

**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
CITY OF LAKEWOOD**

**7:00 P.M**

**September 14, 2009**

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

**ITEM 1 – CALL TO ORDER**

Mayor Murphy called the meeting to order at 7:00 p.m. in the Council Chambers, Lakewood Civic Center South, 480 South Allison Parkway, Lakewood, Colorado.

**ITEM 2 – ROLL CALL**

Those present were: Mayor Bob Murphy, Presiding

Diana Allen  
Doug Anderson  
Cindy Baroway  
Karen Kellen  
Sue King  
Debbie Koop  
Adam Paul  
Ed Peterson  
Tom Quinn  
Vicki Stack

Others in attendance: Mike Rock, Outgoing City Manager  
Kathy Hodgson, City Manager  
Tim Cox, City Attorney

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

**ITEM 3 – PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited and a moment of silent prayer was observed.

Mayor Murphy welcomed new City Manager, Kathy Hodgson.

**ITEM 4 – PUBLIC HEARING – PROPOSED 2009 REVISED/2010 BUDGET**

Larry Dorr, Director of Finance, noted that this is the first of two public hearings on the budget that must be done as required by the City Charter. He noted that the budget is guided by the City Council's commitments to the citizens and core community values. The budget sets goals and objectives and provides communication with the public. He gave the makeup of the Budget and Audit Committee and budget practices. He mentioned the legal requirements, city income breakdown, and results of 2008 and 2009 General Fund Reserves. Beginning of 2009 the General Fund Reserves had a total of \$24,300,000. He noted that the primary driver (source of income) for the City of Lakewood is Sales and Use Tax.

The presentation highlighted the timeline for economic forums in the metro area and it also highlighted new growth (in the form of new businesses) in Lakewood, i.e., Hobby Lobby, Nordstrom and St. Anthony's Hospital.

The current financials noted an uptrend year-to-date. Sales tax and revenue declined in 2009 with no projected growth for 2010.

Projected expenses for 2010 show an increase in park maintenance, water and public defender costs, retiree health benefits, street lights and electricity. Community cleanup has been delayed.

He noted that the 2009 Revised Budget (General Fund) shows revenues to be \$94,836,000; expenses; \$97,519,000 and a net to be a negative \$2,683,000, with ending reserves totaling \$21,616,000.

The proposed 2010 Budget (General Fund) was as follows: revenues total \$92,912,000; expenses are \$95,423,000; net is projected at a negative 2,511,000; with ending reserves totaling \$19,104,000.

An overview of the General Fund Spending noted for the 2008 Budget was \$98,376,000; 2009 Revised Budget is \$97,519,000; and the projected 2010 Budget is \$95,423,000.

He continued and spoke briefly about police staffing.

For the ninth consecutive year, the City of Lakewood received the Distinguished Budget Presentation Award as presented by The Government Finance Officers Association.

Mr. Dorr presented the award to Cathy Barum, Budget Management Analyst.

Mayor Murphy said he will ask Council to consider having a budget update in December 2009 or at the first meeting in January 2010.

There were no public comments on the 2009 Revised/2010 budget. A second presentation on the budget will be given at the September 28, 2009 Council meeting.

Councilwoman Allen wanted to set the record straight in that although she supported the reduction of food tax in Lakewood, she was not present for the vote at the Council meeting.

#### **ITEM 5 – PUBLIC COMMENT**

Jeff LaMontagne, 571 S. Taft Street, Lakewood, CO, Co-founder and Executive Director, Second Wind Fund, said the program has thrived because of support from the City of Lakewood and he wanted to extend “thanks” and note that he is so very proud to be a citizen of Lakewood.

He added that because of the tremendous support for this program, the Eighth Annual Walk-Run-Ride event will be held at the Jeffco Fairgrounds, which is a larger venue. The event is scheduled for Sunday, September 20, 2009 and they expect some 3000 attendees (weather permitting). For more information, persons can contact their website at [www.swfmd.org](http://www.swfmd.org).

Fred Clifford, 11405 W. 17<sup>th</sup> Street, Lakewood, CO, appreciated Councilwoman Allen making the public correction, and recommended the changing of such items in print.

David Rothenburger, 1310 Garrison Street, Lakewood, CO, said the Eiber Neighborhood Association along with the Two Creeks Neighborhood Organization requests that a traffic and safety study be done at the 13<sup>th</sup> Avenue Corridor, especially in view of the Fast Track Light Rail between Harlan and Garrison Street. This request is for the City of Lakewood to participate in a comprehensive traffic and safety evaluation and to publish the findings in a partnership with the West Metro Fire District and the residents of the two mentioned areas. The study should address pedestrian, bicycle and vehicular, including emergency response and mass transit, traffic within these two residential communities. Additionally, the study should include two-lane and one-lane traffic scenarios. He realizes that the survey is costly, but feels that the cost is fully warranted because of multiple stresses involved.

Madeline Nichols, 5800 W. 8<sup>th</sup> Avenue, Lakewood, CO, noted that because of a number of things happening, there is no traffic on parts of 13<sup>th</sup> Avenue at this time. The requested study, to be done by West Metro Fire District and the City of Lakewood, should actively involve residents from the affected neighborhoods and be concluded after the West Line Corridor is opened. She said the study should include the latest ideas and research on use of one-way and two-way streets across the nation, and a comprehensive risk analysis for the safety and well being of vehicular, pedestrian and bicycle traffic for residents in the neighborhoods. She feels this should be looked at and that the neighborhoods be involved in the process to understand how decisions are made.

Gerald Lopez, 1257 Allison Street, Lakewood, CO, said RTD should save the trees along 13th Avenue and Cody.

Public comments were closed.

Mayor Murphy said he and Councilwoman Baroway met with some residents of the Eiber and Two Creeks neighborhoods and they feel that a comprehensive traffic study at this point would not give an accurate assessment of what the situation might be in 2013. They agree that the traffic study should be done after the opening of the West Line Corridor.

Councilwoman Baroway said she is also concerned about traffic and safety issues that may arise. However, they won't know what to expect until after the opening in 2013. There will be many changes; the study will be comprehensive because it will impact other areas as well. She will keep the neighborhoods involved in discussion. She extended a "thank you" for the presentation.

### **CONSENT AGENDA**

Consent Agenda Items 6 through 15 were read into the Record by the City Clerk.

**ITEM 6 – RESOLUTION 2009-41** – AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT TO ESTABLISH THE JEFFERSON COUNTY REGIONAL AUTO THEFT TASK FORCE WITH THE DISTRICT ATTORNEY FOR THE FIRST JUDICIAL DISTRICT OF COLORADO, THE COUNTY OF JEFFERSON, THE CITY OF ARVADA, AND THE CITY OF WHEAT RIDGE

**ITEM 7 – RESOLUTION 2009-42** – AUTHORIZING A FURTHER EXTENSION OF THE DEADLINE TO FILE A SERVICE PLAN AMENDMENT FOR FOSSIL RIDGE METROPOLITAN DISTRICT NO. 4

**ITEM 8 – RESOLUTION 2009-43** – AUTHORIZING THE CITY OF LAKEWOOD TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE REGIONAL TRANSPORTATION DISTRICT (RTD) REGARDING NOISE BARRIER ALTERNATIVE TREATMENT OPTIONS FOR THE WEST CORRIDOR LIGHT RAIL PROJECT

**ITEM 9 – RESOLUTION 2009-44** – APPROVING THE 2010 OPERATING PLAN AND PROPOSED BUDGET FOR THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT

**ITEM 10 – RESOLUTION 2009-45** – AUTHORIZING THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF MORRISON, COLORADO AND THE CITY OF LAKEWOOD, COLORADO REGARDING THE ROONEY VALLEY

**ITEM 11 – RESOLUTION 2009-46** – AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN JEFFERSON COUNTY, THE CITY OF ARVADA, THE CITY OF LAKEWOOD, THE CITY OF WHEAT RIDGE, THE CITY OF

GOLDEN, AND THE CITY OF WESTMINSTER FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH CONSTRUCTION OF THE TABLE MOUNTAIN ANIMAL CENTER

**ITEM 12 – ORDINANCE O-2009-40** – ADOPTING A REVISED BUDGET FOR THE YEAR 2009 FOR THE CITY OF LAKEWOOD, COLORADO, AND FURTHER ADOPTING THE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2010, AND ENDING ON DECEMBER 31, 2010, ESTIMATING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAX LEVY BASED ON SAID BUDGET SO ADOPTED, ESTIMATING THE AMOUNT OF MONEY TO BE DERIVED FROM OTHER REVENUE SOURCES, AND SETTING FORTH THE APPROPRIATIONS FOR EACH FUND

**ITEM 13 – ORDINANCE O-2009-41** – LEVYING TAXES FOR THE YEAR 2009, TO DEFRAY THE COSTS OF MUNICIPAL GOVERNMENT OF THE CITY OF LAKEWOOD, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2010, AND ENDING DECEMBER 31, 2010

**ITEM 14 – APPROVING MINUTES OF CITY COUNCIL MEETING**

Regular City Council Meeting	July 13, 2009
Special City Council Meeting	July 13, 2009

**ITEM 15 – ACCEPTING MINUTES OF THE BOARDS AND COMMISSIONS**

Advisory Commission for an Inclusive Community Meeting	July 15, 2009
Lakewood Head Start Meeting	June 8 2009

Mayor Murphy asked for comments.

Nicole Birney, 10400 W. 13<sup>th</sup> Place, Lakewood, CO, representing the 13<sup>th</sup> Avenue coalition, urged Council to pass Resolution 2009-43 regarding the IGA.

Public comments were closed.

A motion was made by Councilwoman Kellen and seconded by Councilman Quinn, to approve Council Minutes, accept all minutes for Boards and Committees, order all ordinances introduced on first reading to be published into the Denver Post Newspaper for public hearing set for dates included in the ordinances, and to adopt resolutions, all of which are included in the Consent Agenda Items, for the record and introduced by the City Clerk.

Vote: Ayes: 11 Nays: 0 The motion passed unanimously.

**THERE ARE NO SECOND READING ORDINANCES**

In noting that this is Mike Rock's last City Council meeting, Mayor Murphy said that Mike Rock has been the City Manager since 1992 and he has made a positive impact on the Lakewood community. He listed some of the City projects that have been initiated and completed during Mr. Rock's tenure.

City Council members extended words of thanks and appreciation to Mr. Rock for his dedicated services to the City of Lakewood.

Others who extended words of thanks and commendation were: Steve Burkholder, former Mayor of Lakewood; Roger Noonan, former Lakewood City Attorney; and Dick Plastino, former Public Works Director for the City of Lakewood.

Mike Rock said he feels the transition is going well and extended thanks to all. He encouraged Council to continue its leadership and collaborative efforts with Staff. Lakewood has a long legacy and tradition of leadership and he's glad to have been a part of this government.

**ITEM 16 – GENERAL BUSINESS**

None.

**ITEM 17 – REPORTS**

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

**ITEM 18 – ADJOURNMENT**

There being no further business to come before the Council; Mayor Murphy adjourned the meeting at 8:30 p.m.

Submitted by:

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Margy Greer, City Clerk