City of Littleton
Meeting Agenda
City Council

Tuesday, July 7, 2020  6:30 PM

Virtual Regular Meeting

Viewing and Participation Options for Virtual Meetings:

Due to COVID-19, the City of Littleton is providing virtual coverage of city council meetings to protect the health of citizens, council members and staff. Meetings will not be held in the council chamber until further notice.

Options for viewing and participating in city council meetings are as follows: watch the live telecast on Comcast or Century Link Channel 8, live on Facebook (www.Facebook.com/CityofLittleton), or visit www.littletongov.org/channel8 to watch the live stream on the city’s website.

To provide written remarks during the Public Comment part of the agenda, or to comment on an agenda item during a Public Hearing, submit a statement using the Agenda Item Comment Form at www.littletongov.org/agenda-comment. Comments received prior to 4 p.m. on the date of the council meeting will be presented to the mayor and council members.

To provide live comments during the meeting, use one of the following phone numbers to call in: 669-900-6833 (or) 346-248-7799 (or) 408-638-0968. When prompted, enter the Webinar ID: 953 2785 4717. Contact the City Clerk’s Office at 303-795-3780 with any questions regarding this process.

*NOTE*: Comments left on Facebook Live will not be moderated, and will not be included in the meeting minutes. Those wishing to participate in any public comment portion of the meeting are advised to view the meeting here: https://www.littletongov.org/my-littleton/littleton-8-tv. This broadcast has the least amount of delay.

1. Roll Call

2. Approval of Agenda

3. Comments / Reports
   a) City Manager
   b) City Attorney
   c) Council Members
   d) Mayor

Revised 7/6 to reflect new Webinar ID
4. Citizen Appearances - None

5. Public Comment

Citizens wishing to provide public comment prior to the meeting, or who wish to participate via phone, please see instructions listed at the top of the agenda.

6. Consent Agenda Items

Consent agenda items can be adopted by a simple motion. All ordinances must be read by title prior to a vote on the motion. Any consent agenda item may be removed at the request of a Council Member.

a) **Ordinance 24-2020**

Ordinance 24-2020: An ordinance on first reading amending Title 10, Chapter 6, Section 4 (B) (1) of the Municipal Code in order to reference the most recent Federal Emergency Management Agency Flood Insurance Study and Flood Insurance Rate Map

*Attachments:*

1. Ordinance No. 24-2020
2. FEMA Letter of Final Determination
3. Littles Creek FEMA Floodplain Update

b) **ID# 20-167**

Approval of the June 16, 2020 virtual regular meeting minutes

*Attachments:*

1. 06-16-2020 - CC Minutes - DRAFT

7. General Business - None

8. Ordinances on Second Reading and Public Hearing

a) **Ordinance 25-2020**

Ordinance 25-2020: An ordinance on second reading amending Ordinance No. 25, series of 2019, known as the Annual Appropriation Bill

*Attachments:*

1. Ordinance No. 25-2020
2. Presentation_Ord_25-2020

9. Adjournment

The public is invited to participate in, and/or attend, all regular meetings or study sessions of the City Council or any city Authority, Board or Commission. All city buildings are currently closed to the public and meetings will be conducted virtually.
File #: Ordinance 24-2020, Version: 1

Agenda Date: 07/07/2020

Subject:
Ordinance 24-2020: An ordinance on first reading amending Title 10, Chapter 6, Section 4 (B) (1) of the Municipal Code in order to reference the most recent Federal Emergency Management Agency Flood Insurance Study and Flood Insurance Rate Map

Prepared by: Carolyn R Roan, Water Resource Manager

PURPOSE:
Does council wish to approve Ordinance 24-2020 to adopt the most recent Federal Emergency Management Agency Flood Insurance Study and Flood Insurance Rate Map?

PRESENTATIONS:
Staff Presenter(s): Carolyn R Roan, Water Resource Manager, Public Works Department
Additional Presenter(s): None

SUMMARY:
The Mile High Flood District (MHFD) updated the floodplain study for Little’s Creek in a Flood Hazard Area Delineation Study dated July 2012. The updated study was sent to the Federal Emergency Management Agency (FEMA) as a Physical Map Revision (PMR) to update the Flood Insurance Study and Flood Insurance Rate Map(s) for Littles Creek and a number of other drainageways in the Denver Metropolitan Area in January 2016. After significant delays (unrelated to Little’s Creek), the PMR was recently approved by FEMA and is to be effective on September 4, 2020. The City of Littleton has been a participating National Flood Insurance Program (NFIP) community since 1978 when the first floodplain maps were created in the City. Participating communities in the NFIP are required to update their floodplain regulations to adopt new mapping and studies, prior to the effective date. Littleton was notified of this requirement by letter on March 4, 2020. The floodplain regulations update will include changing the date of the FEMA Flood Insurance Study referenced in Municipal Code 10-6-4(B)(1) to September 4, 2020.

PRIOR ACTIONS OR DISCUSSIONS:
City Council adopted the floodplain study for Little’s Creek on May 21, 2013. There have been no other discussions.

ANALYSIS:
Staff Analysis
In order to remain in good standing within the NFIP, which makes flood insurance available to residents and emergency funding in case of federal disaster, updating the floodplain regulations to reference the most current FEMA report is required. The floodplain revisions being adopted by FEMA affects Little’s Creek. MHFD, FEMA, and the city conducted public outreach regarding the FEMA map change via letters in November 2016 and January 2017, and a public meeting in January 2017 advertised by postcard.
change was also published in the Federal Register and Littleton Independent on May 19, 2017 as required by FEMA. Certain interested residents have been kept informed of the process since then.

Council Goal, Objective, and/or Guiding Principle
This ordinance change addresses Goal 2 Objective 1 (maintaining existing programs; NFIP participation), and Goal 3 Objective 3 (strategic partnership with FEMA).

Fiscal Impacts
There is no fiscal impact to the City with this update to floodplain regulations. Remaining within the NFIP is a financial benefit to Littleton residents and to the city should there be a federal disaster. There may be fiscal impact to residents whose property is impacted by the FEMA floodplain change, through flood insurance premiums.

Alternatives
Not approving this ordinance would jeopardize the city’s standing in the NFIP, which would impact residents’ ability to obtain flood insurance and emergency funding.

Approving this ordinance maintains the city standing in the NFIP.

STAFF RECOMMENDATION:
Staff recommends approval of Ordinance 24-2020.

PROPOSED MOTION:
I move to approve Ordinance 24-2020 on first reading and set the second reading and public hearing for July 21, 2020.
AN ORDINANCE OF THE CITY OF LITTLETON, COLORADO, AMENDING TITLE 10 CHAPTER 6 SECTION 4 (B)(1) OF THE MUNICIPAL CODE IN ORDER TO REFERENCE THE MOST RECENT FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAP

WHEREAS, the City of Littleton has been a participating community in the National Flood Insurance Program since 1978, when floodplain maps were established in the City; and

WHEREAS, the Mile High Flood District (MHFD), formerly known as Urban Drainage and Flood Control District updated the floodplain study for Littles Creek in July 2012; and

WHEREAS, the Federal Emergency Management Agency approved the MHFD study with a revision to the Floodplain Insurance Study and Floodplain Insurance Rate Map for Arapahoe County, to be effective on September 4, 2020; and

WHEREAS, the City of Littleton must adopt the new floodplain study to remain in the National Flood Insurance Program as notified on March 4, 2020.

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

Section 1: Title 10, Chapter 6, Section 4(B)(1) is amended to read as follows:

10-6-4: General Provisions; Land to which this regulation applies, basis for establishing floodplains

(A) These regulations shall apply to all lands, located in and immediately adjacent to floodplains, within the jurisdiction of the city of Littleton as established under Subsection (B) of this section.

(B) Basis for Establishing Floodplains. Floodplains and Special Flood Areas shall be the boundary of the 100-year floodplain (1% chance floodplain). The extent of this area shall be based upon the best available information including:
1. Floodplains and Special Flood Areas are identified by FEMA in a scientific report entitled, "The Flood Insurance Study For Arapahoe County And Incorporated Areas" dated April 18, 2018, September 4, 2020, and accompanying flood insurance rate maps (FIRMs). This report, and any subsequent amendments thereto, are hereby adopted and declared to be a part of these regulations by this reference.

The flood insurance study and FIRMs are on file and are available for public inspection during regular business hours at the following locations:

a. Engineering And Utilities Division, Public Works Department, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado;

b. Bemis Public Library, 6014 South Datura Street, Littleton, Colorado

Section 2: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

Section 3: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the 7th day of July, 2020, passed on first reading by a vote of ___ FOR and ___ AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 21st day of July, 2020, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of ___
ORDINANCE NO. 24 SERIES OF 2020

Page 3

FOR and ___ AGAINST on the 21st day of July 2020 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

____________________  ______________________
Colleen L. Norton     Jerry Valdes
CITY CLERK           MAYOR

APPROVED AS TO FORM:

____________________
Reid Betzing
CITY ATTORNEY

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March 4, 2020

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:  
115-I

The Honorable Jerry Valdez  
Mayor, City of Littleton  
2255 West Berry Avenue  
Littleton, Colorado 80120

Community Name: City of Littleton,  
Arapahoe County,  
Colorado

Community No.: 080017  
Map Panels Affected: See FIRM Index

Dear Mayor Valdez:

On June 15, 2017, you were notified of proposed modified flood hazard determinations affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Arapahoe County, Colorado and Incorporated Areas. The statutory 90-day appeal period that was initiated on June 29, 2017, when the Department of Homeland Security’s Federal Emergency Management Agency (FEMA) published a notice of the proposed flood hazard determinations for your community in The Villager has elapsed. The flood hazard determinations for your community may include the addition of and/or modifications to Base Flood Elevations, base flood depths, Special Flood Hazard Areas (SFHAs), zone designations, and regulatory floodways. SFHAs are the areas subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

FEMA did not receive any appeals of the proposed flood hazard determinations. Any comments and concerns about the FIRM and FIS report submitted to FEMA have been addressed and resolved. Therefore, the determination of the Agency as to the flood hazard information for your community is considered final. FEMA will publish a notice of final flood hazard determinations in the Federal Register as soon as possible. The FIRM for your community will become effective as of September 4, 2020 and will revise the FIRM and FIS report that were in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the panels being revised are indicated on the maps and must be used for all new policies and renewals. Final printed copies of the report and maps will be mailed to you before the effective date.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the FIRM and FIS report for your community made by this map revision, certain additional requirements must be met under Section 1361 of the 1968 Act, as amended, within 6 months from the date of this letter. Prior to September 4, 2020, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(d) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(d) of the NFIP regulations must
be enacted in a legally enforceable document. This includes the adoption of the effective FIRM and FIS report to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(d);

2. Adopting all the standards of Paragraph 60.3(d) into one new, comprehensive set of regulations; or

3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the 1973 Act as amended.

A Consultation Coordination Officer (CCO) has been designated to assist your community with any difficulties you may be encountering in enacting the floodplain management regulations. The CCO will be the primary liaison between your community and FEMA. For information about your CCO, please contact:

Ms. Jeanine Petterson
Director, Mitigation Division
FEMA, Region VIII
Denver Federal Center, Building 710
P.O. Box 25267
Denver, Colorado 80225-0267
(303) 235-4830

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letters of Map Change (LOMCs) (i.e., Letters of Map Amendment [LOMAs], Letters of Map Revision [LOMRs]) that will be superseded when the revised FIRM panels become effective. Information on LOMCs is presented in four categories: (1) LOMCs that have been included on the revised FIRM panels; (2) LOMCs that have not been shown on the revised FIRM panels because of scale limitations or because the LOMC that was issued had determined that the lots or structures involved were outside the SFHA shown on the FIRM; (3) LOMCs that have not been included on the revised FIRM panels because they are being superseded by new detailed flood hazard data; and (4) LOMCs that will be re-determined. The LOMCs in Category 2 of this form are revalidated through a single letter that reaffirms the validity of a previously issued LOMC. LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures have changed (Category 4) cannot be revalidated through this administrative process. However, we will review the data which were previously submitted as part of the original LOMA or LOMR request and issue a new determination for the subject properties after the FIRM effective date.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our FEMA Map Information eXchange (FMIX), toll free, at (877) 336-2627
(877-FEMA MAP). In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

Please submit your existing or draft ordinance to the Office of the State NFIP Coordinator within one month to the attention of Mr. Doug Mahan. Mr. Mahan will review the ordinance, work with your community to develop a compliant ordinance, and submit the compliant ordinance to FEMA Region VIII for approval. Once you have received feedback and adopt the ordinance, you should also mail a complete, signed official copy of the adopted ordinance to the office before the effective date. Email submissions are preferred, though full contact information follows:

Mr. Doug Mahan  
Community Assistance Program Coordinator  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, Colorado 80203  
Phone: (303)-866-3441 x3221  
doug.mahan@state.co.us

The FEMA Region VIII staff is also available to assist you with your floodplain management measures and may be contacted by telephone at (303)-235-4830. If you have any questions concerning mapping issues in general or the enclosed SOMA, please call our FMIX at the toll free number provided above. Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as The National Flood Insurance Program Code of Federal Regulations, Answers to Questions About the National Flood Insurance Program, Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures, Use of Flood Insurance Study (FIS) Data as Available Data, and National Flood Insurance Program Elevation Certificate and Instructions, can be found on our website at https://www.fema.gov/letter-final-determination. Paper copies of these documents may also be obtained by calling our FMIX.

Sincerely,

[Signature]

Luis Rodriguez, P.E., Director  
Engineering and Modeling Division  
Federal Insurance and Mitigation Administration

Enclosure:  
Final SOMA

cc: Community Map Repository  
   Ms. Carolyn Roan, Water Resource Manager, City of Littleton
FINAL SUMMARY OF MAP ACTIONS

Community: LITTLETON, CITY OF Community No: 080017

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the effects of the enclosed revised FIRM panels(s) on previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs), Letter of Map Revision based on Fill (LOMR-Fs), and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on September 4, 2020.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

<table>
<thead>
<tr>
<th>LOMC</th>
<th>Case No.</th>
<th>Date Issued</th>
<th>Project Identifier</th>
<th>Original Panel</th>
<th>Current Panel</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>NO CASES RECORDED</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels or will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.
# FINAL SUMMARY OF MAP ACTIONS

**Community:** LITTLETON, CITY OF  
**Community No:** 080017

## 2A. LOMCs on Revised Panels

<table>
<thead>
<tr>
<th>LOMC</th>
<th>Case No.</th>
<th>Date Issued</th>
<th>Project Identifier</th>
<th>Original Panel</th>
<th>Current Panel</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOMA</td>
<td>96-08-361A</td>
<td>09/17/1996</td>
<td>INTERURBAN ADDITION, PORTION OF TRACT 47, BLOCK 4, LOT 5; CASTLE HIGTS, BLOCK 1, LOT 10; LINCOLN SUBD</td>
<td>0800170010D</td>
<td>08005C0451L</td>
</tr>
<tr>
<td>LOMR-F</td>
<td>97-08-194A</td>
<td>04/04/1997</td>
<td>BROADMOOR 3RD FILING, BLOCK 16, LOT 5-- 37 WEST BROADMOOR DRIVE</td>
<td>0800170010D</td>
<td>08005C0451L</td>
</tr>
<tr>
<td>LOMA</td>
<td>02-08-020A</td>
<td>12/21/2001</td>
<td>WINDERMERE GARDENS 2ND ADDITION, BLOCK 54, LITTLETON BAPTIST CHURCH -- 1402 CALEY AVENUE</td>
<td>0800170010D</td>
<td>08005C0432L</td>
</tr>
<tr>
<td>LOMR-F</td>
<td>03-08-0441A</td>
<td>07/09/2003</td>
<td>FOX STREET AT PROGRESS PARK -- PORTION OF SECTION 15, T5S, R68W, 6TH P.M.</td>
<td>0800170010D</td>
<td>08005C0451L</td>
</tr>
<tr>
<td>LOMA</td>
<td>11-08-0444A</td>
<td>03/08/2011</td>
<td>(70-RS) BROADMOOR, THIRD FILING, BLOCK 16, LOT 5 -- 37 WEST BROADMOOR DRIVE</td>
<td>08005C0451K</td>
<td>08005C0451L</td>
</tr>
<tr>
<td>LOMA</td>
<td>11-08-0597A</td>
<td>04/28/2011</td>
<td>(70-RS) Euclid Heights, 2nd Filing, Block 6, Lot 14 -- 593 W. Sterne Parkway</td>
<td>08005C0451K</td>
<td>08005C0451L</td>
</tr>
<tr>
<td>LOMA</td>
<td>12-08-0502A</td>
<td>05/03/2012</td>
<td>CONWAY ADDITION, A PORTION OF LOT 10 -- 5675 SOUTH WASHINGTON STREET (GARAGE)</td>
<td>08005C0451K</td>
<td>08005C0451L</td>
</tr>
<tr>
<td>LOMA</td>
<td>15-08-0370A</td>
<td>01/08/2015</td>
<td>MAPLE RIDGE, BLOCK 3, LOT 1 -- 6700 SOUTH DELAWARE STREET</td>
<td>08005C0451K</td>
<td>08005C0451L</td>
</tr>
<tr>
<td>LOMA</td>
<td>19-08-1009A</td>
<td>10/02/2019</td>
<td>SECTION 22, T5S, R68W -- 6000 SOUTH BROADWAY</td>
<td>08005C0451K</td>
<td>08005C0451L</td>
</tr>
</tbody>
</table>

## 2B. LOMCs on Unrevised Panels

<table>
<thead>
<tr>
<th>LOMC</th>
<th>Case No.</th>
<th>Date Issued</th>
<th>Project Identifier</th>
<th>Original Panel</th>
<th>Current Panel</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOMA</td>
<td>09-06-0572A</td>
<td>07/28/2009</td>
<td>HIGHLANDS SUBDIV, BLOCK 6, LOT 1 -- 3512 EAST PHILLIPS CIRCLE</td>
<td>0800170010D</td>
<td>08005C0454K</td>
</tr>
</tbody>
</table>
3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new or revised flood hazard information. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

<table>
<thead>
<tr>
<th>LOMC</th>
<th>Case No.</th>
<th>Date Issued</th>
<th>Project Identifier</th>
<th>Reason Determination Will be Superseded</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>NO CASES RECORDED</td>
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</table>

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.
6. Superseded by another LOMC.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and if appropriate issue a new determination for the affected properties after the effective date of the revised FIRM.

<table>
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<tr>
<th>LOMC</th>
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</table>
Legend
- Revised floodplain
- Current floodplain

Littles Creek FEMA floodplain update
July 2012
Agenda Date: 07/07/2020

Subject:
Approval of the June 16, 2020 virtual regular meeting minutes

Prepared by: Colleen L. Norton, City Clerk

RECORDING SECRETARY’S CERTIFICATION:
I hereby certify that the attached minutes are an accurate representation of motions made and action taken at the June 16, 2020 virtual regular meeting of the city council. I have also reviewed the video recording for the June 16, 2020 virtual regular meeting of the Littleton City Council and certify that the video recording is a full, complete, and accurate record of the proceedings and there were no malfunctions in the video or audio functions of the recording.

PROPOSED MOTION:
I move to approve the minutes for the June 16, 2020 virtual regular meeting of the Littleton City Council.
City of Littleton

Meeting Minutes - Draft

City Council

Tuesday, June 16, 2020

6:30 PM

Virtual Regular Meeting

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1. Roll Call

   Present: 7 - Mayor Valdes, Council Member Driscoll, Council Member Elrod, Council Member Fey, Mayor Pro-Tem Melin, Council Member Milliman and Council Member Grove

2. Approval of Agenda

3. Comments / Reports

   a) City Manager

   Update on Weekends on Main; have had generally positive response/reaction to the event. Update on CARES Act related to conversations with other City Managers and Economic Development departments. Have had an opportunity for a second round of business grants and may have an opportunity for a third round as well. Discussion about the variance process through the county.

   b) City Attorney

   New state guidelines, which will go in to effect on Thursday of this week, may allow for bars to open at a reduced capacity. Proposed guidelines for reopening indoor spaces which may allow for the interior of the museum to open.
c) Council Members

Council Member Driscoll - Attended the RISE meeting today along with Mayor Valdes. Feedback on Weekends on Main was very positive. Hope people continue to come down and enjoy Downtown Littleton this weekend.

Council Member Elrod - Littleton Arts and Culture Commission met last Thursday. Conducting a working "inventory" of arts organizations in the city, both for profit and non-profit. Attended Weekends on Main on Saturday. It was well attended and people seemed to be enjoying themselves.

Council Member Fey - Follow-up on June 2 study session regarding four and five story buildings (over 60 feet). There are no buildings in downtown that meet are this height other than parts of Arapahoe Community College, the Arapahoe County building and the Old Mill structure.

Council Member Grove - Attended Weekends on Main on Sunday afternoon. Restaurants were busy. Quite a bit of activity without it being overwhelming. Members of the Historical Preservation Board are getting together in small groups and walking downtown to develop a study on the character of downtown. Next Generation Advisory Committee met last week. Will be dividing into sub-committees to discuss various aspects of Envision Littleton. The sub-committees will focus on the Zoning and Code Updates, Environment and Sustainability, and Diversity and Inclusivity. One member has resigned from the committee.

Council Member Milliman - Congratulations to Kelli Narde and her staff for pulling together Weekends on Main in a very short period of time. Have heard great feedback. If you have not already completed your census, please do. Housing Task Force is up and running. Will be very engaged in the ULUC process.

Mayor Pro Tem Melin - Notified today that the Santa Fe planning and environmental linkages project is underway. Participated in the Downtown Character tour with Rick Cronenberger from the Historical Preservation Board last week. Coincided with the first Weekends on Main. Was nice to see that part of town coming back to life. Applaud the NGAC's choices of sub-committees. This coming Thursday (June 18) at 6:30 p.m. at Sterne Park by the playground there will be a Black Lives Matter community solidarity walk to the courthouse. It's designed to be a family friendly event. It will be a 1.3 mile walk. Social distancing will be practiced. I've been invited to speak at that and it's my privilege. Thank you to the Littleton Police Department for their participation.

d) Mayor

Thank you to Council Member Elro for getting the Littleton Arts and Culture Commission of to a great start. Thank you to Council Member Grove for your participation with the Next Generation Advisory Committee. Attended Weekends on Main. People were respectful about social distancing. Bemis Library has some incredible things going on for kids right now, reading stories on YouTube videos. Attended a homelessness meeting with the Metro Mayors and CHAFA. CHAFA will have approximately seven (7) million dollars to use over a two-year period for rents and fees related to that. Distribution process is unclear but it's expected that funds will run through local housing authorities.

4. Citizen Appearances - None
5. Public Comment

Citizens wishing to provide public comment prior to the meeting, or who wish to participate via phone, please see instructions listed at the top of the agenda.

Pam Chadbourne - Appreciates the explicit reading of how citizens can participate in meetings, but the online video lags the audio on the phone by about a minute. Concerns about the proposed code changes for downtown.

Frank Atwood - Proposed a bet with city leaders with regard to the character of Littleton Blvd.

Emily (near Options High School) - Has the City Council made any statements/anti-racism commitment for the city.

6. Consent Agenda Items

a) Resolution 52-2020: Authorizing a grant application to the Denver Regional Council of Governments for the Broadway Fiberoptic Communications for Regional Traffic Operations project

   approved

b) ID# 20-160: Approval of the June 2, 2020 virtual regular meeting minutes

   approved

Approval of the Consent Agenda

   Council Member Elrod moved and Council Member Driscoll seconded to approve consent agenda items a and b. The vote is 7-0. The motion carries unanimously.

   Aye: 7 - Mayor Valdes, Council Member Driscoll, Council Member Elrod, Council Member Fey, Mayor Pro Tem Melin, Council Member Milliman and Council Member Grove

7. General Business

a) Ordinance 25-2020: An ordinance on second reading amending Ordinance No. 25, series of 2019, known as the Annual Appropriation Bill

   Council Member Elrod moved and Council Member Milliman seconded to approve Ordinance 25-2020 on first reading and to set the second reading and public hearing for July 7, 2020. The vote is 7-0. The motion carries unanimously.

   Aye: 7 - Mayor Valdes, Council Member Driscoll, Council Member Elrod, Council Member Fey, Mayor Pro Tem Melin, Council Member Milliman and Council Member Grove

8. Ordinances on Second Reading and Public Hearing

a) Ordinance 23-2020: An ordinance on second reading approving of designation of the Littleton Post Office located at 5753 S. Prince Street as a historic landmark

   Mayor Valdes opened the public hearing at 7:49 p.m.
Frank Atwood - in favor

Pam Chadbourne - in favor

Mayor Valdes closed the public hearing at 7:55 p.m.

Council Member Grove moved and Council Member Elrod seconded to approve Ordinance 23-2020 on second reading, approving designation of the Littleton Post Office as a historic landmark. The vote is 7-0. The motion carries unanimously.

Aye: 7 - Mayor Valdes, Council Member Driscoll, Council Member Elrod, Council Member Fey, Mayor Pro Tem Melin, Council Member Milliman and Council Member Grove

9. Adjournment

Mayor Valdes adjourned the meeting at 8:02 p.m.

The public is invited to participate in all regular meetings or study sessions of the City Council or any city Authority, Board or Commission. All city buildings are currently closed to the public and meetings will be conducted virtually.
File #: Ordinance 25-2020, Version: 2

Agenda Date: 07/07/2020

Subject:
Ordinance 25-2020: An ordinance on second reading amending Ordinance No. 25, series of 2019, known as the Annual Appropriation Bill

Prepared by:  Stacey Covington, Budget Analyst

PURPOSE:
Does city council support amending the 2020 annual appropriation for the receipt and disbursement of CARES Act funding related to the coronavirus (COVID-19) pandemic?

PRESENTATIONS:
Staff Presenter(s): Tiffany Hooten, Finance Director
Additional Presenter(s): N/A

SUMMARY:
The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated $150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories; and Tribal governments.

The populations of Arapahoe and Jefferson Counties are more than 500,000, allowing both counties to qualify and receive a distribution of $114.75m from the Treasury Department. It was determined these funds could be shared with cities within the counties. Both counties have established separate processes for declaring and reporting eligible expenditures under the CARES Act for cities in both jurisdictions. Portions of Littleton are located in Arapahoe and Jefferson counties and therefore Littleton is eligible for funding from both counties. The city is expected to receive $4,409,413 of CARES Act funds.

PRIOR ACTIONS OR DISCUSSIONS:
Council approved the intergovernmental agreements regarding the CARES Act local government distributions with Arapahoe and Jefferson Counties at the May 19, 2020 council meeting. CARES Act funds and potential eligible costs related to COVID-19 were further discussed during the study session held on May 26, 2020.

Passed on first reading on June 16, 2020.

ANALYSIS:
Staff Analysis
Understanding the needs of municipalities, and although it is not required, both Arapahoe and Jefferson County will be distributing funds to cities within their counties provided the transfer qualifies as a necessary expenditure incurred due to the public health emergency and is consistent with the other criteria of section 601(d) of the Social Security Act outlined in the Guidance.
Both counties followed the distribution method as prescribed by the CARES Act by distributing funds based on a 55/45 split with the County receiving 55% of the funds and allocating 45% to municipalities based on population. Based on these formulas, the City of Littleton is eligible for up to $4.4m for eligible incurred expenses for the period of March 1, 2020 through December 30, 2020.

While the U.S. Treasury has issued limited guidance regarding reimbursable expenses, it made clear the initial recipient of funds (Arapahoe and Jefferson Counties) will be responsible for the fiduciary requirements of implementation. With the counties being the custodian of these funds and having fiduciary and reporting responsibilities, they will have final determination on eligible uses for these funds. Both counties have provided a process for advancement/reimbursement of funds and guidance to align with reporting requirements. Staff has been working with both counties on this process. Expenditures will be reviewed and approved by the counties to ensure compliance with the funding requirements.

A budget amendment is needed for both the revenue and related expenditures for the CARES Act funds. This budget amendment will formally appropriate the full amount of anticipated CARES Act funds in the grants fund to be received from both counties.

The first phase of potential CARES Act expenditures was presented and supported by council in the amount of $1,182,000. Staff is working with the county for approval of eligible expenditures in phase I. An update of CARES Act funds is scheduled for June 23, 2020 to include recommendations of potential expenditures for the next phase.

Council Goal, Objective, and/or Guiding Principle
Goal 2: Financial Sustainability

Fiscal Impacts
The city has been allocated $4,199,211 from Arapahoe County and $210,202 from Jefferson County for a total funding level of $4,409,413. There is no impact to estimated ending fund balances for 2020 since the additional appropriation from this ordinance will be fully offset by corresponding revenues from the counties.

This amendment will appropriate funds in the Grants Fund.

Alternatives
1. Approve amendment as presented.
2. Do not approve the amendment, thus delaying availability of the CARES Act funds for spending and reimbursement.

STAFF RECOMMENDATION:
Staff recommends approval of the amendment to the 2020 annual appropriation bill.

PROPOSED MOTION:
I move to approve the ordinance on second reading amending the 2020 annual appropriation bill.
CITY OF LITTLETON, COLORADO

ORDINANCE NO. 25

Series, 2020


WHEREAS, Ordinance No. 25, Series of 2019 established the annual appropriation for municipal purposes for the City of Littleton, Colorado; and

WHEREAS, Ordinance No. 9, Series of 2020 amended the annual appropriation for municipal purposes for the City of Littleton, Colorado; and

WHEREAS, appropriations have theretofore been made for the expenditures of monies pursuant to said budget; and

WHEREAS, the necessity of receiving and expending additional monies from the grant fund could not have been reasonably anticipated during the time of adoption of the budget and appropriation of funds in accordance therewith.

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

Section 1: The budget of the City of Littleton for the fiscal year beginning January 1, 2020, and ending December 31, 2020, is hereby amended by additions to the following fund:

<table>
<thead>
<tr>
<th>FUND</th>
<th>EXPENDITURES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grants Fund</td>
<td>$4,409,413</td>
</tr>
</tbody>
</table>

Section 2: The provisions of the annual appropriations Ordinance No. 25, Series of 2019, are hereby amended with the total of all fund expenditures amended to $80,707,316.

Section 3: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.
Section 4: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the 16th day of June, 2020, passed on first reading by a vote of 7 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 7th day of July, 2020, in the Council Chamber\(^1\), Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of _____ FOR and _____ AGAINST on the 7th day of July, 2020 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

__________________________  ______________________________
Colleen L. Norton           Jerry Valdes
CITY CLERK                 MAYOR

APPROVED AS TO FORM:

_________________________
Reid Betzing
CITY ATTORNEY

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\(^1\) Due to COVID19, the City of Littleton is providing virtual coverage of city council meetings to protect the health of citizens, council members and staff. Meetings will not be held in the council chamber until further notice.
Purpose

Ordinance on second reading amending the 2020 annual appropriation for CARES Act funds.
CARES Act Funds

• CARES Act provided funding to populations of 500,000+
• Arapahoe County and Jefferson County have received funds
• Both counties have opted to distribute to cities within their jurisdictions
• Distributions to cities follow the Federal distribution method 55% (county)/45% (cities)
• Distribution of $4,409,413 to Littleton
• Both IGA’s were approved by council on May 19, 2020
• Potential eligible costs were further discussed during the May 26, 2020 study session
• Counties are custodians of the funds and have fiduciary and reporting responsibilities
• Counties have final determination on eligible expenditures
• Defined reporting requirements for cities
Use of Funds

- Defined uses per CARES Act:
  1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19);
  2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government;
  3. were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.
Use of Funds (cont.)

• U.S. Treasury noted expenses:
  • must be necessary due to the public health emergency (both direct response and second-order effects);
  • may not be used to offset lost tax revenue; and
  • unspent funds as of Dec. 30, 2020 must be returned.

• Ineligible expenses
  • Clarification of eligible expenditures is pending
  • Initial review of potential expenditure results
Fiscal Impacts

• Allocation to Littleton - $4,409,413
  • Arapahoe County - $4,199,211
  • Jefferson County - $210,202

• No impact to fund balance due to revenue offset

• This budget amendment of $4,409,413 will appropriate funds in the Grants Fund
Alternatives

• Approve amendment as presented
• Do not approve the amendment, thus delaying availability of the CARES Act funds for spending and reimbursement
Staff Recommendations

• Staff recommends approval of the amendment to the 2020 annual appropriation bill.
Questions?