

ALAMOSA CITY COUNCIL

Regular Meeting Minutes

Council Chambers
300 Hunt Avenue, Alamosa, CO
March 1, 2017

As a full service municipal government, our mission is to enhance the quality of life for our residents, visitors, and businesses. We strive to provide balanced business, employment, recreational, and residential opportunities.

Any person needing reasonable accommodation to attend or participate in a public meeting, please contact the Alamosa City Clerk's office by telephone (719) 589-2593, by email cityclerk@ci.alamosa.co.us, in person at 300 Hunt Avenue, or by mail at POB 419, Alamosa, CO 81101.

7:00 PM - Regular Meeting

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Regular Meeting of the Alamosa City Council was called to order on the above date by Mayor Josef Lucero at 7:00 p.m. The Pledge of Allegiance was recited.

II. ROLL CALL

Present at roll call: Mayor Lucero, Councilors Ty Coleman, Charles Griego, Liz Hensley, Kristina Daniel, Jan Vigil, and Michael Stefano. A quorum was declared. Also present: City Manager Heather Brooks, City Attorney Erich Schwiesow, and City Clerk Holly Martinez.

III. AGENDA APPROVAL

Council Vigil moved, seconded by Councilor Daniel to approve the agenda as presented. The motion carried unanimously.

IV. CITIZEN COMMENT

Alamosa City Council welcomes your comments. Citizens wishing to speak may obtain and complete a speaker card through the City Clerk at the start of the meeting.

A. Audience Comments

Amanda Pearson and Israel Garcia spoke in regards to VEGI, a gardening education program, and invited Council to the annual kick-off meeting.

Martin Sowards spoke in regards to marijuana.

Cynthia Walsh also spoke in regards to marijuana.

Terry Wiley also spoke in regards to marijuana.

B. Follow-Up

None.

V. CONSENT CALENDAR A

The Consent Calendar allows multiple actions with one motion. Consent Calendar A contains routine items which have been recommended for action by staff or advisory boards. Council may remove a consent calendar item for separate consideration.

Councilor Vigil moved, seconded by Councilor Daniel to approve Consent Calendar A as presented. The motion carried unanimously.

C.7.a. Approve Minutes of Meeting February 15, 2017

C.4.a. Award of of Bid - AFRC Ellipticals

VI. REGULAR BUSINESS

C. Business Brought Forward by City Staff

1. Finance

- a. Second reading and public hearing, Ordinance No. 4-2017, an ordinance authorizing and approving the execution and delivery of a lease purchase agreement and other documents and actions in connection with financing the City's acquisition of certain water rights and water storage rights and construction of associated infrastructure projects.

Counselor Schwiesow provided Council with a review of this Ordinance as well as an update on what was presented at first reading. The ordinance as presented on first reading was based on a principle amount of 3.5 million and was an estimated guess of funding that would be necessary for matters related to the augmentation plan. In between the first and second reading, discussions were held with East Alamosa Water and Sanitation and staff feels it would be prudent for the parameters ordinance to be able to accommodate acquisition of water rights upfront for East Alamosa Water and Sanitation if they wish to participate in an augmentation plan with the City.

This ordinance does not set the amount of money that is going to be borrowed by Council or that is going to be subject to the lease purchase by Council; what it does is set limits for that amount. The actual number

will be determined once the numbers come in from various banks when it is put out to bid and whether East Alamosa decides if they want to be included.

Mayor Lucero opened the public hearing at 7:24 p.m. and asked for those wishing to speak on this ordinance.

There being no one wishing to speak, the hearing closed at 7:24 p.m.

Councilor Vigil moved, seconded by Councilor Coleman to finally adopt Ordinance No. 4-2017 as proposed to be changed between first and second reading, to increase principal from \$3.7 Million to \$4.3 Million, with corresponding changes to other parameters. The motion carried unanimously.

2. Police

- a. First Reading, Ordinance 5-2017, an ordinance repealing and replacing chapter 3 of the *Alamosa Code of Ordinances*, governing animals, to introduce a spay, neuter, return program for feral cats, allow for burial of pets in yards, revise terms under which animal impoundments take place, and make other clarifying changes to the chapter

Counselor Schwiesow presented information to Council. The proposed ordinance adds a section for feral cats, and allows impound of stray cats; allows pet burial on owners property; clears up question about dealing with nuisance animals that we don't have shelter space for; better aligns our ordinances on rabbits and poultry with the general animal ordinance; removes the ability to allow the keeping of juvenile wild animals as pets; and makes other housekeeping changes to clarify and streamline the ordinance.

Councilor Griego moved, seconded by Councilor Stefano, to approve Ordinance No. 5-2017 on first reading and set for public hearing on Wednesday, March 15, 2017 at 7:00 p.m. or as soon thereafter as the matter may be heard. The motion carried unanimously.

3. Parks and Recreation

- a. Award of Bid – AFRC Treadmills

Andy Rice presented information to Council. This is a request to use unspent 2016 capital funds to supplement the 2017 purchase of four new treadmills. This is a critical need as the rec center is down to two working treadmills.

Ms. Brooks stated the only reason this item is not on the Consent

Calendar is because they are requesting for future that a budget amendment for the \$4,818 from 2016 when actually \$17,615 was budgeted. Not all of the funds from 2016 are being used and it will be requested that the budget amendment be made, making this project complete.

Councilor Vigil moved, seconded by Councilor Stefano, to approve the selection of HealthStyles Exercise Equipment for the purchase of four treadmills in the amount of \$22,433. The motion carried unanimously.

4. City Manager/Legal

a. SLV Code of Ethics

Heather Brooks presented information to Council. Last year, local government members of the Upper Rio Grande Economic Development group signed a shared Code of Ethics. This year, URGED would like to broaden that Code of Ethics to include the entire San Luis Valley. This idea was presented at the Economic Summit in Monte Vista January 18th and was well received by all those in attendance.

Councilor Stefano moved, seconded by Councilor Vigil to adopt the SLV Code of Ethics. The motion carried unanimously.

b. First Reading, Ordinance No. 6-2017, An ordinance establishing a temporary moratorium on the establishment of marijuana consumption clubs through September 30, 2017

Counselor Schwiesow presented information to Council. This ordinance is a temporary moratorium to be able to put a hold for six months on any marijuana consumption clubs while staff is directed to research the matter in terms of both whether it would be staff's recommendation that such clubs be allowed or prohibited; and also, if allowed, under what terms and conditions. The ordinance defines a marijuana consumption club as an establishment, organization, association, club, tea pad, or other similar entity or place where a purpose is to allow the consumption of marijuana, medical marijuana or marijuana product on the premises owned or operated by the club.

Counselor Schwiesow stated that at the work session there was a question of whether applications would be accepted during the moratorium. He advised Council that he would suggest passing this ordinance on first reading and direct staff to amend it between first and second reading to address that issue.

Councilor Stefano moved, seconded by Councilor Coleman to approve Ordinance No. 6-2017 on first reading and set for public hearing on

Wednesday, March 15, 2017 or as soon thereafter as the matter may be heard. The motion carried unanimously.

Councilor Daniel moved, seconded by Councilor Griego to instruct staff to develop language for the second reading in regards to the moratorium establishing procedures for accepting applications for this type of club while in the moratorium. The motion carried unanimously.

- c. Resolution No. 6-2017 Amending the ex officio directors of the Alamosa Capital Leasing Company

Counselor Schwiesow presented information to Council. The City established the Alamosa Capital Leasing Company ("ACLC") in 2002 to facilitate acquisition of the Alamosa Family Recreation Center. It has since been used to facilitate other lease purchase agreements such as the Golf Course and City Hall. It serves as the intermediary in lease purchase or certificate of purchasing financing. It is intended to be used for the upcoming lease purchase financing for the augmentation acquisition.

The bylaws of the ACLC set forth the composition of the board of directors as consisting of certain ex-officio positions. In reviewing the composition of the board, it came to the City's attention that it has been difficult to get the named board together. Staff suggests replacing the School District representative from another entity, and both SLV Health and Alamosa County have expressed interest when approached. Staff believes adding another ex-officio position, bringing the number to 7, will assist in achieving a quorum. If the composition is changed, staff would recommend to the ACLC that it amend its bylaws, which amendment must be approved by Council. The resolution gives that approval in advance.

Councilor Daniel moved, seconded by Councilor Hensley to approve Resolution No. 6-2017. The motion carried unanimously.

D. Committee Reports

Councilor Hensley reported on the Golf Board meeting she attended.

Councilor Daniel reported on the Tree Board meeting she attended.

Councilor Stefano reported on the Senior Citizen's meeting he attended.

E. Staff Announcements

Heather Brooks reminded Council of the following dates:

- Monday, March 6th is the Board Appreciation Dinner at the Bistro.

- Wednesday, March 15th is the Non-Harassment/Evaluation Training work session.
- She will be out on March 8, 9 and 10 at a conference for the International Economic Development.
- She also reminded them of the upcoming Upper Rio Grande Economic Development Annual Dinner on Tuesday, March 14th in South Fork.
- Thursday, March 16th is the Broadband Presentation that will be held at Society Hall at 6:00 p.m.

Ms. Brooks also informed council of some interesting things that are being looked in to regarding the Council Policy on legislation and the legislative agenda. She advised them that there will probably be a work session to discuss these items but in the meantime, to maybe not sign off on these type of items.

Pat Steenburg informed Council of the updates for 1st Street and Murphy.

COUNCIL COMMENT

Councilor Hensley congratulated Councilor Vigil on his basketball season.

Councilor Daniel commented and encouraged people to share their opinions on any topics that are discussed at Council. Councilor Hensley and Mayor Lucero echoed Councilor Daniel's comments.

Councilor Vigil thanked Councilor Hensley for her comment and wished good luck to all the valley teams still in the regional and state basketball.

Mayor Lucero commented in regards to the new drone.

ADJOURNMENT

The meeting adjourned at 8:22 p.m.

Holly C. Martinez, City Clerk

Josef P. Lucero, Mayor

**ALAMOSA CITY COUNCIL
COUNCIL COMMUNICATION**

Subject/Title:

Approve Minutes of Meeting February 15, 2017

ATTACHMENTS:

Description		Type
D	Minutes of Meeting February 15, 2017	Cover Memo

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II. ROLL CALL

Present at roll call: Mayor Lucero, Councilors Ty Coleman, Charles Griego, Liz Hensley, and Kristina Daniel. Councilors Jan Vigil and Michael Stefano previously requested to be excused. A quorum was declared. Also present: City Manager Heather Brooks, City Attorney Erich Schwiesow, and City Clerk Holly Martinez.

III. AGENDA APPROVAL

Heather Brooks clarified for Council that the potential work session after the meeting is going to be needed. Councilor Griego moved, seconded by Councilor Daniel to approve the agenda as amended and to excuse Councilors Vigil and Stefano. The motion carried unanimously.

IV. CITIZEN COMMENT

Alamosa City Council welcomes your comments. Citizens wishing to speak may obtain and complete a speaker card through the City Clerk at the start of the meeting.

A. Audience Comments

Audrey Liu spoke in regards to the Habitat for Humanity replat.

Martin Jones also spoke in regards to the Habitat for Humanity replat.

Mick Daniel spoke in regards to the SLV Great Outdoors Trust for Public Land grant.

Rosanna Atencio spoke in regards to Colorado Creative Clouds, a common consumption club and wanting to expand their business into the City.

B. Follow-Up

Heather Brooks informed Council that staff would contact the applicants of the consumption club and let them know the process that they would need to follow in order to bring the consumption club in Alamosa.

V. CONSENT CALENDAR A

The Consent Calendar allows multiple actions with one motion. Consent Calendar A contains routine items which have been recommended for action by staff or advisory boards. Council may remove a consent calendar item for separate consideration.

Councilor Daniel moved, seconded by Councilor Hensley to approve Consent Calendar A as presented. The motion carried unanimously.

C.7.a. Approve Minutes of Meeting February 1, 2017

C.8.a. Receive January 2017 Monthly Reports

C.1.a. Resolution No. 2-2017; A Resolution approving deviation from existing off-street parking requirements for Justice Center and Ice Rink/Multipurpose facility

C.2.a. Receive January 2017 Financial Reports

C.1.b. Request of Verizon Wireless for the expansion of an existing Permitted Use by Special Review for the installation of additional telecommunications equipment on a city-owned water tower.

C.1.c. Request of Crown Castle for the expansion of an existing Permitted Use by Special Review for the installation of additional telecommunications equipment on an existing cell tower.

C.4.a. Award of Bid - Cemetery Rotary Mower

C.4.b. Award of Bid - Wide Area Rotary Mower

VI. REGULAR BUSINESS

C. Business Brought Forward by City Staff

1. Public Works

- a. Resolution No. 4-2017, The Request of San Luis Valley Habitat for Humanity for a Final Plat approval for the Replat of Lot 40 Adjusted, McClain-Fink Subdivision, located in the northwest quarter (NW1/4) of Section 15, Township 37 North, Range

Pat Steenburg presented information to Council. This subdivision will create two lots from one original lot. This request is a common action in that area of town as the lots were very large when this subdivision was originally platted in the county in 1938. The original lot sizes were roughly 160 feet deep and 132 feet wide; in contrast, most of the lots platted in that era of town were on the order of 25-40 feet wide and 150 feet deep. This subdivision will better represent current development trends. All utilities are in place other than service connections and the property is served with a paved street.

Mayor Lucero opened the public hearing at 7:18 p.m. and asked for those wishing to speak on this resolution.

Audrey Liu spoke in favor of this resolution.

Dan McCann spoke in favor of this resolution.

Marty Jones spoke in favor of this resolution.

There being no one else wishing to speak on this resolution, the hearing closed at 7:21 p.m.

Councilor Coleman spoke in appreciation for Habitat for Humanity. Councilor Griego also thanked Habitat for Humanity.

Councilor Daniel moved, seconded by Councilor Hensley to adopt Resolution No. 4-2017. The motion carried unanimously.

2. Finance

a. Direction on Eight Utility Accounts Receiving Rate Reductions

Heather Brooks reviewed information with Council. Prior to 2008, the City of Alamosa offered a utility rate reduction for employees. The language for the utility rate reduction was included in the ordinance that established the employee pay plan. The exact language that was included in the 2007 Ordinance was *"Section II. As further compensation, all full-time employees and officers, including volunteer firefighters, whose primary place of residence is within city limits, excepting members of the City Council shall receive up to seven thousand-five hundred (7,500) gallons of water per month without charge."* The City knows that this practice ceased in 2008 but documentation of the details of how the program ended have not been found. It was determined after conversations with staff in the Finance

department at that time, the program ended for all employees except retired volunteer firefighters.

While updating the Utility Billing Software with the new rates and categories, staff came across eight accounts that appear to fall into this grandfathered account. However, a more generous utility rate reduction was applied to these accounts than what was included in the ordinance referenced above. The rate that was created for these eight account is a charge of \$.0.60 per 1,000 gallons for usage above 7,000 gallons. All water usage below 7,000 gallons per month is free.

Staff recommends that the current rate structure adopted by Council for usage above 8,000 should be applied in order to be consistent with the focus on conservation.

Councilor Griego asked for clarification on whether the accounts carried over to the spouses of the retired firefighters should they pass away. Heather Brooks stated there wasn't much memory from staff in regards to the spouse however, she stated if the retired firefighter passed and the spouse moved, it wouldn't carry over.

Councilor Daniel stated she appreciates that staff found this and thinks that the rates should be continued for these eight accounts but to also modify it to reflect the rates above while also including the rate structure for usage above 8,000.

Councilor Daniel moved, seconded by Councilor Griego to modify the existing rate structure to reflect the original intent of the ordinance and that anything above 8,000 falls under the current rate structure that the City has in place.

Counselor Schwiesow asked if the motion included reference to the spouse issue. Councilor Daniel amended her motion to include either the original employee or their spouse if they are living in the same house that they were originally in. Councilor Griego seconded the motion. The motion carried unanimously.

- b. Resolution No. 3-2017; A Resolution amending Ordinance 17-2016 for the 2017 Budget also known as the 1st Budget Amendment.

Judy Kelloff presented information to Council. The major items include \$3,740 in the General Fund-Revenue, \$3,740 in the General Fund-Expense, \$382,200 in the Enterprise fund, \$383,000 in the Enterprise Debt Fund, and \$1,500 in the Parks and Recreation Fund.

Heather Brooks presented information in regards to the additional FTE in Water as there is a limited opportunity to address a personnel constraint in the division. Recent interviews for vacant Water/Waste Water Technician I yielded two very promising applicants. Staff's plan

prior to the interviews was to fill the immediate vacancy and bring the request for an additional FTE before Council in a less rush manner, but the possibility of hiring the second qualified candidate prompted staff to escalate that timeframe. The reason for this request, which is a total of \$33,000 which includes the salary and the benefits, is the City is having issues getting the right number of employees within the Water/Wastewater areas with the right certifications. Getting the second FTE will allow for the rotation of employees between the different plants and getting the certifications needed and building the depth that needed to be built. The opportunities will be available to all current employees as well as the new employees.

Regarding the financial aspect of how this will be covered is through the utility increases that were passed and the sales tax language that was identified, the sales tax will be able to take care of some of the immediate needs in the water/wastewater plant. Pat Steenburg reiterated the need of this FTE.

Councilor Griego asked for the information on all the projects that are occurring at the water/wastewater plant. Ms. Brooks and Mr. Steenburg reviewed the projects for Council.

Councilor Daniel asked for clarification if all the money that is there is already in the budget or not. Ms. Brooks clarified that the \$250,00 was identified as major projects but not included in the budget, the \$33,000 was not in the budget, and the money for the augmentation plan was also not included in the budget, although approved; which is why the budget amendments are necessary.

Councilor Hensley moved, seconded by Councilor Daniel to adopt Resolution No. 3-2017. The motion carried unanimously.

- c. First Reading, Ordinance No. 4-2017, an ordinance authorizing and approving the execution and delivery of a lease purchase agreement and other documents and actions in connection with financing the City's acquisition of certain water rights and water storage rights and construction of associated infrastructure projects.

Counselor Schwiesow presented information to Council. Council has determined that it is in the City's best interests to pursue an augmentation plan in order to be able to continue to utilize the City's municipal wells when the Rules Governing the Withdrawal of Groundwater in Division 3, recently promulgated by the State Engineer, become effective. In order to do that the City needs to (i) acquire certain water rights and water storage rights in connection with (a) an independent augmentation plan and sustainability plan, or (b) as an asset to be used in contracting for coverage with with a subdistrict of the Rio Grander Water Conservation District, in order the City's municipal wells will comply with new groundwater pumping rules, (ii) relocate and construct a new discharge point for its wastewater treatment plant, and

(iii) pay the legal and engineering costs of implementing such plans and construction.

This ordinance sets the bounds for financing for the water project in all of its various elements. The ordinance establishes the purposes for the financing which are acquisition of water and water storage rights in connection with the augmentation plan and its sustainability. Also the acquisition of the same potential assets for use in a potential contract with a subdistrict if that's the route taken instead and also for payment for associated expenses being construction, legal and engineering expenses. Staff has estimated approximately \$3.5 million will be necessary to implement the water plan and accordingly, the ordinance authorizes \$3.7 million in principal amount of the Certificates of Participation. UMB Bank has provided the debt service schedule assuming 15 year financing at 5% interest. The parameters of the funding mechanism set for in this ordinance are based on this projection, but final terms of the financing will not be known until UMB Bank actually locates buyers for the Certificates of Participation. The ordinance provides an outside limit to the terms of the financing of \$3.7 million principal, \$5.6 million total payment, and maximum annual payment of \$375,000.

Councilor Griego moved, seconded by Councilor Daniel to approve Ordinance No. 4-2017 on first reading and set for a public hearing thereon on Wednesday, March 1, 2017 or as soon thereafter as the matter may be heard. The motion carried unanimously.

3. Police

- a. Public Hearing and Second Reading, Ordinance 2-2017, an ordinance amending sections 1-5, 11-7 and 11-171, and adding new sections 11-11, and relocating section 10-23 (open containers of alcohol) of the Alamosa code of ordinances to bring Alamosa's marijuana possession and consumption laws in line with changed state constitutional and statutory provisions and to relocate the alcohol open container ordinance.

Counselor Schwiesow reviewed this ordinance with Council.

Mayor Lucero opened the public hearing at 7:57 p.m. and asked for those wishing to speak on this ordinance.

There being no one wishing to speak, the hearing closed at 7:57 p.m.

Councilor Daniel moved, seconded by Councilor Hensley to finally adopt Ordinance No 2-2017. The motion carried unanimously.

- b. Public Hearing and Second Reading, Ordinance No. 3-2017, an ordinance repealing section 11-53 of the Alamosa code of ordinances concerning the regulation of panhandling

Counselor Schwiesow reviewed this ordinance with Council.

Heather Brooks also commented stating that the signs that are up will be removed as they create confusion and wrong expectations.

Mayor Lucero opened the public hearing at 8:00 p.m. and asked for those wishing to speak on this ordinance.

There being no one wishing to speak, the hearing closed at 8:00 p.m.

Councilor Griego asked for clarification on what citizens, home owners, can do if there is a panhandler on their property. Counselor Schwiesow clarified what can be done.

Councilor Griego moved, seconded by Councilor Daniel to finally adopt Ordinance No. 3-2017. The motion carried unanimously.

4. City Manager/Legal

a. Endorsement of the 2017 Comprehensive Plan

Heather Brooks presented information to Council. After a year of public outreach and work, the 2017 Comprehensive Plan was adopted by the Planning Commission on January 25, 2017. Pursuant to state statute, planning commissions adopt comprehensive plans, not Council. The comprehensive plan is not regulatory but is rather a guidance document unless and until further action of the Council makes all or any part of the plan a regulatory document. The City of Alamosa's last update to its Comprehensive Plan was June 6, 1987. The goal of the update was to have a thorough review of existing conditions and identification of what is needed for the future. A significant portion of the process was dedicated to public outreach including stakeholder meetings, focus group meetings, and non-scientific surveys.

Gabe Preston presented the Comprehensive Plan in a condensed version and highlighted what the scope of work to the plan included.

Council thanked all those involved who helped work on this plan and for the community members who provided their input.

Councilor Griego moved, seconded by Councilor Daniel to endorse the 2017 Comprehensive Plan. The motion carried unanimously.

b. Selection of Art for the First Annual Public Art on Loan Program

Heather Brooks provided information to Council. Alamosa will soon be enriched with a variety of sculpture artwork throughout the downtown

thanks to the City's new art on loan program called Artscape. The goal of this program is to promote and exhibit artwork while also enhancing the community atmosphere and creating a unique sense of place. Public art was identified in the 2017 Comprehensive Plan as a goal for the downtown and Council included \$20,000 in the 2016 and 2017 budgets for a public art program. Once the pieces are finalized including a contract with each artist, staff will identify the exact locations for each piece.

2017 marks the first annual public art on loan program for the City. Artists nationwide were invited to fill out and submit an application. The application process opened December 7, 2016 and closed January 30, 2017. Artwork was selected through a jury process and will be displayed for a one-year period starting on June 3, 2017. The community will also have the opportunity to purchase artwork and to select their favorite artwork for a "People's Choice Award." The City received 115 submissions and the Art Jury selected 15 pieces that were presented.

Councilor Hensley asked if some of the art was fragile in the sense of weather wise. Heather Brooks stated those individuals on the art committee have a lot of background on the materials used in the art and there were pieces that were removed because of the weather conditions that could happen here.

Councilor Daniel commented in regards to advertisement and appreciated those who volunteered their time to sit on the art jury.

Councilor Griego asked if this was an annual thing and thanked Ms. Brooks in regards to the art program and making it reality. Ms. Brooks stated that yes, it is an annual thing and that it the artist's responsibility to get the art here, and to remove it when the year is over.

Councilor Coleman asked if the locations for the art have been identified. Ms. Brooks informed Council that the pieces just got confirmed today so all that is known at the current time is that they will be placed downtown.

Councilor Daniel moved, seconded by Councilor Griego to accept the recommended art pieces from the Art Jury for the June 3, 2017 unveiling and to authorize the mayor to sign the contracts with the artists. The motion carried unanimously.

- c. Resolution No. 4-2017, A Resolution Adopting and Providing for Standards for Procurement, Bidding and Contract Awards for Loans and/or Grants from the USDA

Ms. Brooks provided information on this resolution to Council. The City has applied and been approved for a \$10,000 grant to be made by the United State of America acting through USDA, Rural Development for

the provision of two-way digital radios. The USDA's regulations require that the City adopt standards (a) relating to the conduct of its officers, employees, and agents in contracting and in expending loan and/or grant funds, and (b) establishing procurement and contracting procedures. The USDA provide a sample resolution adopting the standards required in Title 7, Code of Federal Regulations, Section 1942.18 (j) thru (k), which this resolution is modeled upon. The City already has in place the contracting standards specified in the Code of Federal Regulations, see *Code of Ordinances Section 2-38 (prohibited gifts); 2-229 to 2-234 (ethics in contracting); 2-178 to 2-187 (contract award and formation - bid process)*. In addition, the CFR standards are applicable through this Resolution, so no new standards need to be adopted to comply.

Councilor Daniel asked for clarification of the resolution number as Council has already approved a resolution No. 4 above. Staff clarified that this resolution will be Resolution No. 5.

Councilor Daniel moved, seconded by Councilor Coleman to adopt Resolution No. 5-2017. The motion carried unanimously.

d. Recommendation of Kirk Thompson for the Colorado Water Conservation Board

Ms. Brooks presented information to Council. Kirk Thompson has been an instrumental member of the City's Water Team as we have evaluated the impacts on the City's water supply from the new regulations. Mr. Thompson has evaluated all potential options to meet the regulations and provided detailed analysis on costs, feasibility, and reasonableness of such options. He has worked with the calculations provided by the State to provide direction on the varying water right amounts that are needed to protect the City's provision of municipal water. Mr. Thompson's contribution to the team has been enormous and staff believes that he would represent valley interests in a very balanced and informed manner in this position.

Kirk Thompson was present for any questions and/or concerns. Mr. Thompson spoke to Council asking for a letter of support and provided background information on himself and what he would be able to bring to this position.

Councilor Griego asked if he has already agreed to a letter of support for a different candidate for the same position, if he voted on this item if it would create a conflict of interest. Counselor Schwiesow clarified that this is not a concern of conflict of interest as he did so on another board non-related to the City, however, it was up to him if he felt he need to abstain from the vote.

Councilor Hensley moved, seconded by Councilor Daniel to provide a letter of support for the appointment of Kirk Thompson to the Rio Grand

River Basin's Director. The motion carried with Councilor Griego abstaining from the vote.

D. Committee Reports

Councilor Daniel reported on the marketing board meeting that she attended.

Mayor Lucero commented on the legislative session and policy committee in Denver he attended last week.

E. Staff Announcements

Heather Brooks reminded council of upcoming meetings including:

- March 1st: Building code issues/marijuana and expansion into petition discussion.
- March 6th: Board Appreciation Dinner at the Bistro Rialto
- February 22nd: Feral cat/Broader nuisance ordinance work session

Heinz Bergann gave Council a Ride the Rockies event update.

Pat Steenburg informed Council of the amount of potholes that been fixed since January.

Holly Martinez informed Council of updates in Municipal Court including online payments now being an option and the court dockets being available on the website.

COUNCIL COMMENT

None.

EXECUTIVE SESSIONS

1. Potential executive session if desired pursuant to C.R.S. § 24-6-402(4)(a) to discuss the numbers in Ordinance No. 4-2017 as they relate to the acquisition of water assets for a potential augmentation plan.

Councilor Daniel moved, seconded by Councilor Hensley to enter into Executive Session (9:30 p.m.) pursuant to C.R.S. §24-6-402(4)(a) to discuss the acquisition of water assets for a potential augmentation plan. The motion carried

unanimously.

After the executive session, Council will move back into regular session and no further business will be discussed.

ADJOURNMENT

The meeting adjourned immediately after the executive session.

Holly C. Martinez, City Clerk

Josef P. Lucero, Mayor

ALAMOSA CITY COUNCIL COUNCIL COMMUNICATION

Subject/Title:

Award of Bid - AFRC Ellipticals

Recommended Action:

That Council approves the selection of HealthStyles Exercise Equipment for the purchase of three ellipticals in the amount of \$14,385.

Background:

Community Recreation Department released an Invitation for Bids to replace three aging ellipticals at the Recreation Center. Staff researched various commercial-grade models available, took into account design issues we have had with the current equipment, and weighed the need to bring in new, modern-designed units encouraging patron usage. The research resulted in staff approving two models for vendors to bid on with the specifications to purchase two of one model and a single unit of the other.

The City received four bids from three vendors.

- | | |
|---|-------------|
| 1. HealthStyles Exercise Equipment (Denver) | \$14,385.00 |
| 2. Push-Pedal-Pull (Denver) | \$15,263.28 |
| 3. Push-Pedal-Pull (Denver) | \$26,673.01 |
| 4. Promaxima Manufacturing (Houston) | \$10,588.00 |

Upon review of the bids, bid numbers 2, 3, and 4 were removed from consideration.

- Number 2 did not bid on the two approved models staff was looking for. Also, this bid only included three units of one model, not 2 plus 1 as specified by the IFB.
- Number 3 did not bid on the two approved models staff was looking for. Also, this bid only included three units of another model, not 2 plus 1 as specified by the IFB.
- Number 4 did not bid on the two approved models staff was looking for. Also, the models that were bid did not come up during staff's research and appear to not be of the quality staff was looking for – thus staff believes it would not be in the City's best interest to purchase even if they were the lowest bidder.

Issue Before the Council:

Does Council wish to award the elliptical purchases to the lowest responsive and responsible bidder?

Alternatives:

While Council is free to select or develop any number of alternatives, those listed below are examples.

- Award the bid to HealthStyles Exercise Equipment for the purchase of three ellipticals in the amount of \$14,385.
- Award the bid to one of the other vendors.
- Not award the bid and provide staff with further direction.

Fiscal Impact:

The 2017 budget included \$32,000 for new cardio equipment (ellipticals and treadmills).

Legal Opinion:

City Attorney will be present if there are any legal questions regarding this action.

Conclusion:

In addition to replacing aging equipment, the new ellipticals come with additional features for our patrons to enjoy during their workouts, such as audio access to all three televisions.

ATTACHMENTS:

Description	Type
 Octane Ellipticals Info Sheets	Cover Memo

THE PRO3700Classic

SAME HIGH-END FEATURES AND EXCEPTIONAL QUALITY AT AN UNBEATABLE VALUE

PRO3700C

Features the natural, smooth motion that Octane is known for, digital contact heart rate sensors, signature advanced programs, exclusive Workout Boosters and full commercial warranty.



OCTANE ADVANTAGES

- MultiGrip & Converging Path handlebars
- Biomechanically correct pedal spacing
- Advanced Training — MMA and 30:30
- Workout Boosters
- CROSS CIRCUIT compatible



UPPER-BODY ERGONOMICS

Patented, one-of-the-kind MultiGrip and Converging Path handlebars that better engage the upper body and assist with fitting every exerciser better.

MMA

Mimics real-life MMA bouts and gives participants an effective training routine like a fighter in the ring.

REAL RUNNING MOTION

Delivers supremely comfortable natural movement and flow, both forward and backward, without stress on the joints.

LCD EXPERIENCE

Please every member with individual viewing screens for the ultimate workout experience.

PRO3700Classic SPECIFICATIONS

KEY MECHANICAL FEATURES		ENTERTAINMENT OPTIONS		FITNESS ASSESSMENT PROTOCOL	
Stride length	24" (61 cm)	Personal Viewing Screen	○	Navy PRT	•
Close pedal spacing	1.8" (4.5 cm)	Wireless 900 Mhz	○		
Low step-up height	•				
Covered track and rollers	•				
MultiGrip™ and Converging Path™ handlebars	•				
Moving handlebar lock-out option	•				
1-time adjustable handlebar position	•				
CROSS CIRCUIT compatible	○				
Water bottle holder	•				
Tablet/reading rack	•				
Transport wheels	•				
ELECTRONIC FEATURES					
Resistance levels	30				
Digital contact heart rate on stationary handlebars	•				
Wireless heart rate ready (Polar®)	•				
Self-powered	•				
HeartLogic™ Intelligence	•				
		HEART RATE-CONTROLLED PROGRAMS			
		Heart Rate Fat Burn	•		
		Heart Rate Cardio	•		
		Heart Rate Interval	•		
		Heart Rate Custom Interval	•		
		Heart Rate Hill	•		
		Heart Rate Speed Interval	•		
		New Leaf® Custom	•		
		ADVANCED PROGRAMS			
		CROSS CIRCUIT Solo	•		
		CROSS CIRCUIT Group	•		
		30:30 Interval	•		
		MMA	•		
		Constant Power Watts	•		
		Constant Power METs	•		
				PRODUCT SPECIFICATIONS	
				Max user weight	400 lbs (181 Kg)
				Footprint (W x L)	31" x 69" (78 cm x 175 cm)
				Footprint - live area (W x L)	34" x 83" (86 cm x 210 cm)
				Product weight	320 lbs (145 Kg)
				Footprint with CROSS CIRCUIT stands (W x L)	35" x 84" (89 cm x 213 cm)
				Product weight with CROSS CIRCUIT stands	405 lbs (183 Kg)
				WARRANTY	
				Parts	3 years
				Labor	1 year

THE LATERALX

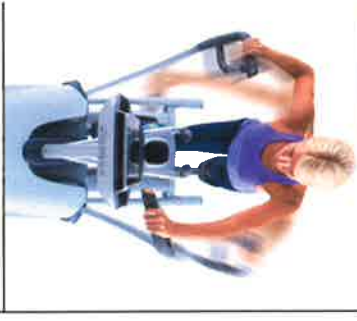
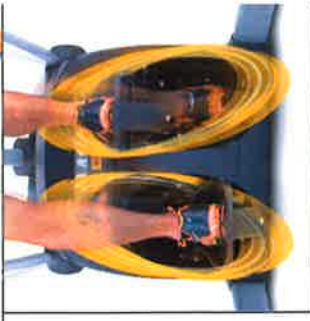
MOVE IN A NEW DIRECTION

LateralX

Add a new dimension and excitement to the cardio floor with the LateralX elliptical that delivers functional challenges, more muscle demands and greater caloric burn.

OCTANE ADVANTAGES

- Adjustable lateral 3-D motion
- 27% increase in caloric expenditure*
- 30% increase in hip abductor/adductor activity*
- Adds muscle confusion with 10 varying planes of motion
- Great for sports, rehab and stability training, working the hips, thighs and glutes
- CROSS CIRCUIT compatible



LateralX SPECIFICATIONS

Active side-to-side motion that increases caloric expenditure by 27% and engages more lower body muscles.

STEPPING MOTION

An additional movement option that simulates a stepping movement for added variety or recovery.

**UPPER-BODY
ERGONOMICS**

Patented, one-of-the-kind
MultiGrip and Converging Path
handlebars better engage the
upper body and assist with
fitting every exerciser better.

CROSS CIRCUIT

Exercisers get better results from greater conditioning and motivation, and clubs and trainers benefit from a powerful new revenue source.

KEY MECHANICAL FEATURES		CONSOLE OPTIONS		WORKOUT BOOSTERS	
Lateral width adjustments	10	Smart	○	X-Mode™	●
Electronically adjustable lateral width	●	Standard	○	ThighToner™	●
Quiet motors	●	ENTERTAINMENT OPTIONS			
Soft grip pedals	●	Personal Viewing Screen	○	PRODUCT SPECIFICATIONS	
Low step-up height	●	Wireless 900 Mhz	○	Max user weight	400 lbs (181 Kg)
Multigrip™ and Converging Path™ handlebars	●	WORKOUTS			
Moving handlebar lock-out option	●	Number of programs	15	Footprint (W x L)	42" x 63" (106 cm x 160 cm)
1-time adjustable handlebar position	●	PRESET RESISTANCE PROGRAMS			
CROSS CIRCUIT compatible	○	Manual	●	Product weight with CROSS CIRCUIT stands (W x L)	44" x 75" (111 cm x 190 cm)
Phone holder	2	Random	●	Product weight with CROSS CIRCUIT stands	438 lbs (198 Kg)
Water bottle holder	●	Interval	●	WARRANTY	
Tablet/reading rack**	●	Distance goal	●	Parts	3 years
Transport wheels	●	Calorie goal	●	Labor	1 year
ELECTRONIC FEATURES		LATERAL WIDTH PROGRAMS			
Resistance levels	30	Lateral Interval	●		
Quick Starts (Narrow, Medium, Wide)	●	Dual Direction	●		
Digital contact heart rate on moving handlebars	●	HEART RATE-CONTROLLED PROGRAMS			
Wireless heart rate ready (ANT+™ and Polar®)	●	Heart Rate Fat Burn	●		
Fingertip controls on moving handlebars	●	Heart Rate Interval	●		
Console fan (3 speeds)	●	ADVANCED PROGRAMS			
Self-powered (standard console only)	●	CROSS CIRCUIT Solo	●		
Mobile device charging via USB port	●	CROSS CIRCUIT Group	●		
Replaceable headphone jack	●	30:30 Interval	●		
CSAFE®	●	MMA	●		
		Constant Watts	●		
		Constant METs	●		

****Smart console only.**