

# **City Council**

## **Agenda**

**January 5, 2010**  
**City Hall, Council Chambers**  
**749 Main Street**  
**7:00 PM**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF AGENDA**
- 4. CONSENT AGENDA**

"The following items on the City Council Agenda are considered routine by the City Manager and shall be approved, adopted, accepted, etc., by motion of the City Council and roll call vote unless the Mayor or a City Council person specifically requests that such item be considered under "Regular Business." In such an event the item shall be removed from the "Consent Agenda" and Council action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading "Consent Agenda" will appear in the Council Minutes in their proper order.

- A. Approval of Bills**
- B. Approval of Special Meeting Minutes December 7 – 8, and Meeting Minutes December 15, 2009**
- C. Approval of Designation of Places for Posting of Notices of Public Meetings**
- D. Approval of Contracts for Coordinator for July 4<sup>th</sup> and Fall Festival Events**

- 5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

It is requested that public comments be limited to 3 minutes. When several people wish to speak on the same position on a given item, they are requested to select a spokesperson to state that position.

- 6. COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA** (Council general comments are scheduled at the end of the Agenda.)

- 7. CITY MANAGER'S REPORT**

- 8. REGULAR BUSINESS**

- A. CITY ATTORNEY AND WATER ATTORNEY APPOINTMENTS**

Action

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#### **Citizen Information**

If you wish to speak at the City Council meeting, please fill out a sign-up card and present it to the City Clerk.

Persons with disabilities planning to attend the meeting who need sign language interpretation, assisted listening systems, Braille, taped material, or special transportation, should contact the City Manager's Office at 303 335-4533. A forty-eight-hour notice is requested.

**B. BI-MONTHLY ECONOMIC DEVELOPMENT UPDATE**

Staff Presentation  
Public Comments (Please limit to three minutes each)  
Council Questions & Comments  
Action

**C. ORDINANCE NO. 1563, SERIES 2009 - AN  
ORDINANCE REGARDING POWERS AND DUTIES OF  
THE LIBRARY BOARD OF TRUSTEES AND BYLAWS  
REVISIONS FOR THE LIBRARY BOARD OF  
TRUSTEES – 2<sup>ND</sup> Reading – Public Hearing (Advertised *Daily  
Camera 12/20/2009*)**

City Attorney Introduction  
Mayor Opens Public Hearing  
Staff Presentation  
Public Comments (Please limit to three minutes each)  
Council Questions & Comments  
Additional Public Comments  
Mayor Closes Public Hearing  
Action

**D. ORDINANCE NO. 1564, SERIES 2009 - AN  
ORDINANCE AMENDING SECTION 3.04.130 OF THE  
LOUISVILLE MUNICIPAL CODE RELATING TO  
LEASE-PURCHASE AND LONG-TERM LEASEHOLD  
AGREEMENTS - 2<sup>ND</sup> Reading – Public Hearing (Advertised  
*Daily Camera 12/20/2009* )**

City Attorney Introduction  
Mayor Opens Public Hearing  
Staff Presentation  
Public Comments (Please limit to three minutes each)  
Council Questions & Comments  
Additional Public Comments  
Mayor Closes Public Hearing  
Action

**E. DISTRIBUTION OF OPEN GOVERNMENT PHAMPLET**

Action

**9. CITY ATTORNEY'S REPORT**

**10. COUNCIL COMMENTS AND COMMITTEE REPORTS**

**11. ADJOURNMENT**

		FOR BANK ACCOUNT: 3 FIRST NATIONAL BANK OF COLO				General Operating Account			
Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt	
640	BOULDER COUNTY FINANCE								
103109	NOV 09 BOULDER COUNT	10/31/09	11/30/09	10/31/09	5,892.64	.00	5,892.64	5,892.64	
1205	COLORADO DEPT OF REVENUE								
113009	2010 SALES TAX LICEN	11/30/09	12/30/09	11/30/09	16.00	.00	16.00		
	NOV09SALES NOV 09 REC CENTER SA	11/30/09	12/30/09	11/30/09	49.00	.00	49.00	65.00	
2786	KATHY KRON								
121109	EXPENSE REPORT 10/26	12/11/09	01/10/10	12/11/09	58.58	.00	58.58	58.58	
3810	POSTMASTER/(PERMITS)								
2009-12	UTB PERMIT #4 POSTAG	12/11/09	01/10/10	12/11/09	1,000.00	.00	1,000.00		
2009-12	UTB PERMIT #4 POSTAG	12/11/09	01/10/10	12/11/09	1,000.00	.00	1,000.00	2,000.00	
3875	XCEL ENERGY								
220333360	NOV 09 GROUP ENERGY	12/08/09	01/07/10	12/08/09	32,021.10	.00	32,021.10		
220333360	NOV 09 GROUP ENERGY	12/08/09	01/07/10	12/08/09	9,459.42	.00	9,459.42		
220333360	NOV 09 GROUP ENERGY	12/08/09	01/07/10	12/08/09	13,487.09	.00	13,487.09	54,967.61	
5255	FAMILY SUPPORT REGISTRY								
121109	EMPLOYEE GARNISHMENT	12/11/09	01/10/10	12/11/09	202.38	.00	202.38	202.38	
5432	LOUISVILLE FIRE PROTECTION								
113009	NOV 09 FIRE PROTECT	11/30/09	12/30/09	11/30/09	625.00	.00	625.00	625.00	
9319	AMERICAN DATA GROUP INC								
8098	FMS/UBS CONVERSION	11/30/09	12/30/09	11/30/09	9,120.00	.00	9,120.00		
8098	FMS/UBS CONVERSION	11/30/09	12/30/09	11/30/09	1,260.00	.00	1,260.00		
8098	FMS/UBS CONVERSION	11/30/09	12/30/09	11/30/09	1,260.00	.00	1,260.00	11,640.00	
10351	US BANK								
2517840	PAYING AGENT FEES	11/25/09	12/25/09	11/25/09	500.00	.00	500.00	500.00	
11094	WESTERN DISPOSAL SERVICES								
120309	NOV 09 RESIDENTIAL S	12/03/09	01/02/10	12/03/09	83,934.07	.00	83,934.07	83,934.07	
11324	XCEL ENERGY								
219492023	NOV 09 SPRINKLERS	12/01/09	12/31/09	12/01/09	360.01	.00	360.01	360.01	
11371	XCEL ENERGY								
219492035	NOV 09 FLASHERS	12/01/09	12/31/09	12/01/09	20.26	.00	20.26		
219492564	NOV 09 STREET LIGHTS	12/01/09	12/31/09	12/01/09	44,437.40	.00	44,437.40		
219492649	NOV 09 TRAFFIC LIGHT	12/01/09	12/31/09	12/01/09	1,127.75	.00	1,127.75	45,585.41	

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Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt
121109	EMPLOYEE GARNISHMENT	12/11/09	01/10/10	12/11/09	325.00	.00	325.00	325.00
12712	UNITED STATES TREASURY							
121109	EMPLOYEE GARNISHMENT	12/11/09	01/10/10	12/11/09	65.00	.00	65.00	65.00
13009	EIDE BAILLY							
106793	PRELIM 2009 AUDIT SE	11/30/09	12/30/09	11/30/09	3,652.00	.00	3,652.00	
106793	PRELIM 2009 AUDIT SE	11/30/09	12/30/09	11/30/09	3,154.00	.00	3,154.00	
106793	PRELIM 2009 AUDIT SE	11/30/09	12/30/09	11/30/09	1,494.00	.00	1,494.00	8,300.00
13109	BONNIE STAR							
121009	EXPENSE REPORT 9/30-	12/10/09	01/09/10	12/10/09	72.60	.00	72.60	72.60
13238	VARGO & JANSON							
121109	WAGE ASSIGNMENT PP#2	12/11/09	01/10/10	12/11/09	100.00	.00	100.00	100.00
TOTAL PAYMENTS					214,693.30	.00	214,693.30	214,693.30

		FOR BANK ACCOUNT: 3 FIRST NATIONAL BANK OF COLO				General Operating Account			
Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt	
13343	CAROL BARRETT								
121709	EXPENSE REPORT 12/2-	12/17/09	01/16/10	12/17/09	36.85	.00	36.85	36.85	
11298	DELTA DENTAL OF COLORADO								
DELTA0110	007562-0000 JAN 10 E	12/22/09	01/21/10	12/22/09	11,161.19	.00	11,161.19	11,161.19	
13342	JOHN TAFOYA								
122209	TUITION REIMBURSEMEN	12/22/09	01/21/10	12/22/09	330.05	.00	330.05		
1222091	TUITION REIMBURSEMEN	12/22/09	01/21/10	12/22/09	344.24	.00	344.24		
1222092	TUITION REIMBURSEMEN	12/22/09	01/21/10	12/22/09	350.24	.00	350.24	1,024.53	
6455	KAISER PERMANENTE								
0011909755	05920-01-16 JAN 10 E	12/11/09	01/10/10	12/11/09	93,068.35	.00	93,068.35	93,068.35	
7735	LINCOLN FINANCIAL GROUP								
LIFE0110	000010008469 JAN 10	12/23/09	01/22/10	12/23/09	3,950.14	.00	3,950.14		
LTD0110	000010008470 JAN 201	12/23/09	01/22/10	12/23/09	2,058.06	.00	2,058.06		
LTDATP0110	ATP INCREASE 2010	12/23/09	01/22/10	12/23/09	47.00	.00	47.00	6,055.20	
2063	MICHAEL JONES								
122109	TRAVEL COLO SPRINGS	12/21/09	01/20/10	12/21/09	252.34	.00	252.34	252.34	
1655	PAUL BORTH								
122209	COMPUTER LOAN	12/22/09	01/21/10	12/22/09	1,274.00	.00	1,274.00	1,274.00	
3370	PETTY CASH - KAREN FREITER								
122109	PETTY CASH LIBRARY	12/21/09	01/20/10	12/21/09	195.00	.00	195.00	195.00	
8442	VISION SERVICE PLAN								
VSP0110	12 059727 0001 JAN 1	12/17/09	01/16/10	12/17/09	2,457.32	.00	2,457.32	2,457.32	
3876	XCEL - CONSTRUCTION								
120409	DESIGN PIERCE/DILLON	12/04/09	01/03/10	12/04/09	2,027.20	.00	2,027.20	2,027.20	
TOTAL PAYMENTS					117,551.98	.00	117,551.98	117,551.98	

FOR BANK ACCOUNT:			3 FIRST NATIONAL BANK OF COLO			General Operating Account		
Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt
55	Leon Nieb							
	U!00000637 3761:UTILITY REFUND	12/28/09	12/28/09	12/28/09	12.05	.00	12.05	
	U!00000637 3761:UTILITY REFUND	12/28/09	12/28/09	12/28/09	14.07	.00	14.07	
	U!00000637 3761:UTILITY REFUND	12/28/09	12/28/09	12/28/09	4.02	.00	4.02	30.14
55	Steve Speckmann							
	U!00000638 5826:UTILITY REFUND	12/28/09	12/28/09	12/28/09	537.12	.00	537.12	537.12
55	TOM & JENNIFER MCCOLLOM							
	U!00000639 15933:UTILITY REFUND	12/28/09	12/28/09	12/28/09	955.22	.00	955.22	955.22
TOTAL PAYMENTS					1,522.48	.00	1,522.48	1,522.48

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Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt	
13345	ABC-CLIO, LLC								
44520	ELECTRONIC REFERENCE	12/09/09	01/08/10	12/09/09	928.72	.00	928.72	928.72	
12589	ABRAHAMSON ENGINEERING, INC								
APP#4	REC CENTER HVAC REMO	11/06/09	12/06/09	11/06/09	11,330.67	.00	11,330.67	11,330.67	
11126	ACC LANDSCAPE SERVICES								
772	WINTERIZE IRRIGATION	12/18/09	01/17/10	12/18/09	1,561.00	.00	1,561.00	1,561.00	
5369	ACCUTEST MOUNTAIN STATES INC								
DY-5498	LAB ANALYSIS FEES	12/07/09	01/06/10	12/07/09	566.00	.00	566.00	566.00	
12714	ACTIVE MINDS								
5475	WORLD ISSUES CLASS	11/25/09	12/25/09	11/25/09	185.00	.00	185.00	185.00	
13254	AGE, INC								
APP#1	TRAIL RESURFACE DAVI	12/17/09	01/16/10	12/17/09	13,297.50	.00	13,297.50	13,297.50	
8791	AIR CONDITIONING ASSOC, INC								
S673894	SERVICE SWTP	11/25/09	12/25/09	11/25/09	599.27	.00	599.27		
S673903	SERVICE SHOPS	11/25/09	12/25/09	11/25/09	658.38	.00	658.38	1,257.65	
1006	ALL CURRENT ELECTRIC, INC								
1789	REPLACED CONDUIT LRC	12/02/09	01/01/10	12/02/09	404.40	.00	404.40		
1790	INST CONDUIT SATELLI	12/02/09	01/01/10	12/02/09	130.18	.00	130.18		
1791	REHANG CONDUIT ON RO	12/02/09	01/01/10	12/02/09	265.47	.00	265.47		
1792	REPLACE CONDUIT EXIT	12/02/09	01/01/10	12/02/09	319.70	.00	319.70		
1799	ELEC BREAKER BOX NP	12/15/09	01/14/10	12/15/09	2,492.54	.00	2,492.54		
1800	TRACE WIRING FILTER	12/15/09	01/14/10	12/15/09	1,425.00	.00	1,425.00	5,037.29	
9891	AMBIANCE								
9753	DEC 09 PLANT CARE	12/10/09	01/09/10	12/10/09	175.00	.00	175.00	175.00	
13094	AMSTEC								
17348	HOSTING SHOP LSVL WE	12/10/09	01/09/10	12/10/09	10.00	.00	10.00	10.00	
13264	BIOHABITATS								
9920010011	PRAIRIE DOG MAPPING	12/03/09	01/02/10	12/03/09	3,462.51	.00	3,462.51	3,462.51	
640	BOULDER COUNTY FINANCE								
121809	2009 COORDINATED ELE	12/18/09	01/17/10	12/18/09	8,734.00	.00	8,734.00		
227	JUL-DEC 09 DISPATCH	12/03/09	01/02/10	12/03/09	128,883.00	.00	128,883.00	137,617.00	
13085	BRADSHAW BUILDING SOLUTIONS								
398	BAS CONSULTING REC C	12/02/09	01/01/10	12/02/09	862.32	.00	862.32	862.32	

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Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt	
13344	BROWN HILL ENGR AND CONTROLS								
3777	BLOWER ELECTRICAL US	12/21/09	01/20/10	12/21/09	804.70	.00	804.70	804.70	
6210	BRUCE W. JOSS								
122209	DEC 09 MUNICIPAL JUD	12/22/09	01/21/10	12/22/09	1,600.00	.00	1,600.00	1,600.00	
935	CENTENNIAL PRINTING								
46239	ENVELOPES CITY CLERK	12/08/09	01/07/10	12/08/09	161.00	.00	161.00	161.00	
10773	CENTRIC ELEVATOR CORP								
203517	DEC 09 ELEVATOR SERV	12/01/09	12/31/09	12/01/09	196.20	.00	196.20		
203518	DEC 09 ELEVATOR SERV	12/01/09	12/31/09	12/01/09	359.55	.00	359.55		
203519	DEC 09 ELEVATOR SERV	12/01/09	12/31/09	12/01/09	212.05	.00	212.05		
203520	DEC 09 ELEVATOR SERV	12/01/09	12/31/09	12/01/09	216.27	.00	216.27	984.07	
1005	CHEMATOX LABORATORY, INC								
2499	DUI BLOOD ALCOHOL TE	12/05/09	01/04/10	12/05/09	17.50	.00	17.50		
2547	DUI BLOOD ALCOHOL TE	12/20/09	01/19/10	12/20/09	17.50	.00	17.50	35.00	
8533	CHURCHICH RECREATION, LLC								
692675	PIRATES PARK PLAYGRO	12/08/09	01/07/10	12/08/09	61,519.84	.00	61,519.84	61,519.84	
8885	CIRSA								
099393	VOL/SEASONAL/SAFE DR	10/01/09	10/31/09	10/01/09	455.95	.00	455.95	455.95	
12676	CIVIC RESULTS								
1470	2010 METRO MAYORS CA	01/01/10	01/31/10	01/01/10	1,346.59	.00	1,346.59	1,346.59	
11467	CLEAR CREEK CONSULTANTS								
971	COAL CR GAGING STATI	12/04/09	01/03/10	12/04/09	435.00	.00	435.00	435.00	
2545	COLORADO CHAPTER ICC								
120909	2010 MEMBERSHIP DUES	12/09/09	01/08/10	12/09/09	125.00	.00	125.00	125.00	
10916	COLORADO CODE CONSULTING								
2964	PLAN REVIEW	12/08/09	01/07/10	12/08/09	1,250.00	.00	1,250.00	1,250.00	
11264	COLORADO DEPT OF PUBLIC HEALTH								
500019426	WASTEWATER PERMIT FE	11/30/09	12/30/09	11/30/09	11,410.00	.00	11,410.00	11,410.00	
1290	COLORADO STATE UNIVERSITY								
EQL:1341	BIOSOLIDS ANALYSIS F	12/07/09	01/06/10	12/07/09	290.00	.00	290.00	290.00	

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Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt	
13213	COMBINED TACTICAL SYSTEMS								
28347	LESS LETHAL MUNITION	12/09/09	01/08/10	12/09/09	3,024.10	.00	3,024.10	3,024.10	
11169	COMMERCIAL FITNESS SOLUTIONS								
3359	CYBEX 750AT BODY ARC	12/04/09	01/03/10	12/04/09	3,760.00	.00	3,760.00	3,760.00	
12318	CROSS AND LIECHTY, PC								
9172	HAMON CONTRACTORS LI	11/30/09	12/30/09	11/30/09	35.25	.00	35.25	35.25	
201	DAVID DEPEW								
120509	NOV 09 SPIN BIKE MAI	12/05/09	01/04/10	12/05/09	150.00	.00	150.00	150.00	
13134	DEFALCO CONSTRUCTION CO								
4921	INST SKATE PARK DRIN	12/04/09	01/03/10	12/04/09	7,177.99	.00	7,177.99		
4923	UTILITY WORK SKATE P	12/18/09	01/17/10	12/18/09	1,032.47	.00	1,032.47	8,210.46	
1520	DRCOG								
15924	2010 PARTICIPATING M	12/15/09	01/14/10	12/15/09	3,200.00	.00	3,200.00	3,200.00	
2004	EDWIN STONER								
121109	INFO SYSTEM	12/11/09	01/10/10	12/11/09	3,760.00	.00	3,760.00	3,760.00	
11468	EMPLOYER'S COUNCIL SERVICES								
71121	CHANGE MANAGEMENT TR	11/25/09	12/25/09	11/25/09	1,800.00	.00	1,800.00	1,800.00	
6258	ENVIROTECH SERVICES, INC								
201002965	ICE SLICER	12/03/09	01/02/10	12/03/09	2,210.65	.00	2,210.65		
201002966	ICE SLICER	12/03/09	01/02/10	12/03/09	2,270.62	.00	2,270.62		
201002967	ICE SLICER	12/03/09	01/02/10	12/03/09	2,218.71	.00	2,218.71		
201003593	ICE SLICER	12/10/09	01/09/10	12/10/09	2,263.46	.00	2,263.46		
201003894	ICE SLICER	12/11/09	01/10/10	12/11/09	2,415.61	.00	2,415.61		
201003895	ICE SLICER	12/11/09	01/10/10	12/11/09	2,032.55	.00	2,032.55	13,411.60	
11466	ERIN WATSON								
121709	CONTRACTOR FEES - RU	12/17/09	01/16/10	12/17/09	1,591.80	.00	1,591.80	1,591.80	
12843	EXEMPLA HEALTHCARE EPN								
2093440181	PRE-EMPLOYMENT TESTI	12/10/09	01/09/10	12/10/09	531.00	.00	531.00	531.00	
1915	EXQUISITE ENTERPRISES, INC								
41013	DESK PLATES (PC, BOA	12/09/09	01/08/10	12/09/09	38.00	.00	38.00		
41014	DESK PLATE LICENSING	12/09/09	01/08/10	12/09/09	8.60	.00	8.60	46.60	
8076	EXTREME CARE								
71335	NOV 09 FITNESS EQUIP	12/01/09	12/31/09	12/01/09	325.00	.00	325.00	325.00	

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Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt
3085	FARM PLAN							
	LI29719 KUBOTA BEARING HOUS/	09/16/09	10/16/09	09/16/09	524.53	.00	524.53	
	LI30506 KUBOTA HITCH	11/12/09	12/12/09	11/12/09	724.69	.00	724.69	1,249.22
406	FISCHER CONSTRUCTION, INC.							
	975 BLOWER INSTALLATION	10/31/09	11/30/09	10/31/09	8,325.00	.00	8,325.00	8,325.00
2020	FISHER SCIENTIFIC CO, LLC							
	8635202 ORION 5 STAR PH METE	09/21/09	10/21/09	09/21/09	798.00	.00	798.00	798.00
6847	GENERAL AIR SERVICES							
	9709351-1 CYLINDER RENTALS	11/30/09	12/30/09	11/30/09	23.17	.00	23.17	23.17
13347	GLOBAL EQUIPMENT CO							
	103315467 PLASTIC STORAGE CABI	12/08/09	01/07/10	12/08/09	452.95	.00	452.95	452.95
11361	HARMONY LARKE							
	121809 CONTRACTOR FEES - AR	12/18/09	01/17/10	12/18/09	399.00	.00	399.00	399.00
12659	HELENE MARTINEZ							
	122409 FITZONE INSTRUCTOR R	12/24/09	01/23/10	12/24/09	100.00	.00	100.00	100.00
2475	HILL PETROLEUM							
	0223333-IN BIODIESEL TANK DELIV	12/04/09	01/03/10	12/04/09	200.00	.00	200.00	
	0223558-IN DIESEL FUEL WITH BIO	12/04/09	01/03/10	12/04/09	1,150.44	.00	1,150.44	
	0223666-IN UNLEADED FUEL	12/08/09	01/07/10	12/08/09	7,421.35	.00	7,421.35	
	223666A-IN DIESEL FUEL	12/08/09	01/07/10	12/08/09	3,789.49	.00	3,789.49	12,561.28
11267	INSIDE OUT HEALTH and FITNESS							
	112509 CONTRACTOR FEES - PI	11/25/09	12/25/09	11/25/09	315.00	.00	315.00	315.00
10772	INTEGRATED SAFETY SERVICES							
	09-3248 BACKFLOW/FIRE ALARM	11/13/09	12/13/09	11/13/09	516.00	.00	516.00	
	09-3249 FIRE SPRINKLER SYS I	11/13/09	12/13/09	11/13/09	210.00	.00	210.00	
	09-3273 FIRE SYS/ALARM INSPE	11/16/09	12/16/09	11/16/09	315.00	.00	315.00	
	09-3327 BACKFLOW/FIRE ALARM	11/20/09	12/20/09	11/20/09	981.96	.00	981.96	
	09-3345 FIRE EXT INSPECT PAR	11/25/09	12/25/09	11/25/09	81.93	.00	81.93	
	09-3346 FIRE EXT INSPECT ART	11/25/09	12/25/09	11/25/09	12.45	.00	12.45	
	09-3347 FIRE EXT INSPECT SHO	11/25/09	12/25/09	11/25/09	190.47	.00	190.47	
	09-3348 FIRE EXT INSPECT LRC	11/25/09	12/25/09	11/25/09	176.01	.00	176.01	
	09-3349 FIRE EXT INSPECT CH	11/25/09	12/25/09	11/25/09	88.82	.00	88.82	
	09-3350 FIRE EXT INSPECT WWT	11/25/09	12/25/09	11/25/09	66.51	.00	66.51	
	09-3351 FIRE EXT INSPECT SWT	11/25/09	12/25/09	11/25/09	99.05	.00	99.05	
	09-3352 FIRE EXT INSPECT NWT	11/25/09	12/25/09	11/25/09	74.70	.00	74.70	
	09-3353 FIRE EXT INSPECT STE	11/25/09	12/25/09	11/25/09	12.45	.00	12.45	
	09-3354 FIRE EXT INSPECT MUS	11/25/09	12/25/09	11/25/09	16.60	.00	16.60	
	09-3355 FIRE EXT INSPECT HAR	11/25/09	12/25/09	11/25/09	4.15	.00	4.15	
	09-3356 FIRE EXT INSPECT LIB	11/25/09	12/25/09	11/25/09	37.35	.00	37.35	
	09-3357 FIRE EXT INSPECT PAR	11/25/09	12/25/09	11/25/09	8.30	.00	8.30	2,891.75

		FOR BANK ACCOUNT: 3 FIRST NATIONAL BANK OF COLO			General Operating Account			
Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt
13338	INTRADO, INC							
83949	HARDWARE TOKEN LOG I	10/22/09	11/21/09	10/22/09	200.00	.00	200.00	200.00
13346	ISS FACILITY SERVICES							
30001887	NOV 09 FACILITY CLEA	11/30/09	12/30/09	11/30/09	782.53	.00	782.53	
30001887	NOV 09 FACILITY CLEA	11/30/09	12/30/09	11/30/09	13,481.23	.00	13,481.23	14,263.76
2730	JERICO SALES, INC							
29003	INDUSTRIAL WIPERS	10/30/09	11/29/09	10/30/09	717.55	.00	717.55	
29077	HAND FOAMING SANITIZ	11/13/09	12/13/09	11/13/09	59.88	.00	59.88	777.43
11289	JVA, INC.							
32360	BLOWER STARTUP/PROCE	11/23/09	12/23/09	11/23/09	297.00	.00	297.00	297.00
6455	KAISER PERMANENTE							
0000063-IN	KAISER FLU SHOTS	12/01/09	12/31/09	12/01/09	880.00	.00	880.00	880.00
12861	KIRSTEN BEEMER							
120709	CONTRACTOR FEES - DA	12/07/09	01/06/10	12/07/09	632.10	.00	632.10	632.10
12658	KRISTINA GIEWAT							
122409	FITZONE INSTRUCTOR R	12/24/09	01/23/10	12/24/09	100.00	.00	100.00	100.00
1188	LEIGH DENNIS							
121609	CONTRACTOR FEES - YO	12/16/09	01/15/10	12/16/09	210.00	.00	210.00	210.00
13309	LIBRARY VIDEO CO							
2894780001	CHILDRENS BOOKS AND	11/27/09	12/27/09	11/27/09	510.63	.00	510.63	510.63
2360	LIGHT, HARRINGTON & DAWES, PC							
120809	LEGAL SERVICES 10/26	12/08/09	01/07/10	12/08/09	19,511.30	.00	19,511.30	
120809	LEGAL SERVICES 10/26	12/08/09	01/07/10	12/08/09	64.00	.00	64.00	19,575.30
3100	LOUISVILLE CHAMBER COMMERCE							
122109	SOFTWARE FOR NEWSLET	12/21/09	01/20/10	12/21/09	692.50	.00	692.50	692.50
5432	LOUISVILLE FIRE PROTECTION							
78281	DUI BLOOD DRAWS	12/14/09	01/13/10	12/14/09	100.00	.00	100.00	100.00
12580	MALCOLM FLEMING							
121009	BLDR TOMORROW BREAKF	12/10/09	01/09/10	12/10/09	40.00	.00	40.00	40.00
13123	MARGARET M NOVAK							
929	CREMATION BURIAL - F	12/14/09	01/13/10	12/14/09	290.00	.00	290.00	290.00

		FOR BANK ACCOUNT: 3 FIRST NATIONAL BANK OF COLO			General Operating Account			
Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt
8	INTERNATIONAL COUNCIL OF							
121809	ICSC ANNUAL DUES	12/18/09	01/17/10	12/18/09	50.00	.00	50.00	50.00
6	VINAYA KAMATH							
611279	ACTIVITY REFUND	12/26/09	01/25/10	12/26/09	212.63	.00	212.63	212.63
6	GARLAND DURHAM							
611457	ACTIVITY REFUND	12/23/09	01/22/10	12/23/09	161.00	.00	161.00	161.00
6	ANGELA DONATO							
611532	ACTIVITY REFUND	12/23/09	01/22/10	12/23/09	31.00	.00	31.00	31.00
6	ERIN ANDERSON							
613210	ACTIVITY REFUND	12/23/09	01/22/10	12/23/09	22.00	.00	22.00	22.00
6	SUZANNE WALDMANN							
614183	ACTIVITY REFUND	12/23/09	01/22/10	12/23/09	48.25	.00	48.25	48.25
4	EAST-WEST WELLNESS LLC							
101909	REFUND DUP PAYMENT S	10/19/09	11/18/09	10/19/09	108.86	.00	108.86	108.86
12246	MOLLY METZ							
121709	CONTRACTOR FEES - JU	12/16/09	01/15/10	12/16/09	254.80	.00	254.80	254.80
6427	NCWCD-NORTHERN COLORADO							
120909	SWSP O&M/2010 PIPELI	12/09/09	01/08/10	12/09/09	44,249.83	.00	44,249.83	
1209091	2010 USBR VAR CARRIA	12/09/09	01/08/10	12/09/09	21,415.00	.00	21,415.00	65,664.83
7113	NEVE'S UNIFORMS, INC							
LN-213758	UNIFORMS/EQUIPMENT -	12/08/09	01/07/10	12/08/09	483.49	.00	483.49	
LN213755	UNIFORMS/EQUIPMENT -	12/08/09	01/07/10	12/08/09	578.80	.00	578.80	
LN213759	UNIFORMS/EQUIPMENT -	12/08/09	01/07/10	12/08/09	368.84	.00	368.84	
LN213761	BALLISTIC VEST - SAM	12/08/09	01/07/10	12/08/09	699.00	.00	699.00	2,130.13
3630	NORTH STAR WINDOW CLEANING							
10186	WINDOW CLEANING LIBR	12/10/09	01/09/10	12/10/09	2,260.00	.00	2,260.00	
10187	WINDOW CLEANING PD	12/10/09	01/09/10	12/10/09	340.00	.00	340.00	
10188	WINDOW CLEANING CH	12/10/09	01/09/10	12/10/09	380.00	.00	380.00	
10189	WINDOW CLEANING MINE	12/10/09	01/09/10	12/10/09	55.00	.00	55.00	3,035.00
1201	NORTHERN COLORADO PAPER, INC							
2244991002	INSTANT FOAM HAND SA	11/12/09	12/12/09	11/12/09	323.50	.00	323.50	
2255450001	STAINLESS STEEL RECE	11/10/09	12/10/09	11/10/09	433.80	.00	433.80	
2255628004	INSTANT FOAM HAND SA	11/12/09	12/12/09	11/12/09	388.20	.00	388.20	
2258099001	PAPER TOWELS, DISPEN	11/05/09	12/05/09	11/05/09	535.97	.00	535.97	
2259844001	HAND CLEANER CARTRID	11/12/09	12/12/09	11/12/09	83.27	.00	83.27	
2264334001	VARIOUS BREAKROOM SU	11/24/09	12/24/09	11/24/09	538.99	.00	538.99	

FOR BANK ACCOUNT: 3			FIRST NATIONAL BANK OF COLO			General Operating Account		
Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt
2266787001	REC CENTER SUPPLIES	12/03/09	01/02/10	12/03/09	800.00	.00	800.00	
2268074001	PD SUPPLIES	12/08/09	01/07/10	12/08/09	164.65	.00	164.65	
2268082001	REC CENTER SUPPLIES	12/08/09	01/07/10	12/08/09	974.10	.00	974.10	
2268093001	CITY HALL SUPPLIES	12/08/09	01/07/10	12/08/09	477.65	.00	477.65	
2268107001	ART CENTER SUPPLIES	12/08/09	01/07/10	12/08/09	198.21	.00	198.21	
2268194001	LIBRARY SUPPLIES	12/08/09	01/07/10	12/08/09	258.29	.00	258.29	
2268195001	WTP SUPPLIES	12/08/09	01/07/10	12/08/09	154.01	.00	154.01	5,330.64
3700	PATIO POOLS INC							
262749	FLOW SWITCH MAIN POO	07/15/09	08/15/09	07/15/09	210.00	.00	210.00	
417314	RPL SAND/LATERAL PUM	08/31/09	09/30/09	08/31/09	4,360.00	.00	4,360.00	
417315	WINTERIZE MEMORY SQU	09/01/09	10/01/09	09/01/09	1,100.00	.00	1,100.00	
417316	RPL HOT TUB BOOSTER	10/31/09	11/30/09	10/31/09	290.00	.00	290.00	5,960.00
13086	PETERSON PREDICTIVE MAINTENANC							
1272	QUARTERLY MAINT ON E	12/16/09	01/15/10	12/16/09	1,200.00	.00	1,200.00	
2105	ALIGN MOTORS/PUMPS O	12/16/09	01/15/10	12/16/09	2,200.00	.00	2,200.00	3,400.00
5178	PETTY CASH LRC - KATHY MARTIN							
122309	PETTY CASH LRC	12/23/09	01/22/10	12/23/09	150.44	.00	150.44	150.44
12735	PLANNED BENEFIT SYSTEMS, INC							
12471	COBRA ADMINISTRATION	12/06/09	01/05/10	12/06/09	112.50	.00	112.50	
16266	FLEXIBLE BENEFIT PLA	12/01/09	12/31/09	12/01/09	225.00	.00	225.00	337.50
11329	POLYDYNE, INC							
503757	POLYMER CE-879	11/20/09	12/20/09	11/20/09	2,576.00	.00	2,576.00	2,576.00
12374	PREMIER PAVING, INC							
113009	ASPHALT	11/30/09	12/30/09	11/30/09	352.21	.00	352.21	
120109	ASPHALT	12/01/09	12/31/09	12/01/09	375.80	.00	375.80	728.01
10883	PROCESS CONTROL DYNAMICS							
90312	REPAIR PRESSURE TRAN	12/20/09	01/19/10	12/20/09	165.53	.00	165.53	165.53
13095	PSYCHOLOGICAL DIMENSIONS, PC							
09-1153	APPLICANT PSYCHOLOGI	12/18/09	01/17/10	12/18/09	225.00	.00	225.00	225.00
10495	QWEST INTERPRISE							
6146109338	QWEST FRAME RELAY SW	12/04/09	01/03/10	12/04/09	125.25	.00	125.25	125.25
10805	SATELLITE ELECTRIC, INC							
1151	MODIFY CONTROL WIRES	10/28/09	11/27/09	10/28/09	1,842.00	.00	1,842.00	1,842.00
4215	SCOTT COX & ASSOCIATES, INC							
9435	MAPPING 104TH ST TRA	12/24/09	01/23/10	12/24/09	2,500.00	.00	2,500.00	2,500.00

Inv No.	Description	FOR BANK ACCOUNT: 3 FIRST NATIONAL BANK OF COLO			General Operating Account			
		Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt
12289	SF PRO VIDEO							
	SF-06-17 CHANNEL 8 VIDEO EQUI	11/15/09	12/15/09	11/15/09	4,018.66	.00	4,018.66	4,018.66
1161	SHARI GRISWOLD							
	120809 CONTRACTOR FEES - MU	12/08/09	01/07/10	12/08/09	420.00	.00	420.00	420.00
4365	SOUTH BOULDER/COAL CREEK							
	111409 2010 DITCH ASSESSMEN	11/14/09	12/14/09	11/14/09	677.05	.00	677.05	
	1114091 2010 DITCH ASSESS SB	11/14/09	12/14/09	11/14/09	671.00	.00	671.00	1,348.05
4380	SPECIAL TRANSIT							
	6670 TRANSPORTATION SERVI	12/11/09	01/10/10	12/11/09	3,067.00	.00	3,067.00	3,067.00
11272	SPORTLINE OF ARVADA, INC							
	019742CH01 SOCCER JERSEYS	12/11/09	01/10/10	12/11/09	1,543.50	.00	1,543.50	1,543.50
13340	STIR IT UP COOKING, INC							
	121509 CONTRACTOR FEES GING	12/15/09	01/14/10	12/15/09	409.50	.00	409.50	409.50
13098	THE WACKENHUT CORPORATION							
	5373284 BALIFF SERVICES 12/7	12/13/09	01/12/10	12/13/09	104.00	.00	104.00	104.00
13282	TROY D MCPEAK							
	122309 CONTRACTOR FEES - YO	12/23/09	01/22/10	12/23/09	218.40	.00	218.40	218.40
10673	UNIVERSAL LINEN							
	102687 LINEN SERVICE	11/02/09	12/02/09	11/02/09	30.85	.00	30.85	
	102741 LINEN SERVICE	11/04/09	12/04/09	11/04/09	30.85	.00	30.85	
	102827 LINEN SERVICE	11/09/09	12/09/09	11/09/09	30.85	.00	30.85	
	102860 LINEN SERVICE	11/11/09	12/11/09	11/11/09	30.85	.00	30.85	
	102967 LINEN SERVICE	11/16/09	12/16/09	11/16/09	30.85	.00	30.85	
	103002 LINEN SERVICE	11/18/09	12/18/09	11/18/09	30.85	.00	30.85	
	103094 LINEN SERVICE	11/23/09	12/23/09	11/23/09	30.85	.00	30.85	
	103131 LINEN SERVICE	11/25/09	12/25/09	11/25/09	30.85	.00	30.85	
	103216 LINEN SERVICE	11/30/09	12/30/09	11/30/09	30.85	.00	30.85	
	103264 LINEN SERVICE	12/02/09	01/01/10	12/02/09	30.85	.00	30.85	
	103351 LINEN SERVICE	12/07/09	01/06/10	12/07/09	30.85	.00	30.85	
	103397 LINEN SERVICE	12/09/09	01/08/10	12/09/09	30.85	.00	30.85	
	103484 LINEN SERVICE	12/14/09	01/13/10	12/14/09	30.85	.00	30.85	
	103531 LINEN SERVICE	12/16/09	01/15/10	12/16/09	30.85	.00	30.85	
	103613 LINEN SERVICE	12/21/09	01/20/10	12/21/09	30.85	.00	30.85	462.75
6548	UNIVERSITY OF ARIZONA							
	2008 BIOSOLIDS LAB ANALYS	12/18/09	01/17/10	12/18/09	400.00	.00	400.00	400.00
6509	USA BLUEBOOK, INC							
	941806 SCH 80 PVC PIPE FITT	11/20/09	12/20/09	11/20/09	167.21	.00	167.21	167.21

		FOR BANK ACCOUNT: 3 FIRST NATIONAL BANK OF COLO			General Operating Account			
Inv No.	Description	Inv Dt	Due Dt	Disc Dt	Inv Amt	Disc Amt	Pay Amt	Check Amt
4795	UTILITY TECHNICAL SERVICE INC							
6840	LEAK SURVEY NE SECTI	12/06/09	01/05/10	12/06/09	5,000.50	.00	5,000.50	5,000.50
5115	W.L. CONTRACTORS, INC.							
14695	NOV 09 TRAFFIC SIGNA	12/09/09	01/08/10	12/09/09	1,588.20	.00	1,588.20	1,588.20
11094	WESTERN DISPOSAL SERVICES							
120109	NOV 09 CITY SERVICE	12/01/09	12/31/09	12/01/09	68.00	.00	68.00	
120109	NOV 09 CITY SERVICE	12/01/09	12/31/09	12/01/09	90.00	.00	90.00	
120109	NOV 09 CITY SERVICE	12/01/09	12/31/09	12/01/09	1,681.00	.00	1,681.00	1,839.00
13209	WESTERN STATES LAND SERVICES,							
C120-1-5	NOV 09 CONSULT SERV	12/10/09	01/09/10	12/10/09	1,491.54	.00	1,491.54	1,491.54
11381	WILLIAM J HYNES							
2600	WINTERIZATIONS	12/04/09	01/03/10	12/04/09	880.00	.00	880.00	880.00
10884	WORD OF MOUTH							
839460	MEAL SITE PROGRAM	12/07/09	01/06/10	12/07/09	146.50	.00	146.50	
839473	MEAL SITE PROGRAM	12/08/09	01/07/10	12/08/09	187.00	.00	187.00	
839489	HOLIDAY DINNER	12/09/09	01/08/10	12/09/09	520.00	.00	520.00	
860310	MEAL SITE PROGRAM	12/10/09	01/09/10	12/10/09	146.50	.00	146.50	
860325	MEAL SITE PROGRAM	12/11/09	01/10/10	12/11/09	119.50	.00	119.50	
860354	MEAL SITE PROGRAM	12/14/09	01/13/10	12/14/09	119.50	.00	119.50	
860371	MEAL SITE PROGRAM	12/15/09	01/14/10	12/15/09	209.50	.00	209.50	
860384	MEAL SITE PROGRAM	12/16/09	01/15/10	12/16/09	169.00	.00	169.00	
860398	MEAL SITE PROGRAM	12/17/09	01/16/10	12/17/09	182.50	.00	182.50	
860399	MEAL SITE PROGRAM	12/18/09	01/17/10	12/18/09	173.50	.00	173.50	
860444	MEAL SITE PROGRAM	12/21/09	01/20/10	12/21/09	128.50	.00	128.50	
864807	MEAL SITE PROGRAM	12/22/09	01/21/10	12/22/09	151.00	.00	151.00	
864808	MEAL SITE PROGRAM	12/23/09	01/22/10	12/23/09	187.00	.00	187.00	2,440.00
11516	ZVC							
2179	SHOP LSVL FEES	12/20/09	01/19/10	12/20/09	3,250.00	.00	3,250.00	3,250.00
TOTAL PAYMENTS					485,944.89	.00	485,944.89	485,944.89

# ***City Council Special Meeting Minutes***

**December 7 & 8, 2009  
City Hall, Council Chambers  
749 Main Street  
5:30 PM**

**Call to Order** – Mayor Charles Sisk called the meeting to order at 5:30 PM on December 7.

**Roll Call** was taken and the following members were present:

**City Council:**        **Mayor Charles Sisk**  
                              **Mayor Pro Tem Sheri Marsella**  
                              **Dave Clabots**  
                              **Hank Dalton**  
                              **Robert Muckle**  
                              **Ron Sackett**  
                              **Frost Yarnell**

**Staff Present:**        **Meredyth Muth, Public Relations Manager**

Council members interviewed 25 applicants for City board and commission vacancies from 5:30 PM – 10:10 PM on December 7 and continued the meeting to December 8 for an additional 21 interviews from 5:30 PM – 9:50 PM.

Members discussed the applicants' qualifications but made no appointments at the meeting.

## **ADJOURN**

MOTION: Councilor Sackett moved for adjournment, seconded by Councilor Clabots. All were in favor. The meeting was adjourned at 10:00 PM on Wednesday, December 8.

\_\_\_\_\_  
Charles Sisk, Mayor

ATTEST:

\_\_\_\_\_  
Nancy Varra, City Clerk

# ***City Council Meeting Minutes***

**December 15, 2009  
City Hall, Council Chambers  
749 Main Street  
7:00 PM**

**Call to Order** – Mayor Charles Sisk called the meeting to order at 7:00 p.m.

**Roll Call** was taken and the following members were present:

**City Council:** *Mayor Charles Sisk, Mayor Pro Tem Sheri Marsella Councilors: Dave Clabots, Hank Dalton, Ron Sackett, Frost Yarnell and Robert Muckle*

**Staff Present:** *Malcolm Fleming, City Manager  
Heather Balsler, Deputy City Manager  
Tom Phare, Public Works Director  
Kevin Watson, Finance Director  
Paul Wood, Planning Director  
Bonnie Star, Economic Development Director  
Beth Barrett, Director of Library Services  
Bruce Goodman, Police Chief  
Joe Stevens, Parks and Recreation Director  
Mike Jones, Chief Building Official  
Kathleen Hix, Human Resources Manager  
Meredyth Muth, Public Information Manager  
Carol Hanson, Deputy City Clerk*

**Others Present:** *Sam Light, City Attorney*

## **PLEDGE OF ALLEGIANCE**

All rose for the pledge of allegiance to the flag.

## **APPROVAL OF AGENDA**

Mayor Sisk called for changes to the agenda and hearing none, moved the agenda be approved, seconded by Councilor Dalton. All were in favor.

## **APPROVAL OF THE CONSENT AGENDA**

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Mayor Sisk called for changes to the consent agenda and hearing none, moved the agenda be approved, seconded by Councilor Muckle. All were in favor.

- A. Approval of Bills**
- B. Approval of Meeting Minutes – December 1, 2009**
- C. Award Bid to Longmont Farm Supply for Commercial Diesel Front Mower**
- D. Approve Fourth Amendment to the Traffic Signal Maintenance Contract**

#### **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

No comments were heard.

#### **COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA**

Mayor Sisk wished all a Merry Christmas and a Happy Hanukah. He thanked staff and Council for their good work throughout the year and making Louisville a better community. He reminded Council members of the January 4 meeting of the Revitalization Commission and Business Retention and Development Committee at 8:00 AM in the Library.

#### **CITY MANAGER'S REPORT**

City Manager Fleming echoed the compliment to the staff. He thanked the Mayor and Council for being great leaders and easy to work with. He also encouraged attendance at the joint meeting on January 4. He reported the City is soliciting applications for prosecuting attorney. Applications are due on December 30. He reminded residents Winter Skate is open and encouraged them to come downtown to skate and enjoy other downtown offerings.

#### **REGULAR BUSINESS**

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#### **APPOINTMENTS AND REAPPOINTMENTS OF BOARD & COMMISSION MEMBERS**

Board and Commission members were appointed by vote of the Council members for terms as follows:

<b>Appointee Name</b>	<b>Length of Term</b>	
Board of Adjustment		
Christopher Fuller	3 years	Jan 2010 – Dec 2012
Larry Brassem, <i>alternate</i>	3 years	Jan 2010 – Dec 2012
Building Code Board of Appeals		
Bart Wear	3 years	Jan 2010 – Dec 2012
David Rounds	3 years	Jan 2010 – Dec 2012
Cultural Council		
Kit Simon	3 years	Jan 2010 – Dec 2012
Justine Vigil-Tapia	3 years	Jan 2010 – Dec 2012
Historic Preservation Commission		
Steve Poppitz	3 years	Jan 2010 – Dec 2012
Heather Lewis	3 years	Jan 2010 – Dec 2012
Historical Commission		
Pat Seader	4 years	Jan 2010 – Dec 2013
Lyn Christopher Koglin	4 years	Jan 2010 – Dec 2013
Jennifer Strand	4 years	Jan 2010 – Dec 2013
Horticulture & Forestry Advisory Board		
Mike Frontzak	2 years	Jan 2010 – Dec 2011
Ellen Toon	2 years	Jan 2010 – Dec 2011
Theresa Rounds	2 years	Jan 2010 – Dec 2011
Kimberly Heestand	2 years	Jan 2010 – Dec 2011
Meredith Preston Eddy	1 year	Completing term Dec 2010
Housing Authority		
Terri Abbott	5 years	Jan 2010 – Dec 2014
Walt Oehlkers, <i>alternate</i>	5 years	Jan 2010 – Dec 2014
Local Licensing Authority		
John Carlson	4 years	Jan 2010 – Dec 2013
Marguerite Lipton	4 years	Jan 2010 – Dec 2013
John Rommelfanger	4 years	Jan 2010 – Dec 2013
Cecilia Wilson	4 years	Jan 2010 – Dec 2013
Matt Machado, <i>associate</i>	3 years	Completing term Dec 2012
Open Space Advisory Board		
Helen Moshak	3 years	Jan 2010 – Dec 2012
Linda Smith	3 years	Jan 2010 – Dec 2012
David Waldman	1 year	Completing term Dec 2010
Planning Commission		
Ann O'Connell	2 years	Jan 2010 – Dec 2011
Steve Brauneis	2 years	Jan 2010 – Dec 2011
Chris Pritchard	4 years	Jan 2010 – Dec 2013

Jeff Lipton	6 years	Jan 2010 – Dec 2015
Susan Loo	6 years	Jan 2010 – Dec 2015
Resource Conservation Advisory Board		
Mark Persichetti	4 years	Jan 2010 – Dec 2013
Mary Ann Heaney	4 years	Jan 2010 – Dec 2013
Andy Johnson	4 years	Jan 2010 – Dec 2013
Arno Laesecke	2 years	Jan 2010 – Dec 2011
Robin Cooley	1 year	Jan 2010 – Dec 2010
Revitalization Commission		
Troy Russ	5 years	Jan 2010 – Dec 2014
Abbie Novak Poniatowski	1 year	Completing term Dec 2011

Councilor Muckle and Mayor Sisk both stated there were remarkable candidates, and if they were not chosen, it was not because they were not qualified or appreciated, but because there were just many to choose from. They thanked all the candidates for their interest in serving the community.

### **JUDGE APPOINTMENTS**

Mayor Sisk thanked Municipal Judge Bruce Joss and Deputy Judges Randall Davis and Larry Mertes for their distinguished service to the City. He moved the Council appoint Judge Joss to a two year term and Deputy Judge Mertes and Deputy Judge Davis each to a two year term. Councilor Clabots seconded. All in favor.

Deputy City Clerk Hanson administered the oath of office to Judge Bruce Joss. Judge Joss administered the oath to the Associate Judges, Randall Davis and Larry Mertes.

### **RESOLUTION No. 41, SERIES 2009 – A RESOLUTION APPROVING A BUSINESS ASSISTANCE AGREEMENT WITH GLACIER ICE CREAM & GELATO FOR REINVESTMENT AND ATTRACTION OF A NEW RETAIL SHOP AT 1387 SOUTH BOULDER IN THE CITY OF LOUISVILLE**

Mayor Sisk requested a Staff presentation.

Economic Development Director Star introduced the business assistance package for an ice cream store package to fill the Baskins Robbins site. She stated the incentive is modest in comparison to other packages Council has seen. It is giving back a percentage of the sales tax collected during the first two years of operation. The assistance is capped at \$7,500 total and the store must remain for five years or would be obligated to return the assistance to the City.

### **COUNCIL COMMENTS**

Mayor Sisk commented he knew from personal experience this ice cream is great.

#### PUBLIC COMMENTS

John Stetson, owner of Glacier Ice Cream and Gelato, introduced himself to Council. He was asked if this incentive package would help make the decision to move his business to Louisville. He confirmed it would.

MOTION: Councilor Sackett moved to approve Resolution No. 41, Series 2009, seconded by Councilor Dalton. Roll call vote was taken. The motion carried by a vote of 7-0.

**RESOLUTION No. 42, SERIES 2009 – A RESOLUTION APPROVING A BUSINESS ASSISTANCE AGREEMENT WITH FRESCA FOODS, INC FOR EXPANSION OF COMPANY CREATING NEW JOBS AND OCCUPANCY OF NEWLY CONSTRUCTED SPACE**

Mayor Sisk requested a Staff presentation.

Economic Development Director Star reported this existing business in CTC welcomed herself, Councilor Dalton, Director Wood and City Manager Fleming to tour the facility in July. They specialize in natural and organic products. The business is in four locations and would like to consolidate into a newly constructed space in the Colorado Tech Center. They have been tempted to move to a location with lower rents in spite of their loyalty to Louisville. They have 77 employees currently, 84 in a location in Federal Heights and plan to hire 20 more if they can move forward with this consolidation. The business assistance package shares back some of the building permit revenue of the tenant finish. She reported the package would be about \$28,000 which includes the standard provision they need to remain in the space or return the funds.

Todd Dutkin, CEO of Fresca Foods, Inc., spoke about consolidating their business within Louisville. He said the natural and organic industry continues to grow, and they wish to take advantage of the growth and tremendous business atmosphere in Louisville. He explained they don't want to leave Louisville and welcomed any help the Council could provide.

#### COUNCIL COMMENTS

Councilor Dalton remarked he was glad they were able to consummate this deal.

MOTION: Councilor Dalton moved to approve Resolution No. 42, Series 2009, seconded by Councilor Sackett. Roll call vote was taken. The motion carried by a vote of 7-0.

Mayor Sisk thanked Economic Development Director Star for working with both of the applicants on the business assistance packages. He stated it is good news for the City of Louisville.

### **AGREEMENT WITH MOUNTAIN STATES PIPE AND SUPPLY**

Mayor Sisk requested a Staff presentation.

Public Works Director Phare explained the City's existing water meters have reached the end of their useful life and need replacement. He said in addition, staff wants to upgrade the meters so they can be read using a mobile radio read system. He introduced Ken Mason, Operations Manager, who along with staff, over the last few months, have evaluated proposals from several vendors and performed beta testing on Automatic Meter Reading (AMR) equipment. Staff presented City Council with the findings and recommended a vendor at a previous meeting and was authorized to negotiate a contract agreement with Mountain States Pipe and Supply (MSPS) to furnish and install the radio read equipment and water meters in the city. Most of the meters have not been replaced for nearly 30 years.

Public Works Director Phare outlined the 7 month schedule for the installation which will be supervised by the Public Works Department. He explained meter replacement requires entering up to 5,000 homes and businesses. There will be a public information process to educate the residents. Precautions are being taken to minimize the impact on the citizens during the process, including a Mutual Non Disclosure Agreement which covers, among other things, who will have access to utility billing information and how it will be secured.

Public Works Director Phare asked Council to:

- Approve the Mountain States Pipe and Supply Agreement for Meter Replacement Services for the total project amount of \$1,276,536
- Approve the Mutual Non Disclosure Agreement
- Approve the Itron Customer Purchase and Maintenance Agreements (Itron manufactures the equipment)
- Authorize staff to execute contract change orders up to \$63,500
- Authorize the Mayor and City Clerk to execute contract documents on behalf of the City

## COUNCIL COMMENTS

Mayor Sisk thanked the Water Committee and staff for their hard work on this project. He asked about the plan for difficulties faced in installation in residents' homes. Public Works Director Phare explained the contracted vendors are trained to work well with these issues. Mayor Sisk stressed his desire the customer service issues to be handled sensitively.

Councilor Muckle shared Mayor Sisk's concern about customer service and asked about time windows for installation. Ken Mason responded there was not anything specific in the contract but it could be discussed and suggested between two and three hours. Councilor Muckle suggested the window be only two hours. Director Phare said installation time is half an hour and pointed out evening and weekend work times were included in the contract.

**MOTION:** Mayor Sisk moved to approve the agreement with Mountain States Pipe and Supply to include installation and equipment, Non-Disclosure Agreement and the purchase and maintenance agreement with Itron. Seconded by Councilor Muckle. Roll call vote was taken. The motion carried by a vote of 7 – 0.

### **RESOLUTION No. 43, SERIES 2009 – A RESOLUTION ESTABLISHING WATER, WASTEWATER AND STORM UTILITY FEES EFFECTIVE JANUARY 1, 2010 FOR THE CITY OF LOUISVILLE, COLORADO**

Mayor Sisk requested a Staff presentation.

Finance Director Kevin Watson stated the resolution proposes a 1.0% increase in water rates and a 25-cent increase in monthly storm water fees for single family accounts. This would raise the minimum water billing for each residential account from \$10.14 to \$10.24. The residential sewer charge will stay the same at \$14.34 per month. A 25-cent increase in monthly storm water fees will increase the single-family fee from \$2.75 to \$3.00. He stated the increases would add approximately \$42,000 to the 2010 Water Utility Fund revenue and approximately \$38,000 to the 2010 Storm Water Fund revenue and were included in the 2010 budget.

## COUNCIL COMMENTS

Mayor Sisk asked for Council comments and hearing none called for a motion.

**MOTION:** Mayor Pro Tem Marsella moved to approve Resolution No. 43, Series 2009, seconded by Councilor Clabots. Roll call vote was taken. The motion carried by a vote of 7 - 0.

**RESOLUTION No. 44, SERIES 2009 – A RESOLUTION ADOPTING BUILDING VALUATION TABLE, PERMIT FEES AND OTHER FEES FOR PERMITS, INSPECTIONS, WORK, OR SERVICES UNDER OR PURSUANT TO THE INTERNATIONAL CODES AND NATIONAL ELECTRICAL CODE SET FORTH IN TITLE 15 OF THE LOUISVILLE MUNICIPAL CODE**

Mayor Sisk requested a Staff presentation.

Chief Building Official Mike Jones stated this resolution is the final step in the 2009 code adoption process. This would incorporate the fee tables in the 2009 codes, which require adoption by resolution.

He explained the valuation table is based on actual construction cost and is used to establish the minimum valuation for a specific project by using the most current value per square foot based on occupancy and construction type. From this value per square foot of construction the total value of the permitted construction can then be applied to the specific updated permit fees. If the valuation table and updated permit fees are adopted, it would represent an increase in permit fees of approximately 4% for residential projects, up 9 to 16% for some commercial projects and over 100% for single trade permits. The increases represent a total project cost increase of less than 1% in all cases except the minor permits.

**COUNCIL COMMENTS**

Councilor Muckle asked why there was not an attempt to capture the overhead costs with the permit fees. City Manager Fleming stated this would have put Louisville at the top of the comparison with other Front Range communities. Mayor Sisk requested staff monitor this to be in a good range of recovery of actual cost and overhead. Chief Building Official Jones remarked the good thing about this resolution was it gave staff and Council the opportunity to do just that.

**MOTION:** Mayor Pro Tem Marsella moved to approve Resolution No. 44, Series 2009, seconded by Councilor Dalton. Roll call vote was taken. The motion carried by a vote of 7-0.

**ORDINANCE No. 1563, SERIES 2009 – AN ORDINANCE REGARDING POWERS AND DUTIES OF THE LIBRARY BOARD OF TRUSTEES AND BYLAWS REVISIONS FOR THE LIBRARY BOARD OF TRUSTEES – 1<sup>st</sup> Reading – Set Public hearing 01/05/10**

Mayor Sisk requested a City Attorney introduction.

City Attorney Light introduced Ordinance No. 1563, Series 2009.

Director of Library Services Barrett spoke briefly about the ordinance and the changes it will bring to the Library Board of Trustees and the bylaws.

MOTION: Mayor Sisk moved to approve Ordinance No. 1563, Series 2009 on first reading, ordered it published and set a public hearing for January 5, 2010, seconded by Councilor Dalton. All in favor.

**ORDINANCE No. 1564, SERIES 2009 – AN ORDINANCE AMENDING SECTION 3.04.130 OF THE LOUISVILLE MUNICIPAL CODE RELATING TO LEASE-PURCHASE AND LONG-TERM LEASEHOLD AGREEMENTS – 1<sup>st</sup> Reading – Set Public Hearing 01/05/10**

Mayor Sisk requested a City Attorney introduction.

City Attorney Light introduced Ordinance No. 1564, Series 2009.

MOTION: Mayor Sisk moved to approve Ordinance No. 1564, Series 2009 on first reading, ordered it published and set a public hearing for January 5, 2010, seconded by Councilor Sackett. All in favor.

**DISCUSSION/DIRECTION/ACTION – CITY MANAGER’S PERFORMANCE GOALS/QUARTERLY REPORT AND PROPOSED 2010 GOALS**

City Manager Fleming addressed Council concerning the status of the 2008-2009 Goals as follows:

2009 and 2010 Parks & Rec. Budgets and Operations	Complete (except for Golf Contract) with adjustments
ConocoPhillips Coordination	Complete and continuing
Adoption of 2009 International Building Codes	Complete
Library Director Recruitment	Complete
Implement Historical Preservation Sales Tax	Complete
Refuse Collection & Recycling	Complete
Integrated Weed Management Plan	Complete
Public Involvement	Complete
Compensation and Benefits	Complete
Sustainable Budget and Required Revenue	Complete
Employee Wellness	Complete
Geographical Information System (GIS) Implementation	Complete – next steps in progress

Red Flag Policy and Identity Theft Prevention Program	Complete
Wastewater System	Complete
Business Retention	Complete
Enterprise Information and Financial Management System	Complete
US36 Project	Complete
FasTracks Implementation	Complete
Processing State Offenses at the Municipal level	Partially Complete
Juvenile Offender Referral Program	Partially Complete
Target Decaying Residential Properties and Neighborhood Degeneration	Partially Complete
Capital Projects	Partially Complete
Parking-In-Lieu Fee	Partially Complete
Green Building Program	Partially Complete
Communications	Partially Complete
Radio Read Meters	Partially Complete
Post Office Redevelopment	Partially Complete
Facilities Master Plan	Partially Complete
Northwest Rail Station Design	Partially Complete
Banking Services	Delayed – in progress
Investment Management Services	Delayed – in progress
Expand Web-Based Public Safety Information Systems	Delayed
Urban Renewal	Delayed – ongoing staff support
Evaluation system	Delayed. Project rescheduled for 2010
Purchasing Policy	Delayed
Investment Policy	Delayed
Utility Rate Study	Cancelled
Pursue 1601 Process for Interchange at 88 <sup>th</sup> Street	Cancelled

City Manager Fleming noted a number of contingency items addressed during the year, particularly the budget, due to unanticipated events or changes. He presented a 2010 proposed list of goals. He asked Council to take a look at the list and see if it was appropriate for staff to be spending time on these items.

Councilor Sackett commented this was such an important item and he appreciated the time spent. He asked about some parcels purchased by ConocoPhillips. City Manager Fleming remarked these were parcels providing access and the City was aware these purchases were taking place.

Councilor Sackett asked about a new health club on Dahlia and the effect on the Recreation Center. Director of Parks and Recreation Stevens commented he welcomed this type of business as they were complimentary to the Recreation Center.

Mayor Sisk talked about developing a top five attainable goals and thanked staff for scheduling a meeting in February to address budget questions.

### **CITY ATTORNEY'S REPORT**

No report given.

### **COUNCIL COMMENTS AND COMMITTEE REPORTS**

No comments or reports given.

### **ADJOURN**

MOTION: Councilor Muckle moved for adjournment, seconded by Councilor Sackett. All were in favor. The meeting was adjourned at 9:20 p.m.

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Charles Sisk, Mayor

ATTEST:

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Carol Hanson, Deputy City Clerk

# COUNCIL COMMUNICATION

**TO: MAYOR AND CITY COUNCIL**

**FROM: MALCOLM FLEMING, CITY MANAGER**

**DATE: JANUARY 5, 2010**

**SUBJECT: APPROVAL OF DESIGNATION OF PLACES FOR POSTING OF NOTICES OF PUBLIC MEETINGS**

**ORIGINATING DEPARTMENT: CITY MANAGER'S OFFICE**

**SUMMARY:**

Section 24-6-402(2)(c) of the Colorado Open Meetings Law requires the City Council and other local public bodies of the City to designate the public place or places for posting of notices of public meetings. The designation must be made at the local body's first regular meeting of each calendar year. Therefore, it is requested that City Council approve this item, authorizing the designation for posting of the meeting notices as follows:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street

Pursuant to the Home Rule Charter, meeting notices and agendas are also published on the City's website at [www.louisvilleco.gov](http://www.louisvilleco.gov).

**FISCAL IMPACT:** N/A

**RECOMMENDATION:** Approve designation of posting locations as listed above.



**SUBJECT**

**APPROVAL OF DESIGNATION OF PLACES FOR POSTING OF NOTICES OF PUBLIC MEETINGS**

**AGENDA ITEM**

**4C**

# COUNCIL COMMUNICATION

**TO:** MAYOR AND CITY COUNCIL  
**FROM:** MALCOLM FLEMING, CITY MANAGER  
**DATE:** JANUARY 5, 2010  
**SUBJECT:** APPROVAL OF CONTRACTS FOR COORDINATOR FOR JULY 4<sup>TH</sup>  
AND FALL FESTIVAL EVENTS  
**ORIGINATING DEPARTMENT:** CITY MANAGER'S OFFICE

**SUMMARY:**

Attached are two contracts with Kay Gazaway for event coordinator services for the 2010 July 4<sup>th</sup> and Fall Festival events.

With the reduced funding for these events in the 2010 budget and the fact that donations were down sharply in 2009 due to the economic conditions, some new language was added this year to allow the contractor more flexibility in the events. Both contracts contain fund-raising goals for the contractor. Both also contain the following language should those goals not be met:

“Should that goal (fund-raising) not be met, the Contractor and the Designee will agree upon a plan to scale back the event to such a level that it stays within the available budget of the City contribution and the funds raised.”

Additionally, with the smaller 2010 budget for the Fall Festival, that contract allows for the event to be either a two-day event or a three-day event depending on how much funds are raised. Should enough funds be raised for a three-day event, the contractor will be allowed to keep an additional \$3000 in salary for the extra work.

**FISCAL IMPACT:**

Both events are funded in the 2010 budget.

**RECOMMENDATION:**

Approve contracts and give the Mayor authority to sign the contracts on behalf of the City.

**ATTACHMENT(S):**

1. Agreement For 2010 Services For Freedom Scramble Golf Tournament And July 4<sup>th</sup> Celebration
2. Agreement for Services for 2010 Fall Festival



**SUBJECT**

**APPROVAL OF CONTRACTS FOR COORDINATOR  
FOR JULY 4<sup>TH</sup> AND FALL FESTIVAL EVENTS**

**AGENDA ITEM**

**4D**

**AGREEMENT FOR 2010 SERVICES  
FOR FREEDOM SCRAMBLE GOLF TOURNAMENT AND JULY 4<sup>TH</sup> CELEBRATION**

This Agreement is made by and between the City of Louisville, Colorado (hereinafter "City" or "Louisville") and Kay Gazaway, (hereinafter "Contractor").

In consideration of the mutual covenants herein contained, the parties agree as follows:

**1.0 Purpose and Declarations.**

1.1 The City is authorized by law to contract with the Contractor for the provision of legally authorized functions, services, and facilities.

1.2 The City is legally authorized to advertise the business, social and other advantages and attractions of the City, promote economic development for the City and its citizens, provide public recreation and entertainment, promote the vitality of commercial areas within the City, and generally promote the health, safety, prosperity, security and general welfare of the inhabitants of the City.

1.3 The Contractor has the ability to coordinate certain City-wide events which promote the City functions and services described in paragraph 1.1 and 1.2 of this Agreement.

1.4 The City and Contractor agree to cooperate to accomplish the purposes set forth herein.

**2.0 Term.**

2.1 This Agreement shall be effective on January 1, 2010, and shall terminate at 11:59 p.m. on December 31, 2010.

**3.0 Obligations of the City.**

3.1 The City shall pay the Contractor a total amount of \$15,000.00, for all of her services under this Agreement. The payments shall be made during the term of this Agreement, after Contractor provides the City a statement detailing what work was performed. Payments shall be made proportionate to the work completed as the City shall in its discretion determine. If Contractor asks the City to contract with another person or entity to assist Contractor in performing the Contractor's obligations under this Agreement, the City may do so, at its discretion, and any payment to such other person or entity shall be deducted from the \$15,000.00 maximum amount available to the Contractor.

3.2 The City also shall pay an amount not to exceed \$8,000.00 for direct costs incurred in the provision of the following City-wide events (hereinafter "named events"):

**June 11, 2010  
July 4, 2010  
July 4, 2010**

**Freedom Scramble Golf Tournament  
Celebration in the Park  
July 4<sup>th</sup> Fireworks**

3.3 The amount of \$8,000.00 for direct costs shall be available to pay the cost of goods

and services, other than services of the Contractor, necessary to the provision and coordination of the named events, subject to the following:

- a. The City Manager's designee ("Designee") shall monitor, and may attend, any and all event planning activities conducted by the Contractor. The Designee may provide consultation and recommendations to Contractor regarding actual and anticipated expenditures for direct costs incurred in the provision of the named events. If the Designee determines that direct costs proposed to be paid with City funds may or will exceed the Contractor's budgeted amount for any named event, or exceed the total amount of \$8,000.00, the Designee shall so advise the Contractor. Contractor shall take appropriate action, including, but not limited to, eliminating planned activities from a named event and decreasing the expenditures in such an amount as is necessary to meet the Contractor's event budget so as not to expend more than the \$8,000.00 available in City funds for direct costs. The time incurred by the Designee shall not be charged against the \$8,000.00.
- b. Bills for the direct costs of goods and services shall be presented directly to the Designee after approval by Contractor, and Contractor shall recommend whether payment must be made at some time other than the City's regular time for payment of bills. All such bills shall be reviewed by the Designee to determine whether payment is appropriate under this Agreement.

3.4 Accounting for payments made pursuant to this Agreement shall be done by the City Finance Department in accordance with the standard accounting practices of the department and shall, at a minimum, identify for each expenditure under this Agreement the event, item, vendor, amount and purpose of the expenditure.

3.5 The City shall provide and have in full force and effect liability insurance for the named events, but only in such amounts and for such coverages as set forth in the City's insurance policy in effect at the time of the particular named event. By this Agreement, the parties understand and agree that the City is relying on, and does not waive or intend to waive the monetary limitations (presently \$150,000 per person and \$600,000 per occurrence) or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, as from time to time amended, or otherwise available to the City, its officers, or its employees.

3.6 The City shall provide certain in-kind services designated by the City Council relating to the staging of the named events, including police and street maintenance services and related City vehicles for City use. The City shall also make available such public areas as the Council may designate for the staging of the events, which may include, but shall not be limited to, appropriate streets, parks, the Center for the Arts, Recreation Center, and City parking lots. The exact timing when the designated areas will be available for the named events shall be determined by the Director of the affected City department.

3.7 All requests for City services, supplies or staff, or use of public areas, shall forward to the Designee for approval, and the Designee shall forward approved requests to the appropriate City departments.

#### **4.0 Obligations of the Contractor.**

4.1 The Contractor agrees to coordinate and be responsible for the provision of the named events. All services performed under this Agreement shall be performed in a timely and professional manner.

4.2 For each named event described, Contractor shall:

- a. Create an event management plan. Contractor shall also notify the Designee in writing at least five days in advance of all event planning meetings conducted by contractor which include City staff members.
- b. Publicize each event in accordance with a plan to be approved by the City. Marketing for events shall indicate that the City of Louisville is the event sponsor. Contractor shall submit in a timely manner to the Designee copies of advertising and marketing materials for promotional use at City Hall.
- c. Prepare a report at the conclusion of each event which includes a description of the event, an evaluation of the event, and recommendations for the 2011 events. Contractor shall also schedule a summary meeting within two weeks after the final day of the event in order to evaluate event coordination. The Designee, City staff members and others involved in event execution shall be notified in writing at least five days in advance of the meeting time and location.
- d. Coordinate with appropriate City departments through the Designee the staging of the events, including any closure of City streets, obtaining necessary sanilets, cleaning up after the events, and Police Department and other services to be provided by the City. At least two months in advance of the event, Contractor shall submit to the Designee an operations plan for the event which addresses and details proposed street closures, sanitation facilities, post-event cleanup and other services and operations for the event.
- e. Schedule a planning meeting at least two weeks in advance of the first day of the event in order to coordinate event duties. The Designee, participating City staff members, and others involved in the event execution shall be notified in writing at least five days in advance of the meeting time and location.
- f. Obtain a hold harmless agreement from the sponsor of each booth, game, and activity, at least five business days prior to the scheduled event. The booth, game, or activity may be cancelled if the required hold harmless agreement is not timely provided.
- g. Through fundraising efforts, raise from all three events a combined total goal of \$7,000.00 cash or in-kind donations in non-City funds, which funds Contractor shall apply to direct costs incurred in the provision of each of the named events. Should that goal not be met, the Contractor and the Designee will agree upon a plan to scale back the event to such a level that it stays within the available budget of the City contribution and the funds raised.

- 4.3 In addition, for the Celebration in the Park event on July 4, 2010, Contractor shall:
- a. Arrange for hotdogs/sausages to be served free of charge to the public between the hours of 11:00 a.m. and 2:00 p.m.
  - b. Coordinate booth rentals, assign booth spaces, obtain commitments from booth holders on charges which will be made to the public, and determine the location of booths.
  - c. Obtain required approvals from the Colorado Department of Health and any other applicable regulatory body.
  - d. Arrange for other entertainment throughout the day, including band concerts, children's games, bocce/horseshoe tournament, and similar functions.
  - e. Make necessary reservations for the use of public areas, including parks and streets.
  - f. Coordinate with Parks & Recreation staff to accomplish the event as zero-waste.

4.4 In addition, for the July 4 2010 Fireworks, Contractor shall:

- a. Coordinate with City Staff to determine a proper and safe location for the event and coordinate the planning of the event with appropriate staff at the chosen location.
- b. Obtain sponsors, rent out booth space, assign booth spaces, obtain commitments from booth holders on charges which will be made to the public, and determine location of booths.
- c. Obtain required approvals from the Colorado Department of Health; obtain other necessary licenses and permits from the City of Louisville and other applicable regulatory bodies.
- d. Arrange for entertainment during event including band concert and other similar functions.
- e. Coordinate provision of fireworks with Louisville Fire Protection District and other organizations; coordinate provision of parking and other services with appropriate City of Louisville departments.
- f. Arrange for transportation to the event location from designated parking areas in the City.

4.5 In addition, for the Freedom Scramble Golf Tournament to be held June 11, 2010, Contractor shall:

- a. Coordinate the planning, organization, and management of the event with appropriate management staff at the Coal Creek Golf Course.

- b. Advertise the event and recruit players for the tournament.
- c. Recruit sponsors for the tournament.

**5.0 Independent Contractor; Insurance; Indemnification.**

5.1 The parties hereto agree and acknowledge that the Contractor is an independent contractor for the City and is not an employee of the City. **As an independent contractor, the Contractor is not entitled to unemployment insurance benefits unless unemployment compensation is provided by the Contractor and the Contractor is obligated to pay all federal and state income tax on any and all moneys paid pursuant to this Agreement.**

5.2 The Contractor agrees to procure and maintain the policies of insurance set forth in this section. Such insurance shall be procured and maintained at Contractor's expense. The Contractor shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Agreement by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types. The coverages required below shall be procured and maintained with forms and insurers acceptable to the City for the duration of the term of this Agreement. The required coverages are:

- a. Workers' compensation insurance to cover obligations imposed by the Workers' Compensation Act of Colorado and any other applicable laws for any employee engaged in the performance of work under this Agreement. Evidence of qualified exemption or self-insured status may be substituted.
- b. Contractor's own automobile liability and physical damage insurance for any vehicle used in performing service for the City, in amounts not less than prescribed by Colorado law (currently \$25,000 per person/\$50,000 per accident bodily injury and \$15,000 per accident property damage).

5.3 The Contractor's automobile insurance shall be endorsed to include the City, and its elected and appointed officers and employees, as additional insureds, unless the City in its sole discretion waives such requirement. Every policy required above shall be primary insurance, and any insurance carried by the City, its officers, or its employees, shall be excess and not contributory insurance to that provided by the Contractor. Such policies shall contain a severability of interests provision. The Contractor shall be solely responsible for any deductible losses under the required policies.

5.4 Certificates of insurance shall be provided by the Contractor as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be subject to review and approval by the City. No required coverage shall be cancelled, terminated or materially changed until at least 30 days prior written notice has been given to the City. The City reserves the right to request and receive a certified copy of any policy and any endorsement thereto.

5.5 Contractor agrees to indemnify and hold harmless the City, its officers, employees, and insurers, from and against all liability, claims and demands, which are incurred, made or brought by any person or entity, on account of damage, loss, or injury, including without limitation,

claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any way connected with any act, omission, or representation of Contractor or its subcontractors, agents, or employees. The foregoing obligation shall not apply to the extent said liability, claim or demand results from any acts or omissions of officers or employees of the City or conformance with requirements imposed by the City.

**6.0 General Provisions.**

6.1 This Agreement contains all agreements, understandings, and arrangements between the parties and no others exist. This Agreement may be amended only by an instrument in writing signed by the parties.

6.2 This Agreement is not assignable.

6.3 Exhibit A, the "City of Louisville Public Services Contract Addendum-Prohibition Against Employing Illegal Aliens", is attached hereto and incorporated herein by reference. There is also attached hereto a copy of Consultant's Pre-Contract Certification which Contractor has executed and delivered to the City prior to Contractor's execution of this Agreement.

6.4 This Agreement may be terminated at any time by the City upon written notice to the Contractor for failure to perform the services pursuant to the terms and conditions of this Agreement. In such event, the City shall pay Contractor only for those services which have been satisfactorily provided at the date of termination.

6.5 All notices, demands, or other documents required or desired to be given, made, or sent to either party under this Agreement shall be made in writing, shall be deemed effective upon receipt and shall be personally delivered or mailed postage prepaid, certified mail, return receipt requested, as follows:

To City:

City Manager  
City of Louisville  
749 Main Street  
Louisville, CO 80027

To Contractor:

Kay Gazaway  
1400 Washington Avenue  
Louisville, CO 80027

CITY OF LOUISVILLE, COLORADO

By: \_\_\_\_\_  
Charles L. Sisk, Mayor

ATTEST:

\_\_\_\_\_  
Nancy Varra, City Clerk

\_\_\_\_\_

Kay Gazaway

ACKNOWLEDGEMENT

STATE OF COLORADO            )  
  )ss  
COUNTY OF \_\_\_\_\_        )

The above and foregoing signature of Kay Gazaway was subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

Witness my hand and official seal.

My commission expires on: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Address

\_\_\_\_\_

## Exhibit A

### City of Louisville Public Services Contract Addendum Prohibition Against Employing Illegal Aliens

**Prohibition Against Employing Illegal Aliens.** Consultant or Contractor (hereinafter "Consultant"), shall not knowingly employ or contract with an illegal alien to perform work under this contract. Consultant shall not enter into a contract with a subcontractor that fails to certify to the Consultant that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract.

Contract has verified or attempted to verify through participating in the basic pilot program as defined in C.R.S. Section 8-17.5-101(1) ("Program") that Consultant does not employ any illegal aliens and, if Consultant is not accepted into the Program prior to entering into this contract, that Consultant shall apply to participate in the Program every three months until Consultant is accepted or the contract has been completed, whichever is earlier. This provision shall not be required or effective if the Program is discontinued. Consultant is prohibited from using the Program procedures to undertake pre-employment screening of job applicants while this contract is being performed.

If Consultant obtains actual knowledge that a subcontractor performing work under this contract for services knowingly employs or contracts with an illegal alien, Consultant shall:

- a. Notify the subcontractor and the City within three days that the Consultant has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
- b. Terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to this paragraph the subcontractor does not stop employing or contracting with the illegal alien; except that the Consultant shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Consultant shall comply with any reasonable request by the Department of Labor and Employment made in the course of an investigation that the Department is undertaking pursuant to the authority established in C.R.S. Section 8-17.5-102(5).

If Consultant violates a provision of this Contract required pursuant to C.R.S. Section 8-17.5-102, the City may terminate the contract for breach of contract. If the contract is so terminated, the Consultant shall be liable for actual and consequential damages to the City.

**City of Louisville  
Contractor's Pre-Contract Certification  
Regarding Employing Illegal Aliens**

The proposer of public services to the City of Louisville identified below (hereafter "the Proposer"), hereby certifies as follows:

That at the time of providing this certification, Proposer does not knowingly employ or contract with an illegal alien; and that Proposer has participated in or attempted to participate in the Basic Pilot Program administered by the United States Department of Homeland Security in order to verify that it does not employ any illegal aliens.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Proposer:

\_\_\_\_\_  
Kay Gazaway

**AGREEMENT FOR SERVICES  
FOR 2010 FALL FESTIVAL**

This Agreement is made by and between the City of Louisville, Colorado (hereinafter "City" or "Louisville") and Kay Gazaway (hereinafter "Contractor").

In consideration of the mutual covenants herein contained, the parties agree as follows:

**1.0 Purpose and Declarations.**

- 1.1 The City is authorized by law to contract with the Contractor for the provision of legally authorized functions, services, and facilities.
- 1.2 The City is legally authorized to advertise the business, social and other advantages and attractions of the City, promote economic development for the City and its citizens, provide public recreation and entertainment, promote the vitality of commercial areas within the City, and generally promote the health, safety, prosperity, security and general welfare of the inhabitants of the City.
- 1.3 The Contractor has the ability to coordinate a City-wide event in order to promote the City functions and services described in paragraph 1.1 and 1.2 of this Agreement.
- 1.4 The City and Contractor agree to cooperate to accomplish the purposes set forth herein.

**2.0 Term.**

- 2.1 This Agreement shall be effective on January 1, 2010, and shall terminate at 11:59 p.m. on December 31, 2010.

**3.0 Obligations of the City.**

- 3.1 The City and the Contractor shall mutually agree in writing no later than June 1, 2010 to follow the course of action provided for in Provision 3.1.a or 3.1.b listed below .
- 3.1.a The City shall pay the Contractor a total amount of \$12,000.00, for all of her services under this Agreement for a 2-day Fall Festival event, such payment to be made during the term of this Agreement, after Contractor provides the City a statement detailing what work was performed. Payments shall be made proportionate to the work completed, as the City in its discretion shall determine. If Contractor asks the City to contract with another person or entity to assist Contractor in performing the Contractor's obligations under this Agreement, the City may do so at its discretion, and any payment to such other person or entity shall be deducted from the \$12,000.00 maximum amount available to the Contractor.

or

- 3.1.b The City shall pay the Contractor a total amount of \$12,000.00 for all of her services

under this Agreement for a 3-day Fall Festival event, and shall pay an additional \$3,000.00 payment following the event if fundraising goals to be provided to Contractor in advance by the City are met. The payments shall be made during the term of this Agreement, after Contractor provides the City a statement detailing what work was performed and a report about fundraising activities. Payments shall be made proportionate to the work completed, as the City in its discretion shall determine. If Contractor asks the City to contract with another person or entity to assist Contractor in performing the Contractor's obligations under this Agreement, the City may do so at its discretion, and any payment to such other person or entity shall be deducted from the \$15,000.00 maximum amount available to the Contractor.

- 3.2 The City also shall pay an amount not to exceed \$1,500.00 for direct costs incurred in the provision of the 2010 Fall Festival (hereinafter "named event").
- 3.3 The amount of \$1,500.00 for direct costs shall be made available by the City to Contractor to pay the cost of goods and services, other than services of the Contractor, necessary to the provision and coordination of the named event, subject to the following:
  - 3.3.1 The City Manager's designee ("Designee") shall monitor, and may attend, any and all event planning activities conducted by the Contractor. The Designee may provide consultation and recommendations to Contractor regarding actual and anticipated expenditures for direct costs incurred in the provision of the named event. If the Designee determines that direct costs proposed to be paid with City funds may or will exceed the Contractor's budgeted amount for any named event, or exceed the total amount of \$1,500.00 allotted for direct costs, the Designee shall so advise the Contractor. Contractor shall take appropriate action, including, but not limited to, eliminating planned activities from a named event and decreasing the expenditures in such an amount as is necessary to meet the Contractor's event budget so as not to expend more than the \$1,500.00 available in City funds for direct costs. The time incurred by the Designee shall not be charged against the \$1,500.00.
  - 3.3.2 Bills for the direct costs of goods and services shall be presented directly to the Designee after approval by Contractor, and Contractor shall recommend whether payment must be made at some time other than the City's regular time for payment of bills. All such bills shall be reviewed by the Designee to determine whether payment is appropriate under this Agreement.
- 3.4 Accounting for payments made pursuant to this Agreement shall be done by the City Finance Department in accordance with the standard accounting practices of the department and shall, at a minimum, identify for each expenditure under this Agreement the event, item, vendor, amount and purpose of the expenditure.
- 3.5 The City shall provide and have in full force and effect liability insurance for the named event, but only in such amounts and for such coverages as set forth in the City's insurance policy in effect at the time of the particular named event. By this Agreement, the parties understand and agree that the City is relying on, and does not waive or intend to waive the

monetary limitations (presently \$150,000 per person and \$600,000 per occurrence) or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, as from time to time amended, or otherwise available to the City, its officers, or its employees.

- 3.6 The City shall provide certain in-kind services designated by the City Council relating to the staging of the named event, including police and street maintenance services and related City vehicles for City use. The City shall also make available such public areas as the City Council may designate for the staging of the named event, which may include, but shall not be limited to, appropriate streets, parks, the Center for the Arts, Recreation Center, and City parking lots. The exact timing when the designated areas will be available for the named event shall be determined by the director of the affected City department.
- 3.7 All requests for City services, supplies or staff, or use of public areas, shall be forwarded to the Designee for approval, and the Designee shall forward approved requests to the appropriate City departments.

**4.0 Obligations of the Contractor.**

- 4.1 The Contractor agrees to coordinate and be responsible for the provision of the named event. All services performed under this Agreement shall be performed in a timely and professional manner.
- 4.2 For the 2010 Fall Festival to be held either for a two-day period or a three-day period between the dates of September 3, 2010 to September 6, 2010. Contractor shall:
  - 4.2.1 Create an event management plan. Contractor shall also notify the Designee in writing at least five (5) days in advance of all event planning meetings conducted by Contractor which include City staff members.
  - 4.2.2 Publicize the event in accordance with a plan to be approved by the City. Marketing for events shall indicate that the City of Louisville is the event sponsor. Contractor shall submit in a timely manner to the Designee copies of advertising and marketing materials, for promotional use at City Hall.
  - 4.2.3 Prepare a report at the conclusion of the event which includes a description of the event, an evaluation of the event, and recommendations for the 2011 Fall Festival. Contractor shall also schedule a summary meeting within two weeks after the final day of the event in order to evaluate event coordination. The Designee, City staff members and others involved in event execution shall be notified in writing at least five (5) days in advance of the meeting time and location.

- 4.2.4 Coordinate with appropriate City departments through the Designee the staging of the event, including any closure of City streets, obtaining necessary sanilets, cleaning up after the event, and Police Department and other services to be provided by the City. At least two months in advance of the event, Contractor shall submit to the Designee an operations plan for the event which addresses and details proposed street closures, sanitation facilities, post-event cleanup and other services and operations for the event.
- 4.2.5 Schedule a planning meeting at least two weeks in advance of the first day of the event in order to coordinate event duties. The Designee, City staff members, and others involved in the event execution shall be notified in writing at least five (5) days in advance of the meeting time and location.
- 4.2.6 Through fundraising efforts, raise for the named event a total goal of the following:
- Two-day Event - \$8,000.00 cash in non-City funds; or
  - Three-day Event - \$13,000.00 cash in non-City funds of which \$3,000.00 will be paid to Contractor for her services.

Contractor shall apply \$10,000.00 raised for the two-day or three-day event to direct costs incurred in the provision of the named event. Should that goal not be met, the Contractor and the Designee will agree upon a plan to scale back the event to such a level that it stays within the available budget of the City contribution and the funds raised.

4.3 In addition, Contractor shall:

- 4.3.1 Arrange for games and entertainment for all ages that may include, but is not limited to the following:
- Bocce and Horseshoe Tournaments
  - Games for Children and Families
  - Children's Pet Parade
  - Senior Dinner
  - Entertainment/Live Music
  - Car Show
  - Pie Contest
  - Dog Show
- 4.3.2 Coordinate Labor Day parade, including accepting and screening entries, judges and awards, flow of parade, securing Grand Marshal, obtaining public address system, and obtaining bands.
- 4.3.6 Coordinate with Parks & Recreation staff on the Coal Creek Crossing 5K, 10 Mile, and Kids Fun Run as necessary.
- 4.3.7 Coordinate with Parks & Recreation staff to accomplish a zero-waste event.

4.3.8 Obtain a hold harmless agreement from any sponsor of a booth, game, or activity during the event, at least five business days prior to the scheduled event. The booth, game, or activity may be cancelled if the required hold harmless agreement is not timely provided.

**5.0 Independent Contractor; Insurance; Indemnification.**

5.1 The parties hereto agree and acknowledge that the Contractor is an independent contractor for the City and is not an employee of the City. **As an independent contractor, the Contractor is not entitled to unemployment insurance benefits unless unemployment compensation is provided by the Contractor and the Contractor is obligated to pay all federal and state income tax on any and all moneys paid pursuant to this Agreement.**

5.2 The Contractor agrees to procure and maintain the policies of insurance set forth in this section. Such insurance shall be procured and maintained at Contractor's expense. The Contractor shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Agreement by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types. The coverages required below shall be procured and maintained with forms and insurers acceptable to the City for the duration of the term of this Agreement. The required coverages are:

5.2.1 Workers' compensation insurance to cover obligations imposed by the Workers' Compensation Act of Colorado and any other applicable laws for any employee engaged in the performance of work under this Agreement. Evidence of qualified exemption or self-insured status may be substituted.

5.2.2 Contractor's own automobile liability and physical damage insurance for any vehicle used in performing service for the City, in amounts not less than prescribed by Colorado law (currently \$25,000 per person/\$50,000 per accident bodily injury and \$15,000 per accident property damage).

5.3. The Contractor's automobile insurance shall be endorsed to include the City, and its elected and appointed officers and employees, as additional insureds, unless the City in its sole discretion waives such requirement. Every policy required above shall be primary insurance, and any insurance carried by the City, its officers, or its employees, shall be excess and not contributory insurance to that provided by the Contractor. Such policies shall contain a severability of interests provision. The Contractor shall be solely responsible for any deductible losses under the required policies.

5.4. Certificates of insurance shall be provided by the Contractor as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be subject to review and approval by the City. No required coverage shall be cancelled, terminated or materially changed until at least 30 days prior written notice has been given to the City. The City reserves the right to request and receive a certified copy of any policy and any endorsement thereto.

5.5. Contractor agrees to indemnify and hold harmless the City, its officers, employees, and insurers, from and against all liability, claims and demands, which are incurred, made or brought by any person or entity, on account of damage, loss, or injury, including without limitation, claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any way connected with any act, omission, or representation of Contractor or its subcontractors, agents, or employees. The foregoing obligation shall not apply to the extent said liability, claim or demand results from any acts or omissions of officers or employees of the City or conformance with requirements imposed by the City.

**6.0 General Provisions.**

6.1 This Agreement contains all agreements, understandings, and arrangements between the parties and no others exist. This Agreement may be amended only by an instrument in writing signed by the parties.

6.2 This Agreement is not assignable.

6.3 Exhibit A, the “City of Louisville Public Services Contract Addendum-Prohibition Against Employing Illegal Aliens”, is attached hereto and incorporated herein by reference. There is also attached hereto a copy of Consultant’s Pre-Contract Certification which Contractor has executed and delivered to the City prior to Contractor’s execution of this Agreement.

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To City:

City Manager  
City of Louisville  
749 Main Street  
Louisville, CO 80027

To Contractor:

Kay Gazaway  
1400 Washington Avenue  
Louisville, CO 80027

CITY OF LOUISVILLE, COLORADO

ATTEST:

By: \_\_\_\_\_  
Charles L. Sisk, Mayor

\_\_\_\_\_  
Nancy Varra, City Clerk

\_\_\_\_\_  
Kay Gazaway

ACKNOWLEDGEMENT

STATE OF COLORADO            )  
  )ss  
COUNTY OF \_\_\_\_\_)

The above and foregoing signature of Kay Gazaway was subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

Witness my hand and official seal.

My commission expires on: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Address  
\_\_\_\_\_

## Exhibit A

### City of Louisville Public Services Contract Addendum Prohibition Against Employing Illegal Aliens

**Prohibition Against Employing Illegal Aliens.** Consultant or Contractor (hereinafter "Consultant"), shall not knowingly employ or contract with an illegal alien to perform work under this contract. Consultant shall not enter into a contract with a subcontractor that fails to certify to the Consultant that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract.

Contract has verified or attempted to verify through participating in the basic pilot program as defined in C.R.S. Section 8-17.5-101(1) ("Program") that Consultant does not employ any illegal aliens and, if Consultant is not accepted into the Program prior to entering into this contract, that Consultant shall apply to participate in the Program every three months until Consultant is accepted or the contract has been completed, whichever is earlier. This provision shall not be required or effective if the Program is discontinued. Consultant is prohibited from using the Program procedures to undertake pre-employment screening of job applicants while this contract is being performed.

If Consultant obtains actual knowledge that a subcontractor performing work under this contract for services knowingly employs or contracts with an illegal alien, Consultant shall:

- a. Notify the subcontractor and the City within three days that the Consultant has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
- b. Terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to this paragraph the subcontractor does not stop employing or contracting with the illegal alien; except that the Consultant shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Consultant shall comply with any reasonable request by the Department of Labor and Employment made in the course of an investigation that the Department of Labor is undertaking pursuant to the authority established in C.R.S. Section 8-17.5-102(5).

If Consultant violates a provision of this Contract required pursuant to C.R.S. Section 8-17.5-102, the City may terminate the contract for breach of contract. If the contract is so terminated, the Consultant shall be liable for actual and consequential damages to the City.

**City of Louisville  
Contractor's Pre-Contract Certification  
Regarding Employing Illegal Aliens**

The proposer of public services to the City of Louisville identified below (hereafter "the Proposer"), hereby certifies as follows:

That at the time of providing this certification, Proposer does not knowingly employ or contract with an illegal alien; and that Proposer has participated in or attempted to participate in the Basic Pilot Program administered by the United States Department of Homeland Security in order to verify that it does not employ any illegal aliens.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Proposer:

\_\_\_\_\_  
Kay Gazaway

# COUNCIL COMMUNICATION

**TO:** MAYOR AND CITY COUNCIL  
**FROM:** MALCOLM FLEMING  
**DATE:** JANUARY 5, 2010  
**SUBJECT:** CITY ATTORNEY AND WATER ATTORNEY APPOINTMENTS  
**ORIGINATING DEPARTMENT:** CITY COUNCIL

**SUMMARY:**

The City Charter states that the City Council shall appoint a City Attorney (Section 9.1) and may employ other counsel such as a Water Attorney.

For 2010, the City Council appoints Light, Harrington & Dawes, P.C. as City Attorney, and Tienken & Hill, L.L.P. as Water Attorney. All attorneys serve at City Council's pleasure.



**SUBJECT**

**CITY ATTORNEY AND WATER  
ATTORNEY APPOINTMENTS**

**AGENDA ITEM**

**8A**

# COUNCIL COMMUNICATION

**TO: MAYOR AND CITY COUNCIL**  
**FROM: MALCOLM FLEMING, CITY MANAGER**  
**DATE: JANUARY 5, 2010**  
**SUBJECT: BI-MONTHLY ECONOMIC DEVELOPMENT UPDATE**  
**ORIGINATING DEPARTMENT: ECONOMIC DEVELOPMENT**

## The “Big” Things:

- Post Office. Facilitated a series of interviews with prospective businesses to fill a mixed use redevelopment of the property. Fielded inquiries for other uses, none meeting Council’s temporary or permanent vision.
- Conoco Phillips – meeting every two weeks with design team; attend city staff meeting weekly, work with COP and Finance Director on COP fiscal impact model, track progress of IGA amendment.
- Drafted and presented two BAPs to City Council for ice cream shop and Fresca Foods. (Summary of BAPs to date is attached to this report)
- Facilitated a meeting of Xcel and other interested parties to explore the provision of additional power to Centennial Valley and CTC.

## The “Little” Things:

- Facilitate BRaD and LRC meetings, including presentation by Glatting - Jackson on Building Livable Streets
- Conducted a CEO Forum at Avista Hospital with Mary Manning presenting.
- Schedule Business Retention (BRE) meetings (32 conducted during March-Dec 2009)
- Schedule meetings with Revitalization Area property owners (1 held)
- Coordinate follow-up on tasks that come out of BRE meetings.
- Research which businesses are here; build ingredients of a database; work with GIS coordinator.
- Keep collection of broker’s current brochures of available space; refer buyers to sellers, tenants to landlords as opportunities arise.
- Maintain relationships with commercial brokers.
- Interact with DBA and Chamber and attend their events.
- Keep current on Santa Fe Grille building foreclosure/building sale. Receiver is again negotiating with the first prospect for this property.



**SUBJECT**

**BI-MONTHLY ECONOMIC DEVELOPMENT UPDATE**

**AGENDA ITEM**

**8B**

## PAGE TWO

**SUBJECT: BI-MONTHLY ECONOMIC DEVELOPMENT UPDATE**

**DATE: JANUARY 5, 2010**

- Respond to Metro Denver marketing leads, was successful in obtaining one showing for European testing facility.
- Respond to all other leads for new businesses.
- Follow through on ideas, leads, and phone inquiries.
- Review and update the economic development website.
- Attend Housing Authority Meetings; investigate and plan strategy for use of South Boulder Road land for Habitat.

**ATTACHMENT(S):**

1. Business Assistance Package summary report

To: City Council  
 From: Bonnie Star, Economic Development Director  
 Date: December 31, 2009  
 RE: Overview of BAP performance

To date, the City has approved eleven Business Assistance Packages. This memo will provide a summary of their performance to date.

<b>Name</b>	<b>Description</b>	<b>Amount Rebated</b>	<b>Amount Collected</b>	<b>Status</b>
GHX	75% Rebate of Permit fees/use tax	\$71,371.46	\$104,411.95	Complete
Waterloo	Up to \$10,000, 40% rebate of sales tax collected above historical annual base. 3 year limit	\$10,000	Confidential	Complete
Empire	Up to \$18,480, 40% rebate of annual sales tax collected above historic annual base. 3 year limit	\$1,584.16	Confidential	In second year
282 Century Pl	Up to \$43, 290 rebate from permit fees/use tax	None	\$16,261	First tenant Expected Aug 1, 2009
Promotech	50% rebate of permit fees/use tax	\$18,613	\$149,097	Complete
Koelbel retail	Rebate 40% of total sales tax collected in operating years 3, 4, 5, 6, and 7	None to date – clock started August 08	Confidential	Waiting for third year (Aug 2011/12)
Arlin Lehman – Main Street	Rebate 40% of total sales tax collected in operating years 2, 3, 4, and 5 if construction starts by March 1, 2010	None to date – construction anticipated to start in Spring 2010	None to date – no permit issued	Open
Beef O’Brady’s	Up to \$64,800, 40% rebate of sales tax collected for first 4 years	\$810.94	Confidential	Restaurant is in first year
Glacier Homemade Ice Cream & Gelato	Up to \$7,500	None to date	None to date – no permit issued yet	Lease signed

Fresca Foods	Up to \$28,650	None to date	None to date – no permit issued yet	Waiting for decision on lease
Intertek	Up to \$14,950	None to date	None to date – no permit issued yet	Intended space is now expected to be leased by Fresca Foods. If Intertek moves to new location, this BAP will need to be amended and/or voided

Note: Sales tax rebates do not include designated open space tax

# COUNCIL COMMUNICATION

**TO:** MAYOR AND CITY COUNCIL  
**FROM:** MALCOLM FLEMING, CITY MANAGER  
**DATE:** JANUARY 5, 2010  
**SUBJECT:** ORDINANCE NO. 1563, SERIES 2009 – AN ORDINANCE REGARDING POWERS AND DUTIES OF THE LIBRARY BOARD OF TRUSTEES AND BYLAWS REVISIONS FOR THE LIBRARY BOARD OF TRUSTEES – 2<sup>ND</sup> Reading – Public Hearing (Advertised *Daily Camera* 12/20/2009)

**ORIGINATING DEPARTMENT:** BETH BARRETT, ON BEHALF OF THE LIBRARY BOARD OF TRUSTEES

## SUMMARY:

On May 19, 2009 City Council amended the Louisville Municipal Code by adopting Ordinance No. 1549, Series 2009 to allow for appointment of a member from Superior to serve on the Louisville Library Board of Trustees. At that time, staff concluded that additional revisions to the Code were necessary to more accurately describe the powers and duties of the Library Board, since Section 2.64.101 and 2.64.030 of the Code reflect the language of C.R.S. 24-90-109, which applies to library governing boards.

As an advisory entity, the Library Board of Trustees does not, for example, have control of the Library's budget, does not acquire property or borrow funds for construction, and does not hire and fix compensation for a director. Those responsibilities fall to the City's chief governing body, the City Council, and its chief administrative officer, the City Manager. Staff therefore noted the need to bring Section 2.64.010 and 2.64.030 into conformity with the City Charter, which provides for a home rule mayor-council-manager form of government. The attached Ordinance revision eliminates the discrepancies in governing authority which have existed until this time.

The Library Board of Trustees, working both on its own and with staff, has spent a number of months reviewing and revising the wording of the Ordinance, and after two meetings with the City Manager, submit the attached proposed amendments. Notable changes include:

- Retention of the designation 'Trustee.' Although the Library Board has no direct fiduciary responsibilities, Board members felt that their work in advising and guiding Library operation warranted the title.
- Deletion of wording from C.R.S. 24-90-109, related to Colorado governing boards for libraries.
- Addition of a list of four primary areas of activity for the Library Board of Trustees and a corresponding set of representative tasks the Board performs.

**SUBJECT**

**AGENDA ITEM**



**ORDINANCE NO. 1563, SERIES 2009**

**8C**

## PAGE TWO

**SUBJECT:** ORDINANCE NO. 1563, SERIES 2009

**DATE:** JANUARY 5, 2010

Board members also considered shortening the terms of their appointments from five years to four, but in the end elected to keep the term at five years to ensure continuity and organizational memory.

In addition to the proposed changes to the Ordinance, the Board of Trustees also revised their Bylaws to reflect the changes outlined above, so that the documents are consistent with one another. Because the Board's vote on the Bylaws revision coincided with the release of the new Bylaws template for the City's Boards and Commissions developed by City Attorney Sam Light, the Board retained their Bylaws in the format they'd developed, with the understanding that the order and framework of their Bylaws may be reworked in the future.

**FISCAL IMPACT:**

There is no fiscal impact. The proposed changes to the Louisville Municipal Code align the Code with the realities of the Library Board of Trustees' current practice.

**RECOMMENDATION:**

Staff recommends adoption of Ordinance No. 1563, Series 2009, at second and final reading as published on December 20, 2009. Staff also recommends approval of the revised Bylaws of the Library Board of Trustees.

**ATTACHMENT(S):**

1. Ordinance No. 1563, Series 2009
2. Amendments to the Bylaws of the Library Board of Trustees adopted November 16, 2009

ORDINANCE NO. 1563  
SERIES 2009

AN ORDINANCE AMENDING SECTIONS **2.64.010**, **2.64.020** AND 2.64.030 OF **THE LOUISVILLE MUNICIPAL CODE** REGARDING MANAGEMENT AND CONTROL OF **THE LIBRARY AND APPOINTMENTS TO THE LOUISVILLE LIBRARY BOARD**

**WHEREAS**, the City Charter provides for a home rule mayor-council-manager form of government with the City Council serving as the governing body of the City responsible for exercising all powers and responsibilities not conferred by the Charter on others, and with the City Manager serving as the chief administrative official of the City; and

**WHEREAS**, under the City Charter the City Manager, subject to the Council's oversight, is responsible for among other things, administration of the budget adopted by the City Council and exercising supervision and control over all City personnel and departments, and for the enforcement of ordinances, resolutions, franchises, contracts, and other enactments of the City; and

**WHEREAS**, Sections 2.64.010 and 2.64.030 of the Louisville Municipal Code currently provide that the management and control of the Louisville Public Library is vested in the Board of Trustees, and that the Board of Trustees shall have all of the powers and duties that are granted by C.R.S. Section 24-90-109; and

**WHEREAS**, in current practice the Library Board of Trustees serves primarily in an advisory capacity to Library Administration; and the City Council and does not exercise management and control of the Library; and

**WHEREAS**, Sections 2.64.010 and 2.64.030 of the Louisville Municipal Code, in vesting management and control of the Library in the Library Board of Trustees and granting to the Board of Trustees all the powers and duties that are granted by C.R.S. Section 24-90-109, are inconsistent with both the City Charter and current practice; and

**WHEREAS**, the City Council, acting pursuant to the City's home rule authority, desires to amend these Sections of the Code to revise the powers and duties of the Library Board of Trustees;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:**

**Section 1.** Section 2.64.010 of the Louisville Municipal Code is hereby amended to read as follows:

**Sec. 2.64.010. Library department established;**

A public library and a public library department is established for the city in the general fund of the city and under the provisions of section 8.3 (b) (6) of the City Charter.

**Section 2.** Section 2.64.020 of the Louisville Municipal Code is hereby amended to read as follows:

**Sec. 2.64.020. Library Board of Trustees–Appointment.**

The mayor, with the consent of the city council, shall appoint a Library Board of Trustees (board) to advise Library administration, city council and city staff on matters concerning the public library of the city. The Library board shall consist of six residents of the city and one resident of the Town of Superior (Town), with all rules and responsibilities applying equally to members from both municipalities.

Board members shall be appointed to serve for five years. The board shall not receive any salary or other compensation for services as board trustees, but necessary and authorized travel and subsistence expenses shall be paid from library funds. A member may be removed by city council under the provisions of section 10.2 of the City Charter, with cause therefore as may be defined in the bylaws of the board and any ordinance or resolution of city council. A majority of the Library board may recommend such action to city council.

**Section 3.** Section 2.64.030 of the Louisville Municipal Code is hereby amended to read as follows:

**Sec. 2.64.030. Library Board of Trustees–Powers and duties.**

The function of the Louisville Public Library (Library) Board of Trustees is to act as advocates for the Louisville Public Library, with a primary focus on four key areas:

- A. Create and advance the Library’s Service Philosophy and Strategic Plan
- B. Advocate for critical resources to meet Library needs
- C. Act as community advocates on behalf of the Library to city council, the public, and other libraries
- D. Work closely with the Library Director to provide advice and support

A representative sample of tasks that the Library Board of Trustees manages on an as-needed basis includes:

- A. Provide advice in hiring a Library Director
- B. Monitor, advise, and construct the Library’s position in service negotiations
- C. Lead Library-related ballot issues
- D. Conduct general Library Board of Trustees business, such as reviewing usage statistics, and in conjunction with the Library Director, creating and adopting Library policies
- E. Guidance and support in creation of the Library budget
- F. Submit Library’s annual report to the Colorado State Library

**Section 4.** If any portion of this ordinance is held to be invalid for any reason, such decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

**Section 5.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portions hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED  
PUBLISHED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Charles L. Sisk, Mayor

ATTEST:

\_\_\_\_\_  
Nancy Varra, City Clerk

APPROVED AS TO FORM:

---

Light, Harrington & Dawes, P.C.  
City Attorney

**PASSED AND ADOPTED ON SECOND AND FINAL READING,** this \_\_\_\_ day of,  
2009.

---

Charles L. Sisk, Mayor

ATTEST:

---

Nancy Varra, City Clerk

# Bylaws of the Louisville Public Library Board of Trustees

Revised and re-adopted by the Louisville Public Library Board of Trustees, November 16, 2009.

## ARTICLE 1: The Board of Trustees

**Section 1. Status and Name.** The Louisville Public Library Board of Trustees (“Board”) was established and authorized by virtue of the Louisville Municipal Code, Section 2.64.

**Section 2. Office.** The office of the Board shall be considered the Louisville City Hall, 749 Main Street, Louisville, CO 80027, or such other place in the City of Louisville, Colorado as the Board members may designate from.

**Section 3. Membership.** The Board shall consist of six residents of the City of Louisville appointed by the City Council and one member appointed by the Town of Superior. Each member shall be appointed for a five-year term. Midterm vacancies shall be filled by the City Council for the remainder of the existing term.

## ARTICLE II: Purpose

The function of the Louisville Public Library Board of Trustees is to act as advocates for the Louisville Library, with a primary focus on four key areas:

- A. Create and advance the Library’s Service Philosophy and Strategic Plan
- B. Advocate for critical resources to meet Library needs
- C. Act as community advocates on behalf of the Library to city council, the public, and other libraries
- D. Work closely with the Library Director to provide advice and support

A representative sample of tasks that the Library Board of Trustees manages on an as-needed basis include:

- A. Provide advice in hiring a Library Director
- B. Monitor, advise, and construct the Library’s position in service negotiations
- C. Lead Library-related ballot issues
- D. Conduct general Library Board of Trustees business, such as reviewing usage statistics, and in conjunction with the Library Director, creating and adopting Library policies
- E. Guidance and support in creation of the Library budget
- F. Submit Library’s annual report to the Colorado State Library

### **ARTICLE III: Officers and Personnel**

**Section 1. Officers.** The officers of the Louisville Public Library Board of Trustees shall be a President, a Vice-President, and a Secretary who shall be elected by the Board from its membership.

**Section 2. President.** The President shall preside at all meetings of the Board.

**Section 3. Vice-President.** The Vice-President shall perform the duties of the President in the President's absence or inability to act. In the event of the absence or inability to act of both the President and Vice-President, the remaining members shall select some other member of the Board to temporarily perform the duties of the President.

**Section 4. Secretary.** The Secretary shall attest to all documents authorized to be executed by the Board. In the event of the absence of the Secretary, the President shall designate, in writing or verbally at a meeting of the Board, some other member of the Board to perform the duties of the Secretary.

**Section 5. Additional Duties.** The officers of the Board shall perform such duties and functions as may from time to time be required or authorized by the Board or these Bylaws.

**Section 6. Election of Officers.** The President, Vice-President and Secretary of the Board shall be elected annually by the Board at its first meeting of each year and shall assume their duties upon election. Officers shall hold their office for one year, or until their successors are selected and qualified.

**Section 7. Vacancies.** If the office of President, Vice-President or Secretary is vacant, the Board shall select a successor from its membership to serve for the unexpired term of said office.

**Section 8. Absences of Members.** Absence of a Board member from two or more scheduled meetings in any calendar year shall constitute good cause for removal from office and, upon such absence, such Board member may be removed by a majority vote of the City Council.

### **ARTICLE IV: Meetings**

**Section 1. Regular Meetings.** A regular meeting of the Board shall be held in each odd-numbered month. Notice and the agenda for each regular meeting shall be posted in public areas designated at the first meeting of each year and published on the City's website at least seventy-two hours in advance of the meeting.

#### **Section 2. Special Meetings and Business at Special Meetings.**

**A.** Except for an emergency special meeting governed by Subsection B, each special meeting of the Board shall be called by an officer on the request of the President or any three members of the Board, and shall be held on at least forty-eight hours written notice.

**B.** An emergency special meeting shall be called by an officer on the request of the President or any three members of the Board, and shall be held on at least twenty-four hours written notice to each member of the Board. An emergency special meeting shall not be called unless:

- (i.) Each member requesting the meeting has determined that the meeting is urgently necessary in order to take action on an unforeseen matter requiring immediate action; and
- (ii.) The basis for the determination described in Paragraph (i) is stated in the notice of the meeting.

**C.** All reasonable efforts shall be made to notify Board members.

**D.** The Board shall not take action on any item of business at any special meeting unless:

- (iii.) The item to be acted on has been stated in the notice of the meeting; or
- (iv.) The item to be acted on is reasonably related to the item which was stated in the notice of the meeting.

**Section 3. Quorum.** Four members shall constitute a quorum, but a smaller number may convene from time to time until a quorum is established. When a quorum is in attendance, action may be taken by the Board upon an affirmative vote of a majority of the Board members present.

**Section 4. Order of Business and Manner of Conducting Business.** At the regular meetings of the Board the following shall be, by way of illustration and not limitation, the order of business:

- Call to Order
- Roll Call
- Approval of Agenda
- Approval of Meeting Minutes
- Director's Report
- Public Comments
- Informational Comments of Pertinent Items Not on the Agenda
- Ongoing Business
- New Business
- Agenda Items for Next Meeting
- Adjournment

**Section 5. Manner of Voting.** Each member's vote on a matter put to a vote shall be entered upon the minutes, except in the case of officer elections when the vote may be by ballot.

**Section 6. Open Meetings.** In addition to the requirements of these Bylaws, the Board shall comply with all applicable provisions of the open meetings laws of the State of Colorado and the Louisville Home Rule Charter.

**Section 7. Notice, Discussions and Meeting Locations.**

**A.** Notice and the agenda for each meeting shall be both posted and published on the City’s website. For the purposes of these Bylaws, “posting” or “posted” means placing in areas accessible by the public: at the Louisville City Hall, the Louisville Public Library, the Louisville Recreation Center, and one additional location.

**B.** The Board shall not engage in substantive discussions relating to, or take action on, any subject at a non-emergency meeting when that subject was not listed in the agenda for that meeting and is not substantially related to any subject listed in the agenda. However, the Board may engage in substantive discussions and take action on a matter of public business not on the agenda, upon a finding by the presiding officer that such discussions or action will promote the general welfare and it would be injurious to await action on the matter until the next Board meeting.

**C.** All meetings of the Board shall occur in public buildings and public facilities accessible to all members of the public.

**Section 8. Agenda, Materials, and Communications File.**

**A.** The agenda for any meeting of the Board shall contain an itemized list of all subjects on which substantive discussions are reasonably expected or which may be the subject of formal action.

**B.** To the extent possible, a preliminary agenda for all Board meetings shall be provided to each member at least seven days in advance of such meeting. To the extent possible, the agenda and all documents and materials requiring action by the Board at any meeting shall be provided to each member seventy-two hours in advance of regular meetings, forty-eight hours in advance of special meetings, and twenty-four hours in advance of emergency meetings.

**C.** To the extent possible, the Board shall make available to the public, at least on the City of Louisville website, at the Louisville Public Library, and at the Board meeting, agenda-related materials for the Board.

**D.** The Board shall maintain a communications file with all agendas and related materials as a public record.

**ARTICLE V: Amendments to Bylaws**

**Section 1. Amendment to Bylaws.** The Bylaws of the Board may be amended only upon the affirmative vote of at least four Board members.

**ARTICLE VI: Open Government and Public Records**

**Section 1. Open Government.** Each member of the Board shall participate in at least one City-sponsored open government-related seminar, workshop or other program at least once every two years. Such program shall conform to the requirements of Section 4-16(a) of the Louisville Home Rule Charter.

**Section 2. Public Records.** Public records of the Board shall be open for inspection in accordance with the provisions of the Colorado Library Law, the Colorado Open Records Act, and Section 5-5 of the Louisville Home Rule Charter.

**ARTICLE VII: General**

**Section 1. Committee.** The Board may subdivide into such committees as deemed necessary to perform any functions for the purpose of advising the Board.

**Section 2. Conflict of Interest; Code of Ethics.** The members and officers of the Board shall comply with all applicable federal and state laws regarding conflicts of interest. The members, officers and employees of the Board shall also comply with the Code of Ethics set forth as Sections 5-6 through 5-17 of the City of Louisville Home Rule Charter (“Code of Ethics”).

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

# COUNCIL COMMUNICATION

**TO:** MAYOR AND CITY COUNCIL  
**FROM:** MALCOLM FLEMING, CITY MANAGER  
**DATE:** JANUARY 5, 2010  
**SUBJECT:** ORDINANCE NO. 1564, SERIES 2009 – AN ORDINANCE AMENDING SECTION 3.04.130 OF THE LOUISVILLE MUNICIPAL CODE RELATING TO LEASE-PURCHASE AND LONG-TERM LEASEHOLD AGREEMENTS – 2<sup>ND</sup> Reading – Public Hearing (Advertised *Daily Camera* 12/20/2009)

**ORIGINATING DEPARTMENT:** CITY MANAGER'S OFFICE

**SUMMARY:**

On November 3, 2009, voters approved an amendment to Section 12-4(a) of the City of Louisville's Home Rule Charter. This amendment eliminated the requirement for voter approval of lease-purchase agreements and provided that the City may enter into lease-purchase agreements if such agreements are approved by non-emergency ordinance.

In compliance with the old Section 12-4(a) of the Charter, Section 3.04.130 of the City of Louisville Municipal Code also contains a prohibition on lease-purchase agreements. Therefore, in order to maintain compliance with the Charter, as amended on November 3, an ordinance is necessary to remove the lease-purchase restrictions from Section 3.04.130 of the Code.

In addition, Section 3.04.130 of the Code also prohibits long-term leasehold agreements that are not lease-purchase agreements. Since the Charter does not prohibit long-term leasehold agreements, except in the case of parks or open space, staff proposes an additional amendment of Section 3.04.130 to remove the prohibition on long-term leasehold agreements. Per the Charter, any lease of park or open space land shall continue to require voter approval.

Per the Charter and the attached ordinance, lease-purchase agreements are defined as "(1) Any installment purchase agreement for the purchase of real or personal property which requires or permits payments during more than one fiscal year, regardless of any right of the City to terminate the agreement; or (2) Any agreement for the lease or rental of real or personal property which requires or permits payments during more than one fiscal year, regardless of any right of the City to terminate the agreement, and under which title to the property is transferred at the end of the term for nominal or no additional consideration."

Under the attached ordinance, long-term leasehold agreements are defined as "any lease agreement other than a lease-purchase agreement which extends beyond more than one fiscal year, whether or not terminable annually or subject to annual appropriation and whether or not the City is lessor or lessee."



**SUBJECT**

**ORDINANCE NO. 1564, SERIES 2009**

**AGENDA ITEM**

**8D**

## PAGE TWO

**SUBJECT:** ORDINANCE NO. 1564, SERIES 2009

**DATE:** JANUARY 5, 2010

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Staff recommends adoption of Ordinance No. 1564, Series 2009, at second and final reading as published on December 20, 2009.

**ATTACHMENT(S):**

1. Ordinance No. 1564, Series 2009.

**ORDINANCE NO. 1564  
SERIES 2009**

**AN ORDINANCE AMENDING SECTION 3.04.130 OF THE LOUISVILLE MUNICIPAL CODE RELATING TO LEASE-PURCHASE AND LONG-TERM LEASEHOLD AGREEMENTS**

**WHEREAS**, at the November 3, 2009 regular City election, the eligible electors of the City voted to amend Section 12-4(a) of the Home Rule Charter (“Charter”) to eliminate the requirement under Section 12-4(a) for voter approval of any lease-purchase agreement and to provide that the City may enter into a lease-purchase agreement if such agreement is approved by the City Council by non-emergency ordinance; and

**WHEREAS**, Section 3.04.130 of the Louisville Municipal Code (“Code”) contains a prohibition on lease-purchase agreements which has been superseded by Section 12-(4) of the Charter, as amended at the November 3, 2009 regular City election; and

**WHEREAS**, Section 3.04.130 of the Code further contains a prohibition on long-term leasehold agreements which prohibition is not required by the Charter; and

**WHEREAS**, the City Council desires to amend Section 3.04.130 of the Code to incorporate therein the Charter requirements relating to lease-purchase agreements and to amend the requirements therein relating to long-term leasehold agreements;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO, THAT:**

**Section 1.** Section 3.04.130 of the Louisville Municipal Code is hereby repealed and reenacted to read in full as follows:

**Sec. 3.04.130. Lease-purchase and long-term leasehold agreements.**

A. Any lease-purchase agreement entered into by the City shall be approved by the City Council by non-emergency ordinance. For the purposes of this section, “lease-purchase agreement” means: (1) Any installment purchase agreement for the purchase of real or personal property which requires or permits payments during more than one fiscal year, regardless of any right of the City to terminate the agreement; or (2) Any agreement for the lease or rental of real or personal property which requires or permits payments during more than one fiscal year, regardless of any right of the City to terminate the agreement, and under which title to the property is transferred at the end of the term for nominal or no additional consideration.

B. Any long-term leasehold agreement entered into by the City shall be approved by the City Council by ordinance or resolution, as the City Council shall determine, subject to the further requirement that any lease of park or open space

land shall require the approval of the registered electors as provided in the charter. For the purposes of this section, "long-term leasehold agreement" means any lease agreement other than a lease-purchase agreement which extends beyond more than one fiscal year, whether or not terminable annually or subject to annual appropriation and whether or not the City is lessor or lessee.

C. Nothing in this section shall apply to the acquisition of water rights by lease-purchase agreement, long-term leasehold agreement or other means.

**Section 2.** If any portion of this ordinance is held to be invalid for any reason, such decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

**Section 3.** The repeal of any portion of the Code by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

**Section 4.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED** this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Charles L. Sisk, Mayor

ATTEST:

\_\_\_\_\_  
Nancy Varra, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Light, Harrington & Dawes, P.C.  
City Attorney

**PASSED AND ADOPTED ON SECOND AND FINAL READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Charles L. Sisk, Mayor

ATTEST:

\_\_\_\_\_  
Nancy Varra, City Clerk



***Open Government & Ethics***  
***Pamphlet***  
***2010***

City of Louisville  
City Manager's Office  
749 Main Street  
Louisville CO 80027  
303.335.4533  
[info@LouisvilleCo.gov](mailto:info@LouisvilleCo.gov)

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## Citizen Participation in Government

**T**he City of Louisville City Government encourages citizen involvement and participation in its public policy process.

There are many opportunities for citizens to be informed about and participate in the City's activities and decisions. All meetings of City Council, as well as appointed Boards and Commissions are open to the public and include an opportunity for public comments on items not on the agenda. No action or substantive discussion on an item may take place unless that item has been specifically listed as an agenda item for a regular or special meeting.

### **Some opportunities for you to participate include:**

Reading and inquiring about City Council activities and agenda items, and attending and speaking on topics of interest at public meetings:

- The City Council meets as follows:
  - Regular meetings are generally held on the first and third Tuesdays of each month at 7:00 PM in the City Council Chambers, located on the second floor of City Hall, 749 Main Street;
  - Study sessions are generally held on the second and fourth Tuesdays of each month at 7:00 PM in the Library Meeting Room, located on the first floor of the Library, 951 Spruce Street;
  - Regular meetings are broadcast live on Comcast Cable Channel 8 and copies of the meeting broadcasts are available in DVD formats in the City Manager's Office beginning the morning following the meeting;
  - Regular meetings are broadcast live and archived for viewing on the web. You can find a link to the web broadcasts from the City's web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov).
  - Special meetings may be held from time to time on specific topics. The required notices will be posted for special meetings at minimum of 48 hours prior to the meeting.
- Meeting notices and agendas for all City Council meetings, other than special meetings, are posted a minimum of 72 hours prior to the meeting:
  - Agendas are posted at the following locations:
    - ◆City Hall, 749 Main Street
    - ◆Police Department/Municipal Court, 992 West Via Appia
    - ◆Recreation/Senior Center, 900 West Via Appia
    - ◆Louisville Public Library, 951 Spruce Street
    - ◆City web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov)
  - Meeting packets with all agenda-related materi-

als are available 72 hours prior to each meeting and may be found at these locations:

- ◆Louisville Public Library Reference Area, 951 Spruce Street,
- ◆City Clerk's Office, City Hall, 749 Main Street,
- ◆City web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov)
- If you would like to receive electronic summaries of City Council actions at regular and special meetings and discussion at study sessions, you may sign up for this service by filling out the electronic form on the "E-mail Lists" link on the City Council page on the City's web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov).
- Complete minutes of all regular and special meetings are available in the City Clerk's office and on the City's web site ([www.LouisvilleCo.gov](http://www.LouisvilleCo.gov)) after they are approved by the City Council at the following regular City Council meeting.
- Updates about City activities and many City Council decisions and projects are included in the *Community Update* newsletter, mailed to all City residents and businesses. Information is also included in the monthly water/sewer bills mailed to City residents.

### *Communicating directly with the Mayor and your City Council members:*

- Contact information for the Mayor and City Council members may be obtained on the City's web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov), at City Hall, the Louisville Public Library, and the Recreation/Senior Center;
- The Mayor and City Council members may be e-mailed using the link available on the City's web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov);
- Mayor's Town Meetings and City Council Ward Meetings are scheduled periodically. These are informal meetings. All residents, points of view, and issues are welcome. These meetings are advertised at City facilities and on the City's web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov);
- The Mayor generally holds informal meetings (*Chat with Chuck*) the third Wednesday of each month September – May, from 4:00 – 5:30 PM in the Library Board Room, 2nd Floor, 951 Spruce Street. No appointment is necessary and you may speak with the Mayor about whatever topic you would like.

### *Running for election for Mayor or City Council:*

City Council members are elected from three Wards within the City and serve staggered four-year terms. There are two Council representatives from each ward. The mayor is elected at-large and serves a four-year term. City Council elections are held in November of odd-numbered years. For information about City elections, including running for City Council, please contact the City Clerk's Office, first floor City Hall, 749 Main Street, or call at 303.335.4571.

### *Serving as an appointed member on one of the City's many Boards or Commissions.*

- Board and Commission appointments are made by the City Council in November or December of each year. Most of the City's Boards and Commissions are advisory, although some have limited decision-making powers. The City Council refers questions and issues to these appointed officials for input and direction. Please note the Youth Advisory Board has a different appointment processes outside of the City Council.

#### • Boards and Commissions:

- Board of Adjustment
- Building Code Board of Appeals
- Cultural Council
- Historic Preservation Commission
- Historical Commission
- Horticulture and Forestry Advisory Board
- Housing Authority
- Library Board of Trustees
- Local Licensing Authority
- Open Space Advisory Board
- Planning Commission
- Resource Conservation Advisory Board
- Revitalization Commission
- Senior Advisory Board
- Youth Advisory Board

Information about the duties and meeting schedules of each board is available on the City's web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov).

- Agendas for all meetings of Boards and Commissions are posted at least 72 hours prior to each meeting:

- Agendas are posted at these locations:
  - ◆ City Hall, 749 Main Street
  - ◆ Police Department/Municipal Court, 992 West Via Appia
  - ◆ Recreation/Senior Center, 900 West Via Appia

- ◆ Louisville Public Library, 951 Spruce Street

- ◆ City web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov)

- Copies of complete meeting packets containing all agenda-related materials are available for review at least 72 hours prior to each meeting and may be found at the following locations:

- ◆ Louisville Public Library Reference Area, 951 Spruce Street,

- ◆ City Clerk's Office, City Hall, 749 Main Street

- ◆ City web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov)

- The Planning Commission evaluates land use proposals against zoning laws and may hold public hearings as outlined in City codes. Following a public hearing, the Commission recommends, through a resolution, that the City Council accept or reject the proposal.

- Regular Planning Commission meetings are held at 6:00 PM on the second Thursday of each month. Overflow meetings are scheduled for 6:00 PM on the Thursday of the following week if needed, and Study Sessions may be held the fourth Thursday of the month, if needed;

- Regular meetings are broadcast live and archived for viewing on the web. You can find a link to the web broadcasts from the City's web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov);

- All City Council members and each member of a permanent Board or Commission is required to participate in at least one City-sponsored open government-related seminar, workshop, or other training program at least once every two years.

## Open Meetings

*The City follows the Colorado Open Meetings Law ("Sunshine Law") as well as additional open meetings requirements found in the City's Home Rule Charter. These rules and practices apply to the City Council and appointed Boards and Commissions (referred to as a "public body" for ease of reference). Important open meetings rules and practices include the following:*

- All meetings of three or more members of a public body (or a quorum, whichever is fewer) are open to the public.
- All meetings of public bodies must be held in public buildings and public facilities accessible to all members of the public.
- All meetings must be preceded by proper notice. Agendas and agenda-related materials are posted at least 72 hours in advance of the meeting at the following locations:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street
- On the City web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov)
- Study sessions are also open to the public. However, study sessions have a limited purpose:
  - Study sessions are to obtain information and discuss matters in a less formal atmosphere;
  - No preliminary or final decision or action may be made or taken at any study session; further, full debate and deliberation of a matter is to be reserved for formal meetings;
  - If a person believes in good faith that a study session is proceeding contrary to these limitations, he or she may submit a written objection. The presiding officer will then review the objection and determine how the study session should proceed.
  - Like formal meetings, a written summary of each study session is prepared and is available to interested persons.

## Executive Sessions

*The City Charter also sets out specific procedures and limitations on the use of executive sessions. These rules, found in Article 5 of the Charter, are intended to further the City policy that the activities of City government be conducted in public to the greatest extent feasible, in order to assure public participation and enhance public accountability.*

*The City's rules regarding executive sessions include the following:*

### *Timing and procedures:*

- The City Council, and City Boards and Commissions, may hold an executive session only at a regular or special meeting.
- No formal action of any type, and no informal or "straw" vote, may occur at any executive session. Rather, formal actions, such as the adoption of a proposed policy, position, rule or other action, may only occur in open session.
- Prior to holding an executive session, there must be a public announcement of the request and the legal authority for convening in closed session. There must be a detailed and specific statement as to the topics to be discussed and the reasons for requesting the session.

- The request must be approved by a supermajority (two-thirds of the full Council, Board, or Commission). Prior to voting on the request, the clerk reads a statement of the rules pertaining to executive sessions. Once in executive session, the limitations on the session must be discussed and the propriety of the session confirmed. If there are objections and/or concerns over the propriety of the session, those are to be resolved in open session.
- Once the session is over, an announcement is made of any procedures that will follow from the session.
- Executive sessions are recorded, with access to those tapes limited as provided by state law. Those state laws allow a judge to review the propriety of a session if in a court filing it is shown that there is a reasonable belief that the executive session went beyond its permitted scope. Executive session records are not available outside of a court proceeding.

### *Authorized topics:*

- For City Council, an executive session can be held only for discussion of the following topics:
  - Matters where the information being discussed is required to be kept confidential by federal or state law;
  - Certain personnel matters relating to employees directly appointed by the Council, and other personnel matters only upon request of the City Manager or Mayor for informational purposes only;
  - Consideration of water rights and real property acquisitions and dispositions, but only as to appraisals and other value estimates and strategy for the acquisition or disposition; and
  - Consultation with an attorney representing the City with respect to pending litigation. This includes cases that are actually filed as well as situations where the person requesting the executive session believes in good faith that a lawsuit may result, and allows for discussion of settlement strategies.
- The City's Boards and Commissions may only hold an executive session for consultation with its attorney regarding pending litigation.

## Ethics

**E**thics are the foundation of good government. Louisville has adopted its own Code of Ethics, which is found in the City Charter and which applies to elected officials, public body members, and employees. The Louisville Code of Ethics applies in addition to any higher standards in state law. Louisville's position on ethics is perhaps best summarized in a statement taken from the City Charter:

*"Those entrusted with positions in the City government must commit to adhering to the letter and spirit of the Code of Ethics. Only when the people are confident that those in positions of public responsibility are committed to high levels of ethical and moral conduct, will they have faith that their government is acting for the good of the public. This faith in the motives of officers, public body members, and employees is critical for a harmonious and trusting relationship between the City government and the people it serves."*

The City's Code of Ethics (Sections 5-6 through 5-17 of the Charter) is summarized in the following paragraphs. While the focus is to provide a general overview of the rules, it is important to note that all persons subject to the Code of Ethics must strive to follow both the letter and the spirit of the Code, so as to avoid not only actual violations, but public perceptions of violations. Indeed, perceptions of violations can have the same negative impact on public trust as actual violations.

### *Conflicts of Interest*

One of the most common ethical rules visited in the local government arena is the "conflict of interest rule." While some technical aspects of the rule are discussed below, the general rule under the Code of Ethics is that if a Council, Board, or Commission member has an "interest" that will be affected by his or her "official action," then there is a conflict of interest and the member must:

- Disclose the conflict, on the record and with particularity;
- Not participate in the discussion;
- Leave the room; and
- Not attempt to influence others.

An "interest" is a pecuniary, property, or commercial benefit, or any other benefit the primary significance of which is economic gain or the avoidance of eco-

nomical loss. However, an "interest" does not include any matter conferring similar benefits on all property or persons similarly situated. (Therefore, for example, a City Council member is not prohibited from voting on a sales tax increase or decrease if the member's only interest is that he or she, like other residents, will be subject to the higher or lower tax.) Additionally, an "interest" does not include a stock interest of less than one percent of the company's outstanding shares.

The Code of Ethics extends the concept of prohibited interest to persons or entities with whom the member is associated. In particular, an interest of the following persons and entities is also an interest of the member: Relatives (including persons related by blood or marriage to certain degrees, and others); a business in which the member is an officer, director, employee, partner, principal, member, or owner; and a business in which member owns more than one percent of outstanding shares.

The concept of an interest in a business applies to profit and nonprofit corporations, and applies in situations in which the official action would affect a business competitor. Additionally, an interest is deemed to continue for one year after the interest has ceased. Finally, "official action" for purposes of the conflict of interest rule, includes not only legislative actions, but also administrative actions and "quasi-judicial" proceedings where the entity is acting like a judge in applying rules to the specific rights of individuals (such as a variance request or liquor license). Thus, the conflict rules apply essentially to all types of actions a member may take.

### *Contracts*

In addition to its purchasing policies and other rules intended to secure contracts that are in the best interest of the City, the Code of Ethics prohibits various actions regarding contracts. For example, no public body member who has decision-making authority or influence over a City contract can have an interest in the contract, unless the member has complied with the disclosure and recusal rules. Further, members are not to appear before the City on behalf of other entities that hold a City contract, nor are they to solicit or accept employment from a contracting entity if it is related to the member's action on a contract with that entity.

### *Gifts and Nepotism*

The Code of Ethics, as well as state law, regulates the receipt of gifts. City officials and employees may not solicit or accept a present or future gift, favor, discount, service or other thing of value from a party to a City contract, or from a person seeking to influence an official action. There is an exception for the "occasional nonpecuniary gift" of \$15 or less, but this exception does not apply if the gift, no matter how small, may be associated with the official's or employee's official action, whether concerning a contract or some other matter. The gift ban also extends to independent contractors who may exercise official actions on behalf of the City.

The Code of Ethics also prohibits common forms of nepotism. For example, no officer, public body member, or employee shall be responsible for employment matters concerning a relative. Nor can he or she influence compensation paid to a relative, and a relative of a current officer, public body member or employee cannot be hired unless certain personnel rules are followed.

### *Other Ethics Rules of Interest*

Like state law, Louisville's Code of Ethics prohibits the use of non-public information for personal or private gain. It also prohibits acts of advantage or favoritism and, in that regard, prohibits special considerations, use of employee time for personal or private reasons, and use of City vehicles or equipment, except in same manner as available to any other person (or in manner that will substantially benefit City). The City also has a "revolving door" rule that prohibits elected officials from becoming City employees either during their time in office or for two years after leaving office. These and other rules of conduct are found in Section 5-9 of the Code of Ethics.

### *Disclosure, Enforcement, and Advisory Opinions*

The Code of Ethics requires that those holding or running for City Council file a financial disclosure statement with the City Clerk. The statement must include, among other information, the person's employer and occupation, sources of income, and a list of business and property holdings.

The Code of Ethics provides fair and certain procedures for its enforcement. Complaints of violations may be filed with the City prosecutor; the complaint must be a detailed written and verified statement.

If the complaint is against an elected or appointed official, it is forwarded to an independent judge who appoints a special, independent prosecutor for purposes of investigation and appropriate action. If against an employee, the City prosecutor will investigate the complaint and take appropriate action. In all cases, the person who is subject to the complaint is given the opportunity to provide information concerning the complaint.

Finally, the Code allows persons who are subject to the Code to request an advisory opinion if they are uncertain as to applicability of the Code to a particular situation, or as to the definition of terms used in the Code. Such requests are handled by an advisory judge, selected from a panel of independent, disinterested judges who have agreed to provide their services. This device allows persons who are subject to the Code to resolve uncertainty before acting, so that a proper course of conduct can be identified. Any person who requests and acts in accordance with an advisory opinion issued by an advisory judge is not subject to City penalty, unless material facts were omitted or misstated in the request. Advisory opinions are posted for public inspection; the advisory judge may order a delay in posting if the judge determines the delay is in the City's best interest.

Citizens are encouraged to direct to the City Manager's Office any questions they may have about the City's Code of Ethics. A copy of the Code is available on-line at the City's web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov) and also available at the Offices of the City Manager and City Clerk.

## **Other Laws on Citizen Participation in Government**

***P***receding sections of this pamphlet describe Louisville's own practices intended to further citizen participation in government. Those practices are generally intended to further dissemination of information and participation in the governing process. Some other laws of interest regarding citizen participation include:

### *Initiative and Referendum*

The right to petition for municipal legislation is reserved to the citizens by the Colorado Constitution and the City Charter. An initiative is a petition for legislation brought directly by the citizens; a referendum is a petition brought by the citizens to

refer to the voters a piece of legislation that has been approved by the City Council. In addition to these two petitioning procedures, the City Council may refer matters directly to the voters in the absence of any petition. Initiative and referendum petitions must concern municipal legislation—as opposed to administrative or other non-legislative matters. By law the City Clerk is the official responsible for many of the activities related to a petition process, such as approval of the petition forms, review of the signed petitions, and consideration of protests and other matters. There are minimum signature requirements for petitions to be moved to the ballot; in Louisville, an initiative petition must be signed by at least five percent of the total number of registered electors. A referendum petition must be signed by at least two and one-half percent of the registered electors.

#### *The Public Hearing*

In addition to the opportunity afforded at each regular City Council meeting to comment on items not on the agenda, most City Council actions provide opportunity for public comment through a public hearing process. For example, the City Charter provides that a public hearing shall be held on every ordinance before its adoption. This includes opportunities for public comment prior to initial City Council discussion of the ordinance, as well as after Council's initial discussion but before action. Many actions of the City are required to be taken by ordinance, and thus this device allows for citizen public hearing comments on matters ranging from zoning ordinances to ordinances establishing offenses that are subject to enforcement through the municipal court.

Additionally, federal, state, and/or local law requires a public hearing on a number of matters irrespective of whether an ordinance is involved. For example, a public hearing is held on the City budget, the City Comprehensive Plan and similar plans, and a variety of site-specific or person-specific activities, such as annexations of land into the city, rezonings, special use permits, variances, new liquor licenses, and other matters. Interested citizens may provide comments during these hearings.

#### *Public Records*

Access to public records is an important aspect of citizen participation in government. Louisville follows the Colorado Open Records Act ("CORA"), and the additional public records provisions in the City Charter. In particular, the Charter promotes the liberal construction of public records law, so as to promote the prompt disclosure of City records to citizens at no cost or no greater than the actual costs to the City.

The City Clerk is the custodian of the City's public records, except for financial, personnel, and police records which are handled, respectively, by the Finance, Human Resources, and Police Departments. The City maintains a public policy on access to public records, which include a records request form, a statement of fees, and other guidelines. No fee is charged for the inspection of records. No fee is charged for locating or making records available for copying, except in cases of voluminous requests or dated records, or when the time spent in locating records exceeds two hours. No fees are charged for the first 25 copies requested, or for electronic records.

Many records, particularly those related to agenda items for City Council and current Board and Commission meetings, are available directly on the City's web site at [www.ci.louisville.co.us](http://www.ci.louisville.co.us). In addition to posting agenda-related material, the City maintains communication files for the City Council and Planning Commission, which are available for public inspection at the City Clerk's Office, 749 Main Street.

CORA lists the categories of public records that are not generally open to public inspection. These include, for example, personnel records, financial and other information about users of city facilities, privileged information, medical records, letters of reference, and other items listed in detail in CORA. When public records are not made available, the custodian will specifically advise the requestor of the reason.

Citizens are encouraged to review the City's web site ([www.LouisvilleCo.gov](http://www.LouisvilleCo.gov)) for information, and to contact the City with any questions regarding City records.

## Public Involvement Policy

**P**ublic participation is an essential element of the City's representative form of government. To promote effective public participation City officials, advisory board members, staff and participants should all observe the following guiding principles, roles and responsibilities:

### *Guiding principles for public involvement*

- **Inclusive not Exclusive** - Everyone's participation is welcome. Anyone with a known interest in the issue will be identified, invited and encouraged to be involved early in the process.
- **Voluntary Participation** - The process will seek the support of those participants willing to invest the time necessary to make it work.
- **Purpose Driven** - The process will be clearly linked to when and how decisions are made. These linkages will be communicated to participants.
- **Time, Financial and Legal Constraints** - The process will operate within an appropriate time frame and budget and observe existing legal and regulatory requirements.
- **Communication** - The process and its progress will be communicated to participants and the community at-large using appropriate methods and technologies.
- **Adaptability** - The process will be adaptable so that the level of public involvement is reflective of the magnitude of the issue and the needs of the participants.
- **Access to Information** - The process will provide participants with timely access to all relevant information in an understandable and user-friendly way. Education and training requirements will be considered.
- **Access to Decision Making** - The process will give participants the opportunity to influence decision making.
- **Respect for Diverse Interests** - The process will foster respect for the diverse values, interests and knowledge of those involved.
- **Accountability** - The process will reflect that participants are accountable to both their constituents and to the success of the process.
- **Evaluation** - The success and results of the process will be measured and evaluated.

### *Roles and Responsibilities - City Council*

City Council is ultimately responsible to all the citizens of Louisville and must weigh each of its decisions accordingly. Councilors are responsible to their local constituents under the ward system; however they must carefully consider the concerns expressed by all parties. Council must ultimately meet the needs of the entire community—including current and future generations—and act in the best interests of the City as a whole.

During its review and decision-making process, Council has an obligation to recognize the efforts and activities that have preceded its deliberations. Council should have regard for the public involvement processes that have been completed in support or opposition of projects.

### *Roles and Responsibilities - City Staff and Advisory Boards*

The City should be designed and run to meet the needs and priorities of its citizens. Staff and advisory boards must ensure that the Guiding Principles direct their work. In addition to the responsibilities established by the Guiding Principles, staff and advisory boards are responsible for:

- ensuring that decisions and recommendations reflect the needs and desires of the community as a whole;
- pursuing public involvement with a positive spirit because it helps clarify those needs and desires and also adds value to projects;
- in all public involvement activities fostering long-term relationships based on respect and trust;
- encouraging positive working partnerships;
- ensuring that no participant or group is marginalized or ignored;
- drawing out the silent majority, the voiceless and the disempowered; and
- being familiar with a variety of public involvement techniques and the strengths and weaknesses of various approaches.

*All Participants*

*(Proponents, Opponents, Public, City Council, Advisory Boards, and Staff)*

The public is also accountable for the public involvement process and for the results it produces. All parties (including Council, advisory boards, staff, proponents, opponents and the public) are responsible for:

- working within the process in a cooperative and civil manner;
- focusing on real issues and not on furthering personal agendas;
- balancing personal concerns with the needs of the community as a whole;
- having realistic expectations;
- participating openly, honestly and constructively, offering ideas, suggestions and alternatives;
- listening carefully and actively consider everyone's perspectives;
- identifying their concerns and issues early in the process;
- providing their names and contact information if they want direct feedback;
- remembering that no single voice is more important than all others, and that there are diverse opinions to be considered;
- making every effort to work within the project schedule and if this is not possible, discussing this with the proponent without delay;
- recognizing that process schedules may be constrained by external factors such as limited funding, broader project schedules or legislative requirements;
- accepting some responsibility for keeping themselves aware of current issues, making others aware of project activities and soliciting their involvement and input; and
- considering that the quality of the outcome and how that outcome is achieved are both important.

*Updated 12/09*

*This pamphlet is prepared pursuant to the Home Rule Charter of the City of Louisville.*

*This is compilation of Articles 4 and 5 of the Charter of the City of Louisville and is available at all times in the City Clerk's Office, 749 Main Street, Louisville, Colorado, and on the City's web site at [www.LouisvilleCo.gov](http://www.LouisvilleCo.gov).*

*This pamphlet is also provided to every member of a public body (board or commission) at that body's first meeting each year.*