

RECORD OF PROCEEDINGS

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, April 6, 2021 at 6:30 p.m.
Electronic Meeting

The City Council held a study session at 5:30 p.m.

Mayor Russell Stewart called the meeting to order at 6:30 p.m.

ROLL CALL

Mayor Russell Stewart, Mayor Pro Tem Katy Brown, Councilors Randy Weil, Afshin Safavi, Al Blum, Mike Gallagher, and Dan Sheldon were present on roll call. Also present were City Manager Chris Cramer, Deputy City Manager and Public Works Director Jay Goldie, City Attorney Kathie Guckenberger, Police Chief Michelle Tovrea, Finance Director Jessica Sager, Parks and Recreation Coordinator Emily Black and City Clerk Laura Gillespie.

Absent: none

DISTRICT ATTORNEY JOHN KELLNER

District Attorney John Kellner presented his background; discussed current challenges for the 18th Judicial District, especially the backlog of cases due to COVID-19; and explained his opposition to Senate Bill 21-62. He noted two cases from Cherry Hills Village were in progress. He explained the 18th Judicial District would be split into the 18th and a new 23rd Judicial District over the next four years and indicated Arapahoe County would stay in the 18th Judicial District.

Council asked DA Kellner about Senate Bill 21-182; homelessness; catching up on cases from the COVID-19 backlog; normal timelines for cases; and the possibility of expanding the judiciary. Council thanked DA Kellner for his time.

AUDIENCE PARTICIPATION PERIOD

None

REPORTS FROM CITY BOARDS, COMMISSIONS AND COMMITTEES

None

CONSENT AGENDA

Mayor Pro Tem Brown moved, seconded by Councilor Blum to approve the following items on the Consent Agenda:

- a. Approval of Minutes – March 16, 2021

The following votes were recorded:

Safavi	yes
Weil	yes
Brown	yes
Gallagher	yes
Sheldon	yes
Blum	yes

The motion passed unanimously.

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ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

Board Member Terms

City Clerk Gillespie indicated based on past Council discussion staff was soliciting applications for the Board of Adjustment and Appeals and asked for two Council members to review applications and make a recommendation for appointment.

Councilor Weil and Councilor Blum volunteered.

NEW BUSINESS

None

REPORTS

Mayor's Report

Mayor Stewart reported he had attended several meetings discussing the American Rescue Plan and noted the City's allocation was \$1.4 million over two years but municipalities were waiting for guidance from the Treasury as to how those funds can be spent, possibly on broadband, transportation, roads, and bridges. He stated former Council member Mark Griffin would present on the Police Foundation at the next Council meeting. He indicated the Colorado Municipal League, Metro Mayors Caucus, Sheriffs, and Chiefs of Police were all opposed to Senate Bill 21-62. He reported he attended the first meeting for the Arapahoe County Sales Tax Reauthorization Committee; he attended the transportation and mobility committee of the Metro Mayors Caucus; and he discussed the state transportation bill.

Members of City Council

Councilor Blum reported he, Mayor Pro Tem Brown, City Manager Cramer, and Director Sager had talked to three public affairs consultants and there was consensus that a 2022 election was recommended; it would be a two-phase process, first a City-led process to analyze and research potential ballot questions and second a campaign process with a citizen group. He and Mayor Pro Tem Brown recommended the City conduct an RFP for a consultant this summer. He noted the process would require considerable Council participation. He added during the South Suburban exclusion process the City Council had a consultant on board from the beginning.

Mayor Pro Tem Brown agreed that was a good summary. She added she believed hiring a consultant would be valuable regardless of the conclusion of the research phase, even if the result showed no citizen support for any ballot measure.

City Manager Cramer added the consultants were consistent in relaying that this would be a huge commitment by Council and staff. He noted both for this reason and for their expertise, he agreed a consultant was needed for this project.

Councilor Safavi noted the City had a large number of CFOs as residents and suggested Council form a citizen advisory group to look at the City's financial models. He indicated the CFOs might come up with creative solutions. He suggested the Council do this before hiring a consultant.

Councilor Weil indicated City Manager Cramer had prepared Director Sager to review the City's long-range forecast with Council and suggested they use that to come to

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some agreements on what parts of this project are necessary. He noted he was not convinced yet of the necessity of ballot issues and suggested it would be beneficial to engage a consultant early in the process once Council decides what they want to do.

Mayor Pro Tem Brown noted Councilor Safavi's suggestion of a committee was a common approach to these types of issues, but a consideration was if Council wanted to ask a committee for input or wanted advocates for decisions already made by the Council. She noted a consultant would help Council with these questions. She agreed with Councilor Weil that the Council was not necessarily all on the same page. She noted it was clear talking to the consultants that Council members would be expected to put in a lot of effort campaigning as individual citizens for the issues and suggested each Council member should consider their willingness to campaign. She indicated her term on Council was over in 2022 and she was not sure she would want to do that level of campaigning again. She stated even if all Council members decided they were not able to campaign at that level she still believed hiring a consultant would be beneficial to understand how the community at large felt about these issues.

Councilor Blum added the consultants could help Council determine how many if any ballot issues to put on the ballot. He agreed it was critical to get a consultant on board and help Council educate themselves.

Councilor Sheldon suggested projects that may be eligible for American Rescue Plan funds included undergrounding utility lines and cell phone coverage. He noted the April 1st Villager Newspaper cover article was very well done.

Councilor Gallagher reported he had discussed the Comcast Franchise Agreement with a resident and confirmed with Ken Fellman that all franchise fees charged by the City to Comcast are passed down to the residents.

Mayor Pro Tem Brown had no further report.

Councilor Weil reported DRCOG was working on a lot of projects but not very many with a big impact to the City. He discussed a letter regarding Senate Bill 21-62.

Councilor Safavi discussed the bobcat that was spotted in the City.

Mayor Stewart added wild turkeys have also been seen in Englewood.

City Manager & Staff

City Manager Cramer noted Arapahoe County was beginning a homeless coordinating committee. He reported the state's COVID-19 dial was likely going away April 16th and Tri-County Health Department was deciding what to do at their level related to mask mandates and dials. He reported the City hosted a vaccine clinic for staff last week. He stated City Hall would reopen to the public on May 17th and start allowing outside organizations to use City Hall meeting rooms. He asked Council to consider what they wanted to do regarding in-person or hybrid public meetings for Council and for other boards and commissions.

Mayor Pro Tem Brown discussed emergency declarations.

Chief Tovrea reported Mark Griffin would attend the April 10th Council meeting to update Council on the Police Foundation. She discussed Senate Bill 21-62.

Deputy City Manager/Director Goldie reported during the City's undergrounding project Xcel bored through one of the main cable lines for Crown Castle which knocked out over a hundred small cell towers in the south metro area. He noted the City would hold a scaled back Spring Clean Up on May 22nd for electronics, paint, and shredding at City

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Hall. He added the City would continue to review rules and regulations to determine what other special events could be held this year.

Director Sager agreed with Councilor Sheldon about including utility line undergrounding and cell phone coverage in the American Rescue Plan funding if possible. She explained the funds would be released May 11th and Treasury was hoping to have guidance released before then.

City Manager Cramer noted the timing of guidance from Treasury would be beneficial for the rescheduled meeting with Zayo Group.

City Attorney

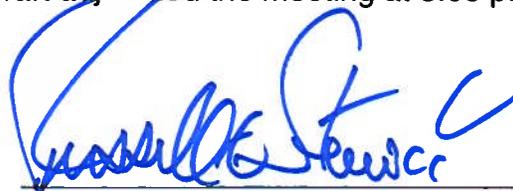
City Attorney Guckenberger reported she continued to work on contracts; impacts of COVID recovery acts; year end audit; land use applications; potential Code amendments; and a campaign finance ordinance for dealing with complaints at the local level.

Mayor Stewart added City Attorney Guckenberger continued to work on the Comcast Franchise Agreement.

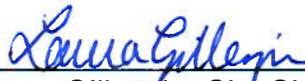
ADJOURNMENT

Hearing no objection Mayor Stewart adjourned the meeting at 8:06 p.m.

(SEAL)



Russell O. Stewart, Mayor



Laura Gillespie, City Clerk