

#### STATEMENT OF VISION

Lafayette's panoramic view of the Rocky Mountains inspires our view into the future. We value our heritage, our unique neighborhoods, a vibrant economy and active life-styles. We envision a future that mixes small town livability with balanced growth and superior city services.

#### September 3, 2013

# AGENDA

#### 5:30 PM CITY COUNCIL WORKSHOP

#### **I.** 2014 Budget

## 7:30 PM CITY COUNCIL MEETING

#### II. OPENING OF REGULARLY SCHEDULED MEETING

Call to Order Pledge of Allegiance Roll Call

#### III. INNOVATORS IN LAFAYETTE / Rocky Mountain Center for the Musical Arts

#### IV. PRESENTATION

A. Municipal Court Annual Report

#### V. PUBLIC INPUT (AFTER 7:00 PM)

B. ITEMS FROM THE PUBLIC NOT ON THE AGENDA (The public may address any City business, including Consent Agenda items, for which a public hearing is not scheduled later in the meeting.)

#### VI. COUNCIL MINUTES

- C. Workshop Meeting of August 20, 2013
- D. Regular Meeting of August 20, 2013

#### VII. CONSENT AGENDA

- E. Second Reading / Ordinance No. 23, Series 2013 / Extending Existing Moratorium on Recreational Marijuana Uses
- F. Contract / Goose Haven Brokering Services / Doug Tiefel
- G. Budget Review / LURA 2014
- H. Purchase Orders and Amendments

#### VIII. COUNCIL APPOINTMENTS

- I. Lafayette Youth Advisory Board
- J. Public Art Committee

#### IX. REGULARLY SCHEDULED ITEMS

#### Resolution

K. Resolution No. 2013-44 / Setting Ballot Title and Calling Election / Utility Occupation Tax

#### X. STAFF REPORTS

- L. City Attorney's Report
- M. City Administrator's Report
  - 1. Economic Development Agreement / Armstrong Capital Development, LLC / Phase I Coal Creek Sports Center Redevelopment
- N. Public Works South Boulder Road Widening Plan

#### XI. COUNCIL REPORTS

#### XII. ADJOURN TO EXECUTIVE SESSION -

- 1. 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 Lot 2 Lafayette Tech Center, Filing No. 3, Replat H, and
- 2. 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 East Central Boulder County IGA

Memo to: Honorable Mayor Cutler and City Council

Memo from: Gary Klaphake, City Administrator

Bob Wright, Finance Director

Wade Nickerson, Accounting Manager

Date: August 29, 2013 Subject: 2014 Budget

Overview

Staff is presenting the 2014 Budget. Pursuant to City Code, the City Administrator is the City's Budget Officer. I have worked with Department Heads to fashion a budget that meets the goals and needs of the City. Over the years we have controlled the size and growth of City government to stay equal to our tax base or "within our means". We have grown the sales tax base and paid down long term debt. This has created a margin, over and above operating costs, to fund capital projects.

The total 2014 Budget is \$49,219,587 as compared to \$45,531,093 in 2013. For 2014, City-wide revenues are generally flat except for increases in development revenues. Fees and charges will be studied in 2014 with changes effective January 1, 2015.

Payroll will not be adjusted as part of this budget. We have reserved \$345,905 in the General Fund towards a pay plan. We will take up the subject in early 2014 when we close the books for 2013. It takes approx \$115,000 in the General Fund for a 1% adjustment and associated benefit costs. Enterprise payroll costs are posted against their respective enterprise funds. I think other cities will include plus or minus a 3% pay plan.

Health insurance/Kaiser will not increase for 2014. Earlier it was indicated the cost would go up 20% or \$417,292. Effective January of 2014, employers with more than 50 employees will be required to provide Heath Insurance under the Affordable Care Reform. That requirement has been postponed for one year. Under Health Care Reform a full-time employee is now defined as an employee who averages 1560 hours a year or 30 hours a week. Originally we consider 20 employees eligible. Staff re-targeted the number to 13 based on future needs in the workforce. These have been included in the budget at a cost of \$156,000. The amount will fluctuate based on coverage chosen at open enrollment by the employee. We chose to add them at this time due to expectations raised by the Federal Government to employees and it is a good year to take on these costs when Kaiser costs are flat.

No new employees except the three new Firefighters/EMT as scheduled by the separate fire levy.

#### **Community Support Budget**

Attached is a separate exhibit collecting all the community support in the budget of one sheet. We tried to make changes of "what is working and what is not". I will speak to each line item.

Line 1, Youth Advisory. Re-gifting was eliminated.

Line 2, Latino Advisory. Includes Chavez Rally, Cinco de Mayo, and Candidates forum. Re-gifting was eliminated.

Line 3, Energy Sustainability. Included marketing information, grant writing, grant match, and bike racks

Line 4, One Lafayette Legacy. Same funding as 2013 to the Foundation.

Line 5, One Lafayette Annual. Same funding as 2013.

Line 6, Waste Advisory. Funded new bins.

Line 7, Visitability. Use carryover funds from 2013.

Line 8, Historic Association. Same operating funding as 2013.

Line 9, Historic Preservation Board. Funded Education Campaign . No funding for grants program etc...

Line 10, VIA. Increased due to travel needs of Seniors and Josephine Commons.

Line 11, Special Events. Added July 4<sup>th</sup> into this line and \$5,000. for new special event, Good Sam Bike Jam.

Line 12, July 4<sup>th</sup>. Folded into line 11.

Line 13, Home for the Holidays. Not funded.

Line 14, MLK day. Folded into line 1.

Line 15, Art night out expense. Same as 2013 plus \$5,000. for street closure costs.

Line 16, Public Art Committee. Increased by \$5,000. for art on the street costs.

Line 17, Lafayette Cultural Arts Commission. Same funding as 2013.

Line 18, Youth Corp. same funding as 2013.

Line 19, Energy Sustainability Coordinator. Not funded and responsibilities folded into line 3.

Line 20, Senior Advisory Board. No funding for transportation plan rather increased funding for VIA, line 10.

Line 21, Community Support. Small funding for misc costs. Note that Senior Center budget, Meals Program increased by \$27,000. due to more participants/Josephine Commons. Overall funding up.

#### **General Fund Revenues**

Overall tax revenues will increase for 2014 by 5%. We are budgeting for a small increase in Property Tax revenue based on preliminary numbers from Boulder County, although they will not be finalized until mid-December. During 2013, we are projecting Sales Tax revenue to increase about 4% and then remain flat for 2014. The City will continue funding Sales Tax Rebates of \$368,716 as previously outlined in several economic development agreements. Franchise Fees is budgeted to remain the same as in 2013, with adjustments to be made later if necessary. The main reason for the increase in tax revenues is the use tax from building materials. Due to the projected increase in development, we are budgeting for an increase in this one-time revenue of \$288,586 or 77%.

As well as the increase in use tax, there are increases in Construction Permits of \$82,171, 37%; Service Expansion Fees of \$204,344, 205%; and Park Fees of \$385,847, 272% due to the projected increase in development.

We expect intergovernmental revenues, such as Highway Users Tax, to be flat primarily because of the budget constrictions at the State level. Charges for services are budgeted with an increase of approximately 5% overall. Ambulance Fees are expected to stay at the same level as 2013. Recreation Fees remain strong with Recreation Center Admissions and Recreation Center Programs each increasing by \$25,000. Court Fines are down from the previous year by \$100,000 or 13% primarily due to no enforcement on north Highway 287. Overall General Fund revenues are projected at \$23,380,931 as compared to 2013 revenues of \$22,063,642.

#### **General Fund Expenditures**

2014 expenditures are projected at \$23,052,397 as compared to 2013 budgeted expenditures of \$22,126,142.

The line item for Council Contingency remains at \$17,373 as in the previous year.

The Transfer to Capital Projects Fund is budgeted to include the required contribution of \$250,000 as well as an additional \$750,000 to make the total transfer \$1,000,000 for 2014.

Economic Development remains at \$25,000. In order to advance economic development, staff may request additional funds during the year.

Overall the operation budgets are flat with only minor changes in capital purchases. Attached is a schedule that outlines the capital requests and their designations as critical, necessary or beneficial. The schedule also indicates which requests are funded in the budget.

#### Other Fund Highlights

The Ambulance and Fire Fund includes the addition of three new employees as well as increased operating costs for Station #2.

In the Water Fund, Metered Water Sales revenue is increasing 5% due to previously approved ordinances. Water Tap Fees are increasing \$1,489,235 or 180% because of the increase in development. Operating expenditures are increasing for continued ongoing maintenance and repair of the water transmission system.

In the Water Reclamation Fund, Water Reclamation Fee revenue is increasing 10%, also due to previously approved ordinances. Water Reclamation Tap Fees are increasing \$1,018,089 or 190% because of the increase in development. Operation expenditures are increasing for continued ongoing maintenance and repair of the water reclamation system.

The Storm Water Fund revenues are flat as compared to 2013. Operating expenditures are increasing by \$180,000 for neighborhood drainage maintenance.

Golf Course revenues are up about 2% and operating costs are flat for 2014.

The capital outlay requests for the above funds are included in the attached schedule outlining which are funded in the budget.

#### Conclusion

We will review the budget at workshop on September 3<sup>rd</sup> and September 17<sup>th</sup>. At the Council meeting on October 1<sup>st</sup> we will again review the budget and have first reading. On October 15<sup>th</sup> we will have second reading and approval of the 2014 City of Lafayette Budget.

The 2014 Budget has concerns in that revenues are flat and a pay plan is only partially funded. Deferring the pay plan only compounds problems in future labor negotiations. If we find more savings, it should be added to the pay reserve.

I want to thank the Department Heads and specifically Finance Director Wright and Accounting Manager Nickerson for their special effort in organizing all the data.

If you have any questions, contact me directly.

City of Lafayette 2014 Budget Summary August 29, 2013

		Licenses	Inter-	Private Grants	Charges		Other		Use of					Capital	Debt	
	Taxes	& Permits	governmental	& Contributions	for Services	Fines	Revenue	Transfers	Surplus Funds	Total Revenues	Personnel	Supplies	Services	Outlay	Service	Total Expenses
01-General Fund	13,137,545	415,268	952,422	60,532	4,575,486	870,500	146,863	3,222,315	(328,534)	23,052,397						
102-City Council											37,646	3,500	133,066	-	-	174,212
103-Non-departmental											345,905	6,300	1,509,576	11,000	-	1,872,781
106-City Administration											254,315	3,625	191,868	-	-	449,808
107-City Clerk											182,197	1,200	53,612	29,000	-	266,009
141-Human Resources											308,085	2,250	18,468	-	-	328,803
143-Financial Services											494,639	11,350	87,276	-	-	593,265
144-Information Systems											295,165	311,230	232,920	-	-	839,315
150-City Attorney											-	-	248,145	-	-	248,145
155-Municipal Court											142,022	3,833	16,990	-	-	162,845
160-Community Development											911,821	9,400	210,190	_	_	1,131,411
201-Police											4,400,573	154,017	667,365	288,000	_	5,509,955
220-Fire											574,900	130,080	105,474	, <u>-</u>	_	810,454
230-Ambulance											1,175,219	57,010	6,350	_	_	1,238,579
301-Public Works											635,646	184,105	519,720	91,750	_	1,431,221
302-Solid Waste & Recycling											-	25,000	854,433	-	_	879,433
420-Parks, OS & Golf Admin											146,126	2,550	9,125	_	_	157,801
425-Cemeteries											58,332	15,550	38,470	58,000	_	170,352
430-Parks											527,554	155,018	152,034	293,000	_	1,127,606
435-Open Space Maint											163,823	38,285	68,175	40,000	_	310,283
440-Streetscapes											85,328	13,080	36,000	-	_	134,408
520-Rec & Fac Mgmt Admin											297,844	11,175	81,562	_	_	390,581
540-Leisure Services											367,374	86,464	109,667	20,000	_	583,505
550-Recreation Center											1,213,142	176,046	202,457	204,000	_	1,795,645
555-Building Maintenance											256,665	241,722	300,621	39,000	_	838,008
606-Library											880,448	198,314	123,617	10,509	_	1,212,888
660-Senior Services											257,196	22,918	114,970	-	_	395,084
General Fund Totals	13,137,545	415,268	952,422	60,532	4,575,486	870,500	146,863	3,222,315	(328,534)	23,052,397	14,011,965	1,864,022	6,092,151	1,084,259		23,052,397
General Fund Fotals	10,107,040	410,200	552,422	00,002	4,070,400	070,000	140,000	0,222,010	(020,004)	20,002,001	14,011,000	1,004,022	0,002,101	1,004,200		20,002,001
11-Debt Service	1,603,856	-	-	-	-	-	2,406	144,500	-	1,750,762	-	-	10,807	-	1,739,955	1,750,762
12-Ambulance and Fire	1,698,472	-	_	_	_	-	11,463	-	(188,107)	1,521,828						
103-Non-departmental	, ,						•		, , ,	, ,	-	-	825,133	_	_	825,133
220-Fire											-	9,000	10,000	_	_	19,000
230-Ambulance											661,002	6,000	10,693	_	_	677,695
Ambulance and Fire Totals	1,698,472	-	-	-	-	-	11,463	-	(188,107)	1,521,828	661,002	15,000	845,826	-	-	1,521,828
							,		(, - )	,- ,- ,		-,	,			, , , , , , , , , , , , , , , , , , , ,
14-Lafayette City Center GID	95,552	_	_	-	-	-	836	-	-	96,388	-	_	9,888	_	86,500	96,388
15-Exempla GID	73,437	_	_	_	15,988	_	485,509	_	(58,962)	515,972	_	_	17,042	_	498,930	515,972
16-Laf Corp Campus GID	255,607	_	_	_	-,	-	2,972	_	-	258,579	-	_	13,679	_	244,900	258,579
17-Laf Tech Center GID	166,239	_	_	_	_	_	180	_	-	166,419	-	_	11,919	_	154,500	166,419
28-Legacy Open Space	865,277	_	_	_	_	_	10,104	_	(822,270)	53,111	-	_	4,111	49,000	-	53,111
29-Parks, Open Space, & Trails	865,277	-	_	_	_	_	8,094	_	431,474	1,304,845	_	_	819,845	485,000	_	1,304,845
30-Conservation Trust	-	_	245,000	_	_	_	820	_	100,280	346,100	-	61,100	-	285,000	_	346,100
34-Capital Projects	-	-	377,621	-	-	_	31,753	1,200,000	494,626	2,104,000	-	-	540,000	1,564,000	_	2,104,000
, ,			,				•	. ,	,	. ,			,			. ,

# City of Lafayette 2014 Budget Summary August 29, 2013

	Taxes	Licenses & Permits	Inter- governmental	Private Grants & Contributions	Charges for Services	Fines	Other Revenue	Transfers	Use of Surplus Funds	Total Revenues	Personnel	Supplies	Services	Capital Outlay	Debt Service	Total Expenses
41-Water	Taxes	-	governmentar		8,000,683	- 11163	997,461	-	(1,393,195)	7,604,949	1 ersonner	Oupplies	Gervices	Outlay	Gervice	Total Expenses
401-Administration					0,000,000		007,101		(1,000,100)	7,001,010	184,206	920	1,076,423	_	_	1,261,549
402-Source of Supply											95,017	600	296,750	_	-	392,367
403-Treatment											797,952	443,133	468,475	92,000	-	1,801,560
405-Transmission & Dist											493,757	528,450	49,900	204,750	-	1,276,857
701-Const & Capital Improve											, <u>-</u>	· -	, -	1,495,072	-	1,495,072
801-Debt Service											-	-	-	-	1,377,544	1,377,544
Water Fund Totals		-	-	-	8,000,683	-	997,461	-	(1,393,195)	7,604,949	1,570,932	973,103	1,891,548	1,791,822	1,377,544	7,604,949
42-Water Reclamation	-	_	-	-	3,860,372	_	22,868	-	(182,527)	3,700,713						
401-Administration					-,,-		,		( - , - ,	-,,	123,650	-	447,101	_	-	570,751
404-Treatment											514,101	254,375	325,000	200,000	-	1,293,476
451-Collection & Cleaning											421,999	65,650	199,700	129,250	-	816,599
701-Const & Capital Improve											-	-	-	373,000	-	373,000
801-Debt Service											-	-	-	-	646,887	646,887
Water Reclamation Totals	-	-	-	-	3,860,372	-	22,868	-	(182,527)	3,700,713	1,059,750	320,025	971,801	702,250	646,887	3,700,713
43-Storm Water	-	-	-	-	750,000	-	14,580	-	467,841	1,232,421						
401-Administration											25,601	1,500	208,079	-	-	235,180
451-Collection											160,766	53,725	278,500	416,750	-	909,741
701-Const & Capital Improve Storm Water Totals					750,000		14,580		467,841	1,232,421	186,367	55,225	486,579	87,500 504,250		87,500
Storm water rotals	<del>-</del>	-	<u>-</u>	<u>-</u>	750,000	-	14,560	-	407,041	1,232,421	100,307	55,225	460,579	504,250	-	1,232,421
45-Golf Course	-	-	-	-	2,452,695	-	15,631	-	12,801	2,481,127						
420-Parks & Rec Admin											100,944	1,450	350,399	-	-	452,793
470-Golf Course Operations											508,249	191,000	107,250	186,000	-	992,499
480-Club House Operations											330,158	206,720	70,500	110,000	-	717,378
490-Snack Bar Operations											111,299	139,600	1,200	-	-	252,099
701-Const & Capital Improve											-	-	-	-	-	-
801-Debt Service												-	-	-	66,358	66,358
Golf Course Totals		-	-	-	2,452,695	-	15,631	-	12,801	2,481,127	1,050,650	538,770	529,349	296,000	66,358	2,481,127
50-Employee Benefit Plan	-	-	-	-	-	-	10,958	2,497,031	-	2,507,989	-	-	2,507,989	-	-	2,507,989
53-Insurance	-	-	-	-	-	-	20,746	237,764	263,138	521,648	-	-	521,648	-	-	521,648
61-Cemetery Endowment	-	-	-	-	-	-	339	-	-	339	-	-	339	-	-	339
Totals	18,761,262	415,268	1,575,043	60,532	19,655,224	870,500	1,783,583	7,301,610	(1,203,435)	49,219,587	18,540,666	3,827,245	15,274,521	6,761,581	4,815,574	49,219,587

#### City of Lafayette 2014 Budget - Capital Outlay Requests August 29, 2013

	Budget/Source

Enterprise unt Funds	Not <u>Funded</u>
unt <u>Funds</u>	Funded
9,000	
	8,500
	8,000
	16,500
	120,000
	18,750
	138,750
	35,000
	35,000
	15,000
	15,000
0,000	
	50,000
	17,000
	12,000
	12,000
	41,000
	22,000
	22,000
	10,000
	8,000
	60,000
	30,000
	5,800
9,000	432,050

# City of Lafayette 2014 Budget - Capital Outlay Requests August 29, 2013

				Au	gust 29, 201	3					
							Funded in	Budget/Source	)		
					General	Service	Con Tr or	Other Fi		Enterprise	Not
					Ochiciai	OCIVICO	0011 11 01	Desc of Funding	unung	Litterprise	1401
<u>Fund</u>	Dept	<u>Description</u>	C/N/B	<u>Cost</u>	Revenues	<b>Expansion</b>	PRAD	Source	<u>Amount</u>	<u>Funds</u>	Funded
28											
	701	New Trails and Upkeep	С _	49,000				open space	49,000		
		Total Lagacy Fund		49,000					49,000		
29		Total Legacy Fund	=	49,000			-	l	49,000	_	
29	701	Harney/Lastoka Farm	С	35,000				open space	35,000		
	701	Kiosks and Signage	C	100,000				open space	100,000		
		111th Street Underpass	C	200,000				open space	200,000		
		POG Consolidation	Č	150,000				open space	150,000		
			-	485,000	-	-	-	open opene	485,000	-	-
			-	*					,		
		Total Parks, Open Space & Trails Fund	_	485,000	-	-	-		485,000	-	-
30			_								
	550	Waneka Lake Kiosks	C/N	30,000							30,000
		BBRC 2nd Floor ADA Renovation	С	285,000			285,000				
		T. 10		04-00-			005.55				00.000
		Total Conservation Trust Fund	=	315,000	-	-	285,000		-	-	30,000
34			_	EC					E0.		
	301	111th Street Widening	С	520,000				Cap Proj	520,000		
		Land - 111th Street Streets Maintenance	C	44,000				Cap Proj	44,000		
		Streets Maintenance	· _	1,000,000				Cap Proj	1,000,000		
		Total Capital Projects Fund		1,564,000	_	_	_		1,564,000	_	_
41		Total dapital Frojects Fulla	=	1,504,000					1,304,000		
71	403	Work Truck Replacement	С	30,000						30.000	
		Operations Equipment	Č	40,000						40,000	
		Remote Site Monitoring	Č	22,000						22,000	
		3	-	92,000	-	-	-		-	92,000	-
			_								
	405	Pick Up Truck 1/4	С	8,750						8,750	
		Asphalt Roller Trailer 1/4	С	4,000						4,000	
		Bobcat Toolcat 1/4	С	12,500						12,500	
		Storage Lean-To 1/2	С	75,000						75,000	
		Meter Van	С	38,000						38,000	
		Engineers Truck 1/4	C C	8,750						8,750	
		Inspectors Truck 1/4 New Pavement at Serv Ctr Facilities 1/4	C	7,750 50,000						7,750 50,000	
		Road Grader 1/5	N	40,000						30,000	40,000
		Heavy Equipment Trailer 1/4	N	18,750							18,750
		riouvy Equipment realist 17.	., -	263,500	_	_	_		_	204,750	58,750
			-	*							
	701	Add Planned Water Lines		1,120,000						1,120,000	
		NISP		45,000						45,000	
		Windy Gap	_	330,072						330,072	
			_	1,495,072	-	-	-		-	1,495,072	-
		Total Motor Fund		4.050.570						4 704 000	E0 750
		Total Water Fund	=	1,850,572	-		-			1,791,822	58,750
42	404	Plant I Ingrados	_	E0 000						E0 000	
	404	Plant Upgrades Reconfigure South Aeration Piping	C C	50,000 150,000						50,000 150,000	
		Neconiligate South Aeration Piping	_	200,000	_	_	_			200,000	
			-	200,000						200,000	
	451	Pick Up Truck 1/4	С	8,750						8,750	
		Asphalt Roller Trailer 1/4	Č	4,000						4,000	
		Bobcat Toolcat 1/4	Ċ	12,500						12,500	
		Storage Lean-To 1/4	С	37,500						37,500	
		Engineers Truck 1/4	С	8,750						8,750	
		Inspectors Truck 1/4	С	7,750						7,750	
		New Pavement at Serv Ctr Facilities 1/4	С	50,000						50,000	
		Road Grader 1/5	N	40,000							40,000
		Heavy Equipment Trailer 1/4	Ν _	18,750							18,750
			-	188,000	-	-	-		-	129,250	58,750
								1		i	

373,000

761,000

С

701 Sanitary Main Extensions

Total Water Reclamation Fund

373,000

702,250

58,750

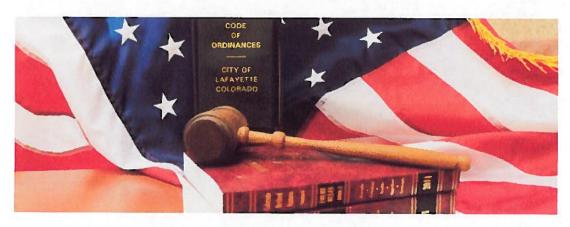
#### City of Lafayette 2014 Budget - Capital Outlay Requests August 29, 2013

Funded in Budget/Source

				General	Service	Con Tr or	Other F	unding	Enterprise	Not
Fund	Dept Description	C/N/B	Cost	Revenues	Expansion	PRAD	Desc of <u>Funding</u> Source	<u>Amount</u>	Funds	<u>Funded</u>
43										
	451 Pick Up Truck 1/4	С	8,750						8,750	
	Asphalt Roller Trailer 1/4	С	4,000						4,000	
	Bobcat Toolcat 1/4	С	12,500						12,500	
	Storm Jet Vac	С	375,000						375,000	
	Engineers Truck 1/4	С	8,750						8,750	
	Inspectors Truck 1/4	С	7,750						7,750	
	Heavy Equipment Trailer 1/4	N	18,750							18,750
			435,500	-	-	-		-	416,750	18,750
	701 Storage Lean-To 1/4	С	37,500						37,500	
	New Pavement at Serv Ctr Facilities 1/4		50,000						50,000	
	New Favement at GetV Off Facilities 1/4	O	87,500	-	-			_	87,500	
									01,000	
	Total Storm Water Fund		523,000	-	-	-		-	504,250	18,750
45										
	470 Utility Carts (10)	С	100,000						100,000	
	Triplex Mowers	С	60,000						60,000	
	Planet Aire Aerator	С	26,000						26,000	
			186,000	-	-	-		-	186,000	
	480 Flat Roof Replacement	С	10,000						10,000	
	Kitchen MAU Replacement	C	25,000						25,000	
	Golf Shop Remodel	Č	75,000						75,000	
	Con Chief Homeac.	· ·	110,000	-		-		-	110,000	-
									•	
	Total Golf Course Fund		296,000	-	-	-		-	296,000	-
GRAN	ND TOTAL									
2.00	Total Citywide Capital		7,359,881	496,250	393,009	411,000		2,167,000	3,294,322	598,300

# City of Lafayette Community Support Detail 2014 Budget

			2014		
	2013	2014	Budget		
	Budget	Budget	Funding		
Description	Amount	Requests	Proposal		
	-				
1) Youth Advisory	\$ 1,500	\$ 7,000	\$ 7,555		
Latino Advisory	7,500	7,000	2,150		
Energy Sustainability	10,000	35,000	17,000		
One Lafayette, Legacy	25,000	25,000	25,000		
5) One Lafayette, Annual	42,000	42,000	42,000		
6) Waste Advisory	500	4,922	1,500		
7) Visitability	10,000	10,000	-		
8) Historic Association	15,000	15,000	15,000		
9) Historic Preservation Board	500	20,000	3,000		
10) VIA	17,500	19,500	19,500		
11) Special Events	43,000	43,000	52,000		
12) July 4th Celebration	4,000	4,000	-		
13) Home for the Holidays	3,000	3,000	-		
14) MLK Day	1,000	1,500	-		
15) Art Night Out	18,000	23,000	23,000		
16) Public Art Committee	20,000	45,000	25,000		
17) Lafayette Cultural Arts Commission	16,450	16,700	16,450		
18) Youth Corps	23,650	23,650	23,500		
19) Energy Sustainability Coordinator	25,000	-	-		
20) Senior Advisory Board	500	10,800	500		
21) Community Support, Senior Services	6,309	-	1,000		
Total	\$290,409	\$356,072	\$274,155		



Lafayette

**Municpal Court** 

Report for 2012

Roger A. Buchholz, Municipal Judge

The following statistical information is provided to Council for the Municipal Court Activity in 2012. The two previous years are provided for comparison. Statistics are also provided for overall number of summons filed over the last eight years. Also provided are the specific numbers for each of the most common ordinance and traffic violations. These specific charges account for approximately 80% of the total traffic charges and ordinance charges. For ordinance violations, I have also provided the number for each that was issued to a "juvenile" (a person under the age of 18). Finally, a line item breakdown is provided showing all categories of receipts by the Court.

In general, the total number of summons filed with the Court was down about 9% from 2011 (7170 vs. 6521). These summons contained a total of 7040 charges to be resolved. Of these, 5802 (82%) were traffic charges. We had 799 ordinance violation charged, campared to 830 in 2011 and 671 in 2010. We had 25 regularly scheduled Court sessions and added one additional day to accommodate trials. We conducted 119 trials to the Court and did not have a jury trial during the year.

In regard to ordinance violations, the overall numbers from 2011 and 2012 were similar. We did end up with a few more assault cases than previous years and there was a large increase in adults charged with harassment. This number was 13 in 2010, 19 in 2011, and 37 in 2012. There was a significant increase in juvenile alcohol and marijuana citations. Also, 148 young people completed the diversion class offered for first time offenders under the age of 21 with alcohol or drug violations. The number of curfew violations dropped drastically from 2011 (61) to 2012 (11).

Revenues received by the Court were down from the previous two years in approximate proportion to the lower number of citations. The Court Receipt Summary shows the various revenue categories that total \$823,856 for 2012. One item that increased from the previous year was the amount of restitution collected. In every case in which a defendant has caused a victim to incur monetary loss, restitution is ordered. This includes such things as medical bills and property damage. In 2012, \$9,483 in restitution was collected and then passed on to victim.

I hope this information will be helpful. I am always interested in hearing from Council if there is different or additional information that we could provide.

# City of Lafayette Municipal Citations Filed

	<u>2005</u>	2006	<u>2007</u>	2008	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>
January	483	316	473	666	982	577	618	541
February	372	337	433	765	847	601	553	460
March	499	602	330	605	793	661	769	736
April	484	629	434	480	535	681	837	525
May	493	721	435	624	691	493	655	589
June	376	619	368	260	548	502	560	511
July	327	902	736	467	635	667	544	492
August	293	1054	927	680	576	712	658	499
September	287	446	696	847	509	757	502	433
October	292	445	662	680	406	471	576	768
November	442	403	357	519	369	520	592	554
December	369	383	298	390	261	401	306	413
Total _	4,717	6,857	6,149	6,983	7,152	7,043	7,170	6,521

General Summary of Court Activities											
	<u>2010</u>	2011	2012								
Summons Filed	7,043	7,170	6,521								
Violations Charged	7,623	7,856	7,040								
Traffic	6,730	6,668	5,802								
Ordinance	671	830	799								
Parking Tickets	222	358	439								
Trials	131	133	119								
Traffic		89	90								
Ordinance		44	29								
Pre-Trials	52	81	57								
Warrants	211	229	179								

Mo.	st Common	Ordinance	Violatio
Ordinance	<u>2010</u>	<u>2011</u>	<u>2012</u>
Animal	99	166	123
Dog at large	76	121	95
Barking	6	9	11
Vicious	17	36	17
Curfew -	27	61	11
Graffiti -	10	2	3
Damage to Property	20	20	14
Juvenile	10	7	3
- Vlarijuana	81	115	115
Juvenile	36	36	52
 Drug Paraphernalia	90	138	129
Juvenile	38	44	49
Alcohol	2	22	68
Juvenile	0	17	37
Diversion _	50	91	148
obacco	34	15	25
Assault	17	16	19
Juvenile	6	9	11
larassment	26	25	41
Juvenile	13	6	4
heft _	19	17	19
Juvenile	7	8	6
hoplifting	31	12	25
Juvenile	6	3	3
isorderly Conduct	51	53	47
Juvenile	18	9	8
isturbing Peace	30	15	19
Juvenile	0	1	1
otal	537	677	658

	Most Common	Traffic Vi	olations	
	<u>2010</u>	<u>2011</u>	2012	
Careless Driving	236	215	203	
No insurance	365	525	378	
Stop Sign	516	678	467	
Stop Light	235	278	272	
Speeding	4134	3533	2897	
Total	5486	5229	4217	
Total Traffic	6730	6668	5802	

## **Court Receipt Summary**

Description	2010	2011	2012
FINE	638,727.29	639,243.77	540,649.00
SURCHARGE FEE	158,825.46	158,855.73	134,187.00
VICTIM SERVICES	60,695.68	62,324.29	53,307.00
COURT COSTS	39,203.72	48,242.27	42,470.00
MAIL IN FEE	17,775.00	22,428.50	19,369.00
RESTITUTION	10,306.81	6,957.36	9,483.00
DFLT JUDGMENT FEE	7,470.00	7,080.00	6,897.00
WARRANT	6,252.54	5,890.96	4,382.00
NPOI FEE	4,180.00	5,300.00	4,600.00
TRL COURT COSTS	2,578.09	2,647.05	2,278.00
OJW FEE	2,510.00	2,849.50	1,620.00
BOND FORFEITURE	2,050.00	918.00	830.00
PROBATION VIOLATION	1,283.49	826.83	1,037.00
IMPOUND	673.33	945.00	905.00
PARKING COURT COST	485.00	560.00	760.00
BOND	145.00	690.00	780.00
DEFERRED	200.00	350.00	150.00
NSF RETURN CHECK NOTICE	305.00	95.00	112.00
SUR CHARGE INCREASE FEE	87.00	187.00	40.00
JURY TRIAL	25.00		
Grand Total	953,778.41	966,391.26	823,856.00

# RECORD OF PROCEEDINGS

# CITY OF LAFAYETTE CITY COUNCIL WORKSHOP

August 20, 2013

#### Call to Order

Mayor Carolyn Cutler called the August 20, 2013 City Council Workshop to order at 6:36 p.m. in the Council Chambers at 1290 South Public Road in Lafayette, Colorado.

Those in attendance were Mayor Carolyn Cutler, Mayor Pro Tem Steve Kracha and Councilors Staci Lupberger, Alexandra Lynch, Christine Berg, Brad Wiesley and Pete d'Oronzio.

Also present were City Administrator Gary Klaphake, Police Chief Rick Bashor and City Clerk Susan Koster.

#### **Police Department Annual Report**

Police Chief Bashor presented the annual report for the Lafayette Police Department, including a profile of department members, crime statistics, new technology and programs and events.

#### Adjournment

Mayor Cutler adjourned the workshop at 7:03 p.m.

	CITY OF LAFAYETTE, COLORADO
ATTEST:	Carolyn D. Cutler, Mayor
Susan Koster, CMC City Clerk	

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

# RECORD OF PROCEEDINGS

# CITY OF LAFAYETTE CITY COUNCIL MEETING

August 20, 2013

#### Call to Order

Mayor Carolyn Cutler called the August 20, 2013 regular City Council Meeting to order at 7:05 p.m. in the City Hall Council Chambers at 1290 S. Public Road, Lafayette, Colorado.

Those present and answering roll call were Mayor Carolyn Cutler, Mayor Pro Tem Steve Kracha and Councilors Alexandra Lynch, Christine Berg, Pete d'Oronzio, Staci Lupberger and Brad Wiesley.

Also in attendance were City Administrator Gary Klaphake; Community Development Director Phillip Patterson, Public Works Director Doug Short, Police Chief Rick Bashor, City Attorney Dave Williamson, Recreation and Facilities Management Director Curt Cheesman, City Clerk Susan Koster and Parks, Open Space and Golf Director Monte Stevenson.

#### **Public Hearings**

#### XCEL FRANCHISE APPROVAL

At 7:08 p.m., Mayor Cutler opened a public hearing for the second reading of <u>Ordinance No. 20</u>, <u>Series 2013</u>, approving the Xcel Franchise, subject to electorate approval. She invited members of the public to speak. Seeing no one, she closed the hearing.

A motion was made by Councilor Lupberger and seconded by Councilor Lynch <u>to approve on second reading Ordinance No. 20 Series 2013 / Xcel Franchise Approval</u>, <u>Subject to Electorate Approval</u>. The motion passed unanimously.

A motion was made by Councilor Lupberger and seconded by Councilor Lynch <u>to approve</u> <u>Resolution No. 2013-40 / Setting Ballot Title and Calling Election / Xcel Franchise Approval</u>. The motion passed unanimously.

BOULDER COUNTY COUNTYWIDE COORDINATED COMPREHENSIVE DEVELOPMENT PLAN
Community Development Director Patterson provided background information about the Super IGA and the requirement that members to the agreement hold a public hearing within 90 days of the IGA's 10th anniversary to determine if the term of the agreement should be extended for another five years. Mr. Patterson said at their July 16, 2013 meeting, Council agreed to give notice of intent to withdraw from the Super IGA as of the 10th anniversary. He recommended that the Super IGA not be extended an additional five years from the date of termination.

Mayor Cutler opened a public hearing at 7:11 p.m. and invited interested parties to speak. Seeing no one, she closed the hearing.

A motion was made by Councilor Lynch and seconded by Councilor Wiesley <u>to give notice that the City will not extend the Boulder County Countywide Coordinated Comprehensive Development Plan (Super IGA) an additional five years from the date of termination.</u> The motion passed unanimously.

Lafayette City Council Meeting August 20, 2013 Page 2

#### **Public Input**

The following individuals spoke in opposition to the booting of vehicles by a private security company in the Arbordale Acres Mobile Home Park:

Tom McCurdy, 809 Robin Cove Sandra Matheney, 729 Meadowlark Drive Roberta Paradine, 714 Bunting Drive

Adam Clayton, 621 N. 96<sup>th</sup> Street, asked about a right-of-way property on Baseline Road.

The following individuals spoke about the language of the ballot issue prohibiting natural gas and oil extraction:

Merrily Mazza, 581 Wild Ridge Lane John Lamb, 590 E. Sutton Circle Amanda Papich, 324 Jasper Peak Court

Eric Ryant, owner of Herbal Wellness at 400 W. South Boulder Road, spoke in opposition to extending the existing moratorium on recreational marijuana uses.

#### **Lafayette Liquor Authority**

RESOLUTION NO. 2013-39 / VFW MILE HIGH POST 1771 – CHANGE OF LOCATION / CLUB LICENSE City Clerk Koster presented an application from the Mile High Post 1771 to change the location of their licensed premise from 105 W. Emma to 110 E. South Boulder Road. She said the club license restricts alcohol service to members and their guests, therefore the needs of the neighborhood are not required for the change of location. She recommended Authority approval of the relocation.

Post Commander Frank McIlwain and Quartermaster Dave Erickson were present to answer questions about the application.

A motion was made by Mayor Pro Tem Kracha and seconded by Councilor Wiesley <u>to approve</u> <u>Resolution No. 2013-39 / Approving a Change of Location for VFW dba VFW Mile High Post 1771 from 105 W. Emma Street to 110 E. South Boulder Road</u>. The motion passed unanimously.

#### CONOCO STORE / CIRCLE K / 3.2% OFF-PREMISES LIQUOR LICENSE TRANSFER

City Clerk Koster presented an application for the transfer of a 3.2% Beer Off-Premises License from Cono-Services Inc., dba Conoco Store / Circle K #2706538 to Convenience Retailers LLC dba Conoco Store / Circle K #6538 located at 209 N. Hwy 287. She said the Cono-Services Inc. is transferring all its liquor licenses to the parent company and this action involves one location in Lafayette.

City Clerk Koster said the transfer does not require a demonstration of the needs and desires of the neighborhood nor does it require a public hearing. She recommended Authority approval of the application. Attorney Brian Proffitt from Foster Graham Milstein & Calisher, Store Manager Steve Pister and Regional Manager Leslie Semple were present to answer questions about the transfer.

Lafayette City Council Meeting August 20, 2013 Page 3

A motion was made by Mayor Pro Tem Kracha and seconded by Councilor Lupberger <u>to approve</u> <u>Resolution No. 2013-41 / Transferring a 3.2% Beer Off-Premises Licenses from Cono-Services Inc.</u> <u>dba Conoco Store / Circle K #2706538 to Convenience Retailers LLC dba Conoco Store / Circle K #6538 located at 290 N. Highway 287</u>. The motion passed unanimously.

Mayor Cutler said Item F has been removed from the agenda.

#### **Council Minutes**

A motion was made by Councilor Lynch and seconded by Councilor Wiesley <u>to approve the</u> <u>minutes of the regular City Council Meeting of August 6</u>, <u>2013 as written</u>. The motion passed unanimously.

#### **Consent Agenda**

Mayor Cutler read the Consent Agenda:

- H. Second Reading / Ordinance No. 21, Series 2013 / Authorizing a Three (3) Year Moratorium on Oil or Natural Gas Activities Within the Lafayette City Limits
- I. Second Reading / Ordinance No. 22, Series 2013 / Amending and Superseding Ordinance No. 16, Series 2013 regarding the Relocation of an Existing PSCo High Pressure Gas Line Easement in Coal Creek Village North Subdivision.
- J. Contract / 2013 City-Wide Street Repair Project / Contractor TBD (Bid opening on the 16<sup>th</sup>, staff report on the 19<sup>th</sup>)
- K. 2013 Open Space and Trails Recommendation to Boulder County
- L. Memorandum of Understanding with Town of Erie / Coal Creek Trail Access
- M. Resolution 2013-42 / to Acquire Property for Drainageway 2 and 111th Street"
- N. Resolution 2013-43 / Appointing the City Clerk as Designated Election Official
- O. Contract / Pool Entryway Tile Project / Silver Contracting
- P. 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 Mayor Pro Tem Kracha *to approve the remainder of the Consent Agenda*. The motion passed unanimously.

#### Item H

Councilor d'Oronzio expressed support for the moratorium because he was not present during first reading. A motion was made by Councilor d'Oronzio and seconded by Councilor Lynch <u>to approve on second reading Ordinance No. 21, Series 2013 / Authorizing a Three (3) Year Moratorium on Oil or Natural Gas Activities Within the Lafayette City Limits.</u> The motion passed unanimously.

#### Item J

A motion was made by Councilor Wiesley and seconded by Mayor Pro Tem Kracha <u>to approve the contract for 2013 City-wide street repairs with Brennan Sand and Gravel</u>. The motion passed unanimously.

Lafayette City Council Meeting August 6, 2013 Page 4

#### **Council Appointment**

A motion was made by Councilor Lynch and seconded by Councilor Lupberger <u>to reappoint John</u> <u>Chinnery to the Lafayette Energy Sustainability Advisory Committee for a three-year term</u>. The motion passed unanimously.

#### **Extending Moratorium on Recreational Marijuana Uses**

City Attorney Williamson presented the first reading of <u>Ordinance No. 23</u>, <u>Series 2013</u> / Extending Existing Moratorium on Recreational Marijuana Uses. Mr. Williamson updated Council on various matters regarding Recreational Marijuana Amendment 64, including a task force created by the Governor to advise the legislature on its implementation.

Mr. Williamson said as a result of the uncertainty caused by the State's failure to address many of the issues brought forth by the task force and other matters of concern, many jurisdictions have opted out of permitting recreational marijuana businesses or enacted or extended moratoriums on such businesses.

City Attorney Williamson said the existing moratorium on recreational marijuana businesses in Lafayette ends October 1, 2013. He recommended that the moratorium be extended until October 1, 2014, to allow the City to monitor and assess the effectiveness of various aspects of implementation in other jurisdictions.

Following discussion, Councilors agreed that the moratorium extension should be six months. A motion was made by Councilor Lynch and seconded by Mayor Pro Tem Kracha <u>to approve on first reading Ordinance No. 23, Series 2013 / Extending the Existing Moratorium on Recreational Marijuana Uses for six months rather than one year.</u> The motion passed unanimously.

#### **November Council Meeting**

A motion was made by Mayor Cutler and seconded by Mayor Pro Tem Kracha <u>to reschedule the November 5, 2013 Council meeting to November 6 due to the election</u>. The motion passed unanimously.

#### Adjournment

M	Iavor	Cutler	adio	urned	the	meeting	at	8:43	o.m.

	CITY OF LAFAYETTE, COLORADO
ATTEST:	Carolyn D. Cutler, Mayor
Susan Koster, CMC City Clerk	

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





# STAFF REPORT

To: Gary Klaphake, City Administrator & & .

From: Douglas Short, P.E., Public Works Director

Bradley S. Dallam, P.E., Assistant City Engineer

Date: August 27, 2013

Subject: Approval of Agreement / Doug Tiefel / Professional Services

**Recommendation:** Approval of a contract with Mr. Doug Tiefel to provide services

relative to the development of the Goose Haven Reservoir Complex.

**Background:** In the 1980's Doug Tiefel under corporate name of Columbine Resources developed the initial reservoirs at Goose Haven, and sold them to the City of Lafayette. Subsequently he has developed property such as the Forrest Park Subdivision, with a continued relationship during the time between those deals. In 2007 the City of Lafayette entered into an agreement with Mr. Tiefel in which we traded assets relative to water resulting in Mr. Tiefel owing the City money. Mr. Tiefel has provided a proposal to provide guidance as a owners representative in the construction of the current reservoir expansion and brokering dirt deals on behalf of the City. Fee's will be \$185 per hour in providing support on the project, for services directed by City Staff, and \$ 0.25 per yard for dirt that he has brokered deals to avoid the cost of paying the current contractor to stockpile the dirt.

**Fiscal Impact:** Dirt that is delivered off site by other contractors saves \$1.95 per yard of funds that the city would have paid the current contractor to stock pile the dirt. Thus when you take out the \$0.25 per yard commission the savings is a net of \$1.70 per yard of dirt. Money budgeted will be saved in account 41-701-9432 (Water Fund, Capital, Raw Water Stororage)

**Attachments:** None



Lafayette Urban Renewal Authority • 1290 S. Public Road • Lafayette, Colorado 80026

#### STAFF REPORT

To: Lafayette City Council

From: Jenn Ooton, Downtown Coordinator

Date: August 23, 2013

RE: Budget Review / LURA 2014

**Background:** Per the 2012 amendments to Lafayette's Urban Renewal Plan, the Lafayette Urban Renewal Authority (LURA) is required to present its proposed annual budget to the Lafayette City Council for the purposes of securing comments or suggestions prior to LURA's adoption of the budget. This memo provides background information on the proposed 2014 LURA budget. The memo is not intended to address every line item within the budget, but does address certain revenue and expenditure issues/items.

#### Revenues:

• The projected revenues include an estimated \$131,464 in property tax and \$92,276 in sales tax.

#### Expenses:

- Maintenance. The proposed \$19,480 includes monies to off set the cost of maintaining Festival Plaza by the Parks, Open Space and Golf Dept. and the Recreation Dept; monies to offset expenses of maintaining new landscaping on Public Road; and \$2,925 for snow removal for the public parking lot at 103 N. Public Road.
- Downtown Development. The proposed \$10,000 is for various downtown development grants. In the past, this line has included \$4,650 for the Downtown Coordinator to use for small events. For the 2014 budget, this amount has been moved into the Miscellaneous Services line. The Downtown Development line item may be amended in the future based on significant projects.
- Public Road Streetscapes. The proposed \$110,000 includes \$45,000 for public and public/private improvements to the Public Road streetscape (including street-tree replacement, landscaping and streetscape furniture improvements); \$5,000 for repairs to existing public improvements; and \$60,000 for the construction of the LED gateway sign at U.S. Highway 287 and Baseline Road. This line item may be amended in the future based on any 2013 carry-over or significant projects.
- Administrative Fee. The \$22,494 is the 10% administration fee paid to the City.

**Fiscal Impact:** The 2014 LURA estimated revenues are \$224,940 and the estimated expenses are \$214,101, which provides for \$10,839 in excess revenues. The projected 2014 beginning fund balance is \$1,123,020 and the projected year end fund balance is \$1,133,859.

**Attachments:** 2014 LURA Budget Worksheet

# Lafayette Urban Renewal Authority 2014 Budget Worksheet

	2012	2013					2014					
			Original							<u>%</u>		
<u>Description</u>	<u>Actual</u>		Budget	Α	dj Budget	<u>Actual</u>	YTD	P	rojection		<u>Budget</u>	Change**
Revenues -												
Property Taxes	\$ 149,484	\$	131,464	\$	131,464	103	,469	\$	131,786	\$	131,464	0.00%
Sales Tax	95,130		44,034		44,034		-		92,276		92,276	109.56%
Misc Revenues	-		-		-		178		-		-	0.00%
Interest Income	3,141		5,400		5,400		692		1,200		1,200	-77.78%
Transfer from General Fund	250,000		-		-		-		-		-	0.00%
	497,755		180,898		180,898	104	,339		225,262		224,940	24.35%
Expenditures -												
Books & Periodicals	207		250		250		-		250		250	0.00%
Operating Supplies	547		250		250		63		250		250	0.00%
Maintenance	8,210		16,555		16,555	6	5,898		16,555		19,480	17.67%
Legal Fees	3,856		10,000		10,000		-		10,000		10,000	0.00%
County Treasurer's Fees	2,738		1,977		1,977	1	,528		1,977		1,977	0.00%
Professional Services	4,137		20,000		20,000		625		20,000		20,000	0.00%
Utilities Expense	3,100		1,500		1,500	1	,106		1,500		1,500	0.00%
Administrative Fee	6,348		18,087		18,087	8	3,428		18,087		22,494	24.37%
Printing & Publishing	45		250		250		244		250		250	0.00%
Memberships & Meetings	771		750		750		79		750		750	0.00%
Transfer to General Fund	45,081		-		-		-		-		-	0.00%
Misc Services	-		1,500		1,500		528		1,500		6,150	310.00%
Downtown Development	12,230		14,650		89,650	2	2,006		89,650		10,000	-31.74%
Public Road Streetscapes	44,287		92,500		92,500	12	,409		92,500		110,000	18.92%
Art Night Out	-		11,000		11,000		-		11,000		11,000	0.00%
	131,557		189,269		264,269	33	,914		264,269		214,101	13.12%
Excess Revenues/(Expenditures)	\$ 366,198	\$	(8,371)	\$	(83,371)	\$ 70	),424	\$	(39,007)	\$	10,839	
Beginning Fund Balance	\$ 795,829	\$	1,162,027	\$	1,162,027	\$ 1,162	2,027	\$ :	1,162,027	\$	1,123,020	
Projected Ending Fund Balance	\$ 1,162,027	\$	1,153,656	\$	1,078,656	\$ 1,232	,451	\$ :	1,123,020	\$	1,133,859	

<sup>\*</sup> Actual year-to-date through 6/30/2013

<sup>\*\* %</sup> Change is from 2013 Original Budget



# **Expenditures For Approval**

September 3, 2013

Library

SirsiDynix \$10,199.00

**Tabletop Modular Self Check Station** 

**Public Works** 

Harcros Chemical, Inc. \$35,000.00

**2013 Water Treatment Chemicals** 

Water Technology Group \$15,738.34

**RAS Pump #1 Flygt Conversion** 



#### RECREATION & FACILITY MANAGEMENT

### **STAFF REPORT**

To: Gary Klaphake, City Administrator

From: Curt Cheesman, Director, Recreation & Facility Management

Date: August 14, 2013

Subject: Appointment of Lafayette Youth Advisory Committee members

**Recommendation:** Staff seeks approval from Council to reappoint the following individuals to the Lafayette Youth Advisory Committee: Theron Crawford, Zack Cusworth, MiaBella DiFiore, Hailey Ettinger, Faun Gulland, Darci Maxwell, Emma Piller, Abby Schmid, and Megan Schmid. Staff also seeks approval to appoint the following individuals to the Lafayette Youth Advisory Committee: Fiona Grimard, Zenida Gutierrez, Kevin McQuirk, Enrique Moctezuma, Lena Morton, Eden Piller, and Kayla Visscher. Appointed members will serve a one-year term, ending August 2014.

#### **Background:**

Members recommended for reappointment have successfully fulfilled one or more yearlong terms. Individuals recommended for an initial term were screened via a candidate interview, written application, and reference check. In order to comply with the city charter regarding appointments, staff seeks Council's approval of this motion.

**Attachments:** None



#### STAFF REPORT

To: Gary Klaphake, City Administrator

From: Susan Booker, Cultural Resources Coordinator

Date: August 27, 2013

Subject: Appointments/Public Art Committee

**Recommendation:** Motion to re-appoint Alan Crandall and Laura Mays, each for a three-year term; as recommended by the Lafayette Public Art Committee.

Background: Alan Crandall's and Laura Mays's terms on the Public Art Committee are expiring. Both wish to continue to serve on the Committee. Alan is a past Chair of the committee and Laura is the current Chair. At the August 13, 2013 Public Art Committee meeting the group unanimously voted to reappoint Alan and Laura.

The Public Art Committee wishes to thank Alan and Laura for continuing commitment to the Lafayette public art programs.

**Fiscal Impact:** None **Attachments:** None

# WILLIAMSON & HAYASHI, LLC ATTORNEYS AT LAW

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DAVID S. WILLIAMSON WILLIAM P. HAYASHI MARY LYNN BENHAM Telephone: 303-443-3100 Fax: 303-443-7835

#### **MEMORANDUM**

TO:

Mayor and City Council

FROM:

Dave Williamson

DATE:

August 28, 2013

RE:

Initiated Charter Amendment/Utility Occupation Tax

On August 6, 2013, the City Clerk's office received a petition requesting that a proposed amendment to the Lafayette Home Rule Charter be submitted to the voters of the City of Lafayette pertaining to a new Utility Occupation Tax. The precise language of the proposed charter amendment is attached hereto for your review and consideration.

The procedure for citizen-initiated charter amendments is governed by state law. On August 27, 2013, the City Clerk certified that the petition was valid and sufficient as to form and as to number of signatures. State law requires that City Council set a "ballot title" for the proposed charter amendment at its regular meeting on September 3, 2013, and refer the matter for an election. A proposed City Council Resolution is attached that would fulfill Council's obligations in this regard.

In acting on the proposed resolution, City Council must approve and incorporate the language of the ballot title. The approved ballot title will be attached as Exhibit A to the resolution. I have attached proposed draft language that Council may wish to incorporate as the ballot title. Of course, Council is not limited to this language and may modify the language, as you deem appropriate. However, because this proposed amendment involves a new tax, inclusion of certain language in the ballot title is required by Article X, Section 20 of the State Constitution (TABOR).

The object of the ballot title is to ensure that the voters are fairly advised and notified as to the import of the proposed amendment. The ballot title must fairly express the true intent and meaning of the proposed amendment and must consist of a brief statement accurately reflecting the meaning of the proposed amendment. It must show the nature of the measure to be voted upon so that the voter may have the opportunity to express his/her preference. The ballot title must be clear and comprehensive. However, verbosity is not required. The full text of the proposed amendment will be published as required by law and need not be included in the ballot title. What is required is some indication to the voter as to what effect the amendment, if approved, will have.

# MEMO RE INITIATED CHARTER AMENDMENT/UTILITY OCCUPATION TAX

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In crafting the ballot title, Council should carefully read the full text of the proposed charter amendment to be certain that the language of the ballot title complies with the above legal standards. Upon carefully reviewing the language of the proposed charter amendment, it is of note that the language does not specifically address or prohibit the process known as hydraulic fracturing.

Copy to Gary Klaphake, Susan Koster, Susan Barker and Phillip Patterson

UTILITY OCCUPATION TAX TO REPLACE LOST FRANCHISE FEE REVENUE SHALL CITY OF LAFAYETTE TAXES BE INCREASED (UP TO \$720,000 IN THE FIRST YEAR) ANNUALLY AND BY SUCH AMOUNTS AS MAY BE COLLECTED THEREAFTER, BY IMPOSING A TAX ON PUBLIC UTILITY COMPANIES TO REPLACE THE THREE PERCENT FRANCHISE FEE IF IT IS NO LONGER COLLECTED BY PUBLIC SERVICE COMPANY OF COLORADO ("XCEL ENERGY") FROM ITS LAFAYETTE CUSTOMERS AND REMITTED TO THE CITY; AND

IN CONNECTION THEREWITH SHALL THE CITY COUNCIL BE AUTHORIZED TO:

- LEVY AND COLLECT THIS TAX TO TAKE EFFECT ON DECEMBER 1, 2013,
- LEVY AND COLLECT THIS TAX UPON PUBLIC UTILITY COMPANIES THAT USE LAFAYETTE STREETS OR DEDICATED UTILITY EASEMENTS, WITHOUT PAYMENT OF A FRANCHISE FEE OR LICENSE FEE, TO DELIVER ELECTRICITY AND NATURAL GAS TO CUSTOMERS WITHIN THE CITY OF LAFAYETTE, AT THE RATE OF \$720,000 PER PUBLIC UTILITY COMPANY ("UTILITY OCCUPATION TAX"),
- INCREASE THE UTILITY OCCUPATION TAX, LIMITED BY THE LESSER OF UP TO THREE PERCENT PER YEAR OR THE AVERAGE OF RATE INCREASES MADE BY COLORADO PUBLIC UTILITY COMPANIES IN THE PREVIOUS YEAR, AND

SHALL THE FULL PROCEEDS OF THIS TAX AT SUCH RATES AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE, ON ENERGY-RELATED PROJECTS AND PURPOSES AT CITY COUNCIL'S DISCRETION WITHIN STATED GENERAL CATEGORIES WHOSE PURPOSE IS TO FURTHER LAFAYETTE'S SUPPORT FOR RENEWABLE ENERGY, ENERGY EFFICIENCY, AND ACTION ON CLIMATE CHANGE, WITH NO MORE THAN HALF OF ANNUAL PROCEEDS BEING SPENT ON ANY ONE OF THE FOLLOWING ACCEPTABLE CATEGORIES:

• (1) THE BUDGET AND PROGRAMS OF THE LAFAYETTE ENERGY SUSTAINABILITY ADVISORY COMMITTEE (LESAC); (2) PROGRAMS AIMED AT REDUCING RESIDENTIAL AND BUSINESS ENERGY CONSUMPTION BY OFFERING ENERGY EFFICIENCY ASSISTANCE, WITH RESIDENTIAL PROGRAMS FOCUSED ON LOW-INCOME LAFAYETTE RESIDENTS; AND (3) RENEWABLE ENERGY PROJECTS INCLUDING INCENTIVIZING RESIDENTIAL AND BUSINESS SOLAR PROJECTS, AND INCLUDING FINANCING OF PROJECTS FOR THE CITY THAT REDUCE THE CITY'S ENERGY CONSUMPTION PERMANENTLY, AND

WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE CITY OF LAFAYETTE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

FOR THE MEASURE	AGAINST THE MEASURE
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#### **CITY OF LAFAYETTE**

#### **RESOLUTION NO. 2013 - 44**

# A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, SUBMITTING TO THE VOTERS A CITIZEN-INITIATED PETITION TO AMEND THE LAFAYETTE HOME RULE CHARTER PERTAINING TO AN OCCUPATION TAX ON UTILITY PROVIDERS

WHEREAS, on August 6, 2013, the City Clerk's office received a petition requesting that a proposed charter amendment be submitted to the voters of the City of Lafayette, said charter amendment pertaining to the imposition of an occupation tax on utility providers ("Proposed Charter Amendment"); and

WHEREAS, on August 27, 2013, the City Clerk certified to City Council that said petition was "valid and sufficient" as to form and number of signatures; and

WHEREAS Section 31-2-210, C.R.S., requires City Council to set a ballot title for the proposed charter amendment and to submit the proposed charter amendment to the voters of the City of Lafayette for their consideration.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, AS FOLLOWS:

<u>Section 1</u>. The proposed charter amendment submitted by the citizen's petition pertaining to the imposition of an occupation tax on utility providers shall be submitted to the voters of the City of Lafayette for their consideration at the regular election to be held on November 5, 2013.

<u>Section 2</u>. The ballot title with respect so said proposed charter amendment, which shall also be the ballot question, shall be read as attached in Exhibit A attached hereto.

<u>Section 3</u>. The City Clerk is directed to publish notice of said election as may be required by law, including the publication of the full text of the proposed amendment.

## ADOPTED THE 3<sup>rd</sup> DAY OF SEPTEMBER 2013.

	CITY OF LAFAYETTE, COLORADO					
	Carolyn D. Cutler, Mayor					
ATTEST:	APPROVED AS TO FORM:					
Susan Koster, CMC, City Clerk	David S. Williamson, City Attorney					

#### EXHIBIT A – RESOLUTION NO. 2013-44

#### BALLOT TITLE – UTILITY OCCUPATION TAX

SHALL CITY OF LAFAYETTE TAXES BE INCREASED (UP TO \$720,000 IN THE FIRST YEAR) ANNUALLY, AND BY SUCH AMOUNTS AS MAY BE COLLECTED THEREAFTER, BY IMPOSING AN OCCUPATION TAX UPON PUBLIC UTILITY COMPANIES THAT USE LAFAYETTE PUBLIC STREETS OR DEDICATED UTILITY EASEMENTS, WITHOUT PAYMENT OF A FRANCHISE FEE OR LICENSE FEE, TO DELIVER ELECTRICITY AND GAS TO CUSTOMERS WITHIN THE CITY OF LAFAYETTE, AT A RATE OF \$720,000 PER PUBLIC UTILITY COMPANY, WITH THE PROCEEDS OF SUCH TAX BEING COLLECTED, RETAINED AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE, ONLY ON ENERGY-RELATED PROJECTS AND PURPOSES RELATED TO RENEWABLE ENERGY, ENERGY EFFICIENCY, AND ACTION ON CLIMATE CHANGE, AND WITHOUT LIMITING THE COLLECTION, RETENTION OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE CITY OF LAFAYETTE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW.

YES	NO	
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#### COMMUNITY DEVELOPMENT DEPARTMENT

#### STAFF REPORT

To: Gary Klaphake, City Administrator & & .

From: Phillip Patterson, Assistant City Administrator / Community Development Director

Date: August 28, 2013

Subject: Economic Development Agreement / Armstrong Capital Development, LLC / Coal

Creek Sports Center Redevelopment

**Recommendation:** Approval of the Economic Development Agreement with Armstrong Capital

Development, LLC . for the redevelopment of the Coal Creek Sports Center.

**Background:** On August 6, 2013, Council met in executive session and instructed staff to negotiate an economic development agreement with Armstrong Capital Development, LLC (Armstrong) for the Phase I redevelopment of the Coal Creek Sports Center (CCSC). Phase I of the redevelopment will consist of Armstrong purchasing approximately 3.0 acres of the 7.25 acre property and developing four (4) commercial lots along the outer edge of the CCSC. Armstrong will own and develop the two (2) lots closest to the intersection of So. Boulder Road and Highway 287 into 7,500 square foot (average) multi-tenant retail facilities. Lot 3, located at the intersection of So. Boulder Road and Coal Creek Drive, is intended to be sold for the construction of a stand-alone restaurant building, and lot 4, located behind the southwest corner of the existing building, is intended to be sold to an automotive service user for the construction of a new building.

Staff began working with Armstrong in 2012 to determine the best way to redevelop the CCSC. Originally, the first phase was to be the remodeling of the existing medium-box building and the second phase was to be the development of pad sites on the periphery. After discussing the redevelopment with a few large retailers and learning of their timing issues, it was determined that in order to continue moving this project forward the development of the pad sites should be accomplished first. It is both staff's and redeveloper's opinion that development of the pad sites will enhance the ability to promote the redevelopment of the medium-box building.

Redeveloping this older shopping center provides an opportunity for development within Lafayette's central core, rather than having development occur elsewhere and leave the core blighted and possibly empty. The CCSC is the last remaining shopping center for revitalization in this area: Waneka Marketplace is doing well with Sprout's; Countryside Village Shopping Center has been occupied by Flatirons Community Church and the retail strip component is thriving; and JAX Ranch and Home is redeveloping the old Plaza Lafayette center.

The deal points associated with this economic development agreement include the following:

- 1. The City will waive/rebate the building permit related fees, except for the utility enterprise fees, and reimburse the city use tax to Armstrong for building permits issued for lots 1-4 through 2015.
- 2. The City will rebate to Armstrong 50% of the "uncommitted" sales tax (3% sales tax) generated by lots 1-4 for a period of 10 years.

The alternative to not participating in this redevelopment project is the continued existence of the old, under utilized, shopping center.

**Fiscal Impact:** The proposed redevelopment is projected to increase the amount of the sales tax retained by the City from this shopping center by over 600%.

**Attachments:** None