



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, February 6, 2024
6:00 PM
130 South McKinley Avenue

Zo Hubbard, Mayor
Valerie Blackston, Ward 1
Chris Ceretto, Ward 2
Carlos Barron, Ward 3
David Crespin, 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. February 6, 2024 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. AM 2024-022 Approval of Payment to Weld County Communications in the Amount of \$91,362.06 for Dispatch Services, Allocated from the Police Department Dispatch Contractual Services Budget
- b. AM 2024-023 Approving a Resolution Amending the General Guidelines for Advisory Committees, Effective February 2, 2024
- c. AM 2024-024 Approving a Resolution Ratifying the Mayor's Appointment of the Attached List of Candidates to the Corresponding Advisory Committees for a Term Beginning February 6, 2024 and Ending December 31, 2025
- d. AM 2024-025 Adopting a Resolution Approving the Buchanan Pre-Annexation Agreement
- e. AM 2024-029 Approving the Resolution Ratifying the Reappointment of Kathleen Kvasnicka as a Member of the Fort Lupton Urban Renewal Authority to Serve as a Resident Representative for a Term Expiring February 18, 2029
- f. AM 2024-028 Ratify Vote of Yes to the Amendment to the Highway 52 Access Control Plan Sent to Colorado Department of Transportation on May 31, 2023

Action Memorandum

- a. AM 2024-031 Approving the Subdivision Improvements Agreement Between the City of Fort Lupton and Lupton Land, LLC, for the Coyote Creek, Filing No. 5 Final Plat
- b. AM 2024-030 Award Contract to Burns and McDonnell for Engineering Services for Owner Engineering and Resident Project Representative for the Lift Station/Force Main to METRO Project Design for an Amount Not to Exceed \$1,218,877.00 from the Sewer Enterprise Fund - Sewer Treatment Plant

- c. AM 2023-032 Award of Contract to Thalle Construction Co, INC. for an Amount Not to Exceed \$25,919,700.00 for the METRO Connection Force Main and Lift Station Project from the Utility Fund
- d. AM 2024-033 Award of Contract to Northern Colorado Constructors, Inc. for an Amount Not to Exceed \$300,000.00 for Water Meter Replacement Installation Project from the Utility Fund Water Line Department

Information Memorandum

- a. IM 2024-004 Discussion of the Sunrise Concept Plan

Staff Reports

Mayor/Council Reports

Future City Events

- a. February 6, 2024 Upcoming Events

Upcoming Meetings

- a. February 13, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
February 20, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
February 27, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
March 5, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
February 6, 2024**

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, February 6, 2024. 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, Carlos Barron, Claud Hanes, Bruce Fitzgerald, David Crespín, Valerie Blackston and Chris Ceretto.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, Public Works Director, Roy Vestal, Finance Director, Leann Perino, and Lieutenant, William Carnes.

PERSONS TO ADDRESS COUNCIL

Chase Yoder, with Yoder Chevrolet, addressed Council due to resistance from the City in obtaining a sign permit for his building.

APPROVAL OF AGENDA

Staff replaced the Buchanan Pre-Annexation Agreement with an updated version for item d under the consent agenda. It was moved by Bruce Fitzgerald and seconded by Carlos Barron to approve the agenda as amended. Motion passed unanimously on voice vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the February 6, 2024, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

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

- Approval of Payment to Weld County Communications in the Amount of \$91,362.06 for Dispatch Services, Allocated from the Police Department Dispatch Contractual Services Budget (AM 2024-022)
- Approving Resolution 2024R008 AMENDING THE GENERAL GUIDELINES FOR ADVISORY COMMITTEES, EFFECTIVE FEBRUARY 2, 2024 (AM 2024-023)
- Approving Resolution 2024R009 RATIFYING THE MAYOR'S APPOINTMENT OF THE

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ATTACHED LIST OF CANDIDATES TO THE CORRESPONDING ADVISORY COMMITTEES FOR A TERM BEGINNING FEBRUARY 6, 2024 AND ENDING DECEMBER 31, 2025 (AM 2024-024)

- Adopting Resolution 2024R010 APPROVING THE BUCHANAN PRE-ANNEXATION AGREEMENT (AM 2024-025)
- Approving Resolution 2024R011 RATIFYING THE REAPPOINTMENT OF KATHLEEN KVASNICKA AS A MEMBER OF THE FORT LUPTON URBAN RENEWAL AUTHORITY TO SERVE AS A RESIDENT REPRESENTATIVE FOR A TERM EXPIRING FEBRUARY 18, 2029 (AM 2024-029)
- Ratify Vote of Yes to the Amendment to the Highway 52 Access Control Plan Sent to Colorado Department of Transportation on May 31, 2023 (AM 2024-028)

Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2024-031 Approving the Subdivision Improvements Agreement Between the City of Fort Lupton and Lupton Land, LLC, for the Coyote Creek, Filing No. 5 Final Plat

This Subdivision Improvement Agreement was drafted for the Coyote Creek - Filing No. 5, Case No. PPL2023-001 & Plan No. FPL2023-001 (the "Plat"), approved by City Council on November 21, 2023 by Resolution No. 2023R043, which is located south west of the Coyote Creek Drive and College Ave. intersection.

Improvements are for the construction of water, nonpotable water and sanitary sewer main extensions, roadway construction, landscape and storm drainage system improvements. Approximate cost of this agreement for construction is \$3,986,976.00.

Resolution No. 2023R043, approved by Council on February 1, 2022 requires the applicant to enter into a Subdivision Improvements Agreement.

It was moved by Chris Ceretto and seconded by Carlos Barron to Approve the Subdivision Improvements Agreement Between the City of Fort Lupton and Lupton Land, LLC, for the Coyote Creek, Filing No. 5 Final Plat. Motion passed unanimously on roll call vote.

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AM 2024-030 Award Contract to Burns and McDonnell for Engineering Services for Owner Engineering and Resident Project Representative for the Lift Station/Force Main to METRO Project Design for an Amount Not to Exceed \$1,218,877.00 from the Sewer Enterprise Fund - Sewer Treatment Plant

The original award was on September 19, 2023. USDA had additional edits to the agreement after the City approved the contract.

The Request for Qualifications (RFQ) was advertised August 13, 2021 and selection of consultant following the requirements of the Brooks Act (40 U.S.C. 1101). Burns McDonnell was awarded the contract November 2, 2021 for the design and permitting of the METRO Lift Station and Force Main. The design is completed and currently under review by the United States Department of Agriculture (USDA).

We are pursuing a USDA Rural Development loan. The USDA standard engineering agreement has been used and the version being presented has been approved by USDA staff. The Resident Project Representative (RPR) portion is a requirement for USDA funding. Burns and McDonnell is subcontracting the RPR services through Inberg-Miller Engineers. The agreement includes an expected 24-month construction period. The Owner-Engineer portion cost is \$526,428.00 and the RPR cost is \$692,449.00, for a total engineering services agreement of \$1,218,877.00. An additional contracted amount of \$52,567.00 is included in the agreement which will be reimbursement by USDA for the additional services contracted with Burns and McDonnell for the extra work related to the USDA funding requirements.

It was moved by Carlos Barron and seconded by Valerie Blackston to Award Contract to Burns and McDonnell for Engineering Services for Owner Engineering and Resident Project Representative for the Lift Station/Force Main to METRO Project Design for an Amount Not to Exceed \$1,218,877.00 from the Sewer Enterprise Fund - Sewer Treatment Plant. Motion passed unanimously on roll call vote.

AM 2024-032 Award of Contract to Thalle Construction Co, INC. for an Amount Not to Exceed \$25,919,700.00 for the METRO Connection Force Main and Lift Station Project from the Utility Fund

Bid documents were advertised from November 17, 2023 with bid opening on January 19, 2024. Five bids were received with Thalle Construction Co, INC. providing the lowest responsible bid as shown in the attached Bid Tabulation.

The City's engineering consultant has reviewed the bids, qualifications, experience and references for Thalle and recommended award of the project to Thalle.

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Budget	Original 2022	Revised Funding
Construction	\$20,083,527.00	\$29,919,700.00
Contingencies (10%)	\$ 2,008,353.00	\$ 2,591,970.00
Engineering	\$ 1,310,774.00	\$ 1,218,877.00
Legal Fees	\$ 214,000.00	\$ 214,000.00
Ditch Crossing Agreement	\$ 10,000.00	\$ 20,000.00
Interim Financing	<u>\$21,163,000.00</u>	<u>\$23,839,000.00</u>
TOTAL PROJECT	\$ 24,288,771.00	\$30,804,000.00

Anticipated project start this March with completion in two years.

It was moved by Claud Hanes and seconded by Carlos Barron to Award Contract to Thalle Construction Co, INC. for an Amount Not to Exceed \$25,919,700.00 for the METRO Connection Force Main and Lift Station Project from the Utility Fund. Motion passed unanimously on roll call vote.

AM 2024-033 Award of Contract to Northern Colorado Constructors, Inc. for an Amount Not to Exceed \$300,000.00 for Water Meter Replacement Installation Project from the Utility Fund Water Line Department

Bid documents were advertised in January 2024 with bid opening on February 2, 2024. Five bids were received with Northern Colorado Constructors, Inc. (NCC) providing the lowest responsible bid.

NCC is a respected contractor in Front Range communities with several local municipalities' projects in the area. The City has contracted with them before.

Anticipated project to start in February 2024 with completion in May of this year (for this portion).

Roy Vestal, Public Works Director stated this project is to target the current meters that are not reading correctly. The award also includes a contingency in the event a lead service line is found, it would need to be replaced.

It was moved by Valerie Blackston and seconded by Bruce Fitzgerald to Award Contract to Northern Colorado Constructors, Inc. for an Amount Not to Exceed \$300,000.00 for Water Meter Replacement Installation Project from the Utility Fund Water Line Department. Motion passed unanimously on roll call vote.

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INFORMATION MEMORANDUM

IM 2024-004 Discussion of the Sunrise Concept Plan

The Applicant has submitted a request for the consideration of a Concept Plan. The proposed Concept Plan would provide a mix of 61 attached rowhouses, 90 duplexes, and 61 single-family detached houses, bordered by open space, a park, and a 10' trail along the Fulton Ditch. To facilitate the diversity in housing options proposed within the development, the Applicant is planning to request a change from R-1 to R-2 zoning and potentially a Comprehensive Plan amendment with future Preliminary Plat and Final Plat submittal.

Pursuant to the Fort Lupton Development Code, Article 2.02 (D), a Concept Plan is an initial review of a proposed development. The intent of this process is to provide a general concept that describes the applicants' development vision. Similarly, review of a Concept Plan shall not have any formal decision or approval, but merely provides general consensus and offers the applicant direction for preparing a formal submittal. A Concept Plan is not intended to provide final comments or requirements, or restrict the City's discretion in subsequent stages of the review process.

The site consists of a parcel of land located at the northeast corner of the CR 12 and CR 29 ½ intersection directly east of the Mountain Sky and Murata Farms subdivisions (Parcel No. 147104400094). The parcel is currently undergoing a Minor Subdivision and ROW dedication, which will result in a separate parcel on the west side of the Fulton Ditch that is the focus of this Concept Plan. The property is located in the western half of the Southeast Quarter of Section 4, Township 1 North, Range 66 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado.

The Property is surrounded by agricultural and residential land uses.

STAFF REPORTS

Lieutenant Carnes reported that PSN is on site this week as they are responsible for the antenna in the back of City Hall. They reduced the size of the antenna to 42 feet and made it a self-supporting tower which eliminates wires. They will also be starting the bidirectional amplifier project tomorrow, Wednesday, February 7, 2024. It is anticipated the project will be completed this week. This project ensures that police radios will work in the basement of the building.

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MAYOR/COUNCIL REPORTS

Councilmember Valerie Blackston, questioned if speed limit signs have been purchased for N. Denver Ave. City Administrator, Chris Cross stated staff will evaluate if there is a need to place more speed limit signs on N. Denver Ave.

Councilmember Carlos Barron, stated he attended the senior luncheon this week in which he enjoyed and hopes to help out again in the future.

FUTURE CITY EVENTS

February 7, 2024	Coffee with a Cop Hard Bean Coffee, 107 Dales Pl., 8:00 a.m.- 9:00 a.m.
February 21, 2024	Welcome Wednesday- Community Development Office 1200 Dexter St. Unit W13, 7:30 a.m.- 9:00 a.m.

UPCOMING MEETINGS

February 13, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
February 20, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
February 27, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
March 5, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

ADJOURNMENT

The meeting adjourned at 6:41 p.m.

Submitted by,


Maricela Peña, City Clerk



Approved by City Council,


Zo Hubbard, Mayor