



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Wednesday, July 5, 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

You may join in person or join remotely by clicking on:
<https://global.gotomeeting.com/join/851983253>

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. July 5, 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. June 20, 2023 City Council Meeting Minutes
- b. Second Reading Ordinance 2023-1157 Accepting the Dedication of a 55-Foot Wide Public Right of Way Located South of the Centerline of County Road 8 Approximately 537-Feet Along the Frontage of the Thomas Minor Subdivision
- c. Approving Resolution 2023-022 of the City Council of Fort Lupton Approving the Gao Holdings LLC Subdivision Improvements Agreement, of the Vista Meadows Final Plat and PUD Plan Located in Fort Lupton, Weld County Colorado
- d. AM 2023-108 Declaring Items from the Library as Surplus and Approving the Disposition of Such Items

Public Hearings

- a. AM 2023-106 Approve a Resolution for a Site Plan known as the CarMax Site Plan for a Vehicle Reconditioning and Wholesale Auction Facility

Action Memorandum

- a. AM 2023-107 Approve a Resolution Accepting a Final PUD Plat known as the North Land PUD Third Filing, Amendment No. 1
- b. AM 2023-105 Authorizing Adolfson & Peterson Construction to Proceed with Contracting and Procuring Subs and Material Based on the Initial Gross Maximum Price Based on the 100% Design Drawings and 50% Construction Drawings for an Amount not to Exceed \$6,467,483.00
- c. AM 2023-109 Approving a Resolution Setting a Booth Fee for City Events

Staff Reports

Mayor/Council Reports

Future City Events

- a. July 5, 2023 Upcoming Events

Upcoming Meetings

- a. July 11, 2023 - Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.
July 18, 2023 - City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.
July 25, 2023 - Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
July 5, 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 Wednesday, July 5, 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, Carlos Barron, Claud Hanes, Bruce Fitzgerald, and Valerie Blackston. David Crespin arrived at 6:05 p.m.

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

PERSONS TO ADDRESS COUNCIL

There was no one to address the Council.

APPROVAL OF AGENDA

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

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the July 5, 2023, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

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

- June 20, 2023 City Council Meeting Minutes
- Second Reading of Ordinance 2023-1157 ACCEPTING THE DEDICATION OF A 55-FEET WIDE PUBLIC RIGHT OF WAY LOCATED SOUTH OF THE CENTERLINE OF COUNTY ROAD 8 APPROXIMATELY 537-FEET ALONG THE FRONTAGE OF THE THOMAS MINOR SUBDIVISION
- Approving Resolution 2023R022 OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE GAO HOLDINGS LLC SUBDIVISION IMPROVEMENTS AGREEMENT, OF THE VISTA MEADOWS FINAL PLAT AND PUD PLAN LOCATED IN FORT LUPTON, WELD COUNTY

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COLORADO

- Declaring Items from the Library as Surplus and Approving the Disposition of Such Items (AM 2023-108)

Motion passed unanimously on roll call vote.

PUBLIC HEARINGS

AM 2023-106 Approve a Resolution for a Site Plan known as the CarMax Site Plan for a Vehicle Reconditioning and Wholesale Auction Facility

Mayor Hubbard opened the public hearing at 6:04 p.m. and asked for an overview of the proposal.

City Planner, Magaly Morales, stated CarMax Auto Superstores Inc. has submitted a request for a site plan consisting of one 70,646 square foot vehicle service facility, one 4,864 square foot auction facility and one 936 square foot non-public carwash. This facility will not be open to the general public.

The property is located west and adjacent to Northland Drive and approximately .2 miles south of County Road 18 within the Northland PUD. This PUD allows all permitted uses in the Fort Lupton C-1, C-2, I-1 and I-2 Zone Districts. Vehicle services and repair is a permitted use within the C-2, I-1 and I-2 Zone Districts. The property is surrounded by vacant land. All notification requirements were met, including posting notice of the hearings on the property at least 15 days prior to this public hearing.

Steve Hoodak, representative with CarMax, provided a presentation to Council. Mr. Hoodak's presentation included an overview of CarMax as a company, the vision for the potential Fort Lupton Inventory Center, and the purpose of the Inventory Center. Mayor Hubbard asked if the general public would be able to buy at this location. Mr. Hoodak stated no. Auctions will be held, however, they will only be open to individuals that are state licensed or pre-approved customers of CarMax. Mayor Hubbard also voiced concern regarding the loading of vehicles.

Traffic back up was discussed. Mr Hoodak explained the site plan layout including the parking

Abby Bartalo, representative with CenterPoint Integrated Solutions, provided additional information on the building and the site located within the Northland PUD. The east side of the parking lot is for public and employees as well as parking for car carrier spaces loading and unloading 100' long parking spaces. These vehicles are not allowed past the gate into the facility.

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There being no further comments from the public, Mayor Hubbard closed the public hearing at 6:21 p.m.

It was moved by Valerie Blackston and seconded by Carlos Barron to approve Resolution 2023R023 RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING A SITE PLAN KNOWN AS THE CARMAX SITE PLAN FOR A VEHICLE RECONDITIONING AND WHOLESALE AUCTION FACILITY. Motion passed unanimously on roll call vote.

Councilmember Crespin did not vote due to coming in after the hearing started.

ACTION MEMORANDUM

AM 2023-107 Approve a Resolution Accepting a Final PUD Plat known as the North Land PUD Third Filing, Amendment No. 1

The applicant, Land 5 Investments, LLC, has resubmitted a final PUD plat, known as the North Land PUD Third Filing, Amendment No. 1 ("PUD Plat"), for the City Council's consideration. The Subdivision is located south and adjacent to County Road 18, and east and adjacent to the Union Pacific Railroad right-of-way. This third filing constitutes the northern most portion of the North Land PUD, which was annexed as the North Land Annexation No. 3 in 2009, and zoned PUD in 2011. The plat is meant to replace the previously approved North Land PUD Third Filing, which was brought before City Council on March 17, 2020.

This amendment will combine 3 vacant parcels, Lots 5, 6 and 7 into one single 39.22 acre parcel, as well as vacate a reservation for a railroad easement and add an outlot for a detention pond.

The Applicant has paid all applicable land use application fees and is covering ongoing review expenses.

It was moved by Carlos Barron and seconded by Valerie Blackston to Approve Resolution 2023R024 ACCEPTING A FINAL PUD PLAT KNOWN AS THE NORTH LAND PUD THIRD FILING, AMENDMENT NO. 1. Motion passed unanimously on roll call vote.

AM 2023-105 Authorizing Adolfson & Peterson Construction to Proceed with Contracting and Procuring Subs and Material Based on the Initial Gross Maximum Price Based on the 100% Design Drawings and 50% Construction Drawings for an Amount not to Exceed \$6,467,483.00

Since A & P Construction was retained to be the CM/GC, they have secured bids/pricing on the hard to secure trades and long lead time supplies. This will enable the project to keep moving forward and hopefully not lead to the delays that many other projects have experienced. This amount is based on approximately 60 % of the construction project. The main trades included

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are concrete, metals (steel), pool specialties, fire suppression, plumbing, HVAC, electrical, earthwork and utilities. The department has first-hand knowledge on HVAC lead times as we have experience 11-week delays on recent purchases. By getting these subs and supplies order, it will keep the 11 months build out on schedule. A & P received multiple bids on each project area. Once 100% CDs are completed A&P will bid out the remaining trades and materials for the Final Gross Maximum Price (GMP) which staff will bring as an amendment to this agreement. Each month construction prices have continued to increase due to difficulties in securing materials and staff. Some of the specialties trade (aquatics) are very difficult to obtain and securing them early on will greatly influence the timeline and finished product.

It was moved by Claud Hanes and seconded by Valerie Blackston to Authorize Adolfsen & Peterson Construction to Proceed with Contracting and Procuring Subs and Material Based on the Initial Gross Maximum Price Based on the 100% Design Drawings and 50% Construction Drawings for an Amount not to Exceed \$6,467,483.00 for the recreation center. Motion passed unanimously on roll call vote.

AM 2023-109 Approving a Resolution Setting a Booth Fee for City Events

To ensure continuity among our various city-sponsored events, staff is requesting the following set booth fees for city sponsored events:

- \$0 for organizations that have been awarded a 501-C classification by the IRS and are in Good Standing as confirmed by the Colorado Secretary of State.
- \$20 for all other organizations/individuals

It was moved by Valerie Blackston and seconded by Bruce Fitzgerald to Approve Resolution 2023R025 SETTING A BOOTH FEE FOR CITY EVENTS. Motion passed unanimously on roll call vote.

STAFF

Thomas Samblanet, Library Director, stated that electrical equipment was delivered to the new library.

Chief John Fryar, explained the bid process and construction of the basement.

Chris Cross, City Administrator, stated that both the Independence Day Celebration at the Recreation Center and the Fireworks were well attended.

MAYOR/COUNCIL REPORTS

Mayor Hubbard and Councilmembers expressed their gratitude of the Independence Day festivities.

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FUTURE CITY EVENTS

July 7 & 8, 2023 City Wide Yard Sales
August 1, 2023 National Night Out, Koshio Park 1st Street and McKinley Ave. 5:00- 8:00 p.m.

UPCOMING MEETINGS

July 11, 2023 - Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.
July 18, 2023 - City Council Meeting, 130 S. McKinley Ave. 6:00 p.m.
July 25, 2023 - Town Hall Meeting, 130 S. McKinley Ave. 6:00 p.m.

ADJOURNMENT

The meeting adjourned at 6:35 p.m.

Submitted by,


Marcela Peña, City Clerk



Approved by City Council,


Zo Hubbard, Mayor