

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, July 21, 2015 at 6:30 p.m.
At the Village Center

The City Council held a Study Session at 6:00 p.m. regarding the High Line Canal Conservancy.

Mayor Laura Christman called the regular meeting to order at 6:33 p.m.

ROLL CALL

Mayor Laura Christman, Councilors Earl Hoellen, Alex Brown, Mike Gallagher, Klasina VanderWerf, and Katy Brown were present on silent roll call. Also present were Deputy City Manager and Public Works Director Jay Goldie, City Attorney Linda Michow, Finance Director Karen Proctor, Community Development Director Rob Zuccaro, Police Chief Michelle Tovrea, Human Resource Analyst Kathryn Ducharme, Special Projects Coordinator Emily Kropf, Public Works Project and Right-of-Way Manager Ralph Mason, Street Operations Supervisor Josh English, City Engineer Troy Carmann and City Clerk Laura Smith.

Absent: Councilor Mark Griffin

PLEDGE OF ALLEGIANCE

The City Council conducted the pledge of allegiance.

AUDIENCE PARTICIPATION PERIOD

David Lawrence, 6 Cherry Hills Farm Court, addressed the Council regarding Council Bill1, Series 2015, which was tabled in February 2015. He thanked the Council for their thoughtful comments and observations regarding the bill and indicated he was grateful it had been tabled. He requested that the Council table the bill indefinitely. He agreed with the Council's concerns that a guardhouse would give the appearance of restricted access to the neighborhood. He noted that just the presence of a guard car currently slowed traffic into the neighborhood as new visitors slowed or stopped. He cautioned that such congestion was dangerous for vehicles turning into the neighborhood from University Boulevard. He indicated that the HOA had not vetted the proposed guard house with residents of the neighborhood.

Robby Robinson, 4001 S. Dahlia Street, expressed concern with increased traffic and speeding along Dalia Street between Quincy and Mansfield. He asked for more police presence in the area. He also noted that the addition of a green arrow at Hampden and Dalia would further increase the volume of traffic.

CONSENT AGENDA

Mayor Christman noted that Item 5e should be the north thirty feet of Quincy rather than the south and if approved the resolution would be amended accordingly.

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

- a. Approval of Minutes – June 16, 2015
- b. Resolution 25, Series 2015; Adopting New Fees and Procedures Regarding the Dissolution of Water and Sewer Districts Within the City of Cherry Hills Village (*tabled from June 16th*)
- c. Resolution 26, Series 2015; Adopting the 2016 Budget Calendar
- d. Resolution 27, Series 2015; Amendment to Tolling Agreement with Denver First Church of the Nazarene
- e. Resolution 28, Series 2015; Accepting a Quitclaim Deed Conveying the South Thirty Feet of East Quincy Avenue Adjacent to Property Located at 4001 East Quincy Avenue
- f. Resolution 29, Series 2015; Reappointing Commissioner Harbaugh to the Public Art Commission
- g. Resolution 30, Series 2015; Appointing Michael LaMair to the Planning and Zoning Commission
- h. Resolution 31, Series 2015; Calling a Special Election for the City Coordinated with Arapahoe County on November 3, 2015
- i. License Agreement with Denver Water to Bore a Water Line Under the High Line Canal to Provide Water to Existing and Newly Planted Trees at Three Pond Park

The motion carried unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

Council Bill 4, Series 2015; Amending Section 16-16-130 of the Municipal Code Concerning Wireless Communication Facilities (*first reading, tabled from June 16th*)

Special Project Coordinator Kropf presented Council Bill 4, Series 2015 on first reading. She explained that Council had tabled the bill on June 16th in order for staff to amend the language to address Council's concerns regarding clarification of the definitions of "Existing" and of "Substantial Change". Both these changes had been made to the proposed bill.

Mayor Christman indicated that she had four new concerns, first, to make even more clear that the allowed increase was not accumulative; second, to protect trees during expansions; third, to clarify that underground facilities could not expand upward and potentially impact trails; and fourth, to have the Parks, Trails and Recreation Commission (PTRC) review applications that were in or near parks, trails or open space prior to review by the Planning and Zoning Commission (P&Z).

Special Project Coordinator Kropf noted that the Mayor had contacted staff earlier today and staff had prepared revised language to address her concerns. She presented the amended language to Council.

Councilor K. Brown expressed concern that the amended language for tree protection in Section 16-16-130(g)(3)(e) did not define the term "removal".

Councilor Gallagher suggested adding a threshold for the amount of a tree that could be removed.

Councilor K. Brown suggested adding the phrase "significant damage".

Councilor Hoellen suggested adding "or trimming as directed by the City" or "in accordance with the City".

Director Zuccaro suggested adding "trimming or modification of any existing tree requires a trimming plan by a certified arborist reviewed by the City".

City Attorney Michow noted that the City Code provided the opportunity to replace trees.

Director Zuccaro clarified that opportunity was related to administrative review.

City Attorney Michow indicated that the City could not deny an application because the applicant proposes to remove a tree.

Councilor Gallagher asked if the tree replacement was required to be of like kind and size as the original tree.

Director Zuccaro replied that was correct and the City Code had a caliper size replacement requirement.

Councilor K. Brown asked if the proposed wording could be interpreted to mean that the applicant could not perform actions that the City determined would result in removal or death of a tree.

Director Zuccaro replied that staff had not contemplated that interpretation. He noted that an application could not be denied outright because of a tree removal but that the City could require mitigation.

Mayor Christman noted that requiring the applicants to consider alternatives to tree removal was important.

Councilor K. Brown indicated that she was comfortable with the amendments as presented by staff.

Mayor Pro Tem A. Brown moved, seconded by Councilor K. Brown to approve on first reading Council Bill 4, Series 2015 as submitted in Exhibit A as amended of the July 21, 2015 staff memorandum, amending Municipal Code Section 16-16-130 to include new wireless co-location rules.

The following votes were recorded:

Gallagher	yes
A. Brown	yes
VanderWerf	yes
K. Brown	yes
Hoellen	yes

Vote on the Council Bill 4-2015: 5 ayes. 0 nays. The motion carried.

2015 November Election

City Clerk Smith explained that after discussions with the City Attorney's office staff had determined that the draft ballot language could be placed on the ballot via resolution instead of ordinance, and therefore Council had more time to decide on the ballot language. The September 1st meeting was the last regular meeting before ballot content was due to the County. She presented several options of draft ballot language for Council to consider. She explained that the more generally worded language would allow the City more flexibility. She reminded Council that they had discussed speaking points at the June 30th study session.

Mayor Christman asked if the amount of tax revenue was required to be in the first line of the issue.

City Attorney Michow confirmed that it was.

Councilor Hoellen asked how the number was determined.

Mayor Pro Tem A. Brown explained that it was based on the City's current system of building fees. He noted that the amount in the draft language was slightly higher than estimated to give the City flexibility related to TABOR.

Mayor Christman asked if the tax amount had to be in the first line of the language.

City Attorney Michow and Mayor Pro Tem A. Brown confirmed that it did.

Councilor Hoellen asked about the prescribed language for a TABOR issue.

City Attorney Michow replied that it was outlined in the Colorado Constitution. She added that the additional options provided sample language and the wording could be worked on going forward.

Mayor Pro Tem A. Brown indicated that he leaned towards the first, most general option. He recalled that when the City created the Capital Fund approximately five years ago, staff heard concerns from other cities regarding dedicating revenues to particular funds during times of economic stress. He added that from a legislative point of view it was better to have more discretion with use of funds. He indicated he would like to work with some of the wording but agreed with the basic structure.

Mayor Christman agreed. She noted that every community had a use tax and the City was losing money.

Councilor VanderWerf asked about the reasoning behind the Utility Line Undergrounding Study Committee's (ULUSC) more specifically worded ballot language.

Mayor Pro Tem A. Brown replied that the ULUSC had been focusing on their mission and charge.

Councilor Hoellen added that the ULUSC had thought more specificity was needed for the ballot issue to pass. He agreed that the more general wording was preferred if Council believed it would pass.

Mayor Pro Tem A. Brown noted that the ULUSC had focused on a property tax increase and had not looked into a building materials use tax until the end of their work.

Councilor K. Brown agreed that the more general option was preferred for the reasons stated and added that the general measure was shorter which was helpful to readers of the issue. She indicated that she believed residents would be supportive once they understood that they were already paying these tax dollars.

Mayor Pro Tem A. Brown noted that part of the reason why the issue could be so short was that it did not have to include De-Brucing language because City voters had already approved general De-Brucing for Cherry Hills Village.

City Clerk Smith indicated that staff would work with the City Attorney's office on the wording of the more general option in the context of a resolution placing it on the ballot so that Council could further consider the wording at the next meeting.

NEW BUSINESS

Public Hearing – Blue Hills Subdivision, Minor Subdivision and Floodplain Development Permit Application

Director Zuccaro explained that Blue Hill Land Company, LLC requested review of a minor subdivision plat to subdivide an approximately 2.2-acre parcel into two, 1.1-acre residential lots. A floodplain development permit was also requested for minor modifications to the street curb within the floodplain. The subject property was zoned R-3 one acre residential district. The southwest portion of the property was covered by the floodplain and the curb improvement would facilitate drainage. The property was bordered by Kenyon on the south. The proposal included a shared detention pond and shared drainage maintenance for the two proposed subdivided lots. The purpose of the street improvements was to direct stormwater onto Kenyon Avenue, bypass City Ditch and go into the drainageway on the west side of City Ditch. All subdivisions in the City require a land dedication of 7.5% of the subdivision for parks, trails and open space. The dedication may be made by fee simple dedication, dedication of an easement, cash in lieu in land or a combination. The applicants propose cash in lieu of land dedication for the entire 7.5%. Appraisals were provided when the application was begun in 2013 showing the value of each proposed parcel at approximately \$506,500. Based on those appraisals the dedication would be \$76,050. The applicant is aware they will need to

provide current appraisals before recording the plat. This was the subject of quite a bit of discussion at the P&Z and PTRC meetings when this application was reviewed. The applicant was currently in a quiet title lawsuit over the property and they've asked that the updated appraisals not be provided until after conclusion of the lawsuit. The PTRC reviewed the application at their March 12, 2015 meeting and recommended approval of the cash in lieu dedication with two conditions: that the appraisal by a certified appraiser be submitted within three months of the recording of the plat, and resolution of the pending litigation. The P&Z held a public hearing to review the proposal at their April 14, 2015 and continued the hearing to June 9, 2015 to get additional information on the pending lawsuit. The P&Z voted to recommend approval with the same conditions as the PTRC and that the drainage and access easements proposed with the subdivision be recorded concurrently with the plat. Review criteria for minor subdivisions are in Section 17-3-360 of the Code and recommended findings were included in staff's memo. Criteria for floodplain development permits are in Section 16-17-60 of the Code. The City Engineer has reviewed the permit and recommends approval. Staff recommended approval of the application with the same three conditions as the P&Z: an updated appraisal, resolution of the pending litigation and concurrent recording of the easements with the plat.

Councilor K. Brown asked about the small rectangle of property directly north of the subject property.

Director Zuccaro replied that it was not public property but he was not sure about the ownership of that parcel. He suggested the applicant might have more information.

Councilor K. Brown asked what fund the cash in lieu would go into.

Director Proctor replied that it would go into the Cat Anderson Fund.

Councilor VanderWerf asked under what circumstances the City would vacate an on-street trail if requested to do so by neighbors.

Director Zuccaro replied that the streets were dedicated in the plats.

Councilor VanderWerf expressed concern with losing the on-street trail on Kenyon which connected the City with Englewood.

Director Zuccaro replied that this application would not change the connection.

Mayor Pro Tem A. Brown asked if the trail was in the public right-of-way.

Director Zuccaro replied that south of the subject property going west the trail was in the public right-of-way, but to the east it was in an easement.

Councilor Hoellen asked if the appraisal included in the application included all the current proposals.

Director Zuccaro replied that he was not sure what information was included in the current appraisal.

Mayor Christman indicated that it would be in the City's best interest to have the City choose the appraiser and the applicant pay for the appraisal.

Director Zuccaro noted that the Code only required that the appraisal be based on fair market value. He indicated that City Attorney Michow could prepare alternative language to include in the condition of the recommended motion for approval of the application.

Councilor Gallagher asked about the impact of the subdivision on City Ditch since it goes through the subject property.

Director Zuccaro indicated that no changes were proposed to City Ditch and that the proposal's drainage plan ensured that stormwater would bypass City Ditch.

Councilor Gallagher asked where the driveway for the property would be.

Director Zuccaro replied that it would be on the southeast side of the property.

Councilor Gallagher asked about the building envelopes for each of the proposed subdivided properties given the presence of the floodplain.

Director Zuccaro replied that staff had worked with the applicant to determine the best orientation of the subdivision in order to allow the best building envelope on each proposed subdivided lot.

Councilor Gallagher asked about the status of the litigation.

Director Zuccaro deferred to the applicant.

Mr. Semler explained that the small parcel was owned by the same owners of the property on the east side of Dahlia. He gave a background to the current litigation with the neighboring property owners to the east of the subject property. He estimated it could be up to eighteen months before the litigation was resolved.

Mayor Christman asked if the plat expired at any point.

Director Zuccaro replied that the City Code included an expiration date for preliminary plats only.

City Attorney Michow added that she had spoken with the attorney representing the party in litigation with Mr. Semler and he was aware that nothing in the Code prevented the City from processing the plat and was aware that he could file an injunction enjoining the City from processing this plat. The attorney replied that it benefited his client to have the property subdivided and it would then be of more value to his clients if in fact they ultimately reclaim ownership of the property.

Mayor Christman noted that based on the conditions of approval the owners could not be supplemented on the application if the applicant lost the litigation.

Mayor Christman opened the Public Hearing at 8:54 p.m.

Diana Zakaryan, 999 E. Kenyon Avenue, told Council that her home had flooded during last month's flood event, and she asked about the implications of the proposed development on possible future flooding of her property.

City Engineer Carmann replied that the proposed development included a floodplain development permit, which was a plan common to every development. The plan described how the stormwater run-off would be collected in detention ponds and released in a historic manner that mimics natural conditions. The discharge was not allowed to go into City Ditch and to route the discharge away from City Ditch and into the Greenwood Gulch Bypass a six inch tall curb was included in the development plans. No overall impact to the Greenwood Gulch floodplain would result. The intent of the floodplain development plan was to certify that there would be no adverse effect on the adjacent infrastructure.

Mayor Christman asked if the stormwater run-off from the subject property would no longer go into City Ditch.

City Engineer Carmann replied that with the existing topography today the discharge of stormwater run-off was at the rate of one cubic foot per second per acre. Part of the run-off is absorbed by native grasses and soils, part goes into the City right-of-way, and part goes into City Ditch. The mitigation of the floodplain development plan would not allow the additional run-off that would result from the proposed development into the irrigation facility so the discharge will be rerouted to Kenyon Avenue.

Councilor Hoellen asked how City Ditch would be avoided.

City Engineer Carmann replied that the proposed improvement of a curb at the southern end of the subject property would redirect the run-off away from City Ditch.

Mayor Christman asked if there would be more stormwater entering Greenwood Gulch after the proposed development than currently.

City Engineer Carman replied that development always resulted in more run-off because it increased the amount of impermeable surface. The regulation required by the floodplain development plan dealt with the release rate of the run-off and required that the development include improvements so that the release rate did not increase, although the duration of release would increase.

Mayor Christman asked what recourse an impacted neighboring property would have if a new development adversely impacted their home.

City Engineer Carmann replied that was a legal question, but from an engineering standpoint that would involve an intense study to correlate the damages to the exact run-off of a particular property.

Mayor Christman noted that would place the burden of proof on the party with the damages and asked if there was any way to flip that responsibility.

City Engineer Carmann replied that could not be done at the local level.

Mayor Pro Tem A. Brown asked about the lots to the north of the subject property.

City Engineer Carmann replied that neither had new development.

Director Zuccaro added that the City has required onsite detention since 2007 or 2008, and neither of those properties had been rebuilt since then.

Mayor Pro Tem A. Brown asked about the run-off flow that the subject property receives from upstream properties.

City Engineer Carmann replied that the offsite flow or "run-on" is accounted for in the drainage report and are included in the detention plan.

Mayor Pro Tem A. Brown asked how the size of the detention facility is determined.

City Engineer Carmann replied that it is based on the run-on and the existing conditions at the time of the application.

Councilor K. Brown noted that the purpose of requiring the draining reports was to assess the current situation on and off the subject property and to ensure some structure to maintain that. She asked if the subject property experienced flooding during the June 12th event and if so how it related to the floodplain.

City Engineer Carmann deferred to the applicant, but indicated that he did not recall any unusual flooding in that area.

Councilor K. Brown added that she asked because the building envelope and layout of the lots was predicated on the floodplain.

Mayor Christman noted that the City was relying on the applicant's engineering reports and asked if the neighbors could rely on those reports as well.

City Attorney Michow advised that any issue between neighbors would be a private matter.

Mayor Christman suggested that the applicant could provide their engineering reports to the neighbors but the City could not require it.

Councilor Hoellen asked if the City Engineer had reviewed and certified the applicant's engineering reports.

City Engineer Carmann replied that he had ensured the applicant's engineer had met all current standards.

Councilor K. Brown asked about the curb improvement.

City Engineer Carmann replied that the curb would be added to the north side of the roadway and would extend 25 to 30 feet across City Ditch.

Councilor Hoellen asked about the runoff coming across the subject property from the northeast.

City Engineer Carmann replied that the water would flow down the steep hill to the southwest where the detention pond would be located to redirect the runoff before it hit City Ditch.

Councilor Hoellen indicated that it was possible that the detention pond could fill up.

City Engineer Carmann replied that was entirely possible.

Mayor Pro Tem A. Brown asked if there were additional detention ponds upstream from the subject property.

City Engineer Carmann replied that it was entirely possible that a net benefit could result from the combination of detention ponds.

Mayor Christman asked about the direction that water flowed in City Ditch during the flood event.

City Engineer Carmann replied that it had flowed north at this point, but farther south had backflowed.

Councilor Gallagher asked about the driveway.

City Engineer Carmann replied that when the improvement was built staff would confirm the assumptions of the drainage report with an as-built certification.

Councilor VanderWerf noted that her property's detention pond worked during the flood.

Mr. Semler added that the flow on the subject property was not significant compared to the amount of water that flowed through City Ditch.

Hearing no further comments Mayor Christman closed the Public Hearing at 8:18 p.m.

City Attorney Michow indicated that based on the City's recent experience with appraisals for this type of property an average cost of an appraisal would be \$1,375.

Councilor Hoellen noted that the cost of an appraisal today might vary from the cost of an appraisal in the future after the lawsuit was resolved.

Mayor Christman suggested an appraisal cost of \$2,500.

Councilor K. Brown asked if that was for both lots or for each lot.

City Attorney Michow replied it would be for each lot.

Councilor K. Brown moved, seconded by Mayor Pro Tem A. Brown to approve the proposed Blue Hill minor subdivision and associated floodplain development permit with the following conditions:

1. Prior to recordation of the plat, the City shall cause to have prepared an appraisal which cost shall be paid for by the applicant not to exceed \$2,500 per lot in order to determine fair market value of the property and the required amount of cash in lieu of land dedication in accordance with municipal code section 17-3-30. Such appraisal shall be performed by a certified appraiser and current within three months of full execution and recordation of the plat.
2. Prior to recordation of the plat, the applicant shall provide documentation satisfactory to the City demonstrating: (a) successful and final resolution of the current litigation, *Spears et al v. Parker Semler, et al*, Arapahoe County District Court, Case No. 2014CV031853; and (b) applicant's clear title to and legal ownership of the property.
3. Immediately prior to and contemporaneously with the recordation of the plat, the applicant shall record the Declaration of Drainage Easement and Declaration of Easement granting a shared driveway access easement to Lot 1 of Blue Hill Subdivision, which are include in Exhibit B to the staff memorandum.

Such approval is based on the analysis and findings in the July 21, 2015 staff memorandum.

The motion carried unanimously.

High Street Property Report

City Attorney Michow advised Council to discuss this matter in executive session at the end of the meeting.

REPORTS

Mayor's Report

Mayor Christman reported that movie night would include a box to collect clothes for homeless middle and high school aged kids; the City was participating in the farmers market held in conjunction with the Barn Tour on September 20th. She indicated that the City could appoint a member to the Colorado Municipal League's (CML) policy committee.

Councilor K. Brown volunteered.

Mayor Christman reported that she would be out of town for the August 5th DRCOG meeting and asked alternate Mayor Pro Tem A. Brown to attend instead.

Members of City Council

Councilor Gallagher reported that the west side of the Village had held a Fourth of July parade attended by the Police Department and South Metro Fire Rescue. He acknowledged the passing of Sherry Sergeant and noted her many contributions to the City.

Mayor Pro Tem A. Brown thanked Public Works for the recent street improvements.

Councilor VanderWerf reported that the Public Art Commission (PAC) was holding an event on September 30th at the Cherry Hills Country Club and everyone in the Village was invited. She noted the event was generously underwritten by Wells Fargo and the intent was to raise funds for the purchase of the Butterfield horse.

Councilor K. Brown added that it would be a meaningful statement to the members of the PAC if Council members felt so inclined personally to support the Butterfield horse fundraising effort, and she personally encouraged them to do so. She thanked Mayor Christman and Councilor Hoellen for interviewing potential candidates for the City's commissions. She indicated her appreciation for Mr. Robinson's respectful presentation and she looked forward to receiving a letter from the residents. She had spoken with him about his concerns and mentioned Cherry Hills North's request for a pedestrian crossing. She encouraged staff to look at those issues together. She reported that the CML newsletter had an article about a program providing grants for local food activities like farmers markets and it might be worth exploring. She added that she had joined the Leadership Cherry Creek group for the Cherry Creek School District in her personal capacity but would bring back any information of interest to Council.

Councilor Hoellen reported that he had been impressed with the level of applications for P&Z. He added that the talent and professionalism of City staff and volunteers speaks well of the community.

Members of City Boards and Commissions

None

City Manager & Staff

Deputy City Manager/Director Goldie asked if Council wanted to appoint an alternate member to the CML policy committee as well.

Councilor Gallagher volunteered.

Deputy City Manager/Director Goldie reported that Senator Linda Newell's office had contacted staff to see if Council would like to again proclaim October as Conflict Resolution Month and to arraign a Council meeting that Senator Newell could attend.

Mayor Christman replied that Council would be happy to pass the resolution and see Senator Newell but asked that since this was not the first time Council had heard about this topic from the Senator if she could hold her comments to five minutes.

City Clerk Smith noted that Senator Newell's office had indicated that one of the meetings in September might work with the Senator's schedule.

Deputy City Manager/Director Goldie reported that the City was working to quantify the expenditure of public funds related to the June 12th flood in order to participate in Urban Drainage's application for Federal Disaster Proclamation as requested by several Front Range counties. The amount of damages in Arapahoe County had already met the

minimum amount. He reported that staff had received four submittals to its RFQ for a traffic study. He asked if any Councilor wished to participate in the review panel. He noted that staff would issue an RFP prior to interviews. He noted that Dahlia was included as well as Quincy and University, and that the study would give staff something more concrete to send to CDOT regarding that intersection.

Mayor Christman asked if the study would determine the amount of cut through traffic.

Deputy City Manager/Director Goldie replied that was included in the RFQ and City Engineer Carmann was researching the best way to track cut through traffic, such as photographs of license plates or tracking cell phone payments. He reported that staff was tabling Item 9d(iii) regarding Village Crier advertising as staff would work with Mayor Christman on some new ideas for advertising. Staff was working on a suggestion from Councilor Hoellen to track the long term financial goals identified by Council on a timeline and would present it to Council when it was complete. He reported that staff had not heard back from Denver regarding chipsealing of Dahlia together.

Councilor K. Brown asked when Council's meeting with Congresswoman DeGette was scheduled.

Deputy City Manager/Director Goldie replied it was September 2nd.

Mayor Pro Tem A. Brown volunteered to help staff evaluate the traffic study proposals.

Flood Documentation Report

City Engineer Troy Carmann presented a draft report documenting his collection of data and analysis of the events leading up to and resulting in the June 12th flood event which was included in Council packets. He indicated that he would be collecting more data in the next three to six months to complete a final version of the report. He explained that 12 to 24 square miles of the south metro area made up the Little Dry Creek basin. It was one of the few basins with two flood control dams on one tributary. He discussed the rainfall data from May 22nd to June 12th showing the pattern of precipitation that led to maximum capacity of soils and detention ponds. He noted that the FEMA floodplain map was created to plan for insurance and was not forensic. The FEMA map assumes no debris, which was not a realistic assumption during a flood event. He reported that the Englewood and Holly dams had released water in a controlled manner. The Blackmer reservoir at Kent Denver was reviewed by the State Engineer earlier this year and acted as designed. The larger events of June 12th led to the backflow of Little Dry Creek. Cherry Hills Country Club has a diversion from Greenwood Gulch for an irrigation pond that then diverts into Little Dry Creek. During the flood event the diversion was open. Greenwood Gulch dead ends at City Ditch. City Ditch could not handle the amount of water so the water followed along its historic flow into Sanctuary Church parking lot at Clarkson and Hampton where it didn't have a natural outlet. He discussed the crossings and impacts of the High Line Canal and noted that it was fortunate Denver Water had not been running water in the Canal on that day. He recommended updates to the Little Dry Creek Master Plan and High Line Canal Master Plan, coordinating with Englewood regarding the maintenance of City Ditch, and regional coordination moving forward.

Mayor Christman noted that recently it had rained hard again and she had not been able to see any detention ponds near the new multi-family housing structure on Belleview.

City Engineer Troy Carmann replied that many of those kinds of structures have underground detention.

Councilor Gallagher asked about the flooding of University Boulevard.

City Engineer Carmann replied that was a lingering question. He indicated that it appeared that Greenwood Gulch and Blackmer Gulch had peaked and overtopped at the same time, resulting in the torrent of water seen at the Village Center running down Meade Lane to Quincy Avenue and University Boulevard.

Mayor Christman asked about the flooding of Sanctuary Church.

City Engineer Carmann replied that the peak flow of Greenwood Gulch overwhelmed the outlet at Hampden Avenue.

Councilor Gallagher asked how long it took the flood waters to reach the church from University Avenue.

City Engineer Carmann replied approximately 20 to 60 minutes. He added that it would be difficult to model, predict or estimate the flow of water.

Chief Tovrea noted that the Police Department would be participating in National Night Out on August 4th and invited Council to participate.

City Attorney

None.

ADJOURNMENT

Councilor Hoellen moved, seconded by Councilor K. Brown to move into Executive Session pursuant to C.R.S. Sec. 24-6-402(4)(e) for purposes of determining positions relative to matters subject to negotiations, developing strategies for negotiations and instructing negotiators regarding potential administrative transition matters and possible real property and open space purchases and per C.R.S. Sec. 24-6-402(4)(b) for legal advice regarding a specific contract and to adjourn immediately thereafter.

The following votes were recorded:

A. Brown	yes
VanderWerf	yes
K. Brown	yes
Hoellen	yes
Gallagher	yes

Vote on the Executive Session: 5 ayes. 0 nays. The motion carried.

The Executive Session began at 9:24 p.m.

The meeting adjourned at 10:52 p.m.





Laura Christman, Mayor



Laura Smith, City Clerk