



CITY OF FORT LUPTON
CITY COUNCIL/ENTERPRISE BOARDS
REGULAR MEETING AGENDA
Tuesday, July 16, 2024
6:00 PM
130 South McKinley Avenue

Zo Hubbard, Mayor
Valerie Blackston, Ward 1
Chris Ceretto, Ward 2
Carlos Barron, Ward 3
David Crespín, Ward 1
Claud Hanes, Ward 2
Bruce Fitzgerald, Ward 3

You may join in person or join remotely by clicking on:
<https://global.gotomeeting.com/join/353347597>

Call to Order

Pledge of Allegiance

Roll Call

Persons to Address Council - This portion of the Agenda is provided to allow members of the audience to present comments to the City Council. The City Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement or your question may be directed to the appropriate staff member for follow-up. Please limit the time of your comments to three (3) minutes - Mayor Hubbard

Approval of Agenda

Review of Accounts Payables

a. July 16, 2024 Accounts Payable

Consent Agenda - Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Councilmember so requests, in which case the item may be removed/moved from the Consent Agenda.

- a. July 2, 2024 City Council Meeting Minutes
- b. AM 2024-114 Approving Public Works Wastewater Sewer Service Agreement with Luciano Tinajero, Emilia Elvira Munoz Cordero, Judith Vasquez, and Ma Patricia Anaya Rios
- c. AM 2024-115 Approving the Intergovernmental Agreement ("IGA") with Board of County Commissioners of the County of Weld and the Weld County Clerk and Recorder Concerning the Administration of the November 5, 2024, Coordinated Election with the City of Fort Lupton and Designating Maricela Peña as the Election Official for the City
- d. AM 2024-117 Approve a Resolution Establishing the Cybersecurity Maturity Model Certification to Protect the City's Confidential Information Systems
- e. AM 2024-118 Approving a Resolution Ratifying the Mayor's Appointment of the Attached List of Candidates (Exhibit A) to the Youth Advisory Committee for a Term Beginning August 1, 2024 and Ending August 31, 2025 and Designating the City Liaison and Ex-Officio for the Committee
- f. AM 2024-119 Adopting a Resolution Accepting an Annexation Petition and Initiating Annexation Proceedings for an Annexation known as the Lancaster Crossing Annexation Submitted by Baessler Development, LLC as the Representative for Thermo Farms General Partnership, LLC and Setting the Public Hearing for September 3, 2024
- g. AM 2024-120 Adopting a Resolution Accepting an Annexation Petition and Initiating Annexation Proceedings for an Annexation known as the Silver Lining Annexation

Submitted by Silver Lining Investment Group and Setting the Public Hearing for
September 3, 2024

- h. AM 2024-122 Authorize the Mayor to Execute an Agreement for the Sale of NISP to Fort Collins-Loveland Water District and the Related Petition to Northern for a Decrease of Fort Lupton Participation

Information Memorandum

- a. IM 2024-015 Presentation of Final Determination of Petition Sufficiency, to Amend Ordinance No. 2021-1127 to Allow for the Operation of Marijuana Cultivation Facilitates, Products Manufacturing Facilities, Research and Development Facilities, Centralized Distribution Permits, and Off-Premises Storage Facility Permits
- b. IM 2024-016 Presentation of Final Determination of Petition Sufficiency, To Enact a New Wholesale Marijuana Excise Tax on the Sale or Transfer of Unprocessed Retail Marijuana by a Licensed Cultivation Facility
- c. IM 2024-014 Library Director Opening

Action Memorandum

- a. AM 2024-116 Authorizing the Disposal of Unusable Vehicles, Equipment and Miscellaneous Items
- b. AM 2024-121 Adopting an Ordinance Specific Provision of Chapter 19 Metropolitan Districts, Article I General Provisions, Section 19-5 Procedures of the Fort Lupton Municipal Code

Staff Reports

Mayor/Council Reports

Future City Events

- a. July 16, 2024 Upcoming Events

Upcoming Meetings

- a. July 30, 2024 Town Hall Meeting and City Council Special Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
August 6, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
August 13, 2024 Town Hall Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.
August 20, 2024 City Council Meeting, City Hall, 130 S. McKinley Ave. 6:00 p.m.

Adjourn

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
July 16, 2024

The City Council of the City of Fort Lupton met in a regular session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Tuesday, July 16, 2024. Mayor Zo Hubbard called the meeting to order at 6:00 p.m. and invited everyone to join her in the Pledge of Allegiance.

ROLL CALL

Mari Peña, City Clerk, called the roll. Those present were, Mayor Zo Hubbard, Councilmembers, Chris Ceretto, Bruce Fitzgerald, Carlos Barron and Claud Hanes. Councilmembers David Crespin and Valerie Blackston participated remotely.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, Planning Director, Todd Hodges, Chief of Police, William Carnes and City Attorney, Andy Ausmus.

PERSONS TO ADDRESS COUNCIL

There was no one to address the City Council.

APPROVAL OF AGENDA

It was moved by Bruce Fitzgerald and seconded by Carlos Barron to approve the agenda as presented. Motion passed unanimously on voice vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the July 16, 2024, payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

It was moved by Claud Hanes and seconded by Chris Ceretto to approve the Consent Agenda as presented with the following items:

- July 2, 2024 City Council Meeting Minutes
- Approving Public Works Wastewater Sewer Service Agreement with Luciano Tinajero, Emilia Elvira Munoz Cordero, Judith Vasquez, and Ma Patricia Anaya Rios (AM 2024-114)
- Approving the Intergovernmental Agreement ("IGA") with Board of County Commissioners of the County of Weld and the Weld County Clerk and Recorder Concerning the Administration of the November 5, 2024, Coordinated Election with the City of Fort Lupton and Designating Maricela Peña as the Election Official for the City (AM 2024-115)

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- Approve Resolution 2024R034 Establishing the Cybersecurity Maturity AM Model Certification to Protect the City's Confidential Information Systems (AM 2024-11)
- Approving Resolution 2024R035 Ratifying the Mayor's Appointment of the Attached List of Candidates (Exhibit A) to the Youth Advisory Committee for a Term Beginning August 1, 2024 and Ending August 31, 2025 and Designating the City Liaison and Ex-Officio for the Committee (AM 2024-118)
- Adopting Resolution 2024R036 Accepting an Annexation Petition and Initiating Annexation Proceedings for an Annexation known as the Lancaster Crossing Annexation Submitted by Baessler Development, LLC as the Representative for Thermo Farms General Partnership, LLC and Setting the Public Hearing for September 3, 2024 AM (2024-119)
- Adopting Resolution 2024R037 Accepting an Annexation Petition and Initiating Annexation Proceedings for an Annexation known as the Silver Lining Annexation known as the Silver Lining Annexation Submitted by Silver Lining Investment Group and Setting the Public Hearing for September 3, 2024. (AM 2024-120)
- Authorize the Mayor to Execute an Agreement for the Sale of NISP to Fort Collins-Loveland Water District and the Related Petition to Northern for a Decrease of Fort Lupton Participation (AM 2024-122)

Motion passed unanimously on roll call vote.

INFORMATION MEMORANDUM

IM 2024-015 Presentation of Final Determination of Petition Sufficiency, to Amend Ordinance No. 2021-1127 to Allow for the Operation of Marijuana Cultivation Facilities, Products Manufacturing Facilities, Research and Development Facilities, Centralized Distribution Permits, and Off-Premises Storage Facility Permits

IM 2024-016 Presentation of Final Determination of Petition Sufficiency, To Enact a New Wholesale Marijuana Excise Tax on the Sale or Transfer of Unprocessed Retail Marijuana by a Licensed Cultivation Facility

IM 2024-014 Library Director Opening

ACTION MEMORANDUM

AM 2024-116 Authorizing the Disposal of Unusable Vehicles, Equipment and Miscellaneous Items

The City has vehicles, equipment and miscellaneous items from police evidence that are

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deemed unusable by the departments and selling them will generate revenue for the City.

It was moved by Chris Ceretto and seconded by Claud Hanes to authorize the disposal of unusable vehicles, equipment and miscellaneous items. Motion a passed unanimously on roll call vote.

AM 2024-121 Adopting Ordinance Specific Provision of Chapter 19 Metropolitan Districts, Article I General Provisions, Section 19-5 Procedures of the Fort Lupton Municipal Code

The City requested that Special Counsel review the City's special district policy and make recommendations for changes and updates in the policy to conform with recent City special district service plan approvals, legislative changes, and requirements customarily seen in other municipalities for special districts. A confidential, attorney-client privilege memorandum summarizing the changes is provided under separate cover due in order to preserve the privileged nature thereof.

Proposed changes to the City's current policy are reflected in the redline copy of the policy. The primary changes made were to clarify the procedural requirements necessary for processing a service plan and to reflect newly adopted operational requirements. Other changes reflect legislative changes which have occurred since the City's last update of the policy in 2019. Substantive changes are highlighted in the confidential memorandum. A clean copy of the proposed policy, including the recommended changes, is also enclosed and attached to the Ordinance.

The purpose of updating the City's special district policy is to modernize the City's policy and requirements, to update the policy to make it applicable to the current development environment, to reflect changes approved in recent service plan submittals, and to clean up and simplify the language and requirements set forth therein.

The City's corresponding "model service plan" will be updated accordingly for use with future submittals. The implementation of a model service plan has resulted in less staff time for review and comment. Any deviations from that model can be discussed and negotiated with the applicants at the time of submittal and/or at the City Council hearings thereon. Ultimately, the updated policy and resulting model should streamline applications going forward and simplify the City's procedures.

It was moved by Claud Hanes and Carlos Barron to adopt Ordinance 2024-1168 Approving the Special District Policy and Repealing and Replacing in its Entirety Chapter 19 of the Fort Lupton Municipal Code. Motion pass unanimously on roll call vote.

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STAFF REPORTS

City Planner, Magaly Morales-Tejada explained 'Planners in the Park' where the City Planners will be attending events at the parks, to provide information on Planning & Building processes and permitting.

MAYOR/COUNCIL REPORTS

There were no Mayor or Council reports.

FUTURE CITY EVENTS

August 6, 2024 National Night Out, Koshio Park, 1st St. & McKinley Ave.
5:00 p.m. – 8:00 p.m.

August 7, 2024 Coffee with a Cop – Hard Bean Coffee, 107 Dales Place, 8:00 a.m.

UPCOMING MEETINGS

ADJOURNMENT

The meeting adjourned at 6:14 p.m.

Submitted by,


Maricela Peña, City Clerk



Approved by City Council,


Zo Hubbard, Mayor