

AGENDA
STUDY SESSION MEETING OF THE CITY COUNCIL
VIRTUAL MEETING
CITY OF LAKEWOOD, COLORADO
VIRTUAL MEETING
JUNE 15, 2026
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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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 – REPORT TO CITY COUNCIL FROM THE AD HOC CHARTER COMMITTEE

ITEM 4 – COUNCIL DISCUSSION ON ZONING

ITEM 5 – COMMITTEE REPORTS

ITEM 6 – ADJOURNMENT

STAFF MEMO

DATE OF MEETING: JUNE 15, 2026 / AGENDA ITEM NO. 3

To: Mayor and City Council

From:

Subject: **Report to City Council from the Ad Hoc Charter Committee**

SUMMARY STATEMENT: One of the five goals that City Council identified during its annual planning session for 2026 is the review of the City's Home Rule Charter. As a result, City Council adopted [Resolution R-2026-19](#) which created the Ad Hoc Charter Review Committee, comprised of five City Council members, to evaluate the City Charter for potential updates.

The June 15th study session was scheduled for City Council to receive an update from the Ad Hoc Charter Review Committee regarding the Committee's progress and potential recommendations for charter amendments.

BACKGROUND INFORMATION: The City Charter is Lakewood's foundational document -- essentially the City's "constitution" -- that establishes the City's governmental structure, powers and operating procedures. The Home Rule Charter was first approved by Lakewood voters in 1983, and has been updated several times (1991, 1992, 1999, 2004) to ensure it serves the community effectively and transparently. With over 20 years since the last update, the Ad Hoc Charter Review Committee is charged with assessing potential needed updates. Since being created by City Council, the Ad Hoc Charter Review Committee has met three times to address the following objectives:

- Review sections of the City Charter.
- Identify areas that may need updates or clarification.
- Discuss potential improvements based on current practices and future needs.
- Provide an initial report to City Council with recommendations by June 15.
- Explore the creation of a permanent Charter Review Committee for ongoing review.

After reviewing the five proposed revisions to the City's Charter the City Council must determine which proposed amendments they would like to send to the Lakewood voters. Any charter revision must initially be adopted by the City Council by separate ordinance, necessitating both a first and second reading. There is no referendum period for an ordinance seeking to send a matter to the voters as a referendum would be duplicative of the ordinance's purpose. This means that the ordinance would go into effect upon signature of the Mayor and posting on the City's website. Any ordinance adopted would be forwarded to the County Clerk for inclusion on the consolidated ballot in November, 2026.

The City's Home Rule Charter may only be amended by action of the voters of the City of Lakewood.

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

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

NEXT STEPS: To be determined by City Council.

ATTACHMENTS: 1. Concepts discussed by Committee at May 18 meeting

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

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 1**

JUNE, 2026

LIST OF TOPICS PRESENTED

TOPIC 1 – SECTION 2.6 TERMS OF SERVICE

TOPIC 2 – SECTION 12.12 LIMITATION ON PROPERTY TAXES

TOPIC 3 – SECTION 13.1(d) INITIATIVE (election timeframe)

TOPIC 4 – SECTION 13.2(a) REFERENDUM (scope of referendum)

TOPIC 5 – SECTION 13.2(e) REFERENDUM (election timeframe)

Note: Please be advised that this document contains redlines. Please check your device if it does not display the redlined versions of proposed text changes.

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 2**

TOPIC 1 – SECTION 2.6 TERMS OF SERVICE

Rationale regarding consideration of amendment to Section 2.6. Charter Section 2.6 mandates that the terms of office of the Mayor and each member of the City Council will start at the first regular meeting following the regular municipal election. Unfortunately, election results generally require ten to fourteen days to be certified. The City has historically cancelled the first regular meeting following the election to allow time for the election to be certified and to remain in compliance with the plain language of Section 2.6. The Committee is considering asking the voters to approve an amendment to Section 2.6 to comply with modern election practices by the County regarding certification of election results.

Current language:

2.6 TERMS OF OFFICE.

- (a) The terms of office of the Mayor and of each member of the City Council shall commence at the first regular meeting following the regular municipal election.

Redline:

2.6 TERMS OF OFFICE.

- (a) The terms of office of the Mayor and of each member of the City Council shall commence at the first regular meeting following **certification of the results of** the regular municipal election.

Redlining removed:

2.6 TERMS OF OFFICE.

- (a) The terms of office of the Mayor and of each member of the City Council shall commence at the first regular meeting following certification of the results of the regular municipal election.

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 3**

TOPIC 2 – SECTION 12.12 LIMITATION ON PROPERTY TAXES

Rationale regarding consideration of amendment to Section 12.12. Section 12.12 was written in 1985, prior to the adoption of TABOR, to limit the ability of the City Council to raise property taxes above 7% annually without the approval of the registered voters of the City. Subsequently, Colorado voters approved a Constitutional mandate referred to as TABOR that restricts the growth of government by imposing a revenue cap on governments that prohibits governmental entities from accepting revenue from any source other than the federal government in excess of the amount of revenue received the year prior. TABOR § 4 prohibits governmental entities from imposing a new tax or increasing an existing tax without voter approval. TABOR § 7 (b) provides that governmental entities’ revenue is capped at a “maximum annual percentage change” in each entity’s base equivalent to the sum of “inflation in the prior calendar year” and “annual local growth” as defined within TABOR § (g). To go beyond that revenue cap a government must seek approval from the electorate.

The City’s current Charter § 12.12 (a) assumes that the City Council may increase the mill levy by 7% annually and authorizes the City Council to seek approval of the voters for a mill levy increase above 7%. While the term “7%” has historically been interpreted to mean 7% of the total mill levy, recent efforts to temporarily reduce the mill levy has resulted in members of the community applying different interpretations of 7% , such as a suggestion that the City Council was limited to returning to the previously voter approved mill levy to incremental amounts equal to 7% of the amount of the reduction. This interpretation would mathematically require 14-15 years to return to the previously voter approved mill levy, or seeking approval of the voters to return to the previously approved mill levy.

Charter § 12.12 (b) was included to define subsection (a). Charter § 12.12 (c) reiterates that an increase in taxes above 7% must be approved by the voters.

In short, the basis for recommending that the City Council consider asking the voters to amend Charter § 12.12 is to remove outdated language from the City’s Charter, clearly establish that the City acts in conformance with the Colorado Constitution and enable the City Council to temporarily reduce property taxes for any year and return property tax to the pre-existing rate without creating unnecessary conflict.

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 4**

Current language:

12.12 LIMITATION ON PROPERTY TAXES.

(a) The City Council shall not levy an ad valorem tax on taxable property in the City that provides revenue from such levy in an amount greater than was levied in the preceding year plus seven percent, except as hereafter provided. This limitation on the levy of an annual ad valorem tax on taxable property shall not apply for any purpose to the following:

(1) The payment of securities issued by the City pursuant to the provisions of this Charter if such securities and interest thereon are payable from ad valorem property taxes, and all such securities issued by the City shall be payable pursuant to the terms of issuance;

(2) The payment of any contractual obligation that has been approved by the registered electors of the City; and

(3) In the event the City, as the result of exclusion, dissolution, or as otherwise provided by law, continues to provide the services of a special district or special taxing district, the City Council may levy and collect the ad valorem property tax necessary to continue such services in an amount not to exceed that amount most recently levied by the special district or special taxing district for such services; provided, however, that any subsequent levy by the City pursuant to this subsection (a)(3) shall be subject to the seven percent limitation as provided herein.

(b) In computing the seven percent limitation, the following shall be excluded:

(1) The increased valuation for assessment attributable to annexation or inclusion of additional land, improvements thereon, and personal property connected therewith within the City for the preceding year;

(2) The increased valuation for assessment attributable to new construction and personal property connected therewith within the City for the preceding year; and

(3) The increased valuation for assessment attributable to increased volume of production for the preceding year by a producing mine or petroleum well if said mine or petroleum well is wholly or partially within the City and if such increase in volume of production causes a change in services or an increase in the level of services provided by the City.

(c) The City Council may submit the question of increasing the levy over the seven percent limitation for any one year to a vote of the registered electors of the City at a regular or special municipal election. If a majority of the registered electors voting thereon vote in favor of increasing the levy over the seven percent limitation, then the City Council may increase the levy for the year voted upon by the amount approved by the registered electors.

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 5**

Redline:

12.12 - LIMITATION ON PROPERTY TAXES.

The City shall have all taxing rights and authority granted by the Colorado Constitution. The City Council may levy property tax in conformance with the Colorado Constitution. Property tax revenues, mill levies, and any increases thereof shall not exceed limits established under the Colorado Constitution unless approved by the registered electors of the City.

The City Council may temporarily reduce property tax mills via ordinance. Any such temporary reduction shall not prevent the City from returning the property tax mill levy to the tax rate previously approved by a vote of the registered electors of the City. Any reduction of property tax shall automatically expire after one fiscal year unless a longer period is expressly stated in the ordinance.

Nothing in this section shall be construed to limit the City's authority to levy taxes for the payment of voter-approved debt, contractual obligations, or other purposes permitted under the Colorado Constitution and applicable state law. In the event the City assumes services previously provided by a special district or taxing entity, the City may levy taxes as permitted by law, subject to any required voter approval.

Redlining removed:

12.12 - LIMITATION ON PROPERTY TAXES.

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Nothing in this section shall be construed to limit the City's authority to levy taxes for the payment of voter-approved debt, contractual obligations, or other purposes permitted under the Colorado Constitution and applicable state law. In the event the City assumes services previously provided by a special district or taxing entity, the City may levy taxes as permitted by law, subject to any required voter approval.

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 6**

TOPIC 3 – SECTION 13.1(d) INITIATIVE

Rationale regarding consideration of amendment to Section 13.1. Section 13.1(d) of the Lakewood City Charter was last revised in November 1999. Subsequent to that revision the State has revised many of the provisions of the Municipal Election Code enacted under Title 31 of the Colorado Revised Statutes to provide time for absentee voters to return ballots, with a particular focus on active and overseas military personnel. The City’s Charter continues to follow the outdated time frame that requires elections on citizen-initiated ordinances to be held within a minimum of thirty (30) days and a maximum of ninety (90) days after the City Clerk presents a sufficient initiative petition to the City Council. This puts the City’s election timeline out of sync with State law and County practices and can disenfranchise active military and overseas voters.

The City Clerk is mandated by C.R.S. 31-10-102.8(2)(a) to provide ballot materials to military and overseas voters no later than forty-five days before the election. The forty-five days was determined by the State to be a necessary amount of time for a City Clerk to hire a ballot printing company, have ballots printed and mail them out to all registered overseas voters. If the ballots are misprinted or any other technical issue occurs there is minimal to no time to correct or reprint materials. To even try to comply with this mandate the election must be held as close to the 90th day as possible, subject to other State established exclusion periods, which means that a ballot printer must be identified and ballots must be sent to the printer in advance of the City Council setting an election date.

Example timeline:

1. Initiative petition presented to the City Council (initial date: day 1)
2. Within thirty days after initiative presented to the City Council the City Council shall either adopt the initiated ordinance or submit the initiated ordinance to a vote of the registered electors of the City (up to day 30)
3. The special election must be held not less than thirty days but not more than ninety days after the date the petition is presented to the City Council (between days 30 and 90)
4. Ballot materials must be provided to overseas voters no later than forty-five days prior to the election. (between days 30 and 45).

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 7**

Current language:

SECTION 13.1(d) Initiative Procedures

Within thirty days after the petition is presented by the City Clerk, the City Council shall either adopt the initiated ordinance by a majority vote of all members of City Council without any change to the initiated ordinance or submit the initiated ordinance to a vote of the registered electors of the City at a special election to be held within ninety days, but not less than thirty days, after the petition is presented to the City Council; or at any regular municipal election to be held not more than ninety days after presentation of the petition to the City Council.

Redline:

This revision is proposed to align the City’s election process to the specific number of days referenced in State statute (the “timeframe”) within which an election must be set and to add a section clarifying that election timeframes are intended to allow for participation by active duty military.

Within thirty days after the petition is presented by the City Clerk, the City Council shall either adopt the initiated ordinance by a majority vote of all members of City Council without any change to the initiated ordinance or submit the initiated ordinance to a vote of the registered electors of the City at a ~~regular or~~ special election to be held ~~within ninety not more than one hundred fifty (150) days, but and~~ not less than ~~thirty sixty (60) days after the~~ date the petition is presented to the City Council; ~~or at any regular municipal election to be held not more than ninety days after presentation of the petition to the City Council., unless otherwise required by the State constitution. The City Council shall schedule any election hereunder in a manner that is supportive of participation in local elections by active duty military electors to the degree recognized by State law.~~

Redlining removed:

Within thirty days after the petition is presented by the City Clerk, the City Council shall either adopt the initiated ordinance by a majority vote of all members of City Council without any change to the initiated ordinance or submit the initiated ordinance to a vote of the registered electors of the City at a regular or special election to be held not more than one hundred fifty (150) days and not less than sixty (60) days

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 8**

after the date the petition is presented to the City Council, unless otherwise required by the state constitution. The City Council shall schedule any election hereunder in a manner that is supportive of participation in local elections by active duty military electors to the degree recognized by State law.

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 9**

TOPIC 4 – SECTION 13.2(a) REFERENDUM (scope of referendum)

Rationale regarding consideration of amendment to Section 13.2(a). Section 13.2(a) has been proposed for consideration of amendment to consider whether remove the ability for voters to seek a referendum for an ordinance that was adopted by the City Council for the limited purpose of complying with State law. Specifically, the City Council wants to consider whether it is fiscally prudent to call for a special election to challenge a law imposed by the State upon local governments pursuant to the State’s authority with such election costing the City approximately \$350,000.

Current language:

13.2 REFERENDUM PROCEDURES.

(a) All ordinances adopted by the City Council that are legislative in character shall be subject to referendum. Any ordinance necessary for the immediate preservation of the public peace, health, or safety; fixing the rate of general property taxation for any year; related to the issuance of securities; adopting the budget; making an appropriation for the ensuing fiscal year; calling for a special election; levying special assessments, or initiating improvement districts shall not be subject to referendum.

Redline:

(a) All ordinances adopted by the City Council that are legislative in character shall be subject to referendum. Any ordinance necessary for the immediate preservation of the public peace, health, or safety; fixing the rate of general property taxation for any year; related to the issuance of securities; adopting the budget; making an appropriation for the ensuing fiscal year; calling for a special election; levying special assessments, **sending a question to the voters, limited to incorporating a State law into the City’s laws, regulations or procedures,** or initiating improvement districts shall not be subject to referendum.

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 10**

Redlining removed:

(a) All ordinances adopted by the City Council that are legislative in character shall be subject to referendum. Any ordinance necessary for the immediate preservation of the public peace, health, or safety; fixing the rate of general property taxation for any year; related to the issuance of securities; adopting the budget; making an appropriation for the ensuing fiscal year; calling for a special election; levying special assessments, sending a question to the voters, limited to incorporating a State law into the City's laws, regulations or procedures, or initiating improvement districts shall not be subject to referendum.

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 11**

TOPIC 5 – SECTION 13.2(e) REFERENDUM (election timeframe)

Rationale regarding consideration of amendment to Section 13.2(e). Section 13.2(e) of the Lakewood City Charter was last revised in November 1999. Subsequent to that revision the State has revised many of the provisions of the Municipal Election Code enacted under Title 31 of the Colorado Revised Statutes to provide time for absentee voters to return ballots, with a particular focus on active and overseas military personnel. The City’s Charter continues to follow the outdated time frame that requires elections on citizen-initiated ordinances to be held within a minimum of thirty (30) days and a maximum of ninety (90) days after the City Clerk presents a sufficient referendum petition to the City Council. This puts the City’s election timeline out of sync with State law and County practices and can disenfranchise active military and overseas voters.

The City Clerk is mandated by C.R.S. 31-10-102.8(2)(a) to provide ballot materials to military and overseas voters no later than forty-five days before the election. The forty-five days was determined by the State to be a necessary amount of time for a City Clerk to hire a ballot printing company, have ballots printed and mail them out to all registered overseas voters. If the ballots are misprinted or any other technical issue occurs there is minimal to no time to correct or reprint materials. To even try to comply with this mandate the election must be held as close to the 90th day as possible, subject to other State established exclusion periods, which means that a ballot printer must be identified and ballots must be sent to the printer in advance of the City Council setting an election date.

Example timeline:

1. Referendum petition presented to the City Council (initial date: day 1)
2. Within thirty days after referendum presented to the City Council the City Council shall either adopt the initiated ordinance or submit the initiated ordinance to a vote of the registered electors of the City (up to day 30)
3. The special election must be held not less than thirty days but not more than ninety days after the date the petition is presented to the City Council (between days 30 and 90)
4. Ballot materials must be provided to overseas voters no later than forty-five days prior to the election. (between days 30 and 45).

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 12**

Current language:

(e) The City Council shall upon presentation of the referendum petition immediately reconsider the ordinance. If upon reconsideration the ordinance is not repealed in its entirety by a majority of all members of City Council, the ordinance shall be submitted, without amendment or alteration, to a vote of the registered electors at a special election to be held within ninety days, but not less than thirty days, after presentation of the referendum petition to the City Council; or at a regular municipal election held within the ninety-day period.

Redline:

This proposed revision seeks to match the specific number of days referenced in State statute (the “timeframe”) within which an election must be set and clarifying that elections be set to support participation by active duty military to the degree recognized by State law.

The City Council shall upon presentation of the referendum petition immediately reconsider the ordinance. If upon reconsideration the ordinance is not repealed in its entirety by a majority of all members of City Council, the ordinance shall be submitted, without amendment or alteration, to a vote of the registered electors at a regular or special election to be held not more than one hundred fifty (150) days and within ninety days, but not less than thirty sixty (60) days from the date on which a referendum petition is presented to, ~~after presentation of the referendum petition to~~ the City Council, ~~unless otherwise required by the State constitution; or at a regular municipal election held within the ninety-day period.~~ The City Council shall schedule any election hereunder in a manner that is supportive of participation in local elections by active duty military electors to the degree recognized by State law.

Redlining removed:

The City Council shall upon presentation of the referendum petition immediately reconsider the ordinance. If upon reconsideration the ordinance is not repealed in its entirety by a majority of all members of City Council, the ordinance shall be submitted, without amendment or alteration, to a vote of the registered electors at a regular or special election to be held not more than one hundred fifty (150) days and not less than sixty (60) days from the date on which a referendum petition is

**RECOMMENDATIONS FOR REVIEW BY THE
LAKEWOOD CITY COUNCIL AS PRESENTED BY
THE AD HOC COMMITTEE FOR CHARTER AMENDMENT
PAGE | 13**

presented to the City Council, unless otherwise required by the State constitution. The City Council shall schedule any election hereunder in a manner that is supportive of participation in local elections by active duty military electors to the degree recognized by State law.

STAFF MEMO

DATE OF MEETING: JUNE 15, 2026 / AGENDA ITEM NO. 4

To: Mayor and City Council
From:
Subject: **Council Discussion on Zoning**

SUMMARY STATEMENT: At this study session, the City Council will discuss paths forward for addressing the zoning issues and concerns being experienced by the City of Lakewood arising out of its outdated 2013 Zoning Code following the April 7th special election at which the voters rejected the proposed modernization of that Code as developed and adopted during 2024/25.

BACKGROUND INFORMATION: In October 2025, the City Council approved four ordinances comprising an updated Zoning Code for the City of Lakewood (2026 revised Zoning Code). Subsequent referendums resulted in the full repeal of the new ordinances in April 2026. The result of the repeal of the revised Zoning Code is that the City continues to operate under the 2013 Zoning Code. The City Council needs an opportunity to discuss with each other the reasons why the 2026 revised Zoning Code was rejected by the voters, the impact to the City of continuing to operate under an outdated code, and whether there is a desire to continue to legislatively address the concerns identified within the 2013 Zoning Code.

If the City Council determines that it is in the City's best interest to continue to address some or all of the issues and concerns that exist within the 2013 Zoning Code, the Council will need to identify what steps were taken during the 2024/25 Zoning Code revision process, whether those steps effectively educated the public about the issues and concerns arising from the outdated 2013 Zoning Code, whether it would be prudent to limit proposed revisions to issues only impacting commercial properties, whether there might be a community process for discussion of residential zones that would establish broader engagement by the public, or whether there is an alternative path forward that the City Council believes the community would prefer.

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

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

NEXT STEPS: To be determined by City Council.

ATTACHMENTS: None

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

