

MINUTES
EVANS CITY COUNCIL
November 17, 2015

CALL TO ORDER

Mayor Morris called the meeting to order at 7:30 p.m.

PLEDGE

ROLL CALL

Present: Mayor Morris, Mayor Pro-Tem Schaffer, Council Members Brown, Clark, Finn, Homann, and Rudy

AUDIENCE PARTICIPATION

Laura Speer, 4020 Empire Street, Evans, commented about a Work Session presentation concerning impact fees in the City of Evans. Ms. Speer voiced her concerns about high impact fees hurting affordable housing and driving the cost of living up in Evans.

Mayor Morris thanked her for her comments.

APPROVAL OF AGENDA

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Rudy, to approve the Agenda. The motion passed with all voting in favor thereof.

CONSENT AGENDA

- A. Approval of Minutes of the Regular Meeting of November 3, 2015**
- B. Ordinance No. 636-15 – Corrected ARB Midstream Addendum to Annexation Agreement (2nd Reading)**
- C. Ordinance No. 637-15 – Rezoning Lot 2 of Rush Trucking (2nd Reading)**

Mayor Pro-Tem Schaffer, made the motion, seconded by Council Member Rudy, to approve the Consent Agenda. The motion passed with all voting in favor thereof.

NEW BUSINESS

- A. Public Hearing – Ordinance No. 638-15 – Amending Ordinance No. 607-14 and Appropriating Sum of Revenues and Fund Balances for the Amended 2015 City of Evans Budget (1st Reading)**

Mayor Morris opened the public hearing at 7:35 p.m. and asked to hear from staff.

Jacque Troudt, CPA, Finance Manager discussed the need for Ordinance No. 638-15, which is the third revision to the 2015 Operating and Capital Budget. She summarized the following budget amendments impacting the General Fund, the City Capital Improvement Program (CIP), and the City Water Fund. According to Ms. Troudt, the General Fund includes the following revision items:

- 1.1 Property repairs and associated insurance proceeds related to the claim.
- 1.2 Emergency generator installation to be fully reimbursed by the Federal Emergency Management Agency (FEMA) and CDBG-DR, as previously approved by Council.
- 1.3 Emergency management coordinator costs, to be partially reimbursed with grant revenue.
- 1.4 Revenue and expenditure related to the sales tax auditing program.
- 1.5 Transfer out to CIP Streets and related excess oil and gas severance tax revenue.
- 1.8 An increase in expenditure for legal costs related to the Code Update project.
- 1.9 Grant revenue and payroll cost related to the previously approved Resiliency Planning Grant.
- 1.13 Expenditures for final Riverside Cultural Center construction costs, and revenue from reimbursements received.

The CIP Streets Fund includes the following items:

- 1.6 Transfer In from the General fund for excess oil and gas severance revenue.
- 1.8 Expenditure for signal modification work.
- 1.1 Property repairs and insurance proceeds for a damaged traffic signal box.
- 1.10 Reduction of grant revenue for temporary road repairs.

The Waste Water Fund includes the following items:

- 1.7 Survey costs and state application and review fees for the Wastewater Treatment Facility, partially reimbursed by grant funding.
- 1.11 Reduction of revenue and expense for Flood mitigation work not to be completed.
- 1.12 Wastewater Treatment Facility repair costs, to be mostly reimbursed by FEMA grant funding.

Mayor Morris asked for any testimony for or against the Ordinance—there was none.

Mayor Morris and the City Council Members voiced their support for the budget amendments discussed.

Mayor Morris closed the public hearing at 7:39 p.m.

Council Member Clark made the motion, seconded by Council Member Homann, to approve Ordinance No. 638-15–Amending Ordinance No. 607-14 and Appropriating Sum of Revenues and Fund Balances for the Amended 2015 City of Evans Budget (1st Reading). The motion passed with all voting in favor thereof.

B. Resolution No. 32-2015 – Authorizing the Application for a Planning Grant from the Colorado Department of Local Affairs for a Feasibility Study for the Redesign of the Lower Latham Diversion Structure

Chad Reischl, City Planner, explained that there was a December 1st deadline for Community Development Block Grants-Damage Recovery (CDBG-DR) funding from the Department of Local Affairs (DOLA) for planning projects related to the 2013 flood. Mr. Reischl explained that the state has specifically allocated funding to support watershed coalitions and watershed resiliency planning and implementation.

He explained that the Middle South Platte River Alliance (MSRA) was requesting the City of Evans to apply for CDBG-DR funds for a feasibility study for the redesign of the Lower Latham Diversion structure just south of the City of Evans—upstream from the Highway 85 Bridge. According to Reischl, the seven-structure diversion has been noted by several of the members of the Alliance to cause undue flooding up and downstream of the structure, which sustained considerable damage in the 2013 and 2015 flooding.

Mr. Reischl explained that this project is one of the highest priority projects listed in the Restoration Master Plan for the South Platte River that is nearing completion. This study will analyze the existing structures that make up the diversion and how they relate to the natural hydraulics of the river. Then alternatives will be determined for redesign of the structure so as to mitigate flooding, improve stream flows, provide for fish passage if possible and provide a safer structure for recreational users of the river. The Engineer will then perform a cost/benefit analysis of all options to determine the most effective solution for the future reconstruction of the diversion.

Mr. explained that the City of Evans is being asked to submit the application for \$125,000 as the fiscal sponsor of the project for the Alliance.

Council Member Homann asked Mr. Reischl if he anticipates that the grant will be approved.

Mr. Reischl explained that the project has support from DOLA and local ditch companies.

Council Member Homann asked about alternatives if the grant doesn't get approved.

Mr. Reischl explained that the Alliance would have to find an alternative solution.

Mayor Morris clarified that there is no financial match from the City.

Mr. Reischl stated there was no funding match.

Mayor Morris discussed his support for the project and thanked Mr. Reischl.

Council Member Homann made the motion, seconded by Council Member Rudy 2nd, to approve Resolution No. 32-2015, authorizing the application for a Planning Grant from the Colorado Department of Local Affairs for a Feasibility Study for the Redesign of the Lower Latham Diversion Structure. The motion passed with all voting in favor thereof.

C. Resolution No. 33-2015 – Authorizing the Application for a staffing Grant from the Colorado Department of Local Affairs for continuation of the Long Range Planner Position

Zach Ratkai, Flood Recovery Manager, explained that there was a December 1st deadline for Community Development Block Grants-Damage Recovery (CDBG-DR) funding from the Department of Local Affairs (DOLA) for planning projects related to the 2013 flood. Mr. Ratkai explained that the current long-range flood recovery planner, Mr. Reischl, was funded by this program.

Mr. Ratkai provided some background, explaining that in 2014 the City of Evans applied for CDBG-DR funds to hire a long range flood recovery planner. The grant funding covered the salary and benefits for this position for 18 months.

Mr. Ratkai explained that the City is now applying for additional funds to continue the position for an additional 18 months (approximately through October, 2017). The staffing grant being request will be for \$106,000 to cover salary and benefits for the position through October, 2017.

Mr. Ratkai clarified that the amount of funding was listed in the Resolution as \$105,000 which was corrected to \$106,000. He stated that there is no match needed, the City will be reimbursed for its expenses, and there will be no need to go through a hiring process since the position is already filled by Mr. Reischl.

Mr. Ratkai stated that Mr. Reischl has greatly helped the City with the following long range and flood recovery projects over the past year:

- Fully administering the South Platte River Restoration Master Plan;
- Building and supporting the Middle South Platte River Alliance;
- Assisting demographic research that was critical to receiving a \$5,000,000 grant for the clean-up and regrading of Riverside Park;
- Serving on the “Park-Team” for Riverside Park and assisting where needed with the financing, design, engineering and timing/phasing of park reconstruction;
- Commencing a comprehensive Stormwater Management Plan for the City of Evans;
- Finalizing the Riverside Master Plan and assisting with implementation of the plan;

Aden Hogan, City Manager, thanked Mr. Reischl and spoke about work re-initiating a South Platte River Recreation Corridor Master Plan for the City of Evans that had been postponed due to the 2013 Flood Disaster.

Council Member Homann asked about an alternative if the grant funding was not awarded.

Mr. Ratkai stated that the City would not keep the position and remaining staff would have to take on Mr. Reischl’s duties. However, Mr. Ratkai spoke about his recent meetings with DOLA and indicated the support from the State for continued funding.

Mayor Morris also talked about his conversations with DOLA for continued funding for flood recovery and the Long Range Planner position.

Council Member Clark, seconded by Council Member Homann, made the motion to approve the Resolution No. 33-2015, authorizing the application for a Staffing Grant from the Colorado Department of Local Affairs for the continuation of the Long Range Planner position. The motion passed with all voting in favor thereof.

D. Resolution No. 34-2015 – Authorizing the Application for an Energy and Mineral Impact Grant from the Colorado Department of Local Affairs

Gary Wilson, Flood Recovery Project Manager, explained that the Resolution was a revision to grant funding authorization approved by City Council on August 18th, under Resolution 25-2015. This grant was intended to supplement funding for permanent repairs to Brantner Road, 49th Street and Industrial Parkway. The intersection of these roads was heavily damaged by both the 2013 and 2015 floods.

Mr. Wilson explained why the City needed to re-submit with DOLA for the December 1, 2015 grant cycle in order to allow for more accurate cost estimates.

He explained that the revised grant application is proposed to cover the City's 12.5 percent cost share of the FEMA 2013 damage (approximately \$50,000); the approximate cost of the 2015 flood damage (\$60,000) not covered by FEMA; and funding to resurface 49th Street from the flood damaged section west to 35th Avenue at a cost of \$600,000, for an estimated grant request totaling approximately \$710,000. Mr. Wilson explained that the actual amount in the Resolution should be \$746,800.

Council Member Clark clarified the correct amount of the grant request of \$746,800.

Mr. Wilson explained the change in the amount from the estimated cost of \$710,000 to the actual request of \$746,800.

Mayor Morris asked about the 50 percent requirement for a local match.

According to Mr. Wilson, there is no required local match for this grant but a local match of 50 percent is strongly advised to make the grant competitive. In this case, the FEMA funding of this project can be used as the local match, and there are no anticipated financial expenditures from the City of Evans. Mr. Wilson explained that the City's contribution would be equal to a 30-40 percent match.

Council Member Clark asked if the City could amend their application to reflect a larger match.

Mr. Wilson explained that the City would have to resubmit at a later date.

Mayor Morris discussed his support for the project, talked about a recent tour with U. S. Senator Cory Gardner, and spoke about the region's competitiveness for State Energy and Mineral Impact Grants.

Council Member Homann made the motion, second by Council Member Rudy, to approve Resolution No. 34-2015, authorizing the application for an Energy and Mineral Impact Grant from the Colorado Department of Local Affairs. The motion passed with all voting in favor thereof.

E. Contract with THK Associates, Inc. to Perform Engineering and Design Services for the Riverside Park Project

Mr. Wilson discussed the need to execute a contract with THK Associates, Inc. for \$638,000 for engineering and design services for the Riverside Park Project. Mr. Wilson talked about the City's process for receiving proposals and why the bid from THK was chosen. According to Mr. Wilson, THK will provide all steps

through the process and the cost will be reimbursed by the FEMA park refund and the City's 12 percent match, which includes other state funding sources—leaving only approximately \$8,000 to the City.

Mr. Wilson talked about the construction process according to the FEMA reimbursement schedule over the next two years and talked about some projects that could be completed in the first year of the project.

Mayor Pro-Tem Schaffer asked about the 12.5 percent City match and the total cost of rebuilding the park.

Mr. Wilson discussed the total cost of the park, which will not be completely covered by the contract with THK.

Mayor Morris asked if the cost included the ballfields.

Mr. Wilson explained that the ballfields and additional facilities would be addressed through future grants from Great Outdoors Colorado (GOCO) to complete the ballfields, concessions, shade structures, trails, etc.

Mayor Morris asked if the total \$79,000 match was in the 2015 budget.

Mr. Wilson and Ms. Troudt both confirmed that it was in the 2015 budget.

Mayor Morris thanked Mr. Wilson and discussed his support for the project.

Council Member Clark made the motion, seconded by Mayor Pro-Tem Schaffer, to approve the contract with THK Associates, Inc. to perform engineering and design services for the Riverside Park Project.

The motion passed with all voting in favor thereof.

F. Award of Bid – Park Irrigation Controller Replacement

Scott Sandridge, Parks Superintendents, discussed the need for the Parks Irrigation Controller Replacement project for the upgrade to Signature Constellation web based irrigation controllers for 19 sites around the City. According to Mr. Sandridge, this project will allow parks staff to control the irrigation system anywhere a web connection is available or at any of the 19 sites. The current system can only be controlled at the Parks Offices. This system eliminates the need for us to have and maintain our own weather system by allowing us to use weather data from several sources that are free of charge.

Mr. Sandridge explained that the bid of \$143,382.74 from DBC Irrigation was the

only submittal received for the project. He discussed why DBC had specific knowledge about this type of project and provided the following cost breakdown for the project:

- the 2015 Conservation Trust Fund included \$150,000.00 for construction of this project;
- \$143,382.74 bid from DBC Irrigation; and
- \$7,000 for Radio Site Survey that needed to be completed while the trees still had full leaf foliage; and
- \$382.74 from the Parks S&S Fund to cover the shortfall.

Council Member Clark asked about the bid opening process.

Mr. Sandridge explained the bid opening process and requirements.

Mayor Pro-Tem Schaffer asked about the new system to set the sprinkler systems according to different smart websites.

Mr. Sandridge and Mayor Pro-Tem Schaffer continued a dialogue about the capabilities of the software to incorporate data from several weather sources for different irrigation systems throughout the City.

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Homann, to transfer \$382.74 from the Parks Supplies and Services Budget to the 2015 Conservation Trust Fund for the award of the Park Irrigation Controller Replacement to DBC Irrigation, and authorize the Mayor's signature on an agreement in the amount of \$143,382.74. The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Mr. Hogan reminded the Council Members that the City Photo Contest, Picture Evans, has concluded and the winners will be announced at a reception on December 3rd from 6:00 p.m. to 8:00 p.m. at the Riverside Library.

Mr. Hogan also spoke about the installation of two emergency generators that are being constructed at the Operations Center and at the Fire District's Station. He also talked about other accomplishments by David Burns, City Emergency Management Coordinator, who has drafted several emergency plans in 2015 and talked about an upcoming emergency management exercise for the City Emergency Operation Plan.

Mr. Hogan also provided an update about sales tax revenue and invited the Council Members to a swearing-in ceremony for two new Evans Police Officers on November 23, 2015.

Lastly, Mr. Hogan gave a brief update on some ongoing road projects in the City.

B. City Attorney

Mr. Krob had no updates for the Council.

AUDIENCE PARTICIPATION

There was no audience participation.

ADJOURNMENT

The meeting adjourned at 8:22 p.m.


Raegan Robb, City Clerk