

**AGENDA  
REGULAR MEETING OF THE CITY COUNCIL  
CITY OF LAKEWOOD, COLORADO  
VIRTUAL MEETING  
JULY 26, 2021  
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/>

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Please click the link below to join the webinar:

<https://lakewood.zoom.us/j/92452943958>

Or Telephone:

US: **1-253-215-8782**

Webinar ID: **924 5294 3958**

**(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.**

**Press \*6 to Unmute**

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**ITEM 1 - CALL TO ORDER**

**ITEM 2 - ROLL CALL**

**ITEM 3 - PLEDGE OF ALLEGIANCE**

**ITEM 4 - PUBLIC COMMENT**

Anyone who would like to address the Council on any matter other than an agenda item will be given the opportunity. Speakers should limit their comments to three minutes.

**ITEM 5 - EXECUTIVE REPORT**

CITY MANAGER

**CONSENT AGENDA  
ORDINANCES ON FIRST READING**

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

**ITEM 6 – RESOLUTION 2021-36** - NAMING THE OPEN SPACE PARK LOCATED AT 2350 SOUTH WADSWORTH BOULEVARD PEAK VIEW PARK

**ITEM 7 – RESOLUTION 2021-37** - ADOPTING UPDATES TO THE CITY COUNCIL POLICIES AND PROCEDURES MANUAL

**ITEM 8 – ORDINANCE O-2021-21** - REPEALING EMERGENCY ORDINANCE 2020-11, ESTABLISHING RULES AND PROCEDURES FOR CALLING AND HOLDING EMERGENCY CITY COUNCIL MEETINGS AND, FURTHER, DECLARING AN EMERGENCY

**ITEM 9 – ORDINANCE O-2021-22** AMENDING TITLE 2, CHAPTER 2.02, OF THE MUNICIPAL CODE OF THE CITY OF LAKEWOOD, COLORADO, IN CONNECTION WITH THE ADOPTION OF RULES AND PROCEDURES FOR CALLING AND HOLDING EMERGENCY CITY COUNCIL MEETINGS

**ITEM 10 – ORDINANCE 2021-19** - RATIFYING THE CODIFICATION OF DESIGN REVIEW COMMISSION PROVISIONS IN CHAPTER 2.58 OF THE LAKEWOOD MUNICIPAL CODE AND AMENDING CERTAIN PROVISIONS THEREOF

**ITEM 11 – ACCEPTING MINUTES OF THE BOARDS AND COMMISSIONS**

LAC Executive Committee Meeting      June 3, 2021

**END OF CONSENT AGENDA**

**ORDINANCES ON SECOND READING AND PUBLIC HEARINGS**

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**ITEM 12 – ORDINANCE O-2021-20** – AMENDING TITLE 2, CHAPTER 2.56, OF THE MUNICIPAL CODE OF THE CITY OF LAKEWOOD, COLORADO, IN CONNECTION WITH THE PERMANENT ESTABLISHMENT OF A FOURTH SUBCOMMITTEE TO THE LAKEWOOD ADVISORY COMMISSION CONCERNING DIVERSITY AND OTHER GENERAL AMENDMENTS

**ITEM 13 - MOTION TO EXTEND EMERGENCY DECLARATION** - TO AUGUST 9, 2021

**ITEM 14 – GENERAL BUSINESS**

**ITEM 15 – MAYOR AND CITY COUNCIL REPORTS**

- A. COUNCIL MEMBERS BY WARD
- B. MAYOR

**ITEM 16 – ADJOURNMENT**

DATE FILED: June 14, 2021 9:55 PM  
FILING ID: 6E992284ADB3B  
CASE NUMBER: 2021CV30629

<p>DISTRICT COURT, JEFFERSON COUNTY, COLORADO Court Address: 100 Jefferson County Parkway Golden, Colorado 80401</p>	
<p><b>PLAINTIFF:</b> COLORADO CHRISTIAN UNIVERSITY, a Colorado nonprofit corporation,</p> <p>v.</p> <p><b>DEFENDANT:</b> THE CITY OF LAKEWOOD, a municipal corporation, State of Colorado.</p>	
<p><i>Attorneys for Plaintiff:</i> Thomas N. Scheffel, #7869 Jonathan R. Slie, #41570 Thomas N. Scheffel &amp; Associates, P.C. 3801 E. Florida Ave., Suite 600 Denver, CO 80210 Phone: (303) 759-5937 Fax Number: (303) 759-9726 Email: tscheffel@tnslaw.com; jslie@tnslaw.com</p>	<p style="text-align: center;"><b>▲ COURT USE ONLY ▲</b></p> <p>Case No.: 2021CV030629</p> <p>Division: 8</p>
<p style="text-align: center;"><b>MEMORANDUM OF LAW IN SUPPORT OF UNOPPOSED FORTHWITH MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION</b></p>	

Pursuant to Colo. R. Civ. P. 65(a) and (b), Colorado Christian University (“CCU”), respectfully submits this Memorandum of Law in Support of its Unopposed Forthwith Motion for Temporary Restraining Order and Preliminary Injunction.

**INTRODUCTION & STANDARD OF REVIEW**

Plaintiff is in imminent risk of having the City of Lakewood’s Ordinance 2020-10 (“Ordinance 2020-10” or “Ordinance 0-2020-10”) enforced against it, in violation of its Constitutional guarantees of equal protection and substantive due process. Furthermore, the City

of Lakewood's Ordinance 2020-10 is not legally valid on its face, for reasons explained below.

A trial court has broad discretion to formulate the terms of injunctive relief when equity so requires. *Colo. Springs Bd. of Realtors v. State*, 780 P.2d 494 (Colo. 1989). C.R.C.P. 65. Before a trial court may enjoin the enforcement of a criminal statute in a preliminary injunction proceeding, the moving party must establish, as a threshold requirement, a clear showing that injunctive relief is necessary to protect existing legitimate property rights or fundamental constitutional rights. *Rathke v. MacFarlane*, 648 P.2d 648 (Colo. 1982).

### **FACTS & ARGUMENT**

CCU is entitled to a temporary restraining order and preliminary injunction because: (A) it has a reasonable probability of success on the merits; (B) there exists the danger of real, immediate and irreparable injury, which may be prevented by the injunctive relief sought; (C) there is no plain, speedy and adequate remedy at law; (D) the balance of equities favors an injunction; (E) the granting of a preliminary injunction will not disserve the public interest; and (F) the preliminary injunction will preserve the status quo pending a full trial on the merits. *Id* at 653-54. An ex parte temporary restraining order is appropriate when efforts have been made to notify the defendants, and immediate and irreparable injury, loss, or damage will result before the defendants can be heard in opposition. C.R.C.P. 65(b).

This Motion involves ten separate, but somewhat intertwined, causes of action, which parallel the first ten claims in Plaintiff's Complaint and will further the public interest by declaring a zoning ordinance 2020-10, for any one or more of the following reasons, is

unenforceable: (1) as it violates equal protection guarantees under the Fourteenth Amendment to the United States Constitution; (2) it violates substantive due process of Article II, Section 25, of the Constitution of the State of Colorado; (3) it violates substantive due process of the Fourteenth Amendment to the United States Constitution; (4) is prohibited special legislation under Article V, Section 25, of the Constitution of the State of Colorado; (5) is in violation of the Local Government Land Use Control Enabling Act of 1974; (6) violates the Uniform District requirement of C.R.S. 31-23-302; (7) is unenforceable against Plaintiff for failure to adhere to prescribed matters of C.R.S. 31-23-301; (8) is prohibited retrospective legislation pursuant to Article II, Section 11, of the Constitution of the State of Colorado; (9) is Void-For-Vagueness; and (10) is in violation of the Equal Protection Guarantees of the Fourteenth Amendment of the Constitution of the United States against CCU as a Class of One.

For purposes of the issue of probability of success on the merits, the analysis for these reasons and the remainder of the Rathke test's subparts is essentially the same for all causes of action and will be discussed jointly. As set forth below, all the elements necessary for the issuance of a temporary restraining order and a preliminary injunction are satisfied in this case.

**A. CCU is Likely to Succeed on the Merits of its Claims.**

Although CCU need only demonstrate a "reasonable probability" of success on the merits, the likelihood is high that CCU will succeed at trial on all the causes of action underlying this Motion. *Id.* at 653-54.

The City of Lakewood ("Lakewood") has been overly aggressive in passing Ordinance

2020-10 as it goes well beyond the authority that Lakewood has to regulate zoning as prescribed in C.R.S. 31-23-301 and C.R.S. 31-23-302, as well as the Local Government Land Use Control Enabling Act of 1974 (the “1974 Act”).

Specifically, Lakewood may restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, the height and location of trees and other vegetation, and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes (See C.R.S. 31-23-301). Lakewood may also divide the municipality into districts of such number, shape, and area as may be deemed best suited to carry out the purposes of this part 3, and within such districts it may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land (See C.R.S. 31-23-302).

To the contrary, however, Lakewood may not promulgate land use ordinances through legislative actions based on “ownership”. Ownership is a matter addressed by the law through licenses, not land use ordinances and regulations. Ordinance 2020-10 is completely outside the areas that Lakewood may legally regulate through land use and zoning ordinances and regulations.

**B. CCU Will Suffer Irreparable Injury If the Preliminary Injunction Is Not Issued and for which No Adequate Remedy at Law Exists.**

Plaintiff need not be in defiance of Ordinance 0-2020-10, nor seek additional administrative remedies, prior to seeking a judicial determination of whether Ordinance 0-2020-10, as applied solely to Plaintiff among similarly situated landlords, is arbitrary and violates equal

protection. Here, Ordinance 2020-10 is at risk of being unconstitutionally applied, and CCU need not defy that regulation to obtain a judicial determination of its validity but may instead commence a suit under C.R.C.P. 57. An action for declaratory relief brought under these circumstances will not be barred because the time period prescribed by section 24-4-106(4) has elapsed since the agency regulation under attack became effective. See, Collopy v. Wildlife Com., Dep't of Natural Resources, 625 P.2d 994 (Colo. 1981).

In the event the Ordinance 2020-10 is enforced against CCU, CCU students would be displaced and may not be able to continue with their studies, resulting in the potential loss of tuition income and/or rental income to CCU and CCU's reputation in the eyes of its students would be harmed as well its ability to provide educational services would be impinged, including by diminishing the role and reputation of its professors, which CCU would have to continue to pay even if student enrollment were to decrease.

Second, a plaintiff suffers irreparable injury when the court would be unable to grant an effective monetary remedy after a full trial because such damages would be inadequate or difficult to ascertain. See, Gitlitz v. Bellock, 171 P.3d 1274, 1280 (Colo. Ct. App. 2007). Here, no monetary remedy can effectively compensate CCU for the harm it will suffer if Lakewood is allowed to undercut CCU's ability to provide housing to its students by interfering with CCU's ownership interests in the residential dwelling properties it owns east of its campus as stated in the Complaint and also CCU's property located at 220 S Teller Street in Lakewood, CO 80226, essentially usurping CCU's ability to enroll and educate students, and converting CCU residential dwelling properties to nonstudent rental units in violation of CCU's constitutional rights to equal protection

and substantive due process.

CCU cannot predict the number of students it could lose as a result of Lakewood's conduct in enforcing Ordinance 2020-10 but, more importantly, CCU cannot predict how many students would have continued to select CCU as the university where they would receive their education had Lakewood not targeted CCU residential dwelling properties for exclusive enforcement, and thereby wrongfully interfere with student housing and education. Accordingly, the true and full extent of possible damage to CCU as a result of Defendant's unlawful conduct is simply impossible to ascertain, and injunctive relief is not only appropriate, but imperative. Thus, because CCU has no adequate remedy at law and will suffer irreparable harm without court intervention, the Court should grant CCU's request for a temporary restraining order and preliminary injunction.

**C. A Balancing of Equities Favors Issuance of the Injunction Sought.**

The balance of equities in this case favors CCU and the issuance of an injunction. If CCU's requests for a temporary restraining order and preliminary injunction are denied, CCU will be unable to use its residential dwelling units in the same manner as all similarly situated landlords in Lakewood and will be the sole target of enforcement. Lakewood is specifically targeting CCU in this situation and there are no justifiable equitable grounds for such selective and targeted treatment.

**D. The Public Interest Will Not be Disserved by the Issuance of a Preliminary Injunction.**

Ordinance 0-2020-10 makes no specific mention of how it is substantially related to the

public health, safety, and welfare, other than reciting such language in boilerplate fashion. Instead, Ordinance 0-2020-10 represents an arbitrary and capricious attempt to harm CCU. The public benefits from institutions of higher education being in local communities throughout the nation, and thereby making citizens more informed and able to provide valuable insights and services to the public is priceless. The issuance of a preliminary injunction would allow the university's role of forging thoughtful citizens with sought after skills and knowledge to continue unimpeded. Furthermore, there is a public interest in upholding the rule of law and ensuring that all citizens and institutions are protected equally and not subjected to unfair procedural requirements. In this way, the issuance of a preliminary injunction will not disserve the public interest but will bolster it.

**E. Issuance of a Preliminary Injunction Will Preserve the Status Quo and Will Protect CCU's Constitutional Rights by Preserving CCU's Ability to Rent Its Residential Dwelling Properties Without Excessive and Improper Interference by Defendant.**

A preliminary injunction will maintain the status quo. Because all injunctions necessarily seek a court-ordered change in circumstances or conditions, the relevant status quo is that existing prior to the wrongful conduct. See, *American Television & Communications Corp. v. Manning*, 651 P.2d 440, 446 (Colo. Ct. App. 1982) (status quo element is satisfied where a plaintiff will continue to suffer injury if an injunction does not enter). The status quo is not maintained if irreparable harm will occur absent an injunction. *Id* The status quo is defined as the "last uncontested status between the parties which preceded the controversy." *Dominion Video Satellite, Inc. v. EchoStar Satellite Corp.*, 269 F.3d 1149 (10th Cir. 2001).

Here, CCU has a responsibility to its students and community, and it cannot simply cease

to provide student housing. Defendant is specifically targeting CCU with Ordinance 2020-10, not only solely targeting CCU for enforcement, but passing an Ordinance that only applies to CCU as a “class of one” in that, upon information and belief, there are no other known universities or colleges in Lakewood that own residential properties that they lease directly to their students. Furthermore, CCU’s residential dwelling units meet all the same criteria and regulations as those single-family homes and/or residential duplexes surrounding them. Ownership is not an authorized matter for land use and zoning regulations. The issuance of a preliminary injunction will allow the status quo to continue by allowing CCU to continue educating its students and to continue housing some of those students in properties it owns, without detrimental and wrongful interference through the enforcement of a zoning ordinance, Ordinance 2020-10, that would cause “ownership” to be a decisive factor in the otherwise legal use of CCU’s residential dwelling properties.

### **CONCLUSION**

For the foregoing reasons, CCU has established each of the elements required for issuance of a temporary restraining order to prevent the City of Lakewood from enforcing Ordinance 2020-10 against CCU. At this time, notice has been given to Defendant, and Plaintiff respectfully requests that the Court enter a temporary restraining order and advance this matter on the docket, provide Plaintiff with a speedy declaratory judgment hearing pursuant to C.R.C.P. 57 and/or set this case down for a hearing on CCU’s request for a preliminary injunction pursuant to C.R.C.P. 65(a) and (b).

Dated: June 14, 2021.

Respectfully,

**THOMAS N. SCHEFFEL & ASSOCIATES, P.C.**

By: /s/ Jonathan R. Slie  
Jonathan R. Slie, #41570  
Thomas N. Scheffel & Associates, P.C.  
3801 E. Florida Ave., Suite 600  
Denver, CO 80210  
Phone: (303) 759-5937  
*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing **MEMORANDUM OF LAW IN SUPPORT OF UNOPPOSED FORTHWITH MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION** by transmitting a true copy thereof via Colorado Courts E-Filing, to all counsel of record and/or via email this 14<sup>th</sup> day of June, 2021.

Served via Email to the following:

Alex Dorotik, Assistant City Attorney  
Lakewood City Attorney's Office  
480 S. Allison Parkway  
Lakewood, Colorado 80026  
adorotik@lakewood.org  
*Attorney for the Defendant*

/s/ Jonathan R. Slie

# STAFF MEMO

**DATE OF COUNCIL MEETING: JULY 26, 2021 / AGENDA ITEM NO. 6**

To: Mayor and City Council

From: Kit Newland, Director of Community Resources, 303-987-7822

Subject: **NAMING REQUEST FOR NEW PARK LOCATED AT 2350 WADSWORTH BLVD**

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**SUMMARY STATEMENT:** The Department of Community Resources (CR) is requesting City Council approval of a name for the new open space park acquired in 2018, located at 2350 South Wadsworth Boulevard. Following a public engagement effort, survey and quick poll, Lakewood residents voted the new name as Peak View Park, named for the views of Pike's Peak from the scenic ridge.

**BACKGROUND INFORMATION:** The City of Lakewood acquired approximately 60 acres of the former Taylor property to be forever preserved as open space. The property can be viewed from South Wadsworth Boulevard between Morrison Road and West Vassar Avenue. The acquisition of the property was completed with the help and generosity of Jefferson County Open Space.

The city launched a public engagement process in 2020 at [LakewoodTogether.org/Future-Park-At-Taylor](https://LakewoodTogether.org/Future-Park-At-Taylor) to determine the future look and feel for the park and gather input from residents on the perfect name that would meet the requirements of the Department of Community Resources Guidelines for Naming/Renaming of Parks, Recreational/Cultural Facilities, and Major Features. (attached)

**BUDGETARY IMPACTS:** Budgetary impacts because of the name designation are minimal and include installation of park signage on site as well as staff resources to update program materials, maps, the city website and any other location in which the park is identified.

**STAFF RECOMMENDATIONS:** Staff recommends approval of Peak View Park as an appropriate name for the open space park located at Wadsworth and Morrison Road, based on feedback from Lakewood residents.

**ALTERNATIVES:** Council may choose to reject the name request for Peak View Park, requiring a new public process to determine another suitable name for the open space park.

**PUBLIC OUTREACH:** A survey was posted on the project page [LakewoodTogether.org/Future-Park-At-Taylor](https://LakewoodTogether.org/Future-Park-At-Taylor), asking residents to submit a name for the park. As with any CR public engagement effort, the survey and project page were disseminated across all city channels including the city website, LakewoodTogether.org, CR e-newsletters, Looking@Lakewood, the Friday Report and social media channels. In addition, a postcard was sent to a 1,000 square foot radius of the perimeter of the park seeking feedback on the project page and survey from the neighborhood.

78 survey responses were received. (Survey Report attached) Following the survey, three "themes" emerged from survey responses. These themes resulted in the three Quick Poll options presented on the project page that included Unity Park, in honor of our veterans; Sun Mountain View Park, noting the historic significance of the site and views; and Peak View Park, for the views of Pikes Peak. The typical

channels were again utilized to disseminate the Quick Poll along with a notice sent to all project page subscribers asking them to vote. 78 votes were once again received, with Peak View Park receiving 47% of the votes.

**NEXT STEPS:** Should Council choose to approve the request; the Peak View Park name will become effective immediately. Community Resources staff will order new signage for the park when improvements are constructed, and update the city website, maps and other park materials as appropriate.

**ATTACHMENTS:** Resolution 2021-36  
Department of Community Resources Guidelines- Naming/Renaming of Parks,  
Recreational/Cultural Facilities, and Major Features  
Naming Survey Results  
Naming Quick Poll Results

**REVIEWED BY:** Kathleen E. Hodgson, City Manager  
Benjamin B. Goldstein, Deputy City Manager  
Alison McKinney Brown, City Attorney

2021-36

A RESOLUTION

NAMING THE OPEN SPACE PARK LOCATED AT 2350 SOUTH WADSWORTH  
BOULEVARD PEAK VIEW PARK

WHEREAS, the City of Lakewood is authorized pursuant to city policy to name or rename city parks, recreation/cultural facilities and major features; and

WHEREAS, the City of Lakewood has acquired 60 acres of real property located at 2350 South Wadsworth Boulevard for an open space park; and

WHEREAS, the City of Lakewood must designate a name for the new park in accordance with the City of Lakewood's guidelines regarding the naming and renaming of parks; and

WHEREAS, an extensive public engagement effort, survey and quick poll at [LakewoodTogether.org/Future-Park-At-Taylor](https://LakewoodTogether.org/Future-Park-At-Taylor) indicates Lakewood residents would like the park to be named Peak View Park; and

WHEREAS, in accordance with city policy, neighboring residents within a 1,000 square foot radius of the future park have been notified of the request for input on the new name and project page; and

WHEREAS, The Director of Community Resources finds Peak View Park meets the requirements of the Department of Community Resources Guidelines- Naming/Renaming of Parks, Recreational/Cultural Facilities, and Major Features; and

WHEREAS, a public hearing has been held on July 26, 2021; therefore, let it be RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The Park located at 2350 South Wadsworth Boulevard will be named Peak View Park.

SECTION 2. Effective Date. 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 July 26, 2021, at 7 o'clock p.m.

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Adam Paul, Mayor

ATTEST:

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Bruce Roome, City Clerk

APPROVED AS TO FORM:

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Alison McKenney Brown, City Attorney

## **Department of Community Resources**

### **Guidelines**

#### **Naming/Renaming of Parks, Recreational/Cultural Facilities, and Major Features**

This document was reviewed by the Advisory Commission for an Inclusive Community (ACIC). Recommendations made by the ACIC, as a result of their review, were presented to Lakewood City Council officers on Monday, March 28, 2011. Those recommendations were agreed upon by Lakewood City Council and incorporated into these guidelines.

#### **Introduction**

The naming or renaming of parks, recreational and cultural facilities or major features is a complex and sometimes emotionally evocative process since assigning a name is a powerful and permanent identity for a public place and/or facility. The naming or renaming of these facilities often requires significant resources in terms of changing names on signs, maps and literature. In addition, excessive and constant name changing can be the source of confusion to the public. This document is designed to provide guidance to those that have an interest in the naming and or renaming of the City's parks, recreation facilities and/or major features.

#### **Guiding Statement**

The City of Lakewood, Department of Community Resources, discourages the naming or renaming of parks, recreational/cultural facilities and major features. However, when requests are made for naming or renaming of parks, facilities or major features, the Department will only consider the request for circumstances that will best serve the interest of the City and ensure a worthy and enduring legacy for the City's park and recreation system.

To this end, the Department of Community Resources will consider naming requests within the following broad categories:

##### **Historic Events, People and Places**

The history of a major event, place or person may play an important role in the naming or renaming of a park as communities often wish to preserve and honor the history of a city, its founders, other historical figures, its heritage, local landmarks and prominent geographical locations, natural or geological features through the naming of parks.

##### **Outstanding Individuals**

The City has benefited, through its evolution, from the contributions made by many outstanding individuals. This category is designed to acknowledge the

sustained contribution that has been made by such individuals to the City and the development and management of the City's park and recreation system.

### **Major Gifts**

Over the years, the City of Lakewood and its Department of Community Resources have benefited from the generosity of some of its residents, businesses and foundations. On occasion, the significance of such donations may warrant consideration being given to a request for naming/renaming from either the donor or another party, or the Department itself as acknowledgement of such a gift. The naming/renaming of parks and recreation/cultural facilities are strongly discouraged. However, naming/renaming of major features will be considered and in support of the General Principles of this document.

### **Definitions**

**Naming:** the permanent name assigned by the City Council via a resolution to a given facility.

**Open Space/Parks:** all real property under stewardship of the Department of Community Resources.

**Buildings:** major structures that house Department programs such as community/recreation centers, cultural facilities and specialized facilities.

**Major Features:** major permanent components of parks and recreational facilities such as swimming pools, pavilions, tennis courts, sports fields, playgrounds, water features as well as rooms and galleries located within buildings which fall under the stewardship of the Department of Community Resources.

**Donations:** a donation of property, goods or cash generally with no expectation of return. If the gift is contingent upon a special request, it is made subject to "condition".

### **Guiding Principles**

#### **General Principles**

In considering proposals for the naming or renaming of a park and/or recreational/cultural facility, the following general principles will be taken into account either collectively or individually.

When naming a new park and/or a recreational facility, the proposed name will:

- Engender a strong positive image.
- Be appropriate having regard to the park's/recreational/cultural facility's location and/or history.
- Have historical, cultural or social significance for future generations.

- Commemorate places, people or events that are of continued importance to the City.
- Have symbolic value that transcends its ordinary meaning or use and enhances the character and identity of the park and/or recreational facility.
- Have public support.
- Shall not result in the undue commercialization of the park and/or recreational facility if it accompanies a corporate gift.

***Renaming a park and/or a recreational facility***

Proposals to rename parks and/or facilities whether for a major gift or community request are not encouraged. Likewise, names that have become widely accepted by the community will not be abandoned unless there are compelling reasons and public sentiment from the broader community for doing so. In all cases where renaming is proposed for a facility, public meetings will be held to gather comments and inform the community. Historical or commonly used place names will be preserved wherever possible.

***Naming/renaming parks, facilities or major features for Outstanding Individuals***

Naming or renaming a park and/or facility for an outstanding individual will only be considered for those who have been deceased for at least seven years and where that person's significance and good reputation have been accepted in the City's history. Advocates will bear some portion of the costs associated with the naming or renaming request, and will be determined on a case by case basis and specific to the site in question.

In considering the naming/renaming of a park and/or facility after a deceased person, priority will be given to those who made a sustained and lasting contribution to:

- Lakewood's parks and recreation system
- The City of Lakewood

***Naming/renaming for Historic Events, People and Places***

When a park or facility is associated with or located near events, people and places of historic, cultural or social significance, consideration will be given to naming that park or facility after such events, people and places. In considering such proposals, the relationship of the event, person or place to the park and/or facility must be demonstrated through research and documentation.

***Naming/renaming for major donations***

From time to time, a significant donation may be made to the City that will add considerable value to the park and recreation system.

As a guideline, the threshold for considering the naming of a park and/or facility will include one or more of the following:

- Land for the majority of the park deeded to the City.
- Contribution of a substantial amount towards the capital construction costs associated with developing the park/facility or major feature.
- Provision of an endowment for the continued maintenance and/or programming of the park/facility/major feature.

Donors seeking naming rights for major donations with respect to an individual will be encouraged to follow the principles that apply to naming a park for an outstanding person. Exceptions to this will be considered on their own merits. The Department of Community Resources reserves the right to rename any park and/or facility if the person or entity for whom it is named turns out to be disreputable or subsequently acts in a disreputable way.

#### ***Purchasing Naming Rights by a Corporate or Business Entity***

Consistent with the Department's ongoing resource development efforts, the naming of parks, facilities or major features with a company name may be considered. City of Lakewood and the Department of Community Resources discourages the naming of "parks" or "facilities" for a Corporate or Business Entity. Naming and/or renaming of a major feature may be considered as a result of a major gift and compliant with the General Principles set forth in this document. Further, the Department of Community Resources, in the event of a naming/renaming, will address corporate logos, insignias or brands that may be requested based on compliance with the City of Lakewood's sign code and in a way that does not over commercialize the site. As a guideline but not a limitation, naming rights are subject to the principles outlined under the **Major Donations** and **General Principles** section of this document and within the Department's Partnership Policy.

#### ***Other considerations***

To minimize confusion, parks will not be subdivided for the purpose of naming unless there are readily identifiable physical divisions such as roads or waterways. However, naming of specific major recreational facilities within parks will be permitted under these circumstances; such names should be different from the park name to avoid confusion.

All signs that indicate the name of a park and/or facility shall comply with the City's graphic and design standards. Specialized naming signage may be considered by the approval of the Director of Community Resources.

#### ***Naming text***

As the Department of Community Resources operates a large and diverse park system, it is important that the naming text, when deemed appropriate, assist in communicating the type of development and use. Should the name of the initial corporation or business

change, additional funds will be required to rename the site or feature. The following terms will be applied as part of the naming process:

- **“Park”** applies to all parks that have been or will be developed primarily for recreational purposes. Such parks usually involve a high degree of landscape and/or recreational facility development.
- **“Greenbelt/Nature/Open Space”** applies to all parks where the primary purpose is the conservation of the natural environment. Such parks generally will have little to no development.
- **“Major Facilities and Features”** may be identified as to their intended purpose e.g. recreation center, swimming pool, baseball field, picnic pavilion, inline hockey rink, etc.

### **Procedures and Guidelines**

These procedures and guidelines have been established to ensure that the naming or renaming of parks and/or facilities is approached in a consistent manner.

#### ***Requests for naming/renaming of parks and/or facilities***

All requests shall be made in writing to the Director of the Department of Community Resources.

Requests should contain the following minimum information:

- The proposed name
- Reasons for the proposed name
- Written documentation indicating community support for the proposed name
- Description/map showing location and boundaries of the park
- If proposing to name a facility within a park, include a description/map showing the location of the facility
- If proposing to rename a park or facility, include justification for changing an established name
- If proposing to name a park or facility after an outstanding person, include documentation of that person’s significance and good reputation in the City’s history

#### ***Assessing and approving naming/renaming requests***

Upon receipt of a naming request the following shall take place:

- The request will be reviewed for its adherence to the policies of the Department of Community Resources.
- Ensure that supporting information has been authenticated, particularly when an individual’s name is proposed.

- Should the findings be determined by the Department to have merit, subsequent action required will be identified by the Director of the Department of Community Resources, which includes informing neighboring residents in close proximity to the specific site.
- Once neighborhood residents have been informed of the request for a naming or renaming change, additional actions may be taken including review by the Parks, Trails and Open Space sub-committee; the formation of an additional review committee as may be appropriate; public meetings to inform and secure comments and other means that may be determined based on the proposed naming/renaming of a site.

***Communicating naming/renaming decisions***

The Director of the Department of Community Resources or their designee will be responsible for communicating the final decision within two weeks of such decision. Recommendations to name or rename a “park” or “facility” will be reviewed by City Council who will make the final decision and direction for the naming or renaming of a site.

Ω

# Name the Future Park at Taylor

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## **SURVEY RESPONSE REPORT**

14 February 2017 - 25 May 2021

### **PROJECT NAME:**

Taylor Property Park Development



SURVEY QUESTIONS

**Q1 | What should we name the new park at the Taylor property and why?**

AmbThill

3/16/2021 05:12 PM

Test

JD1229

3/19/2021 03:01 PM

Lakewood Off-Leash Dog Park! (for obvious reasons)

Elizabee

3/19/2021 03:37 PM

SunsetView park. Because though can look west and see the sunset views

Tara Fowler

3/19/2021 05:21 PM

"Taylor Estates" to honor the legacy and history of the property

CW

3/19/2021 07:09 PM

Taylor Park - In honor of the Taylors

skmclure

3/19/2021 07:50 PM

The Gathering at Taylor Estate - acquisition was a community effort. We should all gather and wnj0

Tee Kay

3/19/2021 09:35 PM

Thundercloud Park. Why? B/c the mountains always showcase a changing view of cloud formations.

Molly

3/19/2021 10:30 PM

Moose Mountain Park

Mtraok

3/20/2021 03:11 AM

Moose park. Mr. Taylor's nick name was 'Moose' and I think it would be a fitting tribute to him.

Jphur

3/20/2021 08:21 AM

Parky McParkface

usersuz

3/20/2021 08:31 AM

You named it: Possibility Park

Jvrockfn

3/20/2021 11:16 AM

Unity Ridge

Mamarose1

3/20/2021 11:54 AM

Taylor Park

<b>DotU</b> 3/20/2021 01:06 PM	Enchantment Park. The word "enchantment" suggests charm and magic and perfectly describes the land.
<b>Doug Whitten</b> 3/20/2021 02:29 PM	Adam Paul Park - Mayor Paul has worked tirelessly for the City of Lakewood and was instrumental,
<b>Summer</b> 3/20/2021 02:34 PM	Taylor Family Park
<b>DMK</b> 3/20/2021 03:35 PM	Taylor Estate Park
<b>cguy</b> 3/20/2021 07:01 PM	Taylor Park
<b>DKJ</b> 3/21/2021 12:19 AM	Taylor Open Space
<b>BritGrl</b> 3/21/2021 01:07 PM	Rolling Hills - a lot of the area consists of gentle rolling hills.
<b>Carlene7227</b> 3/21/2021 02:12 PM	Serenity! It seems to have a peaceful serene or tranquil and relaxing view of the mountains.
<b>Albergn</b> 3/21/2021 02:30 PM	Taylor Park— they donated the land
<b>pat O</b> 3/21/2021 02:40 PM	Don't
<b>JeffO</b> 3/21/2021 03:45 PM	Taylor Historic Park
<b>Lovesdogs</b> 3/21/2021 05:22 PM	Unity Park
<b>nat80227</b> 3/21/2021 08:15 PM	Moose Meadows Park - honor of owner. Tango Echo Park - for Taylor Estate - both owner were aviators
<b>christy</b> 3/22/2021 09:22 AM	Taylor Park

<b>weezasnow</b> 3/22/2021 12:17 PM	"Sun Mountain View Park" view of pikes peak and the ute tribe people of sun mountain Tabeguache
<b>BQ</b> 3/22/2021 02:30 PM	Historic Taylor Park.
<b>geokty</b> 3/22/2021 07:33 PM	Taylor Ridge Open Space—The Taylor's should have recognition. It's along a ridge, not flat.
<b>MHA</b> 3/22/2021 08:12 PM	Taylor Park
<b>Waterlily</b> 3/22/2021 09:49 PM	Freedom Park
<b>corpet</b> 3/23/2021 10:53 AM	Veterans Park
<b>aprilvaldezvilla</b> 3/23/2021 11:05 AM	Ruben Valdez Park; after the first Hispanic Speaker of the House in CO; longtime Lakewood resident
<b>Buffster</b> 3/23/2021 11:08 AM	Vista Trail because of the panoramic views and trails to observe nature and wildlife.
<b>terhal</b> 3/23/2021 11:16 AM	James Jeffery Davies Park
<b>Pete_Roybal</b> 3/23/2021 11:37 AM	Lakewood Veterans Park To show our love and respect to all our veterans in the Lakewood area
<b>gardow</b> 3/23/2021 11:39 AM	Lakeridge Park. This is the name of the road and neighborhood adjacent to the park
<b>roswil</b> 3/23/2021 12:17 PM	Peakview Park
<b>EliGil</b> 3/23/2021 12:26 PM	Carpenter Park as a dedication to the decades of service Steve Carpenter has devoted to the park's
<b>Dustin DelVecchio</b> 3/23/2021 08:59 PM	Red Tail Ridge

Johanna Melo

3/23/2021 09:26 PM

South Emerald Park

Jakedoty08

3/24/2021 08:10 AM

Molly Brown Park

tstocker

3/24/2021 11:58 AM

Fred 'n' Faye Taylor Park. Fred and Faye Taylor were Lakewood residents/local TV personalities.

lillyjj23

3/24/2021 12:27 PM

Esperanza Park because Epseranza means hope and we could all use a little more of that right now!

Anna

3/24/2021 01:27 PM

Taylor Ridge Park

Allinarow

3/24/2021 04:51 PM

Great Grassland Park, A reminder that the great plains is part of Colorado too.

Danielle Jones

3/24/2021 07:10 PM

Vernon Openspace- it was a generational name of the original estate owners.

MarkDennis

3/24/2021 08:07 PM

Old Ditch Open Space... pretty self explanatory

GMH

3/24/2021 08:56 PM

Peak View - The Taylor property would have a view of Pikes Peak to the south and mountains to west

Theresa R

3/26/2021 05:35 PM

Morrison Vista Park

Mike Bieda

3/26/2021 08:48 PM

"Veterans Memorial Park" should include a memorial to all veterans who lost their lives for the USA

Liz

4/01/2021 12:22 PM

Taylor Park. The Taylor Family has shown unspoken generosity for the City to purchase this property

DeeB

4/08/2021 04:50 PM

Taylor Park. We have lived on three sides of the property. We always referred to the land Taylor.

Gallegosk

4/08/2021 06:04 PM

Taylor-Nevin Park. Or just the Nevin Park

CherylB 4/20/2021 03:55 PM	Taylor Ranch because it maintains the name historically and it's a very large area
kmacleod141 4/20/2021 05:35 PM	Taylor Estate Park. The property is truly an estate and should be named for those who lived there.
Neighbor 4/21/2021 02:31 PM	Taylor Park! I watched the 'Taylor Estate' videos over and over, and loved the local history.
Barb R 4/22/2021 02:35 AM	Sky View, because of the unobstructed views of the horizon.
KksBulldog 4/22/2021 08:23 AM	Taylor Park Open Space. The Property has been in the Taylor Family for years.
bird man 4/22/2021 11:18 AM	PARADISE OVERLOOK. Looking over all of Bear Valley & Pikes Peak.
New park 4/22/2021 07:57 PM	Hillside Park
Linda Lu 4/23/2021 06:24 PM	Taylor Meadows. I think the name Taylor should be included to honor the history of the property.
Terry 4/24/2021 08:54 PM	Taylor Vista Point park
SkiTrees 4/25/2021 08:57 AM	"Bright Sky Park" -- The land doesn't have many trees, so it affords a spectacular view of the sky.
mickeyfan1 4/25/2021 02:07 PM	Taylor Park...to honor the Taylor family who owned the property
Anmant70 4/25/2021 10:00 PM	Taylor Farm Park- historical value, pride in the tradition of taking care of our land
Anthony Boone 4/26/2021 04:28 PM	Taylor Meadows
RJP 4/26/2021 06:57 PM	Taylor Park

davidandchris

4/27/2021 09:31 PM

Taylor Green

MJD

4/27/2021 09:47 PM

Molly's Folly at Taylor Ranch

wardoskibum

4/27/2021 10:17 PM

Ward Valley Park - Next door in Green Gables live two wonderful children Aspen & Lincoln Ward :)

Nicole

4/28/2021 08:35 PM

Paradise Hills

LoveLakewoodRealEstate

4/29/2021 09:00 PM

Taylor Park Open Space

frostyblue

4/29/2021 09:12 PM

Carrington

Goolay

4/30/2021 10:39 AM

Taylor Overlook - It is on the Taylor Property and you can see a long long way.

Gloria\_june

5/03/2021 09:54 AM

Taylor's

John Luther

5/04/2021 01:42 PM

Parky McParkface

**Optional question** (78 response(s), 1 skipped)

**Question type:** Single Line Question

# Vote to name the park!

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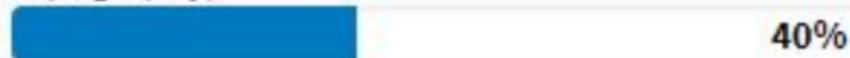
Staff received several submissions for a park name that did not meet the guidelines of the Community Resources Renaming/Naming Parks Policy. Staff has narrowed options for a name for the park to the following. Please select your top choice by May 27.



Unity Park (in honor of our veterans)



Sun Mountain Ridge Park (noting the views and topography)



Peak View Park (noting the views of Pikes Peak)



[Change Vote](#)

Total Votes : 78

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# STAFF MEMO

**DATE OF COUNCIL MEETING: JULY 26, 2021 / AGENDA ITEM NO. 7**

To: Mayor and City Council

From: Alison McKenney Brown, City Attorney

Subject: **RESOLUTION ADOPTING UPDATES TO THE CITY COUNCIL POLICIES AND PROCEDURES MANUAL**

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**SUMMARY STATEMENT:** In an effort to capitalize upon the City's investment in technology intended to increase citizen access to public meetings, such investment instituted in response to the international pandemic, the City Council should adopt a policy authorizing hybrid meetings and remote participation, and establishing procedures for remote participation.

**BACKGROUND INFORMATION:** In response to the Governor's declaration of a State of Emergency in relation to the COVID pandemic, the City of Lakewood invested in and developed the infrastructure necessary to hold public meetings remotely. As the City takes the final steps necessary to return to in-person meetings, including rescinding Ordinance 2020-11, which established rules and procedures for calling and holding emergency city council meetings and, declared an emergency, there is a desire to continue to use those elements of the remote meeting infrastructure that allowed for greater participation by the public, and flexibility for members of the Governing Body.

In support of this goal, a policy was drafted setting forth electronic (remote) meeting participation procedures and expectations. This policy specifically provides for hybrid public meetings: i.e. meetings at which all, or a majority, of the members of the City Council are present in person, but to which members of the public may appear both in person and remotely. The proposed policy also provides procedures for members of the City Council to request to participate remotely in a meeting due to personal emergency which prevents their attendance in person.

**BUDGETARY IMPACTS:** This item has no associated budget impact.

**STAFF RECOMMENDATIONS:** Staff recommends adoption of the attached resolution.

**ALTERNATIVES:** City Council may direct staff to look at other ways of to provide for hybrid meetings.

**PUBLIC OUTREACH:** This item has been promoted through the regular channels for an item coming before City Council for consideration.

**ATTACHMENTS:** Resolution 2021-37

**REVIEWED BY:** Kathleen E. Hodgson, City Manager  
Benjamin B. Goldstein, Deputy City Manager  
Alison McKenney Brown, City Attorney

2021-37

A RESOLUTION

AMENDING THE CITY COUNCIL POLICY AND PROCEDURES MANUAL BY  
ADOPTING POLICY 05.1(A) REGARDING ELECTRONIC (REMOTE) PARTICIPATION  
IN PUBLIC MEETINGS, INCLUDING HYBRID MEETING FORMATS

WHEREAS, C.R.S. 24-6-402(1)(b), generally known as the Colorado Open Meetings Act, defines public meetings as any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication;

WHEREAS, in response to the Governor's declaration of a State of Emergency in relation to the COVID pandemic, the City of Lakewood invested in and developed the infrastructure necessary to hold public meetings remotely, all in conformance with the Colorado Open Meetings Act;

WHEREAS, there is a desire to continue to use those elements of the remote meeting infrastructure that allowed for greater participation by the public, and flexibility for members of the Governing Body following the conclusion of the declared State of Emergency;

WHEREAS, the City Council recognizes the importance of adopting procedures in association with holding public meetings so as to provide the greatest level of understanding about meeting attendance and participation by the members of the Governing Body, City staff, and the members of the public;

WHEREAS, the policy attached hereto as Attachment A, and incorporated herein, specifically provides for hybrid public meetings and establishes procedures for members of the City Council to request to participate remotely in a meeting when their attendance in person is prevented due to personal emergency; and

WHEREAS, all policies concerning meeting procedures are incorporated into the City Council Policies and Procedures Manual to assure better access to all unless otherwise required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, the Electronic (Remote) Participation Policy, attached hereto as Attachment A, is hereby approved and incorporated into the City Council Policies and Procedures Manual as Policy 05.1(A).

INTRODUCED, READ AND ADOPTED by a vote of \_\_\_ for and \_\_\_ against at a virtual regular meeting of the City Council on July 26, 2021, at 7 o'clock p.m.

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Adam Paul, Mayor

ATTEST:

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Bruce Roome, City Clerk

APPROVED AS TO FORM:

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Alison McKenney Brown, City Attorney

## ATTACHMENT A

### **POLICY 05.1(A) ELECTRONIC (REMOTE) PARTICIPATION**

#### **POLICY**

A public meeting includes any kind of gathering convened to discuss public business, in person, by telephone, electronically, or by other means of communication. All public meetings of the City may be conducted by telephonic, electronic or hybrid means in accordance with this Policy. The term "Mayor" also includes the Mayor Pro Tem and/or the presiding officer conducting a public meeting. If the Mayor is participating in a meeting by electronic means and the Mayor Pro Tem is participating in person, the Mayor Pro Tem (or other designated chair) shall preside over the meeting.

#### **AUTHORITY**

Lakewood Home Rule Charter, Section 2.15. C.R.S. 24-6-402, and C.R.S. 24-6-401 et seq.

#### **PROCEDURE**

##### **I. Electronic (Remote) Participation.**

Meetings of the City Council shall be primarily conducted in-person at City Hall. However, individual Councilpersons may participate in meetings by telephone or electronically using a platform approved by the City. Generally, a Councilperson's participation in a meeting shall be in-person at City Hall unless said Councilperson has reason to be away for either personal or health reasons. A Councilperson may participate in meetings held by telephone or electronically if all of the following conditions are met:

- A. All members of the City Council, City staff and the public can hear one another clearly, can communicate with one another, and can hear or read all meeting information in a manner designed to provide maximum participation; and
- B. The member is in a physical location with good connectivity (telephone or internet) that is free from distractions; and
- C. Members of the public can hear the public meeting, including all members participating remotely, and are afforded opportunities to participate in public comment; and
- D. All votes are conducted in a manner that documents each member's vote; and
- E. To the extent possible, full and timely notice is given to the public setting forth the time of the meeting, the fact that some members of the body may participate remotely.

Meetings at which the members of the body are personally present, in whole or in part, which provide electronic means to allow for the public to participate remotely shall be known as "hybrid" meetings. Meeting notices shall advise the public when a public meeting is anticipated to be in a hybrid format, however, such notices shall also advise the public that unanticipated technological issues that prevent a meeting from being held in a hybrid format shall not be grounds for cancelling a public meeting.

## II. Arranging for Electronic Participation.

- A. A Councilperson desiring to participate by telephonic or electronic means shall contact the City Clerk at least twenty-four hours in advance of a public meeting to provide notice of a meeting conducted under this policy.
- B. Telephonic or electronic participation shall only occur using a telephonic or electronic platform approved by the City.
- C. The Mayor is authorized to discontinue a Councilperson's participation in a meeting if the communication of the Councilperson is unclear to the meeting participants. The Mayor shall state for the record the reason for discontinuing a Councilperson's participation and the time of such discontinuance. The member may be readmitted later in the meeting if such technological issues is corrected. The Mayor shall state for the record the time at which such member was readmitted to the meeting.

## III. Effect of Electronic Participation.

- A. Effect of Electronic Participation.** A Councilperson who participates in a meeting by electronic means consistent with this Policy shall be considered "present" at the meeting for purposes of establishing a quorum and entitled to vote on matters coming before the City Council.
- B. Executive Sessions.** In the event that the City Council holds an executive session, participants shall be authorized to attend via telephonic or electronic participation. A Councilperson participating in an executive session remotely shall: (a) have a secure telephone or electronic connection, and (b) certify that they are located within a controlled area to which no other person has access (typically indoors, within a closed room).
- C. Quasi-Judicial Hearings.** A Councilmember may not actively participate in a quasi-judicial public hearing or vote upon the outcome of such quasi-judicial public hearing in recognition that virtual participation has inherent limitations, including limiting one's ability to fully evaluate a speaker's non-verbal language in assessing veracity or credibility, and observing nonverbal explanations (e.g., pointing at graphs and charts) during a speaker's presentation or testimony. A Councilmember who is not physically present at a quasi-judicial public hearing shall not be prohibited from monitoring/listening to the quasi-judicial public hearing through an electronic means.

## IV. Public Participation/Hybrid Meetings.

For meetings where it is practical for the City to utilize an electronic communication platform (e.g. Zoom, or other approved platform), members of the public may participate in such meetings and make comments at such times as are designated by the Mayor. The City may impose requirements on public participation by electronic means such as requiring a member of the public to send an email to the Clerk prior to the meeting or during the meeting expressing their desire to participate remotely or to comment on a

specific agenda item so as to avoid inadvertently excluding someone from speaking.

**V. Reasonable Accommodations.**

The City may provide reasonable accommodation and waive or modify provisions of this Policy for the benefit of any meeting participant or member of the public with a disability.

## STAFF MEMO

**DATE OF COUNCIL MEETING: JULY 26, 2021 / AGENDA ITEM NO. 8**

To: Mayor and City Council

From: Alison McKenney Brown, City Attorney

Subject: **REPEALING ORDINANCE 2020-11, ESTABLISHING RULES AND PROCEDURES FOR CALLING AND HOLDING EMERGENCY CITY COUNCIL MEETINGS AND, FURTHER, DECLARING AN EMERGENCY**

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**SUMMARY STATEMENT:** The City Council should rescind Ordinance 2020-11 declaring a State of Emergency and establishing rules and procedures for calling and holding emergency City Council Meetings.

**BACKGROUND INFORMATION:** On March 10, 2020, Colorado Governor Jared Polis declared a state of emergency in response to COVID-19 (coronavirus). On March 17, 2020, in response to the Governor's declaration of a State of Emergency, City Manager Kathleen Hodgson declared a State of local disaster in accordance with her authority under L.M.C. Section 1.27.060(D). However, Section 1.27.060(D) limits the duration of a local disaster declaration issued by the City Manager to no longer than seven days. Therefore, in support of the City Manager's declaration, on March 23, 2020, the City Council of the City of Lakewood adopted Ordinance 2020-11. Ordinance 2020-11 established rules and procedures for calling and holding Emergency City Council meetings and, further, declared a state of local health emergency. Since that time the City of Lakewood has operated pursuant to Ordinance 2020-11, and subsequent motions to extend the City Manager's Emergency Declaration. On July 8, 2021, Governor Polis ended the State's pandemic declaration of a state of health emergency. In response to the Governor's most recent action Staff is requesting that the City Council rescind Ordinance 2020-11 and take no further action to extend the City Manager's declaration.

**BUDGETARY IMPACTS:** This item has no associated budget impact.

**STAFF RECOMMENDATIONS:** Staff recommends City Council consider repealing Ordinance 2020-11.

**ALTERNATIVES:** City Council may elect to not repeal Ordinance 2020-11.

**PUBLIC OUTREACH:** This item has been promoted through the regular channels for an item coming before City Council for consideration.

**ATTACHMENTS:** Ordinance 2021-21  
Ordinance 2020-11

**REVIEWED BY:** Kathleen E. Hodgson, City Manager  
Benjamin B. Goldstein, Deputy City Manager  
Alison McKenney Brown, City Attorney

O-2021-21

AN ORDINANCE

REPEALING EMERGENCY ORDINANCE 2020-11, ESTABLISHING RULES AND PROCEDURES FOR CALLING AND HOLDING EMERGENCY CITY COUNCIL MEETINGS AND, FURTHER, DECLARING AN EMERGENCY

WHEREAS, on March 10, 2020, Colorado Governor Jared Polis declared a state of emergency in response to COVID-19 (coronavirus);

WHEREAS, on March 17, 2020, in response to the Governor's declaration of a State of Emergency, City Manager Kathleen Hodgson declared a State of local disaster in accordance with her authority under L.M.C. Section 1.27.060(D);

WHEREAS, on March 23, 2020, in support of the City Manager's declaration of local disaster, the City Council of the City of Lakewood adopted Emergency Ordinance 2020-11 establishing rules and procedures for calling and holding Emergency City Council meetings and declared a state of local health emergency;

WHEREAS, since March 2020, the City of Lakewood has operated pursuant to Ordinance 2020-11, and subsequent motions to extend the City Manager's Emergency Declaration;

WHEREAS, on July 8, 2021, Governor Polis ended the State's pandemic declaration of a state of health emergency;

WHEREAS, in conformance with the recent action of the Governor, the City Council of the City of Lakewood desires to rescind its emergency declaration as set forth in Ordinance 2020-11;

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. Ordinance 2020-11, establishing rules and procedures for calling and holding emergency city council meetings and, further, declaring an emergency, is hereby repealed.

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 26th day of July, 2021; published by title in the Denver Post and in full on the City of Lakewood's website, [www.lakewood.org](http://www.lakewood.org), on the 29th day of July, 2021; set for public hearing to be held on the 9th day of August, 2021, read, finally passed and adopted by the City Council on the 9th day of August, 2021 and, signed by the Mayor on the \_\_\_\_\_ day of August, 2021.

\_\_\_\_\_  
Adam Paul, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Roome, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Alison McKenney Brown, City Attorney

O-2020-11

AN ORDINANCE

ESTABLISHING RULES AND PROCEDURES FOR CALLING AND HOLDING EMERGENCY CITY COUNCIL MEETINGS AND, FURTHER, DECLARING AN EMERGENCY

WHEREAS, Section 2.15 of the City of Lakewood (the "City) home rule charter (the "Charter") provides that the City Council shall establish, by ordinance, notification procedures for holding emergency meetings;

WHEREAS, neither the Lakewood Municipal Code nor any City ordinance addresses emergency meetings;

WHEREAS, in order to preserve the City's peace, health and safety, the City Council desires to establish procedures for holding emergency meetings either virtually or in a location other than the Lakewood Civic Center;

WHEREAS, in light of the possibility that public facilities can be closed with little or no warning as the result of a public health or other emergency, the City Council further desires to adopt this ordinance as an emergency ordinance;

WHEREAS, pursuant to Chapter 1.27 of the Lakewood Municipal Code, the City Manager of the City of Lakewood has issued a proclamation declaring a state of disaster in response to COVID-19 (coronavirus) for an indefinite period of time;

WHEREAS, one of the enumerated powers available to the City Manager upon a declaration of a disaster is the power to "suspend or modify the provisions of any ordinance or waive compliance with procedures and formalities, including notices, as may be prescribed by law if compliance thereof would in any way prevent, hinder or delay necessary action in responding to or mitigating a disaster;" and

WHEREAS, because compliance with the notice requirements and other procedures associated with the ordinance adoption process would prevent, hinder or delay necessary action, the City Manager respectfully requests that the City Council consider making this ordinance effective immediately.

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

SECTION 1. Emergency Meeting Rules and Procedures Adopted. The emergency meeting rules and procedures set forth on Exhibit A, attached hereto, are hereby adopted.

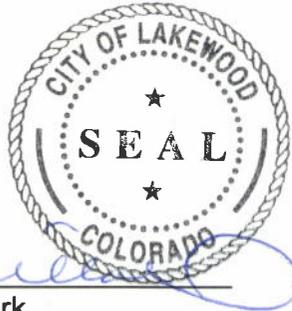
SECTION 2. Emergency Ordinance. This ordinance is necessary for the immediate preservation of the City of Lakewood's peace, health and safety for the following reasons: (i) on March 10, 2020, Colorado Governor Jared Polis declared a state of emergency in response to COVID-19 (coronavirus); (ii) declaration of a disaster

emergency gives the Governor broad powers to isolate and quarantine persons or property; (iii) county and district public health agencies also have the authority to close public places in the event of a health emergency; (iv) if the City's Civic Center is closed, the City Council must be able to meet when and where necessary to carry out its duties.

SECTION 3. Declaration; Effective Date. In light of the foregoing, and in accordance with the powers granted to the City Manager pursuant to Chapter 1.27 of the Lakewood Municipal Code, the City Council hereby declares an emergency and adopts this emergency ordinance on first reading. As such, this emergency ordinance shall be in full force and effect immediately upon adoption.

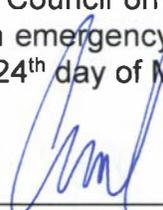
SECTION 4. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining 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 at a regular meeting of the Lakewood City Council on the 23<sup>rd</sup> day of March, 2020; passed and adopted by the City Council as an emergency ordinance on the 23<sup>rd</sup> day of March, 2020; and signed by the Mayor on the 24<sup>th</sup> day of March, 2020.



ATTEST:

  
Michele Millard, City Clerk

  
Adam Paul, Mayor

APPROVED AS TO FORM:

  
Timothy P. Cox, City Attorney

## EXHIBIT A

### Emergency Meeting Rules and Procedures

An emergency meeting of the City Council may be called and convened only as follows:

A. Any four (4) members of the City Council may call an emergency meeting by providing notice to each member of the City Council by telephone or email, and when possible, by serving each Councilmember personally or by leaving such notice at his or her usual place of residence.

B. Notice. Notice of an emergency meeting shall be provided as set forth above and shall identify the nature of the emergency, the purpose of the meeting (if different), and the date, time and location of the meeting.

C. Location. The meeting location shall be:

1. The Lakewood Civic Center; or
2. If the Civic Center has been closed by public health authorities or other governing authority, then in a building situated within the jurisdictional boundaries of the City where the public may congregate.

If no location as described in subsection 2 hereof is reasonably available, the meeting may be held in accordance with section E below.

D. Virtual Meetings. In the event an emergency meeting is properly called and noticed pursuant to A and B above, such meeting may be held by telephone, electronically or other means of communication only if each of the following conditions are met:

1. The members of the City Council calling the meeting determine meeting in person is neither practical nor prudent due to a health pandemic or declaration of emergency affecting the City;
2. All members of the City Council can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum participation;
3. No quasi-judicial matters will be heard, and no sworn testimony will be taken;
4. To the extent feasible, the public is provided an opportunity to listen to or otherwise monitor the meeting in real time;
5. All votes are conducted by roll call;
6. Minutes of the meeting are taken and promptly recorded, and such records are open to public inspection; and

7. To the extent possible, full and timely notice is given to the public setting forth: (i) the date and time of the meeting; (ii) the fact that the meeting will be conducted by telephone, electronically or another means of communication; and (iii) that the public may listen to or otherwise monitor the meeting electronically. The notice should include information on the methods by which the meeting can be monitored and the ways in which the public may participate in the meeting.

# STAFF MEMO

**DATE OF COUNCIL MEETING: JULY 26, 2021 / AGENDA ITEM NO. 9**

To: Mayor and City Council

From: Alison McKenney Brown, City Attorney

Subject: **ADOPTING ORDINANCE 2021-22 REGARDING EMERGENCY MEETINGS**

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**SUMMARY STATEMENT:** The City Council should adopt Ordinance 2021-22 establishing rules and procedures for calling and holding emergency City Council Meetings in conformance with Section 2.15 of the City of Lakewood (the "City) Home Rule Charter (the "Charter").

**BACKGROUND INFORMATION:** On March 10, 2020, Colorado Governor Jared Polis declared a state of emergency in response to COVID-19 (coronavirus). On March 17, 2020, in response to the Governor's declaration of a State of Emergency, City Manager Kathleen Hodgson declared a State of local disaster in accordance with her authority under L.M.C. Section 1.27.060(D). However, Section 1.27.060(D) limits the duration of a local disaster declaration issued by the City Manager to no longer than seven days. Therefore, in support of the City Manager's declaration, on March 23, 2020, the City Council of the City of Lakewood adopted Ordinance 2020-11. Ordinance 2020-11 established rules and procedures for calling and holding Emergency City Council meetings and, further, declared a state of local health emergency. Since that time the City of Lakewood has operated pursuant to Ordinance 2020-11, and subsequent motions to extend the City Manager's Emergency Declaration. On July 8, 2021, Governor Polis ended the State's pandemic declaration of a state of health emergency. In response to the Governor's most recent action the City Council will rescind Ordinance 2020-11, rescinding both the emergency declaration and the rules and procedures for calling and holding an emergency city council meeting.

**BUDGETARY IMPACTS:** This item has no associated budget impact.

**STAFF RECOMMENDATIONS:** To comply with Section 2.15 of the City of Lakewood home rule charter Staff is recommending that the City Council adopt Ordinance 2021-22 that readopts the provisions of Ordinance 2020-11 regarding the rules and procedures for calling and holding an emergency city council meeting, and codifies those rules and procedures within Title 2 of the Lakewood Municipal Code.

**ALTERNATIVES:** City Council may direct staff to look at other ways of accomplishing the task of calling an emergency meeting.

**PUBLIC OUTREACH:** This item has been promoted through the regular channels for an item coming before City Council for consideration.

**ATTACHMENTS:** Ordinance 2021-22

**REVIEWED BY:** Kathleen E. Hodgson, City Manager  
Benjamin B. Goldstein, Deputy City Manager  
Alison McKenney Brown, City Attorney

O-2021-22

AN ORDINANCE

AMENDING TITLE 2, CHAPTER 2.02, OF THE MUNICIPAL CODE OF THE CITY OF LAKEWOOD, COLORADO, IN CONNECTION WITH THE ADOPTION OF RULES AND PROCEDURES FOR CALLING AND HOLDING EMERGENCY CITY COUNCIL MEETINGS

WHEREAS, Section 2.15 of the City of Lakewood (the "City") home rule charter (the "Charter") provides that the City Council shall establish, by ordinance, notification procedures for holding emergency meetings;

WHEREAS, the Lakewood Municipal Code does not currently address emergency meetings;

WHEREAS, the City Council adopted rules and procedures for calling and holding emergency city council meetings as part of a declaration of emergency within Ordinance 2020-11;

WHEREAS, upon rescinding Ordinance 2020-11 at the conclusion of the State of Emergency, the City Council will no longer have adopted procedures for holding emergency meetings in conformance with Charter Section 2.15;

WHEREAS, in order to preserve the City's peace, health and safety, the City Council desires to establish procedures for holding emergency meetings either virtually or in a location other than the Lakewood Civic Center;

WHEREAS, in light of the possibility that public facilities can be closed with little or no warning as the result of a public health or other emergency, the City Council further desires to adopt this ordinance as an emergency ordinance;

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. Adoption of Title 2, Chapter 2.02, Section 2.02.040. Title 2, Chapter 2.02, Section 040 of the Lakewood Municipal Code shall be adopted as follows:

2.02.040 Emergency Meeting Rules and Procedures.

An emergency meeting of the City Council may be called and convened as follows:

A. Any four (4) members of the City Council may call an emergency meeting by providing notice to each member of the City Council by telephone or email, and when possible, by serving each Councilmember personally, or by leaving such notice at his or her usual place of residence.

B. Notice. Notice of an emergency meeting shall be provided as set forth above and shall identify the nature of the emergency, the purpose of the meeting (if different), and the date, time and location of the meeting.

C. Location. The meeting location shall be:

1 The Lakewood Civic Center; or

2 If the Civic Center has been closed by public health authorities or other governing authority, then in a building situated within the jurisdictional boundaries of the City where the public may congregate.

If no location as described in subsection 2 hereof is reasonably available, the meeting may be held in accordance with section E below.

D. Virtual Meetings. In the event an emergency meeting is properly called and noticed pursuant to A and B above, such meeting may be held by telephone, electronically or other means of communication only if each of the following conditions are met:

1. The members of the City Council calling the meeting determine meeting in person is neither practical nor prudent due to a health pandemic or declaration of emergency affecting the City;

2. All members of the City Council can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum participation;

3. No quasi-judicial matters will be heard, and no sworn testimony will be taken;

4. To the extent feasible, the public is provided an opportunity to listen to or otherwise monitor the meeting in real time;

5. All votes are conducted by roll call;

6. Minutes of the meeting are taken and promptly recorded, and such records are open to public inspection; and

7. To the extent possible, full and timely notice is given to the public setting forth: (i) the date and time of the meeting; (ii) the fact that the meeting will be conducted by telephone, electronically or another means of communication; and (iii) that the public may listen to or otherwise monitor the meeting electronically. The notice should include information on the methods by which the meeting can be monitored and the ways in which the public may participate in the meeting.

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 26th day of July, 2021; published by title in the Denver Post and in full on the City of Lakewood's website, [www.lakewood.org](http://www.lakewood.org), on the 29th day of July, 2021; set for public hearing to be held on the 9th day of August, 2021, read, finally passed and adopted by the City Council on the 9th day of August, 2021 and, signed by the Mayor on the \_\_\_\_\_ day of August, 2021.

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Adam Paul, Mayor

ATTEST:

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Bruce Roome, City Clerk

APPROVED AS TO FORM:

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Alison McKenney Brown, City Attorney

# STAFF MEMO

**DATE OF COUNCIL MEETING: JULY 26, 2021 / AGENDA ITEM NO. 10**

To: Mayor and City Council  
From: Gregory Graham, City Clerk, 303-987-7081  
Subject: **RATIFYING THE CODIFICATION OF DESIGN REVIEW COMMISSION PROVISIONS IN CHAPTER 2.58 OF THE LAKEWOOD MUNICIPAL CODE AND AMENDING CERTAIN PROVISIONS THEREOF**

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**SUMMARY STATEMENT:** The municipal code chapter number referenced within Ordinance 0-2019-21 establishing the Design Review Commission is not available to be assigned to the provisions of this Ordinance.

**BACKGROUND INFORMATION:** On May 13, 2019, the City Council adopted Ordinance O-2019-21, establishing the City's Design Review Commission within a new chapter 2.57 of the municipal code. Subsequently, the City Council adopted Ordinance O-2019-26, establishing the City's Housing Policy Commission also within a new chapter 2.57 of the municipal code. Both ordinances referenced the same sections of the Lakewood Municipal Code due to a clerical error.

The City's codifier assigned the Housing Policy Commission provisions to chapter 2.57 and assigned the Design Review Commission provisions to a new chapter 2.58. In accordance with public notification and publication standards the provisions of the Design Review Commission Code should be readopted by the City Council as Chapter 2.58 of the Municipal Code

**BUDGETARY IMPACTS:** None

**STAFF RECOMMENDATIONS:** Amend Ordinance O-2019-21 as set forth in the attached Ordinance.

**ALTERNATIVES:**

1. Adopt an ordinance to amend Ordinance O-2019-26 to assign the Housing Policy Commission provisions to Chapter 2.58 of the Lakewood Municipal Code.
2. Make no change to O-2019-26.

**PUBLIC OUTREACH:** Notification has been made through the City Council agenda process.

**NEXT STEPS:** If the City Council adopts the proposed Ordinance, Ordinance O-2019-21 will be amended such that all references therein to Lakewood Municipal Code Chapter 2.57 will be changed Chapter 2.58.

**ATTACHMENTS:** Ordinance O-2021-19

**REVIEWED BY:** Kathleen E. Hodgson, City Manager  
Benjamin B. Goldstein, Deputy City Manager  
Alison McKenney Brown, City Attorney

O-2021-19

AN ORDINANCE

RATIFYING THE CODIFICATION OF DESIGN REVIEW COMMISSION PROVISIONS  
IN CHAPTER 2.58 OF THE LAKEWOOD MUNICIPAL CODE AND AMENDING  
CERTAIN PROVISIONS THEREOF

WHEREAS, on May 13, 2019, the City Council adopted on second reading Ordinance O-2019-21, which established the City's Design Review Commission and created a new chapter 2.57 of the Lakewood Municipal Code ("Code") therefor;

WHEREAS, on June 24, 2019, the City Council adopted on second reading Ordinance O-2019-26, which established the City's Housing Policy Commission;

WHEREAS, due to a clerical error, Ordinance O-2019-26 also created a "new" chapter 2.57 for the Housing Policy Commission;

WHEREAS, the Housing Policy Commission was thereafter codified in chapter 2.57, and the Design Review Commission was codified in a new chapter 2.58 of the Code;

WHEREAS, the City Council desires to ratify the codification of the Design Review Commission Provisions in chapter 2.58 and to make additional changes thereto to clarify certain provisions therein, allow greater flexibility in staff assignments to the Commission, and provide additional guidance;

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 codification into a new chapter 2.58 of the Code of those provisions of Ordinance O-2019-21 by which the Design Review Commission was established is hereby ratified.

SECTION 2. Chapter 2.58 of the Lakewood Municipal Code is hereby amended to read in its entirety as follows:

Chapter 2.58 DESIGN REVIEW COMMISSION

2.58.010 Commission Established

A. A Design Review Commission (the "Commission") is hereby established to review design review applications for those areas of the City within

- which the City has imposed specific design criteria, and to approve, approve with modifications or deny design review applications in accordance with such criteria. The Commission shall also review proposed design criteria and any changes to existing design criteria and make recommendations to that City Council regarding such changes.
- B. The Commission may adopt, in conformity with the Lakewood Municipal Code and the Lakewood home rule charter, reasonable policies and procedures governing its internal operations. Such policies and procedures shall be made available to the public in written or printed form at the office of the Planning Department.

#### 2.58.020 Membership and Terms; Officers; Removal

- A. Membership. The Commission shall consist of five members: three urban design professionals appointed by the City Council, a design review planner appointed by the Planning Director, and a City Planner appointed by the Planning Director.
- B. Terms.
1. City Council-appointed members shall serve four-year terms, or until such time as their successors are appointed, and may serve a maximum of two consecutive terms. For the purposes of this chapter, a City Council-appointed member who serves or has served at least one-half of a term on the Commission shall be considered to have served a full term on the Commission. Appointments to fill vacancies on the Commission shall be for the unexpired term of office.
  2. Commission members appointed by the Planning Director shall serve at the pleasure of the Planning Director.
- D. Officers. At the Commission's first meeting of each calendar year, it shall elect a chair and vice-chair from among the City Council-appointed members. The chair shall preside over all Commission meetings and decide points of order when appropriate. The vice-chair shall preside over Commission meetings when the chair is not present.
- C. Compensation. City Council-appointed members may receive compensation in an amount set by City Council resolution. Each Commission member will be reimbursed for actual expenses incurred in the exercise of Commission duties. Such expenses shall be documented to the Planning Commission Clerk.
- D. Removal. Upon presentation of written charges and after a hearing thereon, any member of the Design Review Commission may be removed for cause by the City Council.

2.58.030 Meetings

- A. Location and Frequency. The Commission shall meet at the Lakewood Civic Center as necessary to perform its obligations under this chapter, but not more often than once in a given week. The Commission meet only for the purposes set forth in this chapter, but shall not meet for the sole purpose of electing officers.
- B. Quorum. A quorum shall consist of three of the five members of the Commission; provided, however that at least two City Council appointed members must be present. An affirmative vote of a majority of the members present shall be necessary to pass any item.
- C. Voting on Applications. The Commission shall vote to approve, approve with modifications or deny each completed application that comes before it. In the event of a tie vote, the application shall be deemed denied.

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 26th day of July, 2021; published by title in the Denver Post and in full on the City of Lakewood's website, [www.lakewood.org](http://www.lakewood.org), on the 29th day of July, 2021; set for public hearing to be held on the 9th day of August, 2021, read, finally passed and adopted by the City Council on the 9th day of August, 2021 and, signed by the Mayor on the \_\_\_\_\_ day of August, 2021.

\_\_\_\_\_  
Adam Paul, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Roome, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Alison McKenney Brown, City Attorney



# Lakewood

Advisory Commission

## EXECUTIVE COMMITTEE MEETING LAKEWOOD ADVISORY COMMISSION

June 3, 2021 @ 6:00 PM

### MINUTES

#### **Call to Order**

Chair Peggy Ralph called the virtual meeting to order at 6:01 p.m.

#### **Roll Call**

**Commissioners Present:** Ralph, Hensley, Malandri, McBride, Gelfuso Goetz

**Absent:** Cornell

**Guest:** Gordey

**Staff Present:** Bruce Roome, City Clerk; Rosa Tate, Boards & Commissions Coordinator; Lauren Stanek, Assistant City Attorney

A total of 5 commissioners were present. A quorum was present.

#### **3. Public Comment**

**Comments received via telephone:**

None

**Comments received via Lakewood Speaks:**

None

#### **4. Approval of Minutes**

##### **Voting**

Commissioner Casey moved to approve the May 5, 2021, Executive Committee Meeting Minutes. The motion was seconded.

AYE: Commissioners McBride, Gelfuso Goetz, Malandri, Hensley, Chair Ralph

NAY: None

##### **Result**

Approved 5 -0, the motion passed.

## **5. Old Business**

Sustainability Committee Proposals:

### **Proposal #1 -**

Research solar energy implementation - Sustainability Chair Gelfuso Goetz spoke with Commissioner Bernie Barthel who advised her there was nothing further for her to do. This proposal is no longer on the LAC proposed grassroots project list.

### **Proposal #2 and Proposal #3 –**

#### **Illegal Use of Fireworks Proposal -**

Sustainability Chair Gelfuso Goetz commented great ideas, but these need to go through City Council. City Clerk Roome commented that Counselor Harrison is in favor but has not heard anything from anyone else. He will speak with City Manager Kathy Hodgson to get an update. Chair Ralph commented on the sign located Kipling and 6<sup>th</sup> avenue is flashing with a warning about fireworks. Commission McBride also commented the proposals are great. Chair Ralph to forward to Commissioner McBride for corrections before moving forward.

Commissioner Gelfuso-Goetz made a motion to move proposals #2 and #3 along with the Illegal Use of Fireworks proposal forward to the Full Commission. The motion was seconded. The motion was approved 5 -0.

**Looking at Lakewood articles about LAC** -Chair Ralph to submit an article by June 7<sup>th</sup> for publication in June. Article will include all Boards and Committees, not just LAC.

#### **Comments received via telephone:**

None

#### **Comments received via Lakewood Speaks:**

None

## **6. New Business**

Chair Ralph requested all documents be updated removing ACIC and replacing with LAC across the board. Bruce introduced Assistant City Attorney, Lauren Stanek for legal representation as to how this will take place. Vice Chair Hensley requested Gordey who was present as a guest only be invited in for comment. Ms. Stanek stated until the ordinance is official making Diversity an LAC Committee she may not participate or offer opinion. Ms. Stanek introduced herself and explained her role and commitment to the Boards and Commissions. Ordinance is schedule for approval June 28 with an official inception day of August 11, 2021. Discussion included possibly

not defining sub committees and making it possible to change the titles as needed.  
BOC coordinator in process of updating all correspondence from ACIC to LAC.

## **7. Topics for Discussion**

None

## **8. City Clerk's Report**

**8a. Diversity Committee ordinance** – City Clerk Roome confirmed information covered under new business that the ordinance will go into effect August 11, 2021.

**8b. ACIC vs LAC document update** information covered under New Business.

**8c. Ongoing problems with LAC.** City Clerk Roome and Commissioners discussed solutions to resolve the ongoing issues. Chair Ralph to communicate with members that are struggling with technology obstacles.

**8d. City Council removal of commissioner's resolution** - this will be discussed further based on the new ordinance to be in place for the LAC.

## **9. Adjourn**

There being no further business to come before the Executive Committee, Chair Peggy Ralph adjourned the meeting at 7:59 p.m.

Respectfully submitted,

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Peggy Ralph, Chair

# STAFF MEMO

**DATE OF COUNCIL MEETING: JULY 12, 2021 / AGENDA ITEM NO. 9**  
**JULY 26, 2021 / AGENDA ITEM NO. 12**

To: Mayor and City Council

From: Bruce Roome, City Clerk, 303-987-7081

Subject: **AMENDING TITLE 2, CHAPTER 2.56, OF THE MUNICIPAL CODE OF THE CITY OF LAKEWOOD, COLORADO, IN CONNECTION WITH THE PERMANENT ESTABLISHMENT OF A FOURTH SUBCOMMITTEE TO THE LAKEWOOD ADVISORY COMMISSION CONCERNING DIVERSITY AND OTHER GENERAL AMENDMENTS**

**This ordinance was approved on 1st Reading by a vote of 11 ayes 0 nays.**

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**SUMMARY STATEMENT:** The Ad-Hoc Diversity Committee of the Lakewood Advisory Commission (LAC) provided the City Council a report on diversity within the LAC. They proposed the following recommendations for increasing diversity among LAC membership: target LAC recruitment in Ward 2; focus upon recruitment of citizens that rent or otherwise do not own their own housing; reach out to in-city non-traditional schools; identify impediments to LAC participation by parents; seek advice and input from diversity focused organizations and groups in the Lakewood area; implement an equity lens when making LAC decisions; and, permanently establish the LAC Ad-Hoc Diversity Committee as a subcommittee of the LAC. The committee also plans to explore promote diversity for the entire Lakewood community after they achieve their LAC based goals.

**BACKGROUND INFORMATION:** In 2019, the LAC formed the Ad-Hoc Diversity Committee to explore diversity within the LAC and present recommendations on increasing diversity as needed. At the April 19, 2021 City Council Study Session, the Ad-Hoc committee presented recommendations to City Council, including the recommendation to make the LAC Ad-Hoc Diversity Committee the LAC's fourth permanent sub-committee.

**BUDGETARY IMPACTS:** The expected budgetary impacts are minimal.

**RECOMMENDATIONS:** Approve Ordinance O-2021-20 after its second reading and public hearing on July 26, 2021.

**ALTERNATIVES:** No alternatives are being proposed at this time.

**PUBLIC OUTREACH:** This item was promoted via the regular communication channels for an item coming before City Council.

**NEXT STEPS:** On August 25, 2021 - 30 days after the Ordinance passed it will become effective. At that time the members of the LAC will officially appoint members to the sub-committee and that group of members will elect a Chair for their sub-committee.

**ATTACHMENTS:** Ordinance O-2021-20  
Ordinance O-2021-20 Redlined Version  
April 19<sup>th</sup> PowerPoint Presentation

**REVIEWED BY:** Kathleen E. Hodgson, City Manager  
Benjamin B. Goldstein, Deputy City Manager  
Alison McKenney Brown, City Attorney

O-2021-20

AN ORDINANCE

AMENDING TITLE 2, CHAPTER 2.56, OF THE MUNICIPAL CODE OF THE CITY OF LAKEWOOD, COLORADO, IN CONNECTION WITH THE PERMANENT ESTABLISHMENT OF A FOURTH SUBCOMMITTEE TO THE LAKEWOOD ADVISORY COMMISSION CONCERNING DIVERSITY AND OTHER GENERAL AMENDMENTS

WHEREAS, The Lakewood Advisory Commission for an Inclusive Community was established as a regular City Council advisory commission by City Council Resolution 2007-48, pursuant to Section 4.5 of the Charter, and codified in Chapter 2.56 of the Lakewood Municipal Code;

WHEREAS, the mission of the Lakewood Advisory Commission is to support Lakewood as a vibrant and inclusive community, and to serve as an advocate and informed voice for the community by providing research and recommendations on local issues to the City Council; and

WHEREAS, the City Council recognizes the need for a standing sub-committee to advise and inform on issues of diversity impacting the community.

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

SECTION 1. Amendment of Title 2, Chapter 2.56. Title 2, Chapter 2.56 of the Lakewood Municipal Code shall be amended as follows:

2.56.010 Lakewood Advisory Commission Established.

The Lakewood Advisory Commission, referred to hereinafter as the "LAC", is hereby established as a regular City Council advisory commission pursuant to Section 4.5 of the Charter.

2.56.020 Mission Statement.

In order to support Lakewood as a vibrant and inclusive community, the LAC shall be an advocate and informed voice for the community by providing research and recommendations on local issues to the City Council.

2.56.030 Membership and Terms.

- A. The LAC shall consist of 30 members, each of which shall serve a three-year term beginning January 1 and ending December 31. The members' terms shall be staggered.

- B. Those individuals who are members of ACIC as of the effective date of this Ordinance shall continue as members of the Lakewood Advisory Commission and shall fulfill the remainder of their existing terms.
- C. Upon expiration of a term, the appointment or reappointment of a member shall be by City Council resolution upon recommendation of the City Council Screening Committee as set forth in the Council Policies and Procedures Manual.

#### 2.56.040 Officers.

The membership of the LAC shall annually elect, from among all Lakewood Advisory Commission members, a Chair, Vice Chair and Secretary who shall serve as the Officers of the LAC.

#### 2.56.050 Subcommittees; Chairs.

- A. The LAC shall be divided into four subcommittees: Sustainability, Neighborhoods, Civic Awareness, and Diversity.
- B. Each LAC member shall be assigned to one or more subcommittee.
- C. Each subcommittee shall have approximately the same number of members.
- D. Each subcommittee shall annually elect its own chair from the membership of the subcommittee.

#### 2.56.060 Executive Committee.

The LAC shall have an Executive Committee, which shall consist of the Chair, Vice Chair, Secretary and the four subcommittee chairs. The Executive Committee will work closely with the Commission Advisor for assignments and guidance on City Council requests for research and recommendations. The Executive Committee shall relay City Council assignments to the appropriate subcommittee(s) and shall ensure proper action/follow-up by such subcommittee(s). The Officers shall prepare and present an annual report to City Council.

#### 2.56.070 Meetings.

- A. The LAC shall meet monthly unless a meeting is cancelled for cause by a vote of the Executive Committee.
- B. The subcommittees shall meet as necessary to work on and complete City Council requests for research and recommendations.
- C. The Executive Committee shall meet monthly unless a meeting is cancelled for cause by a vote of the Executive Committee.

2.56.080 Commission Staffing.

The City shall staff the LAC with a Commission Advisor and a Commission Coordinator, which positions may be filled by a single individual, as determined by the City Manager.

2.56.090 Quorum

- A. A quorum of the LAC shall consist of more than fifty (50) percent of its then-current membership.
- B. A quorum of the Executive Committee shall consist of four of the seven members.

2.56.100 Removal

Any member may be removed from the LAC in accordance with Resolution 2008-40, as amended or superseded.

2.56.110 Policies and Procedures

The Executive Committee is authorized to promulgate such reasonable policies and procedures as may be necessary to carry out the duties of the LAC.

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 12th day of July, 2021; published by title in the Denver Post and in full on the City of Lakewood's website, [www.lakewood.org](http://www.lakewood.org), on the 15th day of July, 2021; set for public hearing to be held on the 26th day of July, 2021, read, finally passed and adopted by the City Council on the 26th day of July, 2021 and, signed by the Mayor on the \_\_\_\_\_ day of July, 2021.

---

Adam Paul, Mayor

ATTEST:

---

Bruce Roome, City Clerk

APPROVED AS TO FORM:

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Alison McKenney Brown, City Attorney

O-2021-20

AN ORDINANCE

AMENDING TITLE 2, CHAPTER 2.56, OF THE MUNICIPAL CODE OF THE CITY OF LAKEWOOD, COLORADO, IN CONNECTION WITH THE PERMANENT ESTABLISHMENT OF A FOURTH SUBCOMMITTEE TO THE LAKEWOOD ADVISORY COMMISSION CONCERNING DIVERSITY AND OTHER GENERAL AMENDMENTS

WHEREAS, The Lakewood Advisory Commission for an Inclusive Community was established as a regular City Council advisory commission by City Council Resolution 2007-48, pursuant to Section 4.5 of the Charter, and codified in Chapter 2.56 of the Lakewood Municipal Code;

WHEREAS, the mission of the Lakewood Advisory Commission is to support Lakewood as a vibrant and inclusive community, and to serve as an advocate and informed voice for the community by providing research and recommendations on local issues to the City Council; and

WHEREAS, the City Council recognizes the need for a standing sub-committee to advise and inform on issues of diversity impacting the community.

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

SECTION 1. Amendment of Title 2, Chapter 2.56. Title 2, Chapter 2.56 of the Lakewood Municipal Code shall be amended as follows:

2.56.010 Lakewood Advisory Commission Established.

The Lakewood Advisory Commission, referred to hereinafter as the "LAC", ~~for an Inclusive Community created by City Council Resolution 2007-48, as amended,~~ is hereby established as a regular City Council advisory commission pursuant to Section 4.5 of the Charter. ~~and shall henceforth be known as the "Lakewood Advisory Commission."~~

2.56.020 Mission Statement.

In order to support Lakewood as a vibrant and inclusive community, the ~~Lakewood Advisory Commission is~~ LAC shall be an advocate and informed voice for the community by providing research and recommendations on local issues to the City Council.

2.56.030 Membership and Terms.

- A. The ~~Lakewood Advisory Commission~~ LAC shall consist of 30 members, each of which shall serve a three-year term beginning January 1 and ending December 31. The members' terms shall be staggered.

- B. Those individuals who are members of ACIC as of the effective date of this Ordinance shall continue as members of the Lakewood Advisory Commission and shall fulfill the remainder of their existing terms.
- C. Upon expiration of a term, the appointment or reappointment of a member shall be by City Council resolution upon recommendation of the City Council Screening Committee as set forth in the Council Policies and Procedures Manual.

#### 2.56.040 Officers.

The membership of the ~~Lakewood Advisory Commission~~ LAC shall annually elect, from among all Lakewood Advisory Commission members, a Chair, Vice Chair and Secretary who shall serve as the Officers of the ~~Lakewood Advisory Commission~~ LAC. ~~The Officers shall prepare and present an annual report to City Council.~~

#### 2.56.050 Subcommittees; Chairs.

- A. ~~The Lakewood Advisory Commission~~ LAC shall be divided into ~~the three~~ four subcommittees: Sustainability, Neighborhoods, ~~and~~ Civic Awareness, ~~and Diversity~~.
- B. Each LAC member shall be assigned to one or more subcommittee.
- C. Each subcommittee shall have approximately the same number of members.
- D. Each subcommittee shall annually elect its own chair from the membership of the subcommittee.

#### 2.56.060 Executive Committee.

The ~~Lakewood Advisory Commission~~ LAC shall have an Executive Committee, which shall consist of the Chair, Vice Chair, Secretary and the ~~four~~ three subcommittee chairs. The Executive Committee will work closely with the Commission Advisor for assignments and guidance on City Council requests for research and recommendations. The Executive Committee shall relay City Council assignments to the appropriate subcommittee(s) and shall ensure proper action/follow-up by such subcommittee(s). ~~The Officers shall prepare and present an annual report to City Council.~~

#### 2.56.070 Meetings.

- A. ~~The Lakewood Advisory Commission~~ LAC shall meet monthly unless a meeting is cancelled for cause by a vote of the Executive Committee.
- B. The subcommittees shall meet as necessary to work on and complete City Council requests for research and recommendations.
- C. The Executive Committee shall meet monthly unless a meeting is cancelled for cause by a vote of the Executive Committee.

2.56.080 Commission Staffing.

The City shall staff the ~~Lakewood Advisory Commission~~ LAC with a Commission Advisor and a Commission Coordinator, which positions may be filled by a single individual, as determined by the City Manager.

2.56.090 Quorum

- A. A quorum of the LAC shall consist of more than fifty (50) percent of its then-current membership.
- B. A quorum of the Executive Committee shall consist of four of the seven members.

2.56.100 Removal

Any member may be removed from the LAC in accordance with Resolution 2008-40, as amended or superseded.

2.56.110 Policies and Procedures

The Executive Committee is authorized to promulgate such reasonable policies and procedures as may be necessary to carry out the duties of the LAC.

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 12th day of July, 2021; published by title in the Denver Post and in full on the City of Lakewood's website, [www.lakewood.org](http://www.lakewood.org), on the 15th day of July, 2021; set for public hearing to be held on the 26th day of July, 2021, read, finally passed and adopted by the City Council on the 26th day of July, 2021 and, signed by the Mayor on the \_\_\_\_\_ day of July, 2021.

\_\_\_\_\_  
Adam Paul, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Roome, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Alison McKenney Brown, City Attorney



**Lakewood**  
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# LAC Diversity Committee

## Update: Internal Survey Results and Findings

Objective: to identify underrepresented groups within the LAC and provide recommendations.



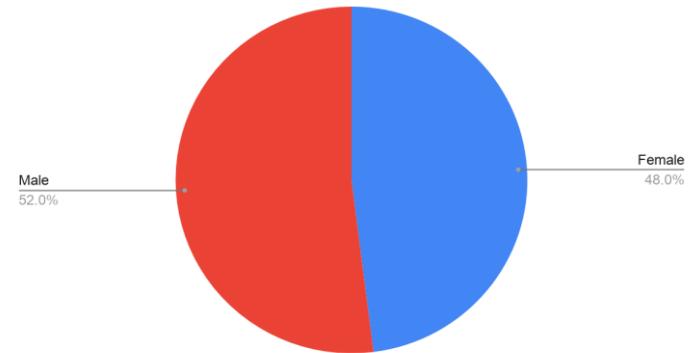




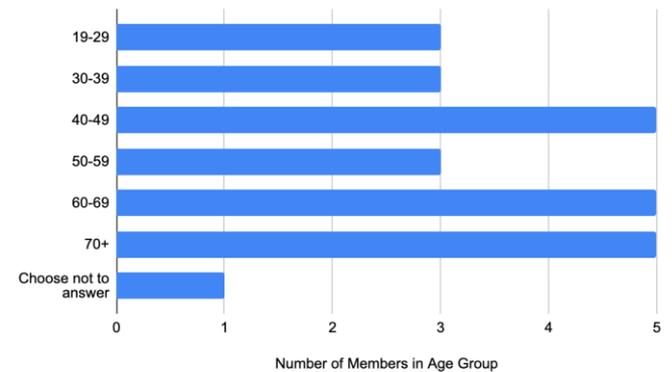
## Areas of Progress & Strength

- Relatively equal gender representation
- Adequate cross-section of age representation, though none under the age of 18.

Gender Identity



Age





## Significant Finding 1: Ward Representation

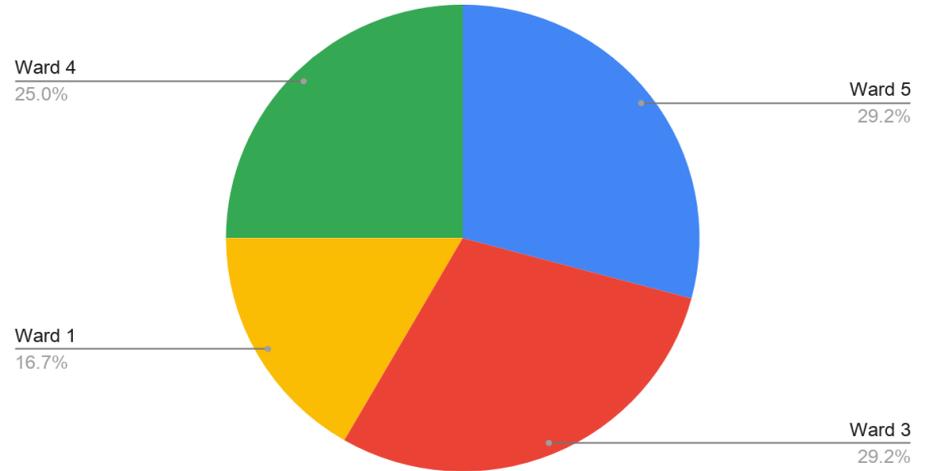
- **Finding:**

There are no current Ward 2 Residents in the LAC.

- **Recommendation:**

Target recruitment in Ward 2.

Which Ward do you live in?





## Significant Finding 2: Housing

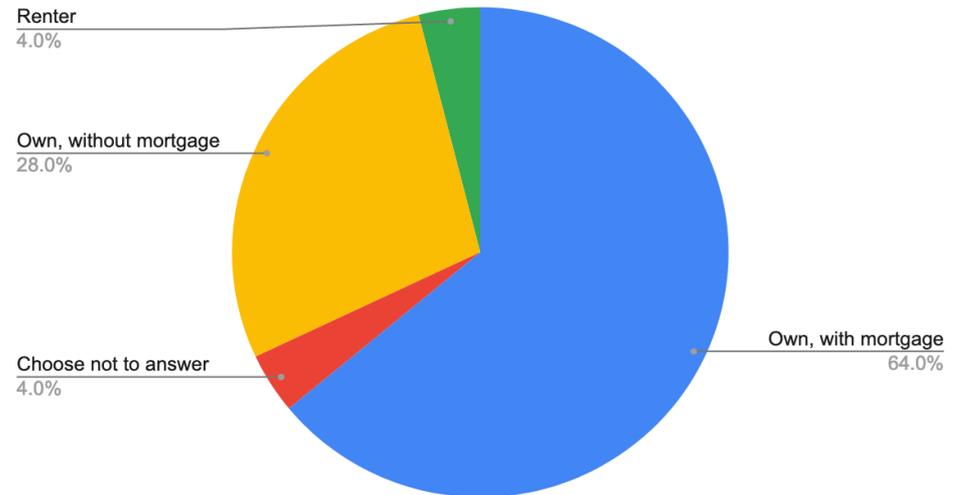
- **Finding:**

Most of the Commission owns their home, lacks representation from renters and non-homeowners.

- **Recommendation:**

Target those that rent or otherwise do not own their housing.

### Housing



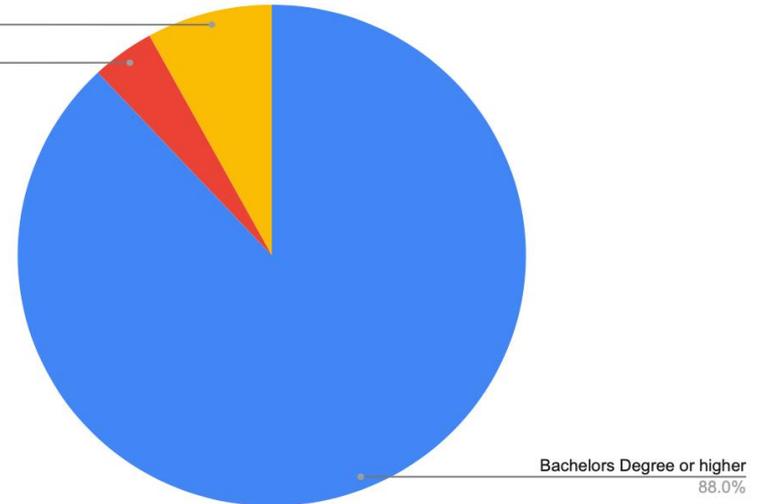


### Significant Finding 3: Education

- **Finding:**  
We have limited representation from high- and trade-school graduates.
- **Recommendation:**  
Reach out to in-city non-traditional schools (ex: Rocky Mountain Community College) and high schools.

#### Education

High School graduate  
8.0%  
Choose not to answer  
4.0%





## Significant Finding 4: Children in the Home

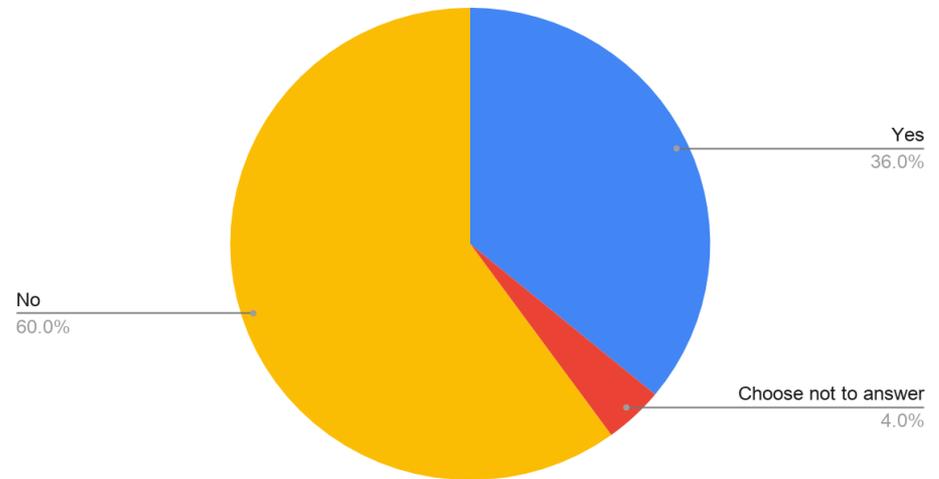
- **Finding:**

- Relatively consistent with demographic makeup of the City but could be a sign that participation is relatively inaccessible to parents.
- There is an in-migration of new parents and younger families.

- **Recommendation:**

Identify reasons LAC participation may be inaccessible to parents.

Do you have Children living at home

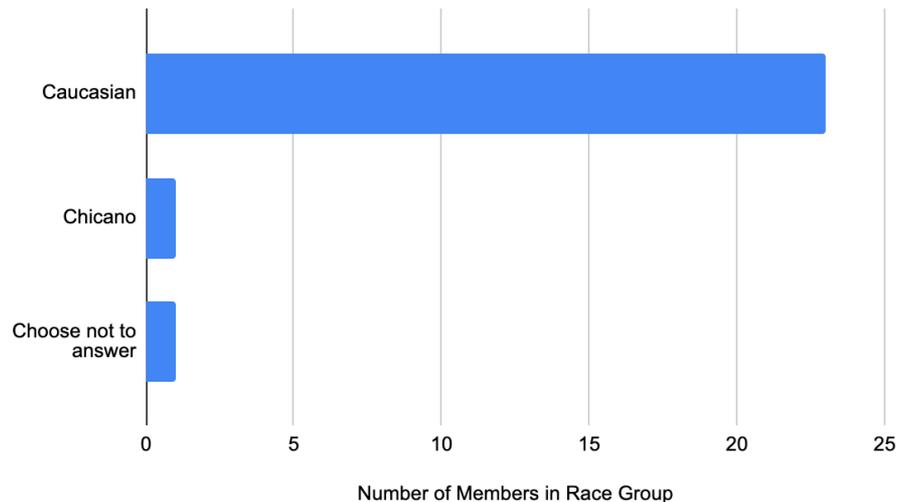




## Significant Finding 5: Caucasian Majority

- **Finding:**
  - Relatively consistent with Lakewood at its founding, but not with its new demographic makeup.
- **Recommendation:**
  - Reach out to diversity-focused organizations and groups in Lakewood area

Race and Hispanic Origin





## Summary

### **Potential Recommendations:**

- Target recruitment and communication in Ward 2
- Target those that rent or otherwise do not own their housing
- Reach out to in-city non-traditional schools (ex: Rocky Mountain Community College)\*\*
- Identify reasons LAC participation may be inaccessible to parents\*\*
- Implementation of an equity lens to be utilized when making LAC decisions.

Note: These recommendations are not within the scope and power of the assignment, but act as foci for a permanent committee or could be turned into separate assignments for this committee.

\*\* Results such as education and children at home are in line with most recent Census data and are therefore relatively representative of Lakewood.



## Where Our Research and Values are Leading Us

### **Other Recommendations:**

- **Make the LAC Diversity Committee Permanent:** The LAC Diversity Committee will remove barriers and expand direct outreach by creating best practices that can apply to other boards and commissions and could meet regularly to constantly evaluate our processes and representation.

### **Our Proposed Mission:**

The LAC Diversity Committee's mission is to develop and recommend best practices in Diversity for internal purposes that can also be used to ensure diversity within all Boards and Commissions within the City of Lakewood.



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## **Ad-hoc Diversity committee members:**

Casey Hensley

Rigby Johnson

Roberto Gurza

David Rein

Karen Gordey



**PROCLAMATION OF THE CITY MANAGER OF THE CITY OF LAKEWOOD,  
COLORADO DECLARING A STATE OF DISASTER AS A RESULT OF THE NOVEL  
CORONAVIRUS (COVID-19)**

**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 17<sup>th</sup> DAY OF March

BY: Kathleen E. Hodgson

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

ATTEST:

Michele Millard

Michele Millard, City Clerk  
City of Lakewood, Colorado

