



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, January 3, 2023
6:00 PM
130 South McKinley Avenue

Zo Hubbard, Mayor
Valerie Blackston, Ward 1
Chris Ceretto, Ward 2
Carlos Barron, Ward 3
David Crespín, Ward 1
Claud Hanes, Ward 2
Bruce Fitzgerald, Ward 3

Call to Order

Pledge of Allegiance

Roll Call

Persons to Address Council - This portion of the Agenda is provided to allow members of the audience to present comments to the City Council. The City Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement or your question may be directed to the appropriate staff member for follow-up. Please limit the time of your comments to three (3) minutes - Mayor Stieber

Approval of Agenda

Review of Accounts Payables

a. January 3, 2023 Accounts Payable

Consent Agenda - Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Councilmember so requests, in which case the item may be removed/moved from the Consent Agenda.

- a. December 6, 2022, City Council Meeting Minutes**
- b. Second Reading Ordinance 2022-1150 An Ordinance Amending Sections 6-32, Classification and Section 6-35, When Fee Due, of The Fort Lupton Municipal Code Regarding Classes of Licenses and Due Date of Fee for Liquor Licensed Businesses**
- c. Second Reading Ordinance 2022-1151 An Ordinance of the City Council of Fort Lupton Accepting the Hagler Special Use Permit Public Right of Way Dedication for County Road 22**
- d. AM 2023-001 Approving a Resolution Designating the City of Fort Lupton Webpage WWW.FORTLUPTONCO.GOV as the Public Place for Posting Notices of Public City Meetings in Accordance with Colorado Revised Statutes Open Meetings Law**
- e. AM 2023-002 Approving a Resolution Designating John Fryar, Chief of Police, as the Emergency Response Authority**
- f. AM 2023-003 Approve the Nineteenth Interim Agreement with Northern Colorado Water Conservancy District (NCWCD) for the Northern Integrated Supply Plan (NISP) and Approve the 2023 Payment of \$1,184,695.00 from the Water Sales Tax Fund**
- g. AM 2023-004 Increase the Internet Speeds for City Hall, Police Department, and Recreation Center for a Combined Amount Not to Exceed \$2,272.50 Per Month for 36 Months Allocated from the General Services Funds**
- h. AM 2022-005 Approve a Resolution Adopting the Three Mile Area Plan for 2023**
- i. AM 2023-008 Approve Additional Payment to United Power From the Undergrounding Fund for Construction Overage Cost of \$84,715.15**
- j. AM 2023-011 Approve Crossing Agreement for Force Main From the Wastewater Treatment Plant (WWTP) With the City of Brighton for the McCanne Ditch**

- k. AM 2023-012 Approve Crossing Agreement for Force Main From the Wastewater Treatment Plant (WWTP) With the Fulton Irrigating Ditch Company for the Fulton Branch Ditch and Payment of the \$20,000 License Fee
- l. AM 2023-013 Award Contract to Precision Concrete Cutting for an Amount not to Exceed \$11,300.00 for Asphalt Repairs at Denver Avenue and CR 16 From the Street Sales Tax Fund
- m. AM 2023-014 Approve a Resolution Reappointing Al Mowrer to the Historic Preservation Board for a Three-Year Term to Expire January 4, 2026
- n. AM 2022-015 Authorize Adding Amaze Health as an Employee Benefit for All Full-Time Employees Effective January 1, 2023

Action Memorandum

- a. AM 2023-006 Authorize the City Administrator to Execute an Engagement Agreement with Stifel, Nicolaus & Company, Incorporated for Loan Arranger or Placement Agent Services for the Bridge Loan Required by the United States Department of Agriculture's Rural Development Authority (USDA) Loan Process
- b. AM 2023-007 Authorize the City Administrator to Execute an Underwriter Engagement Agreement with Stifel, Nicolaus & Company, Incorporated
- c. AM 2023-009 Approve Signing of the Colorado Department of Transportation (CDOT) Right of Way (ROW) Utility Permit for Force Main from the Wastewater Treatment Plant (WWTP) to Metro Northern Plant Along HWY 85
- d. AM 2023-010 Authorize Purchase of Elgin Road Wizard Street Sweeper From Joe Johnson Equipment for an Amount not to Exceed \$348,569.00
- e. AM 2023-016 Approving Electrical Service Upgrades to City Hall in the Amount of \$58,828 Allocated from the General Fund Budget

Staff Reports

Mayor/Council Reports

Future City Events

- a. January 3, 2023 Upcoming Events

Executive Session "To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e)." Golf Course

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
January 3, 2023**

The City Council of the City of Fort Lupton met in a regular session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Tuesday, January 3, 2023. Mayor Zo Hubbard called the meeting to order at 6:00 p.m. and invited everyone to join her in the Pledge of Allegiance.

ROLL CALL

Mari Peña, City Clerk, called the roll. Those present were Mayor Zo Hubbard, Councilmembers, Chris Ceretto, Bruce Fitzgerald, David Crespín, Valerie Blackston, Carlos Barron and Claud Hanes.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, City Attorney, Andy Ausmus, Finance Director, Leann Perino, Planning Director, Todd Hodges and Public Works Director, Roy Vestal.

PERSONS TO ADDRESS COUNCIL

There was no one to address the Mayor or Council.

APPROVAL OF AGENDA

It was moved by Bruce Fitzgerald and seconded by Carlos Barron to approve the agenda as presented. Motion passed unanimously on voice vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the January 3, 2023, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

It was moved by Carlos Barron and seconded by Claud Hanes to approve the Consent Agenda as presented with the following items:

- December 6, 2022, City Council Meeting Minutes
- Second Reading Ordinance 2022-1150 AN ORDINANCE AMENDING SECTIONS 6-32, CLASSIFICATION AND SECTION 6-35, WHEN FEE DUE, OF THE FORT LUPTON MUNICIPAL CODE REGARDING CLASSES OF LICENSES AND DUE DATE OF FEE FOR LIQUOR LICENSED BUSINESSES
- Second Reading Ordinance 2022-1151 AN ORDINANCE OF THE CITY COUNCIL OF FORT LUPTON ACCEPTING THE HAGLER SPECIAL USE PERMIT PUBLIC RIGHT OF WAY DEDICATION FOR COUNTY ROAD 22

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- AM 2023-001 Approving Resolution 2023R001 DESIGNATING THE CITY OF FORT LUPTON
- WEBPAGE WWW.FORTLUPTONCO.GOV AS THE PUBLIC PLACE FOR POSTING NOTICES OF PUBLIC CITY MEETINGS IN ACCORDANCE WITH COLORADO REVISED STATUTES OPEN MEETINGS LAW
- AM 2023-002 Approving Resolution 2023R002 DESIGNATING JOHN FRYAR, CHIEF OF POLICE, AS THE EMERGENCY RESPONSE AUTHORITY
- AM 2023-003 Approve the Nineteenth Interim Agreement with Northern Colorado Water Conservancy District (NCWCD) for the Northern Integrated Supply Plan (NISP) and Approve the 2023 Payment of \$1,184,695.00 from the Water Sales Tax Fund
- AM 2023-004 Increase the Internet Speeds for City Hall, Police Department, and Recreation Center for a Combined Amount Not to Exceed \$2,272.50 Per Month for 36 Months Allocated from the General Services Funds
- AM 2022-005 Approve Resolution 2023R003 ADOPTING THE THREE MILE AREA PLAN FOR 2023
- AM 2023-008 Approve Additional Payment to United Power From the Undergrounding Fund for Construction Overage Cost of \$84,715.15
- AM 2023-011 Approve Crossing Agreement for Force Main From the Wastewater Treatment Plant (WWTP) With the City of Brighton for the Mccanne Ditch
- AM 2023-012 Approve Crossing Agreement for Force Main From the Wastewater Treatment Plant (WWTP) With the Fulton Irrigating Ditch Company for the Fulton Branch Ditch and Payment of the \$20,000 License Fee
- AM 2023-013 Award Contract to Precision Concrete Cutting for an Amount not to Exceed \$11,300.00 for Asphalt Repairs at Denver Avenue and CR 16 From the Street Sales Tax Fund
- AM 2023-014 Approve Resolution 2023R004 REAPPOINTING AL MOWRER TO THE HISTORIC PRESERVATION BOARD AS A PROFESSIONAL MEMBER FOR A THREE-YEAR TERM TO EXPIRE JANUARY 4, 2026
- AM 2022-015 Authorize Adding Amaze Health as an Employee Benefit for All Full-Time Employees Effective January 1, 2023

Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2023-006 Authorize the City Administrator to Execute an Engagement Agreement with Stifel, Nicolaus & Company, Incorporated for Loan Arranger or Placement Agent Services for the Bridge Loan Required by the United States Department of Agriculture Rural Development Authority (USDA) Loan Process

Stifel will act as an agent to acquire bridge loan financing required by the USDA in their loan process. Underwriting fees will be added to the principal of the bonds. Stifel's fee will be .4% of the issue principal. Stifel will act as an advisor on the structure, timing, terms and any other matters

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concerning the issue.

It was moved by Claud Hanes and seconded by Chris Ceretto to Authorize the City Administrator to Execute an Engagement Agreement with Stifel, Nicolaus & Company, Incorporated for Loan Arranger or Placement Agent Services for the Bridge Loan Required by the United States Department of Agriculture Rural Development Authority (USDA) Loan Process. Motion passed unanimously on roll call vote.

AM 2023-007 Authorize the City Administrator to Execute an Underwriter Engagement Agreement with Stifel, Nicolaus & Company, Incorporated

In the process of issuing bonds to fund the construction of the recreation center additions, it is necessary to execute an engagement agreement with an underwriter. The agreement will allow Stifel to work with the City and bond council to structure the bond issue to the Recreation Centers best advantage

It was moved by Valerie Blackston and seconded by Carlos Barron to Authorize the City Administrator to Execute an Underwriter Engagement Agreement with Stifel, Nicolaus & Company, Incorporated. Motion passed unanimously on roll call vote.

AM 2023-009 Approve Signing of the Colorado Department of Transportation (CDOT) Right of Way (ROW) Utility Permit for Force Main from the Wastewater Treatment Plant (WWTP) to Metro Northern Plant Along HWY 85

The City's consultant (Burns & McDonnell) has provided CDOT with all the required documentation and received permission from CDOT to construct the force main from the existing WWTP to the METRO Northern Treatment plant within HWY 85 ROW.

The permit includes an understanding of CDOT's requirement for the City to remain responsible for cost of relocating the pipeline in the event future highway projects require it. Staff deems the risk low of this happening in the near future (20 to 40 years out). The selected alignment is along the extreme west side of the ROW leaving adequate room for an additional lane if needed for widening of the highway. The selected alignment along HWY 85 is the most direct route between the two WWTPs, saving more than \$2,000,000 in construction costs.

The permit also requires a third party inspector to report to CDOT for inspection of the construction project. This function will be a part of the Construction Management contract (which is also required by the USDA grant/loan program).

It was moved by Bruce Fitzgerald and seconded by David Crespín to Approve Signing of the Colorado Department of Transportation (CDOT) Right of Way (ROW) Utility Permit for Force Main from the

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Wastewater Treatment Plant (WWTP) to Metro Northern Plant Along HWY 85. Motion passed unanimously on roll call vote.

AM 2023-010 Authorize Purchase of Elgin Road Wizard Street Sweeper From Joe Johnson Equipment for an Amount not to Exceed \$348,569.00

The General Fund Streets budget includes \$350,000 in the 2023 Capital Improvements Budget to purchase a new street sweeper. The City's existing street sweeper was purchased in 2007 and has had maintenance issues for the past 3 years. Current mileage is 20,542 with 4,154 operating hours. Public Works maintenance staff provided a refit of broom and chains in 2020 to extend its useful life.

Joe Johnson Equipment has quoted an Elgin Road Wizard for \$348,569.00. This company is located in Denver, Colorado. This company is a Sourcewell participant. The City's existing sweeper is an Elgin Sterling model which is comparable to this sweeper in size, capabilities and operations.

Other quotes received included

Elgin Eagle = \$345,672.00 (smaller capacity 4.5 vs 5.4 CY - 2024 delivery)

Elgin Regenex = \$300,000 (2024 Delivery - vacuum style system)

The extended warrantee options are deemed not necessary by staff, as we have experience maintaining this style sweeper

It was moved by Claud Hanes and seconded by Carlos Barron to Authorize Purchase of Elgin Road Wizard Street Sweeper From Joe Johnson Equipment for an Amount not to Exceed \$348,569.00. Motion passed unanimously on roll call vote.

AM 2023-016 Approving Electrical Service Upgrades to City Hall in the Amount of \$58,828 Allocated from the General Fund Budget

During the build out of the new Data Center project the contractors as well as United Power have found many issues with the electricity at the City Hall. Upon further inspection of the electrical service of 200 amps, it was determined that City Hall is using 197 amps of the 200 amps. Council approved a \$123,200 upgrade for the City Hall to move to a 400-amp circuit.

Further electrical work was completed to prepare for the 400-amp circuit to be installed; many issues were encountered, many with the electrical within the building that has caused multiple delays on the project. Some of the findings were unmarked breakers throughout the building, which needed to be identified, overloaded breakers, and conduit that will not fit the upgrade wiring for power. To complete the project for the 400-amp upgrade to the building the City will need to change out and fix these issues. In addition, the contractors brought to our attention some electrical splicing

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within the troth of the 200-amp wiring that was done back when the building was first built and that the size of the current generator is undersized for the building for its current state of use. These are optional items listed below.

The next step of moving forward with the 400-amp upgrade is to get the unmarked breakers and panels labeled properly and replace the current conduit to a 4" conduit. The cost of this project is in additional cost of the previously approved 400-amp upgrade in the amount of \$58,828.00

It was moved by Carlos Barron and seconded by Valerie Blackston Approving Electrical Service Upgrades to City Hall in the Amount of \$58,828 Allocated from the General Fund Budget. Motion passed unanimously on roll call vote.

STAFF

Travis Aksamitowski, IT Director, indicated that he has been busy with the construction of the server room.

MAYOR/COUNCIL REPORTS

There were no Mayor or Council reports.

FUTURE CITY EVENTS

January 3, 2023	City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.
January 10, 2023	Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.
January 17, 2023	City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.
January 20, 2023	Chamber of Commerce Annual Banquet, 203 S. Harrison Ave. 5:00 p.m.
January 31, 2023	Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.
February 7, 2023	City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.

EXECUTIVE SESSION

It was moved by Carlos Barron and seconded by David Crespín to move to Executive Session "To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e)." Golf Course. Motion passed unanimously on roll call vote. The following moved into Executive Session: Mayor Hubbard, Councilmembers Bruce Fitzgerald, Claud Hanes, Carlos Barron, Chris Ceretto Valerie Blackston and David Crespín, City Attorney, Andy Ausmus, City Administrator, Chris Cross, and Finance Director Leann Perino.

The Executive Session ended at 6:56 and the regular meeting reconvened.

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ADJOURNMENT

The meeting adjourned at 6:57 p.m.

Submitted by,

Maricela Peña
Maricela Peña, City Clerk



Approved by City Council,

Zo Hubbard
Zo Hubbard, Mayor