

FINANCE COMMITTEE MINUTES

Due to the President's Day Holiday, a meeting of the Finance Committee was held instead on Tuesday, February 22, 2022, at the Kiwanis Community House (due to Municipal Building closure) and via electronic meeting, starting at 12:00 p.m. Those in attendance were as follows:

COMMITTEE MEMBERS: Jeff White, Chairman; Dr. Michelle Aldrich; Ken Esquibel; and Richard Johnson.

CITY STAFF: TJ Barttelbort, Purchasing Manager; Robin Lockman, City Treasurer; Brad Brooks, Board of Public Utilities (BOPU) Director; Craig LaVoy, Public Works Deputy Director; Tom Cobb, City Engineer; Stefanie Boster, City Attorney; Chief John Kopper and Division Chief Andrew Dykshorn, Fire and Rescue Department; Charles Bloom, Planning and Development Director; Seth Lloyd, Planning & Development Department; Wes Bay, Deputy City Engineer; Jennifer Brown, City Clerk's Office; Nathan Chapman and Bobby Lamb, Cemetery; Brenda Moureaux, Deputy City Treasurer; Nathaniel Kaufhold and Jacob Ward, BOPU Industrial Pre-Treatment (IPT) Program; Matt Buelow, BOPU Water Reclamation Manager; Vicki Dowdy, BOPU; Julie Anthony, Cheyenne Police Department Victim Assistance Coordinator; Tom Mason, Metropolitan Planning Organization Director; Jason Sanchez, Community Recreation & Events Deputy Director; and Kris Jones, City Clerk.

OTHERS PRESENT: Mayor Patrick Collins; Councilman Pete Laybourn, Ward I; Jim Wasson, Black Hills Energy; Brad Emmons, AVI Engineering; Robin Bocanegra, COMEA Shelter Executive Director; and John Edwards, Saddle Ridge, LLC.

AGENDA ITEMS

9. **ORDINANCE –3rd READING** – Amending Chapter 13.04 – Public Utilities Generally; Chapter 13.08 – Water Service System; Chapter 13.12 – Sewer System; Chapter 13.16 – Storm Sewers; and Chapter 13.20 – Wastewater Treatment & Disposal; of Title 13 – Public Services, of the Code of the City of Cheyenne, Wyoming.

Mr. Esquibel moved to approve on 3rd and final reading, seconded by Dr. Aldrich. Mr. Esquibel moved to amend by substitute dated February 17, 2022, seconded by Dr. Aldrich. Motion to amend carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

DISCUSSION: Brad Brooks, BOPU Director, provided a staff report and advised a proposed substitute includes changes recommended by the Planning & Development Department. Mr. Brooks provided information on the changes which include verbiage related to termination of services based on violations of city ordinance and verbiage related to land which requires water and/or sewer services (as not all lands may require service(s)).

16. **ORDINANCE –2nd READING** – Amending various sections of Chapter 12.20, Cemeteries, of Title 12, Streets, Sidewalks and Public Places, of the Code of the City of Cheyenne pertaining to Cemetery fees. (SPONSOR – MR. WHITE)

Mr. Esquibel moved to approve on 2nd reading, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Jason Sanchez, Community Recreation & Events Deputy Director, provided a staff report and advised the last approved cemetery fee increase occurred in 2009. Mr. Sanchez explained a review of cemetery fees was conducted for a 350-mile radius to help determine the fee increases and upon inquiry provided information related to the burial cost of indigenous individuals. Bobby Lamb, Cemetery, advised State Statue dictates the burial guidelines and fees to be charged for indigenous individuals.

20. **RESOLUTION** – Adopting the revised City of Cheyenne, Wyoming Investment Policy Statement. (SPONSOR – MR. WHITE)

Mr. Esquibel moved to adopt, seconded by Dr. Aldrich. Motion carried by unanimous voice vote.

DISCUSSION: Robin Lockman, City Treasurer, provided a staff report and reviewed the general objectives and guidelines related to activities related to investing City financial assets of all funds. Chairman White and Ms. Lockman expressed appreciation to committee members Mr. Patrick Fleming, Chief Investment Officer for the State of Wyoming, and Mr. Jeffrey Prince, a local investment advisor, for their expertise and assistance with updating the policy statement. Additional discussion included increasing emergency reserves from 90 days to 120 days.

21. **RESOLUTION** – Authorizing the City of Cheyenne to approve and file the Wyoming Division of Victim Services Funding Application State Fiscal Year 2023 and 2024, July 1, 2022 to June 30, 2024. (SPONSOR – MR. WHITE)

Mr. Esquibel moved to adopt, seconded by Dr. Aldrich. Motion carried by unanimous voice vote.

DISCUSSION: Julie Anthony, Cheyenne Police Department Victim Assistance Coordinator, provided a staff report and advised the proposed resolution will allow the Cheyenne Police Department to apply for funds to provide basic, direct services to victims of crime for fiscal years 2023 and 2024 and includes funding for three (3) full time victim advocates within the department. Upon inquiry, Ms. Anthony reported the 20% cash or in-kind match is budgeted in the departments budget.

Dr. Aldrich following discussion and vote on agenda item #21 excused herself for the remainder of the meeting due to a previous employment commitment at 12:56 p.m.

23. **RESOLUTION** – Adopting a fee schedule for Planning and Development projects. (SPONSOR – MR. WHITE)

Mr. Esquibel moved to adopt, seconded by Mr. Johnson. Mr. Esquibel moved to amend Attachment "A" by substitute dated February 22, 2022, seconded by Mr. Johnson. Motion to amend carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

DISCUSSION: Charles Bloom, Planning and Development Director, provided a staff report and a brief history of development fees. Mr. Bloom reported the proposed fees were compiled based on staff time, publication fees, storage requirements, and office overhead. Mr. Bloom reviewed and provided examples of updated fees noting an increase in the departments revenue projection as a result. Dr. Aldrich thanked staff for their efforts and for the background information. Brad Emmons, AVI Engineering, provided an example of a previous project and the impact of the proposed fees on the project and noted he that in his opinion, final and preliminary plat fees for PUD's still wouldn't cover the time staff needs to review those large documents. Additional discussion included publication requirements.

24. RESOLUTION – For Governing Body approval of a one-year Bronze Boot Sponsor relationship between Cheyenne Frontier Days and Miller/Coors for 2022. (SPONSOR – MR. WHITE)

Mr. Esquibel moved to adopt, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Kris Jones, City Clerk, provided a staff report and advised the proposed resolution allows for an extension of the sponsorship due to the cancellation of Cheyenne Frontier Days in 2020. Upon inquiry, Ms. Jones advised she would review the language contained in the resolution as it relates to state statute and the classification of sponsorship.

25. LEASES/CONTRACTS/LEGAL:

- a) Grant of Right-of-Way Easement on City Owned Property, per Exhibit A, between the City of Cheyenne and Cheyenne Light, Fuel and Power Company for a 150' wide right-of-way and easement for construction and maintenance of overhead power facilities. (POSTPONED FROM 02-14-22)

Mr. Esquibel moved to approve, seconded by Mr. Johnson. Mr. Esquibel moved to amend by substitute dated February 18, 2022, seconded by Mr. Johnson. Motion to amend carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

DISCUSSION: Charles Bloom, Planning and Development Director, provided a staff report and provided information on a proposed substitute which includes an increase in fees to \$15 per linear foot for right-of-way and a termination clause. Jim Wasson, Black Hills Energy, supported the substitute and made himself available for questions.

- d) Professional Services Agreement between the City of Cheyenne and Kyle M. Brandon for City Public Defender legal counsel services.

Mr. Esquibel moved to approve in an amount not to exceed \$86,400.00 annually, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Stefanie Boster, City Attorney, provided a staff report and advised the proposed contract will allow her department to hire a public defender, noting the contract is identical in nature to that used previously for contract positions in the city. Ms. Boster noted a savings to the mayor's budget as a result of the contract.

- e) Professional Services Agreement between the City of Cheyenne and Veolia ES Technical Solutions, LLC, for the Hazardous Waste Disposal Services Project. (Solid Waste Fund)

Mr. Esquibel moved approve in an amount not to exceed \$200,000.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Craig LaVoy, Public Works Deputy Director, provided a staff report and advised the proposed contract is for the period of 1-year and will provide services to dispose of household chemical waste accepted by the transfer station.

- f) Professional Services Agreement between the City of Cheyenne and Jones Land Surveying, Inc., for professional Land Surveying Services. (2019-2022 1% Sales Tax)

Mr. Esquibel moved to approve in an amount not to exceed \$25,000.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Wes Bay, Deputy City Engineer, provided a staff report and advised the proposed contract will provide the City with professional land surveying services. Upon inquiry, Mr. Bay was unable to confirm if the contract (and/or the following contract, item #25(g)) would cover the costs associated with surveying related to the upcoming redistricting of City Council Ward boundaries.

- g) Professional Services Agreement between the City of Cheyenne and Steil Surveying Services, LLC, for professional Land Surveying Services. (2019-2022 1% Sales Tax)

Mr. Esquibel moved to approve in an amount not to exceed \$25,000.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Wes Bay, Deputy City Engineer, provided a staff report and advised the proposed contract will provide the City with professional land surveying services.

26. CHANGE ORDERS/CONTRACT MODIFICATIONS:

- c) Contract Modification #1 to Contract #7118 for the Memorandum of Understanding between the City of Cheyenne and Saddle Ridge, LLC, to outline the responsibilities for the donation of land and for the management of a multi-purpose non-motorized pedestrian and bicycle pathway, park and landscape amenities in a portion of Saddle Ridge, 7th and 9th Filings. (Community Facility Fees)

Mr. Esquibel moved to approve, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Jason Sanchez, Community Recreation & Events Deputy Director, provided a staff report and advised the proposed modification will extend the completion date from December 31, 2021, to December 31, 2022, due to delays related to the Covid-19 pandemic. John Edwards, Saddle Ridge, LLC, thanked the committee for consideration made himself available for any questions on this item and the following item, #26(d).

- d) Contract Modification #1 to Contract #7119 for the Memorandum of Understanding between the City of Cheyenne and WJE, LLC, to outline the responsibilities for the donation of land and for the management of a multi-purpose non-motorized pedestrian and bicycle pathway, park and landscape amenities in a portion of Saddle Ridge, 8th, 9th, 10th, 11th, 12th and 13th Filings. (Community Facility Fees)

Mr. Esquibel moved to approve, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Jason Sanchez, Community Recreation & Events Deputy Director, provided a staff report and advised the proposed modification will extend the completion date from December 31, 2021, to December 31, 2022, due to delays related to the Covid-19 pandemic.

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

- d) Consideration of Bid #E-11-22 for furnishing eight (8) light poles (17th Street Lighting), for the City of Cheyenne, Engineering Department. (Specific Purpose Sales Tax)

Mr. Esquibel moved to accept the bid from Cheyenne Winlectric Company, Cheyenne, Wyoming, in an amount not to exceed \$140,576.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Tom Cobb, City Engineer, provided a staff report and advised the proposed bid will complete the 17th Street Lighting Project between Carey and Pioneer Avenues.

29. OTHER BUSINESS:

- a) Contract between the City of Cheyenne and the Comea Shelter granting a subaward to be used to increase available emergency housing and temporary shelter to support Cheyenne's homeless population. (Coronavirus State and Local Fiscal Recovery Funds)

Mr. Esquibel moved to approve in an amount not to exceed \$650,000.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Stefanie Boster, City Attorney, provided a staff report and advised the proposed contract will create a partnership with the Comea Shelter to purchase additional shelter space to address the surge in the City's homeless population. Mayor Patrick Collins noted this project as one of the top seven (7) goals recently set by the governing body.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 1:22 p.m.

Submitted by,



Jennifer McClelland
Executive Assistant to the City Council