

MINUTES
EVANS CITY COUNCIL
June 20, 2016

CALL TO ORDER

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

PLEDGE

ROLL CALL

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

PROCLMATIONS

A. Stampede Proclamation

Mayor Morris read the Proclamation and Mayor Pro-Tem Rudy presented it to Katie Geist, Promotions Coordinator for the Greeley Stampede.

Ms. Geist thanked the City Council for the Proclamation supporting the Stampede.

INTRODUCTIONS

B. Introduction of ACE Interns

Aden Hogan, City Manager, and Raul Rodriquez, City Safety and Risk Management Specialist & ADA Coordinator introduced the ACE interns

Mayor Morris welcomed the interns to the City and spoke about his support for the program.

AUDIENCE PARTICIPATION

There was no audience participation.

APPROVAL OF AGENDA

- A. Raegan Robb, Evans City Clerk, explained that item 9.A, under Old Business, concerning ARB Nikon Subdivision Preliminary & Final Plat needed to be removed from the agenda.

Council Member Schaffer made the motion, seconded by Mayor Pro-Tem Rudy, to approve the agenda, as amended.

The motion passed with all voting in favor thereof.

CONSENT AGENDA

- B. Approval of Minutes of the Regular Meeting of June 7, 2016**

Council Member Schaffer made the motion, seconded by Council Member Clark, to approve the agenda, as amended.
The motion passed with all voting in favor thereof.

OLD BUSINESS

C. ~~ARB Nicom Subdivision Preliminary & Final Plat~~

NEW BUSINESS

A. Resolution No. 25-2016 – Acquiring a 1.63-acre Parcel from Noble Energy, Located Northwest of the Intersection of 40th Street and Pueblo Street to be Used for Access, Parking and other Recreation Purposes as Part of Riverside Park

Council Member Speer recused herself from voting on the agenda item, due to a possible conflict of interest, but asked to remain for the presentation.

Gary Wilson, Project Manager, City Flood Recovery Unit, presented the Resolution and gave a brief slide show presentation to City Council showing the 1.63-acre parcel recommended for acquisition from Noble Energy. According to Mr. Wilson, the parcel is located northwest of the Intersection of 40th Street and Pueblo Street, and staff was recommending the acquisition for access, parking and other recreation purposes at Riverside Park.

Mayor Morris discussed his support for the project and talked about the neighboring CDOT property that the City plans on acquiring.

The Mayor confirmed that the parcel from Noble Energy was being purchased from Funds from the Conservation Trust Fund.

Mr. Wilson confirmed that the funding source was the Conservation Trust Fund.

Council Member Speer asked Mayor Morris if the public would be allowed to speak on this agenda item.

Mayor Morris asked for public comment.

Gail Ford, from 3927 Empire Street, discussed her concerns about access onto the property and asked that the City not use it for primary access.

Council Member Homann asked who the access road belongs to.

Mr. Wilson, referred to the overhead map and talked about the property. He explained that the access through this property would become the City's, but it would only be used for maintenance vehicles and not intended for major access.

Council Member Homann made the motion, seconded by Council Member Finn, to adopt Resolution No. 25-2016 – Acquiring a 1.63-acre Parcel from Noble Energy, Located Northwest of the Intersection of 40th Street and Pueblo Street to be used for Access, Parking and other Recreation Purposes as Part of Riverside Park.
The motion passed with all voting in favor thereof.

B. Resolution No. 26-2016 – Authorizing the Mayor to Sign a Pipeline Right-of-way Agreement and Vacating an Existing Easement to Permit the Relocation of an Existing Gas Pipeline Away from the Bank of the S. Platte River Inside Riverside Park to Allow Rebuilding Riverside Park and Eliminating a Potential Public Hazard

Council Member Speer recused herself from voting on this subject, due to a possible conflict of interest, but asked to remain for the presentation.

Council Member Finn disclosed that her husband used to work for DCP Midland.

The City Attorney, did not feel that Council Member Finn had a conflict of interest.

Mr. Wilson discussed the location of a gas line and gas well locations in Riverside Park, owned by DCP Midland. He discussed the Resolution which would allow DCP to vacate the current line, but provide them right-of-way to realign the pipeline away from Riverside Park. Mr. Wilson explained that this is non-exclusive right-of-way and DCP Midland would encumber the costs.

Council Member Speer asked about the pipeline would remain above the water table.

Mr. Wilson discussed the details of the proposed project with the City Council Members.

Council Member Clark made the motion, seconded by Mayor Pro-Tem Rudy to adopt Resolution No. 26-2016 – Authorizing the Mayor to Sign a Pipeline Right-of-way Agreement and Vacating an Existing Easement to Permit the Relocation of an Existing Gas Pipeline Away from the Bank of the S. Platte River Inside Riverside Park to Allow Rebuilding Riverside Park and Eliminating a Potential Public Hazard.
The motion passed with all voting in favor thereof.

C. Approval of a Preliminary Budget Revision for a Transfer to the Evans Redevelopment Agency

Jacque Troudt, City Finance Manager, presented a preliminary budget revision to loan \$481,000 dollars to the Evans Redevelopment Agency (ERA) for the purchase of property in the ERA's site plan.

Mayor Morris summarized the project and voiced his support to purchase the property.

Council Member Speer explained why she was opposed to the loan and the purchase of the property.

Council Member Schaffer made the motion, seconded by Mayor Pro-Tem Rudy to approve a preliminary budget revision for a transfer to the Evans Redevelopment Agency. The motion passed on a 6-1 roll call with Council Member Speer opposed.

C. Approval of Construction Agreement for Construction of the Consolidated Wastewater Treatment Facility, Lift Station, and Force Main

Jessica Gonifas, Deputy City Manager, and Keith Meyer, PE, Construction and Consultant Project Manager from Ditesco, summarized the plans for the consolidated wastewater treatment plant (WWTP) for the construction of a new 2.88 MGD lift station, force main and wastewater treatment plant at the current Hill-n-Park site. Mr. Meyer summarized the project design, permitting processes, and financing phases that have been completed. He spoke about the new WWTP that will treat consolidated flows from both the Evans and Hill-n-Park basins. According to Mr. Meyer, the WWTP has been designed to be protected from the 100 and 500-year flood events on the South Platte River basin through flood proofing measures specifically elevating the infrastructure to avoid flood impacts.

Mr. Meyer spoke about the cost of the project and explained that the final contract price is a guaranteed maximum price (GMP) which fixes the maximum amount of money the contractor will be paid for the WWTP construction. He stated that Garney Construction's GMP proposal for the Consolidated WWTP is \$37,792,213.00. This cost was developed through competitively bidding the various project materials, equipment, labor and subcontractor work necessary to build the WWTP. Mr. Meyer explained that cost tracking and reporting will continue through the construction phase and the costs of the work will be reported monthly, and tracked to ensure transparency in the project. The GMP will be managed by the Consultant Project Manager who provides routine reports on the overall program budget to our Wastewater Team.

Additionally, he explained that \$500,000 of the GMP has been set aside for sludge removal in the existing lagoons. Staff believes this cost can be saved or paid separately at a later date when the sludge removal volumes are better known and defined.

Mr. Meyer explained that construction of WWTP improvements are scheduled to begin in late July 2016 after contracts are fully executed and the preconstruction phase is complete. He also added that the project will satisfy requirements under Davis-Bacon Act. Therefore, staff is recommending a final construction agreement and contract value of \$37,292,213 with Garney Construction.

Council Member Schaffer asked about the procedural question and if the dollar amount should be in the motion.

Mr. Krob explained that Council could add a dollar amount not to exceed \$37,292,213.

Mayor Morris asked Mr. Meyers about the plant being gravity fed and the single pump station planned for the project.

Mr. Meyer explained that the flow to the treatment plant was downhill, with one processing plants along the new line which is necessary for maintenance.

Council Member Speer explained why she would abstain from voting on this topic.

Virgil Rollag, 3311 Valmont, expressed concerns about the design of the plant needing to pump wastewater uphill to the new location.

Mayor Morris and Mr. Meyer explained that there would be only be one lift station built for the new project.

Council Member Clark made the motion, seconded by Mayor Pro-Tem Rudy to approve the construction agreement with Garney Construction, with a dollar amount not to exceed \$37,292,213. The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Mr. Hogan updated that City Council about the plans for the Community Complex to a ballot drop off location for Primary Election.

He spoke about the bridge construction project on 47th Street to 65th Avenue that will close 65th Avenue for three to four days at the end of June. Mayor Morris asked about residents in the Arrowhead subdivision traveling eastbound on 37th Street.

Dawn explained that there will still be access for residents only, but they will have detours setup around the bridge.

B. City Attorney

Mr. Krob update the City Council about the upcoming CML Conference the week of June 20th. He also explained that the matters of the Ashcroft settlement and the issues surrounding the equivalent residential units (EQRs) would be discussed in executive session.

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 Schaffer made the motion, seconded to Council Member Speer, 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.

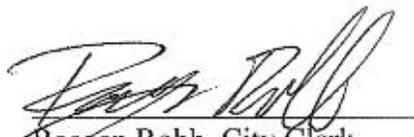
The City Council adjourned into executive session at 8:23 p.m.

The executive session concluded at 9:13 p.m.

Mr. Krob entered into the record that the matters discussed in executive session were subject to attorney-client privilege and within the scope of the referenced state statutes.

ADJOURNMENT

The regular meeting adjourned at 9:15 p.m.


Raegan Robb, City Clerk