

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

June 7, 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:	Brian Rudy
Council:	Mark Clark
	Sherri Finn
	Lance Homann
	Jay Schaffer
	Laura Speer

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 May 17, 2016

7. NEW BUSINESS

- A. Award of Bid - 2016 Asphalt Patch Service Contract
- B. Award of Bid - 2016 Concrete Replacement Contract

8. REPORTS

- A. City Manager
- B. City Attorney

9. AUDIENCE PARTICIPATION (general comments)

Please review the Audience Participation section listed at the beginning of the agenda for procedures on addressing City Council.

10. ADJOURNMENT

CITY OF EVANS – MISSION STATEMENT

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

It is the policy of the City of Evans that all programs and activities shall be accessible to, and usable by, persons with disabilities. Persons needing assistance shall contact the Safety & Risk Management Specialist at the City of Evans. Please provide three to five business day’s advance notice so we can adequately meet your needs.

COUNCIL COMMUNICATION

DATE: June 7, 2016

AGENDA ITEM: 6.A

SUBJECT: Approval of the Minutes May 17th 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
May 17, 2016**

CALL TO ORDER

PLEDGE

ROLL CALL

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

Absent: Council Member Schaffer

PROCLAMATIONS

A. National Police Week

Mayor Morris read the proclamation celebrating National Police Week and presented it to Chief Rick Brandt, Commander Chad Harding, and Commander Jason Phipps, from the Evans Police Department.

Chief Brandt thanked the City Council and reminded them about the Fallen Officers Memorial Event on Thursday, May 19th at 7:00 p.m.

B. National Public Works Week

Mayor Morris read the proclamation celebrating National Public Works Week and presented the proclamation Fred Starr, City Public Works Director.

AUDIENCE PARTICIPATION

There was no audience participation.

APPROVAL OF AGENDA

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

CONSENT AGENDA

- A. Approval of Minutes of the Regular Meeting of May 3, 2016**
- B. Approval of Audit Report**

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

NEW BUSINESS

A. Resolution No. 23-2016 – Acquisition of Right-of-Way for 65th Avenue

Dawn Anderson, City Engineer, and Fred Starr, City Public Works Director, presented Resolution 23-2016.

Ms. Anderson provided some background, explaining that the City Council entered into an Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) for the purpose of moving forward with a grant to widen 65th Avenue between 37th Street and the US Highway 34 Bypass on December 15, 2015.

According to Ms. Anderson, this agreement allows the City of Evans to use a firm designated by the City Manager to negotiate needed right-of-way and easements in order to acquire property needed to complete the widening project.

Therefore, the City will be negotiating with four property owners along the corridor.

Ms. Anderson directed the Council to Exhibit A, which shows the approved right-of-way plan and the property to be acquired. She explained that the current budget for design and right-of-way was \$357,878.00 from the Street Impact Fund.

Council Member Clark asked if City staff has reached out to the property owners.

Ms. Anderson explained that the City has already met with two of the four property owners before any appraisal process.

Council Member Speer asked if the City is communicating with Greeley and when the construction would begin after acquisition.

Ms. Anderson explained that City was working with the City of Greeley, according to the IGA between the two entities, but progress would be dependent on acquisition. She stated that the project may begin before the end of 2016, but will probably start the spring of 2017.

Discussion ensued on the project timeline. The staff and Council Members talked about the timelines for each entity and their respective agreements with CDOT.

Mayor Morris summarized conversations with Mayor Norton, from Greeley, and when each City expected to begin working on the project.

Mayor Pro-Tem Rudy made the motion, seconded Council Member Clark, to adopt Resolution No. 23-2016 approving negotiations with property owners through the City Manager or his designee for the purpose of acquiring right-of-way and easements for the 65th Avenue Roadway Improvements between 37th Street and US Highway 34 Bypass. The motion passed with all voting in favor thereof.

B. Resolution No. 24-2016 – Evans Pool

Brian Stone, City Recreation Director, and Kristen Debo, City Recreation Coordinator, discussed the need for Resolution No. 24-2016 concerning the closure and demolition of the Evans Pool. Ms. Debo introduced the topic, explaining that as a result of the aging pool, major repairs are needed to ensure staff can meet federal regulations to operate the current facility. Along with the mandated repairs necessary to be in compliance with federal regulations and guidelines, there are also many other items that would need to be addressed to ensure the pool functions properly and safely.

Ms. Debo explained that the Resolution gives clear direction to our staff on how to proceed with the closure of the Evans Municipal Pool and outlines the next steps for new recreation amenities to be located on that site. Both Mr. Stone and Ms. Debo explained that removal of the pool is a difficult decision, but new recreational amenities provided new opportunities for our community, as well as being more financially responsible and in the best interest of the public health, safety, and welfare of the community.

Council Member Clark asked about providing alternatives to kids in the community for the summer of 2016.

Ms. Debo discussed several alternatives that were being communicated to residents.

Council Member Homann asked how staff could be certain that a splash park would be successful.

Mr. Stone discussed the separate needs for the Resolution and the future plans for the site. He explained that the future plans were not final and decisions concerning the future of the site would be determined by City Council at a future date.

Council Member Homann asked if the City should be looking at other City property

or City parks to ensure that the future site is located near high traffic areas.

Ms. Debo explained that the Resolution was for final demolition of the pool, then future plans for the site would be shaped by community feedback, council feedback, and the City Parks Plan.

Council Member Finn asked about funds for demolition, what will remain on the site, and if the property will be maintained by the City.

Ms. Debo summarized the demolition plans for the City pool, which includes: removing the shell, filling the hole, taking the fence down temporarily for access, and ultimately keeping the buildings and the parking lot.

Council Member Speer expressed concerns about the City's liability for a splash park, spoke about other Cities that regret building a splash park, and asked about other alternatives.

Mr. Stone explained that several alternatives will be considered for future water amenities in the City.

Council Member Speer also asked about notifying surrounding neighbors about demolition.

Ms. Debo discussed the City's presence in the neighborhood and talked about past methods of notifying surrounding neighbors when renovations were occurring.

Council Member Homann asked about the cost of the demolition.

Mr. Stone stated that the cost of demolition and compaction of the pool would be approximately \$65,000.

Mayor Morris thanked them for their presentation.

Council Member Finn made the motion, seconded by Council Member Homann, to adopt Resolution No. 24-2016 – concerning the Evans pool.

The motion passed with all voting in favor thereof.

C. IGA Amendment with Central Water

Scott Krob, City Attorney, discussed the need for the IGA with Central Water to be amended in order address the need for the City to have additional water storage from Nissen Reservoir.

Mayor Morris discussed his support for the amendment to the IGA to allow more water storage and water augmentation options for the City.

Mayor Morris also asked about the cost of the amendment.

Mr. Krob explained that the cost to the City is what must be delivered to Central, including Greeley Loveland Irrigation Company shares and/or Windy Gap return flows, in lieu of Godfrey Ditch shares, to enable the City to continue to store water in Central's Nissen Reservoir.

Council Member Clark made the motion, seconded by Mayor Pro-Tem Rudy, to approve and authorize the Mayor to sign the amendment of intergovernmental agreement with Central Colorado Water Conservancy District for exchange of water storage and augmentation water. The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Mr. Hogan, provided an update on the Colorado Legislative Session concluding And three bills that the Colorado Municipal League was requesting the Governor to veto.

Mr. Hogan referred the Council Members to the number of the business license applications in the monitoring report and the information concerning the recent new-hires by the Evans Police Department.

He also referred them to a handout regarding signage at "The Virge" apartment complex, which removed their Greeley title from their sign on 11th Avenue.

Lastly, he talked about recent hydrant flushing in the City and reminded the Council about the upcoming joint meeting with the Evans Fire Protection District scheduled for Monday, May 23rd.

B. City Attorney

Mr. Krob updated Council that Dan Krob would be present for the June 7th meeting. He proceeded to list the topics of the upcoming executive, as follows: discussion on conflicts of interest, EQRs affiliated with the Tuscany subdivision, and the issue concerning the warehouse at 600 21st Street.

AUDIENCE PARTICIPATION

There was no audience participation.

EXECUTIVE SESSION

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

Council Member Clark made the motion, seconded by Mayor Pro-Tem Rudy, to adjourn into executive session to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, pursuant to C.R.S. 24-6-402(4)(e).

The motion passed with all voting in favor thereof.

The City Council adjourned into executive session at 8:09 p.m.

The executive session concluded at 9:27 p.m.

Mr. Krob noted for the record that the contents of the executive session were subject to attorney client privilege and within the scope of the state statutes.

ADJOURNMENT

The regular meeting concluded at 9:27 p.m.


Raegan Robb, City Clerk

COUNCIL COMMUNICATION

DATE: June 7, 2016

AGENDA ITEM: 7.A

SUBJECT: Award of Bid-2016 Asphalt Patch Service Contract

PRESENTED BY: Dawn Anderson, City Engineer

AGENDA ITEM DESCRIPTION:

The 2016 Capital Improvement Program (CIP) Budget includes funding for asphalt patching of streets within the community. The areas identified for maintenance under this program are recommended by the City's pavement management program and the street maintenance personnel.

This annual maintenance contract was bid as a service contract per the City's purchasing policies in 2015. The 2015 contract was awarded to Martin Marietta Materials. Per the service contract the City has the right to request costs and award the 2016 contract to Martin Marietta based on successful completion of the 2015 contract. Staff sent the 2016 service contract and bid schedule to Martin Marietta Materials with results as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Martin Marietta Materials, Inc.	\$ 94,521.41

Since the bid exceeded the amount available in the budget, staff has modified the scope of work to address the most critical Asphalt Patching needs. The 2016 Asphalt patching program will not exceed \$85,000.00. The unit costs provided by Martin Marietta are the same as the 2015 costs.

FINANCIAL SUMMARY:

The 2016 CIP budget includes \$75,000 (34-40-4100-8301) for asphalt patching. The Water fund will contribute \$10,000 (61-61-6122-8334) to be used for asphalt patching associated with water line repair work.

RECOMMENDATION:

The total bid by Martin Marietta Materials, Inc. is over the asphalt patching budget. Staff recommends that, due to the price quoted in the bid, the project be awarded on a not to exceed amount. Staff recommends that City Council award the 2016 Asphalt Patch Service Contract to Martin Marietta Materials, Inc. and authorize the Mayor's signature on a service agreement not to exceed the amount of \$85,000.00.

SUGGESTED MOTIONS:

"I move to award the 2016 Asphalt Patch Service Contract to Martin Marietta Materials, Inc. and to authorize the Mayor Pro-Tem to sign the agreement in the amount not to exceed \$85,500.00."

"I move to deny award of the 2016 Asphalt Patch Service Contract."

COUNCIL COMMUNICATION

DATE: June 7, 2016

AGENDA ITEM: 7.B

SUBJECT: Award of Bid - 2016 Concrete Replacement Contract

PRESENTED BY: Dawn Anderson, City Engineer

AGENDA ITEM DESCRIPTION:

The 2016 Capital Improvement Program (CIP) Budget includes funding for concrete replacement of various areas within the community. The areas identified for maintenance under this program are recommended by the City staff and prioritized on a safety basis.

As per the City's purchasing policies this project was advertised in the Greeley Tribune, on the city website and the Rocky Mountain Bid System. Bids were opened on May 25, 2016, with results as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Naranjo Civil Constructors	\$ 96,912.00
Can-Do Concrete Construction, Inc.	\$ 100,570.00

FINANCIAL SUMMARY:

The 2016 CIP budget includes \$75,000 (34-86-8036-8603) for concrete replacement. The Waste Water Fund (62-62-6230-8320) will contribute \$5,500 for concrete work associated with Sanitary Sewer manhole collar repairs.

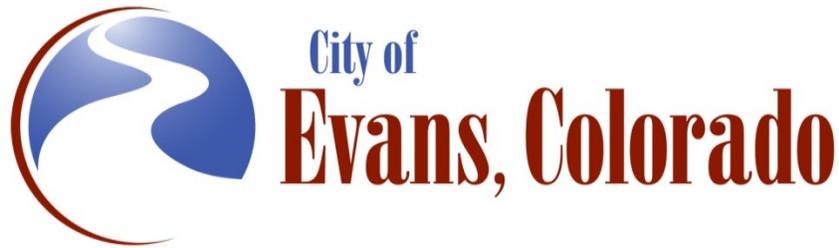
RECOMMENDATION:

Staff recommends that, due to the price quoted in the bid, the project be awarded on a not to exceed amount. Staff recommends that City Council award the 2016 Concrete Replacement Contract to Naranjo Civil Constructors and authorize the Mayor's signature on a contract not to exceed the amount of \$80,500.00.

SUGGESTED MOTIONS:

" I move to award the 2016 Concrete Replacement Contract to Naranjo Civil Constructors and to authorize the Mayor's signature on an agreement in the amount not to exceed \$80,500.00."

" I move to deny award of the 2016 Concrete Replacement Contract."



City Manager - Monitoring Report

June 7, 2016

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

➤ City Management & Administration

49th Street, Brantner Road and Industrial Parkway Road Repair Status Update

Construction plans for repair of road damage to 49th Street, Brantner Road and Industrial Parkway are 95% complete and the required flood “no rise” certification has been completed. A change of scope submitted to FEMA in December 2015 for the project has not been approved by FEMA which is presently holding the City back from moving forward with this project. DOLA has awarded the City \$640,000 for this project and a related road improvement, the resurfacing of 49th Street west of the flood damaged area to 35th Avenue. Once funding issues with FEMA are resolved, staff is prepared to move forward with this project.

➤ Communications

Working with CGI Communications at no cost to us, we are developing 4 video “shorts” that will live on the City website and be available on our YouTube Channel. The focus of each is to market Evans as a great play to live, work and play. The 4 subjects are Welcome, Economic Development, park & Recreation and Education. Filming took place on May 24 and 25 at numerous locations around town with numerous people. Thanks to all who participated in the creation of these. They will be available later in the summer.

➤ City Clerk

The City Clerk’s Office executed a Facility Agreement with the County Clerk and Recorder to have the Evans Community Complex (ECC) serve as a ballot drop-off location for the June 28th Primary Elections. The ECC will have a ballot drop-off station on the following dates:

- Friday, June 24, 8:00am – 5:00pm
- Saturday, June 25, 10:00am – 2:00pm
- Sunday, June 26, CLOSED
- Monday, June 27, 8:00am – 5:00pm
- **Election Day** Tuesday, June 28, 7:00am – 7:00pm

➤ **Finance**

After receiving the final bid package from Garney on the Waste Water Treatment Plant, the loan with the Colorado Water and Power Authority closed on May 31st. The final principal was \$41,000,000 with an interest rate of 1.70%, a very favorable rate and much lower than projected. The annual debt service is around \$2,425,000.

➤ **Police**

We have opened a new hiring process to fill two vacant positions.

The Tribune and Channel 4 both did very nice news articles on our new Community Service Technician, Deidra Jesmer, for her efforts to rescue a dog trapped in a sump pit. The City and the PD received very positive press.

Officer Eric McCall received a very nice letter from a citizen who thanked him for changing her tire while he was off duty and in his personal vehicle.