

**CITY OF THORNTON
CITY MANAGER'S OFFICE**

A G E N D A
Council Update
<https://thorntonco.zoom.us/j/92988377424>
November 17, 2020
5:45 p.m.

- I. CALL TO ORDER AND REVIEW OF UPDATE AGENDA**

- II. REVIEW OF THE FORMAL COUNCIL MEETING AGENDA**

- III. BRIEFINGS**
 - A. COVID-19 Update (Estimated 15 Minutes)
 - B. Discussion of the 2021 City Council Meeting Schedule (Estimated 10 Minutes)
 - C. Discussion Regarding Marijuana Delivery Permits (Estimated 15 Minutes)
 - D. Executive Session, pursuant to C.R.S. 24-6-402(4)(f), to discuss personnel matters regarding the Appointee Contracts (Estimated 15 Minutes)

**Council Update
Agenda Summary
November 17, 2020**

BRIEFINGS:

A. COVID-19 Update

Staff will provide City Council with updates on the COVID-19 pandemic.

B. Discussion of the 2021 City Council Meeting Schedule

- Kristen Rosenbaum, City Clerk

The draft 2021 Council Meeting Schedule establishes the dates for regular Council meetings, Planning Sessions, Updates, the Strategic Planning Conference, and includes dates when Council will review the Budget. After discussion this evening, a resolution and accompanying Council meeting schedule will be brought forward for formal Council consideration.

C. Discussion regarding Marijuana Delivery Permits

- Kristen Rosenbaum, City Clerk

House Bill 19-1234, established a Regulated Marijuana Delivery Permit to allow for the delivery of marijuana to private residences, subject to local jurisdiction approval, and is effective January 1, 2021 for Retail Marijuana Stores. Staff is seeking direction on whether to 1) allow Thornton Retail Marijuana Stores to apply for a permit to deliver marijuana and/or 2) allow Retail/Medical Marijuana Stores from outside the City to deliver marijuana within Thornton.

COUNCIL UPDATE COMMUNICATION

Meeting Date: November 17, 2020	Agenda Item: A	Agenda Location: N/A	Goal(s):	Legal Review: N/A	<input type="checkbox"/> 1 st Reading <input type="checkbox"/> 2 nd Reading
Subject: COVID-19 Update					
Recommended by: Kevin S. Woods <i>KW</i> Approved by: Kevin S. Woods <i>KW</i> Presenter(s): Kevin Woods, City Manager					Ordinance previously introduced by: <hr style="border: 0; border-top: 1px solid black; width: 100%;"/>

SYNOPSIS:

Staff will provide City Council with updates on the COVID-19 pandemic.

RECOMMENDATION:

This item is for informational purposes only.

BUDGET/STAFF IMPLICATIONS:

None.

ALTERNATIVES:

This item is for informational purposes only.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

COUNCIL UPDATE COMMUNICATION

Meeting Date: November 17, 2020	Agenda Item: B	Agenda Location: N/A	Goal(s):	Legal Review: N/A	<input type="checkbox"/> 1 st Reading <input type="checkbox"/> 2 nd Reading
Subject: Discussion of the 2021 City Council Meeting Schedule					
Recommended by: Robb Kolstad <i>RK</i> Approved by: Kevin S. Woods <i>KW</i> Presenter(s): Kristen Rosenbaum, City Clerk					Ordinance previously introduced by: <hr style="border: 0; border-top: 1px solid black;"/>

SYNOPSIS:

The draft 2021 Council Meeting Schedule establishes the dates for regular Council meetings, Planning Sessions, Updates, the Strategic Planning Conference, and includes dates when Council will review the Budget. After discussion this evening, a resolution and accompanying Council meeting schedule will be brought forward for formal Council consideration.

RECOMMENDATION:

Staff recommends Alternative No. 1, direct staff to bring forward a resolution approving the 2021 Council Meeting Schedule at a future Council meeting.

BUDGET/STAFF IMPLICATIONS:

None.

ALTERNATIVES:

1. Accept the 2021 Council Meeting Schedule as presented and direct staff to bring forward a resolution for formal approval at a future Council meeting.
2. Direct staff to make changes to the 2021 Council Meeting Schedule and bring forward a resolution for formal approval at a future Council meeting.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

The attached draft schedule generally establishes Council Updates and Meetings for the second and fourth Tuesdays of each month; Planning Sessions for the first and third Tuesday of each month; and various other important events throughout the year. The fifth Tuesday of March is proposed to remain open and be scheduled as needed to provide flexibility to the Council. Below is a list of the various other events and exceptions to the meeting schedule by month:

March:

Because of the National League of Cities (NLC) Congressional City Conference that will be held during the second week of March, there is proposed to be only one Council meeting which would be March 23.

April:

It is proposed that the Strategic Planning Conference be held Friday and Saturday, April 23 and 24.

June:

Because of the Colorado Municipal League (CML) Conference the fourth week of June, the formal Council meeting is proposed to be moved to the fifth Tuesday of the month, which is June 29.

July:

The Candidate Briefing is proposed to be Thursday, July 15.

August:

August 3 is National Night Out; so, the Planning Sessions are proposed to be on the third and fifth Tuesdays of the month, August 17 and 31.

September:

Review of the 2021 Budget is proposed for Thursday, September 16 and Saturday, September 18.

November:

November 2 is the Municipal Election and results will not be certified until November 24 so it is proposed that there only be one meeting on November 30 and the commending and swearing in of Council would be on that night.

December:

It is proposed that Thursday, December 2, be scheduled for Council orientation and the second Council meeting of the month be cancelled because of the holidays.

2021 City Council Meeting Schedule

Purpose:

Set the dates for Council meetings, Planning Sessions, Updates, the Strategic Planning Conference, the Candidate Briefing, Budget Review, and Council Orientation

Agenda:

- Review the draft schedule
- Discussion and direction

January						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

1/1 New Year's Day
1/18 Martin Luther King, Jr. Day

February						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

2/15 President's Day

March						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

3/7-3/10 NLC Congressional Conference

April						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

4/23-4/24 Strategic Planning Conference

May						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

5/31 Memorial Day

June						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

6/22-6/25 CML Conference

July						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

7/5 July 4th Holiday
7/15 Candidate Briefing

August						
Su	M	Tu	W	Th	F	Sa
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

8/3 National Night Out

September						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

9/6 Labor Day
10/16 and 10/18 Budget Review

- Council Meetings
- Planning Sessions
- Planning Sessions as needed
- Holiday's
- Conferences/Miscellaneous

October						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
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November						
Su	M	Tu	W	Th	F	Sa
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

11/2 Election Day
11/11 Veteran's Day
11/17-11/20 NLC City Summit Conference
11/25-11/26 Thanksgiving Holiday

December						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

12/2 Council Orientation
12/24 Christmas Holiday

Updates and Regular Meetings:
Generally second and fourth Tuesday

Planning Sessions:
Generally first and third Tuesday

Strategic Planning Conference:
Friday and Saturday, April 23-24

Candidate Briefing:
Thursday, July 15

Council Orientation:
Thursday, December 2

Attachment A

2021 CITY COUNCIL MEETING SCHEDULE

TUESDAY
PLANNING SESSIONS ¹⁾

January 5
January 19
February 2
February 16
March 2
March 16
April 6
April 20
May 4
May 18
June 1
June 15
July 6
July 20
August 17
August 31
September 7
September 21
October 6
October 19
December 7
December 21

COUNCIL UPDATES ¹⁾ AND
COUNCIL MEETINGS ²⁾

January 12
January 26
February 9
February 23
March 23
April 13
April 27
May 11
May 25
June 8
June 29
July 13
July 27
August 10
August 24
September 14
September 28
October 12
October 26
November 30
December 14

¹⁾ scheduled to begin at 5:45 p.m. (Training Room)
²⁾ scheduled to begin at 7:00 p.m. (Council Chambers)

Strategic Planning Conference
Candidate Briefing
2021 Budget Review
Council Orientation

April 23-24
July 15
September 16 and 18
December 2

2021

January						
Su	M	Tu	W	Th	F	Sa
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3	4	5	6	7	8	9
10	11	12	13	14	15	16
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12/2 Council Orientation
12/24 Christmas Holiday

COUNCIL UPDATE COMMUNICATION

Meeting Date: November 17, 2020	Agenda Item: C	Agenda Location: N/A	Goal(s):	Legal Review: N/A	<input type="checkbox"/> 1 st Reading <input type="checkbox"/> 2 nd Reading
Subject: Discussion Regarding Marijuana Delivery Permits					
Recommended by: Robb Kolstad <i>RK</i>				Approved by: Kevin S. Woods <i>KW</i>	
Presenter(s): Kristen Rosenbaum, City Clerk				Ordinance previously introduced by: _____	

SYNOPSIS:

House Bill 19-1234, established a Regulated Marijuana Delivery Permit to allow for the delivery of marijuana to private residences, subject to local jurisdiction approval, and is effective January 1, 2021 for Retail Marijuana Stores. Staff is seeking direction on whether to 1) allow Thornton Retail Marijuana Stores to apply for a permit to deliver marijuana and/or 2) allow Retail/Medical Marijuana Stores from outside the City to deliver marijuana within Thornton.

RECOMMENDATION:

Staff recommends Alternative No. 1, bring forward a Code amendment allowing for Thornton Retail Marijuana Stores to apply for a permit to deliver marijuana. Stores would be allowed to deliver within the City and any other jurisdiction which allows it. This is in keeping with supporting local Thornton businesses and would provide for more flexibility and opportunity to Thornton’s Retail Marijuana Stores.

BUDGET/STAFF IMPLICATIONS:

If the City allows Thornton Retail Marijuana Stores to deliver within the City, there will likely be a slight increase in tax revenues.

If the City allows Retail/Medical Marijuana Stores from outside the City to deliver within Thornton, there would likely be a larger increase in tax revenues; however, some Thornton stores may see a decline in revenue because of outside businesses making deliveries into the City. A Sales Tax License would be required by any business delivering into the City and the City would receive the full 8.75% local tax on marijuana products.

A one-dollar surcharge on each delivery is required to be paid to the municipality where the store is located to help cover law enforcement costs.

ALTERNATIVES:

- 1) Allow Thornton Retail Marijuana Stores to apply for a permit to deliver marijuana and do not allow Retail/Medical Marijuana Stores from outside the City to deliver marijuana.
- 2) Allow Thornton Retail Marijuana Stores to apply for a permit to deliver marijuana and also allow Retail/Medical Marijuana Stores from outside the City to deliver marijuana within Thornton.
- 3) Do not allow marijuana delivery within the City.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

The City may establish stricter regulations; however, the following are general requirements set by the State:

- Deliveries can only be to a person 21 years or older who made the order and possesses an acceptable form of identification.
- Orders can be made by electronic or other means and must include name, date of birth, and address.
- The establishment must maintain a transport manifest with the time of delivery, name of person, identification number, address of residence for delivery, acknowledgement of receipt of delivery by the person, and the reason if a delivery could not be completed.
- Deliveries cannot be made to private residences while also transporting marijuana between licensed premises.
- The amount of marijuana that can be delivered is limited to one ounce of retail marijuana, eight grams of concentrate, or marijuana products with no more than 80 milligram servings of THC in a single business day.
- Marijuana cannot be visible from the outside of the vehicle.
- The vehicle must have a security alarm system.
- Marijuana must be in a secure, locked, opaque storage compartment that is securely affixed to the vehicle.
- The vehicle must have video surveillance that is kept for at least 40 days.
- Requires the establishment to take State-approved training that includes delivery training.
- Any legal method of payment is allowed, gift card pre-payments, payment on delivery, or pre-payment accounts established by the store.
- Requires a one-dollar surcharge on each delivery for the municipality where the store is located for local law enforcement costs.

Rocky Road and Green Dragon are interested in applying for a delivery permit. Medicine Man is not at this time.

Marijuana Delivery Permits Discussion

Purpose:

Discussion regarding whether to:

- 1) allow Thornton Retail Marijuana Stores to apply for a permit to deliver marijuana and/or
- 2) allow Retail/Medical Marijuana Stores from outside the City to deliver marijuana within Thornton.

Agenda:

- Background
- Other Jurisdictions
- Recommendation
- Summary and Direction

Marijuana Delivery Permits Discussion Background

House Bill 19-1234, established a Regulated Marijuana Delivery Permit to allow for the delivery of marijuana to private residences.

- Requires local jurisdiction approval to get a permit to deliver
- Requires local jurisdiction approval to deliver within its jurisdiction
- Requires a one-dollar surcharge on each delivery for the jurisdiction where the establishment is located

Marijuana Delivery Permits Discussion

Other Jurisdictions

Thornton Interest:

- Medicine Man – Not at this time
- Rocky Road – Yes
- Green Dragon – Yes

City	Allows for Delivery Permit	Allows Delivery from Outside Jurisdictions
Aurora	Looking into it	Looking into it
Colorado Springs	No	No
Commerce City	Looking into it	Looking into it
Edgewater	No	No
Federal Heights	No	No
Fort Collins	No	No
Lakewood	No	No
Longmont	Medical Only	Medical Only
Northglenn	Looking into it	Looking into it
Superior	No	Yes
Wheat Ridge	No	No

Marijuana Delivery Permits Discussion Recommendation

Recommendation:

Allow Thornton Retail Marijuana Stores to apply for a permit to deliver marijuana and do not allow Retail/Medical Marijuana Stores from outside the City to deliver marijuana within Thornton.

- This is in keeping with supporting local Thornton businesses
- Allowing deliveries from outside the City would likely take away from Thornton businesses
- Provides more flexibility to the community and Thornton Retail Marijuana Stores

Marijuana Delivery Permits Discussion Summary and Direction

Alternatives:

- 1) Allow Thornton Retail Marijuana Stores to apply for a permit to deliver marijuana and do not allow Retail/Medical Marijuana Stores from outside the City to deliver marijuana within Thornton.
- 2) Allow Thornton Retail Marijuana Stores to apply for a permit to deliver marijuana and also allow Retail/Medical Marijuana Stores from outside the City to deliver marijuana within Thornton.
- 3) Do not allow Marijuana delivery within the City.