

# ***City Council Meeting Minutes***

**February 20, 2018  
City Hall, Council Chambers  
749 Main Street  
7:00 PM**

**Call to Order** – Mayor Muckle called the meeting to order at 7:00 p.m.

**Roll Call** was taken and the following members were present:

**City Council:**        ***Mayor Robert Muckle  
Mayor Pro Tem Jeff Lipton  
Councilmember Jay Keany  
Councilmember Chris Leh  
Councilmember Susan Loo  
Councilmember Dennis Maloney  
Councilmember Ashley Stolzmann***

**Staff Present:**       ***Heather Balsler, City Manager  
Kevin Watson, Finance Director  
Megan Davis, Director of Intergovernmental Affairs  
Kurt Kowar, Director of Public Works  
Rob Zuccaro, Director of Planning & Building Safety  
Lisa Ritchie, Associate Planner  
Kristin Dean, Principal Planner  
Katie Zoss, Cultural Arts & Special Events Coordinator  
Meredyth Muth, City Clerk***

**Others Present:**    ***Sam Light, City Attorney***

## **PLEDGE OF ALLEGIANCE**

All rose for the pledge of allegiance.

## **APPROVAL OF AGENDA**

Mayor Muckle called for changes to the agenda and hearing none, moved to approve the agenda, seconded by Councilmember Loo. All were in favor.

## **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

## **APPROVAL OF THE CONSENT AGENDA**

MOTION: Mayor Muckle moved to approve the consent agenda, seconded by Councilmember Loo. All were in favor.

- A. *Approval of Bills***
- B. *Approval of Minutes: February 6, 2018***
- C. *Approval of Resolution No. 7, Series 2018 – A Resolution Approving a Third Amendment to the Fifth Interim Agreement Between the Municipal Subdistrict, North Colorado Water Conservancy District Windy Gap Firming Project Water Activity Enterprise, and the City of Louisville for Participation in the Windy Gap Firming Project***
- D. *Award Landscape Maintenance Services Contract***
- E. *Approval of Resolution No. 8, Series 2018 – A Resolution Approving a Business Assistance Agreement with Gaia, Inc. for an Economic Development Project in the City of Louisville***

## **COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA**

Councilmember Keany thanked the Public Works and Parks crews for their snow removal efforts overnight.

## **CITY MANAGER'S REPORT**

City Manager Balser stated staff is meeting with neighborhood school principals to discuss traffic safety and the new outreach program.

## **REGULAR BUSINESS**

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### **PRESENTATION – JILLYAN MCKINNEY, AVISTA HOSPITAL**

Ms. McKinney gave a short presentation introducing herself as the new CEO of Avista hospital. Councilmember Maloney asked about Avista's plans for an urgent care facility on South Boulder Road. McKinney stated the hospital is still investigating that possibility. Mayor Muckle welcomed McKinney to Louisville.

## **BLUE PARROT SIGN**

**RESOLUTION NO. 9, SERIES 2018 – A RESOLUTION DESIGNATING THE BLUE PARROT SIGN CURRENTLY LOCATED AT 640 MAIN STREET A HISTORIC LANDMARK**

**RESOLUTION NO. 10, SERIES 2018 – A RESOLUTION APPROVING THE ALLOCATION OF FUNDS FROM THE HISTORIC PRESERVATION FUND TO ACQUIRE THE BLUE PARROT LANDMARK SIGN**

**RESOLUTION NO. 11, SERIES 2018 – A RESOLUTION APPROVING A REQUEST FOR A PLANNED UNIT DEVELOPMENT AMENDMENT TO ESTABLISH A SIGN PROGRAM FOR THE PROPERTY AT 640 MAIN STREET**

Mayor Muckle introduced the item.

Associate Planner Ritchie gave some background on the Blue Parrot sign and stated the City Council and Historic Preservation Commission (HPC) indicated a desire to preserve the sign intact. In January, the HPC recommended approval of the landmark and acquisition of the sign. The Planning Commission also approved a PUD amendment. Council is considering a request to Landmark the sign and a request for the City to acquire the sign with the Historic Preservation Funds (HPF). The applicant will remove the sign and package it for transport, the sign will be stored temporarily at a City facility, and the City will install the sign in a publicly accessible location for view.

This is to landmarking the sign alone, not the building. Staff has found the sign meets the architectural and social significance criteria for landmarking. The applicant requests funds to acquire a sign equivalent to the cost to construct and install a similar sign. The total request is for \$34,133. Additional funds will be requested by the City at a later date to facilitate relocation and permanent placement of the existing sign for display.

In place of the old sign the owners would like a new sign that mimics the existing sign. This requires a PUD amendment. Staff feels the proposed sign meets the Downtown Sign Manual criteria.

Staff recommended approval of all three resolutions.

Mark Oberholzer, 224 Hoover Avenue, owner of 640 Main Street, stated this has been a long process but is now in a good place. He stated this is great compromise that should make everyone happy.

Councilmember Loo asked if there is a requirement the funds be used for the new sign. Ritchie stated there is no requirement. Councilmember Loo asked if the City would be able to loan the sign out if that became a possibility. Director Zuccaro stated the use of HPF funds require it stay in the funding district, but a loan has not been discussed.

Councilmember Maloney asked how the fair market value of the sign was determined, if anything other than the cost of the new sign was reviewed. Ritchie said no other costs were reviewed. Councilmember Maloney asked where this sign might fit in a City facility. Ritchie stated at this time it is unknown where the sign might be located or where it might fit.

Public Comments – None.

Councilmember Stolzmann stated the new sign is not iconic or designated and she asked why it did not have to comply with the sign manual dimensions. Ritchie stated the intent of a PUD amendment is to allow waivers and the purpose of this application is that it was not going to meet the criteria. Councilmember Stolzmann asked if finding those criteria not applicable was done out of convenience. Director Zuccaro, noted there is a conflict in the code; there is a section of the ordinance and downtown sign program stating there should be a process to allow for signs not meeting all the criteria but it then goes on to reference a requirement that it must meet the criteria. There was no way to reconcile that so it was found not applicable.

Councilmember Stolzmann stated she is struggling with that section as it says it needs to meet the criteria and this sign does not and it is not iconic; it is just a new sign.

Mayor Pro Tem Lipton stated it will likely cost \$100,000 to buy, restore, and install the sign. He asked if that was taken into consideration. Director Zuccaro stated the cost to fabricate and install the new sign is \$32,000 so we can assume installation will be only a part of that cost. Mayor Pro Tem Lipton stated he doesn't support this. He supports the new sign but not using public funds to buy the old sign when we don't know where it will be finally installed and what it will cost.

Councilmember Loo stated she views this sign as something like public art. It is a gorgeous sign. It will probably cost more in the end, but this is art we need to preserve. She supports all three resolutions.

Mayor Muckle agreed with Councilmember Loo. This is the most iconic thing in Louisville. Everyone over the age of 30 knows of the Blue Parrot. It is worth saving; this is the purpose of the historic preservation program.

Mayor Muckle moved to approve Resolution No. 9, Series 2018. Councilmember Loo seconded.

Councilmember Stolzmann stated she agrees the sign meets the landmark criteria for social significance.

Voice vote passed 6 -1; Mayor Pro Tem Lipton voting no.

Mayor Muckle moved to approve Resolution No.10, Series 2018; Councilmember Loo seconded.

Councilmember Stolzmann stated she is concerned about the price, it seems we are paying for the new sign rather than buying the existing sign. She doesn't agree with the valuation and is troubled there is no plan for where it will end up.

Councilmember Maloney agreed with Councilmember Stolzmann. He stated his concern is the fair market value process doesn't make sense to him; and we are acquiring something without any long-term plan for the item. He doesn't want to encumber future councils to pay for this.

Mayor Muckle stated this is why we have the HPF. He noted the current conceptual plan for the museum has a place for this. This is the preservation of our history. It would be penny wise and pound foolish to not buy the sign.

Councilmember Maloney felt there is a need for a plan and process for the sign before dollars are committed.

Councilmember Leh stated he doesn't have a problem using HPF dollars for this purpose, but is troubled by the lack of a plan and the way the sign was valued. He agreed the sign is important and worth buying, but wondered if this plan is ready.

Councilmember Keany supports the purchase realizing there is no current plan; and feels this would be a lost opportunity if not approved. He would rather be assured we have the sign with no plan than lose the opportunity to save the sign.

Director Zuccaro stated staff knows there are unanswered questions and noted the owner is under no obligation to keep the sign. Staff expedited this as quickly as possible knowing there is no solid plan. The timing really required it be brought forward now.

Mayor Muckle stated the fear of future costs is not a reason to let this historic artifact be lost.

Roll call vote: Motion passed 4-3; no votes from Councilmember Maloney, Councilmember Stolzmann, Mayor Pro Tem Lipton.

Mayor Muckle moved to approve Resolution No. 11, Series 2018; Councilmember Loo seconded.

Councilmember Stolzmann stated she doesn't support this as she feels it does not meet the review criteria specifically the size, height, location, design and appearance. She feels the criteria must be met for her to support this. She noted the sign code needs re-writing.

Councilmember Maloney asked Councilmember Stolzmann which criteria she was concerned about. Councilmember Stolzmann stated this is not a landmark sign or iconic, rather a new sign so it does not meet the downtown sign manual criteria.

Director Zuccaro stated the downtown sign manual has certain criteria, including the ability to apply for a PUD for a waiver but it then references the same criteria. It is a circular process but it seems there was intent for waiver criteria but it was not completed.

Councilmember Leh stated he appreciates Councilmember Stolzmann close reading of the rules, but noted as the sign code is written it is circular and should be interpreted as staff has done.

Attorney Light noted the Downtown Sign Manual sets up the possibility of a waiver but then doesn't give an option for the waiver in the PUD process; there is an inherent conflict in the code. Council has the option to interpret the rules.

Councilmember Stolzmann stated she feels it is arbitrary to not apply the criteria. She does not feel the PUD meets the criteria.

Mayor Muckle stated it appears clear the intent was to allow waivers.

Attorney Light stated Council may adopt the resolution upon a finding that with respect to the conflicting language in the downtown sign manual it was the intent to allow for requests for increases in height, area, and number of signs and therefore it is not absolutely required a sign meet those specific standards with respect to this application.

Roll call vote: Motion passed 5 – 2; no votes from Mayor Pro Tem Lipton and Councilmember Stolzmann.

**RESOLUTION NO. 12, SERIES 2018 A RESOLUTION APPROVING A SPECIAL REVIEW USE TO ALLOW THE CONSTRUCTION OF A ROOF MOUNTED CMRS FACILITY FOR PROPERTY AT 363 CENTENNIAL PARKWAY**

Planner Ritchie stated this is a request for a Special Review Use (SRU) to allow the construction of a rooftop wireless Commercial Mobile Radio Service (CMRS) facility at 363 Centennial Parkway. The request is for a new roof mounted wireless facility with a 12-panel antenna and associated equipment. This requires a Special Review Use as it exceeds the maximum height allowed in the PCZD – C Zone District – 42 feet to top of roof-top mechanical screening. They are proposing a 52'-8" antenna that exceeds the 6-foot limit for panel antennas above the parapet. They are not exceeding the height of the roof top screening.

Staff finds the application complies with the requirements, excepting overall height and the height of the panel antenna above the parapet. Staff also finds compliance with Sec.

17.28.110 – PUD Height Waiver as the proposal will not result in additional height, the expanded screening will match, is an appropriate scale, and is setback from the building edge. The proposal satisfies intent of Chap. 17.42 by offering a higher level of communication service to the City. Staff also finds the application satisfies the criteria to approve a Special Review Use. Staff recommends approval of the resolution.

John Dahl with Sure-Site Communications stated going higher is not always going to give you better service. They could go to 65 feet for better coverage but they are happy with what they are asking for.

Councilmember Maloney asked if the property owner considered other carriers; staff doesn't know.

Public comment – None.

Councilmember Stolzmann asked if the changes to the CMRS code we are considering would allow a higher antenna. Director Zuccaro stated that was likely. Councilmember Stolzmann stated she would support this application.

Councilmember Maloney stated there are many pockets in town that do not have cell coverage; it is a health and safety issue. He doesn't want to get into a situation that favors one carrier over another.

Councilmember Loo moved to approve Resolution No. 12, Series 2018; Councilmember Stolzmann seconded.

Voice vote 6-1; no vote from Councilmember Maloney.

## **PUBLIC ART POLICY**

### **RESOLUTION NO. 4. SERIES – A RESOLUTION APPROVING THE 2018 PUBLIC ART POLICY**

### **ORDINANCE NO. 1755, SERIES 2018 – AN ORDINANCE AMENDING TITLE 14 OF THE LOUISVILLE MUNICIPAL CODE ADDING A NEW CHAPTER REGARDING PUBLIC ART – 2ND READING –PUBLIC HEARING (advertised Daily Camera 2/11/18)**

Attorney Light introduced the item. Mayor Muckle opened the public hearing.

Cultural Arts and Special Events Coordinator Zoss stated the adoption of a public arts policy is an important step towards implementing the cultural arts master plan approved in 2017. It fosters art in Louisville by giving guideline for appropriately vetting new art work and creates a process for allowing new public art installations.

Council approved the ordinance on first reading having the Louisville Cultural Council (LCC) decisions regarding Public Art be final unless City Council chooses to review the LCC's decision within 30 days. After reviewing the meeting calendar, staff recommends changing the review time in the Public Art Ordinance to 45 days to allow enough time to bring the review of the LCC decision to City Council if needed.

Staff recommends approval of the ordinance on second reading with an amendment to change the 30-day period to 45 days.

Councilmember Maloney asked if Art on Loan is addressed in the resolution. Zoss stated it allows the LCC to create a policy on loans, but it has not been addressed directly here. Councilmember Maloney asked if this ordinance would allow loans or only purchase. Attorney Light stated the ordinance does give the LCC the authority to create a loan program and noted section 14.20.040A.

Public Comments – None.

Councilmember Loo moved to approve Resolution No. 4, Series 2018 with the condition that the period for Council review be changed from 30 to 45 days. Mayor Muckle seconded.

Councilmember Maloney asked how the LCC will fund public art; will a budget request be made and how will maintenance be addressed in the budget. City Manager Balser stated that will be a conversation with the LCC and a discussion with Council.

Voice vote on Resolution No. 4: All in favor.

Councilmember Stolzmann moved to approve Ordinance No. 1755, Series 2018 amending the period for Council review from 30 to 45 days. Councilmember Keany seconded.

**Vote:** Motion carried by unanimous roll call vote.

**ORDINANCE NO. 1756, SERIES 2018 – AN ORDINANCE AMENDING TITLE 6 OF THE LOUISVILLE MUNICIPAL CODE REGARDING BEEKEEPING – 2ND READING – PUBLIC HEARING (advertised Daily Camera 2/11/18)**

Attorney Light introduced the ordinance by title. Mayor Muckle opened the public hearing.

Planner Dean stated the proposed ordinance amends Title 6 regarding beekeeping. Based on Council direction from the December 19, 2017 meeting, the ordinance includes the following amendments:

- Beekeeping be allowed as a permitted use in all zoning districts.



- The number of hives are restricted in all zoning districts, except for the Agricultural Zoning District and the Open Space Zoning District, regardless of lot size.
- Rooftop hives are subject to the building setbacks per the underlying zoning designation.
- Registration of all beehives is required.

Staff recommends City Council approve Ordinance 1765, Series 2018 on second reading.

Councilmember Leh asked how a neighbor with a bee allergy would be informed about a proposed hive near them and if they have a way to object.

Dean stated it is a registration program, not an application. There is no signage required in this ordinance. Bee keepers don't encourage signs as they may instill fear.

Mayor Pro Tem Lipton stated he supports changes to allow more bee colonies, however he has concerns about putting hives in areas of high-density housing or multi-family housing without taking precautions so people in those areas know there are bee hives. He suggested screening or signage requirements in those districts. He can't support this without those changes.

Councilmember Stolzmann stated she supports this as drafted. She feels it would be overly restrictive to exclude multi-family units and feels the fears are unfounded. It is not likely we will see a large number of hives.

Councilmember Loo asked why commercial and industrial zones are excluded from bee keeping operations. Dean stated the concern is that without the limitation on the number of hives this may scale better in an agricultural zone. They can have 8 hives in larger commercial and industrial zones, but larger numbers are more appropriate in agricultural areas.

Dean stated this is meant to allow this small use in new areas, not really allow a new large-scale industrial use in those zones.

Mayor Pro Tem Lipton stated his concerns are really that there be signage or screening in multi-family areas, not a ban of them in these areas. He asked how other municipalities handle this. Dean stated rules vary across the metro area.

Mayor Pro Tem Lipton asked for a requirement in multi-family areas for some signs to be posted.

Mayor Pro Tem Lipton moved to approve the Ordinance No. 1756, Series 2018 with amendments to require registrants in multifamily zoned areas post a sign indicating there are hives present. Mayor Muckle seconded.

Councilmember Stolzmann stated there is strong public support for this and the literature shows the signs can create unnecessary animosity. She sees no reason to include this restriction; it doesn't add value.

Councilmember Stolzmann made a substitute motion to approve Ordinance No. 1756, Series 2018 as written; Keany seconded the motion.

Roll call vote on the substitute motion. Motion passed 4-3; no votes from Councilmember Loo, Mayor Pro Tem Lipton, Mayor Muckle. (the original motion dies)

**RESOLUTION NO. 13, SERIES 2018 – A RESOLUTION SETTING CERTAIN, WATER, WASTEWATER, STORMWATER AND OTHER FEES, RATES, AND CHARGES FOR THE CITY OF LOUISVILLE, COLORADO**

Mayor Muckle introduced the item.

Director Kowar stated staff recommends increasing utility rates for the 2018 calendar year in the amount of 3% for water, 7% for wastewater and 7% for stormwater to address smoothing of rates and debt increases. All are in accordance with financial policies and debt coverage requirements as part of loan packages.

Councilmember Maloney asked about the debt service coverage calculation. He asked if it is our policy or the lenders policy that these be by functional area or can it be an aggregate. Finance Director Watson stated it can be combined; the bonds are issued as a combined utility. However, we try to get each utility to function on its own. This is set by the bond holders. Director Watson stated at one point we consolidated all enterprise funds into one large fund to increase coverage factors.

Councilmember Maloney stated if one ratio is used across all the enterprises it is more efficient. Director Kowar stated the funds are separated so each utility charges appropriately for that enterprise fund. At some point each utility has to take control of its own debt coverage requirements.

Councilmember Maloney noted there would be ups and downs in each category over the life of the bond. That then affects the fee calculation from year to year. Kowar noted the covenant requirements get as specific as saying your debt coverage ratios have to be met on a monthly income basis not an annual overall. Councilmember Maloney suggested unless the calculation is combined there is a risk of the calculation being higher than it needs to be.

Mayor Muckle stated it is intentional to do it this way so we can determine if each fund is actually working appropriately and the fees are justified to maintain each utility.

Councilmember Maloney agreed the enterprises shouldn't be comingled but there is a responsibility to meet a target for the aggregate and looking at that and setting the fees has an inflated method with how it is used now.

Councilmember Stolzmann stated each fund must pay for the service it provides but not overinflate the cash reserves. She felt there was opportunity to look at how this is calculated.

Mayor Muckle suggested this will be a policy discussion at the March meeting.

Councilmember Keany moved to approve Resolution No.13, Series 2018;  
Councilmember Maloney seconded.

Councilmember Maloney advocated for change to the policy before we discuss rates again.

**Vote:** Motion carried by unanimous roll call vote.

**2018 STREET MAINTENANCE PROJECTS CONTRACT APPROVALS AND  
ADDITIONAL FUNDING REQUEST FOR NEIGHBORHOOD TRAFFIC  
MANAGEMENT**

**BID FOR 2018 STREET RESURFACING PROJECT**

**BID FOR 2018 STREET RECONSTRUCTION PROJECT**

**BID FOR 2018 CONCRETE REPLACEMENT PROJECT**

Director Kowar stated staff is presenting recommendations for approval of the streets and concrete program contracts. He noted we are three years into a five-year paving plan. Staff has included recommendations for specific additional work to address neighborhood traffic management and the costs involved to complete that work. Staff recommends approval of all three contracts and gave options for adding: slurry seal; Pine Street medians and speed radar; Bella Vista and Hoover medians; and add other traffic calming including signs, paint, and reflectors. This totals over \$4M in contracts. Staff recommends approval of the Streets and Concrete program contracts to APC in the amount of \$1,146,571.70, Asphalt Specialties in the amount of \$1,023,124, Noraa Construction in the amount of \$1,450,312, and associated staff controlled contingency in the amount of \$365,700.

Staff has neighborhood meetings set for March to see how residents react to the plans. If Bella Vista and Hoover medians are added to the plan, it will require a change order. Later in the summer staff will bring the crack seal contract for Council approval.

Mayor Pro Tem Lipton stated residents are happy with all of the progress on the roads. He asked about the totals, in order to meet the current goals we need \$235K more, then need roughly half million to do the other things listed. He asked how much was going to be a continuing cost.

Director Kowar stated it isn't continuing costs, but it is moving items around based on current conditions. This should cause a reduction in out year costs as streets are being completed earlier. Mayor Pro Tem Lipton stated it is important to know this may bring savings in out years.

Mayor Pro Tem Lipton asked if traffic calming will take care of problems or is this something we will have to continue to pay for each year. Director Kowar stated this addresses most of the major spots including school zones and trail crossings, but we can't know what hot spots might be of concern later.

Director Kowar noted there will be grant revenue from Boulder County coming in that was not included in the budget so there is extra money not accounted for. He added staff is good at managing contingency funds and using it for some of these alternatives.

Mayor Pro Tem Lipton stated as much as street maintenance is important to the community it is not the only important thing. There is a need to know what the impacts will be on the budget moving forward.

Councilmember Maloney agreed people are really happy with the work on the streets and Council is looking to continue this work. He stated he is thrilled to talk about and fund traffic calming options.

Councilmember Maloney asked how we can spend CIP funds for these additional projects, aren't those funds already allocated. City Manager Balsler stated projections show \$1.7M left in the CIP fund at the end of the year and there is an additional \$1M anticipated in other revenue that will free up other funds.

Councilmember Keany asked if it would be easier to combine two of these contracts with one contractor. Director Kowar stated staff is comfortable with using two vendors and it follows our bid process. In addition, we get a better schedule in the end.

Councilmember Loo stated residents will observe the new changes and when residents see what we are doing for traffic calming in one part of town they will ask for the same in other parts of town; so the out year budget probably won't go down. Mayor Muckle agreed people will want the traffic calming in other parts of town.

Mayor Muckle asked if the three contracts covered all the projects listed. Kowar noted the contract with APC covers chip seal, double hot chip seal and slurry seal, Asphalt Specialities is for all reconstructions, Noraa contract covers concrete and medians. The contingency would cover the items not addressed in the contracts initially.

Councilmember Stolzmann asked that no parking signs on Pine are changed as needed with the improvements.

Mayor Pro Tem Lipton stated as work is done on the streets and the results are deemed successful or not, and other areas of town are considered for similar projects. He would like more conversation of where the money is coming from to pay for these.

Mayor Muckle stated he is comfortable funding these knowing we have the reserves and this is an important area to fund. This is a high priority area to spend the reserve money.

Councilmember Maloney agreed 2017 was a good year for revenue and he wants to know this is purposefully paid for by extra 2017 revenue.

City Manager Balsler stated staff is looking at where to make long-term strategic investments if there are opportunities with additional funds that come in.

Councilmember Stolzmann moved to award the 2018 Street Reconstruction Project to Asphalt Specialties per their total bid of \$1,023,124.00, authorize staff to execute change orders up to \$102,312.40 as a 10% project contingency; Councilmember Keany seconded.

**Vote:** Motion carried by unanimous roll call vote.

Councilmember Stolzmann moved to award the 2018 Street Resurfacing Project to APC Construction Co., LLC per their total bid of \$1,146,571.70, authorize staff to execute change orders up to \$114,657.17 as a 10% project contingency; Councilmember Loo seconded.

**Vote:** Motion carried by unanimous roll call vote.

Councilmember Stolzmann moved to award the 2018 Concrete Replacement Project to Noraa Concrete Co. per their total bid of \$1,450,312.00, authorize staff to execute change orders up to \$145,031.20 as a 10% project contingency; Councilmember Loo seconded.

**Vote:** Motion carried by unanimous roll call vote.

*Keany left the meeting at 9:25 pm*

**DISCUSSION/DIRECTION/ACTION – DRCOG SUBREGIONAL TRANSPORTATION  
FUNDING PROCESS AND DRCOG 2018 LEGISLATIVE POSITIONS**

**SUPPORT/OPPOSITION TO LEGISLATION**

**RESOLUTION NO. 14, SERIES 2018 – A RESOLUTION APPROVING A  
TRANSPORTATION IMPROVEMENT PROGRAM FORUM AGREEMENT WITH  
BOULDER COUNTY AND MUNICIPALITIES WITHIN BOULDER COUNTY**

Director Davis stated the Denver Regional Council of Governments (DRCOG) is considering nine legislative bills related to a variety of areas. She noted SB18-001 transportation infrastructure bill incorporates a ballot issue and rolls back last year's hospital provider fee bill. Council took a position on this on their legislative agenda stating the City supports one or more new State funding resources for transportation that are not reliant on the State General Fund. SB-001 does include a general fund component and bonding general fund into the future so is likely a concern for the City. Additionally, there are issues with the amount of money going to multi-modal transportation as well as directly to locals. This bill has passed out of the Transportation Committee and is now in the Finance Committee. Councilmember Stolzmann stated DRCOG is currently monitoring this bill.

Davis mentioned SB-007 Affordable Housing Tax Credit Bill. The City has taken a position in our own legislative agenda to support creation and financing of statewide affordable housing mechanisms to bolster regional and local affordable housing. DRCOG is recommending support for this bill. It extends the affordable housing tax credit to 2024. This is a critical tool for developers in making affordable housing projects viable.

Councilmember Stolzmann noted she tries to compare the City's legislative agenda to any topics brought up at DRCOG and bring back to Council items of particular interest.

Mayor Muckle stated these bills are consistent with our legislative policy and these positions are appropriate.

Davis stated Resolution 14 is approving a transportation improvement program forum agreement with Boulder County and municipalities within Boulder County. This is a new mechanism for distributing Federal Transportation Improvement Program (TIP) funding. This will be an 80% for sub-regional projects and 20% for regional projects. This will require forming a sub-regional forum to serve as the body to review recommended projects to be advanced to DRCOG for regional federal funding and sub-regional projects to be advanced to DRCOG.

The sub-regional pool coming to Boulder County is estimated at \$18.4 million with the regional pool being estimated at \$46 million. The IGA establishes the agreements around the framework for this process and forum. Staff recommends approval of the Resolution and the IGA.

Mayor Muckle stated he supports the IGA. It is good for the City and the only way to receive this funding. He asked about the timing for the conversations on the regional funding. He suggested the sub-regional projects warrant further discussion.

Director Davis pointed out the project funding requirements and noted the City is not likely to have any projects qualifying for the regional dollars. The criteria will become clearer for those sub-regional projects and help determine what might be eligible here in Louisville and inform later discussions.

Councilmember Stolzmann moved to approve Resolution No. 14, Series 2018; Councilmember Maloney seconded. Voice vote, all in favor.

### **DISCUSSION/DIRECTION – CAMPUS DRIVE CONNECTION STUDY**

Director Kowar stated staff has coordinated with the Town of Superior to evaluate various transportation improvements around the 88<sup>th</sup> Street/Campus Drive area. The two municipalities completed this analysis to gain an improved understanding of costs for improvements. The improvements evaluated included:

- A new bridge connection to the Superior Town Center - \$20.5M
- Widening of 88<sup>th</sup> Street from Dillon Rd. to Rock Creek Parkway - \$19.5M
- Extension of Campus Drive to 96th Street - \$11.1M
- New Slip ramps from US 36 to 88<sup>th</sup> Ave for improved hospital access. - \$7M

Staff does not support the slip ramps based on the price. The Town Center option needs to be evaluated to see if it adds value for the area. 88<sup>th</sup> Street is functioning at capacity and staff recommends waiting to see what happens with the Phillips 66 property before addressing this. The Campus Drive extension is supported by both communities but it is a guess on the best location not knowing where future development will be. At this time, staff doesn't recommend moving forward with any of these.

Mayor Pro Tem Lipton agreed this is not ready for action right now. There is a need to wait to see what happens at Phillips 66 and there are other needs that should be prioritized.

Councilmember Stolzmann stated it is important to note there are existing deficiencies in the area needed to address congestion and give the school another entrance. The prices are simply too high to prioritize right now but conversations should continue to determine what level of funding the City would be expected to provide.

Mayor Muckle agreed with both Councilmember Stolzmann and Mayor Pro Tem Lipton. He added the campus drive extension has to be addressed first, but it doesn't make sense to do this now, we should wait until the area is developed. For the moment we have to wait for the opportunity to arise.

Councilmember Loo agreed time should not be spent on this unless something comes up that works for the City.

### **CITY ATTORNEY'S REPORT**

None.

### **COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS**

Mayor Pro Tem Lipton asked for some additional information for next week's discussion on marijuana, including a comparison of liquor and marijuana regulations.

Mayor Muckle asked for a Louisville/Lafayette Joint Issues Committee report. Councilmember Leh stated the group met and discussed areas of common interest including traffic and transportation. The group decided it would be worthwhile to continue meeting.

### **ADJOURN**

Members adjourned at 9:59 pm.

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Robert P. Muckle, Mayor

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Meredyth Muth, City Clerk