

Parks, Recreation & Cultural Services
Memorandum #13-2010

DATE: April 22, 2010

TO: Honorable Mayor Joyce Downing and City Council Members

FROM: Bill Simmons, City Manager *WAS*
Shawn Cordsen, Finance Director *SC*
Amanda Peterson, Parks, Recreation & Cultural Services Director *APP*

SUBJECT: CB-1716, Emergency Appropriation Amendment for Kiwanis Pool

RECOMMENDATION: Attached to this memorandum is an Emergency Ordinance which will allow for an emergency amendment to the appropriation for the Kiwanis Pool Resurfacing Project. This amendment will adjust the budget from \$35,000.00 to \$44,425.00.

This is submitted as an Emergency Ordinance because it is necessary to move forward with the resurfacing as soon as possible for the "preservation of public property." If the timeline described below is not adhered to, there will be no way to open the pool on time for the regular season. This will impact planned usage, pool parties, swimming lessons and other programs, as well as result in an inability to meet 2010 projected revenues. The existing surface has exceeded its anticipated usable lifespan. If the pool is opened without resurfacing, there is risk of damage to the underlying concrete structure, which would result in much more costly future repairs.

BACKGROUND: The formal bid process was utilized to accept bids for the resurfacing of Kiwanis Pool. The low bidder was awarded the bid, however, was unable to meet the contract requirements. The low bidder withdrew their bid on April 14, 2010.

The next eligible bid for this project exceeds the budget by \$5,386.00. Again, due to the nature of this project, a 10% contingency is requested. This contingency will not be utilized unless work outside of the scope identified in the contract is found to be necessary.

BUDGET/TIME IMPLICATIONS: There are adequate funds from the Adams County Open Space disbursement in the Capital Projects Fund to cover this expense. Due to the time-sensitive nature of this project, this amendment is presented to you with the request that it be approved as an emergency. To meet the regularly scheduled opening of the pool on May 29, as well meet construction timelines and contractual requirements, it is necessary to issue a Notice to Proceed to the contractor no later than Friday, April 23, 2010.

STAFF REFERENCE:

If Councilmembers have any comments or questions, you may contact Amanda Peterson at apeterson@northglenn.org or at 303.450.8950 or Shawn Cordsen at scordsen@northglenn.org.

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1716
Series of 2010

Series of 2010

A BILL FOR A SPECIAL EMERGENCY ORDINANCE AMENDING THE 2010 BUDGET APPROPRIATING EXPENDITURES BY APPROPRIATION AMENDMENT, FOR THE PAYMENT OF THE COSTS AND EXPENSES OF THE MUNICIPAL GOVERNMENT, AGENCIES AND OFFICES OF THE CITY OF NORTHGLENN, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2010

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT THE 2010 BUDGET SHALL BE AMENDED AS FOLLOWS:

Section 1. Appropriation amendments.

- (a) **Capital Projects Fund. Amend the 2010 Capital Projects Fund budget to increase appropriations in the amount of \$9,425.00 as follows:**

\$9,425.00 for the Kiwanis Pool Resurfacing project.

Recognize a decrease in 2010 Capital Projects Fund ADCOO committed fund balance in the amount of \$9,425.00 represented by the above expenditure estimates.

Section 2. The City Council of the City of Northglenn, Colorado, hereby finds and declares that in making appropriations provided by this ordinance:

- (a) No appropriation for debt service has been reduced or transferred.
- (b) No appropriation has been reduced below any amount required by law to be appropriated.
- (c) No appropriation has been reduced by more than the unencumbered balance thereof.
- (d) In the case of each transfer of all or part of any unencumbered appropriation, such transfer has been requested and approved by the City Manager.
- (e) In the case of each reduction of an appropriation, the City Manager has rendered his report and recommendations thereon and has requested and approved such reduction.
- (f) In the case of the appropriation amendment, the City Manager has certified that there are funds available for appropriation.

Section 3. Emergency Ordinance. The City Council finds and determines that an emergency exists and that this ordinance is necessary for the preservation of public property, health, peace, or safety in that the work funded by this Appropriation Amendment must proceed immediately to avoid additional expense and any delay in the Kiwanis Pool Resurfacing Project. Therefore, pursuant to Section 4.11 of the City Charter, this Ordinance and each part, provision and section thereof, shall take effect on first and final reading on April 22, 2010.

PASSED ON FIRST AND FINAL READING THIS _____ DAY OF _____,
2010.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney