

## RECORD OF PROCEEDINGS

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Minutes of the  
City Council of the City of Cherry Hills Village, Colorado  
Held on Tuesday, September 3, 2019 at 6:30 p.m.  
At the Village Center

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

Mayor Pro Tem Brown called the meeting to order at 6:30 p.m.

### **ROLL CALL**

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

Absent: Mayor Russell Stewart

### **PLEDGE OF ALLEGIANCE**

The Council conducted the pledge of allegiance.

### **AUDIENCE PARTICIPATION PERIOD**

None

### **REPORTS FROM CITY BOARDS, COMMISSIONS AND COMMITTEES**

None

### **CONSENT AGENDA**

Councilor Gallagher moved, seconded by Councilor Sheldon to approve the following items on the Consent Agenda:

- a. Approval of Minutes – August 20, 2019
- b. Quincy Farm Master Plan Consultant Contract
- c. Resolution 25, Series 2019; Adopting a Budget Calendar for the 2020 Budget

The motion passed unanimously.

### **ITEMS REMOVED FROM CONSENT AGENDA**

None

### **UNFINISHED BUSINESS**

Council Bill 5, Series 2019; Approving a Supplemental Appropriation for Fiscal Year 2019 for the Quincy Farm Sanitary Sewer Construction Project (second and final reading)

Deputy City Manager/Director Goldie presented Council Bill 5, Series 2019 on second and final reading. He explained that the name of the fund had been incorrect in the council bill on first reading and staff had corrected it for second reading. He added that there had been no other changes since first reading.

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Councilor Sheldon moved, seconded by Councilor Blum to approve Council Bill 5, Series 2019, a bill for an ordinance authorizing a supplemental appropriation in the Catherine H. Anderson Land Donation Fund for fiscal year 2019 for the Quincy Farm Sanitary Sewer Construction Project in the amount of \$112,000.00, as amended on second reading.

The following votes were recorded:

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

Vote on the Council Bill 5-2019: 6 ayes. 0 nays. The motion carried.

### **NEW BUSINESS**

#### **2020 Master Plan Scope of Work Discussion**

Director Cramer explained that the Master Plan served as a vision and road map for the future of the community and would inform Council decisions going forward. He emphasized the importance of citizen and stakeholder input. He noted that the Master Plan was not a Code, law, budget or legally binding, but rather provided flexibility and direction for those things. He indicated that the City's Master Plan had first been adopted in 1970 and had been updated in 1993 and 2008. He explained that staff was seeking direction from Council on the key topics to inform the scope of work that would be part of the request for proposals (RFP) for a consultant to conduct the 2020 Update to the Master Plan. The proposed topics were: confirming the continued importance of the preservation of the community character; exploring more multi-model opportunities (vehicular, cycle, pedestrian, equestrian, etc); exploring transportation strategies that improve mobility for Cherry Hills Village residents, with minimal effect on cut-through traffic; considering more energy efficient and sustainable policies and standards; and exploring policies related to an aging population. The scope of the Plan contemplated a variety of ways for community and public involvement in the process, including presentations to City Council and the Planning and Zoning Commission (P&Z) at key milestones throughout the process, including issue identification, vision and goal formulation, draft plan review, and the final plan adoption process; a variety of communication channels would be utilized for resident input such as community meetings, surveys, a project website, and topic-specific focus groups; a Citizen Advisory Taskforce (CAT) including key residents and stakeholders appointed by City Council would meet at key milestones to provide community input and feedback; the consultant would meet with key City staff members to provide feedback and information critical to the plan on a regularly occurring basis; a Technical Advisory Committee (TAC) would be created and include representatives from the local Cherry Creek School District, RTD, DRCOG, Arapahoe County, Mile High Flood District, South Metro Fire Rescue Authority, and other potential community stakeholders. The next steps would be a review of the scope by P&Z, publication of the RFP, review of the bids, interviews of the contractors, consideration by Council of the contract, and beginning the process in January 2020.

Councilor Blum asked if there had been a TAC as part of the 2008 process and asked what input the TAC would provide.

Director Cramer replied that he had not found any record of a TAC as part of the 2008 process but highly recommended it for the 2020 process. He explained that the purpose of the TAC was to provide a forum for discussion of how the City's Master Plan policies fit into regional matters such as transportation solutions. He noted that the City would be under no obligation to incorporate any suggestions from the TAC but that involving

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entities such as CDOT, DRCOG, and neighboring municipalities made the City a good neighbor and helped when the City wanted a seat at the table for other region issues. He noted that he anticipated two or three meetings of the TAC.

Councilor Blum questioned the availability of people to attend from those entities.

Director Cramer replied that the TAC would be all staff members from the various entities rather than board members. He noted that the City would host the meetings and invite the participants.

City Manager Thorsen added that it was comparable to the agency review process for land development applications where staff would send the information for review ahead of time and provide a meeting time and space for agencies to attend, ask questions and provide input.

Councilor Gallagher asked how the City's schools, churches and clubs would be included in the Update process.

Director Cramer replied that the Citizen Advisory Taskforce (CAT) would be an appropriate group for the City's institutions to be involved.

Mayor Pro Tem Brown asked how many members the CAT would have.

Director Cramer replied that he had seen similar groups consisting of 11 to 28 people. He noted that staff welcomed Council input on the composition of that group. He added that a larger group would have a broader representation while a smaller group would potentially be able to move through discussions more quickly.

Councilor Weil noted that Council had been challenged in the past when trying to follow multiple Master Plan objectives and stated that an important result of the Update process would be to identify clear priorities to inform Council decisions. He suggested including safety as a topic for the scope.

Councilor Safavi noted that if staff were to send out a mailed survey, he would suggest having citizens indicate how important various topics were to them in order to determine what priorities the Master Plan should emphasize.

Councilor Sheldon indicated that he envisioned in-person community charette meetings.

Mayor Pro Tem Brown stated that while she believed transportation was an important topic, the proposed wording might be too specific and making an assumption about the goal. She recommended making it broader in order to allow the public to truly define the problem and priorities.

Councilor Sheldon agreed with Mayor Pro Tem Brown that while some issues might seem straightforward, such as dark skies, the City needed to be careful not to make assumptions about citizen preferences.

Mayor Pro Tem Brown agreed and suggested that the Update process could help gauge if the City's current treatment of dark skies was supported by the residents. She added that she agreed with adding safety as a topic. She noted that she believed the City was very safe but that there had been some very troubling incidents recently and many residents wanted video cameras and guard houses as a result. She wondered if that was a direction the community as a whole wanted to move towards and noted that it was important to consider the tradeoff of personal privacy as well.

Director Cramer noted that public safety was almost always an element of master plan processes.

Councilor Safavi asked how Director Cramer envisioned collecting public input.

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Director Cramer replied that there were several different formats to choose from and that staff would work with the consultants and Council to determine the best combination to use. He noted that some examples included a presentation followed by public comments and questions or an open house with stations. He explained that public input would start with very broad topics about vision, from which the consultants would look for commonalities and then return to the public to further narrow down topics.

Councilor Safavi stated that he had learned that dark skies was a controversial issue while running for office, and residents were either supportive or opposed. He asked how a single topic could be prevented from hijacking the discussion.

Director Cramer replied that the consultants would provide a framework for the public input meetings in order to ensure they were productive. He added that the process would include multiple avenues for public input, including in person, online, social media, written, and tables at City events.

Councilor Gallagher asked if the 2008 Master Plan would be referenced during the 2020 process.

Director Cramer replied that it would because the 2020 process was an update of the 2008 Master Plan and was intended to build on that work rather than start from scratch.

Mayor Pro Tem Brown noted that she believed the CAT was a critical element of the process and asked how the composition of the group would be chosen. She noted that if each school, church and club had a representative then there would be more institutional members of the CAT than resident members. She suggested that residential members of the CAT should represent a diversity of ages, number of years lived in the City, families of young children, retirees, where they lived in the City, and other types of experiences.

Director Cramer replied that there would likely be an application process which meant that membership would be limited to people who applied. He agreed that the CAT should not have more institutional members than residential members. He noted that for the Code Modernization project there was one representative for multiple churches. He noted that members of the CAT would be appointed by Council.

Councilor Blum agreed that the members of the CAT should have a variety of experiences and that the composition of the CAT and TAC were critical for a successful process.

City Manager Thorsen suggested that each Councilor could appoint two people to serve on the CAT, with three or four other spots reserved for representatives from the City's institutions. He encouraged each Councilor to send their ideas to him and Director Cramer.

Councilor Sheldon emphasized that the composition of the CAT would not diminish the opportunity and ability for residents to provide their feedback during the process.

Councilor Safavi asked if the CAT would make recommendations to Council.

Director Cramer replied that his expectation was for P&Z to make a recommendation to Council that would hopefully have the full support of the CAT.

Councilor Safavi noted that any imbalance in the CAT would be mitigated by the limited power of the group.

Mayor Pro Tem Brown indicated that membership on the CAT would be a huge commitment. She stated that it would be important to find residents who understood the

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amount of work required and who would be dedicated to moving the process forward based on the public input received regardless of personal opinions.

Councilor Blum stated that he liked the City Manager's idea for two members from each Council District.

Mayor Pro Tem Brown noted that she imagined each institution would want their own representative but that would be too many.

Councilor Sheldon suggested that if it was too complicated to get the correct balance and diversity on the CAT then Council could rely solely on the public input instead.

City Manager Thorsen stated that applications for the CAT could be solicited in the November or December issues of the Crier and appointments could be made in January.

Councilor Weil noted that the City's next regular municipal election would be in November 2020 with any new elected officials taking office in January 2021. He indicated that if there were new Councilors then they would be entering the process at the very end. He asked if it would be possible to move up the timeline so that the current members of Council could complete the entire process.

Councilor Blum agreed that new Council members had a steep learning curve and that it would be more efficient to compress the timeline.

City Manager Thorsen indicated that he understood Council's concerns and staff would do their best but that the public input process would dictate the project timeline.

Director Cramer added that the length of time required for this type of project meant that the process almost always spanned multiple Councils. He noted that the 2008 Master Plan process took two years, so the planned timeline for the 2020 Update was already compressed. He warned that since the timeline was driven by public involvement staff would not suggest shortening the process any further as it would reduce the public input period.

Councilor Blum suggested asking for consultants to include their proposed timelines in their RFPs.

Director Cramer summarized that a topic on safety should be added to the scope and an awareness of dark skies.

Councilor Blum noted that safety was included throughout the 2008 Master Plan so it may not need to be a stand alone topic.

Mayor Pro Tem Brown indicated that while it was obvious that people wanted to be safe she would be interested to know how the public felt about the City implementing or supporting policies such as surveillance, guard houses and gating major streets.

Director Cramer clarified that the topics being discussed tonight were not necessarily intended to form the structure of the updated Master Plan but rather would be included in the scope for the RFP so that the consultants could include their experience and expertise on these topics in their RFPs.

Mayor Pro Tem Brown noted that a good approach for topics such as dark skies might be to ask for validation from the public on the principals and values of the 2008 Master Plan and measures that the City had taken since then.

Councilor Sheldon asked about including a topic on other residential types into the scope per the study session discussion. He suggested changing the wording of the last topic to be "exploration of land use and other policies related to an aging population."

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Mayor Pro Tem Brown noted that while her personal feelings on the topic had been expressed during the study session, she asked if that wording was too narrow to encompass Councilor Sheldon's interests.

Councilor Sheldon agreed that other land uses not necessarily related to an aging population would be appropriate for discussion during the Update process.

Director Cramer indicated that the first topic on the list related to the character of the Village would address that issue at a broad level and the result of that could inform more specific topics.

### Resolution 26, Series 2019; Approving an Intergovernmental Agreement between Arapahoe County and the City for Sharing the Cost of a Census Coordinator Position

Director Cramer presented Resolution 26, Series 2019 for Council's consideration. He explained that Arapahoe County was coordinating a regional effort to get the most complete count for the 2020 Census. He explained that an accurate count was beneficial for many things including funding and redistricting. He indicated that Arapahoe County would be hiring a contract employee for 18 months to coordinate efforts at the County level and was requesting funding contributions from local municipalities based on community size. He stated that the County was requesting \$5,000 from the City and that staff recommended approval.

Councilor Sheldon indicated that he was in favor of supporting the Census Coordinator position but questioned the fairness of the tiered funding structure.

Councilor Weil moved, seconded by Councilor Gallagher to approve Resolution 26, Series 2019; approving an Intergovernmental Agreement between Arapahoe County, Colorado and the City of Cherry Hills Village for sharing the cost of a Census Coordinator position in Arapahoe County in the amount of \$5,000, to authorize the City Attorney to make any non-financial changes to the final Agreement form, and to authorize the Mayor to sign the Agreement for the Census Coordinator when complete.

The motion passed unanimously.

## **REPORTS**

### **Members of City Council**

Councilor Safavi had no report.

Councilor Weil had no report.

Councilor Blum reported that Mayor Pro Tem Brown's report from the last meeting that the lawsuit against the FAA had been pulled pending the final environmental assessment had been confirmed at the Centennial Airport Community Noise Roundtable meeting. He indicated that he had met with Director Sager to review the proposed 2020 budget and that she had done a marvelous job. He reported that he had attended the Cherry Hills Village Art Commission Concert Series and it had been a wonderful turn out and a great community event. He noted that he would be absent for the September 17, 2019 meeting.

Councilor Sheldon reported that the High Line Canal Working Group (HLCWG) was discussing the creation of a Governance Committee which would make recommendations to the HLCWG. He explained that while the HLCWG consisted of about 30 people from various municipalities, counties, and districts, the Governance Committee was proposed to be much smaller and to be composed of mainly elected officials. He noted that the composition of the Governance Committee was currently being debated and he expressed concern that Cherry Hills Village needed to have

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representation on the Governance Committee, despite having only three miles of the High Line Canal in the City.

Freda Miklin, 5415 South Grape Lane, Greenwood Village, indicated that her understanding was that the Governance Committee would replace the HLCWG.

Councilor Sheldon stated that it was very important for the City to be included in the Governance Committee as it would be determining critical issues such as maintenance, funding, the tree canopy, and stormwater. He noted that he and City Manager Thorsen would be meeting with High Line Canal Conservancy Executive Director Harriet LaMair to discuss the issue.

Councilor Gallagher had no report.

Mayor Pro Tem Brown echoed Councilor Blum's comments regarding the Concert Series and thanked Tory Leviton for his work on the event. She noted that the annual Exotic Car Show would be held Sunday September 8<sup>th</sup> in the City Hall parking lot.

**City Manager & Staff**

City Manager Thorsen reported that he attended meetings of the Belleview Interchange Taskforce which was discussing various ways to improve the level of service at Belleview and I-25. He explained that the Taskforce was looking at three main options, one of which involved adding on and off ramps at Union Avenue, which would likely significantly increase cut through traffic in the City.

**City Attorney**

City Attorney Guckenberger had no report.

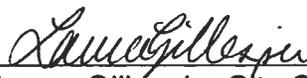
**ADJOURNMENT**

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

The motion passed unanimously.

The meeting adjourned at 7:48 p.m.

  
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Russell O. Stewart, Mayor

  
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Laura Gillespie, City Clerk