



# CITY COUNCIL PROCEEDINGS

January 26, 2010

Civic Center  
350 Kimbark Street  
Longmont, CO 80501

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## EXECUTIVE SESSION

The January 26, 2010, Executive Session was called to order by Mayor Bryan Baum at 5:30 p.m. in the City Council Study Session Room.

Those present were: Mayor Bryan Baum, and Councilmembers Brian Hansen, Sarah Levison, Sean McCoy, Alex Sammoury, Gabe Santos and Katie Witt; and City of Longmont staff, Gordon Pedrow, City Manager; Eugene Mei, City Attorney; Jay Rourke, Deputy City Attorney; Dale Rademacher, Director of Public Works and Natural Resources; and, Brad Schol, Planning Manager.

**Councilmember Santos moved, seconded by Levison, to move into Executive Session to receive legal advice on specified legal questions regarding Firestone Annexation litigation. Motion carried: 7-0.**

**Councilmember McCoy moved, seconded by Levison, to adjourn the Executive Session. Motion carried: 7-0.**

The Executive Session adjourned at 7:05 p.m.

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## REGULAR SESSION

The meeting of the Longmont City Council was called to order at 7:05 p.m. by Mayor Bryan Baum in the City Council Chambers.

### 1. ROLL CALL – PLEDGE OF ALLEGIANCE

Valeria Skitt, City Clerk, called the roll. Those present were: Mayor Bryan Baum and Councilmembers Brian Hansen, Sarah Levison, Sean McCoy, Alex Sammoury, Gabe Santos, and Katie Witt.

Mayor Baum led the assembly in reciting the Pledge of Allegiance.

### 2. CHAIR REMINDER TO THE PUBLIC

Mayor Baum reviewed the procedures for Public Invited to be Heard and Public Hearings.

**3. APPROVAL OF MINUTES**

**Councilmember McCoy moved, seconded by Hansen, to approve the minutes of the December 22, 2009, meeting as printed. Motion carried: 7-0.**

**Councilmember Hansen moved, seconded by Hansen, to approve the minutes of the January 5, 2010, meeting as printed. Motion carried: 7-0.**

**4. AGENDA REVISIONS AND SUBMISSION OF DOCUMENTS**

Gordon Pedrow, City Manager, stated that item 11B, Feasibility Study for the Colorado Energy Incubator, was added after the agenda was created and information for that item has been placed on Council's desks.

**5. CITY MANAGER'S REPORT**

There was no report from the City Manager at this time.

**6. SPECIAL REPORTS AND PRESENTATIONS**

**A. Energy Savings Performance Contract Status Update**

Michael Frailey, Energy Services Specialist, provided an overview of the slides that were included in Council's packet pertaining to the Energy Performance Contract, the project financials, and savings projections.

**B. Master Police Officer Craig Mansanares Selected School Resource Officer of the Year by the Colorado Association of School Resource Officers (CASRO)**

Mike Butler, Public Safety Chief, reviewed the background on the City's School Resource Officer program and the selection process.

Craig Mansanares, School Resource Officer, thanked everyone for this honor and the ongoing support from City Council, the community, the School District, peers and family and spoke briefly about what makes an effective School Resource Officer program.

**7. FIRST CALL – PUBLIC INVITED TO BE HEARD**

Mayor Baum read an e-mail sent to Council from Steve King of Nederland in which he apologized for comments he made toward Mayor Baum. The correspondence also included information about the benefits of the Climate Smart Program and the Solar Rebate Program.

Linda J. Lujan-Lopez, 2108 Gay Street, spoke about Constitutional Rights and the Bill of Rights.

Longmont Youth for Equality and League of United Latin American Citizens spoke about what the two groups have done over the last year.

Sonia Marquez, 828 Bross Street, thanked the youth for coming to the Council meeting, and talked about a bill that is in front of the Legislature.

Al Scheopner, 2324 Atwood Street, spoke about locations for HeavenFest.

Brian Jeffries, 4027 Milano Lane, spoke about the Solar Rebate Program.

Dwight Jackson, 621 Deerwood Court, thanked Craig Mansanares for inspiring his kids that attended Skyline High School and also asked about signs that are attached to public poles in Longmont.

Strider Benston, 951 West 17<sup>th</sup> Avenue, #91, quoted from the New York Times regarding the recent Supreme Court decision about corporate donations to campaigns.

Paul Tiger, 452 Dickson Street, stated that he supports Mayor Baum in his effort to move forward and get to the business at hand.

**8. ORDINANCES ON SECOND READING AND PUBLIC HEARINGS ON ANY MATTER**

- A.** Public Hearing on 2010-2014 Regional Consolidated Plan and 2010 Community Development Block Grant (CDBG) Program and HOME Program Action Plan

Kathy Fedler, Community Development Block Grant and Affordable Housing Programs Coordinator, reviewed the item.

Mayor Baum opened a public hearing on this item. There being no one present to address Council on this issue, the public hearing was closed.

**Councilmember Santos moved, seconded by McCoy, to approve the submission of the plan. Motion carried: 7-0.**

- B.** **O-2010-03**, Public Hearing and Second Reading of a Bill for an Ordinance Amending Section 2.04.206 of the Longmont Municipal Code on the Longmont Fair Campaign Practices Act

Gordon Pedrow, City Manager, read the title of the ordinance into the record.

Eugene Mei, City Attorney, reviewed the item, stating that this is the second reading of the ordinance amending the Longmont Fair Campaign Practices Act, and bringing this

matter to Council was one of the elements of the settlement for the lawsuit. Nothing has changed since it was presented on first reading.

Mayor Baum opened a public hearing on this item.

Rick Justice, 1142 Judson Street, spoke about the Longmont Fair Campaign Practices Act, stating that there was too much money spent because of this ordinance.

Chris Rodriguez, 1265 Button Rock Drive, commented that there were nineteen words changed in the ordinance which had nothing to do with transparency, and nothing has changed in terms of what is being reported to the City Clerk.

Paul Tiger, 452 Dickson Street, and an Election Committee Member, spoke about the ordinance.

Strider Benston, 951 W. 17<sup>th</sup> Avenue, #91, and an Election Committee Member, also spoke about the nineteen words that were changed in the ordinance.

There being no one else present to speak on this issue, the public hearing was closed.

**Councilmember Santos moved, seconded by Levison, to adopt Ordinance O-2010-03 on second reading. Motion carried: 7-0.**

**9. CONSENT AGENDA AND INTRODUCTION AND READING BY TITLE OF FIRST READING ORDINANCES**

- A. O-2010-04,** A Bill for an Ordinance Making Additional Appropriations for the Expenses and Liabilities of the City of Longmont for the Fiscal Year Beginning January 1, 2010 (Ordinance introduced and public hearing scheduled for February 9, 2010)
- B. O-2010-05,** A Bill for an Ordinance Amending the 2010 - 2014 Capital Improvement Program (Ordinance introduced and public hearing scheduled for February 9, 2010)
- C. O-2010-06,** A Bill for an Ordinance Authorizing the Water Supply Agreement between the City and Front Range Feedlots, LLC (Ordinance introduced and public hearing scheduled for February 9, 2010)
- D. O-2010-07,** A Bill for an Ordinance Approving the Land Use Amendment to the Longmont Area Comprehensive Plan for Boston Avenue Connection, Generally Located between Price Road and Martin Street (Removed from Consent Agenda for further discussion)
- E. O-2010-08,** A Bill for an Ordinance Amending Section 2.94.020 of the Longmont Municipal Code on the Airport Advisory Board (Ordinance introduced and public hearing scheduled for February 9, 2010)

- F. Support House Bill 10-1107, Concerning Limitations on the Inclusion of Agricultural Land within Urban Renewal Areas (Removed from Consent Agenda for further discussion)
- G. Accept Public Improvements for Prairie Village, 2<sup>nd</sup> Filing, Phases 1 & 2 (Public improvements accepted)
- H. Accept Public Improvements for Prairie Village, 3<sup>rd</sup> Filing, Phase 1 (Public improvements accepted)

Gordon Pedrow, City Manager, read the titles of the ordinances into the record and reviewed all of the items on the consent agenda.

**Councilmember Santos moved, seconded by Sammoury, to adopt the Consent Agenda with the exception of items D and F, which were pulled for additional discussion. Motion carried: 7-0.**

**10. ITEMS REMOVED FROM CONSENT AGENDA**

- D. **O-2010-07**, A Bill for an Ordinance Approving the Land Use Amendment to the Longmont Area Comprehensive Plan for Boston Avenue Connection, Generally Located between Price Road and Martin Street

Ben Ortiz, Planner, reviewed this item, and stated that on line eleven of the ordinance it states September 16, 2009, and 2010. Staff did not catch the 2010 date and need to delete that from the ordinance.

**Councilmember Santos moved, seconded by Levison, to amend O-2010-07, line 11, by striking 2010 and the comma. Motion carried: 7-0.**

**Councilmember Santos moved, seconded by Hansen, to adopt O-2010-07 on first reading as amended. Motion carried: 7-0.**

- F. Support House Bill 10-1107, Concerning Limitations on the Inclusion of Agricultural Land within Urban Renewal Areas

Councilmember Levison questioned how the assessment on a piece of agricultural land would be determined.

Sandra Seader, Assistant to the City Manager, explained that it would be assessed by the County Assessor.

**Councilmember Levison moved, seconded by Hansen to support House Bill 10-1107. Motion carried: 7-0.**

**11. GENERAL BUSINESS**

- A. Board, Committee, and Commission Appointments

Valeria Skitt, City Clerk, introduced this item.

**Councilmember Hansen moved, seconded by Santos, to appoint Mark Flower and Mike Randall as alternate members to the Board of Adjustment and Appeals. Motion carried: 7-0.**

**Councilmember McCoy moved, seconded by Hansen, to appoint Sharon Edwards and Mary Alice Tonkinson as members to the Callahan House Advisory Board. Motion carried: 7-0.**

**Councilmember McCoy moved, seconded by Hansen, to appoint William Powell as a citizen-at-large member to the General Employees' Retirement Pension Board. Motion carried: 7-0.**

**Councilmember Santos moved, seconded by Hansen, to appoint Mary Blue as a community member to the Longmont Area Visitors Association. Motion carried: 6-1 (McCoy dissenting).**

**B. Feasibility Study for the Colorado Energy Incubator**

Sandra Seader, Assistant to the City Manager, reviewed this item and provided background information on the incubator and how the work has progressed to date.

**Councilmember Sammoury moved, seconded by Levison, to approve \$5,000 from Council Contingency with the caveat that, after this award, the city no longer be involved in the process.**

Councilmember Hansen offered a friendly amendment that this item come back to Council and reassess the City's position on this project.

**Councilmembers Sammoury and Levison accepted the friendly amendment. Motion carried: 5-2 (Santos and Witt dissenting).**

**12. FINAL CALL – PUBLIC INVITED TO BE HEARD**

Paul Tiger, 452 Dickson Street, spoke about the Colorado Energy Incubator item.

**13. MAYOR AND COUNCIL COMMENTS**

Councilmember McCoy stated that he has contacted Texas Roadhouse about organizing a "dine-out" to help with the Haiti disaster.

Councilmember Hansen stated that the latest changes to the Board of Environmental Affairs ordinance recommended by Councilmember Sammoury have been done.

**Councilmember Hansen moved, seconded by McCoy, to bring this ordinance back to a Council meeting in the near future. Motion carried: 7-0.**

Councilmember Witt explained that at the Denver Regional Council Of Governments meeting, the construction of Jefferson Parkway was fully supported by all members.

Councilmember Levison stated that she listened to a presentation by the Boulder County Community Foundation called the Boulder County Trends Report and asked Gordon Pedrow, City Manager, to add it to the joint meeting with the school district.

Mayor Baum reminded Council that the Legislative dinner with Brandon Schaffer, Jack Pommer, and Paul Weissman is January 28, 2010, at 6:00 p.m., and reminded the public of Coffee with Council on Saturday, January 30, 2010, at 9:00 a.m. at Ziggi's Coffee House.

**14. CITY MANAGER REMARKS**

Gordon Pedrow, City Manager, reminded Council of the joint meeting with the Boulder County Commissioners on February 2, 2010.

**15. CITY ATTORNEY REMARKS**

The City Attorney had no final remarks.

**16. RETENTION OF RECORDING OF THIS MEETING**

There was no desire expressed to retain the recording of this meeting beyond the normal retention period.

**17. ADJOURN**

There being no further business to come before the City Council, the meeting was adjourned at 9:39 p.m.

CITY OF LONGMONT, COLORADO

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Mayor

ATTEST:

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City Clerk