

# **AGENDA**

**CITY COUNCIL MEETING  
CITY OF WHEAT RIDGE, COLORADO  
7500 WEST 29<sup>TH</sup> AVENUE, MUNICIPAL BUILDING**

**February 25, 2019**

**7:00 p.m.**

*Individuals with disabilities are encouraged to participate in all public meetings sponsored by the City of Wheat Ridge. Call Sara Spaulding, Public Information Officer, at 303-235-2877 at least one week in advance of a meeting if you are interested in participating and need inclusion assistance.*

## **CALL TO ORDER**

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL OF MEMBERS**

## **APPROVAL OF MINUTES**

## **PROCLAMATIONS AND CEREMONIES**

## **CITIZENS' RIGHT TO SPEAK**

- a. Citizens, who wish, may speak on any matter not on the Agenda for a maximum of 3 minutes and sign the PUBLIC COMMENT ROSTER.
- b. Citizens who wish to speak on an Agenda Item, please sign the GENERAL AGENDA ROSTER.
- c. Citizens who wish to speak on a Public Hearing item, please sign the PUBLIC HEARING ROSTER before the item is called to be heard.
- d. Citizens who wish to speak on Study Session Agenda Items, please sign the STUDY SESSION AGENDA ROSTER.

## **APPROVAL OF AGENDA**

**1. CONSENT AGENDA**

- a. Resolution No. 13-2019 – designating the City Hall Lobby as the Official Public Notice Posting Location and the Wheat Ridge Transcript as the Official Newspaper of General Circulation for City Publications in 2019
- b. Motion to approve the installation of a Traffic Calming Device on Carr Street between 38<sup>th</sup> and 41<sup>st</sup> Avenues in accordance with the Neighborhood Traffic Management Program
- c. Motion to award the 44<sup>th</sup> and Youngfield sidewalk and drainage project and approve subsequent payments to Keci Colorado Inc., Sedalia, CO, in the amount of \$97,579, with a contingency amount of \$9,760, for a total not-to-exceed amount of \$107,339

**PUBLIC HEARINGS AND ORDINANCES ON SECOND READING**

- 2. Resolution No. 14-2019 – establishing a street width for 52<sup>nd</sup> Avenue from Ward Road to Tabor Street, for Tabor Street from 52<sup>nd</sup> Avenue to Ridge Road, and for Ridge Road from Tabor Street to the City Boundary East of Simms Place

**ORDINANCES ON FIRST READING**

- 3. Council Bill 02-2019 – approving a zone change from Residential-Three (R-3) to Planned Residential Development (PRD) with an Outline Development Plan (ODP) for property located at 4000-4066 Upham Street (Case No. WZ-18-17/Ridgetop Village)
- 4. Council Bill 03-2019 - amending Section 2-53 and 11-52.5 of the Wheat Ridge Code of Laws concerning appointees to Boards and Commissions and the Liquor Licensing Authority

**DECISIONS, RESOLUTIONS AND MOTIONS**

- 5. Motion to approve appointments to Boards and Commissions
- 6. Motion approving the revised Council Rules of Order and Procedure dated February 25, 2019

**CITY MANAGER'S MATTERS**

**CITY ATTORNEY'S MATTERS**

**ELECTED OFFICIALS' MATTERS**

**ADJOURN TO SPECIAL STUDY SESSION**

**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: RESOLUTION NO. 13-2019 - A RESOLUTION DESIGNATING THE CITY HALL LOBBY AS THE OFFICIAL PUBLIC NOTICE POSTING LOCATION AND THE WHEAT RIDGE TRANSCRIPT AS THE OFFICIAL NEWSPAPER OF GENERAL CIRCULATION FOR CITY PUBLICATIONS IN 2019**

☐ PUBLIC HEARING  
☐ BIDS/MOTIONS  
☒ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL: ☐ YES ☒ NO

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

  
\_\_\_\_\_  
City Manager

**ISSUE:**

State statute requires that each municipality annually establish the location for posting public notices, as well as the newspaper in which the notices will be published.

**PRIOR ACTION:**

In previous years, the Wheat Ridge Transcript has been utilized as the City's official newspaper for publications; official posting location has been the City Hall Lobby.

**FINANCIAL IMPACT:**

None

**BACKGROUND:**

None

**RECOMMENDATIONS:**

It is recommended the City continue to use the same newspaper and posting location as in previous years.

**RECOMMENDED MOTION:**

"I move to approve Resolution No. 13-2019, a resolution designating the City Hall Lobby as the official public notice location and the Wheat Ridge Transcript as the official newspaper of general circulation for City publications in 2019."

Or,

"I move to postpone indefinitely Resolution No. 13-2019, a resolution designating the City Hall Lobby as the official public notice location and the Wheat Ridge Transcript as the official newspaper of general circulation for City publications for the following reason(s)  
\_\_\_\_\_."

**REPORT PREPARED/REVIEWED BY:**

Robin L. Eaton, Deputy City Clerk

Janelle Shaver, City Clerk

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Resolution No. 13-2019

**CITY OF WHEAT RIDGE, COLORADO**  
**RESOLUTION NO. 13**  
**Series of 2019**

**TITLE: A RESOLUTION DESIGNATING THE CITY HALL LOBBY AS THE OFFICIAL PUBLIC NOTICE POSTING LOCATION AND THE WHEAT RIDGE TRANSCRIPT AS THE OFFICIAL NEWSPAPER OF GENERAL CIRCULATION FOR CITY PUBLICATIONS IN 2019**

**WHEREAS**, the Colorado Revised Statutes require municipalities to designate official public notice and publication locations for legal notices; and

**WHEREAS**, such locations must be approved by the governing body of the municipality annually; and

**WHEREAS**, the City is required by Charter, Ordinance and State Law to publish certain notices.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Wheat Ridge, Colorado, as follows:

Section 1. Public notice of public meetings of the City Council, Planning Commission, Board of Adjustment, and all other Board, Commission, Committee, and advisory board meetings for which public notice is required, shall be posted on the first floor at the Municipal Building, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado, which location shall be deemed the official posting location for the City.

Section 2. Except as otherwise permitted by Sections 5.2 and 5.12 of the Charter, notices and other information required to be published in a newspaper of general circulation within the City, shall be made in the Wheat Ridge Transcript; except that, where circumstances make publication ineffective or otherwise undesirable, the City may publish official notice on the City's website.

Section 3. This resolution shall be effective upon adoption.

**DONE AND RESOLVED** this 25<sup>th</sup> day of February 2019.

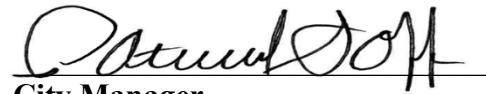
\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Janelle Shaver, City Clerk

**REQUEST FOR CITY COUNCIL ACTION****TITLE: MOTION TO APPROVE THE INSTALLATION OF A TRAFFIC CALMING DEVICE ON CARR STREET BETWEEN 38<sup>TH</sup> AND 41<sup>ST</sup> AVENUES IN ACCORDANCE WITH THE NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM**

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING          | <input type="checkbox"/> ORDINANCES FOR 1 <sup>ST</sup> READING |
| <input checked="" type="checkbox"/> BIDS/MOTIONS | <input type="checkbox"/> ORDINANCES FOR 2 <sup>ND</sup> READING |
| <input type="checkbox"/> RESOLUTIONS             |   |

QUASI-JUDICIAL: ☐ YES ☒ NO  
Engineering Manager  
City Manager**ISSUE:**

Residents on Carr Street petitioned the City to address traffic issues for the segment between 35<sup>th</sup> and 41<sup>st</sup> Avenues. Staff followed the process outlined in the City's Neighborhood Traffic Management Policy (NTMP), to address traffic issues, primarily speeding. Residents subsequently secured a petition with the necessary amount of signatures to support the installation of speed humps as traffic calming devices.

**PRIOR ACTION:**

None

**FINANCIAL IMPACT:**

Funding for this program was approved in the Neighborhood Traffic Management Projects line item of the 2019 Capital Improvement Program Budget in the amount of \$35,000. Speed humps are estimated to cost approximately \$6,000 each.

**BACKGROUND:**

On April 28, 2014, Council approved the NTMP to systematically address potential traffic issues on residential streets. The goal of the program is to foster safety and livability in neighborhoods by reducing the negative impact of vehicular traffic on residential streets. The program guide

was established with a policy and intent to explore available means such as enforcement, education, and engineering solutions to address identified concerns and issues. The policy intent is also to clearly identify a problem, if one exists, and ensure full support from the affected residents in devising a plan through consensus to a solution(s). The NTMP essentially provides a means and process for residents to request consideration for the installation of traffic calming measures on local streets. Traffic calming measures may include speed humps, curb extensions, signs, speed trailers, enforcement, and other traffic control measures as requested and as applicable.

On April 23, 2018, Carr Street residents filed a request for NTMP consideration to discuss traffic issues on Carr Street between 35<sup>th</sup> and 41<sup>st</sup> Avenues. A meeting was conducted on July 22, 2018 with the residents to examine the extent of the problems and to explore available remediation. A traffic study was conducted to analyze traffic speed, volume, and vehicle classification. In addition, the engineering evaluation also looked at sight distance, drainage, and roadway geometry. Staff determined that the street segment is suitable for traffic calming treatments.

Subsequent to the evaluation and findings, the residents elected to move forward with a permanent traffic calming solution, specifically speed hump installation. Staff identified two locations, see Attachment 1, for treatment for the requested segment between 38<sup>th</sup> and 41<sup>st</sup> Avenues with the intent to reduce excessive speeding. This segment of Carr Street is not part of an emergency route and is therefore eligible for traffic calming features in the roadway. A petition was received on October 26, 2018 to move forward with installation.

In accordance with the City's adopted NTMP, speed humps can be ordered for installation by the City Council if at least 80% of residents in a designated street segment area sign the petition, including the residents who reside immediately adjacent to the speed hump. Based on the results of the petition received by the City, a sufficient number of signatures have been attained for two speed humps.

**RECOMMENDATION:**

Residents on Carr Street between 38<sup>th</sup> and 41<sup>st</sup> Avenues have satisfied the process outlined in the NTMP policy and through the staff evaluation process. As a result, staff recommends moving forward with the installation of two speed humps on Carr Street.

**RECOMMENDED MOTION:**

"I move to approve the installation of a traffic calming device on Carr Street between 38<sup>th</sup> and 41<sup>st</sup> Avenues in accordance with the Neighborhood Traffic Management Program."

Or,

"I move to not approve the installation of a traffic calming device on Carr Street between 38<sup>th</sup> and 41<sup>st</sup> Avenue in accordance with the Neighborhood Traffic Management Program for the following reason(s) \_\_\_\_\_."

**REPORT PREPARED/REVIEWED BY:**

Steve Nguyen, Engineering Manager

Patrick Goff, City Manager

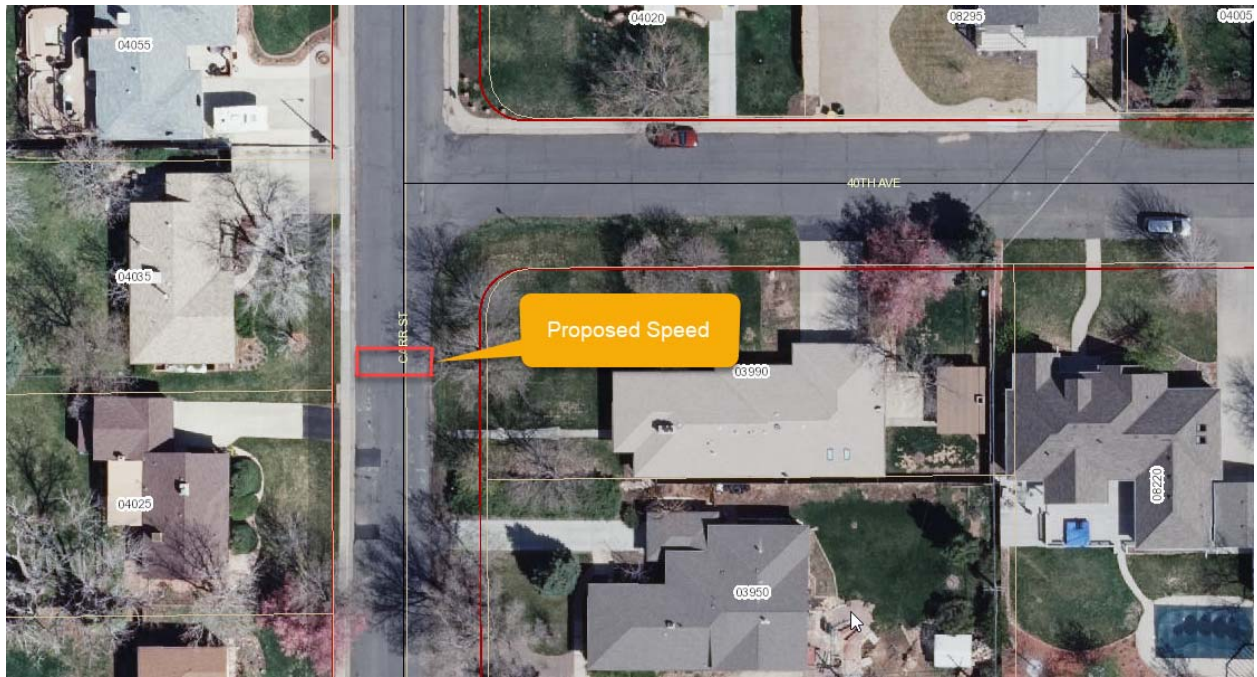
**ATTACHMENTS:**

1. Proposed Speed Hump Location Map

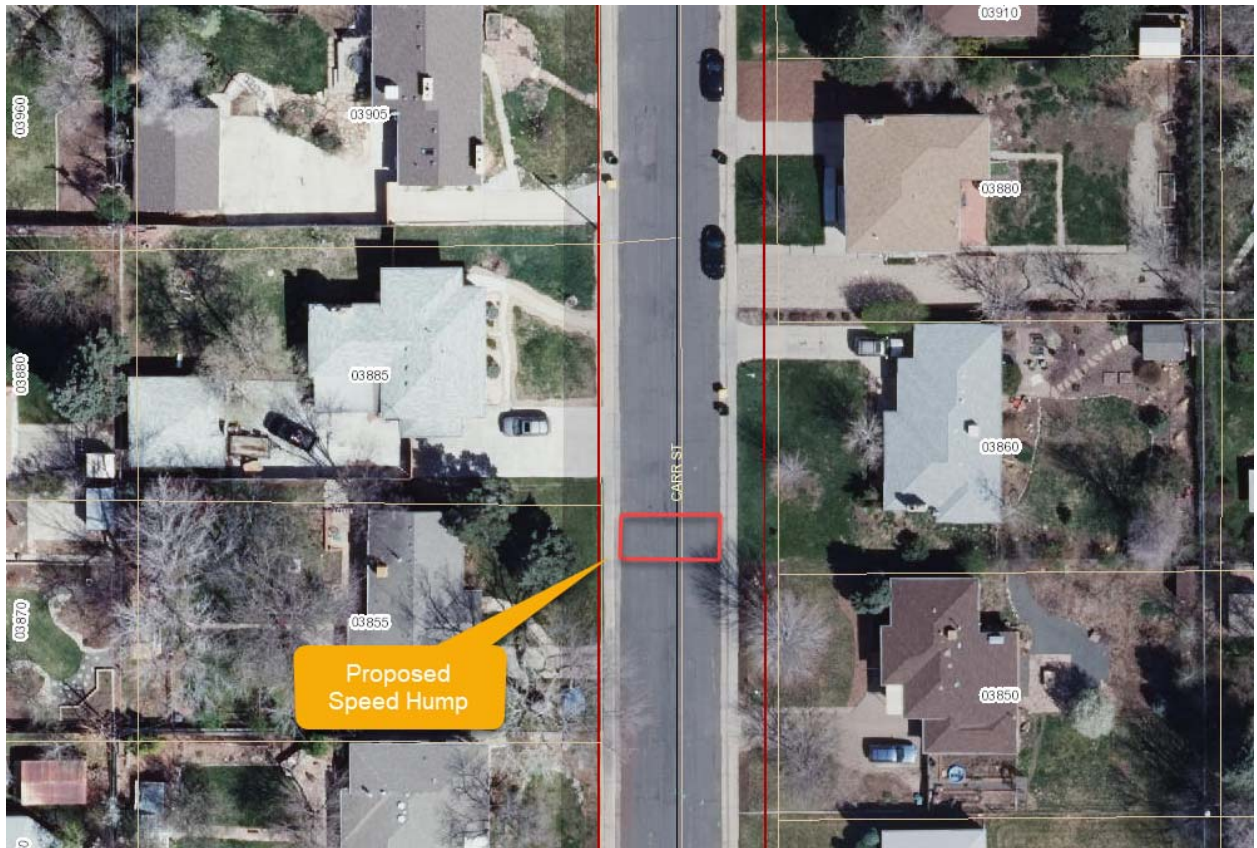












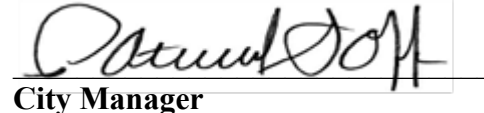
**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: MOTION TO AWARD THE 44<sup>TH</sup> AND YOUNGFIELD SIDEWALK AND DRAINAGE PROJECT AND APPROVE SUBSEQUENT PAYMENTS TO KECI COLORADO INC., SEDALIA, CO, IN THE AMOUNT OF \$97,579, WITH A CONTINGENCY AMOUNT OF \$9,760, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$107,339**

☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL: ☐ YES ☒ NO

  
Engineering Manager  
City Manager**ISSUE:**

The 44<sup>th</sup> and Youngfield Sidewalk and Drainage project provides a sidewalk connection between 44<sup>th</sup> Avenue and the recently completed Stor-All Storage development at 4370 Youngfield Street. This project meets the City's goal to close gaps in the sidewalk network on major roadways such as 44<sup>th</sup> Avenue and Youngfield Street. This project will also provide pedestrian lighting and minor drainage improvements along Youngfield Street.

Staff evaluated the bids along with the company's references and experience as a basis for recommendation. The lowest responsible and responsive bidder, KECI Colorado Inc., Sedalia, CO, has met the bid and qualification requirements.

**PRIOR ACTION:**

None

**FINANCIAL IMPACT:**

Five bids for the 44<sup>th</sup> and Youngfield Sidewalk and Drainage Project were opened on January 17, 2019. All of the bids met the initial bid requirements and were above engineer's cost estimate by 1.8% to 41.1%. Staff analyzed the bids and believe the high prices are largely due to the relatively small project size and the increasingly competitive construction market.

The proposals ranged from \$97,579 to \$135,268. The engineer's estimate was \$95,886. Even though the bid slightly exceeds the engineer estimated amount, it is within the available budget. Funding for this program has been approved in the 2019 Capital Improvement Program budget in the Public Improvement Projects, Development Related line item 30-303-800-851.

**BACKGROUND:**

The property at 4370 Youngfield Street was approved for development as a storage facility and completed its construction in September 2018. Sidewalk, lighting, and other street improvements on the property frontage were also built along with the development. This created a gap of approximately 125 feet of sidewalk along Youngfield from this development to 44<sup>th</sup> Avenue. As a result, the City initiated a design to fill the gap and therefore provide continuous sidewalk to 44<sup>th</sup> Avenue. The project consists of the sidewalk, drainage, lighting, and other improvements. The project also includes grading to enlarge the existing detention basin and stabilization of disturbed areas.

The lowest responsible and responsive bidder, KECI Colorado Inc., Sedalia, CO with a bid amount of \$97,579, has met the bid and qualification requirements. The company's references and experience check was conducted as part of the bid's evaluation.

A contingency amount of \$9,760 is requested to allow for the cost of other potential unanticipated items related to the project that can sometimes occur after the commencement of construction.

**RECOMMENDATION:**

Based upon the contractor's demonstrated capabilities and performance on previous projects and due to available budget, Staff recommends that a contract be awarded to KECI Colorado Inc.

**RECOMMENDED MOTION:**

"I move to award the 44<sup>th</sup> and Youngfield Sidewalk and Drainage project and approve subsequent payments to KECI Colorado Inc., Sedalia, CO in the amount of \$97,579, with a contingency amount of \$9,760 for a total not-to-exceed amount of \$107,339."

Or,

"I move to deny the award of the 44<sup>th</sup> and Youngfield Sidewalk and Drainage project to KECI Colorado Inc., Sedalia, CO for the following reason(s) \_\_\_\_\_."

**REPORT PREPARED/REVIEWED BY:**

Mark Westberg, Projects Supervisor

Steve Nguyen, Engineering Manager

Jennifer Nellis, Purchasing Agent

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Bid Tab Sheet
2. Project Map



Subject to review for completeness and accuracy.



**PROJECT: ITB-18-30**

**44TH & YOUNGFIELD SIDEWALK and DRAINAGE**

**DUE DATE/TIME: THURSDAY, JANUARY 17, 2019 BY 1:00 P.M. LOCAL TIME**

**REQUESTED BY: JORDAN JEFFERIES, PUBLIC WORKS**

**KH OPENED BY: KIRBY HOLLUMS, BUYER II**

**JHM WITNESSED BY: JENNIFER NELLIS, PURCHASING AGENT**

ALLOWED VENDOR (PRIME)	Duran Excavating Inc.	Frontier Environmental Services	Hallmark Inc.	KECI Colorado Inc.	Technology Constructors, Inc.
LOCATION	Greeley, CO	Arvada, CO	Denver, CO	Sedalia, CO	Arvada, CO
BIDDER ACKNOWLEDGEMENT FORM	Yes	Yes	Yes	Yes	Yes
ACKNOWLEDGE ADDENDA (2)	Yes	Yes	Yes	Yes	Yes
CONTRACTOR'S QUALIFICATION FORM	Yes	Yes	Yes	Yes	Yes
PROPOSAL FORM	Yes	Yes	Yes	Yes	Yes
BID SCHEDULE, REVISED PGS 27 & 28	yes	corrected pages	Yes	Yes	Yes
TOTAL BID	\$ 121,091.75	\$ 116,320.90	\$ 112,070.00	\$ 97,579.00	\$ 135,268.00
LIST OF SUB-CONTRACTORS	Yes	Yes	Yes	Yes	Yes
NON-DISCRIMINATION ASSURANCE FORM	Yes	Yes	Yes	Yes	Yes
ILLEGAL ALIEN COMPLIANCE	Yes	Yes	Yes	Yes	Yes
NON-COLLUSION AFFADAVIT	Yes	Yes	Yes	Yes	Yes
KEEP JOBS IN COLORADO FORM	Yes	Yes	Yes	Yes	Yes
BID BOND	Yes	Yes	Yes	Yes	Yes



## ATTACHMENT 2



**REQUEST FOR CITY COUNCIL ACTION**

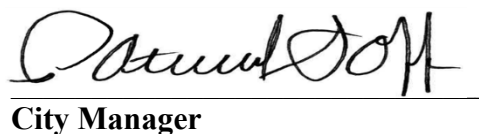
**TITLE: RESOLUTION NO. 14-2019 – A RESOLUTION ESTABLISHING A STREET WIDTH FOR 52<sup>nd</sup> AVENUE FROM WARD ROAD TO TABOR STREET, FOR TABOR STREET FROM 52<sup>nd</sup> AVENUE TO RIDGE ROAD, AND FOR RIDGE ROAD FROM TABOR STREET TO THE CITY BOUNDARY EAST OF SIMMS PLACE**

☒ PUBLIC HEARING  
☐ BIDS/MOTIONS  
☒ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL: ☐ YES

☒ NO

  
Engineering Manager  
City Manager**ISSUE:**

The Wheat Ridge · Ward Station area is one of four projects in the City's *Investing 4 the Future* bond program which is benefitting from \$12 million from the voter-approved, temporary ½-cent sales and use tax rate increase. Wheat Ridge and Arvada have been cooperating in assessing improvements to several streets in the station area. 52<sup>nd</sup> Avenue, Tabor Street and Ridge Road will all be widened which requires new street width designations in accordance with Section 5.20 of the City Charter.

**PRIOR ACTION:**

For several years, the City has lead extensive visioning and planning efforts focused on the Wheat Ridge · Ward Station planning area. Numerous Council updates and actions have occurred at various stages in these processes. Council was most recently updated on January 7, 2019 on the status of the Wheat Ridge · Ward Station planning area and on private developments in the area. Prior actions specifically related to the three roadway improvements include the following:

- On August 27, 2018, Council approved a contract for design services with Short Elliot Hendrickson, Inc. (SEH) to design and prepare construction drawings for the first three task orders. These task orders covered 52<sup>nd</sup> Avenue east of Ward Road, Tabor Street between Ridge Road and 52<sup>nd</sup> Avenue, and Ridge Road east of Tabor Street.
- On November 19, 2018, Council directed staff not to pursue improvements to the segment of 52<sup>nd</sup> Avenue east of Tabor Street that would have provided a roadway connection to the proposed Haskins Station development in Arvada.
- On December 10, 2018, Council approved a contract for right-of-way (ROW) acquisition services with HDR, Inc. to prepare deeds and acquire ROW for the first task order for Ridge Road east of Tabor Street.
- On January 7, 2019, Council directed staff to continue to work on the potential project list that was presented.
- On January 14, 2019, Council authorized staff to acquire ROW along the north side of Ridge Road east of Tabor Street. The authority to pursue eminent domain, if necessary, was deferred to a later date. Council authorized the Mayor and the City Clerk to accept the acquired ROW on their behalf.
- Lastly on January 28, 2019, Council approved an IGA with the City of Arvada to cooperate in improving three streets in the Wheat Ridge · Ward Station area, including sharing the costs on two of those streets.

**FINANCIAL IMPACT:**

There is no financial impact in establishing street width designations.

**BACKGROUND:**

Whenever the width of an existing street is changed, Council must designate the new width of the street in accordance with Section 5.20 of the City Charter. The revised width of the affected streets has been reviewed in accordance with the City Code, Section 21-3, as follows:

1. Flow line – The width of the street is based on the flow line for streets with curb and is defined as the face-of-curb to face-of-curb distance.
  - a. 52<sup>nd</sup> Avenue (Ward Road to Tabor Street), see Attachment 2 for the proposed street plans.
    - i. Existing flow line width varies between 42 feet near Ward Road and 23 feet for most of the corridor.
    - ii. Proposed flow line width is 35 feet to meet the 3-lane collector street standards, which provides for:
      - Two 10-foot-wide travel lanes
      - One 11-foot wide center turn lane
      - Two 2-foot wide gutters
  - b. Tabor Street (52<sup>nd</sup> Avenue to Ridge Road), see Attachment 3 for the proposed street plans.
    - i. Existing flow line width varies between 35 feet near Ridge Road and 22 feet for most of the corridor.

- ii. Proposed flow line width is 38 feet to meet the 2-lane with on-street parking local street standards, which provides for:
      - Two 11-foot-wide travel lanes
      - Two 6-foot wide parking lanes
      - Two 2-foot wide gutters
    - iii. At either end, Tabor Street does not have the on-street parking and so is not as wide. However, the length of those segments is less than 300 feet so only one width needs to be designated.
  - c. Ridge Road (Tabor Street to the City boundary east of Simms Street), see Attachment 4 for the proposed street plans.
    - i. Existing flow line width varies between 40 feet near Tabor Street and 25 feet for most of the corridor.
    - ii. Proposed flow line width is 43 feet to meet the 3-lane with bike lanes collector street standards, which provides for:
      - Two 10-foot-wide travel lanes
      - One 11-foot wide center turn lane
      - Two 6-foot wide bike lanes including the 2-foot wide gutters
2. Street Reconstruction
- a. Street reconstruction is defined per the City Code as at least 250 feet long and includes the removal of existing pavement, curb, and/or gutter and construction of the same.
  - b. All three streets are considered to be reconstruction projects.
3. Public Hearing Process
- a. No earlier than one year prior to reconstruction, a public hearing is required to designate a change in street width.
  - b. After the public hearing on February 25, 2019, some form of construction must occur by February 25, 2020. This has been interpreted by the City Attorney as the issuing of a Notice to Proceed (NTP) to a contractor who has been awarded a contract through the public bidding process.
  - c. Prior to the end of the public hearing, citizens who wish to protest the street width designation can file a protest petition that requires a  $\frac{3}{4}$  vote of the entire Council.
  - d. Upon approval of a street width designation at the public hearing, citizens who wish to protest must follow the procedure in the City Charter to file a petition with 45 days.

#### Street Construction Schedule

All the streets are already well into the design process, with the construction plans being completed later this spring. The ROW acquisition process has also started and is expected to be completed concurrently with the construction plans. The NTP for construction is expected to be issued this summer, so meeting the deadline for the street width expiration is achievable, pending any unforeseen issues.

#### **RECOMMENDATIONS:**

Staff recommends approval of the street width designation for all three streets in order to advance the voter approved investment into the Wheat Ridge · Ward Station area.

**RECOMMENDED MOTION:**

“I move to approve Resolution No. 14-2019, a resolution establishing street widths for 52<sup>nd</sup> Avenue from Ward Road to Tabor Street, for Tabor Street from 52<sup>nd</sup> Avenue to Ridge Road, and for Ridge Road from Tabor Street to the City boundary east of Simms Street.”

Or,

“I move to postpone indefinitely Resolution No. 14-2019, a resolution establishing street widths for 52<sup>nd</sup> Avenue from Ward Road to Tabor Street, for Tabor Street from 52<sup>nd</sup> Avenue to Ridge Road, and for Ridge Road from Tabor Street to the City boundary east of Simms Street for the following reason(s) \_\_\_\_\_.”

**REPORT PREPARED/REVIEWED BY:**

Mark Westberg, Project Supervisor  
Steve Nguyen, Engineering Manager  
Lauren Mikulak, Planning Manager  
Kenneth Johnstone, Community Development Director  
Patrick Goff, City Manager

**ATTACHMENTS:**

1. Resolution No. 14-2019
2. Proposed Street Plan – 52<sup>nd</sup> Avenue
3. Proposed Street Plan – Tabor Street
4. Proposed Street Plan – Ridge Road

**CITY OF WHEAT RIDGE, COLORADO**  
**RESOLUTION NO. 14**  
**Series of 2019**

**TITLE: A RESOLUTION ESTABLISHING A STREET WIDTH FOR 52<sup>ND</sup> AVENUE FROM WARD ROAD TO TABOR STREET, FOR TABOR STREET FROM 52<sup>ND</sup> AVENUE TO RIDGE ROAD, AND FOR RIDGE ROAD FROM TABOR STREET TO THE CITY BOUNDARY EAST OF SIMMS PLACE**

**WHEREAS**, the Cities of Wheat Ridge and Arvada have facilities within the Wheat Ridge · Ward Station area; and

**WHEREAS**, the Cities of Wheat Ridge and the Arvada have programmed various street improvements within the Wheat Ridge · Ward Station area; and

**WHEREAS**, City staff has completed preliminary plans for those street improvements; and

**WHEREAS**, the preliminary plans establish new street widths on 52<sup>nd</sup> Avenue from Ward Road to Tabor Street, on Tabor Street from 52<sup>nd</sup> Avenue to Ridge Road, and on Ridge Road from Tabor Street to the City boundary east of Simms Place; and

**WHEREAS**, Wheat Ridge Home Rule Charter Section 5.20 designates the City Council as the sole authority to determine the width of all city streets within the boundaries of the City of Wheat Ridge; and

**WHEREAS**, within one (1) year prior to construction or reconstruction of a street, the City Council shall hold a public hearing and adopt the new flowline of said street as the street's official street width designation; and

**WHEREAS**, in compliance with Charter Section 5.20 and Section 21-3(c) of the Code of Laws, the City Council held a properly noticed public hearing on the proposed street width designations on February 25, 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Wheat Ridge, Colorado, that:

**Section 1. New Street Width Designation.** Pursuant to the authority vested in it by Charter Section 5.20, the City Council hereby designates street widths for portions of 52<sup>nd</sup> Avenue, Tabor Street, and Ridge Road, as follows:

- a. 35 feet for that portion of West 52<sup>nd</sup> Avenue located between Ward Road and Tabor Street
- b. 38 feet for that portion of Tabor Street located between West 52<sup>nd</sup> Avenue and Ridge Road
- c. 43 feet for that portion of Ridge Road located between Tabor Street and the City boundary east of Simms Place

**Section 2.** This Resolution shall be effective immediately upon adoption.

**DONE AND RESOLVED** this 25th day of February, 2019.

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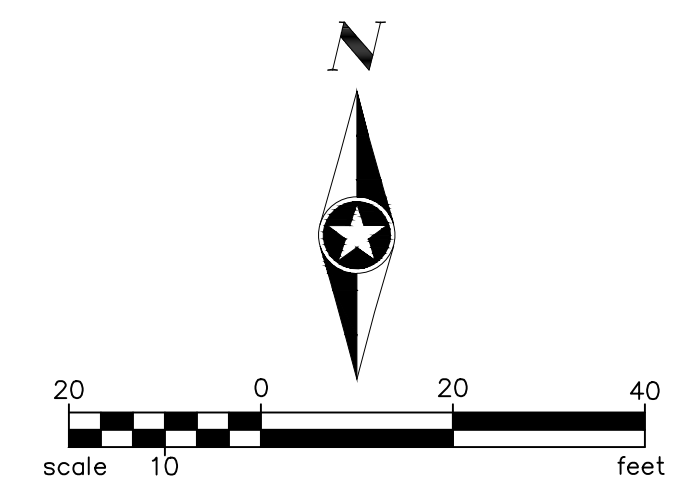
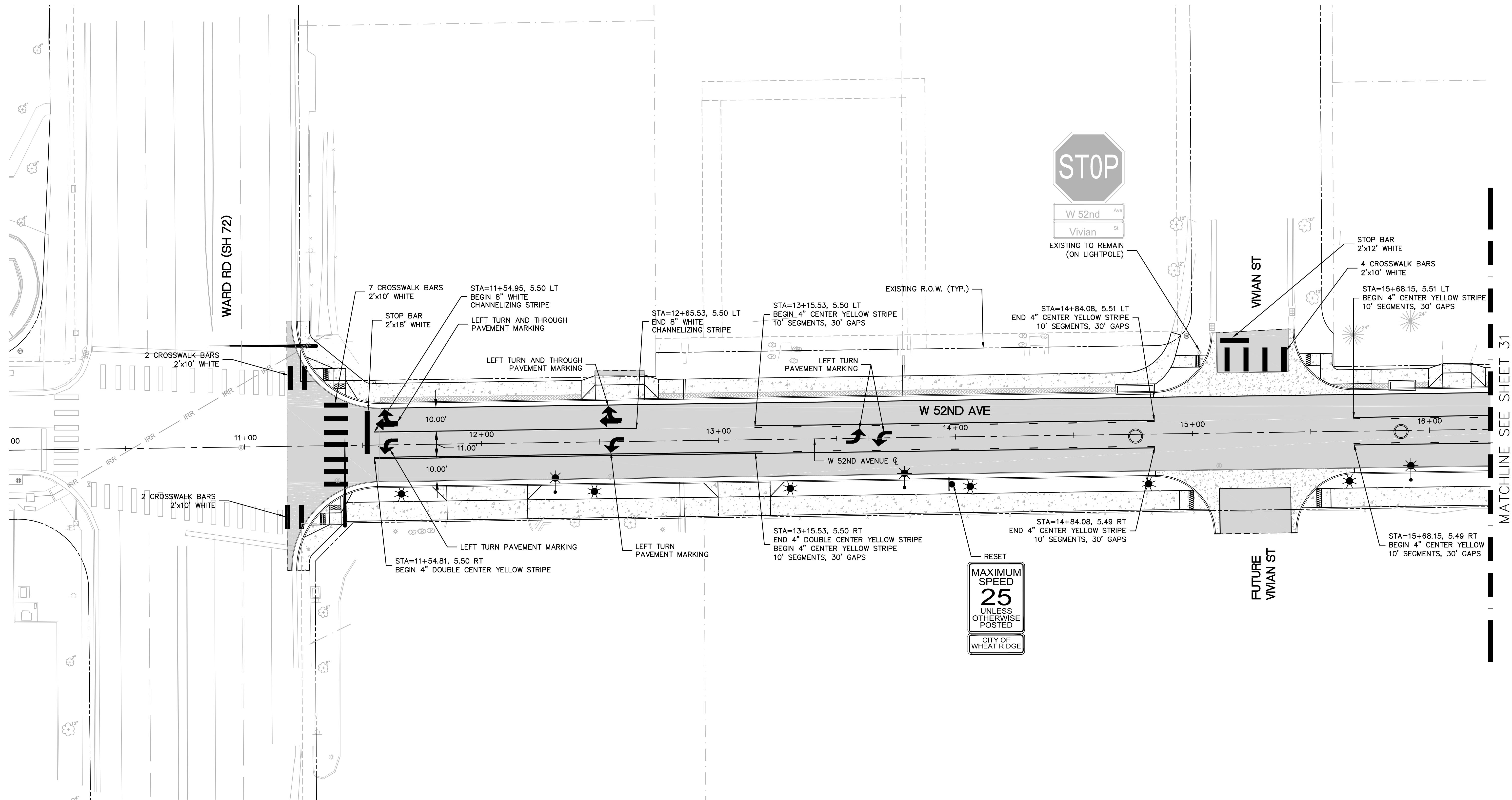
Bud Starker, Mayor

ATTEST:

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Janelle Shaver, City Clerk

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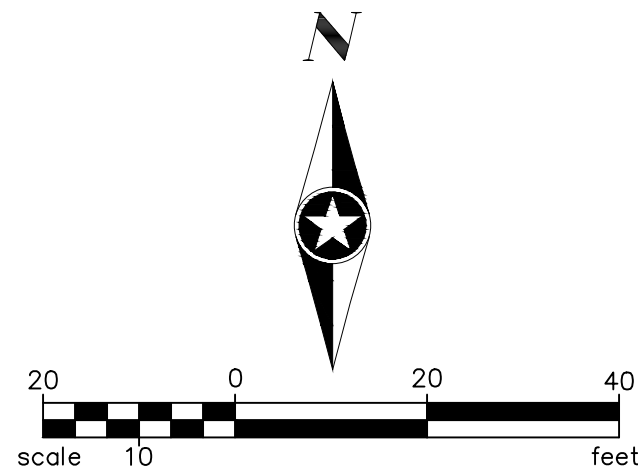
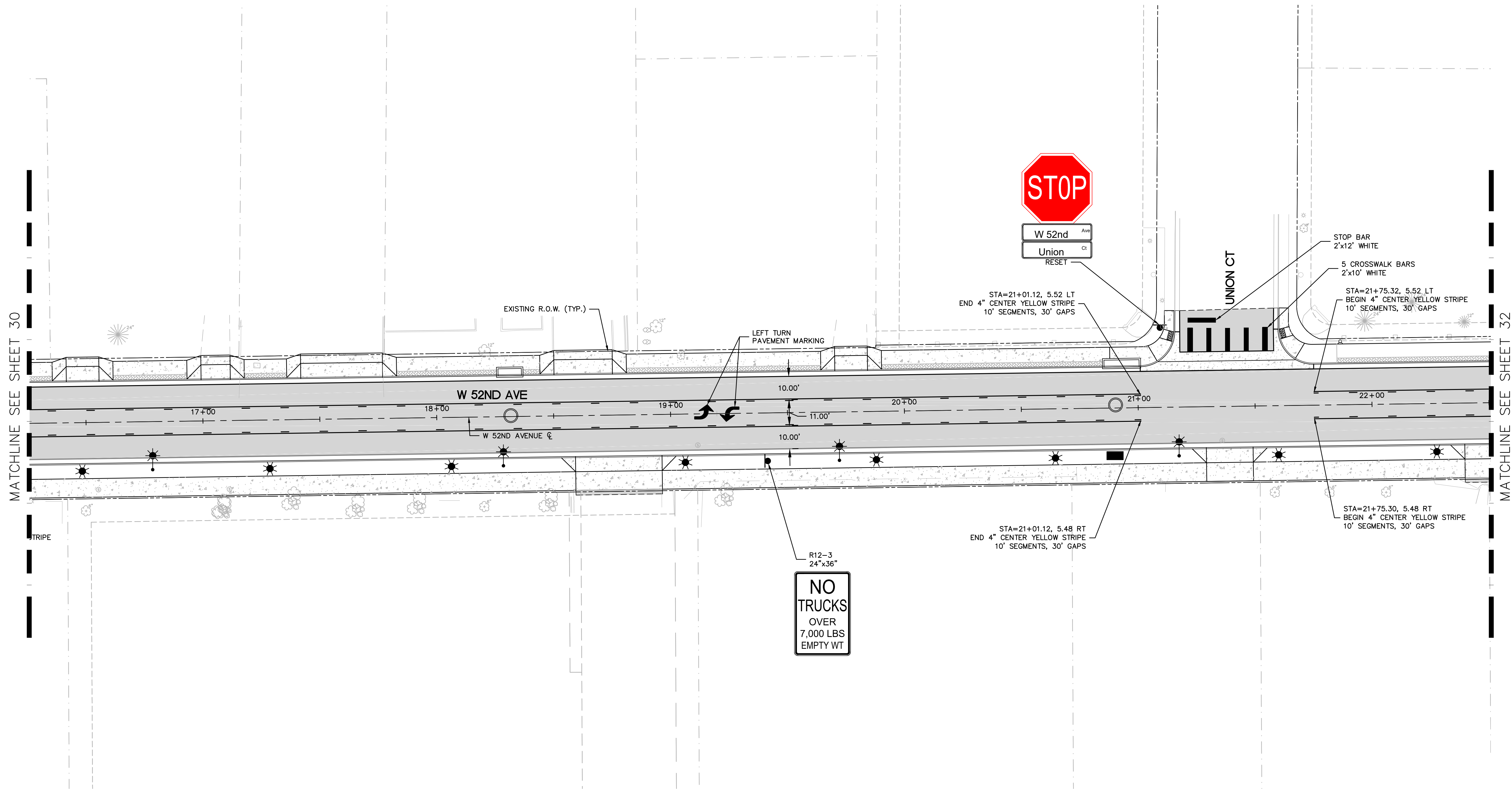


60% SUBMITTAL  
NOT FOR CONSTRUCTION

NO.	REVISIONS	DATE	INIT.	SCALES		 DEPARTMENT OF PUBLIC WORKS 7500 WEST 29TH AVENUE WHEAT RIDGE, COLORADO 80033 TELEPHONE: (303) 235-2861 FAX: (303) 235-2857	PROJECT # JN-18-09 W 52nd AVENUE RECONSTRUCTION	SIGNING AND STRIPING PLAN	30 SHEETS 44
				HORIZ. 1" = 20'	VERT. 1" = 20'				
	DRAWN BY EE	11/21/18		CALL UTILITY NOTIFICATION CENTER OF COLORADO 1-800-922-1987 CALL 2-BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES					
	DESIGN BY EO	11/21/18							
	CHK'D BY RC	11/21/18							
	APPROVED SJ	11/21/18							



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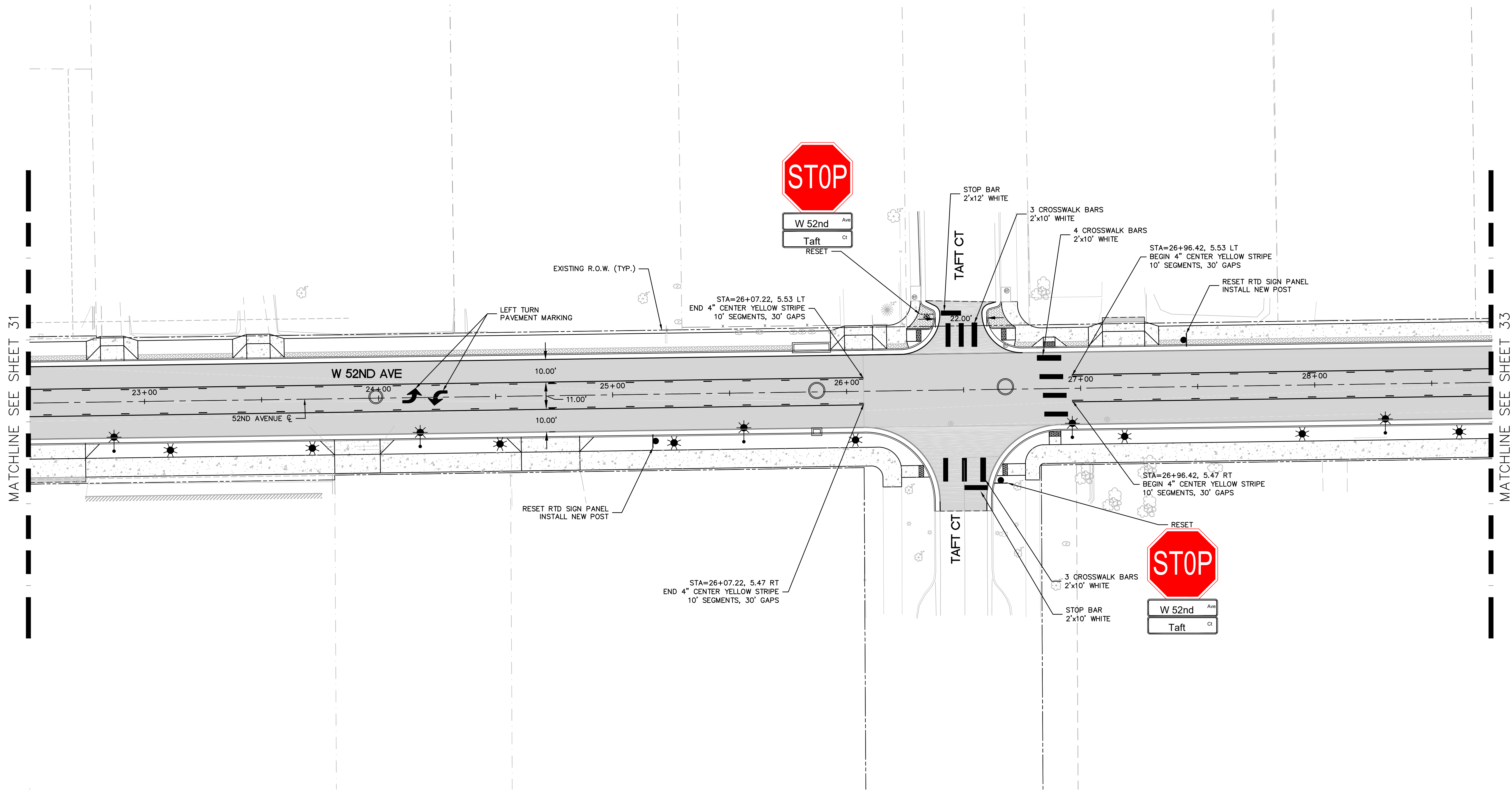
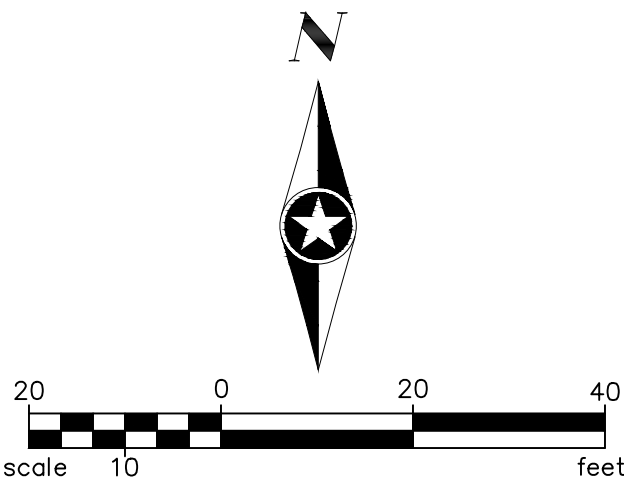


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NOT FOR CONSTRUCTION

NO.	REVISIONS	DATE	INIT.	SCALES		 DEPARTMENT OF PUBLIC WORKS	PROJECT # JN-18-09 W 52nd AVENUE RECONSTRUCTION	SIGNING AND STRIPING PLAN	31
				DRAWN BY	EE 11/21/18				
				DESIGN BY	EO 11/21/18	CALL UTILITY NOTIFICATION CENTER OF COLORADO 1-800-922-1987 CALL 2-BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES	7500 WEST 29TH AVENUE WHEAT RIDGE, COLORADO 80033	TELEPHONE: (303) 235-2861 FAX: (303) 235-2857	SHEETS
				CHK'D BY	RC 11/21/18				
				APPROVED	SJ 11/21/18				

SEE PROJECT 147911 52ND AVENUE RECONSTRUCTION





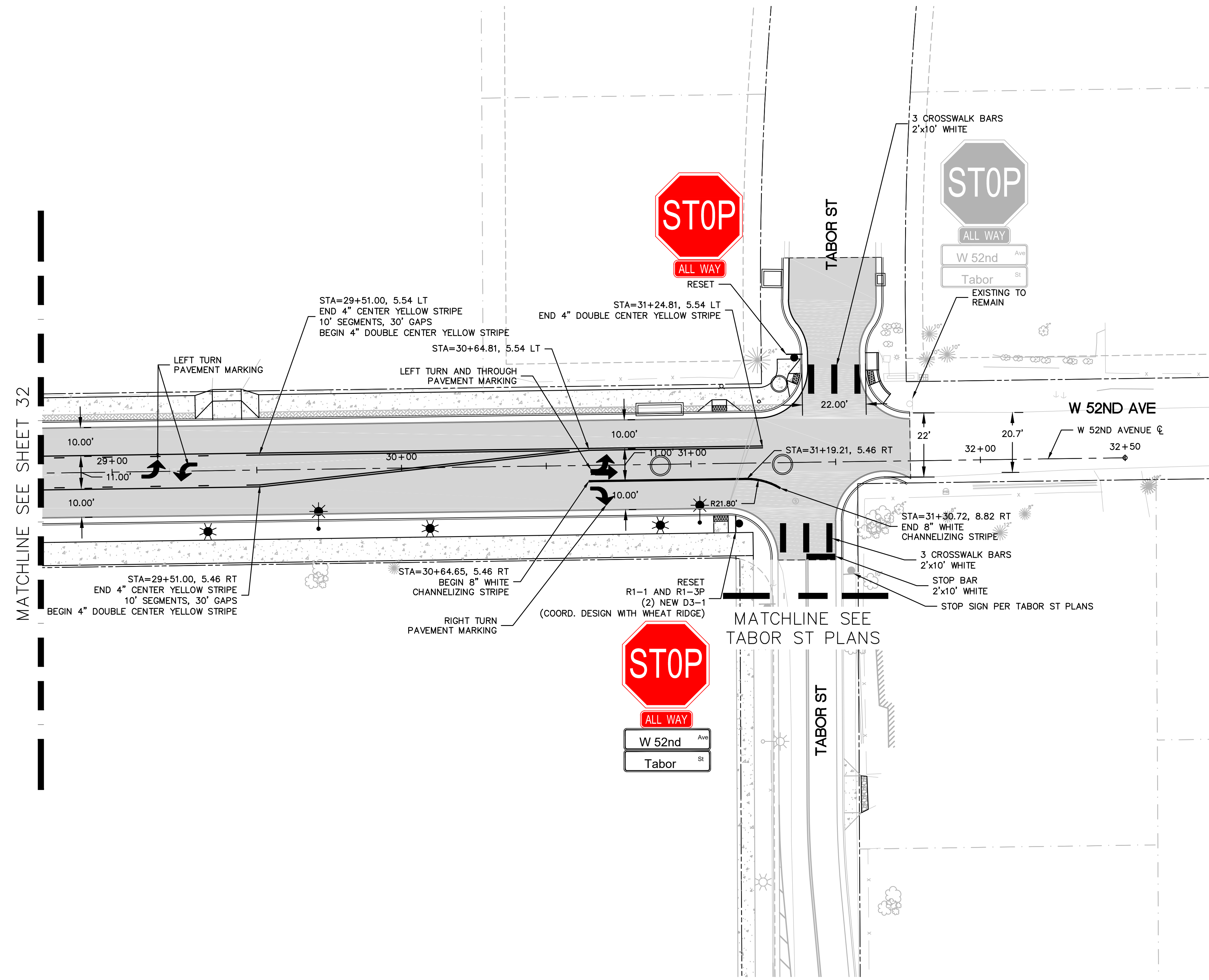
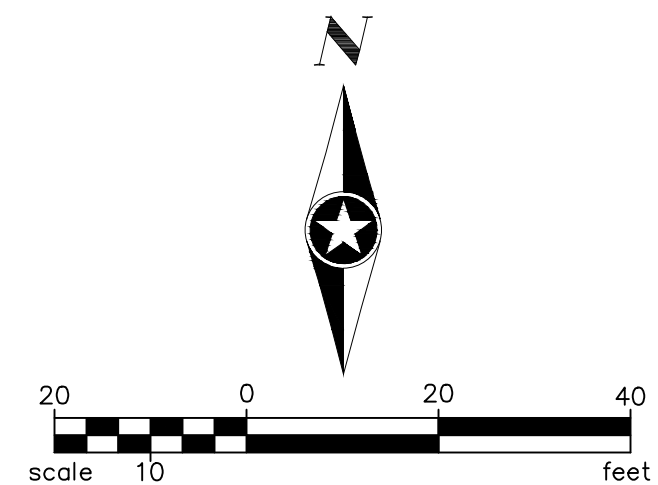
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P: UZ\W\W\HTRC\147	NO.	REVISIONS	DATE	INIT.	DRAWN BY <u>EE</u>	11/21/18	SCALES HORIZ. 1" = 20' VERT.	 <div>City of Wheat Ridge</div> DEPARTMENT OF PUBLIC WORKS  7500 WEST 29TH AVENUE WHEAT RIDGE, COLORADO 80033  TELEPHONE: (303) 235-2861 FAX: (303) 235-2857	PROJECT # JN-18-09  W 52nd AVENUE RECONSTRUCTION	SIGNING AND STRIPING PLAN	32  SHEETS  44
					DESIGN BY <u>EO</u>	11/21/18					
					CHK'D BY <u>RC</u>	11/21/18					
					APPROVED <u>SJ</u>	11/21/18					

SEE PROJECT 147911 52ND AVENUE RECONSTRUCTION

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NO.	REVISIONS	DATE	INIT.

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DESIGN BY	EO	11/21/18
CHK'D BY	RC	11/21/18
APPROVED	SJ	11/21/18

**SCALES**  
HORIZ. 1" = 20'  
VERT. 1" = 20'

CALL UTILITY NOTIFICATION  
CENTER OF COLORADO  
1-800-922-1987

CALL 2-BUSINESS DAYS IN ADVANCE  
BEFORE YOU DIG, GRADE OR  
EXCAVATE FOR THE MARKING OF  
UNDERGROUND MEMBER UTILITIES



**City of Wheat Ridge**  
DEPARTMENT OF PUBLIC WORKS

7500 WEST 29TH AVENUE  
WHEAT RIDGE, COLORADO 80033

TELEPHONE: (303) 235-2861  
FAX: (303) 235-2857

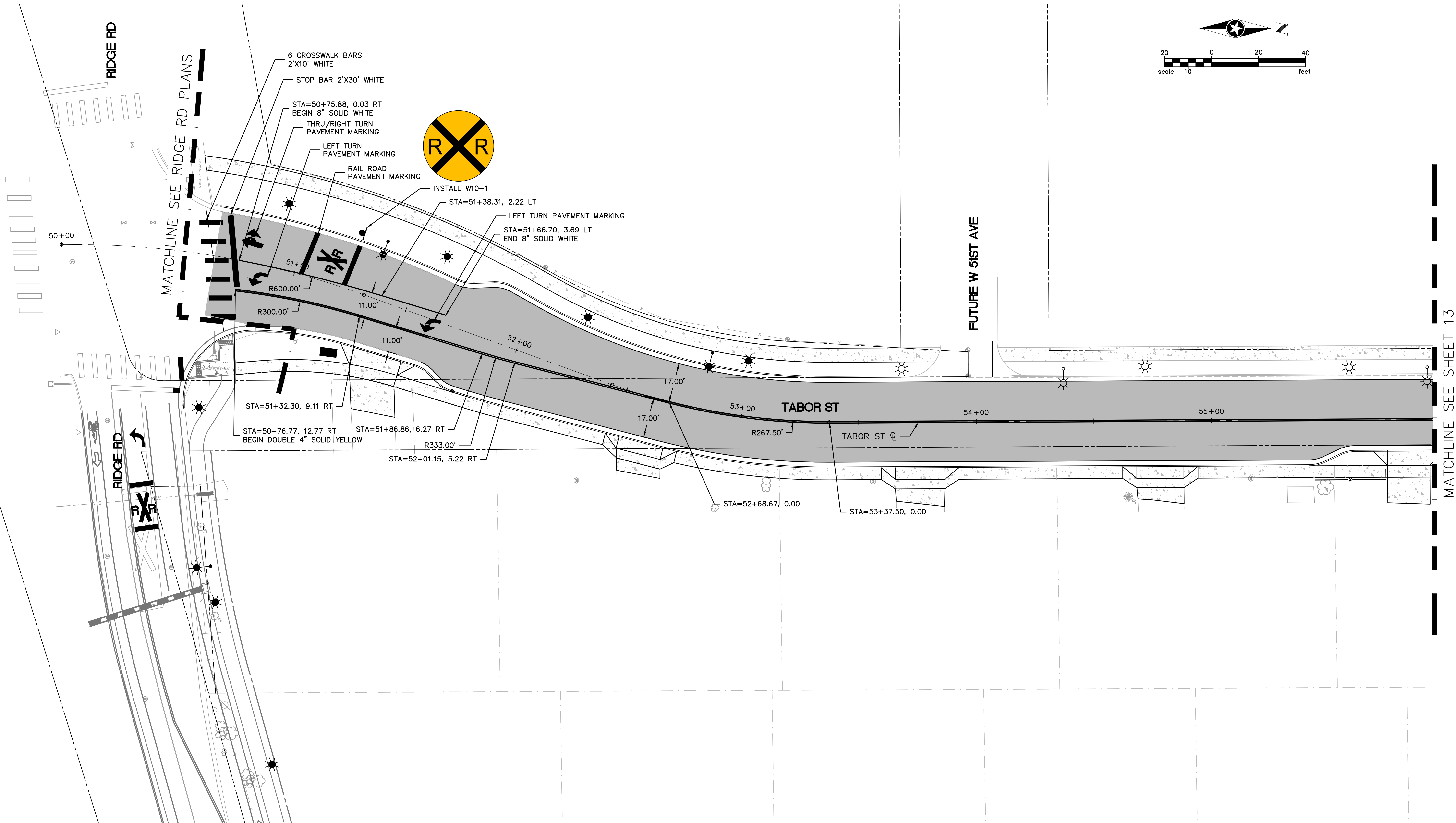
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W 52nd AVENUE RECONSTRUCTION

SIGNING AND STRIPING PLAN

SEE PROJECT 147911 52ND AVENUE RECONSTRUCTION



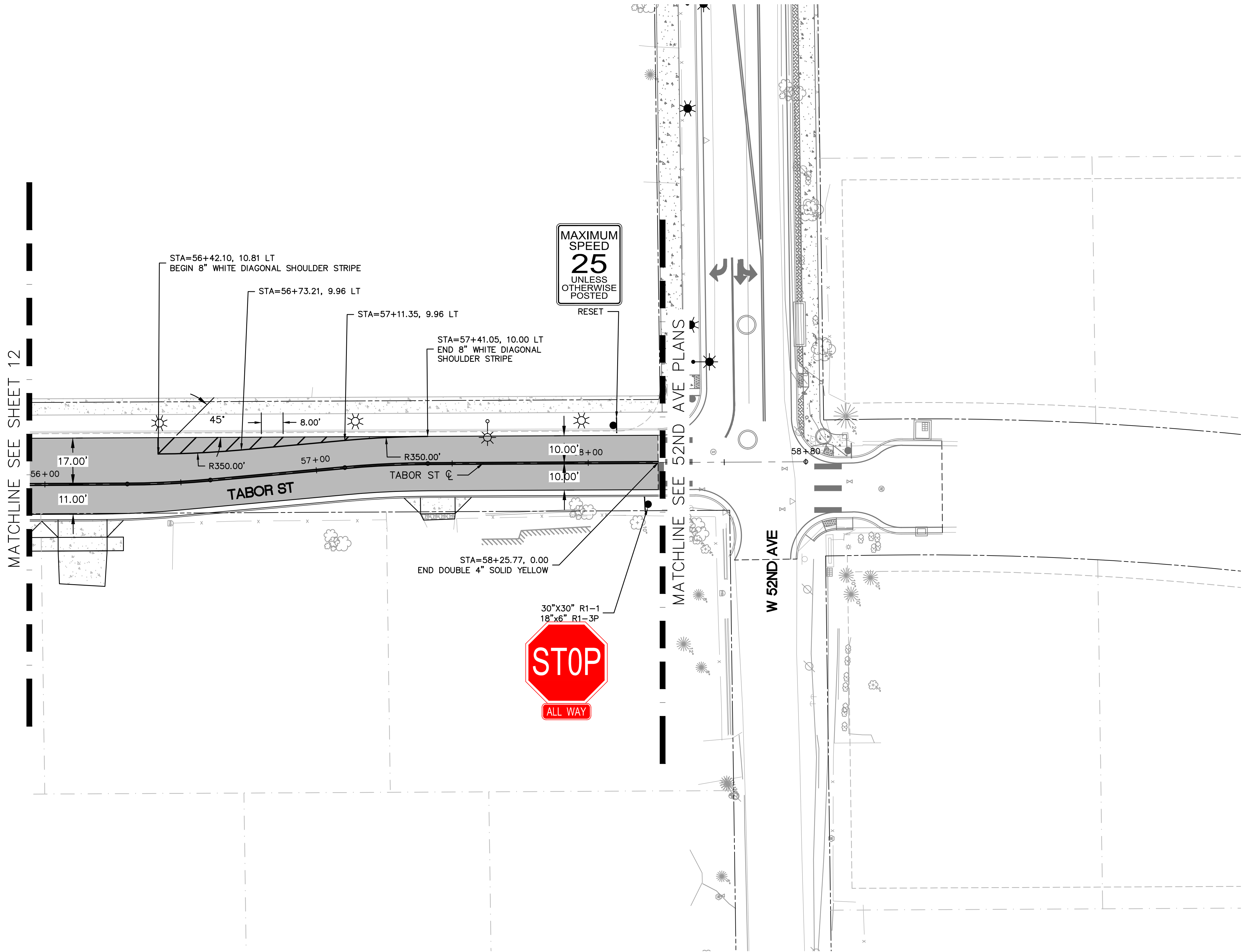
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60% SUBMITTAL  
NOT FOR CONSTRUCTION

NO.	REVISIONS	DATE	INIT.	DRAWN BY _EE_	1/17/19	SCALES HORIZ. 1" = 20' VERT.	 <div>City of Wheat Ridge DEPARTMENT OF PUBLIC WORKS</div> <div>7500 WEST 29TH AVENUE WHEAT RIDGE, COLORADO 80033</div> <div>TELEPHONE: (303) 235-2861 FAX: (303) 235-2857</div>	PROJECT # JN-18-09 TABOR ST RECONSTRUCTION	SIGNING AND STRIPING PLAN	12
			DESIGN BY _EO_	1/17/19	CALL UTILITY NOTIFICATION CENTER OF COLORADO 1-800-922-1987	SHEETS				
			CHK'D BY _RC_	1/17/19	CALL 2-BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES	24				
			APPROVED _SJ_	1/17/19						

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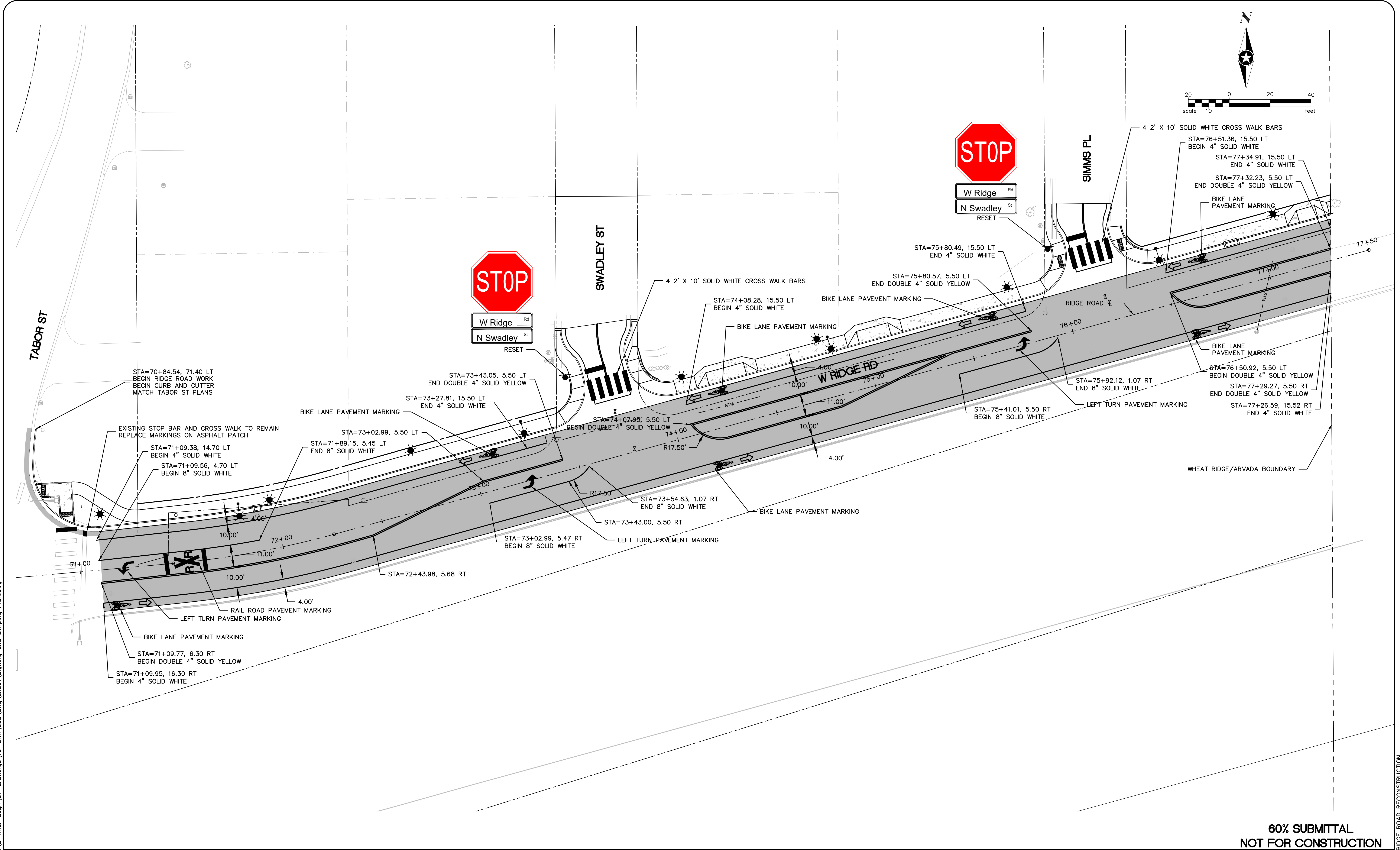
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NO.	REVISIONS	DATE	INIT.				<div>City of Wheat Ridge DEPARTMENT OF PUBLIC WORKS</div> <div>7500 WEST 29TH AVENUE WHEAT RIDGE, COLORADO 80033</div> <div>TELEPHONE: (303) 235-2861 FAX: (303) 235-2857</div>	PROJECT # JN-18-09 TABOR ST RECONSTRUCTION	SIGNING AND STRIPING PLAN	13 SHEETS 24
				DRAWN BY	EE	1/17/19				
				DESIGN BY	EO	1/17/19				
				CHK'D BY	RC	1/17/19				
				APPROVED	SJ	1/17/19				
				SCALES						
				HORIZ. 1" = 20'						
				VERT. 1" = 20'						
				CALL UTILITY NOTIFICATION CENTER OF COLORADO 1-800-922-1987						
				CALL 2-BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES						

TABOR ST RECONSTRUCTION



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NO.	REVISIONS	DATE	INIT.

DRAWN BY EE 11/21/18


DESIGN BY EO 11/21/18

CHK'D BY RC 11/21/18

APPROVED SJ 11/21/18

SCALES  
HORIZ. 1" = 20'  
VERT. 1" = 10'

CALL UTILITY NOTIFICATION  
CENTER OF COLORADO  
1-800-922-1987  
CALL 2-BUSINESS DAYS IN ADVANCE  
BEFORE YOU DIG, GRADE OR  
EXCAVATE FOR THE MARKING OF  
UNDERGROUND MEMBER UTILITIES



City of  
Wheat Ridge  
DEPARTMENT OF PUBLIC WORKS

7500 WEST 29TH AVENUE  
WHEAT RIDGE, COLORADO 80033

TELEPHONE: (303) 235-2861  
FAX: (303) 235-2857

	PROJECT # JN-18-09 RIDGE RD RECONSTRUCTION	SIGNING AND STRIPING PLAN	13
			SHEETS 22

**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: COUNCIL BILL NO. 02-2019 – AN ORDINANCE APPROVING A ZONE CHANGE FROM RESIDENTIAL-THREE (R-3) TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) WITH AN OUTLINE DEVELOPMENT PLAN (ODP) FOR PROPERTY LOCATED AT 4000-4066 UPHAM STREET (CASE NO. WZ-18-17 / RIDGETOP VILLAGE)**

- |   |   |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> ORDINANCES FOR 1 <sup>ST</sup> READING (02/25/2019) |
| <input type="checkbox"/> BIDS/MOTIONS   | <input type="checkbox"/> ORDINANCES FOR 2 <sup>ND</sup> READING (04/08/2019)            |
| <input type="checkbox"/> RESOLUTIONS    |   |

QUASI-JUDICIAL: ☒ YES ☐ NO

  
Community Development Director

  
City Manager

**ISSUE:**

The applicant is requesting approval of a zone change from Residential-Three (R-3) to Planned Residential Development (PRD) with an Outline Development Plan for property located at 4000 to 4066 Upham Street. The purpose of this request is to prepare the property for development of a 38-unit townhome project.

**PRIOR ACTION:**

Planning Commission heard this request at a public hearing on February 7, 2019. The staff report and meeting minutes from the Planning Commission meeting will be included with the ordinance for second reading.

**FINANCIAL IMPACT:**

The proposed zone change is not expected to have a direct financial impact on the City. Fees in the amount of \$1,050.00 were collected for the review and processing of Case No. WZ-18-17.

## **BACKGROUND:**

### **Current Zoning/Property Description**

The subject property is located on the east side of Upham Street between W. 38<sup>th</sup> Avenue and W. 44<sup>th</sup> Avenue. The property is currently comprised of four lots, each containing a single-family home. The homes are small by contemporary standards and particularly small relative to their respective lots; the Jefferson County Assessor classifies three of them in “fair” condition and the fourth in “average” condition. The applicant purchased all four lots in mid-2018, and the total size is 1.9 acres.

The subject property is zoned Residential-Three (R-3) and is immediately surrounded by residential zoning, including R-2 and R-3. The R-3 zoning designation allows for single-, two-, or multi-family development up to 12 units per acre. The R-3 district is established to provide high quality, safe, quiet and stable medium to high-density residential neighborhoods, and to prohibit activities of any nature which are incompatible with the medium to high-density residential character.

### **Surrounding Land Uses**

Upham Street is ½-mile in length between 38<sup>th</sup> and 44<sup>th</sup> Avenues and includes a wide mix of land uses. The subject property is in the middle third of this block. Immediately to the north is a 2½-story apartment building, which was constructed in 1960 and includes 23 units. Further north along Upham are a mix of single-family homes as well as the four-story Town Center Apartment buildings at 44<sup>th</sup> Avenue. Across Upham Street to the west of the subject property are three mid-century apartment complexes and two single-family homes. The densities for the multifamily projects that immediately surround the subject site range from 20 to 26 units per acre. Those that exceed the City’s maximum 21 dwelling units per acre are considered legally nonconforming because they predate the City’s incorporation.

Immediately to the south of the subject property is a single-family home zone R-3. Further south, Upham transitions from a residential neighborhood to mixed use as it approaches 38<sup>th</sup> Avenue. Land uses include an office building, fire station, Stevens Elementary, and the four-story West End 38 mixed use development. Zoning at the south end of the block is Mixed Use-Neighborhood (MU-N) and Mixed Use-Commercial (MU-C).

Behind the subject property to the east is a campus owned by Jeffco Public Schools including Stevens Elementary, Sobesky Academy, and outdoor play fields. The school property is approximately 19 acres in size and extends to Reed Street.

### **Proposed Zoning and Outline Development Plan**

The proposed Planned Residential Development zoning and Outline Development Plan are intended to accommodate 38 townhome units. Each of the units will have an attached, rear-loaded two-car garage. Two curb cuts on Upham will provide access into the project. In many respects, the project complies with the existing R-3 zone district, including height, most setbacks, parking, and open space. The proposed density is nearly 21 units per acre which is compatible with surrounding projects and complies with Charter limitations on maximum residential density. A

unique feature of the proposed development is the focus on open spaces amenities. The alley widths are designed as narrow as possible to provide ample front yard space for each unit. In addition, the project is designed around a central open space amenity.

Because the property exceeds one acre in size and because of the proposed density, it is eligible to be rezoned only to a PRD or a mixed use district; the former is considered more appropriate by staff in this infill location. A complete analysis of the zone change criteria and ODP will be included with the ordinance for second reading.

### **Related Applications**

Rezoning to a planned development in the City of Wheat Ridge entails approval of two documents. The first is the Outline Development Plan, which, if approved, changes the zoning designation on the land, establishes allowed uses and development standards for the property, and establishes access configurations for vehicles, pedestrians, and bicycles. The second document is the Specific Development Plan (SDP), which focuses on specific details of a development such as site design, architecture, landscaping, and drainage design.

Section 26-302 of the Municipal Code allows for concurrent *or* sequential applications for the ODP and SDP, and also allows for concurrent review of the SDP and plat. In this case, the applicant is requesting concurrent review of all three applications: ODP, SDP, and plat. Because the zone change is the only document approved by ordinance, it is the only component that requires a first reading. All three applications—the ODP, SDP, and plat—will be presented together at the public hearing.

### **RECOMMENDATIONS:**

The subject of this Council Action Form is a rezoning of the subject property. This action is quasi-judicial, and as a result, the applicant is entitled to a public hearing on the application.

As Council is aware, rezoning in Wheat Ridge is accomplished by ordinance (Charter Sec. 5.10; Code Section 26-112). Ordinances require two readings, and by Charter, the public hearing takes place on second reading.

First reading in these cases is a procedural action that merely sets the date for the (second reading) public hearing. No testimony is taken on first reading. Because it is important that the applicant and all interested parties have their due process rights to a hearing, the City Attorney advises Council to approve rezoning ordinances on first reading. This merely sets the date for the public hearing, and for this reason, the packet materials provided on first reading are generally limited. The Planning Commission packet and minutes will be included in the City Council packet for the public hearing.



**RECOMMENDED MOTION:**

“I move to approve Council Bill No. 02-2018, an ordinance approving the rezoning of property located at 4000-4066 Upham Street from Residential-Three (R-3) to Planned Residential Development (PRD) with approval of an Outline Development Plan, on first reading for the sole purpose of ordering it published for a public hearing set for Monday, April 8, 2019 at 7 p.m. in City Council Chambers, and that it take effect 15 days after final publication.”

**REPORT PREPARED/REVIEWED BY:**

Lauren Mikulak, Planning Manager

Kenneth Johnstone, Community Development Director

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Council Bill No. 02-2018

**CITY OF WHEAT RIDGE**  
**INTRODUCED BY COUNCIL MEMBER \_\_\_\_\_**  
**COUNCIL BILL NO. 02**  
**ORDINANCE NO. \_\_\_\_\_**  
**Series of 2019**

**TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM RESIDENTIAL-THREE (R-3) TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) WITH AN OUTLINE DEVELOPMENT PLAN (ODP) FOR PROPERTY LOCATED AT 4000-4066 UPHAM STREET (CASE NO. WZ-18-17 / RIDGETOP VILLAGE)**

**WHEREAS**, Chapter 26 of the Wheat Ridge Code of Laws establishes procedures for the City's review and approval of requests for land use cases; and,

**WHEREAS**, Upham Partners, LLC submitted a land use application for approval of a zone change to the Planned Residential Development (PRD) District for property at 4000, 4042, 4062, and 4066 Upham Street; and,

**WHEREAS**, the City of Wheat Ridge has adopted a Comprehensive Plan, Envision Wheat Ridge, which calls for vibrant neighborhoods, diversification of housing stock and household types, and reinvestment in the town center area and 38<sup>th</sup> Avenue corridor; and,

**WHEREAS**, the subject property is at the crossroads of the neighborhood, neighborhood transition, town center, and downtown Wheat Ridge designations within the Comprehensive Plan and 38<sup>th</sup> Avenue corridor plans; and,

**WHEREAS**, the zone change criteria support the request; and,

**WHEREAS**, the City of Wheat Ridge Planning Commission held a public hearing on February 7, 2019 and voted to recommend approval of the rezoning of the property to Planned Residential Development (PRD).

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Upon application by Upham Partners, LLC for approval of a zone change ordinance from Residential-Three (R-3) to Planned Residential Development (PRD) for property located at 4000-4066 Upham Street, and pursuant to the findings made based on testimony and evidence presented at a public hearing before the Wheat Ridge City Council, a zone change is approved for the following described land:

A PARCEL OF LAND SITUATED IN THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,

CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 23;  
THENCE S41°50'16"E A DISTANCE OF 1960.91 FEET TO THE POINT OF  
BEGINNING;

THENCE S00°14'00"E ALONG THE EAST LINE OF SAID EAST 1/2 A  
DISTANCE OF 264.61 FEET;

THENCE S89°39'47"W A DISTANCE OF 328.96 FEET TO A POINT ON THE  
WEST LINE OF SAID EAST 1/2;

THENCE N00°13'09"W ALONG SAID WEST LINE A DISTANCE OF 55.00  
FEET;

THENCE N89°39'47"W A DISTANCE OF 20.00 FEET;

THENCE N00°13'09"W ALONG A LINE THAT IS 20.00 FEET EAST OF AND  
PARALLEL WITH SAID WEST LINE A DISTANCE OF 209.63 FEET;

THENCE N89°39'59"E ALONG A LINE THAT IS 132.00 FEET SOUTH OF AND  
PARALLEL WITH THE NORTH LINE OF SAID EAST 1/2 A DISTANCE OF  
308.89 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (82,849 SQUARE FEET) 1.9020 ACRES AND IS KNOWN  
AS 4000 – 4066 UPHAM STREET.

**Section 2. Vested Property Rights.** Approval of this zone change does not  
create a vested property right. Vested property rights may only arise and accrue  
pursuant to the provisions of Section 26-121 of the Code of Laws of the City of  
Wheat Ridge.

**Section 3. Safety Clause.** The City of Wheat Ridge hereby finds, determines,  
and declares that this ordinance is promulgated under the general police power  
of the City of Wheat Ridge, that it is promulgated for the health, safety, and  
welfare of the public and that this ordinance is necessary for the preservation of  
health and safety and for the protection of public convenience and welfare. The  
City Council further determines that the ordinance bears a rational relation to the  
proper legislative object sought to be attained.

**Section 4. Severability; Conflicting Ordinance Repealed.** If any section,  
subsection or clause of the ordinance shall be deemed to be unconstitutional or  
otherwise invalid, the validity of the remaining sections, subsections and clauses  
shall not be affected thereby. All other ordinances or parts of ordinances in  
conflict with the provisions of this Ordinance are hereby repealed.

**Section 5. Effective Date.** This Ordinance shall take effect 15 days after final publication, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of \_\_\_ to \_\_\_ on this 25<sup>th</sup> day of February 2019, ordered it published with Public Hearing and consideration on final passage set for **Monday, April 8, 2019 at 7:00 o'clock p.m.**, in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado, and that it takes effect 15 days after final publication.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of \_\_\_\_\_ to \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

SIGNED by the Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Janelle Shaver, City Clerk

Approved as to Form

\_\_\_\_\_  
Gerald Dahl, City Attorney

1<sup>st</sup> publication:  
2<sup>nd</sup> publication:  
Wheat Ridge Transcript:  
Effective Date:

**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: COUNCIL BILL NO. 03-2019 – AN ORDINANCE AMENDING SECTIONS 2-53 AND 11-52.5 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING APPOINTEES TO BOARDS AND COMMISSIONS AND THE LIQUOR LICENSING AUTHORITY**

- |   |   |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> ORDINANCES FOR 1 <sup>ST</sup> READING (02/25/2019) |
| <input type="checkbox"/> BIDS/MOTIONS   | <input type="checkbox"/> ORDINANCES FOR 2 <sup>ND</sup> READING (03/25/2019)            |
| <input type="checkbox"/> RESOLUTIONS    |   |

QUASI-JUDICIAL:

☐ YES☒ NO

City Attorney



City Manager

**ISSUE:**

Consideration of an ordinance permitting the Council to appoint out-of-district members to the local liquor licensing authority in the event that no qualified in-district residents apply, and requiring in-district appointments, if available, for all boards and commissions upon the expiration or vacation of an out-of-district member's term.

**PRIOR ACTION:**

A consensus was reached by City Council at the February 4, 2019 study session to direct the City Attorney to draft this ordinance.

**FINANCIAL IMPACT:**

None

**BACKGROUND:**

Recently, and at various times in the past, there have been occasions when no applications have been received from qualified members of the public for various boards and commissions and the liquor authority, because the applicant(s) does not reside in the particular Council district in

which the vacancy occurs. Code section 2-53 already permits Council to make an out-of-district appointment in such cases, but section 11-52.5 does not. This ordinance gives Council the same authority in making liquor board appointments as it has for boards' and commissions' appointments.

Additionally, the ordinance makes it clear that, in the event an out-of-district appointment for the authority or a board or commission seat is necessitated by the lack of in-district applicants, the reappointment of said out-of-district appointee will not occur if eligible in-district applicants are available.

**RECOMMENDATIONS:**

Adopt the attached ordinance on first reading.

**RECOMMENDED MOTION:**

"I move to approve Council Bill No. 03-2019, an ordinance amending Sections 2-53 and 11-52.5 of the Wheat Ridge Code of Laws concerning appointees to Boards and Commissions and to the Liquor Licensing Authority on first reading, order it published, public hearing set for Monday, March 25, 2019 at 7:00 p.m. in City Council Chambers, and that it take effect 15 days after final publication."

Or,

"I move to postpone indefinitely Council Bill No. 03-2019, an ordinance amending Sections 2-53 and 11-52.5 of the Wheat Ridge Code of Laws concerning appointees to Boards and Commissions and to the Liquor Licensing Authority for the following reason(s):

\_\_\_\_\_."

**REPORT PREPARED/REVIEWED BY:**

Gerald Dahl, City Attorney

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Council Bill No. 03-2019

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER \_\_\_\_\_**  
**COUNCIL BILL NO. 03**  
**ORDINANCE NO. \_\_\_\_\_**  
**Series 2019**

**TITLE: AN ORDINANCE AMENDING SECTIONS 2-53 AND 11-52.5 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING APPOINTEES TO THE BOARDS AND COMMISSIONS AND THE LIQUOR LICENSING AUTHORITY**

**WHEREAS**, the City of Wheat Ridge (the "City") is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

**WHEREAS**, pursuant to its home rule authority and § 31-23-101, C.R.S., the City, acting through its City Council (the "Council"), is authorized to adopt ordinances for the protection of the public health, safety or welfare and therefore has adopted the Wheat Ridge Code of Laws (the "Code"); and

**WHEREAS**, the Council previously enacted Code § 2-53, concerning the appointments to City Boards and Commissions, and Code § 11-52.5, establishing its local liquor licensing authority (the "Authority") and providing for the appointment of members thereto; and

**WHEREAS**, the Council now wishes to amend the Code to permit the appointment of non-district members to the Authority and confirming the preference for district representation upon re-appointment for all boards, commissions and the Authority.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Subsection 2-53(c) of the Wheat Ridge Code of Laws concerning appointment of board and commission members is hereby amended as follows:

**Sec. 2-53. Qualifications of members; appointment and term; removal; vacancies.**

- (c) Members of boards and commissions shall serve terms of three (3) years, and such members may be reappointed to serve additional three-year terms of office. All appointments to all boards and commissions shall be made to achieve equal representation from each council district to each board or commission. If, after reasonable advertisement, no applications are received from residents within the relevant council district for a vacancy on any board or commission, the council may appoint any otherwise qualified resident. UPON THE VACATION OR EXPIRATION OF AN OUT-OF-DISTRICT MEMBER'S INITIAL TERM, THE COUNCIL SHALL NOT REAPPOINT SAID MEMBER UNLESS NO QUALIFIED IN-DISTRICT RESIDENTS HAVE

APPLIED FOR THAT SEAT ON THE BOARD OR COMMISSION. Except as provided HEREIN AND in subsection (e) hereof, all members of boards or commissions presently serving shall be entitled to complete the terms for which they were appointed and shall be subject to reappointment at the discretion of city council.

**Section 2.** Subsection 11-52.5(b) of the Wheat Ridge Code of Laws concerning Authority members' appointments is hereby amended as follows:

**Sec. 11-52.5. - Liquor licensing authority established.**

(b) The licensing authority for the City of Wheat Ridge shall consist of eight (8) qualified electors of the city, two (2) from each of the four (4) council districts of the city, who shall be appointed by the city council. IF, AFTER REASONABLE ADVERTISEMENT, NO APPLICATIONS ARE RECEIVED FROM RESIDENTS WITHIN THE RELEVANT COUNCIL DISTRICT FOR A VACANCY ON THE LIQUOR LICENSING AUTHORITY, THE COUNCIL MAY APPOINT ANY OTHERWISE QUALIFIED RESIDENT. UPON THE VACATION OR EXPIRATION OF AN OUT-OF-DISTRICT MEMBER'S INITIAL TERM, THE COUNCIL SHALL NOT REAPPOINT SAID MEMBER UNLESS NO QUALIFIED IN-DISTRICT RESIDENTS HAVE APPLIED FOR THAT SEAT ON THE LIQUOR LICENSING AUTHORITY. In order to stagger the terms of the licensing authority members, one of the first two (2) members REPRESENTING ~~from~~ each council district shall be appointed for a three-year term and one shall be appointed for a two-year term. The length of term for the first licensing authority members shall be determined by lot. Except in the event that a member is appointed to fill a vacancy as provided in subsection (j), all subsequent appointments shall be for three-year terms.

**Section 3. Severability, Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 4. Effective Date.** This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of \_\_\_\_ to \_\_\_\_ on this 25<sup>th</sup> day of February, 2019, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for March 25, 2019 at 7:00 p.m., in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.



**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by  
a vote of \_\_\_\_ to \_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 2019.

SIGNED by the Mayor on this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Janelle Shaver, City Clerk

Approved as to Form

\_\_\_\_\_  
Gerald E. Dahl, City Attorney

First Publication:  
Second Publication:  
Wheat Ridge Transcript  
Effective Date:

Published:  
Wheat Ridge Transcript and [www.ci.wheatridge.co.us](http://www.ci.wheatridge.co.us)


**REQUEST FOR CITY COUNCIL ACTION****TITLE: MOTION TO APPROVE APPOINTMENTS TO BOARDS  
AND COMMISSIONS**


- ☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

- ☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL:

☐ YES☒ NO

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

  
\_\_\_\_\_  
City Manager

**ISSUE:**

The City's Board and Commission seats are due for appointment. The positions were advertised in the Wheat Ridge Transcript and on Channel 8, Facebook and the City's Website. Current members were contacted by mail and asked if they wanted to serve another term. All applications were received and compiled by the City Clerk's Office and forwarded to the City Council.

**PRIOR ACTION:**

None

**FINANCIAL IMPACT:**

None

**BACKGROUND:**

March of the current year is the annual renewal period for Board and Commission appointments.

**RECOMMENDATIONS:**

See Applicant List (Attachment 2) for detailed list of positions to be appointed, and applicants.

**RECOMMENDED MOTIONS:**

See Attachment 1 with Motions

“I move to appoint \_\_\_\_\_ to the \_\_\_\_\_  
Board/Commission, term to expire \_\_\_\_\_.”

**REPORT PREPARED BY:**

Robin Eaton, Deputy City Clerk

Janelle Shaver, City Clerk

**ATTACHMENTS:**

1. Motions for 2019 Board and Commission Appointments by District
2. Applicant List
3. District I Applications
4. District II Applications
5. District III Applications
6. District IV Applications
7. At-Large Applications



## **MOTIONS for 2019 BOARD AND COMMISSION APPOINTMENTS BY DISTRICT**

### **DISTRICT I**

I move to appoint:

- \_\_\_\_\_ to the Board of Adjustment, term ending 3/2/22
- \_\_\_\_\_ to the Liquor Authority Board, term ending 3/2/22
- \_\_\_\_\_ to the Parks and Recreation Commission, term ending 3/2/22
- \_\_\_\_\_ to the Planning Commission, term ending 3/2/22
- \_\_\_\_\_ to the Renewal Wheat Ridge, term ending 3/2/24

### **DISTRICT II**

I move to appoint:

- \_\_\_\_\_ to the Board of Adjustment, term ending 3/2/22
- \_\_\_\_\_ to the Building Code Advisory Board, term ending 3/2/22
- \_\_\_\_\_ to the Liquor Authority Board, term ending 3/2/22
- \_\_\_\_\_ to the Planning Commission, term ending 3/2/22

### **DISTRICT III**

I move to appoint:

- \_\_\_\_\_ to the Liquor Authority Board, term ending 3/2/22
- \_\_\_\_\_ to the Planning Commission, term ending 3/2/22
- \_\_\_\_\_ to the Renewal Wheat Ridge, term ending 3/2/24

#### **DISTRICT IV**

I move to appoint:

\_\_\_\_\_ to the to the Liquor Authority Board, term ending 3/2/22

#### **AT-LARGE**

I move to appoint:

\_\_\_\_\_ Alternate to the Board of Adjustment, term ending 3/2/20 (fills a vacancy)

\_\_\_\_\_ Alternate to the Board of Adjustment, term ending 3/2/22

\_\_\_\_\_ to the Election Commission, term ending 3/2/21 (fills a vacancy)



Term Ending	BOARD DISTRICT	Current Member/Re-applied	Other Applicants
<b>DISTRICT I</b>			
03/02/2019	Board of Adjustment	Betty Jo Page/Yes	None
03/02/2019	Liquor Authority	Robert Alldredge/No	Rocco Germano*
03/02/2019	Parks & Rec Commission	David Kueter/No	Nicole Larsen
03/02/2019	Planning Commission	Alan Bucknam/No	Shawwna Black, Jahi Simbai
03/02/2019	Renewal Wheat Ridge	Michele Koons/Yes	None
<b>DISTRICT II</b>			
03/02/2019	Board of Adjustment	David Kuntz/Yes *	None
03/02/2019	Building Code Advisory	Robert Phillips/Yes	None
03/02/2019	Liquor Authority	Anthony Davia/Yes	Leonard Ortiz
03/02/2019	Planning Commission	Scott Ohm/Yes	None
<b>DISTRICT III</b>			
03/02/2019	Liquor Authority	John Miks/No	Rocco Germano*
03/02/2019	Planning Commission	Emery Dorsey/No	Melissa Antol, Carol Mathews*
03/02/2019	Renewal Wheat Ridge	Tim Rogers/Yes	None
<b>DISTRICT IV</b>			
03/02/2019	Liquor Authority	Claudia Worth/No	Cynthia Shaw
<b>AT-LARGE</b>			
03/02/2020	Board of Adjustment	Vacant	None
03/02/2019	Board of Adjustment	Rocco Germano/No	Julianne Stern
03/02/2018	Election Commission	Vacant	Sunny Garcia

\* DENOTES: Lives out of District

1-4-19 als



**City of Wheat Ridge  
Board & Commission  
Application for Reappointment**

Please circle one of the following:

Yes, I would like to reapply for another Three-year term (Go to Sections A&B)

No, I do not wish to serve another term (Go to Section B)

**A. APPLICATION FOR REAPPOINTMENT TO THE:**

Board of Adjustment  
(BOARD/COMMISSION/COMMITTEE)

DATE: Jan 3, 2019 DISTRICT 1

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? NO

**B. INFORMATION – PLEASE COMPLETE TO UPDATE RECORDS**

NAME: Betty Jo Page

ADDRESS: 6185 W 29th Ave

HOME PHONE: 303-232-9105

BUSINESS or CELL PHONE: \_\_\_\_\_

E-MAIL ADDRESS: bettyjpage1@comcast.net

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the City Council must appoint or ratify all members to Boards and Commissions.

SIGNATURE Betty Jo Page

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



City of Wheat Ridge Municipal Building 7500 W. 29<sup>th</sup> Ave. Wheat Ridge, CO 80033-8001 P: 303.235.2823 F: 303.234.5924

December 28, 2018

Betty Jo Page  
6185 W. 29<sup>th</sup> Ave.  
Wheat Ridge, CO 80214

Hello Betty Jo:

**Happy New Year!** It is that time of year where we reappoint/appoint members serving on the City's various Boards and Commissions.

In 1997, the Council passed a Resolution that outlined the process to be followed for reappointment when Board and Commission members complete their term. When their term expires, each Board and Commission member must complete an application form and formally reapply for the same Board or Commission or for any other Board or Commission.

According to our records, your term on the Board of Adjustment expires on March 2, 2019. Please let us know if you are interested in reapplying for another three-year term. If you are interested, an application is enclosed for your convenience. We ask that you complete this letter below and return it along with the application for reappointment no later than **January 31, 2019**. A stamped, return address envelope has been included for your convenience.

The City Council plans to meet with commission candidates on a date to be determined in February, with appointments made shortly thereafter.

Thank you once again, for your dedication to serve on the Board of Adjustment. Wheat Ridge is very fortunate to have citizens like you who volunteer their time and expertise to serve the City.

Sincerely,

A handwritten signature in black ink that reads "Robin L. Eaton".

Robin L. Eaton  
Deputy City Clerk

---

**Please circle one of the following:**

☒ Yes I would like to reapply for another three-year term (application attached)

☐ No, I do not wish to serve another term.





2019 FEB 19 P 3:32

## Board & Commission Application

**PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION PER APPLICATION**

APPLICATION FOR APPOINTMENT TO THE:

LIQUOR LICENSING AUTHORITY  
(BOARD/COMMISSION/COMMITTEE)

DATE: 2/19/2019 DISTRICT I 02 TIL

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 8 YRS

ARE YOU A REGISTERED VOTER? YES

WHY ARE YOU SEEKING THIS APPOINTMENT? I HAVE EXPERIENCE ON LIQUOR BOARDS

DO YOU HAVE EXPERIENCE IN THIS AREA? 10 YRS ON ARVADA LIQUOR BOARD & 10 YEARS ON JEFFERSON COUNTY

HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? 5 YRS ALTERNATE ON BOA WHEAT RIDGE

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? NO

SIGNATURE Rocco Germano

PLEASE PRINT OR TYPE NAME: Rocco Germano

ADDRESS: 6410 W 47th AVE ZIP: 80033

HOME PHONE: (303) 902-1202

BUSINESS or CELL PHONE: (303) 234-0546

E-MAIL ADDRESS: RockGermano@gmail.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**

**Board & Commission Application  
City of Wheat Ridge**



RECEIVED

2019 FEB -1 A 10:49

CITY OF WHEAT RIDGE

**PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION**

APPLICATION FOR APPOINTMENT TO THE:

Parks and Recreation Commission

(BOARD/COMMISSION/COMMITTEE)

DATE: 01.31.19 DISTRICT 1

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 9 months

ARE YOU A REGISTERED VOTER? Yes

WHY ARE YOU SEEKING THIS APPOINTMENT? I always seek to be civically engaged with the community in which I live. I believe it is important for residents to participate in shaping, maintaining, and planning the future of the city. I enjoy being active and see the Parks & Rec facilities in Wheat Ridge as being a great asset. I would like to help promote these assets to other residents and act as a steward.

DO YOU HAVE EXPERIENCE IN THIS AREA? I do not have specific parks experience, but do have many years of civic experience with city councils, community initiatives, engaging with the public through outreach events, and implementing change.

HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? I was a member of the Anderson Park Public Art Acquisition Committee from October 2018 to January 2019

ARE YOU EMPLOYED BY THE CITY OF WHEAT RIDGE? No

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? No

SIGNATURE

Digitally signed by Nicole Larsen  
DN: cn=Nicole Larsen, o, ou,  
email=nikki.d.larsen@gmail.com, c=US  
Date: 2019.01.31 18:53:30 -07'00'

PLEASE PRINT OR TYPE NAME: Nicole Larsen

ADDRESS: 3725 Harlan St ZIP: 80033

HOME PHONE: 303-720-9588

BUSINESS PHONE: \_\_\_\_\_

E-MAIL ADDRESS: nikki.d.larsen@gmail.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



## Board & Commission Application

**PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION PER APPLICATION**

APPLICATION FOR APPOINTMENT TO THE:

District 1 Planning Commission

(BOARD/COMMISSION/COMMITTEE)

DATE: January 19, 2019

DISTRICT District 1

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 19 years

ARE YOU A REGISTERED VOTER? Yes

WHY ARE YOU SEEKING THIS APPOINTMENT? More involvement into the community and how I may be able to give a voice, thoughts and understanding to the city of Wheat Ridge. I enjoy Wheat Ridge the old and the new and being involved in that future sound interesting and fun.

DO YOU HAVE EXPERIENCE IN THIS AREA? I worked in the Technical field as a Systems Consultant and Project Manager field for 25 years, planning and excututing project for companies.

HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? NO

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? No

SIGNATURE *Shawnna Black*

PLEASE PRINT OR TYPE NAME: Shawnna Black

ADDRESS: 2915 Pierce Street

ZIP: 80214

HOME PHONE: 303.503.6233

BUSINESS or CELL PHONE: 303.503.6233

E-MAIL ADDRESS: sleab@icloud.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



## **Board and Commission Application**

**APPLICATION FOR APPOINTMENT TO THE:**

**(Board/Commission/Committee)**

**DATE:**

**DISTRICT:**

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE?**

**ARE YOU A REGISTERED VOTER?**

**WHY ARE YOU SEEKING THIS APPOINTMENT?**

**DO YOU HAVE EXPERIENCE IN THIS AREA?**

**HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

**ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?**

**PRINT NAME**

**ADDRESS**

**HOME PHONE**

**BUSINESS PHONE**

**E-MAIL ADDRESS**

**Checking here completes your application, constitutes your signature and affirmation that the statements made are true.**

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**

**City Clerk's Office, 7500 W. 29<sup>th</sup> Ave., Wheat Ridge CO 80033**



**City of Wheat Ridge  
Board & Commission  
Application for Reappointment**

Please circle one of the following:

☒ Yes I would like to reapply for another Three-year term (Go to Sections A&B)

☐ No, I do not wish to serve another term (Go to Section B)

A. APPLICATION FOR REAPPOINTMENT TO THE:

Renewal Wheat Ridge Authority  
(BOARD/COMMISSION/COMMITTEE)

DATE: 1/3/19 DISTRICT 1

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? no

B. INFORMATION – PLEASE COMPLETE TO UPDATE RECORDS

NAME: Michele Koons

ADDRESS: 3510 Pierce St

cell  
~~HOME~~ PHONE: 215-279-3301

BUSINESS or CELL PHONE: 303-370-6457

E-MAIL ADDRESS: michelekoons@gmail.com

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the City Council must appoint or ratify all members to Boards and Commissions.

SIGNATURE

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**





**City of Wheat Ridge  
Board & Commission  
Application for Reappointment**

Please circle one of the following:

☒ Yes I would like to reapply for another Three-year term (Go to Sections A&B)

☐ No, I do not wish to serve another term (Go to Section B)

A. APPLICATION FOR REAPPOINTMENT TO THE:

Board of Adjustment

(BOARD/COMMISSION/COMMITTEE)

DATE: 1/3/19 DISTRICT 11 or 111

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? no

B. INFORMATION – PLEASE COMPLETE TO UPDATE RECORDS

NAME: David Kuntz

ADDRESS: 3244 Taft Ct (Primary) / 6565 W 45 Pl (Rental)

HOME PHONE: NA

BUSINESS or CELL PHONE: 303 304 6049

E-MAIL ADDRESS: dkuntz@martinmartin.com

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the City Council must appoint or ratify all members to Boards and Commissions.

SIGNATURE [Signature]

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



**City of Wheat Ridge  
Board & Commission  
Application for Reappointment**

**RECEIVED**

2019 FEB -1 P 3:44

CITY OF WHEAT RIDGE

**Please circle one of the following:**

Yes, I would like to reapply for another Three-year term (Go to Sections A&B)

No, I do not wish to serve another term (Go to Section B)

**A. APPLICATION FOR REAPPOINTMENT TO THE:**

BUILDING CODE ADVISORY  
(BOARD/COMMISSION/COMMITTEE)

DATE: 1/31/19 DISTRICT: \_\_\_\_\_

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? NO

**B. INFORMATION – PLEASE COMPLETE TO UPDATE RECORDS**

NAME: ROBERT L. PHILLIPS

ADDRESS: 4280 REED ST.

HOME PHONE: 303.886.6184

BUSINESS or CELL PHONE: 303.886.6184

E-MAIL ADDRESS: bphilipsarch@gmail.com

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the City Council must appoint or ratify all members to Boards and Commissions.

SIGNATURE \_\_\_\_\_

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



City of Wheat Ridge Municipal Building 7500 W. 29<sup>th</sup> Ave. Wheat Ridge, CO 80033-8001 P: 303.235.2823 F: 303.234.5924

December 28, 2018

Robert Phillips  
4280 Reed Street  
Wheat Ridge, CO 80033

Hello Robert:

**Happy New Year!** It is that time of year where we reappoint/appoint members serving on the City's various Boards and Commissions.

In 1997, the Council passed a Resolution that outlined the process to be followed for reappointment when Board and Commission members complete their term. When their term expires, each Board and Commission member must complete an application form and formally reapply for the same Board or Commission or for any other Board or Commission.

According to our records, your term on the Building Code Advisory Board expires on March 2, 2019. Please let us know if you are interested in reapplying for another three-year term. If you are interested, an application is enclosed for your convenience. We ask that you complete this letter below and return it along with the application for reappointment no later than **January 31, 2019**. A stamped, return address envelope has been included for your convenience.

The City Council plans to meet with commission candidates on a date to be determined in February, with appointments made shortly thereafter.

Thank you once again, for your dedication to serve on the Building Code Advisory Board. Wheat Ridge is very fortunate to have citizens like you who volunteer their time and expertise to serve the City.

Sincerely,

Robin L. Eaton  
Deputy City Clerk

-----  
**Please circle one of the following:**

Yes, I would like to reapply for another three-year term (application attached)

No, I do not wish to serve another term.



**City of Wheat Ridge  
Board & Commission  
Application for Reappointment**

Please circle one of the following:

Yes, would like to reapply for another Three-year term (Go to Sections A&B)

No, I do not wish to serve another term (Go to Section B)

A. APPLICATION FOR REAPPOINTMENT TO THE:

Pick one  
(BOARD/COMMISSION/COMMITTEE)

DATE: 1-10-19 DISTRICT 2

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? Sold Bar last year!

B. INFORMATION – PLEASE COMPLETE TO UPDATE RECORDS

NAME: Anthony Duria (AKA T-BONE)

ADDRESS: 8295 West 30<sup>th</sup> Ave

HOME PHONE: 303-424-3561 Landline

BUSINESS or CELL PHONE: No stinking cell

E-MAIL ADDRESS: tduria55@yahoo.com

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the City Council must appoint or ratify all members to Boards and Commissions.

SIGNATURE

Anthony Duria

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



## **Board and Commission Application**

RECEIVED

2019 JAN 31 A 8:26

CITY OF WHEAT RIDGE

**APPLICATION FOR APPOINTMENT TO THE:**

Liquor Commission

**(Board/Commission/Committee)**

**DATE:** 1/27/19

**DISTRICT:** 2

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE?** 20 years

**ARE YOU A REGISTERED VOTER?** Yes

**WHY ARE YOU SEEKING THIS APPOINTMENT?**

Volunteer in my community.

**DO YOU HAVE EXPERIENCE IN THIS AREA?**

Seventeen years in Law Enforcement

**HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

Civil Service 2000-2001

**ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?**

No

**PRINT NAME**

Leonard (Lenny) Ortiz

**ADDRESS**

4945 Newland St Wheat Ridge

**HOME PHONE** 303 940-4723

**BUSINESS PHONE**

**E-MAIL ADDRESS** lennyortiz@comcast.net



Checking here completes your application, constitutes your signature and affirmation that the statements made are true.

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

*Handwritten signature of Leonard (Lenny) Ortiz*  
1-27-19  
S

1-22-19



**City of Wheat Ridge  
Board & Commission  
Application for Reappointment**

Please circle one of the following:

Yes, I would like to reapply for another Three-year term (Go to Sections A&B)

No, I do not wish to serve another term (Go to Section B)

A. APPLICATION FOR REAPPOINTMENT TO THE:

Planning  
(BOARD/COMMISSION/COMMITTEE)

DATE: 1/2/19 DISTRICT 2

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? No

B. INFORMATION – PLEASE COMPLETE TO UPDATE RECORDS

NAME: Scott Ohm

ADDRESS: 3860 ALLISON CIR.

HOME PHONE: \_\_\_\_\_

BUSINESS or CELL PHONE: 303 812 7807

E-MAIL ADDRESS: scott.hawkeyes@gmail.com

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the City Council must appoint or ratify all members to Boards and Commissions.

SIGNATURE Scott Ohm

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**





City of Wheat Ridge Municipal Building 7500 W. 29<sup>th</sup> Ave. Wheat Ridge, CO 80033-8001 P: 303.235.2823 F: 303.234.5924

December 28, 2018

Scott Ohm  
3860 Allison Circle  
Wheat Ridge, CO 80033

Hello Scott:

**Happy New Year!** It is that time of year where we reappoint/appoint members serving on the City's various Boards and Commissions.

In 1997, the Council passed a Resolution that outlined the process to be followed for reappointment when Board and Commission members complete their term. When their term expires, each Board and Commission member must complete an application form and formally reapply for the same Board or Commission or for any other Board or Commission.

According to our records, your term on the Planning Commission expires on March 2, 2019. Please let us know if you are interested in reapplying for another three-year term. If you are interested, an application is enclosed for your convenience. We ask that you complete this letter below and return it along with the application for reappointment no later than **January 31, 2019**. A stamped, return address envelope has been included for your convenience.

The City Council plans to meet with commission candidates on a date to be determined in February, with appointments made shortly thereafter.

Thank you once again, for your dedication to serve on the Planning Commission. Wheat Ridge is very fortunate to have citizens like you who volunteer their time and expertise to serve the City.

Sincerely,

Robin L. Eaton  
Deputy City Clerk

-----

**Please circle one of the following:**

☒ Yes, I would like to reapply for another three-year term (application attached)

☐ No, I do not wish to serve another term.



2019 FEB 19 P 3:32

**Board & Commission Application** CITY OF WHEAT RIDGE

**PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION PER APPLICATION**

APPLICATION FOR APPOINTMENT TO THE:

LIQUOR LICENSING AUTHORITY  
(BOARD/COMMISSION/COMMITTEE)

DATE: 2/19/2019 DISTRICT I 02 TIL

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 8 YRS

ARE YOU A REGISTERED VOTER? YES

WHY ARE YOU SEEKING THIS APPOINTMENT? I HAVE EXPERIENCE ON LIQUOR BOARDS

DO YOU HAVE EXPERIENCE IN THIS AREA? 10 YRS ON ARVADA LIQUOR BOARD & 10 YEARS ON JEFFERSON COUNTY

HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? 5 YRS ALTERNATE ON BOA WHEAT RIDGE

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? NO

SIGNATURE Rocco Germano

PLEASE PRINT OR TYPE NAME: Rocco Germano

ADDRESS: 6410 W 47th AVE ZIP: 80033

HOME PHONE: (303) 902-1202

BUSINESS or CELL PHONE: (303) 234-0546

E-MAIL ADDRESS: RockGermano@gmail.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



2/7/19 rle

## **Board and Commission Application**

**APPLICATION FOR APPOINTMENT TO THE:**

**(Board/Commission/Committee)**

**DATE:**

**DISTRICT:**

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE?**

**ARE YOU A REGISTERED VOTER?**

**WHY ARE YOU SEEKING THIS APPOINTMENT?**

**DO YOU HAVE EXPERIENCE IN THIS AREA?**

**HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

**ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?**

**PRINT NAME**

**ADDRESS**

**HOME PHONE**

**BUSINESS PHONE**

**E-MAIL ADDRESS**

**Checking here completes your application, constitutes your signature and affirmation that the statements made are true.**

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**

**City Clerk's Office, 7500 W. 29<sup>th</sup> Ave., Wheat Ridge CO 80033**

RECEIVED

**Board & Commission Application  
City of Wheat Ridge**



2019 FEB 14 P 1:53

CITY OF WHEAT RIDGE **PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION**

APPLICATION FOR APPOINTMENT TO THE:

Planning Commission

(BOARD/COMMISSION/COMMITTEE)

DATE: February 13, 2019

DISTRICT 111 or IV

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 58 years

ARE YOU A REGISTERED VOTER? yes

WHY ARE YOU SEEKING THIS APPOINTMENT? I want to participate in the decision making for the future of our city

DO YOU HAVE EXPERIENCE IN THIS AREA? I was a member of the Denver Downtown Cooalition representing Stage Stores Inc. during the revitalization project for the downtown business district and the Sixteenth Street Mall. I attended the seminars and participated in the activities.  
HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? Cultural Commission ( 3 years) NRS study since July 2018

ARE YOU EMPLOYED BY THE CITY OF WHEAT RIDGE? No

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? No

SIGNATURE

Carol Anne Mathews

PLEASE PRINT OR TYPE NAME: Carol Anne Mathews

ADDRESS: 3851 Hoyt Street, Wheat Ridge , Colorado

ZIP: 80033

HOME PHONE: 303-420-8753

BUSINESS PHONE: cell: 720-271-5083

E-MAIL ADDRESS: carolannemathews@gmail.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



**City of Wheat Ridge  
Board & Commission  
Application for Reappointment**

RECEIVED

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CITY OF WHEAT RIDGE

Please circle one of the following:

Yes, I would like to reapply for another Three-year term (Go to Sections A&B)

No, I do not wish to serve another term (Go to Section B)

A. APPLICATION FOR REAPPOINTMENT TO THE:

Renewal Wheat Ridge  
(BOARD/COMMISSION/COMMITTEE)

DATE: 1-22-19 DISTRICT 3

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? no

B. INFORMATION – PLEASE COMPLETE TO UPDATE RECORDS

NAME: Tim Rogers

ADDRESS: 10495 W. 35<sup>th</sup> Place

HOME PHONE: 303-279-8003

BUSINESS or CELL PHONE: 303-641-4080

E-MAIL ADDRESS: TPROGERS@GCGCRE.COM

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the City Council must appoint or ratify all members to Boards and Commissions.

SIGNATURE Tim Rogers

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



City of Wheat Ridge Municipal Building 7500 W. 29<sup>th</sup> Ave. Wheat Ridge, CO 80033-8001 P: 303.235.2823 F: 303.234.5924

December 28, 2018

Tim Rogers  
10495 W. 35<sup>th</sup> Pl.  
Wheat Ridge, CO 80033

Hello Tim:

**Happy New Year!** It is that time of year where we reappoint/appoint members serving on the City's various Boards and Commissions.

In 1997, the Council passed a Resolution that outlined the process to be followed for reappointment when Board and Commission members complete their term. When their term expires, each Board and Commission member must complete an application form and formally reapply for the same Board or Commission or for any other Board or Commission.

According to our records, your term on the Renewal Wheat Ridge Authority expires on March 2, 2019. Please let us know if you are interested in reapplying for another five-year term. If you are interested, an application is enclosed for your convenience. We ask that you complete this letter below and return it along with the application for reappointment no later than **January 31, 2019**. A stamped, return address envelope has been included for your convenience.

The City Council plans to meet with commission candidates on a date to be determined in February, with appointments made shortly thereafter.

Thank you once again, for your dedication to serve on the Renewal Wheat Ridge Authority. Wheat Ridge is very fortunate to have citizens like you who volunteer their time and expertise to serve the City.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin L. Eaton".

Robin L. Eaton  
Deputy City Clerk

---

**Please circle one of the following:**

☒ Yes, I would like to reapply for another three-year term (application attached)

☐ No, I do not wish to serve another term.





## Board & Commission Application

**PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION PER APPLICATION**

APPLICATION FOR APPOINTMENT TO THE:

Liquor Authority Board  
(BOARD/COMMISSION/COMMITTEE)

DATE: Jan. 14, 2009 DISTRICT IV

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 38 years

ARE YOU A REGISTERED VOTER? YES

WHY ARE YOU SEEKING THIS APPOINTMENT? Interested in City Government and volunteering my time

DO YOU HAVE EXPERIENCE IN THIS AREA? No - Have read minutes from Board meetings to become familiar with issues.

HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? No

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? NO

SIGNATURE CS

PLEASE PRINT OR TYPE NAME: Cynthia A. Shaw

ADDRESS: 4278 Garland St. ZIP: 80033

HOME PHONE: \_\_\_\_\_

BUSINESS or CELL PHONE: 720-724-4092

E-MAIL ADDRESS: Advocate@gmail.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**

**CYNTHIA A. SHAW**  
**4278 GARLAND ST.**  
**WHEAT RIDGE, CO 80033**  
**720-724-4092**

**VICTIM OUTREACH INC.**

Golden, CO

1993-2017 -Supervisor, Victim Services

Supervisor for non-profit agency that provides victim services to eight police agencies in Jefferson County. VOI provides services to crime victims as well as other traumatized citizens on a 24/7 basis as needed. Provided supervision, training, data collection and agency representation as needed.

**JEFFERSON COUNTY PUBLIC SCHOOLS**

Golden, CO

1981-1993 Operations Specialist

Human Resource specialist providing services to aid in the hiring, training and placement of job applicants.



## Board & Commission Application City of Wheat Ridge

**PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION**

APPLICATION FOR APPOINTMENT TO THE:

Board of Adjustment

(BOARD/COMMISSION/COMMITTEE)

DATE: 2/14/2019 DISTRICT at-large

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 3 years

ARE YOU A REGISTERED VOTER? yes

WHY ARE YOU SEEKING THIS APPOINTMENT? I am interested in contributing to my community by helping make land use decisions that result in the most functional and resilient built environment, in accordance with the relevant laws and codes.

DO YOU HAVE EXPERIENCE IN THIS AREA? Yes, I have a Master of City and Regional planning and work as a real estate developer, in which role I have weekly contact with various jurisdictions' land use regulations.

HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? yes, I've served on the Neighborhood Revitalization Strategy Steering Committee since summer 2018.

ARE YOU EMPLOYED BY THE CITY OF WHEAT RIDGE? No

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? No

SIGNATURE \_\_\_\_\_

PLEASE PRINT OR TYPE NAME: Julianne Stern

ADDRESS: 7630 W 48th Ave ZIP: 80033

HOME PHONE: 973-476-2470

BUSINESS PHONE: 303-403-5447

E-MAIL ADDRESS: julianne.stern@~~gmail~~ gmail.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



## **Board and Commission Application**

**APPLICATION FOR APPOINTMENT TO THE:**

**Election Commission**

(Board/Commission/Committee)

**DATE:** 1/18/2019

**DISTRICT:** 4

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE:** 6

**ARE YOU A REGISTERED VOTER?** Yes

**WHY ARE YOU SEEKING THIS APPOINTMENT?** \_\_\_\_\_

An opportunity to serve in an area I am passionate about.

**DO YOU HAVE EXPERIENCE IN THIS AREA?** \_\_\_\_\_

I have acquired knowledge in this area.

**HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

Yes. Currently serving on NRS and Outside Agency Committee

**ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?** No

**SIGNATURE**

**PRINT NAME** Sunny Garcia

**ADDRESS** 4304 Hoyt Street

**HOME PHONE** 303-478-1281

**BUSINESS PHONE** \_\_\_\_\_

**E-MAIL ADDRESS** sunnygarcia5280@gmail.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**  
City Clerk's Office, 7500 W. 29<sup>th</sup> Ave., Wheat Ridge CO 80033

**REQUEST FOR CITY COUNCIL ACTION****TITLE: A MOTION APPROVING THE REVISED COUNCIL RULES  
OF ORDER AND PROCEDURE DATED FEBRUARY 25, 2019**☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL:

☐ YES☒ NO

City Attorney



City Manager

**ISSUE:**

Consideration of amendments to Council Rules of Order and Procedure.

**PRIOR ACTION:**

Council Rules of Order and Procedure were last amended in 2016.

**SUMMARY:**

Attached is a revision of the Council Rules of Order and Procedure resulting from the March 18, 2018 study session and January 28, 2019 special study session at which numerous sections of the Rules were discussed and recommended for change. The City Attorney has incorporated all of these changes into the attached revised Council Rules of Order and Procedure. The major categories and issues include the following:

- Throughout, there are edits for language, clarity, and internal cross-references.
- Rule II.A on Citizens rights to speak has been significantly clarified, including:
  - To have all public comment at the beginning of the regular meeting, when a study session is placed at the end of a regular meeting. This would change the current practice.

- Clarifying the rules on written comments, both those simply submitted and those desired to be read into the record.
- Rule III.B on election of Mayor Pro Tem is shortened by eliminating the secret paper ballot procedure, now disallowed by the courts.
- Rule V.B is amended to move Approval of Agenda before Citizens Rights to Speak
- Rule V.E is revised to state there is no time limit on individual public testimony in public hearings, but the presiding officer may limit time if justified by the number of speakers. Procedures are also added for “quasi-judicial” hearings.

**RECOMMENDATION:**

Staff recommends approval of the revised Council Rules of Order and Procedure.

**RECOMMENDED MOTION:**

“I move to approve the revised Council Rules of Order and Procedure dated February 25, 2019.”

Or,

“I move to approve the revised Council Rules of Order and Procedure dated February 25, 2019, with the following amendment(s) \_\_\_\_\_.”

Or,

“I move to deny the approval of the revised Council Rules of Order and Procedure dated February 25, 2019, for the following reason(s) \_\_\_\_\_.”

**REPORT PREPARED BY:**

Gerald Dahl, City Attorney

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Draft Rules dated February 25, 2019 – redline
2. Draft Rules dated February 25, 2019 - clean





RULES OF ORDER AND PROCEDURE  
FOR THE  
CITY COUNCIL  
OF THE  
CITY OF WHEAT RIDGE  
COLORADO

~~Revised: July 11, 2016~~

~~Revised: May —, 2018~~

~~Revised: February 25, 2019~~

ATTACHMENT 1

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**RULES OF ORDER AND PROCEDURE  
FOR THE CITY COUNCIL OF THE  
CITY OF WHEAT RIDGE, COLORADO**

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**I. AUTHORITY**

Sections 4.7 and 5.1 of the Home Rule Charter of the City of Wheat Ridge authorize the City Council to determine its own rules of order and procedure for meetings. The following Rules shall be in effect upon their adoption by the Council until such time as they are amended or new Rules adopted in the manner provided by these Rules.

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**II. CITIZENS' RIGHT TO SPEAK**

**A. CITIZENS' RIGHT TO SPEAK**

1. Citizens' ~~to speak~~ right to speak at meetings of the City Council is of primary importance. This Rule describes those rights and the manner in which they are exercised.
2. Citizens' right to speak at Regular, Adjourned and Special Council Meetings
  - a) For non-agenda items: ~~a citizen~~s may speak once per meeting for a maximum of three (3) minutes on any item not on the agenda. Up to two (2) citizens present and signed up to speak may donate their time to the speaker for a maximum of nine (9) minutes.
  - b) For agenda items: ~~a~~ ~~citizen~~s may speak once for each agenda item, for any length of time unless ~~time is~~ limited by the presiding officer at the beginning of the item.
3. Citizens' right to speak ~~Comments~~ at Study Sessions:
  - a) A citizen may ~~speakecomment~~ once per agenda item for a maximum of three (3) minutes. Up to two (2) citizens present and signed up to speak may donate their time to the speaker ~~forte~~ a maximum of nine (9) minutes.
  - b) Citizen comments will be heard at the beginning of the Study Session, unless the Study Session is combined with a Regular, Special or Adjourned Council meeting, in which case the comments will be taken at the beginning of that meeting.
4. General Restrictions on Citizens' Right to Speak ~~Comments~~

- a) There is no limit on the number of persons who may speak.
- b) Content of Citizen Comments are not censored, other than foul or threatening language, which is not permitted.
- c) Speakers ~~shouldare encouraged to~~ limit their comments to the relevant topic or agenda item.
- d) Speakers are requested to sign the appropriate roster in the Council Chambers and will be called in order.
- e) Written comments are permitted on any agenda or non-agenda item and should be given to the City Clerk ~~for distribution to the Council members and inclusion in the record. The reading of written comments into the record is not permitted; however the presiding officer will entertain no written comments from the public~~ unless a member of the public representing the author is present to read them into the record at the written request of the author. A Council Member or the City Clerk may read written comments into the record with the approval of the majority of the Council present. Any such individual reading is limited to three (3) minutes on non-agenda items.
- f) Speakers may provide other documents, photos, etc. to the Council by giving them to the City Clerk.
- g) The City Clerk is the designated timekeeper for all time-limited comments.
- a)h) Councilmembers and the Mayor have the choice of whether or not to respond to citizens after the completion of Citizens' Right To Speak.~~Comments.~~

~~Citizens' Comments Category 1 (non-Agenda Items at a Regular or Special Meeting: one per meeting for a maximum of three (3) minutes. A person may speak only once per meeting for a maximum of three (3) minutes.~~

~~2. Citizens' Comments Category 2 (Agenda Items at a Regular or Special Study Session): once per person per meeting for a maximum of three (3) minutes.~~

~~3. Persons wishing to give Citizens' Comments may speak once per Category.~~

~~4. Persons in attendance shall be allowed to donate time in each Citizens' Comments category to other speakers for a maximum of nine (9) minutes, including the three (3) minutes the original speaker has.~~

~~5. The City Clerk shall be the timekeeper for Citizens' Comments.~~

- ~~6. Council has the choice whether or not to respond to citizens after the closure of the Citizen Comments portion of the meeting.~~
- ~~7. Persons desiring to speak on a Regular or Special Meeting Agenda Item are requested to sign the appropriate roster in Council Chambers. Speakers shall confine their remarks to the relative item. There shall be no time limit applied to public comment on any scheduled Agenda Item unless deemed appropriate by the Chair.~~
- ~~8. There shall be no restriction on the number of citizens who wish to speak.~~
- ~~9. The content of any speaker's comments cannot be censored.~~
- ~~10. The Chair will entertain no written comments from the public unless a member of the public representing the author is present to read them into the record. A Council Member or the City Clerk may read written comments into the record with the approval of the majority of the Council present.~~
- ~~11. All written communications to Council must be signed. If not signed, the written communications may not be accepted.~~

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### **III. CHAIR, MAYOR PRO TEM, CITY CLERK, CITY ATTORNEY, PARLIAMENTARIAN AND THEIR DUTIES AT MEETINGS**

#### **A. CHAIR**

1. The Mayor shall preside over the meetings of the City Council as the Chair.
2. In the absence of the Mayor, the Mayor Pro Tem shall preside as the Chair.
3. The Chair shall preserve order and decorum, prevent personal attacks or the impugning of member's motives, confine members in debate to questions under discussion, be responsible for conducting meetings in an orderly manner, assure that the minority opinion may be expressed and that the majority be allowed to rule.

#### **B. MAYOR PRO TEM**

1. At the first or second Regular meeting in November of each year, the Council shall ~~nominate, by secret paper ballot, and elect by motion upon a majority vote,~~ a Mayor Pro Tem who shall serve until their successor is elected. The procedure shall be as follows:

- a) The Chair will announce that the floor is open for nominations for the position of Mayor Pro Tem.
- b) Nominations will be taken from City Council members by voice. No second is needed.
- c) Each nominee will have the opportunity to address the Council.

~~d) Each Council member will mark the paper ballot with the name of the nominee they wish to vote for and fold the paper in half to ensure secrecy. The Mayor shall similarly cast a paper ballot for their favored nominee and write "Mayor" on the outside of their folded ballot. The City Clerk will open and include the Mayor's vote only in the event of a tie.~~

~~e) The City Clerk will collect the ballots, tally the results, include the Mayor's vote only in the case of a tie, and return the written name of the majority vote receiver to the presiding officer, who will announce the highest vote getter.~~

~~f) In the event of a tie, the Mayor will cast a paper ballot, to be delivered to the City Clerk for inclusion into the election tally.~~

~~g)d) A motion and second is then in order to elect one of the nominees, the highest vote getter to the position of Mayor Pro Tem. In the event of a tie, the Mayor shall cast a tie breaking vote. The Council is encouraged to confirm the nomination unanimously; however, Council Members are not required to vote for this person. If the motion is not carried, additional motions are in order until a Mayor Pro Tem is elected by a majority of Council present.~~

2. If presiding as the meeting Chair, the Mayor Pro Tem shall have the voting privileges of a regular Council Member.

3. The Mayor Pro Tem's duties shall include reviewing and setting the Agenda prior to Council Meetings and adding emergency items for discussion if necessary. The Mayor Pro Tem shall have the authority to remove any item from the Agenda of any Regular Meeting or Study Session with the exception of:

- a) -An item placed on the Agenda by two (2) Council Members or by the Mayor and one (1) Council Member prior to the meeting pursuant to Rule V.D.1; or
- b) An item added by the Council by majority vote of Council present during any meeting pursuant to Rule V.C.6.



3.4. The Mayor Pro Tem shall arrange for and coordinate the orientation of all newly elected officials, including a review of these Rules, within two (2) months after the election.

C. CITY CLERK

The City Clerk, or designated representative, shall attend all meetings of Council and shall keep the official minutes.

D. CITY ATTORNEY

The City Attorney<sup>7</sup> or acting City Attorney<sup>7</sup> shall attend all meetings of the Council unless excused by the City Council and shall, upon request, give an opinion, either written or oral, on the question of law.

E. PARLIAMENTARIAN AND RULES OF ORDER

1. The Mayor Pro Tem shall also function as the Council Parliamentarian, and may call upon the City Attorney for a recommendation on procedure, if desired.
2. The Parliamentarian shall advise the Chair and members of Council on parliamentary rules.
3. The current edition of Robert's Rules of Order, newly revised, shall advise the Parliamentarian regarding questions of order and procedure in all cases to which they are applicable and in which they are not inconsistent with these Rules, the Wheat Ridge Home Rule Charter, the Wheat Ridge Code of Laws or other laws governing the City.
4. In cases where the current edition of Robert's Rules of Order, newly revised, are inconsistent with these Rules of Order and Procedure, these Rules of Order and Procedure control.
5. The Mayor (or the Mayor Pro Tem, if presiding), shall be the final authority on all points of order or procedure, subject to override upon a three-fourths (3/4) majority vote of the entire Council.

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**IV. COUNCIL MEETINGS AND MEETING PROCEDURES**

A. TYPES OF MEETINGS

1. The Council meets in the Municipal Building for Regular, Adjourned, and Special Meetings and Regular and Special Study Sessions.

2. Regular Meetings are held the second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) Monday of each month at 7:00 PM unless otherwise provided by amendment of these Rules.
3. Study Sessions are held the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Monday of each month at 6:30 PM, unless otherwise provided by the Mayor Pro Tem.
4. The Mayor Pro Tem may schedule additional Study Sessions to take place at any other day and time.

B. STUDY SESSIONS

1. Study Sessions shall be for the purpose of discussing concepts and ideas. No formal business shall be conducted. Consensus votes during all Study Sessions are non-binding, with exception of consensus votes to schedule or decline to schedule a matter for consideration at a Regular or Special Meeting, which may, however, be reconsidered after six (6) months as permitted by Rule V.D.3. ~~Unless~~Until an issue is disposed of at a Regular, Adjourned, or Special Meeting, it may be amended or reconsidered in that or any future Study Session.
2. Public Comment will be allowed at the beginning of a Study Session as provided by Rule II.A.3. ~~for only those items on the agenda and each speaker is limited to a maximum of three (3) minutes. When a Study Session is added to a Regular, Adjourned or Special Meeting, Public Comment on Study Session Agenda Items shall be taken at the beginning of the that meeting, it being the intention that all Public Comment and Citizens Comments be taken at the beginning of the meeting.~~

C. ADJOURNED MEETINGS~~±~~

Any Meeting of the Council may be adjourned to a later date and time, provided that no adjournment shall be for a period longer than the next Regular Meeting.

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D. EXECUTIVE SESSIONS

1. The Council may meet in Executive Session on a vote of a majority of City Council members present in a Regular or Special Meeting (Charter – Section 5.7).
2. No notes may be taken during an Executive Session except by the City Clerk and/or City Attorney.
3. If, at any time during the Executive Session, a Council Member feels that a matter is being discussed other than that stated as the purpose of the Executive Session, that member should so state and may request that the Executive Session be terminated. If a consensus of City Council Members present agree, the session shall be terminated.

3.4. All requirements of the Colorado Open Meetings Law shall be followed.

E. MEETING NOTICES AND REQUIREMENTS~~+~~

~~All Meetings, whether formal or informal (other than those between only two (2) Council Members and/or the Mayor) shall be open to members of the public and the press except as provided in this Rule.~~

1. Meetings involving no more than two (2) Council Members, whether in ~~person, by~~ person, by person, by telephone or other electronic medium and whether or not the Mayor also attends, shall not be subject to any of the requirements of this Rule.
2. Meetings of any three (3) or four (4) Council Members must be open to the public, but no advance notice is required.
3. All meetings of five (5) or more Council Members must be preceded by public notice of the meeting posted at least 72 hours prior to the meeting, with the exception of Special Meetings and emergency Special Meetings, on the City website and the locations designated by resolution of the Council, listing the topic of the meeting, its location, time, and date. Copies of the notice shall be given to all City Council Members and the City Clerk at least 72 hours before the meeting.
  - a. The City Clerk is responsible for the posting of the meeting pursuant to the Charter and Code.
  - b. There is no responsibility to post notices of meetings of other bodies and groups, whether or not members of the Council are expected to attend.
4. Public meetings arranged by the City for the citizens, such as open houses and public input meetings, are not meetings of the City Council.

F. ATTENDANCE AT MEETINGS OF OTHER ORGANIZATIONS AND SOCIAL GATHERINGS

1. The purpose for this rule is to permit the City to be represented by its elected officials at meetings of other groups or organizations, including, without limitation, intergovernmental organizations, neighborhood organizations, business and service organizations, and other organizations or groups with which the City has a relationship.
2. Any member of Council and the Mayor may attend meetings of other groups without prior notice, provided however, that any such meeting, if attended by three (3) or more members of the Council, is open to the public, pursuant to Section 24-6-401, et seq., C.R.S.

3. Social gatherings, at which the discussion of public business is not the central purpose, shall not be subject to any of the requirements of Rule IV.E.

#### G. ABSENCES

In the event that a Council Member expects to be absent from a Regular, Special or Adjourned Meeting or Study Session, the Member shall notify the City Clerk, and the City Clerk will duly notify the City Council at the beginning of the meeting.

#### H. RIGHT OF THE FLOOR

1. The presiding officer must first recognize each Council Member requesting to speak unless limited by a motion to limit debate or for calling the question. (applicable also to Study Sessions)
2. Speakers shall confine themselves to the question under discussion. All discussion must be germane to the Agenda Item. (applicable also to Study Sessions)
3. Members of Council shall avoid personal attacks and refrain from impugning the motives of any member's argument or vote. (applicable also to Study Sessions)
4. Once a vote, or in the case of a Study Session a Consensus, has been taken, there shall be no further discussion on that motion or Agenda Item unless a motion to reconsider is adopted.

#### I. ELECTED OFFICIALS' MATTERS

This is the time elected officials may make comments on any subject. Time limit per elected official -will be five (5) minutes.

---

### V. ORDER OF BUSINESS AND THE AGENDA

- A. SCOPE OF RULE: This Rule V shall apply only to Regular, Special and Adjourned Meetings, and not to Study Sessions, unless specifically noted.

#### B. ORDER OF BUSINESS

The general rule as to the Order of Business in Regular Meetings: ~~is stated thus:~~

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- ROLL CALL
- APPROVAL OF MINUTES
- PROCLAMATIONS AND CEREMONIES

~~APPROVAL OF AGENDA~~

- 
- CITIZENS' RIGHT TO SPEAK: ~~CATEGORY 1: NON AGENDA ITEMS (REGULAR OR SPECIAL MEETING)~~
- ~~CITIZENS' RIGHT TO SPEAK: CATEGORY 2: AGENDA ITEMS (REGULAR OR SPECIAL STUDY SESSION)~~
- ~~APPROVAL OF AGENDA~~
- CONSENT AGENDA
- PUBLIC HEARINGS, ORDINANCES ON SECOND READING, ~~FINAL SITE PLANS~~
- ORDINANCES ON FIRST READING
- DECISIONS, RESOLUTIONS AND MOTIONS
- CITY MANAGER'S MATTERS
- CITY ATTORNEY'S MATTERS
- ELECTED OFFICIALS' MATTERS
- ~~EXECUTIVE SESSION (AS NEEDED)~~
- ADJOURNMENT

C. ~~AGENDA~~: PREPARATION AND INITIATION OF AGENDA ITEMS

1. The Order of Business of each meeting shall be as contained in the Agenda prepared by the Mayor Pro Tem following the Order of Business provided in this Rule.
2. By majority vote of the City Council during any City Council meeting the order of business for that meeting may be changed. The City Manager and City Attorney may also propose to add or delete items to the Agenda of such meetings under "Approval of Agenda," subject to approval by a majority of the Council members present.
3. The Agenda shall be distributed to the members of City Council and the public by 5:00 PM on the Thursday prior to the Monday of the Regular Meeting.
4. The City Clerk's Office shall be notified of the Agenda by noon on the Wednesday preceding the Monday on which the City Council meets. All backup material and documents required for the Agenda shall be filed with the Clerk's office by 5:00 PM on that day in order to be included in the City Council packet.
5. A majority of City Council Members present at a meeting is required to direct the City Attorney or staff to draft an ordinance to be included on the Agenda.
6. A majority vote of City Council Members present may add, change the order of, or delete an item from, the Agenda under "Approval of Agenda." In Regular Meetings, this must be done before Public Hearings and Ordinances on Second Readings.

7. The first option of introducing Agenda Items shall go to a representative of the City Council District to which the Agenda Item pertains or to the City Council Member who initiated the item. Council Agenda Items not specific to a City Council District may be introduced by any member requesting such privilege from the Chair in advance of the meeting, ~~or requesting to introduce the item at the meeting.~~ The Mayor shall assign Agenda Item introductions and notify each City Council Member and the City Clerk prior to each City Council meeting.
8. Fiscal Notes. On any Agenda item containing a fiscal impact on the City's budget, the City Manager shall prepare a brief explanatory note that shall include a reliable estimate of any anticipated change in the expenditures or revenues to the City and whether such expenditures or revenues shall be recurring in nature during future budgets years. This shall include any principal and interest payments required to finance expenditures.
9. City Council may not approve an appropriation under City Manager's Matters, City Attorney's Matters, or Elected Officials' Matters.

D. INITIATING AND ADDING AGENDA ITEMS:

1. City Council Members or the Mayor may each originate an Agenda Item with the approval of one other City Council Member. Each City Council Member and the Mayor shall be allowed to originate only two (2) items per month to be added to the Agenda of a Regular Meeting or a Study Session, subject to the scheduling authority of the Mayor Pro Tem under Rule III.B.3. It is the intent of this Rule that no more than two (2) agenda items may be initiated by the Mayor or any City Council Member during any single month.
2. It is the responsibility of the originating City Council Member to provide backup material for the City Council packet as to the subject or arrange for that backup material to be prepared. No item may be included in the Agenda without proper backup.
3. Other than by reconsideration pursuant to Rule VI, once an item has been decided by a formal City Council vote at any Regular, Special or Adjourned Meeting or by a binding consensus vote at any Study Session under Rule IV.B.1, it is not eligible to be added to a future Agenda for six (6) months.
4. Motions made by City Council Members which are not in the City Council packet should be submitted to the City Clerk and the Mayor in writing during the City Council Meeting so they may be accurately voted upon and included in the minutes.
5. During a Regular Meeting, under the City Manager's Matters, the City Attorney's Matters or the Elected Official's Matters portion of the



Agenda, or at a Study Session, the Mayor, a City Council Member, the City Manager, or the City Attorney may request that a motion be made to add an item to a future Agenda for consideration, subject to approval by the City Council by a majority vote of Council present (for addition to a Regular Meeting Agenda) or a consensus vote (for additions to a Study Session Agenda).

6. The City Manager may add administrative and operational items to the agenda during "Approval of Agenda."

E. PUBLIC HEARINGS~~±~~

1. All speakers are requested to sign up on the appropriate roster, indicating whether they intend to speak to a particular Agenda Item. There is no time limit on individual public testimony, provided, however, that the presiding officer may impose a limit on individual speakers' time in the event the number of persons signed up to testify justifies this. The City Council shall not entertain a motion for the final disposition of the matter until the City staff and applicant have made their presentations, if any, the public has been able to speak on the matter, the City staff and the applicant have been given the opportunity to clarify any issues raised, and the public hearing has been closed, provided that motions regarding the conduct, scheduling or continuation of the public hearing ~~±~~ shall be proper at any time.
2. Hearings which are labeled as "Quasi-Judicial" matters on the Request for Council Action in the meeting packet:
  - a) Councilmembers shall refrain from communicating with each other, the applicant, or the public prior to the hearing.
  - b) Written material and e-mails received prior to the hearing shall be forwarded to staff for inclusion in the hearing record.
  - a)c) The presiding officer shall swear in all witnesses, affirming their intention to tell the truth

F. ORDINANCES ON FIRST READING~~±~~

1. It is the goal and desire of City Council to allow all interested parties to provide input during the Public Hearing/Second Reading on all proposed ordinances. A full, complete, and open discussion of all proposed ordinances is encouraged during the Public Hearing/Second Reading.
2. Therefore, public comment and staff presentations will occur only during the Public Hearing/Second Reading. First Reading will be for the purposes of setting proposed ordinances for publication, and establishing a date for the Public Hearing/Second Reading.

Amendments to a proposed ordinance ~~may~~can be made during a First Reading.

~~2., following the guidelines for offering amendments in these Rules.~~

G. TIME OF ADJOURNMENT

1. At 11:00 PM, the City Council shall complete action on the Agenda Item then under discussion and shall adjourn the meeting.

~~1.2.~~ Prior to such adjournment, the City Council may take any of the following actions:

- a) Acting by three-fourths ( $\frac{3}{4}$ ) majority vote of the City Council Members present, complete all or portions of the remaining Agenda.
- b) Acting by a majority vote of the City Council Members present, schedule any unfinished items for a future Regular or Special Council Meeting.
- c) Acting by majority vote of the City Council Members present, continue the meeting to a later date and time certain.

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**VI. RECONSIDERATION**

1. A motion to reconsider ~~may~~can be made only by a City Council Member originally voting with the prevailing side.
2. Such motion to reconsider ~~s~~ shall be made only at that or the next scheduled Regular Meeting. A continued or rescheduled meeting shall be considered a next scheduled Regular Meeting for the purpose of such motion to reconsider~~Reconsideration~~. If not reconsidered at that time, the issue ~~may not~~cannot be placed on any agenda for six (6) months.
3. A motion to reconsider shall require an affirmative vote of a majority of the entire City Council.
4. A City Council Member who was absent from the meeting at which the item was discussed may vote on the substantive matter following a successful motion to reconsider provided that City Council Member affirms, on the record, that he or she has listened to the recording of that Agenda Item.

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## **VII. SUSPENSION AND AMENDMENT OF THESE RULES**

### **A. SUSPENSION**

Any provision of these Rules not governed by the Home Rule Charter or Code of Laws may be temporarily suspended by a three-fourths (3/4) majority vote of the City Council Members present.

### **B. AMENDMENT**

These Rules may be amended, or new Rules adopted by a majority vote of City Council Members present at a Regular or Special Meeting, provided that the proposed amendments or new Rules shall have been submitted in writing to City Council at a preceding meeting or a Study Session. Any City Council Member, or the Mayor, may initiate an amendment of these Rules in the manner provided for initiation of Agenda Items by Rule V.D. These Rules shall be reviewed and revised by the City Council as needed and as provided for herein, ~~within three (3) months of a Regular Council Election.~~



RULES OF ORDER AND PROCEDURE

FOR THE

CITY COUNCIL

OF THE

CITY OF WHEAT RIDGE

COLORADO

**Revised: February 25, 2019**

**ATTACHMENT 2**

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**RULES OF ORDER AND PROCEDURE  
FOR THE CITY COUNCIL OF THE  
CITY OF WHEAT RIDGE, COLORADO**

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**I. AUTHORITY**

Sections 4.7 and 5.1 of the Home Rule Charter of the City of Wheat Ridge authorize the City Council to determine its own rules of order and procedure for meetings. The following Rules shall be in effect upon their adoption by the Council until such time as they are amended or new Rules adopted in the manner provided by these Rules.

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**II. CITIZENS' RIGHT TO SPEAK**

**A. CITIZENS' RIGHT TO SPEAK**

1. Citizens' right to speak at meetings of the City Council is of primary importance. This Rule describes those rights and the manner in which they are exercised.
2. Citizens' right to speak at Regular, Adjourned and Special Council Meetings
  - a) For non-agenda items: a citizen may speak once per meeting for a maximum of three (3) minutes on any item not on the agenda. Up to two (2) citizens present and signed up to speak may donate their time to the speaker for a maximum of nine (9) minutes.
  - b) For agenda items: a citizen may speak once for each agenda item, for any length of time unless time is limited by the presiding officer at the beginning of the item.
3. Citizens' right to speak at Study Sessions:
  - a) A citizen may speak once per agenda item for a maximum of three (3) minutes. Up to two (2) citizens present and signed up to speak may donate their time to the speaker for a maximum of nine (9) minutes.
  - b) Citizen comments will be heard at the beginning of the Study Session, unless the Study Session is combined with a Regular, Special or Adjourned Council meeting, in which case the comments will be taken at the beginning of that meeting.

4. General Restrictions on Citizens' Right to Speak
    - a) There is no limit on the number of persons who may speak.
    - b) Content of Citizen Comments are not censored, other than foul or threatening language, which is not permitted.
    - c) Speakers should limit their comments to the relevant topic or agenda item.
    - d) Speakers are requested to sign the appropriate roster in the Council Chambers and will be called in order.
    - e) Written comments are permitted on any agenda or non-agenda item and should be given to the City Clerk for distribution to the Council members and inclusion in the record. The reading of written comments into the record is not permitted unless a member of the public representing the author is present to read them into the record at the written request of the author. A Council Member or the City Clerk may read written comments into the record with the approval of the majority of the Council present. Any such individual reading is limited to three (3) minutes on non-agenda items.
    - f) Speakers may provide other documents, photos, etc. to the Council by giving them to the City Clerk.
    - g) The City Clerk is the designated timekeeper for all time-limited comments.
    - h) Councilmembers and the Mayor have the choice of whether or not to respond to citizens after the completion of Citizens' Right To Speak.
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### **III. CHAIR, MAYOR PRO TEM, CITY CLERK, CITY ATTORNEY, PARLIAMENTARIAN AND THEIR DUTIES AT MEETINGS**

#### **A. CHAIR**

1. The Mayor shall preside over the meetings of the City Council as the Chair.
2. In the absence of the Mayor, the Mayor Pro Tem shall preside as the Chair.
3. The Chair shall preserve order and decorum, prevent personal attacks or the impugning of member's motives, confine members in debate to



questions under discussion, be responsible for conducting meetings in an orderly manner, assure that the minority opinion may be expressed and that the majority be allowed to rule.

B. MAYOR PRO TEM

1. At the first or second Regular meeting in November of each year, the Council shall elect a Mayor Pro Tem who shall serve until their successor is elected. The procedure shall be as follows:
  - a) The Chair will announce that the floor is open for nominations for the position of Mayor Pro Tem.
  - b) Nominations will be taken from City Council members by voice. No second is needed.
  - c) Each nominee will have the opportunity to address the Council.
  - d) A motion and second is then in order to elect one of the nominees to the position of Mayor Pro Tem. If the motion is not carried, additional motions are in order until a Mayor Pro Tem is elected by a majority of Council present.
2. If presiding as the meeting Chair, the Mayor Pro Tem shall have the voting privileges of a regular Council Member.
3. The Mayor Pro Tem's duties shall include reviewing and setting the Agenda prior to Council Meetings and adding emergency items for discussion if necessary. The Mayor Pro Tem shall have the authority to remove any item from the Agenda of any Regular Meeting or Study Session with the exception of:
  - a) An item placed on the Agenda by two (2) Council Members or by the Mayor and one (1) Council Member prior to the meeting pursuant to Rule V.D.1; or
  - b) An item added by the Council by majority vote of Council present during any meeting pursuant to Rule V.C.6.
4. The Mayor Pro Tem shall arrange for and coordinate the orientation of all newly elected officials, including a review of these Rules, within two (2) months after the election.

C. CITY CLERK

The City Clerk, or designated representative, shall attend all meetings of Council and shall keep the official minutes.

#### D. CITY ATTORNEY

The City Attorney or acting City Attorney shall attend all meetings of the Council unless excused by the City Council and shall, upon request, give an opinion, either written or oral, on the question of law.

#### E. PARLIAMENTARIAN AND RULES OF ORDER

1. The Mayor Pro Tem shall also function as the Council Parliamentarian, and may call upon the City Attorney for a recommendation on procedure, if desired.
2. The Parliamentarian shall advise the Chair and members of Council on parliamentary rules.
3. The current edition of Robert's Rules of Order, newly revised, shall advise the Parliamentarian regarding questions of order and procedure in all cases to which they are applicable and in which they are not inconsistent with these Rules, the Wheat Ridge Home Rule Charter, the Wheat Ridge Code of Laws or other laws governing the City.
4. In cases where the current edition of Robert's Rules of Order, newly revised, are inconsistent with these Rules of Order and Procedure, these Rules of Order and Procedure control.
5. The Mayor (or the Mayor Pro Tem, if presiding), shall be the final authority on all points of order or procedure, subject to override upon a three-fourths (3/4) majority vote of the entire Council.

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### **IV. COUNCIL MEETINGS AND MEETING PROCEDURES**

#### A. TYPES OF MEETINGS

1. The Council meets in the Municipal Building for Regular, Adjourned, and Special Meetings and Regular and Special Study Sessions.
2. Regular Meetings are held the second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) Monday of each month at 7:00 PM unless otherwise provided by amendment of these Rules.
3. Study Sessions are held the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Monday of each month at 6:30 PM, unless otherwise provided by the Mayor Pro Tem.
4. The Mayor Pro Tem may schedule additional Study Sessions to take place at any other day and time.

## B. STUDY SESSIONS

1. Study Sessions shall be for the purpose of discussing concepts and ideas. No formal business shall be conducted. Consensus votes during all Study Sessions are non-binding, with exception of consensus votes to schedule or decline to schedule a matter for consideration at a Regular or Special Meeting, which may, however, be reconsidered after six (6) months as permitted by Rule V.D.3. Until an issue is disposed of at a Regular, Adjourned, or Special Meeting, it may be amended or reconsidered in that or any future Study Session.
2. Public Comment will be allowed at the beginning of a Study Session as provided by Rule II.A.3.

## C. ADJOURNED MEETINGS

Any Meeting of the Council may be adjourned to a later date and time, provided that no adjournment shall be for a period longer than the next Regular Meeting.

## D. EXECUTIVE SESSIONS

1. The Council may meet in Executive Session on a vote of a majority of City Council members present in a Regular or Special Meeting (Charter – Section 5.7).
2. No notes may be taken during an Executive Session except by the City Clerk and/or City Attorney.
3. If, at any time during the Executive Session, a Council Member feels that a matter is being discussed other than that stated as the purpose of the Executive Session, that member should so state and may request that the Executive Session be terminated. If a consensus of City Council Members present agree, the session shall be terminated.
4. All requirements of the Colorado Open Meetings Law shall be followed.

## E. MEETING NOTICES AND REQUIREMENTS

1. Meetings involving no more than two (2) Council Members, whether in person, by telephone or other electronic medium and whether or not the Mayor also attends, shall not be subject to any of the requirements of this Rule.
2. Meetings of any three (3) or four (4) Council Members must be open to the public, but no advance notice is required.
3. All meetings of five (5) or more Council Members must be preceded by public notice of the meeting posted at least 72 hours prior to the meeting, with the exception of Special Meetings and emergency Special

Meetings, on the City website and the locations designated by resolution of the Council, listing the topic of the meeting, its location, time, and date. Copies of the notice shall be given to all City Council Members and the City Clerk at least 72 hours before the meeting.

- a) The City Clerk is responsible for the posting of the meeting pursuant to the Charter and Code.
  - b) There is no responsibility to post notices of meetings of other bodies and groups, whether or not members of the Council are expected to attend.
4. Public meetings arranged by the City for the citizens, such as open houses and public input meetings, are not meetings of the City Council.

F. ATTENDANCE AT MEETINGS OF OTHER ORGANIZATIONS AND SOCIAL GATHERINGS

- 1. The purpose for this rule is to permit the City to be represented by its elected officials at meetings of other groups or organizations, including, without limitation, intergovernmental organizations, neighborhood organizations, business and service organizations, and other organizations or groups with which the City has a relationship.
- 2. Any member of Council and the Mayor may attend meetings of other groups without prior notice, provided however, that any such meeting, if attended by three (3) or more members of the Council, is open to the public, pursuant to Section 24-6-401, et seq., C.R.S.
- 3. Social gatherings, at which the discussion of public business is not the central purpose, shall not be subject to any of the requirements of Rule IV.E.

G. ABSENCES

In the event that a Council Member expects to be absent from a Regular, Special or Adjourned Meeting or Study Session, the Member shall notify the City Clerk, and the City Clerk will duly notify the City Council at the beginning of the meeting.

H. RIGHT OF THE FLOOR

- 1. The presiding officer must first recognize each Council Member requesting to speak unless limited by a motion to limit debate or for calling the question. (applicable also to Study Sessions)
- 2. Speakers shall confine themselves to the question under discussion. All discussion must be germane to the Agenda Item. (applicable also to Study Sessions)

3. Members of Council shall avoid personal attacks and refrain from impugning the motives of any member's argument or vote. (applicable also to Study Sessions)
4. Once a vote, or in the case of a Study Session a Consensus, has been taken, there shall be no further discussion on that motion or Agenda Item unless a motion to reconsider is adopted.

I. ELECTED OFFICIALS' MATTERS

This is the time elected officials may make comments on any subject. Time limit per elected official will be five (5) minutes.

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**V. ORDER OF BUSINESS AND THE AGENDA**

- A. SCOPE OF RULE: This Rule V shall apply only to Regular, Special and Adjourned Meetings, and not to Study Sessions, unless specifically noted.
- B. ORDER OF BUSINESS

The general rule as to the Order of Business in Regular Meetings:

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- ROLL CALL
- APPROVAL OF MINUTES
- PROCLAMATIONS AND CEREMONIES
- APPROVAL OF AGENDA
- CITIZENS' RIGHT TO SPEAK
- CONSENT AGENDA
- PUBLIC HEARINGS, ORDINANCES ON SECOND READING
- ORDINANCES ON FIRST READING
- DECISIONS, RESOLUTIONS AND MOTIONS
- CITY MANAGER'S MATTERS
- CITY ATTORNEY'S MATTERS
- ELECTED OFFICIALS' MATTERS
- ADJOURNMENT

C. AGENDA PREPARATION AND INITIATION OF AGENDA ITEMS

1. The Order of Business of each meeting shall be as contained in the Agenda prepared by the Mayor Pro Tem following the Order of Business provided in this Rule.
2. By majority vote of the City Council during any City Council meeting the order of business for that meeting may be changed. The City Manager and City Attorney may also propose to add or delete items to

the Agenda of such meetings under "Approval of Agenda," subject to approval by a majority of the Council members present.

3. The Agenda shall be distributed to the members of City Council and the public by 5:00 PM on the Thursday prior to the Monday of the Regular Meeting.
4. The City Clerk's Office shall be notified of the Agenda by noon on the Wednesday preceding the Monday on which the City Council meets. All backup material and documents required for the Agenda shall be filed with the Clerk's office by 5:00 PM on that day in order to be included in the City Council packet.
5. A majority of City Council Members present at a meeting is required to direct the City Attorney or staff to draft an ordinance to be included on the Agenda.
6. A majority vote of City Council Members present may add, change the order of, or delete an item from, the Agenda under "Approval of Agenda." In Regular Meetings, this must be done before Public Hearings and Ordinances on Second Readings.
7. The first option of introducing Agenda Items shall go to a representative of the City Council District to which the Agenda Item pertains or to the City Council Member who initiated the item. Council Agenda Items not specific to a City Council District may be introduced by any member requesting such privilege from the Chair in advance of the meeting. The Mayor shall assign Agenda Item introductions and notify each City Council Member and the City Clerk prior to each City Council meeting.
8. Fiscal Notes. On any Agenda item containing a fiscal impact on the City's budget, the City Manager shall prepare a brief explanatory note that shall include a reliable estimate of any anticipated change in the expenditures or revenues to the City and whether such expenditures or revenues shall be recurring in nature during future budgets years. This shall include any principal and interest payments required to finance expenditures.
9. City Council may not approve an appropriation under City Manager's Matters, City Attorney's Matters, or Elected Officials' Matters.

#### D. INITIATING AND ADDING AGENDA ITEMS

1. City Council Members or the Mayor may each originate an Agenda Item with the approval of one other City Council Member. Each City Council Member and the Mayor shall be allowed to originate only two (2) items per month to be added to the Agenda of a Regular Meeting or a Study Session, subject to the scheduling authority of the Mayor Pro Tem

under Rule III.B.3. It is the intent of this Rule that no more than two (2) agenda items may be initiated by the Mayor or any City Council Member during any single month.

2. It is the responsibility of the originating City Council Member to provide backup material for the City Council packet as to the subject or arrange for that backup material to be prepared. No item may be included in the Agenda without proper backup.
3. Other than by reconsideration pursuant to Rule VI, once an item has been decided by a formal City Council vote at any Regular, Special or Adjourned Meeting or by a binding consensus vote at any Study Session under Rule IV.B.1, it is not eligible to be added to a future Agenda for six (6) months.
4. Motions made by City Council Members which are not in the City Council packet should be submitted to the City Clerk and the Mayor in writing during the City Council Meeting so they may be accurately voted upon and included in the minutes.
5. During a Regular Meeting, under the City Manager's Matters, the City Attorney's Matters or the Elected Official's Matters portion of the Agenda, or at a Study Session, the Mayor, a City Council Member, the City Manager, or the City Attorney may request that a motion be made to add an item to a future Agenda for consideration, subject to approval by the City Council by a majority vote of Council present (for addition to a Regular Meeting Agenda) or a consensus vote (for additions to a Study Session Agenda).
6. The City Manager may add administrative and operational items to the agenda during "Approval of Agenda."

#### E. PUBLIC HEARINGS

1. All speakers are requested to sign up on the appropriate roster, indicating whether they intend to speak to a particular Agenda Item. There is no time limit on individual public testimony, provided, however, that the presiding officer may impose a limit on individual speakers' time in the event the number of persons signed up to testify justifies this. The City Council shall not entertain a motion for the final disposition of the matter until the City staff and applicant have made their presentations, if any, the public has been able to speak on the matter, the City staff and the applicant have been given the opportunity to clarify any issues raised, and the public hearing has been closed, provided that motions regarding the conduct, scheduling or continuation of the public hearing shall be proper at any time.
2. Hearings which are labeled as "Quasi-Judicial" matters on the Request for Council Action in the meeting packet:



- a) Councilmembers shall refrain from communicating with each other, the applicant, or the public prior to the hearing.
- b) Written material and e-mails received prior to the hearing shall be forwarded to staff for inclusion in the hearing record.
- c) The presiding officer shall swear in all witnesses, affirming their intention to tell the truth

F. ORDINANCES ON FIRST READING

- 1. It is the goal and desire of City Council to allow all interested parties to provide input during the Public Hearing/Second Reading on all proposed ordinances. A full, complete, and open discussion of all proposed ordinances is encouraged during the Public Hearing/Second Reading.
- 2. Therefore, public comment and staff presentations will occur only during the Public Hearing/Second Reading. First Reading will be for the purposes of setting proposed ordinances for publication, and establishing a date for the Public Hearing/Second Reading. Amendments to a proposed ordinance may be made during a First Reading.

G. TIME OF ADJOURNMENT

- 1. At 11:00 PM, the City Council shall complete action on the Agenda Item then under discussion and shall adjourn the meeting.
  - 2. Prior to such adjournment, the City Council may take any of the following actions:
    - a) Acting by three-fourths ( $\frac{3}{4}$ ) majority vote of the City Council Members present, complete all or portions of the remaining Agenda.
    - b) Acting by a majority vote of the City Council Members present, schedule any unfinished items for a future Regular or Special Council Meeting.
    - c) Acting by majority vote of the City Council Members present, continue the meeting to a later date and time certain.
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## **VI. RECONSIDERATION**

1. A motion to reconsider may be made only by a City Council Member originally voting with the prevailing side.
2. Such motion to reconsider shall be made only at that or the next scheduled Regular Meeting. A continued or rescheduled meeting shall be considered a next scheduled Regular Meeting for the purpose of such motion to reconsider. If not reconsidered at that time, the issue may not be placed on any agenda for six (6) months.
3. A motion to reconsider shall require an affirmative vote of a majority of the entire City Council.
4. A City Council Member who was absent from the meeting at which the item was discussed may vote on the substantive matter following a successful motion to reconsider provided that City Council Member affirms, on the record, that he or she has listened to the recording of that Agenda Item.

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## **VII. SUSPENSION AND AMENDMENT OF THESE RULES**

### **A. SUSPENSION**

Any provision of these Rules not governed by the Home Rule Charter or Code of Laws may be temporarily suspended by a three-fourths (3/4) majority vote of the City Council Members present.

### **B. AMENDMENT**

These Rules may be amended, or new Rules adopted by a majority vote of City Council Members present at a Regular or Special Meeting, provided that the proposed amendments or new Rules shall have been submitted in writing to City Council at a preceding meeting or a Study Session. Any City Council Member, or the Mayor, may initiate an amendment of these Rules in the manner provided for initiation of Agenda Items by Rule V.D. These Rules shall be reviewed and revised by the City Council as needed and as provided for herein.