

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
480 S. ALLISON PARKWAY
CITY OF LAKEWOOD, COLORADO
HYBRID MEETING
JULY 13, 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

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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. 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.

ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – OPENING ITEMS

ITEM A. – PLEDGE OF ALLEGIANCE

ITEM B. – STATEMENT OF CONFLICT OF INTEREST

ITEM C. – BOARDS AND COMMISSIONS RECOGNITION

ITEM D. – INITIAL PUBLIC COMMENT

Anyone who would like to address the Council on any matter other than an agenda item will be given the opportunity. Speakers should limit their comments to three minutes.

**CONSENT AGENDA
ORDINANCES ON FIRST READING**

ITEM 4 – – RESOLUTIONS

4A RESOLUTION - CITY ATTORNEY CONTRACT

ITEM B. – R-2026-52 – APPROVING THE 2026 APPOINTMENT AND RE-APPOINTMENT NOMINATIONS TO THE BOARD OF DIRECTORS FOR THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT (BID)

ITEM 5 – – 1ST READING ORDINANCES

ITEM A. – O-2026-21 – AMENDING CHAPTER 2.52 OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO INITIATIVE AND REFERENDUM PROCEDURES

5B AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 10160 WEST 12TH AVENUE, LAKEWOOD, COLORADO FOR MUNICIPAL OPEN SPACE AND PARK PURPOSES, INCLUDING ACCEPTANCE OF A DEED THEREFOR

ITEM C. – O-2026-23 – AUTHORIZING EXECUTION OF A PERMANENT UTILITY EASEMENT ACROSS CITY PARK PROPERTY AT 2911 AND 2951 S. WADSWORTH BLVD. TO PUBLIC SERVICE COMPANY OF COLORADO FOR AN UNDERGROUND ELECTRICAL LINE AND RELATED FACILITIES

ITEM 6 – APPROVING MINUTES OF THE CITY COUNCIL MEETINGS

END OF CONSENT AGENDA

ITEM 7 – ITEMS REMOVED FROM CONSENT AGENDA

**ORDINANCES ON SECOND READING
AND PUBLIC HEARINGS**

ITEM 8 – – 2ND READING ORDINANCES

8A AUTHORIZING CONVEYANCE OF REAL PROPERTY OWNED BY THE CITY OF LAKEWOOD AND LOCATED AT 685 DENVER WEST COLORADO MILLS BOULEVARD FORMERLY KNOWN AS INDIANA STREET, GOLDEN, CO 80401 TO THE LENA GULCH METROPOLITAN DISTRICT

ITEM 9 – CLOSING ITEMS

ITEM A. – GENERAL PUBLIC COMMENT

ITEM B. – GENERAL BUSINESS

9B CITY COUNCIL REQUESTS

ITEM C. – EXECUTIVE REPORT

ITEM D. – MAYOR AND CITY COUNCIL REPORTS

ITEM E. – ADJOURNMENT

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 3

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

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: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 3C

To: Mayor and City Council
From: Ben Goldstein, Deputy City Manager
Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

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: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 3D

To: Mayor and City Council
From:
Subject: **Initial Public Comment**

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

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: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 4

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

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: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 4A

To: Mayor and City Council

From:

Subject: **City Attorney Contract**

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

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: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 4B

To: Mayor and City Council
From: Will Chan, Economic Development Director & LRA Executive Director
Subject: **Appointing and Re-appointing Members to the Alameda Corridor BID**

SUMMARY STATEMENT: The City Council is asked to consider the nominations for appointment of three members to the board of the Alameda Corridor Business Improvement District.

BACKGROUND INFORMATION:

Board appointments to the City's business improvement districts (BID) must be approved by the City Council, though the selection and vetting of potential board members are conducted by the respective BID. There are currently two vacancies on the BID, with the recent departure of board members Susan Summers and Sonya Estes-Alderman. If approved, the new appointees and re-appointment would give the BID a full Board.

The nominations are as follows:

- Andrea Alvarez of the Hyatt House Denver/Lakewood at Belmar for a term of 3 years, starting May 28, 2026, through June 30, 2029
- Justin Backstrom of MDC Realty Advisors for a term of 3 years, starting May 28, 2026, through June 30, 2029
- Patty Denny of Telluride Truffle for a term of 3 years, starting May 28, 2026, through June 30, 2029

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: Staff recommends the City Council consider the appointments of Andra Alvarez and Justin Backstrom and the re-appointment of Patty Denny to the Board of Directors for the Alameda Corridor BID.

ALTERNATIVES: The City Council could decline to appoint the recommended candidates.

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

NEXT STEPS: None

ATTACHMENTS:

1. Resolution R-2026-52
2. Jefferson County Resolution 2026-2
3. Jefferson County Resolution 2026-3
4. Jefferson County Resolution 2026-4

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

A RESOLUTION

APPROVING THE 2026 APPOINTMENT AND RE-APPOINTMENT
NOMINATIONS TO THE BOARD OF DIRECTORS FOR THE ALAMEDA CORRIDOR
BUSINESS IMPROVEMENT DISTRICT (BID)

WHEREAS, the Board of Directors of the Alameda Corridor Business Improvement District (the "BID") has filed with the City Clerk the BID's nominations for BID board of directors, attached hereto, and requested that the City Council review and approve these nominations; and

WHEREAS, the City Council has reviewed the Alameda Corridor BID Nominations as presented to them by the BID.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The 2026 Appointments of Andrea Alvarez of the Hyatt House Denver/Lakewood at Belmar for a term of 3 years, starting May 28, 2026 through June 30, 2029 and Justin Backstrom of MDC Realty Advisors for a term of 3 years, starting May 28, 2026 through June 30, 2029 to the Board of Directors for the Alameda Corridor Business Improvement District is hereby approved.

SECTION 2. The 2026 Re-appointments of Patty Denny of Telluride Truffle for a term of 3 years, starting May 28, 2026, through June 30, 2029 to the Board of Directors for the Alameda Corridor Business Improvement District is hereby approved.

SECTION 3. The City Clerk shall transmit a copy of this Resolution to the Board of Directors of the BID.

SECTION 3. This Resolution shall become effective immediately upon its adoption.

INTRODUCED, READ AND ADOPTED by a vote of ____ for and ____ against at a hybrid regular meeting of the City Council on July 13th, 2026, at 7 o'clock p.m., at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenny Brown, City Attorney

**ALAMEDA CORRIDOR
BUSINESS IMPROVEMENT DISTRICT
Jefferson County, Colorado**

Resolution No. 2026-2

**A RESOLUTION APPROVING THE NOMINATION OF ANDRA
ALVAREZ FOR APPOINTMENT TO THE BOARD OF DIRECTORS OF
THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT**

BE IT RESOLVED by the Board of Directors of the Alameda Corridor Business Improvement District, Jefferson County, Colorado as follows:

Section 1. The Board of Directors of the Alameda Corridor Business Improvement District hereby nominates Andra Alvarez of the Hyatt House Denver/Lakewood at Belmar to the board for a 3-year term running through June 30, 2029, and authorizes the submission of this nomination to the City of Lakewood for approval.

Section 2. The board authorizes the ACBID executive director to submit this nomination to the City of Lakewood.

APPROVED this 28th Day of May 2026.

**ALAMEDA CORRIDOR
BUSINESS IMPROVEMENT DISTRICT
Jefferson County, Colorado**

By: 

Max de La Bruyere, President

ATTEST:

By: 

Clare Johnson, Secretary

**ALAMEDA CORRIDOR
BUSINESS IMPROVEMENT DISTRICT
Jefferson County, Colorado**

Resolution No. 2026-3

**A RESOLUTION APPROVING THE NOMINATION OF PATTY DENNY
FOR RE-APPOINTMENT TO THE BOARD OF DIRECTORS OF THE
ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT**

BE IT RESOLVED by the Board of Directors of the Alameda Corridor Business Improvement District, Jefferson County, Colorado as follows:

Section 1. At a meeting of the Board of Directors held on May 28, 2026, the board voted to submit the nomination of Patty Denny of Telluride Truffle to the Lakewood City Council for re-appointment to the Board of Directors.

Section 2. The Board of Directors of the Alameda Corridor Business Improvement District hereby nominates Patty Denny for re-appointment to the board for a three-year term running through June 30, 2029, and authorizes the submission of this nomination to the City of Lakewood for approval.

ADOPTED AND APPROVED this 28th day of May 2026.

**ALAMEDA CORRIDOR
BUSINESS IMPROVEMENT DISTRICT
Jefferson County, Colorado**

By: 
Max de La Bruyere, President

ATTEST:

By: 
Clare Johnson, Secretary

**ALAMEDA CORRIDOR
BUSINESS IMPROVEMENT DISTRICT
Jefferson County, Colorado**

Resolution No. 2026-4

**A RESOLUTION APPROVING THE NOMINATION OF JUSTIN
BACKSTROM FOR APPOINTMENT TO THE BOARD OF DIRECTORS
OF THE ALAMEDA CORRIDOR BUSINESS IMPROVEMENT DISTRICT**

BE IT RESOLVED by the Board of Directors of the Alameda Corridor Business Improvement District, Jefferson County, Colorado as follows:

Section 1. The Board of Directors of the Alameda Corridor Business Improvement District hereby nominates Justin Backstrom of MDC Realty Advisors for appointment to the board for a 3-year term running through June 30, 2029, and authorizes the submission of this nomination to the City of Lakewood for approval.

Section 2. The board authorizes the ACBID executive director to submit this nomination to the City of Lakewood.

APPROVED this 28th day of May 2026.

**ALAMEDA CORRIDOR
BUSINESS IMPROVEMENT DISTRICT
Jefferson County, Colorado**

By: 

Max de La Bruyere, President

ATTEST:

By: 

Clare Johnson, Secretary

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 5

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

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: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 5A

To: Mayor and City Council
From: Alison McKenney Brown, City Attorney
Subject: **Revisions to Chapter 2.52 of the Lakewood Municipal Code**

SUMMARY STATEMENT: An ordinance to revise Chapter 2.52 of the Lakewood Municipal Code is being submitted to the City Council for their consideration.

BACKGROUND INFORMATION:

Proposed revisions to Chapter 2.52 of the Lakewood Municipal Code regarding initiatives, referenda and referred measures. Chapter 2.52 was originally adopted in 1994, was amended in 2004 to reflect newly created case law relating to initiatives and referenda, and was most recently amended in 2019 to remove restrictions on the City Council's ability to take certain actions during the pendency of a protest or appeal of an initiative or referendum petition. Over the past two years, the City of Lakewood was subject to one initiative petition and four referendum petitions, and staff's experiences with these petition processes informed the proposed revisions to this code. City Council reviewed the proposed amendments at a study session held on June 1, 2026.

Attached to this agenda item are three documents:

1. A clean copy of the draft Ordinance 26-21
2. A redline copy showing all proposed changes to the existing Chapter 2.52
3. A copy of the PowerPoint presentation previously provided in association with the City Council Study Session held on June 1st.

Revisions made after the June 1st study session:

At City Council's direction during the June 1, 2026, study session, staff conducted a comprehensive review of the proposed revisions to Chapter 2.52, and made several additional refinements. Many of these updates consist of grammatical or other minor corrections identified during the final review and are summarized below. Staff also made several substantive changes, which are discussed in this memo and marked with an asterisk (*) where they appear.

Summary of grammatical and other minor corrections made after June 1, 2026:

1. Revised the definition of "Ballot issue" in section 2.52.020 to remove the reference to C.R.S. § 1-41-102(4) and to add "(C.R.S.)" after "Colorado Revised Statutes";
2. Added a comma to the definition of "Ballot title" in section 2.52.020;
3. Revised the definition of "Citizen Initiated Petition" in section 2.52.020 to reference any "ballot question" rather than any "ballot measure";
4. Revised the definition of "Draft" in section 2.52.020 to reference an "initiative measure" rather than an "initiative ordinance";
5. Revised the definition of "Section or Petition Section or Section of Petition" in section 2.52.020

- to clarify that the City Clerk must approve both initiative and referendum petition forms;
6. Revised the definition of “Submission clause” in section 2.52.020 to clarify that the submission clause is attached to the ballot title only, rather than to the title of the initiative or referendum petition;
 7. Revised section 2.52.070 to add “(5)” after the word “five”, and to capitalize the word “City”;
 8. Revised section 2.52.080(C) to include the word “the” before “street number” and “city”;
 9. Revised section 2.52.090(A) to refer to an “initiative measure” rather than an “initiative ordinance”;
 10. Revised section 2.52.120 to capitalize the word “City”;
 11. Revised section 2.52.130(A) to add a paragraph title;
 12. Revised section 2.52.130(B), to include “(45)” after the words “forty-five”, and to include parentheses around the number “(3)”;
 13. Revised the warning language in section 2.52.140(A) to incorporate the phrase “or the summary” in the final sentence of the warning;
 14. Revised section 2.52.140(C) to include the word “the” before “street number” and “city”;
 15. Revised section 2.52.170(A) to separate a lengthy sentence into two sentences, to replace a reference to “the referendum” with “the ordinance that is the subject of the referendum,” and to replace a reference to “the initial ordinance” with a reference to “the ordinance that is the subject of the referendum”;
 16. Revised section 2.52.180 to include “(6)” after the word “six”;
 17. Revised section 2.52.190 to reword the references to articles 10 and 11 of Title 31 of the Colorado Revised Statutes;
 18. Revised section 2.52.200(C) to capitalize the word “City”;
 19. Revised section 2.52.210 to delete the word “proposed”;
 20. Revised section 2.52.220 to include reference to referred measures; and
 21. Revised section 2.52.240 to add “(6)” after the word “six”.

Summary of substantive changes made after June 1, 2026:

1. Revised section 2.52.030(A) to remove information relevant to setting the ballot title rather than the title of the initiative petition;
2. Revised section 2.52.070 to specify that the signature requirement for a successful initiative petition includes both active and inactive electors;
3. Revised section 2.52.130(B) to specify that the signature requirement for a successful referendum petition includes both active and inactive electors;
4. Added section 2.52.130(C) to clarify the need and timeline for the City Clerk's approval of referendum petition forms prior to circulating petitions; and
5. Added section 2.52.130(D) to provide timelines for holding an appeal to review the City Clerk's adopted summary of the ordinance that is the subject of a referendum.

Review of the grammatical and standardized changes that were made throughout the document prior to June 1, 2026, as the document was then presented to the City Council:

1. The word “City” is capitalized wherever it is intended to specifically reference Lakewood.
2. The term “submission clause” is removed from sections that are not part of the ballot title. A petition isn't about how an individual should vote, but rather is a statement of request, i.e. “the undersigned registered electors of the City of Lakewood, Colorado **do petition** . . .”
3. The term “summary” needs to be included in all references to the petition as it explains the

contents of the ordinance that is the subject of the initiative or referendum.

4. Section titles have been revised to indicate whether the section refers to initiative, referendum, or referred matter.
5. Paragraph Titles have been added to clarify the content where that information would be helpful.
6. Pronouns have been changed to become gender neutral.
7. References to people with disabilities or literacy limitations have been revised to conform to modern terminology.

2.52.010 Procedures Generally. The sole change to this section is the capitalization of the word "City".

2.52.020 Definitions. *Significant substantive changes.*

Ballot issue: This definition was revised to match the definition found in 2.54.

Ballot question: This definition was revised to match the definition found in 2.54.

Ballot title: new definition. Language from charter and state law.

Circulator: This definition was revised for clarity.

Citizen Initiated Petition: new definition. This definition was added to create an umbrella term to make it clear that any form of petition circulated by members of the electorate is included within a single concept.

City Clerk: new definition. This definition was added to avoid adding the phrase "and designee" throughout the code.

Section or Petition Section or Section of Petition: This definition was revised for clarity to include the option of stapling a petition, referencing the mandatory requirement of a summary, and making clear that the City Clerk approves the petition forms for both initiative and referendum petitions.

Submission clause: This definition was revised to make clear that the submission clause is attached to the ballot title only.

Summary: This definition was revised to acknowledge that a summary is also required for petitions other than initiatives.

Title: This definition was revised as people often confuse the concept of "title" as set by the City Clerk with "ballot title" as set by the City Council.

2.52.030 Initiative procedures.

Grammatical and standardized changes.

Revised to provide timelines for holding an appeal review of the title or summary adopted by the City Clerk and to emphasize the need for the City Clerk's approval prior to circulating petitions.

Revised to remove information that was only relevant to setting the ballot title, rather than the title of an initiative petition*.

2.52.040 Copying Fees.

Title change because the paragraph applies to both initiatives and referendums.

2.52.050 Initiative petitions – Circulation prerequisites.

Removal of the reference to the "submission clause," which is not a required on petition forms.

2.52.060 Initiative petitions - Filing.

Grammatical and standardized changes.

A clarification that the City Clerk must approve the summary before petition circulation.

2.52.070 Initiative petitions – Signature requirements.

Grammatical and standardized changes.

Revised to specify that the signature requirement for a successful initiative petition includes both active and inactive electors*.

2.52.080 Initiative petitions - Requirements.

Grammatical and standardized changes

Section A. Clarifying that the warning doesn't have to be placed on affidavits or within the body of the ordinance beyond the first page.

Section B. Clarifying that the title and summary don't have to be placed on affidavits or within the body of the ordinance beyond the first page.

Section D. Adding the requirements of being eighteen, and agreeing that the circulator has read and understands the laws governing the circulation of petition to the list of requirements on each circulator's affidavit.

Section E. Adding requirement that the petition representatives will accept all notices concerning the petition.

2.52.090 Initiative petitions - Sufficiency

Grammatical and standardized changes

Section A. Limiting the information to that applicable to signature review and removing information about sufficiency review.

Section B. Added a heading to this subsection.

Section C. Consolidating all of the information about the initial sufficiency determination.

Section D. Consolidating all of the information about the protest process into one place and incorporating state law protest hearing timeline requirements. Also, added a sentence clarifying

that the City Council interprets the City's Charter as permitting protests.

Section E. Consolidating all of the information about the final sufficiency determination.

2.52.100 Reserved.

This section is the result of a code provision that was removed during the 2019 revisions to Chapter 2.52.

2.52.110 Initiative petitions – Elections *Significant substantive changes.*

Grammatical and standardized changes

Subsection A. Clarifying the process for presenting an initiative to the City Council and for the actions to place a matter on the ballot.

Subsection B. New paragraph explaining the ballot title. This information is taken from the City's Charter and state law, and it is helpful to include the entire process in a single place.

2.52.120 Initiative petitions – Future action.

Grammatical and standardized changes

2.52.130 Referendum procedures.

Grammatical and standardized changes

Revised to incorporate paragraph titles.

Subsection B. Clarifying that the signature requirement for a successful initiative petition includes both active and inactive electors*.

Subsection C. New paragraph explaining the need and timeline for the City Clerk's approval of referendum petition forms prior to circulating petitions*.

Subsection D. New paragraph providing timelines for holding an appeal to review the City Clerk's adopted summary of the ordinance that is the subject of a referendum*.

2.52.140 Referendum petitions – Requirements.

Grammatical and standardized changes

Subsection A. Clarifying that the warning doesn't have to be placed on the affidavits or within the body of the ordinance beyond the first page.

Subsection B. Clarifying that the title and summary don't have to be placed on affidavits or within the body of the ordinance beyond the first page.

Section D. Adding the requirement of being eighteen, and agreeing that the circulator has read and understands the laws governing the circulation of petition to the list of requirements on each circulator's affidavit.

Section E. Adding requirement that the petition representatives will accept all notices concerning

the petition.

2.52.150 Referendum petitions – Sufficiency.

Grammatical and standardized changes

Section A. Limiting the information to that applicable to signature review and removing information about sufficiency review.

Section B. Added a heading to this subsection.

Section C. Consolidating all of the information about the initial sufficiency determination.

Section D. Consolidating all of the information about the protest process into one place and incorporating state law protest hearing timeline requirements. Also, added a sentence clarifying that the City Council interprets the City's Charter as permitting protests.

Section E. Consolidating all of the information about the final sufficiency determination.

2.52.160 Reserved.

This section is the result of a code provision that was removed during the 2019 revisions to Chapter 2.52.

2.52.170 Referendum petitions – Elections. *Significant substantive changes.*

Grammatical and standardized changes

Subsection A. Clarifying the process for presenting a referendum petition to the City Council and for the actions to place a matter on the ballot.

Subsection B. New paragraph explaining the ballot title. This information is taken from the City's Charter and state law, and it is helpful to include the entire process in a single place.

2.52.180 Referendum petitions – Future action.

Grammatical and standardized changes

2.52.190 Election procedures, general; Initiatives and Referendums.

Grammatical and standardized changes

Reference was added to all other applicable local election laws, primarily charter, and further adding a specific reference to Article 11 of Title 31, which is the state statute regarding initiatives and referendums.

2.52.200 Ballot.

Grammatical and standardized changes

This section is reformatted so that much of paragraph A has been put into a paragraph B. Also, the first sentence was deleted because it is confusing to refer to "title only" when a "ballot title" includes title, summary, and submission clause.

2.52.210 Filing circulation report.

Grammatical and standardized changes

2.52.220 Campaign and Political Finance in Municipal Elections. Significant substantive changes.

Grammatical and standardized changes

This section is amended to remove the Fair Campaign Practices Act and replace it with Chapter 2.54 of the Lakewood Municipal Code concerning Campaign and Political Finance in Municipal Elections.

2.52.230 Unlawful acts.

Grammatical and standardized changes

2.52.240 Referral by City Council. Significant substantive changes.

Grammatical and standardized changes

This paragraph was information taken from the Charter regarding “referred measures” but seemed to be included in the Code as if it applied to the referendum process. A referred measure is an item placed on a ballot without petition by action of the City Council. It can be an ordinance or it can be a question, such as seeking a mandate from the electorate on a topic prior to acting. Seeking a mandate is unusual as it is usually seen as a relinquishment of legislative authority but may be appropriate on topics which have engendered significant political conflict.

2.52.250 Intent.

No changes.

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: Staff recommends adopting the proposed modifications to enhance the clarity of Chapter 2.54.

ALTERNATIVES: None

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council. This item was also the subject of a City Council study session on June 1, 2026.

NEXT STEPS: None

ATTACHMENTS:

1. Ordinance O-2026-21
2. Ordinance O-2026-21_Redline
3. City Council Presentation - Proposed Revisions to Chapter 2.52

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

AN ORDINANCE

AMENDING CHAPTER 2.52 OF THE LAKEWOOD MUNICIPAL CODE PERTAINING
TO INITIATIVE AND REFERENDUM PROCEDURES

WHEREAS, Article V, Section 1 of the Colorado Constitution and Article XIII of the Home Rule Charter of the City of Lakewood (the “Charter”) reserve to the registered electors of the City of Lakewood (the “City”) the powers of initiative and referendum;

WHEREAS, pursuant to Section 13.5 of the Charter, the City Council is authorized to adopt ordinances supplementing the initiative and referendum provisions set forth in Article XIII;

WHEREAS, the Lakewood City Council previously adopted supplemental procedures governing initiatives and referenda under Chapter 2.52 of the Lakewood Municipal Code, establishing the means by which registered electors of the City may exercise their powers of initiative and referendum;

WHEREAS, in 2024 the City was subject to a successful initiative brought forward by registered electors, and in 2025 the City was subject to four successful referendums also brought forward by registered electors;

WHEREAS, the initiative and referendum processes undertaken in 2024 and 2025 revealed aspects of Chapter 2.52 that contributed to public confusion and frustration;

WHEREAS, in response to this public confusion and frustration, City staff conducted a review of Chapter 2.52 and now propose the revisions set forth in this ordinance;

WHEREAS, the revisions set forth in this ordinance are intended to clarify procedural aspects of the initiative and referendum processes without altering the fundamental structure of those processes;

WHEREAS, the City Council reviewed the proposed revisions to Chapter 2.52 at a study session held on June 1, 2026;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the City Charter by setting a public hearing to provide City staff and the public the opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Sections 2.52.010, 2.52.020, 2.52.030, 2.52.040, 2.52.050, 2.52.060, 2.52.070, 2.52.080, 2.52.090, 2.52.110, 2.52.120, 2.52.130, 2.52.140, 2.52.150, 2.52.170, 2.52.180, 2.52.190, 2.52.200, 2.52.210, 2.52.220, 2.52.230, and 2.52.240 of Chapter 2.52 of the Lakewood Municipal Code, are hereby amended as follows:

2.52.010 - Procedures Generally.

Pursuant to Article V, Section 1 of the Colorado Constitution, and Article XIII of the home rule charter of the City of Lakewood, there are established procedures for exercising the initiative and referendum powers reserved to the registered electors of the City. The City Clerk may, from time to time, issue administrative rules and regulations not inconsistent with this Chapter 2.52 as may be necessary or desirable to accomplish the purposes of this chapter.

2.52.020 - Definitions.

As used in this chapter, unless the context otherwise requires:

Ballot issue means a local government matter arising under Section 20 of Article X of the State Constitution (TABOR), as defined in section 1-41-103(4) of the Colorado Revised Statutes ("C.R.S.") which reference actions involving new taxes/multi-year obligations.

Ballot question means a local government matter, including citizen initiated petitions, referred measures, or other local government question(s) other than a ballot issue.

Ballot title means the language fixed by the City Council for each initiative or referendum after an election has been ordered in accordance with Charter sections 13.1(e) and 13.2(f), and as supplemented by § 31-11-111, C.R.S.

Circulator means a natural person who individually circulates a petition in an effort to obtain signatures from registered electors and who is eighteen (18) years of age or older at the time of petition circulation.

Citizen Initiated Petition means either an initiative or referendum petition initiated by members of the electorate of the City regarding any ballot question or ballot issue. "Citizen initiated petition" does not include nomination petitions as required by § 31-10-302(2), C.R.S.

City Clerk means the City Clerk of the City of Lakewood or a designee of the City Clerk.

Draft means the proposed text of an initiative measure which, if passed, becomes the actual language of an initiated ordinance.

Section or Petition Section or Section of Petition means the stapled or otherwise bound compilation of initiative or referendum forms approved by the City Clerk, which shall include pages that contain the warning required by Sections 2.52.080 or 2.52.140, respectively; and the title, the summary, and a copy of the full text of any proposed initiative measure or the number, name, summary and a copy of the full text of the ordinance which is the subject of a referendum petition; succeeding pages that contain said warning, the title and summary of any initiative measure or the number, name and summary of a referred ordinance; ruled lines numbered consecutively for registered electors' signatures; and a final page that contains the affidavit required by Sections 2.52.080 or 2.52.140, respectively. Each petition section shall be consecutively pre-numbered by the petitioner prior to the City Clerk's approval of the petition forms.

Submission clause means the language which is attached to the ballot title to form a question which can be answered by "yes" or "no."

Summary means a concise, true, and impartial statement created by the City Clerk that is not an argument or likely to create prejudice either for or against the measure and that fairly and accurately expresses the intent and meaning of an initiative measure or ordinance that is the subject of the referendum.

Title means a brief statement that fairly and accurately represents the true intent and meaning of the proposed text of the initiative measure or the number and name of the ordinance that is the subject of the referendum, such title shall be set by the City Clerk and affixed to any initiative or referendum petition in advance of circulation.

2.52.030 - Initiative procedures.

- A. Form of initiative. Any initiated measure shall be in the form of an ordinance, legislative in character. No initiative petition section shall be printed or circulated unless the form of the first printer's proof of the petition section has first been approved by the City Clerk. Proponents are encouraged to write drafts in plain, non-technical language and in a clear and coherent manner using words with common and everyday meaning which are understandable to the average reader. Within ten (10) days after submission, the City Clerk, with the assistance of other City officials as the Clerk deems necessary, shall designate and fix a fair title and summary to the proposed ordinance which shall correctly and fairly express the true intent and meaning of the proposed ordinance. Titles shall be brief and shall unambiguously state the subject matter of the ordinance sought to be added, amended, or repealed.
- B. Appeal of Title or Summary. If any registered elector submitting such initiated petition is not satisfied with the title or summary fixed by the Clerk, and claims it to

be unfair, or that it does not fairly express the true meaning and intent of the proposed measure, such person may file a motion for a hearing with the City Clerk within seven (7) days after the return of the petition to the persons submitting it, which hearing shall be pursuant to rules adopted by the City Clerk and held within two (2) business days thereafter and a decision rendered within two (2) business days after the conclusion of the end of the hearing. If the City Clerk rules against the registered elector submitting such initiated petition, then upon the filing of a written request, a certified copy of the petition with the title and summary of such proposed measure, together with a certified copy of such motion for hearing and of the ruling thereon, shall be furnished to the parties by the City Clerk and, if filed with the Clerk of the District Court for Jefferson County within five (5) days thereafter, shall be docketed as a cause there pending and disposed of as expeditiously as circumstances permit.

2.52.040 - Copying fees.

The City Clerk may charge the same fees for certifying a record of any proceedings as are provided for certified copies of other papers, which fees shall be paid by the parties desiring a review of such proceedings. The Clerk of the District Court shall receive the ordinary docket fee for docketing any such cause, which shall be paid by the parties desiring a review of such proceedings.

2.52.050 - Initiative petitions – Circulation prerequisites.

- A. No petition for any initiative measure shall be circulated, nor any signature thereto have any force or effect whatsoever, which has been signed before the title and summary have been fixed and determined as provided in Section 2.52.030. No petition shall be printed, published, or otherwise circulated unless the form and the first printer's proof of the petition have been approved by the City Clerk
- B. Any petition which has not been submitted as required in Section 2.52.030 shall not be accepted for filing by the City Clerk.

2.52.060 - Initiative petitions – Filing.

No petition for any initiated ordinance within the City shall be of any force or effect unless filed with the City Clerk within one hundred and eighty (180) days from the date that the title and summary therefor have been fixed and determined pursuant to the provisions of Section 2.52.030. The City Clerk shall not accept any petition for filing which is not timely filed under the provisions of this section.

2.52.070 - Initiative petitions – Signature requirements.

A petition for an initiated ordinance shall be signed by persons registered to vote in the City in a number at least equal to five (5) percent of the total number of persons registered to vote in the City on the date of the last regular municipal election. The total

number of persons registered to vote in the City shall include both active and inactive electors.

2.52.080 - Initiative Petitions – Requirements.

- A. Warning. At the top of each page, including signature pages, but excluding the affidavits and all but the first page of the full text of the proposed initiative measure, of every initiative petition section shall be printed the following:

WARNING:
IT IS AGAINST THE LAW:

For anyone to sign any initiative petition with any name other than their own or to knowingly sign their name more than once for the same measure or to knowingly sign such a petition when not a registered elector who is eligible to vote on the measure.

DO NOT SIGN THIS PETITION UNLESS YOU ARE A
REGISTERED ELECTOR
AND ELIGIBLE TO VOTE ON THIS MEASURE

TO BE A REGISTERED ELECTOR,
YOU MUST BE A CITIZEN OF COLORADO
AND REGISTERED TO VOTE IN
THE CITY OF LAKEWOOD

Do not sign this petition unless you have read or have had read to you the proposed initiative measure or the summary of the initiated measure in its entirety and understand its meaning.

- B. Title and Summary. The title and summary, in that order shall be printed on each page of all petition sections, excluding the affidavits and all but the first page of the full text of the proposed initiative measure, following the warning required in subsection (A) of this section.
- C. Signature procedure. Any initiative petition circulated within the City shall be signed only by registered electors by their own signature, after which the signer shall print their name, the address at which they reside, including the street number and name, the city, the county, and the date of signing. Each registered elector signing a petition shall be encouraged by the circulator of the petition to sign the petition in black ink. In the event a registered elector is a person with a disability or literacy limitation and wishes to sign such petition, such elector shall sign or make their mark in the space so provided. Any person, but not a circulator, may assist the elector with a disability or literacy limitation in completing the remaining information required in this subsection. The person providing assistance shall sign their name and address and shall state that such assistance was rendered to the elector who is a person with a disability or literacy limitation.

- D. Circulator's affidavit. To each such petition shall be attached a signed, notarized affidavit of the circulator, which shall include the following: the circulator's printed name; the address at which the circulator resides, including the street name and number, the municipality, the county, and the date the affidavit was signed; that the circulator has read and understands the laws governing the circulation of petitions; that the circulator was eighteen (18) years of age or older at the time the section of the petition was circulated and signed by the listed electors; that the circulator circulated the section of the petition; that each signature thereon was affixed in the circulator's presence; that each signature thereon is the signature of the person whose name it purports to be; that to the best of the circulator's knowledge and belief, each of the persons signing the petition was at the time of signing a registered elector of the City; and that the circulator has not paid or will not in the future pay, and that the circulator believes that no other person has so paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing such signer to affix their signature to such petition. Each circulator and representative of the petition signers shall sign an agreement in which each agrees to submit to the subpoena authority of the City Clerk. The City Clerk shall not accept for filing any petition section which does not have attached thereto an affidavit meeting the requirements of this section and the agreement submitting to the subpoena authority of the City Clerk. Any signature added to a section of a petition after said affidavit has been executed shall be invalid.
- E. Additional petition requirements. All initiative petition sections shall consist of a complete copy of what is proposed to be initiated including the title and summary as designated and fixed by the City Clerk pursuant to Section 2.52.030. Each petition section shall designate by name and mailing address two persons who shall be registered electors of the City, who shall represent the signers thereof in all matters affecting the same, and to whom all notices or information concerning the petition shall be mailed ("petition representatives"). All such petition sections, including signature pages, shall be prenumbered serially, and the circulation of any petition section described in this chapter by any medium other than personally by a circulator is prohibited. Any petition section which fails to conform to the requirements of this chapter or is circulated in a manner other than that permitted in this section shall be invalid.
- F. Invalidation. Any disassembly of a petition section which has the effect of separating the affidavits from the signature pages shall render that petition section invalid and of no force and effect.
- G. Circulation requirements. The circulation of any petition section other than personally by a circulator is prohibited. No petition section for any initiative measure shall be circulated by any person who is not at least eighteen (18) years of age at the time the petition section is circulated.

2.52.090 - Initiative petitions – Sufficiency.

Signature Review. No petition for an initiative measure shall be filed with the City Clerk unless it contains the required number of signatures. The City Clerk shall inspect timely filed petitions for an initiative measure, and the attached affidavits, based on a review of the following categories to determine whether signatures of individuals are insufficient to support a successful petition:

1. Address shown by signer not located within the city limits of the City of Lakewood;
 2. Any signature appearing on the petition more than once, in which event all signatures of said individual shall be deleted except one;
 3. More than one individual signature on a signature line, in which event the line shall count as one;
 4. Signature lines containing incomplete information or information which was not completed by the elector or a person qualified to assist the elector shall not be counted;
 5. Signatures of individuals who are not registered electors in the City.
- B. Signature Withdrawal. The petition may not be removed and no signature may be removed or deleted by a signer, circulator, or representative of the City Clerk until the City Clerk has made an initial sufficiency determination. Any request to remove a signature shall be made in writing to the City Clerk. A signature may only be removed between the initial and final sufficiency determination by the City Clerk.
- C. Initial Sufficiency Determination. After examining the petition, the City Clerk shall issue a statement, in writing, to the petition representatives, with a copy to the City Council as to whether a sufficient number of valid signatures have been submitted. The initial statement of sufficiency or insufficiency shall be issued no later than twenty (20) calendar days after the petition has been filed. The City Clerk's sufficiency statement shall also be published on the City Clerk's website no later than twenty (20) calendar days after the petition has been filed.
- D. Protest of Initial Sufficiency Determination. A protest to an initial sufficiency determination regarding the signatures provided on an initiative petition may be filed in the office of the City Clerk by any registered elector of the City within thirty (30) days after the petition is filed with the City Clerk. The protest shall set forth with particularity the grounds of such protest and the names protested. The City Clerk shall mail a copy of such protest to the petition representatives and publish a copy of the protest on the City Clerk's website within one (1) business day of the City Clerk's receipt thereof, and shall thereafter provide a notice fixing a time for hearing such protest not less than five (5) nor more than twenty (20) days after such notice is mailed. The provisions allowing for protests as set forth within this code are intended to conform to the intent of the City's Charter § 13.1(c) and take place in advance of the City Clerk's determination of final sufficiency.

For initiative petitions found insufficient by the City Clerk and against which a protest has also been filed, an administrative protest hearing, as described herein, may still take place at the discretion of the protesting party or the protesting party may withdraw the protest as the insufficiency determination sought by the protest has already occurred.

To schedule a protest hearing, the City Clerk shall mail a copy of the protest to the petition representatives, together with a notice fixing a date and time for hearing such protest that is not less than five (5) nor more than twenty (20) days after such notice is mailed. The notice shall include the timeline set forth within this subsection so that all parties, including the hearing officer, are on notice as to the mandatory nature of such deadlines. The City Clerk, or designee, shall serve as the hearing officer. The hearing shall be summary and not subject to delay and shall be concluded within sixty (60) days after the petition is filed. No later than five (5) days after the conclusion of the hearing, the hearing officer shall issue a written determination of whether the protest is affirmed or denied. If the hearing officer affirms the protest after determining that a petition is not sufficient, the hearing officer shall identify those portions of the petition that are not sufficient and the reasons therefor.

All records and hearings shall be public under this section, all testimony shall be under oath, and the City Clerk shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents. Upon failure of any witness to obey the subpoena, the City Clerk may petition the District Court of Jefferson County and upon proper showing the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the order of the court is punishable as contempt of court. The administrative hearing process shall be established by rule of the City Clerk, but such administrative hearing shall not allow for public comment as the issue(s) pending before the hearing officer is factual and legal in nature. At any hearing held pursuant to this section, the party protesting the finding of the City Clerk concerning the sufficiency of signatures shall have the burden of proof which shall be a preponderance of the evidence.

The decision of the City Clerk as to sufficiency or insufficiency is final. Any appeal of the decision shall be to the Jefferson County District Court. If an appeal of a decision of the City Clerk is filed with the District Court, the timeline for carrying out an election shall conform to the City's election laws to the extent possible subject to any orders or rulings of such court.

- E. Procedure following Final Sufficiency Determination. After the City Clerk has completed the final sufficiency review of the petitions, the following procedures shall apply:
 - 1. For initiative petitions found to contain an insufficient number of valid signatures, and against which no protest has been filed, the City Clerk shall mail a written notice of insufficiency, summarizing the grounds for the decision,

to the representatives of the petitioners. The decision of the City Clerk concerning insufficiency shall be a final decision from which an appeal may be made to the District Court of Jefferson County.

2. For initiative petitions found insufficient following a protest hearing, the City Clerk shall mail a written notice of insufficiency, summarizing the grounds for the decision, to the protesting party and to the petition representatives.
3. For initiative petitions found sufficient, and against which no protest has been filed, the City Clerk shall present the petition to the City Council for further action.
4. For initiative petitions found sufficient following a protest hearing, the City Clerk shall mail a written notice of sufficiency, summarizing the grounds for the decision, to the protesting party and the petition representatives, and shall present the petition to the City Council for further action.

2.52.110 - Initiative Petitions – Elections.

- A. Presentation to the City Council. After final determination of petition sufficiency, the City Clerk shall present the petition to the City Council at its next regularly scheduled meeting. At that time, the City Clerk shall also determine whether the petition qualifies for a ballot issue election or a ballot question election and shall advise the City Council of such determination. Within thirty (30) days after the petition is presented by the City Clerk, the City Council shall either adopt without alteration the initiated ordinance by a majority vote of all members of City Council, or submit the initiated ordinance to a vote of the registered electors by resolution. If the initiated ordinance is one which may be considered at a ballot question election, it shall be submitted at a special election held not less than thirty (30) nor more than ninety (90) days after the petition is presented to the City Council, or at a regular municipal election held within that ninety (90)-day period. If the initiated ordinance is one which may only be considered at a ballot issue election, it shall be submitted at the next ballot issue election held not less than ninety (90) days after the petition is presented to the City Council.
- B. Setting the ballot title. After an election has been ordered, the City Council shall promptly fix a ballot title for the initiative measure by resolution. The ballot title shall have printed on it the ordinance title and submission clause, and on separate lines under the submission clause, the words, "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE". In fixing the ballot title, the City Council shall consider the public confusion that might be caused by misleading titles and shall, wherever practicable, avoid titles for which the general understanding of the effect of a "yes" or "no" vote would be unclear. The ballot title shall not conflict with those titles selected for any other measure that will appear on the ballot in the same election. The ballot title shall correctly and fairly express the true intent and meaning of the measure.

- C. Alternative ordinances on the same topic. Alternative ordinances may be submitted at the same election, and if two or more conflicting ordinances are approved by the people, the one which receives the greatest number of affirmative votes shall be adopted in all particulars as to which there is a conflict.
- D. Effective date of an approved ordinance. If a majority of the registered electors voting in the election vote "for" the ordinance, it shall be adopted and take effect upon certification of the election results, or at such later date as may be set forth in the initiated ordinance.
- E. Conformance with Charter. Notwithstanding the above provisions, the City Council shall not be deprived of the right to enact any ordinance, resolution, or other measure except as provided within the City's Charter.

2.52.120 - Initiative petitions – Future action.

No initiated ordinance adopted by the registered electors of the City may be amended or repealed by the City Council during a period of six months after the date of the election on the initiated ordinance.

2.52.130 - Referendum procedures.

- A. Ordinances subject to referendum. Except as provided in the City's Charter, 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.
- B. Ordinance effective dates; Signature requirements. No ordinance shall take effect and be in force before thirty (30) days after adoption by the City Council and publication by title, except that no ordinance that zones, rezones, or changes any zoned district shall take effect and be in force before forty-five (45) days after adoption by the City Council and publication by title. If, prior to the effective date of an ordinance and during business hours on a business day in which the City Clerk's Office is open, a petition signed by registered electors of the City equal in number to three (3) percent of the total number of persons registered to vote in the City on the date of the last regular municipal election is filed with the City Clerk protesting such ordinance, the City Clerk shall begin the initial determination of sufficiency as set out in Section 2.52.150. The total number of persons registered to vote in the City shall include both active and inactive electors.
- C. Form of referendum petition. No referendum petition section shall be printed or circulated unless the first printer's proof of the petition section has been approved by the City Clerk. The City Clerk shall approve or reject the form and the first printer's proof of the petition no later than five (5) business days following the date

on which the City Clerk received such material. In this same five (5) business day period, the City Clerk, with the assistance of other City officials as the City Clerk deems necessary, shall designate and fix a fair summary for the ordinance that is the subject of the referendum petition, which shall correctly and fairly express the true intent and meaning of the ordinance.

- D. Appeal of Summary. If any registered elector submitting such referendum petition is not satisfied with the summary fixed by the Clerk, and claims it to be unfair, or that it does not fairly express the true meaning and intent of the ordinance that is the subject of the referendum petition, such person may file a motion for a hearing with the City Clerk within seven (7) days after the return of the petition to the persons submitting it, which hearing shall be pursuant to rules adopted by the City Clerk and held within two (2) business days thereafter and a decision rendered within two (2) business days after the conclusion of the end of the hearing. If the City Clerk rules against the registered elector submitting such referendum petition, then upon the filing of a written request, a certified copy of the petition with the summary of the ordinance that is the subject of the referendum petition, together with a certified copy of such motion for hearing and of the ruling thereon, shall be furnished to the parties by the City Clerk and, if filed with the Clerk of the District Court for Jefferson County within five (5) days thereafter, shall be docketed as a cause there pending and disposed of as expeditiously as circumstances permit. Nothing herein shall impact the timing requirements for the filing of a referendum petition.

2.52.140 - Referendum petitions – Requirements.

- A. Warning. At the top of each page, including signature pages, but excluding the affidavits and all but the first page of the full text of the ordinance that is the subject of the referendum petition, of every referendum petition section circulated within the City relating to a municipal ordinance shall be printed the following:

WARNING:

IT IS AGAINST THE LAW:

For anyone to sign any referendum petition with any name other than their own or to knowingly sign their name more than once for the same measure or to knowingly sign such a petition when not a registered elector who is eligible to vote on the measure.

**DO NOT SIGN THIS PETITION UNLESS YOU ARE A
REGISTERED ELECTOR
AND ELIGIBLE TO VOTE ON THIS MEASURE**

**TO BE A REGISTERED ELECTOR,
YOU MUST BE A CITIZEN OF COLORADO
AND REGISTERED TO VOTE IN
THE CITY OF LAKEWOOD**

Do not sign this petition unless you have read or have had read to you the proposed referred measure or the summary in its entirety and understand its meaning.

- B. Title and summary. The title and summary, in that order, shall be printed on each page of all petition sections excluding the affidavits and all but the first page of the full text of the ordinance that is the subject of the referendum, following the warning required in subsection (A) of this section.
- C. Signature procedure. Any referendum petition circulated within the City shall be signed only by registered electors by their own signature, after which the signer shall print their name, the address at which they reside, including the street number and name, the city, county and the date of signing. Each registered elector signing a petition shall be encouraged by the circulator of the petition to sign the petition in black ink. In the event a registered elector is a person with a disability or literacy limitation and wishes to sign such petition, such elector shall sign or make their mark in the space so provided. Any person, but not a circulator, may assist a person with a disability or literacy limitation in completing the remaining information required in this subsection. The person providing assistance shall sign their name and address and shall state that such assistance was rendered to the elector who is a person with a disability or literacy limitation.
- D. Circulator's affidavit. To each such petition shall be attached a signed, notarized affidavit of the circulator, which shall include the following: the circulator's printed name; the address at which the circulator resides, including the street name and number, the municipality, the county, and, the date the affidavit was signed; that the circulator has read and understands the laws governing the circulation of petitions; that the circulator was eighteen (18) years of age or older at the time the section of the petition was circulated and signed by the listed electors; that the circulator circulated the petition section; that each signature thereon was affixed in the circulator's presence; that each signature thereon is the signature of the person whose name it purports to be; that to the best of the circulator's knowledge and belief, each of the persons signing the petition was at the time of signing a registered elector of the City; and that the circulator has not paid or will not in the future pay, and that the circulator believes that no other person has so paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing such signer to affix their signature to such petition. Each circulator and representative of the petition signers shall sign an agreement in which each agrees to submit to the subpoena authority of the City Clerk. The City Clerk shall not accept for filing any petition section which does not have attached thereto an affidavit meeting the requirements of this section and the agreement submitting to the subpoena authority of the City Clerk. Any signature added to a petition section after the said affidavit has been executed shall be invalid.
- E. Additional petition requirements. All referendum petitions shall include a complete copy of the ordinance which is the subject of the petition. Each petition shall designate by name and mailing address two persons who shall be registered

electors of the City, who shall represent the signers thereof in all matters affecting the same, and to whom all notices or information concerning the petition shall be mailed ("petition representatives"). All such petition sections, including signature pages, shall be prenumbered serially, and the circulation of any petition section described in this chapter by any medium other than personally by a circulator is prohibited. Any petition section which fails to conform to the requirements of this chapter or is circulated in a manner other than that permitted in this section shall be invalid.

- F. Invalidation. Any disassembly of a section of the petition which has the effect of separating the affidavits from the signature pages shall render that section of the petition invalid and of no force and effect.
- G. Circulation requirements. The circulation of any petition section other than personally by a circulator is prohibited. No section of a petition for any referendum measure shall be circulated by any person who is not at least eighteen (18) years of age at the time the petition section is circulated.
- H. Notice of intent to file a petition. As soon as possible, but prior to filing a referendum petition, each circulator shall file with the City Clerk a notice of intent to file a referendum petition.

2.52.150 - Referendum petitions – Sufficiency.

- A. Signature review. No petition for referendum shall be filed with the City Clerk unless it contains the required number of signatures. The City Clerk shall inspect timely filed referendum petitions and the attached affidavits based on a review of the following categories to determine whether signatures of individuals are insufficient to support a successful petition:
 - 1. Address shown by signer is not located within the city limits of the City of Lakewood;
 - 2. Any signature appearing on the petition more than once, in which event all signatures of said individual shall be deleted except one;
 - 3. More than one individual signature on a signature line, in which event the line shall count as one;
 - 4. Signature lines containing incomplete information or information which was not completed by the elector or a person qualified to assist the elector shall not be counted;
 - 5. Signatures of individuals who are not registered electors in the City.
- B. Signature Withdrawal. The petition may not be removed and no signature may be removed or deleted by a signer, circulator, or representative of the City Clerk until the City Clerk has made an initial sufficiency determination. Any request to remove

a signature shall be made in writing to the City Clerk. A signature may only be removed between the initial and final sufficiency determination by the City Clerk.

- C. Initial Sufficiency Determination. After examining the petition, the City Clerk shall issue a statement, in writing, to the petition representatives, with a copy to the City Council as to whether a sufficient number of valid signatures have been submitted. The initial statement of sufficiency or insufficiency shall be issued no later than twenty (20) calendar days after the petition has been filed. The City Clerk's sufficiency statement shall also be published on the City Clerk's website no later than twenty (20) calendar days after the petition has been filed.
- D. Protest of Initial Sufficiency Determination. A protest to an initial sufficiency determination regarding the signatures provided on a referendum petition may be filed in the office of the City Clerk by any registered elector of the City within thirty (30) days after the petition is filed with the City Clerk. The protest shall set forth with particularity the grounds of such protest and the names protested. The City Clerk shall mail a copy of such protest to the petition representatives and publish a copy of the protest on the City Clerk's website within one (1) business day of the City Clerk's receipt thereof, and shall thereafter provide a notice fixing a time for hearing such protest not less than five (5) nor more than twenty (20) days after such notice is mailed. The provisions allowing for protests as set forth within this code are intended to conform to the intent of the City's Charter § 13.2(c) and take place in advance of the City Clerk's determination of final sufficiency.

For referendum petitions found insufficient by the City Clerk, and against which a protest has also been filed, an administrative protest hearing, as described herein, may still take place at the discretion of the protesting party or the protesting party may withdraw the protest as the insufficiency determination sought by the protest has already occurred.

To schedule a protest hearing, the City Clerk shall mail a copy of the protest to the petition representatives, together with a notice fixing a date and time for hearing such protest that is not less than five (5) nor more than twenty (20) days after such notice is mailed. The notice shall include the timeline set forth within this subsection so that all parties, including the hearing officer, are on notice as to the mandatory nature of such deadlines. The City Clerk, or designee, shall serve as the hearing officer. The hearing shall be summary and not subject to delay and shall be concluded within sixty (60) days after the petition is filed. No later than five (5) days after the conclusion of the hearing, the hearing officer shall issue a written determination of whether the protest is affirmed or denied. If the hearing officer affirms the protest after determining that a petition is not sufficient, the hearing officer shall identify those portions of the petition that are not sufficient and the reasons therefor.

All records and hearings shall be public under this section, all testimony shall be under oath, and the City Clerk shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents. Upon failure of any

witness to obey the subpoena, the City Clerk may petition the District Court of Jefferson County and upon proper showing the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the order of the court is punishable as a contempt of court. The administrative hearing process shall be established by rule of the City Clerk, but such administrative hearing shall not allow for public comment as the issue(s) pending before the hearing officer is factual and legal in nature. At any hearing held pursuant to this section, the party protesting the finding of the City Clerk concerning the sufficiency of signatures shall have the burden of proof which shall be a preponderance of the evidence.

The decision of the City Clerk as to sufficiency or insufficiency is final. Any appeal of the decision shall be to the Jefferson County District Court. If an appeal of a decision of the City Clerk is filed with the District Court, the timeline for carrying out an election shall conform to the City's election laws to the extent possible subject to any orders or rulings of such court.

- E. Procedure following Final Sufficiency Determination. After the City Clerk has completed the final sufficiency review of the petitions; the following procedures shall apply:
1. For referendum petitions found to contain an insufficient number of valid signatures, and against which no protest has been filed, the City Clerk shall mail a written notice of insufficiency, summarizing the grounds for the decision, to the representatives of the petitioners. The decision of the City Clerk concerning insufficiency shall be final, from which an appeal may be made to the District Court of Jefferson County.
 2. For referendum petitions found insufficient following a protest hearing, the City Clerk shall mail a written notice of insufficiency, summarizing the grounds for the decision, to the protesting party and to the petition representatives.
 3. For referendum petitions found sufficient, and against which no protest has been filed, the City Clerk shall present the petition to the City Council for further action.
 4. For referendum petitions found sufficient following a protest hearing, the City Clerk shall mail a written notice of sufficiency, summarizing the grounds for the decision, to the protesting party and the petition representatives, and shall present the petition to the City Council for further action.

2.52.170 - Referendum petitions – Elections.

- A. Presentation to the City Council. After final determination of petition sufficiency, the City Clerk shall present the petition to the City Council at its next regularly scheduled meeting. At that time, the City Clerk shall also determine whether the petition qualifies for a ballot issue election or a ballot question election and shall advise the City Council of such determination. Upon presentation to the City

Council of such petition by the City Clerk, the ordinances shall be suspended from operation. 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 the City Council, the City Council shall submit the same by resolution, without amendments or alteration, to a vote of the registered electors. If the ordinance that is the subject of the referendum is one which may be considered at a ballot question election, it shall be submitted at a special election held not less than thirty (30) nor more than ninety (90) days after the petition is presented to the City Council, or at a regular municipal election held within that ninety (90)-day period. If the ordinance that is the subject of the referendum is one which may only be considered at a ballot issue election, it shall be submitted at the next ballot issue election held not less than ninety (90) days after the petition is presented to the City Council.

- B. Setting the ballot title. After an election has been ordered, the City Council shall promptly fix a ballot title including the ordinance title and submission clause, and on separate lines under the submission clause, the words, "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE". In fixing the ballot title, the City Council shall consider the public confusion that might be caused by misleading titles and shall, wherever practicable, avoid titles for which the general understanding of the effect of a "yes" or "no" vote would be unclear. The ballot title shall not conflict with those titles selected for any other measure that will appear on the ballot in the same election. The ballot title shall correctly and fairly express the true intent and meaning of the measure.
- C. Effective date of an approved ordinance. If a majority of the registered electors voting vote "FOR THE ORDINANCE", the ordinance shall be effective upon certification of the election results. If a majority of the registered electors voting vote "AGAINST THE ORDINANCE", the ordinance shall be repealed upon certification of the election results.

2.52.180 - Referendum petitions – Future action.

No ordinance subjected to referendum that was repealed by the registered electors of the City may be subsequently adopted by the City Council during a period of six (6) months after the date of the election on the referendum.

2.52.190 - Election procedures, general; Initiatives and Referendums.

Election procedures under this chapter shall be supplemented by all applicable local election laws, as well as the Colorado Municipal Election Code in Title 31, Article 10 of the Colorado Revised Statutes, and Title 31, Article 11 of the Colorado Revised Statutes, governing municipal initiatives, referenda, and referred measures.

2.52.200 - Ballot.

- A. The ballot for any initiative measure or referendum shall have printed on it the ordinance title and submission clause, and on separate lines under the submission clause, the words, "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE".
- B. All initiative or referendum matters shall be indicated on the ballot by number and all City Council referred measures shall be indicated by letter. If more than one question will appear on the same ballot, they shall appear in numerical or alphabetical order by date of receipt, and the question shall be numbered or lettered accordingly.
- C. Any initiated ordinance approved by the people of the City shall be printed with the official acts of the next City Council meeting, and such ordinance approved by the people of the City shall be published as ordinances are generally published after adoption.

2.52.210 - Filing circulation report.

The proponents of any initiative or referendum petition shall file with the City Clerk the assigned title of the initiative or referendum petition for which petitions were circulated by paid circulators, and the total amount paid to each circulator. The filing shall be made at the same time the petition is filed with the City Clerk.

2.52.220 - Campaign and Political Finance in Municipal Elections.

The provisions of Chapter 2.54 of the Lakewood Municipal Code, as amended, including the penalty provisions thereof, shall apply to all initiative, referendum, and referred measures.

2.52.230 Unlawful acts.

It is unlawful:

- A. For any person willfully and knowingly to circulate or cause to be circulated, or sign or procure to be signed, any initiative or referendum petition bearing the name, device, or motto of any person, organization, association, league, or political party, purporting in any manner to be endorsed, approved, or submitted by any person, organization, association, league or political party, without the written consent, approval and authorization of such person, organization, association, league or political party;
- B. For any person to sign any name other than their own to any initiative or referendum petition, or knowingly to sign their name more than once for the same measure at one election;
- C. For any person to sign any initiative or referendum petition who is not at the time of signing the same a registered elector of the City;
- D. For any person to sign an affidavit as circulator without knowing or reasonably believing the statements made in such affidavit are true;

- E. For any person to certify that any affidavit attached to a petition was subscribed or sworn to before them unless it was in fact so subscribed and sworn to before them, and unless such person so certified is duly qualified under the laws of the state to administer an oath;
- F. For any election official or other person to willfully conspire or agree or confederate, with another or others, to do any act which shall hinder, delay or in any manner interfere with the calling, holding or conducting of any election permitted under the initiative and referendum powers reserved by the people in Section 1 of Article V of the Constitution of the State and this chapter, or of registering electors therefore;
- G. For any election official to do willfully any act which shall confuse or tend to confuse the issues submitted or proposed to be submitted in any election held under this chapter, or refuse to submit any petition in the form presented for submission at any election under this chapter; or
- H. For any officer or person to willfully violate any provision of this chapter.

2.52.240 Referral by City Council.

The City Council shall have the power to submit any proposed or adopted ordinance or any question to a vote of the registered electors without the receipt of a petition. Such referral shall be by resolution.

A referred ordinance shall be published in full not less than ten (10) days prior to the date of the election. The election procedures for a referred ordinance/question shall conform to those applicable to a referendum petition beginning with the adoption of a resolution formally sending such referred ordinance/question to the electorate except there shall be no protest of a referred ordinance/question.

If the referred measure is an ordinance and a majority of the registered electors voting vote "for" the referred ordinance, it shall be effective upon certification of the election results. If a majority of the registered electors voting vote "against" the referred ordinance, the referred ordinance shall be repealed upon certification of the election results if it was previously adopted.

No ordinance referred to the electorate by independent action of the City Council that is rejected by the registered electors of the City may be subsequently adopted by the City Council during a period of six (6) months after the date of the election at which such referred ordinance was not approved.

SECTION 2. Any section of Chapter 2.52 that is not specifically modified by this ordinance shall continue in full force and effect.

SECTION 3. If any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion,

provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

SECTION 4. This Ordinance shall take effect thirty (30) days after final publication.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 13th day of July 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 16th day of July, 2026; set for public hearing to be held on the 27th day of July, 2026; read, finally passed and adopted by the City Council on the 27th day of July, 2026; and signed by the Mayor on the ___ day of July, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

Chapter 2.52 INITIATIVE AND REFERENDUM PROCEDURES

2.52.010 Procedures generally.

Pursuant to Article V, Section 1 of the Colorado Constitution, and Article XIII of the home rule charter of the City of Lakewood, there are established procedures for exercising the initiative and referendum powers reserved to the registered electors of the ~~city~~City. The City Clerk may, from time to time, issue administrative rules and regulations not inconsistent with this Chapter 2.52 as may be necessary or desirable to accomplish the purposes of this chapter.

(Ord. O-94-3 § 1 (part), 1994).

2.52.020 Definitions.

As used in this chapter, unless the context otherwise requires:

Ballot issue means a local government matter arising under Section 20 of Article X of the State Constitution (TABOR), as defined in sections 1-41-102(4) and 1-41-103(4) of the Colorado Revised Statutes ("C.R.S.") which reference actions involving new taxes/multi-year obligations nonrecall, citizen-initiated or citizen-referred petition or legislatively referred measure which is authorized by the State Constitution, including a proposition which is in the form of a question meeting the requirements of Section 20(3)(c) of Article X of the State Constitution.

Ballot question means a local government matter, including citizen initiated petitions, referred measures, or other local government question(s) other than a ballot issue~~proposition which is in the form of a question other than a ballot issue.~~

Ballot title means the language fixed by the City Council for each initiative or referendum after an election has been ordered in accordance with Charter sections 13.1(e) and 13.2(f), and as supplemented by § 31-11-111, C.R.S.

Circulator means a natural person who individually circulates a petition in an effort to obtain signatures from registered electors and who is eighteen (18) years of age or older at the time of petition circulation.

Citizen Initiated Petition means either an initiative or referendum petition initiated by members of the electorate of the City regarding any ballot question ~~measure or ballot issue.~~ "Citizen initiated petition" does not include nomination petitions as required by § 31-10-302(2), C.R.S.

City Clerk means the City Clerk of the City of Lakewood or a designee of the City Clerk.

Draft means the proposed text of ~~the~~an -initiative ~~ordinancemeasure~~ which, if passed, becomes the actual language of ~~the~~an initiated ordinance.

Section ~~or Petition~~ Section or Section of Petition means the stapled or otherwise~~a~~ bound compilation of initiative or referendum forms approved by the City Clerk, ~~or referendum petitions~~ which shall include pages that contain the warning required by Sections 2.52.080 or 2.52.140, respectively; and the title, the summary, and a copy of the full text of any proposed initiative measure or the number, name, summary and a copy of the full text of the ordinance which is the subject of ~~the~~a referendum petition; succeeding pages that contain said warning, the title and summary of ~~the~~any initiative measure or the number, and name and summary of ~~the~~a referred ordinance; and ruled lines numbered consecutively for registered electors' signatures; and a final page that contains the affidavit required by Sections 2.52.080 or 2.52.140, respectively. Each petition section shall be consecutively pre-numbered by the petitioner prior to ~~circulation~~the City Clerk's approval of the petition forms.

Submission clause means the language which is attached to the ballot title to form a question which can be answered by "yes" or "no."

Summary means a concise, true, and impartial statement created by the City Clerk that is not an argument or likely to create prejudice either for or against the measure and that fairly and accurately expresses the intent and meaning of an initiative measure or ordinance that is the subject of the referendum~~condensed statement as to the intent of the initiative measure.~~

Title means a brief statement that fairly and accurately represents the true intent and meaning of the proposed text of the initiative measure or the number and name of the ordinance that is the subject of the referendum, such title shall be set by the City Clerk and affixed to any initiative or referendum petition in advance of circulation.

(Ord. 2004-21 § 1, 2004; Ord. O-94-3 § 1, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.030 Initiative procedures.

- A. **Form of initiative.** Any initiated measure shall be in the form of an ordinance, legislative in character. No initiative petition section shall be printed or circulated unless the form of the first printer's proof of the petition section has first been approved by the City Clerk~~the original draft of which shall be submitted to the City Clerk before the petition relating thereto is circulated to the registered electors of the city.~~ Proponents are encouraged to write ~~such~~ drafts in plain, non-technical language and in a clear and coherent manner using words with common and everyday meaning which are understandable to the average reader. Within ten (10) days after submission, the City Clerk, with the assistance of other ~~city~~City officials as the Clerk deems necessary, shall designate and fix a fair title, ~~submission clause,~~ and summary to the proposed ordinance which shall correctly and fairly express the true intent and meaning of the proposed ordinance. Titles shall be brief, ~~shall not conflict with titles selected for any petition previously filed for the same election, and shall be in the form of a question which may be answered "FOR THE ORDINANCE" to vote in favor of the proposed measure or "AGAINST THE ORDINANCE" to vote against the proposed measure and~~ which shall unambiguously state the subject matter of the ordinance sought to be added, amended, or repealed.
- B. **Appeal of Title or Summary.** If any registered elector submitting such initiated petition is not satisfied with the title, ~~submission clause,~~ or summary ~~as provided fixed by the Clerk,~~ and claims it to be unfair, or that it does not fairly express the true meaning and intent of the proposed measure, such person may file a motion for a hearing with the City Clerk within seven (7) days after the return of the petition to the persons submitting it, which hearing shall be ~~had pursuant to rules adopted by the City Clerk and held~~ within two (2) business days thereafter and a decision rendered within two (2) business days after the conclusion of the end of the hearing. If the City Clerk rules against the registered elector submitting such initiated petition, then upon the filing of a written request, a certified copy of the petition with the title, ~~submission clause,~~ and summary of such proposed measure, together with a certified copy of such motion for hearing and of the ruling thereon, shall be furnished to the parties by the City Clerk and, if filed with the Clerk of the District Court for Jefferson County within five (5) days thereafter, shall be docketed as a cause there pending and disposed of as expeditiously as circumstances permit.

(Ord. O-2004-21 § 2, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.040 Initiative petitions—Copying Fees.

The City Clerk may charge the same fees for certifying a record of any proceedings as are provided for certified copies of other papers, which fees shall be paid by the parties desiring a review of such proceedings. The Clerk of the District Court shall receive the ordinary docket fee for docketing any such cause, which shall be paid by the parties desiring a review of such proceedings.

(Ord. O-2004-21 § 3, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.050 Initiative petitions—Circulation prerequisites.

- A. No petition for any initiative measure shall be circulated, nor any signature thereto have any force or effect whatsoever, which has been signed before the title ~~submission clause~~, and summary have been fixed and determined as provided in Section 2.52.030. No petition shall be printed, published, or otherwise circulated unless the form and the first printer's proof of the petition have been approved by the City Clerk
- B. Any petition which has not been submitted as required in Section 2.52.030 shall not be accepted for filing by the City Clerk.

(Ord. O-94-3 § 1 (part), 1994).

2.52.060 Initiative petitions—Filing.

No petition for any initiated ordinance within the ~~city~~ City shall be of any force or effect unless filed with the City Clerk within one hundred and eighty (180) days from the date that the title and ~~summary submission clause~~ therefor have been fixed and determined pursuant to the provisions of Section 2.52.030. The City Clerk shall not accept any petition for filing which is not timely filed under the provisions of this section.

(Ord. O-94-3 § 1 (part), 1994).

2.52.070 Initiative petitions—Signature requirements.

A petition for an initiated ordinance shall be signed by persons registered to vote in the ~~city~~ City in a number at least equal to five (5) percent of the total number of persons registered to vote in the ~~C~~city on the date of the last regular municipal election. The total number of persons registered to vote in the City shall include both active and inactive electors.

(Ord. O-94-3 § 1 (part), 1994).

2.52.080 ~~Requirements of petitions~~—Initiative ~~petitions~~ - Requirements.

- A. **Warning.** At the top of each page, including signature pages, but excluding the affidavits and all but the first page of the full text of the proposed initiative measure, of every initiative petition section shall be printed the following:

WARNING:
IT IS AGAINST THE LAW:

For anyone to sign any initiative petition with any name other than ~~his or her~~their own or to knowingly sign ~~his or her~~their name more than once for the same measure or to knowingly sign such a petition when not a registered elector who is eligible to vote on the measure.

DO NOT SIGN THIS PETITION UNLESS YOU ARE A
REGISTERED ELECTOR
AND ELIGIBLE TO VOTE ON THIS MEASURE

TO BE A REGISTERED ELECTOR,
YOU MUST BE A CITIZEN OF COLORADO
AND REGISTERED TO VOTE IN
THE CITY OF LAKEWOOD

Do not sign this petition unless you have read or have had read to you the proposed initiative measure or the summary of the initiated measure in its entirety and understand its meaning.

- B. **Title and Summary.** The title and summary, in that order shall be printed on each page of all petition sections, excluding the affidavits and all but the first page of the full text of the proposed initiative measure, following the warning required in subsection (A) of this section.
- C. **Signature procedure.** Any initiative petition circulated within the city-City shall be signed only by the registered electors by their own signature, after which the signer shall print his-or-hertheir name, the address at which he-or-shethey resides, including the street number and name, the city, the county, and the date of signing. Each registered elector signing a petition shall be encouraged by the circulator of the petition to sign the petition in black ink. In the event a registered elector is physically disabled-or-is illiteratea person with a disability or literacy limitation and wishes to sign such petition, such elector shall sign or make his-or-hertheir mark in the space so provided. Any person, but not a circulator, may assist the disabled-or-illiterate elector with a disability or literacy limitation in completing the remaining information required in this subsection. The person providing assistance shall sign his-or-hertheir name and address and shall state that such assistance was rendered to the disabled-or-illiterate elector who is a person with a disability or literacy limitation.
- D. **Circulator's affidavit.** To each such petition shall be attached a signed, notarized affidavit of the circulator, which shall include the following: stating his-or-her-the circulator's printed name; the, address at which the circulator resides, including the street name and number, the municipality, the county, and; the date the affidavit was signed; that the circulator has read and understands the laws governing the circulation of petitions; that the circulator was eighteen (18) years of age or older at the time the section of the petition was circulated and signed by the listed electors;; that he-or-she the circulator circulated the section of the petition;; that each signature thereon was affixed in his-or-herthe circulator's presence;; that each signature thereon is the signature of the person whose name it purports to be;; that to the best of the circulator's knowledge and belief, of the affiant each of the persons signing the petition was at the time of signing a registered elector of the cityCity;; and that he-or-shethe circulator has not paid or will not in the future pay, and that he-or-shethe circulator believes that no other person has so paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing such signer to affix his-or-hertheir signature to such petition. Each circulator and representative of the petition signers shall sign an agreement in which each agrees to submit to the subpoena authority of the City Clerk. The City Clerk shall not accept for filing any petition section which does not have attached thereto an affidavit meeting the requirements of this section and the agreement submitting to the subpoena authority of the City Clerk. Any signature added to a section of a petition after said affidavit has been executed shall be invalid.
- E. **Additional petition requirements.** All initiative petition sections shall consist of a complete copy of what is proposed to be initiated including the title, submission clause, and summary as designated and fixed by the City Clerk pursuant to Section 2.52.030. Each petition section shall designate by name and mailing address two persons who shall be registered electors of the City, who shall represent the signers thereof in all matters affecting the same, and who shall be registered electors of the cityto whom all notices or information concerning the petition shall be mailed ("petition representatives"). All such petition sections, including signature pages,s shall be prenumbered serially, and the circulation of any petition section described in this chapter by any medium other than personally by a circulator is prohibited. Any petition section which fails to conform to the requirements of this chapter or is circulated in a manner other than that permitted in this section shall be invalid.

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- F. **Invalidation.** Any disassembly of a ~~section of the~~ petition ~~section~~ which has the effect of separating the affidavits from the signature ~~pages~~ shall render that ~~section of the~~ petition ~~section~~ invalid and of no force and effect.
- G. **Circulation requirements.** The circulation of any petition section other than personally by a circulator is prohibited. No ~~section of a~~ petition ~~section~~ for any initiative measure shall be circulated by any person who is not at least eighteen (18) years of age at the time the petition section is circulated.

(Ord. O-2004-21 § 4, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.090 Sufficiency of petitions—Initiative petitions – Sufficiency.

- A. **Signature Review.** No petition for an initiative measure shall be filed with the City Clerk unless it contains the required number of signatures. ~~Upon filing of a petition for initiative with the City Clerk, the City Clerk shall make an initial determination of sufficiency and report the results thereof to the City Council within 20 days of the date of such filing, with a final determination of sufficiency and report to City Council to be made within 30 days following the filing. The City Clerk's determination of sufficiency shall be based upon a review of the petition to find whether signatures of individuals are insufficient in~~ The City Clerk shall inspect timely filed petitions for an initiative measure, and the attached affidavits, based on a review of the following categories to determine whether signatures of individuals are insufficient to support a successful petition:
1. Address shown by signer not located within the city limits of the City of Lakewood;
 2. Any signature appearing on the petition more than once, in which event all signatures of said individual shall be deleted except one;
 3. More than one individual signature on a signature line, in which event the line shall count as one;
 4. Signature lines containing incomplete information or information which was not completed by the elector or a person qualified to assist the elector shall not be counted;
 5. Signatures of individuals who are not registered electors in the ~~city~~City.
- B. **Signature Withdrawal.** The petition may not be removed and no signature may be removed or deleted by a signer, circulator, or representative of the City Clerk until the City Clerk has made an initial sufficiency determination. Any request to remove a signature shall be made in writing to the City Clerk. A signature may only be removed between the initial and final sufficiency determination by the City Clerk.
- C. **Initial Sufficiency Determination.** After examining the petition, the City Clerk shall issue a statement, in writing, to the petition representatives, with a copy to the City Council as to whether a sufficient number of valid signatures have been submitted. The initial statement of sufficiency or insufficiency shall be issued no later than twenty (20) calendar days after the petition has been filed. The City Clerk's sufficiency statement shall also be published on the City Clerk's website no later than twenty (20) calendar days after the petition has been filed.
- D. **Protest of Initial Sufficiency Determination.** A protest to an initial sufficiency determination regarding the signatures provided on an initiative petition may be filed in the office of the City Clerk by any registered elector of the City within thirty (30) days after the petition is filed with the City Clerk. The protest shall set forth with particularity the grounds of such protest and the names protested. The City Clerk shall mail a copy of such protest to the petition representatives and publish a copy of the protest on the City Clerk's website within one (1) business day of the City Clerk's receipt thereof, and shall thereafter provide a notice fixing a time for hearing such protest not less than five (5) nor more than twenty (20) days after such notice is mailed. The provisions allowing for protests as set forth within this code are intended to conform to the

intent of the City's Charter § 13.1(c) and take place in advance of the City Clerk's determination of final sufficiency.

For initiative petitions found insufficient by the City Clerk and against which a protest has also been filed, an administrative protest hearing, as described herein, may still take place at the discretion of the protesting party or the protesting party may withdraw the protest as the insufficiency determination sought by the protest has already occurred.

To schedule a protest hearing, the City Clerk shall mail a copy of the protest to the petition representatives, together with a notice fixing a date and time for hearing such protest that is not less than five (5) nor more than twenty (20) days after such notice is mailed. The notice shall include the timeline set forth within this subsection so that all parties, including the hearing officer, are on notice as to the mandatory nature of such deadlines. The City Clerk, or designee, shall serve as the hearing officer. The hearing shall be summary and not subject to delay and shall be concluded within sixty (60) days after the petition is filed. No later than five (5) days after the conclusion of the hearing, the hearing officer shall issue a written determination of whether the protest is affirmed or denied. If the hearing officer affirms the protest after determining that a petition is not sufficient, the hearing officer shall identify those portions of the petition that are not sufficient and the reasons therefor.

All records and hearings shall be public under this section, all testimony shall be under oath, and the City Clerk shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents. Upon failure of any witness to obey the subpoena, the City Clerk may petition the District Court of Jefferson County and upon proper showing the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the order of the court is punishable as contempt of court. The administrative hearing process shall be established by rule of the City Clerk, but such administrative hearing shall not allow for public comment as the issue(s) pending before the hearing officer is factual and legal in nature. At any hearing held pursuant to this section, the party protesting the finding of the City Clerk concerning the sufficiency of signatures shall have the burden of proof which shall be a preponderance of the evidence.

The decision of the City Clerk as to sufficiency or insufficiency is final. Any appeal of the decision shall be to the Jefferson County District Court. If an appeal of a decision of the City Clerk is filed with the District Court, the timeline for carrying out an election shall conform to the City's election laws to the extent possible subject to any orders or rulings of such court.

E. Procedure following Final Sufficiency Determination. After the City Clerk has completed the final sufficiency review of the petitions, the following procedures shall apply:

1. For initiative petitions found to contain an insufficient number of valid signatures, and against which no protest has been filed, the City Clerk shall mail a written notice of insufficiency, summarizing the grounds for the decision, to the representatives of the petitioners. The decision of the City Clerk concerning insufficiency shall be a final decision from which an appeal may be made to the District Court of Jefferson County.
2. For initiative petitions found insufficient, ~~and against which a protest has been filed, the provisions of subsection (D) of this section shall apply.~~ following a protest hearing, the City Clerk shall mail a written notice of insufficiency, summarizing the grounds for the decision, to the protesting party and to the petition representatives.
3. For initiative petitions found sufficient, and against which no protest has been filed, the ~~provisions of Section 2-52.110 shall apply.~~ City Clerk shall present the petition to the City Council for further action.
4. For initiative petitions found sufficient following a protest hearing, ~~but against which a protest has been filed, the provisions of subsection (D) of this section shall apply.~~ the City Clerk shall mail a written

notice of sufficiency, summarizing the grounds for the decision, to the protesting party and the petition representatives, and shall present the petition to the City Council for further action.

(Ord. O-2004-21 § 5, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.100 Reserved.

2.52.110 Initiative petitions—Elections.

- A. **Presentation to the City Council.** If the petition is found to be sufficient pursuant to Section 2.52.090, the City Clerk shall present the petition to the City Council at its next regular meeting. After final determination of petition sufficiency, the City Clerk shall present the petition to the City Council at its next regularly scheduled meeting. At that time, the City Clerk shall also determine whether the petition qualifies for a ballot issue election or a ballot question election and shall advise the City Council of such determination. Within thirty (30) days after the petition is presented by the City Clerk, the City Council shall either adopt without alteration the initiated ordinance by a majority vote of all members of City Council, or submit the initiated ordinance to a vote of the registered electors by resolution. If the initiated ordinance is one which may be considered at a ballot question election, it shall be submitted at a special election held not less than thirty (30) nor more than ninety (90) days after the petition is presented to the City Council, or at a regular municipal election held within that ninety (90)-day period. If the initiated ordinance is one which may only be considered at a ballot issue election, it shall be submitted at the next ballot issue election held not less than ninety (90) days after the petition is presented to the City Council.
- B. **Setting the ballot title.** After an election has been ordered, the City Council shall promptly fix a ballot title for the initiative measure by resolution. The ballot title shall have printed on it the ordinance title and submission clause, and on separate lines under the submission clause, the words, "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE". In fixing the ballot title, the City Council shall consider the public confusion that might be caused by misleading titles and shall, wherever practicable, avoid titles for which the general understanding of the effect of a "yes" or "no" vote would be unclear. The ballot title shall not conflict with those titles selected for any other measure that will appear on the ballot in the same election. The ballot title shall correctly and fairly express the true intent and meaning of the measure.
- C. **Alternative ordinances on the same topic.** Alternative ordinances may be submitted at the same election, and if two or more conflicting ordinances are approved by the people, the one which receives the greatest number of affirmative votes shall be adopted in all particulars as to which there is a conflict.
- DC. Effective date of an approved ordinance.** If a majority of the registered electors voting in the election vote "for" the ordinance, it shall be adopted and take effect upon certification of the election results, or at such later date as may be set forth in the initiated ordinance.
- ED. Conformance with Charter.** Notwithstanding the above provisions, the City Council shall not be deprived of the right to enact any ordinance, resolution, or other measure except as provided within the City's Charter.

(Ord. O-2019-5 § 2, 2019; Ord. O-2004-21 § 6, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.120 Prohibited action by City Council—Initiative petitions – Future action.

No initiated ordinance adopted by the registered electors of the Ccity may be amended or repealed by the City Council during a period of six months after the date of the election on the initiated ordinance.

(Ord. O-94-3 § 1 (part), 1994).

2.52.130 Referendum procedures.

- A. **Ordinances subject to referendum.** Except as provided in the City's Charter, 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.
- B. **Ordinance effective dates; Signature requirements.** No ordinance shall take effect and be in force before thirty (30) days after adoption by the City Council and publication by title, except that no ordinance that zones, rezones, or changes any zoned district shall take effect and be in force before forty-five (45) days after adoption by the City Council and publication by title. If, prior to the effective date of an ordinance and during business hours on a business day in which the City Clerk' Office is open, a petition signed by registered electors of the city-City equal in number to three (3) percent of the total number of persons registered to vote in the city-City on the date of the last regular municipal election is filed with the City Clerk protesting such ordinance, the City Clerk shall begin the initial determination of sufficiency as set out in Section 2.52.150. The total number of persons registered to vote in the City shall include both active and inactive electors.
- C. **Form of referendum petition.** No referendum petition section shall be printed or circulated unless the first printer's proof of the petition section has been approved by the City Clerk. The City Clerk shall approve or reject the form and the first printer's proof of the petition no later than five (5) business days following the date on which the City Clerk received such material. In this same five (5) business day period, the City Clerk, with the assistance of other City officials as the City Clerk deems necessary, shall designate and fix a fair summary for the ordinance that is the subject of the referendum petition, which shall correctly and fairly express the true intent and meaning of the ordinance.
- D. **Appeal of Summary.** If any registered elector submitting such referendum petition is not satisfied with the summary fixed by the Clerk, and claims it to be unfair, or that it does not fairly express the true meaning and intent of the ordinance that is the subject of the referendum petition, such person may file a motion for a hearing with the City Clerk within seven (7) days after the return of the petition to the persons submitting it, which hearing shall be pursuant to rules adopted by the City Clerk and held within two (2) business days thereafter and a decision rendered within two (2) business days after the conclusion of the end of the hearing. If the City Clerk rules against the registered elector submitting such referendum petition, then upon the filing of a written request, a certified copy of the petition with the summary of the ordinance that is the subject of the referendum petition, together with a certified copy of such motion for hearing and of the ruling thereon, shall be furnished to the parties by the City Clerk and, if filed with the Clerk of the District Court for Jefferson County within five (5) days thereafter, shall be docketed as a cause there pending and disposed of as expeditiously as circumstances permit. Nothing herein shall impact the timing requirements for the filing of a referendum petition.

(Ord. O-2019-24 § 4, 2019; Ord. O-94-3 § 1 (part), 1994)

2.52.140 Requirements of petitions—Referendum petitions - Requirements.

- A. **Warning.** At the top of each page, including signature pages, but excluding the affidavits and all but the first page of the full text of the ordinance that is the subject of the referendum petition, of every referendum petition section circulated within the city-City relating to a municipal ordinance shall be printed the following:

WARNING:
IT IS AGAINST THE LAW:

For anyone to sign any referendum petition with any name other than ~~his or her~~their own or to knowingly sign ~~his or her~~their name more than once for the same measure or to knowingly sign such a petition when not a registered elector who is eligible to vote on the measure.

DO NOT SIGN THIS PETITION UNLESS YOU ARE A
REGISTERED ELECTOR
AND ELIGIBLE TO VOTE ON THIS MEASURE

TO BE A REGISTERED ELECTOR,
YOU MUST BE A CITIZEN OF COLORADO
AND REGISTERED TO VOTE IN
THE CITY OF LAKEWOOD

Do not sign this petition unless you have read or have had read to you the proposed referred measure or the summary in its entirety and understand its meaning.

- B. **Title and summary.** The title and summary, in that order, shall be printed on each page of all petition sections excluding the affidavits and all but the first page of the full text of the ordinance that is the subject of the referendum, following the warning required in subsection (A) of this section.
- C. **Signature procedure.** Any referendum petition circulated within the ~~city~~City shall be signed only by registered electors by ~~his or her~~their own signature, after which the signer shall print ~~his or her~~their name, the address at which ~~he or she~~they resides, including ~~the~~ street number and name, ~~the~~ city, ~~county~~ and the date of signing. Each registered elector signing a petition shall be encouraged by the circulator of the petition to sign the petition in black ink. In the event a registered elector is ~~physically disabled or is illiterate~~a person with a disability or literacy limitation and wishes to sign such petition, such elector shall sign or make ~~his or her~~their mark in the space so provided. Any person, but not a circulator, may assist ~~the disabled or illiterate elector~~a person with a disability or literacy limitation in completing the remaining information required in this subsection. The person providing assistance shall sign ~~his or her~~their name and address and shall state that such assistance was rendered to the ~~disabled or illiterate~~ elector who is a person with a disability or literacy limitation.
- D. **Circulator's affidavit.** To each such petition shall be attached a signed, notarized affidavit of the circulator, which shall include the following: the circulator's printed, stating his or her name, the address at which the circulator resides, including the street name and number, the municipality, the county, and, the date the affidavit was signed, that the circulator has read and understands the laws governing the circulation of petitions; that the circulator was eighteen (18) years of age or older at the time the section of the petition was circulated and signed by the listed electors; that he or she the circulator circulated the petition section; that each signature thereon was affixed in ~~his or her~~the circulator's presence; that each signature thereon is the signature of the person whose name it purports to be; that to the best of the circulator's knowledge and belief, each of the affiant~~each~~ of the persons signing the petition was at the time of signing a registered elector of the ~~city~~City; and that ~~he or she~~the circulator has not paid or will not in the future pay, and that ~~he or she~~the circulator believes that no other person has so paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing such signer to affix ~~his or her~~their signature to such petition. Each circulator and representative of the petition signers shall sign an agreement in which each agrees to submit to the subpoena authority of the City Clerk. The City Clerk shall not accept for filing any petition section which does not have attached thereto an affidavit meeting the requirements of

this section and the agreement submitting to the subpoena authority of the City Clerk. Any signature added to a ~~section of a~~ petition section after the said affidavit has been executed shall be invalid.

- E. **Additional petition requirements.** All referendum petitions shall include a complete copy of the ordinance which is the subject of the petition. Each petition shall designate by name and ~~mailing~~ address two persons who shall be registered electors of the City, who shall represent the signers thereof in all matters affecting the same, and ~~who shall be registered electors of the city to whom all notices or information concerning the petition shall be mailed ("petition representatives").~~ All such petition sections, including signature pages,s shall be prenumbered serially, and the circulation of any petition section described in this chapter by any medium other than personally by a circulator is prohibited. Any petition section which fails to conform to the requirements of this chapter or is circulated in a manner other than that permitted in this section shall be invalid.
- F. **Invalidation.** Any disassembly of a section of the petition which has the effect of separating the affidavits from the signature pagess shall render that section of the petition invalid and of no force and effect.
- G. **Circulation requirements.** The circulation of any petition section other than personally by a circulator is prohibited. No section of a petition for any referendum measure shall be circulated by any person who is not at least eighteen (18) years of age at the time the petition section is circulated.
- H. **Notice of intent to file a petition.** As soon as possible, but prior to filing a referendum petition, ~~the each~~ circulators shall file with the City Clerk a notice of intent to file a referendum petition.

(Ord. O-2004-21 § 7, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.150 Sufficiency of petitions—Referendum petitions - Sufficiency.

- A. **Signature review.** No petition for referendum shall be filed with the City Clerk unless it contains the required number of signatures. ~~Upon filing of a petition for referendum with the City Clerk, the City Clerk shall make an initial determination of sufficiency and report the results thereof to the City Council within 20 days of the date of such filing, with a final determination of sufficiency and report to City Council to be made within 30 days following the filing. The City Clerk's determination of sufficiency shall be based upon a review of the petition to find whether signatures of individuals are insufficient. The City Clerk shall inspect timely filed referendum petitions and the attached affidavits based on a review of in the following categories to determine whether signatures of individuals are insufficient to support a successful petition:~~
 - 1. Address shown by signer is not located within the city limits of the City of Lakewood;
 - 2. Any signature appearing on the petition more than once, in which event all signatures of said individual shall be deleted except one;
 - 3. More than one individual signature on a signature line, in which event the line shall count as one;
 - 4. Signature lines containing incomplete information or information which was not completed by the elector or a person qualified to assist the elector shall not be counted;
 - 5. Signatures of individuals who are not registered electors in the ~~city~~City.
- B. **Signature Withdrawal.** The petition may not be removed and no signature may be removed or deleted by a signer, circulator, or representative of the City Clerk until the City Clerk has made an initial sufficiency determination. Any request to remove a signature shall be made in writing to the City Clerk. A signature may only be removed between the initial and final sufficiency determination by the City Clerk.
- C. **Initial Sufficiency Determination.** After examining the petition, the City Clerk shall issue a statement, in writing, to the petition representatives, with a copy to the City Council as to whether a sufficient number of valid signatures have been submitted. The initial statement of sufficiency or insufficiency shall be issued no

later than twenty (20) calendar days after the petition has been filed. The City Clerk's sufficiency statement shall also be published on the City Clerk's website no later than twenty (20) calendar days after the petition has been filed.

- D. Protest of Initial Sufficiency Determination.** A protest to an initial sufficiency determination regarding the signatures provided on a referendum petition may be filed in the office of the City Clerk by any registered elector of the City within thirty (30) days after the petition is filed with the City Clerk. The protest shall set forth with particularity the grounds of such protest and the names protested. The City Clerk shall mail a copy of such protest to the petition representatives and publish a copy of the protest on the City Clerk's website within one (1) business day of the City Clerk's receipt thereof, and shall thereafter provide a notice fixing a time for hearing such protest not less than five (5) nor more than twenty (20) days after such notice is mailed. The provisions allowing for protests as set forth within this code are intended to conform to the intent of the City's Charter § 13.2(c) and take place in advance of the City Clerk's determination of final sufficiency.

For referendum petitions found insufficient by the City Clerk, and against which a protest has also been filed, an administrative protest hearing, as described herein, may still take place at the discretion of the protesting party or the protesting party may withdraw the protest as the insufficiency determination sought by the protest has already occurred.

To schedule a protest hearing, the City Clerk shall mail a copy of the protest to the petition representatives, together with a notice fixing a date and time for hearing such protest that is not less than five (5) nor more than twenty (20) days after such notice is mailed. The notice shall include the timeline set forth within this subsection so that all parties, including the hearing officer, are on notice as to the mandatory nature of such deadlines. The City Clerk, or designee, shall serve as the hearing officer. The hearing shall be summary and not subject to delay and shall be concluded within sixty (60) days after the petition is filed. No later than five (5) days after the conclusion of the hearing, the hearing officer shall issue a written determination of whether the protest is affirmed or denied. If the hearing officer affirms the protest after determining that a petition is not sufficient, the hearing officer shall identify those portions of the petition that are not sufficient and the reasons therefor.

All records and hearings shall be public under this section, all testimony shall be under oath, and the City Clerk shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents. Upon failure of any witness to obey the subpoena, the City Clerk may petition the District Court of Jefferson County and upon proper showing the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the order of the court is punishable as a contempt of court. The administrative hearing process shall be established by rule of the City Clerk, but such administrative hearing shall not allow for public comment as the issue(s) pending before the hearing officer is factual and legal in nature. At any hearing held pursuant to this section, the party protesting the finding of the City Clerk concerning the sufficiency of signatures shall have the burden of proof which shall be a preponderance of the evidence.

The decision of the City Clerk as to sufficiency or insufficiency is final. Any appeal of the decision shall be to the Jefferson County District Court. If an appeal of a decision of the City Clerk is filed with the District Court, the timeline for carrying out an election shall conform to the City's election laws to the extent possible subject to any orders or rulings of such court.

- E. Procedure following Final Sufficiency Determination.** After the City Clerk has completed the final sufficiency review of the petitions; the following procedures shall apply:

1. For referendum petitions found to contain an insufficient number of valid signatures, and against which no protest has been filed, the City Clerk shall mail a written notice of insufficiency, summarizing the grounds for the decision, to the representatives of the petitioners. The decision of the City Clerk

concerning insufficiency shall be final, from which an appeal may be made to the District Court of Jefferson County.

2. For referendum petitions found insufficient following a protest hearing, and against which a protest has been filed, the provisions of subsection (D) of this section shall apply the City Clerk shall mail a written notice of insufficiency, summarizing the grounds for the decision, to the protesting party and to the petition representatives.
3. For referendum petitions found sufficient, and against which no protest has been filed, the provisions of Section 2.52.170 shall apply the City Clerk shall present the petition to the City Council for further action.
4. For referendum petitions found sufficient following a protest hearing, but against which a protest has been filed, the provisions of subsection (D) of this section shall apply the City Clerk shall mail a written notice of sufficiency, summarizing the grounds for the decision, to the protesting party and the petition representatives, and shall present the petition to the City Council for further action.

D. ~~A protest to a referendum petition may be filed in the City Clerk's Office by any registered elector of the city within 30 days after the petition is filed with the City Clerk. The protest shall set forth with particularity the grounds of such protest and the names protested. The City Clerk shall mail a copy of such protest to the petition representative, together with a notice fixing a time for hearing such protest not less than five nor more than 20 days after such notice is mailed.~~

E. ~~All records and hearings shall be public under this section and all testimony shall be under oath. The City Clerk with whom such petition is filed shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents. Upon failure of any witness to obey the subpoena, the City Clerk may petition the District Court of Jefferson County and upon proper showing the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the order of the court is punishable as a contempt of court. At any hearing held pursuant to this section, the party protesting the finding of the City Clerk concerning the sufficiency of signatures shall have the burden of proof. Hearings before the City Clerk shall be had as soon as is conveniently possible. The result of such hearings shall be certified to the petition representatives and the protester.~~

F. ~~The decision of the City Clerk is final. Any appeal of the decision shall be to Jefferson County District Court.~~

(Ord. O-2019-24 § 4, 2019; Ord. O-2004-21 § 8, 2004; Ord. O-94-3 § 1 (part), 1994)

2.52.160 Reserved.

2.52.170 Referendum petitions—Elections.

- A. **Presentation to the City Council.** After final determination of petition sufficiency, ~~to be made not less than 30 days after the petition is filed,~~ the City Clerk shall present the petition to the City Council at its next regularly scheduled meeting. At that time, the City Clerk shall also determine whether the petition qualifies for a ballot issue election or a ballot question election and shall advise the City Council of such determination. Upon presentation to the City Council of such petition by the City Clerk, the ordinances shall be suspended from operation. 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 the City Council, the City Council shall submit the same by resolution, without amendments or alteration, to a vote of the registered electors. ~~If the referendum ordinance that is the subject of the referendum red ordinance~~ is one which may be considered at a ballot question election, it shall be submitted at a special election held not less than thirty (30) nor more than ninety (90) days after the petition is presented to the City Council, or at a regular municipal election held within that ninety (90)-day

period. If the ~~initial ordinance~~ordinance that is the subject of the referendum is one which may only be considered at a ballot issue election, it shall be submitted at the next ballot issue election held not less than ninety (90) days after the petition is presented to the City Council.

- B. **Setting the ballot title.** After an election has been ordered, the City Council shall promptly fix a ballot title including the ordinance title and submission clause, and on separate lines under the submission clause, the words, "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE". In fixing the ballot title, the City Council shall consider the public confusion that might be caused by misleading titles and shall, wherever practicable, avoid titles for which the general understanding of the effect of a "yes" or "no" vote would be unclear. The ballot title shall not conflict with those titles selected for any other measure that will appear on the ballot in the same election. The ballot title shall correctly and fairly express the true intent and meaning of the measure.
- C. **Effective date of an approved ordinance.** If a majority of the registered electors voting vote "FOR THE ORDINANCE", the ordinance shall be effective upon certification of the election results. If a majority of the registered electors voting vote "AGAINST THE ORDINANCE", the ordinance shall be repealed upon certification of the election results.

(Ord. O-94-3 § 1 (part), 1994).

2.52.180 Prohibited action by City Council—Referendum petitions – Future action.

No ~~referred~~ ordinance subjected to referendum that was repealed by the registered electors of the ~~city~~City may be subsequently adopted by the City Council during a period of six (6) months after the date of the election on the ~~referred ordinance~~referendum.

(Ord. O-94-3 § 1 (part), 1994).

2.52.190 Election procedures, general; Initiatives and Referendums.

Election procedures under this chapter shall ~~comply with~~be supplemented by all applicable local election laws, as well as the -and the Colorado Municipal Election Code in, Title 31, Articles 10 and 11, of the Colorado Revised Statutes, and Title 31, Article 11 of the Colorado Revised Statutes, governing municipal initiatives, referenda, and referred measures.

(Ord. O-94-3 § 1 (part), 1994).

2.52.200 Ballot.

- A. ~~Each initiative or referred measure shall appear on the official ballot by title only. All citizen-initiated or referendum matters shall be indicated on the ballot by number and all City Council referred measures shall be indicated by letter. If more than one question will appear on the same ballot, they shall appear in numerical or alphabetical order by date of receipt, and the question shall be numbered or lettered accordingly. Each title shall appear on the official ballot only once. The ballot for any initiative measure or referendum shall have printed on it the ordinance title and submission clause, and on separate lines under the submission clause, the words, "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE".~~
- B. All initiative or referendum matters shall be indicated on the ballot by number and all City Council referred measures shall be indicated by letter. If more than one question will appear on the same ballot, they shall appear in numerical or alphabetical order by date of receipt, and the question shall be numbered or lettered accordingly.

C. Any initiated ordinance approved by the people of the ~~C~~city shall be printed with the official acts of the next City Council meeting, and such ordinance approved by the people of the ~~city~~City shall be published as ordinances are generally published after adoption.

(Ord. O-94-3 § 1 (part), 1994).

2.52.210 ~~Receiving money to circulate petitions—Filing~~ circulation report.

The proponents of any initiative ~~measure~~ or referendum petition shall file with the City Clerk the ~~name assigned title~~ of the ~~proposed~~ initiative ~~measure~~ or referendum petition for which petitions were circulated by paid circulators, and the total amount paid to each circulator. The filing shall be made at the same time the petition is filed with the City Clerk.

(Ord. O-2004-21 § 9, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.220 ~~Fair Campaign Practices Act requirements~~ Campaign and Political Finance in Municipal Elections.

The provisions of Chapter 2.54 of the Lakewood Municipal Code, ~~the Fair Campaign Practices Act of 1974, C.R.S. 1-45-101 et seq.,~~ as amended, including the penalty provisions thereof, shall apply to all initiative, ~~e and referendum, and referred~~ measures ~~which are submitted to an election. In addition, a duplicate copy of all reports required to be filed by such act for initiative and referendum issues shall be filed at the same time with the City Clerk of the city.~~

(Ord. O-94-3 § 1 (part), 1994).

2.52.230 Unlawful acts.

It is unlawful:

- A. For any person willfully and knowingly to circulate or cause to be circulated, or sign or procure to be signed, any initiative or referendum petition bearing the name, device, or motto of any person, organization, association, league, or political party, purporting in any manner to be endorsed, approved, or submitted by any person, organization, association, league or political party, without the written consent, approval and authorization of such person, organization, association, league or political party;
- B. For any person to sign any name other than ~~his or her~~their own to any initiative or referendum petition, or knowingly to sign ~~his or her~~their name more than once for the same measure at one election;
- C. For any person to sign any initiative or referendum petition who is not at the time of signing the same a registered elector of the ~~city~~City;
- D. For any person to sign an affidavit as circulator without knowing or reasonably believing the statements made in such affidavit are true;
- E. For any person to certify that any affidavit attached to a petition was subscribed or sworn to before ~~him or her~~them unless it was in fact so subscribed and sworn to before ~~him or her~~them, and unless such person so certified is duly qualified under the laws of the state to administer an oath;
- F. For any election official or other person to willfully conspire or agree or confederate, with another or others, to do any act which shall hinder, delay or in any manner interfere with the calling, holding or

conducting of any election permitted under the initiative and referendum powers reserved by the people in Section 1 of Article V of the Constitution of the State and this chapter, or of registering electors therefore;

G. For any election official to do willfully any act which shall confuse or tend to confuse the issues submitted or proposed to be submitted in any election held under this chapter, or refuse to submit any petition in the form presented for submission at any election under this chapter; or

H. For any officer or person to willfully violate any provision of this chapter.

(Ord. O-2004-21 § 10, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.240 Referral by City Council.

The City Council shall have the power to submit any proposed or adopted ordinance or any question to a vote of the registered electors without the receipt of a petition. Such referral shall be by resolution.

A referred ordinance shall be published in full not less than ten (10) days prior to the date of the election. The election procedures for a referred ordinance/question shall conform to those applicable to a referendum petition beginning with the adoption of a resolution formally sending such referred ordinance/question to the electorate except there shall be no protest of a referred ordinance/question.

If the referred measure is an ordinance and a majority of the registered electors voting vote "for" the referred ordinance, it shall be effective upon certification of the election results. If a majority of the registered electors voting vote "against" the referred ordinance, the referred ordinance shall be repealed upon certification of the election results if it was previously adopted.

No ordinance referred to the electorate by independent action of the City Council that is rejected by the registered electors of the City may be subsequently adopted by the City Council during a period of six (6) months after the date of the election at which such referred ordinance was not approved.

(Ord. O-94-3 § 1 (part), 1994).

2.52.250 Intent.

It is not the intention of this chapter to limit or abridge in any manner the powers reserved to the people in the initiative and referendum, but rather to properly safeguard, protect and preserve inviolate for them these modern instrumentalities of democratic government.

(Ord. O-94-3 § 1 (part), 1994).

Analysis of Proposed Revisions to Chapter 2.52 of the Lakewood Municipal Code

City of Lakewood, Colorado

City Attorney's Office

Alison McKenney Brown, City Attorney

Gus Schenck, Senior Assistant City Attorney

PRESENTATION NOTE: Chapter 2.52 is a very legally dense code. To make the Code, and the proposed revisions, more understandable to the reader, this PowerPoint presentation presents each Section of the Code on a distinct slide. Each slide references both the current language and the revisions that are being proposed. While this creates a very long presentation, it is intended to be clear and easily readable by anyone interested in this topic. This presentation is not meant to substitute for reading the proposed revised code under consideration by the City Council.

OVERVIEW OF PROPOSED REVISIONS TO 2.52

1. The Need for Code Revisions

- ▶ The City Council recognized the need for revisions to Chapter 2.52 in 2025 and directed staff to bring forward proposed revisions based upon:
 - ▶ Insights gained from administering initiative and referendum processes;
 - ▶ Ongoing public confusion regarding current procedures;
 - ▶ The need to align and standardize provisions in L.M.C. Chapters 2.52 and 2.54; and
 - ▶ The need to clarify the relationship between state law and the L.M.C.

OVERVIEW OF PROPOSED REVISIONS TO 2.52

2. Standardized Changes Throughout

- ▶ “City” is capitalized when referring specifically to the City of Lakewood.
- ▶ The term “submission clause” is removed from sections not related to the ballot title.
- ▶ The term “summary” is added to all petition references to describe the ordinance subject to initiative or referendum.
- ▶ Section titles are updated to indicate whether they address initiative, referendum, or referred matters.
- ▶ Paragraph titles are revised to specify whether they relate to initiative, referendum, or referred matters.
- ▶ All pronouns are updated to be gender-neutral.
- ▶ References to individuals with disabilities or literacy limitations are updated to reflect modern terminology.

Analysis of Proposed Revisions to Section 2.52.010

- ▶ Proposed revisions to this Section are limited to grammatical updates and standardization between Codes.
- ▶ Section 2.52.010 currently provides:
 - ▶ The powers of initiative and referendum are reserved to registered electors under Article V, Section 1 of the Colorado Constitution;
 - ▶ Article XIII of the City Charter reserves these powers to the registered electors of the City of Lakewood and establishes the baseline procedures for exercising them; and
 - ▶ The City Clerk is authorized to issue administrative rules and regulations associated with the initiative and referendum processes.

Analysis of Proposed Revisions to Section 2.52.020

- ▶ Section 2.52.020 currently defines key terms used throughout the Chapter.
- ▶ Proposed revisions to this section include:
 - ▶ “Ballot issue” and “Ballot question” revised to align with definitions in L.M.C. Chapter 2.54;
 - ▶ “Circulator” revised for improved clarity;
 - ▶ “Section,” “Petition section,” or “Section of Petition” updated to allow stapled petition formats, reference the required summary, and clarify the City Clerk’s approval authority for initiative and referendum petition forms;
 - ▶ “Submission clause” was revised to make clear that the submission clause is attached to the ballot title only;
 - ▶ “Summary” revised to clarify that it is required for both initiative and referendum petitions; and
 - ▶ “Title” revised to address public confusion between the title set by the City Clerk before petition circulation and the ballot title set by City Council after sufficiency.

Analysis of Proposed Revisions to Section 2.52.020, cont.

- ▶ Three definitions are proposed for addition to this Section to add further clarity to the Code:
 - ▶ “Ballot title” added using Charter and state law language to explain when and how City Council sets the ballot title after calling an election;
 - ▶ “Citizen-Initiated Petition” added as an umbrella term to clarify that all elector-circulated petitions fall under a single concept; and
 - ▶ “City Clerk” added to eliminate the need to repeatedly reference “and designee” throughout the Code.

Analysis of Section 2.52.030

- ▶ Section 2.54.030 currently:
 - ▶ Applies only to initiative petitions;
 - ▶ Gives the City Clerk the authority to designate/fix a fair title, submission clause, and summary for the proposed ordinance;
 - ▶ Outlines the process the City Clerk uses to establish a fair title, submission clause, and summary for a proposed ordinance; and
 - ▶ Gives the proponents of an initiative petition the ability to appeal the title, submission clause, and summary set by the City Clerk.

Analysis of Proposed Revisions to Section 2.54.030

- ▶ Proposed revisions to this Section include:
 - ▶ Grammatical and standardized changes.
 - ▶ Added language clarifying City Clerk approval of the initiative petition form prior to circulation
 - ▶ Removal of a reference to the City Clerk setting a “submission clause”
 - ▶ Added a defined timeline for appealing the City Clerk’s designated title and summary.
 - ▶ Removed information that was only relevant to setting the ballot title to focus the section on setting the title of an initiative petition.

Analysis of Proposed Revision to Section 2.52.040

- ▶ The only proposed revision to this section is a title change clarifying that the section applies to both initiatives and referendums.
- ▶ Section 2.52.040 currently authorizes the City Clerk to charge standard certification fees when a record is requested for judicial review of municipal proceedings.

Analysis of Proposed Revision to Section 2.52.050

- ▶ The only proposed revision to this Section is deletion of the phrase “submission clause” from subsection 2.52.050(A).
- ▶ This section currently provides that:
 - ▶ Petition signatures have no effect unless the title, submission clause, and summary are finalized, and the petition form and first printer’s proof are approved by the City Clerk.
 - ▶ This section further makes clear that the City Clerk will not accept any petition that was not submitted through the required review process.

Analysis of Proposed Revisions to Section 2.52.060

- ▶ Currently, this section provides that:
 - ▶ A petition is ineffective unless filed within 180 days after the title and submission clause are finalized.
 - ▶ The City Clerk cannot accept petitions filed after this 180-day deadline.
- ▶ Proposed revisions are limited to grammatical and standardized updates and a clarification that the Clerk must approve the summary before circulation.

Analysis of Proposed Revisions to Section 2.52.070

- ▶ Currently, this Section sets the signature requirement for a successful initiative petition at a number equal to 5% of the registered voters in the City on the date of the last regular municipal election, consistent with Charter Section 13.1(b).
- ▶ Proposed revisions to this section include:
 - ▶ Grammatical and standardized updates; and
 - ▶ The addition of language to specify that the signature requirement for a successful initiative petition includes both active and inactive electors.

Analysis of Section 2.52.080

- ▶ Currently, Section 2.52.080:
 - ▶ Establishes the requirements for the warning that must be affixed to an initiative petition;
 - ▶ Explains that the title must be printed on each page of a petition following the warning
 - ▶ Provides that only registered electors may sign an initiative petition, and signatures must include printed name, address, and date; and assistance for disabled or illiterate signers must be documented.
 - ▶ Requires circulators to personally circulate each section, be at least 18, and sign a notarized affidavit; no signatures may be added after the affidavit.
 - ▶ Explains that each petition section must include the full text of the measure and list two registered-elector representatives.
 - ▶ Provides that petitions that are altered, circulated improperly, or not in the required form are invalid.

Analysis of Proposed Revisions to Section 2.52.080

- ▶ Proposed revisions to this section include:
 - ▶ Grammatical and standardized changes;
 - ▶ Subsection A: change wording to clarify that the warning doesn't have to be placed on the affidavits or within the body of the ordinance beyond the first page;
 - ▶ Subsection B: change wording to clarify that the title and summary don't have to be placed on the affidavits or within the body of the ordinance beyond the first page;
 - ▶ Subsection D: change the wording to add the requirements of a circulator being at least age eighteen (18), and adding an agreement that the circulator has read and understands the laws governing the circulation of petition to the list of requirements on each circulator's affidavit; and
 - ▶ Subsection E: change the wording to add the requirements that petition representatives will accept all administrative and legal notices concerning the petitions.

Analysis of Section 2.52.090

- ▶ Currently, Section 2.52.090 provides that:
 - ▶ Petitions must include the required number of signatures before filing;
 - ▶ The City Clerk conducts an initial sufficiency review within 20 days and a final review within 30 days, checking for issues such as duplicate signatures, non-residents, incomplete information, and non-electors;
 - ▶ Signatures on a petition cannot be removed until after the initial review, and only by written request;
 - ▶ After the final review, outcome depends on sufficiency and whether a protest is filed;
 - ▶ Any registered elector may file a protest within 30 days; hearings are public and under oath, and the City Clerk may issue subpoenas; and
 - ▶ The City Clerk's sufficiency decision is final, with appeals directed to the Jefferson County District Court.

Analysis of Proposed Revisions to Section 2.52.090

- ▶ Proposed revisions to Section 2.52.090 include:
 - ▶ Grammatical and standardized changes;
 - ▶ Subsection A: Removes sufficiency-review content so the subsection focuses only on signature review;
 - ▶ Subsection C: Consolidates all initial sufficiency-determination provisions;
 - ▶ Subsection D: Consolidates all protest-process provisions and adds a clarification that the City Council interprets the Charter to permit protests; and
 - ▶ Subsection E: Consolidates all final sufficiency-determination provisions.

Analysis of Section 2.52.100

- ▶ Section 2.52.100 currently contains no content but has been reserved as a result of a code provision that was removed during the 2019 revisions to Chapter 2.52.

Analysis of Section 2.52.110

- ▶ Currently, Section 2.52.110 provides:
 - ▶ If a petition is deemed sufficient, the City Clerk presents it to City Council at the next regular meeting and determines whether it requires a ballot issue or ballot question election;
 - ▶ Within 30 days after the petition is presented, City Council must either adopt the ordinance as submitted or refer it to voters at the appropriate election;
 - ▶ Conflicting measures on the same ballot are resolved by the version receiving the most votes;
 - ▶ If approved by a majority of voters, the ordinance takes effect upon certification (or a later date included in the ordinance); and
 - ▶ The City Council retains full authority to enact ordinances in accordance with the provisions of the City's Charter and all other applicable laws.

Analysis of Proposed Revisions to Section 2.52.110

- ▶ Proposed revisions to section 2.52.110 include:
 - ▶ Grammatical and standardized changes;
 - ▶ Subsection A: clarifying the process for presenting an initiative to the City Council and the actions to place a matter on the ballot;
 - ▶ Subsection B: adding a new paragraph explaining the ballot title, with the information taken directly from the City's Charter and applicable state law.

Analysis of Proposed Revisions to Section 2.52.120

- ▶ Currently, this section prohibits the City Council from amending or repealing a voter-approved ordinance for six months after the election in accordance with the provisions of the City's Charter.
- ▶ Proposed revisions are limited to grammatical and standardized updates.

Analysis of Section 2.52.130

- ▶ Currently, Section 2.52.130 provides:
 - ▶ Legislative ordinances are subject to referendum unless exempt (e.g., emergency measures, budget and general property tax ordinances, securities, special assessments, improvement districts, or special-election calls).
 - ▶ Most ordinances take effect 30 days after adoption and publication (45 days for zoning ordinances).
 - ▶ If a referendum petition is signed by at least 3% of registered voters and is filed with the City Clerk before the ordinance takes effect, the City Clerk begins the sufficiency review, as required by sections 13.2(b) and (c) of the Charter.

Analysis of Proposed Revisions to Section 2.52.130

- ▶ Proposed revisions include:
 - ▶ Grammatical and standardize changes;
 - ▶ Subsection B: Added language to specify that the signature requirement for a successful referendum petition includes both active and inactive electors.
 - ▶ Subsection C: New section, which emphasizes the need for the City Clerk's approval of the petition form prior to circulating petition and sets the timeline for the City Clerk to approve the forms and designate and fix a fair summary for the ordinance that is the subject of the referendum petition; and
 - ▶ Subsection D: New section, which provides the timeline for holding an appeal hearing to review of the summary adopted by the City Clerk.

Analysis of Section 2.52.140

- ▶ Currently, Section 2.52.140 (regarding referendums) mirrors the language of Section 2.52.080 (regarding initiatives). Section 2.52.140 provides specifically:
 - ▶ Establishes the requirements for the warning that must be affixed to a referendum petition;
 - ▶ Explains that the title must be printed on each page of a petition, following the warning;
 - ▶ Provides that only registered electors may sign a referendum petition, and signatures must include printed name, address, and date; and assistance for disabled or illiterate signers must be documented;
 - ▶ Requires circulators to personally circulate each section, be at least eighteen (18), and sign a notarized affidavit; no signatures may be added after the affidavit;
 - ▶ Explains that each petition section must include the full text of the measure and list two registered-elector representatives; and
 - ▶ Provides that petitions that are altered, circulated improperly, or not in the required form are invalid.

Analysis of Proposed Revisions to Section 2.52.140

- ▶ Proposed revisions to Section 2.52.140 include:
 - ▶ Grammatical and standardized changes;
 - ▶ Subsection A: change wording to clarify that the warning doesn't have to be placed on the affidavits or within the body of the ordinance beyond the first page;
 - ▶ Subsection B: change wording to clarify that the title and summary don't have to be placed on the affidavits or within the body of the ordinance beyond the first page;
 - ▶ Subsection D: change the wording to add the requirements of a circulator being at least eighteen (18), and adding an agreement that the circulator has read and understands the laws governing the circulation of petition to the list of requirements on each circulator's affidavit;
 - ▶ Subsection E: change the wording to add the requirements that petition representatives will accept all administrative and legal notices concerning the petitions

Analysis of Section 2.52.150

- ▶ Currently, Section 2.52.150 (regarding referendums) mirrors the language of Section 2.52.090 (regarding initiatives). Section 2.52.150 specifically provides:
 - ▶ Petitions must include the required number of signatures before filing;
 - ▶ The City Clerk conducts an initial sufficiency review within 20 days and a final review within 30 days, checking for issues such as duplicate signatures, non-residents, incomplete information, and non-electors;
 - ▶ Signatures on a petition cannot be removed until after the initial review, and only by written request;
 - ▶ After the final review, outcomes depend on sufficiency and whether a protest is filed;
 - ▶ Any registered elector may file a protest within 30 days; hearings are public and under oath, and the Clerk may issue subpoenas; and
 - ▶ The City Clerk's sufficiency decision is final, with appeals directed to Jefferson County District Court.

Analysis of Proposed Revisions to Section 2.52.150

- ▶ Proposed revisions to Section 2.52.150 include:
 - ▶ Grammatical and standardized changes;
 - ▶ Subsection A: Removes sufficiency-review content so the subsection focuses only on signature review;
 - ▶ Subsection C: Consolidates all initial sufficiency-determination provisions;
 - ▶ Subsection D: Consolidates all protest-process provisions, adds protest hearing timeline requirements from applicable state law, and adds a clarification that the City Council interprets the Charter to permit protests; and
 - ▶ Subsection E: Consolidates all final sufficiency-determination provisions.

Analysis of Section 2.52.160

- ▶ Section 2.52.160 currently contains no content but has been reserved as a result of a code provision that was removed during the 2019 revisions to Chapter 2.52.

Analysis of Section 2.52.170

- ▶ Currently, Section 2.52.170 (regarding referendums) has a similar purpose to section 2.52.100 (regarding initiatives), and provides:
 - ▶ If a petition is deemed sufficient, the City Clerk presents it to City Council at the next regular meeting and determines whether it requires a ballot issue or ballot question election.
 - ▶ The ordinance is suspended while the City Council reconsiders it; if the City Council does not fully repeal it, it must be sent to voters at the appropriate election.
 - ▶ If voters approve the ordinance, it takes effect upon certification; if they reject it, it is repealed.

Analysis of Proposed Revisions to Section 2.52.170

- ▶ Proposed revisions to Section 2.52.170 include:
 - ▶ Grammatical and standardized changes;
 - ▶ Subsection A: change wording to clarify that the process for presenting a referendum to the City Council and for the actions to place a matter on the ballot; and
 - ▶ Subsection B: change wording to add a new paragraph explaining the concept of the ballot title, with the information taken directly from the City's Charter and state law.

Analysis of Proposed Revisions to Section 2.52.180

- ▶ Currently, Section 2.52.180 (regarding referendums) mirrors the language of Section 2.52.120 (regarding initiatives). Section 2.52.180 provides specifically:
 - ▶ The City Council is prohibited from adopting a voter-repealed ordinance for six months after the election in conformance with the provisions of the City's Charter.
- ▶ Proposed revisions are limited to grammatical and standardized updates.

Analysis of Proposed Revisions to Section 2.52.190

- ▶ Currently, this section requires the City to follow the Colorado Municipal Election Code (Title 31, C.R.S.), for both initiatives and referendums.
- ▶ Proposed revisions include:
 - ▶ Referencing all other applicable local election laws, such as the Charter, in addition to Title 31, C.R.S.; and
 - ▶ A specific reference to Articles 10 and 11, of Title 31 of the Colorado Revised Statutes, which is the state statute regarding initiatives and referendums.

Analysis of Section 2.52.200

- ▶ Currently, Section 2.52.200 provides that:
 - ▶ Each initiative or referendum measure appears on the ballot by title only;
 - ▶ Each title appears only once on the ballot;
 - ▶ Initiative and referendum items are numbered;
 - ▶ Council-referred items are lettered, and both are listed in order of receipt; and
 - ▶ Any voter-approved initiated ordinance must be printed with the official acts at the next regular City Council meeting and published like other adopted ordinances of the City.

Analysis of Proposed Revisions to Section 2.52.200

- ▶ Proposed revisions to this section include:
 - ▶ Grammatical and standardized changes;
 - ▶ Content originally in subsection A reorganized into subsection B;
 - ▶ Subsection A revised to remove incorrect language stating the measure appears “by title only”; and
 - ▶ Added Charter language requiring ballot formatting to include “FOR THE ORDINANCE” and “AGAINST THE ORDINANCE.”

Analysis of Proposed Revisions to Section 2.52.210

- ▶ Currently, Section 2.52.210 requires proponents of either an initiative or referendum petition to disclose which petitions used paid circulators and how much each circulator was paid.
 - ▶ Disclosure is due when the petition is filed with the City Clerk.
- ▶ Proposed revisions are limited to grammatical and standardized updates.

Analysis of Proposed Revisions to Section 2.52.220

- ▶ Currently, Section 2.52.220 provides that the provisions of the state's Fair Campaign Practices Act of 1974 applies to all initiative and referendum measures which are submitted to an election.
 - ▶ It also imposes certain disclosure requirements
- ▶ Proposed revisions to this section include:
 - ▶ Grammatical and standardized changes;
 - ▶ Removal of reference to the Fair Campaign Practices Act of 1974 and replacement with reference to Chapter 2.54 of the Lakewood Municipal Code concerning Campaign and Political Finance in Municipal Elections.

Analysis of Proposed Revisions to Section 2.52.230

- ▶ Currently, Section 2.52.230:
 - ▶ Prohibits circulating or signing petitions using names or endorsement of people or organizations without written authorization;
 - ▶ Prohibits signing a petition with another person's name, signing more than once, or signing if not a registered elector;
 - ▶ Prohibits circulators signing affidavits unless the statements are true; and
 - ▶ Bars interference with elections or petition processes and prohibits any willful violation of the chapter.
- ▶ Proposed revisions are limited to grammatical and standardized updates.

Analysis of Proposed Revisions to Section 2.52.240

- ▶ Currently, Section 2.52.240 authorizes the City Council to refer any proposed or adopted ordinance, or any question, to the voters without a petition (referred measures).
- ▶ Proposed revisions to this Section include:
 - ▶ Grammatical and standardized changes;
 - ▶ Added publication requirements for referred ordinances;
 - ▶ Added election/procedural requirements; and
 - ▶ Added a prohibition on Council re-adopting an ordinance within 6 months after voter rejection.

Analysis of Section 2.52.250

- ▶ Currently, Section 2.52.250 clarifies that the initiative and referendum powers are fully preserved for residents and that this chapter is intended to protect, not limit, these democratic rights.
- ▶ No revisions were made to this Section.

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 5B

To: Mayor and City Council
From: Traci Wieland, Director of Community Resources
Subject: **Authorizing the Purchase of Property 10160 West 12th Avenue (Sunset Park)**

SUMMARY STATEMENT: An Ordinance declaring the intent to purchase 1.9 acres of land at 10160 W. 12th Avenue, adjacent to Lakewood's Sunset Park, in Ward 1 for municipal open space and park purposes.

BACKGROUND INFORMATION:

Sunset Park was originally envisioned in the 1972 Lakewood Park and Open Space Study as an 18-acre community park. The original 9.75 acres were acquired in 1980, and the developed portion of Sunset Park was constructed in 1990. As funds were available, additional properties were acquired, including .39 acres in 2005, 8.4 acres in 2006, and 4.47 acres in 2016.

In 2026, the City has sufficient funding to acquire an additional 1.9 acres of land on the northeast side of the park at 10160 W. 12th Avenue to expand Sunset Park, resulting in a total of 24.92 acres. Sunset Park will be the 20th largest park in the city and preserved for parks and open space use.

BUDGETARY IMPACTS: The City Council has allocated a portion of the Conservation Trust Fund for the acquisition and improvement of parks and open space properties in the 2025R-2026 budget. These funds will be used to purchase the property. As this portion of the park will be preserved as open space, ongoing maintenance will be comparable to other open space park properties.

STAFF RECOMMENDATIONS: The Department of Community Resources recommends adoption of the Ordinance to support this request to approve the acquisition of property located at 10160 W. 12th Avenue for municipal open space and park purposes, and to authorize the necessary transactions.

ALTERNATIVES: The City may elect not to purchase the property at this time. The property is zoned R-1-12 (Large Lot Residential). The current owner could develop or sell the property as is.

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council. No specific public outreach has been conducted regarding the acquisition of property, although the property is located in an area of Ward 1 lacking adequate park space for residents, according to city planning documents.

NEXT STEPS: Upon adoption of the Ordinance on second reading, the Ordinance will take effect 30 days after final publication. The City will then proceed with the acquisition of the property. Community Resources staff will update the city website, maps and other park materials as appropriate and the new park space will be added to the park maintenance program.

ATTACHMENTS: 1. Ordinance O-2026-22

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

O-2026-22

AN ORDINANCE

AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 10160 WEST 12TH AVENUE, LAKEWOOD, COLORADO FOR MUNICIPAL OPEN SPACE AND PARK PURPOSES, INCLUDING ACCEPTANCE OF A DEED THEREFOR

WHEREAS, the City of Lakewood (the “City”) desires to purchase approximately 1.9 acres of land generally located in the Northeast One-quarter of Section 3 Township 4 South, Range 69 West, City of Lakewood, County of Jefferson, State of Colorado, and as identified in Exhibit A (the “Property”), for municipal open space and park purposes;

WHEREAS, the City will acquire the Property in accordance with the terms of a Purchase and Sale Agreement between the City and Dulce and Giovanny Emmanuel Anayasaenz (the “Purchase Agreement”);

WHEREAS, the City has funds available in the Conservation Trust Fund to acquire open space and park land;

WHEREAS, the purchase of the Property for municipal open space and park purposes aligns with one of the City’s goals to purchase land for park property in areas of the City that are found to be underserved by open space and park land;

WHEREAS, the purchase price for the Property is not to exceed Five Hundred and Fifty Thousand dollars (\$550,000);

WHEREAS, the City is acquiring the Property in “as-is” condition but performed a “due diligence” inspection that included a title commitment, survey, environmental reports, and an appraisal;

WHEREAS, the City Attorney’s Office will review and approve the final Purchase Agreement as to form;

WHEREAS, the City Council hereby finds and determines that authorizing the purchase of the Property using funds from the Conservation Trust Fund for open space and park purposes is and shall be in the best interest of the residents of the City;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal identified herein; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies any particular proposal related to this proposal identified herein.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The City of Lakewood hereby declares its intent to purchase the Property as identified in Exhibit A, attached hereto and incorporated herein, in fee simple for municipal open space and park purposes.

SECTION 2. The purchase of the Property will serve a public purpose and further the health and welfare of the residents of the City by providing municipal open space and park land in an area that is currently underserved by open space and park land.

SECTION 3. The City Council hereby authorizes the expenditure of up to Five Hundred and Fifty Thousand dollars (\$550,000) from the Conservation Trust Fund for fiscal year 2026 for the purchase of the Property.

SECTION 4. The City's Chief Financial Officer is hereby authorized and directed to pay amounts not to exceed Five Hundred and Fifty Thousand dollars (\$550,000) for the acquisition of the Property upon receipt of appropriate documentation.

SECTION 5. The City Manager or designee is hereby authorized to accept the instruments of conveyance and execute a deed and all other documents necessary to finalize the acquisition of the Property, following review and approval of all such documents by the City Attorney's Office.

SECTION 8. This Ordinance shall take effect thirty (30) days after final publication.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 13th day of July 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 16th day of July, 2026; set for public hearing to be held on the 27th day of July, 2026; read, finally passed and adopted by the City Council on the 27th day of July, 2026; and signed by the Mayor on the ___ day of July, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Allison McKenney Brown, City Attorney

EXHIBIT A

A PARCEL OF LAND IN THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 89°23'06" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID NORTHEAST 1/4 (ASSUMING THE EAST LINE OF SAID NORTHEAST 1/4 BEARS NORTH 00°14'39" EAST, ALL OTHER BEARINGS HEREFTER RELATED HERETO), A DISTANCE OF 659.71 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4, SOUTHEAST 1/4, NORTHEAST 1/4, SAID LAST SOUTHWEST CORNER BEING IN COMMON WITH THE SOUTHWEST CORNER OF THE PLAT OF COURTNEY PARK RECORDED OCTOBER 16, 1968 AT RECEPTION NO. 300181 IN PLAT BOOK 29 AT PAGE 43 AT THE OFFICE OF THE CLERK AND RECORDER, COUNTY OF JEFFERSON, STATE OF COLORADO; THENCE NORTH 00°14'39" EAST ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID NORTHEAST 1/4, SAID PARALLEL LINE BEING IN COMMON WITH THE EAST LINE OF THE PLAT OF SAID COURTNEY PARK, A DISTANCE OF 386.35 FEET TO A POINT ON SAID EAST LINE, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00°14'39" EAST ALONG SAID EAST LINE, A DISTANCE OF 250.10 FEET, MORE OR LESS, TO A POINT 31.75 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST 1/4, SOUTHEAST 1/4, NORTHEAST 1/4; THENCE NORTH 89°21'31" EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST 1/4, SOUTHEAST 1/4, NORTHEAST 1/4, A DISTANCE OF 215.08 FEET, SAID POINT BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED JUNE 14, 1960 IN BOOK 2110 AT PAGE 326, OF SAID RECORDS; THENCE SOUTH 00°14'39" WEST ALONG A LINE PARALLEL WITH THE EAST LINE OF THE NORTHEAST 1/4, A DISTANCE OF 200.15 FEET, SAID PARALLEL LINE BEING IN COMMON WITH THE WEST LINE OF SAID TRACT, TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE NORTH 89°21'31" EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST 1/4, SOUTHEAST 1/4, NORTHEAST 1/4, A DISTANCE OF 99.88 FEET TO THE SOUTHEAST CORNER OF SAID TRACT, SAID POINT BEING IN COMMON WITH THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN INSTRUMENT RECORDED JUNE 1, 1983 AT RECEPTION NO. 83049161; THENCE SOUTH 00°14'39" WEST ALONG A LINE PARALLEL WITH THE EAST LINE OF THE NORTHEAST 1/4, A DISTANCE OF 181.94 FEET, SAID PARALLEL LINE BEING IN COMMON WITH THE WEST LINE OF SAID TRACT AND THE WEST LINE OF THOSE TRACTS OF LAND DESCRIBED IN INSTRUMENTS RECORDED NOVEMBER 30, 2000 AT RECEPTION NO. F1150659 AND MARCH 17, 1977 IN BOOK 2976 AT PAGE 476; THENCE LEAVING SAID PARALLEL LINE NORTH 75°01'20" WEST, A DISTANCE OF 156.57 FEET; THENCE NORTH 61°39'12" WEST, A DISTANCE OF 185.35 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING, COUNTY OF JEFFERSON, STATE OF COLORADO.

NOTE: FOR INFORMATIONAL PURPOSES ONLY, THE ABOVE LAND IS INCLUDED WITHIN TAX PARCEL NUMBER 49-041-00-063.



 **City of Lakewood**
Department of Community Resources

0 40 80 160 240 320
Feet

 **Sunset Park Addition 2026**
10160 W 12th Avenue
Lakewood, CO 80215

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 5C

To: Mayor and City Council
From: Maria D'Andrea, Director of Public Works
Subject: **Permanent Utility Easement Across City Park Property at 2911 and 2951 S. Wadsworth Blvd.**

SUMMARY STATEMENT: This ordinance authorizes a permanent easement across City of Lakewood Park property to the Public Service Company of Colorado to facilitate construction of the Wadsworth – Jefferson and Eastman Paths Project.

BACKGROUND INFORMATION:

The Wadsworth – Jefferson and Eastman Paths Project is a grant-funded project to construct new sidewalks and multi-use paths in missing sections along South Wadsworth Boulevard between Yale Avenue and Eastman Place, and between Jefferson Avenue and Mansfield Avenue. The section of the project within 2911 and 2951 South Wadsworth Boulevard will construct a new right-turn lane and driveway access to the City-owned park property for a temporary parking lot to the Bear Creek Greenbelt. A permanent parking lot will be achieved in a future budget year. An overhead Xcel Energy electrical transmission line currently crosses the properties in the area where the proposed right-turn lane will be constructed and needs to be moved underground.

Since the Greenbelt property was acquired using Jefferson County Open Space Funds, a release of their reversionary interest is also required to authorize a permanent easement.

This ordinance authorizes the City to grant the Public Service Company of Colorado a non-exclusive easement to allow Xcel to install, operate, maintain, and access their utility.

The easement documentation with legal description and exhibit are attached for more information.

BUDGETARY IMPACTS: Construction of the Wadsworth – Jefferson and Eastman Paths project is funded by CDOT-administered federal funds with required City match. The City has already entered into an agreement with Xcel Energy to use 1% Underground Funds for construction costs associated with undergrounding the overhead transmission line. Adequate funds for this project were approved in the 2026 budget.

STAFF RECOMMENDATIONS: Staff recommends approving the ordinance.

ALTERNATIVES: If this Ordinance is not approved, the City cannot proceed with this project. These improvements are needed to provide safe pedestrian access along a corridor that lacks connectivity, support access to the Bear Creek Greenbelt, and improve public health and economic activity.

PUBLIC OUTREACH: This item has been promoted through the City's regular communication channels for matters that appear before Council. A public engagement process was completed for the

Bear Creek Greenbelt Trailhead at South Wadsworth Boulevard in 2022, with the acquisition of the final parcel of park property at 2911 and 2951 South Wadsworth Boulevard in 2023.

NEXT STEPS: If this ordinance is adopted, staff will begin the easement process with Jefferson County Open Space and complete the preparation of construction documents.

ATTACHMENTS: 1. Ordinance O-2026-23
2. Exhibit A

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

AN ORDINANCE

AUTHORIZING THE EXECUTION OF A PERMANENT UTILITY EASEMENT ACROSS CITY PARK PROPERTY AT 2911 and 2951 S WADSWORTH BLVD., LAKEWOOD, COLORADO, TO THE PUBLIC SERVICE COMPANY OF COLORADO FOR AN UNDERGROUND ELECTRICAL TRANSMISSION LINES AND RELATED FACILITIES

WHEREAS, the Public Service Company of Colorado (the "Company") has requested the City of Lakewood ("City") convey a utility easement across City park property located at 2911 and 2951 S. Wadsworth Blvd. (Bear Creek Greenbelt) to underground their facilities to allow for a new right turn deceleration lane to the new driveway entrance for the planned parking lot within the Bear Creek Greenbelt and related improvements, as generally described/depicted in Exhibit A;

WHEREAS, 2911 and 2951 S. Wadsworth Blvd. are owned and held by the City for park and open space purposes;

WHEREAS, Section 14.3(c) of the Charter of the City of Lakewood provides that utility easements may be granted across, over, or under park land;

WHEREAS, the parcel was acquired with funds from Jefferson County Open Space, which maintains a reversionary interest in the property;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies any particular proposal related to this proposal identified herein.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, State of Colorado:

SECTION 1. The City hereby conveys a utility easement for electrical transmission lines and related appurtenances to the Public Service Company of Colorado, subject to each of the following conditions:

1. Review and approval by City staff of final construction plans for all structures/infrastructure placed within the described easement;
2. All new facilities to be undergrounded to the extent possible;
3. Approval by Jefferson County of a subordination of the County's reversionary interest in the property;

4. The easement will be non-exclusive; and
5. The Company must seek and be issued a Public Way Permit for all work on City property.

SECTION 2. The City Manager is hereby authorized and directed to execute, and the City Clerk to attest, all the necessary documents to grant a utility easement across the land described in Exhibit A, attached hereto and incorporated herein, in a form approved by the City Attorney, to Public Service Company of Colorado for the installation of an undergrounded electrical transmission vault and related facilities.

SECTION 3. This Ordinance shall take effect thirty (30) days after final publication.

SECTION 4. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 13th day of July 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 16th day of July, 2026; set for public hearing to be held on the 27th day of July, 2026; read, finally passed and adopted by the City Council on the 27th day of July, 2026; and signed by the Mayor on the ___ day of July, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

Exhibit A-Page 1

LEGAL DESCRIPTION

PSCO/XCEL PE-1

(Attached)

Exhibit A-Page 2

(Attached)



Sheet 1 of 2

**EXHIBIT A – 2951 S. WADSWORTH BLVD
PERMANENT EASEMENT**

A parcel of land lying in the northwest one-quarter (NW1/4) of Section 35, Township 4 South, Range 69 West, of the 6th Principal Meridian, County of Jefferson, State of Colorado, being a portion of those parcels described under Reception Numbers 2022052566 & 2023039105, Jefferson County Records, described as follows:

Commencing at the center one-quarter corner of Section 35, thence N09°33'35"W, 667.74 feet, to the southwest corner of that Utility Easement described in Reception Number 2025053025, Jefferson County Records, the Point of Beginning;

thence N00°30'46"W, 10.00 feet, along the west line of said Utility Easement;
thence N89°24'59"E, 6.97 feet, along the north line of said Utility Easement;
thence N00°00'32"W, 606.14 feet;
thence N89°20'09"E, 22.49 feet, to the east line of said Tract of land described in Reception Number 2023039105;
thence N00°39'51"W, 20.00 feet, along said east line;
thence S89°20'09"W, 32.26 feet;
thence S00°00'32"E, 636.13 feet, to the south line of said Tract of land described in Reception Number 2022052566;
thence N89°24'53"E, 3.12 feet, along said south line, to the Point of Beginning.

Containing 6,740 square feet (0.155 acres) more or less.

All lineal distances shown hereon are in U.S. Survey Feet.

As shown on Exhibit A, Sheet 2 of 2, attached hereto and made a part hereof.

For the purpose of this description, bearings are based on the east line of northwest one-quarter (NW1/4) of said Section 35, which is assumed to bear N00°30'46"W.

The author of this description is Monte L. Sudbeck, PLS 38503, prepared on behalf of SEH, 2000 S. Colorado Blvd, Suite 6000, Denver, CO 80222, on June 12, 2026, under Job No. 190373-77.0, for Public Service Company of Colorado, and is not to be construed as representing a monumented land survey.



Monte L. Sudbeck, PLS 38503

X:\PT\IP\SCOC\190373\77.0 2951 S Wadsworth Blvd\9-survey\93-doc\15-proposed-desc\2951 S Wadsworth Boulevard.docx

2000 S Colorado Blvd, Suite 6000, Denver, CO 80222

SEH is an equal opportunity employer | www.sehinc.com | 303.586.5800 | 303.586.5801 fax

EXHIBIT A - 2951 S WADSWORTH BLVD.
PERMANENT EASEMENT

SHEET 2 OF 2

UTILITY EASEMENT
REC. NO. 2011103111

REC. NO. 2023039105

PERMANENT ESMT
6,740 S.F. (0.155 AC) M/L

REC. NO. 2022052566

NW 1/4
SEC. 35,
T4S, R69W

LOT 1, BLOCK 1,
HORAN & McCONATY SUBDIVISION
FILING NO. 1

S 89°20'09" W
32.26
N 00°39'51" W
20.00
N 89°20'09" E
22.49

E. LINE NW1/4, SEC. 35
N 00°30'46" W (BASIS OF BEARINGS)

S 00°00'32" E
636.13

N 00°00'32" W
606.14

S WADSWORTH BLVD

N 89°24'59" E
6.97

N 89°24'59" E
3.12

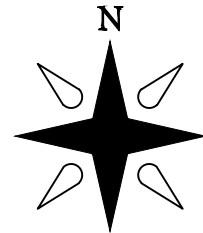
POINT OF BEGINNING
SW COR, REC. NO. 2025053025

UTILITY EASEMENT
REC. NO. 2025053025

N 00°30'46" W
10.00

N 09°33'35" W
667.74

POINT OF COMMENCEMENT
C1/4 SEC. 35



100 0 100
scale 100 feet



2000 S. Colorado Blvd
Suite 1200
Denver, Colorado 80222
Phone: 303-586-5800
FAX: 303-586-5801
www.sehinc.com

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 7

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

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: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 8

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

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: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 8A

To: Mayor and City Council

From: Travis Parker, Chief of the Sustainability & Community Development Branch
Maria D'Andrea, Director of Public Works

Subject: **LAND CONVEYANCE TO LENA GULCH METRO DISTRICT**

SUMMARY STATEMENT: The City has received a request from the Lena Gulch Metropolitan District (District) to convey the property at 685 Denver West Colorado Mills Blvd (formally 685 Indiana St) pursuant to Ordinance O-2003-22. City records include three special warranty deeds to the Lena Gulch Metro District associated with the 2003 ordinance under the following addresses:

1. 650 Indiana Street, recorded on 12/30/2003 (F1934104)
2. 975 Indiana St, recorded on 12/30/2003 (F19340105)
3. 795 Fig St, recorded on 1/28/2004 (F1950940)

Staff is requesting reauthorization to convey the remaining property located at 685 Denver West Colorado Mills Blvd to the District. The primary reason for the new authorization is that O-2003-22 was approved as an emergency ordinance. It is unclear why this remaining property was not transferred within the same timeframe as the three other properties.

The District is requesting conveyance of the remaining portion of the property as two parcels. If approved, both parcels will be conveyed with a deed restriction that requires annexation into the City of Lakewood before a building, structure, or improvement may be constructed on the property. This is consistent with the special warranty deeds referenced above.

BACKGROUND INFORMATION: In 1996, Lakewood City Council approved Ordinance O-96-33 which authorized staff to acquire certain property rights for road improvements and other public purposes within an area bounded by W 20th Avenue, Youngfield Street, W 4th Avenue and a line parallel to I-70. Some of the proposed road improvements required the acquisition of the entire property, even though only part of the property was needed for the improvements. The road improvements along the west side of Indiana Street were significant enough that the entirety of 685 Indiana Street was acquired through a court settlement in May of 2022.

In 2001, the City entered into an agreement with the Lena Gulch Metropolitan District, whereby City staff would acquire all necessary property interests and the District would pay all cost of acquisition. That agreement states that the City would convey all *Remainder Property* to the District.

BUDGETARY IMPACTS: Based on the information included in O-2003-22 the District has paid for all acquisition cost per the agreement. There will be a nominal fee to record the Special Warranty Deed conveying the property.

STAFF RECOMMENDATIONS: Approve

ALTERNATIVES: None, if the ordinance is not approved, the property will continue to be owned and maintained by the City of Lakewood.

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

NEXT STEPS: If approved on first reading, the public hearing is scheduled for June 22, 2026. If the ordinance is adopted by City Council on the 22nd, staff will begin preparation of the special warranty deed to convey the remaining property to the District.

ATTACHMENTS:

1. Ordinance O-2026-20
2. LENA GULCH METRO DISTRICT REQUEST
3. VICINITY MAPS
4. ORDINANCE O-2003-22
5. ORDINANCE O-96-33
6. RESOLUTION 2001-18
7. RESOLUTION 2001-29
8. LENA GULCH REIMBURSEMENT AGREEMENT

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

AN ORDINANCE

AUTHORIZING CONVEYANCE OF REAL PROPERTY OWNED BY THE CITY OF LAKEWOOD AND LOCATED AT 685 DENVER WEST COLORADO MILLS BOULEVARD FORMERLY KNOWN AS INDIANA STREET, GOLDEN, CO 80401 TO THE LENA GULCH METROPOLITAN DISTRICT

WHEREAS, the City of Lakewood (the “City”) is a home rule municipality organized under Article XX of the Colorado Constitution and the authority of its Home Rule Charter for the City of Lakewood (the “Charter”);

WHEREAS, as part of its home rule authority, the City has the discretion to sell real property held or used for any municipal purpose pursuant to City Charter Section 14.3(a);

WHEREAS, the City owns real property located at 685 Denver West Colorado Mills Boulevard formerly known as Indiana Street, Golden, CO 80401 (the “Property”), which real property was originally acquired from Total Petroleum, Inc. (“Total Petroleum”);

WHEREAS, in 1996, the City Council for the City of Lakewood (“City Council”) authorized the City to acquire property for public improvements (O-1996-33);

WHEREAS, the public improvements included pedestrian, transportation, drainage, utilities facilities, and other related public improvements in the Denver West Area;

WHEREAS, in 2001, the City Council authorized a Reimbursement Agreement (the “Agreement”) between the City and the Lena Gulch Metro District (the “District”) for the District to reimburse the City for acquisition costs associated with acquiring a number of properties (R-2001-18);

WHEREAS, pursuant to this Agreement, the City agreed to convey any part or portion of the properties that were not necessary for the public improvements to the District;

WHEREAS, in 2001, the City Council authorized the City to exercise its power of eminent domain and initiate a condemnation proceeding to acquire the Property (R-2001-29);

WHEREAS, in 2002, the City initiated a condemnation proceeding and acquired the Property from Total Petroleum via a court settlement;

WHEREAS, the Agreement between the City and District indicated that after completion of the necessary public improvements, any property remaining would be conveyed to the District (O-2003-22);

WHEREAS, the remaining Property identified in Exhibit A, attached hereto and incorporated herein, is not necessary to construct any additional public improvements and, as a result, is required to be conveyed to the District;

WHEREAS, the City shall include a deed restriction in the special warranty deed to the District that requires the Property to be annexed into the City before any development or redevelopment of the Property takes place;

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies any particular proposal related to this proposal identified herein; and

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide the public and City Staff an opportunity to present evidence and testimony regarding the proposal.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, State of Colorado:

SECTION 1. Approval. The sale of the Property described in Exhibit A, attached hereto and incorporated herein, to the District is hereby approved.

SECTION 2. Authorization. The City Manager or designee is hereby authorized to execute any deed(s) and associated documents in a form approved by the City Attorney conveying the Property to the District.

SECTION 3. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided such remaining portions or application of the Ordinance are not determined by the court to be inoperable.

SECTION 4. Effective date. This Ordinance shall take effect thirty (30) days after final publication.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 8th day of June 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 11th day of June, 2026; set for public hearing to be held on the 13th day of July, 2026; read, finally passed and adopted by the City Council on the 13th day of July, 2026; and signed by the Mayor on the ___ day of July, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

EXHIBIT A

Parcel A

PAGE 1 OF 2

A PARCEL OF LAND BEING A PORTION OF LOTS 42 THROUGH 48, BLOCK 48, PLEASANT VIEW SECOND ADDITION RECORDED UNDER RECEPTION NO. 00876034, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEING THE NORTHERLY LINE OF SAID BLOCK 48, PLEASANT VIEW SECOND ADDITION IS ASSUMED TO BEAR NORTH 89°48'08" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 270.13 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 48;

THENCE SOUTH 89°48'08" WEST ON THE NORTH LINE OF LOT 48 A DISTANCE OF 76.11 FEET TO A POINT OF CURVATURE AND THE **POINT OF BEGINNING**;

THENCE ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT 64.29 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A DELTA OF 73°40'16" AND BEING SUBTENDED BY A CHORD BEARING SOUTH 48°44'10" EAST A DISTANCE OF 59.95 FEET TO A POINT OF NON-TANGENCY;

THENCE SOUTH 05°42'36" WEST A DISTANCE OF 135.86 FEET;

THENCE SOUTH 89°46'04" WEST A DISTANCE OF 90.15 FEET;

THENCE NORTH 00°06'52" WEST A DISTANCE OF 174.89 FEET TO A POINT ON THE NORTH LINE OF LOT 48;

THENCE CONTINUING ON SAID NORTH LINE A DISTANCE OF 58.96 FEET TO THE **POINT OF BEGINNING**;

COUNTY OF JEFFERSON, STATE OF COLORADO

SAID PARCEL CONTAINING 16,758 SQUARE FEET OR 0.38 ACRES MORE OR LESS.

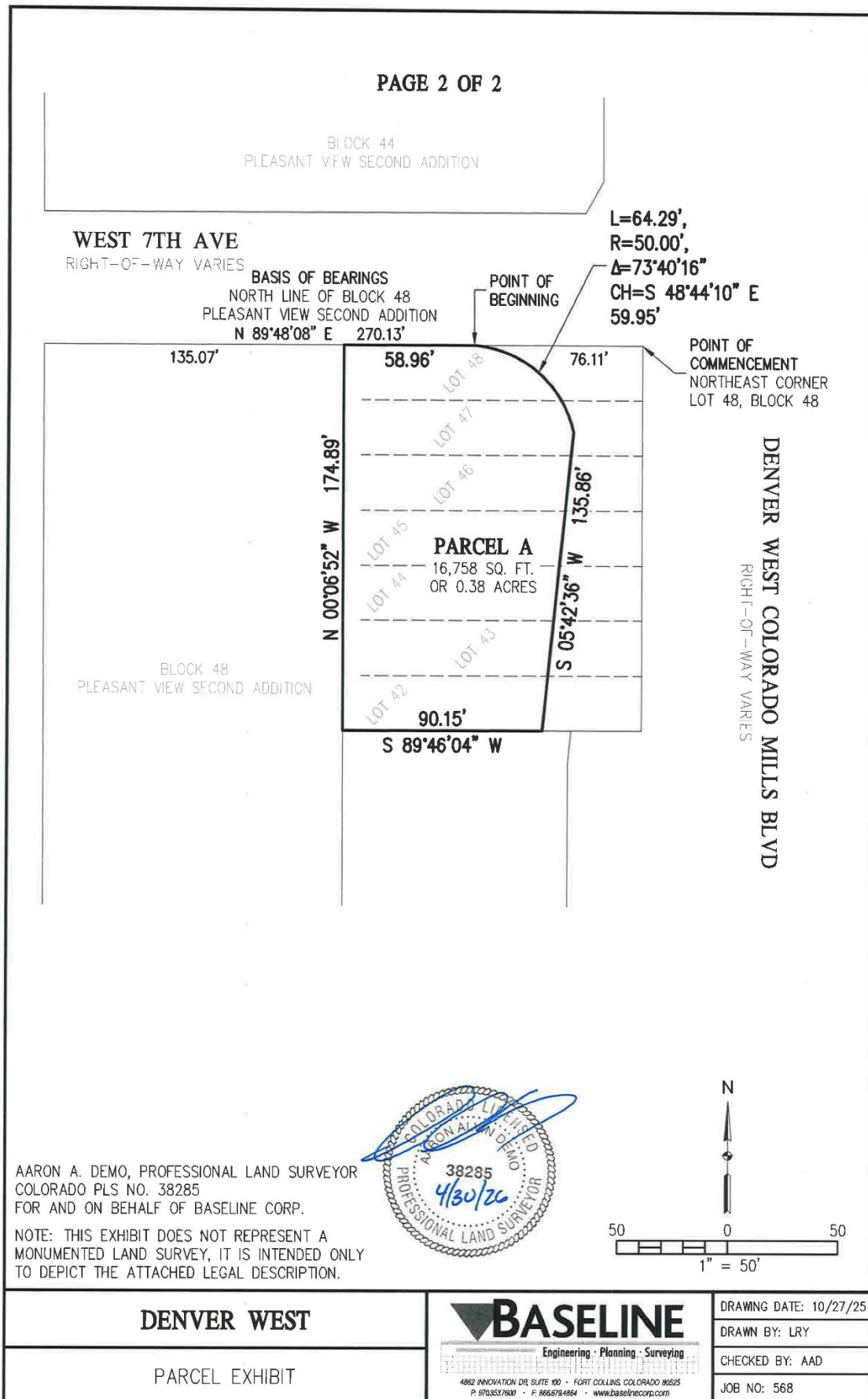
SURVEYOR'S STATEMENT

I, AARON ALVIN DEMO, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS EASEMENT DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION, AND THAT IT IS NOT A MONUMENTED LAND SURVEY.

AARON ALVIN DEMO, PROFESSIONAL LAND SURVEYOR
COLORADO PLS NO. 38285
FOR AND ON BEHALF OF BASELINE ENGINEERING CORP.

BASELINE ENGINEERING CORP.
4862 INNOVATION DRIVE, SUITE 100
FORT COLLINS, COLORADO 80525
(970) 353-7600





Parcel B

PAGE 1 OF 2

A PARCEL OF LAND BEING A PORTION OF LOTS 47 AND 48, BLOCK 48, PLEASANT VIEW SECOND ADDITION RECORDED UNDER RECEPTION NO. 00876034, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEING THE NORTHERLY LINE OF SAID BLOCK 48, PLEASANT VIEW SECOND ADDITION IS ASSUMED TO BEAR NORTH 89°48'08" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 270.13 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 48;

THENCE SOUTH 89°48'08" WEST ON THE NORTH LINE OF LOT 48 A DISTANCE OF 36.11 FEET TO A POINT OF CURVATURE AND THE **POINT OF BEGINNING**;

THENCE ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT 19.75 FEET, SAID CURVE HAVING A RADIUS OF 20.00 FEET, A DELTA OF 56°35'25" AND BEING SUBTENDED BY A CHORD BEARING SOUTH 22°35'07" EAST A DISTANCE OF 18.96 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 05°42'36" WEST A DISTANCE OF 22.28 FEET TO A POINT OF CURVATURE;

THENCE ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT 64.29 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A DELTA OF 73°40'16" AND BEING SUBTENDED BY A CHORD BEARING NORTH 48°44'10" WEST A DISTANCE OF 59.95 FEET TO A POINT ON THE NORTH LINE OF LOT 48;

THENCE NORTH 89°48'08" EAST ON THE NORTH LINE OF LOT 48 A DISTANCE OF 40.00 FEET TO THE **POINT OF BEGINNING**.

COUNTY OF JEFFERSON, STATE OF COLORADO

SAID PARCEL CONTAINING 517 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

SURVEYOR'S STATEMENT

I, AARON ALVIN DEMO, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS EASEMENT DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION, AND THAT IT IS NOT A MONUMENTED LAND SURVEY.

AARON ALVIN DEMO, PROFESSIONAL LAND SURVEYOR
COLORADO PLS NO. 38285
FOR AND ON BEHALF OF BASELINE ENGINEERING CORP.

BASELINE ENGINEERING CORP.
4862 INNOVATION DRIVE, SUITE 100
FORT COLLINS, COLORADO 80525
(970) 353-7600



BLOCK 44
PLEASANT VIEW SECOND ADDITION

BASIS OF BEARINGS
NORTH LINE OF BLOCK 48
PLEASANT VIEW SECOND ADDITION
N 89°48'08" E 270.13'

L=19.75',
R=20.00',
Δ=56°35'25"
CH=S 22°35'07" E
18.96'

58.96' 48
L=64.29',
R=50.00',
Δ=73°40'16"
CH=N 48°44'10" W
59.95'

PARCEL B
— 517 SQ. FT.
— OR 0.01 ACRES

S 05°42'36" W
22.28'

DENVER WEST COLORADO MILLS BLVD
RIGHT-OF-WAY VARIES

A circular professional seal for a Colorado Land Surveyor. The outer ring contains the text "COLORADO" at the top and "PROFESSIONAL LAND SURVEYOR" at the bottom, separated by dots. Inside the ring, the name "SARAH ALVIN" is written in a semi-circle at the top, and the number "38285" is in the center. Below the number, the date "4/30/20" is handwritten. A blue ink signature is written across the seal.

BASELINE
Engineering • Planning • Surveying
4862 INNOVATION DR, SUITE 100 • FORT COLLINS, COLORADO 80525
P: 970.353.7600 • F: 866.679.4864 • www.baselinecorp.com

JOB NO: 568

Lena Gulch Metropolitan District
1546 Cole Boulevard, Suite 230
Lakewood, CO 80401

May 4, 2026

Brea Pafford
Development Review Supervisor
City of Lakewood
470 South Allison St.
Lakewood, CO 80401

RE: Conveyance of the property at 685 Denver West Colorado Mills Blvd (formerly Indiana St)

Dear Ms. Pafford,

The Lena Gulch Metropolitan District is requesting that the above referenced property at 685 Denver West Colorado Mills Blvd (the Property) be conveyed to the District. Specifically, this request refers to the remaining portion of the Property that was not used for public improvements during the construction of the Colorado Mills Mall. In addition, for master planning and operational purposes, we ask that the Property be conveyed as two separate parcels.

The larger parcel (Parcel A) will most likely be sold or leased long term as part of a larger planned retail development. The smaller property (Parcel B) will become part of Denver West's Comprehensive Gateway and Wayfinding Signage Program. It will also allow for continued oversight and implementation of the Denver West Master Plan as it evolves in the future.

We appreciate your assistance in this matter and stand ready to assist at your request.

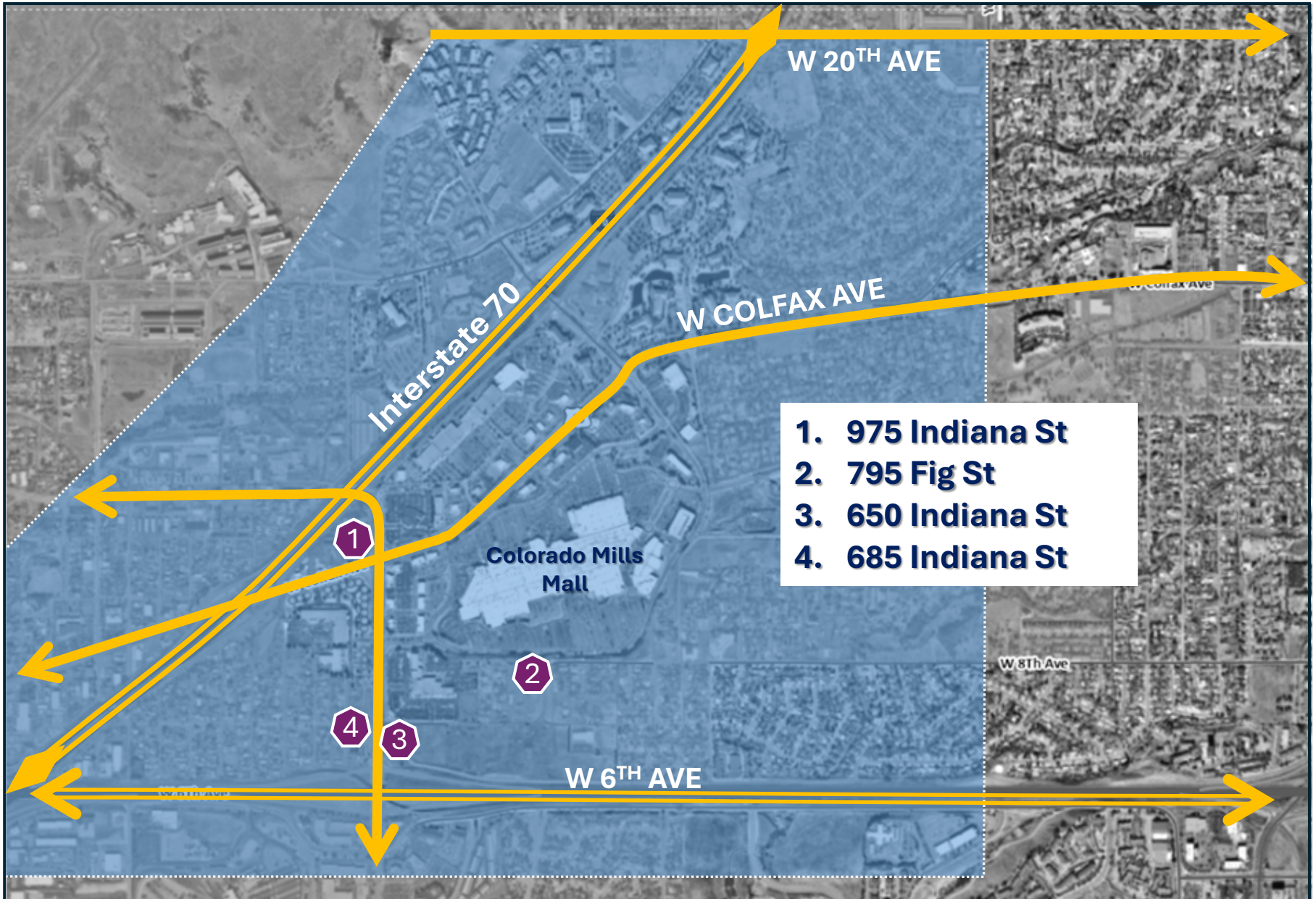
Sincerely,
Greg Stevinson

President
Lena Gulch Metropolitan District

Vicinity Map | 685 Denver West Colo Mills Blvd



Map | O-2003-22 – Remainder Parcels



Denver West | O-96-33 Exhibit “A” Area



O-2003-22

AN ORDINANCE

AUTHORIZING THE CONVEYANCE OF REMAINDER PARCELS WHICH WERE ACQUIRED FOR ROAD AND OTHER PUBLIC IMPROVEMENTS TO THE LENA GULCH METROPOLITAN DISTRICT, FURTHER DECLARING AN EMERGENCY

WHEREAS, IN 1996 the Lakewood City Council adopted Ordinance O-96-33 authorizing the acquisition of property for public improvement purposes in the vicinity of Denver West and Colorado Mills; and,

WHEREAS, in 2001, the City entered into an Agreement for Payment of Acquisition Costs (Agreement) with the Lena Gulch Metropolitan District (District); and,

WHEREAS, said District paid for all acquisition costs per the agreement; and,

WHEREAS, some of the parcels acquired under the agreement were impacted by the proposed public improvements such that the entire parcel needed to be acquired; and,

WHEREAS, upon demolition of all existing structures on these parcels, a portion of the property existed outside of the area needed for the public improvements (Remainder Parcel); and,

WHEREAS, the Agreement requires that the City convey all remainder parcels to the District by Special Warranty Deed.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, that:

SECTION 1. The City Manager is authorized to sign and the City Clerk is authorized to attest all special warranty deeds conveying Remainder Parcels that were acquired with District funds under Ordinance O-96-33 to the District.

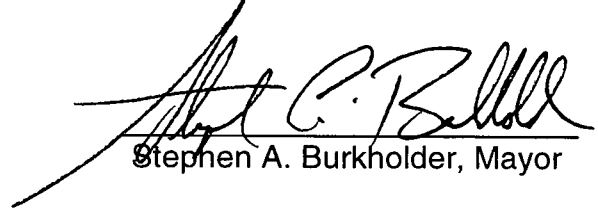
SECTION 2. Emergency. This ordinance is necessary for the immediate preservation of the City of Lakewood's peace, health and safety. The expeditious re-use of remainder parcels is necessary to promote economic development and improve tax revenues to the City.

SECTION 3. This ordinance shall take effect upon the signature of the Mayor.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Lakewood City Council on the 28th day of July, 2003; published in full in the Lakewood Sentinel on the 31st, day of July, 2003; set for public hearing on the 11th day of August, 2003; read, finally passed and adopted by the City Council on the 11th day of August, 2003; and signed and approved by the Mayor on the 12th day of August, 2003.

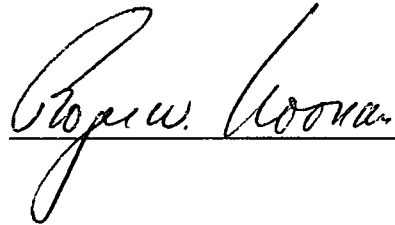


ATTEST:


Stephen A. Burkholder, Mayor


Margy Greer, City Clerk

Approved as to form:

City Attorney 

Date August 14, 2003

O-96-33

A BILL FOR

AN ORDINANCE DECLARING THE INTENT OF THE CITY OF LAKEWOOD TO ACQUIRE INTERESTS IN PROPERTY FOR PUBLIC PURPOSES FOR THE DENVER WEST AREA IMPROVEMENTS PROJECTS, AND AUTHORIZING NEGOTIATIONS WITH PROPERTY OWNERS, ACCEPTANCE OF CONVEYANCE INSTRUMENTS, AND CONDEMNATION OF REAL PROPERTY INTERESTS

WHEREAS, the City Council of the City of Lakewood has heretofore funded the initial Denver West Area Improvements Project and may hereafter fund additional Denver West Improvement Projects, (collectively hereinafter "Project") by adopting the capital budget for 1996 and appropriating the funds necessary for the Project for this fiscal year; and

WHEREAS, in furtherance of the Project, the City Council desires to accomplish the following:

- A. Declare City of Lakewood's intent to acquire interests in property for public purposes necessary for the Project in fulfillment of the requirements of Section 38-1-121, C.R.S.;
- B. Authorize negotiations for and acquisitions of such property interests as may be necessary for the Project, pursuant to Chapter 3.04 of the Lakewood Municipal Code;
- C. Accept the instruments of conveyance of the property interests acquired for the Project pursuant to this Ordinance; and
- D. Authorize the City Attorney to institute condemnation proceedings to acquire the property interests necessary for the Project, in the event that the City is unable to acquire the interests despite good faith efforts to do so; and
- E. Authorize the City Manager to execute, and the City Clerk to attest, conveyances in form approved by the City Attorney where necessary for water lines and/or fire hydrants over City-owned land or utility easements, to local water provider entities.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Lakewood, State of Colorado, that:

SECTION 1. The City Council of the City of Lakewood hereby finds that the Project will serve public purposes by constructing public improvements including, but not limited to, pedestrian, transportation, drainage, utilities facilities and other related public improvements and furthering the health and welfare of the citizens of Lakewood. The City Council further finds that it is necessary to acquire certain property interests, described in Section 2 herein, to further said public purposes.

SECTION 2. The City Council of the City of Lakewood hereby declares its intent to acquire property interests for public purposes, including but not limited to interests in fee simple, permanent easements, temporary construction easements, and improvements contained therein, as may be necessary for the Project. A description of the Project, as Exhibit "A," is attached hereto and incorporated herein by this reference. At such time as the City Manager, acting by and through the Property Management Division, identifies with particularity the property interests necessary for the Project, notice of an intent to acquire the interests in property shall be given as required by Section 38-1-121, C.R.S.

SECTION 3. The City Manager, by and through the Property Management Division of the Department of Finance of the City of Lakewood, is hereby authorized to negotiate in good faith and to acquire the property interests necessary for the Project, pursuant to Chapter 3.04 of the Lakewood Municipal Code. Negotiations shall be based upon appraisal reports which have been approved by the City Manager. The City Manager is hereby authorized to make offers to any property owner based upon the appraisal reports and to execute agreements for acquisition of property. The City Manager shall obtain City Council approval, by Resolution, before executing any agreement for a purchase price which is both in excess of Fifteen Thousand Dollars (\$15,000.00), and in excess of said approved appraisal with any single property owner.

SECTION 4. The City Council, on behalf of the City of Lakewood, hereby accepts, upon recordation, the instruments of conveyance of the property interests acquired for the Project pursuant to this Ordinance.

SECTION 5. The City Treasurer and the Director of Finance are hereby authorized and directed to pay the amounts set forth in the contracts and agreements herein provided for upon receipt of appropriate documentation.

SECTION 6. In the event that the City is unable to negotiate an agreement for the acquisition of any interest in property necessary for the Project, despite good faith efforts to do so, the City Attorney is hereby authorized, on behalf of the City of Lakewood, to exercise the power of eminent domain vested in the City pursuant to Section 14.4 of the Charter for the City of Lakewood. At that time, the City Council shall identify by Resolution the property interests to be acquired by condemnation pursuant to the authority bestowed upon the City Attorney by this Ordinance, and the City Attorney shall proceed to condemn the interests in the property needed to complete the Project.

SECTION 7. The City Attorney is further authorized to apply for immediate possession of the property interests determined necessary for the Project, and the City Treasurer and all other officers and agents of the City are authorized and directed to cooperate with the City Attorney in the condemnation, to make any deposits and payments as may be necessary for acquisition of the property interests, and to pay the costs thereof and

the condemnation award as it may be finally determined.

SECTION 8. The City Attorney is further authorized to employ such expert witnesses, including appraisers, as the City Attorney determines necessary for the purposes of the condemnation authorized by this Ordinance, and the City Treasurer and Director of Finance are directed to pay the costs and expenses of employing the expert witnesses and appraisers.

SECTION 9. The City Manager is hereby authorized to execute, and the City Clerk to attest, conveyances in form approved by the City Attorney where necessary for water lines and/or fire hydrants over City-owned land and/or utility easements to local water provider entities.

SECTION 10. Nothing herein is intended to authorize the expenditure of monies in excess of the funds appropriated for the Project.

SECTION 11. This ordinance shall take effect thirty (30) days after final publication.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Lakewood City Council on the 24th day of June, 1996; published in full in the Jefferson Sentinel on the 27th day of June, 1996; introduced, read, finally passed and adopted by the City Council on the 8th day of July, 1996; and, signed and approved by the Mayor on the 9th day of July, 1996.


Linda Morton, Mayor

ATTESTED AND CERTIFIED:


Karen Goldman, City Clerk

Approved as to form:

City Attorney

Roger W. Coonan

Date

July 2, 1996

Approved as to content:

City Clerk

[Signature]

Date

Finance

[Signature]

Date 6/19

City Manager

Date

Police Dept.

Date

Comm. Resources

Date

Public Works

Date

Employee Relations

Date

Community Planning

& Develop.

Date

Exhibit "A"

Legal Description

The Project consists of a wide variety of public improvements in the area generally, but not specifically or exclusively, described as being bounded on the East by Youngfield Street, bounded on the South by West Fourth Avenue, bounded on the North by West Twentieth Avenue, and bounded on the West very loosely by a line parallel with and 3,000 feet northwesterly from Highway I-70.

2001-18

A RESOLUTION

AUTHORIZING THE CITY MANAGER TO SIGN A REIMBURSEMENT AGREEMENT WITH THE LENA GULCH METROPOLITAN DISTRICT FOR THE DISTRICT TO REIMBURSE THE CITY FOR MISCELLANEOUS ACQUISITION COSTS, WHICH MAY BE INCURRED IN CONJUNCTION WITH THE PUBLIC IMPROVEMENTS ASSOCIATED WITH THE DENVER WEST DEVELOPMENT PROJECT

WHEREAS, as a result of ongoing development within its boundaries, the District is required to fund and construct various traffic and roadway improvements both within and without its boundaries (the "Improvements"); and

WHEREAS, the Improvements will require the acquisition of certain real property, as more specifically defined on Exhibit A, attached hereto and incorporated hereby (the "Property"); and

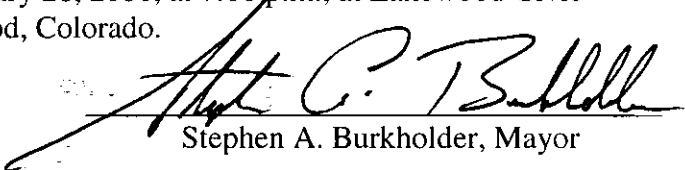
WHEREAS, in order to expedite acquisition of the Property, the City has agreed to coordinate acquisition of the same on behalf of the District, including exercise of the power of eminent domain, as the City may deem necessary; and

WHEREAS, as consideration therefore, the District desires to set forth its intent to pay to the City all costs related to acquisition of the Property and the terms under which any part or portion of the Property, which is not necessary for the Improvements, shall be conveyed to the District.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The City Manager of City of Lakewood is hereby authorized to sign and the City Clerk to attest an agreement between the City of Lakewood and the Lena Gulch Metropolitan District to cover all costs associated with the acquisition of certain property rights associated with the Colfax Avenue and Indiana Street improvements project.

INTRODUCED, READ AND ADOPTED by a vote of 11 for and 0 against at a regular meeting of the City Council on February 26, 2001, at 7:00 p.m., at Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.


Stephen A. Burkholder, Mayor

ATTEST:

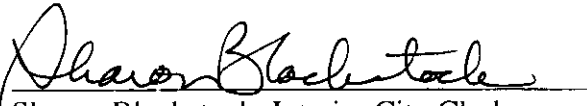

Sharon Blackstock, Interim City Clerk

Exhibit A
Lena Gulch Acquisition Parcels

Property Description	Address	Parcel Size Square Feet	Acquisition Type
Days Inn	15059 West Colfax Avenue	132,818	Partial
Mountain View Motel	14825 West Colfax Avenue	42,588	Partial
Residential	13590 West Colfax Avenue	48,000	Partial
Residential	1395 Orchard	33,000	Partial
Residential	1301 Meadow Sweet Road	132,000	Partial
Westpark	15000 W. 6th Avenue	229,082	Temporary Construction Easement
Sixth Avenue West Business Park	14818-14828 W. 6th Avenue	221,024	Partial
The Shops @ 6th Avenue West	14799 West 6th Avenue Frontage Road	65,470	Partial
Total Station	685 Indiana Street	23,625	Full
7-11 Store	650 Indiana Street	12,600	Full
Pleasant Valley Motel	975 Indiana Street	15,818	Full or Partial
Vacant Residential	10th Avenue & Hawthorne Street	10,500	Partial

2001-29

A RESOLUTION

AUTHORIZING CONDEMNATION OF PROPERTY LOCATED AT 650 AND 685 INDIANA STREET FOR THE DENVER WEST AREA IMPROVEMENTS PROJECTS, (aka. COLFAX AVENUE AND INDIANA STREET ROAD IMPROVEMENT PROJECT).

WHEREAS, the City Council of the City of Lakewood authorized condemnation of the property interests necessary to complete the Denver West Area Improvements Projects (aka. Colfax Avenue and Indiana Avenue Improvements Project) by Ordinance O-96-33, if negotiations to purchase the property were unsuccessful; and

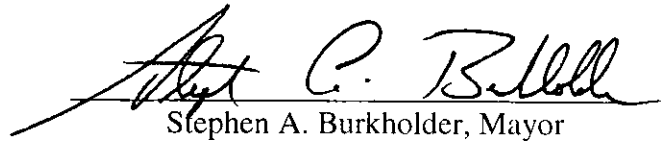
WHEREAS, the City has negotiated in good faith with the owners of the property interests mentioned above; and

WHEREAS, the parties have been unable to agree upon the purchase of certain of the property interests needed for the Project, more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, and it is necessary for the City of Lakewood to acquire immediate possession thereof.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The City Attorney is instructed on behalf of the City of Lakewood to exercise the power of eminent domain vested in the City and proceed immediately to condemn the property described in Exhibit A, pursuant to the authorization contained in Ordinance O-96-33.

INTRODUCED, READ AND ADOPTED by a vote of 8 for and 0 against at a regular meeting of the City Council on March 26, 2001, at 7:00 p.m., at Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.


Stephen A. Burkholder, Mayor

ATTEST:


Sharon Blackstock, Interim City Clerk

EXHIBIT A

7-Eleven Property (650 Indiana Street)-

BEING TWO PARCELS OF LAND LOCATED IN THE SOUTHWEST ONE QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL ONE (MASSLAND PARCEL):

THE WEST 180 FEET OF THE NORTH 75 FEET OF THE SOUTH 150 FEET OF THE NORTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 6, EXCEPT THE WESTERNMOST 40 FEET THEREOF BEING A PART OF INDIANA STREET.

The foregoing legal description was prepared by Michael J. Connor, Property Manager, City of Lakewood based upon the deed recorded on October 29, 1976, at Book 2920 at Page 646 of the Jefferson County records.

PARCEL TWO (Southland Parcel):

THE WEST 180 FEET OF THE NORTH 15 FEET OF THE SOUTH 75 FEET OF THE NORTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 6, EXCEPT THE WESTERNMOST 40 FEET THEREOF BEING A PART OF INDIANA STREET.

The foregoing legal description was prepared by Michael J. Connor, Property Manager, City of Lakewood based upon the deed recorded on October 21, 1976, at Book 2669 at Page 302 of the Jefferson County records.

Total Station (685 Indiana Street)-

A PARCEL OF LAND BEING SITUATE IN THE SOUTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 42 THROUGH 48 INCLUSIVE, BLOCK 48, PLEASANT VIEW SECOND ADDITION, TOGETHER WITH THE EAST ONE-HALF OF THE VACATED ALLEY ADJACENT TO SAID LOTS.

SAID PARCEL BEING SITUATED IN THE COUNTY OF JEFFERSON, STATE OF COLORADO.

COPY

AGREEMENT FOR PAYMENT OF ACQUISITION COSTS

This Agreement is made and entered into this 21st day of March, 2001, between the **CITY OF LAKEWOOD** (hereinafter "City"), and **LENA GULCH METROPOLITAN DISTRICT** (hereinafter "District").

WHEREAS, the District was organized pursuant to a Consolidated Service Plan with Denver West Metropolitan District which sets forth the intent of the Districts to cooperate and coordinate with respect to improvements necessary for the Denver West area; and

WHEREAS, as a result of ongoing development within the District's boundaries and within the boundaries of Denver West Metropolitan District, the District is required to fund and construct public transportation improvements, various traffic and roadway facilities both within and without its boundaries (the "Public Improvements"); and

WHEREAS, the Public Improvements will require the acquisition of certain real property, as more specifically defined on Exhibit A, attached hereto and incorporated hereby (the "Property"); and

WHEREAS, the Property and the Public Improvements will become property of the City or the Colorado Department of Transportation upon completion of construction; and

WHEREAS, the City has agreed to coordinate acquisition of the same on behalf of the District, including exercise of the power of eminent domain, as the City may deem necessary; and

WHEREAS, the District desires to set forth its intent to pay to the City all costs related to acquisition of the Property and the terms under which any part or portion of the Property which is not necessary for the Improvements shall be conveyed to the District.

NOW, THEREFORE, City and District agree as follows:

1. The City and the District agree that in order to coordinate fully regarding the timing and terms of the acquisitions contemplated herein, there will be a weekly meeting between City representatives and District representatives. The City and the District shall discuss the priority schedule of acquisitions, the status of impending and current acquisitions and the terms therefor at such meeting. The City agrees that it shall not enter into negotiations for acquisition of all or any of the Property without the District's consent thereto.
2. The City shall proceed to enter negotiations for the acquisition of the Property. In the event any parcel of the Property may be acquired by voluntary sale, the District shall pay to the City the full purchase price within thirty (30) days of tender by the City of a fully executed purchase and sale agreement with owner of such parcel.

3. In the event negotiations for the acquisition of any parcel of the Property are unsuccessful and a petition in condemnation is filed, the District will pay to the City any sums necessary for a deposit to secure possession pursuant to C.R.S. 38-1-105(6) within thirty (30) days of the tender by the City of a fully executed possession and use agreement or of an order of immediate possession entered by the district court.
4. In addition to those sums to be paid to the City for its acquisition of the Property as provided in paragraphs 1-3 above, the District shall reimburse the City for all expenses associated with acquisition of the Property. Such expenses shall include, but shall not be limited to, attorneys' fees, appraisal fees, expert witness fees, surveying expenses, title company expenses, interpreters' expenses, litigation expenses, engineering services, and other related City expenses. The District shall reimburse such expenses within thirty (30) days of the tender by the City of bills, invoices, time records, or other evidence of such expenses.
5. Upon acquisition of all or any part of the Property, the Parties shall determine what portion of said Property is necessary for construction of the Improvements (the "Roadway Property"). The City agrees that it shall grant a temporary construction easement, in substantially the form attached hereto and incorporated hereby as Exhibit B, to the District for the Roadway Property so that the District may undertake all necessary construction of the Improvements. The portion of the Property not necessary for the construction of the Improvements (the "Remainder Property") shall be conveyed to the District under the following terms and conditions:
 - a. Conveyance by Special Warranty Deed. The City shall convey the Remainder Property to the District pursuant to a special warranty deed, in a form acceptable to the Parties, within thirty (30) days of the District's payment of the Purchase Price and the City's acquisition of all or any portion of the Property (the "Closing").
 - b. Evidence of Title. At any time prior to the conveyance of the Remainder Property as contemplated by Section 2(a), the District shall have the right, at its option and sole expense, to obtain a current commitment for an owner's policy of title insurance in an amount equal to that portion of the Purchase Price for the Remainder Property (the "Commitment"). Written notice by the District of unmerchantability of title or of any other unsatisfactory title conditions disclosed by such Commitment (the "Title Objection Notice") shall be delivered to the City prior to Closing; provided, however, that the District agrees to accept title, and the deed conveying title to the property to the District shall be, subject to easements, rights-of-way, covenants, conditions and restrictions of record which do not unreasonably and materially impair the District's ability to

utilize the Remainder Property for its intended use. In the event that the District shall provide a Title Objection Notice to the City, the City shall have the right, but not the obligation, to take reasonable steps to correct such title objections to the reasonable satisfaction of the District, all at the sole cost and expense of the District; provided further, however, that if such unsatisfactory title condition shall have been created by, through or under the City, then such corrective action, if any, shall be at the cost and expense of the City. The Parties agree that the District shall not be required to accept title to the property, and Closing shall not occur, so long as any title defects remain on the property to which the District shall have the right to object hereunder, but no such defects shall relieve the District of its obligation to pay the Purchase Price to the City as otherwise provided herein.

- c. Environmental Remediation. The Parties acknowledge that prior use of the Property may have resulted in contamination of the Property. The Parties agree that the District shall not accept delivery of a special warranty deed transferring ownership of the Remainder Property from the City until the point at which the District, in its sole discretion, makes written notice to the City of its request and intent to receive such delivery, which shall, in no event, be prior to the point at which all environmental remediation has been completed. Upon receipt of such notice, the City shall deliver the special warranty deed, conveying ownership of the Remainder Property to the District. Until written notice is made by the District to the City and delivery of the special warranty deed made as stated herein, the City shall retain all responsibilities associated with ownership of the Remainder Property, including but not limited to, responsibility associated with closure of any underground storage tanks and for remediation of any contamination on the Property. In connection therewith, the City shall be entitled to exercise all legally available rights to cause closure of the storage tanks and to cause remediation of such contamination to be performed by the former owners, leaseholders and sub-leaseholders, as deemed necessary. The District agrees that in the event the City pays any fees or expenses for investigation or remediation of contaminated soil, the District shall reimburse the City for all such fees or expenses. The District shall make such reimbursement within thirty (30) days of tender by the City of bills, invoices or other documentation of such fees or expenses.
- 

- d. Demolition and Site Preparation. Following a grant of possession of any portion of the Property, the City may undertake such demolition utility relocation, and site preparation as necessary for the construction of the Public Improvements with the consent of the District. The District agrees to reimburse the City for costs and expenses related to demolition and site preparation within thirty (30) days of tender by the City of bills, invoices or other documentation of such costs and expenses.
6. Inspection. At any time prior to Closing, the District or any designee, shall have the right to conduct inspections of the physical condition of the Remainder Property and shall provide to the City written notice of any unsatisfactory condition. The District is responsible for and shall pay for any damage which occurs to the Property as a result of such inspection.
7. Notice. Any notice to Buyer or Seller shall be effective three (3) days after deposit in the U.S. Mail or when received if sent by fax, courier or overnight delivery.
8. Term of Agreement. It is anticipated that the Purchase Price shall be paid in full on or before December 31, 2001. This Agreement shall automatically terminate on December 31, 2001, or at an earlier date, upon payment in full of the Purchase Price. In the event that the Property has not been completely acquired on or prior to the termination date, renewal of this Agreement for 2002 shall expressly be subject to annual appropriation of the District, and written notice of the same shall be provided to the City no later than January 1, 2002.
9. Modification of This Agreement. No subsequent modification of any of the terms of this Agreement shall be valid, binding upon the Parties, or enforceable unless made in writing and signed by the Parties.
10. Entire Agreement. This Agreement shall constitute the entire Agreement between the Parties relating to the subject hereof, and any prior agreements pertaining thereto, whether oral or written, have been merged and integrated into this Agreement.

Signed this 14th day of June, 2001.



CITY OF LAKEWOOD

By: [Signature]
Michael Rock, City Manager

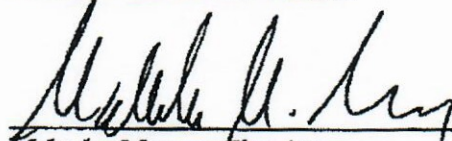
ATTEST:

By: [Signature]
City Clerk, City of Lakewood

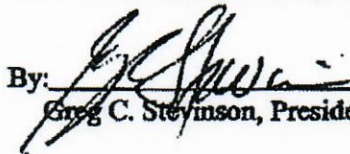
RECOMMENDED AND APPROVED:


Mike Conner, Property Manager
Department of Property Management
FINANCE

APPROVED AS TO FORM:


Malcolm Murray, City Attorney
Office of the City Attorney

LENA GULCH METROPOLITAN DISTRICT,
a Colorado quasi-municipal Corporation

By: 
Greg C. Stevinson, President

ATTEST:

By: 
Scott E. Stevinson, Secretary

Exhibit A
Lena Gulch Acquisition Parcels

Property Description	Address	Parcel Size Square Feet	Acquisition Type
Days Inn	15059 West Colfax Avenue	132,818	Partial
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Vacant Residential	10th Avenue & Hawthorne Street	10,500	Partial

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 9

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

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: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: JULY 13, 2026 / AGENDA ITEM NO. 9A

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

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: None

ATTACHMENTS: None

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

City Council Request for Operational Support/Prioritization



Submitted on	25 June 2026, 12:34PM
Receipt number	16
Related form version	8

Council member name(s)	Liz Black, Isabel Cruz.
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Enter email address to receive a copy of this submission	liz.black@lakewoodco.gov
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Please enter the request below

Request for Council Action: Purchase of Molholm Elementary School

We are requesting a City Council conversation to move forward the purchase of Molholm Elementary School located in Ward 2. It is known that Ward 2 has a significant shortage of parks and open space. The Molholm property represents a rare opportunity to address this need, and once the property is sold the ability to protect it as a community asset may be gone permanently.

Residents have expressed a strong desire to keep this property as a Lakewood community asset and to protect the green space that it offers, with multiple Ward 2 residents even mounting a letter-writing campaign to Council, Mayor and Staff.

Acquiring this property would provide lasting benefits for residents of all ages. It would create a space for recreation, gathering, and connection while preserving quality of life in an area that has been historically underserved by these amenities. As Ward 2 continues to grow and to support much of the density and housing growth in the City of Lakewood, protecting open spaces and community assets like this becomes even more critical.

A council conversation could include an executive session or other mechanism for moving this conversation forward as quickly as possible. Thank you.

Add files here if needed

City Council Request for Legislative Modifications



Submitted on	23 June 2026, 5:11PM
Receipt number	84
Related form version	8

Council member sponsor(s)	Paula Nystrom
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Enter email address to receive a copy of this submission	paula.nystrom@lakewoodco.gov
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Briefly describe the minor modification being requested	This proposed modification to the Lakewood Municipal Charter is to incorporate changes to the process for any proposed large scale rezoning changes (citywide or multi-neighborhood). The purpose of this section is to ensure that significant, citywide or multi-neighborhood zoning changes are conducted with transparency, adequate public notice, meaningful opportunity for public input, and consideration of existing neighborhood expectations.
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Provide history / background information that supports the request	SECTION 1. The Lakewood charter is hereby amended by adding Section 9.4 to Article IX as follows:
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ARTICLE IX – PLANNING AND ZONING

Section 9.4 – Large-Scale Rezoning: Notice, Public Engagement, and Neighborhood Protections

(a) Purpose.

The purpose of this section is to ensure that significant, citywide or multi-neighborhood zoning changes are conducted with transparency, adequate public notice, meaningful opportunity for public input, and consideration of existing neighborhood expectations.

(b) Large-Scale Rezoning Defined.

For purposes of this section, “Large-Scale Rezoning” means any legislative action, or combination of actions which occur within 180 days of each other, by the City Council that:

(1) Affects ten percent (10%) or more of residentially zoned parcels within the City; or

(2) Applies across multiple neighborhoods or zoning districts in a manner that broadly changes permitted residential uses or density.

(c) Notice Requirements.

Prior to the first public hearing on any proposed Large-Scale Rezoning, the City shall:

(1) Mail notice to property owners within the affected area no fewer than ninety (90) days prior to such hearing; and

(2) Provide public notice through the City's official website and other customary public notice methods.

Such notice shall include a plain-language summary of the proposal, maps of affected areas, and a general description of anticipated impacts.

(d) Public Engagement.

Prior to adoption of any Large-Scale Rezoning:

(1) The City shall conduct at least three (3) public meetings on separate dates; and

(2) Reasonable opportunities for public comment shall be provided.

(e) Council Approval.

No Large-Scale Rezoning shall be adopted except upon the affirmative vote of at least two-thirds (2/3) of all members of the City Council.

(f) Home Rule Authority.

The City of Lakewood is a home rule municipality under Article XX of the Colorado Constitution and possesses the full right of self-government in matters of local concern, including land use and

zoning.

The provisions of Section 9.4 are adopted pursuant to such home rule authority and are intended to govern local land use decisions within the City.

It is the intent of this section that the requirements established herein shall apply to the fullest extent permitted under the Colorado Constitution and shall not be construed to be limited or superseded by state law unless such state law is determined to be controlling under applicable constitutional standards.

(g) Preservation of Existing Residential Zoning Expectations.

(1) Intent.

It is the intent of this subsection to preserve the reasonable expectations of property owners regarding the use and development of residential property as established under the City's zoning regulations in effect at the time of adoption of this subsection.

(2) Baseline Zoning.

Residential properties zoned for single-family use as of the effective date of this subsection shall retain the uses permitted under such zoning classifications at that time, unless modified in accordance with this section.

(3) Applicability of Large-Scale Rezoning Requirements.

Any legislative action that would broadly alter permitted residential uses or density within areas zoned for single-family residential use shall be subject to all requirements of this Section 9.4.

(4) No Limitation on Individual Property Rights.

Nothing in this subsection shall prohibit a property owner from seeking rezoning or land use approvals applicable to their individual property.

SECTION 2. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided such remaining portions or application of the Ordinance are not

determined by the court to be inoperable.

SECTION 3. This Ordinance shall take effect immediately following certification of the election results by the designated election official

If it needs expedited handling, please provide an explanation why

Please expedite this request, is intended for discussion under General Business on the July 13th meeting regular city council meeting.

Attach file if needed