

## RECORD OF PROCEEDINGS

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*Town of Estes Park, Larimer County, Colorado, June 12, 2003.*

Minutes of a Regular meeting of the **UTILITIES COMMITTEE** of the Town of Estes Park, Larimer County, Colorado. Meeting held in the Municipal Building in said Town of Estes Park on the 12<sup>th</sup> day of June, 2003.

Committee: Chairman Jeffrey-Clark, Trustees Gillette and Newsom

Attending: Chairman Jeffrey-Clark and Trustee Gillette

Also Attending: Town Administrator Widmer, Public Works Director Linnane, Utilities Supt. Goehring, Town Attorney White, and Deputy Town Clerk van Deutekom

Absent: Trustee Newsom

Chairman Jeffrey-Clark called the meeting to order at 8:00 a.m.

### **LIGHT AND POWER DEPT.**

**2003 Christmas Decoration Installation – Request Approval of Bid.** Director Linnane reported that the annual Christmas Decoration Project includes:

- 1) Setting up and taking down the Christmas figure displays.
- 2) Installing and removing the downtown “twinkle” lights.
- 3) Installing and removing the metal rebar pine tree decorations with lights along the highways.
- 4) Installing and removing the multi-colored lights in the large pine trees in Bond Park.
- 5) Maintenance associated with wind and other elements from November through the middle of February.

Staff requested an optional price to install and maintain the twinkle lights on a year-round basis. The bids included performance bonding, but *did not* include the Town-supplied materials estimated at \$15,000. The following bids were received:

	TA ENTERPRISES		ESTES VALLEY HOME & GARDEN CENTER	
	2003	2004	2003	2004
BASE CONTRACT, ITEMS 1-5	\$57,650	\$60,039	\$52,500	\$54,500
YEAR-ROUND TWINKLE LIGHTS	\$95,325	\$98,184	\$8,900	\$8,900

The wide range in bid prices for year-round twinkle lights suggests uncertainty with maintenance. The extreme wind conditions, summer trees/leaves, and maintenance are not well suited for permanent twinkle lights. Staff does not recommend this option.

Director Linnane explained that performing the project in-house and/or hiring a full-time “decoration” employee would not be practical. The project requires 3-5 employees full-time during decoration set-up and removal. The Light and Power Department’s workload is full assisting developers and citizens with construction of private service projects and maintaining the power lines and facilities. The manpower and equipment that would be dedicated to this project is better spent on these electric system projects.

As reported at the May meeting, the Barlow Plaza area decoration and the Davis Hill decoration will not be installed this year due to their poor condition. The Santa figure will be relocated from the Knoll property to the Chamber’s Visitor Center property. Trustee Gillette stated support for religious-themed Christmas decorations.

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The 2003 Budget includes \$57,750 for this project. The cost of the project is as follows:

\$ 52,500	Estes Valley Home and Garden Center base bid
<u>15,000</u>	Material
\$ 67,500	Total

Staff recommends funding the \$9,750 deficiency from the capital account for vehicles.

Discussion was held regarding repair and continued use of the Davis Hill and Barlow Plaza displays. Both are scheduled to be reinstalled in 2004. Concluding all discussion, the **Committee recommends approval of the bid in the amount of \$52,500 submitted by Estes Valley Home and Garden Center, with the \$9,750 deficiency to be funded as outlined above.**

**Community Programming Channel 39 – Request to terminate RFP Process.** Staff received bids from two contractors to operate Channel 39. Following an objection by Charter Communications regarding commercial advertising, Attorney White recommended discontinuation of the RFP solicitation to explore other means of providing community programming. Under the franchise agreement, if the Town is not satisfied with the community programming provided by Charter, Charter will furnish the equipment necessary for the Town to offer its own programming. This community programming can be supported by the sale of advertising, grants, or sponsorship so long as the Town only recovers its cost in providing the community programming.

In terms of Channel 39 operations, the Town could:

- 1) Renegotiate a contract with Charter whereas Charter itemizes a cost on their billing to be used for the sole purpose of funding the operation of a Public/Educational/Governmental (PEG) Channel. The Town would be responsible for these extra costs.  

**OR**
- 2) The Town could operate Channel 39 with an existing in-house employee (adjusted job responsibilities) and/or by an additional employee possibly projected for the Enterprise fund/computer area.  

**OR**
- 3) Proceed with the RFP process and continue with the possibility of commercial advertising support.

Areas discussed include Franchise Agreement expiration, channel availability, franchise requirements, federal regulations, and lack of programming reports and difficulties communicating with Charter representatives.

Nick Mollé/Nick Mollé Productions explained that this type of service is expensive. He is willing to work with Charter and the Town to provide cost effective community programming.

**The Committee recommends the formation of a steering committee (Chaired by Attorney White) to further explore this issue, returning to the Committee for further consideration.**

**Citizen Request to Underground Electric Service at Town Expense.** Since 2000, George and Dorothy Gibbs (homeowners) have requested that the Town fund the undergrounding of an electric service line across their property. Town policy does not provide funding private underground projects. After approximately two years of meetings with the homeowners, a previous staff member reluctantly agreed to underground the service at Town expense in exchange for an easement for the line. The homeowners would not agree to dedicate an easement along the existing overhead location. Instead, they dedicated an easement along the existing lot and fence lines. Agreements such as this are usually reviewed and approved at the Town Board level, not staff level, since Town

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policy is not to fund private service line underground projects. According to Attorney White, an agreement may exist and approval of Town funds for the this project will not set precedence resulting in a change of policy. This is a unique situation involving a lengthy staff level agreement issue.

Staff has examined the property and determined that an alternate route along an existing pedestrian and horse trail located close to the fence line route would result in damage to fewer trees and eliminate disruption of a currently “non-disturbed” vegetated area. It is also 50 feet shorter in length. The horse trail route and use is prescriptive and is not exclusive. Utilities can be located along the route. Construction activities can accommodate the users of the trail with minimal disturbance. A PowerPoint presentation clearly depicted that less damage to trees and vegetation would result along the horse trail location and would be less expensive. The homeowners would not agree to the new location, therefore, the **Committee directed staff to consult with George and Dorothy Gibbs and return for further consideration.**

#### Reports

- Monthly Financial Report. The Light and Power Financial Reports and associated graphs for May were reviewed.
- Black & Veatch Financial Plan Update. Staff submitted a 5-Year Capital Improvement Plan to Black & Veatch. A rough draft is anticipated mid-July. The final report will be presented at the August meeting.
- 3Com Corporation Grant Application. The Town did not receive this grant funding.
- Platte River Power Authority. PRPA rates will increase by 3.9% next year.
- Vehicle Replacement Policy. At the March Utilities Committee meeting, staff was requested to review the Vehicle Replacement Policy. Fleet Supt. Mahany presented a comparison of other municipalities’ policies. The Town’s policy meets current industry standards and no changes are recommended.
- Misc. Projects Update.
  - 1) MacGregor Ranch Project – Bill Van Horn requested staff re-budget funds in 2004 to complete the underground project.
  - 2) Cable Service to Uplands Residents. Cable service to this subdivision remains unavailable. The **Committee recommends Attorney White prepare a letter to Charter Communications regarding their failure to provide cable service to this annexed subdivision as outlined in the Franchise Agreement.** Town Administrator Widmer noted that this service is not negotiable and should be provided immediately.
  - 3) Light and Power Storage Building – construction of concrete pad for transformer inventory has been completed.
  - 4) Hwy. 34/36 Street Light Project – complete.

#### WATER DEPT.

**CBT Water Transfer Update.** Attorney White briefed the Committee on the CBT water rental program. A rental rate of \$450 per acre foot is being charged and rental requests are exceeding expectations. As of this date, over \$40,000 in rental fees for the CBT water has been collected from individual parties and a local municipality.

#### Reports

- Monthly Financial Report. The Water Financial Reports were reviewed.
- Black & Veatch Water Rate Study Update. A rough draft has been submitted. Staff submitted comments to Black & Veatch and their report is scheduled for presentation at the August meeting.
- Misc. projects update
  - 1) Voluntary Water Conservation Report.
  - 2) Annual Residential Chemical Clean-up Day sponsored by the Larimer County Natural Resources and the Water Dept. is scheduled Saturday, June 14<sup>th</sup> from 9:00 a.m. to 2:00 p.m. at 577 Elm Rd.

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- 3) Water Rights Projections Update. Staff projects a minimum of 300 acre feet of unused water in 2003.
- 4) 2002 Water Looping Project – complete except for street repaving.
- 5) Marys Lake Pumping Station – 95% complete.
- 6) Fall River Trail – Phase I complete; Phase II under construction.
- 7) Glacier Creek Filter Upgrade – complete.
- 8) New backhoe and bucket truck have been received.

There being no further business, Chairman Jeffrey-Clark adjourned the meeting at 9:30 a.m.

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Rebecca van Deutekom, CMC, Deputy Town Clerk