AGENDA
REGULAR MEETING OF THE CITY COUNCIL
CITY OF LAKEWOOD, COLORADO
VIRTUAL MEETING
JUNE 22, 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: (1-346-248-7799)
Webinar ID: (988 9129 1693)
(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)

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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 – APPROVING MINUTES OF CITY COUNCIL MEETINGS

City Council Meeting April 13, 2020
City Council Meeting May 11, 2020

END OF CONSENT AGENDA

ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

ITEM 7 – ORDINANCE O-2020-18 – AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE 2020 CITY OF LAKEWOOD ANNUAL BUDGET IN THE AMOUNT OF $269,697 IN CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM FUNDS FROM THE BUREAU OF JUSTICE ASSISTANCE AND AUTHORIZING THE EXPENDITURE THEREOF

ITEM 8 – GENERAL BUSINESS

MOTION TO EXTEND EMERGENCY DECLARATION – I MOVE TO EXTEND THE DECLARATION OF DISASTER IN THE CITY OF LAKEWOOD COLORADO RESULTING FROM THE CORONAVIRUS/COVID-19 PANDEMIC, PURSUANT TO SECTION 1.27 of the LAKEWOOD MUNICIPAL CODE, ORIGINALLY DECLARED BY PROCLAMATION OF THE LAKEWOOD CITY MANAGER ON MARCH 17, 2020, EXTENDED BY MAJORITY VOTE OF THE CITY COUNCIL ON MULTIPLE OCCASIONS, AND BY THIS MOTION EXTENDED AGAIN UNTIL JULY 13, 2020, UNLESS EARLIER EXTENDED OR TERMINATED BY THE CITY COUNCIL.

ITEM 9 – MAYOR AND CITY COUNCIL REPORTS

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

ITEM 10 – ADJOURNMENT
Minutes are not a verbatim transcription, but rather an attempt to capture the intent of the speaker by the City Clerk.

ITEM 1 – CALL TO ORDER
Mayor Paul called the VIRTUAL MEETING to order at 7:00 p.m.

ITEM 2 – ROLL CALL
Those present were: Mayor Adam Paul, Presiding
Charley Able
Sharon Vincent
Dana Gutwein
Mike Bieda
David Skilling
Anita Springsteen
Barb Franks
Ramey Johnson
Jacob LaBure
Karen Harrison

Absent: None.

Others in attendance: Kathy Hodgson, City Manager, Ben Goldstein, Deputy City Manager, and Tim Cox, City Attorney

Full and timely notice of this City Council meeting had been given and a quorum was present.

ITEM 3 – PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was recited, and there was a moment for silent prayer.

ITEM 5 – PUBLIC COMMENT
Bill Schroeder – Lakewood resident – He read a letter that he sent to Council regarding steps that could be taken during and after the pandemic.
Mayor Paul – He stated at the March 23, 2020 meeting Council approved the emergency declaration with a revisit scheduled for tonight. He said the emergency situation was still in effect until April 26th.

Council member Skilling made a motion to continue the duration of the proclamation or declaration of State of Disaster resulting from the Corona Virus/COVID-19 pandemic issued by the City Manager on March 17, 2020, pursuant to Section 1.27.060 of the Lakewood Municipal Code and extended to April 13, 2020 by a majority vote of the City Council on March 23, 2020 with the declaration now scheduled to terminate on April 27, 2020, unless further extended or terminated by the City Council prior to that date. It was seconded.

Tim Cox, City Attorney – He explained why the State of Disaster would be extended and what was discussed at the March 23, 2020 meeting.

Kathy Hodgson, City Manager and Ben Goldstein, Deputy City Manager talked about tracking of expenses and funding of grants from the County or Federal Government.

Vote on motion to extend emergency declaration:

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The motion passed.

ITEM 6 – EXECUTIVE REPORT

Kathy Hodgson, City Manager, gave her executive report:

- She talked about a City of Lakewood COVID-19 impact grant. Council directed staff to create a one-time grant for non-profits who do work specifically around the COVID-19 community response. She gave a brief overview of the program.
- She stated Council wanted staff to do some sort of surveying or communication with the business community to see what they need. She talked about a program developed by the Economic Development Department Team called the, “Lakewood Economic Recovery Task Force”.

She stated April was the time that part-time employees were hired for the parks, cultural events, and shows. She stated the question was, does the City still hire part-time employees? Will there still be events and community gatherings this summer?

The Community Resources Department was working on those questions and looking at other agencies for resources and information.

**CONSENT AGENDA**

**ORDINANCES ON FIRST READING**

City Clerk Michele Millard read the Consent Agenda into the record. The Consent Agenda consists of Items 7, inclusive.

**ITEM 7 – ACCEPTING MINUTES OF THE BOARDS AND COMMISSIONS**

Lakewood Advisory Commission
Full Commission Meeting June 19, 2019
Lakewood Advisory Commission
Full Commission Meeting July 17, 2019

Public Comment: None

A motion was made by Council member Skilling to accept all minutes for Boards and Commissions, all of which are included in the Consent Agenda Items, for the record and introduced by the City Clerk. It was seconded.

Vote on Consent Agenda:

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**TOTAL** 11 0

The motion passed.

**END OF CONSENT AGENDA**
ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

ITEM 8 – ORDINANCE O-2020-7 – DECLARING THE INTENT OF THE CITY OF LAKEWOOD TO ACQUIRE INTERESTS IN PROPERTY FOR PUBLIC PURPOSES FOR THE CONSTRUCTION OF A MULTI-USE PATH ALONG THE NORTH SIDE OF RTD’S W-LINE AND AUTHORIZING NEGOTIATIONS WITH PROPERTY OWNERS, ACCEPTANCE OF CONVEYANCE INSTRUMENTS AND CONDEMNATION OF REAL PROPERTY INTERESTS (SUBJECT TO FURTHER COUNCIL APPROVAL)

Public Comment: None.

Council Discussion:

Council member Johnson – She asked if the property owners were involved or were notified of the meeting tonight.

Adrian Stanciu, Property Management – He gave an overview of what the ordinance entailed. He stated the Public Works Department had been in contact with all three property owners since they received their notice of the project survey in 2018. If there were any condemnation it would require further Council action.

Council member Able – He asked if any parking spaces will be taken to make the path.

Stanciu – He stated no parking spaces will be taken and no mature trees will be removed in this process.

Council member Skilling made a motion to adopt Ordinance O-2020-7, It was seconded.

Vote on Ordinance O-2020-7:

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**TOTAL**  11  0

The motion passed.
ITEM 9 – ORDINANCE O-2020-8 – DECLARING THE INTENT OF THE CITY OF LAKEWOOD TO ACQUIRE INTERESTS IN PROPERTY FOR PUBLIC PURPOSES FOR THE REPLACEMENT OF TRAFFIC SIGNAL POLES, EQUIPMENT AND CURB RAMPS AT THE INTERSECTION OF W JEWELL AVENUE AND S DEFRAME STREET AND AUTHORIZING NEGOTIATIONS WITH PROPERTY OWNERS, ACCEPTANCE OF CONVEYANCE INSTRUMENTS AND CONDEMNATION OF REAL PROPERTY INTERESTS (SUBJECT TO FURTHER COUNCIL APPROVAL)

Council member Skilling made a motion to adopt Ordinance O-2020-8, It was seconded.

Public Comment: None.

Council Discussion:

Stanciu – He gave an overview of the ordinance and stated it would affect four property owners. He stated the owners were notified of the project approximately six months ago.

Johnson – She asked if the property owners were notified that this ordinance was on the agenda tonight.

Stanciu – He stated no, they typically do not notify the property owners specifically on an acquisition ordinance, but they were notified about six-months prior.

Johnson – She suggested in the future that the property owners be notified. She asked what the poles would be made of.

Mike Whiteaker, Transportation Engineer – He stated the new poles would be steel just like the existing poles. They have a 50-year design life.

Johnson – She asked about the cost and where the money would come from.

Whiteaker – He stated for a four-legged intersection the cost was typically around $450,000. Once they get closer in the design project then they would have a better idea of the cost. He stated they started a special CIP budget item a couple of years ago to set aside money for this purpose. He stated some other projects that were also funded by that budget.

Council member Bieda – He stated from what he understood there were eight projects like this one and that the budget was only $95,000. He asked how that could be done if one project was going to take half a million dollars to complete.
Jay Hutchinson, Director of Public Works – He stated this was an annual program that would go on for several years. He stated the budget that Mr. Whiteaker spoke about would cover two of those out of the funding each year. The annual amount for that budget line item was $975,000. In the Capital Improvement and Preservation Program there was listed what they anticipated to be the first eight or nine signals that would need to be replaced. That list was a multi-year list and the budget item of $975,000 would be on a continual yearly basis.

Council member Springsteen – She asked if there would be any grants for infrastructure after the pandemic was over and what the costs would be if projects like these were delayed a month or two. She asked if funds could be redirected from the Capital Improvement Fund if need be.

Hutchinson – He stated as far as he knew the Federal Government has not announced any infrastructure grants, but they could. Typically, in the past, those grants have not been for maintenance and replacement; they have been for new facilities. In response to the delay of the project, this project was connected to the acquisitions and the actual construction of the project would not happen until 2021. The money would not be expended in 2020.

At the location of the project, one pole has already fallen from corrosion and the other three poles have suffered from corrosion as well. Staff believes the project was necessary and he did not recommend delaying it.

He stated regarding the question about redirecting funds from the Capital Improvement Fund to other areas, he did not have an answer for that tonight. The City Manager and Finance Department were looking into questions of that nature.

Council member Gutwein – She thanked staff for the work that went into the project and funding structure. She was in favor with moving forward with the ordinance.

Council member Skilling – He was in support of moving forward with the ordinance.

Bieda – He asked if the traffic signal pole could be temporarily removed and a four-way or two-way stop sign could be installed instead.

Hutchinson – He stated they evaluate intersections to determine what the best fit was: either a traffic signal or stop signs.

Whiteaker – He stated if a pole fell then they could do four-way stop signs on a temporary basis. For the traffic volumes there currently were it might be a possibility. The slight curve of the road reduced visibility, and the high-speed traffic coming from the Alameda direction might not make it a good idea long-term.
Council member Harrison – She stated she was concerned with the liability issues a stop sign could cause. She was in favor of putting up a new traffic signal.

Franks – She was in support of approving the ordinance.

Council member Skilling made a motion to adopt Ordinance O-2020-8, on second and final reading. It was seconded.

Vote on Ordinance O-2020-8:

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The motion passed.

ITEM 10 – ORDINANCE O-2020-9 – VACATING A PORTION OF RIGHT-OF-WAY FOR YUKON STREET, SOUTH OF WEST 13TH AVENUE BETWEEN BLOCKS 67 AND 70, LAKEWOOD, AS DEPICTED IN EXHIBIT “A” HERETO

Public Comment:

Charles Habercorn – Ward 4 – He stated he had lived in the City for 40 years. He commended the City staff, Mayor, City Manager, and Council on all the hard work they have done.

Stanciu – He gave an overview of the ordinance and referred to a PowerPoint presentation by the applicant that was available on Lakewood Speaks. The property was in an Urban Renewal area. The vacation would need to be approved before the applicant could proceed with the site plan and plat.

Council Discussion:

Council member LaBure – He stated some of the neighborhood organizations were frustrated with the developer and their communication with the organizations. He spoke to the developer and they stated their communications employee left and that caused some issues. He stated the developer could proceed with the project if the right-of-way was not vacated. The best scenario was for the right-of-way to be vacated. He has not heard much opposition to the proposed vacation, just frustrations over the communication. He was in favor of the vacation.
Council member Vincent – She stated this was a very financially viable option in an area that was horrible. There were a couple of houses that have been vacant for five to eight years. She stated other problems that have occurred in that area. She stated whether it was vacated or not, that area needed some maintenance done.

Stanciu – He explained that if it was not vacated the developer would be required to do maintenance on the sidewalk, access road, etc., and then it would be the City’s responsibility to maintain the maintenance. If the vacation was approved, then all the maintenance would be the property owner’s responsibility.

Council member Skilling made a motion to adopt Ordinance O-2020-9, It was seconded.

Johnson – She stated she would not be supporting the ordinance. She would like to see more time for the developer to work with the neighborhood.

Mayor Paul – He supported the ordinance.

Vote on Ordinance O-2020-9:

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The motion passed.

**ITEM 11 – GENERAL BUSINESS**

None.

**ITEM 12 – MAYOR AND CITY COUNCIL REPORTS**

Mayor Paul and City Council Members reported their attendance at previous meetings and events and announced upcoming neighborhood meetings and events.
ITEM 13 – ADJOURNMENT

There being no further business to come before City Council, Mayor Paul adjourned the meeting at 9:25 p.m.

Respectfully submitted,

_______________________________
Michele Millard, City Clerk
Minutes are not a verbatim transcription, but rather an attempt to capture the intent of the speaker by the City Clerk.

ITEM 1 – CALL TO ORDER

Mayor Paul called the VIRTUAL MEETING to order at 7:00 p.m.

ITEM 2 – ROLL CALL

Those present were: Mayor Adam Paul, Presiding

Charley Able
Sharon Vincent
Dana Gutwein
Mike Bieda
David Skilling
Anita Springsteen
Barb Franks
Ramey Johnson
Jacob LaBure
Karen Harrison

Absent: None.

Others in attendance: Kathy Hodgson, City Manager, Ben Goldstein, Deputy City Manager, and Tim Cox, City Attorney

Full and timely notice of this City Council meeting had been given and a quorum was present.

ITEM 3 – PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited, and there was a moment for silent prayer.

ITEM 4 – PROCLAMATION – MENTAL HEALTH MONTH

Mayor Paul read the proclamation for May 2020 which was mental health month.

Stephanie Schiemann, Director of Marketing at the Jefferson Center for Mental Health, thanked Council and the Mayor for the proclamation and recognizing May as Mental Health Month.
ITEM 5 – PUBLIC COMMENT

None.

ITEM 6 – EXECUTIVE REPORT

Kathy Hodgson, City Manager, gave her executive report:

- She stated that May 15th was National Peace Officers Memorial Day. The 39th annual National Peace Officers Memorial Service in Washington DC will not have any attendees this year, but the names of 135 officers who lost their lives in 2019 will still have their names placed on the memorial. She asked that people remember Agent James Davies who gave his life on November 9, 2012 serving the Lakewood community.

- She stated the Jefferson County Board of County Commissioners voted to distribute some of the Cares Act funds to different cities within the county.

- She talked about the Governor’s new Safer at Home Order allowing more places to open and about the phased opening of the City’s offices. On May 18th, the Municipal Courts will open and on June 1st, the City Center (City Hall) will be opening. She described the efforts to prepare for the reopening of City Hall.

- She stated due to the Governor’s orders, there have been two programs that have been suspended until further notice: the Citizen Planning Academy and the Neighborhood Participation Program.

- She talked about some decisions that have been deliberated by the Department of Community Resources. The golf courses are open, and the golf carts are limited to one person or two people from the same household. Parks and trails are open except for Big Soda Lake at Bear Creek Lake Park. They are implementing a rolling closure of the Rooney Road parking for William Frederick Hayden Park when it fills up. They are offering virtual recreation and arts classes. Field rentals are available for groups of 10 or fewer and outdoor personal training for groups of four or fewer. Some activities that are under consideration are: outdoor tennis, pickleball, and summer Head Start.

- She stated Colorado Mills Mall will not be able to open on Saturday. However, stores with exterior doors can open.
Public Comment:

Cora Gonzalez – Lakewood resident – She thanked the Mayor and Council for everything they do. She talked about a group home zoning review case that was across from her house. She said she sent an email to Council and believed that the proposed site was too close to schools and religious facilities. She believed it was not a good fit for the group home site.

Council member Skilling made a motion to extend the declaration of disaster in the City of Lakewood, Colorado resulting from the Coronavirus/COVID-19, Pursuant to Section 1.27 of the Lakewood Municipal Code, originally declared by proclamation of the Lakewood City Manager on March 17, 2020, extended by majority vote of the City Council on multiple occasions, and by this motion extended again until June 8, 2020, unless earlier extended or terminated by the City Council. It was seconded.

Vote on the motion to extend the Emergency Declaration:

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The motion passed.

CONSENT AGENDA
ORDINANCES ON FIRST READING

Council member Skilling pulled Item 7 to put under General Business.

City Clerk Michele Millard read the Consent Agenda into the record. The Consent Agenda consists of Item 8, inclusive.

ITEM 7 – ORDINANCE O-2020-16 – CREATING THE COVID-19 BUSINESS RELIEF GRANT AND LOAN PROGRAM AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE CITY OF LAKEWOOD 2020 ANNUAL BUDGET IN AN AMOUNT NOT TO EXCEED ONE MILLION DOLLARS ($1,000,000) FROM THE ECONOMIC DEVELOPMENT FUND AND AUTHORIZING THE EXPENDITURE THEREOF AND, FURTHER, DECLARING AN EMERGENCY
ITEM 8 – APPROVING MINUTES OF CITY COUNCIL MEETINGS

City Council Meeting  January 27, 2020
City Council Meeting  February 24, 2020
City Council Meeting  March 23, 2020

A motion was made by Council member Skilling to approve Council Minutes, all of which are included in the Consent Agenda Items, for the record and introduced by the City Clerk. It was seconded.

Vote on Consent Agenda:

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The motion passed.

END OF CONSENT AGENDA

ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

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

Council member Skilling made a motion to adopt Ordinance O-2020-12. It was seconded.

Public Comment: None.

Council Discussion: None.
Vote on Ordinance O-2020-12:

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The motion passed.


Public Comment: None.

Council member Skilling made a motion to adopt Ordinance O-2020-14. It was seconded.

Council Discussion:

Council member Johnson – She believed the grant labeled the City as an entitled community.

Vote on Ordinance O-2020-14:

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The motion passed.

Council member LaBure – He stated he did not support the allocated amounts because he did not believe reducing other funds, such as towards homelessness, to support this fund.
ITEM 11 – ORDINANCE O-2020-13 – ENDORSING THE SUBSTANTIAL AMENDMENT TO THE CITY OF LAKEWOOD 2019 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Public Comment: None.

Council member Skilling made a motion to adopt the emergency Ordinance O-2020-13, It was seconded.

Mayor Paul – He clarified that an emergency ordinance would need a supermajority vote and that would allow the ordinance to be enacted upon signature. They would not have to wait the 30 days for it to go into effect.

Council Discussion:

Council member Able – He stated he supported the ordinance, but he had concerns over the wording “not limited to”. He asked if there were any parameters on what the money could be spent on.

Amy DeKnikker, Principal Planner – She stated they used that wording because they were trying to be as inclusive as possible with not knowing exactly what needs may present themselves during the pandemic. She stated the parameters in the ordinance on how the money could be used.

Vote on Ordinance O-2020-13:

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TOTAL 11 0

The motion passed.

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

Public Comment: None.
Council member Skilling made a motion to adopt Emergency Ordinance O-2020-15. It was seconded.

Council Discussion:

Able – He asked if the money would be coming from funds sent to the City by the County.

Hodgson – She stated yes, the funding for the program can and will come from the Cares Act fund.

Able – He suggested increasing the amount from $100,000 to at least $250,000 to $500,000.

Council member Harrison – She would also like to see the amount increased.

Council member Bieda – He was concerned that the ordinance did not mention the Cares Act, only the general fund. He wanted to have some language added to show where the money was coming from.

Hodgson – She stated originally they did not know, and the amount was based on the current budget. The Cares Act was just voted on last Monday and will be able to cover that amount. She stated it could be documented if needed.

Bieda – He wanted some sort of tracking system to show how the funds were being used by the businesses. The businesses needed to keep the money in a separate fund rather than their general fund.

Mary Ruther, Strategic Initiatives Manager – She stated yes, they will be required to put the money in a separate fund and will have to report back to the City on how those funds were used.

Skilling – He stated they only have until the end of the year to distribute the money to the applicants. He suggested giving out between $250,000 to $300,000 tonight. He stated that Council can always come back and vote to give out more money if needed.

Johnson – She stated under evaluation criteria, reasonable program costs, she would like the word "reasonable" to be defined. She asked about the timeline for when the money needed to be spent. She thought it was one year, but the document said two years.

Hodgson – She stated that the Cares Act money will have to be spent by December 30, 2020. The two-year timeframe came from a previous City program. She stated they will need to get clarification on whether the City, as the receiver of the 12.3 million, will have to spend the money by the end of the year or if the non-
profit only has until the end of the year. She said for the total amount from the County there are some rules in the Cares Act on how the money could be spent. The Leadership Team will be meeting to discuss the funds.

Able – He believed the biggest need for the money was for the families that did not know whether they would still have a roof over their head. He suggested that they do two rounds of issuing the money, $375,00 each, with a total of $750,000. He proposed the idea as an amendment.

Council member Gutwein – She believed the two-round approach would be a better fit for the business community. For this, she believed starting out with a larger amount would be beneficial because they have seen success with it before.

LaBure – He said he heard from the Treasury Department that some of the money could be used for the Police Department and First Responders. He asked Ms. Hodgson if she had any information on that.

Vincent – She said instead of stating what the money could or could not be used for, perhaps it should state that only a certain percentage could be used for “blank”. She agreed with $500,000 upfront and $250,000 in the second round.

Bieda – He suggested having a mini-budget committee to review the Cares Act Fund to determine where it should go.

Council member Franks – She was in support of the $250,000 with a review at a date certain for a second round.

Mayor Paul – He supported the two rounds and a larger amount as suggested.

Able – He offered an amendment that the total amount be $750,000 with $375,000 tonight and $370,000 given in a second round, date to be determined. It was seconded.

Skilling – He stated he was not in support of the amendment but suggested going with the $375,000 tonight and a second round with an undetermined amount specified. This would allow Council to look at the data points and analyze the need.

Able – He stated he would accept Council member Skilling’s comment as a friendly amendment. It was seconded.

Mayor Paul – He stated the motion was to go with $375,000 tonight and have a second round at a later date.
Vote on amendment:

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The motion passed.

**Skilling** – He believed that they need to have in the ordinance that the Cares Act money will be the source of the funding.

**Tim Cox, City Attorney** – He stated they will need to change Section 2 of the ordinance, including the funding amount and reference that there will be a second round added. They could add a reference there that the funds will come or can come from the Cares Act if the Council chooses to do so.

**Skilling** – He made a motion to amend Section 2 of the ordinance to read in accordance with Section 12.8 of the Lakewood Home Rule Charter there is hereby appropriated $375,000 for the purpose of COVID-19 impact grant program there will also be a second round of appropriation prior to December 31, 2020. All appropriations will be funded by Lakewood’s share of the Cares Act. Exhibit to this ordinance will be amended as follows but sticks under eligibility criteria, shall read must be able to spend funds within the requirements of the Cares Act. It was seconded.

Vote on second amendment:

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The motion passed.

Council member Skilling made a motion to adopt Ordinance O-2020-15, as amended. It was seconded.
Vote on Ordinance O-2020-15, as amended:

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The motion passed.

**ITEM 13 – GENERAL BUSINESS**

**ITEM 7 – ORDINANCE O-2020-16 –** CREATING THE COVID-19 BUSINESS RELIEF GRANT AND LOAN PROGRAM AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE CITY OF LAKEWOOD 2020 ANNUAL BUDGET IN AN AMOUNT NOT TO EXCEED ONE MILLION DOLLARS ($1,000,000) FROM THE ECONOMIC DEVELOPMENT FUND AND AUTHORIZING THE EXPENDITURE THEREOF AND, FURTHER, DECLARING AN EMERGENCY

Skilling – He stated he pulled this item because he had heard from other Council members that they wanted to see this go sooner. He would like it seen as an emergency so that when it was voted on it would go into effect immediately. He wanted to see it done before June 8, 2020. He would like to see this item on the June 1, 2020 agenda for a special meeting either before or after the study session meeting.

He made a motion to have a special meeting to hear the second reading of Item 7 on June 1, 2020, on an emergency basis. It was seconded.

Gutwein – She supported the motion.

Vote on motion:

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The motion passed.
ITEM 14 – MAYOR AND CITY COUNCIL REPORTS

Mayor Paul and City Council Members reported their attendance at previous meetings and events and announced upcoming neighborhood meetings and events.

ITEM 15 – ADJOURNMENT

There being no further business to come before City Council, Mayor Paul adjourned the meeting at 9:05 p.m.

Respectfully submitted,

______________________________
Michele Millard, City Clerk
STAFF MEMO

DATE OF COUNCIL MEETING:  JUNE 8, 2020 / AGENDA ITEM NO. 7

To: Mayor and City Council

From: Daniel J. McCasky, Chief of Police, 303-987-7100

Subject: AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE 2020 CITY OF LAKEWOOD ANNUAL BUDGET IN THE AMOUNT OF $269,697 IN CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM FUNDS FROM THE BUREAU OF JUSTICE ASSISTANCE AND AUTHORIZING THE EXPENDITURE THEREOF

This ordinance was approved on 1st Reading by a vote of 10 ayes 0 nays.

SUMMARY STATEMENT: The Lakewood Police Department (“LPD”) is requesting City Council approval of a supplemental budget appropriation and authorization to expend Coronavirus Emergency Supplemental Funding (CESF) Program funding.

BACKGROUND INFORMATION: The United States Department of Justice, Bureau of Justice Assistance (BJA), Office of Justice Programs enacted the CESF Program to provide agencies with funding to help in preventing, preparing for, and responding to the coronavirus while providing law enforcement services. The funds from the CESF Program will help mitigate the impact of the COVID-19 pandemic. The BJA has determined that the City of Lakewood is eligible to receive $269,697 in funds to support LPD’s response to the pandemic. This will be awarded based on an approved application for the direct allocation portion of the program.

The CESF grant announcement states specific permissible use of funds. To adhere to these guidelines, staff proposes the following estimates of expenses for each area. This list of expenditures is for the purpose of example and is not intended to be fully inclusive:

- **Police Agent Overtime Cost ($97,824)** – The police department proposes to use these funds in several projects to include police agents who will work overtime hours designated for taking phone reports to reduce personal contact with citizens and for covering hours missed by agents who were quarantined and in self-isolation. The coronavirus pandemic has impacted the police academy recruit training schedule. Due to social distance requirements, additional instructors are needed for added days of training of police recruits at the Combined Regional Academy. The overtime hours and modified training schedules allows the academy to continue to operate and comply with social distancing.
• **Specialized Equipment and Citizen Reporting Software ($171,873)** – This equipment, if approved for purchase, will help support social distancing requirements while maintaining operational efficiency and effectiveness. Communication equipment will be purchased to help ensure the proper and timely notification of the public by providing directed messaging about virus prevention, virus response preparations and notifications for events such as testing sites, stay-at-home orders or any relevant city or state government announcements. Please see attached budget detail worksheet and program narrative for specific information.

**BUDGETARY IMPACTS:** This supplemental appropriation of $269,697 is intended to offset non-budgeted costs related to COVID-19.

**STAFF RECOMMENDATIONS:** Staff recommends utilizing this grant funding to offset overtime costs, and the purchase of specialized equipment and citizen reporting software. These are essential to allowing our police department to perform their law enforcement duties in a manner that complies with state, and local mandates concerning social distancing which contributes to the prevention, preparation for, and response to COVID-19 and recovery costs related to this pandemic.

**ALTERNATIVES:** Failure to approve the ordinance amending the 2020 Budget appropriations for the Grant Fund would result in the City losing $269,697. As a result, the 2020 Budget would need to absorb the additional costs of responding to the public health emergency with respect to COVID-19.

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

**NEXT STEPS:** Staff proposes the City Council adopt the ordinance amending the 2020 Budget appropriations for the Grant Fund.

**ATTACHMENTS:**
- Ordinance O-2020-18
- Budget Detail Worksheet
- Program Narrative

**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 CITY OF LAKEWOOD ANNUAL BUDGET IN THE AMOUNT OF $269,697 IN CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM FUNDS FROM THE BUREAU OF JUSTICE ASSISTANCE AND AUTHORIZING THE EXPENDITURE THEREOF

WHEREAS, Article XII, Section 8 of the City Charter allows 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, the Lakewood Police Department (“LPD”) has incurred, and will continue to incur numerous expenses in response to the Coronavirus pandemic;

WHEREAS, the United States Department of Justice, Bureau of Justice Assistance (“BJA”), Office of Justice Programs enacted the Coronavirus Emergency Supplemental Funding (“CESF”) Program to provide law enforcement agencies with funding to help in preventing, preparing for, and responding to the Coronavirus pandemic while providing law enforcement services;

WHEREAS, the BJA has determined that LPD is eligible to receive $269,697 in CESF Program funds to support its response to the Coronavirus pandemic;

WHEREAS, the purchasing policies set forth in Chapter 3.04.090 of the City of Lakewood Municipal Code require the City Council’s approval of any unbudgeted purchase, and any purchase with a change in funding source, in excess of $50,000;

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 Lakewood Home Rule Charter, there is hereby appropriated to the Grant Fund $269,697 in CESF Program funds for the purpose of supporting LPD’s work in responding to the Coronavirus outbreak.

SECTION 2. In accordance with Lakewood Municipal Code section 30.04.090, the City Council hereby approves the unbudgeted expenditure of not more than $269,697 for all purchases and programs related to LPD’s Coronavirus response, as authorized by
the City Manager, in accordance with the CESF Program’s grant announcement, which identifies the specific permissible uses of and guidance for expenditure of the CESF Program funds, and without returning to City Council for further authorization.

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 8th day of June, 2020; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 11th day of June, 2020; set for public hearing to be held on the 22nd day of June, 2020; read, finally passed and adopted by the City Council on the _____ day of June, 2020; and signed by the Mayor on the _____ day of June, 2020.

________________________________________
Adam Paul, Mayor

ATTEST:

________________________________________
Michele Millard, City Clerk

APPROVED AS TO FORM:

________________________________________
Timothy P. Cox, City Attorney
BUDGET DETAIL WORKSHEET
Lakewood Police Department
BJA FY 2020 Coronavirus Emergency Supplemental Funding
Title of Project: Coronavirus Prevention, Preparedness, and Response Needs

All items, unless specifically noted for sole sourcing, will be procured through the open-competitive bidding process, following Standard City and County purchasing procurement and hiring guidelines. Equipment costs will be bid from American companies and/or products.

PERSONNEL SALARY
Personnel/Salary: Overtime to backfill positions and cover for coworkers who are quarantined and in self-isolation. Also overtime hours needed to cover added training days for police recruits at the Combined Police Academy.

1262 hours x $68.24 per hour $86,119.00

PERSONNEL FRINGE BENEFITS
Medicare Benefits $11,705.00

EQUIPMENT
Mavic Dual Drone and accessories 2 X $5,500 $11,000.00
Matrice Drone $35,000 each $35,000.00
Flight Streaming hardware and software
   iPads 2 x $401.49 $804.00
   Data plan for 1 year $1,004.00
Traffic Signs - 2 X $16,649 $33,298.00
Wanco Signs – 2 X $13,736 $27,472.00
Traffic Sign Drawbar Jack with Wheel 2 X $150 $300.00
Electronic Kiosk for Sex Offender Registration $13,000.00
Cop Logic Online Reporting System $49,999.00

SUMMARY

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<td>D. Equipment</td>
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<td>E. Supplies</td>
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<td>F. Construction</td>
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<td>G. Contractor/Consultants</td>
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<td>H. Other</td>
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<td>I. Indirect Costs</td>
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<td>TOTAL</td>
<td>$269,697.00</td>
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PROGRAM NARRATIVE
BJA FY 2020 Coronavirus Emergency Supplemental Funding
Lakewood Police Department
Title of Project: Coronavirus Prevention, Preparedness, and Response Needs

LAKewood POLIce DEPARTMENT

Personnel Overtime -- Patrol

Police agents will work overtime hours designated for taking phone reports to reduce personal contact with citizens. Overtime funds will also be used for covering hours missed by agents who were quarantined and in self-isolation.

Personnel Overtime – Training for Recruits

The coronavirus pandemic has impacted the police academy recruit training schedule. Due to social distance requirements, additional instructors are needed for added days of training of police recruits at the Combined Regional Academy. The overtime hours and modified training schedules allows the academy to comply with social distancing.

Specialized Equipment – To help promote social distancing

Our police department must comply with social distancing requirements while maintaining operational efficiency and effectiveness. Purchasing the following specialized equipment will support our efforts.

Observation equipment - Three drones and accessories will be purchased to allow for observation: Two Mavic Dual Drones will allow for distant observation on an active scene and reduce the need for agents to have personal contact with citizens. One Matrice Drone will provide long term observation over greater distances with greater detail. This equipment reduces the need for agents to physically deploy in an area. Furthermore, use of this technology will minimize the time spent in an area having assessed the situation remotely and planned a response. Drone flight streaming hardware and software will be purchased to allow the emergency operations center (EOC), command post and individuals in the field to view drone footage from a distance. This streaming technology
will also be used to alert citizens of warnings, advisories and any messages or mandates relating to COVID-19.

Communication equipment – The City of Lakewood is focused on our role in assisting the State of Colorado and supporting our residents with coronavirus prevention, preparation, and response efforts. As on-going challenge for any municipality is messaging and ensuring the proper and timely notification of our residents. Therefore, we are asking for assistance in acquiring multiple digital variable messaging signs (VMS) for that purpose.

The City of Lakewood borders the City of Denver and with a population nearing 160,000 residents, is the largest city within Jefferson County. Our population is one of the oldest in the region, with approximately one quarter of our residents over the age of 60. But nearly the same portion of our residents is school aged, at 19 years-old or younger. This diversity in population often means balancing a variety of resident needs with our messaging. Local television, print media, social media and digital magazines are just a few of the methods used to communicate with our residents. The City is continuing to experience the effects of state-wide population growth and with the transient nature of many who live on the front range of Colorado, we are sometimes challenged with connecting with residents who frequently are moving. One way we utilize effective and timely communication is through VMS signs.

The City of Lakewood has 1,350 roadway miles within its 44 square mile border and the Lakewood Police Department currently has only two VMS signs to deploy on our roadways. Included in these roadways are multiple major highways within the Denver Metropolitan Area, including Interstate-70, HWY W 6th Ave, HWY 285 and C470. Many commuters utilize these roadways when going to or from work and VMS signs in high traffic areas allows us to notify many in the community quickly, in ways that that other mediums do not.

The Lakewood Police Department is often tasked with utilizing the VMS boards for providing messaging for many city non-public safety related activities and functions. With the unprecedented actions our country has taken to respond to the COVID-19 pandemic, it is important we are able to respond to our residents at a local level. Often, this means providing directed messaging about virus prevention, virus response preparations and notifications for events such as testing sites, stay-at-home orders or any relevant city or state government announcements. Further, the ability to provide factual, concise information from the City of Lakewood helps with providing consistent messaging when government sources are often competing with traditional news and social media to notify and educate the community with accurate information.
For the listed reasons, we request funding for four VMS signs, which would supplement our messaging efforts on the west side of the Denver metropolitan area. We are in an unprecedented time and need the tools to ensure our local government can support, educate and notify our citizens in a timely manner. When not used for COVID related messaging, we can update drivers with information about accidents, emergencies, traffic incidents and education.

Electronic Kiosk for Sex Offender Registration- Sex offender registration is currently a manual process that requires face to face interaction to complete. Due to social distance requirements, sex offenders who report to the Lakewood Police Department for required visits and registration can use an electronic kiosk reducing the need for employee contact. Currently there are 566 sex offenders who are required to register monthly, quarterly, or annually depending on their conviction and/or whether they are registering as transient/homeless. Having an electronic kiosk for sex offender registration would significantly help to promote social distancing and eliminate the current process of police agents engaging in face to face interaction with sex offenders.

Cop Logic Citizen Reporting Software System – The use of this system will help to promote efficient police agent deployment and workflow efficiencies during the pandemic while adhering to social distancing mandates. Citizens will have the ability to report various incidents and crashes online rather than coming into the Lakewood Police Department station. Examples of incident reporting would include lost/stolen tags, lost property, found property, theft, theft from auto, stolen auto, damage to property, destruction of property. Currently, police agents and/or other police department personnel conduct one-to-one interactions with citizens reporting these incidents.

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary declared a public emergency for the novel coronavirus (COVID-19) beginning on January 27, 2020; and

WHEREAS, on March 10, 2020, Colorado Governor Jared Polis declared a State of Disaster Emergency as the number of identified COVID-19 cases in Colorado increased, and announced numerous emergency measures to protect public health and safety; and

WHEREAS, the Jefferson County Department of Public Health has informed the City of Lakewood that the number of confirmed cases of COVID-19 in Jefferson County continues to increase; and

WHEREAS, the cost and magnitude of responding to and recovery from the impact of the COVID-19 Pandemic may be far in excess of the City’s available resources; and

WHEREAS, declaration of a local disaster emergency will assist and permit access to local emergency funds and Federal and State assistance, and will allow adjustments to policies, procedures, and ordinances to ensure the public’s health and welfare; and

WHEREAS, it is appropriate and in the interests of the public health and safety of the City and its residents to rapidly address community spread of COVID-19 and subsequent cascading impacts, such as economic distress, and to further protect the health and safety of the public by declaring a state of disaster in the City of Lakewood; and

WHEREAS, the situation is sufficiently serious that it has become necessary for the City Manager to declare a state of disaster within the City of Lakewood pursuant to Chapter 1.27 of the Lakewood Municipal Code, and to exercise the City Manager’s emergency powers set forth therein; and

WHEREAS, I have reviewed the situation, consulted with City of Lakewood Department Directors and the Jefferson County Director of Public Health, and verified the existence of the state of disaster cited below, and the necessity for me to take immediate, extraordinary action as outlined in this Proclamation.

NOW, THEREFORE, I, KATHLEEN E. HODGSON, AS CITY MANAGER OF THE CITY OF LAKEWOOD, COLORADO, DO PROCLAIM AND ORDER AS FOLLOWS:
SECTION 1. DECLARATION OF STATE OF DISASTER

A. Based on my review of the present circumstances and my consultations with City of Lakewood Department Directors, the Jefferson County Director of Public Health and the Director of the Colorado Department of Public Health and Environment, I have determined that a state of disaster exists requiring and authorizing me to exercise any or all of the emergency powers vested in me as City Manager by Lakewood Municipal Code Chapter 1.27 as described in this Proclamation. The issuance and execution of this Proclamation declaring a state of disaster shall automatically empower me as the City Manager to exercise any and all of the disaster and emergency powers and shall activate all relevant portions of the Emergency Plan and Management System. Nothing in this Proclamation shall be construed to limit or reduce the authority or powers available to the City Manager pursuant to Chapter 1.27, and all provisions of Chapter 1.27 shall remain in full force and effect regardless of whether those provisions are referenced herein.

B. I will be exercising the authority provided in Chapter 1.27 through the mechanisms identified therein, including through the promulgation of such regulations as I deem necessary to protect life and property and preserve critical resources, through the issuance of emergency orders, proclamations and other enactments and through the use and direction of City personnel, services and equipment and such additional acts necessary for the management of the state of disaster.

C. Pursuant to Lakewood Municipal Code section 1.27.071, it is unlawful for any person to violate or to knowingly fail to obey any order or regulation made or issued pursuant to that Chapter. Penalties for violations of any order or regulation promulgated by the City Manager or for violations of any provision of Chapter 1.27 shall be as set forth in Section 1.27.120 of the Lakewood Municipal Code.

SECTION 2. DISTRIBUTION OF DECLARATION OF STATE OF DISASTER

Once issued, this Proclamation shall be properly published and disseminated to the public and filed with the City Clerk and the City Council. A copy of this Proclamation shall be forwarded to the Colorado Division of Emergency Management and the Department of Local Affairs.

SECTION 3. DURATION OF DECLARATION OF STATE OF DISASTER.

Pursuant to LMC Section 1.27.060(D), the state of disaster declared by this Proclamation shall remain in effect until the City Manager declares by Proclamation that the threat of danger has passed or that the disaster conditions no longer exist, suggesting that the City Manager has the authority to declare a state of disaster of indefinite duration. However, Section 1.27.060(D) further provides that a declaration of a state of disaster cannot extend beyond seven days, unless a majority of the City Council approves a longer duration. Inasmuch as the COVID-19 disaster will obviously extend well beyond seven days, the City Manager intends to ask the City Council to vote, at its next meeting, to declare the state of disaster to continue indefinitely. In making the ultimate determination as to whether the danger has passed or the disaster conditions no longer exist, the City Manager may consider such factors as whether the state of Colorado's declaration of disaster has been terminated.

SIGNED THIS 17th DAY OF March

BY:

Kathleen E. Hodgson
Kathleen E. Hodgson, City Manager
City of Lakewood, Colorado

ATTEST:

Michele Millard, City Clerk
City of Lakewood, Colorado