definitions of varying status taken from USCIS and The UN Refugee Agency

Who is an immigrant?

An alien who has been granted the right by the **USCIS** to reside permanently in the United States and to work without restrictions in the United States. Also known as a Lawful Permanent Resident (LPR). All **immigrants** are eventually issued a "green card" (**USCIS** Form I-551), which is the evidence of the alien's LPR

Who is an illegal alien?

Also known as an "Undocumented Alien," is an alien who has entered the United States illegally and is deportable if apprehended, or an alien who entered the United States legally but who has fallen "out of status" and is deportable.

Who is a nonimmigrant?

An alien who has been granted the right by the USCIS to reside temporarily in the United States. Each nonimmigrant is admitted into the United States in the nonimmigrant status, which corresponds to the class of visa with which, or purpose for which, he entered the United States (e.g., a foreign student may enter the United States on an F-1 visa, which corresponds to the F-1 student status in which he was admitted to the United States).

Aliens in some nonimmigrant statuses are allowed to be employed in the United States, and others are not. Some nonimmigrant statuses have rigid time limits for the alien's stay in the United States, while others do not.

Each nonimmigrant status has rules and guidelines, which must be followed in order for the nonimmigrant to remain "in status." A nonimmigrant who violates one of these rules or guidelines will fall "out of status." An nonimmigrant who remains "out of status" for at least 180 days is deportable and will be unable to re-enter the United States for 3 years. A nonimmigrant who remains "out of status" for at least 365 days is deportable and will be unable to re-enter the United States for 10 years.

Who is a refugee?

A refugee is someone who has been forced to flee his or her country because of persecution, war, or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries.

Who is an internally displaced person?

An internally displaced person (IDP) is a person who has been forced to flee his or her home for the same reason as a refugee, but remains in his or her own country and has not crossed an international border. Unlike refugees, IDPs are not protected by international law or eligible to receive many types of aid. As the nature of war has changed in the last few decades, with more and more internal conflicts replacing wars among countries, the number of IDPs has increased significantly.

A returnee is a refugee who has returned to his or her home country. The majority of refugees prefer to return home as soon as it is safe to do so, after a conflict and the country is being rebuilt. The UN High Commissioner for Refugees (UNHCR) encourages voluntary repatriation, or return, as the best solution for displaced people. The agency often provides transportation and other assistance, such as money, tools and seeds. Occasionally, UNHCR helps rebuild homes, schools and roads.



Who is a stateless person?

A stateless person is someone who is not a citizen of any country. Citizenship is the legal bond between a government and an individual, and allows for certain political, economic, social and other rights of the individual, as well as the responsibilities of both government and citizen. A person can become stateless due to a variety of reasons, including sovereign, legal, technical or administrative decisions or oversights. The Universal Declaration of Human Rights underlines that "Everyone has the right to a nationality."

Who is an asylum seeker?

When people flee their own country and seek sanctuary in another country, they apply for asylum – the right to be recognized as a refugee and receive legal protection and material assistance. An asylum seeker must demonstrate that his or her fear of persecution in his or her home country is well-founded.

DHS Immigration Enforcement: 2016

The Department of Homeland Security (DHS) engages in immigration enforcement actions to prevent unlawful entry into the United States and to apprehend and repatriate aliens who have violated or failed to comply with U.S. immigration laws. In 2014, the Secretary of Homeland Security announced a number of measures to strengthen and unify the Department's immigration enforcement priorities by concentrating resources on the arrest, detention, and removal of individuals identified as posing a threat to national security, public safety, or border security. The 2014 priorities emphasize criminal convictions over criminal arrests, and focus on felonies and significant or multiple misdemeanors over minor infractions of the law. The priorities also focus on forward-looking efforts to further reduce unlawful migration by targeting recent border crossers and those who significantly abuse the visa system.

In support of this prioritization, Secretary Jeh Johnson established three tiers of enforcement categories that are defined in his November 20, 2014 memorandum, *Policies for the Apprehension, Detention and Removal of Undocumented Immigrants*. The priority categories are summarized in Box 1 and reproduced in **APPENDIX 1**.

To assess the Department's performance in this area, Secretary Johnson directed the Office of Immigration Statistics (OIS) to develop a comprehensive system for tracking, monitoring, and analyzing enforcement actions. This data collection system was implemented midway through FY 2015. This 2016 report covers the first full fiscal year of DHS enforcement actions for

which the 2014 Department-wide enforcement priority categories were in place.

KEY FINDINGS

As the data included in this report reveal, the Department's immigration enforcement entities—U.S. Border Patrol (USBP) and the Office of Field Operations (OFO) within U.S. Customs and Border Protection (CBP), and Enforcement and Removal Operations (ERO) and Homeland Security Investigations (HSI) within U.S. Immigration and Customs Enforcement (ICE)—consistently enforced the Department's priorities at each point in the enforcement process during FY 2016. These data show:

- 98 percent of initial enforcement actions—a set of actions that includes OFO determinations of inadmissibility, USBP apprehensions, and ICE administrative arrests—involved aliens who were classified within one of the three enforcement priority categories. 91 percent were classified within a Priority 1 category.
- 98 percent of intakes to ICE detention were classified within one of the three enforcement priority categories. 88 percent were classified within a Priority 1 category.
- Virtually all (99.7 percent) removals and returns were classified within one of the three enforcement priority categories. 94 percent were classified within a Priority 1 category.
- The great majority of cases at each stage of the enforcement process were classified as Priority 1B (Border Security). This category includes aliens

Box 1.

Enforcement Priority Categories*

- Priority 1A: National Security Interests
- Priority 1B: Border Security
- Priority 1C: Street Gangs
- Priority 1D: Felonies
- Priority 1E: Aggravated Felonies
- Priority 2A: 3+ Misdemeanors
- Priority 2B: Significant Misdemeanors
- Priority 2C: Entry since January 2014
- Priority 2D: Significant Visa Abuse
- Priority 3: Removal Order after January 2014

*See Appendix 1 for full descriptions.



**Homeland
Security**

Office of Immigration Statistics
POLICY DIRECTORATE

Box 2.

Definitions and Terms

Apprehension: An action by a law enforcement agency to take physical control of a person. References to apprehensions in this report refer exclusively to those conducted by USBP.

Determination of Inadmissibility: A determination that an alien is ineligible to be admitted to the United States according to the provisions of the Immigration and Nationality Act (INA) § 212(a). References to determinations of inadmissibility in this report refer exclusively to determinations by OFO occurring at ports of entry.

Administrative Arrest: The arrest of an alien who is charged with removability under the provisions of the Immigration and Nationality Act (INA). References to administrative arrests in this report refer exclusively to arrests by ICE (ERO and HSI) occurring within the interior of the United States.

Detention: The physical custody of an alien in order to hold them pending a determination whether the alien is removable from the United States, or while awaiting transportation to their country of citizenship after a final order of removal has been entered. References to detention and “intake to detention” in this report refer exclusively to detention by ICE during or after removal proceedings; they do not include short-term periods of time an individual is held by CBP during processing, prior to a removal or return, or prior to a transfer of custody to ICE or another appropriate entity. They also do not include detention in Office of Refugee Resettlement or Mexican Interior Repatriation Program facilities.

Removal: The compulsory and confirmed movement of an inadmissible or deportable alien out of the United States based on an order of removal. An alien who is removed, as opposed to being returned or leaving the country under an order of voluntary departure, faces administrative or criminal consequences upon subsequent reentry.

Return: The confirmed movement of an inadmissible or deportable alien out of the United States not based on an order of removal. Data on returns in this report include voluntary returns, aliens leaving the country under an order of voluntary departure, and withdrawals under docket control.

identified at or near the border while attempting or furthering an unlawful entry or at a port of entry while applying for admission into the United States. Overall, 84 percent of initial enforcement actions, 72 percent of intakes to ICE detention, and 85 percent of removals and returns involved people identified at or near the border.¹ Each of these proportions was up slightly from FY 2015.²

- In light of the high share of enforcement actions classified within the three main priority categories, very few actions were classified as priority unknown or other federal interest. Overall, less than 1.5 percent of initial enforcement actions, less than 2 percent of intakes to detention, and less than 0.5 percent of removals and returns had unknown priority classifications. Less than 0.5 percent of initial enforcement actions and of intakes to detention and less than 0.1 percent of removals and returns were classified as other federal interest.

METHODOLOGY AND APPROACH

This report combines data collected at ports of entry by OFO, data collected between the ports by USBP, and data collected within the United States by ERO and HSI. The report covers the first full fiscal year for which the November 2014 priorities were implemented and priority data were systematically recorded. The report includes a snapshot of enforcement actions based on data that were available as of December 1, 2016; OIS will publish updated information on FY 2016 enforcement actions as additional data become available.

¹ Given the flow of cases through the immigration enforcement system, many of the same individuals who are classified upon apprehension or administrative arrest are also classified upon intake to ICE detention and/or upon removal or return.

² Except where otherwise indicated, references to FY 2015 refer to the seven-month period March through September, the months for which FY 2015 enforcement priority data are available.

OIS reports on enforcement actions and implementation of the 2014 priorities at each of three main stages in the enforcement process:

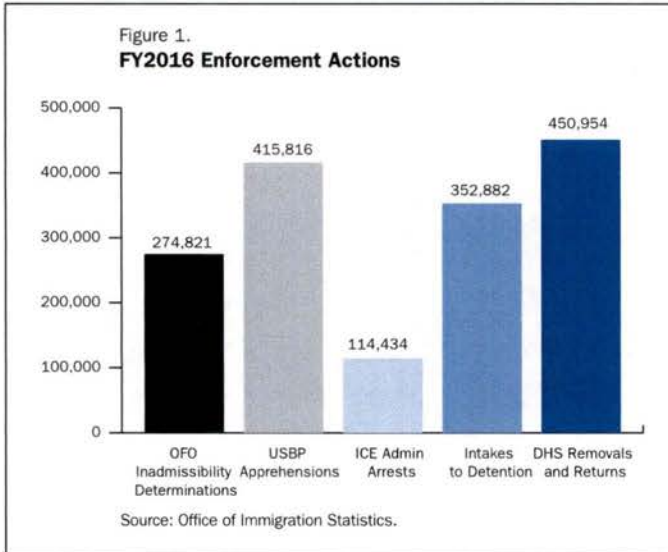
- **Initial enforcement actions.** For OFO, these actions consist of inadmissibility determinations. For USBP and ICE, these actions consist of apprehensions and administrative arrests, respectively. Each of these initial actions may or may not result in further enforcement actions, including detention and removal or return.³
- **Intakes to detention.** Following apprehension or arrest, aliens may be detained by ICE during the pendency of removal proceedings and/or following issuance of a removal order. ICE ERO, which manages the detention process, collects data on all aliens placed in detention.
- **Removals and returns.** Taken together, removals and returns encompass all compulsory repatriations from the United States. ICE and CBP each provide Component-level repatriation data, and this report aggregates the Component-level data to describe DHS-wide repatriations.

The following sections of this report describe the number of enforcement actions occurring at each of these stages during FY 2016 and, within each stage, the proportion of each action within the three priority categories. (Appendix 2 provides more detailed priority data for each type of enforcement action.) These sections are followed by discussions of enforcement actions for which the priority category was unknown or not recorded (coded as “priority unknown”) and of actions coded as “other federal interest,” an additional grouping identified in the November 2014 memo that includes individuals not covered by the other three categories.

³ Aliens who are found inadmissible, apprehended, or arrested may be permitted to return to their country of origin, a form of repatriation without additional penalties; be formally removed; or be issued a Notice to Appear, which initiates a removal proceeding in immigration court. Removal proceedings in immigration court may take many months to be resolved, and may result in an order of removal or some form of relief from removal.

Total Enforcement Actions

The total number of enforcement actions varies at each step of the process, as depicted in Figure 1. Immigration enforcement agents and officers initiated new enforcement actions against 805,071 inadmissible or deportable aliens in FY 2016. These actions included 274,821 inadmissibility determinations by the Office of Field Operations, 415,816 Border Patrol apprehensions, and 114,434 ICE arrests. ICE placed 352,882 aliens in civil detention facilities; and ICE and CBP together removed or returned 450,954 aliens.

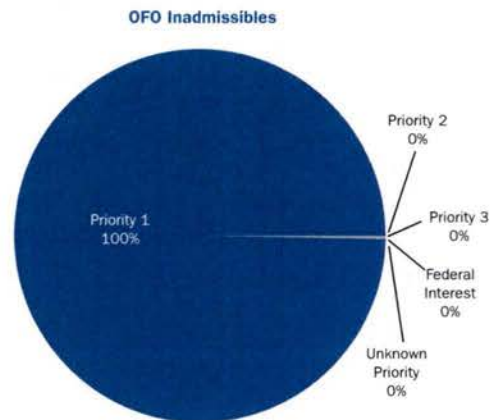


Comparing FY 2016 to the full 12 months of FY 2015 data, the numbers of OFO inadmissibility determinations, USBP apprehensions, and ICE intakes to detention all increased in FY 2016 (up 8 percent, 23 percent, and 15 percent, respectively), while ICE arrests and DHS removals and returns were slightly down for the year (by 9 percent and 1 percent, respectively).

Enforcement Actions By Priority Category

As Figure 2 illustrates, nearly all cases (99.9 percent) that OFO determined to be inadmissible were classified within the Priority 1 category—almost all of them within the Priority 1B (Border Security) category. (See **APPENDIX 2** for data on enforcement action by sub-priority.) This rate was unchanged from FY 2015.

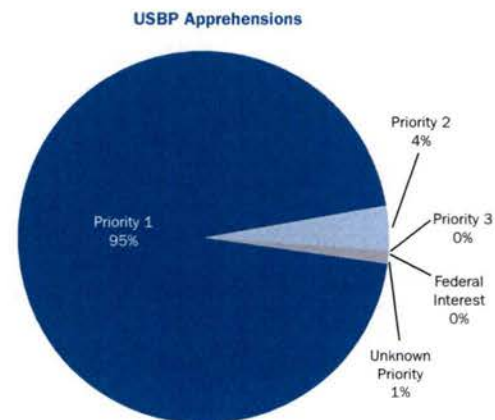
Figure 2.
FY2016 OFO Inadmissibility Determinations by Enforcement Priority



Note: Priorities are defined in Appendix 1; categories may not sum to 100 percent due to rounding.
Source: Office of Immigration Statistics.

In the case of USBP, 95 percent of all apprehensions were classified as Priority 1 (see Figure 3), and 94 percent involved aliens who were attempting or furthering an unlawful entry into the United States and were therefore classified as Priority 1B (Border Security). Most of the remaining cases (four percent) were classified Priority 2, including three percent of the total that were classified Priority 2C (unlawful entry since January 2014; see **APPENDIX 2**). These rates were similar to those observed in FY2015.

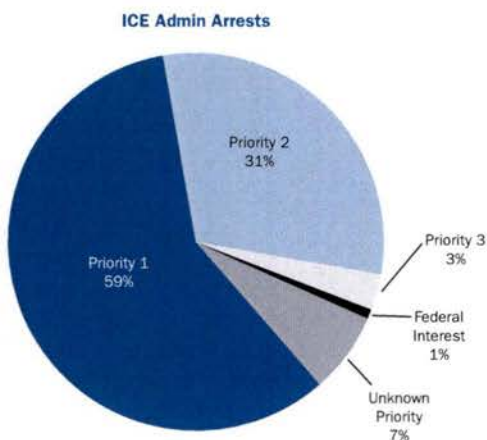
Figure 3.
FY2016 USBP Apprehensions by Enforcement Priority



Note: Priorities are defined in Appendix 1; categories may not sum to 100 percent due to rounding.
Source: Office of Immigration Statistics.

With respect to interior enforcement, 92 percent of ICE's administrative arrests were classified as Priority 1, 2, or 3 (see Figure 4). These three categories accounted for 89 percent of ICE administrative arrests in FY 2015. About 7 percent of ICE administrative arrests had unknown priority data; this share was down from 10 percent in FY 2015. Less than one percent of arrests were classified as "other federal interest." Pursuant to the November 2014 memo, this category includes aliens who are not classified within one of the three enforcement priority categories but who may be arrested, detained, and/or removed because a designated supervisory official determines that doing so serves an important federal interest.

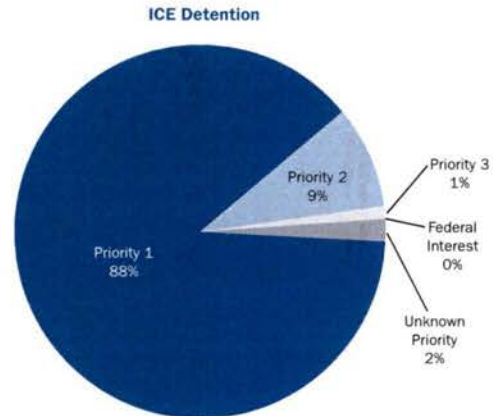
Figure 4.
**FY2016 ICE Administrative Arrests
by Enforcement Priority**



Note: Priorities are defined in Appendix 1; categories may not sum to 100 percent due to rounding.
Source: Office of Immigration Statistics.

ICE ERO makes custody determinations following an administrative arrest or transfer of custody from CBP or another law enforcement agency. 88 percent of all intakes to ICE detention were classified as Priority 1 assignments, up from 83 percent in FY 2015; and 72 percent were classified as Priority 1B (Border Security), up from 64 percent in FY 2015. Most other intakes to detention were classified as Priority 2 (nine percent) or Priority 3 (one percent). Just under two percent of intakes to detention had unknown priority data.

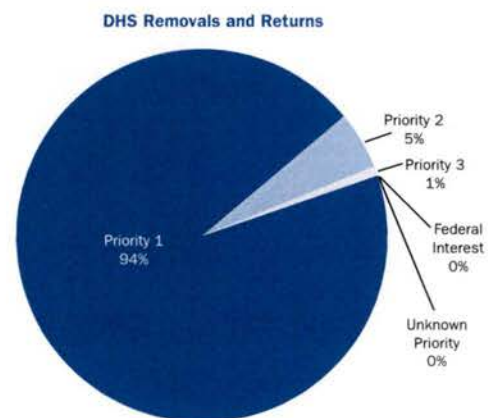
Figure 5.
**FY2016 Intakes to ICE Detention
by Enforcement Priority**



Note: Priorities are defined in Appendix 1; categories may not sum to 100 percent due to rounding.
Source: Office of Immigration Statistics.

Removals and returns show a similar pattern, which was little changed from FY 2015. About 94 percent of all repatriations were classified within the Priority 1 category (see Figure 6), including 85 percent of the total classified within the Priority 1B category (i.e., apprehended at the border or a port of entry while attempting to unlawfully enter the United States). Remaining removals and returns involved aliens classified as Priority 2 (5 percent) or Priority 3 (1 percent), with about 0.2 percent of removals and returns having unknown priority classifications.

Figure 6.
**FY2016 DHS Removals and Returns
by Enforcement Priority**



Note: Priorities are defined in Appendix 1; categories may not sum to 100 percent due to rounding.
Source: Office of Immigration Statistics.

Priority Unknown

As depicted in Figure 2 through Figure 6, DHS immigration enforcement Components were able to classify the vast majority of enforcement actions within a priority category. About seven percent of ICE administrative arrests lacked sufficient information to attach a priority classification; unknown priority classifications accounted for fewer than two percent of all other types of enforcement events. In addition, 38 percent of ICE administrative arrests and 2 percent of intakes to detention were classified as Priority 1 but lacked information about the specific priority sub-category (see **APPENDIX 2**).

These data mark a reduction from the number of actions with unknown priority classifications in FY 2015, when 10 percent of ICE arrests lacked sufficient data to assign a priority classification.⁴ One of the remaining data collection challenges concerns ICE HSI administrative arrests. Unlike ICE ERO, which focuses primarily on immigration enforcement, HSI's primary mission involves the investigation of criminal cases. As a result, administrative arrests are a small share of all HSI arrests (an estimated 11 percent in FY 2016), and HSI officers do not routinely collect Priority data when processing arrestees.

Other Federal Interest

The vast majority of enforcement events in FY 2016 were classified as Priority 1, 2, or 3, with very small percentages classified as "other federal interest." In particular, the other federal interest category encompassed 0.8 percent of ICE administrative arrests (965 out of 114,434 arrests), and less than 0.4 percent of all other types of enforcement events. OIS will continue to track this category.

CONCLUSION

The data depicted above and provided in detail in Appendix 2 indicate that DHS immigration enforcement Components adhered closely in FY 2016 to the priorities set forth by Secretary Johnson. As defined in November 2014, these priorities focus enforcement on those individuals who pose a threat to national security or public safety, have been convicted of serious crimes, have recently crossed the border, or have significantly abused the visa system. In short, DHS has consistently focused its enforcement efforts on convicted criminals and border crossers.

The low numbers of enforcement actions with unknown priority classifications in FY 2016 reflect the successful implementation by OIS and the Department's enforcement Components of a comprehensive system to collect and track the Secretary's enforcement priorities. At the same time, DHS has also launched a new Immigration Data Integration Initiative that will strengthen the Department's ability to analyze and report on enterprise wide

⁴As in FY 2015, OFO and ERO both have procedures in place, based on additional available information, to classify certain cases for which priority data are not initially recorded. OFO classifies inadmissibility determinations made at ports of entry as Priority 1B (Border Security) unless information is available to the contrary. ERO classifies administrative apprehensions, intakes to detention, and removals and returns for which priority data are not initially recorded as Priority 1 if the events are the result of a USBP apprehension or involve individuals convicted of an aggravated felony or two or more felonies; and ERO classifies events involving individuals who entered or had a final order of removal on or after January 1, 2014 as Priority 2 or Priority 3, respectively.

enforcement patterns, including the ways different types of cases progress through the immigration enforcement system. In the coming year, OIS will begin reporting on this enforcement lifecycle, and on other relevant data that will further inform DHS enforcement practices.

APPENDIX 1: EXECUTIVE IMMIGRATION REFORM PRIORITIES

The Secretary's November 20, 2014 memorandum details the prioritization for apprehension, detention, and removal of undocumented immigrants based on the following categories.

Priority 1

Aliens described in this priority represent the highest priority to which enforcement resources should be directed:

- (a) Aliens engaged in or suspected of terrorism or espionage, or who otherwise pose a danger to national security (national security);
- (b) Aliens apprehended at the border or ports of entry while attempting to unlawfully enter the United States (border security);
- (c) Aliens convicted of an offense for which an element was active participation in a criminal street gang, as defined in 18 U.S.C. § 521(a), or aliens not younger than 16 years of age who intentionally participated in an organized criminal gang to further the illegal activity of the gang (street gang);
- (d) Aliens convicted of an offense classified as a felony in the convicting jurisdiction, other than a state or local offense for which an essential element was the alien's immigration status (felony); and
- (e) Aliens convicted of an "aggravated felony," as that term is defined in section 101(a)(43) of the Immigration and Nationality Act at the time of the conviction (aggravated felony).

Priority 2

Aliens described in this priority, who are also not described in Priority 1, represent the second-highest priority for apprehension and removal. Resources should be dedicated accordingly to the removal of the following:

- (a) Aliens convicted of three or more misdemeanor offenses, other than minor traffic offenses or state or local offenses for which an essential element was the alien's immigration status, provided the offenses arise out of three separate incidents (3+ misdemeanors);
- (b) Aliens convicted of a "significant misdemeanor," which for these purposes is an offense of domestic violence; sexual abuse or exploitation; burglary; unlawful possession or use of a firearm; drug distribution or trafficking; or driving under the influence; or if not an offense listed above, one for which the individual was sentenced to time in custody of 90 days or more (the sentence must involve time to be served in custody, and does not include a suspended sentence) (significant misdemeanor);

(c) Aliens apprehended anywhere in the United States after unlawfully entering or re-entering the United States and who cannot establish to the satisfaction of an immigration officer that they have been physically present in the United States continuously since January 1, 2014 (Entry Since January 2014); and

(d) Aliens who, in the judgment of an ICE Field Office Director, U.S. Citizenship and Immigration Services (USCIS) District Director, or USCIS Service Center Director, have significantly abused the visa or visa waiver programs (visa abuse).

Priority 3

Priority 3 aliens are those who have been issued a final order of removal on or after January 1, 2014. Aliens described in this

priority, who are not also described in Priority 1 or 2, represent the third and lowest priority for apprehension and removal. Resources should be dedicated accordingly to aliens in this priority (removal orders after January 2014).

Other Federal Interest

Immigration officers and attorneys may pursue removal of an alien not identified as a priority provided, in the judgment of an ICE Field Office Director,⁵ removing such an alien would serve an important federal interest.

⁵ DHS policy also permits senior level USCIS and CBP officials to authorize immigration officers and attorneys to pursue the removal of an alien in the other federal interest category.

APPENDIX 2: ENFORCEMENT ACTIONS BY DETAILED ENFORCEMENT PRIORITY

Table 1.

FY2016 Enforcement Actions by Detailed Enforcement Priority

Enforcement Priority	OFO Inadmissibility Determinations	USBP Apprehensions	ICE Admin Arrests	Intakes to Detentions	DHS Removals and Returns
NUMBER					
Total	274,821	415,816	114,434	352,882	450,954
PERCENT					
Total	100.00%	100.00%	100.00%	100.00%	100.00%
Priority 1 Total	99.88%	94.66%	58.70%	87.96%	93.99%
National Security (1a)	0.08%	0.02%	0.48%	0.31%	0.18%
Border Security (1b)	99.71%	93.92%	11.07%	71.97%	84.78%
Criminal Street Gang (1c)	0.01%	0.01%	1.35%	0.50%	0.24%
Felony (1d)	0.08%	0.43%	7.04%	10.81%	5.63%
Aggravated Felony (1e)	0.01%	0.29%	0.55%	2.12%	1.80%
Unknown Subclass	0.00%	0.00%	38.22%	2.25%	1.36%
Priority 2 Total	0.11%	3.61%	30.59%	9.33%	5.08%
Three or More Misdemeanors (2a)	0.01%	0.23%	4.86%	1.54%	0.72%
Significant Misdemeanor (2b)	0.06%	0.20%	18.13%	5.63%	2.63%
Entry since Jan. 2014 (2c)	0.03%	3.13%	7.13%	2.01%	1.66%
Visa Abuse (2d)	0.01%	0.05%	0.47%	0.00%	0.06%
Unknown Subclass	0.00%	0.00%	0.00%	0.15%	0.00%
Priority 3 Total	0.00%	0.45%	3.03%	0.78%	0.65%
Federal Interest	0.00%	0.36%	0.84%	0.25%	0.08%
Unknown Priority	0.00%	0.92%	6.84%	1.68%	0.21%



Colorado Association of Chiefs of Police, Inc.

02-17-2017

CACP Position Statement on Immigration Law

The members of the Colorado Association of Chiefs of Police have recently received numerous inquiries regarding how our police agencies work with federal immigration authorities, and how local agencies interpret our roles under the law.

Although our member Chiefs represent dozens of diverse Colorado communities with varied political opinions and priorities, we are in agreement that Immigration Law is a federal responsibility, and that it is not our role to assist with deportation efforts. Getting involved in immigration enforcement would be outside of our responsibility and mission, and would have a chilling effect on the willingness of individuals to report crime or assist with our investigation of crime.

That stance, most assuredly, should not be interpreted to mean that we provide sanctuary to those who are violating immigration law. Our member agencies continue to work cooperatively with Immigration and Customs Enforcement (ICE), to include cooperating with our County's jails to share information on the national origin of all arrestees who are jailed. We provide logistical support, whenever asked, to all of our federal partners who may be conducting lawful operations within our communities. Additionally, we strongly support the efforts of ICE to arrest, detain, and deport undocumented individuals who have committed felony crimes.

The officers under our command do not, however, check the immigration status of individuals with whom they routinely come in contact, nor does ICE expect them to do so. To conduct such checks or 'sweeps' would negatively impact the willingness of individuals to cooperate with local police. Moreover, there is no constitutional requirement for citizens to provide proof of immigration status when contacted by police officers, and therefore it is not the practice of our officers to make such inquiries or report the results of such inquiries to ICE.

The members of the Colorado Association of Chiefs of Police, and the police agencies that we represent, comply with the U.S. Constitution and all binding statutory and case law on this topic.

CACP c/o Civica Management P.O. Box 3406 Englewood, CO 80155

Council Agenda Summary

September 5th, 2017

Agenda Item Number 17

Key Staff Contact: Victoria Runkle, Assistant City Manager, 350-9730

Title

Introduction and first reading of an ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2017 and for funds held in reserve for encumbrances at December 31, 2016

Summary

This is the third additional appropriation ordinance modifying the 2017 budget.

Fiscal Impact

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial or onetime impact?	\$ 2,712,582
What is the annual impact?	\$ 2,712,582
What fund of the City will provide funding?	See Ordinance
What is the revenue source within the fund?	Intergovernmental Agreements, Food Tax Revenues, Private Contributions, Fund Balance, Fines, and Grants
Is there grant funding for this item?	Yes – Items #1 and #2.
If yes, does this grant require a match?	No
Is this grant onetime or ongoing?	Onetime
Additional Comments: Total appropriations made by this ordinance are \$2,712,582. The following funding sources will be used to cover the appropriations made by this ordinance.	
Grants	\$ 736,924
Operating Transfers	710,383
Fund Balance	662,256
Food Tax Revenues	307,000
Intergovernmental Agreements	258,300
Private Contributions	30,919
Fines	6,800
Grand Total:	\$ 2,712,582

Legal Issues

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

Other Issues and Considerations

None

Applicable Council Goal or Objective

Image Priority – Quality of Life

Decision Options

1. Introduce the ordinance as presented; or
2. Amend the ordinance and introduce as amended; or
3. Deny the ordinance; or
4. Continue consideration of the ordinance to a date certain.

Council's Recommended Action

A motion to introduce the ordinance and schedule the public hearing and final reading for September 19, 2017.

Attachments

Ordinance

Detail Supporting Schedule

**THE CITY OF GREELEY
ORDINANCE NO. _____, 2017**

AN ORDINANCE APPROPRIATING ADDITIONAL SUMS TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF GREELEY FOR THE BALANCE OF THE FISCAL YEAR OF 2017 AND FOR FUNDS HELD IN RESERVE FOR ENCUMBRANCES AT DECEMBER 31, 2016.

WHEREAS, the City of Greeley has or will incur expenses for certain activities described below during the 2017 fiscal year, and

WHEREAS, the revenues received in the City of Greeley in 2016, exceeded the amount of revenues estimated in the 2016 Budget by more than the total amount of the expenditures in the same year;

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

Section 1. In accordance with section 5-17 of the Greeley Charter, from actual and anticipated revenues which exceed the revenue estimates in the 2017 budget and amounts held in fund balance reserves from 2016, there is hereby appropriated the following designated sums to be allocated for use during the remainder of 2017:

Fund	Total
001 General	\$ 180,915
103 Community Development	835,234
104 Streets & Roads	158,300
105 Conservation Trust	13,383
106 Sales & Use Tax	307,000
108 Restricted Revenue	346,000
304 Food Tax	407,000
321 Street Infrastructure Improvement	57,000
322 2016 City Center	300,000
408 Cemetery	107,750
Grand Total:	\$ 2,712,582

Section 2. All actions heretofore taken (not inconsistent with the provisions of this ordinance) by the officers, agents and employees of the City in connection with this appropriation are hereby ratified, approved and confirmed.

Section 3. This Ordinance shall become effective five (5) days after its final publication as is provided by Section 3-16 of the Greeley Charter,

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _____ DAY OF _____, 2017.

ATTEST:

THE CITY OF GREELEY

City Clerk

BY _____
Mayor



City of Greeley
2017 Appropriation No. 3
Ordinance #
City Council Meetings: September 5th and September 19th

Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact	
001 General Fund						
2	Grants and Fines		-	103,613	103,613	-
	<p>The Office of National Drug Control Policy (ONDCP) awarded a High Intensity Drug Trafficking Area (HIDTA) grant to the Greeley Police Department (per Resolution 14, 2017). This grant will be used for 33% of the salary and benefits of an investigative officer assigned to the Weld County Drug Task Force, overtime, vehicle leases, and facility lease for a total of \$96,813.</p> <p>The penalty imposed on businesses that have violated alcoholic beverage laws is generally a ban on selling alcohol for a certain number of days. If qualified to do so, some of the businesses may pay a fine in lieu of this ban. The Police Department budgeted \$10,000 in 2017, but have collected over \$16,800 from liquor compliance operations. This request appropriates the additional \$6,800 to purchase new audio and video recording equipment utilized in compliance check operations. Additional video monitoring equipment will be used for observing special events such as Friday Night Fest, Blues Jam, Oktoberfest, and other high alcohol consumption events.</p> <p>The two requests total \$103,613</p>					
9	Private Contribution		-	30,919	30,919	-
	<p>In a land crossing agreement/easement with XTR Midstream for an underground pipeline, the company agreed to fund site improvements to the Poudre Learning Center grounds which are owned by the City of Greeley under the Culture, Parks and Recreation Department. One of the improvements replaces an existing barbed wire fence that is in disrepair with a new cedar fence that runs parallel to 83rd Avenue for the entire length of the property. The new fence will match the standard for natural area fencing in all open space lands the City owns (2-rail rough cut cedar fence with 4" x 6" cedar posts). This request will cover the cost of installation and materials. An independent contractor will construct the fence upon award of bid. XTR Midstream previously submitted payment to the City and the money was placed into a revenue account for future project use. This appropriation transfers those funds in order to complete the project in fall, 2017.</p>					
10	Operating Transfer		-	17,883	17,883	-
	<p>The purpose of this request is to appropriate \$17,883 to replace the artificial turf on the Adventure Golf Course at the Family Funplex. CPRD received three bids and determined that Skips Carpet Service is the best choice to complete the installation. This request includes the removal of existing turf, prep work, and installation of new artificial turf. There is currently \$17,718 available in the Designated Revenue Fund - Adventure Golf Improvements fund balance. This request will reduce the funds by \$15,000 and leave a remaining balance of \$2,718. The remaining \$2,883 of this appropriation request will be funded by Conservation Trust Fund Balance.</p>					
11	Operating Transfer		-	8,000	8,000	-
	<p>This request transfers funds to purchase youth hockey jerseys and foam divider pads that will be placed on the ice to separate the rink into two play areas. The current dividers are heavy and take over an hour to setup. Improvements will also be made to the net system around the rink to allow the net to be raised when needed. These funds were originally obtained from 2007 registration fees through Ice Haus hockey classes and programs. There is currently \$81,230 available in the Designated Revenue Fund - Youth Hockey League fund balance. This request will reduce the fund by \$8,000 and leave a remaining balance of \$73,230.</p>					
12	Operating Transfer		-	10,000	10,000	-
	<p>The purpose of this request is to transfer \$10,000 to purchase youth programs marketing materials. In order to expand outreach, marketing materials are needed to better advertise programs and services. Examples of materials include water bottles, pens, t-shirts, etc. There is currently \$35,105 available in the Designated Revenue Fund - Youth Enrichment fund balance. This request will reduce the fund by \$10,000 and leave a remaining balance of \$25,105.</p>					
14	Operating Transfer		-	10,500	10,500	-
	<p>1) This request is for a portable automatic trail counter for accurately tracking and logging trail usage within the City's parks system (including the Poudre River Trail). The collected information will be utilized to promote usage and to anticipate long-term needs and performance of the City's trails. The requested counter matches the one used by the Town of Windsor; the counters can be used in tandem to better assess regional visitation. Cost of the counter is \$2,500.</p> <p>2) CPRD requests a digital FlashCAM in order to better capture surveillance in areas prone to vandalism and other criminal activity. The older cameras used within parks and natural areas have worn out. Additionally, modern surveillance technology has improved dramatically; the requested device works in low-light areas and provides wireless data downloads. Cost of the camera is \$8,000.</p> <p>The total request is \$10,500. Funding for both requests comes for fund balance in the Conservation Trust Fund.</p>					
001 General Fund			-	180,915	180,915	-

Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
103 Community Development					
1 Grants and Fund Balance	Re-appropriate prior year's unspent grant funding for Community Development Block Grant programs, as well as the budget for program income expenditures. This request will also re-appropriate the prior year's unspent HOME grant funds. Project costs for HOME include administrative costs, the completion of Camfield Corner Phase 4, and Habitat funding.	195,123	640,111	835,234	-
103 Community Development		195,123	640,111	835,234	-
104 Streets and Roads Fund					
7 Intergovernmental Agreement	CDOT has given the City of Greeley an additional \$158,300 in one-time funds through the 2018 fiscal year (July 1, 2017 - June 30, 2018) maintenance contract for the following: \$66,000 - Add the traffic signal at intersection of 83rd Ave and US 34 to the Rhythm Engineering Adaptive Signal System. \$92,300 - New ethernet switches for all 50 state traffic signals	-	158,300	158,300	-
104 Streets and Roads Fund		-	158,300	158,300	-
108 Designated Revenue					
3 Fund Balance	This request appropriates traffic calming fund balance to purchase a traffic calming speed trailer. Revenue has continued to come into this fund from old traffic tickets. In response to numerous neighborhood calls for speeding, we will place the speed trailer in order to have a visual presence to reduce speeding issues in neighborhoods at times when police are not available to monitor. This also helps with distracted drivers by alerting the driver to slow the vehicle to a safer speed. Data shows a consistent five mph reduction in average speeds and a 62% reduction in the number of drivers who speed more than five mph above the speed limit. There is currently \$21,652 available in the Designated Revenue Fund - Traffic Calming fund balance. This request will reduce the fund by \$13,000 and leave a remaining balance of \$8,652.	13,000	-	13,000	-
108 Designated Revenue		13,000	-	13,000	-
304 Food Tax					
5 Operating Transfer	This request appropriates additional 2017 food tax revenue to be used to repair the City Hall parking lot, which is in very poor condition. City Hall was constructed in approximately 1967 and has had minimal maintenance work. The parking lot should be reconstructed to be more maintainable, eliminate hazards, and present a better public image.	-	250,000	250,000	-
18 Intergovernmental Agreement	In 2017, the Culture, Parks and Recreation Department assumed regular maintenance duties and capital maintenance for the Poudre River Trail within the Greeley and Weld County portions of the trail. There are two immediate trail repairs needed due to river bank erosion. Weld County has budgeted \$100,000 to repair these two areas as they are within the County. Weld County has agreed to allow the City to do the repairs and invoice the County for the actual cost. Public Works is managing the engineering and working on design and reconstruction of the trail, along with any necessary Corps of Engineers permitting.	-	100,000	100,000	-
304 Food Tax		-	350,000	350,000	-
321 Keep Greeley Moving Fund					
6 Operating Transfer	This request appropriates additional funding to overlay 10th Avenue from 10th Street to 7th Street. This section is being overlaid due to age and due to the curb, gutter, and sidewalk improvements along the UCCC and restriping of the lanes in this area. Funding will come from additional revenue in the Food Tax Fund.	-	57,000	57,000	-
321 Keep Greeley Moving Fund		-	57,000	57,000	-
322 City Center Fund					
8 Operating Transfer	This request appropriates PEG (Public, Educational, Governmental) funds derived from Comcast franchise fees for the purchase of GTV8 broadcast equipment for the new City Council chamber. The original plan was to fund this expense with PEG monies. The contractor has identified the new equipment and is ready to purchase. Currently there is \$427,592 available in the PEG funds. This request will reduce the PEG funds by \$300,000 for a remaining balance of \$127,592.	-	300,000	300,000	-
322 City Center Fund		-	300,000	300,000	-

Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact	
408 Cemetery Fund						
16	Fund Balance	Linn Grove Cemetery's historic main office and shop building are in need of repair and maintenance to the interior and exterior to meet staff needs, address safety issues, and prevent further damage and decay to the structure. The majority of the windows in the building are over 60 years old, leak severely, and are not energy efficient. The single-pane glass and wooden frames are suffering from rot and are causing damage to the walls and structure of the historic building, as well as increasing heating and cooling costs to keep the building at a suitable temperature year-round for staff and clients. The shop area is not properly vented for mechanic operations and requires a ventilated fan system to remove toxic fumes from the shop bays to maintain employee safety in the entire building. Lightning struck the bell tower and damaged many components of the PA system that are out of date and no longer available. The cemetery is currently not able to play music or have announcements over the PA system for burials and events. The stucco on the outside of the main building has been damaged by hail storms and severe weather and is in need of repair to prevent further damage to the sub-structure. Revenue generated from cemetery operations should cover future maintenance needs for these items. Breakdown: 1) Window replacement \$10,000; 2) Shop ventilation \$5,000; 3) Stucco repair/paint \$33,250; 4) Bell Tower rebuild \$10,000. Funding will come from existing fund balance in the Cemetery Fund	58,250	-	58,250	-
17	Fund Balance	Linn Grove Cemetery's columbarium burial (ash cremains) capacity is currently at 50%. Average sales are increasing annually; the remaining columbarium spaces are projected to reach capacity within the next two years. Planning for future need, and coupled with increasing costs for consumers, staff have investigated a lower cost option for cremation burials and request to install an "Ossuary Garden" as an alternative to a traditional Columbarium vault. The garden provides a lower maintenance cost option to the consumer while still properly and respectfully honoring loved one's remains. This site will increase capacity for cremains by more than ten times that of the existing space and will meet the demand for decades to come. The maintenance costs for the Ossuary Garden will be 100% covered by generated revenue. Projected revenue for the life of the Ossuary is \$1,264,200, compared to the one-time cost to install of \$49,500. Existing Cemetery Fund balance is the funding source for this request.	49,500	-	49,500	-
408 Cemetery Fund		107,750	-	107,750	-	
Total Less Operating Transfers		315,873	1,686,326	2,002,199	-	
Operating Transfers Between Funds						
5	Food Tax Revenue	Operating transfer from Sales and Use Tax Fund to Food Tax Fund	-	250,000	250,000	-
6	Food Tax Revenue	Operating transfer from Sales and Use Tax Fund to Food Tax Fund	-	57,000	57,000	-
6	Operating Transfer	Operating transfer from Food Tax Fund to Keep Greeley Moving Fund	-	57,000	57,000	-
8	Fund Balance	Operating transfer of fund balance from Designated Revenue Fund to City Center Fund	300,000	-	300,000	-
10	Fund Balance	Operating transfer of fund balance from Designated Revenue Fund to General Fund	15,000	-	15,000	-
10	Fund Balance	Operating transfer of fund balance from Conservation Trust Fund to General Fund	2,883	-	2,883	-
11	Fund Balance	Operating transfer of fund balance from Designated Revenue Fund to General Fund	8,000	-	8,000	-
12	Fund Balance	Operating transfer of fund balance from Designated Revenue Fund to General Fund	10,000	-	10,000	-
14	Fund Balance	Operating transfer of fund balance from Conservation Trust Fund to General Fund	10,500	-	10,500	-
Total Operating Transfers Between Funds		346,383	364,000	710,383	-	
Grand Total		662,256	2,050,326	2,712,582	-	

Council Agenda Summary

September 5, 2017

Agenda Item Number 18

Title

Pulled Consent Agenda Items

Council Agenda Summary

September 5, 2017

Agenda Item Number 19

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

Title

Appointment of applicants to the Planning Commission

Summary

Council appointment is needed to the Planning Commission. Applicants were interviewed at the August 22, 2017 Council Worksession.

Fiscal Impact

None.

Legal Issues

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

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

Other Issues and Considerations

Not applicable.

Applicable Council Goal or Objective

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

Decision Options

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

Council's Recommended Action

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

Attachments

- August 22, 2017 Worksession Summary Page
- Ballot

Worksession Agenda Summary

August 22, 2017 (7:20 - 8:05 p.m.)

Agenda Item Number 4

Key Staff Contact: Betsy Holder, City Clerk, 970-350-9742

Title

Planning Commission Interviews

Background

There is one term expiration for a Planning Commission member. Council will be interviewing the reapplying applicant and two new applicants that resulted from the advertising efforts in July.

Council Direction Requested

The Council direction requested is to provide staff with a recommendation for appointment at the September 5, 2017 City Council meeting.

Attachments

Interview Schedule

Planning Commission Roster (redacted)

Potential Conflict Memorandum

Applications (redacted)



Applicants for the boards and/or commission listed below are in alphabetical order and recommendations from the interviewing team of Councilmembers are shown in bold.

***** BALLOT *****

Planning Commission	
<i>1 Vacancy</i>	
<input type="checkbox"/>	GLORIA HICE-IDLER
<input type="checkbox"/>	Lou Rotella
<input type="checkbox"/>	Paulette Weaver
<input type="checkbox"/>	(Recruit for additional applicants)

Council Agenda Summary

September 5, 2017

Agenda Item Number 20

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

September 2017

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

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 27	28 11:30am Greeley Chamber of Commerce (Gates) 6:30pm Youth Commission (Payton)	29	30 7:00am Upstate Colorado Economic Development (Norton/Finn) 11:00am Annual Employee Appreciation BBQ (Island Grove Park Pavillion) - Council Master Calendar	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 5:30pm CCWCD - Chatfield Reservoir Mitigation Company Open House (Valley High School, 1001 Birch Street, Gilcrest CO) - Council Master Calendar	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, 101 11th Avenue) - Council Master Calendar	9
10	11	12 5:00pm City Council Worksession (1025 9th Ave)	13 8:30am GARA Installation Breakfast (RSVP Required) (Greeley Country Club) - Council Master Calendar	14 11:30am Weld Project Connect (Finn) (United Way, Lower Level) - Council Master Calendar 4:30pm Ribbon Cutting - Japanese Sapporo Steakhouse (Japanese)	15	16 3:00pm Ribbon Cutting - DoubleTree by Hilton at Lincoln Park (DoubleTree by Hilton at Lincoln Park, 919 7th Street) - Council Master Calendar
17	18 7:00am Council/Manager Breakfast Meeting (Training Room, City Hall)	19 7:30am Visit Greeley (Finn) 6:30pm City Council Meeting (1025 9th Ave)	20 2:00pm Water & Sewer Board (Norton) (School District Six Facility)	21 7:30am DDA (Elder/Casseday) 7:45am Government Day at Leadership Weld County Breakfast (RSVPs Required) (Buckle Club) - Council 3:30pm Airport Authority (Elder/Finn)	22	23
24	25 11:30am Greeley Chamber of Commerce (Gates) 6:30pm Youth Commission (Payton)	26 5:00pm City Council Worksession (1025 9th Ave)	27 7:00am Upstate Colorado Economic Development (Norton/Finn)	28	29	30 10:00am Roundtables with Rochelle (Cranford Tea Cove, 823 10th Street, Greeley CO)

City Council Meeting Schedule

<u>Date</u>	<u>Description</u>	<u>Staff Contact</u>	
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	Excellence in Design Awards	Brad Mueller	Recognitions
	Resolution - IGA with the State of Colorado for Emergency Management Support	Dale Lyman	Consent
	Ordinance- Intro - Chapter 2.41 Amendments to the Greeley Municipal Code	Victoria Runkle	Consent
	Ordinance - Final - Additional Appropriation	Victoria Runkle	Regular
	Possible Executive Session & Action Item	Sharon McCabe	Regular
September 26, 2017 Worksession	Board and Commission Appointments	Betsy Holder	Regular
	2018 Budget Presentations to include Police	Victoria Runkle	0.50
	Annual CDBG Presentation	Becky Safarik	0.50
October 3, 2017 Council Meeting	Sales Tax Definitions Discussion	Victoria Runkle	0.50
	Ordinance - Intro - 2018 Budget	Victoria Runkle	Consent
	Ordinance - Intro - Detienne's Rezone	Brad Mueller	Consent
	Ordinance - Intro - West Point Commerce Rezone	Brad Mueller	Consent
	Ordinance - Intro - Signature Bluffs Natural Area Annexation Nos. 1 through 3 and Establishment of Zoning	Brad Mueller	Consent
	Ordinance - Intro - Dale Annexation and Establishment of Zoning	Brad Mueller	Consent
	Ordinance - Intro - 4704 24th Street Rezone	Brad Mueller	Consent
	Ordinance - Intro - 402 15th Street Rezone	Brad Mueller	Consent
	Ordinance- Final - Chapter 2.41 Amendments to the Greeley Municipal Code	Victoria Runkle	Regular
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	Resolution - 95th Avenue ROW Dedication	Brad Mueller	Consent
	Ordinance - Final - 2018 Budget	Victoria Runkle	Regular
	Ordinance - Final - Detienne's Rezone	Brad Mueller	Regular
	Ordinance - Final - West Point Commerce Rezone	Brad Mueller	Regular
	Ordinance - Final - Signature Bluffs Natural Area Annexation Nos. 1 through 3 and Establishment of Zoning	Brad Mueller	Regular
	Ordinance - Final - Dale Annexation and Establishment of Zoning	Brad Mueller	Regular
	Ordinance - Final - 4704 24th Street Rezone	Brad Mueller	Regular
	Ordinance - Final - 402 15th Street Rezone	Brad Mueller	Regular
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 Special Meeting	Proposed Special Meeting for New Council to include Oaths of Office	Betsy Holder	
November 20, 2017 Council/Manager Breakfast Meeting			
November 21, 2017 Council Meeting			
	Board and Commission Appointments	Betsy Holder	Regular
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 Worksession	Monthly Financial Report	Victoria Runkle	0.50

Council Agenda Summary

September 5, 2017

Agenda Item Number 21

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

September 5, 2017

Agenda Item Number 22

Title

Adjournment

Council's Recommended Action

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