

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

December 7, 2015

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

Council members present: Janeece Hoppe, Monica Duran, Zachary Urban, Kristi Davis, Tim Fitzgerald, George Pond, Genevieve Wooden, and Larry Mathews

Also present: City Clerk, Janelle Shaver; City Manager, Patrick Goff; Police Chief, Dan Brennan; guests and interested citizens.

PUBLIC COMMENT ON AGENDA ITEMS ~ none

APPROVAL OF AGENDA

1. Staff Reports(s)
 - a. Rural Metro Corporation and American Medical Response – Chief Brennan

Chief Brennan gave some brief background on the history of the ambulance service contract with Rural Metro. In October the City was informed that Rural/Metro of Central Colorado Corporation (Pridemark Paramedic Services) will be merging with American Medical Responses. The merger does not affect the coverage or the current contract with Rural/Metro which will expire in December 31,2016.

2. Sobesky Academy Presentation – The Jefferson Area Innovation Plan
Terry Walderman – principal
Gary Richy - assistant principal
Brenda Carlson – achievement director

Ms. Walderman began with information about their current location in a 1946 Lakewood school building. Sobesky serves students with significant emotional disabilities and mental health determinations. It is 100% special education so every student is on an individualized plan. The school district recognized the need for a better building.

Sobesky offers:

- Specialized training for all staff to work with students with emotional disabilities; all therapists have a strong foundation in clinical – not just school social work; all para-educators have training in non-violent restraint techniques and how to work with students with significant behaviors
- Small class size (8-12 students); 12 is maximum; ratio of 8:1 students to staff
- Safety, security and supervision are essential elements; added a campus supervisor and a dean of students this year

- Enrollment is not voluntary; students are placed here
 - Better able to serve special needs in a manner consistent with Jeffco curriculum
- Physical advantages of the new space at the former Stevens Elementary on Reed Street:
- Larger cafeteria, a library, outside playgrounds with grass
 - Space for students to re-group
 - Sensory room
 - Life skills room (washer, dryer, refrigerator, etc. to work on adaptive skills)
 - More space for natural separation of grade levels
 - Space for more students

Programming advantages for new space

- 3 Jeffco programs:
 - 1) "Reconnect": special education's credit recovery program,
 - 2) Placement system for expelled students in between placements
 - 3) Jeffco Transition Services (JTS): special needs students 18-21 years old
- Sobesky – K-12 student body with identified emotional disabilities
 - Currently 75-90 students in grades 2-12
- Increasing enrollments; full at current location so students have to go out of district
- 2 additional elementary classrooms
- 1 additional self-contained classroom for students on the autism spectrum
- 3 classrooms for "growth" as determined by student (district) needs
- Gradual enrollment increases of 45-60 students returning to or staying in Jeffco
- Brings dollars back to the SpEd budget –

Construction

- Budget of \$300,000 from the District's general fund, plus additional SpEd funds
- Retrofitting the building (things Stevens would have done if funding was available)
- K-12 student body with identified emotional disabilities
- Reconnect students will have their own space
- Jeffco transition students will have a room
- Reconfiguring classrooms and some office space to accommodate more therapists and students

Work done to date

- Sobesky staff determines specific needs for the building
- Two planning meetings with transportation regarding the buses
- Multiple planning meetings with District staff and contractor

Timeline

- Construction Jan-Mar 4; building complete March 4
- Students do not attend March 17-18 for packing; move over spring break
- Teachers have 2 days to set up classrooms, March 28 and 29
- Students begin classes March 30

Community Impact

- 8:00 am – 2:45 start and end times
- Transportation provided for all students
- 9 busses for arrival and dismissal; staggering will not be necessary; students are supervised exiting and boarding the buses
- Some transition buses during the day (three; between 10am and noon)

- Very little car traffic
- Closed campus
- Direct supervision of all students
- Very limited evening events (4 per year); no before or after school activities

All students have needs that need to be met; goal is always to transition back to neighborhood schools.

Council questions and comments followed:

- It would be good to pass a flier in the nearby neighborhood with information about the school and contact numbers. (Community meetings are planned.)
- "Reconnect" students are ones who are expelled or going through a threat assessment. If it's for more than 10 days we are still required to provide them with an education. (Currently 20-40 students a week; 6 hours a week at school working online with teachers available)
- There will be articles in the newspaper.
- Having businesses nearby will be valuable for students who lack related skills.
- Chief Brennan: Need still being assessed. Pupil ratio is low; they have a security supervisor. Our supervisors will receive orientation to understand the school and its students. WRPD has committed to having all officers go through 40 hour class in crisis intervention skills. The need for an SRO at the school is still unknown.
- Judge Randall: Lakewood has a mental health court that deals with the Sobesky students. We already have a significant juvenile docket with similar types of students, so other than a few more cases he doesn't expect any significant change for our court. (If a student receives a ticket in the building it will involve the WR Courts.)

3. West End 38 Conditions Survey and Urban Renewal Plan ~
Ann Ricker -- Ricker/Cunningham (URA consultant)
Tyler & Chris Downs – Wazee Partners (owners)
Steve Art – WR economic development

Patrick Goff introduced the proposal to create a new urban renewal area/plan on the west end of the 38th Avenue corridor. The 4.5 acre site at 38th & Upham is currently part of the Town Center Plan. The Town Center Plan is over 30 years old. Wazee Partners would like to pull this property from the Town Center Plan and create its own urban renewal plan. The Condition Survey has been completed.

Ann Ricker spoke about the Conditions Survey completed by her company.

- Pulling this property doesn't change the Town Center Plan
- 3 documents need to be created: 1) Conditions Survey 2) Urban Renewal Plan document, and 3) County impact report
- To create an urban renewal district the area was evaluated based on 11 factors of blight. Statutes require a voluntary district to have only one factor. The next level is 4 factors, then 5 if eminent domain is going to be used. Factors don't have to be present on every parcel.

- Nine blight factors were found to be present:
 1. Predominance of defective or inadequate street layout
 2. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
 3. Unsanitary or unsafe conditions
 4. Deterioration of site or other improvements
 5. Unusual topography or inadequate public improvements or utilities
 6. Existence of conditions that endanger life or property by fire or other causes
 7. Buildings that are unsafe or unhealthy for persons to live or work in
 8. Environmental contamination of buildings or property
 9. Substantial physical underutilizations or vacancy of sites, buildings, or other improvements
- TIF is used for economic/community development; it's a financing tool.

Mr. Goff noted the WR urban renewal authority has already approved the creation of a new urban renewal area along with \$4.8M in TIF for the public improvements.

Tyler Downs presented the West End 38 plan.

- They bought 3 of the 4 parcels. The 4th parcel, Vectra Bank, is included in the plan.
- The plan is for 150 apartment units and 15,000 sf of retail
- The retail is for small, local retailers and will oriented to 38th and Upham streets.
- The building steps up from 3 stories on the corner to 4 stories on the back.
- An underground parking structure will service the apartments and the retail.
- There will be demo and construction of a new, free-standing Vectra Bank building on the west side
- Their determination is the highest and best use is market rate multifamily with retail along 38th Avenue.
- Given the cost of rent in Wheat Ridge and construction costs in the metro area the plan is not possible without tax increment financing (TIF).
- Necessary public improvements include improvements to 38th Avenue and Upham, public plazas, upgraded facades, structured parking, associated utility upsizing, burying power lines, under-building drainage detention to serve the entire property.

Mr. Goff proposes to bring this to Council on Dec 14. It's important that it take place before Jan 1 so this project won't be impacted by HB1348. How the new legislation will be implemented is uncertain.

Mr. Dahl addressed the cooperation agreement. There are two steps to sales tax TIF financing – the UR plan and the cooperation agreement. Because of HB 1348, after Jan 1 approval of the UR plan will require talking to (approval from) more parties. This plan authorizes sales tax TIF as a tool, contingent on the approval of a cooperation agreement between City and the Urban Renewal Authority. Under the cooperation agreement, the City collects the sales tax increment and pays it to the URA. (Property tax goes directly to the URA.) Per Question 300, following Council approval of a cooperation agreement authorizing TIF over \$2.5M, that Council approval would have to be ratified by the

electorate to be effective. Council may approve the plan and the cooperation agreement on December 14, or just the plan. He advised that Council could, if it chooses, wait to approve the cooperation agreement until after January 1 because that would not be affected by HB 1348. Additionally, approval of the UR plan itself does not trigger voter ratification under Question 300; approval of the cooperation agreement does.

Councilmember Fitzgerald inquired about the cost of the project and a timeline to start.

- Tyler Downs estimated the cost of the project at \$36M with a TIF request of \$4.8 M (14%). Ms. Ricker stated that 15% is low end; 30% is normal; the highest she's seen was 48%. Mr. Goff noted that Sprouts was a \$25M project with \$1M cash and \$2M TIF from the City; 38th & Wads is a \$45M project with a TIF of \$6.5M.
- Regarding time, Tyler Downs stated that every day we wait represents less potential increment available to them, so the longer we wait the less financially incentivized they are. Also, construction costs are high now and going up. Vectra is also encouraging them to move forward as they feel they have an obsolete building. Chris Downs elaborated on construction costs.

Councilmember Urban noted the process is being reversed – that the Urban Renewal Authority has approved the agreement, but the West End 38 area does not exist yet. Wouldn't it be better to approve the area first, then the plan? Mr. Goff acknowledged that typically the UR area is in place and then the TIF clock is started, but because of the connection with the Town Center Plan, they are doing it backwards

Councilmember Duran's questions produced the following information:

- No traffic study has been done; that would be part of a site plan approval.
- If Council approves the cooperation agreement on Dec 14 it could go to the voters after the first of the year.
- Apartments to be rentals ranging from 850-900 sf (1BR = 780 sf; 2 BR = 1,050sf).
- Rent is projected to be \$1.65 - \$1.75 sf.

Councilmember Mathews pointed out that Council is only approving the formation of a new area - not the design, so specifics presented about the project are meaningless. Mr. Goff acknowledged that a different plan could materialize. Councilmember Pond commented on the site design process and standards. Mr. Goff stated if the area is approved the only thing Council would yet approve is a subdivision plat if that is required on this development. What is built and the site design will be approved administratively.

Councilmember Mathews inquired where the green space would be or would there be waivers for that, since approval on Dec 14 will amount to tacit approval. Mr. Dahl noted that the plan and the cooperation agreement are not zoning issues. Chapter 26 will apply.

Councilmember Wooden thanked Wazee Partners for their continued interest in WR and announced she would support the plan and agreement.

Councilmember Urban pointed out the discrepancy between Sec 5.3 of the agreement (which states that an election is not required) and Question 300 (which requires an

election). Mr. Dahl said that urban renewal operates separately and is not bound by 300, but Sec 5.3 likely refers to a TABOR election.

Councilmember Fitzgerald received consensus for:

- 1) Removing the West End 38 project area from the Town Center Urban Renewal Area,
- 2) Approving the West End 38 URA Plan, and
- 3) Approving a Cooperation Agreement between the City and Renewal Wheat Ridge for the sharing of tax increment generated from the West End 38 Plan.

4. Elected Officials' Report(s)

Tim Fitzgerald reported that the Housing Authority voted in favor of contributing money to the Fruitdale School project (condos and a meat processing school). Unfortunately, the proposal has been withdrawn as one of the main tenants got nervous about the difficulty with cost increases. They are asking for more money from the City. He said unfortunately that proposal would put the Housing Authority out of business.

Genevieve Wooden reported from the education committee. She said the Sobesky people are excited about their move to Wheat Ridge.


ADJOURNMENT

The Study Session adjourned at 8:20 p.m.



Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON December 14, 2015



George Pond, Mayor Pro Tem