

SPECIAL STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO
City Council Chambers 7500 W. 29th Avenue
January 9, 2023

Upon adjournment of the Regular City Council Meeting, and after a short recess, the Mayor called this Special Study Session to order at 8:27 p.m.

This meeting was conducted both as a virtual meeting and hybrid, where some members of the Council or City staff were physically present at the Municipal building, and some members of the public attended in person as well.

After calling the meeting to order, Mayor Starker stated the rules and procedures necessitated by this meeting format.

Mayor Starker welcomed the Council, other elected officials, staff and interested citizens.

The Mayor also explained the virtual/hybrid meeting format, how citizens will have the opportunity to be heard, and the procedures and policies to be followed.

Council members present: Amanda Weaver, Scott Ohm, Janeece Hoppe, Rachel Hultin, Korey Stites, Valerie Nosler Beck, and Leah Dozeman.

Also, present: City Manager Patrick Goff; City Attorney, Gerald Dahl; City Clerk, Steve Kirkpatrick; Administrative Services Director, Allison Scheck; Assistant to the City Manager, Marianne Schilling; Interim Community Development Director, Lauren Mikulak; guests and interested citizens.

Public Comment on Agenda Items –

No one came forward to speak.

Note about Wheat Ridge Speaks:

Citizens may visit the Wheat Ridge Speaks website and enter written comments of up to 1,000 words on any Council agenda item. *The deadline for citizens to submit comments is 12:00 Noon Mountain Time on the day of a Council session* so that Council members, other elected officials and City Staff have time to review the comments before the meeting on Monday evening.

The City Clerk's Office transcribes those Wheat Ridge Speaks comments into these minutes, placing each comment along with the record for that agenda item, including items that include a public hearing (verbatim, if the comments do not contain lascivious language or unlawful hate speech).

There were no citizen comments entered into Wheat Ridge Speaks related to this session.

1. Short-Term Rental Lodgers' Tax

Issue

Short-term rentals (STRs) are defined as dwelling units or portions thereof used for lodging accommodations for transient occupancy, for compensation, for a period of less than thirty consecutive days. STRs are subject to the City's 10% lodgers' tax, in lieu of sales tax.

At the Council Study Session on May 2, 2022, Council discussed the possible reduction of the STR lodgers' tax. At that meeting, Council agreed to retain the current 10% lodgers' tax rate for STRs and dedicate the STR portion of the General Fund lodgers' tax rate (5%) to housing and/or homelessness purposes and to further refine the purpose at a later date.

Staff Report

Deputy City Manager, Allison Scheck gave a detailed report on the Short-term rentals (STRs) in the city as well as background on the issue. Where on May 2, 2022, Council discussed a possible reduction in the STR portion of lodgers' taxes and were presented with three options for consideration:

1. Retain the 10% lodgers' tax for STRs and restrict funds through the budget or administrative process for the desired purpose
2. Reduce the STR portion of lodgers' tax by ordinance
3. Adopt an ordinance approving the reduction of the STR portion of lodgers' tax by approval of a referred measure to the electorate.

Ultimately, the Council provided consensus to "support option number one – to retain the current lodgers' tax for STRs but designate the STR portion for housing and homeless purposes, and to come back for a second study session to refine the purpose

These to include how the Lodgers tax revenues are split among the General Fund, Crime Prevention Fund and Capital Improvement Program Fund, and therefore only the portion of STR revenues from the General Fund are considered unrestricted and can be appropriated by City Council at their discretion.

On December 5, 2022, Council reviewed the Affordable Housing Strategy and Action Plan and provided consensus to move forward with Plan adoption. The Plan identifies the creation and utilization of the Wheat Ridge Housing Fund (WRHF) so that future projects identified in the Plan have available funding where the staff recommends that Council agree to place all past and future General Fund STR lodgers' tax revenues into a newly created City special revenue funded, entitled WRHF, as an ongoing revenue stream. The WRHF will attract other revenues as they are identified, such as grants and other one-time infusions. Placing the General Fund portion of STR taxes in the WRHF provides a stable and ongoing revenue stream.

Councilmember questions and comments:

CM discussed a variety of issues related to setting up the WRHF and how the City can help

Topics discussed included

- Staff capacity to develop eligible programs of the WRHF
- The entity responsible for overseeing the WRHF's funds and programs
- Consultant support to establish the WRHF programs and management structure, including methods to encourage and ensure resident participation.

Mayor Starker proposed a consensus to direct staff to move forward with specific plans and recommend action to the Council in line with tonight's discussion.

Consensus achieved.

2. Drive-by shooting incidents in Wheat Ridge

Issue

Citizen concerns have been raised regarding a recent drive-by shooting that occurred on Teller Street as well as a concern that there is a prevalence of these types of incidents within the City of Wheat Ridge. During the incident on Teller Street no individuals were struck by gunfire, but three (3) bullets entered the residence. The fact that no individuals were struck does not lessen the seriousness of the incident nor does it lessen the careless disregard for human life that was displayed by the person(s) firing into a residence. There does not appear to be any motive or any activity at the residence that provides the investigators with insight regarding the motive for shooting into this residence.

Staff Report

Chief of Police Chris Murtha gave a detailed report on how we might stop or lessen drive-by shootings in the City of Wheat Ridge. An important part of resolving the problem is to understand the extent of the problem, not only with respect to drive-by type shootings, but also all incidents of illegal gun discharges within the city and the outcomes of those incidents. That includes the number of contact shootings as well as the number of shell casings recovered, and the overall picture of gun use within the city.

Constituent concerns were presented to the council who requested more information regarding this type of crime. With recent upgrades in police reporting, it is easier to extract information and identify those incidents that are relevant to this conversation. The police department employs a full-time crime analyst and the analyst tracks and identifies issues of concern for the police department. Police and city leaders recognize that providing a safe environment to live, work, and transit is paramount.

Non-contact drive-by shootings, like the incident on Teller Street, are very difficult to solve. They involve an unknown suspect, with no known motive, who can quickly move out of the area and blend in with other traffic. They leave little evidence and we do not receive many leads. The fact that many of these types of incidents occur in residential areas on streets that can have less foot and vehicle traffic often means fewer witnesses.

He closed by saying that the WRPD will continue to look for opportunities to decrease gun violence in our community and to find innovative ways to accomplish that goal. The Wheat Ridge Police Department will continue to look at engineering, engagement, and balanced enforcement opportunities as solutions to impact gun violence within the Wheat Ridge Community

Topics discussed included:

- additional patrols.
- Neighborhood Watch.
- Interagency conversations.

Councilmember questions and comments:

- CM thanked Chief Murtha for his data-based presentation.
- CM Hoppe commented on the things we can do. She asked how we strengthen our Neighborhood Watch program and increased street lighting.
- CM asked detailed questions of Chief Murtha about possible actions to make WR less likely to be the location of these random shooting.
- CM asked about what residents can do to help the police solve these cases.
- CM also asked about the distribution, location and brightness of street lights, and what effect better lighting would have.

3. Staff Report(s)

Nothing further following this item at the end of the regular Council Meeting.

4. Elected Officials' Report(s)

CM Hultin asked for a Sustainable WR update.

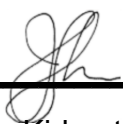
Nothing further, as this session immediately followed a Regular Council Meeting.

The Mayor noted our progress on important matters this evening and thanked the staff for their hard work.

ADJOURNMENT

The Special Study Session adjourned at 9:24 pm.

APPROVED BY CITY COUNCIL ON January 23, 2023.



Steve Kirkpatrick, City Clerk



Korey Stites, Mayor Pro Tem