

STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO
Virtual Meeting
December 21, 2020

Mayor Bud Starker called the Study Session to order at 6:30 p.m.

This meeting was conducted as a VIRTUAL MEETING.

No members of the Council or City staff were physically present at the Municipal building for this meeting; the public did not attend in person.

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

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

Council members present: Amanda Weaver, Judy Hutchinson, Korey Stites, Janeece Hoppe, Leah Dozeman, Valerie Nosler Beck. A quorum was present. Councilmembers Zach Urban and Rachel Hultin were unable to attend.

Also present: City Attorneys Geoff Wilson and Jerry Dahl; City Clerk, Steve Kirkpatrick; City Manager Patrick Goff; City Treasurer, Chris Miller; Community Development Director, Ken Johnstone; Assistant to the City Manager, Marianne Schilling, and other guests and interested citizens.

Citizen Comment on Agenda Items –

Amy Case, Chief Financial Officer, Foothills Regional Housing Authority (FRHA), called to thank the City for acknowledging the mission and purpose of our Authority. She listed several ways the City, our citizens and our businesses benefit from the agency's work, including locating the Agency in Wheat Ridge. The FRHA spends millions of dollars annually in staff salaries and local business transactions, centered in Wheat Ridge. They strive to provide affordable housing throughout the County. She also explained the financial impact of the proposed Council action.

Guy Nahmiach, 3650 Ward Road, WR – called to remind the Mayor and Council that he owns a rental property next to the Caesar Square. That Center sees a lot of police and other first responder activities, so Wheat Ridge provides a lot of services in this area at considerable expense. He wants Council to keep the full situation in mind as they contemplate this proposed action.

Lori Rosendahl, CEO of the FRHA, Ms. Case's associate, stated that the FRHA is working hard to improve Caesar Square access for the residents while making it harder for others to abscond through the Square or use the roadways for racing.

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).

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

- 1. Building materials use tax exemption for public housing authorities**
Discussion began at 6:38 pm, approximately 0:08 minutes into the recording of the session.

Issue

Section 22-68 of the Wheat Ridge Code of Law (Building materials and supplies) requires that “every person who builds, constructs, reconstructs...any building, dwelling or other structure...in the city...shall pay a use tax.” Section 22-67 of Code exempts public school, Wheat Ridge Housing Authority and Renewal Wheat Ridge projects from the city’s use tax.

Jefferson County Housing Authority, d/b/a Foothills Regional Housing (“Foothills”), owns several low-income projects within the City, including the Caesar Square Apartments which is currently under renovation. Foothills paid building materials use tax on the Caesar Square and two other projects in Wheat Ridge. They are requesting a refund of that use tax as they believe Foothills, as a housing authority is exempt from all taxes pursuant to Colorado State Statute.

Staff reports

Mr. Goff, Mr. Wilson and Mr. Dahl spoke on this item, and gave a detailed explanation of the background on use tax exemptions and why this is at issue. Previous Councils did not act to exempt entities from this tax. The Foothills Regional Housing Authority has asked the City to consider an exemption for public housing authorities.

Key topics included the financial impact and the City’s authorities with respect to these taxes as a Colorado Home Rule City. Mr. Goff reviewed the history of the Foothills Authority’s payments of these taxes and why the agency asks for an exemption.

Councilmembers had questions and comments:

Councilmembers asked detailed questions about how nearby municipalities treat this tax and the financial impact of an exemption.

Council also asked if other housing authorities operate in Wheat Ridge and would also benefit from this requested exemption. Ms. Rosendahl responded that other housing

authorities can only operate in Wheat Ridge if Council passes legislation to allow that to happen. As of now, Foothills is the only housing authority operating in Wheat Ridge.

Councilmember Hoppe proposed a consensus to direct staff to bring this use tax exemption forward for consideration at a future Council Meeting. Consensus achieved.

Council also asked detailed questions about how to word the language in a proposed ordinance so that only the Foothills Authority would be exempted without further action by Council.

Council asked that staff report on how nearby municipalities address this issue, what the current IGA between the City and the Foothills Authority states, and how that IGA might have to be amended to align with any proposed ordinance.

City Treasurer Miller asked whether the City will pay the requested interest to which the Foothills Authority believes it is entitled. Ms. Rosendahl stated, "We withdraw that request for interest." She indicated that the request was made by mistake.

2. Staff Report(s)

Discussion began at 7:04 pm, approximately :34 minutes into the session.

Mr. Goff reported that Jefferson County has decided to opt in and administer small business grants to small businesses in the County and our City. The County must apply for the funds by January 8th, and businesses must apply to the County by January 20, 2021. Grants are up to \$7,000.

He also discussed the state DPHE Five Star program, which allows restaurants to operate one level on the CoVid Dial below where the County sits. The program requires both parameters for public health data on the pandemic and a very complex set of requirements and actions in order for a restaurant to comply and participate.

3. Elected Officials' Report(s)

City Clerk Steve Kirkpatrick recognized the Public Works team for their excellent work in snow removal during recent storms. He also wished everyone happy, safe and healthy Holidays.

Councilmember Stites thanked Stuber Elementary and Ms. Stokes's fifth grade class for inviting him to discuss local small businesses. Mr. Stites was particularly impressed with the questions the students asked and their obviously high level of interest.

Councilmembers wished everyone a Merry Christmas and happy Holidays in good health and safety and thanked our residents and City staff for their hard work and taking care on one another.

City Treasurer Miller discussed the difficult decisions the Small Business Revitalization committee had to make in awarding the third round of grants, because there were many in need of help.

Mayor Starker thanked staff for their hard work this year under trying circumstances. He also thanked the Fifth Grade class and Ms. MacDonald at Everett Middle School and congratulated all fifth graders in Wheat Ridge for their hard work and for inviting him and Chief Murtha to attend their virtual Pep Rally.

The Mayor reminded all to wear a mask, watch social distancing and wash our hands. He also expressed the hope that we will all continue to help one another for as long as it takes to conquer the public health dangers and enjoy a healthy, happy and prosperous 2021.

ADJOURNMENT

The Study Session adjourned at 7:14 pm.

APPROVED BY CITY COUNCIL ON January 11, 2021



Steve Kirkpatrick, City Clerk



Janeece Hoppe, Mayor Pro Tem