

FINANCE COMMITTEE MINUTES

A meeting of the Finance Committee was held on Monday, July 6, 2020 via an Electronic meeting, starting at 11:00 A.M. Those in attendance were as follows:

COMMITTEE MEMBERS: Mike Luna, Chairman; Ken Esquibel, Pete Laybourn and Jeff White.

CITY STAFF: Charles Bloom, Planning & Development Director; Robin Lockman, City Treasurer; Tom Cobb, City Engineer; Teresa Moore, Community Recreation & Events Director; Eric Fountain, Mayor's Chief of Staff; TJ Barttelbort, Purchasing Manager; Kris Jones, City Clerk; Vicki Nemecek, Public Works Director; Byron Matthews, Fire and Rescue Department; Amy Gorbey, Civic Center Vender Coordinator; Wes Bay, Deputy City Engineer; Doug Klahn, 1% Construction Manager; Lieutenant David Janes and Officer David Allen, Police Department; Bryan Bell, Fleet Maintenance Manager; Matt Teriault, Landfill Manager; Renae Jording, Transit Director; and Jay Sullivan, Youth Alternatives Director.

OTHERS PRESENT: Mayor Marian Orr; Amber Ash, Downtown Development Authority (DDA) Executive Director; and Tom Coulter, Wyoming Tribune Eagle.

AGENDA ITEMS

12. **ORDINANCE – 2nd READING –** Amending Chapter 5.04, Business Licenses, Generally, and Chapter 5.08, Business License fees, and creating a new Chapter 5.77, Nicotine Product Sales, of Title 5, Business Licenses and Regulations; amending Chapter 8.64, Smoking in Public Places, of Title 8, Health and Safety; and amending Chapter 9.16, Offenses by or Against Minors, of Title 9, Public Peace and Welfare, of the Municipal Code of the City of Cheyenne, Wyoming. (SPONSOR – MR. WHITE)

Mr. White moved to approve on 2nd Reading, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Jeff White, advised amendments to this ordinance are based on legislative changes and a collaboration with entities including the American Heart Association and Cheyenne Regional Medical Center. Officer David Allen, Police Department, made himself available for questions.

18. **RESOLUTION –** Creating a Special District for 'Cheyenne Days – Legendary Nights Events', July 17, 2020 to July 26, 2020, in which the possession of open containers is permitted within the Downtown District Boundaries. (SPONSOR – MR. ROYBAL)

Mr. White moved to adopt, seconded by Mr. Esquibel. Mr. White moved to amend by replacing 12 oz. cups with 16 oz. cups in item #3 in the final WHERAS, seconded by Mr. Esquibel.

Motion to amend carried by unanimous voice vote. Mr. White moved to amend by striking #1, "Paint Slingers 2020-Saturday, July 18, 2020 from 12:00 p.m. to 9:30 p.m. (alcohol serving time-actual event times will be from 10:00 a.m. to 10:00 p.m.) "and renumber under the 2nd WHERAS, seconded by Mr. Laybourn. Motion to amend carried by unanimous voice vote. Main motion as amended carried with Mr. White and Mr. Esquibel voting "YES" and Mr. Laybourn voting "NO".

DISCUSSION: Amber Ash, DDA Executive Director, advised this resolution is similar a to previous resolution adopted allowing open containers in the boundaries of the DDA district for specified dates. Ms. Ash requested consideration be given for an amendment to remove the first event, scheduled for July 18, 2020 and for an amendment to item #3 on the final WHERAS to replace 12oz. cups with 16 oz. cups. Lieutenant David Janes, Police Department, spoke on behalf of Chief Kozak and in support of the change of cup size and advised business's need to be reminded of the stipulations of the resolution including the use of wristbands and that bottled beer sales are not permitted as an open container under the resolution. Upon inquiry, Ms. Ash advised that the determination to hold event in relation to COVID-19 would, in some cases, be up to the private business or entity in conjunction with City/County Health. Ms. Ash explained "Cheyenne Days, Legendary Nights Events" is an umbrella to market multiple events, sponsored by multiple entities during the weeks' time frame and the DDA is still considering their hosting of events. Mr. Laybourn expressed concerns with the size of the entire district's boundaries being considered and suggested defining a smaller area could allow for easier policing. Upon inquiry, Ms. Ash reported conversations with Chief Kozak have been positive and that they agree continuing public education is important including the open container boundary areas.

19. LEASES/CONTRACTS/LEGAL:

- a) Grant Agreement between the City of Cheyenne, Office of Youth Alternatives Foster Grandparent Program and the Wyoming Department of Health, Aging Division in the amount of \$28,272.00 for services provided to the senior volunteers. (State of Wyoming Grant)

Mr. Esquibel excused himself for the remainder of the meeting prior to the vote on item 19 (a) due to a previous employment commitment.

Mr. Laybourn moved to approve in an amount not to exceed \$28,272.00, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Jay Sullivan, Youth Alternatives Director, provided a staff report advised this supplemental grant had been awarded to the previous sponsor and now will be awarded to the new sponsor of the program to offset costs including volunteer training and recognition events. Upon inquiry, Mr. Sullivan advised on changes in services during the COVID -19 pandemic and reported positive results the use of virtual platforms.

- b) Industrial and Economic Development Services Agreement between the City of Cheyenne and the Cheyenne/Laramie County Corporation for Economic Development (LEADS). (General Fund)

Mr. Laybourn moved to approve in an amount not to exceed \$39,860.00, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Robin Lockman, City Treasurer, provided a staff report and advised this annual agreement has decreased from the previous year. Mr. Laybourn expressed his satisfaction with Ms. Hale, CEO of LEADS, voiced support of the agreement.

- c) A Section 5307 COVID-19 Emergency Relief for Operations Grant Agreement between the Federal Transit Administration and the City of Cheyenne to fund Transit operations and purchase of PPE related to COVID-19. (5307 CARES Act Grant)

Mr. White moved to approve in an amount not to exceed \$744,674.00, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Renae Jording, Transit Director, provided a staff report and advised this grant does not require a match and provided a list of PPE to be funded under this grant. Ms. Jording advised that this grant is a 5307 Grant, not associated with the CARES Act. Upon inquiry, Kris Jones, City Clerk, advised that the notation of the CARES Act in the funding source is considered a clerical error and will be corrected on the July 13th City Council agenda.

- d) A Coronavirus Aid Relief, and Economic Security (CARES) Act Grant Agreement between the Federal Transit Administration and the City of Cheyenne to fund Transit operations. (5307 CARES Act Grant)

Mr. White moved to approve in an amount not to exceed \$3,346,241.00, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Renae Jording, Transit Director, provided a staff report and advised this CARES Act grant will be used to fund the transit program for the FY 2021 budget and a portion of FY 2022, noting no match is required.

20. CHANGE ORDERS/CONTRACT MODIFICATIONS

- b) Contract Modification #1 to Contract #7155 Sponsorship Agreement between the City of Cheyenne and Spradley Barr Toyota. (revenue to the City)

Mr. Laybourn moved to approve in an amount not to exceed \$35,000.00, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Teresa Moore, Community Recreation & Events Director, provided a staff report and advised Spradley Barr Toyota will assist in purchasing a film projector in exchange for \$35,000.00 of sponsorship revenue. Mr. Laybourn acknowledged the generosity of the proposal.

- c) Contract Modification #3 to Contract #6885 between the City of Cheyenne and Simon Contractors for the 2018 Mountain Road and 20th Street Pavement Rehabilitation project to provide additional funds for unforeseen preparatory work to the underlying road surface. (2015-2018 1% Sales Tax)

Mr. Laybourn moved to approve in an amount not to exceed \$65,000.00, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Doug Klahn, 1% Construction Manager, provided a staff report and advised unforeseen underlying road surface of 20th Street from Evans to Bent Avenue require additional preparatory work to achieve a quality product. Mr. Laybourn expressed interest in reviewing the contract and proposed contract modifications. Upon inquiry, Mr. Klahn advised this will require an extension of the completion date to July 3, 2020.

21. CONSIDERATION OF BIDS/PURCHASES/REQUESTS FOR PROPOSALS:

- b) Consideration of Bid #E-26-20 for furnishing one (1) new 2020-2021 Motorized Articulated Trash Compactor with straight blade and heavy duty trash guarding for the City of Cheyenne Landfill. (Solid Waste Fund)

Mr. Laybourn moved to accept the bid from Wyoming Machinery Company, Cheyenne, Wyoming, in an amount not to exceed \$483,461.64, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Vicki Nemecek, Public Works Director, provided a staff report and advised this compactor will be used at the landfill and includes an auto-lube system.

- c) Consideration of Bid #E-17-20 for furnishing one Panasonic PT-RZ21K Projector with lens and accessories for the City of Cheyenne Civic Center. (Recreation Program Fund)

Mr. White moved to accept the bid from Brown Note Productions, Thornton, Colorado, in an amount not to exceed \$51,142.86, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Teresa Moore, Community Recreation & Events Director, provided a staff report and advised this equipment will be replacing equipment at the Civic Center. Ms. Moore advised Spradley Barr Toyota and the Civic Center Foundation will split the cost. Ms. Moore reported the Civic Center reopening plan has been completed and approved by the State Health Department. Upon inquiry, TJ Barttelbort, Purchasing Manager, explained the “bid guarantee” portion of the bid process.

- d) Consideration of Bid #S-14-20 for a contract between the City of Cheyenne and Simon Contractors for the Prairie Avenue & Frontier Mall Drive Intersection Project. (2015-2018 1% Sales Tax)

Mr. Laybourn moved to accept the bid from Simon Contractors, Cheyenne, Wyoming, in an amount not to exceed \$1,339,846.50, seconded by Mr. White. Motion carries by unanimous voice vote.

DISCUSSION: Wes Bay, Deputy City Engineer, provided a staff report and advised the intersection will be reconstructed into a modern roundabout. Upon inquiry, Mr. Bay advised the consulting engineer is HDR Engineering and confirmed the completion date of November 15, 2020.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 11:56 A.M.

Submitted by,



Jennifer McClelland
Executive Assistant to the City Council