



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, June 6, 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 Hubbard

Approval of Agenda

Review of Accounts Payables

a. June 6, 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. May 16, 2023 City Council Meeting Minutes**
- b. Second Reading Ordinance 2023-1155 Extending a Nonexclusive Cable Franchise Agreement to Comcast of Colorado IX, LLC, in Connection with Operating A Cable System for the Distribution of Television Signals**
- c. Second Reading Ordinance 2023-1156 Revising Chapter 10 of the Fort Lupton Municipal Code, with the Addition of a New Section Dealing with "Possession of Cigarettes or Tobacco Products by a Minor"**
- d. AM 2023-087 Authorize Payment to Northern Colorado Water Conservancy District (NCWCD) for the Southern Water Supply Project (SWSP) 2023 Operation and Maintenance Assessment for an Amount Not to Exceed \$190,862.67 from the Utility Fund**
- e. AM 2023-088 Approving Contract Amendment 1 for Building Inspection Services Between the City of Fort Lupton and ProCode, INC.**
- f. AM 2023-089 Approve Agreement with Northern Colorado Constructors, Inc. Defining the Proportionate Costs for the Increased Maintenance on Roads Created by Heavy Truck Hauling from the Bennett Pit Operation**
- g. AM 2023-090 Awarding Contract to Dakota Ventures LLC dba Cu Onsite Solutions for an Amount Not to Exceed \$100,000.00 for Concrete and Asphalt Repair Project from the Street Sales Tax Fund**

Action Memorandum

- a. AM 2023-091 Accepting a Proposal from Gerardo Concrete for the Construction of the Community Center Park South Parking Lot for an Amount Not to Exceed \$95,149.00 to be Paid from the Parks Department Capital Projects Account (\$35,714.88) and CPR Fund (\$59,434.12)**

- b. AM 2023-092 Awarding Contract to Colorado Paving Inc. for an Amount Not to Exceed \$1,622,690.76 for Harrison Avenue - 4th St. to 9th St. Reconstruction Project, Allocated from the Street Sales Tax Fund and Storm Drainage Fund

Staff Reports

Mayor/Council Reports

Future City Events

- a. June 6, 2023 Upcoming Events

Upcoming Meetings

- a. June 13, 2023 - Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.
June 20, 2023 - City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
June 6, 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, June 6, 2023. Mayor Zo Hubbard called the meeting to order at 6:04 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, Bruce Fitzgerald, Valerie Blackston, David Crespin, Chris Ceretto, Carlos Barron and Claud Hanes.

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

PERSONS TO ADDRESS COUNCIL

There was no one to address the Council.

APPROVAL OF AGENDA

Council discussed making a motion to move item 'f' "AM 2023-089 Approve Agreement with Northern Colorado Constructors, Inc. Defining the Proportionate Costs for the Increased Maintenance on Roads Created by Heavy Truck Hauling from the Bennett Pit Operation" from the Consent Agenda to item 'c' under Action Memorandum to allow a member of the public to address Council in regards to concerns near the Operation. It was moved by Chris Ceretto and seconded by Carlos Barron to approve the agenda as amended. Motion passed unanimously on voice vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the June 6, 2023, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

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

- May 16, 2023 City Council Meeting Minutes
- Second Reading Ordinance 2023-1155 EXTENDING A NONEXCLUSIVE CABLE

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FRANCHISE AGREEMENT TO COMCAST OF COLORADO IX, LLC, IN CONNECTION WITH OPERATING A CABLE SYSTEM FOR THE DISTRIBUTION OF TELEVISION SIGNALS

- Second Reading ORDINANCE 2023-1156 REVISING CHAPTER 10 OF THE FORT LUPTON MUNICIPAL CODE, WITH THE ADDITION OF A NEW SECTION DEALING WITH "POSSESSION OF CIGARETTES OR TOBACCO PRODUCTS BY A MINOR"
- Authorize Payment to Northern Colorado Water Conservancy District (NCWCD) for the Southern Water Supply Project (SWSP) 2023 Operation and Maintenance Assessment for an Amount Not to Exceed \$190,862.67 from the Utility Fund (AM 2023-087)
- Approving Contract Amendment 1 for Building Inspection Services Between the City of Fort Lupton and ProCode, INC. (AM 2023-088)
- Awarding Contract to Dkota Ventures LLC dba Cu Onsite Solutions for an Amount Not to Exceed \$100,000.00 for Concrete and Asphalt Repair Project from the Street Sales Tax Fund (AM 2023-090)

Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2023-091 Accepting a Proposal from Gerardo Concrete for the Construction of the Community Center Park South Parking Lot for an Amount Not to Exceed \$95,149.00 to be Paid from the Parks Department Capital Projects Account (\$35,714.88) and CPR Fund (\$59,434.12)

The Community Center Park Trails Project came in under budget by \$112,491.88. The Recreation Department would like to use the trails money to complete the Community Center Park South Parking Lot (expected start date July 1, 2023). Additional parking for citizens south of the Community Center Park soccer fields will help during sporting and special events as well as during Recreation Center Expansion and Community Center Park Renovation Project construction. Citizens often have to use other parking areas including street parking and local business parking lots during these events due to lack of parking areas.

The construction/concrete work would be completed by Gerardo Concrete for an amount not to exceed \$95,149.00. Proposal was for 490 linear feet of 8-foot-wide 4" concrete walking / biking trail connecting Community Center Park Trails to local subdivision sidewalks. The work will include clearing, grading, installation of 5" base, 4500 psi concrete and backfill. Proposal also includes construction of parking lot and access road from CR 12 to new parking lot.

Gerardo Concrete was the low bid and awarded the Community Center Park Trails project early this year, construction was completed on-time. Staff would like to accept this proposal from Gerardo Concrete to complete the Community Center Park South Park Lot.

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Work shall include furnishing all labor, equipment, materials, tools, supervision, and any other items necessary or convenient to satisfactorily complete the work. Warranty period for concrete is 2 years. All work shall be completed in accordance with City of Fort Lupton Standards and Specification manual.

It was moved by Claud Hanes and seconded by Bruce Fitzgerald to Accept a Proposal from Gerardo Concrete for the Construction of the Community Center Park South Parking Lot for an Amount Not to Exceed \$95,149.00 to be Paid from the Parks Department Capital Projects Account (\$35,714.88) and CPR Fund (\$59,434.12). Motion passed unanimously on roll call vote.

AM 2023-092 Awarding Contract to Colorado Paving Inc. for an Amount Not to Exceed \$1,622,690.76 for Harrison Avenue - 4th St. to 9th St. Reconstruction Project, Allocated from the Street Sales Tax Fund and Storm Drainage Fund

Bid documents were advertised from April 21, 2023 with bid opening on May 12, 2023. Five bids were received with Colorado Paving Inc. providing the lowest responsible bid.

Colorado Paving Inc. is a respected contractor in Front Range communities with several local municipalities' projects in the area. The City contracted with them this past year for the College Ave / 9th St Project. City staff has a high opinion of this contractor and they have done a good job with their construction work.

\$1,500,000 is budgeted for the project in 2023 budget.

\$ 300,000 is budgeted for storm improvements in 2023 budget.

\$ 250,000 grant from CDOT was awarded for the sidewalks (with 10% match)

Total Funds available = \$2,050,000.00

Anticipated project to start this June, with completion in 120 Calendar Days. The southern half from 1st St. to 4th St. will be budgeted for construction in 2024.

It was moved by Carlos Barron and seconded by Bruce Fitzgerald to Award Contract to Colorado Paving Inc. for an Amount Not to Exceed \$1,622,690.76 for Harrison Avenue - 4th St. to 9th St. Reconstruction Project, Allocated from the Street Sales Tax Fund and Storm Drainage Fund. Motion passed unanimously on roll call vote.

AM 2023-089 Approve Agreement with Northern Colorado Constructors, Inc. Defining the Proportionate Costs for the Increased Maintenance on Roads Created by Heavy Truck Hauling from the Bennett Pit Operation

Northern Colorado Constructors, Inc. (NCC) agrees to pay a proportional share of pavement costs to roads that have been created by heavy truck hauling from the Bennett Pit operation, as

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determined by the Fort Lupton Public Works Director or his designee. The proportionate cost will be based on Equivalent Single Axle Loading (ESAL) per mile of roadway used on WCR 18, WCR 23 and WCR 24 as calculated from data provided in "DRMS M-2016-085 permit and Weld County USR 17-0072 permit application." Design ESAL for a 20-year pavement life is 1,460,000. Proposed mining operations will generate 69,450 ESAL's per year, per lane (west bound and east bound, total ESAL of 416,707) during the 6-year remaining projected mine life.

Rick Charbonneau, Weld County citizen, addressed Council seeking help to enforce rules along CR 24 ½, which is near the Bennett Pit Operation. He stated there are trucks failing to stop at entrances to the Operation, using Jake Brakes, and trucks stacking up on the road in advance of the gate opening to the Operation. He also mentioned there are many cars that speed along CR 24 ½.

It was moved by Bruce Fitzgerald and seconded by Claud Hanes to Approve the Agreement with Northern Colorado Constructors, Inc. Defining the Proportionate Costs for the Increased Maintenance on Roads Created by Heavy Truck Hauling from the Bennett Pit Operation. Motion passed unanimously on roll call vote.

STAFF

Mari Peña, City Clerk, introduced Juan Arellano who is the new Marketing and Communication Specialist for the City. He will be putting information out on the City's social media pages and updating the City's website. Mayor Hubbard stated she heard wonderful things about the Memorial Day video he created and welcomed him aboard.

MAYOR/COUNCIL REPORTS

There were no Mayor or Council reports.

FUTURE CITY EVENTS

June 9, 2023	Jon Mays Memorial Fore Youth Golf Tournament, Coyote Creek Golf Course 8:00 a.m.
July 1, 2023	Independence Day Celebration, 203 S. Harrison Ave. 12:00 p.m. – 4:00 p.m.
July 7 & 8, 2023	City Wide Yard Sales

ADJOURNMENT

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The meeting adjourned at 6:29 p.m.

Submitted by,

Maricela Peña

Maricela Peña, City Clerk



Approved by City Council,

Zo Hubbard

Zo Hubbard, Mayor