CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, June 18, 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

You may join in person or join remotely by clicking on: https://global.gotomeeting.com/join/353347597

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 18, 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. June 4, 2024 Marijuana Licensing Authority Meeting Minutes

b. June 4, 2024 City Council Meeting Minutes

c. Second Reading Ordinance 2024-1167 Rezoning Land Known as The 100-114 McKinley Ave Change of Zone to The R-1A Single and Two-Family Residential Zone District

d. AM 2024-106 Authorize the Mayor to Execute an Agreement for the Sale of NISP to Fort Collins-Loveland Water District and the Related Petition to Northern for a Decrease of Fort Lupton Participation

e. AM 2024-098 Award of Contract to Backhoe & Dozer Services Inc. for an Amount Not to Exceed $50,000.00 for On Call Grading Services from the Street Sales Tax Fund

f. AM 2024-101 Approving a Resolution Establishing the Ad-Hoc Community Engagement Advisory Committee to Work on Creating a Masterplan for Koshio Park

g. AM 2024-103 Approving a Resolution Ratifying the Mayor's Appointment of Jimmy Dominguez to the Parks and Recreation Committee for a Term Beginning June 18, 2024 and Ending December 31, 2025

h. AM 2024-105 Approve the Mayor to Sign the BURNCO Colorado, LLC Lease and Land Use Agreement for Gravel Mining at City Property (Waste Water Treatment Plant Lagoons)

Public Hearings - Public Hearings allow members of the audience to present comments and questions to the City Council on the item being presented. Comments and questions may be limited to three (3) minutes- Mayor Hubbard

a. AM 2024-102 Approving a Resolution Accepting the Coyote Creek PUD Filing No. 6 Preliminary Plat

Action Memorandum

a. AM 2024-099 Approve the Cash Payment of $850,949 to Northern Colorado Water Conservancy District (NCWCD) for the Completion of Construction on the Windy Gap Firming Project (WGFP)

b. AM 2024-100 Award Change Order #1 to Contract with Northern Colorado Constructors, Inc. for an Amount Not to Exceed $2,079,000.00 for Water Meter Replacement Installation Project from Utility Fund Water Line Department

c. AM 2024-104 Approving the Purchase of a Dell DM5500 Appliance with First Year of StoreTrust for an Amount Not to Exceed $57,013.71, Allocated from the Network Equipment Budget

d. AM 2024-107 Approving Additional Licenses and Features for BOX with KeySafe for an Amount Not to Exceed $49,907.37

Staff Reports

Mayor/Council Reports

Future City Events

a. June 18, 2024 Upcoming Events

Upcoming Meetings

a. June 25, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
July 2, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
July 9, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
July 16, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

Adjourn

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
June 18, 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, June 18, 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, Chris Ceretto, Valerie Blackston, Claud Hanes and Bruce Fitzgerald. David Crespin was remote.

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

PERSONS TO ADDRESS COUNCIL

There was no one to address Council.

APPROVAL OF AGENDA

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

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the June 18, 2024, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

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

- June 4, 2024 Marijuana Licensing Authority Meeting Minutes
- June 4, 2024 City Council Meeting Minutes
- Second Reading Ordinance 2024-1167 REZONING LAND KNOWN AS THE 100-114 MCKINLEY AVE CHANGE OF ZONE TO THE R-1A SINGLE AND TWO-FAMILY RESIDENTIAL ZONE DISTRICT
- Authorize the Mayor to Execute an Agreement for the Sale of NISP to Fort Collins-Loveland Water District and the Related Petition to Northern for a Decrease of Fort Lupton Participation (AM 2024-106)

- Award of Contract to Backhoe & Dozer Services Inc. for an Amount Not to Exceed $50,000.00 for On Call Grading Services from the Street Sales Tax Fund (AM 2024-098)
- Approving Resolution 2024R031 ESTABLISHING THE AD-HOC COMMUNITY ENGAGEMENT ADVISORY COMMITTEE TO WORK ON CREATING A MASTERPLAN FOR KOSHIO PARK (AM 2024-101)
- Approving Resolution 2024R032 RATIFYING THE MAYOR'S APPOINTMENT OF JIMMY DOMINGUEZ TO THE PARKS AND RECREATION COMMITTEE FOR A TERM BEGINNING JUNE 18, 2024 AND ENDING DECEMBER 31, 2025 (AM 2024-103)
- Approve the Mayor to Sign the BURNCO Colorado, LLC Lease and Land Use Agreement for Gravel Mining at City Property (Waste Water Treatment Plant Lagoons) (AM 2024-105)

Motion passed unanimously on roll call vote.

PUBLIC HEARING

AM 2024-102 Approving a Resolution Accepting the Coyote Creek PUD Filing No. 6 Preliminary Plat

Mayor Hubbard opened the public hearing at 6:08 p.m.

City Attorney, Andy Ausmus advised Ken Merritt, representative with JR Engineering, of the connected meeting advisement due to Councilmember David Crespin appearing remotely. Mr. Merritt understood and agreed to the advisement.

City Planner, Magaly Morales-Tejada presented an overview of the application regarding the Coyote Creek PUD Filing No. 6 Preliminary Plat.

The applicants, Lupton Land LLC. and JR Engineering have applied for approval of a Preliminary Plat, known as the Coyote Creek PUD Filing No. 6 Preliminary Plat. A public hearing with the Fort Lupton Planning Commission for this application was held on May 23, 2024, and Planning Commission recommended approval to City Council of the Preliminary Plat.

The site that is the subject of the Preliminary Plat is located approximately .07 miles south of 9th Street and approximately .05 miles west of College Ave in the Northwest Quarter of Section 4, Township 1 North, Range 66 West of the 6th Principal Meridian, City of Fort Lupton., County of Weld, State of Colorado (the Property). The proposed Preliminary Plat is for a single-family detached residential subdivision that will include 83 single-family detached lots and .58 acres of common open space which will include a pocket park. Filing 6 is the final filing for the Coyote Creek Development which was master planned in 1996. The architectural elevations will continue to be reviewed once the final plat is submitted.

All applicable land use application fees have been paid and a fee deposit has been submitted to cover costs related to the application. All legal notifications have been met.

Mayor Hubbard questioned if there has been a means to address questions regarding golfers' balls flying into one of the homes. Mrs. Morales stated yes, the landscaping will include a lot of trees to back the golf course and the applicant has worked with the golf course to address the final plans and screening impacts.

Ken Merritt, with JR Engineering representing the applicant Lupton Land LLC, provided a presentation for Council. He stated filing 6 is within Coyote Creek Golf Course Residential Development which consists of about 190 acres of land zoned PUD, filing 6 is about 14 acres total. Filing 6 will be the last residential development within the Coyote Creek Golf Course and it will consist of 83 single family detached units.

He provided Council with an illustration of the preliminary plat, 42 lots will be 50 feet wide by 105 feet deep and 41 lots will be 40 feet wide by 97 feet deep. There will also be a pocket park and a small open space area in the northwest corner which will allow draining to run from Summit Place to an existing drainage culvert.

He stated the home builder is Century Communities and provided Council with a few home elevation examples. The homes that back the golf course will be equipped with dormers and bump outs on the rear and a covered patio to enhance the aesthetics. Mayor Hubbard asked if there are only the four elevations that were presented. Mr. Merritt responded stating that there are about 10 different elevations and the builder will also mirror the elevations so that every garage door is not on the left.

Michael Bloomingthal, owner of the property, stated he is looking forward to getting the project finalized and mentioned the project would not deplete any of this City's water banks since they will be bringing the appropriate number of water shares for each lot in the project.

Mr. Merritt also stated significant golf course and home mitigation will be done in order to protect both the golfers and the home owners from liability. Currently, they are proposing to plant 75-80 trees along the golf course and home fence line in an effort to minimize the liability. Additionally, work will be done with the golf course irrigation. Century Communities will be paying for the trees, any modification or repair of the irrigation system, and reseeding of the golf course. Councilmember Valerie Blackston asked who would maintain the trees. Tyler Tarpley, Coyote Creek Golf Course Manager, stated his staff would be maintaining the trees.

Mayor Hubbard asked if anyone from the public wished to speak for or against the project. Hearing none, Mayor Hubbard closed the public hearing at 6:27 p.m.

It was moved by Bruce Fitzgerald and seconded by Valerie Blackston to Approve Resolution

2024R033 ACCEPTING THE COYOTE CREEK PUD FILING NO. 6 PRELIMINARY PLAT. Motion passed unanimously on roll call vote.

ACTION MEMORANDUM

AM 2024-099 Approve the Cash Payment of $850,949 to Northern Colorado Water Conservancy District (NCWCD) for the Completion of Construction on the Windy Gap Firming Project (WGFP)

The Chimney Hollow Reservoir is scheduled to be completed in late summer 2025. Due to delays in starting construction the initial participant funding made in August 2021 will fall short of the amount needed to complete the project. NCWCD estimates the cost to complete the project at $65 million. The City's cost will be $850,949.

The 2024 Water Sales Tax budget included $667,000 for WGFP. $98,905.55 has been used for a WGFP Assessment payment made in January for Grand Foundation ($66,111.11), indirect costs ($6,250), and O&M Reserves ($26,444.44). This leaves a budget of $568,094.45 for this payment, requiring a supplemental budget resolution of $282,855.

It was moved by Claud Hanes and seconded by Chris Ceretto to Approve the Cash Payment of $850,949 to Northern Colorado Water Conservancy District (NCWCD) for the Completion of Construction on the Windy Gap Firming Project (WGFP). Motion passed unanimously on roll call vote.

AM 2024-100 Award Change Order #1 to Contract with Northern Colorado Constructors, Inc. for an Amount Not to Exceed $2,079,000.00 for Water Meter Replacement Installation Project from Utility Fund Water Line Department

Contract was awarded to Northern Colorado Constructors (NCC) on February 6, 2024. The original bid was intended to replace meters that were then on the missed read list with the intent to issue a change order if the original contract was satisfactorily executed. To date 133 meters have been replaced.

Original contract covers 312 meter replacements, 1,500 additional replacements with this change order and Public Works staff will replace 88 meters for a total 1,900 meters to replace.

Anticipated project is continuing with completion anticipated December of this year.

The 2024 budget Utility Fund includes $3,000,000 for Water Meter Replacement. $300,000 will be spent with the initial contract, $620,240 will be spent for new meters and endpoints. With this Change Order a total project budget of $2,999,240.00 will be used.

It was moved by Claud Hanes and seconded by Bruce Fitzgerald to Award Change Order #1 to Contract with Northern Colorado Constructors, Inc. for an Amount Not to Exceed $2,079,000.00 for Water Meter Replacement Installation Project from Utility Fund Water Line Department. Motion passed unanimously on roll call vote.

AM 2024-104 Approving the Purchase of a Dell DM5500 Appliance with First Year of StoreTrust for an Amount Not to Exceed $57,013.71, Allocated from the Network Equipment Budget

Currently, the City is using a Unitrends 8024S with 20TB Non-Upgradable storage (16.2 TB used capacity). This appliance has reached its capacity and therefore needs to be replaced with an additional appliance.

The City of Fort Lupton IT department proposes to replace this appliance with a Dell DM5500 appliance which has a total capacity of 96TB and is upgradable to 256TB with expansion bays. 12TB Usable (via licensing), projected 6TB projected backups for 12 of the critical servers. The usable capacity can be upgraded in 12TB increments via additional licensing. Some of its features include full backup capabilities and efficient replication with global deduplication and a single point of management.

The IT Department will be adding the StoreTrust Cloud Key feature which will replicate backups to an offsite location in Las Vegas, Nevada. The backups will be encrypted both internally and on the fly to the offsite location. This will include 24/7 support and an annual test of the DRaaS Site for testing data with a tech that will also assist with getting the city back online. If something goes awry and movement to the offsite backup location is needed, it will take a phone call to have their team fire up the backup environment which would allow daily business to continue from afar. StoreTrust will be an annual cost of $26,484 which will be budgeted on an annual basis by IT moving forward. The cost of this project will come out of the Network Equipment Budget.

It was moved by Chris Ceretto and seconded by Bruce Fitzgerald to Approve the Purchase of a Dell DM5500 Appliance with First Year of StoreTrust for an Amount Not to Exceed $57,013.71, Allocated from the Network Equipment Budget. Motion passed unanimously on roll call vote.

AM 2024-107 Approving Additional Licenses and Features for BOX with KeySafe for an Amount Not to Exceed $49,907.37

The City has been using Box for file sharing and storage, both for internal use and external use of all file types, large and small. Currently, the City has 60 licenses and with the growth of the City, 40 additional licenses will be needed, giving the City a total of 100 licenses. With the recent audits, it has been discovered that although Box has all the compliances the city needs, the city needs to upgrade to the next tier, Enterprise Plus. This will provide the City with more compliance features such as CJIS and NIST. All other compliances will remain in place such as PII and PCI, amongst the other compliances that are offered by Box.

While upgrading to Enterprise Plus, KeySafe will be added over a three-year term. The second and third year will be budgeted in the 2025 and 2026 budgeted year with IT. The Enterprise Plus upgrade of Box and licenses will be covered under the IT Budget.

KeySafe allows for the City to have control of encryption keys. Box KeySafe is a solution that enables full control over the encryption keys that protect the content.

It was moved by Carlos Barron and seconded by Valerie Blackston to Approve Additional Licenses and Features for BOX with KeySafe for an Amount Not to Exceed $49,907.37. Motion passed unanimously on roll call vote.

STAFF REPORTS

Roy Vestal, Public Works Director, provided an update regarding the Harrison Street Renovation project. He also stated the CDOT permit for connection to Highway 52 has been received and the grant to complete the sidewalks on Harrison Street has been awarded. Mayor Hubbard voiced her concerns about having 4th street blocked with no directional arrows or signage to guide drivers. Mr. Vestal stated he would evaluate it.

Mari Peña, City Clerk, reported the 2 petition initiatives that were being passed around the City have been turned in with a sufficient number of signatures. The petitions will be presented to Council and then they will be brought before Council to vote on.

Chris Cross, City Administrator, stated he had the opportunity to talk with the seniors at the senior lunch on Monday.

MAYOR/COUNCIL REPORTS

Councilmember Bruce Fitzgerald commended City Administrator, Chris Cross for his report on Monday at the senior lunch.

Mayor Hubbard reported that she received an email from Weld County stating the Weld County Public Health Clinic will be relocating from Firestone to Fort Lupton in August 2024.

FUTURE CITY EVENTS

June 19, 2024	Welcome Wednesday - Community Development Office 1200 Dexter St. Unit W13, 7:30 a.m. – 9:00 a.m.
June 29, 2024	Splash Park Grand Re-Opening – 203 S. Harrison Ave. 10:00 a.m.
July 3, 2024	Coffee with a Cop – Hard Bean Coffee, 107 Dales Place, 8:00 a.m.
July 6, 2024	Independence Day Celebration – Community Park, Fort Lupton Recreation Center, 203 S. Harrison Ave.
July 12-13, 2024	Citywide Yard Sales

UPCOMING MEETINGS

June 25, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
July 2, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
July 9, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
July 16, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

ADJOURNMENT

The meeting adjourned at 6:50 p.m.

Submitted by,

Maricela Peña

Maricela Peña, City Clerk

CITY OF FORT LUPTON SEAL STATE OF COLORADO

Approved by City Council,

Zo Hubbard, Mayor