City Council Agenda
Tuesday, February 19, 2019
2460 E. Quincy Avenue, Cherry Hills Village CO 80113
Joint Public Safety Facility

Meeting of the Cherry Hills Village City Council

6:00 p.m. – Study Session
1. Updated Emergency Operations Plan
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. Reports from Members of City Boards, Commissions and Committees

7. Consent Agenda
   a. Approval of Minutes – February 5, 2019
   b. Resolution 9, Series 2019; A Resolution of the City Council of the City of Cherry Hills Village Approving the Updated Emergency Operations Plan
   c. Resolution 10, Series 2019; A Resolution of the City Council of the City of Cherry Hills Village Concerning the Appointment of a New Member to the Board of Adjustment and Appeals
   d. Resolution 11, Series 2019; A Resolution of the City Council of the City of Cherry Hills Village Appointing a New Member to the Quincy Farm Committee

8. Items Removed From Consent Agenda

9. Unfinished Business
   a. Council Bill 1, Series 2019; 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 (second and final reading)

***Agenda Continues on Second Page***
10. New Business  
   a. Board, Commission and Committee Member Terms  
   b. Discussion of Amendments to the City Council Rules of Procedure

**Meeting of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District Board**

11. Call to Order

12. Roll Call of Members

13. Business  
   a. Resolution 1, Series 2019; A Resolution of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (GID) Board of Directors Adopting the GID’s Official Seal  
   b. Board Bill 1, Series 2019; A Bill for an Ordinance of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District, in the City of Cherry Hills Village, Colorado, Providing for the Issuance of General Obligation Bonds of Such District, Series 2019, in an Aggregate Principal Amount Not Exceeding $550,000, to Finance the Cost of Certain Improvements Approved at a District Election Held on November 6, 2018; Ratifying Actions Heretofore Taken; Authorizing the Execution by the District of the Bonds and Related Documents Required in Connection Therewith; and Making Determinations as to Other Matters Related to the Bonds (first reading)  
   c. Resolution 2, Series 2019; A Resolution of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (GID) Board of Directors Approving the Public Service Company of Colorado (Xcel Energy) Letter Agreement Dated December 5, 2018, and Authorizing the City Manager to Execute the Letter Agreement on Behalf of the GID  
   d. Resolution 3, Series 2019; A Resolution of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (GID) Board of Directors Approving the CenturyLink Special Construction Proposal Dated January 16, 2019, and Authorizing the City Manager to Execute the Proposal on Behalf of the GID

14. Adjournment  

**Reconvene Meeting of the Cherry Hills Village City Council**

15. Reports  
   a. Mayor  
   b. Members of City Council  
   c. City Manager and Staff  
      (i) Department Monthly Reports  
   d. City Attorney

16. Adjournment

Notice: Agenda is subject to change.  
If you will need special assistance in order to attend any of the City’s public meetings, please notify the City of Cherry Hills Village at 303-789-2541, 48 hours in advance.
Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, February 5, 2019 at 6:30 p.m.
At the Joint Public Safety Facility

The City Council held a study session at 5:29 p.m.

Mayor Russell Stewart called the meeting to order at 6:29 p.m.

ROLL CALL

Mayor Russell Stewart, Councilors Afshin Salavii, 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 Grantham, Finance Director Jessica Sager, Parks and Recreation Coordinator Emily Black, Parks Operations Supervisor Jeff Roberts and City Clerk Laura Gillespie.

Absent: Councilor Randy Weil

PLEDGE OF ALLEGIANCE

The Council conducted the pledge of allegiance.

APPROVAL OF AGENDA

Mayor Pro Tem Brown moved, seconded by Councilor Gallagher to approve the agenda as proposed.

The motion passed unanimously.

AUDIENCE PARTICIPATION PERIOD

Susan MaGuire, 14 Mockingbird Lane, introduced herself as the new Interim Director of the Cherry Hills Land Preserve (CHLP). She noted that the CHLP was excited for the possible opening of Quincy Farm on a regular basis. She indicated that CHLP wanted to reiterate its desire to work with the City to help maximize the benefits of Quincy Farm by being a source of volunteers, providing educational programing, and assisting with fundraising.

Klasina VanderWerf, 5250 E. Chenango Avenue, indicated that she was a member of the Quincy Farm Committee (QFC). She stated that she appreciated City staff's experience and knowledge of City parks and trails, but that they were experts of the current properties and Quincy Farm was a different type of property. She noted that unlike other City parks and trails, Quincy Farm was governed by a conservation easement which outlined specific uses, constraints, and conservation values that
needed to be preserved; had its own committee; and had buildings. She indicated that
the tenants and neighbors of Quincy Farm were getting used to it being a public
property. She stated that the QFC had a commitment to the property and recommended
small steps such as opening the property to the public for limited hours and limited days
per week with a volunteer on hand to monitor the property, remind users of the
constraints, provide education about the property to users, and provide feedback to the
QFC and staff. She indicated that the QFC proposed to reassess the public hours after
two months. She noted that former Councilor Alex Brown had stated that when in doubt
about Quincy Farm, go slow.

Gordon Rockafellow, 4200 E. Quincy Avenue, stated that he was speaking in place of
Jeri Neff who was unable to attend the meeting tonight. He indicated that her primary
concern was security as she lived at the front of the driveway entering Quincy Farm and
she did not feel security was being sufficiently addressed. He warned the City that they
could not rely on the neighbors to monitor the property as neighbors couldn’t see the
east side of the property due to foliage. He questioned what was allowed and not
allowed in the conservation easement.

Howard Schirmer, 4100 E. Quincy Avenue, explained that he was one of the neighbors
who Cat Anderson had asked to sign papers to bring the current situation about. He
noted that his view of the future of the property had been preservation of a rural area
with no change from past conditions, rather than the current development of a City park.
He agreed with the recommendations from the QFC. He noted that security was a
serious issue for the property. He encouraged Council to proceed slowly with opening
the property to the public.

Lucinda Greene, 2855 Cherryridge Road, stated that she was a member of the QFC
and had spent a lot of time on the property as a member of the QFC and as a member
of the Cherry Hills Land Preserve. She noted that on page four of the conservation
easement, under the Acknowledgement of Intent section, the Purpose stated “The
purpose of this easement is to preserve and protect in perpetuity the conservation
values of the property.”; page five stated that “The West Area may be used for
preservation uses as described in paragraph 5(a), subject to the limitations described in
paragraph 4(a)(4)...”; paragraph 5(a) on page 9 stated “The property, and the structures
permitted thereon, may be used as a nature preserve, for historic preservation and
interpretation, for gardens, for private and public meetings, gatherings and celebrations,
for classes and education, for photography, painting and other artistic endeavors...” and
paragraph 4(a)(4) on page seven stated “...The West Area shall be managed primarily
as a natural area with limited public access...” She noted that designating hours when
the property would be open did not get at the real intent of the purpose to preserve and
protect the conservation values of the property. She indicated that recent QFC meetings
had been discordant regarding the issue of public access. She stated that the QFC’s
recommendation would allow the City to determine what resources were needed, how
best to educate the public that this property was different than others, how to protect the
wildlife, and how to educate the public on the conservation values. She indicated that
while the QFC was nearer to completion of the management plan there were still

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significant issues with the impact of uses on the west side of the property. She asked Council to approve a soft trial opening with a volunteer docent and to allow the QFC to continue their important work.

Peter Clute, 4300 S. Dahlia Street, stated that he and his wife were present tonight and welcomed the opportunity to establish a memorial bench for their daughter, Caroline Clute. He explained that their daughter had been born in Denver, lived much of her life in the Village and Fort Collins, and had died tragically. He noted that they had worked closely with Parks Operations Supervisor Roberts to find the proposed memorial bench which was located in a quiet alcove of Dahlia Hollow Park. He thanked everyone at the Village for the opportunity to donate a memorial bench. He indicated that his daughter’s death had been avoidable and in his opinion had been malpractice. He prayed that no one would experience what he and his wife had gone through as parents.

CONSENT AGENDA

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

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

City Council Liaison Assignments

City Clerk Gillespie presented an amended Liaison Program and assignments list for Council’s consideration. She explained that staff had amended these documents based on Council discussion at the January 15, 2019 meeting and the primary change was to remove Council liaisons to City boards, commissions and committees. Instead board, commission and committee members would be encouraged to attend Council meetings and there would be more joint study sessions and regular meetings between the groups to facilitate increased dialogue.
Councilor Sheldon noted that Councilor Blum did not have a liaison assignment for any outside agency.

Councilor Blum offered to be the primary liaison for the Centennial Airport Community Noise Roundtable.

Councilor Sheldon asked Mayor Stewart if he was comfortable being the primary liaison for so many outside agencies.

Mayor Stewart confirmed he was comfortable.

Mayor Pro Tem Brown suggested a grammatical edit to the Liaison Program document.

Mayor Pro Tem Brown moved, seconded by Councilor Gallagher to the amended City Council Liaison Program and updated City Council Liaison Assignments as attached to the February 5, 2019 staff memorandum, with the amendments to each document as discussed.

The motion passed unanimously.

NEW BUSINESS

Resolution 8, Series 2019; Accepting a Bench Donation in Memory of Caroline Clute

Coordinator Black presented Resolution 8, Series 2019 for Council's consideration. She explained that the resolution would accept a memorial bench donation in memory of Caroline Clute.

Mayor Pro Tem Brown thanked the Clutes and noted that the bench would be a beautiful addition to Dahlia Hollow Park. She indicated that she hoped it would honor their daughter's memory and that she was very sorry for their loss.

Councilor Gallagher added that it was nice the bench was so close to the Clute's residence.

Councilor Sheldon moved, seconded by Mayor Pro Tem Brown to approve Resolution 8, Series 2019; accepting a bench donation in memory of Caroline Mieville Clute.

The motion passed unanimously.

2019 Trail Signing Project

Coordinator Black explained that the Parks, Trails and Recreation Commission (PTRC) had determined that one of their 2019 priorities was to create new signs for the trails in the Village. She indicated that the existing numbering system was confusing to users and did not provide helpful information to navigate between points in the City. PTRC
Vice Chair Fred Wolfe had created a proposal for new signage on the trails. Based on estimated costs, the 2019 budget included a $10,000 line item for this project. PTRC also discussed the idea of a “Village Trail” that would pass by significant landmarks in the City.

PTRC Vice Chair Wolfe stated that he had been a Village resident for over 30 years and a PTRC member for two years. He noted that the current trail numbering system was tied to residential home addresses but was not helpful for users of the trails. He explained that based on the system he had observed in Switzerland he suggested a new signage system that would indicate the distance from the sign to significant points. He identified 24 intersections that needed signs. He proposed eight foot posts with a top image, sign flags to direct users to significant points with the minutes required to walk there based on a 20 minute mile, and below those the Police Department phone number and the biker sign. He indicated that these signs were designed to work with equestrians. He added that in order to provide easy location identification to emergency services and the Public Works department each sign would also contain an identifying letter and number based on its location.

Quincy Farm Committee member Katie Agron noted that although the indication of minutes required to walk to the next location was not initially intuitive it did become intuitive quickly for users of the trails in Switzerland. She noted that Switzerland had looked at several different options and decided that minutes made more sense than using miles or kilometers.

Vice Chair Wolf added that the minutes indicator was intended for walkers and that other users such as cyclists and equestrians would have to make their own adjustments. He noted that the new signs would be weatherproof. He expressed concern with coordinating sign design with the High Line Canal Conservancy for signs on the High Line Canal. He indicated that the Swiss signs were bright orange for improved visibility.

Councilor Sheldon thanked Vice Chair Wolfe for his work on the project. He asked if cyclists or equestrians used the Swiss trails.

QFC member Agron replied that cyclists did but equestrians did not.

Councilor Sheldon noted that Village trails had four types of users – walkers, joggers, cyclists and equestrians – and questioned the appropriateness of minutes versus miles on the new signs. He agreed that the Village signs should be coordinated somehow with the High Line Canal signs for continuity, but noted that the three miles of High Line Canal trail in the City should not necessarily dictate signage for the other 34 miles of Village trails.

Councilor Gallagher agreed that the trail signs needed improvement, especially in the periphery areas where users were more likely to get lost. He agreed that the Village
signs should be coordinated with the High Line Canal signs. He thanked Vice Chair Wolfe for his work on the project.

Mayor Pro Tem Brown agreed that improvement was needed. She agreed with Councilor Sheldon that miles might be more appropriate than minutes. She suggested that the Village trail signs could use the same material as the High Line Canal signs but have unique identifying features. She thanked Vice Chair Wolfe for his initiative with the project. She suggested letting the High Line Canal Conservancy set the initial tone of signage and then having the Village use a variant.

Councilor Safavi agreed that a change was needed and he thought Vice Chair Wolfe’s proposal would be a good improvement.

Vice Chair Wolfe added that after the new signage was installed the next step would be to update the City’s trail map.

QFC member Agron noted that Central Park had a very good trail map that might be useful for PTRC to review.

Councilor Blum asked if the High Line Canal signs included distances and if putting minutes on the Village signs would conflict.

Councilor Sheldon confirmed the High Line Canal signs included distances.

Councilor Blum suggested that Vice Chair Wolfe could meet with the High Line Canal Conservancy to find out about their plans for signage on the High Line Canal.

Vice Chair Wolfe also suggested that the City could begin to do memorial bridge donations since they were running out of space for memorial bench donations.

Mayor Stewart agreed that the current trail sign system needed improvement. He asked if the identifying letter and number would be sufficient for staff to locate an issue on a trail.

Deputy City Manager/Director Goldie confirmed that it would.

Vice Chair Wolfe noted that PTRC had also begun a discussion about electronic bikes but had tabled the issue to see what other municipalities did.

Deputy City Manager/Director Goldie indicated that rule enforcement signs would still be present on the trails and would be separate from these new directional signs. He suggested installing some of the new signs away from the High Line Canal to get input from trail users.

Mayor Pro Tem Brown noted that the Village Trail was a great idea.

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Mayor Stewart noted that it might be beneficial to have the City trail signs be distinctive from the High Line Canal signs in order to identify them clearly as Village trails.

Councillor Blum agreed. He asked for more information about electronic bikes.

Deputy City Manager/Director Goldie replied that the smaller electronic bikes were hard to identify and so it was easier to enforce a speed limit of 10 miles per hour on trails rather than enforce the prohibition on electronic bikes. He added that allowing electronic bikes was a slippery slope to other motorized vehicles.

Vice Chair Wolfe noted that there was already an issue with regular bikes on the trails not announcing their presence to pedestrians.

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)

Director Sager presented Council Bill 1, Series 2019 on first reading. She explained that Council had approved the organization of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (GID) and now a fund was needed in the City budget to track expenses and revenues for the project.

Councillor Sheldon asked about the number of poles that were involved in the undergrounding project.

City Manager Thorsen replied that he would include information about the number of poles and linear feet of utility lines in his next update to Council.

Mayor Stewart asked about transformers.

Deputy City Manager/Director Goldie replied that it was a little convoluted because as part of the undergrounding project Xcel was doing some updates and upgrades to their system.

Mayor Pro Tem Brown moved, seconded by Councillor Sheldon 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.

The following votes were recorded:

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<th>Name</th>
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<tr>
<td>Safavi</td>
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<td>Brown</td>
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<td>Gallagher</td>
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<td>Sheldon</td>
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<td>Blum</td>
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Vote on the Council Bill 1-2019: 5 ayes. 0 nays. The motion carried.

Public Access at Quincy Farm

Coordinator Black explained that there was 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 would be able to visit the property. The Nature Trail, and Plant Select and Pollinator gardens were complete and were shared with the public at the Open House on August 25, 2018. Staff was excited to share Cat Anderson's gift with the community on a more regular basis. Both the Quincy Farm Committee (QFC) and Parks, Trails and Recreation Commission (PTRC) had discussed this issue at two meetings each. The second QFC meeting had been advertised on the front page of the Village Crier as a public input meeting. Letters were sent to all adjacent homeowners in August 2019 advising them of upcoming QFC and PTRC meetings to discuss access. The City Manager, Public Works Director, Parks Operations Supervisor, and Parks Coordinator had met with the tenants to discuss access points, signage, and ways to balance tenant privacy with the realities of living on donated public land. Staff’s memo included the QFC recommendation, the PTRC recommendation and staff’s recommendation for public access to Quincy Farm. Staff also planned to install a sign at the High Line Canal entrance to Quincy Farm as well as other directional and rule signs, and to reroute the Nature Trail seasonally to protect the Great Horned Owl nest. If Council desired to have more restricted hours, staff recommended that the City still seek approval from Colorado Open Lands to have the property open daily from sunrise to sunset, and then only approve the desired hours of operation for staff to enforce. That would eliminate the need to go back to Colorado Open Lands in the future if Council desired to open the property more hours and days of the week. No access would be given to Quincy Farm until final approval was received from Colorado Open Lands. Coordinator Black noted that staff had received two emails about this issue today which were provided to Council on the dais. She indicated that everyone in the room cared deeply about Quincy Farm and wanted to share the property with residents in a way they felt was appropriate. She noted that Colorado Open Lands was there to support the City and help to interpret the conservation easement.

Councilor Safavi expressed concern that citizens might be uncomfortable if Council asked Colorado Open Lands to approve more extensive hours, even if Council stated they were intending to approve more restricted access.

Mayor Stewart indicated that Colorado Open Lands was more concerned with the use of the property rather than the hours it was open. He suggested a meeting between Colorado Open Lands and the QFC.

Coordinator Black agreed that a meeting would make sense when discussing uses and programming in the future, but that was a separate issue from opening the property for public access. She indicated that the City had owned the property for two and a half
years and needed to make a request to Colorado Open Lands for public access in order to fulfill Cat Anderson’s wishes and provide some level of public access, as the current level did not fit the conservation easement. She added that the Nature Trail and gardens had been created with a grant from the Cherry Hills Land Preserve but had so far only been available to residents for one day, during the Open House.

Councilor Sheldon asked about the process with Colorado Open Lands.

Coordinator Black replied that the City had not yet gone through the process that would be required for a public access plan, in which the City would submit an official letter which would be deliberated by the Board. She indicated that since the City had not gone through that official process yet she did not know what the timeline would be, but guessed it would be around 30 days to receive a response.

Councilor Sheldon noted that Council had heard from several residents tonight to proceed slowly and suggested that Council could approve limited hours and then go back through the process to expand the hours in the future if they chose to.

Mayor Pro Tem Brown indicated that she was well acquainted with the conservation easement from her time serving on the Quincy Farm Visioning Committee. She noted that there were many different interpretations of the concept of limited use. She suggested that Council needed to decide what limited use meant.

Councilor Gallagher stated that the issue of public access had been dragging on and that Council needed to make a decision in order to move forward. He suggested that Council ask Colorado Open Lands to approve expanded hours and then approve limited hours to begin with.

Councilor Sheldon noted that he had not heard from residents who wanted more access to the property and agreed with Councilor Safavi that residents needed to be comfortable with the level of access.

Councilor Gallagher agreed but stated that the City needed to open the property in order to see what the actual use should be. He indicated that the Main House should not be open unless someone was present.

Councilor Blum asked if Colorado Open Lands might turn down a request for more access.

Coordinator Black replied that when the Nature Trail had been approved in summer 2017 she had informally asked Cheryl Cufre from Colorado Open Lands and had been told that Colorado Open Lands was more concerned with keeping users on a trail on the property, for example, than with the hours.

Mayor Stewart asked if jogging and walking dogs would be allowed on the property.
Coordinator Black replied that jogging would be allowed and that the conservation easement did not specifically address dogs. She noted that part of her discussion with Ms. Cufre had been that Cat Anderson had been very specific about things that she had cared about, such as prohibiting bicycles and white fences. She indicated that part of Ms. Cufre's interpretation of the conservation easement was that Cat Anderson had not been specific about the term "limited use" and had left it open to interpretation. She noted that the City was tasked with being responsible stewards of the property but also with doing the responsible thing for the residents whose taxpayer dollars were paying for the property.

Mayor Stewart noted that the conservation easement allowed for recreational uses on the east side of the property only and asked how the City would enforce that if the west side were open to the public without a docent.

Coordinator Black replied that if Colorado Open Lands was comfortable with the City's proposed hours, supervision and signage for the west side, then staff was comfortable with that as well. She added that there would absolutely be an option for volunteers to be on the property in the future for educational programs and activities.

Mayor Pro Tem Brown noted that in the QFC minutes former Mayor Christman had noted that the City had spent $300,000 on Quincy Farm so far in 2018. She asked about the 2019 budget.

Coordinator Black replied that the 2019 budget included $509,000 for Quincy Farm.

Mayor Pro Tem Brown noted that was a lot of taxpayer money. She stated that she was very sensitive to Cat Anderson's desires and the generous gift to the City, but that she had given the property to the City and the City was obligated to serve the residents of the community within the constraints of the conservation easement. She indicated that Cherry Hills Land Preserve's grant for the Nature Trail and gardens was generous and appreciated but asked for what purpose they were there if there was no public access to them. She suggested that if there had been no intent to allow use of the trail and gardens then perhaps the City should not have accepted the grant. She indicated that the City needed to maximize the benefit of the property for the community, Cat Anderson and the residents while being very mindful and respectful of the tenants who lived on the property and their safety and security, and of the neighbors.

Councilor Blum asked about the status of the management plan.

Coordinator Black replied that the two year master plan had been completed as a requirement of the conservation easement, and the QFC was working on the ten year master plan. She explained that the ten year master plan was still in draft form, had gone to PTRC for feedback, and that there was discussion about applying for a planning grant through Arapahoe County Open Space to assist with its completion.
Mayor Stewart stated that the plan was basically done and that the planning grant was for a limited scope of consultation to ensure that the management plan was in a good form to apply for future grants.

Councilor Blum asked if the management plan addressed hours of public access.

Mayor Stewart replied that it did not and was a high level document.

Councilor Safavi indicated that it did not matter how long the City had owned the property. He suggested that Council start slow with limited hours, evaluate after a certain time period, and return to Colorado Open Lands to ask for expanded hours as necessary as it seemed to be a fairly short process.

Mayor Stewart noted that submitting the public access plan to Colorado Open Lands was not a requirement but rather best practices in order to avoid future issues.

Councilor Gallagher suggested that Council submit expanded hours to Colorado Open Lands for approval but start with limited hours and monitoring if needed, and reevaluate after a specific timeframe.

Mayor Stewart indicated that he believed meeting between Ms. Cufre and the QFC would be more effective than sending letters to Colorado Open Lands.

Coordinator Black stated that she believed there was value in having a written confirmation from Colorado Open Lands approving the City's plan.

Mayor Stewart agreed. He noted that in his conversations with Ms. Cufre she had agreed that it was easier to start small and work up to increased access rather than starting with increased access and finding out it needed to be more restricted later.

Mayor Pro Tem Brown asked for reasons why access would have to be restricted later.

Mayor Stewart suggested that if bikers were using the property, people were taking down the signs, or neighbors were complaining about noise then access might have to be restricted.

Councilor Safavi agreed with starting with limited hours and expanding if there were no issues to eventually be open full time.

Mayor Pro Tem Brown indicated that if Council planned a phased implementation it would make sense to see if the end result was even possible by submitting that to Colorado Open Lands. She indicated that this had been a very deliberative process. She added that there had been residents at the Open House who had requested increased public access.
Councilor Safavi noted that he had only heard from residents who wanted limited access.

Mayor Pro Tem Brown replied that she had heard from people who wanted more access but that they were not present tonight.

Mayor Stewart noted that staff could return with a single recommendation from QFC and PTRC.

Coordinator Black replied that staff did attempt to get a single recommendation and that had resulted in the multiple meetings with each group, and that she believed QFC and PTRC would be frustrated if this issue came back to them again.

Mayor Stewart noted that the QFC's views were important and suggested that Council be deferential to them.

Councilor Blum asked why staff did not recommend a volunteer be on site.

Coordinator Black replied that staff recommended that there not be a requirement for a volunteer in order for the property to be open. She noted that she believed there was a need for volunteers in the future but that was a separate issue and staff did not recommend that public access to the property be dependent on a volunteer being present.

Councilor Gallagher moved, seconded by Mayor Pro Tem Brown to recommend that City Council provide public access to Quincy Farm with the following conditions and hours: approval from Colorado Open Lands to open the Nature Trail from dawn to dusk; the Farm to be open seven days a week without an attendant; the inside of the Main House will not be open to public access; for a trial period of four months.

Councilor Sheldon clarified that the motion was for seven days a week dawn to dusk, rather than asking Colorado Open Lands for those hours and then opening the property for more limited hours.

Councilor Gallagher confirmed that was correct. He suggested that if that access resulted in issues then Council could further restrict the hours as necessary.

Councilor Blum asked if the motion should be amended to add that the public access would be subject to review in two months and at that point Council could make an adjustment to the hours.

Councilor Gallagher noted that there would not be much use of the property until the spring.

Mayor Stewart noted that the breeding season of the Great Horned Owls was beginning and the sewer project was currently ongoing.

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Coordinator Black indicated that the sewer project was occurring now and would be completed within 30 days.

Mayor Pro Tem Brown asked when the breeding season would end.

Coordinator Black replied that the owls typically nested in January and February, but a different pair was at the property this year than past years so staff should know by the end of February. She indicated that the Nature Trail was designed so that it could be rerouted during the owl’s breeding season to avoid that area for that time period, probably through April or May.

Mayor Pro Tem Brown asked if the use of the gardens would disturb the owls.

Coordinator Black replied it would not.

Mayor Pro Tem Brown proposed an amendment to the motion that public access begin on March 1st.

Councilor Sheldon asked Chief Tovrea if it would be problematic for officers if Council changed the hours.

Chief Tovrea replied that it would not be problematic and that the Police Department just needed to know what the hours were so they could be enforced. She noted that they would try to patrol the property more often at the beginning but that in general it would be patrolled the same as other City parks.

Councilor Sheldon asked about the hours that other City parks were open.

Coordinator Black replied that other City parks were open from 6 a.m. to 11 p.m. which was a hold over from when they were owned by South Suburban. She noted that this was an issue on staff’s list to have the PTRC discuss and submit a recommendation to Council.

Councilor Blum asked if this motion would allow Council to restrict the hours if they determined that needed to occur after the four month trial period.

Councilor Gallagher agreed that would be a good amendment to the motion.

City Manager Thorsen suggested that the motion be amended to include that City staff would bring a report to Council at the conclusion of the four months.

Councilor Blum added that Council would be able to review staff’s report and adjust the hours accordingly.
City Attorney Guckenberger asked if there had been a second to Mayor Pro Tem Brown's amendment to the motion.

Councilor Blum seconded the amendment to the motion.

City Attorney Guckenberger noted that Councilor Blum's amendment to the amendment to the motion also needed a second.

Councilor Sheldon suggested starting with a new motion.

Mayor Stewart noted that the owls were present beyond March 1st.

Mayor Pro Tem Brown replied that the Nature Trail could be rerouted to avoid the owls and use of the gardens would not disturb the owls.

Coordinator Black noted that all the recommendations agreed about protecting the owls.

Mayor Stewart questioned how the City would ensure protection of the owls if a docent was not on site.

Councilor Safavi asked what metrics would be used for the four month review.

Coordinator Black replied that staff would collect information on safety and responsible usage.

City Manager Thorsen added that staff would include feedback from users, tenants and neighbors, as well as any reports from the Police Department regarding vandalism or trespassing.

Councilor Gallagher asked that staff bring major issues to Council's attention as they occurred rather than waiting until the end of the four months.

City Clerk Smith asked for clarification that the four months was from the March 1st date.

Councilor Gallagher withdrew his original motion.

Councilor Gallagher moved, seconded by Councilor Blum to recommend that City Council provide public access to Quincy Farm with the following conditions and hours: approval from Colorado Open Lands to open the Nature Trail from dawn to dusk; the Farm to be open seven days a week without an attendant; the inside of the Main House will not be open to public access; a start date of March 1, 2019; a trial period of four months; staff will provide feedback on a regular basis with a report at the end of the trial period.

Mayor Stewart noted that according to the motion only the Nature Trail would be open from dawn until dusk, not the lawn of the property.
Councillor Gallagher replied that the intention was to open the property.

Mayor Pro Tem Brown moved, seconded by Councillor Blurn, to amend the motion to change “the Nature Trail” to “Quincy Farm and the Nature Trail”.

The amendment to the motion passed 5 ayes and 0 nays.

The motion passed 4 ayes and 1 nays.

REPORTS

Mayor’s Report

Mayor Stewart reported that St. Gabriel Church had requested use of the main house at Quincy Farm to hold their corporate retreat. He indicated that the conservation easement limited use of the property to preservation or agricultural use and asked the City Attorney to determine if a corporate retreat would fit within those uses. He indicated that the Quincy Farm Committee was requesting a consultant and the budget was available. He added that a matching grant was available from the Arapahoe County Open Space and Trails Advisory Board. He reported that he had attended the recent Arapahoe County Commissioners, Mayors and City Managers breakfast where Congressman Jason Crow had promised to keep the group informed about the FAA Denver MetroPlex project. He indicated that the Planning and Zoning Commission (P&Z) would be looking at the Master Plan this year and noted that this would be a good time for Council to review the P&Z powers and duties. He noted that he had some suggested revisions that Council would discuss at the next meeting, one of which was revising the Code so that Council had the power to modify P&Z’s recommended changes to the Master Plan, rather than just accepting or denying them.

Mayor Pro Tem Brown stated that the Code allowed Council to adopt, modify or reject P&Z’s proposed amendments to the Master Plan.

Mayor Stewart stated that Council would hold a joint study session with P&Z regarding the Code Modernization project on March 5th. He indicated that he would attend the February 14th CML Legislative Workshop.

Councillor Safavi noted that he also planned to attend the workshop.

Mayor Stewart reported that he had attended the CML Policy Committee meeting and the primary issue of concern to the City was the proposal of an off ramp from I-25 at Union Avenue as part of the Belleview interchange project, which would significantly change the character of the City. He noted that historically the City had opposed and prevented an exit from I-25 at Quincy Avenue and would also oppose this new proposal. He suggested that Council should establish a regular schedule for joint study sessions with the City boards, commissions and committees. He reported that he had a very
positive lunch with Greenwood Village Mayor Rakowsky. He indicated that he would be meeting with the new representative for House District 3 and would discuss the FAA Denver MetroPlex project and CDOT issues. He stated that Councilor Randy Weil was at a long term care facility and was taking visitors.

Members of City Council

Councilor Gallagher reported that he and Councilor Safavi had visited Councilor Weil and had been encouraged by his progress.

Councilor Blum reported that the Code Modernization Steering Committee had met last week and the project would come to Council in March. He indicated that the construction plans for the traffic signal had been approved by Glenmoor Country Club, Glenmoor HOA and the City and had been submitted to CDOT for their review. He noted that the February issue of the CML Colorado Municipalities publication had an article about his company’s affordable housing project in Buena Vista.

Councilor Sheldon explained that in 2017 he had worked with former Mayor Christman and Councilor Blum to rename the Swastika Acres subdivision but the applicant had fallen through and other City business had taken their attention. He indicated that last fall they had begun work on the project again and by coincidence the Denver Post had decided to write an article about the subdivision name. He noted that the article had been on the front page of the Denver Post several Sundays ago and had been fair press. He stated that he and Councilor Blum had worked with City staff to determine that there were 56 properties that still carried the name Swastika Acres and had found a new applicant to begin the process again. He estimated that Council would consider a formal request in the next 60 days.

Mayor Pro Tem Brown indicated that the next Centennial Airport Community Noise Roundtable meeting was tomorrow evening. She added that there had been a recent article in the Denver Post about the FAA Denver MetroPlex project.

Councilor Safavi reported that he had met the ambassador of Kazakhstan at the recent event hosted by the South Metro Denver Chamber of Commerce.

Mayor Stewart added that he and Councilor Gallagher would conduct interviews for the Quincy Farm Committee vacancy tomorrow.

Members of City Boards and Commissions

None

City Manager & Staff

City Manager Thorsen reported that Council would hold a joint study session with P&Z on March 5th to review the Code Modernization project. He noted that the latest CML
Newsletter had reported that the residential assessment rate would fall from 6.9 to 6.7 due to the Gallagher Amendment which would result in less residential tax revenue for the City.

City Attorney

City Attorney Guckenberger indicated that she would address the Mayor's request regarding use of Quincy Farm.

Mayor Stewart also noted that the City's contract with the City Attorney needed to be updated to reference City Attorney Guckenberger.

ADJOURNMENT

Councilor Sheldon moved, seconded by Councilor Blum to adjourn the meeting.

The motion passed unanimously.

The meeting adjourned at 8:33 p.m.

Russell O. Stewart, Mayor

Laura Gillespie, City Clerk
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL

FROM: EMILY BLACK, PARKS AND RECREATION COORDINATOR

SUBJECT: RESOLUTION 9, SERIES 2019; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE ADOPTING THE UPDATED EMERGENCY OPERATIONS PLAN

DATE: FEBRUARY 19, 2019

ISSUE
Should City Council approve Resolution 9, Series 2019 adopting the updated Emergency Operations Plan?

DISCUSSION
The existing version of the Emergency Operations Plan was adopted by City Council in 2013. In 2018, staff began working on an update to the five-year-old plan. The main goals of the update were to streamline the plan to make it more user-friendly and to ensure the plan accurately reflects the size and capacity of the City. This update was a City-wide effort. The updated plan has been reviewed by the Police Department, Community Development, Public Works, the City attorney, and outside consultants in the emergency management field; Finance and HR also provided input on relevant sections of the plan.

BUDGET IMPACT
There is no budget impact associated with adopting the updated Emergency Operations Plan.

STAFF RECOMMENDATION
Staff recommends approval of Resolution 9, Series 2019 adopting the updated Emergency Operations Plan.

RECOMMENDED MOTION
"I move to approve Resolution 9, Series 2019, a resolution of the City Council of the City of Cherry Hills Village adopting the updated Emergency Operations Plan."

ATTACHMENTS
Exhibit A: Resolution 9, Series 2019
Attachment A: Emergency Operations Plan 2019
RESOLUTION NO. 9  
SERIES OF 2019

A RESOLUTION  
OF THE CITY COUNCIL  
OF THE CITY OF CHERRY HILLS VILLAGE  
ADOPTING THE UPDATED EMERGENCY OPERATIONS PLAN

WHEREAS, the City Council of the City of Cherry Hills Village ("Council") is authorized under its home rule charter and pursuant to its general municipal powers to adopt policies and procedures in furtherance of its municipal functions and authority; and

WHEREAS, the City Council first adopted the Emergency Operations Plan (the "Plan") in 2006 and amended the Plan in 2013; and

WHEREAS, the Council desires to update the Plan; and

WHEREAS, the Council expressly acknowledges that it must approve amendments to the Plan, but that City staff may develop and incorporate attachments to the Plan as needed without Council approval.

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

Section 1. The City Council hereby amends and reaffirms the Emergency Operations Plan, as more fully set forth in Attachment A, attached hereto and incorporated herein.

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 and _ no.

(SEAL)

Russell O. Stewart, Mayor

ATTEST:

Approved as to form:

Laura Gillespie, City Clerk

Kathie B. Guckenberger, City Attorney
ATTACHMENT A
EMERGENCY OPERATIONS PLAN
Federal, State, and Local Emergency Contact Information

Local
Arapahoe County Emergency Management
(720) 874-4186

Arapahoe County Sheriff's Office – includes HazMat Team and Bomb Squad
(303) 795-4711 (non-emergency dispatch)

Denver Emergency Operations Center / Joint Information Center
(720) 865-7600

Mile High Regional Emergency Medical & Trauma Advisory Council
(303) 722-6734

Salvation Army – Centennial Corps
(303) 779-9662

South Metro Fire & Rescue
(720) 989-2000

Tri-County Health Dept.
(303) 220-9200

State
American Red Cross of Colorado
(303) 722-7474

Colorado Bureau of Investigation
(303) 239-4300

Colorado Department of Public Health & Environment
(877) 518-5608 – Report a new emergency related to a hazardous substance spill, health facility, or community public health

Colorado Division of Homeland Security & Emergency Management – North Central Region
Main – (303) 279-8855
Scott Kellar, Coordinator – (303) 768-8732

Federal
71st Ordnance Group – Ft. Carson
Explosive Ordnance Disposal: (719) 526-2528

Bureau of Alcohol, Tobacco, and Firearms – Denver Field Office
(303) 575-7600

Federal Bureau of Investigation – Denver Division
(303) 629-7171

FEMA Helpline
1-800-621-FEMA (3362)

Updated February 2019
Letter of Promulgation

This Emergency Operations Plan is hereby approved and ordered published and distributed.

All department heads and personnel shall accept the responsibilities assigned and conduct the organizational planning necessary to implement the plan.

Mayor/City Council

Dated

Review and Concurrence

The following departments have been assigned responsibilities in the plan have reviewed and concurred with its content.

Mayor/City Council
City Manager
Community Development
Public Works
Police Department
City Clerk
Finance Director
The Police and Public Works Departments shall update the Emergency Operations Plan whenever necessary and shall periodically formally review the Plan. All such revisions shall be noted in the Record of Revisions.

### RECORD OF REVISIONS

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<th>Date Entered</th>
<th>Entered by</th>
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*Disaster Declaration*  
*Resolution Continuing Disaster Declaration*  
*Situation Report*
Introduction

The purpose of the Cherry Hills Village Emergency Operations Plan is to provide general guidelines and principles for planning, managing and coordinating the emergency response and recovery activities of Cherry Hills Village. The plan is not intended to be a procedural document, but rather a framework that outlines the roles and responsibilities of city departments, outside agencies, and volunteer organizations that may be responding to an incident in the Village.

This Emergency Operations Plan (EOP) was prepared under the Comprehensive Emergency Management Concept developed by the Federal Emergency Management Agency (FEMA) and uses the principles of the National Incident Management System (NIMS) as the foundation. The plan was designed to mirror the concepts of the National Response Framework (NRF), the Colorado Emergency Operations Plan, and the Arapahoe County Emergency Operations Plan, to help ensure seamless integration between all agencies and levels of government.

The Plan should be reviewed periodically and updated as necessary. Maintaining and updating the plan is the joint responsibility of the Police Department and Public Works.

Attachments to the EOP may be developed as needed and incorporated into the plan without the need for amendment by resolution of City Council. Any changes, additions or deletions to the substantive content of this EOP must be done by an amendment to the EOP and approved by the City Council.

Legal Authorities

The development of this plan meets the requirements for local emergency planning established under the State of Colorado Disaster Emergency Act of 1992 and also meets the requirements of other State and Federal guidelines for local emergency management plans and programs. Specific legal references include:

- The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §§5121-5207)
- The Colorado Disaster Emergency Act (as amended), Sections 24.33.5-700, et seq., C.R.S.)
Hazard Analysis Overview

In 2014, Cherry Hills Village participated in the development of the Arapahoe County Hazard Mitigation Plan, which included a hazard vulnerability analysis for the Village. This process, in addition to a review of the following sources, contributed to the identification of the City’s hazards and vulnerabilities and helped to inform this planning document:

- South Metro Fire Rescue’s Risk Assessment and Mitigation Plan
- State of Colorado Natural Hazards Mitigation Plan (2013)
- Urban Drainage and Flood Control District’s flood data and mapping

In general, Cherry Hills Village is considered to be most vulnerable to the following natural hazards:

- Severe Winter Storm
- Flood
- Tornado
- Drought

In addition to natural hazards, the potential for human-caused or technological hazards was considered during the planning process. These hazards include:

- Mass Casualty Incidents
- Hazardous Materials Releases
- Utility Disruption
- Cyber Security Incidents

Planning Assumptions

With respect to any emergency or disaster, standard assumptions can be made:

- City officials will implement procedures necessary for the public safety and protection of property. This includes provisions to ensure continuity of government.

- Citizens expect their local government to keep them informed and to provide guidance and assistance in the event of a threat, emergency or disaster.

- Departments with emergency responsibilities will ensure that all appropriate personnel are properly trained and familiar with this plan and any applicable department standard operating procedures (SOP).

- A major emergency or disaster will overwhelm the capabilities of the City requiring the assistance of outside agencies and organizations.
- City personnel without emergency responsibilities may be asked to work in a support role during a disaster.
- The Incident Command System (ICS) will be used as the incident management system during complex responses.
- The City's priorities will be to save lives and protect the health and safety of the public and responders.

**Concept of Operations**

Municipalities are responsible for managing emergencies within their jurisdiction. Cherry Hills Village will retain responsibility for its own operations, personnel, and resources throughout the emergency or until conditions warrant a change in such authority.

If a disaster occurs within the City, immediate response will be required. Having personnel who are familiar with the plans and procedures will help to make the response more successful.

This Emergency Operations Plan (EOP) is based on the concept that emergency response functions will generally parallel the normal operations of city departments. To the extent possible, the same personnel will be utilized in both cases.

The day-to-day functions and resources which do not contribute to emergency operations and are not essential to the welfare of the public may be suspended or redirected during an emergency.

**Resource Support:**

During a major incident, shortages in the City's resources may occur. When additional response capabilities are needed by the City, resources will be requested through:

- Mutual Aid and Intergovernmental Agreements (usually discipline specific, such as law enforcement, and public works)
- Outside partner agencies and organizations
- Private sector businesses and vendors

Once local resources and mutual aid are exhausted, the City will request assistance from Arapahoe County and the State of Colorado. When this assistance is anticipated, a Situation Report (see Attachments) should be completed to help inform decision making and identify immediate resource needs.

**ADA Considerations**

Emergency preparedness and response programs must be made accessible to people with Access and Functional Needs and are required by the Americans with Disabilities Act of 1990, as amended (ADA). Access and Functional Needs can include mobility, vision, hearing, cognitive disorders, mental illnesses and language barriers.
Included in the City's planning efforts for those with disabilities are:

- Notification and warning procedures
- Emergency evacuation considerations
- Sheltering requirements
- Accessibility for mobility devices and service animals while in transit or at shelters

**Local Disaster Emergency Declaration**

In Colorado, a local disaster may be declared only by the principal executive officer of a political subdivision (Colorado Revised Statutes, C.R.S. § 24-33.5-709). In Cherry Hills Village, this authority resides with the City Manager. The purpose of declaring a disaster is to gain access to emergency reserve funds and to activate the response and recovery aspects of disaster emergency plans. A Declaration should be issued when all local resources are expected to be seriously depleted and when there is a potential danger to the community. A local declaration is necessary to request extensive State or Federal assistance. A draft declaration is and resolution approving the declaration are attached at the end of the plan.

**National Incident Management System (NIMS)**

The National Incident Management System (NIMS), which contains the Incident Command System (ICS) is a nationwide standardized approach for managing incidents. This system provides a framework that enables multiple jurisdictions and agencies, nongovernmental organizations, and the private sector to all work together using a common platform. As such, in order to align response activities with Arapahoe County, and other response agencies, incidents will be managed using the Incident Command System. Pertinent staff should be familiar with this system.

**Incident Support – Emergency Operations Center**

If it is determined that additional support for the incident will be needed, a Command Center, or Emergency Operations Center (EOC) may be set up to coordinate and support complex or extended response operations. An Emergency Operations Center is a central location where response activities are coordinated with various departments, outside agencies and assisting organizations. Additional functions of the EOC include:

- Maintaining situational awareness
- Locating and acquiring resources.
- Consequence management.
Organization and Assignment of Responsibilities

The following is an overview of the responsibilities of those departments that may have a role during an incident. An incident can occur even if a local disaster has not been declared.

City Departments

All departments
- Develop Continuity of Operations procedures (COOP) to ensure that essential government services remain available to the public.
- Ensure appropriate personnel are trained and familiar with this plan and any applicable department specific procedures.
- Ensure all emergency-related expenses are recorded for future reimbursement purposes.
- Maintain mutual aid or intergovernmental agreements for your area of responsibility.
- Identify resources (for assigned area of responsibility) that can be called upon in the event the City’s resources become insufficient.
- Ensure all emergency planning efforts consider the needs, rights, and requirements of the Access and Functional Needs community.

Mayor/City Council
- Approve authorization of expenditures during major emergencies or disasters, in accordance with Section 4-3-40 of the Cherry Hills Village Municipal Code.

City Manager
- Determine the need for a disaster declaration.
- Request state or local assistance if it appears that the resources and the ability of the City are inadequate to cope with the emergency.
- Assign personnel to assist with functions and duties outside of their normal responsibilities.
- Implement the Emergency Operations Plan as the situation requires.
- Grant authority or contract for the performance of public work made necessary by an emergency, in accordance with Section 4-3-40 of the Cherry Hills Village Municipal Code.

Police Department
- Monitor implementation of the Emergency Operations Plan.
- Establish the Emergency Operations Center (EOC) and be responsible for its operation.
- Function as overall coordinator of disaster operations until normal government operations can be resumed.
- Assist with the evacuation of citizens.
- Control access and provide security to the disaster site.
• Establish re-entry procedures for persons returning to limited-access areas.
• Provide damage reports to the EOC for situational awareness purposes.

Public Works
• Provide emergency traffic engineering and control measures. Maintain emergency traffic routes in coordination with law enforcement and fire departments.
• Coordinate clearing of major thoroughfares and removal of debris that inhibits or blocks thoroughfares.
• Provide snow removal during severe winter storm conditions.
• Provide resources and technical support to public safety operations.
• Assist in damage assessments of roadways and infrastructure owned by the City.
• Coordinate with appropriate districts for the shutdown and repair of water and sewer systems.

Administration/Finance
• Develop emergency procurement and purchasing procedures for acquiring supplies, services, and equipment under emergency conditions.
• Maintain detailed financial records of all incident costs accrued during an emergency or disaster.
• Provide disaster-related financial information and documentation to state and federal agencies for reimbursement purposes.

City Attorney
• Prepare emergency disaster declarations and emergency ordinances.
• Provide interpretation of federal and state regulations that relate to disasters and disaster relief.

Community Development
• Consider and recommend potential mitigation measures during the development application process.
• Participate in damage assessment activities to include assisting in recommending which buildings or structures should be declared unsafe or uninhabitable.
• Participate in the preparation of a long-term recovery plan post-disaster.
• Continue to mitigate and enforce floodplain development standards.
• Continue to participate in FEMA’s Community Rating System (CRS).

Outside Agencies

In addition to city departments, specific outside agencies provide emergency functions to local jurisdictions. The list includes:

Tri-County Health
• Serve as lead agency for public and environmental health incidents affecting the City.
• Provide public health information and support to the community.
• Coordinate the activation of mental health and victim assistance personnel.
• Assist with tracking of patients and family reunification efforts.
• Inspect food and water supplies and recommend methods of disposal for contaminated foods.

School Districts
• Coordinate with the City and the American Red Cross for feeding, sheltering, and transportation of displaced persons caused by a disaster.

American Red Cross (ARC)
• Designate and provide shelter, food and services to disaster victims.
• Provide referrals for the requirements of the Access and Functional Needs community affected by disaster.
• Provide crisis counseling to disaster victims and response workers.

Salvation Army
• Assist the American Red Cross with crisis counseling for victims.
• Provide food to disaster relief workers.
• Provide clothing to disaster victims.

Utility Companies
• Coordinate the restoration of gas and electric services.
• Coordinate the restoration of telephone and other communications disruptions and provide emergency cell phone capability if available.
• Coordinate the restoration of water services.

South Metro Fire Rescue
• Serve as lead agency for fire suppression, search & rescue operations, hazmat incidents, and EMS operations, including mass casualty incidents.
• Provide emergency medical assistance to emergency residents and evacuees, as requested.

Continuity of Government

Disasters can interrupt, paralyze, or destroy the ability of local government to carry out their functions. It is therefore, important that government agencies preplan in order to maintain or restore these functions.

Factors that contribute to assuring continuity of government at the local level include:
• Ability to maintain essential functions
• Preservation of critical records
• Established, well defined lines of succession for key personnel
**Provision of Essential Services**

Mission Essential Services are defined as being life-saving or critical to the immediate operation of the City. These services need to be maintained or restored immediately should they be struck by a disaster and rendered unusable.

- In the event that a City facility is rendered unusable, a back-up facility should be pre-identified that will allow for essential services to be provided.
  - If the City Hall building is not useable, the City will operate out of the Joint Public Safety Facility, which is equipped with a generator.
- Consideration should be given as to whether day-to-day functions can be suspended and/or reassigned to assist with the emergency.
- Cross-training employees on performing essential functions should be considered a priority.

**Preservation of Essential Records**

Protection of essential records is vital if the City is to resume functioning after a major catastrophe. The selection of the records to be preserved rests with the City Clerk. These decisions should be made in concert with the organization’s overall plan for determination of value, protection and disposal of records. The vital records should be duplicated and the duplicate copies maintained in an accessible format in a separate location from the original documents. The duplication of records should be completed on an ongoing basis as part of the Clerk’s duties.

**Lines of Succession**

The statutory responsibility for the management of an emergency or disaster in Colorado rests with the elected leadership of each jurisdiction. The City adheres to the following line of succession, by department:

- **Elected Officials**
  1. Mayor
  2. Mayor Pro-Tern
  3. Senior Council Member (longest consecutively serving)

- **City Administration**
  1. City Manager
  2. Deputy City Manager
  3. Director of Finance and Administration

- **Legal**
  1. City Attorney
  2. City Prosecutor

- **Police Department**
  1. Police Chief
  2. Police Commander
  3. Police Sergeant

- **Public Works Department**
  1. Public Works Director
  2. Public Works Project and Right-of-Way Manager
Support Functions
Communication and Warning

Lead Agency: Arapahoe County Dispatch

Purpose:
To maintain communications during disasters and provide the resources necessary to warn the public of a pending or occurring emergency or disaster.

Concept of Operations:
- Arapahoe County Dispatch will be the primary source for emergency information to be disseminated to the public.
- It is essential for the City of Cherry Hills Village to have reliable communications, warning capabilities, and coordination with other organizations. If needed, additional resources can be requested from:
  - Arapahoe County Office of Emergency Management
  - Regional mobile communications vans may be requested from the following agencies to assist with on-site communications:
    - South Metro Fire Rescue (SMFR)
    - Arapahoe County Sheriff
    - Greenwood Village Police Department
    - Aurora Fire Department
    - Denver Fire Department
- If activated, the Emergency Operations Center may provide centralized communications to field units and other organizations responsible for response and recovery efforts.
- In order to reduce confusion, control rumors, and promote public confidence in emergency response efforts, a single point of contact (Cherry Hills Village's Public Information Officer) will be responsible for the direct release of disaster-related information to the public via the news media during a major event.
- Information can come from a variety of sources including:
  - National and State Warning Systems messages over radio and the Colorado Crime Information Computer (CCIC).
  - National Weather Service (NWS) provides severe weather advisories, warnings and watches.
  - Reports to 9-1-1 from citizens.
- Emergency protective measures and warnings will be disseminated to the public through one or more of the following sources:
  - Activation of the Emergency Alert System
  - Social media
  - News
  - Emergency Notification System (ArapAlert)
  - Door-to-door

The use of auto-dialed text telephone (TTY) messages to pre-registered individuals who are deaf or hearing impaired, text messages, emails, and other innovative use of technology will be incorporated into emergency messaging procedures.
Mass Care, Sheltering, and Evacuation

Lead Agencies: Police Department
American Red Cross
Public Works

Purpose:
To provide guidance related to the support of disaster victims and displaced persons within the City. Services may include temporary sheltering, mass feeding, and evacuation out of the affected area.

Situation and Assumptions:
- Temporary sheltering (to include warming facilities) may be needed for situations involving:
  - Closed roads due to blizzards
  - Prolonged power outage
  - Any emergency situation that displaces numerous residents
- Although the ultimate responsibility for mass care services for citizens rests with local government, the American Red Cross has a Congressional mandate to provide these services to disaster victims and therefore will be relied upon for the operation of mass care facilities during disasters.

Concept of Operations:
- First responders will determine the threat, magnitude and need to evacuate an area and/or open a shelter.
- RTD and the local schools will be requested to supply buses for transportation, including ADA compliant buses as needed.
- The Police Department will provide security to any shelters located within the City limits.
- Law enforcement will control access to the evacuated area and only allow re-entry after it has been determined to be safe.
- Public works and first responders will work together to identify and prioritize the clearing of roads to ensure response and evacuation activities are not impeded.
- Animal Response Teams will be requested to provide for the evacuation and sheltering of pets and other animals.
- American Red Cross and Tri-County Health Department will coordinate reunification efforts as well as mental health services.
- Sheltering and evacuation information will be shared with the local media to be disseminated.
- American Red Cross staff shall maintain a list of sheltered evacuees for tracking purposes.
The American Red Cross has designated the following locations as potential shelters:

- Cherry Hills Village Elementary
  2400 E. Quincy, Cherry Hills Village

- Englewood High School
  3800 S. Logan, Englewood, CO

- West Middle School
  5151 S. Holly, Greenwood Village, CO

- Mission Hills Church
  5859 S. University, Littleton, CO
Hazard-Specific Annexes
Hazardous Materials Incidents

Lead Agency: South Metro Fire Rescue (SMFR)  
Arapahoe/Douglas Hazardous Materials Team

Purpose:  
To provide for the coordinated response to a hazardous materials incident and to protect the community from potential exposure.

Situation:  
Hazardous materials are used daily throughout the City and transported routinely via Hampden Avenue which is an officially designated route for the transportation of hazardous materials.

The City offers residents regular opportunities to safely dispose of hazardous chemicals through a Waste Management pickup program as well as an annual hazardous waste collection day. These programs help reduce the risk of an incident occurring.

Concept of Operations:
  • SMFR will coordinate the response to a hazardous materials incident to include containing and neutralizing the substance and providing decontamination of exposed persons.
  • Neighboring response agencies including the Arapahoe/Douglas Hazmat Team and the State Patrol’s Hazmat Teams will be called upon to assist during a hazardous materials incident that is beyond the capability of the responding SMFR personnel.
  • Law enforcement will be responsible for perimeter control around the hazard zone.
  • Spills and releases will be reported to the appropriate agencies including the Colorado Department of Public Health and Environment (CDPHE) or the EPA’s Response Center.
  • First responders will treat all spills as hazardous until the material(s) can be identified otherwise.
  • Tri-County Health Department will monitor the air and coordinate with the hospitals for medical epidemiology.
  • Public Works will assist by providing barricades and protecting storm water systems from potential runoff.
  • Emergency alerts may be sent to residents advising them to either shelter in place or to evacuate the area.
Tornado

Lead Agencies: Cherry Hills Village Police Department
South Metro Fire Rescue

Purpose: To provide guidance for protecting citizens and property in the event of a tornado.

Concept of Operations:

- Citizens will be advised of potential severe weather conditions through a variety of means, including: NOAA weather radio, television and radio announcements, and smart phone apps.
- The National Weather Service (NWS) will provide tornado and severe weather warnings, though warning time will vary.

Evacuation of City facilities may be deemed necessary and may be mandated by the City Manager or the Police Chief.

- When it is safe to do so, the Building Department will conduct damage assessments of the affected area. These assessments are needed to help determine and prioritize response actions and to request assistance from the State.
- Homes may be damaged or destroyed, creating the need to open a temporary shelter for displaced persons.
- Public Works will provide barricades, debris removal, and road repair as needed.
- Public Works will clear roads of debris to allow for emergency response access, evacuation of residents, and return to residences.
Flood

Lead Agencies: Cherry Hills Village Police Department
Cherry Hills Village Public Works

Purpose: To ensure a plan is in place to respond to flooding in Cherry Hills Village.

Situation:
- Many areas of the City lie within a FEMA-designated floodplain.
- The public will receive flood warnings through television and radio media, smart phone apps and/or Arapahoe County's emergency notification system.
- Flash floods and street flooding from heavy rains or snowmelt can occur at any time.

Concept of Operations:
- Cherry Hills Village falls within the boundaries of the Urban Drainage and Flood Control District (UDFCD) which provides a Local Flood Warning Program to local government entities. Arapahoe County Dispatch is the recipient of this information and will alert the public if conditions warrant.
- Depending upon flood threat conditions, the following activities may occur:
  - Police, Fire, and Public Works will monitor weather conditions and determine whether to close affected roads.
  - Rescue and evacuation of the public from flooded areas may need to occur.
  - Temporary shelters may need to be established for displaced persons.
  - Police and Fire personnel will respond to the potential danger areas to warn individuals.
  - Evacuation and alternative routes may need to be established and communicated to residents.
  - Public Works will determine need for diking (sandbags, earth, etc.) and provide barricades, debris removal, and road repair as needed.
  - Establish communications with Arapahoe County Office of Emergency Management and other support partners.
Utility Disruption

Lead Agencies:
- Private utility companies
- Cherry Hills Village Public Works

Purpose: To facilitate a coordinated response to manage and recover from prolonged utility outages.

Situation: Utility disruption can involve electricity, gas, telecommunications, or water/waste water facilities.

Electricity: Extended electrical outages can directly impact other utility systems, particularly water and wastewater systems. In areas where telephone service is provided by above-ground lines that share poles with electrical distribution lines, telecommunications providers may not be able to make repairs to the telephone system until electrical utilities restore power lines to a safe condition.

Water/wastewater: Disruption of water may require notification to the public regarding any restriction on water usage, boiling requirements, acquisition of bottled water, etc. Local firefighting activities may also be impacted by the disruption of water service.

Concept of Operations:
- Critical City facilities have backup generators to continue functioning during a utility disruption.
- Use the contact list at the beginning of this plan to contact the appropriate utilities regarding outages.
- Public information messages will be provided by the utility provider and distributed by the City's Public Information Officer. Messages should include updates on the current situation and recommended safety measures.
- Public Works will provide barricades, debris removal, and road repair as needed.
- The Colorado Water/Wastewater Agency Response Network (COWARN) is a statewide network of utilities that can be called upon to provide mutual aid assistance during emergencies. Public Works can request this resource through Denver Water.
- Utility companies, including Xcel Energy, which provides electric and gas service in the city, will restore their services in accordance with their emergency operation plans and may need to prioritize restoration with the surrounding area.
Winter Storm

Lead Agency: Cherry Hills Village Public Works

Purpose:
To provide a basic overview of roles, responsibilities and actions that may be taken in response to severe winter weather.

Concept of Operations:

- In the event of a major snowstorm, snow removal operations may need to be prioritized. The following streets have been identified as priority routes in regard to snow removal:
  - Quincy Ave.; Clarkson St.; Franklin St. from Quincy to Belleview; Layton Ave. from Quincy to Belleview; Colorado Blvd.; Mansfield Ave. from Colorado Blvd. to Dahlia St.; Oxford Ave. from Dahlia St. East; Dahlia St. from Mansfield to Quincy; Holly Street from Belleview to Quincy; and Happy Canyon Road. These streets provide access for emergency vehicles to all locations of the City during a snowstorm.
  - The Colorado Department of Transportation (CDOT) maintains Hampden Avenue, University Blvd. and Belleview Avenue and can be requested to assist with road closures and stranded motorists.
- Public Works crews will coordinate with Police and Fire to provide emergency response access to otherwise inaccessible areas.
- Warming shelters should be considered to accommodate stranded motorists or residents who have lost power.
- The Police Department may go on “accident alert” status if conditions warrant.
- Snow forecasts will be monitored to determine the anticipated extent of storm and expected temperatures.
- The City Manager will determine whether regular City services will continue or be limited to those considered essential.
- More information can be found in the Snow, Ice, and Street Sweeping Operations Plan.
Cyber Security Incident

Lead Agency: North Star Inc. (contracted IT company for Cherry Hills Village)

Purpose: To provide guidance on steps to be taken and documented in the event of a security incident or data breach, from the time of suspected breach to post-incident response closure, in order to handle all incidents in a consistent manner and limit the potentially breached party’s exposure. The City will comply with all state and federal laws governing the protection of personal identifying information, including but not limited to C.R.S. §§ 24-73-101 et seq.

Situation: The City makes all feasible attempts through safeguards to protect sensitive information including personal identification information (PII). These safeguards are provided to:

- Protect the confidentiality, integrity and availability of data and the City network;
- Protect against a data breach that could result in harm or inconvenience to a customer or resident and meet any notification requirements;
- Protect against anticipated threats or hazards to the security or integrity of sensitive information including PII;
- Identify and assess the risks that may threaten PII;
- Conduct a reasonable investigation to determine the likelihood of information that has been or will be misused;
- Conduct a post-incident investigation to capture lessons learned;
- Develop written policies and procedures to manage and control these identified risks or vulnerabilities;
- Adjust the Information Security Program to reflect changes in technology, the sensitivity of data stored, and internal or external threats to information security.

Concept of Operations:

Incident Response Process- Initial Discovery

- Determine if there has been a security incident, and the nature and severity of the incident, by considering the following questions and discussing them with North Star Inc. and document initial triage.
  - Does the system contain City Sensitive Information or PII?
  - Is there a chance law enforcement may need to get involved?
  - Is there a requirement or desire to perform a forensics analysis of the system compromise?
  - If the answer is “yes” to any of these questions then immediately coordinate actions to be taken with North Star Inc., City Management and City Attorney's office and apply the below as appropriate.
  - If the answer is “no” to all the questions, then apply the below as appropriate.
  - Do preliminary analysis- isolate the compromised system by disconnecting the network cable. If this is not feasible or desirable, North Star Inc. should block access to the compromised system via the network.

- Determine the security incident type - try to determine the cause of the malicious activity and the level of system privilege attained by the intruder and implement appropriate remedial measures.

- If a system is compromised:
  - Disable any compromised accounts and terminate all processes owned by them.
  - Request North Star Inc. compile a list of Internet Protocol (IP) addresses involved in the incident including log entries if possible.
o Determine the users that need to change their passwords due to the compromise, as well as whether or not they have accounts on other systems using the same credentials and notify IT administrators for those systems.

o Backup the local password file, if appropriate, so a comparison can be made of who has and who has not changed their passwords after notification.

o Notify North Star Inc. if the system uses Lightweight Directory Access Protocol (LDAP) authentication to authenticate users.

o Notify the owners of the compromised accounts and reissue credentials. Consider the likelihood of the intruder having access to the compromised account email and utilize other contact methodology.

o Determine whether all affected users have established new user IDs and passwords.

o Rebuild system and verify that its network access should be reestablished by contacting North Star Inc.

o North Star Inc. should perform a network vulnerability scan of the system after it is unblocked to identify any unresolved security issues that might be used in future attacks against the system.

Incident Response - Breach Notification

- If a security incident is suspected to be a data privacy breach, immediately notify North Star Inc. as well as City Management and City Attorney’s office.
- Determine what information was suspected to be breached, i.e., specific individuals’ first and last names with a type of PI.
- When appropriate, bring in an incident response expert or law enforcement to conduct an investigation. Identify the scope, timeframe and source(s) of breach, type of breach, whether data encryption was used and for what, possible suspects (internal or external, authorized or unauthorized, employee or non-employee user).
- Review for other compromised systems.
- Monitor all systems for potential intrusions.
- Determine the notification requirements (statutory or contractual) and address within the required timeframe.

Post-incident Follow Up and Review

- Hold a meeting of city staff, contractors, and others responding to the incident within 48 hours to a week of completion of the response.
- Review the chronology of the event.
- Identify what went wrong and what went right.
- Identify the threat or vulnerabilities that were exploited and determine whether it/they can be fixed.
- Review if any intrusion detection or prevention was in place, active and up to date.
- Document “lessons learned” and assign appropriate updates to City’s network and procedures.
Attachments
DISASTER DECLARATION
DECLARING A LOCAL DISASTER EMERGENCY

WHEREAS, the City of Cherry Hills Village (the "City") has suffered serious damages to ____________(e.g., homes, roads) as a result of _________________(e.g., flooding), which occurred ________________(dates) ; and

WHEREAS, the magnitude of the incident and the response and recovery costs exceed the resources available to the City of Cherry Hills Village; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709, the principal executive officer of a political subdivision is authorized to declare a local disaster emergency; and

WHEREAS, it would be appropriate and in the interests of public health and safety, and would further protect property, for the City Manager to declare a local disaster emergency.

NOW, THEREFORE:

Section 1. The City Manager of the City of Cherry Hills Village, Colorado hereby declares a local disaster emergency on behalf of Cherry Hills Village, and will authorize for and on behalf of the City the emergency expenditure of funds and the request assistance from local jurisdictions and the State of Colorado, as applicable.

Section 2. This declaration shall remain in effect for a period of seven (7) days, unless the City Manager issues a written cancellation. The declaration can only be extended beyond seven (7) days with the consent of the City Council.

DATED at Cherry Hills Village, Colorado this ____ day of __________, 20____ @ ____:

By: ________________________________

____________________, City Manager
City of Cherry Hills Village, Colorado

Fax to Colorado Division of Homeland Security and Emergency Management when complete:

720-852-6750

Copy to be filed with the Cherry Hills Village City Clerk and the Arapahoe County Office of Emergency Management and posted to the City website and location identified for public notice posting.
WHEREAS, the City of Cherry Hills Village (the "City") has suffered serious damages to _____________ (e.g., homes, roads) as a result of _________________ (e.g., flooding), which occurred ______________ (dates) ; and

WHEREAS, the magnitude of the incident and the response and recovery costs exceed the resources available to Cherry Hills Village; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709, the principal executive officer of a political subdivision is authorized to declare a local disaster emergency; and

WHEREAS, on ________________ (date), the City Manager declared a local disaster emergency on behalf of Cherry Hills Village, authorized the emergency expenditure of funds, and requested assistance from ________________ (local jurisdictions and the State of Colorado; choose one or both); and

WHEREAS, it was appropriate and in the interests of public health and safety, and further protected property, for the City Manager to declare a local disaster emergency; and

WHEREAS, the City Council desires to ratify the Disaster Declaration.

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

Section 1. The City Council hereby ratifies the Disaster Declaration dated ______________ attached hereto as Attachment A, and declares that such Declaration shall remain in effect until another Resolution is passed by City Council ending the local disaster emergency.

Section 2. This Resolution shall be effective immediately.

Introduced, passed and adopted at the regular meeting of City Council this ___ day of ____, 20__, by a vote of _ yes and _ no.
Situation Report

The following information is needed whenever an incident of significance occurs in the local jurisdiction. It is meant to provide situational awareness to partner agencies and will be used to identify response actions, resource needs and the need to declare a local disaster.

EVENT NAME:

EVENT SUMMARY:

1. REPORT DATE/TIME:

2. LOCATION:

3. EVENT START DATE/TIME:

4. AGENCIES INVOLVED/ RESOURCES COMMITTED:

5. ASSISTANCE ANTICIPATED:

6. DEATHS/INJURIES:

7. DAMAGE:

8. EVACUATION STATUS/#:

9. CURRENT SITUATION:

10. FUTURE THREATS:

11. INCIDENT COMMAND JURISDICTION/LOCATION (IF APPLICABLE):

12. IC NAME/CONTACT #: At EOC:

13. POINT OF CONTACT #:
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL
FROM: LAURA GILLESPIE, CITY CLERK
SUBJECT: RESOLUTION 10, SERIES 2019; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE CONCERNING THE APPOINTMENT OF A NEW MEMBER TO THE BOARD OF ADJUSTMENT AND APPEALS
DATE: FEBRUARY 19, 2019

ISSUE
Shall City Council approve Resolution 10, Series 2019, concerning the appointment of a new member to the Board of Adjustment and Appeals (Exhibit A)?

DISCUSSION
Section 16-3-10(a) of the Municipal Code states:

The term Board, as used in this Article, shall mean the Board of Adjustment and Appeals. The Board of Adjustment and Appeals shall consist of five (5) members and one (1) alternate member. The City Council may from time to time appoint a member of the City Council to serve as a member of the Board. At the time of such appointment, the City Council may designate the length of the City Council member's term on the Board. The alternate member may attend and participate in all meetings of the Board, but shall vote only in the event that one (1) of the members is absent or abstains from considering a specific application. Subject to the City Council's designation of the length of the term of any City Council member appointed to the Board, members and alternate members shall be appointed by the City Council for overlapping terms of three (3) years each. Terms of office shall expire on the third Tuesday of May in each respective year.

In consultation with City Attorney Guckenberger, staff has determined that the Council member that has served as an alternate member to the Board of Adjustment and Appeals (BOAA) should be appointed in the same manner as other members. Because it is specifically addressed in the Municipal Code, this appointment is a separate issue from the Council liaison assignments. Staff
has prepared Resolution 10, Series 2019 to appoint Councilor Randy Weil as a member of the BOAA.

RECOMMENDED MOTION
“I move to approve Resolution 10, Series 2019; a resolution of the City Council of the City of Cherry Hills Village concerning the appointment of a new member to the Board of Adjustment and Appeals.”

ATTACHMENTS
Exhibit A: Resolution 10, Series 2019
A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
CONCERNING THE APPOINTMENT OF A NEW MEMBER
TO THE BOARD OF ADJUSTMENT AND APPEALS

WHEREAS, Section 8.2 of the City of Cherry Hills Village City Charter requires that members of the Board of Adjustment and Appeals (BOAA) be appointed by the Council for overlapping terms of three years; be a taxpaying elector, and have resided in the area comprising the City at the time of appointment for at least three years immediately preceding the date of appointment; and

WHEREAS, Section 16-3-10(a) of the City of Cherry Hills Village Municipal Code states that “The City Council may from time to time appoint a member of the City Council to serve as a member of the Board”; and

WHEREAS, City Council desires to appoint Councilor Randy Weil to serve as the alternate member of the BOAA.

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

The City Council hereby makes the following appointments to the City of Cherry Hills Village Board of Adjustment and Appeals:

<table>
<thead>
<tr>
<th>Name</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Randy Weil</td>
<td>1st Council Meeting in 2021</td>
</tr>
</tbody>
</table>

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 and __ no.

(SEAL)

Russell O. Stewart, Mayor

ATTEST: APPROVED AS TO FORM:

Laura Gillespie, City Clerk

Kathie B. Guckenberger, City Attorney
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL

FROM: LAURA GILLESPIE, CITY CLERK

SUBJECT: RESOLUTION 11, SERIES 2019; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE CONCERNING THE APPOINTMENT OF A NEW MEMBER TO THE QUINCY FARM COMMITTEE

DATE: FEBRUARY 19, 2019

ISSUE
Shall City Council approve Resolution 11, Series 2019, concerning the appointment of a new member to the Quincy Farm Committee (Exhibit A)?

DISCUSSION
Vacancy
Due to the election of Mayor Stewart there is currently a vacancy on the Quincy Farm Committee (QFC). Solicitations for applications for the QFC were included in the December and January issues of the Village Crier and on the City website.

At the January 15, 2019 meeting Mayor Stewart and Councilor Gallagher volunteered to conduct interviews. Mayor Stewart and Councilor Gallagher are recommending appointment of Earl Hoellen to complete the term on the QFC ending in May 2020.

Member Terms
Current terms on the QFC are shown below. The new member would be appointed to a partial term to complete Mayor Stewart’s term.
<table>
<thead>
<tr>
<th>Member</th>
<th>First Appointed</th>
<th>Term End</th>
</tr>
</thead>
<tbody>
<tr>
<td>Katie Agron</td>
<td>2018</td>
<td>2019</td>
</tr>
<tr>
<td>Klasina VanderWerf</td>
<td>2018</td>
<td>2019</td>
</tr>
<tr>
<td>new member</td>
<td>2019</td>
<td>2020</td>
</tr>
<tr>
<td>Melinda Haymonds</td>
<td>2015</td>
<td>2020</td>
</tr>
<tr>
<td>Dale DeLeo</td>
<td>2015</td>
<td>2021</td>
</tr>
<tr>
<td>Lucinda Greene</td>
<td>2015</td>
<td>2021</td>
</tr>
<tr>
<td>Joel Sydlow</td>
<td>2018</td>
<td>2021</td>
</tr>
</tbody>
</table>

**RECOMMENDED MOTION**

“I move to approve Resolution 11, Series 2019; a resolution of the City Council of the City of Cherry Hills Village concerning the appointment of a new member to the Quincy Farm Committee.”

**ATTACHMENTS**

Exhibit A: Resolution 11, Series 2019
RESOLUTION NO. 11
SERIES 2019

INTRODUCED BY:

SECONDED BY:

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
CONCERNING THE APPOINTMENT OF A NEW MEMBER
TO THE QUINCY FARM COMMITTEE

WHEREAS, Section 3.1 of the City of Cherry Hills Village City Charter authorizes the City Council to “delegate to board and commissions...such functions, powers and authority of the City as it deems proper and advisable”; and

WHEREAS, the Quincy Farm Committee (the “Committee”) was established by Resolution 10, Series 2015 and amended by Resolution 12, Series 2015 and Resolution 7, Series 2018, pursuant to which City Council is required to fill vacancies on the Committee; and

WHEREAS, Committee Chair Russell Stewart was elected as Mayor in November 2018 and assumed duties in January 2019, thus creating a vacancy on the Committee; and

WHEREAS, Chair Stewart’s term on the Committee would have ended in May 2020; and

WHEREAS, applications to fill the vacancy were reviewed by Mayor Russell Stewart and Councilor Mike Gallagher; and

WHEREAS, Mayor Stewart and Councilor Gallagher have recommended that the Council appoint Earl Hoellen to the Quincy Farm Committee.

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

The City Council hereby makes the following appointment to the City of Cherry Hills Village Quincy Farm Committee:

<table>
<thead>
<tr>
<th>Name</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earl Hoellen</td>
<td>3rd Tuesday in May 2020</td>
</tr>
</tbody>
</table>

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 and _ no.

(SEAL)

ATTEST:

Laura Gillespie, City Clerk

Russell O. Stewart, Mayor

APPROVED AS TO FORM:

Kathie B. Guckenberger, City Attorney
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL

FROM: JESSICA SAGER, DIRECTOR OF FINANCE & ADMINISTRATION

SUBJECT: COUNCIL BILL 1, SERIES 2019; 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 (SECOND AND FINAL READING)

DATE: FEBRUARY 19, 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 created a fund based on the amount that was approved by voters during the 2018 election (see Exhibit B). All documentation provided by Stifel, Xcel and Century Link indicate that construction and financing costs will be much less than the voter-approved $550,000 amount. The final amount 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, 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 on second and final 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:

- General Fund: 7,090,490
- Capital Fund: 973,766
- COP Project Fund: 4,053,683
- Land Donation Fund: 365,720
- Conservation Trust Fund: 372,500
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 #: __________
The 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. Final payment is due December 15, 2040.

### 2019 Budget

#### City Charlou Park 3rd Filing CIP

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget Estimate 2019</th>
<th>Notes/Explanations</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Administrative costs for overseeing the fund</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>City of Cherry Hills revenue collected by Arapage County</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>County</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>375,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Total Revenues:**

| County Treasurer Fees | 0 |
| 40-470-4041 | 0 |
| 40-470-7071 | 0 |
| 40-470-7072 | 0 |
| 40-470-7073 | 0 |
| 40-360-3630 | 0 |
| 40-360-3611 | 0 |
| 40-360-3612 | 0 |
| 40-360-3613 | 0 |
| 40-360-3614 | 0 |

**Total Expenditures:**

| County of Cherry Hills Village | 0 |
| 40-470-4041 | 0 |
| 40-470-7071 | 0 |
| 40-470-7072 | 0 |
| 40-470-7073 | 0 |
| 40-360-3630 | 0 |
| 40-360-3611 | 0 |
| 40-360-3612 | 0 |
| 40-360-3613 | 0 |
| 40-360-3614 | 0 |

**Increase to Reserves:**

| County of Cherry Hills Village | 0 |
| 40-470-4041 | 0 |
| 40-470-7071 | 0 |
| 40-470-7072 | 0 |
| 40-470-7073 | 0 |
| 40-360-3630 | 0 |
| 40-360-3611 | 0 |
| 40-360-3612 | 0 |
| 40-360-3613 | 0 |
| 40-360-3614 | 0 |

**Emergency Reserves:**

| County of Cherry Hills Village | 0 |
| 40-470-4041 | 0 |
| 40-470-7071 | 0 |
| 40-470-7072 | 0 |
| 40-470-7073 | 0 |
| 40-360-3630 | 0 |
| 40-360-3611 | 0 |
| 40-360-3612 | 0 |
| 40-360-3613 | 0 |
| 40-360-3614 | 0 |

### 2019 Budget Notes/Explanations:

1. In 2020, final payment is due December 15, 2040. Final payment is due December 15, 2040.
2. Fees and the first year of collection by Arapahoe County, the collecting agent, will begin.
3. The fee is for 20 years, and the first year of collection by Arapahoe County, the collecting agent, will begin.
4. The fee is for 20 years, and the first year of collection by Arapahoe County, the collecting agent, will begin.
5. The fee is for 20 years, and the first year of collection by Arapahoe County, the collecting agent, will begin.
6. The fee is for 20 years, and the first year of collection by Arapahoe County, the collecting agent, will begin.
7. The fee is for 20 years, and the first year of collection by Arapahoe County, the collecting agent, will begin.
8. The fee is for 20 years, and the first year of collection by Arapahoe County, the collecting agent, will begin.
9. The fee is for 20 years, and the first year of collection by Arapahoe County, the collecting agent, will begin.
10. The fee is for 20 years, and the first year of collection by Arapahoe County, the collecting agent, will begin.
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL

FROM: LAURA GILLESPIE, CITY CLERK

SUBJECT: BOARD, COMMISSION AND COMMITTEE MEMBER TERMS

DATE: FEBRUARY 19, 2019

ISSUE
The City’s boards, commissions and committees have member terms that will end in May and several vacancies.

DISCUSSION
The table below shows the board, commission and committee member terms that will end on May 21, 2019. All members have been contacted by staff to determine their desire for reappointment.

<table>
<thead>
<tr>
<th>Board/Committee</th>
<th>Member Name</th>
<th>Current Term #</th>
<th>Recruitment Trigger</th>
<th>Desires Reappointment</th>
<th>Attendance Record</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOAA</td>
<td>John Love</td>
<td>1st</td>
<td>No</td>
<td>Yes</td>
<td>3 of 3 meetings (Jan 2018 – Dec 2019)</td>
</tr>
<tr>
<td>PTRC</td>
<td>Aron Grodinski</td>
<td>Partial</td>
<td>No</td>
<td>Yes</td>
<td>5 of 6 meetings (Aug 2018 – Jan 2019)</td>
</tr>
<tr>
<td>PTRC</td>
<td>Joshua DiCarlo</td>
<td>2nd</td>
<td>Yes</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>PTRC</td>
<td>Robert Eber</td>
<td>2nd</td>
<td>Yes</td>
<td>Yes</td>
<td>11 of 11 meetings (March 2018 – Jan 2019)</td>
</tr>
<tr>
<td>CHVAC</td>
<td>Pamela Hall</td>
<td>Partial</td>
<td>No</td>
<td>Yes</td>
<td>2 of 2 meetings (Nov 2018 – Jan 2019)</td>
</tr>
<tr>
<td>QFC</td>
<td>Katie Agron</td>
<td>Partial</td>
<td>No</td>
<td>Yes</td>
<td>3 of 6 meetings (July 2018 – Jan 2019)</td>
</tr>
<tr>
<td>QFC</td>
<td>Klasina VanderWerf</td>
<td>Partial</td>
<td>No</td>
<td>Yes</td>
<td>6 of 6 meetings (July 2018 – Jan 2019)</td>
</tr>
</tbody>
</table>
In October 2018 City Council updated the Board, Commission and Committee Recruitment, Appointment and Removal Policy (see Exhibit A) and provided direction to City staff regarding tracking attendance of board, commission and committee members.

Staff notes that QFC member Katie Agron has contributed to the Committee in other ways such as with the Quincy Farm Open House event and she has stated that she will attend the February QFC meeting.

NEXT STEPS
Reappointments
Staff is seeking Council direction on the reappointment of the members who desire to serve another term.

Applications and Interviews
PTRC Commissioner Josh DiCarlo has stated he does not wish to serve a third term. Section 2-8-20 of the Municipal Code directs Council to appoint one member of PTRC from each Council district if possible. District 2 is not currently represented on PTRC:

<table>
<thead>
<tr>
<th>Member Name</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fred Wolfe</td>
<td>District 1</td>
</tr>
<tr>
<td>Aron Grodinsky</td>
<td>District 1</td>
</tr>
<tr>
<td>Joshua DiCarlo</td>
<td>District 3</td>
</tr>
<tr>
<td>Peter Sutherland</td>
<td>District 3</td>
</tr>
<tr>
<td>Kate Murphy</td>
<td>District 4</td>
</tr>
<tr>
<td>Stephanie Dahl</td>
<td>District 5</td>
</tr>
<tr>
<td>Robert Eber</td>
<td>District 6</td>
</tr>
</tbody>
</table>

Staff has six applications for PTRC from 2018:

<table>
<thead>
<tr>
<th>District</th>
<th># Applicants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>4</td>
<td>none</td>
</tr>
<tr>
<td>5</td>
<td>none</td>
</tr>
<tr>
<td>6</td>
<td>1</td>
</tr>
</tbody>
</table>

Staff is requesting Council direction on either advertising the new vacancy in the April issue of the Village Crier to solicit additional applications, or choosing from the six applications from 2018. Staff is also seeking two Council members to assist with the appointment process.
ATTACHMENTS
Exhibit A: Board, Commission and Committee Recruitment, Appointment and Removal Policy
Board, Commission and Committee
Recruitment, Appointment and Removal Policy

ADMINISTRATIVE POLICY

Purpose
To establish procedures for the announcement of Board, Commission and Committee vacancies, review of applications and appointment of members. This policy will apply to Boards and Commissions established in the Charter, by ordinance or resolution adopted by City Council and advisory Committees created by the Council. The goal of the policy is to establish procedures that open opportunities for membership to all interested persons and to provide guidance on the procedures used to manage the appointment process.

Length of Terms
Boards, Commissions and Committees may be established by the Charter, by ordinance or by resolution. Boards, Commissions and Committees include and have terms as set forth below:

- Board of Adjustment and Appeals (BOAA) – 3 years commencing the third Tuesday in May (Municipal Code Section 16-3-10)
- Planning and Zoning (P&Z) – 3 years commencing the third Tuesday in September (Municipal Code Section 2-6-30);
- Parks, Trails and Recreation Commission (PTRC) – 3 years commencing the third Tuesday in May (Municipal Code Section 2-8-30)
- Cherry Hills Village Art Commission (CHVAC) – 3 years commencing in May/July (Resolutions Appointing Members)
- Quincy Farm Committee (QFC) – 3 years commencing the third Tuesday in May (Resolution 10, Series 2015, Resolution 12, Series 2015, and Resolution 7, Series 2018)

Application for Appointment
The City Clerk shall prepare an application form for interested persons to complete and submit as a condition of consideration for appointment. Information concerning the application process and the application form will be maintained on the City's web site. Applications will be accepted both at any time if at the initiative of an interested person as well as in response to announcements of
vacancies. The City Clerk will confirm with applicants not appointed during any recruitment process their interest in having the City maintain their application on file for future consideration. Applications will be maintained by the City Clerk for a period of [2] years. Applications held by the City Clerk for longer than two years will be considered expired.

**Annual and Periodic Appointment Process**
The City Clerk will advise the Council of vacancies as they occur by resignation of a member and report to Council two months prior to expiration of terms regarding the need to appoint persons to fill vacancies due to current members that have served for two full terms. For purposes of counting full terms, an appointment to complete a partial term will not be counted. The Council shall appoint two Council members to review vacancies and applications for each Board or Commission with vacancies. Those Council members assigned shall review all applications, schedule meetings with candidates as necessary and present their recommendation to the City Council.

For PTRC the representation of Council Districts among the members will be considered when any term ends, regardless of the number of terms the member has served. If there is an uneven distribution and the member whose term is ending is in a district already represented on the PTRC, a recruitment process will follow, and the incumbent member will be considered for another term along with any new applicants if they wish to continue serving.

**Reappointment of Incumbent Members**
The City Council recognizes the value of allowing members to serve for more than one term, but also recognizes the importance of having members be active participants. The City Council will consider reappointment of incumbent members based on the following criteria: (1) receipt by staff of confirmation from the incumbent of their interest in reappointment; (2) receipt by the appropriate City Council liaison from the Chair of the applicable board, commission or committee confirming that the incumbent has dutifully attended meetings and actively participated in deliberations; (3) review of the incumbent’s meeting attendance record as tracked by City staff, and reassurance from the member of their ability to attend meetings if their attendance record is below 75%. In such case that the City Council approves the reappointment of an incumbent member, no advertisement for applications shall be solicited from the public. Partial terms will not be counted as a full term, consistent with City Council terms.

At the City Council’s discretion, after a member has served two terms a recruitment process will follow, and the incumbent member will be considered for another term along with any new applicants if they wish to continue serving.

**Board, Commission and Committee Member Attendance**
Member attendance shall be tracked by City staff with the following guidelines:
- Attendance shall be counted for all regular and special meetings.
• For regular meetings that are cancelled, attendance shall be counted if the
cancellation is due to lack of a quorum, but shall not be counted if the
cancellation is due to lack of agenda items or is rescheduled due to a
holiday.

In order to be fair to all members, regular Board, Commission and Committee
meeting times and days shall not be changed except when a regular meeting
falls on a holiday.

Removal of Board, Commission and Committee Members
The City Council may consider removing any member of a Board, Commission or
Committee in the event that either the Chair of a Board, Commission or
Committee or the City Manager presents a recommendation to the City Council
calling for removal. Upon such a recommendation, the Council shall decide on
the review procedure to be followed and act on the matter pursuant to Council
determination.

Advisory Committees
The City Council may from time to time create advisory Committees. The City
Clerk shall prepare an application form for interested persons to complete and
submit as a condition of consideration for appointment. Applicants from previous
recruitment processes shall also be considered if they have indicated such
interest. The City Clerk will confirm with applicants not appointed during any
recruitment process their interest in having the City maintain their application on
file for future consideration. Persons appointed to an advisory Committee shall
serve through completion of the work of the Committee.
MEMORANDUM

TO:          HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL

FROM:        LAURA GILLESPIE, CITY CLERK

SUBJECT:     DISCUSSION OF AMENDMENTS TO THE CITY COUNCIL RULES OF PROCEDURE

DATE:        FEBRUARY 19, 2019

ISSUE
Staff is seeking Council’s direction on proposed amendments to the City Council Rules of Procedure

DISCUSSION

Staff is recommending further amendments to the Rules as shown in redline in Exhibit A. Amendments include:

- Revising the order of agenda to add Approval of Agenda and to move Reports from City Boards, Commissions and Committees to the beginning of the agenda (Article 3, Section 3)
- Changing the Council packet day to the Wednesday preceding any regular meeting (Article 3, Section 7)

Staff is seeking Council direction on adding a policy regarding Participation by Phone (Article 3, new Section 14). Some issues to consider include:

- Should participation by phone be allowed at all?
- If participation by phone is allowed:
  - Should participation be allowed for executive sessions?
  - Should there be a limit to the number of members who can participate by phone during a particular meeting?
o Should there be a limit to the number of times a particular member can participate by phone each year?
• Should participation by phone be allowed for the City’s boards, commissions and committees?

NEXT STEPS
Based on tonight’s discussion staff will bring back a resolution to approve amendments for Council’s consideration at a future meeting.

ATTACHMENTS
Exhibit A: City Council Rules of Procedure Proposed Amendments
CHERRY HILLS VILLAGE
CITY COUNCIL
RULES OF PROCEDURE
Adopted August 7, 2012
Amended March 3, 2015 and January 19, 2016

<table>
<thead>
<tr>
<th>ARTICLE 1.</th>
<th>Authority.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 1. These Rules of Procedure are adopted by the City of Cherry Hills Village City Council pursuant to the authority vested in Section 3.7 of the City of Cherry Hills Village Home Rule Charter and Section 2-2-10 of the City of Cherry Hills Village Municipal Code. Deviations from these Rules that do not violate the Charter or any law may be permitted at the discretion of the Mayor.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ARTICLE 2.</th>
<th>Roles and Responsibilities.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 1. Refer to Article III of the Charter.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ARTICLE 3</th>
<th>Meetings.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 1. The City Council consists of the Mayor and six Council members. Four members of the Council constitute a quorum (see Section 3.7 of the Charter). The Mayor is not counted for the purposes of establishing a quorum.</td>
<td></td>
</tr>
</tbody>
</table>

Section 2. An organizational meeting shall be held at the first Council meeting in the month of January following each regular City election (see Section 3.7 of the Charter). At this meeting elected City Council members and the Mayor-elect shall assume the duties of office; the newly-elected Mayor and Council members shall take their oath of office; and the Mayor Pro Tem shall be elected by the Council.

Section 3. Regular Meetings.
(A) Regular meetings of the City Council shall be scheduled for the first and third Tuesday of each month with the following exceptions:
- In July only one meeting shall be held on the third Tuesday of the month.
- In December only one meeting shall be held on the second Wednesday of the month.
Regular meetings may be rescheduled or cancelled at the discretion of the Mayor, provided that the Council shall meet at least once each month as required by Charter Section 3.7. All meetings will be held at the Village Center at 2450 East Quincy Avenue, or at such other venue as Council shall select and provide notice thereof in accordance with applicable law. All meetings will begin at 6:30 p.m. unless otherwise noted on the agenda.

(B) The order of business at regular meetings shall be as follows unless adjusted by the Mayor.
1. Call to Order  
2. Roll Call of Members  
3. Pledge of Allegiance  
4. Approval of Agenda  
5. Audience Participation  
6. Reports from City Boards, Commissions and Committees  
7. Consent Agenda  
8. Items Removed From Consent Agenda  
9. Unfinished Business  
10. New Business  
11. Reports  
   a. Mayor  
   b. Members of City Council  
   c. Members of City Boards and Commissions  
   d. City Manager and Staff  
   e. City Attorney  
12. Adjournment  

(C) The Mayor may adjust the order of business and allow scheduled presentations, at a time and in a manner most convenient for the public, staff, and Council.

Section 4. Special meetings of the Council shall be called by the City Clerk on the oral request of the Mayor, or of any two members of the Council, on at least 24 hours’ advanced written or telephonic notice to each member of the Council, but a special meeting may be held on shorter notice if all members of the Council are present or those absent waive notice thereof (Section 3.8 of the Charter).

Section 5. The purpose of a study session shall be to hear, study, and discuss matters in a forum that allows for more attention to the matter than a regular meeting. Study sessions shall be open to the public but audience participation will not necessarily be taken. No business shall be transacted and no formal action shall be taken at a study session. However, the Council may by consensus provide City staff with direction concerning agenda related items. When possible, study sessions shall be held from 6:00 to 6:30 p.m. directly before a regular meeting of the Council.

Section 6. Executive Sessions  
(A) Executive sessions may only be held at a regular or special meeting and shall comply with the provisions of C.R.S. 24-6-402.

(B) A motion to move into executive session from a regular or special meeting shall set forth the matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized. The motion shall include specific citation to the provision of C.R.S. 24-6-402 authorizing the executive session. The motion shall be approved by a 2/3 majority of the Council members present on roll call.

(C) The Council shall make no final policy decision, nor shall it adopt or approve
any resolution, rule, ordinance, regulation or formal action at any session closed to the
general public.

(D) Discussions that occur during executive session, except attorney-client
privileged communications as identified in C.R.S. 24-6-402(d.5)(II)(A), shall be recorded
by making an audio recording that shall be retained for ninety days after the date of the
executive session. The audio recording shall be kept for the required 90 days by the City
Attorney unless the City Attorney was the topic of the executive session.

(E) All persons present shall preserve the confidentiality of the matters discussed in
executive session.

Section 7. Agendas and Council Packet.
(A) The agenda shall be maintained by the City Clerk and may be modified by the
City Manager or Mayor. The City Manager will submit a proposed agenda to the Mayor
for review prior to the Council packet being distributed. Any Council member may
submit to the City Clerk items for the agenda, which shall be included on the agenda for
the next scheduled meeting if provided to the City Clerk at least 24 hours prior to
distribution of the Council packets. Draft agendas shall be made available to the City
Council at the previous meeting. Agendas shall be posted at the location designated by
Council for notices of meetings at least 24 hours prior to any regular or special meeting.
The agenda shall be made available to the public through the city website or by request
at the Village Center.

(B) The Council packet shall generally be provided to Council members on the
Wednesday but no later than the Friday preceding any regularly scheduled meeting.
Supporting information not available the Friday before the meeting may be provided to
Council at the meeting. The Council packet shall be made available to the public
through the city website or by request at the Village Center. A public copy of the
Council packet will be provided at the Council meeting.

Section 8. The Mayor, Mayor Pro Tem, or other designated Council member in their
absence, shall serve as the presiding officer in the conduct of meetings. In the event of
absence or disability of both the Mayor and the Mayor Pro Tem, the Council shall
designate another of its members to serve as Acting Mayor during such absence or
disability. Any Mayor Pro Tem or Acting Mayor, while serving as such, shall retain all
powers granted to Council members by the Charter and Municipal Code (Sections 3.3,
5.1 and 5.5 of the Charter). References to the Mayor’s powers and duties during a
Council meeting in these Rules shall apply to the presiding officer at the meeting.

Section 9. At all times, the discussions and motions of the Council and remarks of
members of the public shall be directed to the Mayor, and shall be preceded by
recognition from the Mayor.

Section 10. General Discussion.
(A) Each member of Council shall be afforded an opportunity to speak on the
matter under discussion before moving on to another topic of discussion. The Mayor
may set a time limit on any such discussion of members of Council.

(B) Council members shall not be permitted to explain their vote during a roll call. Such explanation is permitted during the discussion of the question or motion.

Section 11. Audience Participation.
(A) Any person may speak to the Council on any matter during the Audience Participation period at the beginning of each regular and special Council meeting. The City Clerk shall post an audience participation sign-up form before each regular meeting. Immediately prior to the audience participation portion of the meeting, the City Clerk shall hand the sign-up form to the Mayor. The Mayor shall call those signed up to speak before Council in the order they have signed up.

(B) Audience participation shall be limited to 5 minutes per speaker.

(C) The Mayor may restrict cumulative or redundant presentations.

(D) Those attending Council meetings shall refrain from disruptive, vulgar or abusive language, applause, heckling or other actions that interfere with the orderly function of the Council. The Mayor may take any reasonable steps to maintain the order and dignity of Council meetings.

Section 12. Public Hearings
(A) Public hearings will be held as required by the Charter and the Municipal Code. The Mayor will open each hearing and allow any person in attendance to address the issue subject to the rules contained in Section 11 concerning audience participation. The purpose of any Public Hearing shall be to: (1) allow applicants an opportunity to present evidence in support of their application; (2) ensure compliance with due process principles; and (3) provide everyone an opportunity to present their views and recommendations on the issue that is the subject of the hearing.

(B) The Mayor and Council members shall not debate or challenge the position of any speaker, but may question a speaker in order to fully understand their position. The Mayor and Council shall reserve their comments on public testimony until the issue is before the Council for discussion.

(C) Written communications submitted directly to City staff or Council must be submitted at least 24 hours in advance of the public hearing to ensure inclusion in the record. Written comments or postings related to a public hearing that are submitted on the City’s social media, including but not limited to Facebook, shall not be considered part of the record, unless specifically included in the record via staff report or by acknowledgement of Council. All written materials submitted to the City Clerk or the Council at the public hearing shall be considered part of the record.

Section 13. Method of Voting
(A) On motions that do not require a roll call of votes, the Mayor shall ask that all those in favor of the motion signify by saying yes. Those members in favor shall give
said sign. The Mayor shall then ask that all those opposed signify by saying no. Those members opposed shall give said sign. The Mayor shall signify if the motion passes or fails. The City Clerk shall record the results of the motion in the minutes of the meeting.

(B) On motions that require a roll call of votes, the Mayor shall ask the City Clerk for a roll call. The City Clerk shall perform the roll call and record each member’s vote in the minutes. The Mayor shall signify if the motion passes or fails.

Section 14. Participation by Phone

Section 145. If a member of Council has a personal, financial or other conflict of interest, or appearance thereof that would affect public confidence in any matter to be voted upon or otherwise officially considered, deemed by the affected Council member to require recusal, then a brief statement of such disclosure shall be presented prior to any consideration of the matter by Council, and the recusing Council member shall then not participate in any discussion or vote of the matter.

Section 156. Record of proceedings shall be taken by the City Clerk in the form of written minutes as well as audio recording. Audio recordings will be made available to the public on the city website as soon as reasonably possible after the meeting. Written minutes will be prepared by the City Clerk and be presented for Council’s approval at the next regular or special meeting. Following approval, the written minutes will be made available to the public at the Village Center and on the city website.

ARTICLE 4. Ordinances

Section 1. Any legislative action by the Council shall be by adoption of an ordinance. All other matters may be decided by adoption of a motion or resolution as the Council deems appropriate.

Section 2. The Mayor, any Council member, or the City Manager may request that a proposed ordinance be placed on a Council agenda. A proposed ordinance may be introduced by any member of Council. Introduction may be by title only, or in full text (Section 4.5 of the Charter). Where feasible, the person proposing the ordinance may present the proposed text together with a written or oral explanation for the purpose and content of the proposed ordinance at a regularly scheduled meeting before first consideration.

Section 3. Any ordinance approved on first consideration shall be placed on the agenda of the next regular or special Council meeting for second and final consideration provided said meeting is at least six days after passage on first reading. The proposed ordinance must be completed in written form and a copy provided to each Council member before second consideration (Section 4.5 of the Charter). If a public hearing is required for the second consideration of an ordinance then said ordinance shall be placed on the agenda of the next regular or special meeting after the required publication is accomplished.
**ARTICLE 5**

**Conflicts of Interest and Ethical Considerations.**

*Section 1.* Members of Council shall adhere to Article IX of Chapter 2 of the Municipal Code, the Code of Ethics.

**ARTICLE 6**

**Attendance and Absences.**

*Section 1.* The Council must have a quorum to do business. Therefore, governance of the City requires that all members of the Council attend Council meetings in order to fulfill their obligation to the citizens of the City by fully participating in the process of government. Additionally, each member of the Council has an obligation to his or her fellow members to be informed and attend Council meetings.

*Section 2.* If it is necessary for a Council member to be absent from a regular meeting of the Council, the Council member shall notify the Mayor and City Clerk prior to the meeting.

*Section 3.* If it is necessary for the Mayor to be absent from a regular meeting of the Council, the Mayor shall notify the City Clerk's office prior to the meeting.

**ARTICLE 7**

**Finances.**

*Section 1.* The City shall pay or reimburse the Mayor and Council members for necessary bona fide expenses incurred in service on behalf of the City if authorized, itemized and maintained as a matter of public record. The City will pay or reimburse the Mayor and Council members for travel expenses and mileage allowance according the City's generally applicable policies governing employee travel expenses and mileage allowance (Sections 3.6 and 5.3 of the Charter).

*Section 2.* The City will not pay or reimburse the Mayor or Council members for any costs associated with a member's spouse attending any related function.

**ARTICLE 8**

**Electronic Mail and Social Media**

*Section 1.* Electronic communications such as email shared among the Council may constitute a meeting for which open meetings and open records requirements may apply. The Elected Officials Email Policy included as Appendix A to these Rules shall provide a guide to elected officials.

**ARTICLE 9**

**Amendment of Rules.**

*Section 1.* Any additions hereto or modifications or amendments hereof shall be submitted in writing at a regular meeting and shall be acted upon no sooner than at the next meeting of Council as an agenda item. This requirement may be waived only upon the unanimous affirmative-recorded vote of all members of Council.
<table>
<thead>
<tr>
<th>ARTICLE 10</th>
<th>Robert’s Rules of Order</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 1.</td>
<td>To the extent helpful, relevant and not inconsistent with these Rules, Robert’s Rules of Order Newly Revised shall apply.</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS

FROM: LAURA GILLESPIE, GID SECRETARY

SUBJECT: RESOLUTION 1, SERIES 2019; A RESOLUTION OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT (GID) BOARD OF DIRECTORS ADOPTING THE GID’S OFFICIAL SEAL

DATE: FEBRUARY 19, 2019

ISSUE
Should City Council, acting as the Board of Directors for the Charlou Park 3rd Filing General Improvement District (GID), approve Resolution 1, Series 2019, adopting the GID’s official seal (Exhibit A)?

DISCUSSION
The Cherry Hills Village Charlou Park 3rd Filing General Improvement District (GID) was organized by Cherry Hills Village Ordinance 1, Series 2019. The City Council serves as the Board of Directors for the GID.

C.R.S. Section 31-25-609 requires the Board of Directors of the GID to adopt an official seal. Staff is submitting the seal design as attached to Resolution 1, Series 2019 for consideration.

RECOMMENDED MOTION
“I move to approve Resolution 1, Series 2019 of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District Board of Directors adopting the GID’s official seal.”

ATTACHMENTS
Exhibit A: Resolution 1, Series 2019
Attachment A: Seal Design
A RESOLUTION OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT (GID) BOARD OF DIRECTORS ADOPTING THE GID'S OFFICIAL SEAL

WHEREAS, the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (the "GID") has been duly organized in accordance with City of Cherry Hills Village Ordinance 1, Series 2019, and the statutes of the State of Colorado; and

WHEREAS, pursuant to Section 31-25-609, C.R.S., the City Council for the City of Cherry Hills Village serves ex-officio as the Board of Directors of the GID (the "Board") and the City Clerk serves ex-officio as the Secretary of the GID; and

WHEREAS, Section 31-25-609, C.R.S., requires the Board to adopt an official seal; and

WHEREAS, the Secretary has submitted a seal design to the Board for their consideration; and

WHEREAS, the proposed seal design is attached to this Resolution as Attachment A; and

WHEREAS, the Board desires to adopt the proposed seal design as the official seal of the GID,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, SITTING EX-OFFICIO AS THE BOARD OF DIRECTORS OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT, THAT:

Section 1. The Board of Directors of the GID hereby adopts the seal in the form attached to this Resolution as the official seal of the GID.

Section 2. A permanent copy of the seal is directed to be placed on file with the Secretary.

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

ADOPTED by a vote of ___ in favor and ___ against this ___ day of February, 2019.

By: ____________________________________________
Russell O. Stewart, GID Chairperson
ATTEST:
By: ______________________________ ___
    Laura Gillespie, GID Secretary

Approved as to Form:
By: ______________________________ ___
    Attorney for GID
ATTACHMENT A
Seal Design
ITEM: 13b

MEMORANDUM

TO: THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS

FROM: JESSICA SAGER, DIRECTOR OF FINANCE AND ADMINISTRATION

THROUGH: KATHIE GUCKENBERGER, CITY ATTORNEY
        MARCUS MCASKIN, DEPUTY CITY ATTORNEY
        DAN LYNCH, KUTAK ROCK LLP, CITY BOND COUNSEL

SUBJECT: BOARD BILL 1, SERIES 2019; A BILL FOR AN ORDINANCE OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT, IN THE CITY OF CHERRY HILLS VILLAGE, COLORADO, PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS OF SUCH DISTRICT, SERIES 2019, IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING $550,000, TO FINANCE THE COST OF CERTAIN IMPROVEMENTS APPROVED AT A DISTRICT ELECTION HELD ON NOVEMBER 6, 2018; RATIFYING ACTIONS HERETOFORE TAKEN; AUTHORIZING THE EXECUTION BY THE DISTRICT OF THE BONDS AND RELATED DOCUMENTS REQUIRED IN CONNECTION THERewith; AND MAKING DETERMINATIONS AS TO OTHER MATTERS RELATED TO THE BONDS (FIRST READING)

DATE: FEBRUARY 19, 2019

ISSUE

Should City Council, acting as the Board of Directors for the Charlou Park 3rd Filing General Improvement District (GID), approve Board Bill 1, Series 2019 (the “GID Bond Ordinance”) providing for the issuance of the General Obligation Bonds, in the aggregate principal amount not exceeding $550,000, to finance the cost of certain improvements approved at the November 6, 2018 election; and making determinations as to other matters related to the bonds (Exhibit A)?
DISCUSSION
The Cherry Hills Village Charlou Park 3rd Filing General Improvement District (“GID”) was organized by Cherry Hills Village Ordinance 1, Series 2019. The City Council serves as the Board of Directors for the GID.

The GID Bond Ordinance authorizes the issuance of General Obligation Bonds, Series 2019 (“Series 2019 Bonds”) in a principal amount of up to $550,000. Currently, the GID anticipates issuing the Series 2019 Bonds in the principal amount of $375,000. Proceeds from the Series 2019 Bonds will be used to finance the cost of certain improvements authorized at the November 6, 2018 election, generally consisting of undergrounding certain overhead utilities (the “Project”), fund capitalized interest from the closing date through the initial payment date of December 1, 2019, establish a reserve fund in the amount of $37,500, and pay for other costs of issuance, as set forth in the sources and uses of fund table below:

<table>
<thead>
<tr>
<th>Sources</th>
<th>$375,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bond Proceeds</td>
<td>$375,000</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td>$375,000</td>
</tr>
<tr>
<td>Uses</td>
<td></td>
</tr>
<tr>
<td>Construction/Contingency</td>
<td>$275,000</td>
</tr>
<tr>
<td>Capitalized Interest</td>
<td>$ 14,667</td>
</tr>
<tr>
<td>Reserve Fund</td>
<td>$ 37,500</td>
</tr>
<tr>
<td>Cost of Issuance</td>
<td>$ 47,833</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td>$375,000</td>
</tr>
</tbody>
</table>

The final amount, interest rate and other details of the Series 2019 Bonds will be established within the parameters established by the GID Bond Ordinance. The GID Bond Ordinance authorizes the City Finance Director to execute a Final Terms Certificate, acting in her capacity as *ex officio* Treasurer of the GID. A GID Cash Flow Analysis is attached to this Memorandum as Exhibit B and is incorporated herein for reference. Currently, it is anticipated that the closing on the Series 2019 Bonds will occur in mid to late March. As of the date of this memorandum, Academy Bank has proposed to purchase the Series 2019 Bonds. As set forth in the definition of Series 2019 Bonds included in Section 1 of the GID Bond Ordinance, and as authorized by C.R.S. § 31-25-611(1)(e), the Series 2019 Bonds may be designated and delivered to the initial purchaser as the “Series 2019 Notes.”

RECOMMENDED MOTION
“I move to approve Board Bill 1, Series 2019; A Bill for an Ordinance of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District, in the City of Cherry Hills Village, Colorado, providing for the issuance of General Obligation Bonds of such District, Series 2019, in an aggregate principal amount not exceeding $550,000, to finance the cost of certain improvements approved at a District election held November 6, 2018; ratifying actions heretofore taken; authorizing the execution by the District of the Bonds and related documents
required in connection therewith; and making determinations as to other matters related to the Bonds.”

ATTACHMENTS
Exhibit A: GID Board Bill 1, Series 2019
Exhibit B: GID Cash Flow Analysis
A BILL FOR AN ORDINANCE OF
THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING
GENERAL IMPROVEMENT DISTRICT, IN THE CITY OF CHERRY HILLS
VILLAGE, COLORADO, PROVIDING FOR THE ISSUANCE OF GENERAL
OBLIGATION BONDS OF SUCH DISTRICT, SERIES 2019, IN AN AGGREGATE
PRINCIPAL AMOUNT NOT EXCEEDING $550,000, TO FINANCE THE COST OF
CERTAIN IMPROVEMENTS APPROVED AT A DISTRICT ELECTION HELD ON
NOVEMBER 6, 2018; RATIFYING ACTIONS HERETOFORE TAKEN;
AUTHORIZING THE EXECUTION BY THE DISTRICT OF THE BONDS AND
RELATED DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND
MAKING DETERMINATIONS AS TO OTHER MATTERS RELATED TO THE
BONDS.

WHEREAS, Cherry Hills Village Charlou Park 3rd Filing General Improvement District
(the “District”), in the City of Cherry Hills Village, Colorado (the “City”), duly organized as a
general improvement district pursuant to Ordinance No. 1, Series of 2019, finally adopted by the
City Council of the City on January 15, 2019, is a quasi-municipal subdivision of the State of
Colorado and a body corporate with limited proprietary powers set forth in Part 6, Article 25,
Title 31, Colorado Revised Statutes (“C.R.S.”), as amended; and

WHEREAS, the City Council of the City is the ex-officio Board of Directors of the
District (the “Board”); the presiding officer of the City Council is the ex-officio presiding officer
of the District; and the City Clerk is the ex-officio Secretary of the District; and

WHEREAS, the District was formed for the purpose of financing the Improvements
(defined below); and

WHEREAS, at an election of the qualified electors of the District, duly called and held
on Tuesday, November 6, 2018 (the “2018 Election”), in accordance with law and pursuant to
due notice, a majority of those qualified to vote and voting at the 2018 Election voted in favor of
the organization of the District and the issuance of general obligation indebtedness and the
imposition of taxes for the payment thereof, for the purpose of undergrounding overhead utilities
and removing utility poles within the District (as more particularly defined herein, the
“Improvements”); and

WHEREAS, the returns of the 2018 Election were duly canvassed and the results thereof
duly declared; and

WHEREAS, the results of the 2018 Election were certified; and

WHEREAS, the District has not previously issued any of the indebtedness authorized at
the 2018 Election; and
WHEREAS, the Board has determined and hereby declares that it is in the best interests of the District, and the residents and taxpayers thereof, that for the purpose of financing the Improvements there shall be issued General Obligation Bonds, Series 2019, in an aggregate principal amount not to exceed $550,000 (the “Series 2019 Bonds”); and

WHEREAS, the Series 2019 Bonds shall be issued pursuant to the provisions of Title 31, Article 25, Part 6 C.R.S. (the “Act”), Title 11, Article 57, Part 2, C.R.S. (the “Supplemental Public Securities Act”), and all other applicable laws of the State; and

WHEREAS, the members of the Board have no known personal or private interests relating to the District or the issuance of the Series 2019 Bonds; and

WHEREAS, the Board desires to authorize the issuance and sale of the Series 2019 Bonds, the financing of the Improvements, and the execution documents in connection therewith.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, AS THE EX-OFFICIO BOARD OF DIRECTORS OF CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT:

Section 1. Definitions. The following terms shall have the following meanings as used in this Ordinance:


“Authorized Denominations” means (a) if the Series 2019 Bonds are issued in a total principal amount of $500,000 or more, $500,000 and integral multiples of $1,000 in excess thereof, or (b) in the event that the Series 2019 Bonds are issued in a total principal amount less than $500,000, the aggregate principal amount of the Series 2019 Bonds.

“Board” means City Council of the City, acting as the ex-officio the Board of Directors of the District.

“Bond Account” means the account established by the provisions hereof to account for the moneys for which a separate tax levy is made to satisfy the obligations of the Series 2019 Bonds. The Bond Account shall be a subsidiary account of the appropriate fund or account of the District and shall be separately accounted for by the District in accordance with the provisions hereof.

“Bond Counsel” means (a) as of the date of issuance of the Series 2019 Bonds, Kutak Rock LLP, and (b) as of any other date, Kutak Rock LLP or other attorneys, selected by the District, having nationally recognized expertise in the issuance of municipal bonds.

“Bond Obligation” means, as of any date, the principal amount of the Series 2019 Bonds Outstanding as of such date.
“Business Day” means any day other than (a) a Saturday or Sunday or (b) a day on which banking institutions in the State are authorized or required by law or executive order to be closed.

“City” means the City of Cherry Hills Village, Colorado.

“City Charter” means the home rule charter of the City.

“Closing Date” means the date of delivery of and payment for the Series 2019 Bonds.

“Code” means the Internal Revenue Code of 1986, as amended. Each reference to a section of the Code herein shall be deemed to include the United States Treasury Regulations proposed or in effect thereunder and applicable to the Series 2019 Bonds or the use of proceeds thereof, unless the context clearly requires otherwise.

“County” means Arapahoe County, Colorado.

“Dated Date” means the date of issuance of the Series 2019 Bonds.

“Default Rate” means the stated rate of the Series 2019 Bonds plus 3.00%.

“Defeasance Securities” means bills, certificates of indebtedness, notes, bonds or similar securities which are direct, non-callable obligations of the United States of America or which are fully and unconditionally guaranteed as to the timely payment of principal and interest by the United States of America, to the extent such investments are Permitted Investments.

“District” means Cherry Hills Village Charlou Park 3rd Filing General Improvement District, in the City of Cherry Hills Village, Colorado.

“Event of Default” means any of the events specified in the Section hereof titled “Events of Default.”

“Final Terms Certificate” means a certificate executed and delivered by the Director of Finance of the City, ex officio treasurer of the Board and the District, which establishes details of the Series 2019 Bonds in the manner provided in this Ordinance.

“Improvements” means the capital improvements for which the District was authorized to borrow at the 2018 Election.

“Initial Purchaser” means the original purchaser of the Series 2019 Bonds, identified by Final Terms Certificate, who may be either a bank lender or institutional purchaser.

“Interest Payment Date” means each June 1 and December 1, commencing not later than December 1, 2019, or any other convenient semiannual interval set forth in a Final Terms Certificate.

“Ordinance” means this Ordinance, including any amendments or supplements hereto.
“Outstanding” means, as of any date, all Series 2019 Bonds issued and delivered by the District, except the following:

(a) any Series 2019 Bond cancelled by the District or the Paying Agent, or otherwise on the District’s behalf, at or before such date;

(b) any Series 2019 Bonds held by or on behalf of the District;

(c) any Series 2019 Bonds for the payment or the redemption of which moneys or Defeasance Securities sufficient to meet all of the payment requirements of the principal of and interest on such Series 2019 Bonds to the date of maturity or prior redemption thereof, shall have theretofore been deposited in trust for such purpose in accordance with the Section hereof titled “Defeasance”; and

(d) any lost, apparently destroyed, or wrongfully taken Series 2019 Bonds in lieu of or in substitution for which another bond or other security shall have been executed and delivered.

“Owner” means the Person or Persons in whose name or names a Series 2019 Bond is registered on the registration books maintained by the Paying Agent.

“Paying Agent” means a suitable City or District official or institution identified by Final Terms Certificate and his, her or its successors or assigns designated by the District.

“Permitted Investments” means any investment in which funds of the District may be invested under the laws of the State at the time of such investment.

“Person” means a corporation, firm, other body corporate, partnership, association or individual and also includes an executor, administrator, trustee, receiver or other representative appointed according to law.

“Project” means the financing of the Improvements.

“Record Date” means, with respect to each Interest Payment Date, the [last day of the month immediately preceding the month in which such Interest Payment Date occurs (whether or not such day is a Business Day)].

“Reserve Fund” means, to the extent, if any, provided by Final Terms Certificate, the special account created and required to be maintained by the Section hereof titled “Reserve Fund.”

“Reserve Fund Requirement” means, to the extent, if any, that a Reserve Fund is required to be maintained by Final Terms Certificate, initially, and except as it may be adjusted subsequent to the issuance of the Series 2019 Bonds, the least of (a) 10% of the principal amount of the Series 2019 Bonds, (b) the maximum annual debt service requirements of the Series 2019 Bonds, or (c) 125% of the Average Annual Debt Service Requirements of the Series 2019 Bonds.
“Series 2019 Bonds” means the Series 2019 Bonds authorized and issued pursuant to this Ordinance. If specified by the Initial Purchaser, the Series 2019 Bonds may be designated by Final Terms Certificate and delivered to such Initial Purchaser as “Series 2019 Notes,” in which event all references herein to the Series 2019 Bonds shall be construed to refer to the Series 2019 Notes.

“State” means the State of Colorado.

“Tax Certificate” means the tax compliance certificate, dated as of the Closing Date, with respect to the Series 2019 Bonds, as such tax compliance certificate may be supplemented, superseded or amended in accordance with its terms.

“2019 Project Account” means the account established by the provisions hereof for the purpose of paying the costs properly attributable to the Project.

Section 2. Authorization and Purpose. Pursuant to and in accordance with the Acts, the District hereby authorizes, and directs that there shall be issued, the “Cherry Hills Village Charlou Park 3rd Filing General Improvement District, in the City of Cherry Hills Village, Colorado, General Obligation Bonds, Series 2019.” Before any Series 2019 Bonds are issued by the District, the final details of the Series 2019 Bonds shall be approved by Final Terms Certificate. Such Final Terms Certificate may contain the details required by this Ordinance to be determined by Final Terms Certificate, together with such additional details not inconsistent herewith.

Section 3. Form of Series 2019 Bonds. The Series 2019 Bonds shall be in substantially the following form, with such additional details (including, without limitation, identifying letters, numbers or symbols, to identify their subseries designations, if any) as provided by Final Terms Certificate:
[FORM OF SERIES 2019 BOND]

THIS SERIES 2019 BOND WAS ISSUED AS AN EXEMPT SECURITY OR IN A TRANSACTION EXEMPT FROM REGISTRATION UNDER THE SECURITIES ACT OF 1933, AS AMENDED, AND THE COLORADO MUNICIPAL BOND SUPERVISION ACT. UNDER NO CIRCUMSTANCES SHALL THIS SERIES 2019 BOND BE SOLD, PLEDGED OR OTHERWISE TRANSFERRED OR DISPOSED OF EXCEPT IN THE MANNER PROVIDED IN SECTION 9 OF THE ORDINANCE UNDER WHICH IT WAS ISSUED AND IN COMPLIANCE WITH APPLICABLE STATE AND FEDERAL SECURITIES LAWS. ANY TRANSFER OR PURPORTED TRANSFER IN VIOLATION OF SUCH SECTION 9 OR SUCH LAWS SHALL BE VOID AND OF NO EFFECT.

UNITED STATES OF AMERICA

STATE OF COLORADO

No. R-__ $________

CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT
IN THE CITY OF CHERRY HILLS VILLAGE, COLORADO
GENERAL OBLIGATION BOND
SERIES 2019

<table>
<thead>
<tr>
<th>Interest Rate</th>
<th>Maturity Date</th>
<th>Original Dated Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>___________%</td>
<td>____________</td>
<td>, 20___ , 2019</td>
</tr>
</tbody>
</table>

REGISTERED OWNER:

PRINCIPAL SUM: **________________________________________**

Cherry Hills Village Charlou Park 3rd Filing General Improvement District, in the City of Cherry Hills Village Colorado, for value received, hereby acknowledges itself indebted and promises to pay to the order of the registered owner named above, or registered assigns, the principal sum stated above, on the maturity date stated above, with interest on such principal sum from the original dated date stated above at the interest rate per annum stated above (calculated based on a 360-day year of twelve 30-day months), payable on ___ and ___ of each year, commencing , 2019. Capitalized terms used but not defined in this bond shall have the meanings ascribed to them in the Ordinance of the District authorizing the issuance of the Series 2019 Bonds.

The principal of and interest on this bond is payable to the registered owner hereof upon presentation and surrender of this bond at the office of ________________________, as Paying Agent, in _________, Colorado, or at such other office of the Paying Agent designated by the Paying Agent for such purpose. Interest on this bond is payable by check or draft of the
Paying Agent mailed on the Interest Payment Date to the registered owner hereof as of the last day of the month immediately preceding the month in which the Interest Payment Date occurs (whether or not such day is a Business Day); provided that interest payable to the registered owner of this bond may be paid by any other means agreed to by such registered owner and the Paying Agent that does not require the District to make moneys available to the Paying Agent earlier than otherwise required under the Ordinance or increase the costs borne by the District under the Ordinance. Any payment of principal of or interest on this bond that is due on a day that is not a Business Day shall be made on the next succeeding day that is a Business Day with the same effect as if made on the day on which it was originally scheduled to be made. All payments of principal of and interest on this bond shall be made in lawful money of the United States of America.

This Series 2019 Bond is part of an issue of General Obligation Bonds of the District designated the Cherry Hills Village Charlp Park 3rd Filing General Improvement District, in the City of Cherry Hills Village, Colorado, General Obligation Bonds, Series 2019, issued in the principal amount of $____________ (the “Series 2019 Bonds”) issued by the District for the purpose of providing funds for the Project described in the Ordinance. The Series 2019 Bonds have been issued pursuant to, under the authority of, and in full conformity with, the Constitution and the laws of the State, including, in particular, Part 2 of Article 57 of Title 11, Colorado Revised Statutes, as amended, and Part 6 of Article 25 of Title 31, Colorado Revised Statutes, as amended (collectively, the “Acts”); and pursuant to an ordinance adopted by the Board of the District. Pursuant to the Acts, the Series 2019 Bonds shall be incontestable for any reason following their delivery for value by the District.

It is hereby recited, certified, and warranted that all of the requirements of law have been fully complied with by the proper officers in issuing this Series 2019 Bonds. It is hereby further recited, certified, and warranted that the total indebtedness of the District, including that of this Series 2019 Bonds, does not exceed any limit prescribed by the constitution or laws of the State of Colorado; that at an election lawfully held within the District on November 8, 2016, the issuance of this Series 2019 Bond was duly authorized by a majority of the electors of the District qualified to vote and voting at said election; and that provision has been made for the levy and collection of an ad valorem tax on all of the taxable property within the District to pay the principal of and interest on this Series 2019 Bonds as the same respectively become due.

The Series 2019 Bonds have been issued by the District for the purpose of providing funds for the Project described in the Bond Ordinance. The Series 2019 Bonds are general obligations of the District and the full faith and credit of the District are pledged for the punctual payment of the principal of and interest on the Series 2019 Bonds. For the purpose of paying the principal of and interest on the Series 2019 Bonds when due, respectively, in the Bond Ordinance the Board has covenanted annually to determine and certify to the Board of County Commissioners of Arapahoe County, a rate of levy for general ad valorem taxes, without limitation as to rate and in an amount sufficient to pay the principal of and interest on the Series 2019 Bonds when due, respectively, whether at maturity or upon earlier redemption.

Reference is hereby made to the Bond Ordinance for an additional description of the nature and extent of the security for the Series 2019 Bonds, the accounts and revenues pledged to the payment thereof, the rights and remedies of the registered owners of the Series 2019 Bonds,
the manner in which the Bond Ordinance may be amended, and the other terms and conditions
upon which the Series 2019 Bonds are issued, copies of which Bond Ordinance are on file for
public inspection at the office of the District Secretary.

[Insert optional and/or mandatory sinking fund redemption provisions.]

Notice of any redemption of Series 2019 Bonds shall be given by the Paying Agent in the
name of the District by sending a copy of such notice by first-class, postage prepaid mail, not
less than 30 days prior to the redemption date, to the Owner of each Series 2019 Bond being
redeemed. Such notice shall specify the number or numbers of the Series 2019 Bonds so to be
redeemed (if redemption shall be in part) and the redemption date. If any Series 2019 Bond shall
have been duly called for redemption and if, on or before the redemption date, there shall have
been deposited with the Paying Agent in accordance with this Ordinance funds sufficient to pay
the redemption price of such Series 2019 Bond on the redemption date, then such Series 2019
Bond shall become due and payable at such redemption date, and from and after such date
interest will cease to accrue thereon. Failure to deliver any redemption notice or any defect in
any redemption notice shall not affect the validity of the proceeding for the redemption of Series
2019 Bonds with respect to which such failure or defect did not occur. Any Series 2019 Bond
redeemed prior to its maturity by prior redemption or otherwise shall not be reissued and shall be
cancelled.

The Paying Agent shall maintain registration books in which the ownership, transfer and
exchange of Series 2019 Bonds shall be recorded. The person in whose name this bond shall be
registered on such registration books shall be deemed to be the absolute owner hereof for all
purposes, whether or not payment on this bond shall be overdue, and neither the District nor the
Paying Agent shall be affected by any notice or other information to the contrary. This bond
may be transferred or exchanged at the principal office of the Paying Agent in __________,
Colorado, or at such other office of the Paying Agent designated by the Paying Agent for such
purpose, for a like aggregate principal amount of Series 2019 Bonds of other Authorized
Denominations of the same maturity and interest rate, upon payment by the transferee of a
reasonable transfer fee established by the Paying Agent, together with any tax or governmental
charge required to be paid with respect to such transfer or exchange and any cost of printing
bonds in connection therewith. Notwithstanding any other provision of the Ordinance, the
Paying Agent shall not be required to transfer any Series 2019 Bond (a) which is scheduled to be
redeemed in whole or in part between the Business Day immediately preceding the mailing of
the notice of redemption and the redemption date; or (b) between the Record Date for any
Interest Payment Date and such Interest Payment Date.

The Ordinance may be amended or supplemented from time-to-time with or without the
consent of the registered owners of the Series 2019 Bonds as provided in the Ordinance.

In the Ordinance the City has designated the Series 2019 Bonds as qualified tax-exempt
obligations for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

It is hereby certified that all conditions, acts and things required by the Constitution and
laws of the State, including the Acts, and the Ordinance of the District, to exist, to happen and to
be performed, precedent to and in the issuance of this bond, exist, have happened and have been
performed, and that neither this bond nor the other bonds of the issue of which this bond is a part exceed any limitations prescribed by the Constitution or laws of the State, including the Acts, or the ordinance of the District.

This Series 2019 Bond shall not be entitled to any benefit under the Ordinance, or become valid or obligatory for any purpose, until the Paying Agent shall have signed the certificate of authentication hereon.

IN WITNESS WHEREOF, the Board of Directors of the District has caused this bond to be executed with the signature of its President and attested by the signature of its Secretary, and has caused the seal of the District to be impressed or imprinted hereon, all as of the date set forth below.

CHERRY HILLS VILLAGE CHARLOU PARK
3RD FILING GENERAL IMPROVEMENT
DISTRICT, IN THE CITY OF CHERRY HILLS
VILLAGE, COLORADO

[DISTRICT SEAL]

By ________________________________
Russell O. Stewart, President

Attest:

By ________________________________
Laura Gillespie, Secretary
FORM OF REGISTRAR’S CERTIFICATE OF AUTHENTICATION

REGISTRAR’S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Series 2019 Bonds described on the reverse hereof. Attached hereto is a true copy of the opinion of Bond Counsel, Kutak Rock LLP, a signed copy of which is on file with the undersigned and dated as of the date of delivery of and payment for the Series 2019 Bonds.

Date of Authentication:

_______________________, 20__

__________________________________________
Registrar

By (Manual Signature) __________________________
Authorized Officer

[END OF FORM OF REGISTRAR’S CERTIFICATE OF AUTHENTICATION]
FOR VALUE RECEIVED, the undersigned Registered Owner sells, assigns and transfers unto

________________________________________
(Please insert social security or other identifying number of assignee)

(Name and Address of Assignee)

________________________________________

the attached bond and does hereby irrevocably constitute and appoint ____________________________,
Denver, Colorado, or its successor, as registrar and transfer agent, to transfer said bond on the books kept for registration thereof.

Dated: _________________________________

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the registration panel of the attached Bond in every particular without alteration or enlargement or any change whatever.

Signature guaranteed:

Signature(s) must be guaranteed by a national bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges and who is a member of a Medallion Signature Program.

TRANSFER FEE MAY BE REQUIRED

[END OF FORM OF ASSIGNMENT]
Section 4. Series 2019 Bond Details

(a) Registered Form, Denominations, Dated Date and Numbering. Only to the extent and for the purposes authorized herein, the District shall issue the Series 2019 Bonds, in an aggregate amount not to exceed $550,000, dated such date or dates as provided by Final Terms Certificate. The Series 2019 Bonds will be in registered form without coupons attached, payable to the registered owner or assigns, and will be in Authorized Denominations. The Series 2019 Bonds shall mature not later than December 1, 2039 and may bear interest at any rate or combination of rates such that the net effective interest rate of the Series 2019 Bonds does not exceed 6.00%. Upon the occurrence and during the continuation of an Event of Default, the Series 2019 Bonds shall bear interest at the Default Rate. The Series 2019 Bonds may be dated their date of issuance or any other convenient date provided by Final Terms Certificate, and interest shall be payable June 1 and December 1 or at any other convenient semiannual interval commencing not later than December 1, 2019, or as otherwise set forth in a Final Terms Certificate.

(b) Manner and Form of Payment. The final installment of principal of each Series 2019 Bond shall be payable to the Owner thereof upon presentation and surrender of such Series 2019 Bond at the principal office of the Paying Agent or at such other office of the Paying Agent designated by the Paying Agent for such purpose. Interest on each Series 2019 Bond and installments of principal other than the final such installment shall be payable by check or draft of the Paying Agent mailed on each Interest Payment Date to the Owner thereof as of the close of business on the corresponding Record Date; provided that principal of or interest payable to any Owner may be paid by any other means agreed to by such Owner and the Paying Agent that does not require the District to make moneys available to the Paying Agent earlier than otherwise required hereunder or increase the costs borne by the District hereunder. All payments of the principal of and interest on the Series 2019 Bonds shall be made in lawful money of the United States of America.

Section 5. Redemption of Series 2019 Bonds Prior to Maturity.

(a) Optional Redemption. The Series 2019 Bonds, if any, specified by Final Terms Certificate shall be subject to redemption prior to maturity, at the option of the District, as a whole or in part in Authorized Denominations, and if in part in such order of maturity as the District shall determine and by lot within a maturity, on such dates, if any, and at such prices, with or without redemption premium not to exceed 3% of the principal amount of the Series 2019 Bonds so redeemed, as shall be provided by Final Terms Certificate.

(b) Mandatory Sinking Fund Redemption. All or any principal amount of the Series 2019 Bonds may be subject to mandatory sinking fund redemption by lot on December 1 (or any other date provided by Final Terms Certificate) of the years and in the principal amounts specified by Final Terms Certificate, at a redemption price equal to the principal amount thereof (with no redemption premium), plus accrued interest to the redemption date.
At its option, to be exercised on or before the forty-fifth day next preceding each sinking fund redemption date, the District may (i) deliver to the Paying Agent for cancellation any Series 2019 Bonds with the same maturity date as the Series 2019 Bonds subject to such sinking fund redemption and (ii) receive a credit in respect of its sinking fund redemption obligation for any Series 2019 Bonds with the same maturity date as the Series 2019 Bonds subject to such sinking fund redemption which prior to such date have been redeemed (otherwise than through the operation of the sinking fund) and cancelled by the Paying Agent and not theretofore applied as a credit against any sinking fund redemption obligation. Each Series 2019 Bond so delivered or previously redeemed shall be credited by the Paying Agent at the principal amount thereof to the obligation of the District on such sinking fund redemption date, and the principal amount of Series 2019 Bonds to be redeemed by operation of such sinking fund on such date shall be accordingly reduced.

(c) Redemption Procedures. Notice of any redemption of Series 2019 Bonds shall be given by the Paying Agent by sending a copy of such notice by first-class, postage prepaid mail, not less than 30 days prior to the redemption date, to the Owner of each Series 2019 Bond being redeemed. Such notice shall specify the number or numbers of the Series 2019 Bonds so to be redeemed (if redemption shall be in part) and the redemption date. If any Series 2019 Bond shall have been duly called for redemption and if, on or before the redemption date, there shall have been deposited with the Paying Agent in accordance with this Ordinance funds sufficient to pay the redemption price of such Series 2019 Bond on the redemption date, then such Series 2019 Bond shall become due and payable at such redemption date, and from and after such date interest will cease to accrue thereon. Failure to deliver any redemption notice or any defect in any redemption notice shall not affect the validity of the proceedings for the redemption of Series 2019 Bonds with respect to which such failure or defect did not occur. Any Series 2019 Bond redeemed prior to its maturity by prior redemption or otherwise shall not be reissued and shall be cancelled.


(a) General Obligations. The Series 2019 Bonds shall be general obligations of the District and the full faith and credit of the District are pledged for the punctual payment of the principal and interest on the Series 2019 Bonds. The Series 2019 Bonds shall not constitute a debt or indebtedness of the County, the City, the State or any political subdivision of the State other than the District.

(b) Imposition of Mill Levy. For the purpose of paying the principal of and interest on the Series 2019 Bonds when due, respectively, the Board shall annually determine and certify to the Arapahoe County Board of Commissioners (the “Board of Commissioners”), in each of the years 2019 to 2038, inclusive, or such shorter period as the Series 2019 Bonds are Outstanding (and, to the extent necessary to make up any overdue payments on the Series 2019 Bonds or replenish the Reserve Fund to the Reserve Fund Requirement, in each year subsequent thereto), in addition to all other taxes, taxes sufficient to pay principal of, interest on and premiums, if any, due in connection with the Series 2019 Bonds as the same respectively become
due, together with any amounts required to replenish the Reserve Fund to the Reserve Fund Requirement.

(c) Application of Proceeds of Ad Valorem Taxes; Bond Account. There is hereby established, and the District covenants to maintain in accordance with the provisions hereof, a special account designated as the “Cherry Hills Village Charlou Park 3rd Filing General Improvement District, in the City of Cherry Hills Village, Colorado, General Obligation Bonds, Series 2019, Bond Account” (referred to herein as the “Bond Account”). The District shall deposit into the Bond Account (i) the general ad valorem taxes resulting from imposition of the mill levy pursuant to subsection (b) of this Section as such taxes are collected and (ii) any other legally available revenues or funds of the District that the District elects to apply to the payment of the principal of and interest on the Series 2019 Bonds. Earnings from the investment of moneys on deposit in the Bond Account shall be retained therein. Moneys on deposit in the Bond Account shall be applied solely to the payment of the principal of and interest on the Series 2019 Bonds and for no other purpose until the Series 2019 Bonds, including principal, interest and premiums, if any, are fully paid, satisfied and discharged.

(d) Appropriation and Budgeting of Proceeds of Ad Valorem Taxes. Moneys received from the general ad valorem taxes levied pursuant to subsection (b) of this Section and other moneys on deposit in the Bond Fund in an amount sufficient to pay the principal of and interest on the Series 2019 Bonds when due, respectively, are hereby appropriated for that purpose, and all amounts required to pay the principal of and interest on the Series 2019 Bonds due, respectively, in each year shall be included in the annual budget and appropriation ordinance or resolution to be adopted and passed by the Board for such year.

(e) Use or Advance of Other Legally Available Moneys. Nothing herein shall be interpreted to prohibit or limit the ability of the District to use legally available moneys in addition to the proceeds of the general ad valorem property taxes levied pursuant to subsection (b) of this Section to pay all or any portion of the principal of, premium, if any, or interest on the Series 2019 Bonds. If and to the extent such other legally available moneys are used to pay the principal of, premium, if any, or interest on the Series 2019 Bonds, the District may, but shall not be required to, (i) reduce the amount of taxes levied for such purpose pursuant to subsection (b) of this Section or (ii) use proceeds of taxes levied pursuant to subsection (b) of this Section not otherwise necessary to pay the principal of and interest on the Series 2019 Bonds to reimburse the fund or account from which such other legally available moneys were withdrawn for the amount withdrawn from such fund or account to pay the principal of, premium, if any, or interest on the Series 2019 Bonds; provided, however, that the District shall not be permitted to reduce the amount of the mill levy in anticipation of the use of other legally available moneys to pay all or any portion of the principal of, premium, if any, or interest on the Series 2019 Bonds unless the Board has first adopted an ordinance or resolution irrevocably pledging such moneys to the payment of the Series 2019 Bonds. If the District selects alternative (ii) in the
immediately preceding sentence, the taxes levied pursuant to subsection (b) of this Section shall include amounts sufficient to fund the reimbursement.

(f) **Certification to County Commissioners.** It is hereby declared that, if the District does not otherwise determine and certify to the Board of Commissioners of the County a rate of levy for general ad valorem property taxes as required by subsection (b) of this Section, the foregoing provisions of this Section shall constitute a certificate from the Board to the Board of County Commissioners of the County showing the aggregate amount of ad valorem taxes to be levied by the Board of County Commissioners of the County from time to time, as required by law, for the purpose of paying the principal of and interest on the Series 2019 Bonds when due.

(g) **Deposit of Moneys to Pay Series 2019 Bonds with, and Payment of Series 2019 Bonds by, Paying Agent.** No later than three Business Days immediately preceding each date on which a payment of principal of or interest on the Series 2019 Bonds is due, the District, from moneys in the Bond Account or other legally available moneys, shall deposit moneys with the Paying Agent an amount sufficient to pay the principal of and interest on the Series 2019 Bonds due on such date. The Paying Agent shall use the moneys so deposited with it to pay the principal of and interest on the Series 2019 Bonds when due.

**Section 7. Execution of Series 2019 Bonds.** The Series 2019 Bonds shall be executed in the name and on behalf of the District with the manual or facsimile signature of the President, shall bear a manual or facsimile signature of the seal of the District and shall be attested by the manual or facsimile signature of the Secretary of the Board, all of whom are hereby authorized and directed to prepare and execute the Series 2019 Bonds in accordance with the requirements hereof. Should any officer whose manual or facsimile signature appears on the Series 2019 Bonds cease to be such officer before delivery of any Series 2019 Bond, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes. When the Series 2019 Bonds have been duly executed, the officers of the District are authorized to, and shall, deliver the Series 2019 Bonds to the Paying Agent for authentication. No Series 2019 Bond shall be secured by or titled to the benefit of this Ordinance, or shall be valid or obligatory for any purpose, unless the certificate of authentication of the Paying Agent has been manually executed by an authorized signatory of the Paying Agent. The executed certificate of authentication of the Paying Agent upon any Series 2019 Bond shall be conclusive evidence, and the only competent evidence, that such Series 2019 Bond has been properly authenticated and delivered hereunder.

**Section 8. Registration of Series 2019 Bonds.** The Paying Agent shall maintain the registration books of the District in which the ownership, transfer and exchange of Series 2019 Bonds shall be recorded. The person in whose name any Series 2019 Bond shall be registered on such registration books shall be deemed to be the absolute owner thereof for all purposes, whether or not payment on any Series 2019 Bond shall be overdue, and neither the District nor the Paying Agent shall be affected by any notice or other information to the contrary.

**Section 9. Transfer and Exchange of Series 2019 Bonds; Transfer Restrictions.**
(a) The Series 2019 Bonds may be transferred or exchanged at the principal office of the Paying Agent or at such other office of the Paying Agent designated by the Paying Agent for such purpose for a like aggregate principal amount of Series 2019 Bonds of other Authorized Denominations of the same maturity and interest rate, upon payment by the transferee of a reasonable transfer fee established by the Paying Agent, together with any tax or governmental charge required to be paid with respect to such transfer or exchange and any cost of preparing and executing new Series 2019 Bonds in connection therewith. Upon surrender for transfer of any Series 2019 Bond, duly endorsed for transfer or accompanied by an assignment duly executed by the Owner or his or her attorney duly authorized in writing, the District shall execute and the Paying Agent shall authenticate and deliver in the name of the transferee a new Series 2019 Bond. Notwithstanding any other provision hereof, the Paying Agent shall not be required to transfer any Series 2019 Bond (i) which is scheduled to be redeemed in whole or in part between the Business Day immediately preceding the mailing of the notice of redemption and the redemption date or (ii) between the Record Date for any Interest Payment Date and such Interest Payment Date.

(b) Notwithstanding the procedure described in paragraph (a) of this Section, no Series 2019 Bond shall be transferred by the Initial Purchaser or any subsequent Owner unless: (i) the transferee shall have executed an investment letter satisfactory in form and substance to the District, and shall have provided such other evidence as the District may require in its discretion to establish that the transferee is a Qualified Institutional Buyer within the meaning of Regulation D under the Securities Act of 1933, as amended, and that the transferee is purchasing for investment with no view to resale, participation of other distribution thereof; and (ii) the Series 2019 Bond or Bonds shall be transferred only in Authorized Denominations. Any transfer or purported transfer of any interest in the Series 2019 Bonds in violation of the foregoing shall be void and the District shall have no obligation to recognize the ownership interest of, take any action on behalf of or make any payment to, the transferee or purported transferee.

Section 10. Replacement of Lost, Destroyed or Stolen Series 2019 Bonds. If any Series 2019 Bond shall become lost, apparently destroyed, stolen or wrongfully taken, it may be replaced in the form and tenor of the lost, destroyed, stolen or taken Series 2019 Bond and the District shall execute and the Paying Agent shall authenticate and deliver a replacement Series 2019 Bond upon the Owner furnishing, to the satisfaction of the Paying Agent: (a) proof of ownership (which shall be shown by the registration books of the Paying Agent), (b) proof of loss, destruction or theft, (c) an indemnity to the District and the Paying Agent with respect to the Series 2019 Bond lost, destroyed or taken, and (d) payment of the cost of preparing and executing the new Series 2019 Bond.

Section 11. Disposition of Series 2019 Bonds. When the Series 2019 Bonds have been duly executed, they shall be delivered to the Initial Purchaser upon receipt of the agreed purchase price. The proceeds of the Series 2019 Bonds, excluding accrued or capitalized interest, if any, which shall be deposited to the Bond Account described below, shall be used for the purposes stated herein and for no other purposes, provided, however, that any portion of the proceeds of
the Series 2019 Bonds may be temporarily invested pending such use, with such temporary investment to be made consistent with the covenants hereinafter made concerning arbitrage bonds. Neither the Initial Purchaser of the Series 2019 Bonds nor any subsequent owner of any of them shall be responsible for the application by the District, or any of its officers, of any of the funds derived from the sale of the Series 2019 Bonds.

Section 12. Reserve Fund. Only if and to the extent provided by Final Terms Certificate, there shall be established in connection with the Series 2019 Bonds a Reserve Fund to be known as the Series 2019 Debt Service Reserve Fund. The Reserve Fund shall be set aside from proceeds of the Series 2019 Bonds in an amount equal to the Reserve Fund Requirement, and maintained as a continuing reserve to be used, except as otherwise provided by Final Terms Certificate or this Ordinance, only to prevent deficiencies in payment of the debt service requirements of the Series 2019 Bonds resulting from failure to deposit to the Bond Account sufficient funds to pay such debt service requirements as the same become due, and such funds are hereby appropriated for such purpose.

Section 13. Disposition of Series 2019 Bond Proceeds; 2019 Project Account. There is hereby established and the District covenants to maintain in accordance with the provisions hereof a special account designated as the “Cherry Hills Village Charlo Park 3rd Filing General Improvement District, in the City of Cherry Hills Village, Colorado, General Obligation Bonds, Series 2019, Project Account” (referred to herein as the “2019 Project Account”). The entire proceeds of the Series 2019 Bonds, exclusive of accrued interest, capitalized interest, if any, deposited to the Bond Account, and costs of issuance, shall be deposited to the 2019 Project Account.

All moneys credited to the 2019 Project Account shall be applied solely to the payment of the costs properly attributable to the Project. Upon the determination of the Board that all such costs have been paid or are determinable, any balance remaining in the 2019 Project Account (less any amounts necessary to pay costs of the Project not then due and owing) shall be credited to the Bond Account.

Section 14. Investments. The District may purchase Permitted Investments with monies in the 2019 Project Account, the Bond Account or the Reserve Fund, provided that such Permitted Investments shall mature or be subject to redemption at the option of the owner thereof at or before the times when the invested funds are needed for the purposes of such funds or accounts. The investment of such moneys shall, however, be subject to the covenants and provisions of the Section hereof titled “Federal Income Tax Covenants.” Except to the extent otherwise required by such Section, interest income from the investment or reinvestment of moneys credited to each account shall remain in and become part of such account.

Section 15. Various Findings, Determinations, Declarations and Covenants. The Board, having been fully informed of and having considered all the pertinent facts and circumstances, hereby finds, determines, declares and covenants with the Owners of the Series 2019 Bonds that:

(a) The District was formed for the purpose of paying the costs of the Improvements;
(b) it is in the best interest of the District and its residents that the Series 2019 Bonds be authorized, sold, issued and delivered at the time, in the manner and for the purposes provided in this Ordinance;

(c) the issuance of the Series 2019 Bonds and all procedures undertaken or authorized incident thereto are in full compliance and conformity with all applicable requirements, provisions and limitations prescribed by the Constitution and laws of the State, including the Acts, and all conditions and limitations of the Acts and other applicable law relating to the issuance of the Series 2019 Bonds have been satisfied; and

(d) the District hereby elects to apply Part 2 of Article 57 of Title 11, Colorado Revised Statutes, as amended, in its entirety to the Series 2019 Bonds except to the extent inconsistent with this Ordinance. Pursuant to the Acts and this Ordinance, and in addition to the other provisions thereof, no recourse shall be had for the payment of the debt service requirements of the Series 2019 Bonds or for any claim based thereon or otherwise upon this Ordinance authorizing their issuance or any other ordinance or instrument pertaining thereto, against any individual member of the Board, or any officer or other agent of the District, past, present or future, either directly or indirectly through the District or the City, or otherwise, whether by virtue of any constitution, statute or rule of law or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of the Series 2019 Bonds and as a part of the consideration for their issuance specially waived and released.

(e) The District covenants to keep and maintain books and records of its financial operations, which shall be made available to the Owners upon their request from time to time.

Section 16. Federal Income Tax Covenants. For purposes of ensuring that the interest on the Series 2019 Bonds is and remains excluded from gross income for federal income tax purposes, the District hereby covenants that:

(a) **Prohibited Actions.** The District will not use or permit the use of any proceeds of the Series 2019 Bonds or any other funds of the District from whatever source derived, directly or indirectly, to acquire any securities or obligations and shall not take or permit to be taken any other action or actions, which would cause any Series 2019 Bond to be an "arbitrage bond" within the meaning of Section 148 of the Code, or would otherwise cause the interest on any Series 2019 Bond to be includible in gross income for federal income tax purposes.

(b) **Affirmative Actions.** The District will at all times do and perform all acts permitted by law that are necessary in order to assure that interest paid by the District on the Series 2019 Bonds shall be excludable from gross income for federal income tax purposes under the Code or any other valid provision of law. In particular, but without limitation, the District represents, warrants and covenants to comply with the following rules unless it receives an opinion of Bond Counsel stating
that such compliance is not necessary: (i) gross proceeds of the Series 2019 Bonds will not be used in a manner that will cause the Series 2019 Bonds to be considered “private activity bonds” within the meaning of the Code; (ii) the Series 2019 Bonds are not and will not become directly or indirectly “federally guaranteed”; and (iii) the District will timely file an Internal Revenue Service Form 8038-G with respect to the Series 2019 Bonds, which shall contain the information required to be filed pursuant to Section 149(e) of the Code.

(c) **Tax Certificate.** The District will comply with the Tax Certificate delivered by it on the date of issuance of the Series 2019 Bonds, including but not limited by the provisions of the Tax Certificate regarding the application and investment of Series 2019 Bond proceeds, the use of the Project, the calculations, the deposits, the disbursements, the investments and the retention of records described in the Tax Letter of Instructions attached to such Tax Certificate.

(d) **Designation of Series 2019 Bonds as Qualified Tax-Exempt Obligations.** The District hereby designates the Series 2019 Bonds as qualified tax-exempt obligations within the meaning of Section 265(b)(3) of the Code. The District covenants that the aggregate face amount of all tax-exempt obligations issued by the District, together with governmental entities which derive their issuing authority from the District or are subject to substantial control by the District, shall not be more than $10,000,000 during calendar year 2019. The District recognizes that such tax-exempt obligations include notes, leases, loans and warrants, as well as bonds.

**Section 17. Deferance.** When all debt service requirements of the Series 2019 Bonds have been duly paid, the pledge and lien and all obligations hereunder shall thereby be discharged and the Series 2019 Bonds shall no longer be deemed to be Outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment when the District has placed in escrow or in trust with a trust bank, located within or without the State of Colorado, moneys or bills, certificates of indebtedness, notes or bonds which are direct obligations of, or the principal of and interest on which are unconditionally guaranteed by, the United States of America (“Federal Securities”) in an amount sufficient (including the known minimum yield available for such purpose from Federal Securities in which such amount wholly or in part may be initially invested) to pay all debt service requirements of the Series 2019 Bonds, as the same become due to and including their maturity date or any redemption date as of which the District shall have exercised or shall have obligated itself to exercise its option to call bonds for prior redemption. The Federal Securities shall become due prior to the respective times at which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the District and such bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the owner thereof to assure such availability as so needed to meet such schedule. Nothing in this Ordinance shall be construed to prohibit a partial deferance of the Series 2019 Bonds in accordance with the provisions of this Section.

**Section 18. Events of Default.** Each of the following events constitutes an Event of Default:

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(a) **Nonpayment of Principal.** If payment of the principal of any Series 2019 Bond shall not be made when the same shall become due and payable at maturity or by proceedings for prior redemption.

(b) **Nonpayment of Interest.** If payment of any installment of interest on the Series 2019 Bonds shall not be made when the same comes due and payable.

(c) **Incapacity To Perform.** If the District shall for any reason be rendered incapable of performing its obligations hereunder.

(d) **Default of any Provision.** If the District shall default in the due and punctual performance of the covenants, conditions, agreements or provisions contained in the Series 2019 Bonds or in this ordinance on its part to be performed, other than those referred to in paragraphs (a) and (b) of this Section, if such default shall continue for 60 days after written notice specifying such default and requesting the same to be remedied shall have been given to the District by the owners of not less than 25% in aggregate principal amount of the Series 2019 Bonds then outstanding.

(e) **Bankruptcy or Receivership.** An order of decree by a court of competent jurisdiction declaring the District bankrupt under federal bankruptcy law or appointing a receiver of all or any material portion of the District’s assets or revenues is entered with the consent or acquiescence of the District or is entered without the consent or acquiescence of the District but is not vacated, discharged or stayed within 30 days after it is entered.

**Section 19. Remedies for Events of Default.**

(a) **Remedies.** Upon the occurrence and continuance of any Event of Default, the Owners of not less than 25% of the aggregate amount of the Bond Obligation, including, without limitation, a trustee or trustees therefor may proceed against the District to protect and to enforce the rights of the any Owners under this Ordinance by mandamus, injunction or by other suit, action or special proceedings in equity or at law, in any court of competent jurisdiction: (i) for the payment of any overdue installment of principal of or interest on the Series 2019 Bonds, and for the payment of interest on any installment of principal of any Series 2019 Bond that was not paid when due at the interest rate borne by such Series 2019 Bond; (ii) for the specific performance of any covenant contained herein; (iii) to enjoin any act that may be unlawful or in violation of any right of any Owner of any Series 2019 Bond; (iv) for any other proper legal or equitable remedy; or (v) any combination of such remedies or as otherwise may be authorized by applicable law; provided, however, that acceleration of any amount not yet due on the Series 2019 Bonds according to their terms shall not be an available remedy. All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Owners of Series 2019 Bonds then outstanding.
(b) Rights Cumulative; Failure to Pursue Remedies Not a Waiver or Release. The failure of any Owner of any Outstanding Bond to proceed in accordance with subsection (a) of this Section shall not relieve the District of any liability for failure to perform or carry out its duties under this Ordinance. Each right or privilege of any such Owner (or trustee therefor) is in addition and is cumulative to any other right or privilege, and the exercise of any right or privilege by or on behalf of any Owner shall not be deemed a waiver of any other right or privilege of such Owner.

Section 20. Amendment of Ordinance.

(a) Amendments Permitted without Notice to or Consent of Owners. The District may, without the consent of or notice to the Owners of the Series 2019 Bonds, adopt one or more ordinances amending or supplementing this Ordinance (which ordinances shall thereafter become a part hereof) for any one or more or all of the following purposes:

(i) to cure any ambiguity or to cure, correct or supplement any defect or inconsistent provision of this Ordinance;

(ii) to subject to this Ordinance or pledge to the payment of the Series 2019 Bonds additional revenues, properties or collateral;

(iii) to institute or terminate a book-entry registration system for the Series 2019 Bonds or to facilitate the designation of a substitute securities depository with respect to such a system;

(iv) to designate and set forth the duties of a substitute Paying Agent with respect to the Bonds; or

(v) to make any other change that does not materially adversely affect the Owners of the Series 2019 Bonds.

(b) Amendments Requiring Notice to and Consent of Owners. Except for amendments permitted by subsection (a) of this Section, this Ordinance may only be amended (i) by an ordinance of the District amending or supplementing this Ordinance (which, after the consents required therefor, shall become a part hereof); and (ii) with the written consent of the Owners of at least 66-2/3% of the Bond Obligation; provided that any amendment that makes any of the following changes with respect to any Series 2019 Bond shall not be effective without the written consent of the Owner of such Series 2019 Bond: (A) a change in the maturity of such Series 2019 Bond; (B) a reduction of the interest rate on such Series 2019 Bond; (C) a change in the terms of redemption of such Series 2019 Bond; (D) a delay in the payment of principal of or interest on such Series 2019 Bond; (E) a reduction of the Bond Obligation the consent of the Owners of which is required for an amendment to this Ordinance; or (F) the establishment of a priority or preference for the payment of any amount due with respect to any Series 2019 Bond over any other Series 2019 Bond.
(c) Procedure for Notifying and Obtaining Consent of Owners. Whenever the consent of an Owner or Owners of Series 2019 Bonds is required under subsection (b) of this Section, the District shall mail a notice to such Owner or Owners at their addresses as set forth in the registration books maintained by the Paying Agent and to the Initial Purchaser, which notice shall briefly describe the proposed amendment and state that a copy of the amendment is on file in the office of the District for inspection. Any consent of any Owner of any Series 2019 Bond obtained with respect to an amendment shall be in writing and shall be final and not subject to withdrawal, rescission or modification for a period of 60 days after it is delivered to the District unless another time period is stated for such purpose in the notice mailed pursuant to this subsection.

Section 21. Approval of Related Documents. The President and the Secretary are hereby authorized to execute such documents and to take such actions as may be necessary to acquire or accept any improvements that may be acquired by the District, to the extent the President deems it appropriate for the District to do so. The President, the Secretary and all other appropriate officers of the Board are also hereby authorized and directed to execute all other documents and certificates necessary or desirable to effectuate the issuance or administration of the Series 2019 Bonds, the investment and application of proceeds of the Series 2019 Bonds and the other transactions contemplated hereby.

Section 22. Events Occurring on Days That Are Not Business Days. Except as otherwise specifically provided herein with respect to a particular payment, event or action, if any payment to be made hereunder or any event or action to occur hereunder which, but for this Section, is to be made or is to occur on a day that is not a Business Day, such payment, event or action shall instead be made or occur on the next succeeding day that is a Business Day with the same effect as if it were made or occurred on the date on which it was originally scheduled to be made or occur.

Section 23. Limitation of Actions. As provided by Section 11-57-212, Colorado Revised Statutes, no legal or equitable action may be brought with respect to any legislative acts or proceedings in connection with the authorization or issuance of the Series 2019 Bonds more than 30 days after the authorization of such securities.

Section 24. Ordinance Irrepealable. After the Series 2019 Bonds have been issued, this Ordinance shall be and remain a contract between the District and the Owners of the Series 2019 Bonds and shall be and remain irrepealable, except as expressly provided herein, until all amounts due with respect to the Series 2019 Bonds shall be fully paid, satisfied and discharged and all other obligations of the District with respect to the Series 2019 Bonds shall have been satisfied in the manner provided herein.

Section 25. Headings. The headings to the various sections and subsections to this Ordinance have been inserted solely for the convenience of the reader, are not a part of this Ordinance and shall not be used in any manner to interpret this Ordinance.

Section 26. Severability. It is hereby expressly declared that all provisions hereof and their application are intended to be and are severable. In order to implement such intent, if any
provision hereof or the application thereof is determined by a court or administrative body to be invalid or unenforceable, in whole or in part, such determination shall not affect, impair or invalidate any other provision hereof or the application of the provision in question to any other situation; and if any provision hereof or the application thereof is determined by a court or administrative body to be valid or enforceable only if its application is limited, its application shall be limited as required to most fully implement its purpose.

Section 27. Manner of Sale. The Series 2019 Bonds may be sold at a price not less than [95%] of their principal amount, plus accrued interest, if any, to the date of their delivery to the Initial Purchaser, all as may be provided by a Final Terms Certificate. Appropriate legends, transfer restrictions and other provisions may be included in a Final Terms Certificate, in the form of Series 2019 Bond or in any other document delivered by the District in connection with the Series 2019 Bonds, for the purpose of documenting such private placement or limited offering.

Section 28. Repeal of Inconsistent Ordinances, Resolutions, Bylaws, Rules and Orders. All ordinances, resolutions, bylaws, rules and orders, or parts thereof, that are inconsistent with or in conflict with this Ordinance, are hereby repealed to the extent of such inconsistency or conflict.

Section 29. Ratification of Prior Actions. All actions heretofore taken (not inconsistent with the provisions of this Ordinance or the Acts) by the Board or by the officers and employees of the District directed toward the issuance of the Series 2019 Bonds for the purposes herein set forth are hereby ratified, approved and confirmed.

Section 30. No Rating, CUSIP or Securities Depository. The Series 2019 Bonds have not been and are not expected to be rated by any nationally recognized organization which regularly rates such obligations, assigned a CUSIP number or registered with or made eligible for registration or deposit with any securities depository, including but not limited to the Depository Trust Company, New York, New York.

Section 31. Effective Date; Expiration. This Ordinance shall take effect 10 days after publication following final passage. This Ordinance shall expire to the extent that Series 2019 Bonds authorized herein are not issued by December 31, 2019.
CHERRY HILLS VILLAGE
CHARLOU PARK 3RD FILING
GENERAL IMPROVEMENT DISTRICT,
in the City of Cherry Hills Village, Colorado

By

Russell O. Stewart, President

[SEAL]

ATTEST:

Laura Gillespie, Secretary

APPROVED AS TO FORM:

(Assistant) District General Counsel
**Cherry Hills Charlou Park General Improvement District**

### General Obligation Bonds

**District Cash Flow**  
**Dated Date:** 3/15/2019

<table>
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<tr>
<th>Year</th>
<th>Assessed Value</th>
<th>Collection Year</th>
<th>Levy</th>
<th>Property Tax</th>
<th>SO Tax¹</th>
<th>Collection/Admin</th>
<th>Net Revenues</th>
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<td>(8% of Property Tax)</td>
<td>(1,500)</td>
<td>32,165</td>
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<td>(1,500)</td>
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<td>2,544</td>
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<td>17.00</td>
<td>32,437</td>
<td>2,595</td>
<td>(1,500)</td>
<td>33,532</td>
<td></td>
</tr>
<tr>
<td>2028</td>
<td>$1,908,069</td>
<td>17.00</td>
<td>32,437</td>
<td>2,595</td>
<td>(1,500)</td>
<td>33,532</td>
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<td>2029</td>
<td>$1,927,149</td>
<td>17.00</td>
<td>32,762</td>
<td>2,621</td>
<td>(1,500)</td>
<td>33,882</td>
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</tr>
<tr>
<td>2030</td>
<td>$1,927,149</td>
<td>17.00</td>
<td>32,762</td>
<td>2,621</td>
<td>(1,500)</td>
<td>33,882</td>
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<tr>
<td>2031</td>
<td>$1,946,421</td>
<td>17.00</td>
<td>33,089</td>
<td>2,647</td>
<td>(1,500)</td>
<td>34,336</td>
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<tr>
<td>2032</td>
<td>$1,946,421</td>
<td>17.00</td>
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<td>(1,500)</td>
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<td>2033</td>
<td>$1,965,885</td>
<td>17.00</td>
<td>33,420</td>
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<td>(1,500)</td>
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<tr>
<td>2034</td>
<td>$1,965,885</td>
<td>17.00</td>
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<td>(1,500)</td>
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<td>(1,500)</td>
<td>34,955</td>
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<td>2,700</td>
<td>(1,500)</td>
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<tr>
<td>2037</td>
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<td>2,727</td>
<td>(1,500)</td>
<td>35,319</td>
<td></td>
</tr>
<tr>
<td>2038</td>
<td>$2,005,399</td>
<td>17.00</td>
<td>34,092</td>
<td>2,727</td>
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<td>2039</td>
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<td>(1,500)</td>
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<td>2040</td>
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<td>17.00</td>
<td>34,333</td>
<td>2,755</td>
<td>(1,500)</td>
<td>35,687</td>
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<tr>
<td><strong>Total</strong>:</td>
<td><strong>$42,208,289</strong></td>
<td><strong>$686,678</strong></td>
<td><strong>$54,934</strong></td>
<td><strong>$31,500</strong></td>
<td><strong>$710,112</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**

1. Estimated SO Tax: 8.00%
2. Arapahoe County collection fees of 1.5% plus City annual admin. fee
3. DSRF - Requirement: 37,500
4. Estimate Int Earnings: 6.50%

All Assessed Value Assumptions are based upon District provided Assessed Values. These financings were evaluated at the interest rates shown above. The interest rates assumed in this presentation are based on current market conditions and similar credits. The actual results may differ, and Stifel make no commitment to underwrite at these levels.

**Sources**

- **Bond Proceeds:** 375,000
- **Uses:**
  - Construction/Contingency: 275,000
  - Capitalized Interest: 14,667
  - Reserve Fund: 37,500
  - Cost of Issuance: 47,833

**Total:** $375,000

---

1/29/2019
<table>
<thead>
<tr>
<th>District Build Out</th>
<th>Property Address</th>
<th>2017 Appraised Value</th>
<th>2017 Assessed Value</th>
<th>2018 Appraised Value</th>
<th>2018 Assessed Value</th>
<th>Owner Name</th>
<th>Legal Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>4599 S Dixie Dr</td>
<td>$1,876,900</td>
<td>$135,137</td>
<td>$1,876,900</td>
<td>$135,137</td>
<td>Bradley B James &amp; Carol N James</td>
<td>Plot 20 Charlou Park 3rd Filing</td>
</tr>
<tr>
<td>2</td>
<td>4600 S Holly St</td>
<td>$955,700</td>
<td>$68,810</td>
<td>$955,700</td>
<td>$68,810</td>
<td>Hans C Zeschin &amp; Katherine W Zeschin (Joint tenancy)</td>
<td>Plot 21 Charlou Park 3rd Filing</td>
</tr>
<tr>
<td>3</td>
<td>4605 S Dixie Dr</td>
<td>$1,340,600</td>
<td>$96,523</td>
<td>$1,340,600</td>
<td>$96,523</td>
<td>Jay Justin Blackstock &amp; Teresa Lyn E Blackstock (Joint tenancy)</td>
<td>Plot 21 Charlou Park 3rd Filing</td>
</tr>
<tr>
<td>4</td>
<td>4661 S Dixie Dr</td>
<td>$1,968,700</td>
<td>$141,747</td>
<td>$1,968,700</td>
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<td>Celeste C Grynberg</td>
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<tr>
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<td>No assigned address</td>
<td>$625,950</td>
<td>$181,526</td>
<td>$625,950</td>
<td>$45,068</td>
<td>Michael Stanley McDonald &amp; Jane W Fordyce McDonald (Joint tenancy)</td>
<td>Plot 23 Charlou Park 3rd Filing</td>
</tr>
<tr>
<td>6</td>
<td>4701 S Dixie Dr</td>
<td>$969,000</td>
<td>$69,768</td>
<td>$2,993,500</td>
<td>$215,532</td>
<td>Michael Stanley McDonald &amp; Jane E Fordyce McDonald (Joint tenancy)</td>
<td>Plot 23 Charlou Park 3rd Filing</td>
</tr>
<tr>
<td>7</td>
<td>4799 S Dixie Dr</td>
<td>$2,849,500</td>
<td>$205,164</td>
<td>$2,849,500</td>
<td>$205,164</td>
<td>David D Charles &amp; Joyce M Charles</td>
<td>Plot 24 Charlou Park 3rd Filing</td>
</tr>
<tr>
<td>8</td>
<td>4500 S El Camino Dr</td>
<td>$1,653,900</td>
<td>$119,081</td>
<td>$1,653,900</td>
<td>$119,081</td>
<td>Jason Scott Sperling &amp; Joclie Lisa Sperling (Joint tenancy)</td>
<td>Plot 19 Charlou Park 3rd Filing</td>
</tr>
<tr>
<td>9</td>
<td>4600 S El Camino Dr</td>
<td>$1,916,200</td>
<td>$137,966</td>
<td>$1,916,200</td>
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<td>Bryan William Jones</td>
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<tr>
<td>10</td>
<td>4603 S Denice Dr</td>
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<tr>
<td>11</td>
<td>4605 S Denice Dr</td>
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<td>$1,483,100</td>
<td>$106,812</td>
<td>Vern Kronenberg</td>
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<tr>
<td>12</td>
<td>4701 S El Camino Dr</td>
<td>$2,605,800</td>
<td>$187,596</td>
<td>$2,605,800</td>
<td>$187,596</td>
<td>Charles A McGrath</td>
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<tr>
<td>13</td>
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<td>$3,985,480</td>
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<td>$3,985,480</td>
<td>$292,480</td>
<td>STIFEL South El Camino Drive LLC</td>
<td>Plot 12 Charlou Park 3rd Filing</td>
</tr>
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TOTAL: $25,685,850 $1,985,817 $25,214,750 $1,815,462
MEMORANDUM

TO: THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS

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

SUBJECT: RESOLUTION 2, SERIES 2019; A RESOLUTION OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT (GID) BOARD OF DIRECTORS APPROVING THE PUBLIC SERVICE COMPANY OF COLORADO (XCEL ENERGY) LETTER AGREEMENT DATED DECEMBER 5, 2018, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE LETTER AGREEMENT ON BEHALF OF THE GID

DATE: FEBRUARY 19, 2019

ISSUE
Should City Council, acting as the Board of Directors for the Charlou Park 3rd Filing General Improvement District (GID), approve Resolution 2, Series 2019, approving the Public Service Company of Colorado (Xcel Energy) Letter Agreement dated December 5, 2018, and authorizing the City Manager to execute the Letter Agreement on behalf of the GID (Exhibit A)?

DISCUSSION
The Cherry Hills Village Charlou Park 3rd Filing General Improvement District (GID) was organized by Cherry Hills Village Ordinance 1, Series 2019. The City Council serves as the Board of Directors for the GID.

Resolution 2, Series 2019 approves the Letter Agreement from Xcel Energy for the electric overhead to underground conversion project within the boundaries of the GID for a total amount of $204,107.31.

BUDGET IMPACT STATEMENT
Cherry Hills Village Council Bill 1, Series 2019 is on the February 19, 2019 City Council agenda on second and final reading, and will create a fund in the City budget that will be used 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.
RECOMMENDED MOTION

"I move to approve Resolution 2, Series 2019, a resolution of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (GID) Board of Directors approving the Public Service Company of Colorado (Xcel Energy) Letter Agreement dated December 5, 2018, and authorizing the City Manager to execute the Letter Agreement on behalf of the GID."

ATTACHMENTS

Exhibit A: Resolution 2, Series 2019
Attachment A: Xcel Energy Letter Agreement
A RESOLUTION OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT (GID) BOARD OF DIRECTORS APPROVING THE PUBLIC SERVICE COMPANY OF COLORADO (XCEL ENERGY) LETTER AGREEMENT DATED DECEMBER 5, 2018, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE LETTER AGREEMENT ON BEHALF OF THE GID

WHEREAS, the Cherry Hills Village Charlou Park 3rd Filing General Improvement District ("GID") has been duly organized in accordance with City of Cherry Hills Village Ordinance 1, Series 2019, and the statutes of the State of Colorado; and

WHEREAS, pursuant to Section 31-25-609, C.R.S., the City Council for the City of Cherry Hills Village serves ex-officio as the Board of Directors of the GID and, by practice and convenience, the administrative staff of the City serves as the administrative staff of the GID; and

WHEREAS, the City Council, sitting ex-officio as the Board of Directors of the GID desires to approve the Public Service Company of Colorado ("Xcel Energy") letter agreement dated December 5, 2018 ("Letter Agreement") related to the electric overhead to underground conversion project located within the boundaries of the GID (the "Project"); and

WHEREAS, a copy of the Letter Agreement is attached to this Resolution as Attachment A and is incorporated herein by reference; and

WHEREAS, the total charges for the Project equal Two Hundred Four Thousand One Hundred Seven and 31/100 Dollars ($204,107.31); and

WHEREAS, the City Council, sitting ex-officio as the Board of Directors of the GID, desires to authorize the City Manager to execute the Letter Agreement on behalf of the GID,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, SITTING EX-OFFICIO AS THE BOARD OF DIRECTORS OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT, THAT:

Section 1. The Board of Directors of the GID hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. The Board of Directors of the GID hereby: (a) approves the Letter Agreement; (b) authorizes the City Manager to execute the Letter Agreement on behalf of the GID; (c) authorizes the City Manager to arrange for payment to Xcel Energy in the amount of Two Hundred Four Thousand One Hundred Seven and 31/100 Dollars ($204,107.31) upon satisfactory completion of all work associated with the Project by Xcel Energy; and (d) delegates all necessary authority to the City Manager to manage and oversee the completion of the Project on behalf of the GID.
Section 3. This Resolution shall be effective immediately upon adoption.

ADOPTED by a vote of ___ in favor and ___ against this ___ day of February, 2019.

By: ______________________________________
Russell O. Stewart, GID Chairperson

ATTEST:  
By: ____________________________  
Laura Gillespie, GID Secretary

Approved as to Form:

By: ____________________________  
Attorney for GID
ATTACHMENT A
Xcel Energy
Letter Agreement
January 29, 2019

Cherry Hills Village
120 Meade Lane
Cherry Hills Village, Colorado 80113

Subject: Request For Electric OH-UG conversion at Dasa Drive and Charlou Dr., Cherry Hills, Village, Colorado

Dear Cherry Hills Village Charlou Park 3rd filing General Improvement District,

I have completed the engineering design and cost estimate to provide Electric OH-UG conversion based upon information you have provided. This design is based upon Electric OH-UG conversion, as shown on the enclosed drawing. The cost to provide the requested Electric OH-UG conversion is $204,107.31, which is non-refundable and payable in advance. If the Applicant elects to have the Company advance the Construction Payment for the duration of the construction period, Applicant will be billed by the Company in accordance with the Company’s tariffs, within 30 days after the construction of the Extension is complete. The Applicant will have 90 days thereafter to pay such bill.

This proposal is contingent upon the following:
- All work performed during our normal work hours.
- Obtaining “Right-of-Way” at no cost to us.
- Obtaining permits as needed.
- No frost, in the ground, during construction or agreeing to pay for additional costs during frost conditions.
- There is an additional charge to open the transformer.
- Providing final grade elevations, at our equipment locations.
- Grade at trench location to be within 6 inches of the final grade.

If necessary our right-of-way agent will mail the right-of-way or easement documents to the appropriate landowners for their signature. This proposal is contingent upon receiving easements at no cost to us. Our right-of-way agent will need a copy of the Warranty Deed, the legal description, and the site drawing in order to prepare the easement for the landowner’s signature.

NOTE: You must personally contact the local telephone company, the local cable TV company and/or any other utility company to arrange for the installation and payment of any costs of their facilities if they need to be relocated or disconnected along with the OH-UG conversion.

If you accept the above costs and system design, please sign and date the second page of this letter and return this document to Public Service Company of Colorado, at the address shown below. After the signed and dated documents and total payment of $204,107.31 are received via the payment process, a work order will be issued and released so your project can be placed on
the construction schedule. If a check is sent via the new payment process we are unable to accept checks with any sort of Lien Waiver because our Tariffs do not make an allowance for PSCo to accept checks printed or stamped with a lien waiver. Our current lead-time to begin work after receiving the payment and signed documents is approximately 6 weeks. You will be notified of the week that our construction is scheduled to begin as soon as it is available.

This proposal will be valid until 03-30-2019. If you have any questions regarding this project, please call me at 303-671-3919.

Sincerely,

Jay Parker
Xcel Energy Designer

Mailing address: Public Service Company of Colorado
2070 S Valentina St
Denver, CO 80231

Mike King
Digitally signed by Mike King
Date: 2019.02.05 08:34:36 -07'00'

Mike King
Director Design and Construction

Enc: Sketch

Re: Electric, OH-UG conversion, Dasa Drive and Charlou Dr., Cherry Hills

I have reviewed and approve of the enclosed design. I accept the cost of $204,107.31 and this amount will be paid to Xcel Energy in 90 days of the construction completion date. I will send a signed copy of this letter with the applicable agreements.

Date: ________________________________

*Customer Signature: _______________________________________________________

Title: ________________________________________________________________

Mailing address: ___________________________________________________________

______________________________________________________________

______________________________________________________________

* Confidential Information
January 1, 2017

Dear Cherry Hills Village Charlou Park 3rd Filing General Improvement District,

Thank you for choosing Xcel Energy to be your energy provider. We appreciate your business, and our goal is to deliver you reliable service at an affordable price.

This letter contains important information about your requested service. Please read all details below as well as any accompanying information and respond accordingly to ensure your project is completed accurately and timely.

This letter relates to your request for

➢ OH-UG Conversion

Your portion of the cost of this project is $204,107.31. A hard copy invoice will be sent to you via U.S. Mail Postal Service in the coming days. Please see the attached payment options document for more instructions. Upon receipt of payment and other required documentation as noted below, your project will be scheduled and you will be notified of the scheduled date. If paying by check, please note the account number identified at the top of this letter on your check to ensure accurate and timely payment processing.

Below is a list of additional documentation that you will need to review, sign, and return to the Xcel Energy Designer by email or U.S. Postal Service to their address listed at the bottom of the letter. Please retain a copy of all documentation for your records.

➢ Documents to be returned to Xcel Energy:
  □ Non-Refundable Quote Letter

➢ Additional enclosures:
  □ Concurrence Drawings

If you have any questions about the enclosures or about your specific job, please contact Jay Parker at 303-671-3919 and reference your account number and/or job number above.

We look forward to being your energy provider.

Sincerely,
Jay Parker
Designer
2070 S Valentia St
Denver, CO 80231
Xcel Energy
firstname.lastname@xcelenergy.com
Customer Payment Options

Xcel Energy offers seven payment options to pay for your construction project. Please select the payment options that work best for you.

Payment options listed in order of quickest processing

<table>
<thead>
<tr>
<th>MyAccount/eBill™</th>
</tr>
</thead>
<tbody>
<tr>
<td>Register at xcelenergy.com to make a payment from your checking account. You can also enroll in eBill and an email will let you know your bill is ready to view at the MyAccount site in place of receiving a mailed paper bill statement. MyAccount also provides a convenient list of your bill statement and payment history and retains your banking information for future use. Each additional account number will have to be added to your list of managed accounts within MyAccount.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Pay by Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Make payment from your checking or savings account at no charge by using our automated phone system. Please call us at 800.895.4999.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Credit/Debit Card Payment (Not available in TX)</th>
</tr>
</thead>
<tbody>
<tr>
<td>To pay by phone, call our payment processing partner, BillMatrix, at 888.747.1523. To pay online, visit xcelenergy.com and click on the link to BillMatrix.</td>
</tr>
<tr>
<td>Please note the current fees along with payment information:</td>
</tr>
<tr>
<td>• Personal credit card = There is a $2.90 per transaction charge. Payments accepted for up to $1,000 in one transaction for personal credit card.</td>
</tr>
<tr>
<td>• Commercial credit card = There is a $29.95 per transaction charge. Payments accepted for up to $75,000 - with the corresponding fees in $3,000 increments. (i.e. 25 $3,000 payments @ $29.95 = $748.75 fee)</td>
</tr>
<tr>
<td>All credit card types allow a maximum 25 credit/debit card payments in a 30 consecutive day period, per Xcel Energy account, per credit/debit card.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Overnight Payment Delivery Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>Send your payment and remittance stub including account number (written on the memo line of your check) via FedEx, UPS or USPS overnight delivery to:</td>
</tr>
<tr>
<td>Xcel Energy Attn: Remittance Processing</td>
</tr>
<tr>
<td>414 Nicollet Mall, 3rd Floor</td>
</tr>
<tr>
<td>Minneapolis, MN 55401-1993</td>
</tr>
<tr>
<td>Overnight delivery contact phone number: 612.330.5593.</td>
</tr>
<tr>
<td>The following alternate zip-codes are also valid:</td>
</tr>
<tr>
<td>Minneapolis, MN 55401-1927</td>
</tr>
<tr>
<td>Minneapolis, MN 55401-4993</td>
</tr>
</tbody>
</table>
In-Person Pay Stations

Pay in-person at a location near you by visiting xcelenergy.com for pay station locations. Please include the account number on the memo line of your check.

*Please note:* A $1.50 transaction fee applies.

Pay by U.S Postal Service

When sending payment by U.S. mail, please include the account number on the memo line of your check. Do not combine this payment with any other Xcel Energy bill payments. Mail check payments to:

Xcel Energy  
P.O. Box 9477  
Minneapolis, MN 55484-9477

Electronic Funds Transfer (EFT) (Only available to business)

The Electronic Funds Transfer (EFT) payment process allows business customers to pay via Corporate Trade Exchange (CTX) formatted Automated Clearing House (ACH) (also referred to as EDI-820), the ability to electronically remit payment. The payments to Xcel Energy's bank accounts are initiated by the customer through a series of steps linked to the billing system. The CTX addenda records included with the funds transfer allow the posting of the payments to occur electronically to the account numbers provided by the customer. To obtain Xcel Energy's EFT bank account numbers and to provide transfer confirmation, please email CustReceive@xcelenergy.com.

Helpful hints to ensure accurate and timely processing of your payment:

- For all payment options, please have your account number available and note on any payment documentation.
- The hard copy invoice will be sent to you via U.S. mail in the coming days. If you would like an electronic copy of our invoice prior to receiving the hard copy, please contact your Designer who is identified in the attached letter.
- In order to apply payment to the correct account and avoid unnecessary delays, please make separate payments for each individual project or invoice.
- Please note that depending on payment selection, it may take up to a few days to process your payment.
**ALL REQUIRED EASEMENTS TO BE IN PLACE PRIOR TO INSTALL. CUSTOMER (CHERRY HILLS VILLAGE) TO STAKE RUNNING LINE AND ALL FACILITY LOCATIONS AND ALL EASEMENTS TO AVOID CORRECT PLACEMENT. COMCAST AND CENTURY LINK TO BE REMOVED PRIOR TO XCEL POLE REMOVAL. OH. H. V. TO COORDINATE WITH ALL OTHER ATTACHMENTS ON POLES.**

**REMOVAL:**
- 4 - 50kVA XFMRS
- 3 - 25kVA XFMRS
- 5 - 40' POLE
- 5 - 45' POLE
- 5 - 25' POLE
- 2500' - OH SEC
- 5500' - OH PRIMARY
- 11 - RISERS

**INSTALL:**
- 7 - 50kVA XMR PDNT
- 2 - SEC PED
- 2 - 3" UGARD RISER
- 2 - 2" UGARD RISER
- 4050' - #3 AL PRI
- 1381' - 1/0 PRI
- 674' - 350 AL SEC
- 6500' - BORE

---

**CONSTRUCTION USE ONLY**
- DOWNSCALES AS INDICATED REL. UNRELIABLE FOR ACTUAL MEASUREMENT FROM THE FIELD SITE.

**FFO:**
- **FOREMAN:**
- **DATE:**
- **TEAM LEADER:**
MEMORANDUM

TO: THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS

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

SUBJECT: RESOLUTION 3, SERIES 2019; A RESOLUTION OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT (GID) BOARD OF DIRECTORS APPROVING THE CENTURYLINK SPECIAL CONSTRUCTION PROPOSAL DATED JANUARY 16, 2019, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROPOSAL ON BEHALF OF THE GID

DATE: FEBRUARY 19, 2019

ISSUE
Should City Council, acting as the Board of Directors for the Charlou Park 3rd Filing General Improvement District (GID), approve Resolution 3, Series 2019, approving the CenturyLink Special Construction Proposal dated January 16, 2019, and authorizing the City Manager to execute the proposal on behalf of the GID (Exhibit A)?

DISCUSSION
The Cherry Hills Village Charlou Park 3rd Filing General Improvement District (GID) was organized by Cherry Hills Village Ordinance 1, Series 2019. The City Council serves as the Board of Directors for the GID.

Resolution 3, Series 2019 approves the Special Construction Proposal from CenturyLink for the undergrounding of exiting CenturyLink aerial facilities located on South Dasa Drive, Charlou Drive, and South Denice Drive for a total amount of $44,569.71.

BUDGET IMPACT STATEMENT
Cherry Hills Village Cherry Hills Village Council Bill 1, Series 2019 is on the February 19, 2019 City Council agenda on second and final reading, and will create a fund in the City budget that will be used 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.
RECOMMENDED MOTION
"I move to approve Resolution 3, Series 2019, a resolution of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (GID) Board of Directors approving the CenturyLink Special Construction Proposal dated January 16, 2019, and authorizing the City Manager to execute the proposal on behalf of the GID."

ATTACHMENTS
Exhibit A: Resolution 3, Series 2019
Attachment A: CenturyLink Special Construction Proposal
A RESOLUTION OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT (GID) BOARD OF DIRECTORS APPROVING THE CENTURYLINK SPECIAL CONSTRUCTION PROPOSAL DATED JANUARY 16, 2019, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROPOSAL ON BEHALF OF THE GID

WHEREAS, the Cherry Hills Village Charlou Park 3rd Filing General Improvement District ("GID") has been duly organized in accordance with City of Cherry Hills Village Ordinance 1, Series 2019, and the statutes of the State of Colorado; and

WHEREAS, pursuant to Section 31-25-609, C.R.S., the City Council for the City of Cherry Hills Village serves ex-officio as the Board of Directors of the GID and, by practice and convenience, the administrative staff of the City serves as the administrative staff of the GID; and

WHEREAS, the City Council, sitting ex-officio as the Board of Directors of the GID desires to approve the CenturyLink Special Construction Proposal dated January 16, 2019 ("Proposal") related to undergrounding existing CenturyLink aerial facilities located on South Dasa Drive and East Charlou Drive (the “Project”); and

WHEREAS, a copy of the Proposal is attached to this Resolution as Attachment A and is incorporated herein by reference; and

WHEREAS, the total charges for the Project equal Forty-Four Thousand Five Hundred Sixty-Nine and 71/100 Dollars ($44,569.71); and

WHEREAS, the City Council, sitting ex-officio as the Board of Directors of the GID, desires to authorize the City Manager to execute the Proposal on behalf of the GID,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, SITTING EX-OFFICIO AS THE BOARD OF DIRECTORS OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT, THAT:

Section 1. That the Board of Directors of the GID hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the Board of Directors of the GID hereby: (a) approves the Proposal; (b) authorizes the City Manager to execute the Proposal on behalf of the GID; (c) authorizes the City Manager to arrange for payment to CenturyLink in the amount of Forty-Four Thousand Five Hundred Sixty-Nine and 71/100 Dollars ($44,569.71) upon satisfactory completion of all work associated with the Project by CenturyLink; and (d) delegates all necessary authority to the City Manager to manage and oversee the completion of the Project on behalf of the GID.

Section 3. This Resolution shall be effective immediately upon adoption.
ADOPTED by a vote of ___ in favor and ___ against this ___ day of February, 2019.

By: ____________________________________________
   Russell O. Stewart, GID Chairperson

ATTEST:

By: ____________________________________________
   Laura Gillespie, GID Secretary

Approved as to Form:

By: ____________________________________________
   Attorney for GID
ATTACHMENT A
CenturyLink
Special Construction Proposal
01/16/19

Cherry Hills Village Charlo Park 3rd filing General Improvement District
Attn: Jay Goldie
42450 Quincy Avenue
Cherry Hills Village, CO 80113

Re: CHERRY HILLS VILLAGE, CO

BAN Number N488300

Jay Goldie,

Please review the attached Special Construction Proposal. If acceptable, return a signed copy and a form of payment for the total charges in the amount of $44,569.71. Please note, your job will not be scheduled until we are in receipt of the above.

Send all documents and payments to:
   CenturyLink Asset Accounting - BART
   700 W Mineral Ave
   Room NM P29.34
   Littleton, CO 80120

Documents to include:
   • Signed Proposal
   • Payment

After we have received the above from you, we will return one fully executed copy for your records. The fully executed Special Construction Proposal will constitute the agreement between you and Centurylink for the Work. NO ADDITIONAL TERMS AND CONDITIONS WILL BE ACCEPTED.

Checks should be made payable to CenturyLink. If you are providing a Purchase Order as a form of payment, please sign, date and return the Purchase Order for the amount of $44,569.71. Please note that any terms and conditions set forth on a Purchase Order will not become part of the agreement for the Work, which is governed solely by the Special Construction Proposal. If you are interested in an electronic payment option, Electronic Funds Transfer (EFT) is available and instructions will be provided to you upon request. CenturyLink is unable to accept credit card payments for Special Construction projects.

Any questions regarding the scheduling of the work to be performed or decisions to cancel the work, please contact CenturyLink representative, Carol Barela at +17205782059.
Special Construction Proposal

Date: 01/16/19
Billing Address: Cherry Hills Village Charlo Park 3rd filing General Improvement District
Customer: ___________________________
Attention: Jay Goldie
42450 Quincy Avenue

Cherry Hills Village, CO 80113

Work Location: Corner of S Holly St and Charlo Dr
County ARAPAHOE

This Special Construction Proposal ("Proposal") is governed by the terms and conditions set forth herein as well as any applicable state or federal tariffs and/or rates and services schedules on file with the applicable regulatory authorities. Description and/or specifications of work, along with the bill amount, of work to be performed by an operating affiliate of CenturyLink, Inc. ("CenturyLink") under this Proposal ("Work") is as follows:

The job will underground the existing CenturyLink aerial facilities on S Dasa Dr and E Charlo Dr. CenturyLink will bore the total of 1640 feet for the cable within the public right of way, underground the cable and bury the service drop wires. Once all splicing has been completed, CenturyLink will remove the cables from the poles and the Xcel Energy will remove the old poles. CenturyLink will obtain permits and traffic control as well as restore the area of CenturyLink’s splice pits.

Advance Payment (required before work begins): $44,569.71

Total Charges: Forty-Four Thousand Five Hundred Sixty-Nine Dollars and 71/100

For the Work performed hereunder, Customer will be responsible for the above charges only, unless (i) the above-stated amount is expressed as an estimate; (ii) otherwise stated above; or (iii) a change order is signed by both parties. All charges shall be paid prior to commencement of the Work ("Advance Payment") unless an alternative payment method is set forth above. All past due undisputed accounts will be assessed a late fee at 14% APR. Where applicable, and notwithstanding the foregoing, Customer shall also be responsible for foreign, federal, state and local taxes assessed in connection with the Work, including without limitation, all use, sales, value added, surcharges, excise, franchises, commercial, gross receipts, license, privilege or other similar charges, whether charged to or against CenturyLink or Customer, but excluding any taxes based on CenturyLink's net income.

For Governmental Customers only, CenturyLink will submit an invoice of charges upon completion of the Work, payable within forty-five (45) days of receipt. Past due undisputed amounts will be assessed a late fee of 14% APR or such lesser amount if required under applicable state and/or federal law.

*Note If applicable, the Work proposed here is separate from any work that may be performed pursuant to any other order or agreement, including but not limited to a Pre-Service Request for cell site provisioning. This Proposal may be withdrawn by CenturyLink if not accepted by the Customer within 30 days. Upon execution by both parties, this Proposal and the terms and conditions of any applicable tariffs or Rates and Services Schedules on file with the applicable regulatory authorities shall constitute a binding agreement upon the parties.

CenturyLink  
Authorized Signature: __________________________
Name: Printed/Typed __________________________
Date: __________________________

Customer  
Authorized Signature: __________________________
Name: Printed/Typed __________________________
Date: __________________________

Proposal CenturyLink Confidential and Proprietary  
Page 2 of 2  
Version: 11-16-2015
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF CITY COUNCIL

FROM: RACHEL GRANRATH, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: COMMUNITY DEVELOPMENT DEPARTMENT MONTH END REPORT FOR JANUARY 2019

DATE: FEBRUARY 19, 2019

BUILDING PERMITS SUMMARY:

<table>
<thead>
<tr>
<th></th>
<th>January 2019</th>
<th>YTD 2019</th>
<th>YTD 2018</th>
<th>YTD % Change</th>
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<tbody>
<tr>
<td>Total Permits</td>
<td>60</td>
<td>60</td>
<td>51</td>
<td>18%</td>
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<tr>
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<td>$39,493</td>
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<td>$73,933</td>
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<td>New Home Permits</td>
<td>0</td>
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<td>1</td>
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<tr>
<td>New Home Revenue</td>
<td>$0</td>
<td>$0</td>
<td>$26,513</td>
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<tr>
<td>Remodel/Addition Permits</td>
<td>16</td>
<td>16</td>
<td>8</td>
<td>100%</td>
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<tr>
<td>Remodel/Addition Revenue</td>
<td>$20,534</td>
<td>$20,534</td>
<td>$8,646</td>
<td>137%</td>
</tr>
</tbody>
</table>

PLANNING AND ZONING COMMISSION:

• January 22, 2019 regular meeting:
  o Commission appointed a new Chair, Mike LaMair and Vice-Chair, Jennifer Miller
  o Commission voted unanimously to recommend approval of the rezoning of the property known as Alan Hutto Memorial Commons and John Meade Park from R-1, 2 1/2 Acre Residential District, O-1, Open Space, Parks and Recreation Area District, and C-1, Community District to O-2 Open Space, Conservation and Historic Area District.
  o Commission provided input and discussion in regards to the Floodplain waiver request for John Meade Park and Alan Hutto Memorial Commons

BOARD OF ADJUSTMENT AND APPEALS:

• January 3, 2019 regular meeting: Cancelled due to a lack of agenda items.

ATTACHMENTS:
Exhibit A: Planning Project Activity List
Exhibit B: Year-to-Date Permit Activity Graphs
Exhibit C: Permit Summary Table
City Council and Planning and Zoning Commission Members are advised to avoid discussing quasi-judicial land use matters with any person outside of the public hearing process. The restriction on discussion of quasi-judicial matters is generally considered to take effect when a formal application has been filed with the City. The following list includes only those matters for which the City has received a formal application. City Council and Planning and Zoning Commission Members are nevertheless advised to use caution in discussing any land use matter that may become quasi-judicial, even before the filing of a formal application.

### Quasi-Judicial Cases

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
<th>PTRC Review</th>
<th>P&amp;Z Review</th>
<th>Council Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kent Denver Day School</td>
<td>4000 E Quincy Avenue</td>
<td>Expanded Use request to modify development agreement to remove section 2.5 of the agreement in regards to the Roundabout</td>
<td>3/12/19</td>
<td>TBD</td>
<td></td>
</tr>
<tr>
<td>Denver First Church of the Nazarene</td>
<td>3800 E Hampden Avenue</td>
<td>Expanded Use Application to remove existing parking lot on the 3.3 acres abutting the Church property</td>
<td>3/12/19</td>
<td>TBD</td>
<td></td>
</tr>
<tr>
<td>City of Cherry Hills Village</td>
<td>120 Meade Lane</td>
<td>Rezoning application for John Meade Park and Alan Hutto Memorial Commons from R-1; O-1; and C-1 to O-2</td>
<td>1/10/19</td>
<td>1/22/19</td>
<td>3/5/19</td>
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### Non Quasi-Judicial Cases and Ordinance Amendments

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<tr>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
<th>PTRC Review</th>
<th>P&amp;Z Review</th>
<th>Council Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Cherry Hills Village</td>
<td>N/A</td>
<td>Code Modernization</td>
<td>TBD</td>
<td>TBD</td>
<td>Steering committee meetings</td>
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</table>

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Address</th>
<th>Description</th>
<th>Review</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>BOAA</td>
</tr>
</tbody>
</table>
EXHIBIT B

TOTAL PERMITS
Year to Date through January
10 YEAR COMPARISON

Total Number of Building Permits
Ten-Year Comparison
Year to Date January

Year

Estimated Revenue of All Building Permits
Ten-Year Comparison
Year to Date January

Revenue

Year
NEW RESIDENCES
Year to Date through January
10 YEAR COMPARISON

Number of New Residential Building Permits
Ten-Year Comparison
Year to Date January

Estimated Revenue of All New Residential Permits
Ten-Year Comparison
Year to Date January
ADDITIONS & REMODELS
Year to Date through January
10 YEAR COMPARISON

Number of Addition & Remodel Building Permits
Ten-Year Comparison
Year to Date January

<table>
<thead>
<tr>
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<td>No. of Permits</td>
<td>7</td>
<td>7</td>
<td>11</td>
<td>11</td>
<td>7</td>
<td>13</td>
<td>12</td>
<td>10</td>
<td>5</td>
<td>8</td>
<td>16</td>
<td>10</td>
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</table>

Estimated Revenue of Addition & Remodel Permits
Ten-Year Comparison
Year to Date January

<table>
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<tr>
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<tbody>
<tr>
<td>Revenue</td>
<td>$5,447</td>
<td>$6,493</td>
<td>$22,484</td>
<td>$14,411</td>
<td>$18,158</td>
<td>$21,067</td>
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<td>$13,531</td>
<td>$10,260</td>
<td>$8,646</td>
<td>$20,534</td>
<td>$14,299</td>
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3
# CITY OF CHERRY HILLS VILLAGE BUILDING DEPARTMENT
## MONTHLY REPORT
### JANUARY 1-31, 2019

<table>
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<tr>
<th>1. Residences</th>
<th>2019 YTD</th>
<th>JANUARY</th>
<th>FEBRUARY</th>
<th>MARCH</th>
<th>APRIL</th>
<th>MAY</th>
<th>JUNE</th>
<th>JULY</th>
<th>AUGUST</th>
<th>SEPTEMBER</th>
<th>OCTOBER</th>
<th>NOVEMBER</th>
<th>DECEMBER</th>
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<tbody>
<tr>
<td>Number Issued</td>
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<tr>
<td>Project Valuation</td>
<td>$</td>
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<td>-</td>
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<tr>
<td>Building Permit Fee</td>
<td>$</td>
<td>-</td>
<td>-</td>
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<td></td>
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<td></td>
<td></td>
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<tr>
<td>Reinspection/Investigation Fee</td>
<td>$</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Plan Review Fee</td>
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<tr>
<td>Service Expansion Fee</td>
<td>$</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>

| 2. Addition & Remodels | | | | | | | | | | | | |
| Number Issued | 16 | 16 | | | | | | | | | | |
| Project Valuation | $ 2,053,448 | $ 2,053,448 | | | | | | | | | | |
| Building Permit Fee | $ 20,534 | $ 20,534 | | | | | | | | | | |
| Reinspection/Investigation Fee | $ - | $ - | | | | | | | | | | |
| Plan Review Fee | $ 3,840 | $ 3,840 | | | | | | | | | | |
| Service Expansion Fee | $ 750 | $ 750 | | | | | | | | | | |

| 3. Accessory & Recreational Structures | | | | | | | | | | | | |
| Number Issued | 4 | 4 | | | | | | | | | | |
| Project Valuation | $ 355,810 | $ 355,810 | | | | | | | | | | |
| Building Permit Fee | $ 3,558 | $ 3,558 | | | | | | | | | | |
| Reinspection/Investigation Fee | $ - | $ - | | | | | | | | | | |
| Plan Review Fee | $ 2,160 | $ 2,160 | | | | | | | | | | |
| Service Expansion Fee | $ 1,234 | $ 1,234 | | | | | | | | | | |

| 4. Other Buildings, Structures, Misc. | | | | | | | | | | | | |
| Number Issued | 28 | 28 | | | | | | | | | | |
| Project Valuation | $ 317,025 | $ 317,025 | | | | | | | | | | |
| Building Permit Fee | $ 3,337 | $ 3,337 | | | | | | | | | | |
| Reinspection/Investigation Fee | $ - | $ - | | | | | | | | | | |
| Plan Review Fee | $ 1,240 | $ 1,240 | | | | | | | | | | |
| Service Expansion Fee | $ - | $ - | | | | | | | | | | |

| 5. Electrical | | | | | | | | | | | | |
| Number Issued | 12 | 12 | | | | | | | | | | |
| Project Valuation | $ 129,889 | $ 129,889 | | | | | | | | | | |
| Building Permit Fee | $ 2,840 | $ 2,840 | | | | | | | | | | |
| Reinspection/Investigation Fee | $ - | $ - | | | | | | | | | | |
| Plan Review Fee | $ - | $ - | | | | | | | | | | |
| Service Expansion Fee | $ - | $ - | | | | | | | | | | |

| Totals | | | | | | | | | | | | |
| Number Issued | 60 | 60 | | | | | | | | | | |
| Project Valuation | $ 2,856,172 | $ 2,856,172 | | | | | | | | | | |
| Building Permit Fee | $ 30,269 | $ 30,269 | | | | | | | | | | |
| Reinspection/Investigation Fee | $ - | $ - | | | | | | | | | | |
| Plan Review Fee | $ 7,240 | $ 7,240 | | | | | | | | | | |
| Service Expansion Fee | $ 1,984 | $ 1,984 | | | | | | | | | | |
| Total Fees Collected by City | $ 39,493 | $ 39,493 | | | | | | | | | | |
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF THE CITY COUNCIL

FROM: MICHELLE TOVREA, POLICE CHIEF

SUBJECT: JANUARY REPORT

DATE: FEBRUARY 19, 2019

Officer Sack continues to improve...he has now been released to some “light duty” hours. He has been in the office assisting with the re-accreditation process for the Police Department. It is great to have him around. In addition, at the request of the defense, a hearing to reduce the bond on the suspect in the incident at #7 Sedgwick was held on Monday 1/28/19. The hearing included a statement by Officer Sack. After considering all the facts, the Judge kept the one million dollar bond in place.

On Wednesday 1/30/19 the Police Department assisted the Adams County Sheriffs Office with the funeral of Deputy Jesse Jenson. (Jensen was killed in an off-duty incident). The service was held at the Nazarene Church on Hampden and was attended by approximately 500 guests. Commander Weathers and the staff did their usual great job.

Department personnel attended a “kick-off” meeting with regard to the new records management system (RMS). The schedule of events was discussed to include numerous training dates which will be attended throughout the year. The “go-live” date will occur in November.

In January, all Department personnel participated in a presentation by Critical Team Incident (CRT) members Detective Williams of the Castle Rock Police Department and Commander James Pryor of the Parker Police Department. The presentation included information about the role and functions of CRT and a detailed debriefing of the incident that occurred at #7 Sedgwick in August.

**There were no bicycle or pedestrian accidents in January.
Investigations Case Summary:

There were 2 Assault reports for the month of January:
- In the first, the victim stated that her estranged husband punched her several times before she was able to escape the residence. Officers arrested the suspect who was jailed on numerous criminal charges. This case was cleared by arrest.
- In the second, Officers responded to Swedish Hospital on a report of a possible domestic violence incident. The victim stated that during an argument her ex-boyfriend punched her in the face with a closed fist. The victim stated she was able to escape the residence and her mother drove her to the hospital. This case was cleared by arrest – the suspect was identified and charges were filed with the District Attorney’s Office.

There were 2 Theft reports for the month of January:
- In the first, the victim stated that an unidentified female stole a package from her front porch. Her Ring doorbell video recorded the package being taken by the unknown female. This case is inactive – no new leads.
- In the second, the victim stated that someone fraudulently cashed a check at a local credit union. According to the victim, the check was mailed to her husband who did not receive the check. This case remains under investigation.

There was 1 Residential Burglary report for the month of January:
- Officers responded to a report of a verbal disturbance, and upon arrival, were told by the victim that he encountered an unknown male inside his home. Officers located the suspect who had fled the residence on foot. The male suspect was arrested and jailed on numerous criminal charges. This case was cleared by arrest.

There was 1 Criminal Tampering report for the month of January:
- A City employee reported that someone defecated in the men’s public restroom of the Joint Public Safety Facility and failed to clean up the floor and toilet they soiled. Officers identified the suspect who was working nearby for a sewer contractor. The suspect was contacted and issued a summons for the violation. This case is closed.

There was 1 Harassment report for the month of January:
- The victim stated that she received a Facebook call from a distant family member regarding the guardianship of the victim’s young cousin. The victim reported that the suspect made threats during their telephone conversation. The suspect was contacted and issued a summons for harassment. This case is closed – charges filed with the District Attorney’s Office.

There were 5 Vehicle Trespass reports for the month of January:
- In the first, the victim stated that he observed an unknown male exit a car parked in the neighbor’s driveway across the street. He then saw the male subject walk across the street and open the unlocked driver’s side door of his truck. The victim yelled at the suspect who immediately ran to a parked van and fled the area. Nothing was taken in the truck. This case is inactive – no new leads.
- In the second, the victim stated that someone gained access to his unlocked automobile while it was parked in the driveway of his residence. An electric shaver and two garage door openers were taken from the car. This case is inactive – no new leads.
- In the third, the victim stated that someone gained access to their unlocked automobile while it was parked in the driveway of their residence. Approximately $100.00 in cash was taken from the car. **This case is inactive – no new leads.**

- In the fourth, the victim stated that someone gained access to his unlocked automobile while it was parked in the driveway of his residence. A pair of sunglasses was taken from the car. **This case is inactive – no new leads.**

*Note: The above four incidents occurred in the same neighborhood and time frame.*

- In the fifth, the victim stated that someone gained access to his unlocked truck while it was parked in front of the residence where he was working. A wallet containing his driver's license and several credit cards was taken from the vehicle. **This case is inactive – no new leads.**

**There was 1 Criminal Attempt Trespass report for the month of January:**
- The victim stated that they noticed on their security video that an unidentified male pulled on the doors of their locked automobile while it was parked in the driveway. The male suspect was unsuccessful in entering the car and walked away. **This case is inactive – no new leads.**

*Note: This incident is related to the 4 vehicle trespass incidents listed above.*

**There was 1 Menacing report for the month of January:**
- Officers responded to report of a menacing in-progress involving a handgun. The victims stated that she had an argument with her adult son and he pointed a pistol at her. The son then fled the residence before officers arrived. The suspect was located in Aurora where he was arrested and charged with several criminal violations. **This case was cleared by arrest.**

**There were 4 Mail Theft reports for the month of January:**
- In the first, the victim stated that someone broke the lock on his mailbox and stole several days of mail. The damage to repair the mailbox is estimated at $300.00. **This case is inactive – no new leads.**

- In the second, the victim stated that someone stole the mail from her mailbox while she was out of town. According to the victim, she found her mailbox open and there was no mail in the mailbox. **This case is inactive – no new leads.**

- In the third, the victim stated that someone stole the mail from his mailbox while he was out of town. According to the victim, he was expecting mail while he was away and found his mailbox empty upon his return home. **This case is inactive – no new leads.**

- In the fourth, the City of Cherry Hills Village was notified by their financial institution that they were unable to process a check due to a third-party endorsement. Officers discovered during the investigation that the check was stolen from the mailbox of the victim. **This case remains under investigation.**

*Note: The mail thefts occurred in the same neighborhood and time frame.*
Cherry Hills Village Police
Personnel Summary Comparison

<table>
<thead>
<tr>
<th>Year</th>
<th>Commendations</th>
<th>Traffic Accidents</th>
<th>Inquiries</th>
<th>Internal Investigations</th>
</tr>
</thead>
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<tr>
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<td>Month</td>
<td>Commendations</td>
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<td>Inquiries</td>
<td>Internal Investigations</td>
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<td>Jul</td>
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<td>0</td>
<td>0</td>
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<td>Aug</td>
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<td>End of Year</td>
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## CHERRY HILLS POLICE DEPARTMENT STATISTICS

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<th>YEAR TO DATE 2018</th>
<th>PERCENT CHANGE</th>
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<td>ALL CITATIONS</td>
<td>154</td>
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<td>TRAFFIC WARNINGS</td>
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<td>2</td>
<td>2</td>
<td>3</td>
<td>-33%</td>
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<tr>
<td># CRIME REPORTS</td>
<td>19</td>
<td>19</td>
<td>22</td>
<td>-14%</td>
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<tr>
<td>#ALARMS</td>
<td>39</td>
<td>39</td>
<td>27</td>
<td>44%</td>
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<tr>
<td># ARRESTS (INCLUDES DUI'S &amp; DUS's)</td>
<td>9</td>
<td>9</td>
<td>11</td>
<td>-18%</td>
</tr>
<tr>
<td>CITIZEN ASSISTS</td>
<td>18</td>
<td>18</td>
<td>17</td>
<td>6%</td>
</tr>
<tr>
<td>ASSIST TO OTHER AGENCY</td>
<td>16</td>
<td>16</td>
<td>14</td>
<td>14%</td>
</tr>
<tr>
<td>PROPERTY CHECKS (HW&amp;BLDG)</td>
<td>2578</td>
<td>2578</td>
<td>2408</td>
<td>7%</td>
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<tr>
<td>CRIME PREVENTION NOTICES</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>100%</td>
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<tr>
<td>FIELD INTERVIEW CARDS</td>
<td>4</td>
<td>4</td>
<td>2</td>
<td>100%</td>
</tr>
</tbody>
</table>
Cherry Hills Village Crime Statistics
YEAR-TO-DATE THROUGH JANUARY (2015-2019)

Theft / Mail Theft

2015 YTD 2016 YTD 2017 YTD 2018 YTD 2019 YTD

Fraud Related Crimes

2015 YTD 2016 YTD 2017 YTD 2018 YTD 2019 YTD

Theft from Motor Vehicle

2015 YTD 2016 YTD 2017 YTD 2018 YTD 2019 YTD

Criminal Mischief

2015 YTD 2016 YTD 2017 YTD 2018 YTD 2019 YTD

Burglary

2015 YTD 2016 YTD 2017 YTD 2018 YTD 2019 YTD
# Cherry Hills Village
## Code Enforcement Statistics
### January 2019

<table>
<thead>
<tr>
<th>Code Enforcement Issues</th>
<th>Month</th>
<th>YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>On View Violations</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Requests for Service</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sight Triangle Violations</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Construction Site Violations</td>
<td>26</td>
<td>26</td>
</tr>
<tr>
<td>Permit Violations</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Stop Work Orders Served</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Fence Violations</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Weed Violations</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Trash, Debris and Junk</td>
<td>58</td>
<td>58</td>
</tr>
<tr>
<td>Trees/Bushes Violations</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Zoning Violations</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Right of Way Violations</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Roll-offs/Port-a-let Violations</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Sign Violations</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Warnings/Personal Contacts</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Letters/Posted Notices</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Summons Issued</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Notice of Violations</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Misc. Code Violations</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### Year to Date
- **On View Violations**: 0%
- **Requests for Service**: 100%

### Year to Date
- **Various Code Violations**: 37%
- **Right of Way and Site Triangle Violations**: 57%
- **Construction Violations**: 6%

### Year to Date
- **Warning & Personal Contacts**: 57%
- **Notice of Violations**: 37%
- **Summons Issued**: 6%
Cherry Hills Village
Animal Control Statistics
January 2019

<table>
<thead>
<tr>
<th>Animal Control Issues</th>
<th>Month</th>
<th>YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational Contacts</td>
<td>13</td>
<td>13</td>
</tr>
<tr>
<td>Control of Dogs</td>
<td>12</td>
<td>12</td>
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<tr>
<td>Barking Dogs</td>
<td>3</td>
<td>3</td>
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<tr>
<td>Aggressive Dogs</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Wildlife Complaints</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Verbal Warnings</td>
<td>13</td>
<td>13</td>
</tr>
<tr>
<td>Written Warnings</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Summons Issued</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Year to Date

- **Verbal Warnings**: 35%
- **Written Warnings**: 65%
- **Summons Issued**: 0%

Year to Date

- **Educational Contacts**: 35%
- **Wildlife Complaints**: 65%

Year to Date

- **Control of Dogs**: 20%
- **Barking Dogs**: 0%
- **Aggressive Dogs**: 80%
### Fire District Responses by the Numbers

<table>
<thead>
<tr>
<th>Incident Type</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018 Q4</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alarms</td>
<td>135</td>
<td>129</td>
<td>128</td>
<td>145</td>
<td>144</td>
<td>Fire Alarm Activation (no fire)</td>
</tr>
<tr>
<td>EMS</td>
<td>291</td>
<td>229</td>
<td>261</td>
<td>227</td>
<td>259</td>
<td>Medical Problem, Injury Vehicle Crash</td>
</tr>
<tr>
<td>Fires</td>
<td>14</td>
<td>12</td>
<td>9</td>
<td>17</td>
<td>8</td>
<td>Structure, Wildfire, Vehicle</td>
</tr>
<tr>
<td>Other</td>
<td>68</td>
<td>49</td>
<td>84</td>
<td>97</td>
<td>78</td>
<td>Cancelled Enroute, Explosion, Standby</td>
</tr>
<tr>
<td>Public Assist</td>
<td>78</td>
<td>79</td>
<td>70</td>
<td>77</td>
<td>77</td>
<td>Smoke Investigation, Water Leak, Lock-Out, Police Matter</td>
</tr>
<tr>
<td>Special Ops</td>
<td>13</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>11</td>
<td>Structure Collapse, Hazmat Release, Water Rescue</td>
</tr>
</tbody>
</table>
| **Grand Total**    | 599  | 500  | 554  | 565  | 577     | *Incident Type categories were changed in 2015, resulting in lower Special Ops and higher Public Assist counts*

### Total Response Time Performance (Emergent Responses Only)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Suburban</td>
<td>09:12</td>
<td>87%</td>
<td>09:26</td>
<td>86%</td>
<td>08:30</td>
<td>91%</td>
</tr>
<tr>
<td>Rural</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td><strong>Overall</strong></td>
<td>09:12</td>
<td>87%</td>
<td>09:26</td>
<td>86%</td>
<td>08:30</td>
<td>91%</td>
</tr>
</tbody>
</table>

Total response time is the elapsed time from receipt of the 911 call to the first emergency unit arriving at the scene. The time is measured at the "90th percentile", or how we perform 90% of the time. In order to calculate the "% met goal", our performance is compared to national standards that vary by population density:

- **Urban** Density Goal: 7:42
- **Suburban** Density Goal: 9:00
- **Rural** Density Goal: 15:30

### Incidents by Category: 2018 Q4

- **Alarms**: 25%
- **EMS**: 45%
- **Public Assist**: 13%
- **Other**: 14%
- **Fires**: 1%
- **Special Ops**: 2%

### Incident Totals

- **2014**: 599
- **2015**: 500
- **2016**: 554
- **2017**: 565
- **2018 Q4**: 577

### Fire Experience

#### Activity 2018 Q4

- **Structure Fires (NFIRS 111-124)**: 3
- **Fires Contained to Room of Origin**: 3
- **% Fires Contained to Room of Origin**: 100%
- **Sprinkler Head Activations**: 0
- **Wildland Fires (NFIRS 140-143, 170-173)**: 1

---

This report is produced by South Metro Fire Rescue.

For more information please contact: Eric Hurst, SMFR PIO - 720-989-2208
MEMORANDUM

TO:         HONORABLE MAYOR STEWART AND MEMBERS OF THE CITY COUNCIL
FROM:       TERRI LITTLEFORD, MUNICIPAL COURT CLERK
SUBJECT:    MUNICIPAL COURT MONTH END REPORT FOR JANUARY, 2019
DATE:       FEBRUARY 19, 2019

DISCUSSION
Municipal Court Statistics

<table>
<thead>
<tr>
<th>Monthly Totals</th>
<th>2019</th>
<th>2018</th>
<th>Difference</th>
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</thead>
<tbody>
<tr>
<td>Citations filed</td>
<td>127</td>
<td>154</td>
<td>-18%</td>
</tr>
<tr>
<td>Court appearances/guilty to original</td>
<td>126</td>
<td>126</td>
<td>0%</td>
</tr>
<tr>
<td>Plea by mail letters sent</td>
<td>85</td>
<td>87</td>
<td>-2%</td>
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<tr>
<td>Revenue</td>
<td>$20,185.00</td>
<td>$20,075.00</td>
<td>$110.00</td>
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BUDGET IMPACT STATEMENT
Through January 2019 the Municipal Court has collected 7% of the total budgeted revenue amount.

ATTACHMENTS
Exhibit A: Municipal Court Monthly Activity and Graphs
CHERRY HILLS VILLAGE MUNICIPAL COURT
MONTHLY ACTIVITY
January-19

<table>
<thead>
<tr>
<th>COMPLAINTS FILED</th>
<th>MONTH</th>
<th>YTD</th>
<th>PRIOR YTD</th>
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<tbody>
<tr>
<td>TRAFFIC</td>
<td>120</td>
<td>120</td>
<td>150</td>
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<tr>
<td>PARKING</td>
<td>4</td>
<td>4</td>
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<tr>
<td>DOG</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>OTHER</td>
<td>3</td>
<td>3</td>
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<tr>
<td>TOTAL</td>
<td>127</td>
<td>127</td>
<td>154</td>
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</table>

<table>
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<th>CLOSED BY CLERK</th>
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<th>YTD</th>
<th>PRIOR YTD</th>
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<tr>
<td>CLOSED BY CLERK</td>
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<td>6</td>
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<tr>
<td>TOTAL</td>
<td>6</td>
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<table>
<thead>
<tr>
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<th>MONTH</th>
<th>YTD</th>
<th>PRIOR YTD</th>
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<tr>
<td>GLTY PLEA BY MAIL</td>
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<td>79</td>
<td>95</td>
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<td>TOTAL</td>
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<td>NOT GUILTY (set to trial)</td>
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<td>1</td>
<td>3</td>
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<tr>
<td>NOT GUILTY (set to jury)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>DISMISSED (proof of ins provided)</td>
<td>22</td>
<td>22</td>
<td>8</td>
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<tr>
<td>DISMISSED</td>
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<td>0</td>
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<tr>
<td>SHOW CAUSE HEARINGS</td>
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<table>
<thead>
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<th>MONTH</th>
<th>YTD</th>
<th>PRIOR YTD</th>
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<tr>
<td>ACQUITTALS</td>
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<tr>
<td>DISMISSED</td>
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</table>

<table>
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<th>MONTH</th>
<th>YTD</th>
<th>PRIOR YTD</th>
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<tr>
<td>ACQUITTALS</td>
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<tr>
<td>DISMISSED</td>
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<tr>
<td>MISTRIALS</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>NUMBER OF PEOPLE IN COURT</td>
<td>126</td>
<td>126</td>
<td>126</td>
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</table>

<table>
<thead>
<tr>
<th>TOTAL MONEY COLLECTED</th>
<th>MONTH</th>
<th>YTD</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>$20,185.00</td>
<td>$20,185.00</td>
</tr>
</tbody>
</table>
Piea By Mall Offered
MEMORANDUM

TO: HONORABLE MAYOR STEWART AND MEMBERS OF THE CITY COUNCIL
FROM: JAY GOLDIE, DEPUTY CITY MANAGER/DIRECTOR OF PUBLIC WORKS
SUBJECT: PUBLIC WORKS JANUARY 2019-MONTH END REPORT
DATE: FEBRUARY 19, 2019

Winter finally arrived and the streets crew responded to several snow storms in the area. A total of 170 tons of salt/sand was applied to City streets in January. Post storm street sweeping included ice and snow removal totaling 24 tons of sweepings. The streets crew performed exceptional snow removal service to the City while adjusting to the additional travel times from Sheridan. The City received only a few calls requesting additional salt/sand and ice removal. In addition to snow removal, the crew worked on street sign repair and replacement throughout the City, performed equipment maintenance and crack sealing at Monroe at Hampden.

The parks crew also responded to snow removal on City trails. The crew continued to perform maintenance tasks including trail sweeping, citywide trash pick-up, stump grinding, shop work, fence repair and maintenance on City parks, trails and open space. In addition, the parks crew spent several days performing tree pruning and watering in John Meade Park, Woodie Hollow Park, Alan Hutto and the Annex.

The City issued 8 right-of-way permits in January. The Request for Proposal (RFP) for the 2019 Chipseal and Concrete Capital Improvement Project was posted in January. The City will hold public bid openings for both projects on February 20th.

ATTACHMENTS

<table>
<thead>
<tr>
<th>Description</th>
<th>Week 1</th>
<th>Week 2</th>
<th>Week 3</th>
<th>Week 4</th>
<th>Week 5</th>
<th>TOTALS</th>
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<tbody>
<tr>
<td>ad - Administrative Office Work</td>
<td>34</td>
<td>57</td>
<td>59</td>
<td>28</td>
<td>25</td>
<td>203</td>
</tr>
<tr>
<td>as - Asphalt patching operations</td>
<td>21</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>27</td>
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<tr>
<td>bm - Building Maintenance</td>
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<tr>
<td>cn - Concrete repairs</td>
<td>0</td>
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<tr>
<td>cp - Overseeing contractor operations</td>
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## JANUARY 2019 PARKS RECORD LOG SHEET

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# 2019 Right-of-Way Permits Monthly Report

## January 2019

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<th>Vehicular Tracking Pad</th>
<th>Occupancy</th>
<th>Parks/Trails</th>
<th>Landscape</th>
<th>Major Jobs</th>
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## February 2019

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<th>Parks/Trails</th>
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## April 2019

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<th>Driveway Install/Repair</th>
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## June 2019

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## July 2019

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**2019 YEAR END TOTALS**

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