



**CITY OF FORT LUPTON
SPECIAL MEETING FOLLOWED BY
TOWN HALL MEETING
Tuesday, August 30, 2022
6:00 PM
130 South McKinley Avenue**

**Zo Stieber-Hubbard,
Mayor**
Valerie Blackston, Ward 1
Chris Ceretto, Ward 2
Carlos Barron, Ward 3
David Crespin, 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/851983253>**

Call to Order

Pledge of Allegiance

Roll Call

Action Memorandum

- a. AM 2022-131 Adopting a Resolution Approving the Submission of a Ballot Issue for the November 8, 2022, Coordinated Election, Pertaining to a Retail Marijuana Excise Tax of 1.5% (Tax on Marijuana Grow Operations) with the Rate of Taxation not to Exceed 4%; Setting the Ballot Content
- b. AM 2022-132 Adopting a Resolution to Approve the Submission of a Ballot Issue for the November 8, 2022, Coordinated Election, for an Increase in Debt for an Extension of the Property Tax Mill Levy for the Purpose of Construction of the Expansion of the Recreation Center (Phase II); and Authorization for Payment of the Debt; and Establish the Mill Levy at a Rate Necessary for Payment; and Issuance of General Obligation Bonds or Other Multiple Fiscal Year Obligations on Terms and Conditions, Setting the Ballot Content
- c. Northern Integrated Supply Project, Water Infrastructure Finance and Innovation Act-Letter of Intent

Information Memorandum

- a. IM 2022-012 Dig Deep 2 Month Extension of Initial Services Agreement
- b. IM 2022-013 New Library Facility Change Order

Adjourn

Call to Order

General Discussion – The Town Hall meeting is for the Public to have open discussion with Council regarding any topic. This list is not all-inclusive. The following topics are items to be presented to Council by staff and may or may not be followed by discussion. No transcripts or summary are taken during Town Hall meetings.

- a. Small Business Development Center

- b. Colorado Rangers Intergovernmental Agreement
- c. Padenville Discussion with County
- d. Library Intergovernmental Agreement / New Building
- e. Cottonwood Greens Metro District No. 1 Service Plan Dissolution
- f. Planning Staff Discussion
- g. FAMLI – Colorado Paid Family and Medical Leave Insurance Act

Adjourn

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
August 30, 2022**

The City Council of the City of Fort Lupton met in a special session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Tuesday, August 30, 2022. Mayor Zo Stieber-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 Stieber-Hubbard, Councilmembers, Chris Ceretto, Bruce Fitzgerald, Claud Hanes, David Crespin and Carlos Barron. Councilmember Valerie Blackston participated remotely.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, City Attorney, Andy Ausmus and Finance Director, Leann Perino.

Action Memorandum

AM 2022-131 Adopting a Resolution Approving the Submission of a Ballot Issue for the November 8, 2022, Coordinated Election, Pertaining to a Retail Marijuana Excise Tax of 1.5% (Tax on Marijuana Grow Operations) with the Rate of Taxation not to Exceed 4%; Setting the Ballot Content

The City Council has determined to ask the registered voters whether to impose an excise tax on the first sale or transfer of unprocessed marijuana by a cultivation facility.

At this time, there is no ordinance to allow for cultivation facilities however, the City Council is proposing to add an ordinance.

The Council will determine the excise tax based on:

- The collection and enforcement of the tax by the Finance Department.
- Impacts on the Police Department

The Council has determined to submit the ballot issue at an election of the City, to be held as a coordinated election on November 8, 2022, and to set the title and content of the ballot for the ballot issues to be submitted at the election called by the attached Resolution.

Mayor Stieber-Hubbard amended the title to add the word 'commercial'.

A few Councilmembers addressed concerns for placing the question on the ballot stating that the Council should wait until next year.

It was moved by Carlos Barron and seconded by Bruce Fitzgerald to approve Resolution 2022R056 A RESOLUTION OF THE CITY OF FORT LUPTON APPROVING THE SUBMISSION OF A

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BALLOT ISSUE ON THE NOVEMBER 8, 2022, COORDINATED ELECTION, PERTAINING TO A RETAIL MARIJUANA EXCISE TAX OF 1.5% (TAX ON COMMERCIAL MARIJUANA GROW OPERATIONS) WITH THE RATE OF TAXATION NOT TO EXCEED 4%; SETTING THE TITLES AND CONTENT OF THE BALLOT FOR THE ELECTION. Motion passed on roll call vote with 4 'yes' votes and 3 'no' votes by Claud Hanes, Chris Ceretto and Valerie Blackston.

AM 2022-132 Adopting a Resolution to Approve the Submission of a Ballot Issue for the November 8, 2022, Coordinated Election, for an Increase in Debt for an Extension of the Property Tax Mill Levy for the Purpose of Construction of the Expansion of the Recreation Center (Phase II); and Authorization for Payment of the Debt; and Establish the Mill Levy at a Rate Necessary for Payment; and Issuance of General Obligation Bonds or Other Multiple Fiscal Year Obligations on Terms and Conditions, Setting the Ballot Content

For the purposes of constructing and equipping a Phase Two of the original design of the Fort Lupton Recreation Center, the City would like to ask the voters to extend the taxes that were authorized at the City's election in 2002 that is set to expire December 31, 2022. The original bonds and tax increase was used to fund the construction of the community recreation center. The expansion will mainly include adding a gymnasium, an additional warm water aquatics area, and enlarging the fitness area.

The Recreation Center Director, Monty Schuman, provided the Council with a presentation of the proposed financial budget for the construction of the extension of the recreation center.

It was moved by Bruce Fitzgerald and seconded by Claud Hanes to approve Resolution 2022R057 A RESOLUTION OF THE CITY OF FORT LUPTON APPROVING THE SUBMISSION OF A BALLOT ISSUE ON THE NOVEMBER 8, 2022, COORDINATED ELECTION, FOR AN INCREASE IN DEBT FOR AN EXTENSION OF THE PROPERTY TAX MILL LEVY FOR THE PURPOSE OF CONSTRUCTION OF THE EXPANSION OF THE RECREATION CENTER (PHASE II); AND AUTHORIZATION FOR PAYMENT OF THE DEBT; AND ESTABLISH THE MILL LEVY AT A RATE NECESSARY FOR PAYMENT; AND ISSUANCE OF GENERAL OBLIGATION BONDS OR OTHER MULTIPLE FISCAL YEAR OBLIGATIONS ON TERMS AND CONDITIONS, SETTING THE BALLOT CONTENT. Motion passed unanimously on roll call vote.

Northern Integrated Supply Project, Water Infrastructure Finance and Innovation Act- Letter of Intent

NISP Enterprise is seeking a Water Infrastructure Finance and Innovation Act ("WIFIA") loan as part of its NISP pooled financing program. The letter will be included in the WIFIA application materials, and its purpose is to show the participants support the loan. By signing the letter, the City is not obligated to participate in the pooled financing but allows for the option if wanted when the project gets through approvals.

Additional actions and approvals are required for Fort Lupton to enter into an Allotment Contract and those additional actions and approvals are not guaranteed. This has no current

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financial impact as it is only an avenue being pursued from as a funding source for the project. The City will still need to enter into an allotment contract once the project is through all approvals in order for the City to have a financial obligation to participate in the project.

It was moved by David Crespín and seconded by Valerie Blackston authorizing the Mayor to sign the Northern Integrated Supply Project Letter of Intent for the Water Infrastructure and Innovation Act Application via Northern Colorado Water. Motion passed unanimously on roll call vote.

Information Memorandum

IM 2022-012 Dig Deep 2 Month Extension of Initial Services Agreement

The City contracted with Dig Deep in November of 2021 to provide grant assistance for a 12 month timeline under its current scope. This 2 month extension allows us to finish out the 2022 year under that old scope as staff continues to work with them to identify, prepare and submit for funding opportunities.

This will allow for the 2023 scope of work to be presented later and budgeted in the annual budget process going forward.

IM 2022-013 New Library Facility Change Order

The Library has encountered the first budget changes to the building upon starting construction. These changes are accounted for in the current total budget for the project as voted on by Council. However, they will increase the amount of the contract with GH Phipps, the construction company on the project. These funds will come from the contingency set aside for the project by the project's Owner's Representative, Wember.

The largest added cost of this change is library staff opting into the addition of the optional steel canopy structure. This cost will allow for delay of the decision to purchase the full steel canopy until later in the project's lifecycle or post project completion.

The changes are as follows:

Sanitary sewer changes: \$940.00

The existing sewer was discovered to be a larger size and deeper than shown on the bid plans.

Domestic Water Tie in Elevation: \$5,258.00

The existing water point of connection which was found to be significantly deeper than indicated on the bid documents.

Exterior Canopy in Wall Steel and Foundations: \$16,421.00

Added to project as an alternate. Library staff has opted to pay for this alternate to allow for the exterior steel canopy to be built later in the project's lifecycle or in future years.

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Structural Steel Changes: \$1,263.00

Structural steel changes to allow for the exterior canopy addition.

Credit – Sanitary Connection under Reynolds Street: \$-9,627.00

The sanitary sewer connection is shown under Reynolds Street but was actually located south of the right-of-way.

Steel Connections for Future Canopy: \$3,007.00

8 additional steel connection points to support the future installation of a canopy structure.

Credit – Book Drop: \$-6,755.00

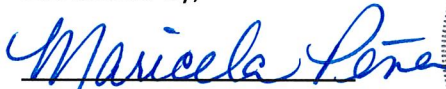
Bibliotheca, the book drop vendor, would not sell to GH Phipps, only a library. HPLD has purchased the book drop and a credit has been issued on the project. Library staff is negotiating with HPLD to see if they will pay for the book drop.

Total budget changes: \$10,507.50

ADJOURNMENT

The meeting adjourned at 6:14 p.m.

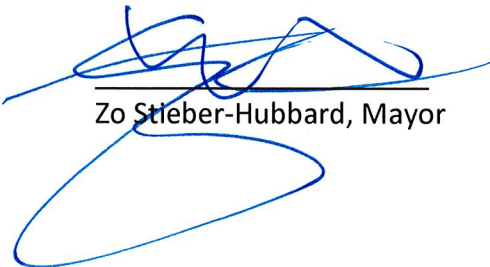
Submitted by,



Marcela Peña, City Clerk



Approved by City Council,



Zo Stieber-Hubbard, Mayor