

City Council Meeting Minutes

CITY OF WHEAT RIDGE, COLORADO
7500 WEST 29TH AVENUE, MUNICIPAL BUILDING

March 28, 2022

Note: 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. Seven members of Council were present in Council Chambers for this session. Before calling the meeting to order, Mayor Starker stated the rules and procedures necessitated by this meeting format.

Mayor Starker called the Regular City Council Meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

ROLL CALL OF MEMBERS

Judy Hutchinson Scott Ohm Rachel Hultin Janeece Hoppe
Amanda Weaver Korey Stites Leah Dozeman

Absent: Valerie Nosler Beck (excused)

Also, present: City Manager, Patrick Goff; City Attorney Gerald Dahl; City Treasurer, Chris Miller; Administrative Services Director, Allison Scheck; Police Chief, Chris Murtha; Director of Parks and Recreation, Karen O'Donnell; Project Manager Lauren Mikulak; Deputy City Clerk, Robin Eaton, other staff, guests and interested citizens.

APPROVAL OF MINUTES

Without objection or correction, the Study Session Notes of January 3, 2022, March 7, 2022, City Council Minutes of February 28, 2022, and Special Study Session notes of February 28, 2022, were approved as published.

APPROVAL OF AGENDA

Without objection or correction, the agenda stood as announced

PROCLAMATIONS AND CEREMONIES

This item began at 7:02 PM.

National Child Abuse Prevention Month

Mayor Starker read the Proclamation in support of National Child Prevention Month, April 2022 and invited Jennifer Kemps of the Ralston House and Cyan Chapman Victims Outreach to join him and accept it.

Afterwards they thanked everyone in recognizing the month and spoke to where Ralston house had seen an increase in the numbers of children and teens go through their doors. This can be seen as somewhat of a good thing, to know their program is working.

National Sexual Assault Awareness Month – April 2022 (Colorado Denim Day is April 27 - to recognize National Sexual Assault Awareness Month)

Mayor Starker invited the special guests up to the podium and by the proclamation, declared April Nation Sexual Awareness month.

Commander Dave Pickett (Ret) and Cyan Chapman accepted the proclamation and thanked the community where they are ready to move forward in the partnership with the City of Wheat Ridge in support of services throughout the victim's entire process.

Sandie Carter Retirement/Appreciation Proclamation

The Mayor read the proclamation for Sandie Carter, listing her work with the City of Wheat Ridge Police Department in many areas, along with her faithful and loyal devotion for the past 22 years.

Chief Murtha accepted the proclamation in Sandie Carter's behalf.

CM Dozeman and Hultin arrived at 7:06 pm

PUBLIC'S RIGHT TO SPEAK

No one came forward to speak 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 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 address a public hearing (verbatim, if the comments do not contain lascivious language or unlawful hate speech).

No comments appeared in WR Speaks for this session of Council.

1. CONSENT AGENDA

Discussion began at approximately 7:14 PM

CM Ohm introduced the consent agenda.

- a. Resolution No. 12-2022, a resolution amending the Fiscal Year 2022 Public Art Fund Budget to reflect the approval of a supplemental budget appropriation in the amount of \$185,000 for the Clear Creek Crossing public art installation.

Issue

On November 8, 2021, City Council approved a contract with Aethyrworks in the amount of \$185,000 for a public art installation at Clear Creek Crossing. Sufficient funds were appropriated in the 2021 budget to encumber and pay for the project. Due to timing of the encumbrance, funds for the project were not included in the 2022 reappropriation of carryovers and no funding exists in the 2022 Public Art Fund budget to encumber for this purpose.

- b. Resolution No. 13-2022, a resolution approving an intergovernmental agreement with Jefferson County concerning the release and use of electronic copies of building permits and plans for the purpose of assessing real property

Issue

Jefferson County desires to have access to electronic copies of permits and supporting documents controlled by the City of Wheat Ridge for property assessment purposes. The County and City wish to enter into an Intergovernmental Agreement (IGA) allowing County staff to have access to these materials

- c. Resolution No. 14-2022, a resolution approving an amended and restated intergovernmental agreement for the West Metro Drug Task Force

Issue

The Jefferson County Sheriff's Office, a member of the West Metro Drug Task Force (WMDTF), has asked that the intergovernmental agreement (IGA) establishing the Task Force between the participating agencies be amended. The City of Arvada has withdrawn from the WMDTF, and some financial responsibilities with regard to the WMDTF are changing.

- d. Resolution No. 15-2022, a resolution amending the Fiscal Year 2022 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$34,058 for the purpose of approving a grant agreement with History Colorado's State Historical Fund

Issue

The Pioneer Sod House has potential structural issues and a contractor specializing in historic buildings is recommending that the Sod House is monitored and assessed for an 18-month period. The City was awarded funding from History Colorado's State Historical Fund (SHF) Competitive Grant program for this monitoring and assessment work. This resolution is to approve the signing of the Acknowledgement of Award Conditions and approve a supplemental budget appropriation in the amount of \$34,058. The SHF awarded \$25,540 in funding and the City is required to provide a 25% match.

Motion by CM Ohm to approve Consent Agenda Items a.), b.), c.), d.), Seconded by CM Sites, motion carried 7-0.

PUBLIC HEARINGS AND ORDINANCES ON SECOND READING

Discussion began at approximately 7:15 PM

2. Resolution No. 09-2022, A Resolution approving the assignment to the Housing Authority of the City of Lakewood, Colorado, D/B/A Metro West Housing Solutions, of \$1,789,050 of the City of Wheat Ridge, Colorado's 2022 Private Activity Bond Volume Cap Allocation from the State Ceiling for Private Activity Bonds; and authorizing the execution and delivery of an Assignment and other documents in connection therewith.

CM Hultin introduced Resolution 09-2022.

Issue

The City of Wheat Ridge has received an allocation of \$1,789,050 for the purpose of issuing Private Activity Bonds (PABs) in 2022 under the state ceiling imposed by the Tax Reform Act of 1987. Staff recommends assigning the City's allocation to Metro West Housing Solutions which has agreed to issue PABs for the renovation of the Caesar Square Apartments owned and operated by the Jefferson County Housing Authority.

Mayor Starker opened the public hearing.

Staff Presentation

City Manager Patrick Goff introduced Lori Rosendahl from Jeffco Housing Authority dba Foothills Regional Housing. She spoke on the earlier bonds and updated the financial structure for these funds to be used for the redevelopment at Caesars Square.

Ms. Case was brought on and added that they were almost finished with the project as there were a few cost overruns and that these funds will allow them to do a few extra things at the property that they are looking to accomplish

Ms. Case also spoke to the council on the issue where the City of Wheat Ridge has traditionally assigned the City's PAB allocation to either the Colorado Housing and Finance Authority (CHFA) or the Metro Mayors Caucus for single family mortgage revenue bonds. The last allocation assignment was approved in 2011 to CHFA. Since 2011, neither CHFA nor the Metro Mayors Caucus were accepting applications for allocations because of the decline in the financial markets and the impact that has had on investor interest in PAB. Between 2012 and 2018, the City's allocation was relinquished to the statewide balance for distribution to applicants by the Department of Local Affairs.

In prior action City Council assigned the City's 2019 and 2020 PAB allocations to FRH for the Caesar Square Apartments project and its 2021 PAB allocation for the Allison Village affordable housing project in Arvada.

The Mayor reviewed the procedures. No citizens appeared in chambers to address this issue. There were none who wanted to speak through the Zoom format.

Public Comment

No one came forward to speak.

Council Questions and comments

CM Hoppe, who appreciated the work that had been done at the property, asked Ms. Case to explain about the few of the items that have come up that required a larger budget.

Amy Case, CFO for Foot Hill Regional Housing, explained that some of the overruns resulted from COVID cost increases and supply chain issues, along with additional work done for longevity of the property, safety, and asset integrity.

Mayor Starker closed the public hearing.

Motion by CM Hultin to approve Resolution No. 09-2022, a resolution approving the assignment to the Housing Authority of the City of Lakewood, Colorado, D/B/A Metro West Housing Solutions, of \$1,789,050 of the City of Wheat Ridge, Colorado's 2022 Private Activity Bond Volume Cap Allocation from the State Ceiling for Private Activity Bonds; and authorizing the execution and delivery of an Assignment and other documents in connection therewith, seconded by CM Hoppe, motion carried 7-0

ORDINANCES ON FIRST READING

3. Council Bill No. 02-2022 – An Ordinance approving the rezoning of property located at 7585 W. 32nd Avenue from Restricted-Commercial (R-C) to Planned Residential Development (PRD)

CM Hutchinson introduced Council Bill 02-2022 at 7:22 pm.

Issue

The applicant is requesting approval of a zone change from Restricted-Commercial (R-C) to Planned Residential Development (PRD) with approval of an Outline Development Plan (ODP) for the development of fourteen single-family attached homes at 7585 W. 32nd Avenue. The zone change is compatible with surrounding land uses, provides for housing options, and encourages improvement of the underutilized property.

Motion by CM Hutchinson to approve Council Bill 02-2022 an ordinance approving the rezoning of property located at 7585 W. 32nd Avenue from Restricted-Commercial (R-C) to Planned Residential Development (PRD) on first reading, order it published, public hearing set for Monday, April 25, 2022 at 7 p.m. as a virtual meeting and in City Council

Chambers if allowed to meet in person on that date per COVID-19 restrictions, and that it takes effect 15 days after final publication; seconded by CM Stites; motion carried 7-0.

4. Council Bill No. 03-2022 – An Ordinance approving the rezoning of property located at 4877 Robb Street from Agricultural-One (A-1) to Planned Commercial Development (PCD)

CM Dozeman introduced Council Bill 03-2022 at 7:24 pm.

Issue

The applicant is requesting approval of a zone change from Agricultural-One (A-1) to Planned Commercial Development (PCD) with approval of an Outline Development Plan (ODP) for the development of a tree service business at 4877 Robb Street. The zone change is compatible with the area and allows for an appropriate transition from surrounding land uses while encouraging investment in a long-vacant lot.

Motion by CM Dozeman to approve Council Bill 03-2022 - an ordinance approving the rezoning of property located at 4877 Robb Street from Agricultural-One (A-1) to Planned Commercial Development (PCD) on first reading, order it published, public hearing set for Monday, April 25, 2022 at 7 p.m. as a virtual meeting and in City Council Chambers if allowed to meet in person on that date per COVID-19 restrictions, and that it takes effect 15 days after final publication; seconded by CM Hultin; motion carried 7-0.

DECISIONS, RESOLUTIONS AND MOTIONS

Discussion began at approximately 7:26 PM

5. Resolution No. 16-2022 - A Resolution approving a memorandum of understanding between Porchlight, A Family Justice Center, and the City of Wheat Ridge concerning the provision of on-site police department services at the Center

CM Hoppe introduced Resolution 16-2022.

Issue

Porch Light, a Family Justice Center, began operations on February 25, 2021, and has been open serving victims and survivors of domestic violence since that time. In April of 2021 Wheat Ridge executed a memorandum of understanding (MOU) with PorchLight to allow the Wheat Ridge Police Department (WRPD) to be a service provider through PorchLight despite not having dedicated space on site. WRPD now has dedicated on-site space at PorchLight for use when needed, and as such a new MOU is requested by PorchLight because of this change.

Staff Presentation

Chief of Police Chris Murtha spoke on how more than 75 partner agencies have been working together to provide coordinated services for victims of violence. Violence can

include physical abuse, emotional abuse, harassment, threats, strangulation, murder, elder, and at-risk adult abuse, human trafficking, property damage, and child abuse.

The advantage of a Family Justice Center is for victims of crime to have one-stop access to essential services. The City of Wheat Ridge is an important and participating partner in Porchlight. WRPD has a great relationship with them, and this is just an amendment that allows us to have a seat at the table.

Mayor Starker reviewed the procedures for public comment. No citizens appeared in chambers to address this issue. There were none who wanted to speak through the Zoom format.

Public Comment

No one came forward to speak.

Council Questions

There were none

Motion by CM Hoppe to approve Resolution No. 16-2022 - a resolution approving a memorandum of understanding between Porchlight, A Family Justice Center, and the City of Wheat Ridge concerning the provision of on-site police department services at the Center, seconded by CM Dozeman, motion carried 7-0.

6. Motion to approve subsequent payments of \$100,000 to Logan Simpson, Ft. Collins, CO, for the Open Space Management Plan Project

CM Weaver introduced the Motion at 7:31pm.

Issue

The current Open Space Management Plan for the City is twenty years old. A request for proposals (RFP) was issued to solicit qualified firms to develop a new comprehensive Open Space Management Plan. Five proposals were received and accepted as complete. City staff has evaluated the bids, and Logan Simpson was selected as the most responsible and responsive bidder in the amount of \$100,000.

Staff Presentation

Parks, Forestry and Open Space Manager Zack Lovato described how the intent of this project is to conduct a thorough analysis through discovery session and direct settings of the City's open spaces. He said they will look at current management strategies through engagement and surveys with the community, field research, and fact findings. This analysis will help to define the operational needs of the Parks Forestry, and Open Space Division, while accounting for the needs and desires of the community.

The current Open Space Management Plan was written in 2002 and is over 20 years old. During that timeframe, much has changed in relation to the City's open space

including development, increased usage of the greenbelt, increased demand for access and facilities, invasive species, wildlife populations, and water quality.

Mayor Starker reviewed the procedures for public comment where no citizens appeared in chambers to address this issue

Public Comment

No one came forward to speak on the zoom format

Council Questions

CM Weaver, who often hears from both constituents and water providers, asked about issues such as the long-term understandings of how the ditches work, especially the historical ditches and park waters. Many don't understand the difference between agriculture water and public use water.

CM Hultin is excited to get this Plan updated and to have a lot of input into it. She seeks a better understanding of how we will both preserve these valuable resources and manage them for the safety and enjoyment of the community.

Both topics were addressed in great detail by Mr. Lovato.

CM Hoppe noted that on the future agenda items list, there is a topic for wildlife and habitat management plan and wondered if this open space plan will help to address some of those concerns.

Mr. Lovato answered that it will.

CM Ohm asked about items including co-locating fiber optics under the trails and usage counts, now and in the future.

Mr. Lovato responded affirmatively that there are dreams of having a smart trail system with communication and electrical connections on the trails. Also there are desires to increase data collection for these trails, by multiple platforms.

Mayor Starker, who is honored to sit on the Mile-Hi flood district, relayed that they have a great group of talented people working on staff and excited to help and share resources, including design, and offered their assistance.

Motion by CM Weaver to approve subsequent payments of \$100,000 to Logan Simpson, Ft. Collins, CO, for the Open Space Management Plan Project, seconded by CM Hoppe, motion carried 7-0.

7. Resolution No. 17-2022 - A Resolution amending the 2022 fiscal year general fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$150,000 to accept grant funds from the Colorado Department of Local Affairs for the purpose of awarding a contract and approving subsequent payments to czb LLC for an affordable housing strategy and action plan

CM Stites introduced Resolution 17-2022 at 7:48 pm.

Issue

Addressing affordable housing is one of the City and state's most pressing issues. The Colorado Department of Local Affairs (DOLA) awarded the City a grant in the amount of \$112,500 for an Affordable Housing Strategy and Action Plan ("Plan") in October 2021. On February 18, 2022, the firm czb, LLC was selected by the City's established procurement process to perform the required professional services for completion of the Plan. This resolution amends the City's 2022 budget in the amount of \$150,000, accepts the grant award from DOLA and awards the contract to czb LLC.

Staff Presentation

City Manager Patrick Goff and Planner Jeff Hirt spoke briefly on the important topic, where State House Bill 21-1271 established a new program to support local governments in developing affordable housing strategies; the program is administered by the Department of Local Affairs (DOLA). This DOLA program recognizes that affordable housing is one of the biggest issues facing the state and is a top-tier award.

The grant is a well-timed opportunity that is supported both politically and throughout the city. There will be many engagements through council with the consultants from czb who are very familiar with the City of Wheat Ridge.

The City has minimal adopted policy addressing affordable housing, nor any recent housing-related community-specific analysis or programmatic guidance. The City's comprehensive plan is from 2009 and is still a couple years from being updated; the Housing Diversification Study was adopted in 2014, but it is not specifically focused on affordable housing and much has changed in the Wheat Ridge housing market in the intervening 7 years.

This topic is tentatively scheduled for a City Council Study Session on the May 2, 2022. Key stages of the project include:

- Policy direction from City Council;
- Community engagement opportunities and focused stakeholder discussions (e.g., with affordable housing developers) early in the project to share ideas and help define housing needs and later to review the draft framework for the Plan;
- A preliminary analysis of trends in the Wheat Ridge housing market using data from a range of sources (April/May);
- A housing needs assessment based on the data analysis and stakeholder discussions;

- An analysis of the land use, financial, and policy tools listed in State HB 21-1271 (as required by the grant) and an assessment of which tools could be most impactful in Wheat Ridge (e.g., zoning code changes, partnerships, etc.);
- An analysis of opportunity sites, such as the Lutheran Legacy Campus and others

Mayor Starker reviewed the procedures for public comment where no citizens appeared in chambers to address this issue

Public Comment

No one came forward to speak.

Council Questions

CM Hultin was excited to see that czb received the contract because she had worked with them previously on the NRS. She was impressed with their methodology and their relationship with Wheat Ridges unique circumstances.

CM Weaver congratulated the City on getting the grant, its great thing and very well timed. She agreed with CM Hultin's comments.

Motion by CM Stites to approve Resolution No. 17-2022, a resolution amending the 2022 fiscal year General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$150,000 for the purpose of funding the Affordable Housing Strategy and Action Plan and accepting grant funds from the Colorado Department of Local Affairs, seconded by CM Hultin, motion carried 7-0.

CITY MANAGER'S MATTERS

Mr. Goff informed Council that the Director of Public Works Greg Knudson is retiring after 31 years with the City. He was a great asset who doesn't want any fanfare and thanked him for all that he has done to help manage the streets, the vehicle fleet, and that he did a really great job.

Director O'Donnell wanted to let everyone know about the trees sales coming up on April 16 and 23 at Anderson park, from 9am to 3pm. Residents will be able to purchase trees at wholesale prices, with payment by cash or check and pickup only. There will also be a tree planting event on May 14 on 38th Ave. with more information coming later.

An update was given on the tree grant program where there were 26 applications from last year, with 17 people following through. Any extra funds from last year were rolled over into this year's program. The 2022 applications will be opening up to public in April. Lastly there will be a recruitment, job fair at the recreation center on April 15 from 2-4:30 pm. Please let anyone who might be interested know.

CM Weaver asked if the announcement will be on the Parks and Recreation webpage and other sources. Ms. O'Donnell confirmed that it will be so, with links to all of the tree different species.

CM Hultin inquired about the size of the trees. That detail could not be answered at this time.

Mayor Starker and Ms. O'Donnell reminded everyone that there will be Easter egg hunts on April 9 from 10am until noon at Panorama, Anderson and Discovery Parks and they will be free. Mayor said that they are great events and if you've never been, you've been missing an opportunity so please attend.

Chief Murtha stated that PD will be hiring park rangers, and that this is occurring earlier than normal due to increased usage of the greenbelts and other areas. He also spoke about the restructured communication teams, with Sara Spaulding moving predominantly to the city side, with the WRPD hiring their own Public Information Officer (PIO) and named Joanna Small, who is in the process of moving out here from Lynnwood, Washington. She was an award-winning newscaster who most recently worked for as the PIO for Lynnwood PD and will make a great addition to the team.

CITY ATTORNEY'S MATTERS

Nothing tonight.

ELECTED OFFICIALS' MATTERS

CM Hutchinson spoke on the beautiful day and the wind. She spoke also on wildlife sightings including coyote, foxes, and bunnies in her yard.

CM Stites recommends everyone to shop local and if you can find it in Wheat Ridge, buy it in Wheat Ridge.

CM Ohm was riding his bike on the Clear Creek trail and could see the progress at Prospect park. He and others are anxious for its re-opening. He also was excited for the tree sales and would like to have the mature height and width for the trees listed somewhere.

CM Weaver was also super excited about tree sale and planting workshop, there will be an end of season workshop for what to do with them for the fall.

CM Hultin recognized the Mayor as he represents the City on many boards and is widely revered on those boards, She thanked him for attending all those board meetings and serving as the voice of the City.

She also wanted to suggest a study session to take a look at reevaluating the short-term rental (STR) tax rate because some of that revenue supports the police work to help keep our motels and hotels safe. She wants to look at creating a standalone STR Tax where the revenues would be used specifically for addressing homelessness or attainable housing in our community. CM Hoppe supported her idea.

Mayor Starker thanked everyone and spoke about having a great walk with his son around Panorama park. He wished for everyone to stay safe and drive alertly, to make sure that all of our citizens get home every night.


ADJOURNMENT

The meeting adjourned at 8:11 pm



Robin Eaton, Deputy City Clerk

APPROVED BY CITY COUNCIL ON April 25, 2022



Rachel Hultin, Mayor Pro Tem

The preceding Minutes were prepared according to §47 of Robert's Rules of Order, i.e., they contain a record of what was *done* at the meeting, not what was *said* by the members. Recordings and DVDs of the meetings are available for listening or viewing by contacting the City Clerk's Office, as well as copies of Ordinances and Resolutions