

MINUTES
CITY AND COUNTY OF BROOMFIELD COUNCIL MEETING

DECEMBER 20, 2005

ROLL CALL

The Regular Meeting of the Broomfield City Council was called to order by Mayor Karen Stuart at 6:02 p.m., Tuesday, December 20, 2005, in the Council Chambers of the Municipal Building.

Those present were: Councilmembers Randy Ahrens
Vincent Buzek
Lori Cox
Bette Erickson
Robert Gaiser
Steve Kaverman
Brian Kenyon
Dennis McCloskey
Linda Reynolds
Walt Spader

Those absent were: None

Also present were: City and County Manager George Di Ciero
City Clerk Administrative Technician II Judy Keiser
City and County Attorney William Tuthill
Various Department Staff Members

PETITIONS AND COMMUNICATIONS

There were no petitions and communications.

CITIZENS' COMMENTS

There were no citizens' comments.

CONVENE BOARD OF SOCIAL SERVICES

There was no business for the Board of Social Services.

CONVENE AS BOARD OF HEALTH

There was no business for the Board of Health.

CONVENE AS BROOMFIELD HOUSING AUTHORITY

There was no business for the Broomfield Housing Authority.

COUNCILMEMBER REPORTS

Broomfield Community Foundation – Report – Spader

Councilmember Spader distributed a report and presented a video regarding recent Broomfield Community Foundation grant awards.

Chamber Choir Performance at Broomfield Auditorium – Gaiser

Councilmember Gaiser reported on his attendance at the choir performance with Councilmember McCloskey.

Denver Regional Council of Governments (DRCOG) – Short Courses – Stuart

Mayor Stuart distributed information on the free short courses being offered by DRCOG and encouraged attendance.

COUNCIL BUSINESS

(a) Request for Direction - Possible Sheridan Underpass at Highland Park Project:

Resolution No. 2005-178 Approving an Agreement with Defalco Lee Construction, Inc. for the Construction of the Sheridan Boulevard Underpass at Highland Park

Resolution No. 2005-185 Adopting the Sixth Amendment to the 2005 City and County of Broomfield Budget to Provide Funding for the Sheridan Boulevard Underpass Project

Mayor Stuart introduced the proposed Sheridan Boulevard pedestrian underpass at Highland Park. The Council first discussed alternatives for a pedestrian underpass for Sheridan at a Study Session in March of 2000. In July of this year, the project went out for bid and the one response received was over the budgeted amount. Council concurred with Staff's recommendation to re-bid the project and the second set of bids was received on November 10th. The Staff report included a summary of the bids received and alternative options as identified by Staff.

City and County Manager Di Ciero summarized the options as outlined in the Staff report. He advised that the current bid proposals are valid only until January 6th.

Kevin Standbridge, Assistant City and County Manager, reviewed the site location of the proposed underpass. He advised that the trail connection ranks No. 3 in priority in the OSTAC Master Plan.

Council discussion included: 1) It is critical to do trail connections, especially over roads controlled by the City, to promote neighborhood connectivity and safety; 2) Overpasses are unattractive and accessibility can be difficult; 3) With reinstatement of the State Senior Homestead refund, those funds will no longer need to come from Broomfield's budget; 4) Concern regarding the current traffic count on Sheridan, particularly with the anticipated increased use of the Northwest Parkway; 5) How long ago was the budget developed for this project? 6) To decrease the cost of artwork while increasing visual interest, consider adding artwork directly to concrete / brick forms and using volunteers for art projects; 7) Project should be consistent with other underpasses being done by developers to minimize a patchwork look along Sheridan and throughout Broomfield; 8) A pedestrian crossing on a 4-lane highway is neither practical nor safe and would be a traffic impediment; 9) Neighborhood probably would not support an overpass, but appears to be supportive of the proposed underpass; 10) Concern regarding budget overages and the impact on reserve funds; 11) Concern that utility services will be compromised and/or interrupted; 12) Consider extending deadline for bid proposals to allow time for additional study of this project; 13) Would an underpass near the Commons be more practical? 14) Further delay of the project will result in increased construction costs; 15) Concern regarding the contingency line item for construction costs; 16) Important to

accommodate the unique needs of several housing projects for the elderly located west of Sheridan; 17) Investigate availability of funds through a DRCOG project, "Pedestrian and Bicycle Safe Routes to School"; and 18) Broomfield has a reputation for doing good projects and doing them well.

Staff responses included: 1) Currently 15,000 cars a day use Sheridan Boulevard; 2) The budget for the underpass project was developed two years ago; 3) Adding artwork to the concrete / brick forms would result in minimal savings; 4) Due to the vertical nature of the project and the need for concrete to harden before the forms are removed, volunteer artwork such as handprints is not practical and paintings would involve increased maintenance; 5) Anticipated project time is Spring to November, 2006; 6) Affected utilities will include waterlines, cable, fiber optic lines, and Xcel electric lines - much advance work has been done with the utility companies to assure continuity of service; 7) Utility system will not be compromised by lowering the lines for an underpass as all work will be done per specs and standards; 8) An underpass near the Commons would be difficult to construct due to the lack of natural topography – it would have to go deep to get the appropriate grade, so an overpass would be a more likely solution at that location; 9) The bulk of funds for the project will come from the CIP budget, and the rest from City reserve funds; 10) If reserve funds are used for the project, projected reserves for 2006 will still be at 20%, surpassing Council's goal of 16%; and 13) Contingency line items are included in construction budgets to cover unexpected expenses, such as additional soil work if needed by the engineer, and, historically, have been needed and completely used for most projects.

Resolution No. 2005-178 was read by title.

COUNCILMEMBER KAVERMAN MOVED AND COUNCILMEMBER GAISER SECONDED, THAT RESOLUTION NO. 2005-178 BE ADOPTED.

ROLL CALL ON MOTION:

THOSE VOTING AYE WERE: COUNCILMEMBERS AHRENS, BUZEK, ERICKSON, GAISER, KAVERMAN, KENYON, MCCLOSKEY, AND REYNOLDS

THOSE VOTING NO WERE: COUNCILMEMBERS COX AND SPADER

THE MOTION PASSED ON A VOTE OF 8 TO 2.

Resolution No. 2005-185 was read by title.

COUNCILMEMBER KAVERMAN MOVED AND COUNCILMEMBER GAISER SECONDED, THAT RESOLUTION NO. 2005-185 BE ADOPTED.

THOSE VOTING AYE WERE: COUNCILMEMBERS AHRENS, BUZEK, ERICKSON, GAISER, KAVERMAN, KENYON, MCCLOSKEY, AND REYNOLDS

THOSE VOTING NO WERE: COUNCILMEMBERS COX AND SPADER

THE MOTION PASSED ON A VOTE OF 8 TO 2.

CONSENT AGENDA

The Consent Agenda items were read by title.

- (a) Resolution No. 2005-190 Certifying Levies Upon All Taxable Property Within the City and County of Broomfield for the Year 2006

The recommendation was that Resolution No. 2005-190 be adopted.

Assessor Vickie Brown responded to Council questions regarding special districts and their option to issue a mill levy. It was noted that there are 41 taxing entities for Broomfield residents. Maps showing taxing districts are available at the City and County Building and on Broomfield's web site.

- (b) Resolution No. 2005-181 Approving an Agreement with the Broomfield Economic Development Corporation for Economic Development Services in FY 2006

The recommendation was that Resolution No. 2005-181 be adopted.

It was clarified that 2006 service fees for the City will remain at this year's rate.

- (c) Resolution No. 2005-183 Authorizing Issuance of a City Water Tap to Mile High Water Company

The recommendation was that Resolution No. 2005-183 be adopted.

Todd Maul, 1622 West 152nd Avenue, was present to respond to Council concerns about approving a City water tap for his home.

- (d) Ordinance No. 1827 Repealing Chapter 2-90, Transportation Advisory Committee, of the Broomfield Municipal Code - First Reading

The recommendation was that Ordinance No. 1827 be adopted on First Reading and ordered published in full; that a public hearing on said Ordinance be scheduled for 6:00 p.m., January 10, 2005, in the Council Chambers at the Municipal Building; and that Second and Final Reading on said Ordinance be scheduled for January 10, 2005, following the public hearing.

- (e) Resolution No. 2005-188 Approving the Operating Plan and Budget of the Flatiron Improvement District for Fiscal Year 2006

The recommendation was that Resolution No. 2005-188 be adopted.

Joanne Greek, Executive Director of the Flatiron Improvement District, responded to Council inquiries regarding the new transit system.

COUNCILMEMBER COX MOVED AND COUNCILMEMBER AHRENS SECONDED, THAT AGENDA ITEMS 10(A) THROUGH 10(E), BE ADOPTED. THE MOTION CARRIED UNANIMOUSLY WITH COUNCILMEMBERS AHRENS, BUZEK, COX, ERICKSON, GAISER, KAVERMAN, KENYON, MCCLOSKEY, REYNOLDS, AND SPADER VOTING AYE.

ATTORNEY'S REPORT

No report was given.

MANAGER'S REPORT

- (a) Progress Report - Council's 2005 Priorities - November 2 through December 20, 2005
- (b) City & County Manager's Report - December 20, 2005

Assistant City and County Manager Standbridge advised that per agreement with Pulte Homes, both the southbound and northbound lanes of Lowell Boulevard will be repaved when utilities for the Anthem Subdivision are installed.

City and County Manager Di Ciero advised that Broomfield's passport facility is expected to be active after the first of the year.

SPECIAL REPORTS

There were no Special Reports.

CONVENE AS BROOMFIELD URBAN RENEWAL AUTHORITY

There was no business for the Broomfield Urban Renewal Authority.

ADJOURNMENT

The City Council meeting was adjourned at 7:24 p.m.

APPROVED:

City Clerk Administrative Technician II

Mayor