

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
CITY OF LAKEWOOD, COLORADO
LAKEWOOD CIVIC CENTER
480 SOUTH ALLISON PARKWAY
SEPTEMBER 8, 2014
7:00 P.M.
COUNCIL CHAMBERS

The City of Lakewood does not discriminate on the basis of race, age, national origin, color, creed, religion, sex, sexual orientation or disability in the provision of services. People with disabilities needing reasonable accommodation to attend or participate in a City service program, can call 303-987-7080 or TDD 303-987-7057. Please give notice as far in advance as possible so we can accommodate your request.

Council has adopted a zero waste best practice, please email handouts to CityCouncilMembers@Lakewood.org before the meeting.

ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – PLEDGE OF ALLEGIANCE

ITEM 4 – PUBLIC COMMENT

A Public Comment Roster is available immediately inside the Council Chambers. Anyone who would like to address the Council on any matter other than an agenda item will be given the opportunity after signing the roster. Speakers should limit their comments to three minutes.

**CONSENT AGENDA
ORDINANCES ON FIRST READING**

(Ordinances are on first reading for notice and publication only; public hearings are held on second reading)

ITEM 5 – RESOLUTION 2014-32 – APPROVING THE 2015 OPERATING PLAN AND PROPOSED BUDGET FOR THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT

ITEM 6 – ACCEPTING MINUTES OF THE BOARDS AND COMMISSIONS

Historic Preservation Commission Meeting [September 17, 2013](#)

END OF CONSENT AGENDA

ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

ITEM 7 – ORDINANCE O-2014-18 – AUTHORIZING THE CONVEYANCE OF A PERMANENT UTILITY EASEMENT TO PUBLIC SERVICE COMPANY ACROSS A PORTION OF BEAR CREEK LAKE PARK FOR AN UNDERGROUND GAS LINE BENEFITING THE CITY’S BEAR CREEK LAKE PARK VISITOR CENTER; FURTHER ACCEPTING A QUITCLAIM DEED OR SOME OTHER RELATED DOCUMENT FROM JEFFERSON COUNTY TO THE CITY OF LAKEWOOD RELEASING THE OPEN SPACE RESTRICTION ON THE PERMANENT EASEMENT AREA

ITEM 8 – ORDINANCE O-2014-19 – AUTHORIZING THE CITY TO CONVEY AN EASEMENT FOR WATER LINE FACILITIES TO THE GREEN MOUNTAIN WATER AND SANITATION DISTRICT AND ACCEPTING AN EASEMENT QUITCLAIM DEED FROM THE DISTRICT CONVEYING PORTIONS OF AN EXISTING EASEMENT TO THE CITY AND, FURTHER ACCEPTING A DOCUMENT FROM JEFFERSON COUNTY TO THE CITY OF LAKEWOOD RELEASING THE OPEN SPACE RESTRICTION ON THE PORTION OF LAND ACQUIRED WITH OPEN SPACE FUNDS, ALL WITHIN WILLIAM FREDERICK HAYDEN PARK

ITEM 9 – GENERAL BUSINESS

ITEM 10 – EXECUTIVE REPORT

CITY MANAGER

ITEM 11 – MAYOR AND CITY COUNCIL REPORTS

- A. MAYOR
- B. MAYOR PRO TEM
- C. COUNCIL PRESIDENT
- D. COUNCIL MEMBERS

ITEM 12 – ADJOURNMENT

- Watch City Council Meetings at Lakewood.org/CouncilVideos
- Find parking information during construction at Lakewood.org/CivicCenterRefresh

REQUEST FOR COUNCIL ACTION

RESOLUTION: 2014-32

SUBJECT: Review and approve the 2015 Operating Plan and Budget of the Alameda Corridor Business Improvement District.

RECOMMENDATION: Approval

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Lakewood City Council granted approval for the creation of the Alameda Corridor Business Improvement District (ACBID) at their July 28, 2003 public hearing. Along with Council's authority to approve the creation of the ACBID, the Council also approves the District's operating plan and budget on an annual basis.

Per state statute the business improvement district files an operating plan and its proposed budget for the next fiscal year with the City Clerk no later than September 30 of each year. At this time the City Council is being requested to approve the District's 2015 operating plan and budget.

RESOLUTION ADOPTION DATE: September 8, 2014

ORIGINATED BY: Nanette Neelan, Director, Economic Development

STAFF PERSON RESPONSIBLE: Nanette Neelan, Director,
Economic Development, 303-987-7052

DOCUMENT(S) ATTACHED: Resolution 2014- 32
ACBID 2015 Operating Plan and Budget

SUBMITTED BY:
Nanette Neelan, Director, Economic Development

REVIEWED BY:
Kathleen E. Hodgson, City Manager

2014-32

A RESOLUTION

APPROVING THE 2015 OPERATING PLAN AND PROPOSED BUDGET FOR THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT

WHEREAS, the Board of Directors, prior to September 30, 2014, have filed with the City Clerk the 2015 Operating Plan and proposed Budget for the Alameda Corridor Business Improvement District; and

WHEREAS, the City Council has reviewed and hereby approves said 2015 Operating Plan and proposed Budget for the Alameda Corridor Business Improvement District.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado that:

SECTION 1. The 2015 Operating Plan and proposed Budget for the Alameda Corridor Business Improvement District is hereby approved.

SECTION 2. The City Clerk shall transmit a copy of this Resolution to the Board of Directors of the Alameda Corridor Business Improvement District.

INTRODUCED, READ AND ADOPTED by a vote of ___ for and ___ against at a regular meeting of the City Council on September 8, 2014, at 7 o'clock p.m. at Lakewood City Hall, 480 South Allison Parkway, Lakewood, Colorado.

Bob Murphy, Mayor

ATTEST:

Margy Greer, City Clerk

APPROVED AS TO FORM:

Tim Cox, City Attorney



Alameda Corridor Business Improvement District

Submittal of 2015 Operating Plan and Proposed Budget

Pursuant to C.R.S. §31-25-1211, the Alameda Corridor Business Improvement District (ACBID) is required to submit a proposed Budget and Operating Plan to the City Council of the City of Lakewood for each fiscal year; and by said state law, the proposed Budget and Operating Plan must be submitted to the City by September 30, 2014 for approval.

THE UNDERSIGNED EXECUTIVE DIRECTOR of the Alameda Corridor Business Improvement District hereby certifies that at a duly called and constituted meeting of the Board of Directors of the said District held August 28, 2014, the Board of Directors voted to submit the attached 2015 Operating Plan and Proposed Budget of the Alameda Corridor Business Improvement District to the City Council of the City of Lakewood for approval.

ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT


George Valuck, Executive Director

Date: August 28, 2014

Alameda Corridor Business Improvement District 2015 Operating Plan and Budget

I. Plan Summary

The 2015 Operating Plan and Budget supports programs and initiatives designed to improve the appearance, promote, market and revitalize commercial properties and businesses on the Alameda Corridor from Sheridan Boulevard to Carr Street on the west, and promote Lakewood as a whole. The ACBID facilitates development of "World Class" properties, events and communications along the entire Alameda Corridor including Belmar, Lakewood City Commons, Belmar Crossing Shopping Center, Alameda Crossing Shopping Center, the Federal Center and the Rooney Valley.

The ACBID will actively pursue collaborative opportunities with the Lakewood-West Colfax BID and work to develop public-private partnerships that support innovation, develop new businesses, create jobs, encourage civic engagement and strengthen the image of Lakewood.

The ACBID will continue to work closely with the Lakewood Police Department by supporting Business Crime Prevention and other community safety initiatives.

Alameda Corridor Landscape Prioritization Plan: In 2015, the ACBID will begin implementation of identified streetscape/landscape improvements as proposed in the Alameda Corridor Landscape Prioritization Plan, developed and adopted by ACBID in 2014. In alignment with the 2013 Downtown Connectivity Plan, a multi-year prioritized hierarchy of improvements will include monument signage, ROW streetscape enhancements, wayfaring/directional/district signage, outdoor public and other projects designed to enhance the appearance of the corridor.

LakewoodCousa.com-Best of the NewWest-2015 is an on-going branding campaign and partnership launched in 2012. This multi-faceted social media and print campaign informs visitors and residents on available shopping, living, dining, recreational and art resources. This community branding partnership invites guests to experience current promotions, activities and events through daily social media posts with content augmented by a dynamic digital photo library. Additionally, two LakewoodCOusa.com magazines, with a growing readership base of 120,000 viewers will be published and distributed in May and November to support local seasonal marketing efforts.

**Alameda Corridor Business Improvement District
2015 Operating Plan and Budget (continued)**

The National Civic League hosted the 65th “All America City Awards” 2014 in Denver spotlighting Healthy Communities. The ACBID/AGCA, Lakewood-West Colfax BID and City of Lakewood provided host committee leadership and conducted the first Lakewood: Red Rocks to Denver bus tour for elected officials and community leaders from 25 cities competing for the 2014 All-America City designation. Lakewood is a 2011 All-America City Award Winner and also received the 1st ever Diversity Award that same year. Support for AAC will continue in 2015.

For the 2nd consecutive year, the two Lakewood BID’s hosted the **State of the City luncheon** which supports Lakewood’s civic vision. Sponsors provided a record \$8,500 to 18 community organizations.

The ACBID will continue to support best practices in sustainability, with past efforts’ including the 2010-12 commercial energy audits of commercial buildings and support of neighborhood sustainability efforts at Belmar in 2013 and the 2014 Lakewood Sustainability Awards Special Recognition of Box & Ship Express.

The 2015 plan recognizes the continued support of the **Belmar District**, Lakewood’s downtown, **Lakewood City Commons** and the continued redevelopment efforts among properties along the Alameda Corridor, including **Belmar Crossing** and **Alameda Crossing** Shopping Centers. The ACBID will identify and support programs that strengthen the marketing efforts of area merchants. Additionally, the ACBID will look for opportunities to partner with new businesses and developers looking to move into the greater Alameda Avenue corridor.

The ADBID will continue to operate a **Community Resource Office** in the Alameda Crossing Shopping Center. This effort between the ACBID, AGCA and the LPD sets a physical presence at the east edge of the corridor. This office enhances communication between businesses, property owners and residents in the area. The community office has demonstrated value in balancing business and neighborhood security concerns as well as marketing and promoting activities, small businesses and retail centers in the corridor. It has been a valuable resource to neighborhood groups and organizations requiring meeting space and is often used by the LPD for sector meetings, reports and other activities. Graffiti management will continue to be a focus in 2015, as well as environmental safety initiatives.

**Alameda Corridor Business Improvement District
2015 Operating Plan and Budget (continued)**

II. 2015 Programs and Initiatives

The Alameda Corridor BID board of directors has identified the top priorities for the 2015 fiscal calendar year, which are:

- Economic Development/Marketing
- Street Beautification
- Corridor Safety

1. Economic Development/Marketing

The ACBID will work closely with the City of Lakewood-Economic Development and property owners, businesses and developers to create a favorable business environment to retain, recruit and grow viable businesses through economic development initiatives including:

- Communication/Marketing Services
- Business Support Services

Communication and marketing support as discussed in the summary includes the website, Facebook page and magazine. LakewoodCousa.com magazine is published bi-yearly in the late spring and late fall and is available in both hard copy and on-line viewable and downloadable versions. In partnership with The Denver Post, 50,000 copies are inserted into Your Hub in select west-Jeffco Denver Post Subscribers and are also available at distribution centers including Belmar Info Center, Belmar Library, City of Lakewood, Red Rocks Park, Kaiser Permanente, 1st Bank, Evergreen Visitor's Center and Dinosaur Ridge. LakewoodCousa.com magazine, website and FB outreach provides "one stop shopping" for visitors and residents by promoting shopping, dining, living and giving in downtown Lakewood and the greater Alameda Avenue corridor. Focus and support for **Festival Italiano, Belmar Saturday Market, West Metro Fire Muster, Block 7, Summer Concert Series, Inspire Arts Week** and other events will continue in 2015.

The ACBID will also provide support services to aid businesses in navigating the intricacies involved with city permitting and approval processes and offers guidance in determining feasibility of proposed new business development. The ACBID provides historical information and channels input from governmental agencies, community and neighborhood groups. The ACBID also supports the Jeffco Boys and Girls Club and other corridor non-profits.

**Alameda Corridor Business Improvement District
2014 Operating Plan and Budget (continued)**

2. Street Beautification

In 2015, the ACBID will work closely with the City and property owners to implement improvements as part of the Alameda Landscape Prioritization Plan. Past streetscape improvements include "Flow", "Downtown Lakewood" signage at the southeast corner of Alameda and Wadsworth, ROW enhancement at Bowlero Lanes -5480 W. Alameda Ave, Asadero's Restaurant 5400 W. Alameda Ave and All Star Executive Center – 6045 W. Alameda Ave. Additionally, the ACBID budgets for maintenance for trees & landscaping yearly as well as maintenance of the existing art installments.

Additional street beautification efforts throughout the year will include streetscape maintenance (to augment existing city programs as needed such as mowing, street cleaning and graffiti removal) as well as maintenance of any new improvements initiated by the ACBID.

Beginning in 2007, the ADBID initiated outdoor art streetscape improvements with "Flow" – the corridor entry feature at Sheridan and Alameda. Additional installations, as part of the **Arts Along Alameda** initiative include "Actors" in the Allison/Alameda media (2009), "Aspens and Moon" – Allison north round-a-bout (2009), "Joyfully Dancing" –Belmar library round-a-bout (2010), "Rayonism" –Belmar Crossing Shopping Center (2011) and "A Girls Best Friend" – scheduled for late 2014-early 2015 installation at 7301 W. Alameda – D'Anelli Bridal.

3. Corridor Safety

The ACBID will continue to fund LPD community office space at the 275 So. Sheridan Blvd office in the Alameda Crossing Shopping Center. Ongoing "one-to-one" communication and outreach will continue. These efforts include support and promotion of CPTED-Crime Prevention through Environmental Design, Business Crime prevention strategies, graffiti management, identity theft, fraud, robberies and other crimes of opportunity. The ACBID funds two Q-Star Flash cam remote camera units to assist in crime deterrence in the corridor, complimenting existing building sensors and other efforts. Funding for additional prevention technology is available on an "as-needed" basis.

The ACBID will also continue to utilize and promote **WARN** –West Area Resource Network – an LPD business crime prevention program featuring monthly newsletters and timely crime updates and alerts delivered via e-mail.

**Alameda Corridor Business Improvement District
2015 Operating Plan and Budget (continued)**

III. Program Management

The Colorado BID statute allows for the establishment of the ACBID board of directors which is responsible for submitting annual operating plans and budgets for review by the Lakewood City Council. The current ACBID board of directors are:

<u>Director</u>	<u>Term</u>
Kathleen Curtis – <i>Village Roaster</i>	3 years-7/01/12-6/30/15
Linda Kaboth – <i>GF Real Estate/Belmar</i>	3 years-7/01/12-6/30/15
Barbara Teich – <i>Lakewood City Commons</i>	3 years-7/01/13-6/30/16
John Buckley – <i>Alameda Crossing Shp Ctr</i>	3 years-7/01/13-6/30/16
Megan Wesley- <i>Corporate Office Images</i>	3 years-7/01/13-6/30/16
Ed Boyle – <i>Belmar Crossing Shp Ctr</i>	3 years-7/01/14-6/30/17
Scott Richards - <i>Integer Group</i>	3 years-7/01/14-6/30/17

Additional duties and responsibilities include:

- Ensure compliance in preparing and filing annual ACBID budget according to state legal requirements.
- Ensure compliance of other state law.
- Contract for management services with the AGCA to execute day-to-day services as outlined in the ACBID Operating plan.
- Provide direction and coordination in carrying out ACBID funded improvements and services.

The 2015 budget for the ACBID Operating Plan is \$591,933

ALAMEDA CORRIDOR BID
 PROPOSED BUDGET DOCUMENT
 FOR THE YEAR ENDED DECEMBER 31, 2015

	ACTUAL 2013	BUDGET 2014	ESTIMATE 2014	BUDGET 2015
BEGINNING FUNDS AVAILABLE	265,979	283,920	323,398	323,994
REVENUE:				
LAKEWOOD REINVESTMENT AUTHORITY	79,722	79,722	80,318	80,318
PROPERTY TAXES	485,907	476,249	476,249	475,011
SPECIFIC OWNERSHIP TAXES	36,156	35,000	35,000	36,000
INTEREST	605	604	604	604
MISCELLANEOUS				
TOTAL REVENUES	602,390	591,575	592,171	591,933
TOTAL REVENUE AND FUND BALANCE	868,369	875,495	915,569	915,927
EXPENDITURES:				
ADMINISTRATION SERVICE CONTRACT	126,534	125,000	125,000	125,000
ECONOMIC DEVELOPMENT	43,416	55,000	55,000	55,000
BOYS AND GIRLS CLUB	25,000	25,000	25,000	25,000
ACCOUNTING	3,175	3,500	3,500	3,500
DUES AND SUBSCRIPTIONS	1,913			
INSURANCE	4,516	4,700	4,700	4,800
TRAVEL AND MEEETING	4,341	4,000	4,000	4,000
LEGAL	1,435	1,600	1,600	1,600
TREASURERS FEES	3,559	7,144	7,144	7,125
CLEANING	1,200	1,200	1,200	1,200
OFFICE SUPPLIES	936	1,500	1,500	1,500
MISCELLANEOUS	362	2,500	2,500	2,500
POSTAGE	210	600	600	600
RENT	10,200	10,375	10,375	10,675
REPAIR AND MAINTENANCE		700	700	700
COMPUTER OFFICE		2,500	2,500	500
STREET BEAUTIFICATION	51,723	83,000	83,000	250,000
TELEPHONE	4,168	4,000	4,000	4,000
UTILITIES	1,346	1,750	1,750	1,800
URBAN TAX	249,188	242,796	242,796	242,245
PROPERTY TAX REIMBURSEMENT	11,749	14,710	14,710	14,710
TOTAL EXPENDITURES	544,971	591,575	591,575	756,455
ENDING FUND BALANCE	323,398	283,920	323,994	159,471
ASSESSED VALUATION		40,813,399		40,693,285
MILL LEVY		5.72		5.72
Urban incremental tax estimate		233,453		232,766
Total Estimated Property Tax (including Urban tax)		476,249		475,011
Tabor emergency reserve 3% of expenditures		18,000		21,000
Unappropriated fund balance		172,075		138,471
Ending fund balance		190,075		159,471

**HISTORIC PRESERVATION COMMISSION
SEPTEMBER 17, 2013, REGULAR MEETING**

ITEM 1 CALL TO ORDER

The Secretary, June Graklanoff, called the meeting to order at 6:35 p.m. in the DAT Conference Room, Civic Center North, 480 S. Allison Parkway, Lakewood, CO.

ITEM 2. ROLL CALL

Members Present:

Jim Havey
Audra Kirk
Jeanne Ramsay
Dave Schaaf

Members Absent:

Kirsten Christensen

Project Management Team:

Holly Boehm, Principal Planner, City of Lakewood

The roll having been called, a quorum was declared and the following business was conducted.

ITEM 3. ELECTION OF OFFICERS

Mr. Havey made a motion to nominate Jeanne Ramsay as Chair. Motion was seconded and passed by unanimous vote.

The secretary then passed the meeting to the new Chair, Jeanne Ramsay. Ms. Ramsay asked for nominations for Vice-Chair. Ms. Kirk nominated Dave Schaaf as Vice-Chair. Motion was seconded and passed by unanimous vote.

ITEM 4. SETTING MEETING DATE AND TIME

Ms. Ramsay asked staff person Holly Boehm for direction. Ms. Boehm stated discussion at the previous study session was to meet on the third Tuesday of the month at 6:30 p.m., as needed. After discussion, the recommendation that Regular Meetings be held on the third Tuesday of the month at 6:30 p.m. was put to a vote. Mr. Schaaf made a motion that HPC Regular Meetings be held the third Tuesday of each month at 6:30 as needed. Motion was seconded and passed by unanimous vote.

ITEM 5. RULES AND REGULATIONS

Ms. Ramsay asked if everyone had reviewed the proposed Rules and Regulations sent by Ms. Boehm and then opened the floor for discussion. With no discussion the Chair asked for a motion to accept the Rules and Regulations governing the Historic Preservation Commission as presented by staff. Mr. Schaff so moved. Motion was seconded and passed by unanimous vote.

ITEM 6. PUBLIC COMMENT

There was no public comment.

ITEM 7. GENERAL BUSINESS

Ms. Ramsay had prepared a list of items to discuss for general business. The first item suggested was a basic training beginning with Historic Preservation 101. Ms. Ramsay offered to prepare a preservation training for the Commission at the next study session.

Discussion moved to other types of training that might be coming. Ms. Boehm suggested the Saving Places Conference in February. Discussion was held clarifying the location at the Colorado Convention Center on February 5-7, 2014. The theme for this year's conference will be *Preservation in Plain Sight: Developing a Community Vision*. Mr. Havey recommended it as a great conference and a good way for a new commission to cut its teeth. Ms. Boehm believed there would be some budget to pay for training and will investigate costs and bring the information back to the group.

Ms. Ramsay then suggested inviting the consultant doing the cultural survey on West Colfax to a future meeting. Her thought was to understand what their methodology is and how the Commission might support them. Her hope was to establish a working relationship with them. Ms. Boehm stated she could make those arrangements.

Mr. Havey inquired on what the endangered properties in Lakewood are and what the possibilities for historic districts are. He discussed the importance and need for outreach and education to the public on historic preservation.

Ms. Ramsay asked for specifics on study session dates. Ms. Boehm replied the study sessions would be held on the third Tuesday of the month also. Ms. Ramsay's next question was the need for a calendar for the next year. Ms. Boehm explained the difficulty in doing that at this time because of the uncertainty of what will be coming forward in terms of work items. Her suggestion was to wait until the new year to set calendar items.

Discussion was held addressing the date of the next meeting. It was clarified that study sessions and regular meetings will be held in this location, Civic Center North Building, in the DAT conference room. The next meeting was set as a study session on November 19, 2013, at 6:00 p.m.

Ms. Ramsay continued with discussion of the CLG status of Lakewood. She was aware Ms. Boehm was working on this but asked if there was anything the Commission could do to support her. Ms. Boehm reported that the City is very close at this point but may be lacking local designations as there is only one. Ms. Ramsay asked if a landmark in Lakewood on the national level would automatically fall on the local register. Ms. Boehm's reply was it does not.

Ms. Boehm explained the Commission does need to participate in nominating properties to the National Register to maintain CLG status.

Ms. Ramsay asked if Ms. Boehm had an anticipated date to present recommendations for CLG to the City Council. Ms. Boehm replied all that was necessary was written assurance from the Mayor that the City is eligible, has met all the requirements and the council supports it. It will be necessary to appoint a CLG representative to carry out the responsibility which will be Ms. Boehm as the staff person.

Ms. Ramsay pointed out the importance of this designation which would make the City eligible for grants through the State Historical Fund. Ms. Boehm added CLG status provides the opportunity for property owners of designated properties to apply for certain tax credits.

Lastly, Ms. Ramsay referred to the Adopt a Landmark Program in Aurora where each of the Commissioners took one or more landmarks and observed them and became the local expert for the Commission on that particular landmark. Discussion followed on what Lakewood properties are listed on the national, state and local registers.

There was a short discussion regarding the concern in Lakewood of people losing control over their property with local designation. Ms. Boehm stated this is the reason owner consent is required for every potential local landmark in Lakewood.

Ms. Ramsay pointed out the ordinance and how positively it was written with no consequence to homeowners for deferred maintenance so Lakewood's preservation program will be honorary. There are no teeth to the ordinance; it's just a designation that is nonthreatening.

Mr. Havey asked if the tax credit held any consequence. Ms. Ramsay replied yes they would have to meet the Secretary of Interior standards necessitating that protocol be followed. This concluded the list of items to discuss.

Ms. Ramsay closed the meeting at 7:15 p.m. The next meeting will be on November 19, 2013 at 6:00 p.m.


June Graklanoff, Secretary


Jeanne Ramsay, Chair of HPC

REQUEST FOR COUNCIL ACTION

ORDINANCE: O-2014-18

SUBJECT: Ordinance authorizing conveyance of a permanent easement to Public Service Company across Bear Creek Lake Park, to supply the Visitor Center with natural gas.

ADDRESS: 14620 Morrison Road, in Bear Creek Lake Park.

RECOMMENDATION: Staff recommends approval of this resolution.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Public Service Company of Colorado, dba Xcel Energy has extended natural gas service to the Bear Creek Lake Park Visitor Center. The Public Service Company of Colorado has requested a permanent easement to cover the new line.

The proposed easement is located on land purchased with the assistance of Jefferson County Open Space. Therefore, the City is required to modify the Open Space reverter on the proposed easement area. This request will be made after City Council's approval of this Ordinance for granting the easement.

FUNDING SOURCE: This project is funded by the Capital Improvement Fund and Open Space Fund.

FIRST READING: August 25, 2014

SECOND READING: September 8, 2014

ORIGINATED BY: Ross Williams, Facility Planner
Department of Community Resources

STAFF PERSON RESPONSIBLE: Adrian Stanciu, Property and Purchasing Services
Manager, 303-987-7659

DOCUMENTS ATTACHED: Ordinance O-2014-18
Map

SUBMITTED BY:
Adrian Stanciu, Property and Purchasing Manager
Kit Newland, Director of Community Resources

REVIEWED BY:
Nanette Neelan, Deputy City Manager
Kathleen E. Hodgson, City Manager

O-2014-18

AN ORDINANCE

AUTHORIZING THE CONVEYANCE OF A PERMANENT UTILITY EASEMENT TO PUBLIC SERVICE COMPANY ACROSS A PORTION OF BEAR CREEK LAKE PARK FOR AN UNDERGROUND GAS LINE BENEFITING THE CITY'S BEAR CREEK LAKE PARK VISITOR CENTER; FURTHER ACCEPTING A QUITCLAIM DEED OR SOME OTHER RELATED DOCUMENT FROM JEFFERSON COUNTY TO THE CITY OF LAKEWOOD RELEASING THE OPEN SPACE RESTRICTION ON THE PERMANENT EASEMENT AREA

WHEREAS, Public Service Company has requested that the City of Lakewood convey to them a permanent utility easement across a portion of the Bear Creek Lake Park , to accommodate a new gas line serving park facilities as shown in Exhibit A; and

WHEREAS, the City of Lakewood agrees to convey the permanent easement to Public Service Company for underground gas utility facilities subject to release of the Open Space reverter clause by Jefferson County; and

WHEREAS, the Charter of the City of Lakewood provides, in Section 14.3 thereof, that easements may be granted across property held for open space or parks purposes, which the City is willing to do; and

WHEREAS, Jefferson County will be conveying a quitclaim deed or some other related document to the City of Lakewood releasing the open space reverter clause restriction on the easement area described in Exhibit A.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, that:

SECTION 1. The City Manager is hereby authorized to execute and the City Clerk to attest a permanent easement, in form approved by the City Attorney, to Public Service Company across the land described in Exhibit "A", for an underground utility and related facilities.

SECTION 2. The City of Lakewood does hereby accept a quitclaim deed or other related document from the Jefferson County Commissioners for the area to be determined after the installation of the facilities.

SECTION 3. This ordinance shall take effect thirty (30) days after final publication.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Lakewood City Council on the 25th day of August, 2014; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 29th day of August, 2014; set for public hearing on the 8th day of September, 2014, read, finally passed and adopted by the City Council on the _____ day of September, 2014 and, signed and approved by the Mayor on the _____ day of September, 2014.

Bob Murphy, Mayor

ATTEST:

Margy Greer, City Clerk

APPROVED AS TO FORM:

Tim Cox, City Attorney

Exhibit "A"

A parcel of land located in the North One-Half (N $\frac{1}{2}$) of Section 1, Township 5 South, Range 70 West of the 6th Principal Meridian, City of Lakewood, County of Jefferson, State of Colorado, being more particularly described as follows:

A 6 foot wide utility easement being 3 feet on each side of the following a described centerline:

[Basis of Bearing: is the line between the Center North One-Sixteenth (CN1/16th) corner and the Center One-Quarter (C $\frac{1}{4}$) corner of said Section 1, the CN1/16th corner being a 3" brass cap, marked "D.W.D. CEN. 1/16 SEC. 1 T5S R70W LS 16398 1988" from whence the C $\frac{1}{4}$ corner of said Section 1, being a 3.25" aluminum cap, marked "C $\frac{1}{4}$ S1 T5S R70W 1995 LS 19591" bears S0°02'29"W, a distance of 1307.39 feet.]

Commencing at the Center One-Quarter (C $\frac{1}{4}$) corner of said Section 1;
Thence N00°02'29"E along the North-South center line of said Section 1, a distance of 1,307.39 feet, more or less, to the Center North One-Sixteenth (CN1/16th) corner of said Section 1;

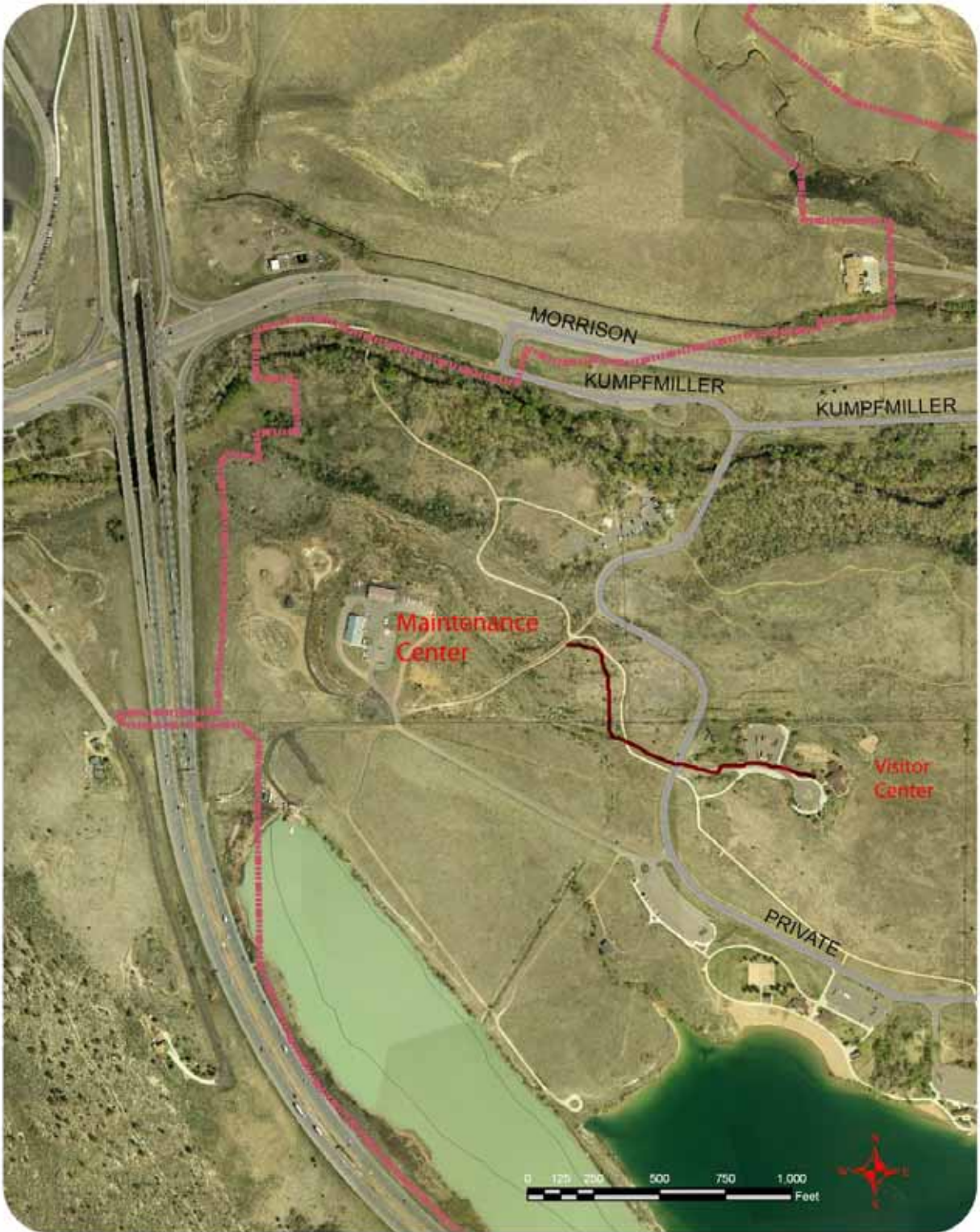
Thence N27°28'39"W, a distance of 355.32 feet to the **True Point of Beginning**;

Thence along said centerline the following sixty-two (62) courses:

1. S70°29'46"E, a distance of 13.05 feet;
2. Thence S80°46'21"E, a distance of 7.46 feet;
3. Thence S89°42'27"E, a distance of 12.14 feet;
4. Thence N84°19'56"E, a distance of 23.96 feet;
5. Thence N88°44'16"E, a distance of 10.40 feet;
6. Thence S83°26'22"E, a distance of 6.57 feet;
7. Thence S71°18'45"E, a distance of 8.32 feet;
8. Thence S60°10'13"E, a distance of 7.71 feet;
9. Thence S45°09'59"E, a distance of 11.94 feet;
10. Thence S37°40'49"E, a distance of 36.48 feet;
11. Thence S06°25'16" E, a distance of 8.37 feet;
12. Thence S02°34'25" E a distance of 47.15 feet;
13. Thence S01°04'53"E, a distance of 19.71 feet;
14. Thence S03°22'34"W, a distance of 17.05 feet;
15. Thence S06°16'39"E, a distance of 17.84 feet;
16. Thence S26°14'47"E, a distance of 26.30 feet;
17. Thence S13°43'59"E, a distance of 43.57 feet;
18. Thence S08°17'14"E, a distance of 15.69 feet;
19. Thence S02°44'38"E, a distance of 19.72 feet;
20. Thence S00°53'01"E, a distance of 23.28 feet;
21. Thence S15°28'16"E, a distance of 23.86 feet;
22. Thence S21°36'21"E, a distance of 41.53 feet;
23. Thence S44°30'17"E, a distance of 12.19 feet;
24. Thence S53°37'35"E, a distance of 22.10 feet;

25. Thence S18°43'26"E, a distance of 14.42 feet;
26. Thence S13°52'27"E, a distance of 32.35 feet;
27. Thence S19°26'06"E, a distance of 9.66 feet;
28. Thence S30°03'13"E, a distance of 8.95 feet;
29. Thence S36°07'07"E, a distance of 9.88 feet;
30. Thence S48°16'24"E, a distance of 10.67 feet;
31. Thence S53°30'29"E, a distance of 11.82 feet;
32. Thence S63°55'59"E, a distance of 15.74 feet;
33. Thence S63°53'56"E, a distance of 65.85 feet;
34. Thence S60°56'37"E, a distance of 26.43 feet;
35. Thence N69°25'11"E, a distance of 8.59 feet;
36. Thence N71°25'58"E, a distance of 23.82 feet;
37. Thence N85°57'58"E, a distance of 7.80 feet;
38. Thence N69°05'47"E, a distance of 4.67 feet;
39. Thence N39°47' 55"E, a distance of 3.20 feet;
40. Thence N22°39'29"E, a distance of 6.36 feet;
41. Thence S87°23'58"E, a distance of 27.53 feet;
42. Thence N89°19'50"E, a distance of 38.25 feet;
43. Thence S77°09'43"E, a distance of 19.84 feet;
44. Thence S83°26'27"E, a distance of 16.76 feet;
45. Thence N88°45'55"E, a distance of 17.73 feet;
46. Thence N83°36'40"E, a distance of 32.24 feet;
47. Thence N83°10'30"E, a distance of 86.02 feet;
48. Thence N77°11'54"E, a distance of 30.98 feet;
49. Thence N82°08'42"E, a distance of 18.40 feet;
50. Thence S89°39'47"E, a distance of 20.92 feet;
51. Thence S88°02'09"E, a distance of 21.01 feet;
52. Thence S85°48'48"E, a distance of 60.80 feet;
53. Thence S84°46'19"E, a distance of 15.27 feet;
54. Thence S84°57'17"E, a distance of 12.42 feet;
55. Thence S64°35'26"E, a distance of 9.40 feet;
56. Thence S56°37'11"E, a distance of 91.60 feet;
57. Thence S89°59'05"E, a distance of 11.33 feet;
58. Thence N89°40'37"E, a distance of 14.37 feet;
59. Thence S83°32'40"E, a distance of 9.88 feet;
60. Thence N52°51'46"E, a distance of 26.02 feet;
61. Thence N53°59'48"E, a distance of 28.94 feet;
62. Thence N70°21'46"E, a distance of 18.92 feet to the point of terminus from whence the **point of commencement** bears N78°16'04"W, a distance of 834.17 feet, more or less, said utility easement containing 8,191.26 square feet, more or less.

This legal description was written by Spencer Curtis, Right of way Agent for the City of Lakewood and was surveyed and prepared by and on behalf of KRW Consulting, Inc. by Francis Gordon Kuenn, PLS 37955, on July 24, 2014.



CITY OF LAKEWOOD

ORDINANCE EXHIBIT
PUBLIC SERVICE COMPANY GAS LINE INSTALLATION FOR
BEAR CREEK LAKE PARK VISITOR CENTER

REQUEST FOR COUNCIL ACTION

ORDINANCE: O-2014-19

SUBJECT: Ordinance authorizing the conveyance of a permanent utility easement to Green Mountain Water and Sanitation District for a water pipeline and accepting easement releases from Green Mountain Water and Sanitation District for unused easements.

ADDRESS: 13232 West Cedar Drive, William Frederick Hayden Park

RECOMMENDATION: Adoption of this ordinance.

SUMMARY AND BACKGROUND OF SUBJECT MATTER: Green Mountain Water and Sanitation District has asked the City of Lakewood to grant a permanent easement across a portion of William Frederick Hayden Park to install an underground water pipeline. The easement will allow the connection of existing waterlines and provide a better level of service to the northern Green Mountain area. In addition, the District will release easements they no longer need in the same area.

City staff has reviewed this request and has determined that it does not adversely affect the park.

Because this park is an Open Space park we will also be submitting a request to Jefferson County Open Space, asking them to remove the open space reverter clause from the proposed easement area. This request will be done after the final approval of this Ordinance by City Council.

DATE OF FIRST READING: August 25, 2014

DATE OF SECOND READING: September 8, 2014

ORIGINATED BY: Department of Community Resources

STAFF PERSON RESPONSIBLE: Adrian Stanciu, Property and Purchasing Services Manager, 303-987-7659

DOCUMENTS ATTACHED: Ordinance O-2014-19
Map

SUBMITTED BY:

Adrian Stanciu, Property and Purchasing Services Manager
Larry Dorr, Director of Finance

REVIEWED BY:

Nanette Neelan, Deputy City Manager
Kathleen E. Hodgson, City Manager

O-2014-19

AN ORDINANCE

AUTHORIZING THE CITY TO CONVEY AN EASEMENT FOR WATER LINE FACILITIES TO THE GREEN MOUNTAIN WATER AND SANITATION DISTRICT AND ACCEPTING AN EASEMENT QUITCLAIM DEED FROM THE DISTRICT CONVEYING PORTIONS OF AN EXISTING EASEMENT TO THE CITY AND, FURTHER ACCEPTING A DOCUMENT FROM JEFFERSON COUNTY TO THE CITY OF LAKEWOOD RELEASING THE OPEN SPACE RESTRICTION ON THE PORTION OF LAND ACQUIRED WITH OPEN SPACE FUNDS, ALL WITHIN WILLIAM FREDERICK HAYDEN PARK

WHEREAS, The Green Mountain Water and Sanitation District has requested that the City of Lakewood convey to the District a permanent easement for utilities associated with an underground water pipeline and related facilities, across land owned by the City; and

WHEREAS, said land, known as William Frederick Hayden Park, is owned and held by the City for park and open space purposes; and

WHEREAS, the City of Lakewood will agree to convey the easement to The Green Mountain Water and Sanitation District, subject to the following conditions:

1. Review and approval by staff of final construction plans.
2. Release of the Open Space reverter clause by Jefferson County Open Space.
3. All new facilities shall be underground to the extent possible.
4. Receipt of compensation for the easement beyond the value of the portion of the existing easement to be abandoned by the District.
5. Issuance of a Public Way Permit for all work on City property.

WHEREAS, the Charter of the City of Lakewood provides in Section 14.3(c) thereof, that utility easements may be granted across such land, which the City is willing to do.

WHEREAS, Jefferson County will be conveying a Quitclaim Deed, or some other related document, to the City of Lakewood releasing the open space restriction on that portion of the easement located within the land that was acquired with Open Space funds.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The City of Lakewood does hereby accept the aforesaid Easement Quitclaim Deed conveying the portion of existing easement no longer needed by the District described in Exhibit A attached hereto and made a part hereof.

SECTION 2. The City Manager is hereby authorized to execute, and the City Clerk to attest, an Easement for waterline facilities, in form approved by the City Attorney, to Green Mountain Water and Sanitation District across the land described in Exhibit B attached hereto and made a part hereof.

SECTION 3. The City of Lakewood does hereby accept the Quitclaim Deed, or other related document, from Jefferson County to release the open space restriction described in Exhibit C attached hereto and made a part hereof.

SECTION 4. This ordinance shall take effect thirty (30) days after final publication.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Lakewood City Council on the 25th day of August, 2014; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 29th day of August, 2014; set for public hearing on the 8th day of September, 2014, read, finally passed and adopted by the City Council on the ____ day of September, 2014 and, signed and approved by the Mayor on the ____ day of September, 2014.

Bob Murphy, Mayor

ATTEST:

Margy Greer, City Clerk

APPROVED AS TO FORM:

Tim Cox, City Attorney

Exhibit A

A Parcel of land located in the North Half of Section 18, Township 4 South, Range 69 West of the 6th Principal Meridian, County of Jefferson, State of Colorado, being more particularly described as follows:

Bearings are assumed and are based upon the northerly line of the Northwest 1 /4, of Section 18, Township 4 South, Range 69 West of the 6th Principal Meridian as bearing S89°20'31"E between the Northwest Corner of said Section 18, being a Found 3" brass disk set in concrete and the North 1/4 Corner of said Section 18, being a Found Axle, flush with the ground.

Commencing at said Northwest Corner of Section 18;

Thence S05°33'36"E a distance of 877.32 feet to the northeasterly line of Reception No. 381967 recorded in the office of the Jefferson County Clerk and Recorder, said point being the Point of Beginning;

Thence N02°45'17"E a distance of 221.20 feet;

Thence N24°01'48"E a distance of 56.64 feet;

Thence N52°39'41"E a distance of 52.42 feet;

Thence N59°42'05"E a distance of 59.53 feet;

Thence N63°14'43"E a distance of 100.04 feet;

Thence S87°00'59"E a distance of 92.21 feet;

Thence S64°15'53"E a distance of 107.67 feet;

Thence N60°26'37"E a distance of 214.95 feet;

Thence N86°33'27"E a distance of 944.11 feet;

Thence S85°38'01"E a distance of 175.49 feet;

Thence S81°12'45"E a distance of 263.29 feet;

Thence N86°47'13"E a distance of 293.36 feet;

Thence N79°16'29"E a distance of 367.57 feet;

Thence N84°48'22"E a distance of 321.26 feet;

Thence N81°36'10"E a distance of 260.19 feet;

Thence N88°04'35"E a distance of 324.69 feet to the northerly prolongation of the westerly line of Reception No. 2006006636 recorded in the office of the Jefferson County Clerk and Recorder;

Thence S00°12'00"E along said northerly prolongation and along said westerly line a distance of 30.01 feet;

Thence S88°04'35"W a distance of 322.09 feet;

Thence S81°36'10"W a distance of 259.33 feet;

Thence S84°48'22"W a distance of 320.65 feet;

Thence S79°16'29"W a distance of 368.09 feet;

Thence S86°47'13"W a distance of 298.49 feet;

Thence N81°12'45"W a distance of 265.28 feet;

Thence N85°38'01"W a distance of 172.29 feet;
Thence S86°33'27"W a distance of 935.10 feet;
Thence S60°26'37"W a distance of 187.21 feet;
Thence S64°15'53"E a distance of 130.91 feet;
Thence S87°38'48"E a distance of 102.56 feet;
Thence S63°55'00"E a distance of 63.55 feet to the northwesterly line of Green Mountain Filing No. Eight, a plat recorded in Book 26 at Page 19, in the office of the Jefferson County Clerk and Recorder;
Thence S26°05'00"W along said Northwesterly line a distance of 30.00 feet;
Thence N63°55'00"W a distance of 57.25 feet;
Thence N87°38'48"W a distance of 102.46 feet;
Thence N64°15'53"W a distance of 275.25 feet;
Thence N87°00'59"W a distance of 78.21 feet;
Thence S63°14'43"W a distance of 91.14 feet;
Thence S59°42'05"W a distance of 58.60 feet;
Thence S28°20'18"W a distance of 39.41 feet;
Thence S02°45'17"W a distance of 261.24 feet to said northeasterly line of Reception No. 381967;
Thence N73°56'38"W a distance of 61.65 feet to the Point of Beginning.

Containing 132,241 Sq. Ft. (3.036) Acres more or less.

Exhibit B

A PARCEL OF LAND BEING THIRTY (30.00) FEET IN WIDTH, FIFTEEN (15.00) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE OF A THIRTY (30.00) FOOT WATER EASEMENT PER RECEPTION NO. 70381968 RECORDED IN THE OFFICE OF THE JEFFERSON COUNTY CLERK AND RECORDER, BEING LOCATED IN THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEARINGS ARE ASSUMED AND ARE BASED UPON THE NORTHERLY LINE OF THE NORTHWEST 1/4, OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN AS BEARING S89°20'31"E BETWEEN THE NORTHWEST CORNER OF SAID SECTION 18, BEING A FOUND 3" BRASS DISK SET IN CONCRETE AND THE NORTH 1/4 CORNER OF SAID SECTION 18, BEING A FOUND AXLE, FLUSH WITH THE GROUND.

COMMENCING AT SAID NORTHWEST CORNER OF SECTION 18;
THENCE S49°57'08"E A DISTANCE OF 1035.41 FEET TO THE SOUTHEASTERLY LINE OF SAID 30.00 FOOT WIDE WATER EASEMENT, WHENCE THE NORTHWESTERLY CORNER OF GREEN MOUNTAIN FILING NO. EIGHT, A PLAT RECORDED IN BOOK 26, AT PAGE 19, IN THE OFFICE OF THE JEFFERSON COUNTY CLERK AND RECORDER BEARS N26°05'00"E A DISTANCE OF 145.00 FEET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID CENTERLINE OF RECEPTION NO. 70381968 THE FOLLOWING TWO (2) COURSES:

1. N63°55'00"W A DISTANCE OF 168.91 FEET;
2. THENCE N73°12'00"W A DISTANCE OF 636.33 FEET TO THE WESTERLY LINE OF SAID RECEPTION NO. 70381968 AND THE POINT OF TERMINATION.

CONTAINING 24,157 SQ. FT. (0.555 ACRES) MORE OR LESS.

THE SIDELINES ARE SHORTENED OR LENGTHENED TO INTERSECT THE NORTHWESTERLY LINE OF SAID GREEN MOUNTAIN FILING NO. EIGHT AND THE EASTERLY LINE OF A 30.00 FOOT WIDE WATER EASEMENT RECORDED AT RECEPTION NO. 64024125 IN THE OFFICE OF THE JEFFERSON COUNTY CLERK AND RECORDER.

TOGETHER WITH:

A PARCEL OF LAND BEING A 30.00 FOOT WIDE WATER EASEMENT AS DESCRIBED IN RECEPTION NO. 64024125 RECORDED IN THE OFFICE OF THE JEFFERSON COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE ASSUMED AND ARE BASED UPON THE NORTHERLY LINE OF THE NORTHWEST 1/4, OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN AS BEARING S89°20'31"E BETWEEN THE NORTHWEST CORNER OF SAID SECTION 18, BEING A FOUND 3" BRASS DISK SET IN CONCRETE AND THE NORTH 1/4 CORNER OF SAID SECTION 18, BEING A FOUND AXLE, FLUSH WITH THE GROUND.

BEGINNING AT SAID NORTHWEST CORNER OF SECTION 18;
THENCE ALONG THE NORTHERLY, EASTERLY, SOUTHERLY AND WESTERLY LINES OF SAID 30.00 FOOT WIDE WATER EASEMENT THE FOLLOWING FOUR (4) COURSES:

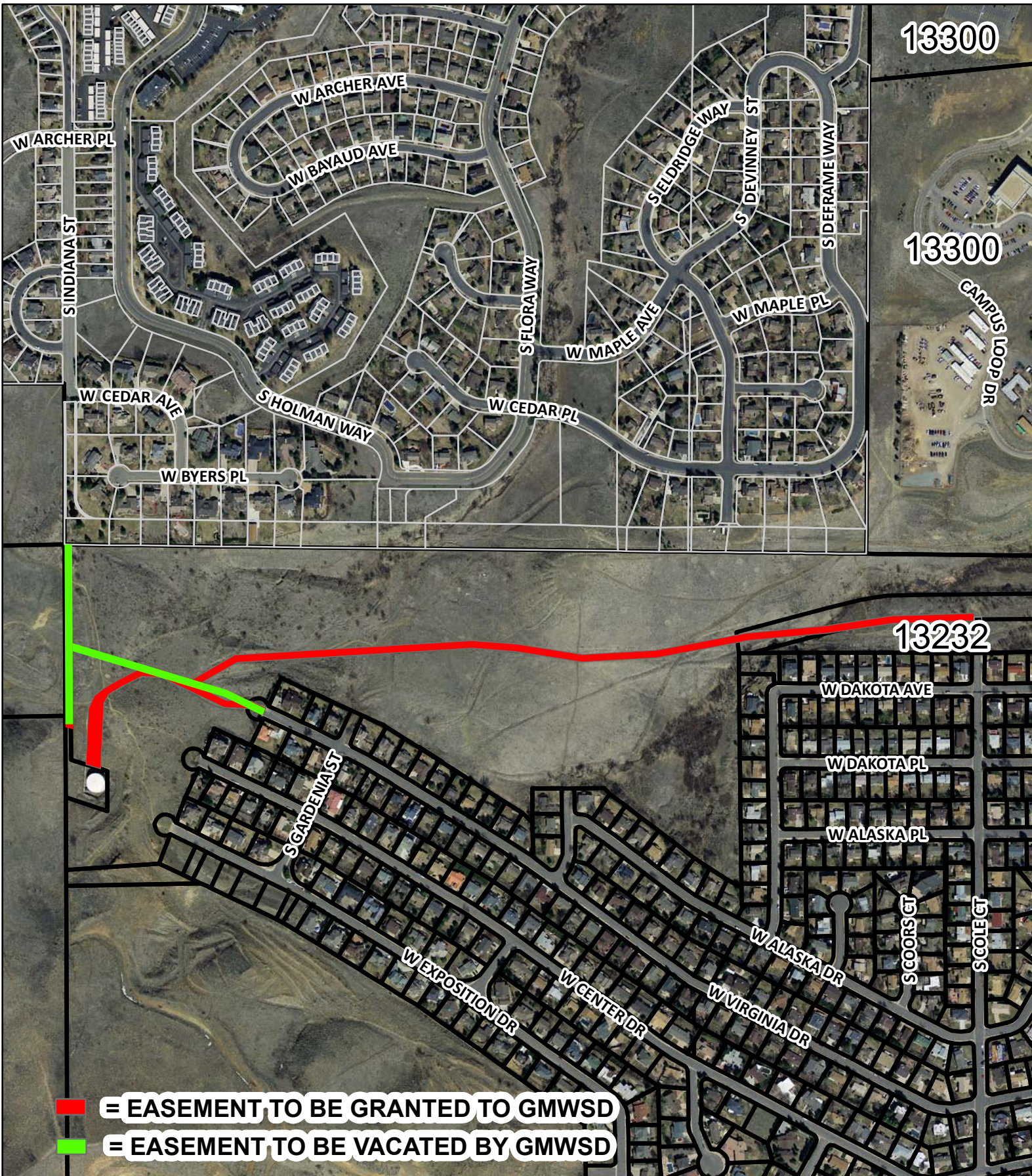
1. S89°20'31"E ALONG THE NORTHERLY LINE OF SAID NORTHWEST 1/4, OF SECTION 18, A DISTANCE OF 30.00 FEET;
2. THENCE S00°14'38"E, BEING 30.00 FEET EASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 713.43 FEET;
3. THENCE S89°45'22"W A DISTANCE OF 30.00 FEET TO SAID WESTERLY LINE OF SAID NORTHWEST 1/4;
4. THENCE N00°14'38"W ALONG SAID WESTERLY LINE A DISTANCE OF 713.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 21,410 SQ. FT. (0.492 ACRES) MORE OR LESS.

Exhibit C

A Parcel of land located in the North Half of Section 18, Township 4 South, Range 69 West of the 6th Principal Meridian, County of Jefferson, State of Colorado, being more particularly described as follows:

That portion of the easement described on Exhibit A that lies within that parcel of land described on instrument recorded at Reception Number 90050401 of the records of the Jefferson County Clerk & Recorder.



13300

13300

13232

-  = EASEMENT TO BE GRANTED TO GMWSD
-  = EASEMENT TO BE VACATED BY GMWSD

CITY OF LAKEWOOD

ORDINANCE TO GRANT EASEMENT AND ACCEPT DEED VACATING EASEMENT