City Council Agenda
Tuesday, February 5, 2019
2460 E. Quincy Avenue, Cherry Hills Village CO 80113
Joint Public Safety Facility

5:30 p.m. – Study Session

1. High Line Canal Conservancy Framework Plan – Joint Study Session with the Parks, Trails and Recreation Commission, the Planning and Zoning Commission, and the Quincy Farm Committee
2. Discussion of Agenda Items

6:30 p.m. – Regular Meeting

1. Call to Order
2. Roll Call of Members
3. Pledge of Allegiance
4. Approval of Agenda
5. Audience Participation Period (limit 5 minutes per speaker)
6. Consent Agenda
   a. Approval of Minutes – January 15, 2019
   b. Highway User Tax Funds (HUTF) Mileage Certification
   c. Resolution 5, Series 2019; Accepting an Anonymous Donation from a Resident on Behalf of the Cherry Hills Village Police Department
   d. Resolution 6, Series 2019; Ratifying Approval of a Memorandum of Understanding for the 18th Judicial District Assessment Center
   e. Resolution 7, Series 2019; Approving a Memorandum of Understanding with SungateKids
7. Items Removed From Consent Agenda
8. Unfinished Business
   a. City Council Liaison Assignments
9. New Business
   a. Resolution 8, Series 2019; Accepting a Bench Donation in Memory of Caroline Clute
   b. 2019 Trail Signing Project

***Agenda Continues on Second Page***
9. New Business (continued)
   c. Council Bill 1, Series 2019; Amending the Budget for Fiscal Year 2019 by Creating a Fund for the Cherry Hills Village Charlou Park 3rd Filing General Improvement District and Appropriating Funds Therein (first reading)
   d. Public Access at Quincy Farm

10. Reports
    a. Mayor
    b. Members of City Council
    c. Reports from Members of City Boards and Commissions
    d. City Manager and Staff
    e. City Attorney

11. Adjournment
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL
FROM: EMILY BLACK, PARKS AND RECREATION COORDINATOR
SUBJECT: HIGH LINE CANAL CONSERVANCY FRAMEWORK PLAN
DATE: FEBRUARY 5, 2019

ISSUE
An overview of the High Line Canal Conservancy’s draft Framework Plan will be presented for City Council’s information.

DISCUSSION
The High Line Canal Conservancy completed the Community Vision Plan for the High Line Canal in early 2017. The next phase of planning will create a Framework Plan – a multi-year implementation plan to make the community vision a reality.

The Framework Plan is still in draft form. Concepts from the plan were presented at two public Open Houses on January 23rd and 24th, and the full draft plan will soon be made available to jurisdictions for review and feedback. Executive Director Harriet LaMair will present concepts from the Framework Plan at this study session.

ATTACHMENTS
None
The City Council held a study session at 5:30 p.m.

**FINAL MEETING OF THE OUTGOING COUNCIL**

**CALL TO ORDER**

Mayor Laura Christman called the meeting to order at 6:30 p.m.

**ROLL CALL**

Mayor Laura Christman, Councilors Earl Hoellen, Al Blum, Mike Gallagher, Dan Sheldon, and Katy Brown were present on roll call. Also present were City Manager Jim Thorsen, Deputy City Manager and Public Works Director Jay Goldie, City Attorney Kathie Guckenberger, Police Chief Michelle Tovrea, Community Development Director Rachel Granrath, Finance Director Jessica Sager, Police Commander Pat Weathers, Parks and Recreation Coordinator Emily Black and City Clerk Laura Gillespie.

Absent: Councilor Randy Weil

**PLEDGE OF ALLEGIANCE**

The Council conducted the pledge of allegiance.

**AUDIENCE PARTICIPATION PERIOD**

John Love, 8 Lynn Road, expressed his gratitude to outgoing Mayor Christman and Mayor Pro Tem Hoellen. He indicated that they had served with distinction.

Robert Eber, 3 Middle Road, thanked Mayor Christman and Mayor Pro Tem Hoellen for their hard work. He noted that the new City Hall was on time and under budget. He indicated that they all stood on the shoulders of those who had come before and that Mayor Christman and Mayor Pro Tem Hoellen were leaving some high shoulders.

**APPROVAL OF MINUTES**

Councilor Sheldon noted grammatical error on page 5 of the November 20, 2018 minutes.

Mayor Pro Tem moved, seconded by Councilor Sheldon to approve the November 20, 2018 as amended and the December 12, 2018 minutes.
The motion passed unanimously.

REMARKS FROM CITY COUNCIL TO OUTGOING MAYOR AND MAYOR PRO TEM

Councilor Blum noted that while he and Mayor Pro Tem Hoellen were on different ends of the political spectrum they had always agreed on what was best for the City. He appreciated Mayor Pro Tem Hoellen’s dynamic and dedication. He stated that he would miss Mayor Christman and that much of the City was not aware of how much she contributed. He noted she had been a mentor to him both on the Planning and Zoning Commission (P&Z) and on City Council, and he appreciated her support.

Councilor Sheldon stated that it had been a pleasure to work with Mayor Pro Tem Hoellen who had taught him to look at the details as well as the long-term plan. He noted that his first experience with Mayor Christman had been as a disgruntled applicant before P&Z, but now he appreciated the challenges of elected office and he commended her work on P&Z and Council. He wished both of them the best moving forward.

Councilor Brown noted that a lot had happened and had been accomplished since she had met Mayor Christman and Mayor Pro Tem Hoellen four years ago. She indicated that they had listened, acted, consulted and consoled and to mis-quote Michael Jordan, there was no “I” in “team” but there was a “U” in “success”, “community” and “future”. She stated that she could not thank them enough both as a colleague and as a resident. She sincerely hoped that when they passed by the redeveloped John Meade Park or the new Public Works facility in the future that they would be reminded of their contribution and legacy. She stated that she had enjoyed her time on Council with them and the Council had been a great team. She noted that the City would have been worse off without them. She thanked their families for the sacrifice.

Councilor Gallagher stated that he appreciated his friendship with Mayor Christman and Mayor Pro Tem Hoellen. He thanked Mayor Christman for her great enthusiasm for her position and for the City. He thanked Mayor Pro Tem Hoellen for his leadership and analytical skills that had led to the current progress on the capital projects.

PRESENTATIONS TO OUTGOING MAYOR AND MAYOR PRO TEM BY CITY MANAGER

City Manager Thorsen noted that in his thirteen years in city manager positions he had the great fortune of serving with 23 council members. He stated that the traits of an excellent council member were their love for the community and their passion for giving, and that Mayor Christman and Mayor Pro Tem Hoellen had both traits. He agreed that few people recognized or understood the amount of time and energy that they had devoted to the community and that it was nothing short of astounding. He noted that they had attended hundreds of meetings of various groups, made many phone calls, had many meetings with residents, and Mayor Christman had recently flown back from
January 15, 2019
City Council

Argentina to attend an FAA meeting. He indicated that they had sacrificed time with their families and postponed personal issues to make the City a better place. He indicated their leadership had brought the capital projects from two decades of discussion to reality. He noted that they had taught him about the pulse and heartbeat of the community. He thanked Mayor Pro Tem Hoellen for always looking at the fine print, and Mayor Christman for her creative thinking to diffuse government roadblocks. He thanked them for their support of staff. He presented commemorative gifts to each of them and thanked them for their service and a job well done.

REMARKS FROM OUTGOING MAYOR AND MAYOR PRO TEM

Mayor Pro Tem Hoellen indicated that he had always believed that a life well lived included public service of some sort. He noted that he had served on the Board of Adjustment and Appeals (BOAA) for eight years and then had run for Council to replace Russell Stewart who had been term limited. He had quickly realized that his fellow Council members had different talents, experiences and perspectives but all had in common their commitment to serve the City. He stated that they had worked without personal agendas to pursue initiatives in the best interests of the City. He indicated that the they had initiated progress on the three major projects under the Master Plan, on top of many other matters such as drones, short term rentals, traffic and others. He explained that when he had started on Council he had been shocked to learn that the City had the funds to complete the capital projects and Council had taken advantage of generationally-low interest rates to do so. Former Councilors Mark Griffin and Alex Brown had introduced the idea of financing the projects with Certificates of Participation (COPs) which allowed the City to proceed with the projects almost immediately. He noted that around the same time the City had the good fortune of hiring a new City Manager who was truly accomplished with an extensive background overseeing municipal capital projects and with City Manager Thorsen’s leadership and the City’s extraordinary staff the City had secured COPs at a very favorable interest rate. The new Public Works facility had been completed on time and under budget and the new City Hall was currently on time and under budget. The City was in excellent financial shape with the highest financial rating and sufficient reserves to ensure continuity of services and the opportunity to pursue opportunities like open space acquisition. City Manager Thorsen also restored a positive working culture for City staff. Mayor Pro Tem Hoellen stated he would not have changed anything, except perhaps the use tax ballot measure, and had learned along the way. He noted that doing was harder than not doing and most people were predisposed against change. He stated that he had been honored to work with Councilors Blum, Sheldon and Weil, who he hoped would recover soon, and with Councilors Gallagher and Brown on their shared journey. He indicated that Mayor Christman was a mile wide and a mile deep, her knowledge was remarkable, and she had successfully led Council members with different styles and personalities. He indicated that if he had made a contribution it was because of her leadership. He thanked City staff for helping him learn and understand and for their dedication. He thanked the Abrams for attending most Council meetings. He thanked his wife Lori. He urged the incoming Council to stay the course and continue to look forward. He noted
he would be happy to help incoming Councilor Safavi with the transition in any way he could. He stated it had been a privilege to serve.

Mayor Christman thanked City staff for their consummate professionalism. She noted Councilor Blum’s success with the new traffic signal at Glenmoor and Belleview, a project 10 years in the making. She stated that Councilor Sheldon brought his depth of experience and knowledge of the community to the Council and they were lucky to have him. She thanked Councilor Brown for being an advocate for the community, being thorough and for paying attention to the numbers. She stated that Councilor Gallagher was second generation in the City and contributed that important history and concept of change to Council’s discussions. She thanked Mayor Pro Tem Hoellen for his knowledge of staff matters, financial discipline, and consideration of both the details and the long range financial future of the City. She noted that while there had been no place at the old City Hall for Councilors to meet with residents the new City Hall would have a Council office. She gifted a coffee cup set and horse tray to the City for that room.

**ADJOURNMENT**

The meeting adjourned at 7:10 p.m.

**ORGANIZATIONAL MEETING OF THE NEW COUNCIL**

**OATHS OF OFFICE**

City Clerk Gillespie administered the Oath of Office for Mayor Russell Stewart and Council members Afshin Safavi, Mike Gallagher and Katy Brown.

**CALL TO ORDER**

Mayor Stewart called the meeting to order at 7:24 p.m.

**ROLL CALL**

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

Absent: Councilor Randy Weil

**APPROVAL OF AGENDA**

Councilor Brown moved, seconded by Councilor Blum to approve the agenda as presented.
The motion passed unanimously.

**INCOMING COMMENTS BY NEW COUNCIL MEMBERS**

Mayor Stewart thanked the outgoing Council members and reiterated previous comments about the difficulty of the job and their large contributions to the City both on Council and on boards and commissions.

Councilor Safavi thanked the outgoing Council members and noted it was clear that they really cared about the City. He stated that he was honored to serve. He explained that his intentions when making decisions would be to consider the Master Plan, the Council members and Mayor’s backgrounds, the residents’ opinions, and the data. He indicated that he was in favor of empowering the City boards, commissions, committees and staff rather than micromanaging them.

Councilor Gallagher stated that he looked forward to working with the new Council as a group and noted that the Council owed it to themselves and to the community to be collegial.

**APPOINTMENT OF MAYOR PRO TEM**

Councilor Blum moved, seconded by Councilor Gallagher to appoint Councilor Brown as Mayor Pro Tem.

The motion passed unanimously.

**AUDIENCE PARTICIPATION PERIOD**

None

**CONSENT AGENDA**

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

- a. Appointment of City Clerk, City Treasurer and City Attorney
- b. Resolution 1, Series 2019; Designating the Public Place for Posting Notices of Regular and Special Meetings
- c. Resolution 2, Series 2019; Reappointing James E. Turre as the Municipal Judge and John F. Welborn as the Alternate Municipal Judge

The motion passed unanimously.

Councilor Blum indicated that he knew someone who might be interested in serving as an alternate municipal judge.
ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

Council Bill 10, Series 2018; Declaring the Organization of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (second and final reading)

City Clerk Gillespie presented Council Bill 10, Series 2018 on second and final reading. She explained that the council bill would organize the Cherry Hills Village Charlou Park 3rd Filing General Improvement District per voter approval at the November 2018 election. She indicated that there had been no changes since first reading.

Councilor Blum asked about progress with Xcel Energy on getting a cost for the project.

Deputy City Manager/Director Goldie replied that staff had received hard numbers from Xcel Energy and were now waiting for numbers from CenturyLink. He noted that the members of the district had worked with Xcel prior to beginning the petition process and that had smoothed the way for staff to continue the work with Xcel.

Councilor Blum asked when staff anticipated final costs from CenturyLink.

Deputy City Manager/Director Goldie replied that staff anticipated hard numbers from CenturyLink by the end of the week.

Councilor Sheldon moved, seconded by Councilor Blum to approve Council Bill 10, Series 2018; declaring the organization of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District on second and final reading.

The following votes were recorded:

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Vote on the Council Bill 10-2018: 5 ayes. 0 nays. The motion carried.

Mayor Stewart noted that this process might be a model for the creation of other districts in the City to underground utility lines.
Resolution 3, Series 2019; Accepting and Approving an Easement Agreement with Denver First Church for a Non-Motorized Public Trail and Authorizing the Expenditure of Funds in Payment Therefor, and Repealing Resolution 9, Series 2016 (tabled from December 12, 2018 meeting)

Deputy City Manager/Director Goldie presented Resolution 3, Series 2019 for Council’s consideration. He explained that the underpass project would connect the High Line Canal at Hampden Avenue. He noted that a new alignment had been proposed by Denver and that required a different easement from Denver First Church. Placement of the new easement had been created in close negotiations with Denver First Church to account for landscaping and other matters. The new easement was close in size to the old easement. Construction of the trail and improvements to Hampden Avenue would be presented to Council as a separate item at a future meeting after they were designed and placed out to bid.

Councilor Blum asked if the City was responsible for the trail and if the City had applied for any grants for the construction of the trail.

Deputy City Manager/Director Goldie replied that the City was responsible for the trail to the underpass on the south side of Hampden. He explained that the City had received a grant from the state, but that the grant had been removed as it had been granted more than three years ago and the grant criteria had since been changed. He indicated that the City had received a grant from Arapahoe County Open Space and was looking into other grants as well. He added that the 2019 budget included funding for the trail.

Councilor Sheldon asked about the square footage of the easement and the cost.

Deputy City Manager/Director Goldie replied that the easement was 14,888 square feet.

City Manager Thorsen indicated that the cost had increased from $79,000 to $98,000 to include attorney costs for the Church.

Deputy City Manager/Director Goldie added that the cost was based on an appraised value.

Councilor Sheldon asked about the Church’s desire to be involved in the planning of the underpass.

Deputy City Manager/Director Goldie replied that per the easement agreement the Church would be involved in the planning of the landscaping and the look of the tunnel.

City Manager Thorsen added that the Church would have the opportunity to review the plans and recommend approval or changes.

Councilor Sheldon asked what would happen if the City was not in agreement with the Church’s proposed changes.
City Manager Thorsen replied that he was confident that the City could work cooperatively with the Church on any suggestions they might have. He noted that the agreement stated that the Church “shall not unreasonably withhold or delay issuance of an NTP [notice to proceed]”.

City Attorney Guckenberger added that the agreement outlined a process to follow for that situation.

Councilor Gallagher asked about an estimated construction cost of the trail.

Deputy City Manager/Director Goldie replied that staff had held off on the design until after the easement and maintenance agreement were finalized.

Councilor Gallagher asked about future grants.

Deputy City Manager/Director Goldie replied that staff was looking into a number of new grants.

Councilor Sheldon noted that he didn’t believe the City could apply for grants once construction began.

Deputy City Manager/Director Goldie agreed but noted that the timeline for construction of the trail would allow time for staff to apply for more grants.

Councilor Safavi asked how the payment for the underpass was divided between the various entities.

Deputy City Manager/Director Goldie replied that a $4 million grant had been secured through DRCOG and that Arapahoe County, Denver, and Cherry Hills Village were each contributing $450,000, with Arapahoe County Open Space contributing an additional million. The project costs had been running high and that resulted in the reconfiguration in order to stay within the budget.

Councilor Safavi asked if a straight underpass had been considered instead of the diagonal design in order to save additional costs.

Deputy City Manager/Director Goldie replied that while a straight design would be less costly, the diagonal design was preferred for safety in order to prevent blind corners for pedestrians and bikes.

City Manager Thorsen added that the grade to the underpass created an additional safety reason for the diagonal design as well. He added that Denver had proposed the new design to save funds but that Cherry Hills Village had already set aside sufficient funds for the project.
Mayor Stewart noted that this project had been under discussion for years and was a high priority for the City. He noted it would enhance safety, connectivity, and was in keeping with the Master Plan.

Councilor Sheldon asked if horses would be allowed in the underpass.

Deputy City Manager/Director Goldie replied that the underpass would only be 10.5 feet tall and would not accommodate horses. He added that horses were not allowed on the Denver side of the High Line Canal.

Councilor Brown asked if the new trail alignment had been reviewed by the Parks, Trails and Recreation Commission (PTRC) and the Planning and Zoning Commission (P&Z).

Deputy City Manager/Director Goldie replied that PTRC had reviewed the project.

Coordinator Black clarified that the PTRC had not discussed this specific easement.

Councilor Sheldon asked if this issue should be reviewed by PTRC before consideration by Council. He noted that Council occasionally moved forward on an issue too fast.

Coordinator Black indicated that PTRC had seen the diagram of the new easement and would be very involved in the design of the trail. She stated that she believed they were up to date on the issue and the future design was more appropriate for their discussion time.

Councilor Sheldon asked if the easement area was sufficient.

Deputy City Manager/Director Goldie replied that it was sufficient for both the trail and retaining walls if they were needed.

Councilor Blum noted that the easement was 50 feet wide and asked how wide the trail would be.

Deputy City Manager/Director Goldie replied that the trail would be 10 feet wide.

City Manager Thorsen added that the High Line Canal Conservancy was supportive of the new design, as well as Denver, CDOT, Arapahoe County, and Denver Water. He indicated that Council’s approval of the easement tonight would allow Denver to start the design process.

Councilor Brown noted that it had been suggested that changing the location of a trail be reviewed by PTRC and P&Z before being considered by Council.

Deputy City Manager/Director Goldie replied that staff had kept PTRC informed of the progress of the project.
Councilor Sheldon asked if the funds for the easement were included in the 2019 budget.

Director Sager replied that they were.

Steve Ferris, representative of Denver First Church, stated that working with City staff on this project had been very positive and that Denver First Church valued their long term relationship with the City.

Councilor Sheldon thanked Denver First Church for their ongoing work and cooperation.

Councilor Sheldon moved, seconded by Councilor Blum to approve Resolution 3, Series 2019; accepting and approving an easement agreement with Denver First Church for a non-motorized public trail easement, authorizing the expenditure of funds in payment therefor, and repealing Resolution 9, Series 2016.

The motion passed unanimously.

NEW BUSINESS

Resolution 4, Series 2019; Entering into an Intergovernmental Agreement Regarding Maintenance of the High Line Canal Underpasses and Hampden Avenue and Colorado Boulevard

Deputy City Manager/Director Goldie presented Resolution 4, Series 2019 for Council’s consideration. He explained that the resolution would approve an Intergovernmental Agreement (IGA) with Denver and CDOT for the maintenance of the underpass. He noted that the previous Council had worked hard to ensure that Cherry Hills Village would not be responsible for more maintenance than reasonable for the City’s relatively small budget compared to Denver and CDOT. Per the IGA Cherry Hills Village would be responsible for painting, trash and snow removal in the underpass, while CDOT would be responsible for all structural maintenance.

Councilor Sheldon asked if the surface of the underpass would be crusher fine.

Deputy City Manager/Director Goldie replied that the final decision had not been made but that the current plan was to have hard surface from the footbridge to the underpass, then the trail would return to crusher fine.

Councilor Gallagher asked about the underpass at Belleview.

Deputy City Manager/Director Goldie replied that it was unclear who was responsible for maintenance of that underpass and it needed to be discussed. He noted that City staff maintained the non-structural elements of the underpass but that the soft surface made it challenging.
Councillor Gallagher thanked staff for negotiating the proposed IGA for the Hampden underpass.

Mayor Pro Tem Brown agreed that it had taken an enormous amount of negotiation and gave former Mayor Christman and former Mayor Pro Tem Hoellen credit. She stated she was very comfortable with the proposed IGA.

Mayor Stewart indicated that he was also very pleased. He agreed with Councillor Gallagher that maintenance of the underpass at Belleview should be a future conversation with Greenwood Village.

Deputy City Manager/Director Goldie agreed and indicated that staff would initiate contact with Greenwood Village regarding the Belleview underpass.

Councillor Gallagher moved, seconded by Councillor Blum to approve Resolution 4, Series 2019, approving an Intergovernmental Agreement Regarding Maintenance of the High Line Canal Underpasses at Hampden Avenue and Colorado Boulevard by and among the City of Cherry Hills Village, the City and County of Denver and the State of Colorado, Department of Transportation.

The motion passed unanimously.

City Council Liaison Assignments

City Clerk Gillespie explained that with the election of new City Council members, the City Council liaison assignments needed to be updated.

Mayor Stewart suggested that alternate liaisons for City departments might not be necessary. He proposed adding a liaison to the City Attorney for legal matters. He also proposed adding a liaison to P&Z for legislative issues such as the Master Plan.

Mayor Pro Tem Brown indicated that she had researched what other communities do with this issue and had found an article from Western City Magazine explaining the ethical hazards that could result from having Council liaisons on boards, commissions and committees. She noted that in addition to the issues with quasi-judicial matters and ex-parte communications, there was a concern that although Council members simply thought of themselves as members of the community, their presence at these other meetings could unintentionally intimidate and stifle discussion. She indicated that a key component of the City’s boards, commissions and committees was that they were independent bodies, and the presence of a Council member could remove that independence. She stated that open communication was invaluable, and all board, commission and committee members had the opportunity to attend Council meetings and give a report. She noted that this would also allow all of Council to receive the same information instead of the information being filtered through a Council liaison. She also suggested more joint study sessions and/or meetings for Council and City boards, commissions and committees to increase the dialogue and discussion between the
groups. She suggested that Council consider these points and review their liaison policy before moving forward.

Councilor Blum agreed that a Council liaison might have unintended negative effects. He noted that the quasi-judicial matter was of concern with a P&Z liaison in particular. He agreed that City boards, commissions and committees should be independent bodies. He noted that he did not see the need for a City Attorney liaison as he had found it very helpful to work with the City Attorney directly when various issues arose. He suggested keeping at least P&Z totally separate with no Council liaison.

Councilor Sheldon indicated he was inclined to agree with no Council liaison for P&Z. He stated that as long as individual Council members could still contact the City Attorney directly then he was not necessarily opposed to a Council liaison for the City Attorney but was not sure it was needed.

Councilor Gallagher agreed that it was helpful for Council members to have direct access to the City Attorney, rather than going through a liaison.

Mayor Stewart clarified that the addition of a liaison for the City Attorney was not intended to restrict communication between other Council members and the City Attorney.

Councilor Gallagher explained that there had been a quasi-judicial matter at the last PTRC meeting and that he had realized after the fact that he should not have attended although he was the Council liaison for PTRC. He agreed with Mayor Pro Tem Brown that it made more sense for board, commission and committee members to attend Council meetings and give reports rather than Council members attend meetings of those bodies. He agreed that when Council liaisons reported to Council about boards, commissions and committees it was only from that Council member’s perspective and that reports directly from the boards, commissions and committees would be more appropriate. He suggested moving the reports item to the beginning of the Council agenda.

Mayor Stewart agreed and noted that reports used to be at the top of the agenda.

Councilor Safavi agreed that it would be more appropriate for board, commission and committee members to attend Council meetings and that would also allow Council members to use their time more productively on other matters.

Mayor Stewart agreed and directed staff to amend the policy.

City Manager Thorsen noted that in his experience Council members were typically not liaisons to boards, commissions and committees. He suggested that each board, commission and committee present an annual work plan to Council and attend Council meetings regularly to make reports throughout the year. He indicated that staff would move reports to the top of the agenda.
Mayor Pro Tem Brown agreed that annual work plans would potentially help avoid some of the miscommunication that had occurred in the past between what boards, commissions and committees were working on versus what Council wanted them to be working on.

Mayor Stewart agreed that more joint study sessions with boards, commissions and committees would be productive.

Councilor Sheldon moved, seconded by Councilor Blum, to table the issue until the next meeting.

The motion passed unanimously.

**Quincy Farm Committee Vacancy**

City Clerk Gillespie explained that with the election of Mayor Stewart there was a vacancy on the Quincy Farm Committee. She noted that the vacancy had been advertised in both the December and January issues of the Village Crier, and staff had one new application so far. She asked for two Council members to assist with reviewing applications, conducting interviews, and making a recommendation for appointment.

Mayor Stewart and Councilor Gallagher volunteered.

**Cherry Hills Land Preserve Donation for John Meade Park**

Coordinator Black explained that the Cherry Hills Land Preserve had made a gift of $10,000 to the Catherine H. Anderson Fund to help fund trees and landscaping at John Meade Park. The Land Preserve asked for public acknowledgement of the gift and evidence that funds were used in accordance with the intent of the gift.

Councilor Blum asked if this issue had been discussed by PTRC.

Coordinator Black replied that it had not been a discussion item but that PTRC was aware of the matter.

Councilor Sheldon asked if acceptance of the donation would result in any other commitment by the City.

Coordinator Black replied that she had confirmed that the Land Preserve did not expect a sign to be placed in the Park and that only the items in the letter were expected.

Councilor Sheldon indicated that the City was appreciative of the donation.

Councilor Gallagher agreed.
Councilor Gallagher moved, seconded by Mayor Pro Tem Brown to approve the restricted gift from Cherry Hills Land Preserve and to accept the $10,000 donation to the Catherine H. Anderson Land Donation Fund, to be used for trees and landscaping at John Meade Park.

The motion passed unanimously.

REPORTS

Mayor’s Report

Mayor Stewart reported that he had attended the Metro Mayor’s Caucus annual retreat which had focused on the failure of state ballot issues for transportation funding at the November election and what the next steps might be. He indicated that the discussions included establishing more fees and education campaigns. He noted that the focus might return to regional funds and projects and DRCOG would play a large role. He reported that the Quincy Farm Committee would be hiring a consultant to assist with public outreach and education, and that staff was working on grants for the property. He reported that Councilor Weil was recovering from his illness.

Members of City Council

Councilor Blum reported that he would attend the Code Modernization Steering Committee meeting on Thursday. He welcomed Mayor Stewart and Councilor Safavi.

Councilor Sheldon suggested it might not be necessary for staff to attend meetings if they did not have an item on the agenda.

Councilor Gallagher reported that the last PTRC meeting had considered the rezoning of John Meade Park and a new memorial bench donation for the Clute family, both of which would come to Council for consideration at future meetings. He noted that the High Line Canal Conservancy would be hosting open houses on January 23rd and 24th.

Mayor Pro Tem Brown congratulated City Clerk Gillespie for her recognition in the Villager Newspaper. She noted that on January 17th there would be a public input meeting for Cherry Hills Village and Greenwood Village residents regarding the Bellevue medians. She reported that the Centennial Airport Community Noise Roundtable Memorandum of Understanding was in effect as of December 14, 2018, and although Arapahoe County had some issues with the language the group hoped they would sign the MOU soon. She indicated that it was not personal but expressed concern with including the new Council member names on the plaque for the new City Hall. She explained that she had started on Council shortly before the Joint Public Safety Facility had opened and she had never felt slighted or offended by the fact that her name was not included on the plaque. She stated that the plaque was intended to acknowledge the people who had worked on the building. She indicated that she did not
intend any offense but proposed not to include the new Council members on the plaque for the new City Hall.

Councilor Safavi stated that he did not need his name on the plaque but that Mayor Stewart had been involved on Council for many years and recommended that Mayor Stewart’s name be included.

Councilor Blum reported that the Denver Post was writing a story on Swastika Acres and the City’s ordinance that allowed for renaming of a subdivision. He noted that there were between 50 and 60 homes in the subdivision and he and Councilor Sheldon were committed to moving through the renaming process.

City Manager Thorsen added that the original plats were from 1908 before the swastika symbol had a negative connotation. He explained that originally the subdivision had been for 160 lots but that over the years many of those had been replatted with new subdivision names and there were approximately 50 homes left.

Members of City Boards and Commissions

None

City Manager & Staff

City Manager Thorsen indicated that Cherry Hills Village and Greenwood Village residents were encouraged to attend the public input meeting regarding the Belleview medians which would be held at the Greenwood Village City Hall on January 17th at 6:30pm. He reported that Deputy City Manager/Director Goldie would be meeting with representatives from the Glenmoor HOA, Country Club, Greenwood Village, and the City’s traffic engineer regarding the new traffic signal at Glenmoor and Belleview. He noted that City offices would be closed on Monday for the Martin Luther King, Jr. Day holiday.

Mayor Stewart added that Greenwood Village Mayor Rakowsky was very supportive of the new traffic signal.

Councilor Blum noted that the new traffic signal would be similar to the signal at Holly.

Chief Tovrea reported that she would attend a meeting of the E-911 Authority Board regarding a new intergovernmental agreement. She noted that one of the changes under discussion was raising the fee, currently at $0.70, to cover increased costs.

Director Granrath reported that the Code Modernization Steering Committee would meet on Thursday.
City Attorney

City Attorney Guckenberger had no report.

ADJOURNMENT

The meeting adjourned at 9:06 p.m.

______________________________
Russell O. Stewart, Mayor

______________________________
Laura Gillespie, City Clerk
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF THE CITY COUNCIL

FROM: JAY GOLDIE, DEPUTY CITY MANAGER/DIRECTOR OF PUBLIC WORKS

SUBJECT: HIGHWAY USER TAX FUNDS (HUTF) MILEAGE CERTIFICATION

DATE: FEBRUARY 5, 2019

ISSUE
Each year the City is required to certify with CDOT the number of miles of roads that are owned and maintained by the City. The Highway User Tax Fund (HUTF) is statutorily defined, state-collected, locally-shared revenue that is distributed monthly among the state, counties and municipalities.

DISCUSSION
Each municipality receives a share of the municipal portion of the HUTF based on a formula that takes into account the number of vehicles registered and the center line miles of streets in each municipality relative to the same data in other municipalities. Generally, eighty percent (80%) of the distribution is based on the number of vehicles registered and twenty percent (20%) on the center line miles of streets in a community. Each municipality’s percentage share is calculated annually in July and is based on: 1) the previous year’s vehicle registration figure, as certified by the Department of Revenue to the State Treasurer, and 2) the previous year’s miles of open, used and maintained streets as certified to the Treasurer by CDOT, which uses data from each entity’s Annual Certification of the Condition and Mileage Report.

BUDGET IMPACT
In 2018, the City received $301,394.28 from the HUTF. The 2018 year end estimate was $266,322.00. In 2019, it is estimated that this income will be $236,685.00. Staff has reviewed the certification sheet provided by CDOT and verified that the information provided on the City’s streets is correct.

STAFF RECOMMENDATION
Staff recommends that City Council approve the December 31, 2018 HUTF Certification for the City of Cherry Hills Village. This Certification is required for the City to receive Highway and User Tax Funds through the State of Colorado.
RECOMMENDED MOTION (if removed from the consent agenda)
"I move to approve the HUTF Certification as presented by staff and authorize the Mayor to sign on behalf of the City of Cherry Hills Village."

ATTACHMENT
Exhibit A: HUTF Signature Page
5.68 miles of arterial streets
44.18 miles of local streets
49.85 total miles of H.U.T. eligible streets
1.38 miles of non H.U.T. eligible streets - Maintained by others
0 miles of non H.U.T. eligible streets - Not maintained

This mileage is the certified total as of December 31, 2018

I declare under penalty of perjury in the second degree, and any other applicable state or federal laws, that the statements made on this document are true and complete to the best of my knowledge.

Mayor __________________________ Date

City Clerk __________________________ Date

The Colorado Department of Transportation can contact the following person with questions regarding this report:

Name: Jay Goldie
Phone: 303-783-2731

Submit this signed copy with your annual mileage change report to the Colorado Department of Transportation.

We are required to inform you that a penalty of perjury statement is required pursuant to section 18-8-503 C.R.S. 2005, concerning the removal of requirements that certain forms be notarized.
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL

FROM: MICHELLE TOVREA, CHIEF OF POLICE

SUBJECT: RESOLUTION 5, SERIES 2019; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE ACCEPTING AN ANONMOUS DONATION FROM A RESIDENT ON BEHALF OF THE CHERRY HILLS VILLAGE POLICE DEPARTMENT

DATE: FEBRUARY 5, 2019

ISSUE
Shall the City Council approve Resolution 5, Series 2019, accepting an anonymous donation from a resident on behalf of the Cherry Hills Village Police Department (Exhibit A)?

DISCUSSION
The Cherry Hills Village Police Department received an unanticipated and generous donation from an anonymous resident in the amount of $10,000. They specified that the donation is to be used for the Police Department needs. The Cherry Hills Village Home Rule Charter, Section 13.7, titled Bequests, Gifts and Donations, authorizes the City Council to receive bequests, gifts and donations of all kinds of property for public, charitable or other purposes and to do all things and acts necessary to carry out the purposes of such bequests, gifts and donations. The Police Department desires to utilize the proceeds of the donation to purchase equipment or for training needs.

It is important to recognize the Department has not received any favors or offered any favors in exchange for this gift.

BUDGET IMPACT
There is no impact to the 2019 budget. The donation will be accepted as additional revenue.

STAFF RECOMMENDATION
Staff recommends approval of Resolution 5, Series 2019 to accept the anonymous donation to be used by the Police Department for equipment and training needs.
RECOMMENDED MOTION (if removed from the consent agenda)
"I move to approve Resolution 5, Series 2019; A resolution of the City Council of the City of Cherry Hills Village accepting an anonymous donation form a resident on behalf of the Cherry Hills Police Department."

ATTACHMENTS
Exhibit A: Resolution 5, Series 2019
A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ACCEPTING AN ANONMOUS DONATION FROM A RESIDENT ON BEHALF OF THE
CHERRY HILLS VILLAGE POLICE DEPARTMENT

WHEREAS, the Cherry Hills Village Police Department received an unanticipated and generous donation from an anonymous resident to be used by the Police Department in the amount of $10,000.00; and

WHEREAS, Section 13.7, titled Bequests, Gifts and Donations, of the Cherry Hills Village Home Rule Charter, authorizes the City Council to receive bequests, gifts and donations of all kinds of property for public, charitable or other purposes and to do all things and acts necessary to carry out the purposes of such bequests, gifts and donations; and

WHEREAS, the Police Department desires to utilize the proceeds of the donation to purchase equipment and potential training expenditures.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cherry Hills Village, Colorado that:

Section 1. The City Council hereby accepts a cash donation in the amount of $10,000.00 from an anonymous donor to be used by the Cherry Hills Village Police Department to purchase police equipment and training needs as determined necessary or desirable by the Police Chief.

Section 2. The City Council directs City staff, including the Police Chief, Finance Director and City Manager, to take all steps necessary to effectuate the donation and to carry out the purpose of such donation.

Section 3. This Resolution shall be effective immediately upon adoption.

Introduced, passed and adopted at the regular meeting of City Council this ___ day of _____, 2019, by a vote of _ yes _ no.

(SEAL)

Russell O. Stewart, Mayor

ATTEST: 

LAURA GILLESPIE, CITY CLERK

APPROVED AS TO FORM:

KATHIE B. GUCKENBERGER, CITY ATTORNEY
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL

FROM: MICHELLE TOVREA, CHIEF OF POLICE

SUBJECT: RESOLUTION 6, SERIES 2019; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE RATIFYING APPROVAL OF A MEMORANDUM OF UNDERSTANDING FOR THE 18TH JUDICIAL DISTRICT ASSESSMENT CENTER BY AND BETWEEN THE CITY OF CHERRY HILLS VILLAGE AND OTHER GOVERNMENTAL UNITS

DATE: FEBRUARY 5, 2019

ISSUE
Shall the City Council approve Resolution 6, Series 2019, ratifying approval of a Memorandum of Understanding ("MOU") for the 18th Judicial District Assessment Center ("JAC") by and between the City of Cherry Hills Village and other governmental units (Exhibit A)?

DISCUSSION
This item on the agenda will serve to ratify City staff’s execution of the MOU, which will authorize the City to receive essential services provided by the 18th Judicial District Juvenile Assessment Center in exchange for the City contributing approximately $2,500.00 annually. The MOU is for a one-year term that began on January 1, 2019 and will expire on December 31, 2019. It will automatically renew for ten successive one-year terms unless terminated in accordance with the terms of the MOU. In accordance with Section 13.6 of the City’s Home Rule Charter, the MOU is being presented for City Council’s approval.

The JAC has served law enforcement agencies within 18th Judicial District for almost 20 years. The JAC provides a centralized location for the coordinating mental health, booking, detention screening and other intervention programs and services for youth under the age of eighteen and their families. One of the most crucial services provide to the community is taking custody of youth who come into contact with law enforcement to enable officers to return to their duties quickly. Last year, services provided by the JAC saved law enforcement over 7,000 hours of service time. Once a juvenile is taken into custody, the JAC staff conduct thorough assessments working to identify the driving forces behind delinquent behavior to include trauma, mental
health, lack of basic needs, etc. Members of the JAC staff work to connect youth and families to services in the community in hopes of deterring future delinquent behavior.

BUDGET IMPACT
Staff has budgeted for the $2,500.00 in the 2019 Budget. This cost has stayed consistent since 2016.

STAFF RECOMMENDATION
City staff recommends approval of Resolution 6, Series 2019 and the attached Memorandum of Understanding.

RECOMMENDED MOTION (if removed from the consent agenda)
"I move to approve Resolution 6, Series 2019; a resolution of the City Council of the City of Cherry Hills Village Ratifying Approval of a Memorandum of Understanding for the 18th Judicial District Assessment Center by and between the City of Cherry Hills Village and other Governmental Units."

ATTACHMENTS
Exhibit A: Resolution 6, Series 2019
Attachment A: 2019 Memorandum of Understanding for the 18th Judicial District Assessment Center
RESOLUTION NO. 6
SERIES OF 2019

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
RATIFYING APPROVAL OF A MEMORANDUM OF UNDERSTANDING
FOR THE 18TH JUDICIAL DISTRICT ASSESSMENT CENTER BY AND
BETWEEN THE CITY OF CHERRY HILLS VILLAGE AND OTHER
GOVERNMENTAL UNITS

WHEREAS, C.R.S. Section 29-1-203 authorizes governments to cooperate or contract
with one another to provide any function, service, or facility; and

WHEREAS, Section 13.6 of the Cherry Hills Village Home Rule Charter authorizes the
City Council, by resolution or by ordinance, to enter into contracts or agreements with other
governmental units or special districts for receiving services; and

WHEREAS, the 18th Judicial District Juvenile Assessment Center ("JAC") provides
essential community services in coordinating mental health, booking, detention screening,
and other intervention programs and services for youth under the age of eighteen ("Services");
and

WHEREAS, the City of Cherry Hills Village ("City") has been a party to and benefited from
previous agreements with the JAC for the Services, and City staff was presented with and executed
a new Memorandum of Understanding for the 18th Judicial District Assessment Center regarding the
use and benefit of the Services ("MOU") for calendar year 2019 to preserve the availability of those
essential Services; and

WHEREAS, City Council desires to enter into the MOU, a copy of which is attached hereto
as Attachment A and incorporated herein by reference, in accordance with the terms and conditions
set forth therein, and to ratify all actions taken by City staff to execute the MOU and to make
payments thereunder in furtherance of the public health, safety and welfare of the residents of the Cities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
CHERRY HILLS VILLAGE:

Section 1. The City Council hereby approves the Memorandum of Understanding for the
18th Judicial District Assessment Center and ratifies all actions taken by City staff to execute the
MOU and to make payments thereunder.

Section 2. This Resolution shall be in full force and effect from and after its passage and
approval.

Introduced, passed and adopted at the
regular meeting of City Council this ___ day
of __________, 2019, by a vote of ___ yes and ___ no.
(SEAL)

Russell O. Stewart, Mayor

ATTEST:

Kathie B. Guckenberger, City Attorney

APPROVED AS TO FORM:

Laura Gillespie, City Clerk
Memorandum of Understanding
For the 18th Judicial District Assessment Center

THIS AGREEMENT, ("MOU") is made and entered into by and between the COUNTIES OF ARAPAHOE, DOUGLAS, ELBERT AND LINCOLN, the STATE OF COLORADO, a body politic and corporate regarding the use and benefit of the 18th Judicial Juvenile Assessment Center and the Arapahoe, Douglas, Elbert and Lincoln Counties Sheriffs' Offices; and the CITIES/TOWNS OF: AURORA, BENNETT, BOW MAR, CASTLE PINES NORTH, CENTENNIAL, CHERRY HILLS VILLAGE, COLUMBINE VALLEY, DEER TRAIL, ENGLEWOOD, FOXFIELD, GREENWOOD VILLAGE, GLENDALE, LARKSPUR, LITTLETON, SHERIDAN, LONE TREE, CASTLE ROCK, PARKER, ELIZABETH, KIOWA, SIMLA, ARRIBA, GENOA, HUGO AND LIMON (collectively referred to as the "Law Enforcement Participants"), all the above collectively referred to as the "parties".

WITNESSETH:

WHEREAS, Part 2 of Article 1 of Title 29, C.R.S permits and encourages governments to make the most efficient and effective use of their powers and responsibilities by cooperating and contracting with other governments; and

WHEREAS, Part 2 of Article 1 of Title 29, C.R.S. authorizes governments to contract with one another to provide any function, service or facility lawfully authorized to each of the contracting units through the establishment of a separate legal entity; and

WHEREAS, the entity known as the 18th Judicial District Juvenile Assessment Center (the "JAC") provides a centralized location for the coordinated provision of mental health, booking, detention screening, and other intervention programs and services for youth and their families who are referred to the JAC by the parties and/or any citizens of the 18th Judicial District; and

WHEREAS, the parities desire to enter into a new agreement for funding the JAC as described herein, which MOU supersedes all prior agreement and amendments.

I. GENERAL PROVISIONS

THE JUVENILE ASSESSMENT CENTER has been established as a 501©(3) with its own Board of Directors (hereinafter referred to as the Board) and by-laws, and consists of members from four segments of the 18th Judicial District. The parties acknowledge that the Board pursuant to its bylaws, has delegated the daily activities of the JAC to the Executive Director of the JAC.

Furthermore, the parties acknowledge the JAC provides statutorily mandated services concerning detained youth.

II. POWERS OF THE JAC

A. GENERAL POWERS. The parties acknowledge the JAC is empowered with the authority to improve, construct, maintain, repair, control, regulate, and operated the JAC within a centralized location(s) within the 18th Judicial District for the use and benefit of the parties to this Agreement and their constituents. The parties hereto further agree the JAC Board shall have the authority reasonable and necessary to carry out the powers set forth in this agreement.
B. **SPECIFIC POWERS.** The JAC provides the services identified below to children who are under the age of eighteen. The mission of the 18th Judicial District Juvenile Assessment Center is to provide a coordinated, multi-agency, single entry site, which contributes to the safety of youth, families and the community through early intervention, comprehensive assessment and improved access to appropriate services.

C. **PRINCIPAL GOALS OF THE JAC ARE TO:**
   1. Identify at-risk and delinquent youth in the community in need of the intervention;
   2. Enhance public safety through identification, comprehensive assessment, intervention and service referrals for as-risk and delinquent youth to include follow-up by JAC personnel;
   3. Provide a single point of entry for law enforcement allowing them to return to their other duties in a timely manner;
   4. Increase coordination of information and services;
   5. Utilize an individualized approach tailored to obtain positive outcomes for youth, families and the community;
   6. Increase effectiveness in the use of limited resources through the elimination of duplication of effort and enhanced accountability;
   7. Facilitate better working relationships between agencies serving youth, families and the community; and
   8. Serve as a resource to the community concerning youth related issues and services.

D. **DUTIES OF THE JAC:**
   1. Receive detainable and non-detainable youth from law enforcement officers 24/7/365.
   2. Provide rapid dissemination of assessment information to municipal, county and state courts, and collaborating agencies including but not limited to, the parties, school districts, Probation, Department of Human Services and Division of Youth Services in accordance with all laws, including those related to confidentiality;
   3. Assist with intervention planning concerning arrest, incarceration, intervention, and consequences for youth pursuant to the Juvenile Code and the Chief Judge order regarding the management of the juvenile detention population dated, April 13, 2010 and subsequent applicable orders;
   4. Prepare pre-disposition reports for municipal, county and state courts as ordered by the judicial officer;
   5. Provide pursuant to Section 19-2-508, C.R.S., short-term holding and assessment of juveniles: detained or arrested by Law Enforcement; juveniles with status, ordinance, misdemeanor or felony level charges; juveniles considered to be “at-risk” or “runaway”; or juveniles referred to or in the care of Human Services, who are not in immediate danger and who pose no threat to themselves or others (juveniles awaiting placement or family services);
   6. Receive and assess juveniles who are beyond the control of their parent(s) or schools and/or who are truant;
   7. Apply for, receive and administer grants and other sources of funding, and provide all services related to juveniles which monies are authorized by the terms of any such grant or funding awards;
   8. Provide ongoing training of law enforcement personnel on changes in the Juvenile Code, accessing and using JAC services and detention screening procedure as applicable;
9. Provide screening of youth for Law Enforcement parties to determine eligibility for pretrial placement in Division of Youth Services' facilities and other facilities per local or state and local policy; or per Senate Bill 94 contract;

10. Any additional duties that are authorized in writing by the Board of Directors.

E. DUTIES OF LAW ENFORCEMENT

1. Notify the JAC via phone call to determine reason for transport and allow the JAC staff to pre-screen youth.

2. Ensure medical clearance is obtained for those youth where:
   I. There are concerns regarding drug and alcohol intoxication within the last 24 hours, specifically:
      1. The youth has used alcohol and the blood alcohol (BAC) is above .05,
      2. The youth reports drug use within the last 24 hours
   II. The youth identified as having injuries, been in an automobile accident, pregnant, sickness, communicable diseases, infections, or any serious medical concerns
   III. The youth reports being actively homicidal or suicidal with a plan
   IV. The youth reports having a history of diabetes, epilepsy or a seizure disorder and must have prescribed medications for the disorder

3. The submitting LEO will be responsible to return to the JAC to transport a youth who is found to need medical clearance after JAC Staff takes custody. The transport is not the responsibility of the ACSO Detention Staff.

4. Provide JAC Staff with booking sheet and charging documents/copies of warrant.

5. Conduct a search of the youth and itemize property prior to the JAC taking custody.

6. Remain on-site until release by JAC Staff

III. FUNDING CONTRIBUTION OF PARTIES

The parties agree that the fees to be charged for services shall be established by the Board and shall be uniform and reasonable. The parties agree that each party shall contribute to the JAC their fees as set forth herein.

A. LAW ENFORCEMENT PARTIES' CONTRIBUTIONS. The annual funding contribution will be calculated using a formula that is weighed equally by each Law Enforcement parties' Total Population and the average of the Law Enforcement parties' usage of the JAC for the three calendar years preceding the date the preliminary budget is approved (the "Three-year Usage Period").

1. Total Population Calculation. One-half of the Law Enforcement parties' annual contribution will be determined as follows:

   i. By identifying a total population figure for each Law Enforcement party using official demographic data provided by the Department of Local Affairs. The Sheriff's jurisdiction shall be the unincorporated portion of Arapahoe, Douglas, Elbert, and Lincoln Counties, including those communities under contract with said Sheriffs' Office.
2. **Program Usage.** The remaining one-half of the Law Enforcement parties’ annual contribution will be determined as follows:

   i. The JAC shall keep a record of the number of youth referred or transported to the JAC by each Law Enforcement party during each full calendar year (the “Law Enforcement Parties Usage Number”).

   ii. All of the Law Enforcement Party Usage Numbers for the Three-Year Usage Period will be added together (the “three-year total usage number”). Each Law Enforcement Parties’ percentage of the Three-Year Total Usage Number will determine one-half of their annual contribution.

B. **Fee Based Contribution:** The parties agree that the Board shall have the power to set fees for non-party referred youth, which may be waived by the JAC Executive Director so long as said waivers are applied in a consistent manner and according to applicable laws including anti-discrimination laws.

IV. **Appropriation and Payments by Parties or Other Entities**

   A. **Appropriation and Payment of Funds.** The parties agree to consider for appropriate the amounts computed as set forth annual which are to be expended by the JAC. The parties agree to pay said amounts to the JAC by January 31st of the year during which said monies are to be expended by the JAC. All payments to the JAC pursuant to this Agreement are, however, subject to annual appropriation by the parties hereto in the manner required by statute or ordinance. It is the intention of the parties that no multiple-year fiscal debt or other obligation shall be allowed by the agreement.

V. **Reports**

   A. **Annual Report.** By July 1st of each year the JAC Executive Director shall prepare and present to the Board a comprehensive annual report of the JAC’s activities and finances during the preceding year, which will be made available to the parties.

   B. **Reports Required by Law, Regulation or Contract.** The JAC Executive Director shall also prepare and present such reports as may be required by law, regulation or contract to any authorized federal, state, and/or local officials to whom such report is required to be made in the course and operation of the JAC.

   C. **Reports Requested by the Parties.** The JAC Executive Director shall also render to the parties hereto, at reasonable intervals, such reports and accountings as the parties hereto may from time to time request.

VI. **Default in Performance**

   A. In the event any party fails to pay its share of fees when due, or to perform any of its covenants and undertakings under this Agreement, the Board shall cause written notice to be given to the governing body of the party of the Board’s intention to terminate said Agreement as to such
party in default, unless such default is cured within thirty (30) days from the date of such notice. Absent timely cure said defaulting party shall thereafter be denied service by the JAC.

VII. TERM, RENEWAL AND TERMINATION OF AGREEMENT

A. TERM AND RENEWAL OF AGREEMENT. This Agreement shall be in full force and effect for a one-year term beginning January 1, 2019, and terminating December 31, 2019; provided that this agreement shall automatically renew for 10 successive one-year terms unless a party gives written notice of termination pursuant to subsection B of this section.

B. TERMINATION BY WRITTEN NOTICE. This Agreement may be terminated by written notice from a party or parties to the Board at least 90 days prior to January 1st of any given year. Any party terminating its participation pursuant to this provision shall not be entitled to any reimbursement of its annual fee contributions previously paid to the JAC.

C. TERMINATION BY PARTY/LOSS OF FUNDS. Upon termination of a party, whether by default in performance or by written notice, the remaining parties may continue to participate in this Agreement. The Board, upon such termination of a party or parties, shall act to adjust the budget of Annual Assessment to accommodate the loss in funds unless the remaining parties negotiate an amendment to the Agreement setting forth revised percentages of participation or the parties agree to terminate the Agreement.

VIII. SEVERABILITY CLAUSE

If any provisions of this Agreement or the application thereof to any party or circumstances is held invalid, such invalidity shall not affect any other provision or applications of the Agreement which can be given effect without the invalid provision or application, and to this end, the provisions of the Agreement are declared to be severable.

IX. COUNTERPARTS

This Agreement may be signed in counterparts, and each counterpart shall be deemed an original, and all the counterparts taken, as a whole shall constitute one and the same instrument.

X. NO THIRD PARTY BENEFICIARIES

Except as otherwise stated herein, this Agreement is intended to describe the rights and responsibilities of and between the parties and is not intended to, and shall not be deemed to, confer rights upon any persons or entities not names as parties, limit in any way governmental immunity as provided in 24-10-101, C.R.S., et. seq. and other limited liability statutes for the protection of the parties, nor limit the powers and responsibilities of any other entity not a party hereto. Nothing contained herein shall be deemed to create a partnership or joint venture between the parties with respect to the subject matter hereof. The parties shall be responsible for their own negligent acts and the conduct of their respective employees without waiving any protections afforded by the Governmental Immunity Act.

XI. SUPERSEDES

Juvenile Assessment Center Law Enforcement Program MOU
This Agreement supersedes and replaces all prior agreements among the parties whether written or oral.

XII. NONDISCRIMINATORY POLICY

The JAC shall make its services, facilities, and programs available to all persons regardless of race, color, age, creed, national origin, gender, sexual orientation or disability.

XIII. NO GENERAL OBLIGATION INDEBTEDNESS

Because this Agreement will extend beyond the current fiscal year, the parties understand and intend that the obligation of the parties to pay the annual fees hereunder constitutes a current expense of the parties payable exclusively from the parties' funds and appropriated each fiscal year and shall not in any way be considered to be a multi-fiscal year debt or other financial obligations within the meaning of Article X, Section 20 of the Colorado Constitution; a general obligation indebtedness of the parties within the meaning of any provision of Article XI of the Colorado Constitution, or any other constitutional or statutory indebtedness. None of the parties has pledged the full faith and credit of the state, or the parties to the payment of the charges hereunder, and this Agreement shall not directly or contingently obligate the parties to apply money from, or levy or pledge any form of taxation to, the payment of the annual operating costs.

SIGNATURES OF PARTIES:

JUVENILE ASSESSMENT CENTER

_________________________  ___________________________  ________________
Molli Barker Executive Director 5/29/2018
NAME OF AUTHORIZED PARTY

ARAPAHOE COUNTY SHERIFF'S OFFICE

_________________________
NAME OF AUTHORIZED PARTY

ARAPAHOE COUNTY SHERIFF'S OFFICE (ON BEHALF OF THE CITY OF BENNETT)

_________________________
NAME OF AUTHORIZED PARTY

ARAPAHOE COUNTY SHERIFF'S OFFICE (ON BEHALF OF CITY OF CENTENNIAL)

_________________________
NAME OF AUTHORIZED PARTY

Juvenile Assessment Center Law Enforcement Program MOU
ARAPAHOE COUNTY SHERIFF'S OFFICE (ON BEHALF OF THE CITY OF DEER TRAIL)

______________________________
NAME OF AUTHORIZED PARTY

ARAPAHOE COUNTY SHERIFF'S OFFICE (ON BEHALF OF THE CITY OF FOXFIELD)

______________________________
NAME OF AUTHORIZED PARTY

AURORA POLICE DEPARTMENT

______________________________
NAME OF AUTHORIZED PARTY

CHERRY HILLS VILLAGE POLICE DEPARTMENT

______________________________
NAME OF AUTHORIZED PARTY

COLOMBINE VALLEY POLICE DEPARTMENT

______________________________
NAME OF AUTHORIZED PARTY

ENGLEWOOD POLICE DEPARTMENT

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NAME OF AUTHORIZED PARTY

GREENWOOD VILLAGE POLICE DEPARTMENT

______________________________

Juvenile Assessment Center Law Enforcement Program MOU
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Juvenile Assessment Center Law Enforcement Program MOU
Juvenile Assessment Center Law Enforcement Program MOU
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MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL
FROM: MICHELLE TOVREA, CHIEF OF POLICE

SUBJECT: RESOLUTION 7, SERIES 2019; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE APPROVING A MEMORANDUM OF UNDERSTANDING WITH SUNGATEKIDS FOR SERVICES RELATED TO ALLEGATIONS OF CHILD ABUSE AND NEGLECT

DATE: FEBRUARY 5, 2019

ISSUE
Shall the City Council approve Resolution 7, Series 2019, approving a Memorandum of Understanding ("MOU") with SungateKids for services related to allegations of child abuse and neglect (Exhibit A)?

DISCUSSION
SungateKids is a non-profit organization which has served law enforcement agencies within 18th Judicial District for over 15 years. The agency provides services to children and their families who are victims of child abuse or neglect. They provide forensic interviews with highly trained personnel, as well as counseling for the victims and their families to include therapeutic support groups, professional consultation and mental health services. The SungateKids staff works closely with area law enforcement investigators when there is the potential for criminal charges being filed with the District Attorney’s Office. In accordance with Section 13.6 of the City’s Home Rule Charter, the MOU is being presented for City Council’s approval. The proposed resolution, if approved, will authorize the City Manager or his designee to sign the MOU on behalf of the City pursuant to Section 2-3-40(b)(12) of the Municipal Code.

BUDGET IMPACT
There are no monetary charges to the City for any SungateKids services.

STAFF RECOMMENDATION
City staff recommends approval of Resolution 7, Series 2019 and the attached Memorandum of Understanding.
RECOMMENDED MOTION (if removed from the consent agenda)
“I move to approve Resolution 7, Series 2019; a resolution of the City Council of the City of Cherry Hills Village Approving a Memorandum of Understanding with SungateKids for services related to allegations of child abuse and neglect.”

ATTACHMENTS
Exhibit A: Resolution 7, Series 2019
Attachment A: 2019 Memorandum of Understanding with SungateKids
A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING A MEMORANDUM OF UNDERSTANDING WITH SUNGATEKIDS FOR
SERVICES RELATED TO ALLEGATIONS OF CHILD ABUSE AND NEGLECT

WHEREAS, C.R.S. Section 29-1-203 authorizes governments to cooperate or contract with one another to provide any function, service, or facility; and

WHEREAS, Section 13.6 of the Cherry Hills Village Home Rule Charter authorizes the City Council, by resolution or by ordinance, to enter into contracts or agreements with other governmental units or special districts for receiving services; and

WHEREAS, the powers and duties of the Mayor are set forth in Section 5.4 of the Charter and Section 5.4(I) specifically references the power to “[o]btain engineering, architectural, maintenance, construction and work equipment services required by the City”; and

WHEREAS, Section 5.7 of the Charter authorizes the City Council to delegate to the City Manager “any or all of the powers and duties of the Mayor enumerated in Section 5.4 [of the Charter], except the power and duty to preside at Council meetings”; and

WHEREAS, SungateKids works closely with area law enforcement investigators and agencies, including the City of Cherry Hills Village (“City”), when there is the potential for criminal charges relating to allegations of child abuse or neglect (“Services”); and

WHEREAS, SungateKids has requested that the City enter into the attached 2019 Memorandum of Understanding (“MOU”) to ensure that the City continues to receive the Services at no cost to the City; and

WHEREAS, the City agrees that intergovernmental cooperation creates efficiencies in operation, resources and cost, and that the Services further the public health, safety and welfare of the residents of the City; and

WHEREAS, City Council desires to enter into the attached MOU in accordance with the terms and conditions set forth therein and to expressly delegate authority to the City Manager to execute the MOU.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cherry Hills Village, Colorado that:

Section 1. The City Council hereby approves the MOU and authorizes the City Manager to execute the MOU on behalf of the City of Cherry Hills Village.
Section 2. This Resolution shall be effective immediately.

Introduced, passed and adopted at the regular meeting of City Council this ___ day of __________, 2019, by a vote of ___ yes ___ no.

(SEAL)

Russell O. Stewart, Mayor

ATTEST:

APPROVED AS TO FORM:

Laura Gillespie, City Clerk

Kathie B. Guckenberger, City Attorney
ATTACHMENT A TO RESOLUTION 7, SERIES 2019:
2019 MEMORANDUM OF UNDERSTANDING WITH SUNGATEKIDS
2019 MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU), signed to be effective as of January 1, 2019, is by and between SungateKids (SGK) a Colorado non-profit corporation, and the undersigned individuals, agencies and jurisdictions operating in the 18TH Judicial District. The parties agree as follows:

1. Each party agrees to support the concept and philosophy of SGK as a neutral, child-friendly agency promoting a comprehensive multidisciplinary team response to allegations of child abuse and/or neglect.

2. Each party agrees to follow the SGK protocols concerning forensic interviews, referrals for medical services, mental health services and victim advocacy services, when using SGK.

3. Each party agrees that all efforts will be made to interview and meet with children, adolescents and their non-offending caregivers at SGK.

4. Each party agrees that efforts will be made to coordinate each step of the investigative process to minimize the number of interviews to which the child is subjected, thus reducing the potential trauma to the child.

5. The parties that are investigative agencies (law enforcement agencies, the District Attorney’s Office, and the Department of Human Services) agree to share resources with SGK during child abuse and/or neglect investigations, but shall maintain separate entities at all times.

6. SGK’s team response to allegations of child abuse or neglect includes, but is not limited to: technical assistance for forensic interviews and recording of such interviews, family support coordination and victim advocacy, therapeutic support groups, non-offending parent support groups, case reviews, professional consultation, training, education, follow-up services and referral to medical and mental health services.

7. All parties will be invited and encouraged to attend trainings and/or peer review meetings sponsored by SGK, as appropriate.

8. All parties may and are encouraged to participate and/or present cases at the Multidisciplinary Case Review Team meeting, facilitated by SGK.

9. Each party agrees that suspected offenders are not allowed at SGK. (One exception to this policy is when a suspected offender is a juvenile and is being interviewed as a possible victim or witness to abuse. In such cases, no other children can be in the facility when the interview is taking place.)

10. Each party agrees within the bounds allowed by law to maintain the confidentiality of all records and information gathered on all child abuse cases.

11. Each party agrees that no children, adolescents and/or their non-offending caregivers will be charged for any services they receive at SGK.
12. The parties that are investigative agencies (law enforcement, the District Attorney's Office, and the Department of Human Services) agree to authorize SGK to use recording equipment in connection with providing investigative services under this MOU.

13. Each party can request general statistical information about cases seen at SGK not related to a specific individual case and will be able to obtain information about specific individual cases if they are directly involved in that investigation and release of this information does not violate appropriate confidentiality laws.

14. Each party agrees that, on occasion, exceptions to these guidelines may be necessary in order to serve the "best interests of the child."

15. It is understood that each party will work within its departmental mandates and policies. Nothing contained in this MOU supersedes the statutes, rules and regulations governing each party.

16. Mental health therapists are also responsible for meeting the requirements of the SGK/Therapist Linkage Agreements.

17. Each party shall continue to be responsible for cases arising from its jurisdiction. The employees of each party shall remain the employees of their respective agencies. Each agency shall be responsible for workers' compensation insurance, salaries, including overtime, and benefits for its employees. Negligent acts of an agency's employee or employees are the sole responsibility of that agency, and none of the agencies waive the benefits or obligations of the Colorado Governmental Immunity Act §24-10-101, et seq.

18. This MOU states the conditions under which individuals, agencies and jurisdictions in the 18th Judicial District may utilize the resources of SGK during the investigation of allegations of child abuse and/or neglect. Nothing in this MOU requires agencies and jurisdictions in the 18th Judicial District to use SGK.

19. This MOU may be signed in counterparts, and each counterpart shall be an MOU between SGK and the signatory.

20. This MOU shall remain in effect until amended in writing or terminated by either party.

Agreed to and signed by:

Diana Goldberg
SungateKids
13/2019

George Brechler
District Attorney's Office for the 18th Judicial District
07/Jan/19
Additional signatories to the **MEMORANDUM OF UNDERSTANDING**:

<table>
<thead>
<tr>
<th>Name</th>
<th>Office/Department</th>
<th>Date</th>
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<tbody>
<tr>
<td>Chief Nick Metz</td>
<td>Aurora Police Department</td>
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<td>Sheriff Tyler Brown</td>
<td>Arapahoe County Sheriff’s Office</td>
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<td>Chief Bret Cottrell</td>
<td>Bow Mar Police Department</td>
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<tr>
<td>Chief Jack Cauley</td>
<td>Castle Rock Police Department</td>
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<td>Chief Michelle Tovrea</td>
<td>Cherry Hills Police Department</td>
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<tr>
<td>Sheriff Tony G. Spurlock</td>
<td>Douglas County Sheriff’s Office</td>
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<td>Chief Bret Cottrell</td>
<td>Columbine Valley Police Department</td>
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<td>Sheriff Tim Norton</td>
<td>Elbert County Sheriff’s Department</td>
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<td>Chief Stephen P. Hasler</td>
<td>Elizabeth Police Department</td>
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<td>Chief John Collins</td>
<td>Englewood Police Department</td>
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<td>Chief William Haskins</td>
<td>Glendale Police Department</td>
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<td>Chief Dustin Varney</td>
<td>Greenwood Village Police Department</td>
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<td>Marshall Jesse G. Schier</td>
<td>Hugo Marshal’s Office</td>
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<td>Chief Kevin Pope</td>
<td>Kiowa Police Department</td>
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<td>Chief Lynn Yowell</td>
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<td>Sheriff Tom Nestor</td>
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<td>Chief Doug Stephens</td>
<td>Littleton Police Department</td>
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<tr>
<td>Chief Kirk D. Wilson</td>
<td>Lone Tree Police Department</td>
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</table>
Chief David King
Parker Police Department

Chief Tony Schiefelbein
Simla Police Department

Captain Jeffrey Goodwin
Colorado State Patrol

Kelly Phillips-Henry
Aurora Community Mental Health

Dan Makelky
Douglas County Department of Human Services

Patricia Phillips
Lincoln County Department of Human Services

Doug Gray
Probation Department

R. Kaan Ozbayrak, MD
All Health Network

Bart Stevens
Agate School District

Chief Mark Campbell
Sheridan Police Department

Captain Tim Hilferty
Colorado State Patrol

Marshal Jesse G. Schier
Hugo Marshal’s Office

Cheryl Ternes
Arapahoe County Department of Human Services

Jerri Spear
Elbert County Department of Human Services

Director Kerry Martin
Marvin W. Foote Youth Services

John M. Douglas, Jr., MD
Tri-County Health Department

Chief Joseph P. Morris
Arapahoe Community College

Valerie McCleary
Arriba/Flagler School District
Rico Munn  
Aurora Public Schools

Dr. Scott Siegfried  
Cherry Creek Schools

Kelli Thompson  
Elbert School District 200

Dr. Wendy Rubin  
Englewood Public Schools

Todd Werner  
Karval School District

Dave Marx  
Limon Public Schools

Michael Clough  
Sheridan School District

Steve Wilson  
Big Sandy High School

Dr. Thomas S. Tucker  
Douglas County Schools

Douglas Bissonette  
Elizabeth School District

Randy Holmen  
Genoa-Hugo School District

Denise Pearson/Jason Westfall  
Kiowa School District C-2

Brian Ewert  
Littleton Public Schools
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL

FROM: LAURA GILLESPIE, CITY CLERK

SUBJECT: CITY COUNCIL LIAISON ASSIGNMENTS

DATE: FEBRUARY 5, 2019

DISCUSSION
The City Council Liaison Program that was adopted in 1984, formalized in 2006, and updated in 2015 (see Exhibit A). With the election of new City Council members, the liaison assignments need to be updated. In 2018 the Arapahoe County Transportation Forum was added to the Outside Agencies list.

At the January 15, 2019 meeting City Council discussed the possibility of discontinuing Council liaisons for City boards, commissions and committees. Based on Council discussion staff is proposing amendments to the Liaison Program as shown in Exhibit B. Staff is seeking direction from the City Council on these proposed amendments to the Liaison Program and the proposed updated liaison assignments (Exhibit C).

RECOMMENDED MOTION
“I move to approve the amended City Council Liaison Program and updated City Council Liaison Assignments as attached to the February 5, 2019 staff memorandum.”

ATTACHMENTS
Exhibit A: City Council Liaison Program – Current
Exhibit B: City Council Liaison Program – Proposed Amended
Exhibit C: City Council Liaison Assignments – Proposed Updates
CITY COUNCIL LIAISON PROGRAM

During the budget study sessions of 1980 and 1981, the topic of City Council liaison assignments was discussed as a method of ensuring legislative involvement in a number of important functions before the City Council was asked to act on various matters. Recognizing the roles and responsibilities assigned by the City Charter (with the City Council as the policy legislative body and the City Manager as the chief administrative officer), the Mayor and the City Manager have endorsed such a program since that time.

To clarify the role of these liaison assignments, the following policies were adopted for this program in 1984, formalized in 2006, and updated in 2015:

1. Duration of Assignment
   a. One year minimum (usually two years), or as needed as determined by the Mayor and City Manager
   b. The Mayor shall bring this program to the attention of the City Council and the City Manager after each City Council election, and after consultation shall make updates to Council liaison assignments

2. Categories of Assignment
   a. City Departments
      i. Police Department
      ii. Public Works Department
      iii. Parks & Trails Division
      iv. Community Development Department
      v. Finance Division
   b. City Boards and Commissions
      i. Board of Adjustment & Appeals
      ii. Parks, Trails & Recreation Commission
      iii. Public Art Commission
      iv. Other Committees as determined by City Council
   c. Outside Agencies
      i. DRCOG
      ii. CML Policy Making Committee
      iii. Arapahoe County Mayors & Managers
      iv. The Crier Committee
c. Outside Agencies
   i. City Council liaisons to outside agencies will attend meetings and report back to City Council on matters pertinent to the City
      - DRCOG
      - CML Policy Committee
      - Arapahoe County Mayors & Managers
      - Arapahoe County Transportation Forum
      - High Line Canal Working Group
      - Centennial Airport Noise Roundtable

2. City Boards, Commissions and Committees
   a. City Council requires that all City boards, commissions and committees adopt an annual work plan and present said plan to City Council for approval at a regular City Council meeting
   b. City Council requires that all City boards, commissions and committees report to the City Council at a regular City Council meeting at least once every quarter to provide an update on their activities
   c. To facilitate reports by City boards, commissions and committees, City Council shall hear reports at the beginning of City Council meetings
CITY COUNCIL LIAISON PROGRAM

During the budget study sessions of 1980 and 1981, the topic of City Council liaison assignments was discussed as a method of ensuring legislative involvement in a number of important functions before the City Council was asked to act on various matters. Recognizing the roles and responsibilities assigned by the City Charter (with the City Council as the policy legislative body and the City Manager as the chief administrative officer), the Mayor and the City Manager have endorsed such a program since that time.

To clarify the role of these liaison assignments, the following policies were adopted for this program in 1984, formalized in 2006, and updated in 2015 and 2019.

Liaison Program
City Council Member liaison assignments are normally a two-year assignment and are reviewed and updated after each City Council election or as needed, as determined by the Mayor and City Manager. City Council shall approve by consensus the liaison assignments.

1. Liaisons for City Departments
   a. City Council liaisons assigned to City Departments will review their section(s) of the proposed annual budget with their representative from that Department prior to the entire Council considering the proposed budget on first reading. In addition, the Councilmember liaison shall familiarize themselves with the Department’s monthly report and general operations. Current City Department liaison assignments are:
      • Community Development Department
      • Finance Department
      • Parks & Trails Division
      • Police Department
      • Public Works Department
2. **Liaison for Village Crier**
   a. A City Council liaison shall be assigned to assist City staff with the preparation of the monthly City newsletter entitled the "Village Crier". The liaison will meet with City staff on a monthly basis to discuss content in the upcoming issues of the Village Crier.

3. **Liaisons for Outside Agencies**
   a. City Council liaisons shall be assigned to outside agency working groups or committees. The liaison will attend meetings and report back to City Council on matters pertinent to the City. Current outside agency liaison assignments are:
      - DRCOG
      - CML Policy Committee
      - Arapahoe County Mayors & Managers
      - Arapahoe County Transportation Forum
      - High Line Canal Working Group
      - Centennial Airport Noise Roundtable

**Notes:**
It has been past practice to assign a Council member to each of the City's boards, commissions, and committees. However, in order to allow these boards, commissions, and committees to act independently and without undue influence or direction, a City Council liaison will no longer be assigned.

To allow enhanced and direct communication between City Council and the boards, commissions, and committees, it is recommended that:
   - Each City board, commission and committee prepare an annual Work Plan to be reviewed and approved by the City Council.
   - That each City board, commission, and committee provide periodic status reports to the City Council at a City Council meeting.
   - City Council shall include an agenda item at the beginning of City Council meetings in order to receive the reports in a timely manner.
   - City Council should conduct regular joint session meetings with City boards, commissions, and committees to receive and provide updates.
**CITY COUNCIL LIAISON ASSIGNMENTS**
Revised February 5, 2019

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<td>Police Department</td>
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<td>Public Works Department</td>
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<td>Village Crier</td>
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MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL
FROM: EMILY BLACK, PARKS AND RECREATION COORDINATOR
SUBJECT: RESOLUTION 8, SERIES 2019; ACCEPTING A BENCH DONATION IN MEMORY OF CAROLINE MIEVILLE CLUTE
DATE: FEBRUARY 5, 2019

ISSUE
Should City Council approve Resolution 8, Series 2019 accepting a bench donation in Dahlia Hollow Park in memory of Caroline Mieville Clute (Exhibit A)?

DISCUSSION
The City received a request for a memorial bench donation for Caroline Mieville Clute. Her family has requested that a bench on the north side of Dahlia Hollow Park be dedicated in her memory. Ms. Clute’s obituary was published in the November 2018 Village Crier, attached as Exhibit B.

The plaque on the bench will read:

Caroline Mieville Clute
1986-2018
Love You Forever

BUDGET IMPACT
The standard donation of $1,500.00 accounts for the bench donation, memorial plaque, and ongoing maintenance of both.

STAFF RECOMMENDATION
Staff recommends approval Resolution 8, Series 2019 accepting the bench donation in memory of Caroline Mieville Clute.

RECOMMENDED MOTION
“I move to approve Resolution 8, Series 2019; accepting a bench donation in memory of Caroline Mieville Clute.”
ATTACHMENTS
Exhibit A: Resolution 8, Series 2019

Exhibit B: *The Village Crier*, November 11, 2018, Caroline Clute – A Bright and Colorful Soul
RESOLUTION NO. 8
SERIES 2019

INTRODUCED BY:
SECONDED BY:

A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ACCEPTING A BENCH DONATION IN MEMORY OF CAROLINE MIEVILLE CLUTE

WHEREAS, the Cherry Hills Village Parks Division maintains a Bench Donation program that allows benches to be dedicated to individuals with a connection to Cherry Hills Village; and

WHEREAS, the Cherry Hills Village Parks Division has received a request for a bench donation in memory of Caroline Mieville Clute; and

WHEREAS, Section 13.7, titled Bequests, Gifts and Donations, of the Cherry Hills Village Home Rule Charter, authorizes the City Council to receive bequests, gifts and donations of all kinds of property for public, charitable or other purposes and to do all things and acts necessary to carry out the purposes of such bequests, gifts and donations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cherry Hills Village, Colorado that:

Section 1. The City Council hereby accepts a cash donation in the amount of $1500.00 from the family of Caroline Mieville Clute to be used by the Cherry Hills Village Parks Division to purchase, install, and maintain a bench and memorial plaque.

Section 2. The City Council directs City staff, including the Parks Operations Supervisor, Parks and Recreation Coordinator, and Finance Director, to take all steps necessary to effectuate the donation and to carry out the purpose of such donation.

Section 3. This Resolution shall be effective immediately upon adoption.

Introduced, passed and adopted at the regular meeting of City Council this ___ day of ___________, 2019, by a vote of _ yes _ no.

(SEAL)

Russell O. Stewart, Mayor

ATTEST:

Laura Gillespie, City Clerk

APPROVED AS TO FORM:

Kathie B. Guckenberger, City Attorney
PUBLIC INPUT REQUESTED
ON QUINCY FARM

The Quincy Farm Committee is considering options and timing to open the Nature Trail at the Farm. The Committee is inviting public input at their meeting on November 27th, 2018 from 8:15am-10am. The meeting will be held in the Joint Public Safety Facility Community Room at 2460 E. Quincy Ave. If you cannot attend, please send comments to Parks and Recreation Coordinator Emily Black at eblack@cherryhillsvillage.com to be shared with the Committee at the meeting.
Caroline Clute - A Bright and Colorful Soul

Caroline Mieville Clute Makowski was born in Denver, Colorado on August 10, 1986 and died in Ft. Collins, Colorado on September 3, 2018 from septic shock of unknown origin. She attended Cherry Hills Village Elementary, West Middle School, St. Mary's Academy and received a BS in Psychology from Colorado State University. She was a professional caretaker for disabled adults and a lover of animals, beauty and all things creative. She is survived by her loving husband Jake Makowski of Ft. Collins, her parents Peter and Pam Clute of Cherry Hills Village, her brothers Nate Clute of Los Angeles and Tim Clute of Bozeman and her many friends and relatives who will miss her terribly. She filled all our lives with the brightest colors of the rainbow. We love her now and forever.

In lieu of flowers the family asks that those wishing to do so please donate in Caroline’s honor directly to Foothills Gateway Inc, the nonprofit she and Jake both worked at as independent contractors for providing support to disabled adults. Donations can be made online at foothillsgateway.org/how-to-help/donate or via mail by check, mailed to 301 W. Skyway Drive, Fort Collins, CO 80525 with a memo or note stating the donation is in memory of Caroline Clute Makowski. As Caroline’s personality was bright and colorful, donations can also be made to the Denver Botanic Garden (a place near and dear to her mother Pamela’s heart) in memory of Caroline M. Clute.

Jerry Kral - Remembering a Caring Teacher

Jerry Kral passed away peacefully on September 4, 2018. He began a career in Cherry Creek School District that spanned more than three decades. He first taught at Cherry Hills Elementary as a sixth grade teacher before moving on to become a principal for Walnut Hills Elementary. Jerry returned to Cherry Hills Elementary as principal in 1984 and retired from the district in 1999. He is survived by his wife of 44 years, Midge, daughter Maggie Kral Deeks (Nate), son Bill Kral, sister Debi Knuth (Mike) and brothers Steve and John Kral. Jerry would want his former students, friends and family to remember his three favorite wisdoms: 1. Policy is a substitute for thinking. 2. Never begin a sentence with “me” or end a sentence with “at” and last, but not least 3. Be kind.

The Cherry Hills Village Art Commission (CHVAC) was thrilled to see so many Villagers at our table during the Cherry Hills Land Preserve’s annual Trail Walk in September. The Trail Walk provided a great opportunity to share information about public art in the Village and hear from many enthusiastic kids about their favorite pieces. A reminder to families who picked up canvases and public art maps, canvases are due back to City Hall on November 30th if you would like your child’s art featured in the Crier. We look forward to seeing your creations!

In other news, dedicated readers of The Wall Street Journal may have seen a familiar name in the arts section of the September 17th paper. James Surls, the artist behind our newest sculpture-on-loan, was mentioned in the article “Art Scenes Off the Beaten Path” as the “local hero” of the art scene in Aspen. The CHVAC is very proud to support local artists and have the work of a nationally recognized sculptor in our Village. If you have not yet seen Big Bronze Walking Eye Flower at the northwest corner of Quincy and University, we encourage you to enjoy the piece before it leaves the Village.
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL

FROM: EMILY BLACK, PARKS AND RECREATION COORDINATOR

SUBJECT: 2019 TRAIL SIGNING PROJECT

DATE: FEBRUARY 5, 2019

ISSUE
What feedback does City Council have for the Parks, Trails, and Recreation Commission’s plan to create new signs for Cherry Hills Village trails?

DISCUSSION
The Parks, Trails, and Recreation Commission (PTRC) has determined that one of their 2019 priorities is to create new signs for the trails in the Village. The existing numbering system is confusing to users and does not provide helpful information to navigate between points in the City (Exhibit A). At the regular September 13, 2018 meeting, Vice Chair Fred Wolfe presented a plan for new signing on the trails. The plan would incorporate a new design for the signs and replacing the City’s numbering system. Since then, PTRC has discussed the idea of a “Village Trail” that would pass by significant landmarks in the City (Exhibit B). Vice Chair Wolfe will present his ideas to Council to gather feedback to bring back to PTRC (Exhibit C).

BUDGET IMPACT
Based on estimated costs, staff has included a $10,000 line item in the 2019 budget for this project.

STAFF RECOMMENDATION
Staff recommends that City Council provide feedback to PTRC on their ideas for new trail signs.

RECOMMENDED MOTION
No action is required at this time; PTRC is requesting Council’s feedback to ensure the Commission is headed in the right direction with their plan.

ATTACHMENTS
Exhibit A: Existing Cherry Hills Village trail sign
Exhibit B: Map of proposed Village Trail
Exhibit C: Proposed Trail Signs
EXISTING C.H.V. TRAIL MARKERS

- 99% OF TRAIL USERS DO NOT KNOW THE MEANING OF THESE MARKERS.
- THESE MARKERS DO NOT INFORM, EDUCATE, OR DIRECT TRAIL USERS.
General Park & Trail Rules

- Open daily 6 a.m. to 11 p.m.
- Stay to the right.
- Dogs must be on a leash at all times.
- No alcoholic beverages are permitted.
- Use provided litter receptacles; littering or dumping is prohibited.
- Unauthorized motorized vehicles are prohibited.
- Swimming, tubing, boating or rafting is prohibited.
- Golf practice is prohibited.
- Tree houses and rope swings are prohibited.

To report accidents call 911.

This map was created to provide general references to public trails, parks and recreation amenities. Although the City of Cherry Hills Village has taken reasonable efforts to ensure the accuracy of this information, the City cannot be responsible for consequences resulting from omissions or errors, including but not limited to issues of property lines and easements. We welcome suggestions or corrections from our users for possible inclusion in future efforts. This map is not for sale.

Land Dedication: The Key to Preserving Natural Settings

You can contribute to trails and open space by dedicating a portion of your land to be undeveloped. Your land contribution can help maintain our community's natural beauty and create areas that serve a variety of recreational uses.

If you would like more information about the benefits of making a land dedication to trails and open space easements, call 303-789-2441 or write to:

Cherry Hills Village Parks and Recreation
2450 Quenby Ave., Cherry Hills Village, CO 80110.

Cherry Hills Village Parks and Trails Map

Exhibit B
EXHIBIT C

HIGH LINE CANAL 17 MIN
QUINCY AVE 14
(EAST)

BELLEVUE AVE. 10 MIN
GLENMOOR C.C. 14
(SOUTH)

UNIVERSITY BLVD. 8 MIN
WOODIE HOLLOW PARK 18
(WEST)

3" STEEL POST

1"-12"
GLENMOOR PKG.LOT
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL
FROM: JESSICA SAGER, DIRECTOR OF FINANCE & ADMINISTRATION
SUBJECT: COUNCIL BILL 1, SERIES 2019; AMENDING THE BUDGET FOR FISCAL YEAR 2019 BY CREATING A FUND FOR THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT AND APPROPRIATING FUNDS THEREIN (FIRST READING)
DATE: FEBRUARY 5, 2019

ISSUE
Should City Council approve an amendment to the 2019 budget to create the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (GID) Fund and appropriate funds therein?

DISCUSSION
Now that City Council has declared the organization of the GID, the next step is to create a fund that Staff can use to track the revenues to be generated from the issuance of the GID bonds and to account for related expenditures once they have been approved by the GID board.

BUDGET IMPACT STATEMENT
Staff has put together a fund based on the amount that was approved by the voters during the 2018 election (see Exhibit B). Preliminary estimates provided by Stifel, Xcel and Century Link indicate that construction and financing costs will be much less than the voter-approved $550,000. The final amount that is financed will only be what is necessary to cover the costs of the undergrounding project.

RECOMMENDED MOTION
“I move to approve Council Bill 1, Series 2019 amending the budget for fiscal year 2019 by creating a fund for the Cherry Hills Village Charlou Park 3rd Filing General Improvement District and appropriating funds therein on first reading.”

ATTACHMENTS
Exhibit A: Council Bill 1, Series 2019
Exhibit B: Proposed Cherry Hills Village Charlou Park 3rd Filing General Improvement District Fund
A BILL FOR AN ORDINANCE OF
THE CITY OF CHERRY HILLS VILLAGE, COLORADO
AMENDING THE BUDGET FOR FISCAL YEAR 2019 BY CREATING A FUND FOR THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT AND APPROPRIATING FUNDS THEREIN

WHEREAS, the City of Cherry Hills Village has prepared and approved a budget for fiscal year 2019 (the "2019 Budget") and the City is authorized and required to make appropriations by ordinance for each fiscal year pursuant to Article IX of the Home Rule Charter of Cherry Hills Village ("Charter"); and

WHEREAS, the City is required by Article IX, Section 9.9 of the Charter to create a special fund by ordinance to account for monies to be held or used for special purposes; and

WHEREAS, Article IX, Section 9.10 of the Charter authorizes the City Council to make additional appropriations by ordinance provided such additional appropriations do not exceed actual and anticipated revenues; and

WHEREAS, pursuant to Ordinance 1, Series 2019, which was approved on January 15, 2019, the City Council of Cherry Hills Village declared organized the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (the "GID"); and

WHEREAS, the GID anticipates issuing general obligation bonds or other obligations in 2019, pursuant to voter approval obtained in the November 6, 2018 election (the "Bonds"); and

WHEREAS, City Council desires to create a fund for the revenues to be generated from the issuance of the Bonds, which revenue was not anticipated when the 2019 Budget was adopted, and for accounting for the transactions pertaining to the GID; and

WHEREAS, the City Council hereby amends the 2019 Budget and appropriates the funds as set forth herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. The 2019 Budget is amended to establish a fund for the purpose of accounting for the Cherry Hills Village Charlou Park 3rd Filing General Improvement District revenue and expenditures and shall be called the CHV Charlou Park GID Fund.

Section 2. From the monies obtained from taxation and from all other sources of revenue of the City of Cherry Hills Village, Colorado, during the year beginning January 1, 2019, and ending December 31, 2019, there is hereby appropriated the following sums for the following funds, to wit:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>7,090,490</td>
</tr>
<tr>
<td>Capital Fund</td>
<td>973,766</td>
</tr>
<tr>
<td>COP Project Fund</td>
<td>4,053,683</td>
</tr>
<tr>
<td>Land Donation Fund</td>
<td>365,720</td>
</tr>
<tr>
<td>Conservation Trust Fund</td>
<td>372,500</td>
</tr>
</tbody>
</table>
Section 3. Should any section, clause, sentence or part of this Ordinance be adjudged by any court to be unconstitutional or invalid, the same shall not affect, impair or invalidate the ordinance as a whole or any part thereof other than the part so declared to be invalid, except to the extent that such invalidation defeats the purpose and intent of the City Council in adopting this ordinance.

Adopted as Ordinance No. ___, Series 2019, by the City Council of the City of Cherry Hills Village, Colorado, on the ____ day of __________, 2019.

(SEAL)

Russell O. Stewart, Mayor

ATTEST: Approved as to form:

__________________________________________
Laura Gillespie, City Clerk

__________________________________________
Kathie B. Guckenberger, City Attorney

Published in the Villager
Published: __________
Legal #: __________
2019 BUDGET

CHERRY HILLS VILLAGE

This fund has been established for collecting assessments and paying debt service on the bonds that finance the cost of undergrounding existing overhead utility lines and removing the utility poles along portions of South Denice Drive, Charlou Drive and South Dasa Drive. The assessment is for 20 years and the first year of collection by Arapahoe County, the collecting agent, will begin in 2020. First payment due in 2020.

### Notes/Explanations:

<table>
<thead>
<tr>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2019 BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHERRY HILLS VILLAGE</td>
</tr>
</tbody>
</table>

### Revenue:

#### INTEREST INCOME

| 0    | 0    |

#### ASSESSMENT REVENUE

| 0    | 0    |

#### TOTAL REVENUE

| 0    | 0    |

### Expenditures:

#### IMPROVEMENT EXPENSE

| 0    | 0    |

#### INTEREST EXPENSE

| 0    | 0    |

#### ADMINISTRATIVE EXPENSE

| 0    | 0    |

#### BOND PRINCIPAL PAYMENT

| 0    | 0    |

#### TOTAL EXPENDITURES

| 0    | 0    |

#### INCREASE TO RESERVES

| 0    | 0    |

#### BALANCE IN RESERVES

| 0    | 0    |

#### EMERGENCY RESERVES

| 0    | 0    |

#### COUNTY TREASURER FEES

| 0    | 0    |

#### EXHIBIT B

2019 PROPOSED BUDGET

CHERRY HILLS VILLAGE

CHY CHARLOU PARK 3RD FILING CID

City of Cherry Hills Village, Colorado
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL

FROM: EMILY BLACK, PARKS AND RECREATION COORDINATOR

SUBJECT: PUBLIC ACCESS AT QUINCY FARM

DATE: FEBRUARY 5, 2019

ISSUE
What hours, days, and areas should the City allow for the community to access Quincy Farm?

DISCUSSION
There is currently no visitor access to Quincy Farm outside of reserving the meeting space within the Main House. It would be beneficial to have answers for grant funders, private donors, and community members about when and how they will be able to visit the property. The Nature Trail, and Plant Select and Pollinator gardens are complete and were shared with the public at the Open House on August 25th, 2018. Staff is excited to share Cat’s gift with the community on a more regular basis.

Quincy Farm Committee and Parks, Trails, and Recreation Commission Recommendations

At the regular June 20, 2017 meeting, the Quincy Farm Committee (QFC) discussed developing a plan for access, and the City Manager asked staff to draft a proposal. This proposal was presented at the regular July 18, 2017 QFC meeting, but it was not voted on. Staff presented another access proposal to the Quincy Farm Committee on September 18, 2018 following the Open House. The Quincy Farm Committee made a recommendation at that meeting. Minutes are attached as Exhibit A. The QFC recommended the Farm’s Nature Trail and gardens be open on Saturdays from 8am-5pm with an attendant present on the property; no access would be offered to the Main House and signs would be placed for directions and rules.

This recommendation was presented to the Parks, Trails, and Recreation Commission at their regular meeting on October 11, 2018. The Nature Trail letter from Colorado Open Lands, a map of Quincy Farm, concept sketches from the Open House showing the Nature Trail, and the Conservation Easement were included as attachments in the packets. Following discussion, the PTRC made a recommendation. The meeting minutes are attached to this memo as Exhibit B. The PTRC recommended the Farm’s Nature Trail and gardens be open on Fridays and Saturdays.
during daylight hours with no volunteer or staff needed to open the Farm; no access would be offered to the Main House and signs would be placed for directions and rules.

At the regular October 16th, 2018 Quincy Farm Committee meeting, it was decided that there should be more opportunity for public input and an attempt to reconcile the different PTRC and QFC recommendations. The November 27th, 2018 Quincy Farm Committee meeting was published on the front page of the November issue of the Village Crier asking for residents to attend or send their input to staff.

Multiple residents attended the November 27th Quincy Farm Committee meeting to express their opinions about the Farm being opened to the public. Minutes from that meeting are attached to this memo as Exhibit C. Staff also received one email about access (which was accompanied by a phone call). The writer is not a resident but lives close to the Village, and he and his family enjoyed regular walks at the Farm after attending the Open House (mistakenly thinking it was open). This letter is attached as Exhibit E.

Having heard public input, the Quincy Farm Committee opted to maintain their earlier motion, with one change (highlighted in red):

"I move to recommend to City Council that Quincy Farm be open:

- Beginning November 10th (or following the installation of sewer and irrigation) on Saturdays from 8:00am-5:00pm
- A volunteer from the Cherry Hills Land Preserve or part-time staff (to be hired) should be present on the property.
- There will be a sign at the High Line Canal indicating whether the trail is open or closed, and other directional signs.
- The area accessible will be the Nature Trail and gardens; the Nature Trail will have seasonal closures to protect the Great Horned Owl nest.
- There will be access to the interior of the Main House.
- The Quincy Farm Committee will evaluate after the Farm has been open one month to make adjustments as needed."

This recommendation was brought to PTRC at the regular December meeting, along with draft minutes from the public input meeting and the letter sent to staff. Following discussion, PTRC made the following recommendation:

- Approval from Colorado Open Lands to open the Nature Trail from dawn to dusk.
- The Farm to be open 7 days a week without an attendant.
- The inside of the Main House will not be open to public access.
Tenants and Neighboring Properties

Letters were sent to all adjacent homeowners in August 2019 advising them of upcoming QFC and PTRC meetings to discuss access. Both tenants of Quincy Farm have been involved in access discussions as well. The City Manager, Public Works Director, Parks Operations Supervisor, and Parks Coordinator have met with the tenants to discuss access points, signage, and ways to balance tenant privacy with the realities of living on donated public land.

Next Steps

Staff will submit City Council’s recommendation to Colorado Open Lands in writing. No access will be given to Quincy Farm until final approval is received from Colorado Open Lands. Staff will also install appropriate signage as discussed by the QFC and PTRC, Cheryl Cufre from Colorado Open Lands, and with the tenants on the property.

BUDGET IMPACT

No significant impacts are anticipated to the 2019 budget. Customizable bulletin case signs and No Parking/Private Property signs for tenant areas were ordered in 2018.

STAFF RECOMMENDATION

Staff recommends that Quincy Farm be open:

- Following final approval by Colorado Open Lands with daily hours from sunrise to sunset.
- Based on other Village parks’ usage and the experience of other local historic properties, staff does not recommend requiring a volunteer presence to be able to open the Farm.
- There will be a sign at the High Line Canal indicating whether the trail is open or closed, and other directional signs.
- The area accessible will be the Nature Trail and gardens; the Nature Trail will have seasonal closures to protect the Great Horned Owl nest.
- There should not be access to the interior of the Main House.

If City Council desires to have more restricted hours than recommended above, staff would recommend that the City still seek approval from Colorado Open Lands for the above hours and then only approve the desired hours of operation. This will eliminate the need to go back to Colorado Open Lands in the future if City Council desires to open the property more hours and days of the week. Staff would also recommend asking Colorado Open Lands to have the property open with no attendant even if an attendant is desired at the current time. This will again give City Council more flexibility in the future to change how the Farm is managed.

While a volunteer program will likely be an important part of the Farm’s programming in the future, staff does not recommend creating a limitation that the Nature Trail can only be accessed
if a volunteer is present. Additional staff time would be necessary to train, schedule, and manage potential volunteers to be available on a weekly basis.

**RECOMMENDED MOTION**

"I move to recommend that City Council provide public access to Quincy Farm with the following conditions and hours:...."

**ATTACHMENTS**

Exhibit A: Approved minutes from September 18, 2018 Quincy Farm Committee meeting (excerpt)

Exhibit B: Approved minutes from October 11, 2018 Parks, Trails, and Recreation Commission meeting (excerpt)

Exhibit C: Approved minutes from November 27, 2018 Quincy Farm Committee meeting (excerpt)

Exhibit D: Approved minutes from December 13, 2018 Parks, Trails, and Recreation Commission meeting (excerpt)

Exhibit E: Email from Allen Levy (October 28, 2018)
(Excerpt: Recommendation for Public Access)

Minutes of the Quincy Farm Committee
City of Cherry Hills Village, Colorado
Tuesday, September 18th, 2018
at Quincy Farm

Chair Russell Stewart called the meeting to order at 8:21 a.m.

ROLL CALL
Present at the meeting were the following Quincy Farm Committee Members: Katie Agron, Dale De Leo, Lucinda Greene, Melinda Haymons, Chair Russell Stewart, and Klasina Vanderwerf.

Present at the meeting were the following staff members: City Manager Jim Thorsen, Parks Operations Supervisor Jeff Roberts and Parks and Recreation Coordinator Emily Black. City Council Liaison Mayor Laura Christman, Mayor Pro Tem Earl Hoellen, Art Commission member Dave Schmidt, Natalie Anderson (granddaughter of Cat Anderson), and Quincy Farm tenants Jeri Neff and Candy Gray were also present.

AUDIENCE PARTICIPATION PERIOD
Gordon and Nancy Rockafellow of 4200 E Quincy Ave. noted access would affect their property more than any others, and asked if a decision had been made regarding Antero water rights.

Mayor Christman responded that the City was waiting to see other offers along the High Line Canal to understand what Denver Water negotiates with other properties.

Mr. Rockafellow stated Denver Water had made an offer on their rights and to the Schirmers (a neighboring property). There was discussion about raw water being used for irrigation. Mayor Christman offered to meet with the Rockafellows after the meeting or later to discuss water issues.

CONSENT AGENDA
Approval of Minutes – April 12th, 2018 and April 17th, 2018
A motion passed unanimously to approve the April 12th, 2018 and April 17th, 2018 minutes.

UNFINISHED BUSINESS

Recommendation for Public Access

Ms. Black reviewed that there is currently no visitor access to Quincy Farm outside of reserving the meeting space. At the regular meetings on June 20, 2017 and July 18, 2017, the Committee discussed the issue but did not make a recommendation to City Council. She explained that staff is seeking a recommendation to Council regarding public access to Quincy Farm.

Committee Member Greene noted that at a recent City Council meeting, she expressed concern about the legal language in the Conservation Easement, and that the Committee needs to be clear that access is provided subject to the Conservation Easement and before deciding, the Committee should speak with Cheryl Cufre at Colorado Open Lands. Jeri Neff pointed out Ms. Cufre was on sabbatical for three months.

Ms. Black reminded the Committee that staff met with Colorado Open Lands about the Nature Trail and access last year and at that time shared the resulting letter and notes from that meeting.

Mayor Christman stated the Committee should assume the City will not violate the Conservation Easement, and asked what Committee Member Green would recommend.

Committee Member Greene stated her vision was that the property be open according to limited public access, which she believes is casual, informal, and does not mean dawn to dusk seven days a week. She does not think that was intended by the Conservation Easement. She recommended access start with weekends.
Committee Member Vanderwerf stated she would also like to know that someone would be present on the property and expressed concern about liability. Mayor Christman explained liability was no different than any other park, and asked if the Committee would like to budget for a person to be on the property. Ms. Vanderwerf stated she sees a staff person in the future for scheduling, etc., but presently just having someone on the property on weekends to troubleshoot.

Committee Member Haymons said she envisions people being able to use the Nature Trail, but sees it as blocked off rather than being public. Committee Member De Leo said he sees more educational programming events similar to the Open House in the future and that it doesn’t feel right to open the Farm until there is more of an ongoing presence.

Quincy Farm tenant Jeri Neff asked how she would retain her privacy if people are wandering around and asked the Committee to take that into account.

Committee Member Greene read a section of the letter from Colorado Open Lands and stated it does not address the entire property being open. Parks and Recreation Coordinator Black provided background on the letter and the fact that the trail discussion took place in the context of how the City would open the property. Ms. Black stated the City should go back to Colorado Open Lands with a final plan about areas and hours for their approval following the Committee’s recommendations and City Council approval. Ms. Black continued that in the trail discussion, Ms. Cufre’s take was that as long as the City had open and closed hours and the property was not open all day and night, that was acceptable. Ms. Black emphasized that the City could not continue to receive grants with public money on a property with no plans to be available to the public; eventually it will become an issue with funders.

Committee Member Agron suggested opening the trail from 9-4 or 5 on the weekends, using signage to direct people, and seeing how it goes. She stated she did not think there would be hundreds of people attending, and suggested trying it for a month and re-evaluating.

Chair Stewart reviewed the past proposal for the Nature Trail which was rejected by Colorado Open Lands. He stated he believed the property should be open now for preservation uses under the Conservation Easement, but that if it is open dawn to dusk there is no limit on uses. Chair Stewart read the Preservation Uses from the Conservation Easement. He stated the property could be opened limited hours to view the gardens and trail, since those are appropriate uses. He continued the issue was whether someone would be present to protect the property.

Committee Member Agron suggested again the City try something for one month and revisit if there are problems and to see how everyone feels. Committee Member Greene asked if there are staff resources to open on the weekend; Parks and Recreation Coordinator Black said there were not.

Committee Member De Leo asked about the planned sewer and irrigation installation, and if the building would be open. Ms. Black stated the Main House would not be par of the open area. Committee Member Agron emphasized the open area would just be the Nature Trail; Quincy Farm tenant Candy Gray stated the lawn needs to be a part of the open area to return from the trail.

Committee Member De Leo asked how access would work with construction and suggested completing all construction before opening. Ms. Black stated the installation of the sewer was estimated at two weeks, and the Committee could pick a target date to open following the sewer and irrigation projects. Mr. De Leo stated he thought all work should be completed and then open. Ms. Black stated the Committee should make a recommendation now, because the timeline for the work is within the next few months, and the recommendation still needed to go to Council and Colorado Open Lands.

City Manager Thorsen added that a target date in the future gives the City time to work with the tenants and complete the construction, and could give time to hire someone part-time or find volunteers.

Committee Member Greene asked if weekday open hours would be better, and asked about 17-Mile House’s hours. Ms. Black explained that the location is a trailhead; the house has a fence...
Chair Stewart recalled that the Committee has recommended working with the Cherry Hills Land Preserve, who could provide volunteers.

Committee Member Vanderwerf recommended Saturdays starting November 10th, 8am-5pm, with volunteers from the CHLP or hire a part-time staff person to be present on the property. She also stated there should be a sign at the High Line Canal that says whether the trail is open or closed, and other directional signs.

Ms. Black asked for specifics about areas, and the Committee recommended the Nature Trail and gardens, but not the interior of the house (with the exception of the volunteer having access to use the restroom and stay warm). Candy Gray suggested the trail change during owl nesting season, and the Committee agreed.

The Committee motioned to recommend to City Council that Quincy Farm be open:

- Beginning November 10th (or following the installation of sewer and irrigation) on Saturdays from 8:00am-5:00pm
- A volunteer from the Cherry Hills Land Preserve or part-time staff (to be hired) should be present on the property.
- There will be a sign at the High Line Canal indicating whether the trail is open or closed, and other directional signs.
- The area accessible will be the Nature Trail and gardens; the Nature Trail will have seasonal closures to protect the Great Horned Owl nest.
- There will be no access to the interior of the Main House, with the exception of the volunteer.
- The Quincy Farm Committee will evaluate after the Farm has been open one month to make adjustments as needed.

The motion passed unanimously.

Mayor Christman clarified that the Committee was not requesting additional money in the budget for part-time staff, as the Committee would revisit the discussion in a month, and if staff is used this year it is in this year’s budget. Chair Stewart stated there was money available in the 2018 budget, and asked when the recommendation would be needed for the 2019 budget. Staff answered that that budget was being reviewed now.
Excerpt from the final approved minutes of the Parks, Trails, and Recreation Commission from the regular Thursday, October 11th 2018 meeting

Minutes of the
Parks, Trails & Recreation Commission of the
City of City of Cherry Hills Village, Colorado
Held on Thursday, October 11, 2018 at 5:30 p.m.
at the Village Center

Chair Robert Eber called the meeting to order at 5:30 p.m.

ROLL CALL

Chair Robert Eber, Commissioners Joshua DiCarlo, Fred Wolfe, Aron Grodinsky, Kate Murphy and Stephanie Dahl. Also present were Emily Black, Parks and Recreation Coordinator, Jay Goldie, Deputy City Manager and Director of Public Works, Jeff Roberts, Parks Operation Supervisor and Pamela Broyles, Administrative Assistant.

Absent: Commissioner Peter Sutherland

NEW BUSINESS

a. Recommendation for Public Access at Quincy Farm

Parks and Recreation Coordinator Emily Black reported that staff is seeking a recommendation from PTRC to City Council to determine public access at Quincy Farm. Ms. Black shared that the Nature Trail and pollinator gardens are complete. The City is excited to share the Farm with the Community on a more regular basis.

Ms. Black shared the recommendation from the Quincy Farm Committee to open the Farm on Saturdays from 8:00am-5:00pm starting on November 10th or following the completion of the sewer installation, and to have a volunteer from the Cherry Hills Land Preserve or part-time staff person (to be hired) present on the property. The Committee recommended that the area accessible will be the Nature Trail and gardens; the Nature Trail will have seasonal closures to protect the Great Horned Owl nest. There will be no access to the interior of the Main House, with the exception of the volunteer. A sign on the High Line Canal would indicate whether the trail is open or closed, and other directional signs would be posted on the property. The Quincy Farm Committee will evaluate after the Farm has been open one month to make adjustments as needed.

Staff’s recommendation is similar to the Quincy Farm Committee. Staff recommends access to the Nature Trail, bluegrass lawn, and gardens be provided from the High Line Canal, with daily hours from sunrise to sunset. Staff agrees with Committee recommendations regarding opening
date, signage, and trail closures for owls. Based on other Village parks' usage and other local historic properties, staff does not recommend requiring a volunteer presence to be able to open the Farm.

Chair Eber pointed out that when looking at the letter from Colorado Open Lands, who oversees the Conservation Easement, the third paragraph talks about limited public access and only opening the Farm on certain dates and times. He asserted that staff's proposed recommendations are inconsistent with that statement.

Ms. Black explained how the Nature Trail was designed to work with the Conservation Easement. She has communicated with Colorado Open Lands and they are fine with opening the Farm, so long as there are designated open and closed hours. Ms. Black specified that the City will get final approval from Colorado Open Lands prior to making any final decisions. The City has no intention of violating the Conservation Easement.

Ms. Black further explained staff's reasoning for not recommending a volunteer be present on the Farm. The City does not have a large volume of people visiting its parks and even on the day of the Open House, when the event was advertised heavily, the Farm received less than 200 visitors. Another local historic farm (17-Mile House) has not had any issues with vandalism despite being a heavily used trailhead. Staff is also concerned about the amount of public money being spent on the Farm while restricting the Community to only have access to the Farm if a volunteer is available.

The Commission agreed that a volunteer or staff person would not be necessary since there has been no history of other parks having any issues. If there are problems in the future, the City can then look at having someone onsite during opening hours.

The Commission discussed signage for the property. They agreed that there should be signs posted for restricted hours or open access hours.

Ms. Black conveyed that a sign will be placed at the High Line Canal stating the hours, rules and restrictions such as “No Bikes.” She confirmed that parking at the Farm will be restricted to handicap access. The only other access will be off the High Line Canal.

Mr. Goldie added that bollards will be installed with signs that state “Private Residence” to respect the privacy of the tenants. Mr. Goldie explained that the reason there are two recommendations is that staff would like to see the public have access to the property. Based on years of working in the Parks, staff has not witnessed high volume or issues with any of its parks. Staff does not believe that there will be high volume at Quincy Farm and if issues do arise, the days and hours can be adjusted at that time.

Commissioner Wolfe commented that Quincy Farm is a wonderful amenity to the entire Village and yet, it is extremely limited.
Commissioner Dahl commented that choosing different days and times might cause confusion for the public and the Police. She suggested opening the Farm on the weekends or have it open every day during daylight hours as a trial run.

The Commission asked Lucinda Greene with the Quincy Farm Committee to explain the reasoning behind the Committee’s recommendation to require a volunteer or staff person.

Ms. Greene communicated that the Quincy Farm Committee is concerned with security. The Committee’s desire is to make sure they have the right resources for the terms of the Conservation Easement. She stated that the Conservation Easement has language that restricts public access on the west side. Their goal is to come to an agreement that works for everybody, but within the framework of what Catherine Anderson envisioned.

Ms. Greene explained that the discussion for having volunteers was to have someone on the Farm to monitor the property and make sure the terms of the Conservation Easement are being enforced, such as no bikes on the property. The Committee believes that once it is determined how the Farm can be managed and what the limitations might be, then the Farm could be open 24/7.

Chair Eber asserted that the Easement does not say the Farm should have open access every day and at all times. For that reason, he is hesitant to recommend that the Farm be open all days.

The Commission discussed installing security cameras for surveillance in place of having a volunteer or staff person present. They are concerned with how to fund an added employee and a volunteer might not always be available. It would be unfair to the Community to turn people away if a volunteer was not present.

Commissioner Murphy moved, seconded by Commissioner Grodinsky to recommend to City Council that Quincy Farm be open on Fridays and Saturdays during daylight hours until further notice, following final approval by Colorado Open Lands; with access to the Nature Trail, bluegrass lawn, and gardens from the High Line Canal with seasonal trail closures to protect owl nests; with the same signage recommended by the Quincy Farm Committee. The PTRC does not feel it is necessary to have a volunteer or staff person present to open the Farm.

The motion passed unanimously.
Chair Russell Stewart called the meeting to order at 8:17 a.m.

ROLL CALL
Present at the meeting were the following Quincy Farm Committee Members: Dale De Leo, Melinda Haymons, Chair Russell Stewart, Joel Sydlow, and Klasina Vanderwerf.

Present at the meeting were the following staff members: City Manager Jim Thorsen and Parks and Recreation Coordinator Emily Black. City Council Liaison Mayor Laura Christman, Mayor Pro Tem Earl Hoellen, Parks, Trails, and Recreation Commission Chair Rob Eber, Art Commission Chair Ann Polumbus, and Art Commissioner Allison Lynch were also present.

**************

UNFINISHED BUSINESS

Public Input – Recommendation for Public Access
Chair Stewart gave an introduction of the history of Quincy Farm and the Conservation Easement. He stated the group was struggling with how to open the property while still being consistent with the Easement.

Parks and Recreation Coordinator Black gave a presentation explaining the donation of Quincy Farm to the City, the Conservation Values from the Conservation Easement, and the recent installations of the Nature Trail and Plant Select and Pollinator Gardens. She explained the different recommendations from the Quincy Farm Committee, Parks, Trails and Recreation Commission, and staff, and noted that public input would be particularly helpful regarding days and times for opening the farm and where the public stands on the need for an attendant. Finally, she explained next steps for public access:

Tues., Nov. 27th – 8:15am
• Quincy Farm Committee hears public input and makes a recommendation to Council
Thurs., Dec. 13th – 6:30pm
• PTRC hears public input and Quincy Farm Committee’s recommendation, and makes their recommendation to Council
Tues., Feb. 5th – 6:30pm (tentative)
• City Council hears public input and both recommendations and decides on a final proposal (After the Council meeting)
• Staff sends City Council’s proposal to Colorado Open Lands for final approval
(Following CO Open Lands approval)

- Quincy Farm Nature Trail will be open during specific hours, with signs posted.

Mayor Christman noted this was a phenomenal gift that Catherine Anderson gave to the City, specifically the citizens of the Village. She stated the City has spent approximately $300,000 on the property which still needs much more work, and that amount divided over the six hours it has been open to the public (during the Open House) comes out to $50,000 an hour. She stated it was extremely important for the citizens and taxpayers of Cherry Hills Village, to whom the asset was given, to have access, since every dime that goes into the Farm is not going into another City park.

Peter Clute of 4300 S Dahlia stated he walks by the Farm all the time. He asked how long the leases on the property last. Parks and Recreation Coordinator Black responded the leases end in 2022, and at that point City Council has the option to extend the leases. Mr. Clute stated it was important the houses be kept maintained, and asked what plans the City has to maintain or demolish the structures.

Chair Stewart explained the Quincy Farm Committee has been working on a long-term Master Plan to answer those questions. He explained the Conservation Easement and historic designation restrict what can be done.

Mr. Clute continued that the pond will be an issue in the future and discussed issues with his own water well. He asked as a member of the board of Cherry Hills Village Sanitation District whether the City has been in touch with Kathy McKune for the sewer project, and how the process was going; Public Works Director Goldie noted he had and everything was going smoothly.

Michael Kim, 4245 South Forest Circle, stated the slides presented were informative for the public, particularly the slide showing next steps, and would be helpful to share on the website. Ms. Black stated she would post them. Mr. Kim continued as he understood it, this meeting was about the Master Plan, and thought there would be more input if people knew what the meeting was about. He also stated the City should always be looking to inform people. He noted there should be an operating budget stating whether the City or grants would be funding the Farm.

Gordon Rockafellow, 4200 East Quincy, noted his property borders the Farm on three sides, so he and his wife are probably more impacted than anyone else. He stated no access is in some ways good for them, but that’s contrary to the purpose of the Farm and Cat’s wishes, and they’re delighted it’s been given to the City. He continued they are really only concerned with security and trying to limit the access so it doesn’t spill over into their property. Specifically, he recalled the gate from Cat’s fence to their property (which is currently padlocked). He asked that be considered a permanent closure. He stated other than that, they understand that there has to be access by the public and appreciated the fact that there would be an attendant some of the time. Mr. Rockafellow acknowledged the parking issues, especially until the East side is available. He concluded his and his wife’s main concerns were security and that access be provided to the Farm without providing easy ways for it to spill over into adjacent properties.

Committee Member Vanderwerf asked if Mr. Rockafellow experienced any issues during the Farm’s Open House.
Mr. Rockafellow stated no, he was at the Open House and thought it was sparsely attended. He stated they did not see any problems, but there were not many people there.

Committee Member Vanderwerf said she thought it was very well attended, though there weren’t a large number of people at any one time. Mr. Rockafellow stated he was not there the entire time.

Chair Stewart asked if Mr. Rockafellow has seen visitors on the property. Mr. Rockafellow stated he has, but they have not come onto his property. He continued he was not saying they’ve had any problems, the concern was more preventative.

There was discussion about signing the gate “Private Property”; Mr. Rockafellow stated since it blends in well with the rest of the fence, he would prefer to leave it locked and not draw attention to it.

Chair Stewart asked for further comments. He stated he agreed with the Mayor and that he would like to use the property to the maximum extent possible, since that’s what Cat wanted, but stay within the confines of the Conservation Easement. He recalled the photography and art uses that Cat included in the Conservation Easement, and that the Committee must be sensitive to the uses she did not wish to occur as well.

Mr. Clute stated he agreed with Cat’s wish to keep bicycles off the property, since from experience walking on Kent Denver’s property they can be a hazard and they tear up trails. He continued for parking, he believes the property should be left as is, and people can park elsewhere and walk to the Farm.

Chair Stewart noted the Conservation Easement prohibits expanding the paved area, and that the Committee agrees that most people should walk to the Farm. He noted the Art Commission could help program the Farm for plein air painting, which Cat would have wanted.

Allison Lynch, a member of the Art Commission, stated the Mangold Sculpture on the Farm is an extraordinary sculpture so the Art Commission would like people to be able to see it.

Chair Stewart stated the Committee has chosen to limited access while waiting for the sewer to be installed and the irrigation goes in, so there wouldn’t be conflicts.

Leslie Schirmer, 4100 East Quincy, asked about the “parties and celebrations” allowed under the Conservation Easement and asked what that means for her as a neighbor. She stated she would not like to see wedding bands and similar things.

Committee Member Vanderwerf stated one of the roles of the Committee was to come up with restrictions that would be placed on celebrations happening at the Farm.

Ms. Schirmer continued they were assured by Kent with their new dining hall that there would be only one or two parties a year there, and she stated they have many parties with loud bands, etc. She would hate to see that happen on another side of their property, too.
Chair Stewart stated the new facilities at John Meade Park were more in line with that type of use; Quincy Farm has an educational focus.

Committee Member Vanderwerf stated Cat did say that she could picture weddings there, but it is still up to the Committee to designate limits like “no acoustically enhanced music”, and so on. Ms. Schirmer asked that the Committee keep the neighbors in mind.

Committee Member Sydlow asked the neighbors what they envision as ideal in terms of access.

Mr. Rockafellow stated it would not be his intent to restrict access to a few hours each weekend; that seems contrary to the main goal for it to be used by citizens of the Village. He stated their concern is noise; he recalled Keith Anderson’s 75th birthday party and noted that the property is not a stranger to large celebrations. He stated they have had neighbors who had big bonfire parties. He stated it should be reasonable, during daylight, and preventing easy access to the four neighboring houses that can be mistaken as part of the property.

Chair Stewart asked Mr. Rockafellow’s feelings on the property being open daily dawn to dusk.

Mr. Rockafellow stated it being unattended gave him some concern as to how to manage it, but he stated he assumed that if were opened and then that level of access became a problem, the Committee would recommend changes.

Chair Stewart asked for more comments, and hearing none, gave an update on the status of the Master Plan. He asked for other reports from Committee members.

Parks and Recreation Coordinator Black stated the Committee needed to make a recommendation on the Public Access item, or maintain their initial recommendation. Chair Stewart asked what the Committee would like to do.

Committee Member De Leo stated he appreciated Mr. Kim’s earlier input and thinks public input is important. He asked at what point after trying to get the message out does the Committee take action and make decisions to see how it goes. He asked what the best form of communication with the public is.

Mr. Clute stated the Village Crier worked for him.

Committee Member De Leo stated he wasn’t sure emails or the City website were ideal, and asked Ms. Black if there is a way to track traffic to the City website.

Ms. Black stated the metric to look at would be traffic to the Quincy Farm page, and that she may be able to find that out.

Mr. Kim stated he thinks the City can only do what it can do, and it is trying to get the message out. He stated it’s an issue of content and sequencing, and reiterated that the Next Steps slide is very useful to share. He stated he wasn’t sure the public got the message about what this meeting was about. He suggested asking local nonprofits to distribute City information through their email lists. He stated the more organizations sending the message out instead of just putting it on the website the better.
Allison Lynch, Art Commission member, stated NextDoor is another great tool that is well received by the community.

Chair Stewart stated that to the Parks and Recreation Coordinator’s point, the Committee has already made its recommendation. He stated that the Committee’s reasoning was to get started and see how it worked, and a concern that the Conservation Easement does have uses that are not allowed, so there should be someone there to make sure uses were appropriate to the property. He continued that the final decision would be made by Colorado Open Lands. He continued that there is language in the Committee’s recommendation that the house not be opened, but he believed if there is a volunteer present, the Main House could be open too. He stated other than that, he had no changes to the original recommendation. He explained having a docent there would provide security and to make sure the uses were correct.

Committee Member De Leo stated he would like to know what issues have come up in other parks, if any, and he would hope that would give the neighbors reassurance that this will be like other parks.

Parks and Recreation Coordinator Black stated that within the last seven and a half years, there have been a total of four incidents of vandalism in City parks. She stated the staff recommendation is coming from years of experience of not having issues in other parks. She continued that 17-Mile House, another historic site in Arapahoe County, is located at a trailhead. There is a fence around the house but no gate; visitors can walk right up to the building. From discussions with Glen Poole, who manages the house: during peak season, 150-200 visitors pass through a day. Despite this level of use, 17-Mile House has not had any incidents of vandalism or attempted break-ins. She stated based on that experience and staff’s experience, she believed the city needs to trust their residents and give them access to the farm that was gifted to them.

Mr. Kim expressed concern about this property being different from other parks since it is accessible from the High Line Canal Trail.

Parks and Recreation Coordinator Black answered that both Three Pond Park and Dahlia Hollow Park are adjacent to the High Line, and also are not overwhelmed with visitors.

Mr. Kim stated use of the High Line Canal Trail would greatly increase due to the underpass installation at Hampden Avenue.

Committee Member De Leo stated perhaps the High Line Canal Conservancy should be responsible for helping with the Farm if traffic increases on the High Line Canal.

Chair Stewart stated it is easier to open the Farm on a limited basis and later expand hours rather than the reverse.

Ms. Black responded that there are already issues as the Committee can see in their packets (from Alan Levy’s letter) that people attended the Open House and now think the Farm is open. She reiterated that the Parks Department does not see issues in other parks. Ms. Black responded to Mr. Kim’s comment.
that the underpass could increase use on the High Line Canal and agreed that that was an important time to re-evaluate, but the project is about two years away from completion.

Chair Stewart stated he heard a report that a bicyclist used the Nature Trail during the Open House.

Robert Eber, Chair of the Parks, Trails, and Recreation Commission, stated he thought it was important for the record to reflect that PTRC’s recommendation of two days per week opening was on an interim basis as a trial period, not a recommendation that those be the permanent days and hours. He stated if the question was for a permanent recommendation for openness, PTRC may make a different recommendation.

Chair Stewart replied that the Quincy Farm Committee’s recommendation was not meant to be permanent either, but to open for a month and re-evaluate. He asked for other comments from the public, and asked Ms. Black for the report on the Huber Family Foundation.

Parks and Recreation Coordinator Black asked if the Committee was not going to make a recommendation about Public Access.

Chair Stewart stated he thought the consensus was the Committee would not change its recommendation.

Mayor Pro Tem Hoellen stated because this was the public meeting, the Committee may want to reaffirm that after hearing public input, the Committee wants to stand by their original thoughts.

Chair Stewart motioned that beginning November 10th or until the sewer is installed, the Farm would be open Saturdays from 8am-5pm and a volunteer would be present or part-time staff, that a sign would be present on the High Line Canal along with other directional signs, and that the area accessible would be the Nature Trail and gardens. The Nature Trail will have seasonal closures to protect the owl nest. Volunteers will be present in the Main House and there will be access to the Main House as long as a volunteer is present. The Quincy Farm Committee will evaluate after one month to make adjustments as needed. Committee Member De Leo seconded the motion.

Ms. Black asked that everyone was clear that this motion was different from the Committee’s initial motion which did not provide access to the interior of the Main House, and is another layer of access that the Committee had not discussed until this motion. Chair Stewart replied that was correct.

Committee Member Sydlow stated if there was a volunteer present, access to the house could be controlled.

Committee Member Vanderwerf asked if the access should be limited to the main level. Ms. Black replied that City records are temporarily stored in the upstairs of the house while the new City Hall is under construction. City Manager Thorsen stated the Committee should leave the decision about areas to staff, and likely the upstairs would not be open.

Chair Stewart called for a vote and the motion passed unanimously.
Minutes of the
Parks, Trails & Recreation Commission of the
City of City of Cherry Hills Village, Colorado
Held on Thursday, December 13, 2018 at 6:30 p.m.
at the Village Center

STUDY SESSION
A study session was held at 5:30 p.m. to discuss rezoning John Meade Park.

PARKS, TRAILS AND RECREATION COMMISSION REGULAR MEETING

Chair Robert Eber called the meeting to order at 6:30 p.m.

ROLL CALL

Chair Robert Eber, Commissioners Fred Wolfe, Josh DiCarlo, Peter Sutherland, Aron Grodinsky, Kate Murphy, Stephanie Dahl, and Councillor Gallagher. Also present were Emily Black, Parks and Recreation Coordinator, Jeff Roberts, Parks Operation Supervisor, Rachel Granrath, Community Development Director and Pamela Broyles, Administrative Assistant.

PLEDGE OF ALLEGIANCE

The PTRC conducted the Pledge of Allegiance.

AUDIENCE PARTICIPATION PERIOD

There was no audience participation.

CONSENT AGENDA

Commissioner Stephanie Dahl moved, seconded by Commissioner Aron Grodinsky to approve the following items on the Consent Agenda:

1. Approval of Minutes – November 8th, 2018

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

b. Quincy Farm Public Access

Parks and Recreation Coordinator Ms. Black reported that staff is seeking a recommendation from the PTRC to City Council regarding public access to Quincy Farm. Minutes of the November 27th Quincy Farm public input meeting were included in the PTRC packet. Ms. Black provided a brief summary of previous discussions and recommendations from the PTRC and Quincy Farm Committee. The Quincy Farm Committee determined that there should be more opportunity for public input before bringing a final recommendation to City Council. Ms. Black published an article in the Village Crier encouraging residents to send feedback or attend the November 27th Quincy Farm meeting. Following the public input meeting, the Quincy Farm Committee made a few changes to their original recommendation.

The Quincy Farm Committee maintained its original recommendation that the Farm be open from 8 a.m. to 5 p.m. on Saturday with an attendant present. The Committee deviated from its Parks & Trails Commission

12/13/18
original motion by recommending public access to the interior Farm House along with the Nature Trail. The original motion stands other than this exception.

Ms. Black confirmed that staff’s recommendation that the Farm be open every day during daylight hours has not changed, based on feedback from the public input meeting that people want to have access to the Farm. She reiterated that Colorado Open Lands has final say based on the Conservation Easement. Ms. Black expressed that staff’s recommendation is based on past discussions with Colorado Open Lands when the Nature Trail was being approved. Staff proposes having a gated entrance off the High Line Canal and opening the Farm from dawn to dusk to remain consistent with other City parks. Ms. Black expressed that the question before PTRC, based on recent feedback from the public, is whether the Commission wants to change its recommendation to City Council.

Ms. Black explained to the Commission that City Council will review the final proposal based on public input and the recommendations from the Quincy Farm Committee and the PTRC. The proposal is tentatively scheduled to go before City Council the first week in February. Once the proposal is finalized, staff will send the proposal to Colorado Open Lands for final approval before the Farm can be opened.

Chair Eber remarked that it is important to know whether this recommendation is considered an interim or long-term decision.

Ms. Black responded that the final proposal will go before Colorado Open Lands for approval and any future changes would also need to be reviewed and approved by them. She suggested that the Commission consider the additional time it would take to change the recommendation in the future.

Commissioner Murphy questioned the need for an attendant and whether it was a volunteer or paid position. She expressed concern that if a volunteer was not available the Farm would not be open. Ms. Murphy stated that she does not see the need for an attendant on the Nature Trail, but agrees that an attendant would be necessary in the house if open to the public.

Ms. Black responded that the idea is to have volunteers at the Farm. The City Manager is communicating with the Cherry Hills Land Preserve on the potential for volunteers. Ms. Black confirmed that the current recommendation from the Quincy Farm Committee is that the Farm would only be open if an attendant was onsite including the Nature Trail.

Russell Stewart, Chair of Quincy Farm Committee explained to the Commission that the goal is to open the Farm so people can start enjoying it while being consistent with the Conservation Easement. The Committee’s concern is that this section of the property is limited in use and has higher restrictions. It can only be used for preservation uses and agricultural uses. The Committee is concerned that opening this section of the Farm for recreational uses would be prohibited by Colorado Open Lands. The Committee would like to take baby steps by opening the Farm on the weekends and work with the Cherry Hills Land Preserve to attend the property. Mr. Stewart noted that neighbors expressed concern at the public input meeting to having the Farm open seven days a week. In addition, the sewer installation has been delayed and needs to be in place before the Farm can open.

Commissioner Wolfe asked if the use of the Nature Trail is considered recreational.

Mr. Stewart responded that if the Trail is being used to view the signs and observe the Farm from an educational standpoint it is fine, but other purposes are not allowed.

Commissioner Wolfe asked if the attendant at the Farm would be responsible for making sure that people are not abusing the Trail or using it for recreational purposes.

Mr. Stewart responded that they would serve in the capacity of a docent and would be responsible for making sure the property is being used consistently with the Conservation Easement.

Commissioner Grodinsky suggested that signage would be a more useful way to enforce the rules.

Parks & Trails Commission
12/13/18
Mr. Stewart responded that it might be an option in the future, but the Committee would like to be conservative and have the property monitored to begin with. Mr. Stewart acknowledged that this will be temporary and not a long-term decision.

The PTRC expressed concern with requiring an attendant to be present before the Farm could be open. The Commission agreed that it would be difficult to find a volunteer for eight hours every Saturday.

Ms. Black cautioned that if an attendant is required to be present and no volunteer is available, then the City would have to go back to Colorado Open Lands to make any changes causing further delay in opening the Farm. Ms. Black asserted that a sign letting people know what the appropriate uses are along with monitoring by Code Enforcement Officers is enough.

The Commission discussed safety and liability concerns if a docent is required to enforce the Conservation Easement. The Commission agreed that signage, watchful neighbors and City Code Enforcement would be adequate to monitor the outside of the Farm.

The Commission voiced concern that access to the Farm is contingent on having a volunteer on the property when the City has not experienced any issues with other Parks and open space. The Commission also acknowledged that using funding for the Farm and not opening it up to the public, unless there is a volunteer onsite, raises a concern.

The Commission discussed the proposed change by the Quincy Farm Committee to open the main house to the public.

Councilor Gallagher asked Ms. Black to explain the expectations of Colorado Open Lands. He stated that it would be unproductive to present a proposal that would be denied and have to start the process over again.

Ms. Black responded that her discussions with Colorado Open Lands in 2017 included having a sign and gate at the High Line Canal that would be open dawn to dusk to access the Nature Trail. At that time, the interpretation of limited access was appropriate with this proposal so long as the trail was defined in some way such as mowing. Ms. Black said Colorado Open Lands is looking for a final proposal at this time.

Quincy Farm Committee member Lucinda Greene commented that the Quincy Farm property is different and requires different management. The Community needs to be mindful of the gift and the restrictions within that gift. Ms. Greene asserted that the City currently does not have the resources and budget to open the Farm in the way it needs to be monitored per the Conservation Easement.

Commissioner Dahl suggested that the City request approval from Colorado Open Lands to open the Farm seven days a week allowing the City to have the option to choose the days it will be open. The City can choose to open the Farm on weekends and expand the hours without having to go back to Colorado Open Lands for permission.

The Commission agreed that the Nature Trail should be open from dawn to dusk on Friday, Saturday and Sunday with no attendant required. The Commission agreed that the house should not be open to the public at this time.

Commissioner Stephanie Dahl moved, seconded by Commissioner Kate Murphy to recommend that City Council provide public access to Quincy Farm with the following conditions:
- Approval from Colorado Open Lands to open the Nature Trail from dawn to dusk
- The Farm to be open 7 days a week without an attendant
- The inside of the home will not be open to public access

The motion passed unanimously.

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Parks & Trails Commission
12/13/18
Quincy Farm Master Plan

October 30th meeting

We do not live in the Village but almost every day of the week we are walking with our dog (on leash) somewhere in the village. Sometimes just on the Highline trail from Hampden to Belleview; other times a combination of trail and the Kent open space. It is the highlight of our day: the solitude, the landscape and all that the trail system provides because of the commitment of the people of Cherry Hills Village.

A month ago we discovered the Quincy farm during the open house; and for a couple of weeks we had been including the open space as part of our walk. It's really a piece of heaven, quite secluded, feeling more like a farm in the country. We, however, were stopped on one of our journeys through the property and informed that it is not open to the public. You have no idea our disappointment. We had noted all the infrastructure of paths, places to sit and containers for trash; and just assumed it was open to the public.

We are urging the committee to allow the park area associated with the Farm to be accessible to the public during the daytime...... Please.

Allen, Hannah & Zoe Levy

303 759 3231