

## STUDY SESSION NOTES

### CITY OF WHEAT RIDGE, COLORADO

City Council Chambers 7500 W. 29<sup>th</sup> Avenue

May 15, 2017

Mayor Joyce Jay called the Study Session to order at 6:30 p.m.

Council members present: Monica Duran, Kristi Davis, Janece Hoppe George Pond, Tim Fitzgerald, Genevieve Wooden

Absent: Zachary Davis (excused); Larry Mathews (excused)

Also present: City Clerk, Janelle Shaver; City Attorney, Jerry Dahl; City Manager, Patrick Goff; Police Chief, Daniel Brennan, Community Development Director, Ken Johnstone; Administrative Services Director, Heather Geyer; other staff, guests, and interested citizens

### CITIZEN COMMENT ON AGENDA ITEMS

**Mark Bassignani** (WR) expressed his concerns about people living in RV's at Prospect Park for extended periods of time. If they can do that he wondered why his guests couldn't park there too. He's been told several times by the City that this will change, but it hasn't. He suggested a park entrance gate that is closed at 10pm. ~ He reported that people also camp at 44<sup>th</sup> & Kipling behind the Shell station; they have a fire. It is used regularly and often by homeless. He noted the danger of having a fire near a gas station.

**Stephanie Meadows** (WR) had a handout for Council and addressed the increase in homelessness. As a Denver sheriff, she specialized in homeless outreach. Besides working with the homeless, she helped write the Denver camping procedures and administered education to the officers. She dealt with private property owners, CDOT properties (the most difficult camps to address), and City camps, and worked closely with the Parks Department, the city attorney's office and the sheriff's crews that cleaned up camps. She believes it is cheaper than hiring private companies. She advocated for tackling the problem, using available resources, and educating the public. She recommended enlisting the help of the faith-based community. There are ways we can work together.

**Janice Thompson** (WR) supports staff, Council and citizens with the homeless problem. She believes we need to think outside the box and be proactive. She advocated for educating people, signage and working with other entities pooling resources to handle the situation. It's all over the City and helping these people will help our community.

**Jesse Hill** (WR) stated that he supports undergrounding the utilities for the Hacienda restaurant in Applewood, but would like to see that be funded with the TIF deal instead of our undergrounding fund. He believes those 1% fees that are collected from homeowners should be used for residential undergrounding.

1. Staff Report(s)

## a) Commercial Mobile Radio Service regulations – Small Cell Facilities –

Ken Johnstone explained how the passage of HB1193 pertaining to small cell wireless structures affects our code. It goes into effect July 1, 2017. The bill...

- 1) Makes these facilities a use by right in all zone districts, and
- 2) Allows them to be located in public ROW's and utility easements.

It does allow cities to create regulations, so we need to look at how we regulate them.

The bill goes into effect soon, so staff has worked with Mr. Dahl to draft an ordinance that will allow these small facilities. We currently have no regulations for them in public ROW's. The first way to regulate them is by prioritization. The order of priority would be

- 1) fully concealed in a City-owned utility pole,
- 2) as an extension to a City-owned utility pole,
- 3) as an attachment to a third party pole (Excel, Comcast, Quest, etc.),
- 4) as an attachment to a City or CDOT traffic signal pole, and
- 5) new poles (stealth).

Additional design considerations include:

- 1) Height limitations
- 2) Spacing requirements (minimum 1,000 ft apart) to prevent over proliferation

Staff has reached out to the industry and they are aware of the 1<sup>st</sup> Reading.

Proposed timeline: 1<sup>st</sup> reading next Monday, Planning Commission on June 1<sup>st</sup>, 2<sup>nd</sup> reading before Council with public hearing on June 12.

Discussion included:

- No, our home rule status does not protect us from these requirements. There is no ability to deny use by right.
- Mr. Dahl: There will be interest from the industry. They pushed for this bill. Safety and permitting requirements are allowed. The proposed spacing requirements are reasonable.
- Mr. Johnstone noted that application information will guide the locations.
- Would the spacing requirements affect bandwidth? Staff will find out from industry.
- How can we prevent a monopoly?
  - There will be colocation. Private companies don't prefer that, but we can require colocation and require the vendors to work it out.
  - Wind load perspective will be used to allow for other companies.
  - We could set a time limit for construction. If they don't build it within a certain time, the permit expires. But he noted that we must process applications expeditiously and can't limit the number of applications.

Councilmember Hoppe received unanimous consent to proceed with the proposed changes to Chapter 26 concerning small cell facilities.

## c) Police Department Advisory Group – Jim Lorentz

Division Chief Lorentz briefed the Council on the concept of a citizen advisory group he learned about at a conference of the International Chiefs of Police. Unlike similar groups back east that have an oversight element, these advisory groups, modeled after Provo, Utah are meant to talk about issues, get assistance from the community, and develop partnerships.

A Wheat Ridge Police Advisory Group (WRPA) can provide the opportunity for the community to assist in advising the police on matters regarding crime prevention strategies, agency policies, and input on policing issues. The advisory group would be made up of citizens who have expertise and experience in special areas – faith-based, teachers, medical community, etc. There will be different topics to discuss.

Discussion followed.

- Will you be working with Jeffco agencies? No, the intent is to use local people. As opposed to bringing in experts, they want to develop our community – people who live or work in Wheat Ridge.
- Good to involve the schools and HOA's. Would like a framework (model) from another city stating what the purpose is so each and all will know their function. Division Chief Lorentz referenced the power point in the packet. He advised he has all that from the Provo and Salt Lake City groups. He agreed that structure is essential and the plan is to have the first members help with that.
- How would people be selected? General open call for anyone who wants to participate. Will be helpful to reach out personally to some people and entities. Idea is to be inclusive and get representatives from all stakeholders.
- Suggested a flier or other ways to reach folks who aren't on social media.

## b) Police Department Citizen Forums – Jim Lorentz

The Chief's Forum is an opportunity for the Chief or staff to run a community meeting about various issues affecting traffic safety, life quality and crime reduction. Among the goals are raising awareness, keeping people informed, and building trust between the PD and the community. Format would be lecture with Q&A. Meeting with the public *after* an event is good, but this is an effort to talk before something happens. It is part of the 21<sup>st</sup> century community-policing concept - to build relationships in the community.

2. Applewood Shopping Center TIF Agreement – Patrick Goff

Mr. Goff explained that the Urban Renewal Authority (URA) received a proposal from the Regency Group, the developers of the Applewood Shopping Center, asking for assistance in offering incentive for Hacienda Colorado to locate in the Center. They are bringing to Council the same presentation that the URA saw. The TIF agreement was drawn up by the URA attorney and will require Council approval.

**Will Damrath** of the Regency Group presented information about their company and the upscale dining concept for Hacienda Colorado.

He highlighted the benefits to Wheat Ridge: 80 FTE jobs, new revenue, improved traffic circulation, bringing in other good businesses.

Challenges to developments include:

- Need to demo obsolete and unsafe buildings
- Asbestos removal
- Regional detention pond
- Denver Water easement constraints
- Consolidation and redesign of vehicular access
- Vacant bank is blighted and needs to be demolished
- Utility poles and lines need relocation

He went through some maps of proposed plans for the Center. The Hacienda building is to be on Youngfield – north of Chili's at the former Wells Fargo drive-through location. The Wells Fargo Bank building will be demolished.

**Andrew Knudtsen**, Economic & Planning Systems (EPS), explained the TIF that is proposed. EPS helps cities be good stewards and specialize in "but for" analysis, i.e. projects that wouldn't happen but for public assistance.

- The 9,500 sf restaurant is expected to have sales of \$526/sf (\$5M/year). This is significantly higher than typical inline ancillary shops, which average \$250-\$350/sf.
- The purpose of the URA is to eliminate and prevent the spread of blight while stimulating growth.
- The financing includes property and sales tax.
- The clock on this started in December 2015 and will expire in 2040.
- They have determined that \$1,601,000 in costs are eligible for public dollars. It has to be improvements for public use (drainage, easements, ROW's, closing curb cuts, etc.)
- He explained how his company evaluates the need for public assistance in order to make the project feasible.
  1. They summarize total project costs, factoring the annual net operating income (NOI) and Return on Cost (ROC). The Return On Investment (ROI) will be 6.45%
  2. He went through the math of the project (with and without public subsidy) describing how the return of 6.45% is achieved and how and when the property and sales taxes would return to the URA and to the City.
    - Property tax will take 8 years of abatement to return to the developer.
    - City and developer will split the sales tax 50/50 for about 8 years. After that, the City gets 100%.
    - Initial \$100,000 investment by the URA.
    - Property tax will start to return to the URA in year 8 and continue to 2040. The estimate is \$800,000 back to the URA.

Discussion followed.

- Proposed undergrounding project (estimate \$450K) is along Youngfield, from 32<sup>nd</sup> Ave to the Applewood Center main entrance. The cost to continue the undergrounding to 38<sup>th</sup> and east to the Center boundary is available from Excel – probably between \$700-800K.
- This TIF only has to do with the Hacienda piece of the Center redevelopment.

- There was discussion about undergrounding separately or as part of the TIF.
- Using a TIF for undergrounding is possible, but may not be the best plan as TIF's are incremental arrangements. Undergrounding needs to be done upfront.
- Excel undergrounding funds can be borrowed ahead for three years; that is a possibility for extending the undergrounding all the way to 38<sup>th</sup> Avenue.
- If the power lines are not undergrounded, Hacienda Colorado will not come.
- The plan is to use the 1% undergrounding funds. The TIF will likely be paid back in eight years.
- The City will get \$80K/yr in sales tax and \$45K/yr in property tax
- It still has to be approved by the URA. Then it will come to Council for ratification.

Councilmember Duran asked for consensus to use the City's 1% undergrounding fund for this project and investigate the cost of undergrounding the entire center.

- Yes, staff can put this power point on the City website.

Mr. Goff made note of the chart that compares the return for this project with the return for Kipling Ridge and WR Corners. This project is in the neighborhood for return to the City and a little higher than the other two projects.

- The access in and out of the new Starbucks was explained. West and eastbound traffic can enter on 32<sup>nd</sup> Ave. Exits include right turns onto 32<sup>nd</sup> Ave and onto Youngfield, and internally to access a traffic light.

No vote was taken on the consensus, but Mr. Goff sensed approval and will proceed.

### 3. Homelessness Initiative – “Heading Home” – Linda Barringer (Family Tree)

Heather Geyer introduced Linda Barringer who directs the Homelessness division of Family Tree and the Heading Home effort, and called attention to the memo from Parks Director, Joyce Manwaring, related to the homeless issue.

Ms. Barringer gave a power point on homelessness in Jefferson County.

- A snapshot is taken each January; it only includes people sleeping outside or in shelters. The January 2017 numbers should be out next month.
- The number of homeless families in Jeffco is growing.
- Increased attention to homeless veterans has decreased their numbers.
- Jeffco used to be #2 behind Denver. Now Boulder County is #2 and we are about the same as Arapahoe County.
- The demographic is changing.
- The 2016 count for a 24 hours period was 439.
- Shelter beds available in the County:
  - Action Center -- 22 beds for working folks
  - Family Tree -- 30 beds for DV victims
  - Family Promise -- 15 beds through a rotating church effort
  - Heading Home -- Severe Weather program



- The cost for courts, Severe Weather, detox, ER's and jail costs is \$20K per person per year. The question is "how do we want to spend our money?"

She explained Heading for Home, a program adopted by Jeffco in 2013.

- It's made up of service providers, citizens, churches, law enforcement, substance abuse, mental health, housing, basic needs. It is sanctioned by the Children & Youth Leadership Commission (CYLC).
- The seven working groups focus on prevention, shelter, housing, economic opportunity, governance [of the program], public awareness, and development of systems to support efficient and effective plans for accomplishments.
- The program focuses on people using the systems (courts, ER's, detox).
- Many of the chronic homeless have health, drug and/or mental health problems.

Accomplishments so far:

- Provided housing
- A position was developed to provide assistance in getting SSI benefits. That person works out of the library, as the libraries have become the day shelters.
- Sever Weather plan. (They used to only have motel vouchers; expensive.)
  - Now have 4 churches that provide shelter Oct through May, 32 degrees and wet or 20 degrees. Currently handling 35-40 people a night.
  - A family shelter opened at Mean Street Ministries; 5-12 families a night.
  - Heading Home makes contact with these people; directs them to services.
  - Funding needs for motel vouchers have decreased drastically (\$35K to \$7K)
  - Secured funding for 2017-18 coordinator for Sever Weather from CYLC
- Chronically homeless people are being helped; she provided specific examples.
- The partnership between Family Tree, Metro West Housing, Jeffco schools and Jeffco Human Services has been effective. They also reach out to landlords.
- Action Center has onsite staff from Jefferson Center for Mental Health and Metro Caring Provider Network

Updates

- January Summit was well attended; now have more volunteers
- Efforts are ongoing to establish a homeless court in Jeffco (modeled after Denver)

Challenges

- Need a paid staff person to lead the implementation of the plan
- Volunteers need to be supported by their employers (allowed time off)
- Majority of the work is done by a very small group of dedicated people
- Progress is slow, but possible. Our numbers are small yet compared to Denver

Partner efforts

- Faith community plays a huge role. Churches set boundaries; security isn't needed.
- A summit at Bethlehem Lutheran revealed a need for a day shelter. Soon a building on the Colfax corridor is going to be turned into a day shelter.
- Bethlehem also just got a grant for a shower trailer that moves around the county.

Questions and discussion followed.

Mr. Goff reported that a group of north Jeffco representatives, including Wheat Ridge, have charged themselves with coming up with regional solutions. Heading Home will have a meeting this Thursday to update progress on ideas. Heather Geyer represents our city.

While this is a regional problem, what should we be doing in Wheat Ridge?

Chief Brennan contributed the following:

- Increases in homelessness in CO may be related to legalization of marijuana.
- Anecdotally, he had a report of a homeless woman who "came to Wheat Ridge because it's safe; Denver is too dangerous."
- The Mean Street Church is an active program.
- A strong Severe Weather Network is in place.
- PD is working to provide more frequent patrols of the greenbelt and networking with CDOT about trash, debris and camping under bridges.
- He has a 9-10 point plan for an officer to deal with Heading Home.
- All our officers are now being trained in crisis intervention.
- The Chief will have an article in the next Connections about homelessness. He stressed the importance of public education.
- He suggested the best tactic is creating a countywide coalition and developing resources. Ms. Barringer agreed.

Discussion continued.

- The new day center on Colfax is envisioned as a one-stop shop – with several services represented and immediate needs met (showers, laundry, mail service, telephone, etc.).
- There are no day centers in Jeffco; this will be the first.
- No faith based efforts in Wheat Ridge; Sloans Lake Presbyterian and Applewood are the only two nearby.
- When a day shelter opens, would like to have them come present to the Council.
- PD officers have a list of resources that could be shared with the public.
- Only occasionally get someone right out of prison; most with criminal records have old records and were convicted of low-level crimes. The way the system is now we can only be reactive, not proactive.

Mr. Goff briefly addressed the memo Council received from Parks Director, Joyce Manwaring. The RV's that camp illegally at Prospect Park come early in the day and leave late at night. Police patrol there as best they can, but can't be there every minute of the day. More entryway signage for the greenbelt is coming. ~ He added that Parks workers had been cleaning up the homeless camps, but our employees are not set up to clean up bio-hazards (needles, human waste). While more expensive, it was deemed safer for our employees to hire a company that is set up for that. Other cities are starting to do the same thing.

Chief Brennan noted we can't enforce our way out of this problem and the Police can't be everywhere. He encouraged citizens to report suspicious behavior they see in the greenbelt to the Police non-emergency number.

Heather Geyer commended the work Ms. Barringer and others have done to date. It's a great foundation that can be built on. She encouraged further collaboration and the use of existing resources and models.

4. Elected Official's Report(s)


There were no reports from councilmembers.

Mr. Goff gave a quick update on the hailstorm impacts on City facilities.

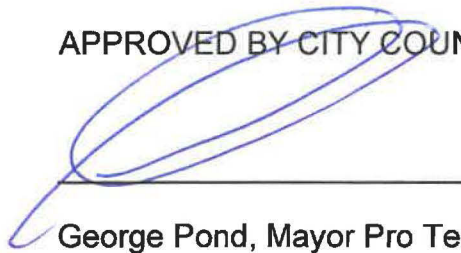
- Assessment is still ongoing.
- Almost all city owned pedestrian lights (the globes) are damaged, and that fixture is obsolete. Due to exposed wiring (safety hazard), it has been decided to shut these off until a replacement plan can be developed.
- After assessment, it was decided that a debris drop-off location was not necessary.

ADJOURNMENT

The Study Session adjourned at 9:21pm.

  
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Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON June 12, 2017

  
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George Pond, Mayor Pro Tem