

**RECORD OF PROCEEDINGS  
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS  
July 18, 2016**

The City Council of the City of Fort Lupton met in special session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Monday, July 18, 2016. Mayor Tommy Holton called the meeting to order at 7:00 p.m. and invited everyone to join him in the Pledge of Allegiance.

**ROLL CALL**

City Clerk Nanette Fornof called the roll. Those present were Mayor Tommy Holton, Mayor Pro Tem Chris Cross (via face time), Councilmembers Bob McWilliams, David Crespin and Zoe Stieber. Also, present were City Administrator Claud Hanes, City Attorney Andy Ausmus, City Clerk Nanette Fornof, City Planner Todd Hodges and Finance Director Leann Perino.

**PERSON TO ADDRESS COUNCIL**

Jim Salsman, a Fort Lupton resident requested Coyote Creek Golf Course mitigate mosquitos at the course; there is standing water on the course. The Mayor indicated he would forward this request to the appropriate staff.

**APPROVAL OF AGENDA**

There were no additions or deletions to the agenda.

It was moved by Zoe Stieber and seconded by Bob McWilliams to approve the agenda as presented. Motion carried unanimously by a voice vote.

**REVIEW OF JULY 18, 2016 PAYABLES**

Council reviewed the July 18, 2016 payables. There were no questions or comments.

**CONSENT AGENDA**

It was moved by Bob McWilliams and seconded by David Crespin to approve the Consent Agenda as presented with the following items: 06202016, City Council Meeting Minutes, Approve the Intergovernmental Agreement with Weld County Concerning the November 8, 2016 Coordinated Election and to Designate Nanette Fornof, City Clerk at the Election Officer for the City of Fort Lupton (AM 2016-093), Approval of the Long-Term Road Maintenance and Improvements Agreement Between Asphalt Specialties Co., and the City of Fort Lupton and Authorizing the Mayor's Execution of the Agreement (AM 2016-101).

Motion carried unanimously by a voice vote.

**ACTION AGENDA**

**AM 2016-094, Accepting City of Fort Lupton's Audit Report of Financial Statements for the Year Ending December 31, 2015**

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Finance Director Leann Perino, state CliftonLarsonAllen, LLC has completed their review of the 2015 financial records for the City and the audit and management report have been presented as complete. The statements have also been filed with the State of Colorado Auditor, as well as the Multiple Securities Rule Make Board to keep the City in compliance with the continuing discloser requirement of the City's bond.

It was moved by Zo Stieber and seconded by Bob McWilliams to accept the City of Fort Lupton's audited audit report for the Comprehensive Annual Financial Statement for December 31, 2015. Motion carried unanimously.

**AM 2016-095, Award Contracts for Weld County Road 16 Reconstruction Project From General Fund/Streets**

The City applied for and was awarded an Energy and Mineral Impact Assistance Grant from the Department of Local Affairs (DOLA) to reconstruct a portion of Weld County Road 16 from Highway 85 to the Union Pacific Railroad. The revised grant budgets a total of \$759,750.00 for the project, \$379,875.00 in grant funds with \$407,774.00 in matching funds from the City (excluded Colorado Department of transportation Rights-of-Way work).

Request for Proposals was advertised on June 7, 2016 with bid opening held on June 30, 2016. Three bids received with Duran Excavating as low bidder for an amount of \$734,289.00.

The project is anticipated to begin early September with completion within 60 days.

The project was funded in the 2016 cycle, half of the budget \$486,000 is in the General Fund offset by a DOLA grant (DOLA contribution is limited to 50% share of construction costs or \$324,340 in current project budget – not to exceed \$379,875). The rest of the budget \$486,000 is in the Street Sales Tax Fund.

The original budget for this project was \$966,550. The revised budget is 902,879 with a city contribution shortage of \$92,540 (budget includes a 10% contingency line item). The current proposed 2016 paving projects are projected to cost \$850,000 of the allotted \$1,000,000 project budget. The shortfall to this budget can be allocated from this budgeted allocation.

It was moved by Chris Cross and seconded by Bob McWilliams approving the revision to the project budget to \$966,550 with \$92,540 to be reallocated from the 2016 Paving Projects budget to the Weld County Road 16 Reconstruction Project. Motion carried unanimously by a roll call vote.

It was moved David Crespin and seconded by Zoe Stieber to award the project construction contract to Duran Excavating, Inc. for a maximum amount of \$734,289, allocated from the Street Sales Tax Fund. Motion carried unanimously by a roll call vote.

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It was moved Chris Cross and seconded by Bob McWilliams to award the Construction Management Contract to Wohnrade Civil Engineers, Inc. for an amount not to exceed \$36,000, allocated from the Street Sales Tax Fund. Motion carried unanimously by a roll call vote.

**AM 2016-096, Award Contract for Wastewater Treatment Plant Study to SHE, Inc for \$142,545 from Utility Enterprise Fund**

The City's Wastewater Treatment Plant permit with CDPHE will be renewed in 2017. The existing plant has several known deficiencies and is nearing permitted capacity. The proposed study will provide the city with upgrade options, cost estimates and required time frames for improvements. The study will also look at the impacts of regionalizing the plant to accept flows from outside of the city limits.

Request for Qualifications was advertised on April 14, 2016. Fourteen consultants submitted Statements of Qualifications by the May 27, 2016 deadline. City staff review submittals as a Qualifications Based Selection process and interviewed four consultants for the final selection.

Short-Elliott-Hendrickson, Inc. (SEH) was selected as the most qualified and able to work with staff during the study process. Final scope and fees have been negotiated between staff and the consultant.

Anticipated project start date will be July with completion in December 2016.

It was moved by David Crespin and seconded by Bob McWilliams awarding the contract to Shor-Elliott-Hendrickson, Inc. for an amount not to exceed \$142,545.00 allocated from the Utility Fund. Motion carried by a roll call vote.

**AM 2016-097, Award Contract to Faris Machinery Company for a Sewer Vac Truck for an Amount not to Exceed \$379,025**

The City's existing 2006 VacTruck is an older model that has served the City well. The machine serves several functions for the Public Works Department including potholing utilities, vacuuming out storm drain inlets and jetting/vacuuming sanitary sewer lines. The existing truck has limited storage and water capacity. Faris Machinery Company supplied the City with a quote of \$397,025 for the purchase of 2016 Sewer Vac Truck and also the suggestion of financing through Kansas State Bank (Faris). After further review and inquiries Bank of Colorado (Fort Lupton) offered a superior financing product.

It is anticipated the truck will be delivered in four months.

It was moved by Zoe Stieber and seconded by Chris Cross accepting the proposal from Faris Machinery for the purchase of a 2016 VacTruck for an amount not to exceed \$376,025. Motion carried unanimously by a roll call vote.

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**AM 2016-098, Ratifying the Mayor's Signature for a Trail Easement Agreement on the Inouye Property**

The City received funding for the construction of a trail from Pearson Park to 14<sup>th</sup> Street (County Road 14.5). The trail construction is scheduled to begin soon and an easement is required for the portion across the Inouye property between the City property and the 14<sup>th</sup> Street.

Staff stated the Colorado Department of Transportation is requiring the easement be a "blanket" easement. All parties are working on achieving the specification of the grant. Staff asked Council to approve the easement with the stipulation the description of the easement will be more of a "blanket" type of description. Council stated they would approve the easement description as "blanket", with the caveat if the agreement is to have substantial changes, the agreement would be brought back before Council.

It was moved by Zoe Stieber and seconded by David Crespino to approve the Trail Easement Agreement with amending the property description to "blanket". Motion carried unanimously by a roll call vote.

**AM 2016-099, Approval to Award a Contract to Houseal Lavigne Associates, LLC for Professional Services to Perform Work on the 2016 Comprehensive Plan Update in an Amount not to Exceed \$200,000 and Authorize the Mayor's Signature to the Contract**

On April 20, 2016, the City released a request for proposals for the 2016 Comprehensive Plan Update on the Rocky Mountain ePurchasing System and the Colorado American Planning Association webpage. The City received several proposals from qualified consultant firms, and through the use of a selection committee, chose two consultant firms to interview for the project. Houseal Lavigne Associates, LLC was chosen as the top choice by the selection committee to carry out the 2016 Comprehensive Plan Update.

The proposed resolution is for City Council approval to award Houseal Lavigne Associates, LLC a contract for professional services to perform the 2016 Comprehensive Plan Update in an amount not to exceed \$200,000.00 and authorize the Mayor's signature to the attached contract.

It was moved by Chris Cross and seconded by Bob McWilliams to approve Resolution 2016R027, A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON AWARDED A CONTRACT TO HOUSEAL LAVIGNE ASSOCIATES, LLC FOR PROFESSIONAL SERVICES TO PERFORM WORK ON THE 2016 COMPREHENSIVE PLAN UPDATE AND AUTHORIZING THE MAYOR'S SIGNATURE TO THE CONTRACT. Motion carried unanimously by a roll call vote.

**AM 2016-100, Approve Resolution No. 2016RXXX Approving Merr-McGee Oil and Gas Onshore LP's Extension Request for Oil and Gas Permits to Drill and Produce Eleven New Oil and Gas Well (Referred to as the FL Greens HZ Wells) Located within the Northeast**

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**¼, Section 8, Township 1 North, Range 66 West, 6<sup>th</sup> P.M., City of Fort Lupton, County of Weld, State of Colorado**

Kerr-McGee Oil and Gas Onshore LP submitted an extension request for oil and gas permits to drill and produce eleven (11) oil and gas wells, collectively referred to as the FL Greens HZ Wells. The well permits were originally approved by Council on August 3, 2015 and from the issuance of the permit they had until May 2016 to drill and produce the wells. Do to the significant reduction on operations in Colorado the wells were not able to be drilled and produced within the approved timeline. Kerr McGee is requesting the extension on these specific wells be tied to the existing GOGCC permit that will expire in October of 2017.

The City Attorney has reviewed the required along with the City's code. Staff has been given direction begin the process of modifying the existing code specifically refeering to the time frame that oil and gas permits are valid for and including options for extensions.

It was moved by Zoe Stieber and seconded by David Crespin to approve Resolution 2016R028, A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING KERR-MCGEE OIL & GAS ONSHORE LP'S EXTENSION REQUEST FOR OIL AND GAS PERMITS TO DRILL AND PRODUCE ELEVEN NEW OIL AND GAS WELLS (REFERRED TO AS THE FL GREENS HZ WELLS) LOCATED WITHIN THE NORTHWEST 1/4, SECTION 8, TOWNSHIP 1 NORTH, RANGE 66 WEST, 6TH P.M., CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO. Motion carried unanimously by a roll call vote.

**STAFF REPORTS**

**Claud Hanes** City Administrator indicated the \$2,800 +/- was raised from the "pay your fine" for school supplies. The event was very successful. Also information about the Support Your Police Department Luncheon was provided. The event will be held at the Fort Lupton Rediness Center; lunches are being made by the Coyote Creek Golf Course staff.

**Todd Hodges** City Planner, thanked Council for signing the agreement for the Comprehensive Plan Agreement and staff will be informing them on upcoming meetings.

**MAYOR/COUNCIL REPORTS**

**Mayor Holton** thanked staff for their efforts in making the 4<sup>th</sup> of July in Fort Lupton a huge success.

**Mayor Pro Tem Cross** also thanked staff for their efforts; the City has a great team.

**Councilmember Stieber** stated Mr. Salsman has been in contact with her in regard to the mosquito abatement at the golf course. Ms. Stieber provided City staff with a mosquito abatement product.

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**FUTURE CITY EVENTS**

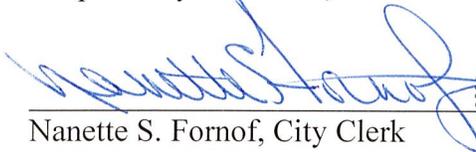
July 27, 2016 Town Hall Meeting – City Hall, 130 S McKinley Avenue- 6:30-7:30 P.M.  
August 2, 2016 National Night Out – Koshio Park – 5:30 – 8:30 p.m.

**ADJOURNMENT**

It was moved by Zoe Stieber and seconded by David Crespin to adjourn the July 18, 2016, at 7:21 p.m.

Motion carried on voice vote.

Respectfully submitted,



Nanette S. Fornof, City Clerk



Approved by City Council

  
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Tommy Holton, Mayor