



City of Woodland Park
City Council Agenda
August 5, 2021

5:00 PM CML Worksession –Kevin Bommer, Executive Director of CML

6:15 Public Hearing – Removal of Jan Wilson as a DDA member.

7:00 PM

- 1. CALL TO ORDER AND ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS**
 - A. Appointments to PRAB and the BOA.
(Presenter, City Clerk Suzanne Leclercq)
 - B. Vino and Notes event announcement.
 - C. Teen Court Presentation and Oath of Office.
(Presenter, Bev Hodges Teen Court Coordinator)
- 4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA**
- 5. CONSENT CALENDAR**

All matters listed under Consent Calendar are considered routine business by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Calendar and considered separately.

- A. Approval of the July 15, 2021 Regular City Council Meeting Minutes and the July 19, Special Meeting Minutes. **(A)**
(Presenter, City Clerk Suzanne Leclercq)
 - B. Approve Legal services Agreement between the City of Woodland Park and Wilson Williams LLP. **(A)**
(Presenter, City Manager Michael Lawson)
- 6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** ¹
- 7. UNFINISHED BUSINESS**
(Public Comment may be heard ¹)
 - A. None
- 8. ORDINANCES ON INITIAL POSTING**
(Public comment may be heard ¹)

The Woodland Park City Council is pleased to have residents of the community take time to attend City Council Meetings. Attendance and participation is encouraged. Individuals wishing to be heard during Public Hearing proceedings are encouraged to be prepared and will generally be limited to five (5) minutes in order to allow everyone the opportunity to be heard. **PUBLIC COMMENTS ARE EXPECTED TO BE CONSTRUCTIVE.** ¹ Questions raised on non-agenda items may be answered at a later date by letter in order to facilitate proper research.

PLEASE SIGN IN TO SPEAK ON A PARTICULAR AGENDA ITEM

Written comments are welcome and should be given to the City Clerk prior to the start of the meeting. Written materials **will not** be accepted during regular agenda items in the interest of time.

- A. Consider Ordinance No. 1401, Series 2021 an Ordinance Approving the Purchase of Certain Water Shares and set the Public Hearing for August 19, 2021. **(A)**
(Presenter, Utilities Director Kip Wiley)
- B. Consider first reading of Ordinance 1402, Series 2021 to vacate the common lot line and public utilities, drainage and private access easement between Lot 14C, Fairway Pines Filing No. 2C and Lot 15, Fairway Pines Filing No. 2 (240 and 250 Iron Eagle Point) as requested by Jon-Paul and Jill Schulman (Property Owner and Applicant) in the Shining Mountain Planned Unit Development (PUD) zone and schedule the public hearing for August 19, 2021. **(QJ)**
(Presenter, City Planner Lor Pellegrino)

9. PUBLIC HEARINGS

(Public comment may be heard ¹)

- A. Approve Ordinance No. 1397, Series 2021 on repealing the 180-day occupancy limitation for the definitions of Recreational Park Trailers and Recreational vehicles. **(L)**
(Presenter, Planning Director Sally Riley)

10. NEW BUSINESS

(Public comment may be heard ¹)

- A. Approve Resolution No. 879. Series 2021 concerning remote Council Meetings, and in connection therewith amending the Woodland Park Council Rules of Procedure to establish parameters for such participation. **(A)**
(Presenter, Mayor Pro-tem LaBarre)
- B. Approve Resolution No. 880, Series 2021 a Resolution activating the Council's Advisory Committee known as the Charter Review Committee, originally established in 200 for the purpose of continued reviews of the City's Home Rule Charter. **(A)**
(Presenter, City Clerk Suzanne Leclercq)
- C. Approve Resolution No. 878, Series 2021, a Resolution authorizing the Purchase of water Shares from certain sellers, and Appropriating cash from the Enterprise Fund for said purchase, and authorizing the Mayor and City Clerk to execute and attest respectively the contracts with said sellers. **(A)**
(Presenter, Utilities Director Kip Wiley)

11. REPORTS

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Public comment is intended for the community to provide feedback to the City Council. In an effort to facilitate a productive meeting, we urge everyone to strive to be respectful of one another. Public Comment is not intended to be a platform for argument or abrasive conduct. City Council and staff will take note of your concerns and comments and will work towards providing a response at a later time as appropriate. We ask that you state your name and municipality of residence before you begin your comments. Comments will be limited to 5 minutes. We appreciate your assistance in creating an atmosphere of civility as we all work together for the betterment of our community.

(Public comment not necessary)

- A. Mayor's Report
- B. Council Reports
- C. City Attorney's Report
- D. City Manager's Report
 - 1. Salute to Veterans Rally - update.
 - 2. Comp plan Update – Sally Riley

12. ADJOURNMENT

*Per Ordinance No. 1391, Series 2021 posted on the City Website 7/28/2021

Key to agenda abbreviations:

(A) Administrative – matters involving day-to-day decisions such as approving contracts, hiring staff and the procurement of goods and services. Administrative actions generally do not require formal actions by the elected body.

(L) Legislative- typically in the policy arena; legislative matters affect large areas and large groups of people, such as enacting dog regulations or amending the City code. Legislative action generally involves motions, resolutions and ordinances.

(QJ) Quasi-Judicial - apply general rules to a specific interest, such as zoning change affecting a single piece of property, or a special use permit. Quasi-Judicial actions generally involve adjudication, sometimes in writing, but not a resolution or ordinance. Decision for Quasi-Judicial proceedings are made exclusively based upon the testimony presented on the record. Ex-parte communication (communication outside the official hearing) between elected officials and citizens is not permitted on Quasi-Judicial.



City of Woodland Park Staff Report for City Council

Meeting Date: August 5, 2021

<u>Agenda Item</u>	<u>Department</u>	<u>Presenter</u>
3A	Administration	Suzanne Leclercq City Clerk

ITEM:

Appointments to the following boards and committees:

- Keep Woodland Park Beautiful
- Board of Adjustment
- Parks and Recreation advisory Board

BACKGROUND:

As Council is aware there are many openings on the City's Boards and Commissions. The City continues to advertise for these positions as per Council's policy.

Pursuant to Council's policy, a notice of these open positions is published on the City's website and Facebook page.

This past month the City Clerk received 3 applications of interest to the following Committees:

1. Keep Woodland Park Beautiful – an application was received from Matthew Hayes interested in being a member of the Keep Woodland Park Beautiful Committee.
2. Board of Adjustment – an application was received from Nick Abercrombie. Mr. Abercrombie currently an Alternate on the BOA and would like to become a permanent member of the BOA and fill the seat vacated by Catherine Nakai.
3. Parks and Recreation Advisory Board – an application was received from Jamie Dion to serve on the Parks and Recreation Advisory Board. Jamie Dion lives outside of the city limits. The PRAB by-laws allow for the Board of 7 to consist of a minimum of 4 city residents and 3 residents may live outside the city limits. Currently the Board has 5 members living inside the city limits and 1 outside the city limits. The appointment of Ms. Dion will still be within the by-laws of the city having 5 members in the city limits and 2 outside the city limits.

RECOMMENDATION: Following Council consideration, move to approve appointment applicants to the various board and committees.

Woodland Park City Council
Council Chambers - City Hall
July 15, 2021
7:00 PM
(In Person/Via Zoom)

If interested in viewing the corresponding video / discussion related to the subject below you can go to the City's YouTube page to view the video. Time stamp after each item is noted for your convenience and corresponds with recorded video.

1. CALL TO ORDER AND ROLL CALL (0.05)

Mayor Pro-tem LaBarre called the meeting to order at 7:00 PM.

City Clerk Leclercq called roll with the following members of Council present:

Mayor Pro-tem LaBarre, Councilmember Case, Councilmember Neal, Councilmember Zuluaga, Councilmember Alfieri appeared via zoom.

The following staff members appeared in person: City Manager Michael Lawson, City Attorney Geoff Wilson, City Clerk Suzanne Leclercq (via zoom), Planning Director Sally Riley, Management Analyst Rob Felts, and Utilities Director Kip Wiley.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS:

A. Presentation by Pikes Peak Area Council of Governments (PPACG) by Executive Director Andrew Gunning. (1:00)

B. Quarterly financial Update to the City Council. (25:25)

City Manager Michael Lawson apologized to the Council for the late arrival of the Quarterly Report. He shared the overview of the format of the report with the Council and delayed the discussion of the report until the August 5, 2021 Council Meeting so that Council would have more time to review.

C. Appointment of new Councilmember. (33:43)

Mayor Pro-tem LaBarre reviewed with the Council that the Council has the authority to appoint anyone at any time to a Council vacancy. She shared that in case Councilmember Alfieri decides to resign that Council would like to fill the 6th seat on Council so that there would not have to be a Special Election. Mayor Pro-tem shared that Council would like to appoint Catherine Nakai as she had the 2nd highest votes following Councilmember Alfieri in the November election.

Councilmember Zuluaga shared that he had never been consulted on this matter and was troubled by that.

MOTION: To appoint Catherine Nakai as a Councilmember. Neal/Case. Motion carried 3-2 with Alfieri and Zuluaga voting no.

D. Confirmation of Finance Director. [\(45:54\)](#)

City Manager Lawson introduced the staff's selection for the new Finance Director Aaron Vassalotti via zoom for the Council to Meet. Council asked Mr. Vassalotti some questions and the following motion was made:

MOTION: To confirm Aaron Vassalotti as the Finance Director/Treasurer for the City of woodland Park. Case/Zuluaga. Motion Case/Zuluaga. Motion carried 6-0.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

A. None

5. CONSENT CALENDAR: [\(53:30\)](#)

A. Approval of the July 1, 2021 regular City Council Meeting minutes. Councilmember Zuluaga shared that there have been questions from the Public regarding not coming out of the Executive Session properly on July 1, 2021 and he wanted that stated for the record regarding the minutes.

MOTION: To approve the Consent Calendar. Case/Nakai. Motion carried 6-0.

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA: [\(54:51\)](#)

- Dr. Mathew Neal the new Superintendent of the Woodland Park School District introduced himself to the Council
- Elijah Murphy expressed that he had concerns with the City Council and felt that they had an illegal Executive Session. Murphy shared that he felt the council made decisions somewhere else and not in a public meeting. Murphy shared that he felt this was highly unethical.

7. UNFINISHED BUSINESS:

A. None

8. ORDINANCES ON INITIAL POSTING

A. None

9. PUBLIC HEARINGS [\(1:06:54\)](#)

A. Approve Ordinance 1400 Series 2021 appropriating the purchase of certain water shares.

Utilities Director Kip Wiley reviewed this ordinance purchasing a water share with the Council.

MOTION: To approve Ordinance 1400, series 2021 appropriating the purchase of certain water shares. Zuluaga/Case. Motion carried 6-0.

B. Consider a request by Kim Packham and the Ute Pass Saddle Club Inc. for on-site vendor camping from August 16 - August 23, 2021 for the Woodland Park Rock, Gem and Jewelry Show

Special event at 19250 East Highway 24. (QJ)

Planning Director Riley reviewed this request with the Council.

MOTION: To approve a request by Kim Packham and the Ute Pass Saddle Club Inc. for on-site vendor camping from August 16 - August 23, 2021 for the Woodland Park Rock, Gem and Jewelry Show Special event at 19250 East Highway 24. Neal/Nakai. Motion carried. 6-0.

10. NEW BUSINESS

A. None

11. REPORTS (1:18:22)

A. Mayor’s Report - Mayor Pro-tem LaBarre shared the upcoming events for the next two weeks.

Mayor Pro-tem LaBarre announced stated *“that this Council will be providing an opportunity for DDA Board Member Jan Wilson to be heard, in anticipation of a council vote on whether she should be removed from the DDA Board, as provided by law. This opportunity to be heard and vote will occur at either our next regular Council meeting, or at a sooner Special meeting, if time permits. Of course, all required notice to the public will precede any meeting.”*

B. Council Reports - Councilmembers Case, Neal and Zuluaga updated the Council on the various boards and committees that they are liaisons to.

Councilmember Alfieri thanked her fellow Councilmembers, City Manager and Staff for their concern during the last few weeks.

Councilmember Zuluaga requested that there be a worksession between the City Council and the DDA.

C. City Attorney’s Report - City Attorney Geoff Wilson introduced Madison Linton the Law Clerk for Wilson Williams. Madison is entering her 3rd year at Wyoming Law School.

D. City Manager’s Report

1. Salute to Veteran’s Rally - update.

12. ADJOURNMENT

Mayor Pro-tem LaBarre adjourned the Council Meeting at 8:36 PM.

Respectfully submitted:

Suzanne Leclercq MMC, City Clerk

APPROVED THIS _____ DAY OF _____, 2021

Hilary LaBarre, Mayor Pro-tem

Woodland Park City Council
Council Chambers - City Hall
July 19, 2021
4:00 PM
(In Person/Via Zoom)
Special Meeting

If interested in viewing the corresponding video / discussion related to the subject below you can go to the City's YouTube page to view the video. Time stamp after each item is noted for your convenience and corresponds with recorded video.

1. CALL TO ORDER AND ROLL CALL

Mayor Pro-tem LaBarre called the meeting to order at 4:00 PM.

City Clerk Leclercq called roll with the following members of Council present:

Mayor Pro-tem LaBarre, Councilmember Alfieri (via zoom), Councilmember Case, Councilmember Nakai, Councilmember Neal, and Councilmember Zuluaga.

The following staff members appeared in person: City Manager Michael Lawson, City Attorney Geoff Wilson, City Clerk Suzanne Leclercq and Management Analyst Rob Felts.

2. PLEDGE OF ALLEGIANCE

3. COUNCIL DISCUSSION REGARDING THE APPOINTMENTS OF COUNCIL LIAISONS TO THE VARIOUS BOARDS AND COMMISSIONS

Mayor Pro-tem LaBarre led this discussion with the Council. The following changes were made by Council consensus.

PPACG - Primary Councilmember Zuluaga
Alternate Councilmember Nakai

Main street - Councilmember Nakai

Charter Review Committee - Liaison Councilmember Alfieri
Councilmember Nakai
Councilmember Neal

There was discussion amongst the Council regarding the liaison to the DDA. Councilmember Zuluaga shared that he would like to remain the liaison. Zuluaga shared that he has attended all the required meetings and felt he has done a good job. Zuluaga shared that he felt it would be destabilizing to the DDA to change the liaison at this time for no cause.

Councilmember Neal shared that he felt uncomfortable with the way that Councilmember Zuluaga has voted on DDA issues in the past and would like to see a change.

Councilmember Alfieri shared that she also felt it was not in the best interest to switch things up on the DDA and would like to see Zuluaga remain as the liaison.

MOTION: To appoint Councilmember Neal as the DDA Liaison. Case/Nakai. Motion carried 3-2. Alfieri, Zuluaga voting no. Neal abstaining from the vote.

4. CONFIRMATION OF INTERIM POLICE CHIEF

City Manager Lawson introduced Stephen Hasler and reviewed his resume with the Council. Council asked Mr. Hasler a few questions regarding how he will handle the current issues at the Police Department.

Mr. Hasler shared his background with the Council and his ideas for handling some of the current issues at the Police Department.

MOTION: To confirm Stephen Hasler as the Interim Police Chief for the City of woodland Park. Neal/Zuluaga. Motion carried 6-0.

12. ADJOURNMENT

Mayor Pro-tem LaBarre adjourned the Council Meeting at 4:39 PM.

Respectfully submitted:

Suzanne Leclercq MMC, City Clerk

APPROVED THIS _____ DAY OF _____, 2021

Hilary LaBarre, Mayor Pro-tem



City of Woodland Park Staff Report for City Council

Meeting Date	Agenda Item
August 5, 2021	5b
Department	Presenter
City Manager's Office	Michael Lawson, City Manager

Item Title

Contract for City Attorney

History

In February 2021, the City's in-house attorney resigned. The City Council interviewed three private firms to fill the role of the City's Interim City Attorney. From that process, Geoff Wilson and Nina P. Williams of Murray Dahl Beery & Renaud, LLP were selected. Shortly afterward, Mr. Wilson and Ms. Williams left Murray Dahl and formed their own firm, Wilson Williams LLP. Wilson Williams has fulfilled the role of Interim City Attorney since that time.

At the time Mr. Wilson and Ms. Williams were selected, the City Council expressed wanting to revisit how to permanently fill the role of City Attorney in the summer of 2021.

Summary

Approximately six months have elapsed since Wilson Williams LLP began serving at the City's Interim City Attorney. Per Council's stated wishes to make a decision on a permanent City Attorney in the summer of 2021, staff is seeking Council's direction in preference in hiring for that position.

Council may choose to pursue one of three options for appointment of a permanent City Attorney at this time:

1. Appointment of Wilson Williams LLP as the City's permanent City Attorney
2. Conduct an RFP process to select a private firm to serve as the City's permanent City Attorney
3. Conduct a hiring process for an in-house City Attorney

The Council may also take more time to consider its options and continue with Wilson Williams as the Interim City Attorney.

Wilson Williams LLP has expressed it is willing to serve as the City's permanent City Attorney. The firm has committed to providing comprehensive legal services for the City within or below the total amount budgeted for the in-house City Attorney in 2021 of \$172,322, prorated to the firm's hire date in February. The firm has committed to doing the same in 2022.

Wilson Williams has also committed to assessing its same fee schedule (i.e. hourly rate of \$215.00 per hour for the partners' time) for three years from the execution date of the proposed contract. This fee schedule is the same assessed by the firm for its Interim City Attorney contract. All other terms of the

interim City Attorney contract would carry over into the contract for the permanent attorney. The City may choose to terminate the contract at any time it wishes.

Staff Recommendation

Staff recommends approving the contract proposed by Wilson Williams LLP.

For its part, staff has been pleased with the quality of service provided by Wilson Williams. The firm has provided excellent customer service and is highly responsive to staff's needs. Continuing with the firm will also prevent the costs involved with transitioning to another firm or individual in the midst of a number of ongoing legal matters.

Question for Council

Does the Council wish to contract with Wilson Williams LLP to serve as the permanent City Attorney?

LEGAL SERVICES AGREEMENT

THIS AGREEMENT is between the **CITY OF WOODLAND PARK**, a Colorado home rule municipality ("City"), and **WILSON WILLIAMS LLP** ("Law Firm") under which the Law Firm shall perform legal services for the City.

WHEREAS, pursuant to Article VI, Section 6.1 of the City of Woodland Park Charter, the City Council of the City previously appointed the Law Firm as its Interim City Attorney, by formal action at their regular meeting on March 4, 2021; and

WHEREAS, the City Council now wishes to appoint the Law firm as its City Attorney, pursuant to Article VI, Section 6.1 of the City Charter; and

WHEREAS, by formal action at their regular meeting on August 5, 2021, the City Council approved said appointment of the Law Firm as City Attorney.

NOW THEREFORE, the City and the Law Firm agree as follows:

1. Scope of Legal Services. The Law Firm will provide any and all legal services requested of it by the Mayor, City Council, City Manager, and any boards or employees of the City authorized by the Mayor, City Council or City Manager to request legal services of the Law Firm. Such services shall include, but are not limited to the following:

- a. Attend regular and special meetings of the City Council; attend work session meetings of the City Council as requested.
- b. Attend meetings and conferences with City Council, City boards and commissions, City staff and officers as directed by the Mayor, City Council or the City Manager.
- c. Prepare and/or review ordinances and resolutions.
- d. Prepare and/or review contracts for services, materials and real estate involving the City.
- e. Respond to all inquiries and communications of a general legal nature from the Mayor, members of the City Council, City Manager, and City staff.
- f. Represent the City in its dealings and negotiations with federal, state and local governmental entities and agencies, special improvement districts and utilities, affecting the City.
- g. Represent the City in litigation matters involving the City.

h. Enter an appearance in and/or monitor litigation matters that are being actively handled by outside counsel.

i. Perform such other duties as may be prescribed by the Mayor, City Council, or City Manager.

The Law Firm agrees to exert its best efforts on behalf of the City and to handle the matters for which representation has been requested of it faithfully and with due diligence. The Law Firm cannot and does not guarantee or agree that a result favorable to or satisfactory to the City will be achieved. No settlement or compromise will be made without the City's consent.

2. Identification of Client. It is understood that the Law Firm's client for purposes of its representation is the City of Woodland Park and not any of its individual members or constituents, or any other entities whose interests are being represented by those individuals.

3. Term. It is understood that the City Attorney serves at the pleasure of the Mayor and City Council, and this Agreement shall therefore be for an indefinite term.

4. Performance Review. The parties agree that the performance of the City Attorney shall be reviewed by the City Council and City Manager annually.

5. Designated City Attorney. Subject to other direction from the City, Geoffrey Wilson and Nina P. Williams will serve will serve as the designated City Attorneys. The City Attorney may delegate certain research or drafting projects or other matters to other attorneys in the Law Firm who have expertise in the area of the legal services requested; however, any such delegated work will be performed directly under their supervision and responsibility.

6. Management. At least quarterly, the City Attorney will confer with the City Manager to identify legal service priorities, and to plan for the management of the legal services budget.

7. Compensation and Expenses. The City will compensate Law Firm for professional legal services as indicated below. Expenses such as photo copying will be charged at the rates set forth on the attached **Schedule of Costs**.

<u>Attorney</u>	<u>Hourly Municipal Rate</u>
Geoffrey Wilson	\$ 215.00
Nina P. Williams	\$ 215.00
Partners	\$ 215.00
Paralegals/Support staff	\$ 95.00
Associates	\$ 175.00

a. *Other Expenses.* In addition to the foregoing hourly rates for legal services fee, The Law Firm shall charge and the City shall pay all costs incurred by the Law Firm in providing legal services to the City. Examples of such costs include charges for filing fees, depositions, expert witnesses, consultants, travel, long distance telephone, computer research, photocopies, scanning, color printer, messenger service, etc. The City shall, upon request of the Law Firm, advance to the Law Firm the payment of any single item of cost that exceeds Five Hundred Dollars (\$500.00). A copy of the Schedule of Costs is attached hereto as Exhibit A.

b. *Monthly Billings.* The Law Firm will bill the City on a regular basis, normally each month, for both fees and disbursements. All bills will reflect services already performed and disbursements already made and are due upon receipt. Any amounts not paid within 60 days of the date of the bill shall be subject to a late payment charge of 1-1/2% per month (18% per year). If the City fails to pay any charges within 90 days of the date of the bill the Law Firm may elect to stop all work for the City. The City's obligation to make prompt payment of all charges does not depend upon achievement of any specific result. Payments will be applied first to the oldest amounts outstanding.

c. *Rates Generally.* The Law Firm agrees that it shall not raise nor seek to raise the hourly rates for legal services provided under this agreement for a period of three (3) years from the effective date of this agreement.

8. Billing Statement. The Law Firm will provide a computer generated billing statement each month setting forth the following information in a readable, detailed format:

- a. The date services are provided.
- b. The description of those services.
- c. The legal professional performing those services.
- d. The applicable hourly rate.
- e. The amount of time expended.
- f. A total of the cost of those services.
- g. With respect to disbursements and other expenses, the billing statement will indicate the date, the item of expense and the cost of that expense in a cumulative total of all expenses that month.

9. Miscellaneous. The City may terminate this Agreement at any time. If the City discharges the Law Firm, the City shall pay all fees and costs incurred to the date of termination. Subject to the Colorado Rules of Professional Conduct and any applicable court rules, the Law Firm may, after reasonable advance written notice to the City, terminate this Agreement. If the Law Firm terminates this Agreement, the City shall pay all fees and costs incurred to the date of termination.

10. Arbitration. Although we do not expect that any dispute between us will arise, in the unlikely event of any dispute under this Agreement, including a dispute regarding the amount of legal fees or costs owed to the Law Firm or the quality of the Law Firm's services, including any claim of malpractice, such dispute shall be subject to binding arbitration. The City and Law Firm acknowledge that they are waiving their right to seek remedies in court, including the right to a jury trial. (This clause does not prevent the City and the Law Firm from trying to resolve any dispute through voluntary mediation, but there is no requirement to do so.)

Any dispute concerning fees or costs shall be submitted to the Legal Fee Arbitration Committee of the Denver Bar Association and the decision of the Committee shall be final and binding on both parties. Any dispute concerning the quality of the Law Firm's services, including malpractice claims, shall be submitted to a single arbitrator and the decision of the arbitrator shall be final and binding on both parties. A final judgment can be entered on the arbitration award by a court of competent jurisdiction. The arbitrator shall be selected from the Judicial Arbiter Group, Denver, Colorado unless the parties agree otherwise. If the parties do not agree on the selection of a single arbitrator within ten days after a demand for arbitration is made, then the arbitrator shall be selected by the Judicial Arbiter Group from among its available professionals.

All arbitrations shall be held in Denver, Colorado unless the parties mutually agree on some other location. All arbitrations shall proceed under the Commercial Arbitration Rules of the American Arbitration Association, except as modified in this Agreement, unless otherwise agreed by the parties. The arbitrator shall have the discretion to order that the costs of arbitration, fees (including expert witness and reasonable attorney fees), and other costs shall be borne by the losing party. Any filing fees or other administrative costs of arbitration shall be divided equally between the City and the Law Firm. Arbitration of all disputes, and the outcome of the arbitration, shall remain confidential between the parties.

11. Document Retention. The City acknowledges that the files the Law Firm creates and compiles for work on the City's matters, including notes, correspondence, pleadings, research, and documents which we prepare, will not be kept indefinitely. It is the Law Firm's policy to destroy all files (including all documents and materials therein), seven (7) years after we send such files to remote storage upon completion of each matter. However, if some legal restriction on destruction is imposed or some new development occurs, the retention period may be modified. This file destruction process is automatic and the City will not receive further notice prior to the destruction of these files. Accordingly, if the City wishes to maintain a record of any matter beyond our retention period, the City should consider maintaining its own files relating to the matters that we are handling.

12. Governing Law. This Agreement shall be construed in accordance with, and governed by the laws of the State of Colorado.

13. Amendment. This Agreement may be amended only by a written instrument signed by both of the parties hereto.

14. Prior Agreements. This Agreement shall supercede all prior agreements between the parties concerning the provision of legal services.

15. Signature. THE LAW FIRM AND THE CITY HAVE READ THIS DOCUMENT, UNDERSTAND IT, AND AGREE TO IT.

EXECUTED on this 5th day of August, 2021.

WILSON WILLIAMS LLP

By: 

Geoffrey Wilson, Partner

Date: _____

CITY OF WOODLAND PARK, COLORADO

By: _____

Title: _____

Date: _____

ATTEST:

By: _____
Suzanne Leclercq, Asst. City Manager
and City Clerk

EXHIBIT A

Schedule of Costs

1. **Long Distance Telephone Charges:** There is no charge for long distance calls.
2. **Faxes:** There is no charge for faxes received or for faxes sent within the local calling area. For faxes sent outside of the local calling area, the Client is charged for the long distance telephone connection.
3. **Copying and Scanning:** Document scanning and copying charges are \$.10 per page for black and white copies, and \$.50 per page for color copies made within the Firm. Copying, collating, binding, and scanning performed outside the Firm shall be charged at actual cost. The decision to use outside scanning, copying, collating and binding services shall be made on a case-by-case basis as the circumstances require.
4. **Deliveries:** Items delivered by commercial messenger service are billed at the actual rate charged by the service.
5. **Legal Research:** The charge to the Client includes the usage amount billed directly to the Firm from its on-line legal research provider in relation to the Client's case.
6. **Mileage:** Mileage is charged at a rate consistent with the guidelines published by the IRS.
7. **Lodging:** Costs of lodging, when authorized by the City, are passed along at the actual amount paid.
8. **Other Costs:** Other third party costs will be billed to Clients at the same rate the Firm is billed for the third party services.

WILSON WILLIAMS LLP
PRIVACY POLICY NOTICE

Attorneys, like other professionals, who advise on certain personal matters, are required by federal law to inform their Clients of their policies regarding privacy of Client information. Attorneys have been and continue to be bound by professional standards of confidentiality that are even more stringent than those required by this privacy policy. Therefore, please understand that your privacy is important to us and we will always protect your right to privacy. Maintaining your trust and confidence is a high priority to this law firm. The purpose of this notice is to comply with the law by explaining our privacy policy with respect to your personal information.

NONPUBLIC PERSONAL INFORMATION WE COLLECT:

In the course of providing our Clients with legal services, we collect personal and financial information about our Clients that is not available to the public and which is provided to us by our Clients or obtained by us with their authorization or consent.

PRIVACY POLICY:

As a Client of Wilson Williams LLP, rest assured that all nonpublic personal information that we receive from you is held in confidence, and is not released to people outside the firm, except as agreed to by you, or as is permitted or required by law and applicable ethics rules.

CONFIDENTIALITY AND SECURITY:

We retain records relating to professional services that we provide so that we are better able to assist you with your professional needs and, in some cases, to comply with professional guidelines. We restrict access to nonpublic, personal information about you to those people in the firm who need to know that information to provide services to you (and their support personnel). In order to guard your nonpublic personal information, we maintain physical, electronic, and procedural safeguards that comply with our professional standards as well as federal regulations.

Please call the attorney you work with if you have any questions. Your privacy, our professional ethics, and the ability to provide you with quality service are very important to us.



City of Woodland Park Staff Report for City Council

Meeting Date: August 5, 2021

<u>Agenda Item</u>	<u>Department</u>	<u>Presenter</u>
8A & 10C	Utilities Office	Kip Wiley Utilities Director

ITEM:

Ordinance 1401 and Resolution 878. Approval of certain water shares

BACKGROUND:

Resolution 878 authorizes the Mayor and City Clerk to enter into a contract for the City's purchase of 0.6 shares of stock in the Twin Lakes Reservoir and Canal Company from David and Susan Jordan. Ordinance 1401 is the acceptance of the 0.6 Twin lake shares as they are considered real property. The Twin Lakes shares are extremely vital to our water customers. Twin Lakes Reservoir shares produce transbasin water as well as providing water storage space in Twin Lakes Reservoir. The water that is produced from the shares is fully consumable water and the City uses this water to replace the consumable portion of our local water therefore making it legal to pump water from our local water sources. This share purchase does not expand our available water however it ensures our water security for future years.

All parties have accepted our offer for the 0.6 Twin Lakes shares. This will be a onetime cash payment. The City did not use a water broker for this purchase and therefore was able to save some money. This contract is structured so that the City will pay for and take delivery of the water this year. The purchase will be funded with water capital funds from the Water Utility Enterprise. We cannot predict when reservoir shares might become available and this expense was not included in the 2021 budget. The fund balance for the Water Enterprise is healthy and we are in a great position to take this opportunity to help secure our water future.

STAFF RECOMMENDATION:

Approve Ordinance 1401 on initial posting and Resolution 878, authorizing the Mayor and City Clerk to execute and attest the Water Purchase Contract with David and Susan Jordan for 0.6 Twin Lakes Reservoir shares.

**CITY OF WOODLAND PARK
ORDINANCE NO. 1401, SERIES 2021**

AN ORDINANCE APPROVING THE PURCHASE OF CERTAIN WATER SHARES.

WHEREAS, pursuant to Charter Section 12.3, the City is empowered to buy water rights; and

WHEREAS, pursuant to Resolution No. 878, Series 2021, the City Council authorized entering into contracts for the purchase of certain water shares, which water shares are more specifically described in Exhibit A attached hereto and incorporated by this reference (the "Shares"), subject to the terms and conditions contained in said contracts and subject to the provisions of the Woodland Park Municipal Charter, Section 15.2, requiring an ordinance be adopted for the purchase of real property; and

WHEREAS, the City has conducted the necessary due diligence under the terms of the contracts; and

WHEREAS, the sellers of the Shares have agreed to sell the Shares to the City of Woodland Park; and

WHEREAS, pursuant to Charter Section 15.2, the City Council by ordinance may purchase interests in real property, and the Shares constitute real property.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO ORDAINS as follows;

Section 1. The City Council hereby approves the purchase of the Shares and authorizes and directs the City Manager or the Utilities Director to effect the closing on the purchase of the Shares and authorize them to execute the documents necessary to effect the closing.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING, FOLLOWING PUBLIC HEARING, THIS _____ DAY OF _____, 2021.

Hilary LaBarre, Mayor Pro-Tem

ATTEST:

Suzanne Leclercq, City Clerk

EXHIBIT A
The Water Shares

David and Susan Jordan
10762 County Road C.5
Olney Springs, CO 81062

0.6 Shares

**CITY OF WOODLAND PARK
ORDINANCE NO. 1402, SERIES 2021**

**AN ORDINANCE VACATING THE LOT LINE AND ABUTTING PUBLIC UTILITIES,
DRAINAGE, AND PRIVATE ACCESS EASEMENTS**

WHEREAS, Jon-Paul (aka Jon Paul) Schulman and Jill Marie Schulman (Property Owner) owns Lot 14C, Fairway Pines Filing No. 2C and Lot 15, Fairway Pines Filing No. 2 (240 and 250 Iron Eagle Point); and

WHEREAS, the platting of these lots included the dedication of easements for public utilities, drainage and private access through the south half of lot 14C and 5-foot wide public utility and drainage easements on each side of the common property line between Lots 14C and 15 to the City of Woodland Park (City); and

WHEREAS, the Property Owner is requesting the vacation of the common lot line between Lots 14C and 15 plus the abutting 5-foot wide public utility and drainage easements on either side of the common lot line and the public utilities, drainage and private access through the south half of lot 14C; and

WHEREAS, based on the findings contained in the Staff Report and as presented at the public hearing on August 19, 2021;

NOW, THEREFORE THE CITY OF WOODLAND PARK, COLORADO, ORDAINS as follows:

Section 1. The common lot line between Lots 14C and 15 plus the abutting 5-foot wide public utility and drainage easements on either side of the common lot line and the public utilities, drainage and private access through the south half of lot 14C are all hereby vacated, as illustrated in Exhibit A attached hereto; and

Section 2. The new, combined lot shall be referred to and legally described as Lot 15R, Fairway Pines Filing No. 2 and, except as vacated herein, all plat configurations, easements, dedications and notes on the Fairway Pines Filing No. 2 and Fairway Pines Filing No. 2C final plats remain valid, in full force and effect; and

Section 3. Should any article, section, clause or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the balance of this Ordinance.

Section 4. The City shall cause this Ordinance and all Exhibits to be recorded in the Teller County real property records and said Ordinance and Exhibits shall be in full force and effect from and after its publication as required by law.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING, FOLLOWING PUBLIC HEARING, THIS _____ DAY OF _____, 2021.

Mayor Pro-Tem Hilary Labarre

ATTEST: _____
City Clerk Suzanne Leclercq



City of Woodland Park City Council Memo

Initial Posting: August 5, 2021, 7pm

<u>Agenda Item</u>	<u>Department</u>	<u>Presenter</u>
9.A.	Planning	Sally Riley Planning Director

AGENDA ITEM 9.A: Approve Ordinance No. 1397, Series 2021 on repealing the 180-day occupancy limitation for the definitions of Recreational Park Trailers and Recreational Vehicles. **(L)**

BACKGROUND

1. After a robust discussion on May 27, 2021, the Planning Commission tabled Ordinance No. 1397 to June 24th to hold a work session on June 10th and consider policies associated with the existing land use expectations for the three existing campgrounds/RV Parks in Woodland Park.
2. During the June 10, 2021 work session, based upon a Planning Commission suggestion, Staff presented an “administrative policy” allowing the existing RV Parks and Campgrounds to operate as they currently exist. This administrative policy would ensure that:
 - a. existing and future campers are not evicted;
 - b. vehicles and trailers within the campground are registered, insured & mobile;
 - c. campground or number of spaces or land use does not expand; and
 - d. upkeep, care and condition of the property and vehicles are maintained.
3. See attached summary of the June 10, 2021 Planning Commission work session.
4. On June 16, 2021, Planning Staff met with Jeff and Jean Baldwin and suggested that the City could issue a “status quo” letter to each RV/campground property owner as assurance that their business could continue “as is” with no enforcement of the ambiguous terminology of temporary, short-term or transient. The official letters will also establish a land use baseline unique to each business (i.e., number of spaces, number of park models, campground rules, etc.). Furthermore, the owners will be informed that if changes are desired to the 2021 land use baseline, then the owners will be obligated to make request through a public process, such as:
 - a. Woodland RV Park = Amendment to the current PUD zoning
 - b. Bristlecone Lodge and RV Park = Establish a Conditional Use Permit (CUP)
 - c. Diamond Campground = Amendment to their 1976 CUP
5. On June 24, 2021, the Planning Commission held a Public Hearing and voted 5 -1 to recommend approval of Ordinance No. 1397. The PC’s minutes are attached.

RECOMMENDATION: To approve Ordinance No. 1397 to repeal the 180-day occupancy limitation for the definitions of Recreational Park Trailers and Recreational Vehicles.

**CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. 1397, SERIES 2021**

AN ORDINANCE REPEALING THE 180-DAY OCCUPANCY LIMITATION AS IT RELATES TO THE DEFINITIONS OF RECREATIONAL PARK TRAILERS AND RECREATIONAL VEHICLES.

WHEREAS, the City of Woodland Park has become aware of several potential unintended consequences with the passage and application of Ordinance 1383, Series 2020 as it relates to the operation of campgrounds and recreation vehicle parks; and,

WHEREAS, the City Council determines that the unintended impacts to the property values of recreation vehicle parks and to the people currently residing within the City at recreational vehicle parks could create immediate harm if the current definitions are applied without further consideration; and,

WHEREAS, the City Council after public hearing deems it to be in the City's best interest to repeal the 180-day occupancy limitation as it relates to the definitions of Recreational Park Trailers and Recreational Vehicles.

NOW, THEREFORE, THE CITY OF WOODLAND PARK, COLORADO, ORDAINS:

Section 1. Code Revision. The City Council of Woodland Park hereby declares that the 180-day occupancy limitation contained in the definitions for Recreation Park Trailers and Recreation Vehicles is repealed as follows:

18.06.405. "Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters ~~of no more than 180 days~~ for recreational, camping, or seasonal use that is built on a single chassis mounted on wheels. Recreational park trailers are typically constructed in compliance with applicable American National Standards Institute (ANSI) standard A 119.5. Recreational park trailers are only allowed in recreational vehicle parks and/or campgrounds.

18.06.410. "Recreational vehicle" means a vehicle which is manufactured, constructed, or equipped primarily for use as a self-propelled home, house car, or mobile living quarters, capable of being legally operated on the highways, and containing permanently installed essential living facilities for intermittent or short-term occupation ~~of no more than 180 days~~. This term shall not include any towed utility trailer, nor shall it include any vehicle defined in the license and registration laws as an automobile or passenger bus.

Section 2. Effective Date. Pursuant to the Woodland Park Charter Article VII Section 7.5, this Ordinance shall take effect seven (7) days after publication following final passage.

Section 3. Savings Clause. Should any article, section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the balance of this Ordinance.

PASSED BY CITY COUNCIL ON FIRST AND FINAL READING AS AN EMERGENCY ORDINANCE THIS _____ DAY OF _____, 2021.

Mayor Pro-tem Hilary LaBarre

ATTEST:

Suzanne Leclercq, City Clerk

WOODLAND PARK PLANNING COMMISSION MEETING MINUTES for June 24, 2021 – 7:00 PM

Council Chambers, 220 W South Avenue, Woodland Park

This meeting was a hybrid meeting with in-person and virtual attendance. The Zoom meeting link is in the calendar on the City website front page. Public input is very important to the Planning Commission. Comments were encouraged in writing in advance of the meeting to be submitted by mail to the Planning Department at PO Box 9007, Woodland Park, CO, 80866 or email to sriley@city-woodlandpark.org.

1. ORDER AND ROLL CALL. Order was called at 6:58 p.m.

Present Chairman Jon DeVaux
Present Vice-Chairman Ken Hartsfield
Present Commissioner Lee Brown
Present Commissioner Larry Larsen
Present Commissioner Ellen Carrick
Present Commissioner Al Bunge
Staff Present: Planning Director Sally Riley, City Planner Lor Pellegrino

2. APPROVAL OF MINUTES. The June 10, 2021 minutes were approved, as amended.

3. PUBLIC HEARINGS

A. Consider Ordinance No. 1397 repealing the 180-day occupancy limitation as it relates to the definitions of Recreational Park Trailers and Recreational Vehicles. (City Council Public Hearing 7 p.m. – July 15, 2021) (L)

Director Riley presented a verbal overview of the Ordinance No. 1397 which simply removes the 180 day limitation from definitions for RV Park Trailers and RVs. She clarified that upon Council approval, “status quo” letters would be sent to each RV/campground property owner as assurance that their business could continue as is with no enforcement of the ambiguous terminology of temporary, short-term or transient. The official letters will also establish a land use baseline (i.e., number of spaces, number of park models, campground rules, etc.) unique to each business. Furthermore, the owners will be informed that if changes are desired to the 2021 land use baseline, then the owners will be obligated to make request through a public process (Woodland RV Park = Amendment to the current PUD zoning; Bristlecone Lodge and RV Park = Establish a Conditional Use Permit; and, Diamond Campground = Amendment to their 1976 CUP). Staff recommended that the Planning Commission recommend that City Council approve Ordinance No. 1397 repealing the 180-day occupancy limitation with the understanding that “status quo” letters be sent to each property owner that establishes a land use baseline and requires a public hearing process if changes to the baseline are proposed by the current or future owners.

Commissioner Carrick asked what “etc.” meant. Director Riley stated it is meant to capture future uses or circumstances. Commissioner asked how many Park Models are in Woodland RV Park and Director Riley confirmed four (4) currently exist and any more would require a PUD amendment.

The Chairman opened the public comment portion of the meeting.

Karl Kiermayr (1280 Shady Crest Circle) would like to keep the 180 day limit. As a resident, he believes allowing permanent occupancy of RVs will turn them into mobile home parks and that is not desirable.

Linda Martin (925 Sun Valley Drive) is disappointed that the Commissioners seem to be more concerned about the resale of campgrounds that are currently violating regulations. She believes businesses should be moral and ethical and should follow standards. She believes these campgrounds will turn into trailer parks which will decrease surrounding property values. She wonders who is protecting property owners.

The Chairman closed the public comment portion of the meeting.

Commissioner Hartsfield would like to keep the 180 day limit and asked about the enforcement and binding effect of the status quo letter. He is concerned that it is an unorthodox approach that skirts the violation issue. He supports temporary and short term occupancy of RVs. He recommends that the City produce regulations (a zone district) wherein permanent occupancy of RVs can occur. Director Riley stated that the letter clarifies the City position for current and future owners much like nonconforming letters do and provides clarity to the businesses regarding the City's position to not evict current tenants. She stated that the City Attorney recommends a clarification letter since codification is ill advised.

Commissioner Larsen supports removing the 180 day limit but suggested that the word "understanding" be changed to "required" for the letter.

Commissioner Brown supports removing the 180 day limit and suggests that the status quo letter not be "understood" or "required" but simply be a staff process. He suggests that the best way to protect temporary occupancy is to remove the 180 day limit.

Chairman DeVaux supports removing the 180 day limit. He wants to keep the RV Parks and Campgrounds as they are and allow them to operate as they have been for decades. He also stated that the Planning Commission can continue to work on this issue (i.e., new regulations, or new zone district) at the request of Council.

Commissioner Brown moved, and Commissioner Bunge seconded, that City Council approve Ordinance No. 1397 repealing the 180-day occupancy limitation.

YES: Brown, Bunge, DeVaux, Carrick, Larsen **NO:** Hartsfield Motion **PASSES**

Director Riley stated that the ordinance will be before Council for first reading on July 1, 2021 and public hearing on August 5, 2021.

4. REPORTS

- A. The Planning Director presented the May 2021 Planning and Building Department Report noting that there are a total of 131 potential new residential units either planned or under construction in various location throughout the City. A discussion ensued about water availability.
- B. The Planning Director distributed a schedule for the July and August Planning Commission meetings. In addition to any cases, work sessions are scheduled for the review of the ~~Envision Woodland Park 2030 draft chapters. She reminded everyone about the final subcommittees meeting on Monday June 28th, 6 PM at the Ute Pass Cultural Center.~~

5. **ADJOURN.** The regular meeting was adjourned at 8:11 pm.

6. WORK SESSION

A. Envision Woodland Park 2030 Comprehensive Plan Land Use Map.

Director Riley described the 2010 Comprehensive Plan land use map and the draft 2030 future land use map (FLUM). She reviewed in detail the nine 2010 land use categories as compared with the proposed 14 land use categories shown on the 2030 FLUM. The general opinion of the Commissioners is that fewer categories is better. Staff will work with Logan Simpson to refine the 2030 FLUM and bring back to the Planning Commission for their continued review and refinement.

The work session ended at 8:41 pm.

Approved this 22 day of July, 2021 by Jon DeVaux
Jon DeVaux, Chairman

**CITY OF WOODLAND PARK, COLORADO
RESOLUTION NO. 879, SERIES 2021**

A RESOLUTION CONCERNING REMOTE COUNCIL MEETINGS, AND IN CONNECTION THEREWITH AMENDING THE WOODLAND PARK COUNCIL RULES OF PROCEDURE TO ESTABLISH PARAMETERS FOR SUCH PARTICIPATION.

WHEREAS State law permits remote participation in meetings of local public bodies, but does not prescribe procedures or parameters for such participation, and

WHEREAS the City Council of the City of Woodland Park recognizes that in-person participation in meetings of the Council ought to be the rule, with remote participation an occasional exception, and

WHEREAS the City Council of the City of Woodland Park therefore finds, determines, and declares that it is in best interests of the Council and the public to set forth limits and requirements that must be met in order to allow remote participation and attendance for City Council Meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO:

Section 1. The Woodland Park City Council Rules of Procedure are amended by the addition of a new section 4.5, as follows:

4.5 Remote Participation in a Regular or Special Meeting

Meetings of the City Council shall be primarily conducted in-person at City Hall. Generally, a Councilperson's participation in a meeting shall be in-person at City Hall unless the Councilperson has reason to be away for either personal or health reasons. However, individual Councilpersons may participate in meetings by telephone or electronically using a platform approved by the City. Members of Council may participate remotely in council meetings subject to the following rules and procedure.

- i. **Requirements for Remote Participation in Meetings.** Remote participation in meetings will be permitted in limited circumstances only. A council member may participate in a meeting remotely provided one of the following situations exists:
 1. Personal illness or disability prevents participation in the meeting in person.
 2. Family or other personal emergency.
 3. An unforeseeable event requires remote participation, such as declaration of a national state or local emergency covering the city.

- ii. **Meeting requirements concerning remote participation.** Council may permit remote participation in a meeting, provided that all of the following standards are met.
 - 1. All members of the City Council can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation.
 - 2. City Council Members and Members of the public present at the meeting location can hear or read all discussion, testimony and votes.
 - 3. At least one member of the City Council is present at the meeting location.
 - 4. All votes are conducted by roll call.
 - 5. Telephonic or electronic participation shall only occur using a telephonic or electronic platform approved by the City.
 - 6. To the extent possible, the notice given to the public setting forth the time of the meeting shall also include notice that some members of the City Council may participate by telephone or electronic device.

- iii. **Arranging for remote participation.** To arrange to participate remotely, a Council member shall:
 - a. Contact the City Clerk in writing, as far in advance of the meeting as possible, to:
 - (a) indicate the basis on which the Councilmember is requesting the opportunity to participate remotely, as set forth in paragraph 4.5(i) of these Rules, and (b) to permit the clerk to determine if an arrangement for remote participation is possible.
 - b. If the basis for requesting remote participation is proper and remote participation in the meeting is possible, remote participation may be permitted, and the City Clerk shall, if time permits, indicate on the public notice of the meeting that a particular Councilmember will be participating remotely.

- iv. **Public Participation.** For meetings where it is practical for City Council to utilize an electronic communication platform (e.g. Zoom, WebEx), members of the public may participate in such meetings and make comments at such times as are designated by the Mayor. The City may impose requirements on public participation by electronic means such as requiring a member of the public to send an email to the Clerk prior to the meeting if they desire to present on an item not on the agenda or requiring a member of the public to give notice to City staff in advance or during the meeting of their desire to comment on a specific agenda item.

- v. **Limitations on Remote Participation.**
 - a. Remote participation shall constitute attendance for purposes of establishing a quorum for meetings.

- b. In the event that City Council holds an executive session, participants shall be authorized to attend remotely. A Council Member participating in an executive session remotely shall: (a) have a secure telephone or electronic connection, and (b) certify that they are the only person in the room and that no other person has access to the executive session. Any executive session conducted under this policy shall be recorded electronically as provided for by statute

- vi. **Reasonable Accommodations.** The City may provide reasonable accommodation and waive or modify provisions of this Policy for the benefit of members of the City Council, commission, board or the public with a disability.

The foregoing Resolution was adopted by the City Council of, Woodland Park, Colorado, on the ___ day of _____, 2021.

Honorable Mayor Pro Tem LaBarre

ATTEST:

Suzanne Leclercq, City Clerk

**CITY OF WOODLAND PARK
RESOLUTION NO. 880, SERIES 2021**

A RESOLUTION ACTIVATING THE COUNCIL'S ADVISORY COMMITTEE KNOWN AS THE CHARTER REVIEW COMMITTEE, ORIGINALLY ESTABLISHED IN 2000 FOR THE PURPOSE OF CONTINUED REVIEW OF THE CITY'S HOME RULE CHARTER.

WHEREAS, the City of Woodland Park is a Home Rule municipality with a citizen adopted Charter established in 1976; and,

WHEREAS, any additions, deletions or amendments to the Charter must be approved by the electorate; and,

WHEREAS, the City Council of the City of Woodland Park is desirous of activating the citizen committee, known as the Charter Review Committee, to review the City's Home Rule Charter and present a report concerning that process to the City Council.

NOW, THEREFORE, be it resolved by the City Council of the City of Woodland Park:

Section 1. That the City Council hereby activates the Charter Review Committee for the purpose of review of the City's Home Rule Charter.

Section 2. That three Councilmembers be named to the Charter Review Committee.

Section 3. That the City Council shall make four additional appointments to this Committee following the process routinely used by the City Council for selecting members of boards and commissions and other advisory committees, including advertising for applications and conducting interviews.

Section 4. That each Charter Review Committee member shall be at least eighteen (18) years of age and have been a resident of the City for not less than one year at the time of his or her appointment. Charter Review Committee Members shall serve without compensation.

Section 5. That the City Council shall provide this Committee with criteria, if needed, concerning the process, public hearings, and any other information requested by the Committee.

Section 6. That the Charter Review Committee shall have the necessary clerical and legal support to complete its review.

Section 7. That the Charter Review Committee shall provide a report of findings to the City Council upon completion of review of the City's Home Rule Charter.

Section 8. That the Charter Review Committee shall be de-activated on the first anniversary of the adoption date of this Resolution.

ADOPTED THIS _____ DAY OF _____, 2021

Hilary LaBarre, Mayor Pro-tem

ATTEST:

Suzanne Leclercq, City Clerk

CITY OF WOODLAND PARK, COLORADO
RESOLUTION NO. 878, SERIES 2021

A RESOLUTION AUTHORIZING THE PURCHASE OF WATER SHARES FROM CERTAIN SELLERS, AND APPROPRIATING CASH FROM THE ENTERPRISE FUNDS FOR SAID PURCHASE, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST RESPECTIVELY THE CONTRACTS WITH SAID SELLERS.

WHEREAS, the City Council of the City of Woodland Park is desirous of enhancing the City's water supply; and,

WHEREAS, shares of Twin Lakes water are currently available for purchase at a competitive price; and,

WHEREAS, said purchase will result in cost savings to the City over a period of years.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND PARK THAT:

The purchases of water shares from certain purchasers identified in Exhibit A attached hereto and made a part hereof (the "Sellers"), are hereby authorized and approved under the terms and conditions contained in the contracts with Sellers.

The Mayor and City Clerk are hereby authorized to execute and attest respectively the contracts with Sellers.

The payment for the purchase of said water shares in the amount of \$26,100.00, plus a contingency of \$1,000.00, shall be made from the Water Enterprise Fund.

This Resolution shall be effective immediately upon its passage.

PASSED AND ADOPTED at a regular meeting held this _____ day of _____, 2021.

Hilary LaBarre, Mayor Pro-tem

ATTEST:

Suzanne Leclercq, City Clerk

EXHIBIT A

List of Sellers of Water Shares

David and Susan Jordan
10762 County Road C.5
Olney Springs, CO 81062

0.6 Shares