

AGENDA  
STUDY SESSION MEETING OF THE CITY COUNCIL  
CITY OF LAKEWOOD, COLORADO  
**VIRTUAL MEETING**  
JULY 21, 2025  
**7:00 PM**

**To watch the Council meeting live, please use either one of the following links:**  
**City of Lakewood Website:** [Lakewood.org/CouncilVideos](https://lakewood.org/CouncilVideos)  
**Lakewood Speaks:** [Lakewoodspeaks.org](https://Lakewoodspeaks.org)

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

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In accordance with City Council Policy 5.1(A), all virtual meeting participants are advised that technological issues, whether caused by the City's equipment or the user's equipment, shall not be grounds for canceling a public meeting.

**How to Connect to Provide Public Comment:** Online participants may post written comments of any length to LakewoodSpeaks.org, an online forum for public comments.

**ITEM 1 – CALL TO ORDER**

**ITEM 2 – ROLL CALL**

**ITEM 3 – REVIEW OF CITY COUNCIL BOARDS AND COMMISSIONS**

**ITEM 4 – COMMITTEE REPORTS**

**ITEM 5 – ADJOURNMENT**

# STAFF MEMO

**DATE OF MEETING: JULY 21, 2025 / AGENDA ITEM NO. 3**

To: Mayor and City Council  
From: Ben Goldstein, Deputy City Manager  
Subject: **Review of City Council Boards and Commissions**

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**SUMMARY STATEMENT:** The July 21st Study Session will be used to review the City's boards and commissions.

The City Council requested this Study Session to review and discuss potential revisions to boards and commissions, including the possible creation of a sustainability committee.

**BACKGROUND INFORMATION:** Policies 04.1 and 04.2 of the City Council Policies and Procedures (attached) summarize the different types of boards and commissions and the procedures for each board and commission. Below is a summary of the different types of City boards and commissions from Policy 04.1.

**Internal City Council Committees (Some Councilors; by Appointment)**

- Housing Policy Commission
- Legislative Committee
- Screening Committee
- Judges Salary Review Committee
- Ad Hoc Committees as needed
- Budget and Audit Board (Joint Council and Citizen Members)

**External Intergovernmental Boards (Some Councilors; by Appointment)**

- Colorado Municipal League Policy Committee
- Denver Regional Council of Governments (DRCOG)
- Jefferson County Community Corrections Board
- Jefferson County Criminal Justice Committee
- Sister Cities Committee
- Police Seizure Fund Committee
- Urban Drainage and Flood Control District
- Jefferson County Transportation Advisory and Advocacy Group (JEFFTAAG)
- Head Start Executive Committee Governing Board (All Council)

**Employee Boards that include a member of the City Council**

- Employee Money Purchase Pension Plan (Chaired by the Mayor)
- Police Pension Board (Chaired by the Mayor)

**Resident Boards and Commissions (Residents Only)**

- Board of Appeals
- Board of Adjustment / Planning Commission
- Design Review Commission

- Historic Preservation Commission
- Judicial Review Commission
- Lakewood Advisory Commission (LAC)
- Noxious Weed Local Advisory Board
- Victim Assistance Compensation Board

Attached is a table summarizing the membership and terms of each resident board and commission.

Additionally, the City Council has become aware of differences within the enabling legislation of the boards and commissions upon which citizens serve. These differences make it difficult to track which boards and commissions adopt internal regulations, which have attendance requirements and which follow the established meeting procedures adopted by the City Council. The City Council has requested that Chapter 2.01 of the Lakewood Municipal Code be updated to provide a greater level of procedural standardization between the boards and commissions. It should be noted that if a version of the attached revised Chapter 2.01 is adopted, the enabling legislation for the boards and commissions will need to be updated to conform to these new provisions, a process that could take place at the same time as the adoption of the revised Chapter 2.01 is considered.

**BUDGETARY IMPACTS:** None

**STAFF RECOMMENDATIONS:** Staff will execute any code changes resulting from the City Council's discussion regarding boards and commissions.

**ALTERNATIVES:** None

**PUBLIC OUTREACH:** This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

**NEXT STEPS:** Staff will execute any code changes resulting from the City Council's discussion regarding boards and commissions.

**ATTACHMENTS:**

1. Policies 04.1 and 04.2 - Council Committee Assignments and Screening Committee
2. Lakewood Resident Boards & Commissions Summary Table
3. DRAFT Revised LMC Chapter 2.01 - Boards, Commissions and Committees\_Redline

**REVIEWED BY:** Kathleen E. Hodgson, City Manager  
Benjamin B. Goldstein, Deputy City Manager  
Alison McKenney Brown, City Attorney

# **COMMITTEES, BOARDS AND COMMISSIONS 04**

## **POLICY 04.1**

## **CITY COUNCIL COMMITTEE ASSIGNMENTS**

### **POLICY**

City Council Members, in addition to their responsibilities in representing constituents through policy-making decisions for the City of Lakewood, are asked and expected to serve on City Council committees in a number generally equal to the number of committees served upon by all other members of the City Council.

City Council Committee appointments are made annually in the manner set forth in the procedure section below. Once a City Council Committee position has been assigned to a member of the City Council the position may be reassigned to a different member of the City Council during the term of appointment only if the Council Member holding that position requests the reassignment by notifying the Mayor in writing (i.e., letter or email) except pursuant to Policy 05.4.

### **City Council Committees**

Committees arise from a number of sources and needs:

- Community organizations that have asked for City Council leadership.
- Intergovernmental in nature (e.g. Colorado Municipal League; Denver Regional Council of Governments, etc.).
- Required by law to have an elected official as a member (e.g., Head Start Policy Board).
- Others are groups providing specific guidance to staff or others (e.g., the Council Legislative Committee; and Budget and Audit Committee).
- Ad hoc committees, which are formed as needed by a vote of the City Council.

Staff liaisons for all committees will be designated by the City Manager.

Descriptions of each Committee, Commission and Board shall be maintained by the City Clerk's Office and shall be posted on the City's website.

### **City Council Committees as of the adoption of this manual, not including ad hoc, are:**

#### **City Council Committees**

- Housing Policy Commission
- Legislative Committee
- Screening Committee
- Judges Salary Review Committee
- Ad Hoc Committees as needed
- Budget and Audit Board (joint City Council and citizen members)

### **Employee Boards that include a member of the City Council**

- Employee Money Purchase Pension Plan
- Police Pension Board

### **External Intergovernmental Boards (All Council)**

- Head Start Executive Committee Governing Board

*Note: This role is only applicable during a time period when the City of Lakewood is the provider of Head Start Services. The City Council may designate a smaller committee of the membership of the City Council to manage the regular responsibilities of this role.*

### **External Intergovernmental Boards (By Appointment)**

- Colorado Municipal League Policy Committee
- Denver Regional Council of Governments (DRCOG)
- Jefferson County Community Corrections Board
- Jefferson County Criminal Justice Committee
- Sister Cities Committee
- Police Seizure Fund Committee
- Urban Drainage and Flood Control District
- Jefferson County Transportation Advisory and Advocacy Group (JEFFTAAG)

## **AUTHORITY**

### Ad Hoc Committees

[Lakewood Home Rule Charter, Section 4.5](#)

### Boards and Commissions, General

[Lakewood Home Rule Charter, Section 4.5](#)

[Lakewood Municipal Code Chapter 2.01](#)

### Budget and Audit Board

[Lakewood Municipal Code, Chapter 2.55](#)

### Design Review Commission

[Lakewood Municipal Code, Chapter 2.58](#)

### Employee Money Purchase Pension Plan

The Employee Money Purchase Pension Plan enabling documents

### Housing Policy Commission

[Lakewood Municipal Code, Chapter 2.57](#)

### Judicial Nominating Committee

[Lakewood Home Rule Charter, Section 5.3](#)

### Judicial Review Commission

[Lakewood Home Rule Charter, Section 5.9](#)

[Lakewood Municipal Code, Chapter 2.21](#)

### Lakewood Advisory Commission (LAC)

[Lakewood Municipal Code, Chapter 2.56](#)

Planning Commission

[Lakewood Home Rule Charter, Section 9.1](#)

[Lakewood Municipal Code, Chapter 2.16.010](#)

Police Retirement

[Police Retirement and Disability Benefits](#)

Screening Committee

City Council Policies and Procedures

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## **PROCEDURE**

The Mayor shall make recommendations for City Council committee assignments in January (or earlier) for the duration of the calendar year (or the following calendar year), and re-assignments at the time of need.

The City Council member committee appointment process begins when the Mayor sends a memo to all members of the City Council identifying the available committee assignments and asking each Council member to select those of most interest to them. The Mayor will attempt to match Council members with their individual interests, when possible, given any restrictions that may be in place.

The Mayor's recommendations are generally ratified by a single formal action of the City Council. Prior to ratification any Council Member can request a recommendation of appointment be removed from the primary list for separate consideration or may nominate themselves or a fellow councilor to fill a committee assignment in a manner different from that recommended by the Mayor.

**POLICY**

The Screening Committee is a permanently established committee of the City Council which shall consist of five (5) City Council members – one (1) from each of the five (5) Wards – and is responsible for making recommendations to the City Council regarding applicants for the City’s Boards and Commissions that are comprised of Lakewood citizens. Screening Committee meetings shall be open to the public and posted in accordance with state and local open meeting requirements and shall be listed under Public Meetings notices on the City website. Appointments will be made by City Council Resolution.

Citizen Boards and Commissions for which the Screening Committee shall be responsible for interviewing applicants and making recommendations to the City Council include:

|                                   |                                         |
|-----------------------------------|-----------------------------------------|
| Budget and Audit Board            | Planning Commission/Board of Adjustment |
| Board of Appeals                  | Victim Assistance Compensation Board    |
| Design Review Commission          | Historic Preservation Board             |
| Judicial Review Commission        | Judicial Review Commission              |
| Lakewood Advisory Committee (LAC) | Noxious Weed Local Authority            |

The Screening Committee is further authorized to review any request from a board or commission chairperson regarding the removal of a member from such board or commission based upon excessive absences. To refer a request for removal to the Screening Committee the referring board or commission shall verify that such member has missed 30% of the meetings of such board or commission. The Screening Committee shall review the request including any statement submitted by the individual whose membership is in question. If, after reviewing all statements provided, the Screening Committee determines that such member is not currently able to fulfill the duties of such member’s assignment then they shall make a recommendation to the City Council to remove such member from the assigned board or commission. Upon the screening committee’s recommendation, the City Council may act to remove the board or commission member.

**AUTHORITY**

Ad Hoc Committees

[Lakewood Home Rule Charter, Section 4.5](#)

Board of Adjustment

[Lakewood Municipal Code, Chapter 2.16](#)

[Lakewood Home Rule Charter, Section 9.1\(e\)](#)

Boards and Commissions, General

[Lakewood Home Rule Charter, Section 4.5](#)

[Lakewood Municipal Code Chapter 2.01](#)

Budget and Audit Board

[Lakewood Municipal Code, Chapter 2.55](#)

Board of Appeals

[Lakewood Municipal Code, Chapter 14.12](#)

Design Review Commission

[Lakewood Municipal Code, Chapter 2.58](#)

Employee Money Purchase Pension Plan

The Employee Money Purchase Pension Plan enabling documents

Housing Policy Commission

[Lakewood Municipal Code, Chapter 2.57](#)

Judicial Nominating Committee

[Lakewood Home Rule Charter, Section 5.3](#)

Judicial Review Commission

[Lakewood Home Rule Charter, Section 5.3](#)

[Lakewood Municipal Code, Chapter 2.21](#)

Lakewood Advisory Commission (LAC)

[Lakewood Municipal Code, Chapter 2.56](#)

Planning Commission

[Lakewood Home Rule Charter, Section 9.1](#)

[Lakewood Municipal Code, Section 2.16.010](#)

[Lakewood Municipal Code 17-1-7](#)

Screening Committee

City Council Policies and Procedures

Victims Assistance Board

[Lakewood Municipal Code 1.17.060](#)

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## PROCEDURE

The Screening Committee shall be guided by the following rules:

- I. Meetings.
  - Committee meetings shall require a quorum of no less than three members.
  - Staff will arrange Committee meetings and contact Committee members regarding scheduling.
- II. Interviews.
  - All openings upon any of the City's Boards and Commissions that are comprised of Lakewood citizens will be advertised.
  - In the event that a single applicant applies for a vacancy, the deadline for applications will be extended one time to solicit additional applicants.
  - The Boards and Commissions Coordinator will coordinate interviews of at least three (3) candidates, but the number of candidates to be interviewed shall be flexible and should be discussed with the chairperson prior to scheduling.
  - The Committee will interview all applicants for boards and commissions, including incumbents applying for reappointment. Notwithstanding the foregoing, if an applicant was last interviewed within the previous six months for the same board or commission to which such applicant is currently applying the Screening Committee may agree to waive an interview. This waiver of interview provision shall not apply to applicants for the Planning Commission.

- The Committee shall conduct all applicant interviews in a fair and consistent manner by adhering to the committee-approved question list for each position.
- For Planning Commission applicant interviews, the Mayor and the Council member not on the screening committee and from the ward of the applicant will be invited to attend and may participate in the discussion following the interviews. However, the Mayor and the aforementioned Council member cannot participate in the interviews or vote.

| Board / Commission                        | # of Members                         | Term Length | Term Expiration | Code Citation                  |
|-------------------------------------------|--------------------------------------|-------------|-----------------|--------------------------------|
| Board of Appeals                          | 7 (plus 1 ex officio non-voting)     | 3 years     | March 31        | <a href="#">LMC 14.12</a>      |
| Board of Adjustment / Planning Commission | 7 (5 ward-appointed, 2 at-large)     | 4 years     | March 31        | <a href="#">LMC 2.16</a>       |
| Design Review Commission                  | 5 (3 professionals, 2 staff)         | 4 years     | March 31        | <a href="#">LMC 2.58</a>       |
| Historic Preservation Commission          | 7 (2 residents, 3 professionals)     | 4 years     | March 31        | <a href="#">LMC 17.11.2</a>    |
| Judicial Review Commission                | 5 (3 residents, 1 attorney, 1 judge) | 4 years     | March 31        | <a href="#">LMC 2.21</a>       |
| Lakewood Advisory Commission (LAC)        | 25                                   | 3 years     | December 31     | <a href="#">LMC 2.56</a>       |
| Noxious Weed Local Advisory Board         | 3                                    | 3 years     | May 31          | <a href="#">CRS 35-5.5-107</a> |
| Victim Assistance Compensation Board      | 5 (2 residents, 3 officials)         | 3 years     | September 30    | <a href="#">LMC 1.17.060</a>   |

## Chapter 2.01 BOARDS, COMMISSIONS AND COMMITTEES

### 2.01.010 Executive Session Authority.

Any duly authorized board, commission or committee of the City of Lakewood (City), by a two-thirds vote of the members present, may be recessed or may schedule an executive session in accordance with Section 24-6-402(4), C.R.S., which shall be closed to the public, for any of the following purposes:

- A. To determine a position relative to issues subject to negotiation, to receive reports on the progress and status of negotiations, to develop strategy, and to instruct negotiators;
- B. To consider the purchase or sale of property by the City;
- C. For matters of attorney-client privilege;
- D. For matters required by federal or state law to be confidential; and/or
- E. ~~For matters involving the protection and security of City property;~~
- F. For classified or confidential police matters, subject to criteria established by ordinances; ~~and~~
- G. ~~To consider personnel matters.~~

(Ord. O-85-1 § 1, 1985)

### 2.01.020 Service on More Than One Board or Commission.

- A. Except as provided herein, no person serving as a member of a City board or commission may be appointed to serve on another City board or commission at the same time, nor may any person be appointed to serve on any two City boards or commissions simultaneously. This Section applies to those City boards and commissions as outlined in the City Council Policies and Procedures Manual, except that the members of the Planning Commission shall serve simultaneously as the members of the Board of Adjustment, and the terms of office for members of the Planning Commission shall run concurrently with the terms of office for members of the Board of Adjustment, and except that members of the Planning Commission may serve simultaneously on the Rooney Valley Zoning Commission if so appointed.
- B. Except as provided in Subsection (A), above, in the event a person serving on one board or commission is appointed to serve on another board or commission, he ~~will~~shall be required to resign from the board or commission upon which ~~he~~such person is presently serving, unless the term which the person is presently serving expires in ninety (90) days or less from the date of appointment. The City's application form for boards and commissions shall reflect this requirement.

(Ord. O-2016-8 § 2, 2016; Ord. O-2013-6 § 1, 2013; Ord. O-93-25 § 1, 1993; Ord. O-85-12 §§ 1-3, 1985)

### 2.01.030 Two-term Limit for Service on Boards and Commissions.

- A. Persons appointed to boards or commissions listed in the City Council Policy and Procedures Manual may serve a maximum of two consecutive terms as an alternate member and a maximum of two consecutive terms as a regular member upon each board or commission so appointed; provided, however, any person

appointed who serves or has served at least one-half of a term on such ~~board or commission~~ shall be considered to have served a full term on such board or commission.

- B. The City's application form for service on boards and commissions shall advise applicants of the existence of this two-term limitation on service.
- C. The following boards and commissions include persons appointed by virtue of positions they hold rather than because of their qualifications as determined by the City Council. These positions and memberships shall be exempt from the two-term limit established above:
1. Judicial Review Commission (L.M.C. 2.21.010);
  2. Plan Manager of City Money Purchase Pension Plan (L.M.C. 2.36.090);
  3. Board of Appeals (L.M.C. 14.12.010);
  4. Position held by the Chief Judge of the First Judicial District or the Chief Judge's designee;
  5. Positions held by the Mayor, City Treasurer, City Clerk, and City Manager;
  6. Position held by the Building Official or the Building Official's designee; and
  7. Positions held by an employee of the Police Department and Municipal Court (L.M.C 1.17.060).

|                                                              |                                                                                 |
|--------------------------------------------------------------|---------------------------------------------------------------------------------|
| Judicial Review Commission<br>2.21.010                       | Position held by the chief judge of the First Judicial District or his designee |
| Plan manager of City Money Purchase Pension Plan<br>2.36.090 | Positions held by the Mayor, City Treasurer, City Clerk and City Manager        |
| Board of Appeals<br>14.12.010                                | Position held by the Building Official or his authorized representative         |

D. ~~———— A board or commission member who is appointed to represent a ward district and resigns or moves from his ward district shall remain on the board or commission and serve until a successor is appointed to replace him. A board or commission member who is appointed to represent the city at large and who resigns or moves from the city shall remain on the board or commission and serve until a successor is appointed to replace him.~~

(Ord. O-99-6 § 1, 1999; Ord. O-94-45 § 1, 1994; Ord. O-93-25 §§ 2, 3, 1993; Ord. O-85-111 § 1, 1985)

## 2.01.040 Residency Requirements.

- A. Unless specifically provided otherwise by ordinance or resolution, or as provided in paragraph (B) below, a member of any ~~Board or Commission~~board or commission of the City ~~of Lakewood~~ shall be a resident of the City ~~of Lakewood~~. Being under contract on a residence within the City shall satisfy this requirement for individuals who have already established residency within the City and are merely working through moving between residences within the City. Otherwise, being under contract on a residence within the City is considered a preceding step to residency. If questions arise concerning the residency of an applicant to a board or commission or the residency of a member of a board or commission such question shall be considered and resolved by the City Council Screening Committee.
- B. If a board or commission member who is appointed to represent a ward / district and either resigns or moves from the member's ward / district, or the City may, at the request of the screening committee, allow the Bboard or commission member to remain on the board or commission and serve until a successor is

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appointed to replace such holdover member. A board or commission member who is appointed to represent the City at large, and who either resigns or moves from the City may, at the request of the Screening Committee, remain on the board or commission and serve until a successor is appointed to replace such holdover member. Such holdover position shall continue for no longer than ninety (90) days.

- C. Members of the Rooney Valley Zoning Commission appointed by the Town of Morrison are not required to be Lakewood residents.

(Ord. O-2016-8 § 3, 2016; Ord. O-2001-37 § 1)

### **2.01.050 Service on Boards and Commissions.**

The Screening Committee of the City Council shall be responsible for interviewing applicants to all non-elected board and commission and making recommendations to the City Council regarding appointment of citizens to such boards and commissions. The City Council shall establish the procedures of the Screening Committee within the City Council Policies and Procedure Manual. All members shall be appointed by resolution of the City Council. The term of each member's service on any board or commission shall be for an established period of time with both a beginning and ending date set forth within the resolution of appointment.

### **2.01.060 Employee Service on Boards and Commissions.**

To avoid the potential for conflicts of interest or the appearance of conflicts of interest, City employees shall not be appointed to serve on boards or commissions if the enabling legislation of such board or commission does not specifically identify employees as potential members. An employee of the City may be appointed to serve on a board or commission when the enabling legislation for such board or commission identifies employees as possible appointees. Individuals serving in unpaid, volunteer positions with the City shall be eligible for appointment to a board or commission.

### **2.01.070 Attendance Requirements.**

Board or commission members are expected to perform the duties of their position by attending all meetings of the full board or commission for the entire length of the meeting regardless of the form of the meeting. Absences equal to or greater than thirty percent (30%) of all meetings of the full board or commission during the calendar year may be cause for removal from the board or commission. This attendance requirement is established in recognition of the need for a quorum of the membership of each board and commission to regularly meet to effectively carry out its assigned duties.

Briefly leaving a meeting for less than ten minutes shall not be considered an absence from the meeting but may be recorded in the minutes for purposes of establishing a quorum.

### **2.01.080 Removal for Cause.**

Service on a City board or commission is a volunteer position, and any member may be removed at any time for cause by simple action of the City Council.

The process to consider the removal of a board or commission member shall begin with the Screening Committee. The Screening Committee is authorized to review any request from a board or commission chairperson regarding the removal of a member from such board or commission based upon grounds of egregious behavior that compromises the welfare of the other members of the board or commission or excessive absences. For removal based upon excessive absences the referring board or commission chairperson shall verify to the Screening Committee that such member has missed at minimum thirty percent (30%) of the meetings of such

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board or commission. Upon receiving a request for removal signed by the chairperson of such board or committee the Screening Committee shall review the request including any statement submitted by any member of the board or commission and any statement submitted by the individual whose membership is in question. If, after reviewing all statements provided, the Screening Committee determines that such member is not currently able to fulfill the duties of such member's assignment then they shall make a recommendation to the City Council to remove such member from the assigned board or commission. Upon receiving the Screening Committee's recommendation, the City Council shall notify the member at issue of the intent to consider a resolution of removal and the date such resolution shall be considered. The member at issue may voluntarily resign the volunteer position in lieu of the City Council acting upon the resolution of removal. Alternatively, the member at issue may provide a statement of five hundred (500) words or less providing reasons why the City Council should not remove the member from the board or commission. The only public comment on such resolution shall be that provided at the public comment portion of such agenda item.

## **2.01.090 Establishment of Public Forum of Board and Commission Meetings.**

Board and commission meetings are generally closed public forums (i.e. limited to the work of the board or commission). A board or commission may establish an item upon the agenda as a limited public forum by designating an opportunity for members of the public to participate in discussion of such item. Limited public forums shall be recognized for public hearings, general public comment, and as may otherwise be designated by the board or commission.

## **2.01.100 Meetings; Regular, Special, Study Session**

- A. **Regular Meeting.** Regular meetings are those meetings regularly scheduled by the board or commission to conduct the assigned business of the board or commission.
- B. **Special Meeting.** Special meetings of the board or commission may be set as needed to address any business of the board or commission that cannot be completed during a regular meeting. Setting a special meeting shall be by majority vote of the board or commission taken at a regular business meeting.
- C. **Study Session.** A study session is an unusual event for a board or commission. A study session provides an opportunity for City staff to provide training or to educate the board or commission upon a complex issue. Setting a study session shall be by majority vote of the board or commission taken at a regular business meeting.
- D. **Ad Hoc Committees.** Sub-committees of the board or commission, including the executive committee, are permitted to be established for a specific need of the board or commission. Any meeting of any such sub-committee shall be an open meeting with full and timely public notice. Sub-committee meetings shall be recorded either by auditory or video means with such recordings posted in the same manner as any other meeting of the board or commission. No sub-committee may take any action to bind the board or commission but may present background, research or other information to the full membership of the board or commission for their consideration.
- E. **Hybrid, Remote, In-Person Meetings.** Regular meetings, special meetings, study sessions and ad hoc committee meetings of the board or commission may be remote or hybrid at the discretion of the board or commission members, as permitted by any technological limitations. In person meetings may also be held at the discretion of the board or commission, as permitted by any limitations on meeting spaces available at the business offices of the City. Quasi-judicial public hearings should not be held remotely. The board or commission may conduct a quasi-judicial public hearing remotely only with the approval of the person or entity to be heard and setting forth an unusual and extraordinary basis for taking such action. Quasi-judicial hearings may be live streamed to the public, and public comment may be accepted in a hybrid meeting, but the

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members of the board or commission shall participate in-person. Any entity presenting at a quasi-judicial hearing shall make every effort to participate in-person, but that expectation may be waived by the chairperson of the board or commission if deemed to not infringe on the needs of the public hearing.

## **2.01.110 Quasi-Judicial Meetings**

- A. **In-person Hearing Panel.** A board or commission member may not actively participate in a quasi-judicial public hearing or vote upon the outcome of such quasi-judicial public hearing in recognition that virtual participation has inherent limitations, including limiting one's ability to fully evaluate a speaker's non-verbal language in assessing veracity or credibility, and observing nonverbal explanations (e.g., pointing at graphs and charts) during a speaker's presentation or testimony. A board or commission member who is not physically present at a quasi-judicial public hearing shall not be prohibited from monitoring/listening to the quasi-judicial public hearing through an electronic means.
- B. **Order of Procedure.** At quasi-judicial hearings, the following order of procedure shall be followed; however, the procedure may be modified by the hearing body when circumstances require the order to be changed:
1. Open the Hearing. The Chair shall open the quasi-judicial public hearing and include a verbal statement acknowledging that notice of the hearing was properly given.
  2. Applicant's presentation. The hearing body shall receive the applicant's presentation concerning the issue before the board or commission. At the conclusion of the presentation the hearing panel may ask the applicant presenter(s) any questions arising from such presentation.
  3. Staff presentation/report. The hearing panel shall receive staff presentation concerning the issue before the board or commission. At the conclusion of the presentation the hearing panel may ask the staff presenter(s) any questions arising from such presentation.
  4. Public comment. Any member of the public who wishes to comment upon the proposal pending before the hearing panel may do so. Each speaker shall be given up to three minutes to make their statement. They shall state their name for the record and state whether they are in favor of, neutral to or in opposition to such proposal. A speaker may provide documentary evidence in support of their statements. If such documents have not been provided in advance to the staff of the board or commission, such documents may be handed to staff for the board or commission just prior to the speaker taking the floor. A copy of any documents received shall be immediately provided to the applicant to allow them time to review and comment as they deem necessary. A synopsis of each speaker's verbal comments shall be included within the formal record of the meeting. Documents shall be included within the formal record of the meeting.
  5. Applicant's rebuttal. The applicant(s) shall be given up to ten (10) minutes to verbally rebut any statement arising from the public comment portion of the hearing. A copy of any documents received by staff from the public for inclusion within the formal record to be reviewed by the board or commission shall be immediately provided to the applicant to allow them time to review and comment as they deem necessary.
  6. Documentary evidence. All documents or other items of physical evidence shall be marked as exhibits, identified by the date of receipt and the date a copy was provided to the applicant.
- C. **Rules of Evidence.** The hearing panel shall not be required to observe any formal rules of evidence but may upon any information received which a majority thereof conclude is reasonably reliable and calculated to aid the hearing panel in reaching an accurate determination of the issues involved of the matter pending before them.

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D. Appeal. The party who appeals a decision of a board or commission in accordance with applicable State or local law shall pay for preparation of the record and exhibits of the hearing from which the appeal is taken.

### **2.01.120 Form of decisions.**

Formal decisions of boards and commissions may be conducted by either of two methods.

- A. Resolution. Resolutions shall be used to approve or adopt final actions of the board or commission and to make recommendations to the City Council. Resolutions shall be written in the affirmative so that the action being approved identifies what shall happen or what is being recommended, not what shall not happen or is not being recommended.
- B. Motion. A regular motion shall be used as the basis for all other actions by the board or commission.

### **2.01.130 Rules of Procedure; Decorum; Open Meetings Law; Meeting Notice.**

- A. Parliamentary Procedure. All boards and commissions to which this Chapter is applicable shall abide by the Rules of Parliamentary Procedure (Rules) as adopted for use by the City Council. Such Rules shall not be modified by the rules and regulations of any board or commission. The Rules address most parliamentary concerns, including but not limited to, the authority of the presiding officer, how to present and amend a motion, how to approve a motion, tie votes, and motions for reconsideration.
- B. Decorum/civility. Members of boards and commissions shall abide by the terms of the City Council's rules of decorum applicable to City Council meetings as set forth within the City Council's Policies and Procedures Manual. Additionally, members of Boards and commissions shall abide by the City Council's policy regarding conduct in public meetings and conduct with City staff as set forth within the City Council's Policies and Procedures Manual. The Chair of each Board and Commission shall be responsible for establishing and preserving the decorum of the meeting which includes prohibiting actions which are disruptive to the conduct of the business of the meeting. The Chair may temporarily recess a meeting to reestablish proper meeting decorum. To adjourn a meeting shall require a majority vote of the members of the board or commission who are present. All business items not completed at a prematurely adjourned meeting shall be moved to the next regular business agenda of the board or commission.
- C. Open Meetings Law. All meetings of every Board and Commission shall comply with the Colorado Open Meetings Law (COML) which broadly defines a "meeting" as "any kind of gathering convened to discuss public business, in person, by telephone, electronically, or by other means of communication."

### **2.01.140 Rules and Regulations of Boards and Commissions.**

Any board or commission of the City to which this Chapter is applicable shall be authorized to draft rules and regulations for conducting the business of such Board or commission. The board or commission may adopt such rules and regulations following presentation to and approval by the City Council. No rules or regulations shall be adopted that conflict with any State or Federal law, the City's Charter, this Chapter, the Chapter creating and enabling such board or commission, or the adopted Rules of Parliamentary Procedure. Nothing within such rules or regulations shall create a presumption that members of the board or commission are employees of the City. A copy of the approved rules and regulations shall be posted to the City's website. A copy of such rules and regulations shall also be made available to the public at the office of the City Clerk.

### **2.01.150 Assignment of Projects by City Council.**

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The City Council may, by regular motion, refer a matter for review and recommendation to any board or commission of the City. The board or commission are expected to conduct an initial review of the matter at the first regular meeting following receipt of such request. At the initial review the board or commission shall develop an anticipated completion date. Upon completion of the request, the board or commission shall send a written recommendation, in the form of a resolution approved by the board or commission, to the City Council for inclusion on a future City Council agenda. A representative of the board or commission should be present to respond to any questions of the City Council at the meeting where the Council considers such recommendation. Alternatively, the chair of the board or commission, or a designee, may be asked to provide a short presentation concerning such resolution.

#### **2.01.160 Ethics; Conflicts of Interest.**

All members of boards and commissions shall comply with Lakewood Municipal Code 2.03.100 setting forth the ethical standards for members of boards and commissions.

#### **2.01.170 Establishment; Dissolution of Boards and Commissions**

Except for those boards or commissions established by City Charter, the City Council may, as it deems necessary or desirable, establish, alter, consolidate, or abolish boards and commissions by ordinance. Such ordinance shall prescribe the duties and responsibilities of boards and commissions. Ad hoc advisory committees established for a limited purpose and a limited time may be created or abolished by resolution or upon motion of the City Council.

#### **2.01.180 Applicability.**

Unless otherwise provided, this Chapter shall be applicable to all boards and commissions of the City, except for boards and commissions which are entirely comprised of the Mayor and members of the City Council.