

**STUDY SESSION NOTES**  
**CITY OF WHEAT RIDGE, COLORADO**  
**Hybrid - Virtual Meeting**  
**August 21, 2023**

Mayor Starker called the Study Session to order at 6:32 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. A quorum of members (eight) of Council were present in Council Chambers for this session.

Mayor Starker welcomed the Council, other elected officials, staff, guests 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 Scott Ohm, Judy Hutchinson, Korey Stites, Amanda Weaver, Leah Dozeman, Janeece Hoppe, and Rachel Hultin. Valerie Nosler Beck attended virtually, joining during the discussion of Item 2 on the agenda.

Also present: City Clerk, Steve Kirkpatrick, City Manager Patrick Goff; Deputy City Manager, Allison Scheck; Mark Colvin, Finance Manager; Lauren Mikulak, Director of Community Development; Kathie Repola, Executive Director of the Lutheran Foundation; other staff and interested residents.

**Public's Right to Speak**

No one came forward tonight.

**Note about Wheat Ridge Speaks:**

Members of the public 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 the public 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.

No comments appeared in Wheat Ridge Speaks for this session of Council.

**1. Presentation from Lutheran Foundation**

**Issue**

Councilmembers Hoppe and Dozeman requested to add to a future study session a presentation from the Lutheran Medical Center Foundation. Kathie Repola, Executive

Director of the Foundation came to the August 21 study session to provide such presentation.

### **Presentation by Lutheran Foundation**

Staff from the Lutheran provided a detailed presentation about the Lutheran Hospital and the Foundation, supported with a multimedia presentation.

The presentation addressed the history of the hospital and the timeline of recent and long past events.

The Lutheran Foundation asked the City for a donation of \$25,000.

CM had comments and questions:

- CM thanked the Lutheran Foundation staff for their informative presentation.
- CM had questions about the future plans, and timelines, especially for the legacy campus.
- CM had several questions about the request for a donation that would come with naming rights.

## **2. Proposition 123-Affordable Housing Update**

### **Issue**

Addressing housing affordability is one of the City's and State's most pressing issues. Colorado voters enacted Proposition 123 in 2022 that will make several hundred million dollars available for affordable housing statewide starting in late 2023. For a project to be eligible for these funds in Wheat Ridge, the City must file a commitment to increase its supply of affordable housing over the next three years to the State of Colorado, Division of Housing. This commitment is due by November 1, 2023.

### **Staff Reports**

Ms. Mikulak gave a detailed presentation on the passage of Proposition 123 and the implications and opportunities for the City. She emphasized that many details are still forthcoming, but this is a significant potential source of funding to support the City affordable housing efforts.

She also explained the requirements for participating, the actions the City and Council would need to take to receive these funds, which statewide will total \$500 million – which will be distributed to municipalities and counties statewide..

Mr. Goff gave a forecast of about how many new affordable housing units the City would have to create and the potential funding to support those efforts.

CM had questions:

- Will the affordable housing units the City has already supported and funded be eligible for counting the number of required units? The answer is still unclear.
- How will cooperating with Jefferson County work in terms of funding and counting new affordable housing units? Another answer that is still unclear.
- Does staff feel that the City can achieve these goals? Staff supported moving forward.
- CM had questions about how the funding will work, what the funding will support and similar key issues. Staff gave an answer, which again is subject to change.
- CM expressed their interest in pursuing this opportunity. Staff reported that this funding is not a block but project by project funding.

Staff will return at a later date when more details and regulations are announced by the State. Council will need to act in the coming two months, depending upon when the still fluid details solidify.

MPT Stites proposed a consensus to move forward with staff's recommendations.

**Consensus achieved.**

### **3. Telecommunications Occupation Tax**

#### **Issue**

The City's code regarding the taxation of basic local telecommunication services requires revision. The current code is based on the false premise that Lumen (formerly US West, Qwest, and Century Link) is still the primary provider of telephone lines in the City. Based on this premise, competitors are charged a per line rate computed from Lumen's number of lines and the flat occupation tax paid by Lumen per ordinance 1997-1072. Due to the rapid decline of land lines provided by Lumen, the per line charge to other providers has risen substantially. Furthermore, the current code is confusing as to how cellular lines are treated from a taxation perspective.

#### **Staff Reports**

The types and means of delivery of telecommunication services has evolved significantly since the city enacted its telecommunication occupation tax code in 1997. The current code does not reflect the status of the telecommunications industry nor is it consistent with Wheat Ridge's municipal neighbors. Staff recommends and update to the tax code to ensure equity, simplicity, revenue preservation and ease of administration for both telecommunications providers and City staff.

Staff gave a detailed presentation that addressed the history of this existing tax including how the Wheat Ridge ordinance differs significantly from neighboring municipalities.

Mr. Colvin provided a detailed and informative presentation on staff's recommendations for updating the City Code on this tax, to address the massive changes that have occurred since the City last addressed this tax in 1997.

CM had questions and comments:

- CM thanked staff for their presentation and for their research into the minutia that was required.
- CM commented that staff's recommendation seemed like an obvious action the Council needs to take.
- CM asked for some details about how other cities built and implemented their tax programs.
- Will this change in the tax increase the competition among telecom provider?
- How did staff come to the per line rate? It seems like a high rate of tax for many of our residents.

CM Weaver proposed a consensus to direct staff to move forward with their recommendations and the draft ordinance in tonight's Council packet.

**Consensus attained.**

#### **4. Staff Report(s)**

Mr. Goff had nothing further

#### **5. Elected Officials' Report(s)**

CM Hoppe reported that the WR Farmers Girls Softball team is 2-0. Come participate if only as a spectator to support young women's athletics.

CM Hultin announced that things are going very well at Happiness Gardens as the harvest begins.

CM Stites announced two upcoming District III meetings on September 16 and October 14. Locations and timing to follow.

CM Ohm announced a trash removal, litter clean-up that he attended recently.

CM Nosler Beck thanked all who worked on the Mid-Century Modern Home Tours and all who attended a successful event, especially Local Works and the homeowners.

CM Nosler Beck also announced that *she will not run for re-election* to Council in November. She loves the job and made a difficult decision to focus on her own healthcare and treatments (radiation and chemo for cancer). She does not believe she will have the energy to do both. She expressed her gratitude to all who have served with her.

The Mayor thanked all of the presenters.

**ADJOURNMENT**

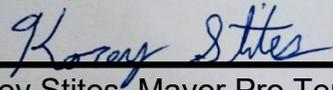
The Study Session adjourned at 8:08 pm.

APPROVED BY CITY COUNCIL ON September 11, 2023.



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Steve Kirkpatrick, City Clerk



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Korey Stites, Mayor Pro Tem