

RECORD OF PROCEEDINGS CITY OF LAFAYETTE

CITY COUNCIL MEETING November 4, 2019

Call to Order

The November 4, 2019, City Council Meeting began at 5:32 p.m. in the Council Chamber at Lafayette City Hall, 1290 S. Public Road, Lafayette, Colorado.

Roll Call

Those in attendance included Mayor Alexandra Lynch, Mayor Pro Tem Jamie Harkins, and Councilors JD Mangat, Nicole Samson, Carolyn Cutler, Stephanie Walton, and Chelsea Behanna.

Also present were City Administrator Fritz Sprague, City Clerk Susan Koster, City Attorney Dave Williamson, City Attorney Mary Lynn Macsalka, Deputy Police Chief Brian Rosipajla, Public Works Director Jeff Arthur, Assistant City Administrator Roger Caruso, Director of Parks, Recreation, & Open Space Monte Stevenson, Public Information Officer Debbie Wilmot, Human Resources Director Pam Spring, Acting Fire Chief Dan Garrett, and Planning & Building Director Paul Rayl.

Proclamation

Local historian Frank Archuleta related the story of Rose Lueras and her struggle to obtain equal access for Lafayette's Hispanic community to the City swimming pool in 1934. She did not succeed in her efforts and officials decided to fill the pool with dirt rather than allow interracial swimming. Mayor Lynch read a proclamation naming the pool at Bob L. Burger Recreation Center "The Rose Lueras Pool" and apologized for the City's racist and discriminatory acts of 1934. A motion was made by Mayor Lynch and seconded by Councilor Behanna *to adopt the proclamation as read and approve the naming of the swimming pool "The Rose Lueras Pool"*. The motion passed unanimously. Mayor Lynch said she would like to see the story made known to a wider audience, maybe through the City website or an evening slideshow and public lecture.

Nature Kids Discovery Zone

Public Information Officer Wilmot showed a video taken at the opening of the Nature Kids Discovery Zone, a 2-acre park on the grounds of the Alicia Sanchez International Elementary School. It includes boulders, logs, climbing trees, and wetland features designed to enhance kids' connection with the outdoors and their natural surroundings.

Lafayette Listens

Public Information Officer Wilmot introduced the new online community engagement platform called "Lafayette Listens". It provides a convenient way for residents to share ideas, ask questions, provide input, and learn about ongoing projects. Interactive elements include discussion forums, idea submissions, polls surveys, and crowdsourced mapping

Public Hearings

SoLa Subdivision

Planning and Building Director Rayl presented the first reading of Ordinance No. 36, Series 2019 / Vacating a Portion of Cross-access and Emergency Access Easement within Lot 1A, SoLa Subdivision Filing No. 5 Replat A and Lot 1, SoLa Subdivision Filing No. 5 Replat B, and dedicating a utility easement across a portion of Lot 1A, SoLa Subdivision Filing No. 5 Replat A

Mayor Lynch opened a public hearing at 6:22 p.m. and invited interested parties to come forward. Seeing no one, she closed the hearing. A motion was made by Councilor Cutler and seconded by Councilor Samson to approve on first reading Ordinance No. 36, Series 2019 as presented. The motion passed unanimously.

200 W. Baseline Road Mixed Use Development

A motion was made by Councilor Behanna and seconded by Councilor Cutler to continue the public hearing on the 200 W. Baseline Road Mixed Use Development to the November 19, 2019 Council Meeting. The motion passed unanimously.

Waneka Centennial Farm Open Space Purchase

City Administrator Sprague described the purchase of three parcels of land north and south of Baseline Road just outside the City's eastern border. The approximately 136-acre purchase will consist of the Waneka homestead, agricultural land, and a buffer along Emma Street. Mr. Sprague listed the uses, maintenances responsibilities, access, division of ownership, and the tenant lease at the Waneka Family homestead. He presented three resolutions and ordinance to Council that are needed in order to move the acquisition forward.

At this point, Council invited members of the audience forward to share their comments.

Public Input

Karen Norback, Vicky Uhland, and Grant Swift spoke in support of the Waneka Farm acquisition and thanked Council for their service to the community.

Tonya Briggs requested Council to increase the number of potbelly pigs allowed in Lafayette from one to two.

Jack Varga was advised by Counsel to share his comments about the 200 W. Baseline Mixed Use Development proposal at the November 19, 2019 public hearing or send an email to Council.

Waneka Centennial Farm Open Space Purchase, continued

Council resumed discussion of the Waneka Centennial Farm Open Space Purchase.

A motion was made by Councilor Behanna and seconded by Mayor Pro Tem Harkins to approve Resolution No. 2019-59 / Approving Pre-Annexation Agreement. The motion passed unanimously.

A motion was made by Councilor Behanna and seconded by Councilor Samson to approve Resolution No. 2019-64 / Authorizing Purchase of Waneka Centennial Farm Open Space; and Approving and Accepting the Purchase Agreement, Division of Land, and Lease between the City of Lafayette, Boulder County, and CDA 1, LLC and the Related Documents Thereto. The motion passed unanimously.

A motion was made by Councilor Walton and seconded by Councilor Samson to approve Resolution No. 2019-65 / Authorizing the Purchase of Land from CLW 2, LLC, for Open Space and Authorizing the City Administrator to Execute a Contract to Purchase the Land. The motion passed unanimously.

A motion was made by Mayor Pro Tem Harkins and seconded by Councilor Samson to approve on first reading Ordinance No. 37, Series 2019 / Granting and Approving an Easement to Boulder County for Access to the Waneka Centennial Farm Open Space. The motion passed unanimously.

2020 Budget Items

City Administrator Sprague presented an overview of the 2020 Budget process, timeline, and priorities.

A motion was made by Councilor Samson and seconded by Councilor Cutler to approve the second reading of Ordinance No. 28, Series 2019 / 2020 Budget Appropriation. The motion passed unanimously.

A motion was made by Councilor Walton and seconded by Councilor Samson to approve on second reading Ordinance No. 29, Series 2019 / Setting the Municipal Judge's Salary. The motion passed unanimously.

A motion was made by Councilor Walton and seconded by Councilor Cutler to approve on second reading Ordinance No. 34, Series 2019 / Amending the 2019 Budget, Authorizing Additional Expenditures in the General and Legacy Open Space Funds. The motion passed unanimously.

Finance Director McFarland presented changes in the 2020 Pay Plan, Executive Compensation Plan, and Pay Plan Adjustments and described new positions. A motion was made by Councilor Samson and seconded by Councilor Cutler to approve the 2020 Pay Plan, Executive Compensation Plan, and Pay Plan Adjustments as presented. The motion passed unanimously.

A motion was made by Councilor Behanna and seconded by Councilor Walton to approve Resolution No. 2019-66 / Repayment Arrangements Regarding an Inter-Fund Loan from the General Fund to the Legacy Open Space Fund. The motion passed unanimously.

Ordinances

Parks, Recreation, and Open Space Director Stevenson presented the first reading of First Reading / Ordinance No. 38, Series 2019 / Lease Agreement with Isabelle Farm, LLC / Thomas Open Space Organic Farm. A motion was made by Councilor Samson and seconded by Councilor Cutler to approve the Ordinance on first reading as presented. The motion passed unanimously.

A motion was made by Councilor Walton and seconded by Mayor Pro Tem Harkins to approve on second reading Ordinance No. 32, Series 2019 (as amended) / Amending the Municipal Code / Compliance with Colorado Clean Air Act. The motion passed unanimously.

A motion was made by Councilor Behanna and seconded by Mayor Pro Tem Harkins to approve on second reading Ordinance No 33, Series 2019 (as amended) Filling Vacancies on City Council. The motion passed unanimously.

A motion was made by Councilor Samson and seconded by Councilor Cutler to approve on second reading Second Reading / Ordinance No. 35, Series 2019 / Lease of City Property to Sprint Spectrum L.P. / Installation, Operation, and Maintenance of Wireless Communications, Facilities, and Equipment. The motion passed unanimously.

Acting Fire Chief Garret presented details of an agreement with the City and County of Denver to procure an aeroclave decontamination unit for the Fire Department. A motion was made by Councilor Cutler and seconded by Councilor Walton to approve Resolution No. 2019-67 / Approving an Intergovernmental Agreement (Urban Area Security Initiative) Between the City of Lafayette and the City and County of Denver. The motion passed unanimously.

Proclamations

Councilor Behanna read a proclamation designating November 9, 2019 as **Extra Mile Day**. A motion as made by Councilor Behanna and seconded by Councilor Samson to adopt the proclamation as read. The motion passed unanimously.

Councilor Samson read a proclamation designating November 30, 2019 as **Small Business Saturday**. A motion was made by Councilor Samson and seconded by Councilor Cutler to adopt the proclamation as read. The motion passed unanimously.

Consent Agenda

Mayor Lynch read the consent agenda.

S. Minutes of the October 15, 2019 City Council Meeting

T. Minutes of the October 21, 2019 City Council Workshop

U. Second Reading / Ordinance No. 30, Series 2019 / Extending Oil and Gas Moratorium

V. Second Reading / Ordinance No. 31, Series 2019 / Amending Municipal Code Pertaining to Legal Age for Use of Tobacco, Including Electronic Smoking Devices

W. Resolution No. 2019-68 / Sundar Consent and Maintenance Agreement / Dillon Road

X. Resolution 2019-69 / Revising the Structure of Golf Fees for the Indian Peaks Golf Course

Y. Acceptance of Dedication of Permanent and Construction Easements at 211 N. Public Road from Bishop-Layton Holdings, LLC

Z. Purchase Orders and Amendments

Items S, V, and W were removed from the consent agenda for further discussion.

A motion was made by Councilor Cutler and seconded by Councilor Samson to approve the remainder of the consent agenda. The motion passed unanimously.

Item S. A motion was made by Councilor Cutler and seconded by Councilor Samson to approve the minutes of the October 15, 2019 City Council Meeting as amended. The motion passed unanimously.

Item V. A motion was made by Councilor Walton and seconded by Councilor Behanna to approve on second reading Ordinance No. 31, Series 2019 / Amending Municipal Code Pertaining to Legal Age for Use of Tobacco, Including Electronic Smoking Devices. The motion passed 5 to 2, with Councilors Cutler and Samson voting no.

Item W. A motion was made by Councilor Cutler and seconded by Councilor Walton to approve Resolution No. 2019-68 / Sundar Consent and Maintenance Agreement / Dillon Road. The motion passed unanimously.

City Administrator Sprague received Council consent to support the effort to strike down the pre-emption prohibiting local governments from regulating plastics.

Council agreed to consider increasing the number of potbelly pigs allowed per household and requested staff to provide more information regarding number and size limitations.

A motion was made by Mayor Lynch and seconded by Councilor Walton to allocate \$1,200 from Council Contingency to buy a table at the Chocolate Lovers Fling to be held in February of 2020. The motion passed unanimously.

Adjourn to Executive Session

At 8:08 p.m., a motion was made by Mayor Lynch and seconded by Councilor Walton to adjourn to executive session according to C.R.S. 24-6-402(4)(f) to discuss personnel matters pertaining to the City Attorney's Performance Evaluation. The motion passed unanimously.

CITY OF LAFAYETTE, COLORADO

Mayor Alexandra Lynch

ATTEST

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.