

December 15, 2015

**COUNCIL OF THE CITY OF FORT COLLINS, COLORADO**

**Council-Manager Form of Government**

**Regular Meeting – 6:00 PM**

● **ROLL CALL**

PRESENT: Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

Staff Present: Atteberry, Daggett, Winkelmann

● **AGENDA REVIEW: CITY MANAGER**

City Manager Atteberry noted Item No. 12, *Items Relating to the Lodgepole Investments LLC Annexation and Zoning*, is a public hearing.

● **CITIZEN PARTICIPATION**

Thomas Edwards discussed the increase in Transfort ridership over bicycling and stated safe cycling needs to be more of a priority for the City.

● **CITIZEN PARTICIPATION FOLLOW-UP**

Mayor Pro Tem Horak noted CSU students have been a consistent funding source for Transfort and stated it is a good option for students particularly on days with bad weather. The number of citizens using bicycles in the community is increasing.

● **CONSENT CALENDAR**

Mayor Troxell opened the public hearing for Item No 12, *Items Relating to the Lodgepole Investments LLC Annexation and Zoning*.

Eric Sutherland withdrew Item Nos. 10, *Second Reading of Ordinance No. 161, 2015, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Compensation of the City Attorney*, 11, *Second Reading of Ordinance No. 162, 2015, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Compensation of the City Manager*, 16, *Resolution 2015-111 Approving an Art Project for the Utilities Administration Building and Approving Expenditures from the Electric Utility Account to Commission an Artist to Create the Art Project Pursuant to the Art in Public Places Program*, 17, *Resolution 2015-112 Supporting the Improvement of Interstate 25 (I-25) as Proposed by the I-25 Coalition*, and 22, *Resolution 2015-117 Extending by One Year the Work-Completion Deadline Established in Resolution 2014-005 Regarding Cooperation and a Partnership with Larimer County on the Use of Tax Increment Financing*, from the Consent Agenda.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to adopt and approve all items not withdrawn from the Consent Agenda.

<b>RESULT:</b>	<b>CONSENT AGENDA ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerry Horak, District 6
<b>SECONDER:</b>	Bob Overbeck, District 1
<b>AYES:</b>	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

1. **Consideration and Approval of the Minutes of the November 3, November 17 and December 1 Regular Council Meetings and the November 10, 2015 Adjourned Meeting. (Adopted)**

The purpose of this item is to approve the minutes from the November 3, November 17 and December 1, 2015 Regular Council meetings and the November 10, 2015 Adjourned Council meeting.

2. **Postponement of Second Reading of Ordinance No. 149, 2015, Authorizing the Conveyance of an Easement on Maxwell Natural Area to the Board of Governors of the Colorado State University System to January 5, 2016. (Adopted)**

Staff requests postponement of Second Reading of Ordinance No. 149, 2015 until January 5, 2016, so that Colorado State University staff can provide information on the University's concerns regarding termination language in the revised ordinance approved on First Reading on November 17, 2015.

3. **Items Relating to Locker Renovations at Edora Pool Ice Center (EPIC) and an Intergovernmental Agreement with CSU Department of Campus Recreation (Adopted)**

A. Second Reading of Ordinance No. 150, 2015, Appropriating Unanticipated Revenue for Locker Renovation at EPIC.

B. Resolution 2015-103 Authorizing an Intergovernmental Agreement with Colorado State University Regarding the Construction of a Locker Room at the EPIC Ice Arena.

Ordinance No. 153, 2015, unanimously adopted on First Reading on December 1, 2015, appropriates \$57,012 for the construction cost of a locker room at EPIC. The funding for the locker room construction was raised by the CSU club hockey team. Resolution 2015-103 provides an intergovernmental agreement (IGA) between the City of Fort Collins and Colorado State University (CSU) Department of Campus Recreation. The IGA provides for a renewable 10-year agreement to provide a dedicated locker room for the hockey team. Because CSU is funding the improvements, staff has proposed waiving certain maintenance costs for the new EPIC locker room during the initial term of the IGA. However, it is expected that the University will continue to pay all standard rental and user fees associated with reservation and use of ice time at EPIC.

4. **Second Reading of Ordinance No. 152, 2015, Appropriating Prior Year Reserves in the Street Oversizing Fund for the Reimbursement of the Construction of Roadway Improvements. (Adopted)**

This Ordinance, unanimously adopted on First Reading on December 1, 2015, appropriates \$1,250,000 from the Street Oversizing Fund Prior Year Reserves to cover anticipated reimbursements for the construction by developers of oversized portions of arterial and collector roadway improvements for 2015.

5. **Second Reading of Ordinance No. 153, 2015, Adopting the 2016 Classified Employees Pay Plan. (Adopted)**

This Ordinance, unanimously adopted on First Reading on December 1, 2015, changes the City's Classified Employee Pay Plan based on results of the annual market analysis. The City of Fort Collins utilizes a common compensation methodology to assess jobs, combine them into occupational groups and establish pay range structures. The result of this work is a Classified

Employee Pay Plan which sets the minimum, midpoint and maximum of pay ranges within each occupational group. A detailed analysis of benchmark data is conducted each year to determine if the market is moving sufficiently to recommend structure adjustments. Actual employee pay increases are awarded through a separate administrative process in accordance with the budgeted amount approved by Council.

6. **Second Reading of Ordinance No. 154, 2015, Adopting the 2015 Larimer County Transportation Capital Expansion Fee Schedule. (Adopted)**

This Ordinance, unanimously adopted on First Reading on December 1, 2015, adopts the 2015 Larimer County Transportation Capital Expansion Fee Schedule (Regional Road Fee) as determined by the Intergovernmental Agreement with Larimer County.

7. **Second Reading of Ordinance No. 155, 2015, Making Various Amendments to the Land Use Code. (Adopted)**

This Ordinance, unanimously adopted on First Reading on December 1, 2015, adopts a variety of revisions, clarifications and additions to the Land Use Code that are housekeeping and routine in nature that have been identified since the last update in July 2015.

8. **Second Reading of Ordinance No. 156, 2015, Conditionally Vacating Certain Rights-of-Way Consisting of Portions of Prospect Court and the Alley as Dedicated on G.F. Wiard's Additional Plat at Reception No. 231427 of the Larimer County Records and Flinn's Resubdivision Plat of Lots 11, 12 and 13 in Block 1 of G.F. Wiard's Addition at Reception No. 665972 of the Larimer County Records. (Adopted)**

This Ordinance, unanimously adopted on First Reading on December 1, 2015, vacates portions of the alley and Prospect Court in the block south of Lake Street and north of Prospect Road that are no longer needed.

9. **Items Relating to the Compensation and Employment Agreement of the Municipal Judge. (Adopted)**

- A. Second Reading of Ordinance No. 160, 2015 Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Compensation of the Municipal Judge.
- B. Resolution 2015-108 Authorizing the Twelfth Addendum to the Municipal Judge's Employment Agreement.

City Council met in executive session on November 10, 2015, to conduct the performance review of Municipal Judge Kathleen Lane. This Ordinance, unanimously adopted on First Reading on December 1, 2015, establishes the 2015 salary of the Municipal Judge at \$113,740. Resolution 2015-108 approves and authorizes the Mayor to sign an addendum to the Judge's contract to increase annual vacation leave to from 30 to 32 days per year.

10. **Items Relating to the Lodgepole Investments LLC Annexation and Zoning (Adopted)**

- A. Resolution 2015-109 Setting Forth Findings of Fact and Determinations Regarding the Lodgepole Investments LLC Annexation.
- B. Public Hearing and First Reading of Ordinance No. 163, 2015, Annexing Property Known as the Lodgepole Investments LLC Annexation to the City of Fort Collins.
- C. Hearing and First Reading of Ordinance No. 164, 2015, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Lodgepole Investments LLC Annexation to the City of Fort Collins.

The purpose of this item is to annex and zone 39.7 acres platted and approved in Larimer County as Fossil Creek Farm M.L.D., Tracts A and B. The initiating resolution was adopted on November 3, 2015. There are two tracts of land included in this annexation, located southwest of the intersection of I-25 and State Highway 392. The requested zoning for this annexation is G-C, General Commercial (10.0 acres) on Tracts A and (29.77 acres) on Tract B. The property is located within the Fossil Creek Reservoir Area Plan boundary.

11. **First Reading of Ordinance No. 165, 2015, Authorizing the Acquisition by Eminent Domain of Certain Lands Necessary to Construct Public Improvements in Connection with the Lincoln Corridor Improvements Project – Phase I. (Adopted)**

The purpose of this item is to obtain authorization from City Council to use eminent domain, if deemed necessary, to acquire property interests needed to construct improvements to Lincoln Avenue between the Poudre River Bridge and Lemay Avenue. Lincoln Corridor Improvements Project - Phase I will construct road and intersection improvements, multimodal enhancements, utility improvements, and access control improvements in accordance with the Lincoln Corridor Plan. The project is planned to begin construction in the summer of 2016 and be completed in 2017. To construct these improvements, the City will need to acquire certain property interests adjacent to the project area. The acquisitions include right-of-way, permanent easements, and temporary easements from eleven property owners. Timely acquisition of the property is necessary to meet the anticipated construction schedule. Staff fully intends to negotiate in good faith with the affected owners and is optimistic that all property negotiations can be completed prior to the start of the Project. Staff is requesting authorization of eminent domain for all property acquisitions for the Project only if such action is deemed necessary.

12. **First Reading of Ordinance No. 166, 2015, Adopting Updates to the Larimer County Urban Area Street Standards. (Adopted)**

The purpose of this item is to bring forward a set of updates to the Larimer County Urban Area Street Standards (LCUASS). These updates include both technical/text updates, and correction of inconsistencies identified by staff since the last major update, as well as updates to the street cross-sections implementing recommendations from the 2014 Bicycle Master Plan. Additionally language was added aligning the City's policy towards "complete streets", as identified in City Plan and the Transportation Master Plan. This item corresponds to Strategic Plan Objectives; Safe Community 5.6 and Transportation 6.1, 6.3, 6.4. Once the City approves these updates the changes must also be approved by City of Loveland and Larimer County before they are incorporated into LCUASS, as these are a shared set of standards between the three jurisdictions.

13. **Resolution 2015-110 Finding Substantial Compliance and Initiating Annexation Proceedings for the Maverik First Annexation. (Adopted)**

The purpose of this item is to annex the Maverik First Annexation. The applicant, Hanna DUL, Inc., has submitted a written petition requesting annexation of 1.26 acres located at 4333 East Mulberry Street which is the existing hotel and property located at the southeast quadrant of I-25 and East Mulberry Street. The site gains access from the Southeast Frontage Road. The requested zoning for this annexation is C-G, General Commercial. The property is located within the East Mulberry Corridor and I-25 Corridor Plans. In accordance with the Intergovernmental Agreement for the Fort Collins Growth Management Area with Larimer County, the City of Fort Collins agrees to annex land that meets the minimum contiguity requirement, and based on a voluntary petition to annex for the purpose of redeveloping the subject parcel. The subject parcel is part of a larger parcel which is bordered on three sides by the Interchange Business Park which was annexed in 2005.

14. **Resolution 2015-113 Adopting the 2015 Update to the Three-Mile Plan for the City of Fort Collins. (Adopted)**

The purpose of this item is to adopt the 2015 update to the *Three-Mile Plan for the City of Fort Collins* (the Plan). The Plan is a policy document for coordinating future annexations and provision of services and describes the general location, character, utilities, and infrastructure for areas within

three-miles of the municipal boundary. Colorado Revised Statutes requires municipalities to update their Three-Mile Plans annually.

15. **Resolution 2015-114 Adopting the City's 2016 Legislative Policy Agenda. (Adopted)**

The purpose of this item is to consider and adopt the City's 2016 Legislative Policy Agenda. Each year the Legislative Review Committee (LRC) develops a legislative agenda to assist in the analysis of pending legislation and regulation. The Legislative Policy Agenda is used as a guide by Council and staff to determine positions on legislation and regulation pending at the state and federal levels and as a general reference for the City's state legislators and congressional delegation.

16. **Resolution 2015-115 Approving and Adopting an Updated Energy Policy. (Adopted)**

The purpose of this item is to adopt the 2015 Energy Policy (Policy), presented to Council at the September 22, 2015 work session. The Policy will replace the existing 2009 Energy Policy. In alignment with Ordinance No. 098, 2011, the scope of the Policy has expanded from past versions to include various types of energy sources and end-uses delivered within the community, which include electricity, natural gas and transportation fuels. The Policy update was timed to allow for coordination with the Climate Action Plan Framework (CAP) and associated goals adopted by Council earlier in 2015. The Policy provides goals for the prioritization of decision making, programs and services related to the quantity of use and the energy sources for electricity, thermal end-uses and transportation. The Policy uses a systems approach to energy production and consumption, as well as triple bottom line metrics (economy, society, and environment) guiding City government in the development of plans promoting policy outcomes for residents, businesses and other type of organizations.

This item was withdrawn from consideration on November 3, 2015 in order to make minor changes to one section of the policy, incorporating recommendations of the Energy Board. These changes are highlighted below and were approved for inclusion in the draft Policy by the Energy Board at its November 5 meeting.

17. **Resolution 2015-116 Making Appointments to Various Boards, Commissions and Authorities of the City of Fort Collins. (Adopted)**

The purpose of this item is to appoint individuals to fill vacancies that currently exist on various boards, commissions, and authorities due to resignations of board members and vacancies to be created upon the expiration of terms of current members. Applications were solicited during September and October. Council teams interviewed applicants during November and December. This Resolution appoints individuals to fill current vacancies and expiring terms. This Resolution does not fill all vacancies. Interviews are continuing, and any remaining vacancies will be advertised as needed.

● **END CONSENT**

Mayor Troxell closed the public hearing for Item No. 12, *Items Relating to the Lodgepole Investments LLC Annexation and Zoning*.

● **CONSENT CALENDAR FOLLOW-UP**

Councilmember Cunniff noted he is in the process of collecting additional details regarding City employee benefits.

● **COUNCILMEMBER REPORTS**

Councilmember Stephens reported on the Mental Health Matters program, hosted by Poudre High School, and showed slides of resources available for people in need of assistance.

Councilmember Martinez reported on the lighting of the menorah in Old Town.

Mayor Troxell reported on the TubaChristmas event in Oak Street Plaza.

Mayor Pro Tem Horak stated he was recently elected the Chair of the North Front Range Metropolitan Planning Organization.

● **DISCUSSION ITEMS**

18. **Items Relating to the Wood Street Second Annexation and Zoning. (Adopted on Second Reading)**

- A. *Second Reading of Ordinance No. 157, 2015, Annexing Property Known as the Wood Street Second Annexation to the City of Fort Collins, Colorado.*
- B. *Second Reading of Ordinance No. 158, 2015, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Wood Street Second Annexation to the City of Fort Collins, Colorado.*

*These Ordinances, adopted on First Reading on December 1, 2015 by a vote of 6-0 (Campana recused), annex and zone a parcel in an enclave at 832 Wood Street. This is a City-initiated request to annex 16.267 acres that became an enclave with the annexation of the Pateros Creek subdivision on September 18, 2012. As of September 18, 2015, the City is authorized to initiate and annex the enclave in accordance with Colorado Revised Statute 31-12-106. The Wood Street Second Annexation abuts the City of Fort Collins Utilities building to the north. The requested zoning for this annexation is the Urban Estate (U-E) zone district. The surrounding properties are existing residential, office, park, and light industrial land uses in the City of Fort Collins.*

Councilmember Campana withdrew from the discussion of this item due to a conflict of interest.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to adopt Ordinance No. 157, 2015, on Second Reading. Yeas: Martinez, Stephens, Overbeck, Troxell, Cunniff and Horak. Nays: none.

<b>RESULT:</b>	<b>ORDINANCE NO. 157, 2015, ADOPTED ON SECOND READING [6 TO 0]</b>
<b>MOVER:</b>	Gerry Horak, District 6
<b>SECONDER:</b>	Bob Overbeck, District 1
<b>AYES:</b>	Martinez, Stephens, Overbeck, Troxell, Cunniff, Horak
<b>RECUSED:</b>	Campana

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to adopt Ordinance No. 158, 2015, on Second Reading.

<b>RESULT:</b>	<b>ORDINANCE NO. 158, 2015, ADOPTED ON SECOND READING [6 TO 0]</b>
<b>MOVER:</b>	Gerry Horak, District 6
<b>SECONDER:</b>	Bob Overbeck, District 1
<b>AYES:</b>	Martinez, Stephens, Overbeck, Troxell, Cunniff, Horak
<b>RECUSED:</b>	Campana

● **CONSIDERATION OF CITIZEN-PULLED CONSENT ITEMS**

19. **Second Reading of Ordinance No. 161, 2015, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Compensation of the City Attorney.** (Adopted on Second Reading)

*City Council met in executive session on November 10, 2015, to conduct the performance review of City Attorney Carrie Daggett. This Ordinance, unanimously adopted on First Reading on December 1, 2015, establishes the 2015 salary of the City Attorney at \$180,841. The Ordinance has been edited for Second Reading to also state the total annual compensation for the City Attorney, consistent with the ordinances regarding the City Manager and Municipal Judge.*

Eric Sutherland expressed concern regarding the level of praise given to the City Attorney by Council and opposed the structure of the Boxelder Stormwater Authority.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Campana, to adopt Ordinance No. 161, 2015, on Second Reading.

Councilmembers Campana and Martinez stated they stand by their comments of support for City Attorney Daggett and her work.

Mayor Pro Tem Horak opposed the insinuation that City Attorney Daggett has failed to properly interpret the law.

Mayor Troxell expressed support for City Attorney Daggett and her increased compensation.

<b>RESULT:</b>	<b>ORDINANCE NO. 161, 2015, ADOPTED ON SECOND READING [UNANIMOUS]</b>
<b>MOVER:</b>	Gerry Horak, District 6
<b>SECONDER:</b>	Gino Campana, District 3
<b>AYES:</b>	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

20. **Second Reading of Ordinance No. 162, 2015, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Compensation of the City Manager.** (Adopted on Second Reading)

*City Council met in executive session on November 10, 2015, to conduct the performance review of City Manager Darin Atteberry. This Ordinance, unanimously adopted on First Reading on December 1, 2015, establishes the 2015 salary of the City Manager at \$249,841.*

Eric Sutherland stated the public interest has not been served by the City Manager and opposed the funding of services which benefit Timnath.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Campana, to adopt Ordinance No. 162, 2015, on Second Reading.



Mayor Pro Tem Horak opposed Mr. Sutherland's comments regarding the public interest and stated Timnath is paying for the new fire station.

<b>RESULT:</b>	<b>ORDINANCE NO. 162, 2015, ADOPTED ON SECOND READING [UNANIMOUS]</b>
<b>MOVER:</b>	Gerry Horak, District 6
<b>SECONDER:</b>	Gino Campana, District 3
<b>AYES:</b>	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

**21. Resolution 2015-111 Approving an Art Project for the Utilities Administration Building and Approving Expenditures from the Electric Utility Account to Commission an Artist to Create the Art Project Pursuant to the Art in Public Places Program. (Adopted)**

*The purpose of this item is to approve expenditures from the Art in Public Places Electric Utility Account to commission an artist to create art for the Utility Administration Building Project. The expenditures of \$64,000 will be for design, materials, fabrication, and contingency for Andy Dufford of Chevo Studios to create a series of wall reliefs for the new Utility Administration Building.*

Eric Sutherland questioned whether or not the art project is being funded by repurposing rate-payer reserves. Additionally, he asked if the Sustainability Services Department will be paying rent or other compensation to the utility funds for use of the space in the utility building.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Campana, to adopt Resolution 2015-111.

Councilmember Cunniff stated all public buildings in the City are required to have an Art in Public Places component and these funds are coming from the same constructions funds for the building. He asked if Sustainability Services is going to have office space in the building. City Manager Atteberry replied in the affirmative and stated he will provide a memo regarding the issue.

<b>RESULT:</b>	<b>RESOLUTION 2015-111 ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerry Horak, District 6
<b>SECONDER:</b>	Gino Campana, District 3
<b>AYES:</b>	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

**22. Resolution 2015-112 Supporting the Improvement of Interstate 25 (I-25) as Proposed by the I-25 Coalition. (Adopted)**

*The purpose of this item is to provide a Resolution of support for the I-25 Coalition's efforts to seek timely improvements to the I-25 Corridor in Northern Colorado. This item supports Council Priority for I-25 funding; Strategic Plan Objectives: Transportation 6.1, 6.4; and Council legislative priority re: I-25 funding.*

Eric Sutherland opposed the consideration of a resolution in support of I-25 improvements that does not include the possibility of providing the voters a chance to pay for the improvements by raising fuel taxes.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Martinez, to adopt Resolution 2015-112.

Mayor Pro Tem Horak noted Section 2 of the proposed resolution includes an item regarding support for new revenue streams adopted by a vote of electors. Additionally, he noted the



subsequent agreement will include language addressing how the monies will legally be used for road and bridge work in Fort Collins.

Councilmember Cunniff stated he would support the item but discussed the importance of funding improvements attributable to new growth as appropriate.

<b>RESULT:</b>	<b>RESOLUTION 2015-112 ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerry Horak, District 6
<b>SECONDER:</b>	Gino Campana, District 3
<b>AYES:</b>	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

**23. Resolution 2015-117 Extending by One Year the Work-Completion Deadline Established in Resolution 2014-005 Regarding Cooperation and a Partnership with Larimer County on the Use of Tax Increment Financing. (Adopted)**

*The purpose of this item is to extend City staff's work-completion deadline in Resolution 2014-103 from December 15, 2015, to December 15, 2016. Resolution 2013-045 was originally adopted by City Council on May 7, 2013. Section 4 of that Resolution directs staff to work with Larimer County and other northern Colorado municipalities and affected property tax levying entities to develop an appropriate fiscal impact analysis model for evaluating financial impacts associated with the formation of tax increment financing districts and the use of tax increment financing. Resolution 2014-005 extended the work-completion deadline set in Resolution 2013-045 from December 15, 2013, to December 15, 2014, and Resolution 2014-103 extended the work-completion deadline to December 15, 2015.*

*A team made up of representatives from various municipalities and tax levying entities within the County contracted with Economic Planning & Systems (EPS) to develop a "fiscal impact analysis model". Work has taken longer than anticipated and while a new quantitative direct cost impact model and a qualitative indirect impact factors model have been developed, additional work is required to finalize the assumptions and gain agreement across the team. The current timeline anticipates completion summer/fall of 2016. As such, an extension to December 15, 2016 is requested for the work-completion deadline established in Resolution 2014-103.*

Eric Sutherland discussed the impact to Poudre School District of diverting tax increment financing.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Martinez, to adopt Resolution 2015-117.

Councilmember Cunniff asked if there is a proposed timeline for completion of this project. City Manager Atteberry replied it could be up to a year; however, staff is hoping it will be less. He stated this has been value-added work and discussed the benefits of the entities meeting.

Councilmember Cunniff noted this resolution is mandated by events surrounding the Foothills Mall agreement and asked if Poudre School District has been approached for feedback. Mike Beckstead, Chief Financial Officer, replied the School District was invited to be a part of this group, but declined the invitation and has not been in attendance at any of the meetings. City Manager Atteberry noted the District Superintendent was involved in several meetings at the beginning of the process.

<b>RESULT:</b>	<b>RESOLUTION 2015-117 ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerry Horak, District 6
<b>SECONDER:</b>	Gino Campana, District 3
<b>AYES:</b>	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

● **OTHER BUSINESS**

Mayor Pro Tem Horak discussed the desire of retail marijuana shops to be able to stay open until 8:00 PM and noted staff has reported no concerns. He requested Council support for an Ordinance addressing the issue.

Councilmember Campana noted the County will be reevaluating the issue in March or April and questioned whether the City should wait until that evaluation is complete.

Mayor Troxell requested and received support for the possible inclusion of a budget offer regarding evaluating the impacts to the community of both medical and retail marijuana facilities.

Mayor Pro Tem Horak and Councilmembers Overbeck, Stephens, and Cunniff supported moving ahead with the change to hours of operation, regardless of the County issue.

● **ADJOURNMENT**

The meeting adjourned at 6:50 PM.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

