

Meredyth Muth

From: French, Katie G <kgfrench@ball.com>
Sent: Monday, April 6, 2020 3:37 PM
To: City Council
Subject: Voting NO on Resolution 30

This is to formally vote NO on Resolution 30. The members of the city still has rights to what is going on with the city during this time.

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From: [Susan](#)
To: [City Council](#)
Subject: Resolution #30
Date: Monday, April 6, 2020 9:24:54 AM

Dear Mayor and City Council

I just heard about Resolution #30 that you will be considering tomorrow. I am appalled that you would consider passing a resolution that would allow quasi judicial decisions to be made without significant public input. This resolution will do just that. The fact that many important issues such as land use decisions could be made without your constituents having the opportunity to provide their opinions is not OK.

I realize that we are in a very unusual circumstance because of the coronavirus but that doesn't mean we need to override the processes that are very important in our community decisions.

Please do not pass this resolution.

Susan Morris
939 West Maple Ct
Louisville

From: [VICTORIA](#)
To: [City Council](#)
Subject: Resolution NO 30 series 202
Date: Sunday, April 5, 2020 9:39:40 PM

Dear Mayor and City Council members.

I am requesting a vote against Resolution NO 30 Series 202 that would allow Quasi-judicial hearings at meetings now during this Covid situation when many citizens are unable to attend physically and electronically also. We are very busy dealing with children and families during this crisis and many are distracted from city matters. Land use decisions and any, decisions, for that matter which affect citizens should be put on hold as all of our lives have been put on hold. City business that pertains to anything that affects the quality of life of the citizens needs to wait to be heard when all have the opportunity to attend in person. Also, many elderly do not have access to computers.

Thank you for your time and attention to this.

Victoria Hart

From: [Gail Hartman](#)
To: [City Council](#)
Subject: Comments re: Resolution No. 30, Series 2020
Date: Sunday, April 5, 2020 7:24:03 PM

To the City Council,

I am writing to urge you not to pass Resolution No. 30, Series 2020—regarding quasi-judicial hearings at meetings conducted by electronic participation—because the City cannot guarantee equitable access for public participation in electronic meetings.

As the Vice President of Content for a national and international educational technology company, I am keenly aware of the multitude of legal requirements to guarantee equitable access for all via technology. Given the current COVID-19 pandemic, it's impossible for the City of Louisville to guarantee that every Louisville residence and business has the ability to participate freely in electronic City Council meetings. Looking past all the technical constraints of Zoom or other online meeting software, the fact is that many people may not have updated computer equipment necessary to log on and participate via video and/or audio. That means there is no guarantee of equitable access for the public to participate.

Since electronic meetings are only available to those who have reliable Internet access—at home, since there is a stay-at-home state mandate and since all public libraries, restaurants, etc. are closed)—that means the City would have to guarantee that every member of the public has access to a reliable ISP at home and that Comcast, CenturyLink, and every other ISP option in the city is working flawlessly. (I laughed aloud when I typed that sentence because, like all Louisville customers of Comcast, we know exactly how unreliable that ISP can be!) Without 100% of the public having access to a reliable ISP, it means there is no guarantee of equitable access for the public to participate in electronic meetings.

Further, the City would need to guarantee that every online meeting and all related documentation is fully WCAG and ADA compliant. Ask any technology company and they will tell you the months and sometimes years of work it takes to do so. For example, being complaint would mean making sure every part of the City Council meetings and related documentation is screen reader compatible for vision and/or hearing impaired individuals in our community and all video, audio, graphics on documentation, etc. would need to have accurate Alternative Text (Alt Text) and closed captioning. And that's just one of thousands of WCAG and ADA accommodations the City would need to guarantee so that every member of the public who wished to participate in electronic meetings could do so. Without those accommodations, there is no guarantee of equitable access for the public to participate in electronic meetings.

Finally, if the Council makes a decision about any quasi-judicial matter during the pandemic that the public objects to, the public would still only have 30 days to collect signatures for a referendum. That would probably be illegal given Colorado's "stay-at-home" mandate. Staying at home does not include going door to door and standing next to many people to get signatures. I'm not a lawyer, but this one seems to be a no brainer for a lawsuit against the City.

In sum, I urge you to vote no on Resolution No. 30, Series 2020 because the City cannot guarantee equitable access for public participation in electronic meetings.

Thank you,

Gail Hartman

Louisville, CO

From: [John Leary](#)
To: [City Council](#)
Subject: Resolution 30, 2020
Date: Sunday, April 5, 2020 5:01:01 PM
Attachments: [COMMENTS TO CITY COUNCIL ON RESOLUTION 30 2020.docx](#)

Members of the City Council,

Attached find my comments on the proposed Resolution 30 2020

Thanks,

John Leary

COMMENTS TO CITY COUNCIL ON RESOLUTION 30 2020
Submitted by John Leary, 1116 Lafarge Ave

I am strongly opposed to your passage of Resolution 30 at your April 7th meeting. You have taken an oath of office committing to support the Constitution of the State of Colorado, the statutes of the State of Colorado, the Home Rule Charter and ordinances of the City of Louisville. Approving this resolution could easily put you in the position to violate your oath. Furthermore, the justification for passing Resolution 30 is not to protect the rights of the Citizens of Louisville, but is rather to remove the liability associated with potential lawsuits that may result from its implementation.

Through the Colorado Constitution the people have reserved for themselves the right to legislate. *Colo. Const. Art. V, Sec. 1.* "This right is of the first order; it is not a grant to the people but a reservation by them for themselves."¹ Legislation by the people is done via initiative and referendum.

Over the years, I have been told by several Councilmembers that they believe in representative government and thus opposed the use of initiative and referendum. It is not a choice they had, or you have. Per Article XX, Section 4(4) of the Colorado Constitution "any franchise relating to any street, alley, or public place of the said city and county shall be subject to the initiative and referendum powers reserved to the people under section 1 of article V of this constitution."² The process for the implementation of referendum and initiative is dictated by requirements in State statutes, our City charter and City ordinances.

So, here is the problem. The same conditions that make it necessary to have electronic meetings, put unmanageable constraints on the use of referendum and initiative. Health threatening person to person contacts cannot reasonably be

¹ Colorado Supreme Court – McKee et. al. vs The City of Louisville, 1980.

² According to The New Oxford American Dictionary on my computer, in this context franchise means "an authorization granted by a government or company to an individual or group enabling them to carry out specified commercial activities,"

avoided in the signature gathering and witnessing process required by State law. These contacts would clearly violate the social distance standards in effect now and indefinitely into the future.

In sum, the pandemic surrounding us calls for adjusting the normal processes the City employs to govern. Resolution 30 is all about absolving you of liability if you get caught denying the rights of the public. That is no way to govern.

A final thought from the Colorado Constitution: “All political power is vested in and derived from the people; all government, of right, originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.”³

Thank you.

John Leary

³ Colorado Constitution, Article II, Section 1.

From: [Jack Hoskinson](#)
To: [City Council](#)
Subject: NO VOTE
Date: Monday, April 6, 2020 6:55:18 PM

Good evening

I suggest the council NO! The government must stay transparent on all matters. All the agenda that the council should table all topics. But I NO the votes on this matters have already been taken. Cause we know this council doesn't care about the citizens of Louisville. You all are using this format to pass things without the citizens of Louisville knowing about thing to reject. Thank you

J.Hoskinson

From: [christianne Maldonado Rader](#)
To: [City Council](#)
Subject: RESOLUTION NO 30, SERIES 2020, A RESOLUTION REGARDING QUASI-JUDICIAL HEARINGS AT MEETINGS CONDUCTED BY ELECTRONIC PARTICIPATION
Date: Monday, April 6, 2020 6:14:37 PM

Dear Mayor and City Councilmembers:

I am writing to request that you vote against Resolution NO 30, Series 202 that would allow Quasi-judicial hearings at meetings conducted by electronic participation. Land Use decisions made without in-person citizen participation will not allow full public input. Not only is this very poor civic procedure, but it's also legally questionable.

Thank you for considering my input

With Appreciation on all you do,

M. Christianne Maldonado

From: [Karen Michelle Wilke](#)
To: [City Council](#)
Subject: Resolution 30 Series 2020
Date: Monday, April 6, 2020 5:24:55 PM

Hello,

It has come to my attention that you will be voting on resolution 30 series 2020. From my understanding, this resolution allows the city council to make decisions on "quasi-judicial" matters, without full transparency, while meetings are being held electronically. Obviously I find this problematic, especially given that people are distracted by the current pandemic and may not even be aware that this issue is being voted on. In addition, because this resolution has the potential to violate transparency rules this resolution may have huge impacts to the way we live and work in our city. As such, I strongly urge you to vote NO on this resolution. It is the only responsible vote at this time.

Regards,
Karen Wilke

From: [Jill Kranitz](#)
To: [City Council](#)
Subject: Resolution 30 Series 2020
Date: Monday, April 6, 2020 4:43:35 PM

Council Members,

I strongly urge a NO vote on Resolution 30 Series 2020.

Thank you,
Concerned Louisville Resident
Jill Kranitz

From: [Clarice Streets](#)
To: [City Council](#)
Subject: Please Vote NO on Resolution 30 Series 2020
Date: Tuesday, April 7, 2020 8:06:12 AM

Dear Louisville City Council,

I am writing to formally voice my input on this matter. The fundamental requirement for government to operate with the greatest degree of visibility to the citizens is an integral value of democracy. Please DO NOT vote for this Resolution, which flies in the face of this value.

Thank you,
Clarice Streets

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Clarice Streets
156 Pheasant Run
Louisville, CO 80027
(802) 393-0035

From: [Stephanie Wirth](#)
To: [City Council](#)
Subject: Tebo Properties - City Council Letter
Date: Tuesday, April 7, 2020 7:51:43 AM

Dear Ms. Mayor & Council Members

It is my understanding that March and April meetings were canceled. In representing the owner, Tebo Properties, we have a property we are pursuing the historic preservation program, and I am concerned about the delays imposed by the COVID-19 restrictions.

If May's HPC meeting is canceled, the backlog of applications could take months to work through causing further delays. Finding an online or virtual meeting solution is critical to keep the City's important business moving forward, and matches what other municipalities are doing. Business needs to keep moving forward for the vitality of Louisville's community when it can do so in a safe and productive manner given our current COVID-19 situation.

Please don't hesitate to reach out with any further questions.

Stephanie Wirth

Tebo Properties

3111 28th Street, Boulder, CO 80301

303.447.8326

swirth@teboproperties.com

From: [Frederick Rubner](#)
To: [City Council](#)
Subject: Resolution 30 Series 2020
Date: Tuesday, April 7, 2020 8:35:43 AM

To Whom It May Concern:

I write to request a 'NO' vote on Resolution 30 Series 2020. I make this request given my concern over City Council transparency.

Respectfully,

Frederick J. Rubner
838 Cleveland Ct.
Louisville, CO 80027
608.338.3226

From: [Keith Pieper](#)
To: [City Council](#)
Subject: Yes for transparency, no for Resolution 30 Series 2020
Date: Tuesday, April 7, 2020 8:28:18 AM

Honorable council members -

I was recently made aware of Resolution 30 Series 2020 that would result in limited transparency. As in all matters of government decision making, I appreciate open transparency to encourage accountability. Please vote no for Resolution 30 Series 2020.

[Keith Pieper](#) #explorer #builder #creator #scouter

[720-724-0429](tel:720-724-0429) • Louisville, CO

kmp@keithpieper.com (kpieper876@gmail.com)

[Schedule a Meeting](#)

From: [TALBOT WILT](#)
To: [City Council](#)
Subject: City Council and Commission Meetings
Date: Tuesday, April 7, 2020 9:46:55 AM

Ms. Mayor and Council Members

It has come to my attention that the City Council is reviewing the process by which City Commissions, such as the Planning and Historic Preservation Commissions may be allowed to proceed in an online format. As property owners of a Louisville residence, currently under review with the Historic Preservation Program, my wife and I are gravely concerned with the potential for further delays to our project due to COVID-19 restrictions.

The cancellation of the March and April meetings have caused considerable delays to our project in both time and monetary expense. If the May HPC meeting is also cancelled the associated costly delays may seriously jeopardize our ability to complete our plans for historic preservation of this property.

The Council's ability to allow the commissions to continue with their work, through online or virtual meetings, is critical not only to the success of our proposed historical preservation project but that of many other projects in our community. Of equal if not even greater importance is keeping business in general alive and well in our City of Louisville. Online and virtual meeting solutions have been successfully implemented in many other municipalities and I am certain that Louisville is capable of doing so as well.

Through the use of technology the business of our community can proceed in a safe and productive manner which falls within best practice guidelines of the current COVID-19 situation. Conversely, if Council delays an online solution for the Planning and HPC meetings, a strong signal will be sent to the community at large implying that the business of the City is shut down. Let us not allow COVID-19 to unnecessarily paralyze our lives.

I respectfully request that Council approve an online solution for HPC meetings to move forward without further delays.

Michael Talbot Wilt and Diana Serpe
908 Rex Street, Louisville

From: outlook_CF8E818051516ADE@outlook.com
To: [City Council](#)
Subject: council meeting
Date: Tuesday, April 7, 2020 9:36:55 AM

Hello,

I have a property currently under historic preservation program.

Is it not possible to find an online solution to these meetings? This several month delay is possibly going to prevent my project from being realized, as I was on somewhat of a time constraint before Covid-19.

Please consider approving an online option so that the council meetings can go forward.

Thanks very much,
JoAnna Alidu

From: [tamar.krantz](#)
To: [City Council](#)
Subject: vote no on Resolution NO 30, Series 2020
Date: Tuesday, April 7, 2020 10:21:29 AM

City Council,

I'm writing to ask you to vote no on Resolution NO 30, Series 2020 that would allow Quasi-judicial hearings at meetings conducted by electronic participation.

I appreciate that you are working hard to continue business as usual while there are so many obstacles. I see that there are several pending applications requiring public hearings before the planning commission and city council. I am most concerned about the hearings related to Redtail ridge and Medtronic developments being held online.

Hearings for these developments should be delayed until full public participation can be assured. There are huge implications for wildlife, open space, traffic, and the character of our town. I would look forward to commenting on these impacts in person.

Thanks for considering my email comment.

Tamar Krantz
691 West St.

From: [Patsy James](#)
To: [City Council](#)
Subject: NO ON RESOLUTION 30
Date: Tuesday, April 7, 2020 10:49:35 AM

This resolution 30 is a bad idea and should be voted down

I can't understand why anyone else would think it's OK not to be transparent with the community.

Please vote No on #30.

Vote in the Best interest of the community. Regain the cities image.

Kindly

Patsy James

725 hoover lsv.

From: [Viki Lawrence](#)
To: [City Council](#)
Subject: Resolution # 30.
Date: Tuesday, April 7, 2020 10:46:03 AM

To the Louisville City Council:

I feel that it is very important to allow public comment in full on issues that will impact the local citizens. I understand that there are uncharted times and it's difficult to know what to do, but making major decisions without the required and accessible public comment is not a good idea.

Please do not go to electronic participation, it's just not a level or fair playing field. Do not pass Resolution #30 tonight. Especially in light of the Redtail Ridge hearings.

Viki Lawrence
511 W Spruce Way
Louisville

From: [Andy Johnson](#)
To: [City Council](#)
Subject: Moving Forward with Commission Meetings
Date: Tuesday, April 7, 2020 10:54:22 AM

Ms. Mayor and Council Members,

It is clear that these times are challenging for local businesses and construction projects in Louisville, in Colorado, and around the nation. The Planning Commission and Historic Preservation Commission meetings in Louisville have been unable to meet for two months, and projects under review have come to a complete standstill. This greatly effects homeowners and the building industry trades and professionals alike, and is becoming costly to everyone involved.

There are multiple projects in our office, DAJ Design, that are under review with the historic preservation commission and soon to be under review with the Planning Commission. We are very aware that our office has just a fraction of the total projects under review with both commissions. It is critical for the success of all home and commercial building improvement projects to move forward in a timely manner and follow the current City's calendar of scheduled meetings. Failure to do so will cause a significant backlog of applications to be reviewed that may add additional months to the duration of projects, and creates a general sense of uncertainty of the City's strategy to conduct it's critical business of project review.

Many of our residential clients carry two mortgages during the planning and construction stages of a project. Construction costs in today's world are high, and the adage, "time is money," couldn't be any more true. Therefore, all project planning and construction timelines are tight. Any delay by a month or more has significant cost implications in terms of project carry-costs that can alter the path of a project moving forward or not. The cancelation of March and April's HPC meetings have significantly effected our projects, as well as many other's, currently under review. The net effect will mean losing the historic preservation portion of the project, or the entire improvement project will be canceled.

The delays and additional costs moving forward are unnecessary. Many other communities have leveraged online meeting technology to solve planning and historic preservation review. Its time for Louisville to do the same. This is relatively "low hanging fruit" to grab, so to speak, when compared to the larger problems faced by our health care industry.

Please send a message to our community that the City is open for business and approve an online solution for the Planning Commission and the Historic Preservation Commission to continue reviewing projects. Let's demonstrate that we are resilient and can find creative solutions to keep business moving forward in Louisville.

Thank you and be well.

Andy Johnson, AIA

DAJDESIGN

w. 303.527.1100

m. 303.249.1624

From: [Joe Turnbow MD](#)
To: [City Council](#)
Subject: Resolution 30 Series 2020
Date: Tuesday, April 7, 2020 11:04:02 AM

**I urge a NO vote on Resolution 30 Series 2020. There is nothing so urgent that we cannot have full transparency.
And we certainly do NOT need anymore high density housing in Louisville!**

---- Joe Turnbow, M.D.

Sent from [Mail](#) for Windows 10

From: [Kathleen Urbanic](#)
To: [City Council](#)
Cc: [Lisa Ritchie](#)
Subject: Historic preservation program - please read
Date: Tuesday, April 7, 2020 12:59:33 PM

Dear Ms. Mayor and Council Members -

Thank you so much for contributing to our town as government officials. I imagine it's a challenging role especially in these times.

My family has lived in Louisville for about a decade. We moved from Germany to Louisville and picked Louisville for it's walkability, fantastic community and great schools. We love it here.

We currently live in Old Town in a tiny bungalow that is currently under the historic preservation program. We have completed the HSA and are working within the process to update and preserve our home as a landmarked property. We are very concerned about delays in the process. We know Louisville should be able to continue to operate using virtual meeting to continue important business. We need to be safe but also productive during this time. Any more delays may jeopardize my project, and who knows how long this crisis will last. Having a virtual/online solution is critical.

Take care and stay healthy -

Kathleen and Ted
Kathleen Urbanic and Ted Barber
1200 Jefferson Ave
720.239.3530

From: [Thomas Rice](#)
To: [City Council](#)
Cc: [Lisa Ritchie](#)
Subject: Electronic Meetings
Date: Tuesday, April 7, 2020 1:33:05 PM

Council Members:

I write to offer my support for conducting electronic meetings of the planning commission during the time frame wherein it has been determined that in person meetings are not feasible due to health concerns. If technology can be arranged that would allow such electronic meetings to be open and accessible to the public, and if this would include the ability of all (including the public) to see any graphics or tangible evidence that are presented during the meeting, and if this would include the ability of the commission to receive live public comment during the meeting, then I would fully support such an approach to our meetings (on a temporary basis until it has been determined that in person meetings can be resumed). I would also suggest that any applicant who prefers to not participate in an electronic meeting format be given the option to continue their matter until in person meetings are resumed.

Such an approach would allow the commission to move forward with its business while at the same time facilitating as much as possible the important public policy of conducting the City's business in an open to the public manner.

Please feel free to call with any questions. Thanks. T

Thomas S. Rice
869 Bluestem Lane
Louisville, CO 80027
email: tsullivanrice@msn.com
phone: 303-818-4461

From: [STEVE RASOR](#)
To: [City Council](#)
Subject: tonight's meeting
Date: Tuesday, April 7, 2020 1:44:00 PM

City Council,

Your dedication to public service in these troubling times deserves high praise. However, I was surprised to happen upon Res. 30/202, Item 7B when glancing through your agenda for tonight. It seems to contradict your own Home Rule Charter which emphasizes open government, transparency, and public involvement. I urge you to oppose the resolution.

Thank you for considering all opinions.

Steve Rasor

From: [Steve Poppitz](#)
To: [City Council](#)
Subject: Resolution 30
Date: Tuesday, April 7, 2020 3:06:46 PM

Dear council,

I can understand your holding votes on emergency issues, should they occur during this lock down.

But, I would suggest that most of your votes should be postponed during this time.

Many of the regular attendees to council meetings are of a certain age group, as am I, and many will/may find the agenda difficult to find which I believe may nullify the 'Sunshine Laws'.

I hope you are all well, now if you'll excuse me, I think I will wash my hands,

Steve

Steve Poppitz

Old Town Living, LLC

sbpoppitz@gmail.com

(303) 419-8337

From: [sherry sommer](#)
To: [City Council](#)
Subject: Resolution 30
Date: Tuesday, April 7, 2020 2:44:07 PM

Members of City Council,

Tonight you will be considering Resolution 30. It would allow quasi judicial matters to be considered during the period in which you are meeting electronically.

Considering the current circumstances, as well as the far reaching implications of this Resolution if it were to pass, I feel that NO is the only appropriate vote.

As we all realize, the reason you are meeting electronically is because we are in the midst of a global health crisis with far reaching implications. If we consider the context, the timing of this Resolution is horribly off.

Many residents are not able to engage in local politics as they would normally. In fact we all are experiencing some kind of disruptive change. We have been told that this week will be the saddest most will experience in our Nation. This is preoccupying us all. Add to this big picture crisis, the upended routines of our lives—job loss, illness and death, children not in school, not being able to travel freely or even visit grocery stores normally. Daily life feels overwhelming.

At the same time, this Resolution has been put forward as a way to allow Developers to conduct business as usual, so they can operate as if we were not living through this period of disruption.

To add insult to injury, land use decisions in the pipeline will create still more and quite dramatic changes for residents. Redtail development alone will dramatically change our landscape, eliminating view sheds, habitat and Open Space, and bringing more noise, population growth, and use of the Library and Senior and Recreation Center.

Would passing this Resolution be fair to residents or in the interest of the vast majority? We we are in a health care crisis.

In addition to the extraordinarily terrible timing of the resolution, we also have to consider that this is not the time for any 'business as usual' that would be conducted with reduced participation by those who are able. This is not the time to undermine participation in or transparency of the Democratic process.

Electronic meetings are not as effective as in person meetings. Not everyone has internet connection and not everyone will be made aware of what is on the agenda. Residents are limited in their ability to gather for discussions about issues and even to contact neighbors due to fear of the virus.

As I campaigned for City Council, I knocked on many hundreds of doors and heard concerns from residents. I would say the top concern was development, particularly high density development. Many people referred specifically to fears about how the former ConocoPhillips site would be developed. I heard a lot of worry about this.

Please, I urge you to vote NO on this Resolution. In doing so you will be respecting the democratic process and the rights of the people you represent.

Sincerely,

Sherry Sommer
910 S Palisade Court

Sent from my iPhone

From: [Sheila Smith](#)
To: [City Council](#)
Subject: Resolution 30 Series 2020
Date: Tuesday, April 7, 2020 2:42:38 PM

I urge all council members to vote NO on Resolution 30 Series 2020. This resolution, while perhaps seeming innocent, has the potential of setting up a secret government. STOP please, and THINK! There will be plenty of time to figure out how to keep government transparent and/or how to postpone voting for the time being.

If you watch national news, you can see all kinds of attempts to thwart or skew elections and voting, destroying what few remnants of democracy we have left. Please don't become part of this ignorant trend.

Thank you for taking the time to read this!

--

Sheila Smith

Some day, after mastering the winds, the waves, the tides, and gravity, we shall harness the energies of Love. Then, for a second time in the history of the world, we will have discovered fire.
~Tielhard de Chardin