AGENDA
REGULAR MEETING OF THE CITY COUNCIL
CITY OF LAKEWOOD, COLORADO
VIRTUAL MEETING
APRIL 27, 2020
7:00 P.M.

To watch the Council meeting live, please use either one of the following links:

City of Lakewood Website:  https://www.Lakewood.org/CouncilVideos
or
Lakewood Speaks:  https://lakewoodspeaks.org/

Phone Number for Public Comment: (1-669-900-9128)
Webinar ID: (993 0777 9027)
(press # after entering the webinar id then press # once more to join the meeting)
Press *9 to Request to Speak
(You will be prompted when to speak. After speaking, you can hang up or hold to speak on a different agenda item)

The City of Lakewood does not discriminate on the basis of race, age, national origin, color, creed, religion, sex, sexual orientation or disability in the provision of services. People with disabilities needing reasonable accommodation to attend or participate in a City service program, can call 303-987-7080 or TDD 303-987-7057. Please give notice as far in advance as possible so we can accommodate your request.

ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – PLEDGE OF ALLEGIANCE

ITEM 4 – PUBLIC COMMENT

ITEM 5 – EXECUTIVE REPORT

CITY MANAGER

CONSENT AGENDA

ORDINANCES ON FIRST READING

(Ordinances are on first reading for notice and publication only; public hearings are held on second reading)

ITEM 6 – RESOLUTION 2020-17 – ENDORSING AMENDMENT TO LAKEWOOD 2020-2021 HEAD START GRANT APPLICATION FOR PURPOSE OF SUBMITTING REQUEST TO FEDERAL GOVERNMENT FOR SUPPLEMENTAL FUNDS AVAILABLE TO PROVIDE COST OF LIVING ADJUSTMENT TO STAFF IN HEAD START AND EARLY HEAD START
ITEM 7 – RESOLUTION 2020-18 – ENDORSING AMENDMENT TO LAKEWOOD 2020-2021 HEAD START GRANT APPLICATION FOR THE PURPOSE OF SUBMITTING REQUEST TO FEDERAL GOVERNMENT FOR SUPPLEMENTAL FUNDS AVAILABLE FOR QUALITY IMPROVEMENT OF SERVICES IN LAKEWOOD HEAD START PROGRAM

ITEM 8 – RESOLUTION 2020-19 – AUTHORIZING A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT, ALONG WEST ALAMEDA AVENUE, AT CHASE STREET AND OTIS STREET, TO ALLOW PLACEMENT AND MAINTENANCE OF TWO SHADE STRUCTURES AND RELATED APPURTEANCES

ITEM 9 – ORDINANCE O-2020-12 – AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE 2020 ANNUAL BUDGET IN THE AMOUNT OF $178,632 AND AUTHORIZING THE EXPENDITURE OF GRANT FUNDS FROM THE COLORADO HEALTH FOUNDATION TO ASSIST THE CITY OF LAKEWOOD IN IMPROVING SERVICE ACCESS FOR PEOPLE WHO ARE HOMELESS IN LAKEWOOD

ITEM 10 – ORDINANCE O-2020-13 – ENDORSING THE SUBSTANTIAL AMENDMENT TO THE CITY OF LAKEWOOD 2019 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

ITEM 11 – ORDINANCE O-2020-14 – ENDORSING THE PROJECTS AND PROJECT FUNDING LEVELS IN THE CITY OF LAKEWOOD 2020-2024 CONSOLIDATED PLAN AND 2020 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

ITEM 12 – EMERGENCY ORDINANCE O-2020-15 – CREATING THE COVID-19 IMPACT GRANT PROGRAM AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE CITY OF LAKEWOOD 2020 ANNUAL BUDGET IN THE AMOUNT OF $100,000 FROM THE GENERAL FUND AND AUTHORIZING THE EXPENDITURE THEREOF AND, FURTHER, DECLARING AN EMERGENCY

END OF CONSENT AGENDA

RESOLUTIONS

ITEM 13 – RESOLUTION 2020-20 – APPROVING AWARD OF FUNDS UNDER 2020 LAKEWOOD COMMUNITY GRANT PROGRAM
ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

ITEM 14 – CONTINUED ORDINANCE O-2020-1 – AMENDING LAKEWOOD MUNICIPAL CODE TITLE 12, AND ARTICLE 10 OF TITLE 17, TO REFLECT CHANGES IN STATE AND FEDERAL LAW RELATING TO WIRELESS SERVICES AND COMMUNICATIONS - MAY BE CONTINUED TO JUNE 8, 2020

ITEM 15 – CONTINUED RESOLUTION 2020-9 – ESTABLISHING CERTAIN FEES FOR PLACEMENT OF WIRELESS CARRIER OR SMALL CELL FACILITIES WITHIN CITY OF LAKEWOOD PUBLIC WAY - MAY BE CONTINUED TO JUNE 8, 2020

ITEM 16 – GENERAL BUSINESS

MOTION TO EXTEND EMERGENCY DECLARATION – I MOVE TO CONTINUE THE DURATION OF THE PROCLAMATION OR DECLARATION OF STATE OF DISASTER RESULTING FROM THE CORONAVIRUS/COVID-19 PANDEMIC INITIALLY ISSUED BY THE CITY MANAGER ON MARCH 17, 2020 PURSUANT TO SECTION 1.27.060 OF THE LAKEWOOD MUNICIPAL CODE, EXTENDED TO APRIL 13, 2020 BY A MAJORITY VOTE OF THE CITY COUNCIL ON MARCH 23, 2020, AND FURTHER EXTENDED TO APRIL 27, 2020 BY A MAJORITY VOTE OF THE CITY COUNCIL ON APRIL 13, 2020, WITH THE DECLARATION NOW SCHEDULED TO TERMINATE ON MAY 11, 2020 UNLESS FURTHER EXTENDED OR TERMINATED BY THE CITY COUNCIL PRIOR TO THAT DATE.

ITEM 17 – MAYOR AND CITY COUNCIL REPORTS

A. MAYOR
B. MAYOR PRO TEM
C. COUNCIL MEMBERS

ITEM 18 – ADJOURNMENT
STAFF MEMO

DATE OF COUNCIL MEETING: APRIL 27, 2020 / AGENDA ITEM NO. 6

To: Mayor and City Council
From: Kit Newland, Director of Community Resources, 303-987-7822
Subject: HEAD START COST OF LIVING ADJUSTMENT (COLA) APPLICATION RESOLUTION

SUMMARY STATEMENT: The Family Services Division within the Community Resources Department requests permission to apply for Head Start funding in the amount of $25,765 to provide Head Start and Early Head Start staff with a COLA.

BACKGROUND INFORMATION: The Office of Head Start released funds on March 14, 2020 to Head Start and Early Head Start grantees to provide staff with a COLA.

BUDGETARY IMPACTS: If approved, the City would accept additional funds from the Office of Head Start which will increase the base level of the Head Start grant by $25,765.

STAFF RECOMMENDATIONS: Staff recommends approving the attached resolution thereby allowing staff to proceed with the grant application for the COLA.

ALTERNATIVES: City Council could deny approval. Head Start management will then need to write a letter to the Office of Head Start explaining why the program chose not to apply for available funds.

PUBLIC OUTREACH: The Head Start Policy Council consisting of parent representatives from each school, as well as Early Head Start parents, and the Head Start Advisory Committee have reviewed the information provided and support staff moving forward with the Head Start COLA application.

NEXT STEPS: Pending approval, Family Services Division staff will complete the grant application and submit it to the Office of Head Start by the May 15, 2020 deadline.

ATTACHMENTS: Resolution 2020-17
2020-2021 Head Start Budget and Funding Guidance Letter

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Timothy P. Cox, City Attorney
A RESOLUTION

ENDORsing amendment to lakewood 2020-2021 HEAD START Grant Application for purpose of submitting request to federal government for supplemental funds available to provide cost of living adjustment to staff in head start and early head start

WHEREAS, the City of Lakewood (the “City”) is a provider of the federal Head Start and Early Head Start programs to qualifying Lakewood children;

WHEREAS, Head Start and Early Head Start funds are appropriated by the U.S. Administration of Children and Families, Office of Head Start (the “Head Start Office”);

WHEREAS, the City’s Mayor or designee, as the City’s official representative, is authorized to submit documents and assurances as required to administer the programs and expend Head Start funds;

WHEREAS, on February 24, 2020, the Lakewood City Council (the “City Council”) adopted Resolution 2020-11 endorsing the City’s 2020-2021 Head Start Grant Application (the “2020-2021 Application”) for funding for the City’s 2020-2021 Head Start program;

WHEREAS, the City is eligible to apply for additional, non-competitive funding for the City’s Head Start and Early Head Start grants to provide Cost of Living Adjustment (“COLA”) pay increases to Head Start and Early Head Start staff;

WHEREAS, the City Council has reviewed a proposed amendment to the 2020-2021 Application and the program budget, which has been approved by the City’s Head Start Policy Council, to provide such COLA pay increases to Head Start and Early Head Start staff (the “Amendment”); and

WHEREAS, the City Council hereby finds it to be in the best interest of the residents of the City of Lakewood to endorse the Amendment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The City Council hereby endorses the Amendment to provide additional funding in the amount Twenty-two Thousand Fifty-nine dollars ($22,059.00) for Head Start COLA, and Three Thousand Seven Hundred Six dollars ($3,706.00) for Early Head Start COLA, for a grand total of Twenty-five Thousand Seven Hundred Sixty-five dollars ($25,765.00).

SECTION 2. This Resolution shall become effective immediately upon its adoption.
INTRODUCED, READ AND ADOPTED by a vote of ___ for and ___ against at a
virtual regular meeting of the Lakewood City Council held on April 27, 2020, at 7 o'clock p.m.

_______________________________

Adam Paul, Mayor

ATTEST:

_______________________________

Michele Millard, City Clerk

APPROVED AS TO FORM:

_______________________________

Timothy P. Cox, City Attorney
March 13, 2020

Grant No. 08CH10121

Dear Head Start Grantee:

The Further Consolidated Appropriations Act, 2020, contains an increase of approximately $550 million for programs under the Head Start Act for Fiscal Year (FY) 2020. The increase provides $193 million for a cost-of-living adjustment (COLA) and $250 million for Quality Improvement investments for Head Start. The COLA supports an increase of two percent for each grantee to increase staff salaries and fringe benefits, and offset higher operating costs. COLA funds are effective at the start of the FY 2020 budget period and are retroactive if this period has already begun. Quality Improvement funds are allocated proportionately based on federal funded enrollment, with additional consideration given to small grantees to allow for a meaningful investment, as permitted by the Act.

The following table reflects the COLA and Quality Improvement increases available for FY 2020.

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The table provides projected amounts for each program, Head Start and/or Early Head Start. The Quality Improvement allocation above was calculated on Head Start and/or Early Head Start funded slots; however, grantees operating both programs have flexibility to use any amount of funding on either program, based on community needs, and not to exceed the total amount available. This flexibility does not extend to COLA allocations. Please note, allocations in the table are based on annual funding and enrollment levels by program as of February 2020, and may be subject to change if there are adjustments to these levels.

**Submission Requirements**

The supplemental application is due May 15, 2020 and must be submitted in the Head Start Enterprise System (HSES). To apply, please select the Financials tab, Grant Application tab, Fiscal Year 2020, and add the ‘Supplement – COLA and Quality Improvement’ amendment type. No other application type for these funds will be accepted.

**Content of ‘Supplement – COLA and Quality Improvement’ Application**

Applications must include separate narratives and detailed budget justifications for each funding type, COLA and Quality Improvement, and by program, Head Start and/or Early Head Start. Each narrative must begin with a Table of Contents, use 12 point font, and not exceed 10 pages. All narratives, budget justifications, and other supporting documentation must be uploaded into respective folders within the Documents tab of the application.

**COLA Narrative and Budget Justification**
Grantees must demonstrate:

- An increase of no less than two percent of the current pay scale for Head Start/Early Head Start employees, including unfilled vacancies, subject to the provisions of Sections 653 and 640(j) of the Head Start Act;
- The rationale and documentation detailing agency policies and procedures if employees are receiving less than the two percent COLA or differential COLA increases;
- The provision of a no less than two percent increase to all delegate agencies and partners or justification if less than two percent or differential increases are provided to delegate agencies and partners;
- The planned uses for the balance of the COLA funds to offset higher operating costs.

Sections 653 and 640(j) of the Head Start Act provide further guidance on the uses and limitations of COLA funds. Sec. 653 restricts compensation to a Head Start employee that is higher than the average rate of compensation paid for substantially comparable services in the area where the program is operating. Sec. 640(j) of the Act requires compensation of Head Start employees must be improved regardless of whether the agency has the ability to improve the compensation of staff employed by the agency that do not provide Head Start services. Grantees with concerns that staff salaries cannot be increased due to wage comparability issues should ensure public school salaries for kindergarten teachers are included in their considerations.

**Quality Improvement Narrative and Budget Justification**

Grantees must demonstrate:

- Investments are consistent with Sec. 640(a)(5) of the Act (except programs are not bound by the requirements that at least 50 percent of the funds be used for staff compensation or that no more than 10 percent of funds be used on transportation. For more information on allowable activities as outlined in the Act, please see Attachment A);
- Investments made in Quality Improvement will be ongoing;
- How investments support children, families, and staff impacted by trauma; or justify the reasoning for investing in an activity not directly related to addressing trauma (For specific examples, please see Attachment B or the following resource on Implementing a Trauma-Informed Approach.);
- For programs using flexibility in the proportional share of the funding for Head Start and Early Head Start, justify how that approach fully supports the greatest needs of communities.

Grantees are strongly encouraged to invest this funding into program efforts and activities that help better incorporate a trauma-informed approach that will support children, families, and staff impacted by adverse experiences. For more information on trauma and implementation of trauma-informed approaches in Head Start and Early Head Start programs, including specific examples, please see Attachment B or the following resource on Implementing a Trauma-Informed Approach. However, grantees do have the flexibility to use these Quality Improvement funds to meet grantees’ most pressing local needs, consistent with Section 640(a)(5) of the Act. With this funding, grantees should plan for ongoing, sustained investments in quality improvements, while also acknowledging one-time investments in FY 2020 year may be necessary to sustain ongoing quality improvement.

**Budget Requirements**

The data entered on the budget tab within the application populates the SF-424A. Grantees are required to include funds for both COLA and Quality Improvement, and within the appropriate program, Head Start or Early Head Start.
Non-Federal Share

The budget and detailed budget justification must include each source of non-federal match, including estimated amount per source and the valuation methodology. A detailed justification that conforms with the criteria under Section 640(b)(1)-(5) of the Head Start Act must be submitted if the application proposes a waiver of any portion of the non-federal match requirement.

Supporting Documents

Signed statements of the Governing Body and Policy Council Chairs along with Governing Body and Policy Council minutes documenting each group’s participation in the development and approval of the supplemental application for COLA and Quality Improvement must be provided.

The application must be submitted on behalf of the Authorizing Official registered in the HSES. Incomplete applications will not be processed.

Please ensure the application contains all of the required information. If you have any questions or need assistance, please contact Rebecca Wilson, Head Start Program Specialist, at 303-844-1199 or rebecca.wilson@acf.hhs.gov or Marilyn Carlino, Grants Management Specialist, at 303-844-1247 or marilyn.carlino@acf.hhs.gov.

For technical assistance in preparing the application, please contact the HSES Help Desk at help@hsesinfo.org or 1-866-771-4737.

Sincerely,
The Office of Head Start

Attachment A

Allowable Uses of Quality Improvement Funds

The language in this document comes directly from Sec. 640(a)(5) of the Head Start Act, except that language has been removed from no. 1 specifying that at least 50 percent of the funds must be used for staff compensation and language has been removed from no. 8 specifying that no more than 10 percent of the funds can be used on transportation to align with the FY 2020 enacted appropriation language.

1. To improve the compensation (including benefits) of educational personnel, family service workers, and child counselors, as described in Sections 644(a) and 653 of the Head Start Act, in the manner determined by the Head Start agencies (including Early Head Start agencies) involved, to—
   - ensure that compensation is adequate to attract and retain qualified staff for the programs involved in order to enhance program quality;
   - improve staff qualifications and assist with the implementation of career development programs for staff that support ongoing improvement of their skills and expertise; and
   - provide education and professional development to enable teachers to be fully competent to meet the professional standards established under Sec. 648A(a)(1) of the Act, including—
     - providing assistance to complete postsecondary course work;
     - improving the qualifications and skills of educational personnel to become certified and licensed as bilingual education teachers, or as teachers of English as a second language; and
     - improving the qualifications and skills of educational personnel to teach and provide services to...
2. To support staff training, child counseling, and other services necessary to address the challenges of children from immigrant, refugee, and asylee families; homeless children; children in foster care; limited English proficient children; children of migrant or seasonal farmworker families; children from families in crisis; children referred to Head Start programs (including Early Head Start programs) by child welfare agencies; and children who are exposed to chronic violence or substance abuse.

3. To ensure that the physical environments of Head Start programs are conducive to providing effective program services to children and families, and are accessible to children with disabilities and other individuals with disabilities.

4. To employ additional qualified classroom staff to reduce the child-to-teacher ratio in the classroom and additional qualified family service workers to reduce the family-to-staff ratio for those workers.

5. To ensure that Head Start programs have qualified staff that promote the language skills and literacy growth of children and that provide children with a variety of skills that have been identified, through scientifically based reading research, as predictive of later reading achievement.

6. To increase hours of program operation, including—
   • conversion of part-day programs to full-working day programs; and
   • increasing the number of weeks of operation in a calendar year.

7. To improve communitywide strategic planning and needs assessments for Head Start programs and collaboration efforts for such programs, including outreach to children described in no. 2 above.

8. To transport children in Head Start programs safely.

9. To improve the compensation and benefits of staff of Head Start agencies, in order to improve the quality of Head Start programs.

Attachment B

Office of Head Start Guidance on Implementing a Trauma-Informed Approach

Trauma occurs when frightening events or situations overwhelm a child or adult's ability to cope or deal with what has happened. These kinds of experiences cause an extended stress response and lasting effects on the physical and mental health of the individual. Trauma can occur in the form of a single event (e.g., a natural disaster or death of a close family member) or as a series of events or chronic condition (e.g., substance misuse, domestic and community violence, child abuse and neglect, extended homelessness, or food insecurity). Exposure to trauma is more common than most people believe. It is also multi-layered, with individual, community, and historical experiences. In addition to enrolled children and families, Head Start staff may experience trauma as well, along with stress associated with their role in supporting children and families impacted by trauma. That said, not everyone exposed to adverse experiences is traumatized.

Head Start and Early Head Start programs play a critical role in buffering the impact of trauma by promoting resilience for children, families, and staff. The effects of trauma are lessened by protective factors such as strong parent-child relationships; relationships between staff, children, and families in Head Start and Early Head Start
programs; and through relationships and supports within the community. Supporting staff wellness is a critical part of any trauma-informed approach in Head Start programs.

The Substance Abuse and Mental Health Services Administration (SAMHSA) defines a trauma-informed approach as one that: 1) **realizes** the widespread impact of trauma and understands potential paths for recovery; 2) **recognizes** potential signs and symptoms of trauma; 3) **responds** by fully integrating knowledge about trauma into program policies, procedures, and practices; and 4) **resists** re-traumatization of impacted individuals. For more information, please see SAMHSA’s Concept of Trauma and Guidance for a Trauma-Informed Approach.

**Head Start Considerations for Funding Trauma-Informed Approaches**

There are many ways Head Start and Early Head Start programs can use Quality Improvement funds to implement a comprehensive, ongoing trauma-informed approach. The following includes a limited, non-exhaustive list of examples:

**Expand Mental Health Services**

- Improve preventive mental health screening, assessment, and interventions
- Enhance mental health consultation for staff support and organizational improvement to help identify signs and symptoms of trauma and integrate supports and services to assist in healing
- Ensure mental health consultation and other related intervention services include a trauma-informed approach and are integrated at intake and orientation
- Build and/or enhance collaborative services with local substance abuse and mental health treatment programs, domestic violence service providers, disaster response programs, child welfare agencies, and others

**Increase Classroom Quality**

- Hire additional qualified education staff to lower classroom ratios, enhance caregiver-child relationships
- Provide ongoing coaching and support to education staff to address secondary stress and related turnover
- Hire behavioral specialists to support children, classroom staff, and parents
- Improve physical environments and learning spaces throughout the facility to help address the multiple domains of development and learning that are impacted by trauma
- Invest in professional development and staffing patterns that foster continuity of care, and consistent, predictable, and nurturing environments

**Strengthen Family Services**

- Enhance services that strengthen families, promote relationships, decrease parental stress, and improve family safety and financial security
- Strengthen service provision related to housing access and stability
- Provide enhanced job training, employment, education, and career services
- Help families better access healthcare and nutrition services
- Enhance transportation services to promote more regular participation by children and families in services designed to support development and learning and address trauma
- Improve collaboration efforts and alignment with family-serving agencies to lessen family confusion and stress in dealing with multiple agencies
Support a Trauma-Informed Workforce

- Provide training on trauma-informed approaches to all staff, governing boards, and Policy Councils, and ensure training is accompanied with coaching and opportunities for reflective practice and supervision
- Support staff capacity with salary increases and additional benefits, such as employee assistance services and break times
- Decrease family service staff and/or home visitor caseloads through hiring of additional qualified staff or other strategies

Create a Program-Wide Trauma-Informed Environment

- Ensure any trauma-informed training implemented at the management-, governing-, or policy-level includes oversight to examine how the approach is being implemented
- Conduct ongoing self-assessment to track program improvements related to integrating a trauma-informed approach over time
- Expand Health Services Advisory Committee efforts to better support health and mental health services for children and families by implementing trauma-informed approaches
DATE OF COUNCIL MEETING: APRIL 27, 2020 / AGENDA ITEM NO. 7

To: Mayor and City Council
From: Kit Newland, Director of Community Resources, 303-987-7822
Subject: HEAD START QUALITY IMPROVEMENT APPLICATION RESOLUTION

SUMMARY STATEMENT: The Family Services Division within the Community Resources Department requests permission to apply for Head Start funding in the amount of $55,000 for quality improvement to Head Start and Early Head Start programs.

BACKGROUND INFORMATION: The Office of Head Start released funds on March 14, 2020 to Head Start and Early Head Start grantees for quality improvement for programs.

BUDGETARY IMPACTS: If approved, the City would accept additional funds from the Office of Head Start which will increase the base level of the Head Start grant by $55,000.

STAFF RECOMMENDATIONS: Staff recommends approving the attached resolution thereby allowing staff to proceed with the grant application for Quality Improvement funds.

ALTERNATIVES: City Council could deny approval. Head Start management will then need to write a letter to the Office of Head Start explaining why the program chose not to apply for available funds.

PUBLIC OUTREACH: The Head Start Policy Council consisting of parent representatives from each school, as well as Early Head Start parents, and the Head Start Advisory Committee have reviewed the information provided and support staff moving forward with the Head Start Quality Improvement funding application.

NEXT STEPS: Pending approval, Family Services Division staff will complete the grant application and submit it to the Office of Head Start by the May 15, 2020 deadline.

ATTACHMENTS: Resolution 2020-18
2020-2021 Head Start Budget and Funding Guidance Letter

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Timothy P. Cox, City Attorney
A RESOLUTION

ENDORSing AmendMent tO lAkedOw 2020-2021 Head start grant application For tHe purpose of submitting request tO federal government For supplemental funds available for quality improvement of services in lAkedOw head start program

WHEREAS, the City of Lakewood (the “City”) is a provider of the federal Head Start program to qualifying children in Lakewood;

WHEREAS, Head Start funds are appropriated by the U.S. Administration of Children and Families, Office of Head Start (the “Head Start Office”);

WHEREAS, the Mayor or designee, as the City’s official representative, is authorized to submit documents and assurances as required to administer Head Start programs and expend Head Start funds;

WHEREAS, on February 24, 2020, the Lakewood City Council (the “City Council”) adopted Resolution 2020-11 endorsing the City’s 2020-2021 Head Start Grant Application (the “2020-2021 Application”) for funding for the City’s 2020-2021 Head Start program;

WHEREAS, the Head Start Office has notified City staff that the City is eligible to apply for additional, non-competitive funding for Quality Improvement of services in the City’s Head Start program;

WHEREAS, the City Council has reviewed the application to amend the 2020-2021 Application and the program budget (the “Amendment”), which Amendment has been approved by the City’s Head Start Advisory Committee; and

WHEREAS, the City Council hereby finds and determines that endorsing the Amendment would be in the best interest of the residents of the City of Lakewood.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The City Council hereby endorses the 2020-2021 Amendment in the amount of Forty-two Thousand One Hundred Twenty-one dollars ($42,121.00) for Head Start, and Twelve Thousand Eight Hundred Seventy-nine dollars ($12,879.00) for Early Head Start, for a grand total of Fifty-five Thousand dollars ($55,000.00).

SECTION 2. This Resolution shall become effective immediately upon its adoption.
INTRODUCED, READ AND ADOPTED by a vote of ____ for and ____ against at a
virtual regular meeting of the Lakewood City Council held on April 27, 2020, at 7 o'clock
p.m.

ATTEST:

____________________________

Adam Paul, Mayor

Michele Millard, City Clerk

APPROVED AS TO FORM:

____________________________

Timothy P. Cox, City Attorney
March 13, 2020

Dear Head Start Grantee:

The Further Consolidated Appropriations Act, 2020, contains an increase of approximately $550 million for programs under the Head Start Act for Fiscal Year (FY) 2020. The increase provides $193 million for a cost-of-living adjustment (COLA) and $250 million for Quality Improvement investments for Head Start. The COLA supports an increase of two percent for each grantee to increase staff salaries and fringe benefits, and offset higher operating costs. COLA funds are effective at the start of the FY 2020 budget period and are retroactive if this period has already begun. Quality Improvement funds are allocated proportionately based on federal funded enrollment, with additional consideration given to small grantees to allow for a meaningful investment, as permitted by the Act.

The following table reflects the COLA and Quality Improvement increases available for FY 2020.

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The table provides projected amounts for each program, Head Start and/or Early Head Start. The Quality Improvement allocation above was calculated on Head Start and/or Early Head Start funded slots; however, grantees operating both programs have flexibility to use any amount of funding on either program, based on community needs, and not to exceed the total amount available. This flexibility does not extend to COLA allocations. Please note, allocations in the table are based on annual funding and enrollment levels by program as of February 2020, and may be subject to change if there are adjustments to these levels.

**Submission Requirements**

The supplemental application is due May 15, 2020 and must be submitted in the Head Start Enterprise System (HSES). To apply, please select the Financials tab, Grant Application tab, Fiscal Year 2020, and add the ‘Supplement – COLA and Quality Improvement’ amendment type. No other application type for these funds will be accepted.

**Content of ‘Supplement – COLA and Quality Improvement’ Application**

Applications must include separate narratives and detailed budget justifications for each funding type, COLA and Quality Improvement, and by program, Head Start and/or Early Head Start. Each narrative must begin with a Table of Contents, use 12 point font, and not exceed 10 pages. All narratives, budget justifications, and other supporting documentation must be uploaded into respective folders within the Documents tab of the application.

**COLA Narrative and Budget Justification**
Grantees must demonstrate:

- An increase of no less than two percent of the current pay scale for Head Start/Early Head Start employees, including unfilled vacancies, subject to the provisions of Sections 653 and 640(j) of the Head Start Act;
- The rationale and documentation detailing agency policies and procedures if employees are receiving less than the two percent COLA or differential COLA increases;
- The provision of a no less than two percent increase to all delegate agencies and partners or justification if less than two percent or differential increases are provided to delegate agencies and partners;
- The planned uses for the balance of the COLA funds to offset higher operating costs.

Sections 653 and 640(j) of the Head Start Act provide further guidance on the uses and limitations of COLA funds. Sec. 653 restricts compensation to a Head Start employee that is higher than the average rate of compensation paid for substantially comparable services in the area where the program is operating. Sec. 640(j) of the Act requires compensation of Head Start employees must be improved regardless of whether the agency has the ability to improve the compensation of staff employed by the agency that do not provide Head Start services. Grantees with concerns that staff salaries cannot be increased due to wage comparability issues should ensure public school salaries for kindergarten teachers are included in their considerations.

**Quality Improvement Narrative and Budget Justification**

Grantees must demonstrate:

- Investments are consistent with Sec. 640(a)(5) of the Act (except programs are not bound by the requirements that at least 50 percent of the funds be used for staff compensation or that no more than 10 percent of funds be used on transportation. For more information on allowable activities as outlined in the Act, please see Attachment A);
- Investments made in Quality Improvement will be ongoing;
- How investments support children, families, and staff impacted by trauma; or justify the reasoning for investing in an activity not directly related to addressing trauma (For specific examples, please see Attachment B or the following resource on Implementing a Trauma-Informed Approach.)
- For programs using flexibility in the proportional share of the funding for Head Start and Early Head Start, justify how that approach fully supports the greatest needs of communities.

Grantees are strongly encouraged to invest this funding into program efforts and activities that help better incorporate a trauma-informed approach that will support children, families, and staff impacted by adverse experiences. For more information on trauma and implementation of trauma-informed approaches in Head Start and Early Head Start programs, including specific examples, please see Attachment B or the following resource on Implementing a Trauma-Informed Approach. However, grantees do have the flexibility to use these Quality Improvement funds to meet grantees’ most pressing local needs, consistent with Section 640(a)(5) of the Act. With this funding, grantees should plan for ongoing, sustained investments in quality improvements, while also acknowledging one-time investments in FY 2020 year may be necessary to sustain ongoing quality improvement.

**Budget Requirements**

The data entered on the budget tab within the application populates the SF-424A. Grantees are required to include funds for both COLA and Quality Improvement, and within the appropriate program, Head Start or Early Head Start.
**Non-Federal Share**

The budget and detailed budget justification must include each source of non-federal match, including estimated amount per source and the valuation methodology. A detailed justification that conforms with the criteria under Section 640(b)(1)-(5) of the Head Start Act must be submitted if the application proposes a waiver of any portion of the non-federal match requirement.

**Supporting Documents**

Signed statements of the Governing Body and Policy Council Chairs along with Governing Body and Policy Council minutes documenting each group’s participation in the development and approval of the supplemental application for COLA and Quality Improvement must be provided.

The application must be submitted on behalf of the Authorizing Official registered in the HSES. Incomplete applications will not be processed.

Please ensure the application contains all of the required information. If you have any questions or need assistance, please contact Rebecca Wilson, Head Start Program Specialist, at 303-844-1199 or rebecca.wilson@acf.hhs.gov or Marilyn Carlino, Grants Management Specialist, at 303-844-1247 or marilyn.carlino@acf.hhs.gov.

For technical assistance in preparing the application, please contact the HSES Help Desk at help@hsesinfo.org or 1-866-771-4737.

Sincerely,
The Office of Head Start

**Attachment A**

**Allowable Uses of Quality Improvement Funds**

The language in this document comes directly from Sec. 640(a)(5) of the Head Start Act, except that language has been removed from no. 1 specifying that at least 50 percent of the funds must be used for staff compensation and language has been removed from no. 8 specifying that no more than 10 percent of the funds can be used on transportation to align with the FY 2020 enacted appropriation language.

1. To improve the compensation (including benefits) of educational personnel, family service workers, and child counselors, as described in Sections 644(a) and 653 of the Head Start Act, in the manner determined by the Head Start agencies (including Early Head Start agencies) involved, to—
   • ensure that compensation is adequate to attract and retain qualified staff for the programs involved in order to enhance program quality;
   • improve staff qualifications and assist with the implementation of career development programs for staff that support ongoing improvement of their skills and expertise; and
   • provide education and professional development to enable teachers to be fully competent to meet the professional standards established under Sec. 648A(a)(1) of the Act, including—
     - providing assistance to complete postsecondary course work;
     - improving the qualifications and skills of educational personnel to become certified and licensed as bilingual education teachers, or as teachers of English as a second language; and
     - improving the qualifications and skills of educational personnel to teach and provide services to
children with disabilities

2. To support staff training, child counseling, and other services necessary to address the challenges of children from immigrant, refugee, and asylee families; homeless children; children in foster care; limited English proficient children; children of migrant or seasonal farmworker families; children from families in crisis; children referred to Head Start programs (including Early Head Start programs) by child welfare agencies; and children who are exposed to chronic violence or substance abuse.

3. To ensure that the physical environments of Head Start programs are conducive to providing effective program services to children and families, and are accessible to children with disabilities and other individuals with disabilities.

4. To employ additional qualified classroom staff to reduce the child-to-teacher ratio in the classroom and additional qualified family service workers to reduce the family-to-staff ratio for those workers.

5. To ensure that Head Start programs have qualified staff that promote the language skills and literacy growth of children and that provide children with a variety of skills that have been identified, through scientifically based reading research, as predictive of later reading achievement.

6. To increase hours of program operation, including—
   • conversion of part-day programs to full-working day programs; and
   • increasing the number of weeks of operation in a calendar year.

7. To improve communitywide strategic planning and needs assessments for Head Start programs and collaboration efforts for such programs, including outreach to children described in no. 2 above.

8. To transport children in Head Start programs safely.

9. To improve the compensation and benefits of staff of Head Start agencies, in order to improve the quality of Head Start programs.

Attachment B

Office of Head Start Guidance on Implementing a Trauma-Informed Approach

Trauma occurs when frightening events or situations overwhelm a child or adult's ability to cope or deal with what has happened. These kinds of experiences cause an extended stress response and lasting effects on the physical and mental health of the individual. Trauma can occur in the form of a single event (e.g., a natural disaster or death of a close family member) or as a series of events or chronic condition (e.g., substance misuse, domestic and community violence, child abuse and neglect, extended homelessness, or food insecurity). Exposure to trauma is more common than most people believe. It is also multi-layered, with individual, community, and historical experiences. In addition to enrolled children and families, Head Start staff may experience trauma as well, along with stress associated with their role in supporting children and families impacted by trauma. That said, not everyone exposed to adverse experiences is traumatized.

Head Start and Early Head Start programs play a critical role in buffering the impact of trauma by promoting resilience for children, families, and staff. The effects of trauma are lessened by protective factors such as strong parent-child relationships; relationships between staff, children, and families in Head Start and Early Head Start.
programs; and through relationships and supports within the community. Supporting staff wellness is a critical part of any trauma-informed approach in Head Start programs.

The Substance Abuse and Mental Health Services Administration (SAMHSA) defines a trauma-informed approach as one that: 1) realizes the widespread impact of trauma and understands potential paths for recovery; 2) recognizes potential signs and symptoms of trauma; 3) responds by fully integrating knowledge about trauma into program policies, procedures, and practices; and 4) resists re-traumatization of impacted individuals. For more information, please see SAMHSA’s Concept of Trauma and Guidance for a Trauma-Informed Approach.

**Head Start Considerations for Funding Trauma-Informed Approaches**

There are many ways Head Start and Early Head Start programs can use Quality Improvement funds to implement a comprehensive, ongoing trauma-informed approach. The following includes a limited, non-exhaustive list of examples:

**Expand Mental Health Services**

- Improve preventive mental health screening, assessment, and interventions
- Enhance mental health consultation for staff support and organizational improvement to help identify signs and symptoms of trauma and integrate supports and services to assist in healing
- Ensure mental health consultation and other related intervention services include a trauma-informed approach and are integrated at intake and orientation
- Build and/or enhance collaborative services with local substance abuse and mental health treatment programs, domestic violence service providers, disaster response programs, child welfare agencies, and others

**Increase Classroom Quality**

- Hire additional qualified education staff to lower classroom ratios, enhance caregiver-child relationships
- Provide ongoing coaching and support to education staff to address secondary stress and related turnover
- Hire behavioral specialists to support children, classroom staff, and parents
- Improve physical environments and learning spaces throughout the facility to help address the multiple domains of development and learning that are impacted by trauma
- Invest in professional development and staffing patterns that foster continuity of care, and consistent, predictable, and nurturing environments

**Strengthen Family Services**

- Enhance services that strengthen families, promote relationships, decrease parental stress, and improve family safety and financial security
- Strengthen service provision related to housing access and stability
- Provide enhanced job training, employment, education, and career services
- Help families better access healthcare and nutrition services
- Enhance transportation services to promote more regular participation by children and families in services designed to support development and learning and address trauma
- Improve collaboration efforts and alignment with family-serving agencies to lessen family confusion and stress in dealing with multiple agencies
Support a Trauma-Informed Workforce

- Provide training on trauma-informed approaches to all staff, governing boards, and Policy Councils, and ensure training is accompanied with coaching and opportunities for reflective practice and supervision
- Support staff capacity with salary increases and additional benefits, such as employee assistance services and break times
- Decrease family service staff and/or home visitor caseloads through hiring of additional qualified staff or other strategies

Create a Program-Wide Trauma-Informed Environment

- Ensure any trauma-informed training implemented at the management-, governing-, or policy-level includes oversight to examine how the approach is being implemented
- Conduct ongoing self-assessment to track program improvements related to integrating a trauma-informed approach over time
- Expand Health Services Advisory Committee efforts to better support health and mental health services for children and families by implementing trauma-informed approaches
DATE OF COUNCIL MEETING: APRIL 27, 2020 / AGENDA ITEM NO. 8

To: Mayor and City Council
From: Erin Nordmann, Interim Director of Finance, 303-987-7631
Subject: REVOCABLE LICENSE AGREEMENT FOR SHADE STRUCTURES ALONG ALAMEDA

SUMMARY STATEMENT: A resolution authorizing a Revocable License Agreement (RLA) to allow two shade structures at seating areas along Alameda Avenue.

BACKGROUND INFORMATION: The Alameda Business Improvement District (BID) has requested permission to install shade structures at two existing seating areas along Alameda Boulevard; one on the north side, by Chase Street, and another on the south side, by Otis Street.

Concrete pads and benches for the two seating areas were installed as part of the Alameda Improvement Project. The seating areas can become uncomfortably hot under the intensity of the Colorado sun. The BID is proposing to install and maintain shade structures at each of the above referenced locations in order to make them comfortable for longer periods of the day and year. The proposal has been reviewed by the City’s Public Works and Planning Departments to ensure public safety, as well as compatibility with the recently installed improvements.

The BID currently has a number of art installations which have been approved by Council and have served to improve aesthetics along the corridor. These shade structures will also enhance aesthetics and usability.

FINANCIAL IMPACTS: None

STAFF RECOMMENDATIONS: Approval

ALTERNATIVES: If this resolution is not approved, the Alameda BID will not install the shade structures and the seating areas will remain as-is.

PUBLIC OUTREACH: none

NEXT STEPS:

ATTACHMENTS: Resolution 2020-19
Maps
Photo

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Timothy P. Cox, City Attorney
A RESOLUTION

AUTHORIZING A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT ALONG WEST ALAMEDA AVENUE AT CHASE STREET AND OTIS STREET TO ALLOW PLACEMENT AND MAINTENANCE OF TWO SHADE STRUCTURES AND RELATED APPURTENANCES

WHEREAS, the Alameda Corridor Business Improvement District (the “BID”) has requested a Revocable License Agreement from the City of Lakewood (the “City”) to allow the placement of two shade structures and related appurtenances, as generally depicted on Exhibit A, attached hereto and incorporated herein (the “Structures”), on land owned by the City as a portion of the right-of-way for West Alameda Avenue, in the locations identified in Exhibit B, attached hereto and incorporated herein (the “Properties”); and

WHEREAS, the City desires to allow the BID to use the Properties for installation, maintenance, repair and replacement of the Structures in accordance with the terms and conditions of a Revocable License Agreement issued by the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The Finance Director is hereby authorized to execute, and the City Clerk to attest, a Revocable License Agreement between the City of Lakewood and the Alameda Corridor Business Improvement District, in form approved by the City Attorney, for the purposes described herein.

INTRODUCED, READ AND ADOPTED by a vote of ___ for and ___ against at a virtual regular meeting of the Lakewood City Council held on April 27, 2020, at 7 o'clock p.m.

__________________________
Adam Paul, Mayor

ATTEST:

__________________________
Michele Millard, City Clerk

APPROVED AS TO FORM:

__________________________
Timothy P. Cox, City Attorney
Shade structure installed in different location (blocks shown are not being used on Alameda)
EXHIBIT B
Identification of Licensed Area

1. Existing seating area on the north side of West Alameda Avenue at the intersection of South Chase Street.

2. Existing seating area on the south side of West Alameda Avenue at the intersection of South Otis Street.
ALAMEDA CORRIDOR BID: Seating Area Shade Structure at Alameda Ave. and Chase St.

Site Photo: View looking North towards Chase Street

Project Location 1, Aerial Photo: Alameda Ave. at Chase Street (btw S Depew and S Benton Streets)
ALAMEDA CORRIDOR BID: Seating Area Shade Structure at Alameda Ave. and S Pierce (at Otis St.)

Project Location 2, Aerial Photo: Alameda Ave. and S Pierce Street at S Otis Street

Site Photo: View looking North towards Alameda Ave.
Shade structure installed in different location (blocks shown are not being used on Alameda)
DATE OF COUNCIL MEETING: APRIL 27, 2020 / AGENDA ITEM NO. 9

To: Mayor and City Council

From: Daniel McCasky, Police Chief, 303-987-7171

Subject: AN ORDINANCE TO ACCEPT GRANT FUNDING FOR HOMELESS NAVIGATORS

SUMMARY STATEMENT: On December 11, 2019, the Colorado Health Foundation approved the City’s grant application in the amount of $178,632 to partially fund the city’s two homeless navigator positions. Per City Charter, City Council can make supplemental appropriations to the annual budget by ordinance. This memo requests City Council adopt the attached ordinance authorizing a supplemental appropriation in the amount of $178,632 for the grant award.

BACKGROUND INFORMATION: On October 28th, 2019, the City Council approved the addition of two homeless navigator positions intended to increase the coordination of community resources and services for homeless people in Lakewood.

With this approval, city staff sought out grants to help fund the new positions. City staff applied for a competitive grant offered by the Colorado Health Foundation. After an initial application and follow-up on-site interview, the city was awarded $178,632 to help fund the navigator’s salaries.

BUDGETARY IMPACTS: Adopting this ordinance would authorize a supplemental appropriation to the 2020 annual budget in the amount of $178,632 to partially fund the two homeless navigator positions.

STAFF RECOMMENDATIONS: Staff recommends that the City of Lakewood adopt the proposed ordinance.

ALTERNATIVES: If City Council chooses not to adopt the proposed ordinance, the city will not be able to utilize the awarded grant dollars and will need to use alternate funding sources to fully fund the two homeless navigator positions.

PUBLIC OUTREACH: There has been no official public outreach on this agenda item.

ATTACHMENTS: Ordinance O-2020-12

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Timothy P. Cox, City Attorney
AN ORDINANCE

AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE 2020 ANNUAL BUDGET IN THE AMOUNT OF $178,632 AND AUTHORIZING THE EXPENDITURE OF GRANT FUNDS FROM THE COLORADO HEALTH FOUNDATION TO ASSIST THE CITY OF LAKEWOOD IN IMPROVING SERVICE ACCESS FOR PEOPLE WHO ARE HOMELESS IN LAKEWOOD

WHEREAS, Article XII, Section 8, of the City of Lakewood (the “City”) home rule Charter allows the Lakewood City Council to make supplemental appropriations by ordinance during the fiscal year for unanticipated expenditures required for the operation of the City using monies not anticipated in the adopted budget that have become available to the City;

WHEREAS, on December 11, 2019, the Colorado Health Foundation approved a City grant application in the amount of $178,632;

WHEREAS, on October 28, 2019, the City Council approved the addition of two (2) Homeless Navigator positions intended to increase the coordination of community resources and services for homeless people in Lakewood;

WHEREAS, no additional money is being requested for this grant;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. In accordance with Section 12.8 of the City’s Home Rule Charter, there is hereby appropriated in the Grant Fund $178,632 for the purpose of partially funding Homeless Navigator positions to increase coordination of community resources and services for the homeless population in Lakewood.

SECTION 2. This ordinance shall take effect thirty (30) days after final publication.

SECTION 3. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.
I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a virtual regular meeting of the Lakewood City Council on the 27th day of April, 2020; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 30th day of April, 2020; set for public hearing to be held on the 11th day of May, 2020; read, finally passed and adopted by the City Council on the _____ day of May, 2020; and signed by the Mayor on the _____ day of May, 2020.

________________________________________
Adam Paul, Mayor

ATTEST:

________________________________________
Michele Millard, City Clerk

APPROVED AS TO FORM:

________________________________________
Timothy P. Cox, City Attorney
DATE OF COUNCIL MEETING: APRIL 27, 2020 / AGENDA ITEM NO. 10 & 11

To: Mayor and City Council

From: Travis Parker, Director of Planning, 303-987-7908

Subject: AN ORDINANCE ENDORSING THE SUBSTANTIAL AMENDMENT TO THE 2019 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO ALLOCATE ADDITIONAL CDBG FUNDS MADE AVAILABLE THROUGH THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT (CARES ACT); AND

AN ORDINANCE ENDORSING THE 2020-2024 CONSOLIDATED PLAN AND RECOMMENDED PROJECTS AND FUNDING LEVELS FOR THE 2020 ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM;

SUMMARY STATEMENT: Staff is requesting that City Council review and approve the following two Ordinances:

2019 Annual Action Plan Substantial Amendment
- Ordinance endorsing the Substantial Amendment to the 2019 Annual Action plan to allocate additional CDBG funding made available to the City of Lakewood through the Coronavirus Aid, Relief and Economic Security Act (CARES Act) to assist Lakewood with immediate and long-term impacts from the Coronavirus.

2020-2024 Consolidated Plan and 2020 Annual Action Plan
- Ordinance endorsing the 2020-2024 Consolidated Plan identifying the City’s housing, supportive service and community development priority needs for the next five years and recommended projects and funding levels identified in Table 1 for the 2020 Community Development Block Grant (CDBG) Program year.

BACKGROUND INFORMATION: The U.S. Department of Housing and Urban Development (HUD) requires all entitlement communities receiving Community Development Block Grant (CDBG) funds, such as the City of Lakewood, to prepare and submit a Consolidated Plan every five years to establish a unified, strategic vision for economic development, housing and community development actions. The Consolidated Plan encompasses the analysis of local community needs and coordinates appropriate responses to those needs and priorities.

The Consolidated Plan is carried out through Annual Action Plans which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified in the Consolidated Plan. The City must submit an Annual Action Plan to HUD by no later than April 15 of each year during the five-year period (unless otherwise specified by HUD).
2019 Annual Action Plan Substantial Amendment

The Lakewood City Council adopted the 2019 Action Plan (“Action Plan”) on April 8, 2019 and submitted the document to HUD before the required deadline date.

Per the City’s Citizen Participation Plan (CPP), a Substantial Amendment to a Consolidated Plan and Action Plan is required when a “substantial” change is proposed as it relates to funding priorities, proposed activities, goals and objectives.

This substantial amendment to the Action Plan is necessary because the City has been allocated new CDBG funding through the March 27, 2020 Coronavirus Aid, Relief and Economic Recovery Act (CARES Act) that it wishes to allocate to activities to assist with immediate and long-term aid and recovery efforts for Lakewood residents impacted by the Coronavirus. In accordance with the requirements outlined in the CARES Act, a 7-day public review and comment period beginning April 16 and ending April 23, 2020 was provided and a public notice published in the Denver Post and on the City’s website.

Changes to the 2019 Annual Action Plan

The City proposed to allocate $533,236 in new CDBG-COVID funding to CDBG-eligible activities that assist with immediate and longer-term needs for low- and moderate-income people impacted by the Coronavirus. Staff is working closely with public health, non-profit service providers and government agencies to understand the highest needs within the community and identify partnerships and effective solutions to supporting those most impacted by Coronavirus.

The following CDBG-eligible activities will assist with the highest anticipated needs. These activities include but are not limited to support for emergency housing, motel vouchers, limited rental and mortgage assistance, eviction prevention, case management, low-income resident services, physical and mental health assistance, personal protective equipment, deposit and moving costs, food, utilities, transportation, employment, childcare, and self-sufficiency programing.

The programming of the additional funds is intended to be broad in scope to allow for quick and nimble response and assistance to anticipated and unanticipated needs as the crisis unfolds within our community. The City will work closely with a variety of community partners to assess the immediate and longer-term needs of those impacted by the Coronavirus and ensure the funds assist those most in need as efficiently as possible. It is anticipated that these activities will be implemented through existing city programs, county and municipal partnerships, and local housing and service providers.

All proposed activities will meet one or more of the following objectives:

- Benefit low- and moderate-income people
- Address an urgent community need

In order for the funding to be secured to reach those most vulnerable and immediately impacted, staff is seeking funding approval before many program details are known which is not ideal but necessary during this time. Staff has prepared a second version of the ordinance for City Council’s consideration. This version would allow for plan changes to be adopted as an emergency ordinance, thus getting the money into the community even faster. Both versions of the ordinance give staff authorization to expend the funds in amounts that exceed $50,000 without additional City Council authorization.

Staff will prepare a follow-up memo for City Council, outlining how the additional CDBG funds have been utilized for COVID related expenses. It is anticipated that this memo will be delivered by September 30, 2020.
**2020-2024 Consolidated Plan and 2020 Annual Action Plan**

The U.S. Housing and Urban Development Department (HUD) will grant federal funds to the City of Lakewood (City) for housing and community development activities once the 2020-2024 Consolidated Plan and Action Plan for the 2020 Program Year are reviewed and approved by the City Council. An amount of $906,452 in Community Development Block Grant (CDBG) funds will be available in 2020.

The purpose of the CDBG program is to enable communities to carry out a wide range of community development activities directed toward neighborhood revitalization, economic development, and improved community services and facilities. All activities undertaken with CDBG funds must address one of the following three federal program objectives:

1. Benefit low- and moderate-income persons, or
2. Aid in the prevention or elimination of slum and blight (as defined by the community), or
3. Address urgent community development needs that present a serious and immediate threat to the health or welfare of the community

CDBG activities must also satisfy additional HUD eligibility requirements and address a local need and objective outlined in the City’s Consolidated Plan which is updated every five years.

**2020-2024 Consolidated Plan and 2020 Annual Action Plan Details:**

The City of Lakewood’s Consolidated Plan is the City’s comprehensive planning document for the CDBG program for years 2020-2024. The Plan identifies Lakewood’s housing and community development needs and develops objectives and strategies to meet those needs. The Consolidated Plan is used by HUD and the City of Lakewood as the guiding document for future funding, program management and evaluation. As mentioned above, All CDBG activities proposed over the next five years must address a local need and objective outlined in the Consolidated Plan. The 2020 Annual Action plan which outlines projects and funding levels for the 2020 program year is contained within the Consolidated Plan.

**Priority Needs and Objectives:** Three priority needs and objectives have been identified for the City of Lakewood and outlined in the 2020-2024 Consolidated Plan:

**Priority Needs:**

1. Neighborhood Improvements in Target Areas
2. Housing Preservation, Rehabilitation and Improvements
3. Supportive Services for Low-Income and Special Needs People

The following three objectives, equal in importance, have been developed to meet those needs:

1. Preserve and improve Target Area neighborhoods
2. Provide safe, decent and affordable housing
3. Promote stabilization and self-sufficiency through service provision

**Public Participation and Plan Development:** The City executed a contract with Root Policy to gather data, conduct stakeholder and public outreach and draft the Consolidated Plan. Public participation was an important component to the development of the Plan. Individuals, citizen groups, non-profit agencies, housing specialists and Lakewood residents were consulted through a survey tool and focus groups. Particular emphasis was placed on involving low- and moderate-income residents who directly benefit from programs funded through CDBG.
The Annual Action Plan: outlines the proposed CDBG-funded projects for 2020 which address the priority needs identified in the Consolidated Plan. It also serves as the City’s annual funding application for the CDBG program year, which begins June 1, 2020 and ends May 31, 2021. The 2020 CDBG allocation for the City of Lakewood is $906,452.

Project Selection Process:
A review committee consisting of City staff from affected departments reviewed proposed projects and evaluated how each project satisfies national and local objectives. Keeping in mind ongoing commitments, the committee reviewed the estimated annual allocation of funds and selected the recommended projects included in the 2020 Action Plan. The recommended projects are described later in this memorandum.

The following criteria were used to evaluate and select recommended projects:

1. The project addresses a local priority need identified in the Consolidated Plan
2. The project provides a benefit to low- and moderate-income residents of Lakewood
3. The project benefits the qualified Target Area neighborhoods in need of revitalization
4. The project objectives and outcomes can be measured for aggregation nationally as HUD reports to Congress on program efficiencies. HUD program objectives are: a) provide a suitable living environment; b) provide an opportunity for decent housing; or c) provide an economic opportunity. HUD program outcomes are: 1) availability/accessibility; 2) affordability; and 3) sustainability.

CDBG Estimated Resources Available in 2020:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020 Community Development Block Grant (CDGB)</td>
<td>$906,452</td>
</tr>
<tr>
<td>2020 CDBG Program Income (estimate)*</td>
<td>$20,000</td>
</tr>
<tr>
<td>Unspent CDBG reserves from previous years</td>
<td>$290,548</td>
</tr>
<tr>
<td><strong>Total CDBG Resources</strong></td>
<td><strong>$1,217,000</strong></td>
</tr>
</tbody>
</table>

*Program income is money received from the repayment of loans from the Single-family Housing Rehabilitation program.

2020 Recommended Projects:

<table>
<thead>
<tr>
<th>Project</th>
<th>Description</th>
<th>Estimated Cost</th>
<th>Department or Subrecipient</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family Housing Rehabilitation</td>
<td>Low-interest loans and grants are provided to elderly, disabled and low-income homeowners to complete health and safety improvements to their single-family homes. Exterior painting, landscaping and yard clean is also provided through Lakewood Help for Homes program.</td>
<td>$160,000</td>
<td>Jefferson County Housing Authority, Brothers Redevelopment, Inc.</td>
</tr>
<tr>
<td>CDBG Neighborhood Cleanup</td>
<td>A neighborhood clean-up event for households living within CDBG Target Areas to enhance neighborhood appearance and safety.</td>
<td>$16,000</td>
<td>Lakewood Police Department-Code Enforcement</td>
</tr>
</tbody>
</table>
### BUDGETARY IMPACTS:
There are no budgetary impacts. The Community Development Block Grant program is funded through the Department of Housing and Urban Development (HUD).

### STAFF RECOMMENDATIONS:
Staff recommends City Council approve the Ordinance endorsing the Substantial Amendment to the 2019 Annual Action Plan and the Ordinance endorsing the 2020-2024 Consolidated Plan and recommended projects and funding levels for the 2020 Community Development Block Grant program year.

| Public Facilities | Park improvements including the construction of an accessible route and replacing aging playground equipment in CDBG Target Area Morse park. The outdated HVAC system will be replaced at the Action Center shelter which currently houses formerly homeless students through a program with Red Rocks Community College. | $372,000 | Lakewood Community Resources The Action Center |
| Child-care Scholarships | Child-care scholarships to low-income families to help parents remain in the workforce or receive job training. | $50,000 | Lakewood Community Resources |
| Self-sufficiency program | Self-sufficiency services and programming for low-income residents living in Metro West Housing Solutions properties. Activities include case management, referral services, transportation and recreation scholarships, after-school programs and activities to increase life skills. | $40,000 | Metro West Housing Solutions |
| Homeless Activities | Funding will be reserved for eligible CDBG activities to assist those experiencing homelessness. Activities could include limited rental assistance, emergency hotel vouchers, case-management services, transportation, or acquisition and/or rehabilitation of temporary to permanent housing or homeless-serving public facilities. The funds will not be allocated to specific activities so the City can be flexible and responsive to emergency needs identified throughout the program year. | $30,000 | Lakewood Planning Potential partners include Lakewood PD- Community Action Team, Jefferson County Human Services Department, other homeless-serving providers |
| Section 108 Loan Repayment | CDBG funds are used to repay a Section 108 Loan that was used to construct a Lakewood Head Start Facility and make improvements to Ray Ross Park. | $369,000 | Lakewood Planning |
| CDBG Administration | Provides oversight, management, and coordination of the CDBG program. | $180,000 | Lakewood Planning |
| **TOTAL** | **$1,217,000** |
**ALTERNATIVES:** City Council may deny endorsement of the Substantial Amendment to the 2019 Annual Action Plan. This would eliminate Lakewood resources to support the immediate and longer-term needs of the low-income and special needs community impacted by the Coronavirus.

City Council may deny the endorsement of the 2020-2024 Consolidated Plan and Annual Action Plan. If denied, the city would no longer be recognized as an Entitlement Community and lose future CDBG funding for the community. In addition, the City would not be able to use CDBG to pay the annual Section 108 Loan payment.

**PUBLIC OUTREACH:**

**Substantial Amendment to the 2019 Annual Action Plan:** In accordance with the CARES Act, a Notice of Public Hearing and 7-day public review period was published in the Denver Post and on the City’s website on April 16, 2020, informing the public of the proposed Substantial Amendment and inviting public review and comments. On May 11, 2020, the Lakewood City Council will hold a public hearing regarding the Substantial Amendment. The public review period will begin on Thursday, April 16, 2020 and will end on April 23, 2020. Due to the public facilities closures related to COVID-19, hard copies were unable to be distributed to Lakewood libraries and city offices and instead only available for review online at the City of Lakewood website. To date, no public comments have been received.

**2020-2024 Consolidated Plan and Annual Action Plan:** A public meeting was held on March 12, 2020 to gather input on community needs and priorities for the upcoming 2020 program year. The meeting was advertised on the City’s calendar, via social media and flyers distributed to Metro West Housing Solutions properties. A 30-day public notice for the May 11, 2020 City Council Hearing was published in English and Spanish and advertised in the Denver Post and on the City’s website on March 19, 2020. The Consolidated Plan and Annual Action Plan were available for review and comment on the City’s website. Due to the public facilities closures related to COVID-19, hard copies were unable to be distributed to Lakewood libraries and city offices and instead only available for review online at the City of Lakewood website. The public comment period began on March 19, 2020 and ended April 18, 2020. To date, no public comments have been received.

**NEXT STEPS:** CDBG Staff will submit the Substantial Amendment to the 2019 Annual Action Plan and 2020-2024 Consolidated Plan and Annual Action Plan for HUD’s approval. CDBG Staff will prepare a memo to Lakewood City Council on CDBG-COVID related expenses, programming and accomplishments by September 30, 2020.

**ATTACHMENTS:**
- Ordinance 2020-13
  - Substantial Amendment to the 2019 Annual Action Plan
- Ordinance 2020-13 (Emergency Version)
- Substantial Amendment to the 2019 Annual Action Plan
- Ordinance 2020-14
- 2020-2024 Consolidated Plan and 2020 Annual Action Plan

**REVIEWED BY:**
- Kathleen E. Hodgson, City Manager
- Benjamin B. Goldstein, Deputy City Manager
- Timothy P. Cox, City Attorney
O-2020-13

AN ORDINANCE

ENDORSing THE SUBSTANTIAL AMENDMENT TO THE CITY OF LAKEWOOD 2019 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND DECLARING AN EMERGENCY

WHEREAS, the City of Lakewood (the “City”) is an entitlement community and receives Community Development Block Grant (“CDBG”) funds;

WHEREAS, CDBG funds are appropriated by the U.S. Department of Housing and Urban Development (“HUD”), and the City Manager or the City Manager’s designee, as the official representative, is authorized to submit documents and assurances as may be required to administer the programs and expend the CDBG funds;

WHEREAS, on April 8, 2019, the City Council approved the City’s 2019 Annual Action Plan for the use of CDBG funds and recommended funding based on community needs and priorities;

WHEREAS, the City now desires to amend the 2019 Annual Action Plan to include $533,236 allocated through the March 27, 2020 Coronavirus Aid, Relief and Economic Security Act (“CARES Act”) to fund CDBG-eligible activities to assist the Lakewood community with immediate and long-term needs associated COVID-19;

WHEREAS, in accordance with the CARES Act, public notice of the proposed Substantial Amendment to the Annual Action Plan was published in the Denver Post from April 16, 2020, through April 23, 2020, with no citizen comments to date;

WHEREAS, the CARES Act was adopted to provide emergency relief to address the economic fallout resulting from the novel Coronavirus, and, therefore, the City Council desires to adopt this ordinance as an emergency ordinance in order to make such funding available as quickly as reasonably possible;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Endorsement. The City Council hereby endorses the amended allocation amount and activities listed in the attached Exhibit A to be funded through the 2019 Community Development Block Grant Program.

SECTION 2. Certification. The City hereby certifies that:

a. The programs identified are eligible for funding and address required national objectives for the CDBG program;
b. The City has a citizen participation plan that provides for and encourages citizen participation and provides citizens with reasonable and timely access to local meetings, information and records relating to the City’s use of CDBG funds;

c. The City has developed a Consolidated Plan that identifies the City’s housing, supportive service and community development priority needs for the years 2015-2019; and

d. The City has developed an Annual Action Plan for the projected use of CDBG funds to principally benefit low- and moderate-income persons, address identified community development and housing needs, or aid in the prevention or elimination of slum or blight.

SECTION 3. City Manager Authority. The City Manager is hereby authorized to execute contracts on behalf of the City in furtherance of the goals of this ordinance and the CARES Act without seeking City Council Approval, including contracts in amounts of Fifty Thousand Dollars ($50,000) or more.

SECTION 4. Emergency; Effective Date. This ordinance is necessary, for the immediate preservation of the City of Lakewood’s peace, health and safety, to fund CDBG-eligible activities to prevent, prepare for, and respond to Coronavirus impacts as set forth in Exhibit A hereto. In light of the foregoing, the City Council hereby declares an emergency and as such, this emergency ordinance shall be in full force and effect immediately upon its adoption on second reading.

SECTION 5. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a virtual regular meeting of the Lakewood City Council on the 27th day of April, 2020; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 30th day of April, 2020; set for public hearing to be held on the 11th day of May, 2020; read, finally passed and adopted by the City Council on the _____ day of May, 2020; and signed by the Mayor on the _____ day of May, 2020.

Adam Paul, Mayor

ATTEST:

Michele Millard, City Clerk

APPROVED AS TO FORM:

Timothy P. Cox, City Attorney
Community Development Block Grant (CDBG-COVID)

$533,236 will be allocated to CDBG-eligible activities to prevent, prepare for, and respond to Coronavirus impacts to include but not limited to the following:

- Emergency housing assistance (motel vouchers)
- Limited rental and mortgage assistance
- Eviction prevention
- Case management
- COVID-19 testing
- Low- and moderate-income resident services
- Personal protective equipment
- Physical and mental health assistance
- Deposit and moving costs
- Food access
- Utilities
- Child-care
- Transportation
- Employment assistance
- Self-sufficiency programming
O-2020-13

AN ORDINANCE

ENDORISING THE SUBSTANTIAL AMENDMENT TO THE CITY OF LAKEWOOD 2019 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the City of Lakewood (the “City”) is an entitlement community and receives Community Development Block Grant ("CDBG") funds;

WHEREAS, CDBG funds are appropriated by the U.S. Department of Housing and Urban Development ("HUD"), and the City Manager or the City Manager’s designee, as the official representative, is authorized to submit documents and assurances as may be required to administer the programs and expend the CDBG funds;

WHEREAS, on April 8, 2019, the City Council approved the City’s 2019 Annual Action Plan for the use of CDBG funds and recommended funding based on community needs and priorities;

WHEREAS, the City now desires to amend the 2019 Annual Action Plan to include $533,236 allocated through the March 27, 2020 Coronavirus Aid, Relief and Economic Security Act ("CARES Act") to fund CDBG-eligible activities to assist the Lakewood community with immediate and long-term needs associated COVID-19;

WHEREAS, in accordance with the CARES Act, public notice of the proposed Substantial Amendment to the Annual Action Plan was published in the Denver Post from April 16, 2020, through April 23, 2020, with no citizen comments to date;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood:

SECTION 1. Endorsement. The City Council hereby endorses the amended allocation amount and activities listed in the attached Exhibit A to be funded through the 2019 Community Development Block Grant Program.

SECTION 2. Certification. The City hereby certifies that:

a. The programs identified are eligible for funding and address required national objectives for the CDBG program;
b. The City has a citizen participation plan that provides for and encourages citizen participation and provides citizens with reasonable and timely access to local meetings, information and records relating to the City’s use of CDBG funds;

c. The City has developed a Consolidated Plan that identifies the City’s housing, supportive service and community development priority needs for the years 2015-2019; and

d. The City has developed an Annual Action Plan for the projected use of CDBG funds to principally benefit low- and moderate-income persons, address identified community development and housing needs, or aid in the prevention or elimination of slum or blight.

SECTION 3. City Manager Authority. The City Manager is hereby authorized to execute contracts on behalf of the City in furtherance of the goals of this ordinance and the CARES Act without seeking City Council Approval, including contracts in amounts of Fifty Thousand Dollars ($50,000) or more.

SECTION 4. Effective Date. This ordinance shall take effect thirty (30) days after final publication.

SECTION 5. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a virtual regular meeting of the Lakewood City Council on the 27th day of April, 2020; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 30th day of April, 2020; set for public hearing to be held on the 11th day of May, 2020; read, finally passed and adopted by the City Council on the _____ day of May, 2020; and signed by the Mayor on the _____ day of May, 2020.

__________________________________________
Adam Paul, Mayor

ATTEST:

__________________________________________
Michele Millard, City Clerk

APPROVED AS TO FORM:

__________________________________________
Timothy P. Cox, City Attorney
$533,236 will be allocated to CDBG-eligible activities to prevent, prepare for, and respond to Coronavirus impacts to include but not limited to the following:

- Emergency housing assistance (motel vouchers)
- Limited rental and mortgage assistance
- Eviction prevention
- Case management
- COVID-19 testing
- Low- and moderate-income resident services
- Personal protective equipment
- Physical and mental health assistance
- Deposit and moving costs
- Food access
- Utilities
- Child-care
- Transportation
- Employment assistance
- Self-sufficiency programming
A. EXECUTIVE SUMMARY

The U.S. Department of Housing and Urban Development (HUD) requires all entitlement communities receiving Community Development Block Grant (CDBG) funds, such as the City of Lakewood, to prepare and submit a Consolidated Plan every five years to establish a unified, strategic vision for economic development, housing and community development actions. The Consolidated Plan encompasses the analysis of local community needs and coordinates appropriate responses to those needs and priorities. The Lakewood City Council adopted the 2015-2019 Five Year Consolidated Plan (“Consolidated Plan”) on April 6, 2015.

The Consolidated Plan is carried out through Annual Action Plans which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified in the Consolidated Plan. The City must submit an Annual Action Plan to HUD by no later than April 15 of each year during the five-year period (unless otherwise specified by HUD). The Lakewood City Council adopted the 2019 Action Plan (“Action Plan”) on April 8, 2019 and submitted the document to HUD before the required deadline date.

Per the City’s Citizen Participation Plan (CPP), a Substantial Amendment to a Consolidated Plan and Action Plan is required when a “substantial” change is proposed as it relates to funding priorities, proposed activities, goals and objectives. This substantial amendment to the Action Plan is necessary because the City has been allocated new CDBG funding through the March 27, 2020 Coronavirus Aid, Relief and Economic Recovery Act (CARES Act) that it wishes to allocate to activities that assist with immediate and long-term aid and recovery efforts for Lakewood residents impacted by the Coronavirus.

B. CITIZEN PARTICIPATION

In accordance with the CARES Act, an expedited public participation process is permitted in order to make funding available as soon as possible and provide reasonable and timely citizen input during the period in which the city is impacted by the Coronavirus. Therefore, the following amended policies will be followed during this time:

1. Virtual public meetings are permitted for the purpose of approving and/or amending Consolidated Plan/Action Plans
2. A minimum five-day public comment period can be utilized for amending Consolidated Plan/Action Plans.

A Notice of Public Hearing and 7-day public review period was published in the Denver Post and on the City’s website on April 16, 2020, informing the public of the proposed Substantial Amendment and inviting public review and comments. On May 11, 2020, the Lakewood City Council will hold a public hearing regarding the Substantial Amendment. The public review period will begin on Thursday, April 16, 2020 and will end on April 23, 2020. Due to the closure of City offices and libraries, Citizens are able to review copies of the Substantial Amendment online at the City of Lakewood website.
C. 2019 ANNUAL ACTION PLAN AMENDMENT DETAILS AND NATIONAL OBJECTIVES

The City is proposing to allocate $533,236 in new CDBG-COVID funding to activities that assist with immediate and longer-term needs for low- and moderate-income people impacted by the Coronavirus. CDBG-eligible activities to prevent, prepare for and respond to Coronavirus within our community include but are not to assistance with emergency housing, motel vouchers, limited rental and mortgage assistance, eviction prevention, case management, low-income resident services, physical and mental health assistance, COVID-19 testing, personal protective equipment, deposit and moving costs, food access, utilities, transportation, employment, child-care and self-sufficiency programing.

The programming of the additional funds is intended to be broad in scope to allow for quick and nimble response and assistance to anticipated and unanticipated needs as the crisis unfolds within the community. The City will work closely with a variety of community partners to assess the immediate and longer-term needs of those impacted by the Coronavirus and ensure the funds assist those most in need as efficiently as possible.

All proposed activities will meet one or more of the following objectives:
- Benefit low- and moderate-income people
- Address an urgent community need

The following Table outlines the activity budgets that are being modified to reprogram funds to the proposed activity described in this Substantial Amendment:

<table>
<thead>
<tr>
<th>Program Year/ Activity Title</th>
<th>Existing Budget</th>
<th>New Budget</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019 CDBG-eligible COVID response funding through CARES Act</td>
<td>$0</td>
<td>$533,236</td>
<td>$533,236</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td>$533,236</td>
</tr>
</tbody>
</table>

D. PUBLIC COMMENTS

All public comments received during the 7-day public review period or at the public hearing will be incorporated into the overall Substantial Amendment submitted to HUD.
DATE OF COUNCIL MEETING: APRIL 27, 2020 / AGENDA ITEM NO. 10 & 11

To: Mayor and City Council

From: Travis Parker, Director of Planning, 303-987-7908

Subject: AN ORDINANCE ENDORSING THE SUBSTANTIAL AMENDMENT TO THE 2019 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO ALLOCATE ADDITIONAL CDBG FUNDS MADE AVAILABLE THROUGH THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT (CARES ACT); AND

AN ORDINANCE ENDORSING THE 2020-2024 CONSOLIDATED PLAN AND RECOMMENDED PROJECTS AND FUNDING LEVELS FOR THE 2020 ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM;

SUMMARY STATEMENT: Staff is requesting that City Council review and approve the following two Ordinances:

2019 Annual Action Plan Substantial Amendment

- Ordinance endorsing the Substantial Amendment to the 2019 Annual Action plan to allocate additional CDBG funding made available to the City of Lakewood through the Coronavirus Aid, Relief and Economic Security Act (CARES Act) to assist Lakewood with immediate and long-term impacts from the Coronavirus.

2020-2024 Consolidated Plan and 2020 Annual Action Plan

- Ordinance endorsing the 2020-2024 Consolidated Plan identifying the City’s housing, supportive service and community development priority needs for the next five years and recommended projects and funding levels identified in Table 1 for the 2020 Community Development Block Grant (CDBG) Program year.

BACKGROUND INFORMATION: The U.S. Department of Housing and Urban Development (HUD) requires all entitlement communities receiving Community Development Block Grant (CDBG) funds, such as the City of Lakewood, to prepare and submit a Consolidated Plan every five years to establish a unified, strategic vision for economic development, housing and community development actions. The Consolidated Plan encompasses the analysis of local community needs and coordinates appropriate responses to those needs and priorities.

The Consolidated Plan is carried out through Annual Action Plans which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified in the Consolidated Plan. The City must submit an Annual Action Plan to HUD by no later than April 15 of each year during the five-year period (unless otherwise specified by HUD).
2019 Annual Action Plan Substantial Amendment

The Lakewood City Council adopted the 2019 Action Plan ("Action Plan") on April 8, 2019 and submitted the document to HUD before the required deadline date.

Per the City’s Citizen Participation Plan (CPP), a Substantial Amendment to a Consolidated Plan and Action Plan is required when a “substantial” change is proposed as it relates to funding priorities, proposed activities, goals and objectives.

This substantial amendment to the Action Plan is necessary because the City has been allocated new CDBG funding through the March 27, 2020 Coronavirus Aid, Relief and Economic Recovery Act (CARES Act) that it wishes to allocate to activities to assist with immediate and long-term aid and recovery efforts for Lakewood residents impacted by the Coronavirus. In accordance with the requirements outlined in the CARES Act, a 7-day public review and comment period beginning April 16 and ending April 23, 2020 was provided and a public notice published in the Denver Post and on the City’s website.

Changes to the 2019 Annual Action Plan

The City proposed to allocate $533,236 in new CDBG-COVID funding to CDBG-eligible activities that assist with immediate and longer-term needs for low- and moderate-income people impacted by the Coronavirus. Staff is working closely with public health, non-profit service providers and government agencies to understand the highest needs within the community and identify partnerships and effective solutions to supporting those most impacted by Coronavirus.

The following CDBG-eligible activities will assist with the highest anticipated needs. These activities include but are not limited to support for emergency housing, motel vouchers, limited rental and mortgage assistance, eviction prevention, case management, low-income resident services, physical and mental health assistance, personal protective equipment, deposit and moving costs, food, utilities, transportation, employment, child-care, and self-sufficiency programming.

The programming of the additional funds is intended to be broad in scope to allow for quick and nimble response and assistance to anticipated and unanticipated needs as the crisis unfolds within our community. The City will work closely with a variety of community partners to assess the immediate and longer-term needs of those impacted by the Coronavirus and ensure the funds assist those most in need as efficiently as possible. It is anticipated that these activities will be implemented through existing city programs, county and municipal partnerships, and local housing and service providers.

All proposed activities will meet one or more of the following objectives:

- Benefit low- and moderate-income people
- Address an urgent community need

In order for the funding to be secured to reach those most vulnerable and immediately impacted, staff is seeking funding approval before many program details are known which is not ideal but necessary during this time. Staff has prepared a second version of the ordinance for City Council’s consideration. This version would allow for plan changes to be adopted as an emergency ordinance, thus getting the money into the community even faster. Both versions of the ordinance give staff authorization to expend the funds in amounts that exceed $50,000 without additional City Council authorization.

Staff will prepare a follow-up memo for City Council, outlining how the additional CDBG funds have been utilized for COVID related expenses. It is anticipated that this memo will be delivered by September 30, 2020.
The U.S. Housing and Urban Development Department (HUD) will grant federal funds to the City of Lakewood (City) for housing and community development activities once the 2020-2024 Consolidated Plan and Action Plan for the 2020 Program Year are reviewed and approved by the City Council. An amount of $906,452 in Community Development Block Grant (CDBG) funds will be available in 2020.

The purpose of the CDBG program is to enable communities to carry out a wide range of community development activities directed toward neighborhood revitalization, economic development, and improved community services and facilities. All activities undertaken with CDBG funds must address one of the following three federal program objectives:

1. Benefit low- and moderate-income persons, or
2. Aid in the prevention or elimination of slum and blight (as defined by the community), or
3. Address urgent community development needs that present a serious and immediate threat to the health or welfare of the community

CDBG activities must also satisfy additional HUD eligibility requirements and address a local need and objective outlined in the City’s Consolidated Plan which is updated every five years.

The City of Lakewood’s Consolidated Plan is the City’s comprehensive planning document for the CDBG program for years 2020-2024. The Plan identifies Lakewood’s housing and community development needs and develops objectives and strategies to meet those needs. The Consolidated Plan is used by HUD and the City of Lakewood as the guiding document for future funding, program management and evaluation. As mentioned above, All CDBG activities proposed over the next five years must address a local need and objective outlined in the Consolidated Plan. The 2020 Annual Action plan which outlines projects and funding levels for the 2020 program year is contained within the Consolidated Plan.

Priority Needs and Objectives: Three priority needs and objectives have been identified for the City of Lakewood and outlined in the 2020-2024 Consolidated Plan:

Priority Needs:

1. Neighborhood Improvements in Target Areas
2. Housing Preservation, Rehabilitation and Improvements
3. Supportive Services for Low-Income and Special Needs People

The following three objectives, equal in importance, have been developed to meet those needs:

1. Preserve and improve Target Area neighborhoods
2. Provide safe, decent and affordable housing
3. Promote stabilization and self-sufficiency through service provision

Public Participation and Plan Development: The City executed a contract with Root Policy to gather data, conduct stakeholder and public outreach and draft the Consolidated Plan. Public participation was an important component to the development of the Plan. Individuals, citizen groups, non-profit agencies, housing specialists and Lakewood residents were consulted through a survey tool and focus groups. Particular emphasis was placed on involving low- and moderate-income residents who directly benefit from programs funded through CDBG.
The **Annual Action Plan** outlines the proposed CDBG-funded projects for 2020 which address the priority needs identified in the Consolidated Plan. It also serves as the City’s annual funding application for the CDBG program year, which begins June 1, 2020 and ends May 31, 2021. The 2020 CDBG allocation for the City of Lakewood is $906,452.

**Project Selection Process:**
A review committee consisting of City staff from affected departments reviewed proposed projects and evaluated how each project satisfies national and local objectives. Keeping in mind ongoing commitments, the committee reviewed the estimated annual allocation of funds and selected the recommended projects included in the 2020 Action Plan. The recommended projects are described later in this memorandum.

The following criteria were used to evaluate and select recommended projects:

1. *The project addresses a local priority need identified in the Consolidated Plan*
2. *The project provides a benefit to low- and moderate-income residents of Lakewood*
3. *The project benefits the qualified Target Area neighborhoods in need of revitalization*
4. *The project objectives and outcomes can be measured for aggregation nationally as HUD reports to Congress on program efficiencies. HUD program objectives are: a) provide a suitable living environment; b) provide an opportunity for decent housing; or c) provide an economic opportunity. HUD program outcomes are: 1) availability/accessibility; 2) affordability; and 3) sustainability.*

**CDBG Estimated Resources Available in 2020:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020 Community Development Block Grant (CDBG)</td>
<td>$906,452</td>
</tr>
<tr>
<td>2020 CDBG Program Income (estimate)*</td>
<td>$20,000</td>
</tr>
<tr>
<td>Unspent CDBG reserves from previous years</td>
<td>$290,548</td>
</tr>
<tr>
<td>Total CDBG Resources</td>
<td>$1,217,000</td>
</tr>
</tbody>
</table>

*Program income is money received from the repayment of loans from the Single-family Housing Rehabilitation program.

**2020 Recommended Projects:**

<table>
<thead>
<tr>
<th>Project</th>
<th>Description</th>
<th>Estimated Cost</th>
<th>Department or Subrecipient</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family Housing Rehabilitation</td>
<td>Low-interest loans and grants are provided to elderly, disabled and low-income homeowners to complete health and safety improvements to their single-family homes. Exterior painting, landscaping and yard clean is also provided through Lakewood Help for Homes program.</td>
<td>$160,000</td>
<td>Jefferson County Housing Authority</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Brothers Redevelopment, Inc.</td>
</tr>
<tr>
<td>CDBG Neighborhood Cleanup</td>
<td>A neighborhood clean-up event for households living within CDBG Target Areas to enhance neighborhood appearance and safety.</td>
<td>$16,000</td>
<td>Lakewood Police Department-Code Enforcement</td>
</tr>
</tbody>
</table>
**BUDGETARY IMPACTS:** There are no budgetary impacts. The Community Development Block Grant program is funded through the Department of Housing and Urban Development (HUD).

**STAFF RECOMMENDATIONS:** Staff recommends City Council approve the Ordinance endorsing the Substantial Amendment to the 2019 Annual Action Plan and the Ordinance endorsing the 2020-2024 Consolidated Plan and recommended projects and funding levels for the 2020 Community Development Block Grant program year.
ALTERNATIVES: City Council may deny endorsement of the Substantial Amendment to the 2019 Annual Action Plan. This would eliminate Lakewood resources to support the immediate and longer-term needs of the low-income and special needs community impacted by the Coronavirus.

City Council may deny the endorsement of the 2020-2024 Consolidated Plan and Annual Action Plan. If denied, the city would no longer be recognized as an Entitlement Community and lose future CDBG funding for the community. In addition, the City would not be able to use CDBG to pay the annual Section 108 Loan payment.

PUBLIC OUTREACH:

Substantial Amendment to the 2019 Annual Action Plan: In accordance with the CARES Act, a Notice of Public Hearing and 7-day public review period was published in the Denver Post and on the City’s website on April 16, 2020, informing the public of the proposed Substantial Amendment and inviting public review and comments. On May 11, 2020, the Lakewood City Council will hold a public hearing regarding the Substantial Amendment. The public review period will begin on Thursday, April 16, 2020 and will end on April 23, 2020. Due to the public facilities closures related to COVID-19, hard copies were unable to be distributed to Lakewood libraries and city offices and instead only available for review online at the City of Lakewood website. To date, no public comments have been received.

2020-2024 Consolidated Plan and Annual Action Plan: A public meeting was held on March 12, 2020 to gather input on community needs and priorities for the upcoming 2020 program year. The meeting was advertised on the City’s calendar, via social media and flyers distributed to Metro West Housing Solutions properties. A 30-day public notice for the May 11, 2020 City Council Hearing was published in English and Spanish and advertised in the Denver Post and on the City’s website on March 19, 2020. The Consolidated Plan and Annual Action Plan were available for review and comment on the City’s website. Due to the public facilities closures related to COVID-19, hard copies were unable to be distributed to Lakewood libraries and city offices and instead only available for review online at the City of Lakewood website. The public comment period began on March 19, 2020 and ended April 18, 2020. To date, no public comments have been received.

NEXT STEPS: CDBG Staff will submit the Substantial Amendment to the 2019 Annual Action Plan and 2020-2024 Consolidated Plan and Annual Action Plan for HUD’s approval. CDBG Staff will prepare a memo to Lakewood City Council on CDBG-COVID related expenses, programming and accomplishments by September 30, 2020.

ATTACHMENTS: Ordinance 2020-13
Substantial Amendment to the 2019 Annual Action Plan
Ordinance 2020-13 (Emergency Version)
Substantial Amendment to the 2019 Annual Action Plan
Ordinance 2020-14
2020-2024 Consolidated Plan and 2020 Annual Action Plan

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Timothy P. Cox, City Attorney
AN ORDINANCE

ENDORSING THE PROJECTS AND PROJECT FUNDING LEVELS IN THE CITY OF LAKEWOOD 2020-2024 CONSOLIDATED PLAN AND 2020 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the City of Lakewood (the “City”) is an entitlement community and receives Community Development Block Grant (“CDBG”) funds;

WHEREAS, CDBG funds are appropriated by the U.S. Department of Housing and Urban Development (“HUD”), and the City Manager or the City Manager’s designee, as the official representative, is authorized to submit documents and assurances as may be required to administer the programs and expend the CDBG funds;

WHEREAS, on May 11, 2020, the City Council reviewed the City’s 2020-2024 Consolidated Plan and 2020 Annual Action Plan for the use of CDBG funds and recommended funding based on community needs and priorities;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood:

SECTION 1. The City Council hereby endorses the projects listed in the attached Exhibit A to be funded through the 2020 Community Development Block Grant Program.

SECTION 2. The City hereby certifies that:

a. The programs identified are eligible for funding and address required national objectives for the CDBG program;

b. The City has a citizen participation plan that provides for and encourages citizen participation and provides citizens with reasonable and timely access to local meetings, information and records relating to the City’s use of CDBG funds;

c. The City has developed the Consolidated Plan that identifies the City’s housing, supportive service and community development priority needs for the years 2020-2024; and
d. The City has developed an Annual Action Plan for the projected use of CDBG funds to principally benefit low- and moderate-income persons, address identified community development and housing needs, or aid in the prevention or elimination of slum or blight.

SECTION 3. This ordinance shall take effect thirty (30) days after final publication.

SECTION 4. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a virtual regular meeting of the Lakewood City Council on the 27th day of April, 2020; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 30th day of April, 2020; set for public hearing to be held on the 11th day of May, 2020; read, finally passed and adopted by the City Council on the _____ day of May, 2020; and signed by the Mayor on the _____ day of May, 2020.

________________________________________
Adam Paul, Mayor

ATTEST:

Michele Millard, City Clerk

APPROVED AS TO FORM:

________________________________________
Timothy P. Cox, City Attorney
## EXHIBIT A
### 2020 PROJECTS RECOMMENDED FOR FUNDING

### Community Development Block Grant (CDBG)

#### HOUSING PROGRAMS
- Single-Family Housing Rehabilitation: $160,000

#### NEIGHBORHOOD PROGRAMS
- Neighborhood Cleanup: $16,000

#### PUBLIC FACILITIES
- Morse Park Improvements: $358,000
- Action Center Shelter HVAC: $14,000

#### SUPPORTIVE SERVICES
- MWHS Self-Sufficiency: $40,000
- Child-Care Scholarships: $50,000
- Homeless Activities: $30,000

#### OTHER
- CDBG Administration: $180,000
- Section 108 Loan Repayment: $369,000

---

**TOTAL CDBG FUNDS**: $1,217,000
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Executive Summary

ES-05 Executive Summary – 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Lakewood is a federal entitlement community under the U.S. Department of Housing and Urban Development’s Community Development Block Grant (CDBG) Program. As a HUD entitlement community, the City is required to prepare a Five-Year Consolidated Plan in order to implement any federal programs that fund housing, community development, and economic development within the community. The City of Lakewood is also part of the Jefferson County HOME Consortium, of which the County is the lead entity. The federal HOME Investment Partnerships (HOME) grant supports affordable housing activities throughout Jefferson County.

This section provides a brief summary of the topics covered in the City and Lakewood 2020-2024 Consolidated Plan, Strategic Plan and 2020 Annual Action Plan. This plan includes a needs assessment and housing market analysis to identify the most pressing housing and community development needs as well as the current infrastructure in place to serve low- and moderate-income residents and residents with special needs. The Strategic Plan outlines Lakewood’s goals to address those needs and the priorities for allocating federal funds over the next five years.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

The City has identified the following goals for the planning period:

- Preserve and improve target area neighborhoods;
- Provide safe, decent affordable housing; and
- Promote stability and self-sufficiency through service provision to low income and special needs populations.

3. Evaluation of past performance

The City’s past programs have focused on community needs that continue to exist including aging housing and infrastructure, neighborhood improvements, and social service supports for low income residents. The programs Lakewood has used to address these needs have been well received by residents and neighborhood organizations. Lakewood believes the goals and programs proposed for the 2020-2024 Consolidated Plan and the 2020 Annual Action Plan continue to be the most efficient and effective use of HUD block grant funds. If additional funding becomes available and when the City's Section 108 debt is retired, the city will evaluate new and expanded programs.
4. **Summary of citizen participation process and consultation process**

The City of Lakewood’s goal for citizen participation is to ensure a broad participation of City residents and housing, economic, and service providers in the planning and implementation of community development and housing programming. Engagement efforts were held in conjunction with Jefferson County, the lead agency for the HOME Consortium and were designed to inform multiple city and county planning processes including this Consolidated Plan, the Analysis of Impediments to Fair Housing Choice, and the Jefferson, Park, and Teller County Community Needs Assessment.

Outreach for engagement included non-profit and for-profit housing developers, public housing authorities, community members, advocacy groups, government and industry representatives, social service organizations (serving a wide variety of client types), and economic development agencies. Residents participated through community meetings, resident focus groups, and a resident survey (made available online and in paper form in both English and Spanish).

5. **Summary of public comments**

No comments were received as a result of the public comment period

6. **Summary of comments or views not accepted and the reasons for not accepting them**

No comments were received
The Process

PR-05 Lead & Responsible Agencies - 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

<table>
<thead>
<tr>
<th>Agency Role</th>
<th>Name</th>
<th>Department/Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead Agency</td>
<td>LAKEWOOD</td>
<td></td>
</tr>
<tr>
<td>CDBG Administrator</td>
<td>LAKEWOOD</td>
<td>City of Lakewood Planning Department</td>
</tr>
<tr>
<td>HOPWA Administrator</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOME Administrator</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOPWA-C Administrator</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 1– Responsible Agencies

Narrative

The City of Lakewood continues to administer the Community Development Block Grant program (CDBG). For the HOME Investment Partnerships Program (HOME), the city is a member of the Jefferson County HOME Consortium.

Consolidated Plan Public Contact Information

Amy DeNikker
Principal Planner
CDBG Program Manager
City of Lakewood
amydek@lakewood.org
(303) 987-7522
PR-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

This section reviews the stakeholder consultation process conducted for the City of Lakewood 2020-2024 Consolidated Plan.

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

The City of Lakewood's activities that support coordination between public and assisted housing providers and health care and social service agencies are threefold: 1) the City encourages and accepts funding applications from housing, health care and service providers through its Annual Action Plan process. Activities that complement existing city programs are prioritized for funding. 2) The City has a small staff overseeing housing and community development programs; however, these staff are very active on local and regional boards and committees. 3) Rather than duplicate regional services and programs, the City utilizes existing programs—e.g., the City contracts with Jefferson County Housing Authority to administer funds for housing rehabilitation for low income homeowners. The City also coordinates closely with Metro West Housing Solutions to support their initiatives.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The City of Lakewood is a participating member of the Jefferson County Heading Home Committee. Heading Home is a collaboration of individuals, and public service organizations in the HOME consortium region determined to end homelessness in Jefferson County. The JCHHC is governed by the Heading Home Plan to End Homelessness (Heading Home), which was created in April, 2013. Each of the eight goals of Heading Home are governed by a subcommittee. The City of Lakewood is a participating member of the JCHHC, and has Chair representation on a subcommittee that specifically works to obtain permanent supportive housing for homeless in Jefferson County. The Severe Weather Shelter Network (SWSN) is one of the services provided through Heading Home. The SWSN, through Jefferson County faith communities, provides emergency shelter and services during severe weather; when the temperature is below 32 degrees and wet or below 20 degrees and dry.

City of Lakewood is also a member agency of the Metropolitan Denver Homeless Initiative (MDHI), metro Denver's Continuum of Care administering organization. The goal of MDHI is to provide maximum personal independence opportunities for homeless persons and persons at risk of becoming homeless through design and implementation of a Continuum of Care and Opportunities model for the metropolitan Denver community. In an effort to end homelessness across the Metro Denver region,
MDHI organizes a Point-in-Time (PIT) Homeless Count for the seven county Metro Denver region. The purpose of the annual PIT count is to count the number of homeless individuals on one day of the year and to educate citizens about the presence of homelessness within their own communities. A Lakewood staff member participates each year in the PIT count and serves on the committee throughout the year.

In addition, the communities within Jefferson County recently partnered to conduct a month-long comprehensive count of individuals experiencing homelessness. That report was released in March 2020 and the steering committee anticipates continuing discussions to continue to improve the service delivery system to meet the needs of people experiencing homelessness.

Several of Lakewood’s City Councilors serve as board members and volunteers for Lakewood non-profits and agencies that assist the homeless and provide affordable housing options.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS**

N/A; Lakewood does not receive the Emergency Solutions Grant (ESG). The Homeless Management Information System (HMIS) assists Continuum of Care planning groups to identify needs and gaps in provision of housing and services to assist persons who are homeless.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

<table>
<thead>
<tr>
<th>1</th>
<th>Agency/Group/Organization</th>
<th>City of Lakewood</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Agency/Group/Organization Type</td>
<td>Other government – Local</td>
</tr>
<tr>
<td></td>
<td>What section of the Plan was addressed by Consultation?</td>
<td>NA, MA, SP, AP</td>
</tr>
<tr>
<td></td>
<td>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Staff of various agencies reviewed and contributed to the narrative and data in the Consolidated Plan and Action Plan through interviews and document review.</td>
</tr>
<tr>
<td>2</td>
<td>Agency/Group/Organization</td>
<td>Metro West Housing Solutions</td>
</tr>
<tr>
<td></td>
<td>Agency/Group/Organization Type</td>
<td>PHA</td>
</tr>
<tr>
<td></td>
<td>What section of the Plan was addressed by Consultation?</td>
<td>NA, MA, SP, AP</td>
</tr>
<tr>
<td>Agency/Group/Organization</td>
<td>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Agency/Group/Organization</td>
<td>Agency was interviewed to discuss affordable housing needs and provide data on existing inventory and programs.</td>
<td></td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>PHA</td>
<td></td>
</tr>
<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>NA, MA, SP, AP</td>
<td></td>
</tr>
</tbody>
</table>

3 Jefferson County Housing Authority

<table>
<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency/Group/Organization</td>
<td>Agency was interviewed to discuss affordable housing needs and provide data on existing inventory and programs.</td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>PHA</td>
</tr>
<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>NA, MA, SP, AP</td>
</tr>
</tbody>
</table>

4 Jefferson County Community Services Advisory Board

<table>
<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency/Group/Organization</td>
<td>Focus group with the committee to discuss gaps in service provision and top needs related to public services throughout Jefferson County.</td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Council/Committee</td>
</tr>
<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>NA, MA, SP, AP</td>
</tr>
</tbody>
</table>

5 The Action Center

<table>
<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency/Group/Organization</td>
<td>Participated in a focus group to discuss housing, community development, and service needs in Jefferson County and Lakewood.</td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Service provider – homeless and special needs</td>
</tr>
<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>NA, MA</td>
</tr>
</tbody>
</table>

6 CASA

<table>
<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency/Group/Organization</td>
<td>NA, MA</td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Service provider</td>
</tr>
<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>NA, MA</td>
</tr>
<tr>
<td>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Participated in a focus group to discuss housing, community development, and service needs in Jefferson County and Lakewood.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>7</strong></td>
<td><strong>Agency/Group/Organization</strong></td>
</tr>
<tr>
<td><strong>Agency/Group/Organization Type</strong></td>
<td>Service provider</td>
</tr>
<tr>
<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>NA, MA</td>
</tr>
<tr>
<td><strong>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</strong></td>
<td>Participated in a focus group to discuss housing, community development, and service needs in Jefferson County and Lakewood.</td>
</tr>
<tr>
<td><strong>8</strong></td>
<td><strong>Agency/Group/Organization</strong></td>
</tr>
<tr>
<td><strong>Agency/Group/Organization Type</strong></td>
<td>Service provider</td>
</tr>
<tr>
<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>NA, MA</td>
</tr>
<tr>
<td><strong>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</strong></td>
<td>Interviewed about housing, community development, and service needs in Jefferson County and Lakewood.</td>
</tr>
<tr>
<td><strong>9</strong></td>
<td><strong>Agency/Group/Organization</strong></td>
</tr>
<tr>
<td><strong>Agency/Group/Organization Type</strong></td>
<td>Economic Development</td>
</tr>
<tr>
<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>MA</td>
</tr>
<tr>
<td><strong>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</strong></td>
<td>Participated in stakeholder focus group to discuss community and economic development needs in Jefferson County</td>
</tr>
<tr>
<td><strong>10</strong></td>
<td><strong>Agency/Group/Organization</strong></td>
</tr>
<tr>
<td><strong>Agency/Group/Organization Type</strong></td>
<td>Economic development</td>
</tr>
<tr>
<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>MA</td>
</tr>
<tr>
<td>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Participated in stakeholder focus group to discuss community and economic development needs in Jefferson County</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Agency/Group/Organization</td>
<td>Various housing developers</td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>For-profit and non-profit housing developers</td>
</tr>
<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>MA</td>
</tr>
<tr>
<td>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Participated in stakeholder focus group to discuss housing market trends, needs, and barriers to development in Jefferson County and Lakewood.</td>
</tr>
<tr>
<td>Agency/Group/Organization</td>
<td>Senior Resource Center</td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Service provider – seniors</td>
</tr>
<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>NA, MA</td>
</tr>
<tr>
<td>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Organization hosted and recruited attendees to participate in a resident focus group. Also helped promote the resident survey.</td>
</tr>
<tr>
<td>Agency/Group/Organization</td>
<td>Roots of Courage</td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Service provider – victims of domestic violence</td>
</tr>
<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>NA, MA</td>
</tr>
<tr>
<td>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Organization hosted and recruited attendees to participate in a resident focus group. Also helped promote the resident survey.</td>
</tr>
</tbody>
</table>

Table 2– Agencies, groups, organizations who participated

Identify any Agency Types not consulted and provide rationale for not consulting

The City of Lakewood contacted a variety of agency types and partnering organizations in preparing the 2020-2024 Consolidated Plan and 2020 Annual Action Plan. No agencies were intentionally excluded from consultation.
Other local/regional/state/federal planning efforts considered when preparing the Plan

<table>
<thead>
<tr>
<th>Name of Plan</th>
<th>Lead Organization</th>
<th>How do the goals of your Strategic Plan overlap with the goals of each plan?</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Lakewood 2015-2019 Consolidated Plan, Strategic Plan, and associated Annual Action Plans</td>
<td>City of Lakewood</td>
<td>Strategic Plan goals build on the previous Consolidated Plan goals but adapt and refine them to the current needs of the community.</td>
</tr>
<tr>
<td>Jefferson County Analysis of Impediments to Fair Housing Choice (AI)</td>
<td>Jefferson County, City of Lakewood, and City of Arvada</td>
<td>AI is currently in development but preliminary analysis was considered in the development of the Con Plan Strategic Plan.</td>
</tr>
<tr>
<td>City of Lakewood Housing study</td>
<td>City of Lakewood</td>
<td>Strategic Plan goals help address needs identified in the Lakewood Housing Study.</td>
</tr>
<tr>
<td>2019 Comprehensive Homeless Count, Jefferson County Colorado</td>
<td>Comprehensive Homeless County Steering Committee (Jefferson County and cities of Arvada, Lakewood, and Westminster.)</td>
<td>Strategic Plan goals were informed by the analysis in the Homeless study.</td>
</tr>
<tr>
<td>City of Lakewood Comprehensive Plan</td>
<td>City of Lakewood</td>
<td>Long term community vision was considered in the development of Strategic Plan goals.</td>
</tr>
</tbody>
</table>

Table 3– Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

Lakewood is an active participant in the Metro Mayors Caucus, which, among other activities, has developed strategies aimed at increasing the availability of affordable housing in the metro Denver region. Several of Lakewood's City Councilors serve as board members and volunteer for Lakewood non-profits and agencies that assist the homeless and provide affordable housing options. Lakewood is also a member of the Metro Denver Homeless Initiative (MDHI), whose mission is to spearhead an ongoing cooperative effort to break the cycle of homelessness.
PR-15 Citizen Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting

Citizen participation efforts included public meetings/hearings, focus groups, an online resident survey, and key person interviews. Engagement for the Consolidated Plan was conducted in conjunction with engagement that will inform the development of the Jefferson County Community Needs Assessment and the Analysis of Impediments to Fair Housing Choice.
## Citizen Participation Outreach

<table>
<thead>
<tr>
<th>Sort Order</th>
<th>Mode of Outreach</th>
<th>Target of Outreach</th>
<th>Summary of response/attendance</th>
<th>Summary of comments received</th>
<th>Summary of comments not accepted and reasons</th>
<th>URL (If applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Public hearings/ meetings</td>
<td>Non-targeted/broad community</td>
<td>2 Lakewood residents attended the public meeting</td>
<td>Wide range of comments covering housing and community development needs.</td>
<td>All comments or views received were accepted.</td>
<td>n/a</td>
</tr>
<tr>
<td>2</td>
<td>Resident Survey</td>
<td>Residents most vulnerable to housing challenges and service needs</td>
<td>285 Lakewood respondents (534 countywide)</td>
<td>Feedback related to housing needs and challenges, social services, community access to opportunity, accessibility, and discrimination.</td>
<td>All comments or views received were accepted.</td>
<td>n/a</td>
</tr>
<tr>
<td>3</td>
<td>Resident focus groups (5)</td>
<td>Residents vulnerable to housing challenges and service needs (low incomes, seniors, victims of domestic violence, LGBTQ, mental health)</td>
<td>27 residents attended one of 5 focus groups</td>
<td>Feedback related to housing needs and challenges, social services, community access to opportunity, accessibility, and discrimination.</td>
<td>All comments or views received were accepted.</td>
<td>n/a</td>
</tr>
<tr>
<td>4</td>
<td>Stakeholder focus groups (4)</td>
<td>Community stakeholders (e.g., service providers, housing developers, economic development, etc.)</td>
<td>24 Stakeholders participated in at least one of four meetings</td>
<td>Feedback related to housing needs and challenges, social services, community access to opportunity, accessibility, and service delivery infrastructure.</td>
<td>All comments or views received were accepted.</td>
<td>n/a</td>
</tr>
</tbody>
</table>

Table 4– Citizen Participation Outreach
Needs Assessment

NA-05 Overview

Needs Assessment Overview

The Needs Assessment (NA) section of the eCon Plan describes the primary housing challenges in the city. This section summarizes the primary housing and service needs in the City of Lakewood, followed by additional information on non-housing community development needs (section NA-50), as required by HUD. Additional detail on housing needs and market inefficiencies are discussed in MA-05.

Housing needs. Cost burden and severe cost burden are the most common housing problems in the city, according to data provided by HUD for the Consolidated Plan. Nearly two-thirds (64%) of low- and moderate-income renters (earning less than 100% AMI) are cost burdened, as are nearly half (45%) of low- and moderate-income owners earning less than 100% AMI. Rates of cost burden and severe cost burden are even higher for extremely low and very low income households.

Since development of the 2013-2017 Consolidated Plan, the cost of renting in the City of Lakewood, like much of metro Denver, has risen considerably. The average monthly rent in Lakewood exceeds $1,000 per month. To afford to rent in Lakewood, a household must earn at least $58,000 per year. The actual median household income for renters in Lakewood is $45,000. A “rental gaps analysis” completed to support the 2020-2024 Five-year Consolidated Plan (and discussed in more detail in section MA-45) identifies a 5,000-unit shortage of rentals affordable to households earning less than $25,000 per year.

The 2013-2017 Consolidated Plan described a relatively affordable market for homeownership: about one-third of homes for sale were affordable to renters earning $50,000 per year in 2012. Renters earning $75,000 per year had many choices in the market, as about three-fourths of Lakewood’s homes for sale were affordable to them. Since that time, the proportion of for-sale homes affordable to households earning less than $50,000 has dropped to 12 percent. About one-fifth of homes for sale were affordable to renters earning between $50,000 and $75,000 and over 60 percent of homes are affordable to income levels above $75,000. Rising for sale prices have made it more challenging for renters to convert to owners within the City of Lakewood, but there are also current owners who face housing challenges. The city still has many long-time owners who have aged, are living on fixed incomes and/or who have become unemployed and have difficulty paying their mortgage and maintaining their homes.

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1 Data source is Comprehensive Affordable Housing Strategy (CHAS) data; cost burden is defined as spending more than 30 percent of housing income on housing costs; severe cost burden is spending more than half of household income on housing costs.

Consolidated Plan

LAKEWOOD

OMB Control No: 2506-0117 (exp. 06/30/2018)
A county-wide resident survey conducted for the Consolidated Plan and Community Needs Assessment asked residents about their top housing concerns. A key theme of responses was affordability:

- 19 percent of respondents said they worried about their rent going up to an amount they can’t afford;
- 16 percent said they struggle to pay their rent or mortgage;
- 55 percent of respondents who want to buy a home said they cannot afford the downpayment; and

When asked about the condition of their home, one in every five respondents (21%) rated their home in “fair” or “poor” condition. The most common repair needs were windows, electrical wiring, and interior wall/ceiling cracks.

Senior residents that participated in community engagement for the Consolidated Plan (focus groups and survey) highlighted the need for more diversity in housing options to accommodate growing aging populations.

Stakeholders also emphasized the affordability challenges residents are facing, citing finding affordable, stable housing as one of the top issues for low- and moderate-income households and for people experiencing homelessness.

**People experiencing homelessness.** According to the 2019 Comprehensive Homeless Survey for Jefferson County, there were 486 people experiencing homelessness in August 2019 in the City of Lakewood. About 20 percent were chronically homeless, 33 percent reported having a disability, 30 percent reported having a serious mental illness, 7 percent were veterans, and 14 percent were fleeing domestic violence. Overall, 14 percent of households experiencing homelessness in Lakewood included children.

Stakeholders emphasized the need for wrap-around services paired with housing to help support those currently experiencing homelessness and transition them into permanent, stable housing. The overall lack of affordable options is a key concern but advocates also acknowledged the need for a full continuum of housing solutions (e.g., shelters, day shelters, permanent supportive housing, as well as more conventional affordable rental units).

**Non-homeless special needs populations.** Non-homeless special needs populations include households containing persons with a disability, elderly households, large families, female headed households with children, limited English proficient households, and those at risk of homelessness.
- **Disability.** There are 17,024 residents with a disability living in Lakewood (11% of the total population).\(^2\) According to CHAS data provided by HUD, 39 percent of households that contain a member with a disability in Jefferson County have one or more housing problems. By that measure, 6,639 residents with disabilities in Lakewood have some type of housing need. A resident survey conducted for a Consolidated Plan and Community Needs Assessment found that the top housing challenges for people with disabilities include: affordability in general (worrying about rent increasing, struggling to pay rent or mortgage, and not being able to afford a different apartment/house); and accessibility. Among households with a disability, 28 percent said their house does not meet their accessibility needs. Most common accommodation needs were grab bars in the bathroom, stair lifts, wider doorways and ramps.

- **Elderly households.** In Lakewood 32,829 residents are 62 years or older, accounting for 21 percent of the city’s population.\(^3\) Senior households may be less able to cope with increasing housing costs (rents for renters and property taxes for owners) as they are more likely to be living on a fixed retirement income. Most seniors desire to age in place but may need accessibility modifications as they age and may need additional support services in order to properly maintain their home and property. Many may also require transportation services and in-home health care at certain stages.

- **Large families.** There are 3,749 large family households (5 or more people) in Lakewood.\(^4\) HUD CHAS data indicate that 19 percent of large households county-wide have some type of housing problem. The most common housing need is related to cost burden but large households are also more susceptible to overcrowding (CHAS data do not provide enough detail to quantify the number of large family households that are overcrowded).

- **Female headed households with children.** There are about 2,235 female headed single parent households in Lakewood. The poverty rate for these households is 25 percent—much higher than the citywide family poverty rate of 6.5 percent.\(^5\) The 569 female headed households with children living in poverty are the most likely to struggle with rising housing costs and may need unique supports given the challenges they face.

- **Limited English proficient households.** About 1,944 Lakewood households have limited English proficiency (LEP), meaning no one over the age of 14 speaks English “very well.” Spanish is the most common language spoken by LEP households in Lakewood (67% of all LEP households in

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\(^2\) 2018 American Community Survey data  
\(^3\) 2018 American Community Survey data  
\(^4\) 2018 American Community Survey data  
\(^5\) 2018 American Community Survey data
Lakewood), followed by Asian and Pacific Island languages (18% of LEP households). These households may have trouble accessing resources and/or housing-related documents in their native language. The 12 percent of limited English proficient residents that are living in poverty are most likely to have acute housing needs.

- **At risk of homelessness.** Households spending 50 percent or more of their income on housing are considered at risk of homelessness. These households have limited capacity to adjust to rising home prices and are vulnerable to even minor shifts in rents, property taxes, and/or incomes. In Lakewood, 10,100 households earning less than 100 percent AMI (27% of all LMI households) are severely cost burdened and therefore at risk of homelessness.

In addition to needs described above both stakeholders and residents identified a need for mental health services and supports throughout Jefferson County and Lakewood.

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6 2018 American Community Survey data
NA-40 Homeless Needs Assessment - 91.405, 91.205 (c)

Introduction:

The 2019 Comprehensive Homeless Survey for Jefferson County prepared for the Comprehensive Homeless Survey Steering Committee was conducted in August 2019. This was a month long, comprehensive survey of individuals experiencing homelessness. In the report, homelessness is defined as individuals and families living in an emergency shelter, transitional housing, those who are unsheltered, and those who lack stable housing. At least one of the following criteria must be met to classify housing as unstable: the inability to sleep or stay in the same place for the next 14 days, the inability to pay for housing for the next 14 days, or inconsistent housing for the last 60 days.

Findings for the City of Lakewood from the 2019 Comprehensive Homeless Survey included:

- Across Jefferson County, there were 997 people experiencing homelessness in August 2019.
- Nearly half of those counted (49%) reported staying in the City of Lakewood in August.
- Homelessness disproportionately impacts members or racial\ethnic minority groups;
- The largest gaps in services are related to housing assistance, transportation, and shelter; and
- Transportation, cost, and lack of availability are the top three barriers to accessing services.

If data are not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):

The 2019 Comprehensive Homeless Survey showed the following statistics of homelessness and at-risk populations in the City of Lakewood. There were 486 homeless persons included in the total count; 20 percent were chronically homeless. There were 337 households experiencing homelessness. Among those households:

- 86 percent did not include children;
- Over 30 percent of the homeless persons reported having a disability;
- 30 percent reported having a serious mental illness;
- 7 percent were veterans;
- 14 percent were fleeing domestic violence.
Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.

According to the Comprehensive Homeless Survey, there were 337 households experiencing homelessness in Lakewood.

- The majority of households (86%) did not include children.
- Fourteen percent of households had at least one child and one adult, and none were households with only children.
- The percentage of people who identified as male (56%) was greater than the percentage of people who identified as female (40%).
- Seven percent of respondents were veterans.
- The majority of respondents were adults (67%) followed by children (16%).


Homeless persons in Lakewood were 62 percent White, 7 percent African American, and 33 percent Hispanic or Latino, 13 percent multi-racial, and 4 percent Native American. Compared to the population of the City, respondents experiencing homelessness were more likely to be a member of a minority racial/ethnic group.

Discussion:

Please see above.
Describe the jurisdiction’s need for Public Facilities:

Throughout Lakewood’s history, the community has placed a high priority on acquiring, developing, and improving park and recreation facilities across the city. The city directs a number of resources and strategies to address the growing number of people experiencing homelessness. However, there are few sheltering options throughout the entire county for those with unstable housing situations. These public facility needs have been reaffirmed in recent years by their inclusion as a top priority for City Council.

To continue to effectively serve families and children in HS and EHS in Lakewood for the foreseeable future, a substantial investment in several of the childcare facilities is required. Specifically, the Head Start cottages that were built by the Jefferson County School District as elementary school facilities over 50 years ago need significant updating to ADA standards, at minimum. The city purchased the facilities in 2000 and made subsequent renovations enabling them to be licensed as child care facilities. Making an investment in the cottages will ensure that Lakewood is able to continue serving those in need through Head Start programming for many years to come.

Residents continually request acquisition of open land for park and open space purposes. In the next three to five years it is anticipated that demand for parks and open space will continue to rise as the area population grows. However, this growth will also consume the few remaining parcels of vacant land. The City of Lakewood has adopted the National Recreation and Park Association’s recommended standards as its desired level of service to the community. Currently, the city has approximately 5 acres of developed neighborhood and community parks available for every 1,000 residents. Developed park and recreation facilities are in constant demand and not evenly distributed throughout the community. City staff is working to meet and balance these demands, especially in underserved areas.

Lakewood will continue to focus on providing parks and open space in underserved areas of the city. A majority of those areas are in CDBG Target Areas of low and moderate-income residents. The Comprehensive Master Plan for the Department of Community Resources will direct the acquisition, development and redevelopment of park and open space facilities for the city.

One of the City’s top goals is to provide an equal level of service throughout the city. Several Target Area neighborhoods could benefit from new or improved facilities. Such facilities include: Two Creeks Park Development; Wright Park Development; Peterson Park Development; South Sheridan Fields improvements, Kendrick Lake Park improvements, Jefferson Green Park improvements, and the development of a new park at the site of the former Meadowlark cottages.

A high priority for the City of Lakewood is to bring existing facilities up to current quality standards. This is accomplished through continual maintenance, and renovation of outdated facilities. In Target Area neighborhoods, the following recreation facilities have been highlighted for major renovations:
Mountair Park improvements, Sunset Park improvements and expansion, Morse Park Playground renovation, Idlewild Playground renovation, and Ray Ross Park Shelter.

The most frequent request for infrastructure improvements received by City of Lakewood Engineering Division is for missing sidewalks. This is consistent with sentiment of residents who attended the community meetings for the Plan. Sidewalks simply do not exist in many older neighborhoods and along numerous major streets in Lakewood. The current citywide waiting list for sidewalk projects contains approximately 180 locations that equate to approximately 58 miles of sidewalk. A very conservative estimate to complete all the locations on the list would be Between $75 and $230 million dollars. This waiting list has been developed solely from calls received from residents. Staff has not inventoried the entire city for all locations where sidewalks are needed. A complete inventory could exponentially increase the waiting list.

The City of Lakewood’s Capital Improvement and Preservation Program currently budgets $500,000 annually for sidewalk construction projects. Even with this ongoing, annual investment, the waiting list will continue to grow in future years.

Another major need is an aging cast iron water lines in Lakewood’s Water Utility Service Area. Cast iron pipes have reached their service life and are becoming increasingly susceptible to breaking, resulting in property damage and water losses. Some sections of the aging system may not be capable of serving the additional residential units planned for the area, which may limit or delay residential projects. The service area is in a Target Area Neighborhood and is operated by the City of Lakewood as a utility enterprise. All costs to operate and maintain the system, including replacing aging pipes, are paid for by rates paid by customers; no general fund money is transferred to the utility enterprise. Rate increases are anticipated to be needed to update the system. A conservative estimate to replace these lines is approximately $2,500,000.

Funding stormwater infrastructure improvements also continues to be extremely challenging for Lakewood. The city formed and started operating a Stormwater Management Utility in 2000 that generates money for capital construction. However, with the current utility fee structure, it will still take more than fifty years to address all currently listed stormwater facility needs.

Unfortunately, there is much more need for public facilities and infrastructure improvements than available funding. Over the next five years, additional needs and community improvements will be identified in our CDBG Target Areas that will go unfunded. The need for additional funding to improve public facilities and infrastructure in Lakewood’s low-income areas is significant.

How were these needs determined?

Department staff worked with The Conservation Fund (The Fund), a national nonprofit organization dedicated to advancing America’s land and water legacy, to conduct a thorough analysis of Lakewood’s
parkland inventory in 2019. The Fund’s goal was to help identify potential acquisition opportunities and to help plan for anticipated growth by strategically identifying areas that would serve more residents within a 10-minute walk, while also helping make the system more equitable. Potential acquisitions were organized based on the type of acquisition opportunity in three areas: those that addressed a gap in the existing park network, those that provided for possible expansion of an existing park, or those that provided for the expansion of trail right-of-way. In addition, facility assessments are conducted regularly to identify needed upgrades and improvements to ensure safety and long-term sustainability of Lakewood’s public facilities.

Community Resources Department management staff participate in an annual planning session in the first quarter each year to review existing projects and identify potential new projects. All of the projects are categorized and maintained on a master list and reviewed monthly to track progress and make adjustments as needed. The Division Managers review the project list quarterly and provide updates as needed. The constant evaluation of projects ensures those that are a high priority are addressed quickly and resources are distributed efficiently and effectively.

Stormwater and water system needs have been continuously updated as maintenance is performed on the systems.

**Describe the jurisdiction’s need for Public Improvements:**

Please see above

**How were these needs determined?**

Please see above

**Describe the jurisdiction’s need for Public Services:**

The City of Lakewood has operated center-based services for preschool children since the initial year of operation in 1997. During the 2019-2020 school year, the program was funded to provide services to 90 children ages 3 to 5 in Head Start (HS) and 19 infants and toddlers and one pre-natal mother in Early Head Start (EHS).

The focus of HS and EHS is to prepare children and their families for future school success. The vast majority of the children in HS and EHS are experiencing school readiness for the first time and come from families with extremely low incomes.

Another program priority is to meet the needs of income-eligible children, those experiencing homelessness, currently in foster care and children with special needs. Below is an example of the program statistics in the identified priority areas for the 2018-2019 school year.
• 64% of children lived in household that had incomes below 100% of the federal poverty level
• 16% of children enrolled were homeless
• 3% of children enrolled with status as a foster child
• 9% of children lived in household that had income between 100% and 130%
• 22% of children had one or more identified need and receiving services through an Individual Education Plan (IEP) or Individual Family Service Plan (IFSP)
• 63% of children were Hispanic

The City of Lakewood has chosen to embrace the program because of the immense value it brings to the community. The City’s community assessment shows that of the 8,492 (5.5%) children under the age of five, 1,671 of these children live at or below the poverty line. The City is able to serve approximately 9% of the eligible population.

The city offers a number of therapeutic recreation activities for residents. One program that provides recreation options for individuals with disabilities and is the only program of its kind in Denver-metro area, is Camp Paha. It provides safe, challenging and fun leisure, recreational and educational opportunities for youth ages 6-17. Activities include swimming, sports, games, nature, music, drama, hiking, arts and crafts and field trips within the community. The Paha Adults in Transition (PAT) program is a summer day program experience tailored for young adults ages 18-25. In addition to leisure and recreation opportunities, PAT focuses on skill building and independence, developing work skills, self-advocacy, safety and life skill development.

Limited funding is available to help low-income families afford Camp Paha costs and benefit from the important and life changing programs it provides. In order to continue to support low-income families, additional funding is needed.

Lakewood recognizes that homelessness is an important issue and has devoted a number of resources to help improve systems and service delivery to those experiencing homelessness. In 2020, the city hired two full-time homeless navigators to help homeless individuals and families navigate the complicated search for needed services and housing resources. This program will require a variety of funding sources to effectively help people get on a path to improve their lives and unstable housing situations.

Additionally, there is a need for those who have stable housing but need additional resources and/or skills to improve their socio-economic situation and create a more sustainable, resilient future for themselves and their families.

How were these needs determined?

Lakewood staff works closely with the community, non-profit service partners and faith leaders to continually evaluate the public service needs in the community. CDBG staff are actively involved with numerous local and regional efforts that examine the highest needs and effective solutions for vulnerable populations. In 2019, Lakewood participated in the first ever Comprehensive Homeless Planning...
Count in Jefferson County which identified the top service needs and barriers to accessing services for people experiencing homelessness.
Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview:

This section continues the discussion of housing needs in the above Needs Assessment (NA) section with a more specific focus on housing costs and market trends. Non-housing community development needs are discussed in section MA-45, after the housing overview.

Lakewood’s rental vacancy rate in the second quarter of 2019 (2Q19) was 4.7 percent, signaling a tight rental market. The average rent in Lakewood as of 2Q19 was $1,550; the median was $1,450. In the most recent years the average rent has increased more than the median, indicating that rent growth is stronger in existing older properties. Rent growth for high end properties has been limited because of a need to find tenants who can afford these high in comparison rents.

Although rent growth at the high end has slowed, renters in Lakewood who are not in the market for high-end units are cost burdened. Renters who are bearing the greatest burden of increasing rents are those earning less than $35,000 per year who are not occupying subsidized housing.

Currently, renters in Lakewood must earn $58,000 to afford the average rent (assuming 30% of income goes toward housing costs). In the southern portion of the city, where rents are even higher, renters must earn at least $62,000 per year to afford the average rent. This is one of the highest priced rental submarkets in Jefferson County.

A “rental gaps analysis” was completed to support the 2020-2024 Five-year Consolidated Plan and evaluate mismatches in supply and demand in the rental market. The gaps analysis compared the number of renters at various income levels with the number of units affordable to them.

The gaps analysis identifies about 6,500 renters in Lakewood earning less than $25,000 per year. These renters had about 1,500 affordable rental units to choose from—leaving a shortage of around 5,000 units. These renters needed units priced at less than $625 per month, including utilities, to avoid being cost burdened. Given that new apartment construction tends to target higher price brackets, the increase in supply of rental units is concentrated at income levels above $25,000, doing little to alleviate the rental gap at lower income levels.

The figure on the following page shows the results of the gaps analysis, highlighting the need for additional rentals that are priced affordably for households earning less than $25,000 per year.

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7 Denver Metro Area Vacancy and Rent Survey data.
Lakewood Rental Gaps Analysis

<table>
<thead>
<tr>
<th>Income Range</th>
<th>Renters Num.</th>
<th>Renters Pct.</th>
<th>Maximum Affordable Rent</th>
<th>Rental Units Num.</th>
<th>Rental Units Pct.</th>
<th>Rental Gap</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $15,000</td>
<td>3,316</td>
<td>12%</td>
<td>$375</td>
<td>533</td>
<td>2%</td>
<td>-2,783</td>
</tr>
<tr>
<td>$15,000 to $24,999</td>
<td>3,266</td>
<td>12%</td>
<td>$625</td>
<td>948</td>
<td>3%</td>
<td>-2,318</td>
</tr>
<tr>
<td>$25,000 to $34,999</td>
<td>3,633</td>
<td>13%</td>
<td>$875</td>
<td>3,693</td>
<td>13%</td>
<td>60</td>
</tr>
<tr>
<td>$35,000 to $49,999</td>
<td>4,853</td>
<td>18%</td>
<td>$1,250</td>
<td>8,963</td>
<td>32%</td>
<td>4,110</td>
</tr>
<tr>
<td>$50,000 to $74,999</td>
<td>6,248</td>
<td>23%</td>
<td>$1,875</td>
<td>10,005</td>
<td>35%</td>
<td>3,757</td>
</tr>
<tr>
<td>$75,000 or more</td>
<td>6,162</td>
<td>22%</td>
<td>$1,875+</td>
<td>4,071</td>
<td>14%</td>
<td>-2,091</td>
</tr>
<tr>
<td>Total/Low Income Gap</td>
<td>27,478</td>
<td>100%</td>
<td></td>
<td>28,213</td>
<td>100%</td>
<td>-5,101</td>
</tr>
</tbody>
</table>


As discussed in NA-05, the for-sale market in Lakewood has also lost affordability over the past five years. Since the Consolidated Plan was completed, the proportion of for-sale homes affordable to households earning less than $50,000 has dropped to 12 percent (from 33%). Rising for sale prices have made it more challenging for renters to convert to owners within the City of Lakewood, but there are also current owners who face housing challenges. The city still has many long-time owners who have aged, are living on fixed incomes and/or who have become unemployed and have difficulty paying their mortgage and maintaining their homes.
MA-45 Non-Housing Community Development Assets - 91.410, 91.210(f)

Introduction

Lakewood, Colorado, as the state’s fifth most populous municipality, is well positioned for continued economic growth and stability due to the city’s geographic location, physical infrastructure, diverse industry base, and sustainability values.

Lakewood is located directly west of the City and County and Denver and is well connected to Denver and the entire metro area through roads and highways, a light rail line, other public transit and pedestrian and bicycle facilities making Lakewood an attractive location for residents and industry. The city’s diverse industry base is served by a well-educated population in the metro area. Lakewood is committed to not only economic and environmental sustainability, but social sustainability as well.

This section contains economic development data and information for the City of Lakewood. The data in the tables were pre-populated by HUD.

Economic Development Market Analysis

Business Activity

<table>
<thead>
<tr>
<th>Business by Sector</th>
<th>Number of Workers</th>
<th>Number of Jobs</th>
<th>Share of Workers %</th>
<th>Share of Jobs %</th>
<th>Jobs less workers %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture, Mining, Oil &amp; Gas Extraction</td>
<td>735</td>
<td>260</td>
<td>1.03%</td>
<td>0.30%</td>
<td>-0.73%</td>
</tr>
<tr>
<td>Arts, Entertainment, Accommodations</td>
<td>8,548</td>
<td>8,024</td>
<td>11.98%</td>
<td>9.25%</td>
<td>-2.73%</td>
</tr>
<tr>
<td>Construction</td>
<td>4,860</td>
<td>3,674</td>
<td>6.81%</td>
<td>4.23%</td>
<td>-2.58%</td>
</tr>
<tr>
<td>Education and Health Care Services</td>
<td>14,278</td>
<td>27,552</td>
<td>20.01%</td>
<td>31.75%</td>
<td>11.74%</td>
</tr>
<tr>
<td>Finance, Insurance, and Real Estate</td>
<td>4,959</td>
<td>4,509</td>
<td>6.95%</td>
<td>5.20%</td>
<td>-1.75%</td>
</tr>
<tr>
<td>Information</td>
<td>2,022</td>
<td>1,890</td>
<td>2.83%</td>
<td>2.18%</td>
<td>-0.66%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>4,193</td>
<td>3,647</td>
<td>5.88%</td>
<td>4.20%</td>
<td>-1.67%</td>
</tr>
<tr>
<td>Other Services</td>
<td>6,987</td>
<td>9,126</td>
<td>9.79%</td>
<td>10.52%</td>
<td>0.72%</td>
</tr>
<tr>
<td>Professional, Scientific, Management Services</td>
<td>8,463</td>
<td>10,863</td>
<td>11.86%</td>
<td>12.52%</td>
<td>0.66%</td>
</tr>
<tr>
<td>Public Administration</td>
<td>3,462</td>
<td>4,451</td>
<td>4.85%</td>
<td>5.13%</td>
<td>0.28%</td>
</tr>
<tr>
<td>Retail Trade</td>
<td>7,370</td>
<td>10,333</td>
<td>10.33%</td>
<td>11.91%</td>
<td>1.58%</td>
</tr>
<tr>
<td>Transportation and Warehousing</td>
<td>2,233</td>
<td>1,207</td>
<td>3.13%</td>
<td>1.39%</td>
<td>-1.74%</td>
</tr>
<tr>
<td>Wholesale Trade</td>
<td>3,245</td>
<td>1,240</td>
<td>4.55%</td>
<td>1.43%</td>
<td>-3.12%</td>
</tr>
<tr>
<td>Total</td>
<td>71,355</td>
<td>86,776</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

Table 5 - Business Activity
**Labor Force**

<table>
<thead>
<tr>
<th>Table 6 - Labor Force</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Population in the Civilian Labor Force</strong></td>
<td>92,027</td>
</tr>
<tr>
<td><strong>Civilian Employed Population 16 years and over</strong></td>
<td>88,990</td>
</tr>
<tr>
<td><strong>Unemployment Rate</strong></td>
<td>3.30%</td>
</tr>
<tr>
<td><strong>Unemployment Rate for Ages 16-24</strong></td>
<td>4.57%</td>
</tr>
<tr>
<td><strong>Unemployment Rate for Ages 25-65</strong></td>
<td>3.14%</td>
</tr>
</tbody>
</table>

**Data Source:** 2017 Longitudinal Employer-Household Dynamics (Jobs)

**Occupations by Sector**

<table>
<thead>
<tr>
<th>Table 7 – Occupations by Sector</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Management, business and financial</strong></td>
<td>16,631</td>
</tr>
<tr>
<td><strong>Farming, fisheries and forestry occupations</strong></td>
<td>263</td>
</tr>
<tr>
<td><strong>Service</strong></td>
<td>13,222</td>
</tr>
<tr>
<td><strong>Sales and office</strong></td>
<td>19,730</td>
</tr>
<tr>
<td><strong>Construction, extraction, maintenance and repair</strong></td>
<td>7,640</td>
</tr>
<tr>
<td><strong>Production, transportation and material moving</strong></td>
<td>9,027</td>
</tr>
</tbody>
</table>

**Data Source:** 2018 American Community Survey 1-Year Estimate

**Travel Time**

<table>
<thead>
<tr>
<th>Table 8 - Travel Time</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Travel Time</strong></td>
<td><strong>Number</strong></td>
</tr>
<tr>
<td>&lt; 30 Minutes</td>
<td>47,664</td>
</tr>
<tr>
<td>30-59 Minutes</td>
<td>28,994</td>
</tr>
<tr>
<td>60 or More Minutes</td>
<td>5,953</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>82,611</strong></td>
</tr>
</tbody>
</table>

**Data Source:** 2018 ACS 1-Year Estimates

---

Consolidated Plan

LAKEWOOD

OMB Control No: 2506-0117 (exp. 06/30/2018)
Education:

Educational Attainment by Employment Status (Population 25 to 64)

<table>
<thead>
<tr>
<th>Educational Attainment</th>
<th>In Labor Force</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Civilian Employed</td>
<td>Unemployed</td>
<td>Not in Labor Force</td>
<td></td>
</tr>
<tr>
<td>Less than high school graduate</td>
<td>4,906</td>
<td>427</td>
<td>1,942</td>
<td></td>
</tr>
<tr>
<td>High school graduate (includes equivalency)</td>
<td>15,128</td>
<td>532</td>
<td>3,769</td>
<td></td>
</tr>
<tr>
<td>Some college or Associate's degree</td>
<td>21,184</td>
<td>499</td>
<td>4,727</td>
<td></td>
</tr>
<tr>
<td>Bachelor's degree or higher</td>
<td>32,104</td>
<td>891</td>
<td>4,287</td>
<td></td>
</tr>
</tbody>
</table>

Table 9 - Educational Attainment by Employment Status

Data Source: 2018 ACS 1-Year Estimates

Educational Attainment by Age

<table>
<thead>
<tr>
<th>Age</th>
<th>18–24 yrs</th>
<th>25–34 yrs</th>
<th>35–44 yrs</th>
<th>45–65 yrs</th>
<th>65+ yrs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 9th grade</td>
<td>84</td>
<td>611</td>
<td>932</td>
<td>919</td>
<td>1,185</td>
</tr>
<tr>
<td>9th to 12th grade, no diploma</td>
<td>1,674</td>
<td>705</td>
<td>1,422</td>
<td>2,686</td>
<td>1,648</td>
</tr>
<tr>
<td>High school graduate, GED, or alternative</td>
<td>5,332</td>
<td>6,089</td>
<td>3,434</td>
<td>9,907</td>
<td>6,352</td>
</tr>
<tr>
<td>Some college, no degree</td>
<td>3,517</td>
<td>5,908</td>
<td>5,028</td>
<td>9,083</td>
<td>6,113</td>
</tr>
<tr>
<td>Associate's degree</td>
<td>921</td>
<td>1,914</td>
<td>1,354</td>
<td>3,123</td>
<td>1,397</td>
</tr>
<tr>
<td>Bachelor's degree</td>
<td>1,609</td>
<td>8,970</td>
<td>5,916</td>
<td>9,806</td>
<td>5,246</td>
</tr>
<tr>
<td>Graduate or professional degree</td>
<td>431</td>
<td>3,000</td>
<td>4,001</td>
<td>5,589</td>
<td>4,729</td>
</tr>
</tbody>
</table>

Table 10 - Educational Attainment by Age

Data Source: 2018 ACS 1-Year Estimates

Educational Attainment – Median Earnings in the Past 12 Months

<table>
<thead>
<tr>
<th>Educational Attainment</th>
<th>Median Earnings in the Past 12 Months</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than high school graduate</td>
<td>25,184</td>
</tr>
<tr>
<td>High school graduate (includes equivalency)</td>
<td>36,962</td>
</tr>
<tr>
<td>Some college or Associate's degree</td>
<td>36,743</td>
</tr>
<tr>
<td>Bachelor's degree</td>
<td>53,754</td>
</tr>
<tr>
<td>Graduate or professional degree</td>
<td>65,213</td>
</tr>
</tbody>
</table>

Table 11 – Median Earnings in the Past 12 Months

Data Source: 2018 ACS 1-Year Estimates
Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

Based on NAICS classification Lakewood’s major employment sectors include Education and Health Care Services (32%), Professional, Scientific, Management Services (13%), Retail Trade (12%), other services (11%) and Arts, Entertainment, Accommodations (9%). Major single employers include the Federal government, the county school district, a major hospital, a medical device manufacturer, several financial services firms and many more knowledge intensive business services firms.

Describe the workforce and infrastructure needs of the business community:

The workforce and infrastructure needs of Lakewood’s business community are not dissimilar to the needs of businesses throughout metro Denver. The business community requires a mix of low, middle and highly skilled workforce. Recent graduates, newly trained and experienced individuals with the appropriate skill sets are in demand. A large portion of employers located in the city are involved in knowledge-based industries that require specialized training programs, many of which can be found at local higher education institutions and k-12, for their employees.

Generally, basic needs of the business community are being met in terms of utilities, telecommunications, transportation and real estate. Though transportation has improved through the completion of the light rail, additional amenities and improvements to areas such as sidewalks, flood plain and others will increase better connection for employers to employees and create for a more robust business investment climate. Additionally, pedestrian and bicycle connectivity is continually being improved and planned for to increase transportation options and access. Lakewood’s business community is in need of new commercial real estate and additional capital investment to accommodate growth of existing employers and new employers in both office and industrial.

Low income residents and advocates identified a need for additional workforce training and education to help equip workers for higher paying employment opportunities. Transportation was also highlighted as a barrier to employment for workers and households without a car. Residents perceived public transit to be limited by destination (not serving interconnections within the City of Lakewood and Jefferson County as a whole).

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.
The opening of the West Line light rail connects major commercial corridors, employment centers and neighborhoods in the western portion of metro Denver not only locally but to the greater metro Denver transportation system improving employment mobility and job and business growth opportunities. The addition of the “A-Line” has enabled businesses to move across the metro and beyond with a connection to Denver International Airport. In recent years, Denver International Airport has continued to expand their domestic and international routes, further creating opportunities for growth, exporting, foreign direct investment, collaboration and access to new technologies and ideas. This will grow as Denver International Airport adds additional terminals and routes to their system.

Building on the opportunity of light rail and the zoning change that went into effect in April 2013, Lakewood’s employment corridors have continued to grow as we have seen companies expand and new companies come into the market. A recently passed initiative to limit housing growth in the City of Lakewood will have an impact on an already very tight housing market. It is a concern for businesses in regard to whether they will be able to retain their employees, hire additional employees or have enough customers in their surrounding area to support their operations.

Within Lakewood’s Colfax Avenue corridor, which runs through predominantly low-income areas, community and business groups have created a Business Improvement District (BID), an Arts District, adopted a Colfax 2040 plan and recently launched a 4-mile walking/biking path called the ArtLine. The improving economy coupled with city and community efforts throughout the corridor has seen the start of revitalization with the intersection of arts and business, tourism and creative activities. In addition to the creation of new businesses, there has been the addition of multi-family housing of various income levels, and new commercial and office development. Additional investment could be created by fixing the flood-plain along the corridor and updating existing infrastructure.

All of these changes are creating more opportunities for job and business growth which will require workforce development, business support and infrastructure to get employers and employees connected, facilitate enterprise development and improve employee access between home and employment.

**How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?**

The skills and education needed by the city’s prominent employers align fairly well with the educational attainment of residents in the city. According to the above data (see Table 16 - Educational Attainment by Age), 38 percent of Lakewood residents 18 and older have a bachelor’s or graduate degree and another 29 percent have an associate's degree or some college. About 33 percent have a high school degree or less education, which limits their employment industries to low skill positions. However, this number is trending down. In the 2013 – 2017 Consolidated Plan data, about 40 percent of residents had a high school degree or less education. The most vulnerable residents are the 9 percent who are not high school graduates. This population is at the greatest risk of unemployment.
An examination of the educational attainment of Lakewood’s workers by age (see Educational Attainment by Age table above) suggests that younger workers are less likely to be finishing college. The age group with the highest percentage of college graduates (45%) is residents 35 – 44 years. The educational attainment of the city’s workforce is well suited to serve the concentration of Professional, Technical, and Scientific industries and other knowledge-intensive business services. The metro area’s integrated transportation infrastructure and Lakewood’s connectivity through light rail, bus systems and availability of alternate transportation (such as ride-share) options has increased employment opportunities for the city’s workforce and expanded the recruitment pool for the city’s employers.

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction’s Consolidated Plan.

Lakewood is served by the Jefferson County Business and Workforce Center (formerly the American Job Center). Within this region are several public and private higher education centers as well as the state’s largest public-school district, Jeffco R-1. The higher education institutions include Red Rocks Community College, Colorado School of Mines, Colorado Christian University, the Rocky Mountain College of Art + Design and numerous other private trade schools.

Red Rocks Community College’s Rocky Mountain Education Center is a leader in providing customized training for a range of industries including manufacturing, extractive industries, renewable energy, health care, and more. The Jefferson County Business and Workforce Center is actively involved in enabling veterans to be competitive in the labor market through various training programs and priority service. Jeffco R-1 School District students are involved in NASA’s HUNCH program designed to excite students about science, technology, engineering and mathematics. All of these institutions are experiencing enrollment, curriculum and facility expansion to meet workforce needs.

These programs are examples of the many programs in Jefferson County designed to address the workforce needs of the business community and expand employment opportunities to all of Jefferson County’s workforce. As our economy evolves, our businesses and educational institutions need to be able to respond accordingly. Partnerships between the governmental entities, businesses and educational institutions (K-12 and higher education) allow us to prepare a workforce that has the skill sets needed for the ever-changing employment landscape. Partnerships like these create a trained workforce that can meet the demands of employers to create an active and thriving economy.

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

No.
If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

The City of Lakewood does not participate in a Comprehensive Economic Development Strategy (CEDS) through the U.S. Economic Development Administration though the community is involved in numerous regional organizations whose collective missions support a comprehensive strategy to ensure the economic well-being of metro Denver’s business community, residents and environment.

Specifically, city involvement with the Metro Denver Economic Development Corporation, Jefferson County Economic Development Corporation, West Metro Chamber, Colorado Metro Mayors Caucus, Denver Regional Council of Governments, as well as locally based organizations is built around a strategic approach to economic development in the community.
MA-50 Needs and Market Analysis Discussion

Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

As shown in the map below (from HUD’s Affirmatively Furthering Fair Housing Data and Mapping Tool, or AFFH-T), the areas with the highest proportions of households with cost burden are neighborhoods just north of 6th Ave as well as neighborhoods east of Wadsworth. As discussed in the Needs Assessment section, cost burden is by far, the most common housing problem in Lakewood.

Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

Maps of the distribution of residents by race/ethnicity were prepared for the Jefferson County Al (in which Lakewood was included). These maps (see Appendix) show a concentration of Hispanic residents on the Eastern side of the side, adjacent to Denver (between Alameda and 6th Ave and from Wadsworth to Sheridan); and of African American residents in two neighborhoods in Central and Western

Figure Title: Cost Burden by Census Tract
Source: HUD Affirmatively Furthering Fair Housing Tool (AFFHT).
Lakewood. (between Kipling and Simms, just north of 6th Ave; and just west of the intersection of Union and Alameda). There was also a small concentration of Asian residents in Southwest Lakewood.

For the purposes of this Consolidated Plan, racial/ethnic "concentration" is defined as the following:

1) The percentage of residents belonging to a particular racial or ethnic minority group in a given block group is at least 20 percentage points higher than the percentage of that racial/ethnic group for the city overall;
2) The total percentage of minority persons in a given block group is at least 20 percentage points higher than the total percentage of all minorities in the city as a whole.

Poverty concentrations are areas where the poverty rate is at least 40 percent or three times the metro-wide poverty rate. There are no concentrations of poverty in Lakewood, but East Central Lakewood did have higher rates of poverty than other neighborhoods in the city.

**What are the characteristics of the market in these areas/neighborhoods?**

The areas of Hispanic concentration and low income households have aging housing stock, some of the metro area’s most affordable housing and areas of underutilized and vacant commercial properties. Recent redevelopment efforts have begun to reshape the character of these areas: façade improvements to a large, commercial shopping district have occurred, new multi-family housing has been developed, and the creation of the 40 West Arts District has engaged the arts community and is nurturing economic development within the area.

**Are there any community assets in these areas/neighborhoods?**

Yes, these market areas contain many assets and opportunities, which are likely to sustain revitalization of the areas. The former site of St. Anthony hospital along Colfax Avenue has redeveloped into a mix of residential and commercial property. A light rail line is located within these target areas; the land around the light rail stops is developing into mixed-use, mixed-income housing. The 40 West Arts District has spurred economic development, neighborhood revitalization and community partnerships within north east Lakewood. The highly successful Belmar redevelopment along Alameda Avenue has been a major catalyst for improvements within the target areas surrounding Belmar.

**Are there other strategic opportunities in any of these areas?**

Please see above.
MA-60 Broadband Needs of Housing occupied by Low- and Moderate-Income Households - 91.210(a)(4), 91.310(a)(2)

Describe the need for broadband wiring and connections for households, including low- and moderate-income households and neighborhoods.

Citywide, 80 percent of households have a desktop or laptop computer and 86 percent have a smartphone. Seventy-seven percent of households have broadband access by cable, fiber, or DSL and 89 percent have some type of broadband access—11 percent only have internet through their cellular data plan.

However, ACS data indicate that access is much lower for low- and moderate-income households. In Lakewood, just 2 percent of households earning $75,000 or more per year are without an internet subscription compared to 14 percent of households earning between $20,000 and $75,000 per year and 31 percent of households earning less than $20,000 per year that are without internet.

As part of the community engagement process conducted for the Consolidated Plan, residents and stakeholders serving low-income households were specifically asked about broadband needs and digital inclusion. While participants generally believe that access to broadband was not a problem, several participants did express concern over a generation gap technology proficiency.

Describe the need for increased competition by having more than one broadband Internet service provider serve the jurisdiction.

According to the Federal Communications Commission database, the City of Lakewood is served by five broadband providers. The map on the following page illustrates high access to multiple providers throughout the city.
Fixed Broadband Deployment Map: All Providers Reporting Service

Source: Federal Communications Commission.
MA-65 Hazard Mitigation - 91.210(a)(5), 91.310(a)(3)

Describe the jurisdiction’s increased natural hazard risks associated with climate change.

At this time, Lakewood uses information from the 2015 Colorado Local Resilience Project report, which addresses climate-related risks for the state and was developed with participation of City of Lakewood representatives. The climate hazards relevant to Lakewood which were identified in the report include:

- Projected temperature increases of +1.5°F to +6.5°F by 2050.
- Summertime temperatures are projected to increase even more than average temperatures. Both extremely hot days and heat waves could increase in frequency.
- Extreme precipitation events are projected to be augmented, particularly heavy storms in winter.
- Annual streamflows could be decreased by snowpack melting earlier in the year, which may result in water scarcity and rising water prices.
- The frequency and extent of wildfires in Colorado are projected to increase. Given Lakewood’s proximity to the mountains, wildfires primarily impact air and water quality.
- In addition to the impact of wildfire smoke, general air quality could be degraded by ground-level ozone, particulates, and airborne allergens. Lakewood is already in a Federal non-attainment area for air quality.
- Vegetative risks include loss of tree canopy and worsening erosion control due to pest outbreaks, as well as increased food costs due to drought.
- Heat- and storm-related infrastructure stressors could increase maintenance needs.
- There could be adverse economic impacts from environmental changes affecting outdoor recreation opportunities.

Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.

Climate-related risks to people’s health may be greater for children, the elderly, the sick, lower-income people, and the socially isolated. Low- and moderate-income households may not have the financial means to adapt and overcome the impacts of climate hazards. More specifically:

- Children and youth, the elderly, disabled persons, and persons with chronic diseases are most significantly impacted by extreme temperatures (both hot and cold), poor air quality, and have relatively greater difficulty evacuating in the event of emergencies.
- Persons living in sub-standard housing may also be more vulnerable to extreme temperatures, property damage, poor air quality, and flooding if located within floodplains and floodways.
- Some households may experience significant financial burden from higher water rates resulting from water scarcity, higher taxes used to offset increased infrastructure maintenance needs, higher food costs during times of drought or crop disease, and damage
to personal property caused by extreme precipitation events, flooding, and insect infestations.

- Outdoor workers and emergency workers, including police, fire, and other first responders also experience higher exposure to hazards from heat, cold, floods, poor air quality, and other extreme events due to the nature of their work.

Lakewood’s Sustainability Plan Annual Report 2018-2019 reported the following information as it relates to vulnerability:

- 49% of households in Lakewood did not meet the living wage standard (based on MIT’s Living Wage Calculator)
- 63% of households in CDBG qualified neighborhoods spent more than 45% of their income on housing and transportation costs (based the Center for Neighborhood Technology H + T Affordability Index).
Strategic Plan

SP-05 Overview

Strategic Plan Overview

This section contains the Strategic Plan for Housing and Community Development that will guide the City of Lakewood’s allocation of CDBG and HOME funding during the 2020-2024 planning period.

The city’s goals for the 2020-2024 period focus on continuing neighborhood revitalization efforts, providing affordable housing and assisting low-income, homeless and special needs residents with supportive services.

These goals primarily focus on helping residents maintain and improve their quality of life in Lakewood. To this end, Lakewood will continue to build on successful projects and programs that meet the needs of low and moderate income residents. Projects selected for funding in the five year period will be managed as efficiently as possible in order to address a wide range of issues that exist in Lakewood.
SP-10 Geographic Priorities - 91.415, 91.215(a)(1)

Geographic Area

CDBG funds will be used throughout the City of Lakewood through programs where project eligibility is based on the income of individuals who will directly benefit from the CDBG funds. Projects that benefit an entire area or neighborhood will be focused in low- to moderate-income neighborhoods (HUD-designated income-qualifying census tracts).

General Allocation Priorities

Describe the basis for allocating investments geographically within the state

The City bases the geographic allocation of investments on community need and the distribution of low- and moderate-income persons in each eligible community.
## SP-25 Priority Needs - 91.415, 91.215(a)(2)

### Priority Needs

#### Table 12 – Priority Needs Summary

<table>
<thead>
<tr>
<th></th>
<th>Priority Need Name</th>
<th>Geographic Areas Affected</th>
<th>Associated Goals</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Neighborhood Improvements in Target Areas</td>
<td>Qualifying Census tracts (low- and moderate-income neighborhoods)</td>
<td>Preserve and improve target area neighborhoods,</td>
<td>Preserve and improve target area neighborhoods,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Provide safe, decent affordable housing</td>
<td>Provide safe, decent affordable housing</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Housing Preservation, Rehabilitation and Improvements</td>
<td>Citywide</td>
<td>Preserve and improve target area neighborhoods,</td>
<td>Preservation and improvements in target area neighborhoods.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Provide safe, decent affordable housing</td>
<td></td>
</tr>
</tbody>
</table>
The need for housing rehabilitation—as well as neighborhood revitalization—was mentioned often in the community survey conducted for the Consolidated Plan. Market characteristics also support investment in housing rehabilitation and preservation of existing housing. The city has older housing stock relative to many suburban Denver communities and continued maintenance of residential housing is essential for the city to remain competitive in the region. In addition, as an older community, the city has a large senior population, many of whom live on fixed incomes. It is challenging in this economic environment for seniors and lower income households to find money or obtain loans to make needed repairs to their homes. It is for these reasons that Lakewood will continue to make housing rehabilitation and preservation of homes a high priority in this five-year Consolidated Planning period.

<table>
<thead>
<tr>
<th>Priority Need Name</th>
<th>Supportive Services for Low Income &amp; Special Needs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Priority Level</td>
<td>High</td>
</tr>
<tr>
<td>Geographic Areas Affected</td>
<td>Citywide</td>
</tr>
<tr>
<td>Associated Goals</td>
<td>Promote stabilization and self-sufficiency through service provision</td>
</tr>
<tr>
<td>Description</td>
<td>Promote stabilization and self-sufficiency through service provision.</td>
</tr>
<tr>
<td>Basis for Relative Priority</td>
<td>Providing services to these vulnerable populations promotes self-sufficiency and stability.</td>
</tr>
</tbody>
</table>
SP-35 Anticipated Resources - 91.420(b), 91.215(a)(4), 91.220(c)(1,2)

Introduction

This section of the Consolidated Plan outlines anticipated resources and explains how federal funds will leverage additional resources.

Anticipated Resources

<table>
<thead>
<tr>
<th>Program</th>
<th>Source of Funds</th>
<th>Uses of Funds</th>
<th>Expected Amount Available Year 1</th>
<th>Narrative Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDBG</td>
<td>public - federal</td>
<td>Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services</td>
<td></td>
<td>Expected amount available account for program income and annual allocation at volumes similar to year 1 for remaining years.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program</th>
<th>Source of Funds</th>
<th>Uses of Funds</th>
<th>Expected Amount Available Year 1</th>
<th>Narrative Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Annual Allocation: $</td>
<td>Program Income: $</td>
</tr>
<tr>
<td>CDBG</td>
<td>public - federal</td>
<td>Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services</td>
<td>$906,452</td>
<td>$20,000</td>
</tr>
</tbody>
</table>

Table 13 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Lakewood's CDBG allocation will complement a number of other federal resources, as well as state and local resources. The primary resources are: 1) The City's Capital Improvement and Preservation program, which is used for major capital projects in Target Area neighborhoods; 2) The City's economic development fund, which provides assistance for public improvements for certain business enterprises; 3) The Lakewood Head Start grant, which provides approximately $900,000 annually for comprehensive preschool and family support services; 4) HOME, allocated through the Jefferson County Consortium; 5) HUD funded Section 8 voucher program; 6) Private Activity Bonds, which provides roughly $6 million/year to Lakewood for housing activities; 7) Lakewood Reinvestment Authority, which encourages private reinvestment within targeted areas; and 8) Colorado Division of Housing and Colorado Housing Finance Agency competitive grant programs.

If appropriate, describe publicly owned land or property located within the state that may be used to address the needs identified in the plan
Currently there is no publicly owned land that is anticipated to be used to address the needs identified in this plan.
**SP-40 Institutional Delivery Structure - 91.415, 91.215(k)**

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

<table>
<thead>
<tr>
<th>Responsible Entity</th>
<th>Responsible Entity Type</th>
<th>Role</th>
<th>Geographic Area Served</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAKEWOOD</td>
<td>Government</td>
<td>Economic development, Special Needs Planning, Neighborhood improvements, Public facilities, Public services</td>
<td>Jurisdiction</td>
</tr>
</tbody>
</table>

**Table 14 - Institutional Delivery Structure**

Assess of Strengths and Gaps in the Institutional Delivery System

Lakewood has a small number of housing providers who work together cooperatively. The city administers many of the larger programs that receive CDBG funding: 1) Section 108 loan repayment for public facility and park improvements; 2) Neighborhood Cleanup/Code Enforcement/Neighborhood Planning. The city works closely with Jefferson County Housing Authority and Metro West Housing Solutions, the city's largest providers of affordable rental housing.

Gaps in the delivery system are not related to institutional delivery as much as lack of funds to support needed programs.

**Availability of services targeted to homeless persons and persons with HIV and mainstream services**

<table>
<thead>
<tr>
<th>Homelessness Prevention Services</th>
<th>Available in the Community</th>
<th>Targeted to Homeless</th>
<th>Targeted to People with HIV</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Homelessness Prevention Services</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Counseling/Advocacy</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal Assistance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mortgage Assistance</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rental Assistance</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utilities Assistance</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Street Outreach Services</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Law Enforcement</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobile Clinics</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Street Outreach Services</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

In the Denver metro area, most of the services targeted to assist persons who are homeless and with HIV/AIDS are provided through nonprofits in central Denver. A limited number of nonprofits in Lakewood serve persons who are homeless and/or at risk of homelessness with services such as food, clothing, rent and utility assistance and a small number of emergency shelter beds. The Colorado Coalition for the Homeless operates a transitional housing facility in Lakewood which includes a variety of housing options and supportive services.

The City of Lakewood recently added two Homeless Navigator positions to help individuals and families access the services available to them. Similar positions have been hired (or are in the process) throughout many jurisdictions within Jefferson County. These teams will help improve service delivery by reducing barriers to access and providing information to households experiencing or at risk of homelessness.

In addition, the communities within Jefferson County recently partnered to conduct a month-long comprehensive count of individuals experiencing homelessness. That report was released in March 2020 and the steering committee anticipates continuing discussions to continue to improve the service delivery system to meet the needs of people experiencing homelessness.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

Consolidated Plan LAKEWOOD

OMB Control No: 2506-0117 (exp. 06/30/2018)
Gaps in the delivery system are not related to institutional delivery as much as lack of funds to support needed programs. However, county and municipal leadership are committed to addressing the need for efficient and effective service delivery to homeless and special needs populations. New collaborative and innovative strategies are being explored to determine the best way to address the needs of these vulnerable populations.

**Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs**

Lakewood will continue to explore ways to increase funding dedicated to service provision. It is the city's hope that a larger amount of block grant funds can be dedicated to supportive service provision. This is a much larger need than improvements in structure or delivery of services.
## SP-45 Goals - 91.415, 91.215(a)(4)

### Goals Summary Information

<table>
<thead>
<tr>
<th>Sort Order</th>
<th>Goal Name</th>
<th>Start Year</th>
<th>End Year</th>
<th>Category</th>
<th>Geographic Area</th>
<th>Needs Addressed</th>
<th>Funding</th>
<th>Goal Outcome Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Preserve and improve target area neighborhoods</td>
<td>2020</td>
<td>2024</td>
<td>Affordable Housing Non-Housing Community Development</td>
<td>Low- and moderate-income neighborhoods</td>
<td>Neighborhood Improvements in Target Areas Housing Rehabilitation and Improvements</td>
<td>$1,870,000</td>
<td>12,000 residents in LMI neighborhoods benefit</td>
</tr>
<tr>
<td>2</td>
<td>Provide safe, decent affordable housing</td>
<td>2020</td>
<td>2024</td>
<td>Affordable Housing Public Housing Non-Homeless Special Needs Fair Housing</td>
<td>Citywide</td>
<td>Neighborhood Improvements in Target Areas Housing Preservation and Rehabilitation and Improvements</td>
<td>$870,000</td>
<td>100 LMI owners benefit; 3 non-profit facility benefit (numerous individual beneficiaries)</td>
</tr>
<tr>
<td>3</td>
<td>Promote stability and self-sufficiency through service provision</td>
<td>2020</td>
<td>2024</td>
<td>Homeless Non-Homeless Special Needs</td>
<td>Citywide</td>
<td>Supportive Services for Low Income &amp; Special Needs</td>
<td>$600,000</td>
<td>1,400 LMI residents/households assisted.</td>
</tr>
</tbody>
</table>

### Table 16 – Goals Summary

### Goal Descriptions

<table>
<thead>
<tr>
<th>1</th>
<th>Goal Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Preserve and improve target area neighborhoods</td>
<td>Preservation and improvement of target area neighborhoods.</td>
</tr>
<tr>
<td></td>
<td>Goal Name</td>
<td>Goal Description</td>
</tr>
<tr>
<td>---</td>
<td>---------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2</td>
<td>Provide safe, decent affordable housing</td>
<td>Provide safe, decent and affordable housing; and affirmatively further fair housing choice.</td>
</tr>
<tr>
<td>3</td>
<td>Promote stability and self-sufficiency through service provision</td>
<td>Provide supportive services to low income and special needs populations, to promote stability and self-sufficiency.</td>
</tr>
</tbody>
</table>

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

Please see the Jefferson County HOME Consortium Consolidated Plan; Lakewood is a member of the Consortium.
SP-65 Lead-based Paint Hazards - 91.415, 91.215(i)

Actions to address LBP hazards and increase access to housing without LBP hazards

The City will continue to support efforts that reduce the hazards of lead-based paint utilizing HUD funds in conjunction with other available resources. Activities will include testing and evaluation, community education, and abatement of lead-based paint hazards.

How are the actions listed above integrated into housing policies and procedures?

Lakewood and Metro West Housing Solutions have integrated lead-hazard evaluation and reduction activities into existing housing programs.
SP-70 Anti-Poverty Strategy - 91.415, 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

The City of Lakewood will continue to implement strategies to reduce the number of families and individuals living in poverty. This focus is primarily on developing and supporting programs that raise household incomes and stabilize family situations. Programs include providing access to affordable, stable housing and supportive service programs focusing on self-sufficiency and economic independence.

Lakewood’s Economic Development Division and Lakewood Reinvestment Authority share a common goal to expand the City’s economic base, thereby creating more jobs and more employment possibilities for Lakewood residents. The Economic Development Division functions to retain businesses and help them expand and attract new capital investment and jobs to the City. Activities include business advocacy and problem resolution, marketing and business development as well as grant and loan program management. The primary funding source for these activities is the City Economic Development Fund.

In addition to expanding economic opportunities, Metro West Housing Solutions Self-Sufficiency program addresses the goal of getting people off public assistance and moving toward self-sufficiency. The Childcare Scholarships and Head Start programs are also an important component of this strategy in that they allow families who cannot otherwise afford day care to obtain it so that they can search or maintain employment.

The City works closely with all of its community partners to maximize the impact of targeted programs on poverty. It is intended that these collaborations will significantly improve the lives of low-income working families, elderly on fixed incomes, and others who struggle with poverty in the community.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

Maintaining and expanding affordable housing opportunities for Lakewood residents is at the key component of the city's anti-poverty plan. During the 2020-2024 Consolidated Planning period, the city will continue to focus on the preservation and production of safe, quality affordable rental and homeownership units.
SP-80 Monitoring - 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements.

The City of Lakewood is committed to taking all appropriate steps, as outlined by HUD, to ensure compliance with applicable laws, procedures and eligibility requirements. All CDBG funds are disbursed by the city’s Finance Department. Each month expenses are drawn down utilizing IDIS, as well as to report program performance. Lakewood’s CDBG program manager regularly monitors all CDBG project managers and subrecipients for regulatory compliance. Formal monitoring of projects occurs annually. The financial management, labor standards, local and national objective compliance and year-end accomplishments are reviewed at that time, along with site inspections when appropriate.

The city’s CDBG program manager schedules meetings well in advance, followed by phone calls to confirm the date and time. During the meeting, project managers and subrecipients are asked a number of questions designed to evaluate the project manager or subrecipient’s procedures for carrying out activities. During the meetings, Lakewood’s program manager requests feedback regarding the development and administration of the programs. The response has been positive, and most feel comfortable with the administrative policies in place. Informal monitoring in the form of phone calls, site visits and progress reports occur on an ongoing basis.

As a result of Lakewood’s inclusion in the Jefferson County HOME Consortium, Jefferson County will monitor all future HOME projects in Lakewood. However, the city will continue to annually monitor all HOME projects funded prior to 2013 throughout the imposed affordability periods.
Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

Anticipated Resources

<table>
<thead>
<tr>
<th>Program</th>
<th>Source of Funds</th>
<th>Uses of Funds</th>
<th>Expected Amount Available Year 1</th>
<th>Expected Amount Available Remainder of ConPlan</th>
<th>Narrative Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDBG</td>
<td>public - federal</td>
<td>Acquisition Admin and Planning</td>
<td>Annual Allocation: $906,452</td>
<td>$3,705,808</td>
<td>Expected amount available account for program income and annual allocation at volumes similar to year 1 for remaining years.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Economic Development Housing</td>
<td>Program Income: $20,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public Improvements Public Services</td>
<td>Prior Year Resources: $290,548</td>
<td>$1,217,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total: $1,217,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 17 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Lakewood's CDBG allocation will complement a number of other federal resources, as well as state and local resources. The primary resources are: 1) The City's Capital Improvement and Preservation program, which is used for major capital projects in Target Area neighborhoods; 2) The City's economic development fund, which provides assistance for public improvements for certain business enterprises; 3) The Lakewood Head Start grant, which provides approximately $900,000 annually for comprehensive preschool and family support services; 4) HOME, allocated through the Jefferson County Consortium; 5) HUD funded Section 8 voucher program; 6) Private Activity Bonds, which provides roughly $6 million/year to Lakewood for housing activities; 7) Lakewood Reinvestment Authority, which encourages private reinvestment within targeted areas; and 8) Colorado Division of Housing and Colorado Housing Finance Agency competitive grant programs.
## Annual Goals and Objectives

**AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)**

### Goals Summary Information

<table>
<thead>
<tr>
<th>Sort Order</th>
<th>Goal Name</th>
<th>Start Year</th>
<th>End Year</th>
<th>Category</th>
<th>Geographic Area</th>
<th>Needs Addressed</th>
<th>Funding</th>
<th>Goal Outcome Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Preserve and improve target area neighborhoods</td>
<td>2020</td>
<td>2020</td>
<td>Affordable Housing Non-Housing Community Development</td>
<td>Low- and moderate-income neighborhoods</td>
<td>Neighborhood Improvements in Target Areas Housing Preservation and Rehabilitation and Improvements</td>
<td>$374,000</td>
<td>2,800 residents in LMI neighborhoods benefit</td>
</tr>
<tr>
<td>2</td>
<td>Provide safe, decent affordable housing</td>
<td>2020</td>
<td>2020</td>
<td>Affordable Housing Public Housing Non-Homeless Special Needs Fair Housing</td>
<td>Citywide</td>
<td>Neighborhood Improvements in Target Areas Housing Preservation and Rehabilitation and Improvements</td>
<td>$174,000</td>
<td>20 LMI owners benefit; 1 non-profit facility benefit (numerous individual beneficiaries)</td>
</tr>
<tr>
<td>3</td>
<td>Promote stability and self-sufficiency through service provision</td>
<td>2020</td>
<td>2020</td>
<td>Homeless Non-Homeless Special Needs</td>
<td>Citywide</td>
<td>Supportive Services for Low Income &amp; Special Needs</td>
<td>$120,000</td>
<td>290 LMI residents/households assisted.</td>
</tr>
</tbody>
</table>

Table 18 – Goals Summary

### Goal Descriptions

<table>
<thead>
<tr>
<th>1</th>
<th>Goal Name</th>
<th>Preserve and improve target area neighborhoods</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Goal Description</td>
<td>Preservation and improvement of target area neighborhoods.</td>
</tr>
<tr>
<td></td>
<td>Goal Name</td>
<td>Goal Description</td>
</tr>
<tr>
<td>---</td>
<td>---------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2</td>
<td>Provide safe, decent affordable housing</td>
<td>Provide safe, decent and affordable housing; and affirmatively further fair housing choice.</td>
</tr>
<tr>
<td>3</td>
<td>Promote stability and self-sufficiency through service provision</td>
<td>Provide supportive services to low income and special needs populations, to promote stability and self-sufficiency.</td>
</tr>
</tbody>
</table>
**AP-35 Projects - 91.420, 91.220(d)**

**Introduction**

<table>
<thead>
<tr>
<th>#</th>
<th>Project Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Housing Preservation and Rehabilitation</td>
</tr>
<tr>
<td>2</td>
<td>Neighborhood Improvements</td>
</tr>
<tr>
<td>3</td>
<td>Public Facilities</td>
</tr>
<tr>
<td>4</td>
<td>Support Services</td>
</tr>
<tr>
<td>5</td>
<td>CDBG Administration</td>
</tr>
<tr>
<td>6</td>
<td>Section 108 Loan Repayment</td>
</tr>
<tr>
<td>7</td>
<td>Public Facilities</td>
</tr>
</tbody>
</table>

*Table 19 – Project Information*

**Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

The allocation of funds is closely aligned with the top housing and community development needs identified in the needs assessment, housing market analysis and contributed by stakeholders and citizens who participated in the development of the Consolidated Plan. The primary obstacle to addressing underserved needs is lack of funds. The cost of needed improvements to the City's sidewalks, for example, far exceeds the City's five-year allocation of HUD block grant funds.
## AP-38 Project Summary

### Project Summary Information

<table>
<thead>
<tr>
<th>2020 Activities</th>
<th>Plan Goal</th>
<th>Funds Awarded</th>
<th>Expected Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Housing Preservation and Rehabilitation</strong>&lt;br&gt;Provides low-interest loans and/or grants to low- and moderate-income homeowners for renovation of single-family homes in need of repair. Through a contract with Jefferson County Housing Authority, grants and low-interest loans are provided to ensure homeowners are not forced from their homes due to dangerous or substandard conditions. In addition, exterior painting and minor rehab will be completed for elderly, disabled and/or low-income homeowners through Brothers Redevelopment Help for Homes project.</td>
<td>Provide safe, decent affordable housing</td>
<td>$160,000</td>
<td>Approximately twenty low-income single-family homeowners will be able to make necessary improvements to their homes in 2020.</td>
</tr>
<tr>
<td><strong>Neighborhood Improvements</strong>&lt;br&gt;Operates projects in designated CDBG Target Areas that are designed to enhance neighborhood appearance and safety. A neighborhood cleanup event will be held for households within CDBG Target Areas.</td>
<td>Preserve and improve target area neighborhoods</td>
<td>$16,000</td>
<td>Approximately 2,000 residents living in CDBG Target Areas will be able to dispose or recycle trash, large household items, appliances and electronics at the CDBG Neighborhood Clean-up event in 2020.</td>
</tr>
<tr>
<td><strong>Public Facilities</strong>&lt;br&gt;Park improvements and improvements to public infrastructure and facilities that serve low-income populations and neighborhoods.</td>
<td>Preserve and improve target area neighborhoods&lt;br&gt;Provide safe, decent affordable neighborhoods</td>
<td>$372,000</td>
<td>Approximately 800 residents in the Morse Park neighborhood will have access to new playground facilities. The Action Center will replace their old HVAC at their shelter which currently houses homeless students through a partnership with Red Rocks Community College.</td>
</tr>
<tr>
<td>2020 Activities</td>
<td>Plan Goal</td>
<td>Funds Awarded</td>
<td>Expected Outcomes</td>
</tr>
<tr>
<td>---------------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>---------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Support Services</strong></td>
<td>Promote stability and self-sufficiency through service provision</td>
<td>$120,000</td>
<td>200 or more Metro West Housing Solutions' residents will participate in self-sufficiency programs or activities. Approximately 70 low-income earning families will receive childcare scholarships for Head Start early education.</td>
</tr>
<tr>
<td>Offers a broad range of services to low-income and special needs Lakewood residents. Services include case management, referral services, transportation, childcare and recreation scholarships, after-school programs and activities to increase life skills. Emergency rental assistance, eviction prevention, motel vouchers and other emergency services will be provided through Lakewood homeless navigator program.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CDBG Administration</strong></td>
<td>N/A</td>
<td>$180,000</td>
<td>N/A</td>
</tr>
<tr>
<td>Provides oversight, management, and coordination of the CDBG program.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Section 108 Loan Repayment</strong></td>
<td>N/A</td>
<td>$369,000</td>
<td>N/A</td>
</tr>
<tr>
<td>CDBG funds are used to repay a Section 108 Loan that was used to construct a Lakewood Head Start Facility and make improvements to Ray Ross Park. Both of the projects are located in CDBG Target Areas. The final loan payment is scheduled for 2021.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

CDBG funds will be used throughout the City of Lakewood through programs where project eligibility is based on the income of individuals who will directly benefit from the CDBG funds. Projects that benefit an entire area or neighborhood will be focused in low- to moderate-income neighborhoods (HUD-designated income-qualifying census tracts). A map of qualifying neighborhoods is below.
**Geographic Distribution**

<table>
<thead>
<tr>
<th>Target Area</th>
<th>Percentage of Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citywide</td>
<td>TBD</td>
</tr>
<tr>
<td>Qualified Census tracts</td>
<td>TBD</td>
</tr>
</tbody>
</table>

Table 20 - Geographic Distribution

**Rationale for the priorities for allocating investments geographically**

The City bases the geographic allocation of investments on community need and the distribution of low- and moderate-income persons in each eligible community.
AP-85 Other Actions - 91.420, 91.220(k)

Introduction

This section describes other actions that the City will undertake during the program year to help fulfill the annual goals and objectives.

Actions planned to address obstacles to meeting underserved needs

Despite efforts to fill gaps and address community needs there continue to be obstacles. Underserved needs appear in all of the three categories of need in Lakewood—Neighborhood Improvements in Target Areas, Housing Rehabilitation and improvements and Supportive Services for Low Income & Special Needs. Each of the activities in the current program year was selected to help address underserved needs of low- to moderate-income residents and neighborhood. In addition, the City continues to work closely with local non-profits, Metro West Housing Solutions, and partner jurisdictions throughout Jefferson County to break down barriers to accessing services. Efforts this year include expansion of the Homeless Navigator program, completion of the Analysis of Impediments to Fair Housing Choice, and completion of the Community Needs Assessment (which informs CSBG priorities).

Actions planned to foster and maintain affordable housing

The City works closely with Metro West Housing Solutions and other housing service providers to acquire and develop affordable housing. The City works closely with the Jefferson County HOME Consortium to direct HOME funds to eligible rental and for-sale units to address affordability issues for low income households. Lakewood continues to support area housing agencies to provide services for those who are homeless, including the provision of additional shelter space and transitional housing opportunities that assist in the prevention of homelessness. Specific activities funded in the 2020 program year which directly foster and maintain affordable housing include single family housing rehabilitation and Action Center Shelter HVAC replacement.

Actions planned to reduce lead-based paint hazards

The City will continue its support efforts that reduce the hazards of lead-based paint utilizing HUD funds in conjunction with other available resources. Activities will include testing and evaluation, community education, and abatement of lead-based paint hazards. Lakewood and Metro West Housing Solutions have integrated lead-hazard evaluation and reduction activities into existing housing programs.

Actions planned to reduce the number of poverty-level families

The City of Lakewood will continue to implement strategies to reduce the number of families and individuals living in poverty. This focus is primarily on developing and supporting programs that raise household incomes and stabilize family situations. Programs include providing access to affordable, stable housing and supportive service programs focusing on self-sufficiency and economic independence.
Lakewood’s Economic Development Division and Lakewood Reinvestment Authority share a common goal to expand the City’s economic base, thereby creating more jobs and more employment possibilities for Lakewood residents. The Economic Development Division functions to retain businesses and help them expand and attract new capital investment and jobs to the City. Activities include business advocacy and problem resolution, marketing and business development as well as grant and loan program management. The primary funding source for these activities is the City Economic Development Fund.

In addition to expanding economic opportunities, Metro West Housing Solutions Self-Sufficiency program addresses the goal of getting people off public assistance and moving toward self-sufficiency. The Childcare Scholarships and Head Start programs are also an important component of this strategy in that they allow families who cannot otherwise afford day care to obtain it so that they can search or maintain employment.

The City works closely with all of its community partners to maximize the impact of targeted programs on poverty. It is intended that these collaborations will significantly improve the lives of low-income working families, elderly on fixed incomes, and others who struggle with poverty in the community.

**Actions planned to develop institutional structure**

The City of Lakewood Planning Department administers the Community Development Block Grant (CDBG) program. City staff in the departments of Planning, Public Works, Community Resources and Police will manage internal CDBG projects. The benefit of carrying out projects “in house” is to provide the greatest control over the scope, quality and cost of each project. Where beneficial, the city will enter into a contract or sub recipient agreement with the appropriate agency to perform specific activities. An interdepartmental team develops funding recommendations that are forwarded to City Council each year and adopted as the Annual Action Plan. The team objectives are to develop a comprehensive philosophy for the grant program and to ensure that projects are developed and implemented strategically.

**Actions planned to enhance coordination between public and private housing and social service agencies**

Cooperation with nonprofit agencies serving Lakewood residents is necessary to meet the housing and supportive service needs of the community. Lakewood supports applications for funding by various organizations when funds will be used for programs that address identified community needs and are complementary to existing City of Lakewood programs. Metro West Housing Solutions and Lakewood staff members serve on various nonprofit boards and committees, thereby strengthening communication and coordination of services. Lakewood will continue to foster these relationships and seek ways to expand partnerships in the coming years.

**Discussion**

See above.
Program Specific Requirements
AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

Introduction

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)
Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed
   20,000
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan
   0
3. The amount of surplus funds from urban renewal settlements
   0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.
   0
5. The amount of income from float-funded activities
   0
Total Program Income
   20,000

Other CDBG Requirements

1. The amount of urgent need activities
   0
APPENDIX A.
RACIAL AND ETHNIC CONCENTRATION MAPS

Figure Title: Percent of Census Tract Population that is Hispanic, 2018
Figure Title: Percent of Census Tract Population that is African American, 2018

<table>
<thead>
<tr>
<th>Alternate/Local Data Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Data Source Name</strong></td>
</tr>
<tr>
<td>Consolidated Plan and Community Needs Assessment Resident Survey 2020</td>
</tr>
</tbody>
</table>

List the name of the organization or individual who originated the data set.
Root Policy Research, the city's consultant for the Consolidated Plan, developed the survey instrument to distribute to residents.

Provide a brief summary of the data set.
The survey asked stakeholders about Jefferson County's most pressing housing, community development, and human services needs and potential solutions to address those needs.
## What was the purpose for developing this data set?

To gather resident input for the Consolidated Plan and Community Needs Assessment and inform development of the 5-year strategies and annual allocation of block grant funds.

## Provide the year (and optionally month, or month and day) for when the data was collected.

January 2020 through March 15 2020

## Briefly describe the methodology for the data collection.

Online survey instrument (Survey Monkey).

## Describe the total population from which the sample was taken.

Jefferson County residents.

## Describe the demographics of the respondents or characteristics of the unit of measure, and the number of respondents or units surveyed.

Jefferson County residents with an emphasis on residents with housing and service needs.

<table>
<thead>
<tr>
<th>Data Source Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018 American Community Survey</td>
</tr>
</tbody>
</table>

## List the name of the organization or individual who originated the data set.

U.S. Census Bureau.

## Provide a brief summary of the data set.

U.S. Census annual survey of a sample of households.

## What was the purpose for developing this data set?

The federal government uses the data for a variety of purposes, including the allocation of U.S. Department of Housing and Urban Development (HUD) block grant funds to entitlement cities and states.

## Provide the year (and optionally month, or month and day) for when the data was collected.

Data represent households in 2018.

## Briefly describe the methodology for the data collection.

Methodology can be found at:
http://www.census.gov/acs/www/methodology/methodology_main/

## Describe the total population from which the sample was taken.

The sample size for the 2018 ACS is not available on the ACS website.
Describe the demographics of the respondents or characteristics of the unit of measure, and the number of respondents or units surveyed.

Households, persons and housing units representative the City of Lakewood.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Data Source Name</strong></td>
<td>Various published local reports; see PR-10 for details</td>
</tr>
<tr>
<td><strong>List the name of the organization or individual who originated the data set.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Provide a brief summary of the data set.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>What was the purpose for developing this data set?</strong></td>
<td></td>
</tr>
<tr>
<td><strong>How comprehensive is the coverage of this administrative data? Is data collection concentrated in one geographic area or among a certain population?</strong></td>
<td></td>
</tr>
<tr>
<td><strong>What time period (provide the year, and optionally month, or month and day) is covered by this data set?</strong></td>
<td></td>
</tr>
<tr>
<td><strong>What is the status of the data set (complete, in progress, or planned)?</strong></td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX B.
PUBLISHED PUBLIC NOTICES
CITY OF LAKEWOOD, COLORADO
PUBLISHER’S AFFIDAVIT
www.lakewood.org

CITY OF LAKEWOOD
COUNTY OF JEFFERSON, SS.

Bernadette Y. Salazar, being of lawful age and being responsible for the City of Lakewood, Colorado’s official website, www.lakewood.org, published in the City of Lakewood, County of Jefferson and State of Colorado, does hereby certify that the legal notice, a copy of which is attached hereto, was published on Lakewood’s official website for 24 hours on March 19, 2020.

[Signature]

Subscribed and sworn to before me this 24th day of March, 2020.

[Signature]
Notary Public

My Commission expires 01/04/2022

[Notary Seal]
2020-2024 FIVE-YEAR CONSOLIDATED PLAN AND 2020 ONE YEAR ACTION PLAN

The City of Lakewood will conduct a public hearing on the 2020-2024 Five-Year Consolidated Plan and the 2020 One Year Action Plan, which includes Lakewood’s:

- Housing and community development needs over the next five years
- Housing and community development objectives over the next five years
- 2020 Community Development Block Grant (CDBG) application
- 2020 One Year Action Plan

The Community Development Block Grant was established by the United States Department of Housing and Urban Development. CDBG projects must address one of the following National Objectives established by Congress:

- benefit low or moderate-income persons
- prevent or eliminate slum and blight
- meet an urgent community development need

The public hearing will be held Monday, May 11, 2020, at 7:00 PM, at Lakewood Civic Center, 470 South Allison Parkway, Lakewood, Colorado. The purpose of the hearing will be to seek City Council approval for the 2020-2024 Five Year Consolidated Plan and the 2020 One Year Action Plan. Persons who are interested in the Plan are welcome to make comments at the public hearing. For persons needing reasonable accommodations to attend or participate in this meeting, call the City of Lakewood as soon as possible.

Persons who are unable to attend the public hearing and would like to comment on the 2020-2024 Five-Year Consolidated Plan and/or the 2020 One Year Action Plan are encouraged to contact Amy DeKnikker, CDBG Program Manager, Comprehensive Planning and Research Division, City of Lakewood, 470 South Allison Parkway, Lakewood, Colorado, 80226, Phone 987-7500, TDD 987-7057.

Michele Millard /s/City Clerk

PUBLISHED: 03/19/2020
CITY OF LAKEWOOD
NOTICE OF PUBLIC HEARING FOR THE
2020-2024 FIVE-YEAR CONSOLIDATED PLAN
AND 2020 ONE YEAR ACTION PLAN

The City of Lakewood will conduct a public hearing on the 2020-2024 Five-Year Consolidated Plan and the 2020 One Year Action Plan, which includes Lakewood's:

- Housing and community development needs over the next five years
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Published: Michele Millard
/s/City Clerk
The undersigned Nicole Maestas being first duly sworn under oath, states and affirms as follows:
1. He/she is the legal Advertising Reviewer of The Denver Post, LLC, publisher of The Denver Post and Your Hub.
2. The Denver Post and Your Hub are newspapers of general circulation that have been published continuously and without interruption for at least fifty-two weeks in Denver County and meet the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in Your Hub for Lakewood (including the counties of Jefferson and Denver) on the following date(s):

March 19, 2020

[Signature]

Subscribed and sworn to before me this 20 day of __March__, 2020.

[Notary Public]

Jamie Lynn Kittelson
Notary Public
State of Colorado
Notary ID 20064026896
My Commission Expires July 6, 2021

(SEAL)
LA CIUDAD DE LAKEWOOD PLAN CONSOLIDADO 2020-2024 Y PLAN DE ACCIÓN DE 2

La Cuidad de Lakewood llevará a cabo una Audiencia Pública sobre el Plan Consolidado de 2020-2024 y el Plan de Acción Anual de el 2020, que incluye lo siguiente:

- Las necesidades de vivienda y el desarrollo de la comunidad por los próximos cinco años.
- Los objetivos de vivienda y el desarrollo de la comunidad por los próximos cinco años.
- La aplicación para la subvención de bloque para el desarrollo de la comunidad (“Community Development Block Grant (CDBG)”) de el 2020
- El Plan de Acción Anual de el 2020

La CDBG fue establecida por el Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos. Los proyectos de la CDBG tienen que tener uno de los siguientes Objetivos Nacionales establecidos por el Congreso de los Estados Unidos:

- Ser de beneficio a personas de ingresos bajos o moderados
- Prevenir o eliminar barrios marginales o tugurios
- Satisfacer alguna necesidad urgente del desarrollo de la comunidad.

La audiencia pública se dará a cabo el lunes, 11 de mayo de 2020 a las 7:00 PM en el “Lakewood Civic Center”, 470 S Allison Parkway, Lakewood, Colorado. El propósito de la audiencia será conseguir la aprobación de el Ayuntamiento de la Ciudad de Lakewood, de el Plan Consolidado y el Plan Anual de Acción de el 2020. Personas interesadas en el Plan son bienvenidas a comentar en la audiencia pública. Personas necesitando de acomodaciones razonables para atender o participar de esta junta, favor de llamar a la Ciudad de Lakewood lo antes posible.

A las personas que no puedan atender la audiencia pública pero que quieran comentar sobre el Plan Consolidado y/o el Plan de Acción Anual de el 2020 se les anima a contactar a Amy DeKnikker, CDBG Program Manager, Comprehensive Planning and Research Division, City of Lakewood, 470 South Allison Parkway, Lakewood, Colorado, 80226, Phone 987-7500, TDD 987-7057.

Michele Millard /s/ City Clerk

PUBLISHED: 03/19/2020
AUDIENCIA PUBLICA PARA
LA CIUDAD DE LAKEWOOD
PLAN CONSOLIDADO 2020-2024
Y PLAN DE ACCION DE 2020

La Cuidad de Lakewood llevará a cabo una Audiencia Pública sobre el Plan Consolidado de 2020-2024 y el Plan de Acción Annual de el 2020, que incluye lo siguiente:

- Las necesidades de vivienda y el desarrollo de la comunidad por los próximos cinco años.
- Los objetivos de vivienda y el desarrollo de la comunidad por los próximos cinco años.
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- El Plan de Acción Annual de el 2020

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A las personas que no puedan attender la audiencia pública pero que quieran comentar sobre el Plan Consolidado y/o el Plan de Acción Annual de el 2020 se les ánima a contactar a Amy DeKnikker, CDBG Program Manager, Comprehensive Planning and Research Division, City of Lakewood, 470 South Allison Parkway, Lakewood, Colorado, 80226, Phone 987-7500, TDD 987-7057.

Published: Michele
Millard /s/City
Clerk
The Denver Post, LLC

PUBLISHER'S AFFIDAVIT

City and County of Denver  )
State of Colorado  )

The undersigned Nicole Maestas being first duly sworn under oath, states and affirms as follows:
1. He/she is the legal Advertising Reviewer of The Denver Post, LLC, publisher of The Denver Post and Your Hub.
2. The Denver Post and Your Hub are newspapers of general circulation that have been published continuously and without interruption for at least fifty-two weeks in Denver County and meet the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in Your Hub for Lakewood (including the counties of Jefferson and Denver) on the following date(s):

March 19, 2020

Nicole Maestas

Signature

Subscribed and sworn to before me this 20 day of March, 2020.

Notary Public

Jamie Lynn Kittelson
Notary Public
State of Colorado
Notary ID 20084026366
My Commission Expires July 6, 2021

(SEAL)

Audiencia Pública PARA
LA CIUDAD DE LAKewood
PLAN CONSOLIDADO 2020-2024
Y PLAN DE ACCIÓN DE 2020

La Ciudad de Lakewood llevará a cabo una Audiencia Pública sobre el Plan Consolidado de 2020-2024 y el Plan de Acción Anual de 2020, que incluye lo siguiente:

- Las necesidades de vivienda y el desarrollo de la comunidad por los próximos cinco años.
- Los objetivos de vivienda y el desarrollo de la comunidad por los próximos cinco años.
- La aplicación para la subvención de bloque para el desarrollo de la comunidad (“Community Development Block Grant (CDBG)” de 2020.
- El Plan de Acción Anual de 2020 La CDBG fue establecida por el Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos. Los proyectos de la CDBG tienen que tener uno de los siguientes Objetivos Nacionales establecidos por el Congreso de los Estados Unidos:
  - Ser de beneficio a personas de ingresos bajos o moderados
  - Prevenir o eliminar barrios marginales o tugurios
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A las personas que no puedan asistir a la audiencia pública pero que quieran comentar sobre el Plan Consolidado y/o el Plan de Acción Anual de 2020 se les anima a contactar a Amy Dekkiker, CDBG Program Manager, Comprehensive Planning and Research Division, City of Lakewood, 470 S Allison Parkway, Lakewood, Colorado, 80225. Phone 987-7500, TDD 987-7057. Michele Millard /s/City Clerk

This public notice is available in full in electronic form on the City’s official website, www.lakewood.org/City Clerks Office/Public Notices. Copies are also available in printed form in the City Clerk’s Office, 480 S. Allison Parkway.

Published: March 19, 2020
APPENDIX C.
SF-424 AND CERTIFICATIONS

To be inserted prior to HUD submittal
DATE OF MEETING/STUDY SESSION/WORKSHOP: APRIL 27, 2020 / AGENDA ITEM NO. 12

To: Mayor and City Council  
From: Mary Ruther, Strategic Initiatives Manager, 303-987-7816  
Subject: COVID-19 IMPACT GRANT

SUMMARY STATEMENT: Per City Council’s direction, staff has created a one-time emergency grant program for City Council consideration. The program would assist non-profit organizations serving Lakewood residents in response to the COVID-19 crisis.

BACKGROUND INFORMATION: At the April 6 City Council workshop, it was discussed that non-profit organizations are in need of support in terms of responding to the impacts of the Coronavirus. City Council requested that staff draft a one-time grant opportunity, with the criteria that funds must be applied to the purchase of goods and supplies, or to assist with service provision. Funds are not available to support personnel expenses. The proposed grant program closely follows the guidelines and process set forth in the annual Lakewood Community Grant Program.

BUDGETARY IMPACTS: Staff will be seeking direction from City Council at the April 27, 2020 City Council meeting to determine the funding level.

STAFF RECOMMENDATIONS: If the one-time grant opportunity is approved, staff recommends that Council approve immediate release of the grant application on Tuesday, April 28, 2020 for an application period of 2 weeks. In addition, to expedite the receipt of funds for successful applications, it is recommended that the evaluation committee be allowed to select and approve grant awards, or some other immediate process supported by City Council. A summary report will be provided to City Council.

ALTERNATIVES: An alternative would be that no emergency grant opportunity would be made available to non-profits organizations serving the Lakewood community as it relates to the COVID-19 impact.

PUBLIC OUTREACH: This item has been promoted through the City’s regular communication channels for matters that appear before City Council.

NEXT STEPS: If the one-time emergency grant opportunity is approved, staff will ensure that the grant application, eligibility and evaluation criteria are made available on the City’s website.

ATTACHMENTS: Ordinance O-2020-15  
City of Lakewood COVID-19 Impact Grant overview

REVIEWED BY: Kathleen E. Hodgson, City Manager  
Benjamin B. Goldstein, Deputy City Manager  
Timothy P. Cox, City Attorney
AN ORDINANCE

CREATING THE COVID-19 IMPACT GRANT PROGRAM AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE CITY OF LAKEWOOD 2020 ANNUAL BUDGET IN THE AMOUNT OF $100,000 FROM THE GENERAL FUND AND AUTHORIZING THE EXPENDITURE THEREOF AND, FURTHER, DECLARING AN EMERGENCY

WHEREAS, at the April 6, 2020, City Council workshop, the City Council requested that City staff draft guidelines for a one-time grant opportunity for non-profit organizations working to respond to COVID-19 related impacts affecting the Lakewood community (the COVID-19 Impact Grant Program, which guidelines are attached hereto as Exhibit A;

WHEREAS, because the purpose of establishing the COVID-19 Impact Grant Program is to provide much needed funding to non-profit organizations working to respond to COVID-19 related impacts, the City Council desires to adopt this ordinance as an emergency ordinance in order to make such funding available as quickly as reasonably possible;

WHEREAS, Article XII, Section 8, of the City Charter allows the City Council to make supplemental appropriations by ordinance during the fiscal year for unanticipated expenditures required for the operation of the City;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The COVID-19 Impact Grant Program is hereby established as set forth in Exhibit A hereto.

SECTION 2. In accordance with Section 12.8 of the Lakewood Home Rule Charter, there is hereby appropriated $100,000 for the purpose of COVID-19 Impact Grant Program.

SECTION 3. This ordinance is necessary for the immediate preservation of the City of Lakewood’s peace, health and safety by providing emergency funding to non-profit organizations working to respond to COVID-19 related impacts as set forth in Exhibit A hereto. In light of the foregoing, the City Council hereby declares an emergency and as
such, this emergency ordinance shall be in full force and effect immediately upon its adoption on second reading.

SECTION 4. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a virtual regular meeting of the Lakewood City Council on the 27th day of April, 2020; published by title in the Denver Post and in full on the City of Lakewood’s website, www.lakewood.org, on the 30th day of April, 2020; set for public hearing to be held on the 11th day of May, 2020, read, finally passed and adopted by the City Council on the _____ day of May, 2020 and, signed by the Mayor on the _____ day of May, 2020.

Adam Paul, Mayor

ATTEST:

Michele Millard, City Clerk

APPROVED AS TO FORM:

Timothy P. Cox, City Attorney
EXHIBIT A

CITY OF LAKEWOOD COVID-19 IMPACT GRANT PROGRAM

**Purpose/Objective:** The City of Lakewood desires to offer a one-time grant opportunity to non-profit organizations working to respond to COVID-19 related impacts affecting the Lakewood community.

**Guidelines:**
- COVID-19 Impact Grants will only be considered for the purchase of goods and supplies, or to assist with provision of services. Funds cannot be used for personnel expenses.
- The COVID-19 Impact Grant Program application and evaluation process will closely follow the structure established for the annual Lakewood Community Grant Program (see below).
- Lakewood Community Grant Program evaluation committee members will review and score COVID-19 Impact Grant Program applications.
- COVID-19 Impact Grant Program applications will be made available via the City’s website immediately following City Council approval of the COVID-19 Impact Grant Program and will be open for two weeks.

**Eligibility Criteria for Non-Profit Organizations:**
- Have a principal place of business in Jefferson County, Colorado
- Be registered as a Colorado non-profit organization with the Colorado Secretary of State and be organized in the state of Colorado
- Have a current certificate of good standing from the Colorado Secretary of State
- Have 501(c)(3) non-profit status
- Have been in operation continuously for three (3) or more years
- Must be able to spend funds within **two (2) years**

**Evaluation Criteria:**
- Grant applications must be for goods and/or provision of one or more services (no funds will be granted for personnel expenses)
- The proposed service(s) and/or purchase of goods must demonstrate relief for Lakewood residents as a result of the COVID-19 outbreak
- Clear understanding and demonstration that funds will be used to enhance capacity or augment efforts already being conducted by the organization related to COVID-19 relief
- Demonstration that Lakewood residents will be the recipients of the services/goods through grant funds awarded
- Clear goals and impact measures
- Reasonable program costs and funds requested
DATE OF COUNCIL MEETING: APRIL 27, 2020 / AGENDA ITEM NO. 13

To: Mayor and City Council

From: Mary Ruther, Strategic Initiatives Manager, 303-987-7816

Subject: 2020 LAKEWOOD COMMUNITY GRANT PROGRAM RECOMMENDATIONS

SUMMARY STATEMENT: 2020 Lakewood Community Grant Program Evaluation Committee recommendations.

BACKGROUND INFORMATION: The 2020 Lakewood Community Grant Program application period was from February 1 to March 30, 2020. The evaluation committee met on April 14 to evaluate 19 proposals and recommended 13 organizations for funding.

BUDGETARY IMPACTS: $100,000 is allocated annually to the Lakewood Community Grant Program.

STAFF RECOMMENDATIONS: City Council approve recommendations made by the Lakewood Community Grant Program Evaluation Committee.

ALTERNATIVES: Approval of recommendations is in line with the established schedule for the program. The alternative is to postpone approval of the recommendations.

PUBLIC OUTREACH: This item has been promoted through the City’s regular communication channels for matters that appear before City Council.

NEXT STEPS: If recommendations are approved, agreements with the recipients will be executed and grant funds distributed.

ATTACHMENTS: Resolution 2020-20
Overview of non-profit organizations recommended

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Gregory Graham, Deputy City Attorney
A RESOLUTION

APPROVING AWARD OF FUNDS UNDER 2020 LAKEWOOD COMMUNITY GRANT PROGRAM

WHEREAS, on January 25, 2016, the City Council approved, via Resolution 2016-6, the Lakewood Community Grant Program; and

WHEREAS, pursuant to the Program, an evaluation committee was formed (the “Evaluation Committee”) to review and score applications for the award of funds under the Program and to make recommendations to the City Council as to the charities most deserving, in accordance with the established scoring criteria, of an award of Program funds; and

WHEREAS, the Evaluation Committee has completed its work and has made the recommendations below for the award of Program funds, for the City Council’s consideration and approval.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Funding Amount</th>
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</thead>
<tbody>
<tr>
<td>40 West Arts District</td>
<td>$5,000</td>
</tr>
<tr>
<td>Benefits in Action</td>
<td>$5,000</td>
</tr>
<tr>
<td>Boys &amp; Girls Clubs of Metro Denver</td>
<td>$10,000</td>
</tr>
<tr>
<td>CASA of Jefferson and Gilpin Counties</td>
<td>$3,000</td>
</tr>
<tr>
<td>Family Tree</td>
<td>$12,500</td>
</tr>
<tr>
<td>Jeffco Eats</td>
<td>$10,000</td>
</tr>
<tr>
<td>Jefferson County Library Foundation</td>
<td>$7,500</td>
</tr>
<tr>
<td>Kiwanis Club of Lakewood</td>
<td>$2,500</td>
</tr>
<tr>
<td>Outdoor Lab Foundation</td>
<td>$10,000</td>
</tr>
<tr>
<td>Ralston House</td>
<td>$10,000</td>
</tr>
<tr>
<td>Seniors’ Resource Center, Inc.</td>
<td>$10,940</td>
</tr>
<tr>
<td>Sprout City Farms</td>
<td>$3,560</td>
</tr>
<tr>
<td>The Action Center</td>
<td>$10,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$100,000</strong></td>
</tr>
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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Approval. The Recommendations of the Evaluation Committee for award of funds under the 2020 Lakewood Community Grant Program are hereby approved.

SECTION 2. Program Funds Agreement. The City Manager is hereby authorized and directed to execute agreements with the recipients of the Program funds regarding the award and use thereof, in a form approved by the City Attorney, consistent with the
Program documents and the January 9, 2020, Agreement between the City of Lakewood and the Lakewood Legacy Foundation Regarding the Lakewood Community Grant Program.

SECTION 3. Effective Date. This Resolution shall become effective immediately upon adoption by the City Council.

INTRODUCED, READ AND ADOPTED by a vote of ____ for and ____ against at a virtual regular meeting of the Lakewood City Council held on April 27, 2020, at 7 o'clock p.m.

______________________________
Adam Paul, Mayor

ATTEST:

______________________________
Michele Millard, City Clerk

APPROVED AS TO FORM:

______________________________
Timothy P. Cox, City Attorney
<table>
<thead>
<tr>
<th>Applicant</th>
<th>Organization’s Mission</th>
<th>How will the funds be used?</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 West Arts District</td>
<td>40 West Arts is a nonprofit, state-certified creative district along Lakewood’s historic West Colfax Avenue with the mission of energizing and promoting West Colfax through arts experiences, exhibitions, and events that engage the whole family. Create, connect, and celebrate with us.</td>
<td>Virtually 100% of the programming that 40 West Arts offers to our community is free-of-charge and open-to-all. This grant would allow us to continue our programming and expand our reach into Lakewood. As an example, in March 2020 we just hosted our annual Colfax Art Crawl: A New Orleans Street party.</td>
</tr>
<tr>
<td>Benefits in Action</td>
<td>Benefits in Action is a nonprofit organization located in Lakewood, Colorado that serves individuals throughout the state. We strive to increase understanding, access, and utilization of healthcare resources.</td>
<td>A grant award from the Lakewood Community Grant Program would help fund BIA’s general operating expenses so critical at a time like this. BIA is the lead organization for Mayor Adam Paul’s Council to End Hunger. This Council is very important in today’s public health emergency. Working together, we can ensure that older adults, individuals, and families can access food even if they are unable to leave their homes.</td>
</tr>
<tr>
<td>Boys &amp; Girls Clubs of Metro Denver</td>
<td>The mission of the Boys &amp; Girls Clubs of Metro Denver is to inspire and enable young people, especially those from disadvantaged circumstances, to realize their full potential as productive, responsible and caring citizens. The Clubs serve more than 12,000 members in the Denver metro area each year.</td>
<td>The most valuable asset within our organization is our direct service staff who work with kids each day, running programs, building trusting relationships, and facilitating community partnerships. For the children we serve – who often have already experienced or are at increased risk of experiencing adverse childhood traumas – a high level of support from caring Club staff increases the odds of them staying in school and living healthy lives.</td>
</tr>
<tr>
<td>CASA of Jefferson and Gilpin Counties</td>
<td>CASA of Jefferson and Gilpin Counties (CASA Jeffco/Gilpin) serves the most vulnerable children through awareness, advocacy, and support. Our mission is to recruit, train and manage volunteers who serve as independent lay advocates for children who are victims of neglect and physical and/or sexual abuse</td>
<td>This grant will be used to recruit, train and supervise additional CASA volunteers so that additional children who have been hurt can have a powerful voice where they typically don’t have one.</td>
</tr>
<tr>
<td>Family Tree</td>
<td>The mission of Family Tree is to help people overcome child abuse, domestic violence and homelessness to become safe, strong and self-reliant. The vision of Family Tree is to empower people and transform our community through innovative and integrated services.</td>
<td>Funds from City of Lakewood Charitable Giving will provide program support for the Family Tree Homelessness Program which takes a multi-generational approach by providing vital community services to vulnerable Lakewood residents, helping them move toward economic stability, education/employment.</td>
</tr>
<tr>
<td>Jeffco Eats</td>
<td>The mission of Jeffco Eats is to reduce the number of children experiencing hunger in Jefferson County, Colorado and to increase their nutritional intake through healthy, quality foods</td>
<td>Funding is requested for Jeffco Eats general operating in FY2020 supporting: 1)Totes of Hope: Distributes after school and weekend food bags to families for 39 weeks during the year to support food security during non-school hours. 2) Summer Tote Program: Fills the interruption created over summer vacation for students experiencing reduced access to food when school is out of session; food is distributed over 12 weeks; 3) School Pantry Program: Offers food on a first-come, first served basis to schools that have started their own pantries for low-income families. 4) Healthy Snacks: Snacks are distributed to youth participating in after school activities and sports.</td>
</tr>
<tr>
<td>Non-profit Organization</td>
<td>Mission/Overview</td>
<td>What this funding will support</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Jefferson County Library Foundation</td>
<td>The mission is to support and enrich the capabilities, resources and services of the Jefferson County Public Library through fundraising and advocacy efforts that benefit our diverse community!</td>
<td>This contribution of $15,000 will help to fund the Digital Media Studio at the renovated Belmar Library in Lakewood. In honor of this support, the City of Lakewood would be acknowledged with a naming opportunity (a plaque) in the Studio.</td>
</tr>
<tr>
<td>Kiwanis Club of Lakewood</td>
<td>Kiwanis is a global organization of volunteers dedicated to improving the world one child and one community at a time.</td>
<td>We are requesting $5000 for a literacy project for two elementary schools: Slater El. and Deane El. The Kiwanis Club of Lakewood plans to match the grant with $5000 from our Foundation. These schools were chosen for need and each have over 76% of students on Free &amp; Reduced Program. The books purchased for their library will be non-fiction, early reading, character education, and STEAM.</td>
</tr>
<tr>
<td>Outdoor Lab Foundation</td>
<td>Inspire community support and advocate for the Outdoor Lab Schools. Our Vision: Enduring program, inspired students, cherished sites.</td>
<td>Funds will be used to offset participation fees for Lakewood schools with high rates of students qualifying for free or reduced-price lunch, allowing all Lakewood sixth-grade students to participate in a nationally-recognized, weeklong residential education program focusing on environmental and STEM education, health awareness and education, outdoor experiential activities, leadership development and 21st Century Learning Skills. Currently in Lakewood, 55% of students qualify for free and reduced-price lunch. OLTF ensures all of these students can attend this program.</td>
</tr>
<tr>
<td>Ralston House</td>
<td>Ralston House’s mission is to stop the abuse and start the healing in Jefferson, Adams, Broomfield and Gilpin counties. Ralston House works with law enforcement, human services and the district attorney’s office to provide comprehensive services for child victims and their families in the investigation of abuse.</td>
<td>This request is for general support for Ralston House Child Advocacy Center to provide direct services (forensic interviews, victim advocacy, and sexual assault medical exams) to child victims of crime from Lakewood.</td>
</tr>
<tr>
<td>Seniors’ Resource Center, Inc.</td>
<td>The Seniors’ Resource Center is a community partner providing person-focused, coordinated services to enhance independence, dignity and quality of life.</td>
<td>Seniors’ Resource Center (SRC) is requesting $15,000 from the City of Lakewood to support its programs and services for older adults residents, ages 60 and over, including Transportation Services, Community and In-home Care Services, and Adult Day and Respite Services including the Mark T. Starr Center for adults with intellectual and development disabilities.</td>
</tr>
<tr>
<td>Sprout City Farms</td>
<td>Sprout City Farms builds educational urban farms to engage and strengthen communities, drive neighborhoods to be more resilient, and root farmers in the city.</td>
<td>Requested funding will be used to support the direct program expenses of Mountair Park Community Farm (MAP), managed by Sprout City Farms. The farm, now in its 7th season, was built in partnership with the City of Lakewood in direct response to community input during the 20-Minute Neighborhood Initiative/Implementation Strategy, and also meets goals detailed in the City’s Sustainability Plan.</td>
</tr>
<tr>
<td>The Action Center</td>
<td>The Action Center’s mission is to provide an immediate and compassionate response to those in our community experiencing hardship and by offering the resources and services needed to stabilize lives and promote pathways to lasting change.</td>
<td>The Action Center is requesting a $20,000 grant from the City of Lakewood/Lakewood Legacy for continuing support of our Food Program. The primary feature of this program is our Food Rescue &amp; Self-Select Grocery, which serves about 15,000 unique individuals per year. A small but critical component of the Food Program is Grub Club, our mobile meal distribution service that provides meals and personal care items to 120 homeless high school students at six schools throughout the school year.</td>
</tr>
</tbody>
</table>
STAFF MEMO

DATE OF COUNCIL MEETING: JANUARY 13, 2020 / AGENDA ITEM NO. 11
JANUARY 27, 2020 / AGENDA ITEM NO. 12
APRIL 27, 2020 / AGENDA ITEM NO. 14

To: Mayor and City Council

From: Ben Goldstein, Deputy City, 303-987-7049

Subject: SMALL CELL CODE AND FEE UPDATES

This ordinance was approved on 1st Reading by a vote of 10 ayes 1 nays.

SUMMARY STATEMENT: Ordinance amending Article 10 (wireless services and communications), Title 12 (streets and sidewalks) to update the Code to reflect changes in state and federal law. Staff is asking that City Council review and vote on the attached changes.

BACKGROUND INFORMATION: The City of Lakewood has seen an increase in the number of applications for “small cell” Wireless Communication Facilities (WCFs) in the public right-of-way and staff expects the volume to increase as providers roll out the new 5G technology. 5G technology uses lower power antennas that have a shorter range but have more capacity and faster speeds. This means they require a greater density of network facilities to provide coverage.
The City of Lakewood must allow small cell poles and related equipment in the public right of way under federal and state law. The city’s regulatory authority over small cell facilities is limited to the exercise of the city’s police power to address safety and aesthetic issues, including requiring design standards to address issues such as:

- Placement does not change vehicle travel or parking.
- Placement does not block vehicle, bicycle, or pedestrian access or visibility along the right of way.
- Placement in the right of way should avoid placement directly in front of structures on adjacent properties whenever possible.
- New pole placement must be 15’ from trees, existing streetlights or utility poles.
- Height of poles must generally be consistent with local zone districts.
- Facilities must include camouflage elements to minimize visual impact.

Additionally, local and state governments have very limited legal authority under federal law to regulate radio frequency emissions from wireless facilities. Preemption of local or state regulatory authority is found in the 1996 Telecommunications Act, 47 U.S.C. § 332(c)(7)(B)(iv), which provides that:

“No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.”
In 2017, changes in State law mandates that small cells are a use by right in any zoning district, and imposed (among other things) a 90 day shot clock in which the city must act on applications. In 2018, the Federal Communications Commission (FCC) adopted new regulations which (among other things) creates legal presumptions addressing the maximum amount of fees that can be charges for licenses and permits, the parameters in which design standards can be enforced and has its own shot clocks for acting on applications. The FCC regulations say they are not intended to preempt most state law requirements, although in some respects those regulations do conflict with Colorado law.

Small Cells are commonly installed on streetlights and utility poles, although the predicted number of poles needed for 5G coverage will likely result in numerous stand-alone small cell poles as well. The city’s design manual for aesthetic standards follows designs that Xcel Energy and the cell providers have worked out, and also will minimize visual impact while promoting uniformity of small cell designs within the city.

**DISCUSSION:** In discussions with the wireless industry, Staff and industry did not reach consensus on whether there should be a setback for roof-mounted antennas. Staff would like direction from City Council for the setback of roof-mounted antennas. Should roof mounted antennas be allowed on the roof edge (providing better coverage), or required to be setback for aesthetic reasons? See attached alternative language. Wireless industry representatives take the position that if setbacks are required on rooftops, the only way roof-mounted antennas will be feasible will be to make them significantly taller.

**BUDGETARY IMPACTS:** There is no significant budget impact associated with the requested code changes. However, as the volume of applications increases there could be additional employee time needed to meet the “shot clock” to process the applications. Resources will primarily come from Public Works and the fee schedule may need to be updated in the future to provide additional resources.

**STAFF RECOMMENDATIONS:** Staff recommends that the City Council adopt the Ordinance amending Article 10 (Wireless Services and Communications) and Title 12 (Streets and Sidewalks).

**ALTERNATIVES:** The City Council may adopt the ordinance, amend the ordinance before adoption or choose to leave the municipal code as-is.

**PUBLIC OUTREACH:** This item was promoted through the regular communication channels for items that come before City Council for consideration. The public will have an opportunity to provide feedback during the public hearing if city council approves first reading of the ordinance. Additionally, several meetings were held with the cellular industry to obtain their feedback and suggestions.

**NEXT STEPS:** The 1st reading is scheduled for January 13, 2020 and the public hearing is scheduled for January 27, 2020.

**ATTACHMENTS:**
- Ordinance O-2020-1
- Alternative roof mounted antenna language to be considered
- Redlined municipal code provisions showing the changes the proposed ordinance would create for Title 12 and Article 10

**REVIEWED BY:** Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Timothy P. Cox, City Attorney
AN ORDINANCE

AMENDING LAKEWOOD MUNICIPAL CODE TITLE 12, AND ARTICLE 10 OF TITLE 17, TO REFLECT CHANGES IN STATE AND FEDERAL LAW RELATING TO WIRELESS SERVICES AND COMMUNICATIONS

WHEREAS, the City of Lakewood (the “City”) is authorized to require that Wireless Communication Facilities (“WCFs”) meet design standards and municipal code requirements to address issues such as ensuring placement does not change vehicle travel or block vehicle, bicycle or pedestrian access or visibility along the right-of-way, and minimizing the visual impact of the facility by using camouflaging or screening techniques;

WHEREAS, the growth in wireless services has created an increased demand for deployment of new wireless communications network facilities;

WHEREAS, the manner in which the City can exercise authority over the siting, deployment, operation and maintenance of WFCs has been limited in recent years by State and Federal statutes and by Federal Communications Commission regulations;

WHEREAS, pursuant to State law, the City must allow small cell wireless facilities in the public right-of-way, subject to the exercise of local police powers;

WHEREAS, the amendments to Articles 10 and Title 12 will permit the City to exercise its regulatory authority over the siting, deployment, operation and maintenance of WCFs consistent with State and Federal law;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal code by setting a public hearing in order to provide City Staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The recitals set forth above are incorporated herein.

SECTION 2. Article 10 of the Lakewood Municipal Zoning Code is hereby amended as set forth in the attachment named: Article 10 Amended.

SECTION 3. Title 12 of the Lakewood Municipal Code is hereby amended as set forth in the attachment named: Title 12.
SECTION 4. This Ordinance shall take effect thirty (30) days after publication following signature.

SECTION 5. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Lakewood City Council on the 13th day of January, 2020; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 16th day of January, 2020; set for public hearing to be held on the 10th day of February, 2020; read, finally passed and adopted by the City Council on the _____ day of _____________, 2020; and signed and approved by the Mayor on the _____ day of _____________, 2020.

________________________________________
Adam Paul, Mayor

ATTEST:

________________________________________
Michele Millard, City Clerk

APPROVED AS TO FORM:

________________________________________
Timothy P. Cox, City Attorney
b. **Roof-mounted WCF.**

1. All roof-mounted WCFs and accessory equipment shall be fully screened from view with existing parapets or with the addition of architecturally compatible screening walls or other structures as viewed at ground level.

2. Any screen walls shall be set back from the parapet or roof edge so that visibility from the street or adjacent residential properties is minimized to the greatest extent technically feasible.

3. Roof-mounted communication facilities and accessory equipment shall not be permitted on a sloped roof, unless it can be demonstrated that it is not visible from the street or adjacent residential areas.

4. Roof-mounted communication facilities are subject to the following height regulations:
   
   1. Roof-mounted antenna and equipment are not subject to a maximum height when proposed on an existing structure, provided that the applicant can demonstrate that all roof-mounted antenna and accessory equipment can be located behind an existing parapet or existing screen wall that is at least as tall as the antenna and accessory equipment. Expansions to existing screen walls may be authorized by the City Manager or designee, if the applicant can demonstrate that any expansion does not result in any additional height and is in compliance with the design standards above or that the requested modification is an Eligible Facilities Request.

   2. Roof-mounted antenna and accessory equipment not meeting the standard above are subject to the maximum building height for the zoning district or applicable design standards, whichever is stricter.

   3. Roof-mounted panel antenna shall not extend more than eight (8) feet above the roof parapet.

   d. Roof-mounted whip antenna shall not extend more than ten (10) feet above the building to which they are mounted.
Definitions from Section 13:

Accessory Equipment: any equipment serving or being used in conjunction with a WCF, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or other structures.

Alternative Tower Structure: man-made trees, clock towers, bell steeples, light poles, buildings, and similar alternative design mounting structures that are compatible with the natural setting and surrounding structures, and camouflages or conceals the presence of Antennas or Towers so as to make them architecturally compatible with the surrounding area pursuant to this title. This term also includes any Antenna or Antenna array attached to an Alternative Tower Structure. A stand-alone pole in the Right-of-Way, streetlight, or traffic signal that accommodates Small Cell Facilities is considered an Alternative Tower Structure to the extent it meets the camouflage and concealment standards of this title.

Antenna: any device used to transmit and/or receive radio or electromagnetic waves such as, but not limited to panel Antennas, reflecting discs, microwave dishes, whip Antennas, directional and non-directional Antennas consisting of one or more elements, multiple Antenna configurations, or other similar devices and configurations, and exterior apparatus designed for telephone, radio, or television communications through the sending and/or receiving of wireless communications signals.

Applicant for WCF: any person that submits an application to the City to site, install, construct, collocate, modify and/or operate a Wireless Communications Facility.

Amateur Radio Towers and Antennae: Broadcasting and receiving structures or devices used for personal pleasure or as a hobby.

Base Station: a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The definition of Base Station does not include or encompass a Tower as defined herein or any equipment associated with a Tower. Base Station does include, without limitation:

1. Equipment associated with wireless communications services such as private broadcast and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul that, at the time the relevant application is filed with the City under this Chapter and has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support; and

2. Radio transceivers, Antennas, coaxial or fiber-optic cable, regular and backup power supplied, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems (“DAS”) and small-cell networks) that, at the time the relevant application is filed with the City under this title, has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
The definition of Base Station does not include any structure that, at the time the relevant application is filed with the City, does not support or house equipment described in paragraphs 1 and 2 above.

**Camouflage, Concealment, Or Camouflage Design Techniques:** the designing of a WCF to alter its appearance in such a manner as to substantially integrate it into surrounding building designs and/or natural settings to minimize the visual impacts of the facility on the surrounding uses and ensure the facility is compatible with the environment in which it is located. A Wireless Communication Facility utilizes Camouflage Design Techniques when it (i) is integrated as an architectural feature of an existing structure such as a cupola, or (ii) is integrated in an outdoor fixture such as a utility tower, or (iii) uses a design which mimics and is consistent with the nearby natural or architectural features (such as a clock tower) or is incorporated into (including without limitation, being attached to the exterior of such facilities and painted to match it) or replaces existing permitted facilities (including without limitation, stop signs or other traffic signs or freestanding light standards) so that the presence of the WCF is not readily apparent.

**Collocation:** (1) mounting or installing a WCF on a pre-existing structure, and/or (2) modifying a structure for the purpose of mounting or installing a WCF on that structure. Provided that, for purposes of Eligible Facilities Requests, "Collocation" means the mounting or installation of transmission equipment on an Eligible Support Structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

**Director:** The person, or that person's designee, authorized by the City Manager to enforce and interpret this Zoning Ordinance.

**Eligible Facilities Request:** any request for modification of an Existing Tower or Base Station that it is not a Substantial Change.

**Eligible Support Structure:** any Tower or Base Station as defined in this Section, provided that it is existing at the time the relevant application is filed with the City under this Section.

**Existing Tower or Base Station:** a constructed Tower or Base Station that was reviewed, approved, and lawfully constructed in accordance with all requirements of applicable law as of the time it was built; for example, a Tower that exists as a legal, non-conforming use and was lawfully constructed is existing for purposes of this definition.

**FCC:** the Federal Communications Commission.

**Hazardous Substance:** any substance, chemical or waste that is identified as hazardous or toxic in any applicable federal, state or local law or regulation, including but not limited to petroleum products and asbestos.

**Interference:** physical interference and radio frequency interference.

**Micro Cell Facility:** a small wireless facility that is no larger than twenty-four (24) inches in length, fifteen (15) inches in width, and twelve (12) inches in height, and that has an exterior Antenna, if any, that is no more than eleven (11) inches in length.

**Monopole:** a single, freestanding pole-type structure supporting one or more Antennas.

**Over the Air Receiving Device:** an Antenna used to receive video programming from direct broadcast satellites, broadband radio services and television broadcast stations, but shall not include Antennas used for AM/FM radio, amateur ("ham") radio, CB radio, Digital Audio Radio Services or Antennas used as part of a hub to relay signals among multiple locations.

**Owner:** means a person with a legal or equitable interest in ownership of real or personal property.
Permit means a permit issued and described in accordance with Laws, which is used to regulate, monitor, and control the improvement, construction, or excavation activities, or other work or activity, occurring upon or otherwise affecting Licensor’s ROW, including ROW use, building, and electrical permits.

Physical Interference means where equipment, vegetation, or a structure causes reduced use of another’s prior mounted equipment, or an obstruction in a necessary line-of-sign path.

Pole-Mounted Small Cell Facility: a Small Cell Facility with Antenna that are mounted and supported on an Alternative Tower Structure, which includes a Replacement Pole.

Public Right-of-Way (ROW): any public street, way, alley, sidewalk, median, parkway, or boulevard that is dedicated to public use.

Radio Antenna, Amateur: A noncommercial device that is used for transmitting and receiving electro-magnetic waves.

Radio Frequency Emissions Letter: a letter from the Applicant certifying all WCFs that are the subject of the application shall comply with federal standards for radio frequency emissions.

Radio Frequency Interference means the emission or conduction of radio frequency energy (or electronic noise) produced by electrical and electronic devices at levels that interfere with the operation of adjacent or nearby equipment.

Radio Tower, Amateur: A structure that supports an antenna.

READILY APPARENT. For purposes of determining whether a WCF is readily apparent, the phrase means that the facility, will be easily recognizable as a WCF in the discretion of the Director, viewing the facility as a whole and in the context of any adjacent improvements and landscaping from publicly accessible locations when considering the character, scale, and height of nearby and surrounding natural or architectural features. Methods of design and construction that may assist in reducing the visibility of a facility and reaching a conclusion that a facility is not readily apparent include the use of color mimicking surrounding structures and landscaping, minimizing facility size to the greatest extent feasible, integrating the facility into any adjacent or attached improvements, and positioning the facility in a manner that limits the degree to which the facility projects away from any adjacent structures or landscaping. Due to differences in site characteristics, a determination that a particular WCF will not be readily apparent at one location shall not establish a precedent for the same determination for a facility of the same or similar design or construction at a different location.

Replacement Pole: an Alternative Tower Structure that is a newly constructed and permitted traffic signal, utility pole, street light, flagpole, electric distribution, or street light pole or other similar structure of proportions and of equal height or such other height that would not constitute a Substantial Change to a pre-existing pole or structure in order to support a WCF or Small Cell Facility or Micro Cell Facility or to accommodate Collocation and replaces a pre-existing pole or structure.

Satellite Dish Antenna: A parabolic antenna intended to receive signals from orbiting satellites and other sources. Non-commercial dish antennas are defined as being less than four meters in diameter, while commercial dish antennas are usually those larger than four meters and typically used by broadcasting stations.

Setback: The minimum distance any building or structure must be separated from a specified point.
Lakewood Zoning Ordinance –

Sign: Any structure, which requires a permanent or temporary location, that has a visual display visible from a public right-of-way and is designed to identify, announce, direct or inform.

Signal Non-Interference Letter: a letter from the Applicant certifying all WCFs that are the subject of the application shall be designed, sited, and operated in accordance with applicable federal regulations addressing radio frequency interference.

Site for Towers (other than Towers in the Right-of-Way and Eligible Support Structures): the current boundaries of the leased or owned property surrounding the Tower or Eligible Support Structure and any access or utility easements currently related to the Site. A Site, for other Alternative Tower Structures, Base Stations, Micro Cell Facilities, and Small Cell Facilities in the Right-of-Way, is further restricted to that area comprising the base of the structure and to other related Accessory Equipment already deployed on the ground.

Small Cell Facility: a Wireless Communication Facility where each Antenna is located inside an enclosure of no more than three cubic feet in volume, or, in the case of an Antenna that has exposed elements, the Antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three cubic feet; and primary equipment enclosures are no larger than seventeen cubic feet in volume. The following associated equipment may be located outside of the primary equipment enclosure and, if so located, is not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation box, ground-based enclosure, back-up power systems, grounding equipment, power transfer switch and cut-off switch. Small cells may be attached to Alternate Tower Structures, Replacement Poles, and Base Stations. The definition of a Small Cell Facility shall also include a Micro Cell or Micro Cell Facility.

Street: A public or private thoroughfare for vehicular traffic other than an alley or driveway.

Substantial Change for Eligible Facilities Request: a modification that Substantially Changes the physical dimensions of an Eligible Support Structure if, after the modification, the structure meets any of the following criteria:

(A) For Towers, other than Alternative Tower Structures or Towers in the Right-of-Way, it increases the height of the Tower by more than ten percent (10%) or by the height of one (1) additional Antenna array, with separation from the nearest existing Antenna not to exceed twenty feet, whichever is greater; for other Eligible Support Structures, it increases the height of the structure by more than ten percent (10%) or more than ten (10) feet, whichever is greater.

(B) For Towers, other than Towers in the Right-of-Way, it involves adding an appurtenance to the body of the Tower that would protrude from the Tower more than twenty (20) feet, or more than the width of the Tower Structure at the level of the appurtenance, whichever is greater; for Eligible Support Structures, it involves adding an appurtenance to the body of the structure that would protrude from the side of the structure by more than six (6) feet.

(C) For any Eligible Support Structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets.

(D) For Towers in the Right-of-Way and Base Stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten percent (10%) larger in height or overall volume than any other existing, individual ground cabinet associated with the structure.
(E) For any Eligible Support Structure, it entails any excavation or deployment outside the current Site;

(F) For any Eligible Support Structure, it would defeat the concealment elements of the Eligible Support Structure. For the purposes of this subsection (vi), a change that would undermine the concealment elements of this structure will be considered to defeat the concealment elements of the structure; or

(G) For purposes of determining whether a Substantial Change exists, changes in height are measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops, in other circumstances, changes in height are measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to February 22, 2012.

Support Structure: a structure designed to support Small Cell Wireless Facilities including, but not limited to, Monopoles, Alternative Tower Structures, Replacement Poles, and other freestanding self-supporting pole structures.

Toll and Tolling: to delay, suspend, or hold off on the imposition of a deadline, statute of limitations, or time limit.

Tower: any structure built for the sole or primary purpose of supporting one or more FCC-licensed or authorized Antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. The term includes self-supporting lattice towers, guyed towers or Monopole towers, radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, Alternative Tower Structures and the like.

Transmission Equipment: equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, Antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

Wireless Communications Equipment Shelter: An unattended structure such as a small building or cabinet(s) used to house equipment for a wireless communications facility associated with either a freestanding wireless communications facility or a structure or building mounted wireless communications facility.

Wireless Communications Facility or WCF: a facility used to provide personal wireless services as defined at 47 U.S.C. Section 332 (c)(7)(C); or wireless information services provided to the public or to such classes of users as to be effectively available directly to the public via licensed or unlicensed frequencies; or wireless utility monitoring and control services. A WCF does not include a facility entirely enclosed within a permitted building where the installation does not require a modification of the exterior of the building; nor does it include a device attached to a building, used for serving that building only and that is otherwise permitted under other provisions of the Code. A WCF includes an Antenna or Antennas, Base Stations, support equipment, Alternative Tower Structures, Small Cell Facilities, and Towers. The term does not include mobile transmitting devices used by wireless service subscribers, such as vehicle or hand held radios/telephones and their associated transmitting Antennas, nor does it include other facilities specifically excluded from the coverage of this title.
Wireless Communications Provider: A public or private company providing personal wireless services as defined at 47 U.S.C. Section 332 (c)(7)(C); or wireless information services provided to the public or to such classes of users as to be effectively available directly to the public via licensed or unlicensed frequencies; or wireless utility monitoring and control services.

Wireless Communications Site: Any use of property for antennae, equipment, and equipment shelter(s) employed in the reception, switching, and/or transmission of wireless telecommunication services including, but not limited to, paging, enhanced specialized mobile radio, personal communication services, microwave link antenna, cellular telephone, and other related technologies.

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Lakewood Zoning Ordinance –
ARTICLE 10: WIRELESS SERVICES AND COMMUNICATIONS

17.10.1: General

17.10.1.1: Purpose and Intent

This Article is intended to ensure that residents, public safety operations and businesses in the City have reliable access to personal wireless services and state of the art communications services in a way that reasonably preserves the aesthetic character of the community and complies with Federal and State laws.

It is the City’s intent to:

   The City Council finds that these regulations are necessary to:

A. Provide for the managed development and installation, maintenance, modification, and removal of wireless communications infrastructure in the City with the fewest number of wireless communications facilities (WCFs) to complete a network without unreasonably discriminating against wireless communications providers of functionally equivalent services, including all of those who install, maintain, operate, and remove WCFs;
B. Minimize adverse visual effects of WCFs through thoughtful design and siting, including but not limited to camouflage design techniques, appropriate and effective screening, and equipment undergrounding whenever appropriate;
C. Encourage the location of Towers in a manner that minimizes the total number of Towers needed throughout the community;
D. Require the collocation of WCFs wherever reasonably feasible;
E. Encourage owners and users of WCFs to locate them, to the extent possible, in areas where the adverse impact to the community is minimized;
F. Enhance the ability of wireless communications service providers to provide such services to the community quickly, effectively, and efficiently;
G. Effectively manage WCFs in the Public Right of Way;
H. Manage amateur radio facilities and over-the-air devices in the City:
   A. Ensure the City has sufficient wireless infrastructure to support public safety and emergency response communications throughout the City;
   B. Ensure access to reliable personal wireless services throughout all areas of the City and in no event prohibit or have the effect of prohibiting the provision of personal wireless services;
   C. Encourage the use of existing structures for the siting of facilities;
   D. Encourage the location of new freestanding support structures in areas where any potential adverse impacts on the community will be minimized;
E. Minimize the potential adverse effects of wireless service facilities through the implementation of reasonable design, landscaping and construction practices; and

F. Conform to federal and state laws which exempt certain facilities, receiving dishes and antennas from local regulations.

17.10.1.2: Applicability

A. The standards in this Article shall control the design, location, alteration, installation, and maintenance of WCF applications for Base Stations, Alternative Tower Structures, Towers, Micro Cells, and Small Cell Facilities as defined in Section 17.13.2 and further addressed herein.

B. The Requirements set forth in this Article shall not apply to:

1. Amateur radio Antennas that are owned and operated by a federally licensed amateur radio station operator or are exclusively receive only Antennas, provided that the requirements that the height be no more than the distance from the base of all wireless service infrastructure in all zone districts. No provision the Antenna to the property lines is met.

2. Pre-existing WCFs. Any WCF for which a permit has been properly issued prior to the effective date of Ordinance #2019-O-2020-1 shall not be required to meet the requirements of this Article shall apply to Chapter, other than the requirements of Section 17.10.3. Changes and additions to pre-existing WCFs (including trading out of Antennas for an equal number of Antennas) shall meet applicable requirements of Section 17.10.3. Notwithstanding the foregoing, any modifications qualifying as an Eligible Facilities Requests shall be evaluated under this Section.

3. Miscellaneous Antennas. Antennas used for reception of television, multi-channel video programming and radio such as Over-the-Air Receiving Device (OTARD) Antennas, television broadcast band Antennas, satellite earth station antennas and broadcast radio Antennas, provided that any requirements related to Accessory uses contained in this Code and the requirement that the height be no more than the distance from the base to the property line are met. The Director or his or her designee has the authority to approve modifications to the height restriction related to OTARD Antennas and OTARD antenna structures, if in the reasonable discretion of the City, modifications are necessary to comply with federal law.

4. A WCF installed upon the declaration of a state of emergency by the federal, state, or local government, or a written determination of serving the general health, safety, and welfare of residents by the City, or reasonable ability to obtain such written determination within 72 hours.

5. A temporary WCF installed for the purpose of providing sufficient coverage for a special event, subject to administrative approval by the City.
A.6. The siting of Distributed Antenna Systems (DAS) or wireless facilities located within and intended to provide wireless coverage within a structure.

B. Any dish antenna less than 40 inches in diameter located in a residential zone district; or

C. Any dish antenna less than 80 inches in diameter located in any other zone district.

17.10.2: Wireless Facilities – By Zone District

Table 17.4.1 identifies where the different types of wireless facilities are permitted as primary or accessory uses, by right or with a special use permit, and where these uses are prohibited in each zone district within the City of Lakewood.

17.10.3: Wireless Facility Operational Standards

17.10.3.1: Wireless Stealth Facilities

A. Review Requirements:

The installation of new wireless stealth facilities on any non-single-family or two-family structure may be allowed in any zone district if reviewed and approved in accordance with the Review of Supplemental Standards procedures identified in Article 2. The Director shall exercise discretion in applying the standards outlined for all new wireless stealth facilities, where such standards are determined to be necessary to minimize the potential adverse effects of wireless service facilities. At a minimum the following standards shall apply:

1. The dimensions of the stealth facility must reasonably approximate the dimensions of the object they are being disguised as, and

2. The location of the stealth facility must be in concert with its surroundings.

17.10.3.2: New Wireless Facilities on Existing Structures

A. Review Requirements:

The installation of new wireless facilities on

A. Federal Requirements. All WCFs shall meet the current standards and regulations of the Federal Aviation Administration (FAA), the FCC and any other agency of the federal government with the authority to regulate WCFs. If such standards and regulations are changed, then the owners of the WCF shall bring such facility into compliance with such revised standards and regulations within the time period mandated by the controlling federal agency. Unless preempted by federal law, failure to meet such revised standards and regulations within 30 days of the City’s determination of such failure shall constitute grounds for the removal of the WCF by the City or owner at the WCF owner’s expense.
B. Permission to Use Public Right-of-Way or Public property. Prior to WCFs being sited in the ROW, the Applicant shall have an executed license agreement with the City, granting a non-exclusive license to use the Public Right-of-Way. Attachment of WCFs on an existing or replacement structures, traffic signal, street light pole, or similar structure shall require written evidence of a license, or other legal right or approval, to use such structure by its owner, and Site specific approval pursuant to 17.10.4. The Applicant shall remain the owner of, and solely responsible for any WCF installed in the ROW. Prior to, or concurrently with, seeking land use approval for a WCF on Public Property, the applicant shall execute a lease agreement with the City.

C. Operation and Maintenance. To ensure the structural integrity of WCFs, the owner of a WCF shall ensure that it is maintained in compliance with the standards contained in applicable local building and safety codes. If upon inspection, the City concludes that a WCF fails to comply with such codes and constitutes a danger to persons or property, then, upon written notice being provided to the owner of the WCF, the owner shall have 30 days from the date of notice to bring such WCF into compliance. Upon good cause shown by the owner and meeting reasonable safety considerations, the City’s Chief Building Official may extend such compliance period not to exceed 90 days from the date of said notice. If the owner fails to bring such WCF into compliance within said time period, the City may be allowed to remove such WCF at the owner’s expense.
D. Emergency. In the event of an emergency or to protect the public health or safety, prior to the City accessing or performing any work on a facility on which a WCF Owner has installed Equipment, City may require WCF Owner to deactivate such Equipment if any of City’s employees or agents must move closer to the Equipment than the FCC’s recommended minimum distance. In such case, City will contact WCF Owner to request immediate deactivation.

E. Non-Interference. The following provisions shall apply to ensure and/or avoid interference (both physical interference and Radio Frequency Interference) resulting from Licensee’s installation, operation and/or maintenance of its Equipment:

a. Radio Frequency Interference. All WCF Owners shall ensure that the Equipment will not cause Radio Frequency Interference with Wireless Communication Facilities or devices, cable television, broadcast radio or television systems, satellite broadcast systems, or City traffic, public safety or other communications signal equipment existing at the time of installation of the Equipment.

b. Existing Uses. WCF Owners shall not interfere in any manner with the existing uses of City property including Rights-of-Way, and including sanitary sewers, water mains, storm drains, gas mains, poles, aerial and underground electric and telephone wires, streetlight fixtures, cable television, and other telecommunications, utility, and municipal property without the express written approval of the Owner(s) of the affected property or properties.

c. City Communications. WCF Owners shall not interfere in any manner with current or future City or other governmental public safety communication.

d. Remedies. If Interference occurs and continues for a period in excess of 24 hours following notice to the interfering party via telephone, the City may require the interfering party to reduce power or cease operations of the interfering equipment until the Interference is cured.

F. Relocation, Abandonment and Removal. After the WCF is constructed, if a WCF has not been in use for a period of three months, the owner of the WCF shall notify the City of the non-use and shall indicate whether re-use is expected within the ensuing three months. Any WCF that is contracted and is not operated for a continuous period of six months shall be considered abandoned. The City, in its sole discretion, may require an abandoned WCF to be removed. The owner of such WCF shall remove the same within 30 days of receipt of written notice from the City. If such WCF is not removed within said 30 days, the City may remove it at the owner’s expense and any zone district approved permits for the WCF shall be deemed to have expired. For any public project, a WCF may be required to relocate at WCF Owner’s expense.
G. Hazardous Materials. No Hazardous materials shall be permitted in association with WCFs, except those necessary for the operation of the WCF and only in accordance with all applicable laws governing such materials.

H. Collocation. No WCF Owner or operator shall unreasonably exclude a telecommunications competitor from using the same facility or location. Upon request by the City, the owner or operator shall provide evidence explaining why Collocation is not possible at a particular facility or site.

17.10.4 Review Procedures and Requirements

A. Permit Required. No new WCF shall be constructed and no Collocation or modification to any WCF may occur except after a written request from an Applicant, reviewed and approved by the City in accordance with this Chapter. All WCFs except Eligible Facilities Requests which are reviewed under subsection (a)(3) of this Section, shall be reviewed pursuant to the following procedures. All WCF permits shall expire and be of no further force and effect 180 days following the date of approval unless, prior to the date of expiration: (1) Construction has been diligently pursued towards completion of the project, or (2) 180-day extension of the permit has been authorized by the director upon a written request by the applicant. An extension may be granted if a review of the permit shows that no major changes in the City's development or zoning regulations or in the development pattern of the surrounding properties has occurred, as determined by the director. If a WCF permit expires, no further development of the facility may occur until a new permit application is submitted, reviewed and approved in accordance with this Code, subject to all application and processing fees.

1. Review Procedures for certain WCFs, including Base Stations, Alternative Tower Structures, Small Cell Facilities, and Alternative Tower Structures within Public Rights-of-Way. Applications for these WCF facilities shall be reviewed by the Public Works Department for conformance to this Section and using the Design Review procedures set forth in Section 17.10.5. For WCFs in the Right-of-Way that are found to have a significant visual impact (i.e. proximity to historical sites), be incompatible with the structure of surrounding area, or not meet the intent of these provisions, the City may refer the application to Planning Commission for a Special Use Permit Review.

2. Review Procedures for certain WCFs, including Towers. Towers, other than those defined or excepted in (1) above, must apply for Special Use Permit Review approval. These WCFs shall be reviewed for conformance using the procedures set forth in Section 17.10.5. All applications for Towers shall demonstrate that other alternative design options, such as using Base Stations or Alternative Tower Structures, are not viable options as determined by the City.


a. Eligible Facilities Requests shall be considered a permitted use, subject to administrative review. The City shall prepare, and from time to time revise and make publicly available, an application form which shall require submittal of information necessary for the City to consider whether an application is an Eligible
Facilities Request. Such required information shall include, without limitation, whether the project:

i. Constitutes a Substantial Change;

ii. Violates a generally applicable law, regulation, or other rule codifying objective standards reasonably related to public health and safety.

The application may not require the Applicant to demonstrate a need or business case for the proposed modification or Collocation.

b. Upon receipt of an application for an Eligible Facilities Request pursuant to this Section, the Director shall review such application to determine whether the application so qualifies.

c. Timeframe for Review. Subject to the Tolling provisions of subparagraph d. below, within 60 days of the date on which an Applicant submits an application seeking approval under this Section, the City shall approve the application unless it determines that the application is not covered by this Subsection, or otherwise in non-conformance with applicable codes.

d. Tolling of the Timeframe for Review. The 60-day review period begins to run when the application is filed, and may be Tolled only by mutual agreement of the City and the Applicant, or in cases where the Director determines that the application is incomplete:

i. To toll the timeframe for incompleteness, the City must provide written notice to the applicant within 30 business days of receipt of the application, specifically delineating all missing documents or information required in the application; such delineated information is limited to documents or information meeting the standard under paragraph (a)(i) above.

ii. The timeframe for review begins running again the following business day after the applicant makes a supplemental written submission in response to the City’s notice of incompleteness.

iii. Following a supplemental submission, the City will notify the Applicant within 10 business days if the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is Tolled in the case of second or subsequent notices pursuant to the procedures identified in paragraph (d.)(i). In the case of a second or subsequent notice of incompleteness, the City may not specify missing information or documents that were
e. Failure to Act. In the event the City fails to act on a request seeking approval for an Eligible Facilities Request under this Section within the timeframe for review (accounting for any Tolling), the request shall be deemed granted. The request becomes effective when the Applicant notifies the City in writing after the review period has expired (accounting for any Tolling) that the application has been deemed granted.

f. Interaction with Telecommunications Act Section 332(c)(7). If the City determines that the Applicant’s request is not an Eligible Facilities Request as delineated in this Chapter, the presumptively reasonable timeframe under Section 332(c)(7), as prescribed by the FCC’s Shot Clock order, will begin to run from the issuance of the City’s decision that the application is not a covered request. To the extent such information is necessary, the City may request additional information from the Applicant to evaluate the application under Section 332(c)(7) reviews.

4. Review Procedures for Small Cell Facilities in the Right-of-Way:

a. Small Cell Facilities in the Right-of-Way shall be considered a permitted use, subject to administrative review as set forth in Subsection A.1.

b. The City shall prepare, and from time to time revise, and make publicly available, an application form which shall require submittal of information necessary for the City to consider whether a project is eligible as a Small Cell Facility in the Right-of-Way, meeting certain criteria. The application shall not require the Applicant to demonstrate a need or business case for any proposed modification or Collocation.

c. Upon receipt of an application for a Small Cell Facility in the Right-of-Way pursuant to this Section, the Public Works Department shall review such application to determine whether the application is complete.

d. Timeframe for Review. Within 90 calendar days of the date on which an Applicant submits an application seeking approval under this Section, the City shall take action on the application unless it determines that the application is not covered by this Subsection, or otherwise in non-conformance with applicable codes.

B. Submittal Requirements.
1. In addition to submittal requirements of Chapter 17.2, the following supplemental items are required for all WCF applications:
   a. Signal Non-Interference Letter;
   b. Radio Frequency Emissions Letter;
   c. Photo simulations showing before and after conditions excluding applications for small cell facilities;
   d. Written representation that Applicant shall be responsible for paying all charges for any electricity furnished by a utility to Applicant and for charges for furnishing service to the Equipment. When the Equipment requires an electric meter as determined by the utility provider, the Applicant shall install or cause to be installed a separate electric meter on a ground mounted pedestal or on Applicant’s pad mounted equipment cabinet as required by the electric provider for the operations of its Equipment;
   e. Inventory of Sites. Each applicant for a WCF shall provide to the City a narrative description and data in a format acceptable to the City showing the applicant’s currently proposed WCFs within the City, and outside of the City within one half-mile of its boundaries. This provision is not intended to be a requirement that the applicant submit its business plan, proprietary information, or make commitments regarding locations of WCFs within the City. This information will be used to assist in the City’s comprehensive planning process, and promote Collocation by identifying areas in which WCFs might be appropriately constructed for multiple users.
   f. Abandonment and removal Affidavits shall be required from the owner of the property and from the applicant acknowledging that each is responsible for the removal of a WCF that is abandoned or is unused for a period of six (6) months;
   g. Consolidated applications. The City shall allow a wireless provider to file a multi-site permit seeking approval for up to ten (10) permits for Small Cell Facilities at a given time. Each individual site shall be processed as a separate permit in order to facilitate recording site addresses, utility company requirements, and timely inspection scheduling. The City’s denial of any individual small cell facility is not a basis to deny the application as a whole or any other small cell facility incorporated within the consolidated application.

C. Decision. Any decision to approve, approve with conditions, or deny an application for a WCF, shall be in writing and supported by substantial evidence in a written record. The applicant shall receive a copy of the decision.
D. Compliance with Applicable Law. Notwithstanding the approval of an application for new WCFs or Eligible Facilities Request as described herein, all work done pursuant to WCF applications must be completed in accordance with all applicable building, structural, electrical, and safety requirements as set forth in the Municipal Code and any other applicable laws or regulations. In addition, all WCF applications shall comply with the following:

1. Comply with any permits or licenses issued by a local, state, or federal agency with jurisdiction of the WCF;
2. Comply with easements, covenants, conditions and/or restrictions on or applicable to the underlying real property;
3. Be maintained in good working condition and to the standards established at the time of application approval; and
4. Remain free from trash, debris, litter, graffiti, and other forms of vandalism. Any damage shall be repaired as soon as practicable, and in no instance more than ten calendar days from the time of notification by the City or after discovery by the owner or operator of the Site. Notwithstanding the foregoing, any graffiti on WCFs located in the Public Rights-Of-Way or on Public Property may be removed by the City at its discretion, and the owner and/or operator of the WCF shall pay all costs of such removal within 30 days after receipt of an invoice from the City.

17.10.5 Design Standards

A. Review Requirements. The requirements set forth in this Section shall apply to the location and design of all WCFs governed by this Chapter as specified below; provided, however, that the City may waive these requirements if it determines that the goals of this Chapter are better served thereby. To that end, WCFs shall be designed and located to minimize the impact on the surrounding neighborhood and to maintain the character and appearance of the City, consistent with other provisions of this Code. Notwithstanding the foregoing, the Planning Director shall have the authority to promulgate design standards for small cell facilities in the rights of way, which shall govern those types of WCFs.

1. Camouflage/Concealment. All WCFs and any Transmission Equipment shall, to the extent possible, use Camouflage Design Techniques including, but not limited to the use of materials, colors, textures, screening, undergrounding, landscaping, or other design options that will blend the WCF into the surrounding natural setting and built environment.
   a. Camouflage design may be of heightened importance where findings of particular sensitivity are made (e.g., proximity to historic, natural, or aesthetically significant structures or areas, views, and/or community features or facilities). In such instances where WCFs are located in areas of high visibility, they shall (where possible) be designed to minimize their profile.
   b. The camouflage design may include the use of Alternative Tower Structures should the Public Works Department determine that such
design meets the intent of this Code and the community is better served thereby.

c. All WCFs, such as Antennas, vaults, equipment rooms, equipment enclosures, and Tower structures shall be constructed out of non-reflective materials (visible exterior surfaces only).

2. Collocation. WCFs shall be designed and constructed to permit the facility to accommodate WCFs from at least two (2) wireless service providers on the same WCF, to the extent it is feasible in good faith based upon construction, engineering and design standards, except where such Collocation would materially compromise the design intent of the WCF, particularly visually.

3. Lights and other attachments.
   a. WCFs shall not be artificially lighted, unless required by the Federal Aviation Administration or other applicable governmental authority, or the WCF is mounted on a light pole or other similar structure primarily used for lighting purpose. If lighting is required, the City may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding properties or environs. Lighting shall be shielded or directed to the maximum extent so as to minimize the amount of glare and light falling onto nearby properties, particularly residences.
   b. All exterior lighting within equipment yards shall be mounted on poles or on the building wall below the height of the screen wall or fence.
   c. No Tower shall have constructed on, or attached to, any additional platform, catwalk, crow's nest or like structure (other than those required by industry standards or federal regulations), except during periods of construction or repair.
   d. Signs and advertising. The use of any portion of a Tower for signs or advertising devices other than public safety warnings, certification, or other requires seals on any wireless communication device or structure is prohibited. However, the telephone numbers to contact in an emergency shall be posted on each facility.

4. Noise. Noise generated on the site must not exceed the levels permitted in the City of Lakewood Municipal Code, except that a WCF owner or operator shall be permitted to exceed such noise standards for a reasonable period of time during repairs, not to exceed two (2) hours without prior authorization from the City.

5. Landscaping Requirements.
   a. WCFs shall be sited in a manner that does not reduce the landscaped areas for the other principal uses on the parcel.
   b. WCFs, excluding Small Cell Facilities unless otherwise required by the Public Works Department, shall be landscaped with a buffer of plant materials that effectively screen the view of the WCF from Rights-of-Way and adjacent properties. Where the City has requested additional landscaping, the City may require irrigation requirements for the landscaping.
6. Screening Requirements.
   a. All equipment, not located within the Public Right-of-Way and not otherwise defined, shall be fully screened within a walled yard or placed in an enclosed building except in cases where a better design alternative exists. The yard shall be enclosed by a solid fence or wall of sufficient height to screen all miscellaneous equipment from view from the public Right-of-Way or adjacent properties and to provide security.
   b. All structures and improvements associated with the WCF shall be provided with adequate safety equipment and aesthetic treatments, including incorporating landscape screening noted in subsection 5, to be visually compatible with uses in the surrounding area.
   c. Roof-top mounted equipment shall be screened from off-site views to the extent practical by solid screen walls or the building’s parapet.
   d. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible.

Article 2-B.
7. WCFs Adjacent to Single Family Residential Uses. WCFs shall be sited in a manner that evaluates the proximity of the facility relative to residential structures, neighborhoods, and residential zoning boundaries in order to minimize the visual impacts of WCFs on residential areas.
   a. When placed near residential property, the WCF shall be placed in close proximity to a common property line between adjoining residential properties, such that the WCF minimizes visual impacts equitably among adjacent and nearby properties.
   b. For a corner lot, the WCF may be placed adjacent to a common property line between adjoining residential properties, or on the corner formed by two intersecting streets.
   c. If these siting requirements are not feasible in good faith from a construction, engineering, or design perspective, the Applicant may submit a written statement to the Public Works Department requesting the WCF be exempt from these requirements, and offer alternative locations reasonably meeting the intent of this section.

8. Design requirements specific to various types of WCFs.
   a. Base Stations. If an antenna is installed on a structure other than a Tower or Alternative Tower Structure, such as a Base Station (including, but not limited to the antennas and accessory equipment) it shall be of a neutral, non-reflective color that is identical to, or closely compatible with, the color of the supporting structure, or uses other camouflage/concealment design techniques so as to make the antenna and related facilities as visually unobtrusive as possible, including for example, without limitation, painting the Antennas and accessory equipment to match the structure. Additionally, any ground mounted equipment may be located in a flush-to-grade underground equipment vault if it is reasonably feasible from a construction, engineering, or design perspective.
b. Alternative Tower Structures, not in the Public Right-of-Way shall:
   i. Be designed and constructed to look like a building, facility, structure, or other commonplace item, such as but not limited to a tree, public art, or clocktower, typically found in the area.
   ii. Be camouflaged/concealed consistent with other existing natural or manmade features in or near the location where the Alternative Tower Structure will be located.
   iii. Be compatible with the surrounding area, including architecture, topography, and/or landscaped environment.
   iv. Be the minimum size needed to obtain coverage objectives.
   v. Be sited in a manner that is sensitive to the proximity of the facility to residential structures, neighborhoods, and residential zoning district boundaries.
   vi. Take into consideration the uses on adjacent and nearby properties and the compatibility of the facility to these uses.

c. Towers
   i. Towers shall either maintain a galvanized steel finish, or, subject to any applicable FAA standards and City design approval processes, be painted a neutral color so as to reduce visual obtrusiveness.
   ii. Wherever possible, Towers shall locate to utilize existing landforms, vegetation, and structures to aid in screening the facility from view, or otherwise blending in with surrounding built and natural environment.
   iii. Monopole support structures shall taper from the base to the tip.
   iv. All Towers, excluding Alternative Tower Structures in the Right-of-Way, shall be enclosed by security fencing or wall and shall also be equipped with an appropriate anti-climbing device.
   v. Towers shall be subject to the height restrictions of each zoning district. Notwithstanding anything in this Chapter to the contrary, Towers are prohibited in the Right-of-Way.

d. Roof and Building Façade Mounted Antennas: WCFs:
   i. Building façade mounted antennas shall not protrude horizontally more than 2 feet from the building wall and shall be painted or treated to match the building or structure to which the antenna is attached.
2.i. Building façade mounted antennas shall not exceed the height of the parapet or the rooftop, whichever is greater.

3. The total of all visible building façade mounted antennas may not exceed the greater of 10 percent of the square footage of the building façade or 25 square feet per façade.

C. Roof Mounted Antennas:

4.i. Roof mounted antennas and accessory equipment shall be painted or treated to match the façade of the building to which they are attached in order to minimize visibility from adjacent residential land uses and/or from public sidewalks.

ii. Roof-mounted WCFs may be approved only where an Applicant sufficiently demonstrates that a wall mounted WCF is inadequate to provide service. By filing an application for a roof-mounted WCF, an Applicant is certifying agreement to the City’s determination that the height extensions described in this subsection d. are the maximum heights that will allow the WCF to be Camouflaged, and that any additional increase in height will undermine the Camouflage nature of the site.

2. Maximum height. Roof mounted antennas and accessory equipment shall not exceed the height of the penthouse or mechanical equipment room to which the antennas are attached.

3. Antennas not mounted on a penthouse or mechanical equipment room shall be set back at least 5 feet from the exterior wall of a building.

4.iii. The maximum height of a roof mounted antenna that is not mounted on a penthouse or mechanical equipment room is equal to the distance the antenna is set back from the exterior wall up to a maximum height of 10 feet above the taller of either rooftop or parapet of the building to which the antenna is attached.

iv. All rooftop equipment and Antennas must be adequately screened where feasible from a technical, construction, design and engineering perspective.

v. Building façade mounted antennas shall not protrude horizontally more than 2 feet from the building wall and shall be painted or treated to match the building or structure to which the antenna is attached.

vi. Building façade mounted antennas shall not exceed the height of the parapet or the rooftop, whichever is greater.
The total of all visible building façade mounted antennas may not exceed the greater of 10 percent of the square footage of the building façade.

D. Antennas on Existing Support Structures:

1. In single-family and two-family zone districts: The mounting of an additional antenna or antennas on an existing support structure, including any existing support structure that is nonconforming with regards to height, may be permitted provided that the height of the existing structure may not be increased by more than 15 percent.

2. In non-single-family and two-family zone districts: The mounting of an additional antenna or antennas on an existing support structure may be permitted provided that the height of the existing structure may not be increased above 60 feet without triggering the review requirements as outlined for New Freestanding Support NonStealth Structures in Section 17.10.3.2:

17.10.3.3: New Freestanding Support Non-Stealth Structures

A. Review Requirements:

1. New freestanding support structures of 60 feet in height or less may be allowed in any zone district other than a single-family or two-family district if reviewed and approved in accordance with the site plan procedures identified in Article 2.

2. New freestanding support structures of more than 60 feet in height may be allowed in any zone district other than a single-family or two-family district if reviewed and approved in accordance with the special use permit and site plan procedures identified in Article 2.

3. New freestanding support structures of any height located on public property, right-of-way, or utility property that will support street lights, public facilities or equipment in addition to wireless facilities may be allowed in any zone district if reviewed and approved in accordance with the Site Plan procedures identified in Article 2. Examples include, but are not limited to, municipal communication facilities, athletic field lights, traffic lights, and other light structures.

4. Existing support structures including but not limited to municipal communication facilities, athletic field lights, traffic lights, and other light structures on local streets shall be limited to a maximum 15-foot height extension.

B. The maximum height for any new freestanding support structure shall be 60 feet, or the maximum building height allowed in the subject zoning district, whichever is greater.

C. When adjacent to a property that is zoned residential or contains a residential use or structure, new freestanding support structures must be setback from property at least the minimum setback required by the zone district where the structure is located or 60 percent of the support structure height, whichever is greater.
Lakewood Zoning Ordinance – Adopted January 26, 2015

D. New freestanding support structures shall be enclosed by security fencing 6 feet in height and shall also be equipped with an appropriate anti-climbing device; provided, however, that the City may waive such requirements, if the Director determines that the waiver will not create an increased risk to public health or safety.

E. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible.

F. New freestanding support structures shall be designed to accommodate a minimum number of colocations based upon their height.
   1. Support structures between 45 feet and 100 feet in height shall support at least two telecommunications providers;
   2. Support structures greater than 100 feet and up to 150 feet in height shall support at least three telecommunications providers; and
   3. Support structures greater than 150 feet in height shall support at least four telecommunications providers.

G. New freestanding support structures over 60 feet in height shall not be located within 1000 feet from any existing freestanding support structure that is over 60 feet in height, unless the applicant has shown to the satisfaction of the City that colocation is impracticable and that there are no reasonably suitable alternative sites in the required geographic area which can meet the applicant’s needs.

17.10.3.4: Other Wireless Facility Types

The Director may apply the standards defined for new wireless facilities on existing structures or new freestanding support structures to any wireless facility type that is not directly addressed in these regulations as appropriate to minimize the potential adverse effects of wireless service facilities.

   vii. 17.10.3.5:

   e. Related Accessory Equipment
      A.i. The excluding Small Cell Facilities in the Right-of-Way, the buildings, shelters, cabinets, and other accessory components shall be setback a minimum of 15 feet from each property line with a residential zone district or a lot containing a residential structure, or shall meet all setback requirements of the underlying zone districts, whichever results in the greater setback, and shall be grouped as closely as technically possible.
      B.ii. Total footprint coverage area of the accessory equipment shall not exceed 500 square feet per provider, with a maximum of 1500 square feet total for three or more providers.
      C.iii. No accessory equipment or accessory structure shall exceed 15'12" feet in height.
Lakewood Zoning Ordinance – Adopted January 26, 2015

D.iv. Accessory equipment shall be painted a neutral color and enclosed by security fencing 6 feet in height and shall be landscaped with a buffer of plant materials that effectively screens the view of the accessory equipment from adjacent residential property and from the adjacent street; provided, however, that the City may waive such requirements, if the Director determines that the waiver will not (1) create an increased risk to public health or safety or (2) create a negative visual impact to adjacent residential property or from the adjacent street. Accessory equipment, including but not limited to remote radio units, shall be located out of sight whenever possible by locating behind parapet walls or within equipment enclosures. Where such alternate locations are not available, the Accessory Equipment shall use Camouflage Design Techniques.

E.v. No accessory equipment or accessory structures shall be sited in a manner that reduces the parking or landscaped areas for other principal uses on the parcel below the minimums required by the Zoning Ordinance.

A. 17.10.4: Abandonment and Removal

If a support structure is abandoned and remains abandoned for a period longer than 12 consecutive months, the City may require that the support structure be removed. The City shall first provide written notice to the owner of the support structure of the requirement for removal and give the owner the opportunity to take such action(s) as may be necessary to reinstate the active use of the support structure within 30 days of receipt of the written notice. If the owner of the support structure fails to reinstate the active use of the support structure within the 30-day period, the owner of the support structure shall be required to remove the same within six months. Approval.
A. It is the intent of the City to provide for approval of WCFs administratively in cases where visual impacts are minimized, view corridors are protected, appropriate Camouflage and Concealment Design Techniques are employed to avoid adverse impacts on the surrounding area, and they are designed, maintained, and operated at all times to comply with the provisions of this Chapter and all applicable laws. Notwithstanding the approval of an application for Eligible Facilities Request as described herein, all work done pursuant to WCF applications must be completed in accordance with all applicable building and safety requirements as set forth in municipal code and any other applicable regulations.

1. Special Use Permit. Any application for a WCF which does not comply with the provisions of this Chapter may seek approval of a Special Use Permit by submitting an application to Planning Commission.

2. Collocation and Separation Required. No new Towers, excepting Small Cell Facilities in the Right-of-Way, shall be permitted unless the Applicant demonstrates to the reasonable satisfaction of the City that no existing WCFs can accommodate the needs that the Applicant proposes to address with its Tower application, and sufficient separation of Towers is achieved. Evidence may consist of the following:
a. No existing WCFs with a suitable height are located within the geographic area required to meet the Applicant’s engineering requirements;
b. Existing WCFs do not have sufficient structural strength to support applicant’s proposed WCF;
c. The Applicant’s proposed WCFs would cause electromagnetic interference with the existing WCFs or the existing WCF would cause interference with the Applicant’s proposed WCF;
d. The Applicant demonstrates that there are other limiting factors that render existing WCFs unsuitable for Collocation;
e. Towers over 90 feet in height shall not be located within one-quarter mile from any Existing Tower that is over 90 feet in height, unless the Applicant has shown to the satisfaction of the City that there are no reasonably suitable alternative sites in the required geographic area which can meet the Applicant’s needs.

3. Setbacks. The following minimum setback requirements shall apply to all WCFs except for Alternative Tower Structures in the Right-of-Way; provided however, that the City may reduce standard setback requirements if the applicant demonstrates that the goals of this Section can be met through Performance Options or through Alternative Compliance, or through a Variance process. A Tower shall meet the greater of the following minimum setbacks from all property lines:

   a. The setback for a principal building within the applicable zoning district;
   or
   b. Twenty-five percent (25%) of the facility height, including WCFs and Related Accessory Equipment; or
   c. For sites within 100 feet of residential uses, facilities over 30 feet in height shall have a minimum setback from all adjacent residential property lines of one (1) foot for every foot in height.
12.04.010 Citation.

This chapter shall be known as the “public way permit ordinance” of the city. (Ord. 1-82-59 § 1 (part), 1982; Ord. O-75-71 § 1, 1975).

12.04.020 Definitions

For the purposes of this chapter, the following words shall have the following meanings:

“City” means the City of Lakewood, Colorado.

“Director” means the Director of Public Works of the city or his/her authorized representative.

“District” means any metropolitan, water, and/or sanitation district formed under Title 32, Article I, CRS, as amended.

“Permittee” means the holder of a valid permit.

“Person” means any person, firm, partnership, special, metropolitan or general district association; corporation; municipal department, company or organization of any kind.

“Public way” means any public street, way, place, alley, sidewalk, easement, park, square, plaza, and any city-owned right-of-way or any other public property owned or controlled by the city and dedicated to public use. Any easements dedicated solely for utility purposes shall not be governed by the provisions of this chapter.

“Specifications” means Engineering Regulations, Construction Specifications and Design Standards adopted by the city.

“Work in the public way” means, but is not limited to, construction of streets and all related appurtenances, sidewalks, driveway openings, bus shelters, bus loading pads, street lights, and traffic signal devices. It shall also mean construction, maintenance and repair of all underground structures such as pipes, conduits, ducts, tunnels, manholes, vaults, buried cable, wire, or any other similar structure located below the surface of any public way, and installation of overhead poles used for any purpose. (Ord. O-94-17 §§ 1, 2, 1994; Ord. O-94-991-59 § 19, 1991; Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 3, 1971).

12.04.030 Types of permits to work in the public way.

There shall be three types of permits to work in the public way:
A. Public Improvement Agreement Permits: permits issued as part of the public improvement agreement procedure under Chapter 14.13 of this code. Chapter 14.13 provides that any person obtaining a building permit may be required to sign a public improvement agreement, provides for inspection of those public improvements, and provides for collateral to insure the public improvements are built and are warranted for one year of satisfactory performance;

B. Annual permits: permits granted to persons to cover all work done in the public way for a period of one year;


12.04.040 Application for permit

A. It is unlawful for any person to perform work within the public way of the city without obtaining a permit from the city. Any person doing work within the public way of a state highway must obtain a permit from the state and the city. If the state inspects the work in state right-of-way, there will be no charge for the Lakewood permit. If the city inspects the work in state right-of-way, all conditions and fees pertaining to a city permit shall apply.

B. In Lakewood, the physical construction of public improvements in new developments is the responsibility of the developer of the land. Ownership of those improvements remains with the developer of the land until acceptance by the city. Any person performing work on those improvements which are within a public way, but prior to acceptance by the city, shall obtain a permit from the city and permission from the owner of the improvements in the public way. The permittee shall be financially responsible to the owner of the improvements to carry out all remedial work necessary to receive acceptance by the city of those improvements. This financial obligation shall apply only to the work in the public way done by the permittee.

1. Public Improvement Agreement Permit. An applicant doing work in the public way which requires a public improvement agreement as required by Chapter 14.13 of this code shall have an approved set of plans and specifications prior to permit application. No work shall be started until the Director has approved the plans, specifications, and permit application, and issued a permit.

2. Annual Permits and Individual Permits. A separate written application for that work done under an annual or individual permit shall be submitted to the Director on a form provided by the city for each individual job. The application shall be submitted at least two days prior to the planned start of work in the public way. Permittees may be required to increase this time up to fourteen days when the work consists of more than a single spot excavation. The city may require submission of plans and specifications. No work shall be started until the Director has approved the plans and specifications and permit application, and issued a permit, except as specified in Section 12.04.180. (Ord. O-94-17 § 4, 1994; Ord. O-82-59 § 1 (part), 1981; Ord. O-71-24 § 5, 1971).

3. Underground Utilities. The type, size, location, and the number of all underground utilities shall be shown. Field verified elevations and locations are required on all development plans for existing underground utilities that have the potential to affect the proposed design or construction. It is the permittee’s responsibility to verify, prior to commencing any construction, the existence and location of all existing underground utilities along its route of work.
12.04.045 Insurance.

Before a public way permit is issued, the applicant shall submit to the Director a certificate of insurance in an amount set by City Council resolution. The certificate of insurance shall list the City and its officers and employees as additional named insureds.

City departments, mutual water companies, persons holding a franchise in the City, any governmental agency, or any special metropolitan water and/or sanitation district shall be relieved of the obligation of submitting a certificate of insurance if the permit is signed in the name of that person and they carry insurance equal to an amount set by City Council resolution. Upon request, the agency shall submit a letter certifying such coverage or self-insurance. If a person other than those named above signs the permit, a certificate of insurance shall be provided. (Ord. O-97-28 § 1, 1997; Ord. O-94-17 § 5, 1994; Ord. O-82-59 § 1 (part), 1982; Ord. O-75-71 § 4, 1975).

12.04.060 Performance/warranty guarantee for permits.

A. Public Improvement Agreement. Procedures for guaranteeing performance and providing for warranty are specified in Chapter 14.13 and no additional performance/warranty guarantee will be required in addition to those requirements.

B. Annual Permit. Any entity doing work under an annual permit shall provide the City with ten thousand dollars cash or an irrevocable letter of credit. The irrevocable letter of credit shall run for a period of time at least one year beyond the anticipated acceptance date of any work done under the annual permit. If no refund request is received, the deposit shall be carried forward for use as the annual deposit for the following year. If a demand is made by the City on all or a portion of a ten thousand dollar performance/warranty guarantee, no further permits shall be issued to that entity until the performance/warranty guarantee is reestablished in the amount of ten thousand dollars plus the amount of the demand made by the City.

C. Individual Permit. Each permittee before being issued a permit shall provide the city, at the permittee's expense, a performance/warranty guarantee. This guarantee shall be in the form of cash or an irrevocable letter of credit.

. The guarantee shall be in an amount equal to one hundred percent of the City Engineer’s estimate of the cost of restoration. The cost of restoration shall include the removal of defective material, recompaction of subgrade and base material and construction of surface improvements. The irrevocable letter of credit shall run for a period of time at least one year beyond the anticipated acceptance date of the work identified in the permit and may be returned as provided in Section 12.04.080(B)(2). Such guarantees shall be extended if requested by the City Engineer.

. The City Engineer may waive performance/warranty guarantee requirements for any owner of a single-family residence desiring to repair their driveway or sidewalk provided the owner performs the work personally and upon satisfactory evidence to the City Engineer that the applicant is competent to perform the work.
12.04.060

-D. Other Guarantees. In lieu of subsections (B) and (C) above, any City department, mutual water companies, persons holding a franchise in the City, any governmental agency, or any special metropolitan, water and/or sanitation district may provide the City with an annual letter signed by an appropriate company or district officer guaranteeing: (1) complete performance of the work acceptable to the City, and (2) the correction of any defect in the work which the City discovers and for which the City gives written notice to the permittee within one year after the date when the City initially accepts the work.

-If the Director determines that any permittee fails to promptly perform under the conditions of this subsection (D) of this section, that permittee shall be required to post a performance/warranty guarantee meeting the requirements of subsections (B) or (C) of this section. If the Director determines that the permittee then satisfactorily complies with this chapter for a one-year period while operating under the provisions of subsections (B) or (C) of this section, the permittee shall then again be eligible to operate with the annual guarantee letter provided in subsection (D) of this section.

Notwithstanding anything to the contrary in this section, any contractor performing work pursuant to a contract directly with the City shall adhere to the performance payment requirements set forth in the contract documents. (Ord. O-97-28 §§ 2, 3, 1997; Ord. O-94-17 § 6, 1994; Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 7, 1971).

12.04.070 Purpose of performance/warranty guarantee.

A. Any guarantee made hereunder shall serve as security for the performance of work necessary to repair the public way if the permittee fails to make the necessary repairs or to complete the work under the permit.

B. The permittee, by acceptance of the permit, expressly guarantees complete performance of the work acceptable to the city and guarantees all work done by him for a period of one year after the date of acceptance, and agrees upon demand to maintain and to make all necessary repairs during the one-year period. This guarantee shall include all repairs and actions needed as a result of:

1. Defects in workmanship;
2. Settling of fills or excavations;
3. Any unauthorized deviations from the approved plans and specifications;
4. Failure to barricade;
5. Failure to clean up during and after performance of the work;
6. Any other violation of this chapter.

C. The one-year guarantee period shall run from acceptance of the work. If repairs are required during the one-year period, those repairs need only be guaranteed until the end of the original one-year guarantee period starting with the date of initial acceptance. It is not necessary that
a guarantee be provided for subsequent repairs beyond the initial one-year guarantee period. (Ord. O-94-17 § 7, 1994; Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 8, 1971).

12.04.080 Inspection fees and procedures.

A. At the time of permit application, all permittees shall pay for the costs of inspection. Costs of inspection shall be in accordance with the schedule of charges prepared by the Director and adopted by City Council resolution. B. Inspections will occur as follows:


2. Annual and Individual Permits. Two inspections shall take place. First, the permittee shall notify the city immediately after completion of work operations and acceptance will be made if all work meets city and permit standards. Second, approximately thirty days prior to the expiration of the one-year guarantee, the city shall perform an inspection of the completed work. If the work is still satisfactory, the cash or letter of credit for individual permit holders shall be returned less any amounts needed to complete work not done by permittee.

For annual permits, the annual deposit shall be carried forward for use as the annual deposit for the following year if no refund request is received.

At any time prior to completion of the one-year warranty period, the city may notify the permittee of any needed repairs. Such repairs shall be completed within twenty-four hours if the defects are determined by the city to be an imminent danger to the public health, safety, and welfare. Nonemergency repairs shall be completed within thirty days after notice.

3. Random Inspections. Random inspections may be made of the permittee’s work procedures, and the permittee shall correct procedures if ordered to do so. Failure to do so may result in revocation of the permit. (Ord. O-94-17 § 8, 1994; Ord. O-82-59 § 1 (part), 1982; Ord. O-75-71 § 2, 1975).

12.04.090 Time of completion.

A. Public Improvement Agreement. Time of completion will be specified in the public improvement agreement signed under the provisions of Chapter 14.13 of this code.

B. Annual Permits and Individual Permits. All work covered by the permit shall be completed by the date stated on the application. Unless extended for good cause, Permits shall be void if work has not commenced six months after issuance. Letters of credit or cash deposited as a performance/warranty guarantee for individual permits will be returned after voiding of the permit. (Ord. O-82-59 § 1 (part), 1982; Ord. O-75-71 § 3, 1975).

12.04.110 Traffic control.

When it is necessary to obstruct traffic, a detour plan shall be submitted to the Director prior to starting construction. No permit will be issued until the plan is approved by the Director. No permittee
shall interrupt access to and from private property, block emergency vehicles, block access to fire hydrants, fire stations, fire escapes, water valves, underground vaults, valve housing structures, or any other vital equipment unless permission is obtained from the owner of that facility. If a street closing is desired, the applicant will request the assistance and obtain the approval of the Director. It shall be the responsibility of the permittee to notify and coordinate all work in the public way with police, fire, ambulance, and transit organizations.

- When necessary for public safety, the permittee shall employ flag persons whose duties shall be to control traffic around or through the construction site. The use of flag persons may be required by the Director.

- Unless approved by the Director, the permittee shall not impede rush hour traffic on arterial or collector streets during the morning or evening rush hours. No construction shall be performed nor shall any traffic lane be closed to traffic during the hours of seven a.m. to nine a.m. or three-thirty p.m. to six p.m. without the approval of the Director.

- Traffic control devices, as defined in Part VI of the Manual on Uniform Traffic Control Devices, must be used whenever it is necessary to close a traffic lane or sidewalk. Traffic control devices are to be supplied by the permittee. If used at night, they must be reflectorized and must be illuminated or have barricade warning lights. Oil flares or kerosene lanterns are not allowed as a means of illumination.

12.04.110

- Part VI of the Manual on Uniform Traffic Control Devices shall be used as a guide for all maintenance and construction signing. The permittee shall illustrate on the permit the warning and control devices proposed for use. At the direction of the Director, such warning and control devices shall be increased, decreased, or modified. (Ord. O-94-17 § 9, 1994; Ord. O82-87 § 1 (part), 1982; Ord. O-75-71 § 5, 1975).

12.04.120 Construction standards and responsibility for all public improvements.

The permittee shall be fully responsible for the cost and actual performance of all work in the public way. The permittee shall do all work in conformance with the Engineering Regulations, Construction Specifications, and Design Standards adopted by the city. These standards shall apply to all work in the public way. (Ord. O-82-59 § 1 (part), 1982; Ord. O-212471-24 § 13, 1971).

12.04.130 Protection of paved surfaces from equipment damage.

- Backhoe equipment outriggers shall be fitted with rubber pads whenever outriggers are placed on any paved surface. Tracked vehicles with grousers are not permitted on paved surface unless specific precautions are taken to protect the surface. The permittee will be responsible for any damage caused to the pavement by the operation of such equipment and, upon order of the Director, shall repair such surfaces. Failure to do so will result in the use of the applicant’s performance/warranty guarantee by the city to repair any damage. (Ord. O-941794-17 § 10, 1994; Ord. O-82-59 § 1 (part), 1982; Ord. O-75-71 § 6, 1975).

12.04.140 Protection of property.

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The permittee shall protect from injury any adjoining property by providing adequate support and taking other necessary measures. The permittee shall, at his own expense, shore up and protect all buildings, walls, fences or other property likely to be damaged during the work, and shall be responsible for all damage to public or private property resulting from failure to properly protect and carry out work in the public way. (Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 15, 1971).

12.04.150 Relocation, location responsibilities and protection of utilities.

Before any permittee begins excavation in any public way, he shall verify the location of existing utilities. For information, contact the Utility Notification Center of Colorado and, 1-800-922-1987 or 811. A permittee shall additionally make inquiries of all ditch companies, utility companies, districts, municipal departments and all other agencies that might have facilities in the area of work to determine possible conflicts.

The permittee shall contact the Utility Notification Center of Colorado and request field locations of all facilities in the area at least forty-eight hours in advance. Field locations shall be marked prior to commencing work. The permittee shall support and protect all pipes, conduits, poles, wires, or other apparatus which may be affected by the work from damage during construction or settlement of trenches subsequent to construction. (Ord. O-94-17 § 11, 1994; Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 16, 1971).

12.04.160 Noise, dust, debris, hours of work.

Each permittee shall conduct work in such manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. In the performance of the work, the permittee shall take appropriate measures to reduce noise, dust, and unsightly debris. No work shall be done between the hours of ten p.m. and seven a.m., nor at any time on Sunday, except with the written permission of the Director, or in case of an emergency. (Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 17, 1971).

12.04.170 Clean-up.

As the work progresses, all public rights-of-way and private property shall be thoroughly cleaned of all rubbish, excess dirt, rock, and other debris. All clean-up operations shall be done at the expense of the permittee. (Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 18, 1971).

12.04.180 Emergency work.

Any person maintaining facilities in the public way may proceed with repairs upon existing facilities without a permit when emergency circumstances demand that the work be done immediately. Emergency work is defined to mean any work necessary to restore water, sewer, gas, phone, electric, and cable facilities. Repairs on other facilities in the public way may also be administratively classified as emergency by the Director. The person doing the work shall apply to the Director for a permit on the first working day after such work has commenced. All emergency work will require prior telephone notification to the City Police Department of Public Safety and the appropriate fire protection district. (Ord. O-94-17 § 12, 1994; Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 19, 1971).
12.04.190 Preservation of monuments.

The permittee shall not disturb any surface monuments or survey hubs and points found on the line of work unless approval is obtained from the Director. Any monuments, hubs, and points disturbed will be replaced by a Colorado registered land surveyor at the permittee’s expense. (Ord. O-94-17 § 13, 1994; Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 20, 1971).

12.04.200 Registration to do work.

All persons doing work within the public way under this chapter shall obtain a registration if required by Chapter 14.11 of this code.

The City Engineer may waive the registration requirements for any owner of a single-family residence desiring to repair their driveway or sidewalk provided the owner performs the work personally and upon satisfactory evidence to the City Engineer that the applicant is competent to perform the work. (Ord. O-2011-11 § 1, 2011; Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 21, 1971).

12.04.210 Boring.

Boring or other methods to prevent cutting of the pavement will be required upon request of the Director. It is the city’s intent to require boring only when necessary on arterial and major and minor collector streets with high volumes of traffic and/or high accident potential. (Ord. O-94-17 § 14, 1994; Ord. O-82-59 § 1 (part), 1982; Ord. O-71-56 § 1, 1971; Ord. O-71-24 § 22, 1971).

12.04.220 Suspension or revocation of permits and stop work orders.

A. Any permit may be revoked or suspended by the Director, after notice to the permittee for:
   1. Violation of any condition of the permit or of any provision of this chapter;
   2. Violation of any provision of any other ordinance of the city or state law relating to the work;
   3. Existence of any condition or performance of any act which does constitute or cause a condition endangering life or damage to property.

12.04.220

B. A suspension or revocation by the Director, and a stop work order, shall take effect immediately upon notice to the person performing the work in the public way.

C. A stop work order may be issued by the Director to any person or persons doing or causing any work to be done in the public way without a permit, or in violation of any provision of this chapter, or any other ordinance of the city.
D. Any suspension or revocation or stop work order may be appealed by the permittee to the Director by filing a written notice of appeal within ten days of the action. (Ord. O-94-17 § 15, 1994; Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 23, 1971).

12.04.230 Appeals procedure.

Any decision rendered by the Director may be appealed within thirty days by the permittee to the Board of Appeals in accordance with the rules and procedures established by that body. ( Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 24, 1971).

12.04.240 Penalty.

If any person, firm or corporation, including but not limited to the officers and agents of a corporation responsible for its actions or inaction, and the partners of a partnership, firm or joint venture, shall violate or cause the violation of any of the provisions of this chapter, they shall be guilty of a separate offense for each and every day or portion thereof during which a violation is committed, continues or is permitted, and upon conviction of any such violation such person, firm or corporation, including but not limited to such partners, officers or agents, shall be subject to the penalties set forth in Subsection 1.16.020A. (Ord. O-96-44 § 13, 1996; Ord. O-94-17 § 16, 1994; Ord. O-84-87 § 7, 1984; Ord. O-82-59 § 1 (part), 1982; Ord. O-71-24 § 24, 1971).
12.08.010

Chapter 12.08 - Major Street Plan and Master Plan

MAJOR STREET PLAN AND MASTER PLAN¹

Sections:

12.08.010 Major street plan adopted.

12.08.020 Master plan acceptance and approval.

12.08.030 Master plan certification and filing.

12.08.010 Major street plan adopted.
The major street plan adopted by Resolution No. 70-95 includes a single map bearing the legend "Major Street Plan, City of Lakewood, Colorado," as certified to the City Council by the Lakewood Planning Commission. (Ord. O-94-17 § 17, 1994; Res. 70-95 § 1, 1970).

12.08.020 Master plan acceptance and approval.
The master plan for the development of the city, with accompanying maps, charts and descriptive matter, which master plan is entitled and known as the Lakewood Comprehensive Plan shall be as adopted and from time to time amended by the Lakewood Planning Commission and approved by the City Council. (Ord. O-94-17 § 18, 1994; Res. 75-68 § 1, 1975).

12.08.030 Master plan certification and filing.
The Mayor and City Clerk are authorized and directed to indicate the acceptance and approval of the Lakewood Comprehensive Plan mentioned in Section 12.08.020 by affixing their signatures to a certification of this acceptance and approval on the Lakewood Comprehensive Plan; and the City Clerk is authorized and directed to file a certified copy of the Lakewood Comprehensive Plan with the Clerk and Recorder of Jefferson County. (Ord. O94-94-17 § 19, 1994; Res. 75-68 § 2, 1975).

12.12.010

Chapter 12.12 - Street Improvement Policy

STREET IMPROVEMENT POLICY

¹ Prior resolution history for Sections 12.08.020 and 12.08.030: Resolution No. 70-95 §§ 2 and 3.
12.12.010 City street system - Classification.

A. Functional Classifications. City streets shall be placed in five functional classifications: local streets, minor collector streets, major collector streets, arterial streets, and major regional arterial streets.

B. Major Street Plan Classifications. Local streets, minor collector streets, major collector streets and arterial streets not specifically shown on the major street plan of Lakewood, must be platted and developed as determined by the city.

C. References in existing planned developments (PD’s) and official development plans (ODP’s) to street designations such as "freeways" and "major streets" will be reviewed by the Director of the Department of Planning, Permits and Public Works as said streets are to be planned or constructed and the Director of the Department of Planning, Permits and Public Works will determine which new street designation standards will be applied. The determination of the Director of the Department of Planning, Permits and Public Works may be appealed by the affected property owner to the Planning Commission within ten days of said determination and the Planning Commission’s decision on the street design designation shall be final.


12.12.020 Type of improvements required for city's street system.

Adequate and consistent design guidelines, based on engineering and planning standards, must be applied in developing the city’s street system. All street improvements will therefore be in accordance with the city Engineering Regulations, Construction Specifications, and Design Standards as amended, the subdivision ordinance and the zoning ordinance.

In those instances where, in the opinion of the City Engineer, the rigid application of such guidelines would result in excessive right-of-way costs, relocation problems, and/or other extreme difficulties, a lesser standard may be approved by the City Engineer. (Ord. O-94-17 § 23, 1994; Ord. O-85-63 § 2, 1985).

12.12.030 Cost responsibility for improvements to the city's street system.

A. The cost responsibilities for street improvements applies the general but qualified concept that those who benefit from street and other public improvements should be most directly responsible for the cost of said improvements.

B. In applying this concept, the following conditions are recognized and incorporated in assigning cost responsibilities:
Any new land development within Lakewood benefits by the existence and use of the existing street system and other public improvements in the community. Nonetheless, while the existing street system and other existing public improvements benefit all new land development, no specific monetary charges are made to new land developments for use of the existing street system and other existing public improvements.

Benefits derived from arterial and major regional arterial streets adjacent to and within a new land development accrue both to the general public and to the owner of a new land development.

Benefits derived from major collector streets, minor collector streets and local streets are direct and accrue primarily to the owner of a new land development.

Cost responsibilities for new streets are as follows:

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<thead>
<tr>
<th>Classification</th>
<th>Right-of-Way</th>
<th>Streets</th>
<th>Sidewalk/Bikeways</th>
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<tbody>
<tr>
<td>Major regional arterial streets</td>
<td>Property owner</td>
<td>Shared</td>
<td>Property owner</td>
</tr>
<tr>
<td>Arterial streets</td>
<td>Property owner</td>
<td>Shared</td>
<td>Property owner</td>
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<tr>
<td>Collector streets (major and minor)</td>
<td>Property owner</td>
<td>Property owner</td>
<td>Property owner</td>
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<tr>
<td>Local streets</td>
<td>Property owner</td>
<td>Property owner</td>
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Cost sharing on major regional arterial and arterial streets shall be done in the following manner: the property owner shall pay the cost of the street except for those costs paid for by the city. The property owner shall be responsible for all street improvements defined in Section 14.13.020 of the municipal code including roadway base and pavement thicknesses up to an EDLA (equivalent daily loaded axle) of thirty or the EDLA required for all traffic generated by the land development whichever is greater. The city will pay for any roadway base and pavement thicknesses in excess of the portion paid by the property owner.

Rebuild of Existing Street Facilities. The city shall have the authority to require improvements on existing streets made necessary by the development of a parcel. The procedures for such improvements shall be as defined in Chapter 14.13 of the city code or the subdivision and zoning ordinances, whichever provides the higher standard. These improvements shall include but not be limited to: Those rights-of-way, easements, access rights, and physical improvements which, upon formal acceptance by the city, shall become the responsibility of the city for ownership and/or maintenance and repair, unless otherwise provided, and shall include, but not by way of limitation, the following: curb and gutter, asphalt pavement, concrete pavement, streets of all types, survey.
monuments, pavement striping, sidewalks, pedestrian/bike paths, traffic signals, street lights, street signs, highways, freeways, rights-of-way, easements, access rights, construction plans, medians, bridges, acceleration and deceleration lanes, culverts, storm drainage facilities including necessary structures, channels, water lines, sanitary sewer lines, and all other improvements, which upon acceptance by the city are intended to be for the use of and enjoyment of the public.

E. Peripheral Streets. A peripheral street is one which borders a development, with one fraction of the street right-of-way on the property owner’s land and the remaining street right-of-way on the adjacent property owner’s land. A street which is located on right-of-way entirely within a single property owner’s land is not a peripheral street and will be paid for by the property owner with the exception of major regional arterial or arterial streets cost sharing which is as specified in subsection C of this section.

12.12.030

1. New Peripheral Streets. If the City Engineer determines that a new local or collector peripheral street is to be constructed, the property owner shall build and pay for one-half of the street plus five feet of additional pavement, but not less than 17 feet of pavement.

If the City Engineer determines that a new major regional arterial or arterial peripheral street is to be constructed, the property owner shall build and pay for one-half of the street.

2. Cost sharing for the additional thickness requirement of a major regional arterial or arterial street shall be as specified in subsection C of this section.

2. Existing Non-Standard Peripheral Street. Where a peripheral street exists but does not meet current City standards, adjacent property owners shall build and pay for one-half of the street plus five feet of additional pavement for a local or collector street as determined by the City Engineer, but not less than 17 feet of pavement.

If the City Engineer determines that an existing non-standard street is to be constructed to major regional arterial or arterial street standards, the adjacent property owner shall build and pay for one-half of the street.

### 12.17.010 Purpose.

The purpose of this ordinance is to prevent injury to persons and property, to prevent traffic delays, and to avoid interference with the traffic flow in the public right-of-way. Delay or distraction may interfere with the safe operation of motor vehicles. Delay and distractions are caused by vendors standing near public streets, near intersections, and near traffic lights to contact drivers or passengers in cars that are passing or that are stopped temporarily due to traffic lights or other reasons. (Ord. O-97-74 § 1, 1997).

### 12.17.020 Revocable permit.

A. No person shall occupy the public right-of-way for the purpose of selling services or articles of merchandise without first obtaining a revocable permit.

B. This ordinance shall not apply to vendors of materials whose primary purpose is the dissemination of information such as newspapers or religious, political or ideological material. (Ord. O-97-74 § 1, 1997).

### 12.17.030 Permit fee.

A permit application form shall be obtained from the Department of Finance. Processing of the permit will entail a non-refundable fee of $100.00. The permit may be renewed by the permittee for three (3) consecutive years for use at the location granted on the permit. The renewal fee shall be $25.00. Any future increase or decrease in said fees shall be by the adoption of a resolution by City Council. (Ord. O-97-74 § 1, 1997).

### 12.17.040 Sales tax deposit.

A city sales tax deposit in the amount of $50.00 shall be paid by the permittee at the time of receiving a permit. Said deposit will be applied toward the permittee’s first sales tax return. Any additional sales tax shall be paid by the permittee on or before the due date for sales tax pursuant to Chapter 3.01 of the Lakewood Municipal Code. If the tax due is less than the amount paid for the deposit, a refund of the difference shall be paid to the permittee. Said deposits are for a period of one (1) year. (Ord. O-97-74 § 1, 1997).
12.17.050 Location.

- The Director of the Department of Finance or the Director’s designee shall approve or deny the location of the permit. The City shall provide a map to the permittee designating the general location of the public right-of-way and the permittee’s location thereon. In determining whether a particular location for sidewalk vendors is compatible with the public interest in the use of a public right-of-way, all or some of the following may be considered to determine whether the proposed location should be approved or denied.

A. The width of sidewalk.
B. The proximity of existing street furniture including, but not limited to, sign posts, lamp posts, parking meters, bus shelters, benches, telephone booths, planters, newsstands and newspaper vending devices.
C. The presence of bus stops, truck loading zones, taxi stands or hotel zones.
D. The volume of street and pedestrian traffic, the rate of speed of traffic, and the ability to safely exit the traffic lane.
E. The location of other vendors in the immediately adjacent area.
F. The accident history of the location.
G. Other conditions which affect the public health, safety and welfare. (Ord. O-97-74 § 1, 1997).

12.17.060 Time.

A. Permits shall be issued for a period of one (1) year and may be renewed by the permittee for three (3) consecutive years. Once a permit has been issued and remains in effect for a location, no other person may be issued a permit for the same location. Any change of ownership of the business or change of location shall require a new application and permit, with payment of fees therefor, as provided here and above.
B. Any location which is vacated or abandoned by the permittee shall be accessible to other permittees under the provisions of this ordinance. A location is deemed abandoned by the permittee if the location is vacated for 30 consecutive days. (Ord. O-97-74 § 1, 1997).

12.17.070 One location.

Each permit shall be valid for not more than one location. The permit is valid only when used at the location designated on the permit. (Ord. O-97-74 § 1, 1997).

12.17.080 Requirements.

The permittee shall observe the following requirements:

A. Permittee shall not place any carts, tables, display structures or similar devices in the public right-of-way.
B. Permittee shall provide a four-foot minimum unobstructed area to allow access as required by the Americans with Disabilities Act.

C. Permittee shall cause the public right-of-way permit and a sales tax license (if applicable) to be visible at all times.

D. Permittee shall not block any street signs.

E. Permittee shall not sell to people in cars in traffic lanes.

F. Permittee shall not sell on a median. (Ord. O-97-74 § 1, 1997).

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12.17.090 Insurance requirements.

Before any permit is issued, the applicant shall furnish to the City a Certificate of Insurance, with the City named as an additional insured, from a firm with corporate surety, authorized to do business in the State of Colorado, for public liability and property damage in the amount established by the City of not less than the following:

- For death or injury to any one person and including property damage, one hundred fifty thousand dollars ($150,000.00)
- Total liability in any one accident, six hundred thousand dollars ($600,000.00). (Ord. O-97-74 § 1, 1997).

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12.17.100 Indemnification.

The applicant shall be required to sign an indemnity agreement, on a form furnished by the City, which releases and discharges the City, its employees, agents and assigns from any liability and from any and all claims, demands, damages, actions, causes of action, or suits of any kind or nature whatsoever as related to occupying the public right-of-way. (Ord. O-97-74 § 1, 1997).

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12.17.110 Lottery.

In the event there is more than one application for a specific location, the City shall conduct a lottery drawing. The City Manager or his designee shall adopt such rules and regulations as may be required to administer said lottery and to administer other provisions of this Ordinance. (Ord. O-97-74 § 1, 1997).

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12.17.120 Sanctions and appeal.

A. Nothing in this chapter shall be construed to limit the City's authority to require cessation of occupying the public right-of-way prior to the expiration of a permit. The City is not under any requirement to renew a permit. Permits may be revoked for cause including, but not limited to, trespass, failure to pay sales taxes, abandonment of location, drunkenness or disorderly conduct, failure to comply with the provisions of this ordinance or other City ordinances, or the existence of any violation of this ordinance or other City ordinances.

Footnote: 12-2 (Lakewood 02-24-2018)
conditions that are harmful to the public health, safety and welfare. Additionally, a permit may be revoked if, in the discretion of the Finance Director, the location has become unsafe based on the criteria set forth in Section 12.17.050.

B. Permittee may appeal a notice of revocation or a denial of issuance of a permit. Said appeal must be filed with the Finance Director within ten (10) business days after mailing of the notice of revocation or the denial of issuance of a permit. The Finance Director shall notify the permittee in writing of the time and place fixed by him for such appeal hearing. After such hearing, the hearing officer shall make an order in the matter and shall furnish a copy of such order to the permittee. Every decision of the hearing officer shall be in writing, and notice thereof shall be mailed to the permittee within thirty (30) days after such hearing. All such decisions are final.

C. Nothing in the chapter, shall prohibit the City from enforcing the provisions of this ordinance in the Lakewood Municipal Court or the Jefferson County District Court.

12.17.120

D. In addition to enforcement by any authorized personnel, this ordinance may be enforced by the Director of Community Planning & Development or his designee. (Ord. O-97-74 § 1, 1997).

12.17.130 Prior locations.

All prior locations authorized to vendors to occupy the public right of way for the purpose of conducting retail sales are hereby rescinded and revoked. No rights shall accrue to vendors based upon any previous authorization by the City to occupy the public right-of-way, and no prior authorization or approval by the City to occupy the public right-of-way shall allow for the grandfathering of a vendor’s location. The City reaffirms its absolute right to regulate activities in the public right-of-way through its police powers. (Ord. O-97-74 § 1, 1997).

12.17.140 Parades.

The provisions of the ordinance shall not apply at those locations which are adjacent to public streets which are officially and temporarily closed to through traffic for parades and other celebrations. Nothing herein shall relieve a vendor from obtaining a sales tax license. (Ord. O-97-74 § 1, 1997).

12.17.150 Penalty.

The penalty for a violation of any provision of this chapter shall be as set forth in Section 1.16.020-4. (Ord. O-2017-16 § 10, 2017; Ord. O-97-74 § 1, 1997).
12.18.010 Purpose.
The purpose of this chapter is to prevent dangers to persons and property, to prevent delays, and to avoid interference with the traffic flow. Roadways that have center medians often are designed to deal with specific traffic flow problems and any delay or distraction may interfere with traffic planning. Persons standing near intersections and near traffic lights to contact drivers or passengers in cars that are passing or that are stopped temporarily due to traffic lights can cause safety problems and traffic delays. (Ord. O-2001-20 § 1, 2001).

12.18.020 Prohibitions.
A. It shall be unlawful for any person to solicit employment, business, contributions, or sales of any kind, or collect monies for the same, from the occupant of any vehicle traveling upon any street or highway when such solicitation or collection:
1. Causes the person performing the activity to enter onto the traveled portion of a street or highway;
2. Involves the person performing the activity to be located upon any median area which separates traffic lanes for vehicular travel in opposite directions;
3. Causes the traffic on the traveled portion of a street or highway to be delayed or impeded; or
4. The person performing the activity is located such that vehicles cannot move into a legal parking area to safely conduct the transaction.
B. It shall be unlawful for any person to solicit or attempt to solicit employment, business, contributions, or sales of any kind from the occupant of any vehicle traveling upon any controlled-access highway including any entrance to or exit from such highway. (Ord. O-2001-20 § 1, 2001).

12.18.030 Definition.
For purposes of this section, the traveled portion of the street or highway shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purpose of vehicular traffic; or the entire width of every way declared to be a public street or highway by any law of this state. (Ord. O-2001-20 § 1, 2001).

12.19.010 Chapter 12.19 - Regulating the Administrative Approval of Minor Right of Way

12.19.010 Purpose.
The purpose of this ordinance is to allow for minor right of way encroachments including but not limited to commercial type trash dumpsters, fences, and mailbox pillars to be approved.
administratively under certain limited conditions. The approval shall be limited to those instances where the encroachment will not interfere with vehicle or pedestrian traffic or sight triangles and has been approved by all appropriate City departments. (Ord. O-2005-5 § 2, 2005).

12.19.020 Revocable License Agreement.

A. No person shall construct any improvement, such as fences or mailbox pillars, or place any object, such as commercial type trash dumpsters in the public right of way without first obtaining a Revocable License Agreement approved by the Director of Finance.
B. This ordinance shall not apply to trash receptacles that are placed adjacent to the traveled lanes for removal on the scheduled date of pick-up.
C. A fee for processing the Revocable License Agreement shall be set by City Council resolution from time to time.
D. The revocable license agreement granted by the City is revocable at will by the City. (Ord. O-2005-5 § 2, 2005).

12.19.030 Procedure for Approval.

A. An application form shall be obtained from the Department of Finance, Property Management Section.
B. The application form shall be completed and returned to Property Management for review with the applicable fee.
C. Property Management shall forward copies of the application to all appropriate departments for review and comment.
D. Upon approval by appropriate departments, Property Management shall prepare the Revocable License Agreement to be signed first by the applicant and final signature by the Director of Finance. (Ord. O-2005-5 § 2, 2005).

12.19.040 Standards for Approval.

A. A revocable license agreement may be granted administratively only if the applicant meets the following criteria:

- A. The proposed encroachment shall not create an obstruction to vehicle, bicycle or pedestrian traffic in any way.

B. The proposed encroachment shall not infringe upon any easement rights held by the City of Lakewood, other public agency or utility.
C. The proposed encroachment shall not obstruct the sight triangle.
D. The proposed encroachment shall not create or contribute to a safety hazard.

E. The proposed encroachment shall meet all standards and requirements of the City of Lakewood for location and improvements. (Ord. O-2005-5 § 2, 2005).

12.19.050 Indemnification.

- The Revocable License Agreement shall contain an indemnity agreement which releases and discharges the City, its employees, agents and assigns from any liability and from any and all claims, demands, damages, actions, causes of action, or suits of any kind or nature whatsoever as related to encroaching upon the public right-of-way. - The Licensee shall reimburse the City for defending claims brought against the City, failure to reimburse the City in a timely manner may result in a lien being placed upon the Licensee’s property. (Ord. O2005-2005-5 § 2, 2005).

12.19.060 Appeal of application denial.

- In the event that the Director of Finance denies a revocable license agreement, an applicant shall have the right to a quasi-judicial hearing before the City Manager or his designee for the purpose of appealing the Director’s administrative decision. - A written request for a hearing shall be made to the City Manager or his designee within ten (10) days of the date of the mailing of the City Clerk’s written findings and decision denying the license application. - The hearing shall be conducted within ten (10) days of the City Manager’s or his designee’s receipt of the written request for a hearing unless a later date is requested by the applicant. (Ord. O-2005-5 § 2, 2005).

12.19.070 Termination of Revocable License Agreement.

- The holder of the Revocable License Agreement may terminate the Revocable License Agreement by notifying the City in writing, complying with the terms of the Revocable License Agreement, and removing the encroachment. The City may terminate the Revocable License Agreement by notifying the holder of the Revocable License Agreement in writing. The holder of the Revocable License Agreement shall remove the encroachment pursuant to the terms of the Revocable License Agreement. (Ord. O-2005-5 § 2, 2005).

12.20.010

Chapter 12.20

12.20.020 Regulation of Newspaper corrals at Belmar site. Corrals

12.20.010 Purpose

A. It is the intent of this ordinance to place reasonable restrictions on the location of newspaper corrals within the Belmar Site. The Belmar Site is unique in the mixed use character of residential, commercial and office space and will consist of streetscapes, sidewalks, street lighting and other amenities which are unique in the City. The regulation of the location of newspaper corrals in the Belmar Site is essential to ensure compatibility with the unique design of the Belmar Site and to
avoid visual blight by controlling congestion of newspaper vending machines at certain locations. The City recognizes the First Amendment rights of newspapers to distribute their publications and will not interfere with such rights. There will be both an ample number of newspaper corrals located within the Belmar Site and an ample number of alternative methods of newspaper distribution through home delivery and retail stores in the Belmar Site. This Chapter does not regulate content.

B. The Belmar Site consists of the Service Areas of The Plaza Metropolitan District No. 1, The Plaza Metropolitan District No. 2, and The Plaza Metropolitan District No. 3 as legally described more specifically in an Exhibit on file in the City Clerk’s Office as may be amended from time to time. The Belmar Site is generally described as being bounded on the north by West Alameda Avenue, on the west by South Wadsworth Boulevard, on the south by Center Avenue, and on the east by Quay Street. (Ord. O-2004-11 § 1, 2004).

12.20.020 Newspaper corrals at Belmar Site.

B. Newspaper corrals are permitted within the Belmar Site in the public right of way only in those locations designated by the Director of Community Planning and Development or his designee. These newspaper corrals are available for use by permit as provided in this Chapter for locating newspaper vending machines. No person shall install or use any newspaper vending machine or similar device on or at the Belmar Site other than as described in this Chapter. Newspaper vending machines shall be located only within a newspaper corral.

B. Any publication that is eligible for the periodicals mailing privileges of the United States Postal Service may place its newspaper vending machine within a newspaper corral after receiving a permit from the City to do so. Only one newspaper vending machine per publication may be located in each newspaper corral installed at the Belmar Site. (Ord. O2004-11 § 1, 2004).

12.20.030 Criteria.

The Director shall use the following criteria in determining locations for newspaper corrals:

A. Newspaper corrals and their locations and access shall be in compliance with the Americans with Disabilities Act.

B. Newspaper corrals shall be in compliance with City regulations relating to traffic and pedestrian safety.

C. Newspaper corrals shall be placed in those locations, among others, where the public is invited to congregate, such as public plazas, park entrances and public transportation stops. There shall be a minimum of seven (7) newspaper corrals located within the Belmar Site. (Ord. O-2004-11 § 1, 2004).

D. There shall be a minimum of seven (7) newspaper corrals located within the Belmar Site.
12.20.040 Permit required-Required

A. Annual Permit Required.- It shall be unlawful to use, operate or maintain a newspaper vending machine without first having obtained a permit issued by the Director. A permit shall be valid for one (1) year following the date of issuance and may be renewed in accordance with this Chapter. Permit fees, if any, shall be established, and from time to time may be changed, by resolution of the City Council.

B. Initial Permit Application.- Any person who wishes to obtain a permit to use, operate or maintain a newspaper vending machine shall submit to the Director an application in a form approved by the City which shall include, but not be limited to, identification, address, and contact information for the applicant. The applicant shall make payment of all application fees imposed for the application. Application fees, if any, shall be established, and from time to time may be changed, by resolution of the City Council.

C. Allocation. Newspaper vending machine permits are available on a first come, first served basis. Should the first come, first served system not resolve allocation questions, the Director shall select publications by random drawing. (Ord. O-2004-11 § 1, 2004).

12.20.050 Permittee obligations-Obligations

A. A newspaper vending machine permittee shall maintain the newspaper vending machine face, its interior, and all mechanical workings of its individual box, including, without limitation, the window and face plate, the coin mechanism, coin tray, and lock, if any; and the inside shelves in proper working order.

B. A newspaper vending machine permit is valid for one year from date of issuance. In addition to other causes specified in this Chapter for permit denial, revocation, or suspension, a newspaper vending machine permit expires when the machine is not in use for a period of thirty days, or if the permittee has failed to maintain the newspaper vending machine over such a period. The Director shall take no final action based on such an expiration without notice to the permittee and an opportunity for a hearing. Upon denial of renewal of a permit, or suspension, revocation, expiration for failure to use or maintain, or expiration for failure to renew, the Director may remove the newspaper vending machine, contents of any machine, change the locks, hold any contents and money as abandoned property, and issue a new permit to someone else. (Ord. O-2004-11 § 1, 2004).

12.20.060 Non-periodical newspaper vending machine boxes.

A. The Director shall permit one newspaper vending machine box in each corral for use by purveyors of printed material which is not eligible for the periodicals mailing privileges of the United States Postal Service. Such non-periodical newspaper vending machines shall contain only materials available free to the public.

12.20.060

B. In the event that there are unused periodicals newspaper vending machines spaces in any corral, the Director may make the space available as temporary non-periodical newspaper vending machines, except that temporary permits issued on this basis shall be revocable at any time that a new
applicant for a regular newspaper vending machine receives approval of the application. (Ord. O-2004-11 § 1, 2004).

12.20.070 Application review. Review

A. The Director shall administratively approve or deny an application for issuance or renewal of an annual permit within fourteen (14) days from the date the application is deemed complete by the City. Each application shall apply throughout the Belmar Site. The Director shall administratively deny or may administratively revoke a permit if the applicant or permittee do not qualify under the provisions of this Chapter to use a newspaper corral. Any denial or revocation shall be in writing, contain a description of the reasons for the denial, and shall be sent to the applicant by certified mail, return receipt requested, at the applicant’s address as specified in the application. An applicant shall have thirty (30) days from the date of mailing of a denial or revocation within which to correct all cited deficiencies. (Ord. O-2004-11 § 1, 2004).

12.20.080 Appeals of Permit Decisions

A. Appeal Hearing. An applicant shall have the right to a quasi-judicial hearing before the City Manager or his designee for the purpose of appealing the Director’s administrative decision(s). A written request for a hearing shall be made to the City Manager or his designee within ten (10) days of the mailing date of the Director’s written findings and decision denying or conditioning the permit application. The hearing shall be conducted within fourteen (14) days of the City Manager’s receipt of the written request for a hearing unless a later date is requested by the applicant.

B. Appeal of Order. The order of the City Manager or his designee made pursuant to this section shall be a final decision and may be appealed to the District Court pursuant to Colorado Rules of Civil Procedure 106(a)(4). For purposes of any appeal to the District Court, the City Manager’s or his designee’s decision shall be final upon the earlier of the date of the applicant’s receipt of the order or four (4) days following the date of mailing. (Ord. O-2004-11 § 1, 2004).

12.20.090 Rules and regulations. Regulations

The Director may adopt reasonable rules and regulations to supplement the requirements of this Chapter. Said rules and regulations shall not be in conflict with this Chapter. (Ord. O-2004-11 § 1, 2004).

12.20.100 Intent.

It is the intent of this Chapter to be interpreted liberally to ensure compliance with newspaper distributors’ First Amendment rights. (Ord. O-2004-11 § 1, 2004).

12.20.110 Severability.
If any provision of this Chapter is held invalid by a court of competent jurisdiction, such invalidity shall not affect the other provisions of this Chapter which can be given effect without the invalid provision. (Ord. O-2004-11-11 § 5 2004).
DATE OF COUNCIL MEETING: JANUARY 27, 2020 / AGENDA ITEM NO. 13
APRIL 27, 2020 / AGENDA ITEM NO. 15

To: Mayor and City Council

From: Jay Hutchison, Public Works Director, 303-987 7901

Subject: PERMIT FEES FOR WIRELESS CARRIER OR SMALL CELL FACILITIES IN THE PUBLIC WAY

SUMMARY STATEMENT: The attached resolution would establish certain fees for placement of wireless carrier and small cell facilities. City staff is seeking City Council’s approval of the resolution establishing the fees.

BACKGROUND INFORMATION: Lakewood collects fees for work in the public way at the time the permit is issued for the work. Placing and replacing poles in the public way for wireless carrier or small cell facilities is newly allowed and there are currently no fees established for this work. Current fees cover other work associated with the installation, such as potholes for locating existing utilities, installing lines, installing electrical meters, and installing above-ground and below-ground vaults or cabinets.

The proposed fee to place a new or replacement pole for a wireless carrier or small cell facility is $380.00 for each pole. The proposed fee to use an existing pole for a wireless or small cell facility is $190.00 for each use.

The proposed fees approximate the city’s costs to evaluate the proposed installation according to the design guidelines considered under Ordinance O-2020-1, to review plans for the installation, to review traffic control plans, to issue the permit and to inspect the installation during and after construction.

BUDGETARY IMPACTS: Permit fees collected for wireless carrier or small cell facilities will add to the total permit revenues.

STAFF RECOMMENDATIONS: Public Works recommends modifying the permit fee schedule to include the fees for wireless carrier or small cell facilities as set forth in the attached resolution.

ALTERNATIVES: The City Council can choose to not establish the fees for wireless carrier or small cell facilities or to modify the fees from those proposed; however, these types of fees are limited to no more than the estimated cost of providing the service for which the fee is charged.
PUBLIC OUTREACH: In addition to the item being promoted through the regular communication channels for an item coming before City Council, utility providers have been notified of the City Council’s consideration of the proposed fees.

NEXT STEPS: If the City Council approves the resolution, the fees will be included in the published fee schedule and fees will be collected with permits issued after March 1, 2020 for wireless carrier or small cell facilities.

ATTACHMENTS: Resolution 2020-9

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Timothy P. Cox, City Attorney
A RESOLUTION

ESTABLISHING CERTAIN FEES FOR PLACEMENT OF WIRELESS CARRIER OR SMALL CELL FACILITIES WITHIN CITY OF LAKEWOOD PUBLIC WAY

WHEREAS, Section 12.04.080 of the Lakewood Municipal Code directs the City Council to establish by resolution fees for inspections of work within the City of Lakewood public way; and

WHEREAS, the City Council desires to establish fees for placement of wireless carrier or small cell facilities within the City of Lakewood public way.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The following fees are hereby established for placement of wireless carrier or small cell facilities in the public way, effective on March 1, 2020:

<table>
<thead>
<tr>
<th>PUBLIC WAY INSPECTIONS</th>
<th>PER UNIT FEE</th>
<th>MINIMUM FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place or replace pole for wireless carrier or small cell facility</td>
<td>$380.00 each pole</td>
<td>$380.00</td>
</tr>
<tr>
<td>Use of existing pole to install wireless carrier or small cell facility</td>
<td>$190.00 each use</td>
<td>$190.00</td>
</tr>
</tbody>
</table>

SECTION 2. The preceding fees shall not be refunded in whole or in part, unless the application was accepted due to an error on the part of the City staff.

INTRODUCED, READ AND ADOPTED by a vote of __ for and __ against at a regular meeting of the City Council February 10, 2020, at 7 o'clock p.m. at the Lakewood Civic Center, South Building, 480 South Allison Parkway, Lakewood, Colorado.

_______________________________
Adam Paul, Mayor

ATTEST:

_____________________________
Michele Millard, City Clerk

APPROVED AS TO FORM:

_____________________________
Timothy P. Cox, City Attorney