City of Evans, Colorado

If you would like to address City Council, please place your name on the sign-up sheet located at the back of the council room. You will be recognized to speak during the "audience participation" portion of the agenda.

AGENDA

Regular Meeting
February 2, 2016 - 7:30 p.m.

City Council meeting packets are prepared several days prior to the meetings. This information is reviewed and studied by the Councilmembers, eliminating lengthy discussions to gain basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis. An informational packet is available for public inspection on our website at www.cityofevans.org and posted immediately on the bulletin board adjacent to the Council Chambers.

1. CALL TO ORDER

2. PLEDGE

3. ROLL CALL

Mayor:	John Morris
Mayor Pro-Tem:	Jay Schaffer
Council:	Laura Brown
	Mark Clark
	Sherri Finn
	Lance Homann
	Brian Rudy

4. AUDIENCE PARTICIPATION

The City Council welcomes you here and thanks you for your time and concerns. If you wish to address the City Council, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address City Council. Your comments will be limited to two (2) minutes. The City Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and your questions may be directed to the appropriate staff person for follow-up. Thank you!

5. APPROVAL OF AGENDA

6. CONSENT AGENDA
   A. Approval of Minutes of the Regular Meeting of January 19, 2016

7. SPECIAL BUSINESS
   A. Resolution No. 11-2016 – Supporting the Weld County Bright Futures Program
   B. Resolution No. 12-2016 – Adopting the 2016 Weld County Multi-jurisdictional Hazard Mitigation Plan

8. NEW BUSINESS
   A. Ordinance No. 646-16 – Amending the Evans Home Rule Charter, Amending Section 3.14 of the Home Rule Charter, and Submitting the Questions to the Registered Electors at the Regular Municipal Election Held on April 5, 2016
   B. Ordinance No. 647-16 – Amending Section 7.10 of the Evans Home Rule Charter and Submitting the Question to the Registered Electors at the Regular Municipal Election Held on April 5, 2016
   C. Resolution No. 13-2016 – Approving the Grant of a Non-Exclusive Easement by the City of Evans to Saddle Butte Rockies Midstream, LLC for Construction, Installation and Maintenance of a Pipeline to Transmit Oil, Gas and Water Across and Beneath Certain Real Property Belonging to the City
   D. Approval of a Preliminary Budget Revision for the Match on an Energy and Mineral Impact Grant from the Colorado Department of Local Affairs

9. REPORTS
   A. City Manager
   B. City Attorney

10. AUDIENCE PARTICIPATION (general comments)
    Please review the Audience Participation section listed at the beginning of the agenda for procedures on addressing City Council.

11. EXECUTIVE SESSION
    A. To Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negations, and Instructing Negotiators, Pursuant to C.R.S. 24-6-402(4)(e)

12. ADJOURNMENT

CITY OF EVANS – MISSION STATEMENT

"To deliver sustainable, citizen-driven services for the health, safety, and welfare of the community."

COUNCIL COMMUNICATION

DATE: February 2, 2016

AGENDA ITEM: **6.A**

SUBJECT: Approval of the January 19th City Council Meeting

PRESENTED BY: City Clerk

AGENDA ITEM DESCRIPTION:

Approval of minutes.

FINANCIAL SUMMARY:

N/A

RECOMMENDATION:

N/A

SUGGESTED MOTIONS:

"I move to approve the minutes as presented."

MINUTES
EVANS CITY COUNCIL
January 19, 2016

CALL TO ORDER

Mayor Morris called the meeting to order at 7:31 p.m.

PLEDGE

ROLL CALL

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

AUDIENCE PARTICIPATION

There was no audience participation.

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 January 5, 2016

B. Ordinance No. 643-16 – Repealing, Relocating, and Consolidating Provisions of the Evans Municipal Code Relating to Various Economic Incentives (Second 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.

OLD BUSINESS

A. Ordinance No. 642-16 – Adoption of Adjusted City Impact Fees (Second Reading)

Raegan Robb, Evans City Clerk, reminded the City Council that they will need a roll call vote for second and final reading of Ordinance No. 642-16, since it was not adopted unanimously on first reading.

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Finn, to adopt Ordinance No. 642-16 on second and final reading. The motion passed on a 5-2 roll call vote, with Council Members Clark and Rudy opposed.

DRAFT

NEW BUSINESS

A. Emergency Ordinance No. 644-16 – Amending Chapter 16.04 of the Evans Municipal Code Regarding Flood Damage Prevention

Mr. Ratkai explained the need for the Ordinance for an agreement to be dated and signed according to the deadline.

Mayor Morris discussed his support for the Ordinance
.
Council Member Clark made the motion, 2nd by Council Member Finn. Passed

B. Emergency Ordinance No. 645-16 – Amending Chapter 1.14 of the Evans Municipal Code Concerning Certain Deadlines Related to the 2016 Evans Regular Municipal Council Election

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Clark. Passed.

C. Resolution No. 08-2016 – Amending Resolution No. 06-2016 – Authorizing the Conduct of a Mail Ballot Election for the Regular Municipal Election

Council Member Homann made the motion, seconded by Council Member Rudy. Passed.

D. Resolution No. 09-2016 – Approving an Intergovernmental Agreement with the Colorado Department of Transportation (CDOT) Regarding the Widening of 35th Avenue between 37th Street and Prairie View Drive

Dawn Anderson, City Engineer, discussed the $23,0000 Of City matched funds for a total $1.346M

She discussed the specific details of the project, 2015 CIP street fund and 2015 street impact funds that will be carried forward to the 2016 budget.

Ms. Anderson asked Council for support of the Resolution.

Mayor Pro-Tem asked how much curb & gutter will be installed for the project.
at 35th Avenue between 37th Street and Prairie View Drive.
Ms. Anderson discussed all of the improvements that will be installed by this project
Mayor Pro-Tem Schaffer commented about the costs of road improvements.

DRAFT

Ms. Anderson discussed the inflated costs of road construction.
Council Member Clark asked if the project will continue down prairie view drive.
Ms. Anderson discussed the future plans for the project and the need for other easements to continue the project further south.

Council Member Homann asked about sidewalks at 37th to the intersection of 35th.

Ms. Anderson explained that this area will have attached sidewalks,

Council Member Clark asked about city storm drainage improvements for future storm events.
Yes, Ms. Anderson explained that storm drainage is a focus for new projects.

Mayor Morris discussed his support for the project when the City is receiving $231,000 for $1.4M—clarified that the project came from the MPO.

Council Member Clark asked when the project would start.

Ms. Anderson stated the project would start in the summer and discussed the timeline and work that is currently being completed.

Mayor Pro-Tem Schaffer made the motion, 2nd by Council Member Finn. Passed.

E. Resolution No. 10-2016 – Approval of Resolution No. 10-2016 Authorizing the Application for a planning Grant from the Colorado Department of Local Affairs to assist with flood mitigation work at the Highway 85 and Highway 60 bridges

Chad Reischl, City Planner, and Kacey Blum, Watershed Coordinator, discussed the alliance and the need for the project for work at the Highway 85 and Highway 60 bridges. Mr. Reischl explained the project.

Mayor Pro-Tem Schaffer asked about the $73,000 is not out of the City of Evans budget. Mr.Reischl explained that the matching funds were not out of the City budget. Council Member Clark made the motion, seconded by Mayor Pro-Tem Schaffer. Passed.

F. Approval of the 2016 Operating and Capital Costs for the Greeley Evans Transit (GET)

DRAFT

Ms. Anderson discussed the annual process for the Evans City Council to approve the 2016 Operating and Capital Costs for the Greeley Evans Transit (GET). Ms. Anderson discussed the changes from the operating and capital costs requests, which were lower than 2015. She explained that the request was for $162,000 from the General Fund-Streets Budget.

Mayor Morris asked about the 2016 General Fund Street Fund and he and Mayor Pro-Tem Schaffer clarified that there were cost savings from the 2015.

Council Member Rudy commented about the GET not having access to west Evans in Ward 3, have there been complaints from people in West Evans.

Ms. Anderson acknowledged that west Evans does not have access to GET.

The City Council discussed future transportation plan for the City and whether GET will reach Ward 3 in the future.

Council Member Homann made the motion, seconded by Council Member Brown.

Council Members Brown; Y
Clark; Y
Finn; Y
Homann; Y
Rudy; N
Mayor Pro-Tem Schaffer; N
Mayor Morris. Y

Passed on a 5-2 roll call vote.

REPORTS

A. City Manager

Aden Hogan, updated the Council about the new City website that was implemented at the start of the year. He referred Council to the sales tax numbers that were reported in the Monitoring Report, which showed a significant decrease in the commercial/industrial taxes.

Update Council about new additions to the Evans Police Department and the last two positions that need to be filled for Evans PD to be fully staffed.

Evans PD is planning on hiring the animal control officer from a good pool of candidates.

DRAFT

MPTem asked about potholes in the City due to inclement weather. Aden discussed recent storms creating recent pot holes.

B. City Attorney

Scott Krob, City Attorney, provided an update concerning a meeting on January 17th involving several stakeholders related to the Tuscany EQRs.

AUDIENCE PARTICIPATION

There was no audience participation.

ADJOURNMENT

The meeting adjourned at 8:09 p.m.

DRAFT

DRAFT

COUNCIL COMMUNICATION

DATE: February 2, 2016

AGENDA ITEM: **7.A**

SUBJECT: RESOLUTION NO. 11-2016, A RESOLUTION AUTHORIZING A CONTRIBUTION BY THE CITY OF EVANS IN THE AMOUNT OF $21,000 TO SUPPORT THE WELD COUNTY BRIGHT FUTURES GRANT PROGRAM.

PRESENTED BY: Kristan Williams, City Communications Manager

AGENDA ITEM DESCRIPTION:

The Bright Futures Grant Program was created by the Weld County Commissioners to provide financial assistance to Weld County students and veterans in pursuing their post-high school or post GED education. The program offers high school graduates and veterans residing in Weld County, including those within the City of Evans, financial assistance of up to $3,000 per year for up to four years to be used at any accredited educational institution or training program located in the United States. The program is funded in part, through the use of property tax incentive payments or credits by taxpayers who wish to contribute to a county workforce development funds such as the Bright Futures Grant Program, though those tax credits would not apply to the City's contribution.

FINANCIAL SUMMARY:

The amount provided for in the resolution is $21,000, which would provide funding for seven students this year.

RECOMMENDATION:

Staff is presenting this issue for Council's consideration with no recommendation.

SUGGESTED MOTIONS:

"I move to approve Resolution No. 11-2016."

"I move to deny Resolution No. 11-2016."

CITY OF EVANS, COLORADO

RESOLUTION NO. 11-2016

A RESOLUTION AUTHORIZING A CONTRIBUTION
BY THE CITY OF EVANS IN THE AMOUNT OF $21,000 TO SUPPORT
THE WELD COUNTY BRIGHT FUTURES GRANT PROGRAM

WHEREAS, the Evans City Council, pursuant to Colorado statute and the Evans City Charter, is vested with the authority of administering the affairs of the City of Evans, Colorado; and

WHEREAS, the City Council agrees with the Weld County Commissioners that while they value the agricultural and energy production resources of the region, the greatest resource is the people of the City of Evans and of Weld County, Colorado; and

WHEREAS, the City Council and the County Commissioners recognize that the strength and vitality of any community comes in large part from its workforce; and

WHEREAS, a well-educated workforce leads to good-paying jobs and a stable economy; and

WHEREAS, the City Council and the County Commissioners believe that students and veterans should be encouraged and enabled to pursue their educational dreams and goals; and

WHEREAS, the County Commissioners pursued a legislative change through Senate Bill 15-82 during the 2015 session that put in place the necessary authority to allow, among other things, the use of county property tax incentive payments or credits by taxpayers who wish to contribute to a county workforce development fund such as the Weld County Bright Futures Grant Program; and

WHEREAS, the Bright Futures Grant Program allows qualified students and veterans in Weld County, including those residing within the City of Evans, to receive up to $3,000 per year for up to four years to fund their post-high school or post-GED education at an accredited educational institution or training program located anywhere throughout the county; and

WHEREAS, the City Council recognizes the benefits of the Bright Futures Grant Program for students and veterans who reside within the limits of the City of Evans, and

WHEREAS, the City Council wishes to encourage and support the ongoing efforts of the Bright Futures Grant Program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO AS FOLLOWS:

The Evans City Council hereby authorizes and directs the contribution of $21,000 by the City of Evans to support the Weld County Bright Futures Grant Program.

PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS 2ND DAY OF FEBRUARY, 2016.

ATTEST: CITY OF EVANS, COLORADO

_____ BY: _____

Raegan Robb, City Clerk John L. Morris, Mayor

COUNCIL COMMUNICATION

DATE: February 2, 2016

AGENDA ITEM: **7.B**

SUBJECT: Approval of Resolution No. 12-2016 adopting the 2016 Weld County, Colorado Multi-jurisdictional Hazard Mitigation Plan

PRESENTED BY: David Burns, Emergency Management Coordinator

AGENDA ITEM DESCRIPTION:

Resolution No. 12-2016 adopts the 2016 Weld County, Colorado Multi-jurisdictional Hazard Mitigation Plan, which is attached to the Resolution. This plan is the product of a planning process undertaken by the Weld County EOM, Local Emergency Managers throughout Weld County, and Michael Baker International. The adoption of this plan satisfies the requirements of the Federal Emergency Management Agency (FEMA) according to 44 C.F.R. 201.6 and maintains the City's eligibility for specific federal hazard mitigation or disaster loss reduction programs. This plan was originally developed in 2004, then revised in 2009, but this revised version is separate form the Northeast Region Plan. Both the Evans Fire Protection District and Public Works Department participated in each version of this plan.

The plan's mitigation strategy is based on several goals and objectives for the entire planning area. The plan also implements county-specific recommendations for mitigation based on risk assessments designed to reduce future losses in Weld County and the communities within the County. The plan has four mitigation action items specific to the City of Evans. These action items include:

- the storm water drainage projects along the Highway 85 corridor;
- flood plain management;
- flood mitigation along 49th Street; and
- becoming a Weather Ambassador for the National Weather Service.

FINANCIAL SUMMARY:

There is no financial impact in adopting this plan but adoption is required for future FEMA funding.

RECOMMENDATION:

Staff recommends that the City Council adopts Resolution No. 12-2016.

SUGGESTED MOTIONS:

"*I move to adopt Resolution No. 12-2016.*"

"*I move to deny Resolution No. 12-2016.*"

CITY OF EVANS, COLORADO

RESOLUTION NO. 12-2016

ADOPTING THE 2016 WELD COUNTY, COLORADO
MULTI-JURISDICIONAL MITIGATION PLAN

WHEREAS, City of Evans, with the assistance from Weld County and Michael Baker International has gathered information and prepared the 2016 Weld County, Colorado Multi-jurisdictional Hazard Mitigation Plan; and

WHEREAS, the 2016 Weld County, Colorado Multi-jurisdictional Hazard Mitigation Plan; has been prepared in accordance with FEMA requirements at 44 C.F.R. 201.6; and

WHEREAS, City of Evans is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, City of Evans has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

NOW THEREFORE, BE IT RESOLVED, by City Council that City of Evans adopts 2016 Weld County, Colorado Multi-jurisdictional Hazard Mitigation Plan as this jurisdiction's Multi-Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED this 2nd day of February, 2016 at the meeting of the Evans City Council.

CITY OF EVANS, COLORADO

By:_____

Mayor

ATTEST:

_____

City Clerk

CITY COUNCIL COMMUNICATION

DATE: February 2, 2016

AGENDA ITEM: **8.A**

SUBJECT: Ordinance No. 646-16 - Amends Section 3.14 the Evans Home Rule Charter, amends the Home Rule Charter to include labels for each subsection and conform the language of the Charter to be gender neutral, and referring the question for adoption be submitted to the registered electors at the Municipal Election which will be held on April 5, 2016.

PRESENTED BY: Scott Krob, City Attorney and Raegan Robb, City Clerk

AGENDA ITEM DESCRIPTION:

The attached ordinance provides for the following ballot questions to be submitted to the registered electors at the April 5, 2016 municipal election:

1. Shall the City of Evans Home Rule Charter be amended to make the language of the Charter gender neutral and include labels for each subsection?

2. Shall Section 3.14, Special City Council Meetings, be amended to allow special meetings of the Council to be called by the Clerk by electronic correspondence, by telephone, in writing served personally, or delivered to a Council Member's usual place of residence?

RECOMMENDATION:

City staff recommends the approval of the Ordinance.

SUGGESTED MOTIONS:

"I move to approve Ordinance No. 646-16 on first reading."

"I move to deny adoption of Ordinance No. 646-16."

CITY OF EVANS, COLORADO

ORDINANCE NO. 646-16

AN ORDINANCE TO AMEND THE HOME RULE CHARTER OF THE CITY OF EVANS, COLORADO, TO AMEND SECTION 3.14 OF THE CHARTER, AND FURTHER PROVIDING THAT THE QUESTION FOR ADOPTION OF SUCH AMENDMENTS BE SUBMITTED TO THE REGISTERED ELECTORS AT THE REGULAR MUNICIPAL ELECTION WHICH WILL BE HELD ON APRIL 5, 2016

WHEREAS, the City of Evans is a home rule city duly organized and existing under the Constitution of the State of Colorado and the Home Rule Charter of the City; and

WHEREAS, pursuant to Section 1.5 of the Home Rule Charter, amendments to the charter must be submitted to the electors of the City of Evans; and

WHEREAS, an election shall be held on Tuesday, April 5, 2016, at which election there shall be submitted to the eligible electors of the City these amendments to the Home Rule Charter; and

WHEREAS, the language in the Charter is not gender neutral; and

WHEREAS, the Charter has several subsections that are not labeled; and

WHEREAS, City Council and staff have recommended that Chapter 3.14, concerning Special Meetings, should be amended to allow for more modern means of providing notice of a Special Meeting to the City Council Members.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO:

Section 1. Proposed Amendments. The Evans Home Rule Charter shall be amended to make the language of the Charter gender neutral and include labels for each subsection; and

Section 3.14, of the Home Rule Charter of the City of Evans, Colorado, shall be amended to read as follows:

3.14 SPECIAL MEETINGS. Special meetings of the Council shall be called by the Clerk on a written request of the Mayor, or by any three members of the Council on at least twenty-four hours ~~written~~ notice to each member of the Council~~,~~. Notice by the Clerk may be provided by electronic correspondence, by telephone, in writing served personally, or ~~left at~~ delivered to ~~his~~ a Council Member's usual place of residence~~; but a~~A special meeting may be held on shorter notice if all members of the Council are present or have waived notice thereof in writing~~.~~ or through electronic correspondence with the Clerk.

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Section 2. Election. The question of whether the City of Evans Home Rule Charter shall be amended as set forth above in Section 1 shall be submitted to the registered electors of the City of Evans at a regular municipal election to be held on April 5, 2016.

Section 3. Ballot Titles. The ballot titles setting forth the questions to be voted on shall be as follows:

1. Shall the City of Evans Home Rule Charter be amended to make the language of the Charter gender neutral and include labels for each subsection?

2. Shall Section 3.14, Special City Council Meetings, be amended to include more modern means of providing notice of a Special Meeting to the City Council Members?

Section 4. Publication and Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published, and posted as required by the City Charter and the adoption, posting, and publication shall be authenticated by the signature of the Mayor and City Clerk, and by the Certificate of Publication. The effective date of this Ordinance shall be April 5, 2016, provided there is approval by a majority of registered electors voting thereon as to each of the questions submitted to the voters as provided in Section 3 above. In the event that some, but not all, of the questions submitted to the voters have approval of the majority of the registered electors voting thereon, then, in that event, this Ordinance shall be amended to remove those proposed amendments in Section 1 above that do not receive a majority approval of the registered electors.

PASSED, AND APPROVED at a regular meeting of the City Council of the City of Evans on this 2nd day of February, 2016.

CITY OF EVANS, COLORADO

ATTEST:

_____

By: _____

Raegan Robb, City Clerk John Morris, Mayor

PASSED, APPROVED, AND ADOPTED ON SECOND READING THIS 16th day of February, 2016.

CITY OF EVANS, COLORADO

ATTEST:

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By:

Raegan Robb, City Clerk John Morris, Mayor

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CITY OF EVANS, COLORADO

ORDINANCE NO. 646-16

AN ORDINANCE TO AMEND THE HOME RULE CHARTER OF THE CITY OF EVANS, COLORADO, TO AMEND SECTION 3.14 OF THE CHARTER, AND FURTHER PROVIDING THAT THE QUESTION FOR ADOPTION OF SUCH AMENDMENTS BE SUBMITTED TO THE REGISTERED ELECTORS AT THE REGULAR MUNICIPAL ELECTION WHICH WILL BE HELD ON APRIL 5, 2016

WHEREAS, the City of Evans is a home rule city duly organized and existing under the Constitution of the State of Colorado and the Home Rule Charter of the City; and

WHEREAS, pursuant to Section 1.5 of the Home Rule Charter, amendments to the charter must be submitted to the electors of the City of Evans; and

WHEREAS, an election shall be held on Tuesday, April 5, 2016, at which election there shall be submitted to the eligible electors of the City these amendments to the Home Rule Charter; and

WHEREAS, the language in the Charter is not gender neutral; and

WHEREAS, the Charter has several subsections that are not labeled; and

WHEREAS, City Council and staff have recommended that Chapter 3.14, concerning Special Meetings, should be amended to allow for more modern means of providing notice of a Special Meeting to the City Council Members.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO:

Section 1. Proposed Amendments. The Evans Home Rule Charter shall be amended to make the language of the Charter gender neutral and include labels for each subsection; and

Section 3.14, of the Home Rule Charter of the City of Evans, Colorado, shall be amended to read as follows:

3.14 SPECIAL MEETINGS. Special meetings of the Council shall be called by the Clerk on a written request of the Mayor, or by any three members of the Council on at least twenty-four hours ~~written~~ notice to each member of the Council. Notice by the Clerk may be provided by electronic correspondence, by telephone, in writing served personally, or delivered to ~~his~~ a Council Member's usual place of residence~~; but~~ A special meeting may be held on shorter notice if all members of the Council are present or have waived notice thereof in writing or through electronic correspondence with the Clerk.

Section 2. Election. The question of whether the City of Evans Home Rule Charter shall be amended as set forth above in Section 1 shall be submitted to the registered electors of the City of Evans at a regular municipal election to be held on April 5, 2016.

Section 3. Ballot Titles. The ballot titles setting forth the questions to be voted on shall be as follows:

1. Shall the City of Evans Home Rule Charter be amended to make the language of the Charter gender neutral and include labels for each subsection?

2. Shall Section 3.14, Special City Council Meetings, be amended to include more modern means of providing notice of a Special Meeting to the City Council Members?

Section 4. Publication and Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published, and posted as required by the City Charter and the adoption, posting, and publication shall be authenticated by the signature of the Mayor and City Clerk, and by the Certificate of Publication. The effective date of this Ordinance shall be April 5, 2016, provided there is approval by a majority of registered electors voting thereon as to each of the questions submitted to the voters as provided in Section 3 above. In the event that some, but not all, of the questions submitted to the voters have approval of the majority of the registered electors voting thereon, then, in that event, this Ordinance shall be amended to remove those proposed amendments in Section 1 above that do not receive a majority approval of the registered electors.

PASSED, AND APPROVED at a regular meeting of the City Council of the City of Evans on this 2nd day of February, 2016.

CITY OF EVANS, COLORADO

ATTEST:

_____ By:_____

Raegan Robb, City Clerk John Morris, Mayor

PASSED, APPROVED, AND ADOPTED ON SECOND READING THIS 16th day of February, 2016.

CITY OF EVANS, COLORADO

ATTEST:

_____ By:_____

Raegan Robb, City Clerk John Morris, Mayor

CITY COUNCIL COMMUNICATION

DATE: February 2, 2016

AGENDA ITEM: **8.B**

SUBJECT: Ordinance No. 647-16 - Amending Section 7.10 of the Evans Home Rule Charter and Submitting the Question to the Registered Electors at the Regular Municipal Election Held on April 5, 2016

PRESENTED BY: Scott Krob, City Attorney and Raegan Robb, City Clerk

AGENDA ITEM DESCRIPTION:

This amendment was discussed by the City Council at the Work Session on January 19, 2016.

The attached ordinance provides for the following ballot question to be submitted to the registered electors at the April 5, 2016 regular municipal election:

1. Shall Section 7.10, Penalties for Violation of Ordinances, be amended to clarify that the fine for municipal court shall not exceed the amount allowed under state law as established by city ordinance?

The question of amending Section 7.10 to align the maximum fine with the amount allowed under state law was previously defeated by the Evans voters at the November 4, 2014 General Election **(Evans ballot question 2C)** by the margins shown below:

Evans 2C		
	Total	
Number of Precincts	7	
Precincts Reporting	0	0.0 %
Vote For	1	
Total Votes	4080	
YES	1780	43.63%
NO	2300	56.37%

RECOMMENDATION:

Staff is presenting this issue for Council's consideration with no recommendation.

SUGGESTED MOTIONS:

"I move to approve Ordinance No. 647-16 on first reading."

"I move to deny adoption of Ordinance No. 647-16 on first reading."

CITY OF EVANS, COLORADO

ORDINANCE NO. 647-16

AN ORDINANCE TO AMEND SECTION 7.10 OF THE HOME RULE CHARTER OF THE CITY OF EVANS, COLORADO AND FURTHER PROVIDING THAT THE QUESTION FOR ADOPTION OF SUCH AMENDMENT BE SUBMITTED TO THE REGISTERED ELECTORS AT THE REGULAR MUNICIPAL ELECTION WHICH WILL BE HELD ON APRIL 5, 2016

WHEREAS, the City of Evans is a home rule city duly organized and existing under the Constitution of the State of Colorado and the Home Rule Charter of the City; and

WHEREAS, pursuant to Section 1.5 of the Home Rule Charter, amendments to the charter must be submitted to the electors of the City of Evans; and

WHEREAS, an election shall be held on Tuesday, April 5, 2016, at which election there shall be submitted to the eligible electors of the City these amendments to the Home Rule Charter; and

WHEREAS, City Council and staff have recommended that Chapter 7.10, concerning Penalties for Violation of Ordinances, should be amended to state that the fine shall not exceed the amount provided by state law, as set forth by ordinance; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO:

Section 1. Proposed Amendments. Sections 7.10, of the Home Rule Charter of the City of Evans, Colorado, shall be amended to read as follows:

7.10 PENALTIES FOR VIOLATION OF ORDINANCES. Any ordinance may provide for the punishment of those who violate its provisions. The punishment for the violation of any ordinance shall be at the discretion of the Municipal Judge, but shall not exceed ~~a fine of one~~ the maximum amount for fines and punishment as provided under state law. ~~thousand dollars ($1,000), or imprisonment, or both, which may be allowed by law.~~

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Section 2. Election. The question of whether the City of Evans Home Rule Charter shall be amended as set forth above in Section 1 shall be submitted to the registered electors of the City of Evans at a regular municipal election to be held on April 5, 2016.

Section 3. Ballot Titles. The ballot titles setting forth the questions to be voted on shall be as follows:

Shall Section 7.10, Penalties for Violation of Ordinances, be amended to state that the fine for violating a city ordinance shall not exceed the amount allowed under state law?

Section 4. Publication and Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published, and posted as required by the City Charter and the adoption, posting, and publication shall be authenticated by the signature of the Mayor and City Clerk, and by the Certificate of Publication. The effective date of this Ordinance shall be April 5, 2016, provided there is approval by a majority of registered electors voting thereon as to each of the questions submitted to the voters as provided in Section 3 above.

PASSED, AND APPROVED at a regular meeting of the City Council of the City of Evans on this 2nd day of February, 2016.

CITY OF EVANS, COLORADO

ATTEST:

_____

By:_____

Raegan Robb, City Clerk John Morris, Mayor

PASSED, APPROVED, AND ADOPTED ON SECOND READING THIS 16th day of February, 2016.

CITY OF EVANS, COLORADO

ATTEST:

_____

By:_____

Raegan Robb, City Clerk John Morris, Mayor

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CITY OF EVANS, COLORADO

ORDINANCE NO. 647-16

AN ORDINANCE TO AMEND SECTION 7.10 OF THE HOME RULE CHARTER OF THE CITY OF EVANS, COLORADO AND FURTHER PROVIDING THAT THE QUESTION FOR ADOPTION OF SUCH AMENDMENT BE SUBMITTED TO THE REGISTERED ELECTORS AT THE REGULAR MUNICIPAL ELECTION WHICH WILL BE HELD ON APRIL 5, 2016

WHEREAS, the City of Evans is a home rule city duly organized and existing under the Constitution of the State of Colorado and the Home Rule Charter of the City; and

WHEREAS, pursuant to Section 1.5 of the Home Rule Charter, amendments to the charter must be submitted to the electors of the City of Evans; and

WHEREAS, an election shall be held on Tuesday, April 5, 2016, at which election there shall be submitted to the eligible electors of the City these amendments to the Home Rule Charter; and

WHEREAS, City Council and staff have recommended that Chapter 7.10, concerning Penalties for Violation of Ordinances, should be amended to state that the fine shall not exceed the amount provided by state law, as set forth by ordinance; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO:

Section 1. Proposed Amendments. Sections 7.10, of the Home Rule Charter of the City of Evans, Colorado, shall be amended to read as follows:

7.10 PENALTIES FOR VIOLATION OF ORDINANCES. Any ordinance may provide for the punishment of those who violate its provisions. The punishment for the violation of any ordinance shall be at the discretion of the Municipal Judge, but shall not exceed the maximum amount for fines and punishment as provided under state law.

Section 2. Election. The question of whether the City of Evans Home Rule Charter shall be amended as set forth above in Section 1 shall be submitted to the registered electors of the City of Evans at a regular municipal election to be held on April 5, 2016.

Section 3. Ballot Titles. The ballot titles setting forth the questions to be voted on shall be as follows:

Shall Section 7.10, Penalties for Violation of Ordinances, be amended to state that the fine for violating a city ordinance shall not exceed the amount allowed under state law?

Section 4. Publication and Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published, and posted as required by the City Charter and the adoption, posting, and publication shall be authenticated by the signature of the Mayor and City Clerk, and by the Certificate of Publication. The effective date of this Ordinance shall be April 5, 2016, provided there is approval by a majority of registered electors voting thereon as to each of the questions submitted to the voters as provided in Section 3 above.

PASSED, AND APPROVED at a regular meeting of the City Council of the City of Evans on this 2nd day of February, 2016.

CITY OF EVANS, COLORADO

ATTEST:

_____ By:_____

Raegan Robb, City Clerk John Morris, Mayor

PASSED, APPROVED, AND ADOPTED ON SECOND READING THIS 16th day of February, 2016.

CITY OF EVANS, COLORADO

ATTEST:

_____ By:_____

Raegan Robb, City Clerk John Morris, Mayor

CITY COUNCIL COMMUNICATION

DATE: February 2, 2016

AGENDA ITEM: 8.C

SUBJECT: Resolution No. 13-2016 Approving the grant of a Non-Exclusive Easement by the City of Evans to Saddle Butte Rockies Midstream, LLC for construction, installation and maintenance of a pipeline to transmit oil, gas and water across and beneath certain real property belonging to the City of Evans, Colorado.

PRESENTED BY: Fred Starr, Director of Public Works

AGENDA ITEM DESCRIPTION:

The attached Resolution No. 13-2016 proposes to grant a non-exclusive easement over and across property described in Exhibit "B" which is owned by The City of Evans. The easement will be granted to Saddle Butte Rockies Midstream, LLC for construction, installation and maintenance of a pipeline to transmit oil, gas and water from property associated with the Synergy Oil Well site. The easement will consist of a 70 ft. wide "Construction Easement" to accommodate the activity associated with the initial placement of the pipeline and then a 30 ft. wide non-exclusive easement as described in Exhibit "A".

FINANCIAL SUMMARY:

The City will receive $17,355.00 in compensation for the 30ft wide by 1,157 ft. long easement. This is $15 per square foot for the permanent easement area of 34,710 sq.ft.

Additionally the easement will allow Synergy Oil and Gas Company to transport some of the oil produced on their site through the pipeline which will reduce the truck volume on 35th Avenue which will result in a reduced impact of City Streets.

ATTACHMENTS:

- Resolution No. 13-2016 with exhibits.

RECOMMENDATION:

Staff recommends that the City Council approve Resolution No. 13-2016 granting an easement to Saddle Butte Rockies Midstream, LLC.

SUGGESTED MOTIONS:

"I move to approve Resolution No. 13-2016 as proposed."

"I move to deny Resolution No. 13-2016 as proposed."

Return to: Linda D. Selser Saddle Butte Rockies Midstream, LLC 858 Main Avenue, Suite 301 Durango, CO 81301	

STATE OF COLORADO)
)
COUNTY OF WELD)

GRANT OF NON-EXCLUSIVE EASEMENT

For and in consideration of Fifteen Dollars ($15.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, on this _____ day of _____, 2016, the undersigned **CITY OF EVANS,** whose address is 1100 37TH Street, Evans, Colorado 80620, (hereinafter referred to as "Grantor," whether one or more), being the owner(s) of, or having an interest in, land situated in the County of Weld, State of Colorado, more fully described below, do(es) hereby grant, bargain, sell, and convey to **SADDLE BUTTE ROCKIES MIDSTREAM, LLC**, a Delaware limited liability company, whose address is 858 Main Avenue, Suite 301, Durango, Colorado 81301, and its successors and assigns (hereinafter collectively referred to as "Grantee"), the perpetual and non-exclusive right, privilege, right of way and easement on, under, across and through a strip of land (hereinafter referred to as the "Easement"), as more particularly described and depicted in Exhibit A, to survey, clear brush and obstructions, construct, reconstruct, entrench, operate, protect, monitor, maintain, inspect, test, repair, replace, renew, modify, increase and/or decrease the capacity of, remove and/or relay one (1) pipeline, as well as all related facilities and appurtenances, whether above or below ground, including but not limited to, conduit(s) for the transmission of communication signals, valves, fittings, metering equipment, corrosion control devices, wires, cables, pipeline markers, fences, electrical lines and other appurtenances as may be necessary or convenient in Grantee's reasonable opinion for the gathering or transportation of oil, gas, water, and any other substances, combinations or mixtures of any of the foregoing (hereinafter collectively referred to as the "Pipeline Facilities"), along with the non-exclusive right of ingress and egress in, on, over, under, or through certain land of the Grantor described in Exhibit B (hereinafter referred to as the "Property"), attached hereto and made a part hereof, together with the non-exclusive right to utilize, during construction of the Pipeline Facilities described hereunder, a strip of land seventy feet (70') in width ("Construction Easement"), as more particularly described in Exhibit A.

Following initial construction and installation of the Pipeline Facilities installed hereunder, the Easement shall be a continuous strip of land thirty feet (30') in width. Grantor hereby authorizes Grantee to supplement Exhibit A by recording in the county records, a plat of the actual location of the pipeline installed hereunder; however, in no event shall the location of the Easement materially change from the location shown on the attached Exhibit A without written consent of Grantor.

Grantee shall to the reasonable satisfaction of Grantor, return the surface of the Property to a condition reasonably similar to its condition immediately prior to construction, maintenance repair, or replacement of any Pipeline Facilities provided for herein within a reasonable time after completion of construction of said Pipeline Facilities on the Property.

Grantor shall have the right to use, enjoy, cultivate, and occupy the land covered by the Easement for any purpose consistent with Grantee's rights under this Agreement that will not interfere with or endanger Grantee's Easement hereunder or the safe operation of the Pipeline Facilities; provided, however, that Grantor shall not, without the prior written consent of Grantee, impound any water, change the ground elevation or grade of the Easement, plant any trees or shrubs upon, over or under the Easement, do or permit to be done any mining, quarrying, land leveling or other work or activity of any like or similar nature upon, over, or under the Easement, or excavate, construct, drill, install, erect or permit to be excavated, constructed, drilled, installed or erected on, over, or under the Easement any pipe, pit, well, foundation, building, roadways or other structure or obstruction, or installation or improvement. Furthermore, Grantor shall not restrict Grantee's and/or Grantee's representatives' access to, from, or along and upon the Easement.

The rights of Grantee under this Grant of Easement may be assigned in whole or in part with the written consent of the Grantor, which content will not be unreasonably withheld.

This Agreement and all transactions and activities contemplated herein shall be governed by and construed in accordance with the laws of the State of Colorado without regard to principals of conflicts of law. This instrument and the rights, easements and agreements herein contained are appurtenant to, run with and burden the Property and are binding upon and inure to the benefit of the successors, assigns, heirs, executors, administrators and other legal representatives of each of the parties.

Grantee, for itself, is heirs, successors and assigns, agrees to indemnify and hold harmless the Grantor, its heirs, successors, and assigns, against all liability, loss, cost, damage or expense sustained by the Grantor, including reasonable attorneys' fees and other expenses of litigation, whether prosecuted to judgment or not, arising out of, due to, or directly or indirectly relating in any manner to the Grantee's use, occupation, or operation of the Easement.

IN WITNESS WHEREOF, the Grantor has executed this Agreement as of the date first above written.

GRANTOR:

City of Evans

By: _____

Name: _____

Title: _____

STATE OF COLORADO)
)
COUNTY OF WELD)

On this ____ day of _____, 2016, before me personally appeared _____, as _____ of City of Evans, known to me to be the person/persons named in and who executed the foregoing instrument, and acknowledged to me that he/she/they executed the same.

(Seal)

_____
Notary Public

_____
Address

My Commission Expires: _____

GRANTEE:

Saddle Butte Rockies Midstream, LLC

By: _____

Name: _____

Title: _____

STATE OF COLORADO)
)
COUNTY OF WELD)

On this ____ day of _____, 2016, before me personally appeared _____, as _____ of Saddle Butte Rockies Midstream, LLC, known to me to be the person/persons named in and who executed the foregoing instrument, and acknowledged to me that he/she/they executed the same.

(Seal)

_____
Notary Public

_____
Address

My Commission Expires: _____

EXHIBIT A

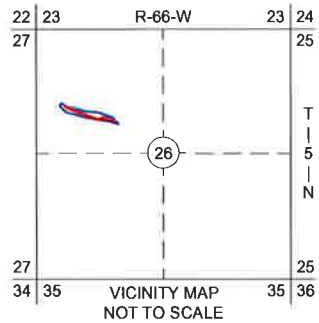
January 07, 2016
Sheet 2 of 2

Attachment to Grant, by and between City of Evans, as "Grantor", and Saddle Butte Rockies Midstream, LLC, as "Grantee".

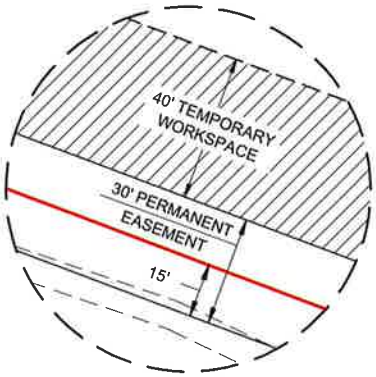
SCALE: 1" = 300'
0' 150' 300'

SEC. 26, T-5-N, R-66-W, 6TH P.M.
WELD COUNTY, COLORADO
PIPELINE RIGHT OF WAY

TOTAL LENGTH: 1230.07 FEET



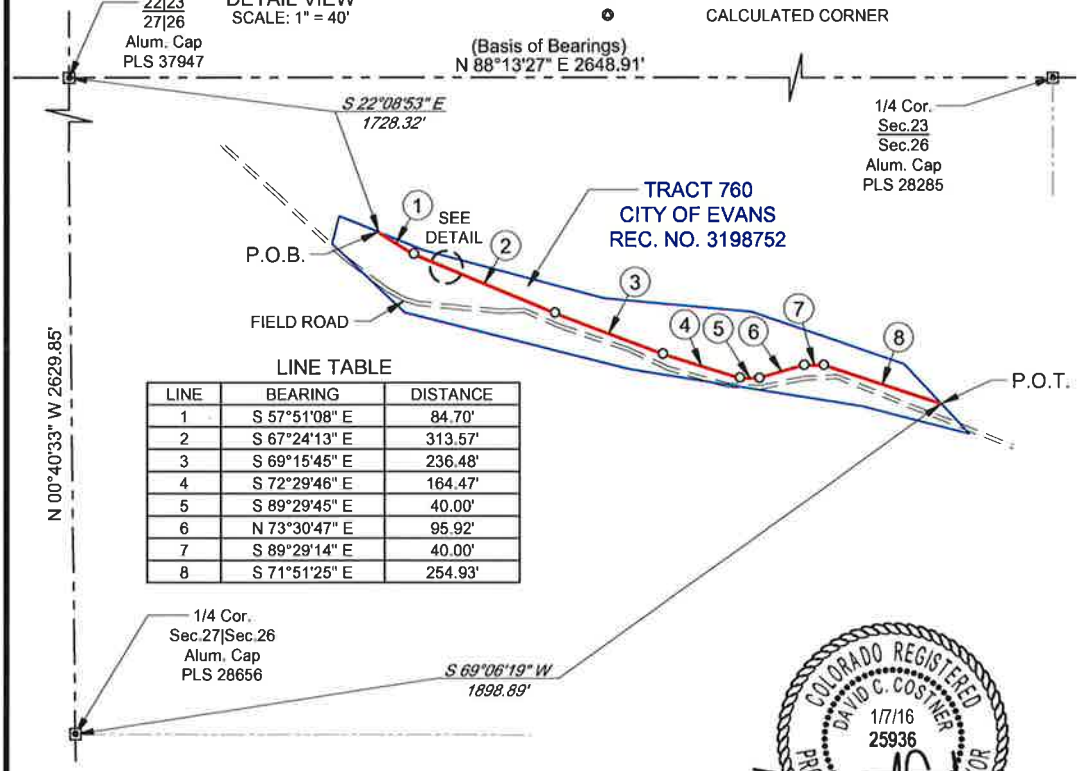
VICINITY MAP
NOT TO SCALE



DETAIL VIEW
SCALE: 1" = 40'

LEGEND

- SECTION LINE
- QUARTER SECTION LINE
- SURVEYED BASELINE
- TRACT BORDER
- EDGE OF EASEMENT
- TEMPORARY WORKSPACE
- ROAD WAY
- POINT OF INTERSECTION
- MONUMENT FOUND
- CALCULATED CORNER



LINE TABLE

LINE	BEARING	DISTANCE
1	S 57°51'08" E	84.70'
2	S 67°24'13" E	313.57'
3	S 69°15'45" E	236.48'
4	S 72°29'46" E	164.47'
5	S 89°29'45" E	40.00'
6	N 73°30'47" E	95.92'
7	S 89°29'14" E	40.00'
8	S 71°51'25" E	254.93'

NOTES:
1. ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2. ADJOINER INFORMATION SHOWN FOR INFORMATIONAL PURPOSES ONLY.
3. B.O.L./P.O.B. = BEGINNING OF LINE/POINT OF BEGINNING
4. E.O.L./P.O.T. = END OF LINE/POINT OF TERMINATION
5. THIS IS NOT A LAND SURVEY NOR A LAND SURVEY PLAT

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR DAVID C. COSTNER 25936 1/7/16

David C. Costner, P.L.S. No. 25936

TOPOGRAPHIC
LOYALTY INNOVATION LEGACY
520 Stacy Court Ste B, Lafayette, CO 80026
303.666.0379 www.topographic.com

DRAWN BY: CRE
REVISION:

Saddle Butte Rockies Midstream, LLC

G:\GEOSURV\WELDZNORTH\SADDLE BUTTE PIPELINE LLC\LATERAL G-PHASE I\FINAL PRODUCTS\EP_SBPL_G_PHI_TR_760.DWG 1/7/2016 4:44:50 PM swest

EXHIBIT A

January 07, 2016
Sheet 1 of 2

Attachment to Grant, by and between City of Evans, as "Grantor", and Saddle Butte Rockies Midstream, LLC, as "Grantee".

WELD COUNTY, COLORADO
30 FOOT WIDE EASEMENT DESCRIPTION

A thirty (30) foot wide strip of land being a portion of Reception Number 3198752, in the northwest quarter of Section 26, Township 5 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado, said strip being 15 feet each side of the following described centerline:

Note:
1. The Basis of Bearings is the north line of the northwest quarter Section 26, T-5-N, R-66-W 6th P.M., as monumented with an aluminum cap PLS 37947 at the west end and an aluminum cap PLS 28285 at east end, with a grid bearing of N 88°13'27" E.
2. The side lines of the right of way are to be lengthened and/or shortened as necessary to end at the property lines.
3. All directions, distances, and dimensions shown hereon are based on coordinates from the Colorado coordinate system of 1983 north zone (C.R.S. 38-52-102).

Commencing at the northwest corner of Section 26, an aluminum cap PLS 37947;
Thence S 22°08'53" E, a distance of 1728.32 feet to a point on a northerly line of Reception Number 3198752 and the POINT OF BEGINNING:

Thence S 57°51'08" E a distance of 84.70 feet;
Thence S 67°24'13" E a distance of 313.57 feet;
Thence S 69°15'45" E a distance of 236.48 feet;
Thence S 72°29'46" E a distance of 164.47 feet;
Thence S 89°29'45" E a distance of 40.00 feet;
Thence N 73°30'47" E a distance of 95.92 feet;
Thence S 89°29'14" E a distance of 40.00 feet;

Thence S 71°51'25" E a distance of 254.93 feet to a point on a easterly line of said Reception Number 3198752 and the POINT OF TERMINATION from which an aluminum cap PLS 28656 at the west quarter corner of said Section 26, bears S 69°06'19" W a distance of 1,898.89 feet.

The above surveyed centerline traverses said Section 26 for a total distance of 1,230.07 feet or 74.55 rods and containing 0.85 acres more or less.

COLORADO REGISTERED
DAVID C. COSTNER
1/7/16
25936
PROFESSIONAL LAND SURVEYOR

Prepared by David C. Costner
For and on behalf of
Topographic Land Surveyors
520 Stacy Ct. Ste B, Lafayette, CO 80026

TOPOGRAPHIC
LOYALTY INNOVATION LEGACY
520 Stacy Court Ste B, Lafayette, CO 80026
303.666.0379 www.topographic.com

EXHIBIT A

Attached to and made a part of that certain Grant of Easement by and between
City of Evans
and Saddle Butte Rockies Midstream, LLC.

Approximate Easement (70' Construction Easement & 30' Permanent Easement)

Parcel Boundary

Section Line

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY

1 inch = 1,000 feet

APPROXIMATE PIPELINE LENGTH THROUGH PROPERTY

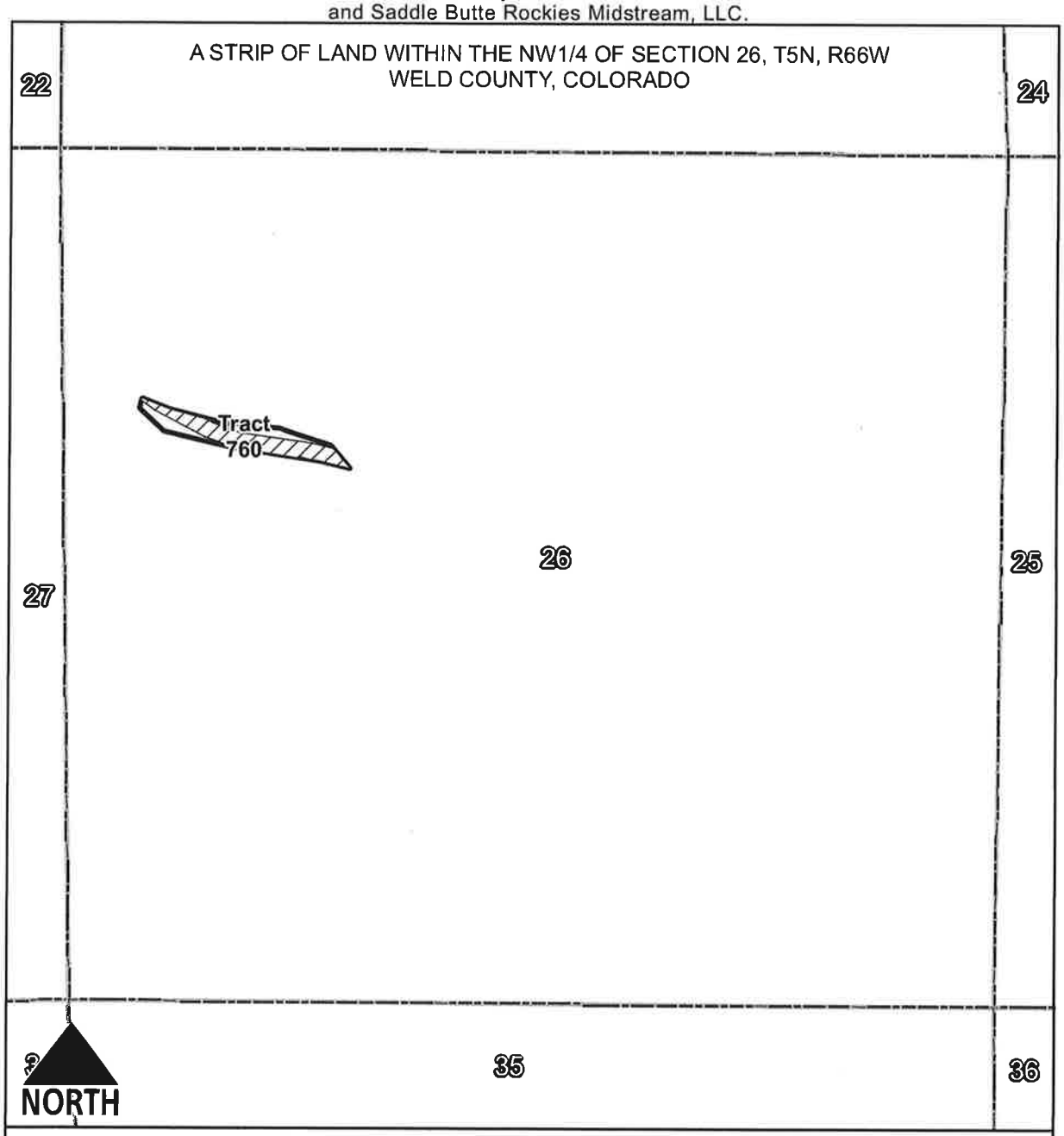
	FEET	RODS
TOTAL	1,157	70

EXHIBIT: WLD-077939
LANDOWNER: CITY OF EVANS

Date:	DRAWN BY:	SHEET:	REV. #
12/30/2015	XLR01371	1	1

EXHIBIT A

Attached to and made a part of that certain Grant of Easement by and between
City of Evans
and Saddle Butte Rockies Midstream, LLC.



Approximate Easement (70' Construction Easement & 30' Permanent Easement)

Parcel Boundary

Section Line

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY

1 Inch = 1,000 feet

APPROXIMATE PIPELINE LENGTH THROUGH PROPERTY

	FEET	RODS
TOTAL	1,157	70

EXHIBIT: WLD-077939
LANDOWNER: CITY OF EVANS

Date:	DRAWN BY:	SHEET:	REV. #
12/30/2015	XLR01371	1	1

EXHIBIT "B"

(Property)

Weld County Parcel # 095926200005

LEGAL DESCRIPTION:

PT N2 26-5-66 BEG W4COR THEN S89D57'E 313.60' N0D40'E 140.07' S89D20'E30' N0D40'E 179.99' N12D20'E 89.72' N18D12'E 72.42' N18D32'E 546.44' N14D32'E 58.25' S67D52'E 185.32' S75D07'E 384.50' S84D48'E 301' S71D12' E 332'S43D01'E 195.95' N75D39'W 224.82' N80D57'W 484.23' N75D47'W 475.61' N46D26'W 205' POB

LAND AREA: 3.740 Acres (162,914 Sq. Ft.)

CITY COUNCIL COMMUNICATION

DATE: February 2, 2016

AGENDA ITEM: **8.D**

SUBJECT: Approval of a Preliminary Budget Revision for the match on an Energy and Mineral Impact Grant from the Colorado Department of Local Affairs

PRESENTED BY: Jessica Gonifas, CPA, Deputy City Manager

PROJECT DESCRIPTION:

On November 17th, City Council approved an Energy and Mineral Impact Grant application to the Colorado Department of Local Affairs 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.

After review of the grant application which showed $0 match for the resurfacing of 49th Street from the flood damaged section west to 35th Avenue at a cost of $600,000, DOLA has suggested that our application would be strengthened if we were able to include a local match of $100,000. They usually prefer a 1 for 1 match ($300k in this case) but communicated that due to the circumstances of the flood, $100,000 would likely be sufficient.

FINANCIAL:

Funding for the local match would come from the Capital Project - Streets fund. The fund is projected to have a 2016 ending fund balance of $567,968. If approved, this request would bring the estimated ending fund balance down to $467,968. The grant funding would cover over 83% of the cost of this much needed street improvement project.

STAFF RECOMMENDATION:

The City of Evans staff recommends that the City Council approve the preliminary budget revision for the local match related to the Energy and Mineral Impact Grant.

SUGGESTED MOTIONS:

"I move to approve a preliminary budget revision in the amount of $100,000 within the Capital Projects - Streets Fund for the local match on the Energy and Mineral Impact Grant for 49th Street."

"I move to deny the preliminary budget revision"

City Manager - Monitoring Report

February 2, 2016

Below is a compellation of updates and projects that are either new or have changed since the last City Council meeting.

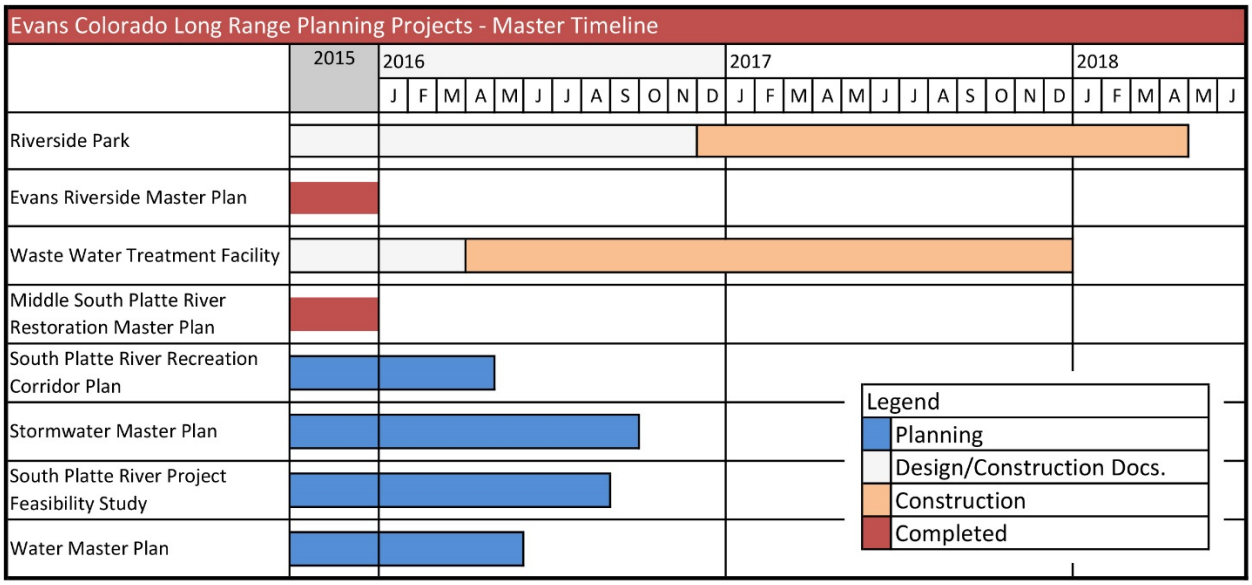
➢ Communications

- Initial discussions and plans are underway to educate residents about potholes; how and why they form, factors influencing how and when they can be repaired, etc. Improving the process for residents to report potholes has also begun.

➢ Community Development

Long Range Planning Update

The chart below illustrates the latest schedule for key planning/construction efforts underway at the City of Evans.



➢ Emergency Management

- **Training;**
  Dave Burns and Raul Rodriguez attended the Wildland Fire and Incident Management Academy in Colorado Springs.
  - Raul completed 32hrs. of Safety Officer Training, which is the starting process of being a certified Type III safety officer which he is working on.
  - Dave completed 40 hrs. of Incident Management training.

- **Exercise;**
  - Still receiving a lot of positive feedback on the January 8th Exercise. The DHSEM Field Manager Kevin Kuretich said that he has seen a significant amount of emergency preparedness improvement since having staff in place.
  - Staff is still in the process of analyzing all the data from the exercise. The After Action Report (AAR) on the exercise will be coming out soon.

- **Community Preparedness**
  - We just receive notice last week form the National Weather Service that our application to become a NOAA Weather-Ready Nation Ambassador was accepted. This is a great community preparedness tool. This is also one of the Action Items Identified in the Hazard Mitigation Plan (just adopted?) that is now completed.

COUNCIL COMMUNICATION

DATE: January 2, 2016

AGENDA ITEM: **11.A**

SUBJECT: Adjournment to Executive Session

AGENDA ITEM DESCRIPTION:

The City Council will adjourn into an executive session to determine positions relative to matters that may be subject to negotiations, developing strategy for negations, and instructing negotiators, pursuant to C.R.S. 24-6-402(4)(e).

FINANCIAL SUMMARY:
N/A

RECOMMENDATION:

N/A

SUGGESTED MOTIONS:

> *"I move to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negations, and instructing negotiators, pursuant to C.R.S. 24-6-402(4)(e)."*