

STUDY SESSION NOTES

CITY OF WHEAT RIDGE, COLORADO

City Council Chambers 7500 W. 29th Avenue

February 5, 2018

Mayor Bud Starker called the Study Session to order at 6:30 p.m.

Council members present: Monica Duran, Zachary Urban, George Pond, Kristi Davis, Tim Fitzgerald, Larry Mathews, Leah Dozeman

Absent: Janeece Hoppe

Also present: City Clerk, Janelle Shaver; City Manager, Patrick Goff; Parks and Recreation Director, Joyce Manwaring; Police Chief Daniel Brennan; Administrative Services Director, Heather Geyer; Public Works Director, Scott Brink; guests and interested citizens

1. Staff Report(s) none

2. Citizen Sustainability Committee Quarterly Update –

Members of the Wheat Ridge Environmental Sustainability Committee (WRESC) were present to update the Council on the progress of their work. Leaders Amy DePierre and Joy Opp gave a slide presentation.

Amy DePierre reviewed the six areas of concern (in **bold** below) and reported WRESC is still in the process of refining the details of their recommendations.

- The committee has met every other week since last June.
- Phase 1 (preliminary background work) concluded in September – the last time WRESC reported to Council.
- Phase 2 is in progress. They've divided into small groups and had 4 meetings each.
- Final recommendations will be presented in June.
- Other accomplishments include
 - WRESC pages on the City website.
 - Three published articles
 - Regular social media outreach
 - Recently applied to Xcel's Partners in Energy Program
- **Communication and engagement**
 - They are engaging the community about why sustainability is important and how it will improve everyone's quality of life.
 - A variety of outreach tools can be used to communicate the WRESC goals.
 - They've identified existing programs they consider valuable to their mission.
 - One recommendation is a Green Business Award to be given annually by Council.

Joy Opp explained the goals and action items for the remaining five topic areas.

- **Renewable Energy**
- **Water**
- **Solid Wastes and Recycling**
- **Transportation**
- **Green Building and Energy Efficiency**

They have developed a "Why?", Goals and Strategies for each topic. The final report will be in May.

Council questions

Councilmember Pond thanked the committee members and pledged continued support. Councilmember Fitzgerald asked if they looked at our Code regarding solar.

- Rob Robinson reported they haven't looked at the Code yet.
- Eric Wilson said they have talked to staff about streamlining areas of code to make permitting for solar easier.

Councilmember Duran offered thanks and would like to see a priority list.

- Ms. Opp reported the plan will be in a grid form, with low hanging fruit (low cost, easy to accomplish) prioritized.
- The final presentation is in June. Their term is up in May.

Councilmember Davis thanked the committee and looks forward to the final report.

Councilmember Mathews asked if cost estimates would be included.

- Ms. Opp said general cost estimates will be provided. A deeper cost/benefit analysis will take longer to calculate.

Councilmember Dozeman thanked the committee for their work and the thorough presentation.

a) Energy Audit Report - Joyce Manwaring

Mr. Goff introduced this topic as a response to Council's questions about energy audits. A spread sheet of recommendations is in the Council packet. Several energy audits have been done over the years. An audit of the Rec Center will be coming up.

Joyce Manwaring added

- they tried to summarize the years that the energy audits were completed and listed the tasks that were implemented.
- there is a 5-year capital plan.
- there has been some cost/benefit analysis at the Rec Center.
- the Rec Center has now been in operation 18 years -- long enough that the cost benefit of replacing some equipment can now be considered.

CITIZEN COMMENT ON AGENDA ITEMS

none

The Mayor declared a recess at 6:58 p.m. so people could get their food and return for the dinner meeting.

The meeting resumed at 7:16

3. Annual Legislative Dinner

The Mayor welcomed SD20 Sen. Cheri Jahn, HD24 Rep. Jessie Daniels, and Meghan Dollar from the Colorado Municipal League.

Rep. Jessie Daniels updated Council on some of the legislation she is carrying and took questions. Among others, the top four bills she is carrying provide tax deduction for military retirees; equal pay for women; another attempt at patient choice in the pharmacy; and providing increased access to power for electric and alternative vehicles for residential and commercial use.

Some questions and discussion followed.

- Councilor Fitzgerald asked about municipal internet.
- Councilor Mathews asked how the lost revenue from electric cars will be replaced.

Rep. Daniels announced that Mayor Starker has agreed to allow her to have Town Hall meetings here at City Hall. The first one will be Saturday, February 24 at 10pm.

- Councilmember Dozeman asked if there are any initiatives to increase funding for schools. Rep. Daniels said she wasn't aware of any citizen initiatives.
- Councilor Mathews inquired about plans for homeless housing at the Federal Center and plans for the Ridge Home property.
 - Sen. Jahn told of a meeting about the Federal Center at Alameda High School on February 8 at 5:30 pm. She had no information about Ridge Home.
 - Mr. Goff said there is draft legislation concerning the Ridge Home property that may get introduced in March; they are looking for sponsors.
- Clerk Shaver encouraged both representatives to make sure that if more demands are put on Community Corrections boards, particularly for training, that additional funding also accompany those requirements.

Rep. Daniels excused herself from the meeting at 7:37pm

Senator Jahn spoke about her work on opioid and addiction issues.

- She is working on a bill to expand the workforce to work with folks with substance abuse issues. She elaborated on the details.
- She said the "safe injection facilities" bill will not go anywhere, but believes the legislature needed to have the discussion.
- She spoke on a number of addiction issues.
- There is a bill to *require* doctors, including veterinarians, to register to the PMP (Prescription Management Plan) in an effort to find people who are doctor shopping. Registration is currently voluntary and the low registration hinders effectiveness.
- Chief Brennan shared some things that are being done at the County level to address addiction issues.

- Councilmember Urban asked about the marijuana payment process (cash). Sen. Jahn reported the payment card bill didn't make it.
- Councilmember Urban asked about legislation concerning free standing ERs. Sen. Jahn believes legislation is coming.

Regarding sales tax reform, Meghan Dollar from CML said there is a bill to allow the state to put out RFIs for vendors to look at address locator databases, single point for sales tax remittance, and an accurate taxability matrix. Sen. Jahn said a 3-year interim committee has been formed to fix the use tax process for contractors.

Sen. Jahn reported the Architectural Paint Stewardship Act is working. A bill to repeal it passed out of committee, but won't pass out of the House. Mr. Goff reported the City pays \$14K a year to Rooney Road recycling so citizens can drop off paint for free.

Ms. Dollar reported that Local PERA is in better shape than the State PERA.

Sen. Jahn reported there is a proposal to take a percentage (maybe 1%) of state sales tax revenue right off the top to create a pot of funds for transportation. Teachers are against this.

CML Megan Dollar, a lobbyist for CML reported she focuses on affordable housing, criminal justice, public safety, emergency management, lottery, limited gaming, and special districts. She highlighted some proposed legislation that CML is monitoring:

- low income housing tax credit
- a couple of bills on broadband
- on-premise consumption of marijuana
- cleaning up the bill that allows liquor and full strength beer sales by 2019 in convenience and grocery stores
- police, criminal justice, and court reforms
- CML has no position on the sales tax/transportation bill – since sales tax is the lifeblood of municipalities.
- CML is supporting some bills related to opioids – including one that provides funding for substance abuse programs

Questions and discussion followed.

Councilmember Mathews asked if there is any information or metric created to measure the impact of the legalization of marijuana. Ms. Dollar said last year a bill passed that took money from marijuana tax to fund grants for local law enforcement to fight the grey and black markets. That impact has been huge, and unfortunately this money is a drop in the bucket. She will look to see if metrics were created and report back.

Councilmember Fitzgerald asked if cities will be getting a relief from the requirement of going to a vote of the people before we discuss having a broadband of our own. He also asked for explanation of the right of first refusal in one of the broadband bills.

- Ms. Dollar reported there has been discussion about that requirement since every city (86) and county (30) that has gone to a vote of the people has had their broadband approved. This is a bit of a referendum on the providers.

- She will refer the question about right of refusal to Kevin Bommer and have him reply. Sen. Jahn suggested Century Link and the PUC are dragging their feet.

Clerk Shaver noted concerns that municipalities are woefully under-represented on the liquor rule making committees. Rulemaking is dominated by industry representatives (retail, wholesale, restaurants, entertainment, breweries, wineries, etc.) It is unfair to the municipal clerks who do all the licensing work; she wishes that could be remedied.

Sen. Jahn expressed concern that there is no license for malt liquor and what the future will hold when convenience stores can suddenly sell malt liquor.

Clerk Shaver offered support for allowing non-profits to offer gifts of liquor in their silent auctions. Sen. Jahn said there is a bill for that this year and it will probably pass.

Chief Brennan spoke on the Right to Rest bill -- a homeless bill that would give homeless people the right to rest in public spaces.

- It focuses on those with economic hardship, but doesn't address the issues of addiction and mental health.
- It touches on the ability of people to sleep in their cars; to not have camping laws that prohibit people from sleeping in tents in parks; and [example] to allow people to hang out at the Rec Center for extended periods in public areas.
- He acknowledged homelessness is a big issues, but the Right to Rest bill would take away essential tools that law enforcement has to address some of the challenges -- people camping in the Greenbelt or the ability to remove people from public places where there are behavioral issues.
- He noted California is a state that has this policy; law enforcement's hands are tied.
- He suggested this shouldn't be a law enforcement issue; rather it's a societal issue that needs a broader discussion to address the issue and causes of homelessness.

Ms. Dollar added that CML opposes this bill because it prevents local governments from getting people to services and it provides no funding for housing

4. Elected Officials Report(s)

Leah Dozeman reported attending the Smart Growth conference in San Francisco with Mr. Goff and Councilmembers Pond and Davis from February 1-3. She attended the track on using public/private partnerships to solve community issues such as affordable housing and transportation.

George Pond thanked the City for pointing them to the Smart Growth conference; he thought it was great. He looks forward to sharing what he learned with the WRESC.

Kristi Davis reported attending the affordable housing track at the conference. She learned that affordable housing includes things like ADUs, home sharing and Airbnb's. It also covered affordable housing for homelessness and providing support services within that affordable housing for the homeless. She learned that the revenue from Airbnb's makes houses affordable.

Tim Fitzgerald reminded folks in District III that he and George Pond will be having a quarterly listening meeting on Saturday, March 10 at 9:30 at Morningstar.

Larry Mathews inquired if we have metrics or ways to track return on investment for projects such as Fruitdale. Mr. Goff said Jim Hartman wants to meet with Council soon to deliver the tax credits reimbursement check and give an update on the leasing of the units.

Zachary Urban reported from the CML Advisory Board that CML is tracking 35 bills in the legislature – 15 they are opposed to, 20 they support. About 20 bills are on the calendar right now, and information is in the packet.

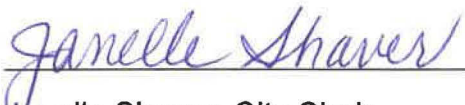
Mr. Goff reported the City has given Denver Water permission to do after-hours boring under Hy 58 for the Clear Creek Crossing bore project. It is an isolated area and there are no residences nearby. We will watch for noise complaints as they will also want to drill after hours under I-70. The up-side is that it will allow the project to finish sooner.

Mayor Starker thanked the members of the Environmental Sustainability Committee for their work, Sen. Jahn and Rep. Danielson for meeting with Council and Carly Lorentz for the fine dinner arrangements. He reminded Council not to discuss the subject of the hearing next Monday.

ADJOURNMENT

The Study Session adjourned at 8:43pm.

APPROVED BY CITY COUNCIL ON February 26, 2018


Janelle Shaver, City Clerk


Tim Fitzgerald, Mayor Pro Tem