

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
December 8, 2020**

The City Council of the City of Fort Lupton met in a special session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Tuesday, December 8, 2020. Due to the COVID-19 virus, the meeting was held with remote access provided through GoToWebinar. Mayor Zo Stieber called the meeting to order at 6:30 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 Councilmembers Chris Ceretto and Bruce Fitzgerald. Mayor Zo Stieber, Councilmembers Shannon Rhoda, David Crespin, Tommy Holton, and Michael Sanchez participated remotely through GoToWebinar.

Also present were City Administrator, Chris Cross, City Clerk, Mari Pena, City Attorney, Andy Ausmus, WWTP Supervisor Jon Mays, and Finance Director, Leann Perino.

HR Director, Laura Howe, participated remotely through GoToWebinar.

APPROVAL OF AGENDA

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

ACTION MEMORANDUM

AM 2020- 204 Adopting the 2021 Budget and Financial Plan and Setting Appropriations for the Various Funds and Spending Agencies for the Period Beginning the First Day of January 2021 and Ending the Thirty-First Day of December 2021

Each year the City is required to adopt a budget setting the legal appropriations for the following year. The budget not only establishes the legal appropriations for each fund and spending agency but also authorizes the procurement of goods, services, and equipment to meet the goals and objectives determined by the City Council.

It was moved by Tommy Holton and seconded by David Crespin to approve Resolution 2020R080 A RESOLUTION OF THE CITY COUNCIL ADOPTING THE 2021 BUDGET AND FINANCIAL PLAN AND SETTING APPROPRIATIONS FOR THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS SPECIFIED, FOR THE CITY OF FORT LUPTON, COLORADO, FOR AND DURING THE PERIOD BEGINNING THE FIRST DAY OF JANUARY 2021 AND ENDING THE THIRTY-FIRST DAY OF DECEMBER 2021. Motion passed unanimously on roll call vote.

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AM 2020-205 Approving a Resolution Levying General Property Taxes for the Assessed Tax Year 2021, to Fund the Cost of Government, for the City of Fort Lupton, Colorado for the 2021 Fiscal Year

Each year, the City adopts a property tax mill levy for the following year. The 2020 assessed valuation of \$242,057,304 is expected to bring in approximately \$8,619,910. This is based on 28.877 mills to be used to support the activities of public works, public safety, and general administration and operations; 2.054 mills used for Recreation Center debt service obligation; 4.68 mills to support the Recreation Center operation & maintenance. The 28.877 General Fund mill levy is the current mill levy. The combined Recreation Center mill levy will be 6.734, an increase of 0.416 mills.

It was moved by Shannon Rhoda and seconded by David Crespín to approve Resolution 2020R081 A RESOLUTION OF THE CITY COUNCIL LEVYING GENERAL PROPERTY TAXES FOR THE TAX YEAR 2021, TO FUND THE COST OF GOVERNMENT, FOR THE CITY OF FORT LUPTON, COLORADO FOR THE 2021 FISCAL YEAR. Motion passed unanimously on roll call vote.

AM 2020-203 Approve Amended Employee Handbook and City Compensation Policy for a Total Estimated Cost of \$48,100 Per Year

The City's Employee Handbook was significantly updated effective September 19, 2020. The Colorado General Assembly has passed some legislation that are effective January 1, 2021, that necessitates some policy changes. The new laws are the Colorado Pay Equity Law and the Healthy Family and Workplaces Act.

The following policies have material changes.

- 306 Open Position Postings and Recruitment
- 605 Sick Leave
- 607 Public Health Leave
- 614 Personal Leave of Absence

There have been other minor changes to grammar and wording. The most significant policy change is to Sick Leave. The Healthy Family and Workplaces Act mandates that employers provide paid sick leave to all employees (including temporary, seasonal and part-time employees) based on hours worked.

The City has been compliant with many of the Colorado Pay Equity Law. A formalized City Compensation Policy reflects the City's philosophy and practices and is recommended as a best practice to comply with the new law.

It was moved by Shannon Rhoda and seconded by David Crespín to approve Resolution 2020R082 A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON REPEALING THE PERSONNEL POLICY CONTAINED IN THE EMPLOYEE HANDBOOK THAT WAS

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APPROVED UNDER RESOLUTION 2020R066 AND RE-ADOPTING THE PERSONNEL POLICY CONTAINED IN THE EMPLOYEE HANDBOOK EFFECTIVE DECEMBER 26, 2020. Motion passed unanimously on roll call vote.

It was moved by Shannon Rhoda and seconded by David Crespino to approve Resolution 2020R083 A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE CITY COMPENSATION POLICY EFFECTIVE DECEMBER 26, 2020. Motion passed unanimously on roll call vote.

AM 2020-206 Approving a Resolution to Opt Out Uncompensated Elected and/or Appointed Officials from the Workers' Compensation Policy and Add Them and Other City Volunteers to the Volunteer Accident Medical Plan (VAMP) for the 2021 Policy Year for the Amount of \$689.02

The City of Fort Lupton's uncompensated officials and volunteers have not been included on the Workers' Compensation (WC) insurance policy for most years since 2001. The City's uncompensated officials are not required to be covered by Workers' Compensation (WC) insurance, if the required application is made with the state.

Generally, those individuals covered by WC are compensated employee and paid elected officials. CIRSA offers the Volunteer Accident Medical Plan (VAMP) policy as an optional coverage for volunteers who are not compensated for their time while serving on a City board or committee. This coverage also covers other volunteers with the City. The benefits covered are detailed on page 4 of the CIRSA letter.

Under the State of Colorado Workers' Compensation Statutes, if an Unpaid Board member incurred an injury, the City would be subjected to its \$500 per claim deductible, as well as the State's regulations for payment of any and all virtually "unlimited" payouts related to the claim for expenses accrued.

Any possible payouts, per claim, are limited under the VAMP policy verses having higher limitations under the WC policy. Also, under the WC policy, the City runs the risk of having premium increases for WC coverage, as those premiums are based on basic coverage plus the "risk" of the entity as a whole. If there were a WC claim which reached a high level of experience, it will affect the City's risk rating and will be reflected in the overall premium to be paid for WC coverage. By having the VAMP policy available for uncompensated officials, the City will minimize its WC risk possibility.

VAMP also provides some cover to the City should one of its volunteers be injured while volunteering for the City, though it does not prohibit a volunteer from pursuing action against the City.

It was moved by Shannon Rhoda and seconded by Tommy Holton to approve Resolution 2020R084 A RESOLUTION PROVIDING THAT CERTAIN ELECTED AND/OR APPOINTED OFFICIALS OF THE CITY OF FORT LUPTON SHALL BE DEEMED NOT

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TO BE “EMPLOYEES” WITHIN THE MEANING OF THE WORKERS’ COMPENSATION LAWS. Motion passed unanimously on roll call vote.

AM 2020-207 Repairs for Well 5 by Quality Well and Pump for \$38,925.56

The City has 5 non-potable wells that are connected to the non-potable system. This water is used for irrigation and industrial use. Well 5 is at 451 Kahil Street south of the High School ball fields. This Well has failed and does not pump any water. This Well is a vertical turbine pump with a motor on top and a drive shaft inside the Column going down to the pump at the bottom of the Well. Jacobs and Quality Well and Pump checked the Well and determined that the problem was down in the Well. Quality Well and Pump are one of very few contractors who have equipment to pull large municipal well. They have performed several jobs for the City and have performed very well. When they pulled the well they discovered that the pump at the bottom of the well was disconnected from the column shaft. They ran a camera into the well and determined how the pump head was lying and then “fished” the remaining parts out. They ran a camera again and identified a hole in the well casing 46 feet below the surface. This hole could cause damage to a new pump or could cause the well to collapse which would require a new well to be drilled. The attached quotations are for reconditioning the well and relining the casing with new stainless-steel casing. The second quote is to rebuild the well pump and install new column pipe and drive shaft.

It was moved by David Crespín and seconded by Bruce Fitzgerald to approve the repairs for Well Number 5 by Quality Well and Pump for an amount of \$38,925.56. Tommy Holton asked that ‘not to exceed’ be added to the amount. Both David Crespín and Bruce Fitzgerald rescinded their motion and David Crespín made a motion to approve the repairs for Well Number 5 by Quality Well and Pump for an amount not to exceed \$38,925.56. Bruce Fitzgerald seconded the motion. Motion passed unanimously on roll call vote.

INFORMATION MEMORANDUM

IM 2020-008 Reduction in Force at the Recreation and Community Center

In response to the operational restrictions caused by the global pandemic, the City furloughed 78 employees from Coyote Creek Golf Course and the Recreation and Community Center in April 2020. Coyote Creek has recalled all of its employees from furlough or they have resigned. The Recreation Center has recalled some employees from furlough and some have resigned. There are 23 employees who are still classified as furloughed/inactive.

Effective Wednesday, December 9, 2020, the City will notify the remaining inactive employees that these positions have been eliminated. These employees are primarily employed in the Aquatics and Fitness groups, though there are employees in the Operations and Sports groups as well.

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The end of the pandemic and a return to normal operations are not yet in sight. Staff decided it was time to make a final decision on the employment status as well as provide these employees with some finality.

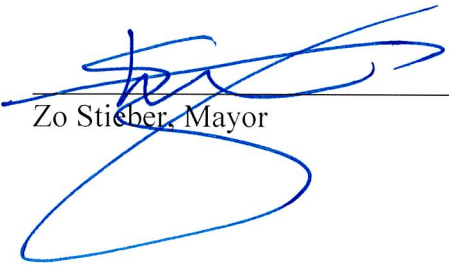
ADJOURNMENT

Mayor Stieber adjourned the meeting at 6:57 p.m.

Respectfully Submitted,


Maricela Peña, City Clerk

Approved by City Council


Zo Stieber, Mayor

