

# RECORD OF PROCEEDINGS

## CITY OF LAFAYETTE CITY COUNCIL MEETING

July 17, 2018

### **Call to Order**

The July 17, 2018, City Council Meeting began at 5:38 p.m. in the Council Chambers at Lafayette City Hall located at 1290 South Public Road in Lafayette, Colorado.

### **Roll Call**

Those in attendance included Mayor Christine Berg, Mayor Pro Tem Gustavo Reyna, and Councilors, Stephanie Walton, Alexandra Lynch, and Jamie Harkins. A motion was made by Mayor Pro Tem Reyna and seconded by Councilor Lynch *to excuse Councilors Chelsea Behanna and Merrily Mazza because they have other commitments this evening*. The motion passed unanimously.

Also present were Acting City Administrator Steve McFarland, Police Chief Rick Bashor, City Attorney Dave Williamson, City Clerk Susan Koster, Public Works Director Doug Short, Planning & Building Director Paul Rayl, and Assistant City Administrator / Economic Development Director / Urban Renewal Authority Executive Director Roger Caruso.

### **Adjourn to Executive Session**

A motion was made by Councilor Lynch and seconded by Councilor Walton *to adjourn to executive session according to C.R.S. 24-6-402(4)(e) for determining positions relative to matters that may be subject to negotiations developing strategy for negotiations; and instructing negotiators pertaining to a new city administrator*. The motion passed unanimously.

### **Return to Regular Session**

Mayor Berg said the executive session was concluded at 7:10 p.m. The participants in the session were Mayor Berg, Mayor Pro Tem Reyna and Councilors Harkins, Lynch, and Walton. Also in attendance were City Clerk Koster and City Attorney Williamson.

Mayor Berg asked if any person who participated in the executive session believed that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation in the Open Meetings Law. No one answered in the affirmative.

### **Public Input**

Grant Swift thanked Mayor Pro Tem Reyna for his service to the community.

Ron Spaulding asked for a financial report on the new water park and expressed concerns about the appeal of the 9-Mile Corner judgement including legal costs.

Tom McCurdy asked about progress being made on the Arbordale Acres management issue. Mayor Berg said she would follow up with him. Councilor Lynch asked that the City look into participating in a legal fund that has been established to provide funds for legal services for mobile home parks managed by Kingsley.

Vicki Uhland spoke in opposition to East Boulder County United members shutting down the June, 2018 City Council Meeting. She thanked Council for the steps they are taking to curtail fracking in the city and urged them to prevent future meetings from being shut down by activists.

### **Public Hearing – Baseline Apartments Replat A**

Planning & Building Director Rayl presented the first reading of Ordinance No. 22, Series 2018 / Vacation of Utility, Access, and Drainage Easements / 811 Baseline Apartments Replat A. He said the

ordinance is needed to accommodate amendments to the approved plan for three apartment buildings on Baseline Road. Mayor Berg opened a public hearing at 7:23 p.m. and invited interested persons to come forward. Seeing no one, she closed the hearing. A motion was made by Councilor Lynch and seconded by Mayor Pro Tem Reyna to approve on first reading Ordinance No. 22, Series 2018 as presented. The motion passed unanimously.

### **Solar Gardens**

Assistant City Administrator / Economic Development Director Roger Caruso presented the first reading of Ordinance No. 23, Series 2018 / Lease of City Property to and Commitment to Purchase Renewable Energy from Lafayette Horizon Solar CSC, LLC (“Community Energy Solar”). He said the ordinance authorizes the lease of City property on Horizon Avenue to Horizon CSG, LLC for the construction and operation of a community solar garden. A motion was made by Mayor Pro Tem Reyna and seconded by Councilor Lynch to approve on first reading Ordinance No. 23, Series 2018 as presented. The motion passed unanimously.

### **Silo Subdivision**

Planning & Building Director Paul Rayl presented the first reading of Ordinance No. 24, Series 2018 / Extending Deadlines Associated with Silo Subdivision Final Plan Approval to December 31, 2018. He said the extension provides additional time for the developer to finalize engineering drawings to comply with City specifications. A motion was made by Mayor Pro Tem Reyna and seconded by Councilor Lynch to approve on first reading Ordinance No. 24, Series 2018 as presented. The motion passed unanimously.

### **Peach Festival Street Closures**

A motion was made by Councilor Walton and seconded by Councilor Lynch to approve Resolution No. 2018-26 / Street Closures for Peach Festival. The motion passed unanimously.

### **Hazardous Materials Management**

A motion was made by Councilor Walton and seconded by Councilor Lynch to approve Resolution No. 2018-27 / Approving the Renewal and Amendment of the Intergovernmental Agreement for Hazardous Materials Management / Boulder County. The motion passed unanimously.

### **Consent Agenda**

Mayor Berg read the Consent Agenda:

- F. Minutes of July 3, 2018 City Council Meeting
- G. Second Reading / Ordinance No. 21, Series 2018 / Property Acquisition / Traffic Signal at South Boulder Road and Saratoga
- H. St. James Subdivision Filing No. 1, Replat B / The Peaks Assisted Living
  - 1. Minor Subdivision
  - 2. Site Plan/Architectural Review
- I. Contract / Goose Haven Outlet Ditch Design / Murraysmith Inc.
- J. Contract / Water Council / Johnson & Repucci LLP
- K. Purchase Orders and Amendments

Items H and J were removed from the Consent Agenda for further discussion. A motion was made by Councilor Lynch and seconded by Councilor Walton to approve the remainder of the Consent Agenda. The motion passed unanimously.

**Item H.** Councilor Harkins recused herself from voting due to a conflict of interest arising from a family member's employment at The Peaks. She left the room. A motion was made by Councilor Lynch and seconded by Councilor Walton to approve St. James Subdivision Filing No. 1, Replat B / The Peaks Assisted Living Minor Subdivision and Site Plan/Architectural Review. The motion passed unanimously.

**Item J.** City Attorney Williamson asked Council to approve the terms of compensation in an engagement letter from Johnson & Repucci LLP along with the contract for water counsel. A motion was made by Councilor Lynch and seconded by Mayor Pro Tem Reyna to grant the approval as requested. The motion passed unanimously.

### **Appointment**

A motion was made by Councilor Lynch and seconded by Councilor Walton to appoint John Ciacci as a full member to the Historic Preservation Board for a term ending on August 1, 2022. The motion passed unanimously.

### **Council Reports**

Councilor Reyna approached the lectern. He made several requests for Council consideration:

1. Consensus to have Public Works look at the Cannon Trail Townhouses open space to determine what would be required to make it a park for neighborhood children.
2. Convert the cluster of Cottonwood trees north of Aspinwall (Josephine Commons) to a small memorial park in honor of the Arapahoe tribal members who visited Lafayette earlier this year.
3. Create a plaza east of the police station to commemorate Lafayette's first responders.

Councilors shared their thoughts and best wishes upon the resignation of Mayor Pro Tem Reyna.

City Attorney Williams said that Council should accept Mayor Pro Tem Reyna's resignation at the August 7, 2018 meeting, declare a vacancy, and elect a new Mayor Pro Tem. They should also determine the process they will use in appointing a new councilor. Councilor Lynch said she would like the group to consider a Charter amendment to define the process for filling vacancies.

### **Adjourn**

The meeting adjourned at 8:28 p.m.

**CITY OF LAFAYETTE, COLORADO**

**ATTEST**

\_\_\_\_\_  
Christine Berg, Mayor

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Susan Koster, City Clerk

The minutes herein are a summary of the business conducted at this meeting, not a verbatim transcription. Only the actions taken and the text appearing in quotation marks are verbatim.