Louisville Sustainability Advisory Board

Agenda

January 15, 2020
City Hall, 749 Main Street, Spruce Room
6:30 - 8:00pm

1. 6:30PM Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
5. 6:35PM City Staff Updates (10 minutes)
6. 6:45PM Public Comments on Items Not on the Agenda (5 minutes, more as needed)
7. 6:55 PM LSAB Member Updates and Reports (5 minutes, more as needed)
8. Discussion Item: Wildlife Management
9. Discussion Item: 2020 LSAB Introduction and Overview
   A. Introductions and Welcome
   B. 2020 Work Plan Overview
   C. Processes and Actions
10. Discussion Item: 2019 Wrap Up and Sustainability Highlights
11. Discussion Item: 2021/2022 LSAB Budget Requests
12. Administration Tasks
A. Approval of Posting Locations
B. Log Volunteer Hours
C. Work Plan Review for Next Meeting

13. Adjourn
Louisville Sustainability Advisory Board
Meeting Minutes: Wednesday, December 18, 2019
City Hall, 749 Main Street, Spruce Room

Chair: Allison Johanson
Secretary: Marianne Martin

1. **Call to Order:** The meeting was called to order at 6:30 pm.

2. **Roll Call:** (Members present in bold): Seth Adams, Allison Johanson, Laura Levesque-Catalano, Marianne Martin, Mark Persichetti, Melanie Dubin, City Sustainability Coordinator Katie Baum. Visitors: RJ Harrington, Helen Bushnell

3. **Approval of current meeting Agenda:** Approved with no changes

4. **Approval of the November 2019 Meeting Minutes:** Approved with no changes

5. **City Staff Updates:**
   Katie (Sustainability Specialist)

6. **City Council Liaison Update:**
   Per City Council/Mayor Guidance there will not be a Council Liaison at LSAB meetings. Instead, regular meetings with all board chairs and Council will be scheduled for communication between council and all of the individual boards.

7. **Public Comments on Items Not on the Agenda**
   a. Helen Bushnell: Under represented people are fighting the hardest on climate change. They need to be heard and valued.
   b. Comment that materials are not easily accessible.
   c. RJ Harrington: Energy Futures partnership is great although Xcel utility rate increase is prioritizing fossil fuels and is business as usual.
   d. Ward 3 council appointment was made.

8. **LSAB Member updates:**
   a. Laura: Attended BRAD meeting. Water rate increase of concern due to contract. New director of economic vitality introduced- Megan Pierce.
   b. Mark: County funding levels will increase from $50k to $100k for zero waste and program limits will increase. Compost facility and C&D facility sites are being narrowed down. County will be seeking permits and construction would begin 2021.
c. Allison: Discussion with Parks Board member on shared goals on herbicide use. Parks working on IPM plan and topic is on Jan 9 agenda. Allison will be attending.
d. Allison: Dialogue with Mayor Stoltzmann. Council is prioritizing sustainability. Workplan needs to incorporate topics to provide guidance on: plan update, herbicide use in parks, solar access ordinances, plastic bag taxes or fees.

9 Sustainability Action Plan
a. First draft expected in January. Allison will share with Ashley that there would be changes and some new sections to synergize with County and to plan that Council will see Plan in April 2020. Katie suggests that LSAB members work on section introductions. City Manager Office will review to see where other staff work is needed.
b. Suggestion to incorporate State and County goals for GHG emissions targets, Louisville needs to focus on aggressive goals and actions.
c. Annual reporting and dashboard on goals.
d. Should/ can/ how LSAP incorporate resilience issues? Possibly reference existing drought and flood plans. Katie to check with CMO about existing plans.

10 Sustainability Action Plan: Work Plan Draft
a. Need lots of time to strategize on budget (January)
b. Budget have background info on what budget items have been approved in recent past.
c. Reference Council workplan.
d. Incorporate topics above under 8d.
e. Potentially add Historic Preservation cooperation.
f. Add Resilience Planning
g. Consider department/ director updates

11 2019 Staff Feedback
a. Katie will send out evaluation questions by email.

12 Log volunteer hours. See table below

13 Items for discussion at next meeting
a. Budget planning
b. 2020 overview
c. 2019 wrap up and sustainability highlights

14 Adjourn

Volunteer Hours:

<table>
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<tr>
<th>Board Member</th>
<th>Activities</th>
<th>Hours</th>
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<tbody>
<tr>
<td>Seth Adams</td>
<td>Meeting prep, attendance</td>
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<tr>
<td>Melanie Dubin</td>
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<tr>
<td>Allison Johanson</td>
<td>Meeting prep, attendance</td>
<td>8</td>
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</table>
Laura Levesque-Catalano | Meeting prep, attendance | 5.5
Marianne Martin | Meeting prep, attendance | 2.5
Mark Persichetti | Meeting prep, attendance, | 3.5

| **Total Hours** | **17.5** |

2019 LSAB Meetings Schedule, Deadlines, Meeting Assignments
If you are unable to fulfill your assignment, you are responsible for finding a replacement.

<table>
<thead>
<tr>
<th>Secretary to email minutes to LSAB Board Chair NLT 2 weeks before the next meeting.</th>
<th>Meeting Date</th>
<th>Chair *</th>
<th>Secretary *</th>
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<tr>
<td>January 6</td>
<td>January 16</td>
<td>Allison</td>
<td>Dan</td>
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<td>February 11</td>
<td>February 20</td>
<td>Allison</td>
<td>Marianne</td>
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<td>March 11</td>
<td>March 20</td>
<td>Allison</td>
<td>Seth</td>
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<td>April 7</td>
<td>April 17</td>
<td>Allison</td>
<td>Laura</td>
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<td>May 5</td>
<td>May 15</td>
<td>Allison</td>
<td>Mark</td>
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<td>June 3</td>
<td>June 11</td>
<td>Allison</td>
<td>Melanie</td>
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<tr>
<td>July 7</td>
<td>July 17 (TBD)</td>
<td>Allison</td>
<td>Marianne TBD</td>
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<td>August 11</td>
<td>August 21</td>
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<td>Seth Mark</td>
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<td>September 18</td>
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<td>Laura</td>
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<tr>
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<td>Melanie Laura</td>
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<tr>
<td>December 8</td>
<td>December 18</td>
<td>Allison</td>
<td>Marianne</td>
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*A crossed-out name followed by a second name denotes a substitute.*
General

- LSAB
  o **May 12th, 5:30 – 7pm: City Council and LSAB Study Session**

- Green Business
  o The most businesses (reoccurring and new) participate in the 2019 program year than any before with 39 businesses (8 new and 31 reoccurring). 2016 was 32, 2017 was 38, 2018 was 29 and 2019 was 39 businesses.
  o Over 90 participants in 2019 workshops
  o Rankings will be done mid-January. Communications to be developed and dispersed include: February digital newsletter, press release, website article, social media and Platinum awardees case studies
  o Green Business celebration will take place on **February 27th from 6:30 until 9 pm**. Eventbrite will be developed and dispersed. LSAB invited to attend.

- Grants
  o Boulder County Sustainability Matching Grant (full funding awarded) and Boulder County Zero Waste Grant (partial funding awarded) has begun.
  o RAQC grant opening in February

- Energy Future Collaboration (EFC)
  o 2020 will focus on building audits, Portfolio Manager onboarding and outreach/communications.
  o Q1 EFC meeting will take place in January and focus on 2019 final program numbers, 2020 program/rebate changes and beginning communications planning.
Louisville hosting Regional Sustainability Director’s Q1 2020 meeting January 22nd. Will cover sustainable purchasing (Denver), climate and sustainability taxes and fees (Denver) and municipal sustainability (Louisville)

April communications and programs will be focused on Earth Day and sustainability stories.

2020 Sustainability Series planning is underway. It is staff’s goal to have the entire year planned by January 2020.

- **April**
  - TBA: Biggest Little Farm film screening
  - April 22nd, 9-11am, Community Park: Earth Day Cleanup
  - TBA: WaterWise Landscaping – April, Resource Central

- **May**
  - May 9th, Louisville Library: Bike to Books w/ Library
  - TBA: Spring Cleanup: Hazardous Waste Drive

- **June**
  - June 24, 6:30 – 9am, Louisville City Hall: Bike to Work Day

- **August**
  - TBA: Know Before You Go: Electric Vehicles and Drive-a-thon

- **November**
  - TBA: E-Waste Recycling Drive
  - TBA: Clothing Repair event – Library

- **December**
  - TBA: Library kid’s event – Make your Own: Wrapping Paper

Next steps – None.
Memorandum

To: Louisville Sustainability Advisory Board
From: Katie Baum, Sustainability Specialist
Date: January 15, 2020
Re: Discussion Item 10: 2019 Wrap Up and Sustainability Highlights

Summary

Staff has provided a 2019 year-end summary of sustainability-related programs and initiatives. The summary includes updates on the following: Energy Future Collaboration program, TMP, hauler reporting/transition, municipal operations, electric vehicle fleet study, green business program, outreach/events, grants, program impact and next steps.

Next Steps

Staff is developing a complete 2019 sustainability report. The report will be available in February 2020. This is an update only.
HIGHLIGHTS

CLIMATE ACTION GOALS

In August 2019, the City Council adopted renewable energy and carbon emission reduction goals. The goals cover both municipal operations and community-wide emissions and energy consumption. This action was identified as a top priority from the Energy Future Collaboration program with Xcel Energy.

ENERGY FUTURE COLLABORATION (EFC)

In 2018, the City and Xcel entered into a voluntary partnership that focuses on innovation, clean energy, economic development, customer programs and technology. The following items were completed in 2019 as part of the program: adoption of climate action goals, completion of energy highlight report card, continued assistance with Green Business Program, update on phase 3 of Renewable Connect, update on electric vehicle rate policy, creation of Home Energy Squad utility bill insert, completion of City EV fleet study and mid-year programming data and commercial outreach.

2020 goals for the program include: benchmarking for municipal energy through building audits and onboarding of EnergyStar Portfolio Manager, outreach/engagement on energy efficiency upgrades, implementation of strategies to achieve climate action goals.

TRANSPORTATION MASTER PLAN

In November 2019, Council adopted the Transportation Master Plan (TMP). Sustainable solutions are incorporated throughout with one goal specifically addressing this topic: improve environmental and community health by reducing emissions and support mode share and sustainability”.

HAULER REPORTING + TRANSITION

Council passed hauler licensing and reporting requirements that went into effect in 2019. All haulers operating within City limits are required to report hauling data (recycled, composted and landfilled materials) utilizing Boulder County’s ReTRAC software. The City will have additional diversion metrics for the community by the first quarter of 2020.

In 2019, the City moved forward with the transition from Western to Republic for trash, recycling and composting service. Through the embedded pricing, trash, recycling and composting will be provided under one rate dependent upon the size of the customer’s trash can (32, 64 or 96-gallon). It is anticipated the majority of Louisville customers will see a decrease in costs for service.

MUNICIPAL OPERATIONS

RENEWABLE ENERGY

As of 2019, 19% of the City’s electricity for municipal facilities came from carbon-free sources through our participation in Xcel Energy’s Renewable*Connect program. As of November 2019, the
Renewable*Connect program has cost approx. $4,000. To-date, the City has been charged $41,000 for Renewable*Connect and been credited $37,720. More information on the amount of electricity provided through renewable energy will be provided in the first quarter of 2020.

The City also leases capacity in two community solar gardens in Boulder and receives credit utilizing Xcel Energy’s Solar*Rewards Community, as well as quarterly offset checks from Clean Energy Collective and Mesa Solar. As of November 2019, the City has received approx. $115,000 in utility billing credits for the year. The City has paid $68,000 in leasing and $103,000 in loan payments. It is anticipated that this program will continue to run at a deficit until years 10-12 of the 20-year agreement. We’re currently in year 3.

The City has three solar sites to help generate power on City property. The sites are located at the North Water Treatment Plant, the South Water Treatment Plant and the Wastewater Plant. More information on the amount of electricity generated on-site will be provided in the first quarter of 2020.

ENERGY EFFICIENCY

The Water and Wastewater Treatments Plants completed four lighting efficiency upgrades in August and September of 2019. The upgrades translated into $10,000 worth of lighting efficiency rebates from Xcel Energy and will help the treatment plants run more efficiently.

ELECTRIC VEHICLE CHARGING

City staff successfully applied for a Regional Air Quality Council Charge Ahead grant to fund the installation of a Level-2 Dual Port electric vehicle charging station at the Recreation/Senior Center. The installation was performed by National Car Charging, LLC and has been online since October 2019.

From January through November 2019, the charging stations at the Library and Recreation/Senior Center have seen over 770 charging sessions.

ELECTRIC VEHICLE FLEET STUDY

In 2019, the City participated in a fleet electric vehicle study in partnership with Xcel Energy. For the study, 20 vehicles (11 light duty trucks, one passenger van, three sedans and five SUVs) had diagnostics software installed to provide data on usage, acceleration and idling to provide data on potential opportunities for electric vehicle and plug-in hybrid vehicle integration or other transportation efficiency initiatives.

Of the 20 vehicles, the consultant identified eight that could potentially be replaced with electric vehicles and save on the total cost of ownership. The City could see a reduction in annual emissions and fuel reduction. As the majority of these vehicles are used by the Police Department, appropriate use of vehicles would have to be evaluated when considering replacement of vehicles. Vehicles recommended may not fit with work requirements. Additionally, the age of the vehicles would have to be considered as many are not due to be replaced until the end of their anticipated useful life.

Based on daily utilization, five fleet vehicles appear to be under-utilized. These vehicles could potentially be replaced with a personal vehicle in which mileage is reimbursed or a pool vehicle. Again, appropriate use of vehicles would have to be evaluated when considering replacement of vehicles. Vehicles recommended may not fit with work requirements.
To accommodate the integration of electric vehicles, charging stations would also need to be installed at City facilities and for dedicated charging. At this time, City facilities do not have the ability to charge at the scale that would be required for additional electric vehicles.

There are other policies that can be considered, including one that addresses engine idling. Utilizing a telematics system to manage idle-reduction could potentially save on gasoline costs. The annual cost of a telematics system, however, may cost more than the potential cost savings. In developing policies to address idling, however, the City should consider employee needs like air conditioning and heating based on weather conditions.

Overall, the technology to transition to electric for larger vehicles and equipment does not exist at this time. Staff will continue to monitor potential improvements and the replacement of existing vehicles to identify opportunities for electrification. Additional information can be found in the EV fleet report, which is included as an attachment.

PROGRAMMING

GREEN BUSINESS PROGRAM

In February 2019, the Green Business program celebrated the 2018 Green Businesses at Sweet Spot Café with City Council, City staff and regional partners. In April, over 20 business representatives participated in the annual Green Business Breakfast, hearing from PACE partners and networking with regional businesses. Businesses from Louisville, Lafayette and Superior participated.

The 2019 Green Business program year opened in June and closed December 15th. New this year, PACE and City staff developed workshops throughout the year to provide businesses with in-depth expertise around a range of subjects, such as electric vehicles, marketing your green business, recycling tours, water conservation for businesses, etc. Over 100 participants from Louisville, Lafayette and Superior businesses attended the workshops.

In 2018, 29 Louisville businesses participated in the program and helped conserve water and energy through building operations, as well as minimize waste and commuter transportation impacts. In 2019, 39 Louisville businesses participated in the program. Of these, eight were new businesses and 31 were reoccurring.

Commercial entities are vital partners in achieving climate action goals. In the first two quarters of 2019, 58 commercial entities in Louisville participated in Xcel Energy’s energy efficiency programs. By utilizing these programs, an estimated 2,280,097 kWh will be saved in commercial operations. In only the first two quarters, the electricity savings outpaced the entire savings that occurred in 2018.

SUSTAINABILITY EVENTS + OUTREACH

In April 2019 in celebration of Earth Day, 1,000 reusable tote bags were passed out to Louisville employees and residents to encourage the reduction in single-use plastics and promote awareness around the issue. The bags were dispersed at the Recreation/Senior Center, Library and City Hall.

Multiple sustainability events took place throughout the year hosted by the City Manager’s Office, the Library, Parks and Recreation, Open Space and the Cultural Council.
Bike to Work Day continues to be a success as over 200 participants stopping by for pancakes, music and giveaways at the City Hall station in 2019. A Green Living Resource Fair was hosted at the Library with seven participating organizations. Around 40 participants engaged with our green living partners and had the opportunity to take home a free kitchen compost pail.

**GRANTS**

**BOULDER COUNTY SUSTAINABILITY MATCHING GRANT**

The City received a grant from Boulder County to continue funding the Sustainability Specialist position into 2020.

**BOULDER COUNTY ZERO WASTE GRANT**

The City received a grant from Boulder County to expand recycling and composting service with 25 new receptacles in Parks and Open Space. Staff also designed new educational signage to provide guidance to residents and visitors. The City received $7,000 from Boulder County through a Zero Waste Grant. Continuing efforts from 2019, 25 additional recycling and composting receptacles will be placed at high-use locations in 2020 to encourage waste diversion. The City has received another $3,000 to continue the expansion.

**RAQC CHARGE AHEAD GRANT**

City staff received a grant to install a Level-2 dual port charging station at the Recreation/Senior Center, which was installed and is operational as of October 2019.

**PROGRAM IMPACT**

Staff has seen a number of impacts to the 2019 Key Performance Indicators for the Sustainability sub-program as a result of these efforts and expects to see continue improvements in 2020 in the following areas:

- Increase in residential waste diversion percentage
- Reduction in community GHG emissions
- Reduction in community energy use per capita
- Increase in encouraging sustainability for both residential and commercial properties rating

**WHAT’S NEXT**

In February 2020, City staff will develop a 2019 Sustainability Report with programming data and metrics provided by regional partners and internal tracking. Other tasks include: building auditing and onboarding EnergyStar Portfolio Manager, onboarding City facilities with Xcel’s WindSource program to achieve 100% carbon-free electricity for City facilities, continued outreach and education to promote participation and awareness of available programs and updating the Louisville Sustainability Action Plan, which was adopted in 2016.
ATTACHMENTS

- Electric Vehicle Fleet Study
Memorandum

To: Louisville Sustainability Advisory Board
From: Katie Baum, Sustainability Specialist
Date: January 15, 2020
Re: Discussion Item 11: 2021/2022 LSAB Budget Requests Input

Summary

In 2016, the City adopted the first biennial budget for 2017-2018. This was also the first time the budget was organized into 10 program areas and 38 sub-programs. The intent of these changes was to reduce staff time dedicated to the budget on an annual basis, to make it easier for the public to understand where the City invests their taxes and fees to provide services and for City Council to evaluate how efficiently and effectively the City uses those resources to achieve the objectives of each sub-program. To review the 10 programs and 38 sub-programs along with the goals and objectives of each, go to https://www.louisvilleco.gov/home/showdocument?id=16970.

Next Steps

Staff requests LSAB’S input on budget requests for the 2021/2022 biennial budget.
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Participation in Government

The City of Louisville encourages citizen involvement and participation in its public policy process. There are many opportunities for citizens to be informed about and participate in City activities and decisions. All meetings of City Council, as well as meetings of appointed Boards and Commissions, are open to the public and include an opportunity for public comments on items not on the agenda. No action or substantive discussion on an item may take place unless that item has been specifically listed as an agenda item for a regular or special meeting. Some opportunities for you to participate include:

Reading and inquiring about City Council activities and agenda items, and attending and speaking on topics of interest at public meetings

City Council Meetings:
• Regular meetings are generally held on the first and third Tuesdays of each month at 7:00 PM in the City Council Chambers, located on the second floor of City Hall, 749 Main Street;
• Study sessions are generally held on the second and fourth Tuesdays of each month at 7:00 PM in the Library Meeting Room, located on the first floor of the Library, 951 Spruce Street;
• Regular meetings are broadcast live on Comcast Cable Channel 8 and copies of the meeting broadcasts are available on DVD in the City Manager’s Office beginning the morning following the meeting;
• Regular meetings are broadcast live and archived for viewing on the City’s website at www.LouisvilleCO.gov.
• Special meetings may be held occasionally on specific topics. Agendas are posted a minimum of 48 hours prior to the meeting.

Meeting agendas for all City Council meetings, other than special meetings, are posted a minimum of 72 hours prior to the meeting:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street
- City website at www.LouisvilleCO.gov

Meeting packets with all agenda-related materials are available 72 hours prior to each meeting and may be found at these locations:
- Louisville Public Library Reference Area, 951 Spruce Street,
- City Clerk’s Office, City Hall, 749 Main Street,
- City website at www.LouisvilleCO.gov

You may receive eNotifications of City Council news as well as meeting agendas and summaries of City Council actions. Visit the City’s website (www.LouisvilleCO.gov) and look for the eNotification link to register.

After they are approved by the City Council, meeting minutes of all regular and special meetings are available in the City Clerk’s office and on the City’s website (www.LouisvilleCO.gov).

Information about City activities and projects, as well as City Council decisions, is included in the Community Update newsletter, mailed to all City residents and businesses. Information is also often included in the monthly utility bills mailed to City residents.

Communicating Directly with the Mayor and City Council Members

Contact information for the Mayor and City Council members is available at www.LouisvilleCO.gov, as well as at City Hall, the Louisville Public Library, and the Recreation/Senior Center. You may email the Mayor and City Council as a group at CityCouncil@LouisvilleCO.gov.

Mayor’s Town Meetings and City Council Ward Meetings are scheduled periodically. These are informal meetings at which all residents, points of view, and issues are welcome. These meetings are advertised at City facilities and on the City’s website (www.LouisvilleCO.gov).

Mayor or City Council Elections

City Council members are elected from three Wards within the City and serve staggered four-year terms. There are two Council representatives from each ward. The mayor is elected at-large and serves a four-year term. City Council elections are held in November of odd-numbered years. For information about City elections, including running for City Council, please contact the City Clerk’s Office, first floor City Hall, 749 Main Street, or call 303.335.4571.

Serving as an Appointed Member on a City Board or Commission

The City Council makes Board and Commission appointments annually. Some of the City’s Boards and Commissions are advisory, others have some decision-making powers. The City Council refers questions and issues to these appointed officials for input and advice. (Please note the Youth Advisory Board has a separate appointment process.) The City’s Boards and Commissions are:

- Board of Adjustment
- Building Code Board of Appeals
- Cultural Council
- Historic Preservation Commission
- Historical Commission
- Housing Authority
- Library Board of Trustees
- Local Licensing Authority
Open Meetings

The City follows the Colorado Open Meetings Law (“Sunshine Law”) as well as additional open meetings requirements found in the City’s Home Rule Charter. These rules and practices apply to the City Council and appointed Boards and Commissions (referred to as a “public body” for ease of reference). Important open meetings rules and practices include the following:

Regular Meetings

All meetings of three or more members of a public body (or a quorum, whichever is fewer) are open to the public.

All meetings of public bodies must be held in public buildings and public facilities accessible to all members of the public.

All meetings must be preceded by proper notice. Agendas and agenda-related materials are posted at least 72 hours in advance of the meeting at the following locations:

• City Hall, 749 Main Street
• Police Department/Municipal Court, 992 West Via Appia
• Recreation/Senior Center, 900 West Via Appia
• Louisville Public Library, 951 Spruce Street
• City web site at www.LouisvilleCO.gov

Study Sessions

Study sessions are also open to the public. However, study sessions have a limited purpose:

• Study sessions are to obtain information and discuss matters in a less formal atmosphere;
• No preliminary or final decision or action may be made or taken at any study session; further, full debate and deliberation of a matter is to be reserved for formal meetings; If a person believes in good faith that a study session is proceeding contrary to these limitations, he or she may submit a written objection. The presiding officer will then review the objection and determine how the study session should proceed.
• Like formal meetings, a written summary of each study session is prepared and is available on the City’s website.

Executive Sessions

The City Charter also sets out specific procedures and limitations on the use of executive sessions. These rules, found in Article 5 of the Charter, are intended to further the City policy that the activities of City government be conducted in public to the greatest extent feasible, in order to assure public participation and enhance public accountability. The City’s rules regarding executive sessions include the following:

Timing and Procedures

The City Council and City Boards and Commissions may hold an executive session only at a regular or special meeting.

No formal action of any type, and no informal or “straw” vote, may occur at any executive session. Rather, formal
actions, such as the adoption of a proposed policy, position, rule or other action, may only occur in open session.

Prior to holding an executive session, there must be a public announcement of the request and the legal authority for convening in closed session. There must be a detailed and specific statement as to the topics to be discussed and the reasons for requesting the session.

The request must be approved by a supermajority (two-thirds of the full Council, Board, or Commission). Prior to voting on the request, the clerk reads a statement of the rules pertaining to executive sessions. Once in executive session, the limitations on the session must be discussed and the propriety of the session confirmed. If there are objections and/or concerns over the propriety of the session, those are to be resolved in open session.

Once the session is over, an announcement is made of any procedures that will follow from the session.

Executive sessions are recorded, with access to those tapes limited as provided by state law. Those state laws allow a judge to review the propriety of a session if in a court filing it is shown that there is a reasonable belief that the executive session went beyond its permitted scope. Executive session records are not available outside of a court proceeding.

**Authorized Topics**

For City Council, an executive session may be held only for discussion of the following topics:

- Matters where the information being discussed is required to be kept confidential by federal or state law;
- Certain personnel matters relating to employees directly appointed by the Council, and other personnel matters only upon request of the City Manager or Mayor for informational purposes only;
- Consideration of water rights and real property acquisitions and dispositions, but only as to appraisals and other value estimates and strategy for the acquisition or disposition; and
- Consultation with an attorney representing the City with respect to pending litigation. This includes cases that are actually filed as well as situations where the person requesting the executive session believes in good faith that a lawsuit may result, and allows for discussion of settlement strategies.

The City’s Boards and Commissions may only hold an executive session for consultation with its attorney regarding pending litigation.

**Ethics**

Ethics are the foundation of good government. Louisville has adopted its own Code of Ethics, which is found in the City Charter and which applies to elected officials, public body members, and employees. The Louisville Code of Ethics applies in addition to any higher standards in state law. Louisville’s position on ethics is perhaps best summarized in the following statement taken from the City Charter:

> Those entrusted with positions in the City government must commit to adhering to the letter and spirit of the Code of Ethics. Only when the people are confident that those in positions of public responsibility are committed to high levels of ethical and moral conduct, will they have faith that their government is acting for the good of the public. This faith in the motives of officers, public body members, and employees is critical for a harmonious and trusting relationship between the City government and the people it serves.

The City’s Code of Ethics (Sections 5-6 though 5-17 of the Charter) is summarized in the following paragraphs. While the focus is to provide a general overview of the rules, it is important to note that all persons subject to the Code of Ethics must strive to follow both the letter and the spirit of the Code, so as to avoid not only actual violations, but public perceptions of violations. Indeed, perceptions of violations can have the same negative impact on public trust as actual violations.

**Conflicts of Interest**

One of the most common ethical rules visited in the local government arena is the “conflict of interest rule.” While some technical aspects of the rule are discussed below, the general rule under the Code of Ethics is that if a Council, Board, or Commission member has an “interest” that will be affected by his or her “official action,” then there is a conflict of interest and the member must:

- Disclose the conflict, on the record and with particularity;
- Not participate in the discussion;
- Leave the room; and
- Not attempt to influence others.

An “interest” is a pecuniary, property, or commercial benefit, or any other benefit the primary significance of which is economic gain or the avoidance of economic loss. However, an “interest” does not include any matter conferring similar benefits on all property or persons similarly situated. (Therefore, a City Council member is not prohibited from voting on a sales tax increase or decrease if the member’s only interest is that he or she, like other residents, will be subject to the higher or lower tax.) Additionally, an “interest” does not include a stock interest of less than one percent of the company’s outstanding shares.

The Code of Ethics extends the concept of prohibited interest to persons or entities with whom the member is associated. In particular, an interest of the following persons and entities is also an interest of the member: relatives (including persons related by blood or marriage to certain
degrees, and others); a business in which the member is an officer, director, employee, partner, principal, member, or owner; and a business in which member owns more than one percent of outstanding shares.

The concept of an interest in a business applies to profit and nonprofit corporations, and applies in situations in which the official action would affect a business competitor. Additionally, an interest is deemed to continue for one year after the interest has ceased. Finally, “official action” for purposes of the conflict of interest rule, includes not only legislative actions, but also administrative actions and “quasi–judicial” proceedings where the entity is acting like a judge in applying rules to the specific rights of individuals (such as a variance request or liquor license). Thus, the conflict rules apply essentially to all types of actions a member may take.

Contracts
In addition to its purchasing policies and other rules intended to secure contracts that are in the best interest of the City, the Code of Ethics prohibits various actions regarding contracts. For example, no public body member who has decision–making authority or influence over a City contract can have an interest in the contract, unless the member has complied with the disclosure and recusal rules. Further, members are not to appear before the City on behalf of other entities that hold a City contract, nor are they to solicit or accept employment from a contracting entity if it is related to the member’s action on a contract with that entity.

Gifts and Nepotism
The Code of Ethics, as well as state law, regulates the receipt of gifts. City officials and employees may not solicit or accept a present or future gift, favor, discount, service or other thing of value from a party to a City contract, or from a person seeking to influence an official action. There is an exception for the “occasional nonpecuniary gift” of $15 or less, but this exception does not apply if the gift, no matter how small, may be associated with the official’s or employee’s official action, whether concerning a contract or some other matter. The gift ban also extends to independent contractors who may exercise official actions on behalf of the City.

The Code of Ethics also prohibits common forms of nepotism. For example, no officer, public body member, or employee shall be responsible for employment matters concerning a relative. Nor can he or she influence compensation paid to a relative, and a relative of a current officer, public body member or employee cannot be hired unless certain personnel rules are followed.

Other Ethics Rules of Interest
Like state law, Louisville’s Code of Ethics prohibits the use of non-public information for personal or private gain. It also prohibits acts of advantage or favoritism and, in that regard, prohibits special considerations, use of employee time for personal or private reasons, and use of City vehicles or equipment, except in same manner as available to any other person (or in manner that will substantially benefit City). The City also has a “revolving door” rule that prohibits elected officials from becoming City employees either during their time in office or for two years after leaving office. These and other rules of conduct are found in Section 5-9 of the Code of Ethics.

Disclosure, Enforcement, and Advisory Opinions
The Code of Ethics requires that those holding or running for City Council file a financial disclosure statement with the City Clerk. The statement must include, among other information, the person’s employer and occupation, sources of income, and a list of business and property holdings.

The Code of Ethics provides fair and certain procedures for its enforcement. Complaints of violations may be filed with the City prosecutor; the complaint must be a detailed written and verified statement. If the complaint is against an elected or appointed official, it is forwarded to an independent judge who appoints a special, independent prosecutor for purposes of investigation and appropriate action. If against an employee, the City prosecutor will investigate the complaint and take appropriate action. In all cases, the person who is subject to the complaint is given the opportunity to provide information concerning the complaint.

Finally, the Code allows persons who are subject to the Code to request an advisory opinion if they are uncertain as to applicability of the Code to a particular situation, or as to the definition of terms used in the Code. Such requests are handled by an advisory judge, selected from a panel of independent, disinterested judges who have agreed to provide their services. This device allows persons who are subject to the Code to resolve uncertainty before acting, so that a proper course of conduct may be identified. Any person who requests and acts in accordance with an advisory opinion issued by an advisory judge is not subject to City penalty, unless material facts were omitted or misstated in the request. Advisory opinions are posted for public inspection; the advisory judge may order a delay in posting if the judge determines the delay is in the City’s best interest.

Citizens are encouraged to contact the City Manager’s Office with any questions about the City’s Code of Ethics. A copy of the Code is available at the City’s website (www.LouisvilleCO.gov) and also from the Offices of the City Manager and City Clerk.

Disclosure, Enforcement, and Advisory Opinions
For purposes of the Code, “enforcement” means the investigation and possible discipline of persons subject to the Code. The Code of Ethics provides fair and certain procedures for the enforcement of the Code. Complaints of violations may be filed with the City prosecutor; the complaint must be a detailed written and verified statement. If the complaint is against an elected or appointed official, it is forwarded to an independent judge who appoints an independent prosecutor for purposes of investigation and appropriate action. If against an employee, the City prosecutor will investigate the complaint and take appropriate action. In all cases, the person who is subject to the complaint is given the opportunity to provide information concerning the complaint.

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Citizens are encouraged to contact the City Manager’s Office with any questions about the City’s Code of Ethics. A copy of the Code is available at the City’s website (www.LouisvilleCO.gov) and also from the Offices of the City Manager and City Clerk.
Other Laws on Citizen Participation in Government

Preceding sections of this pamphlet describe Louisville’s own practices intended to further citizen participation in government. Those practices are generally intended to further dissemination of information and participation in the governing process. Some other laws of interest regarding citizen participation include:

Initiative and Referendum
The right to petition for municipal legislation is reserved to the citizens by the Colorado Constitution and the City Charter. An initiative is a petition for legislation brought directly by the citizens; a referendum is a petition brought by the citizens to refer to the voters a piece of legislation that has been approved by the City Council. In addition to these two petitioning procedures, the City Council may refer matters directly to the voters in the absence of any petition. Initiative and referendum petitions must concern municipal legislation—as opposed to administrative or other non-legislative matters. By law the City Clerk is the official responsible for many of the activities related to a petition process, such as approval of the petition forms, review of the signed petitions, and consideration of protests and other matters. There are minimum signature requirements for petitions to be moved to the ballot; in Louisville, an initiative petition must be signed by at least five percent of the total number of registered electors. A referendum petition must be signed by at least two and one-half percent of the registered electors.

Public Hearings
In addition to the opportunity afforded at each regular City Council meeting to comment on items not on the agenda, most City Council actions provide opportunity for public comment through a public hearing process. For example, the City Charter provides that a public hearing shall be held on every ordinance before its adoption. This includes opportunities for public comment prior to initial City Council discussion of the ordinance, as well as after Council’s initial discussion but before action. Many actions of the City are required to be taken by ordinance, and thus this device allows for citizen public hearing comments on matters ranging from zoning ordinances to ordinances establishing offenses that are subject to enforcement through the municipal court.

Additionally, federal, state, and/or local law requires a public hearing on a number of matters irrespective of whether an ordinance is involved. For example, a public hearing is held on the City budget, the City Comprehensive Plan and similar plans, and a variety of site-specific or person-specific activities, such as annexations of land into the city, rezonings, special use permits, variances, and new liquor licenses. Anyone may provide comments during these hearings.

Public Records
Access to public records is an important aspect of citizen participation in government. Louisville follows the Colorado Open Records Act (CORA) and the additional public records provisions in the City Charter. In particular, the Charter promotes the liberal construction of public records law, so as to promote the prompt disclosure of City records to citizens at no cost or no greater cost than the actual costs to the City.

The City Clerk is the custodian of the City’s public records, except for financial, personnel, and police records which are handled, respectively, by the Finance, Human Resources, and Police Departments. The City maintains a public policy on access to public records, which include a records request form, a statement of fees, and other guidelines. No fee is charged for the inspection of records. No fee is charged for locating or making records available for copying, except in cases of voluminous requests or dated records, or when the time spent in locating records exceeds two hours. No fees are charged for the first 25 copies requested or for electronic records.

Many records, particularly those related to agenda items for City Council and current Board and Commission meetings, are available directly on the City’s website (www.LouisvilleCO.gov). In addition to posting agenda-related material, the City maintains communication files for the City Council and Planning Commission. These are available for public inspection at the City Clerk’s Office, 749 Main Street.

CORA lists the categories of public records that are not generally open to public inspection. These include, for example, certain personnel records and information, financial and other information about users of city facilities, privileged information, medical records, letters of reference, and other items listed in detail in CORA. When public records are not made available, the custodian will specifically advise the requester of the reason.

Citizens are encouraged to review the City’s website (www.LouisvilleCo.gov) for information, and to contact the City with any questions regarding City records.

Public Involvement Policy

Public participation is an essential element of the City’s representative form of government. To promote effective public participation City officials, advisory board members, staff and participants should all observe the following guiding principles, roles and responsibilities:

Guiding Principles for Public Involvement
Inclusive not Exclusive - Everyone’s participation is
welcome. Anyone with a known interest in the issue will be identified, invited and encouraged to be involved early in the process.

**Voluntary Participation** - The process will seek the support of those participants willing to invest the time necessary to make it work.

**Purpose Driven** - The process will be clearly linked to when and how decisions are made. These links will be communicated to participants.

**Time, Financial and Legal Constraints** - The process will operate within an appropriate time frame and budget and observe existing legal and regulatory requirements.

**Communication** - The process and its progress will be communicated to participants and the community at-large using appropriate methods and technologies.

**Adaptability** - The process will be adaptable so that the level of public involvement is reflective of the magnitude of the issue and the needs of the participants.

**Access to Information** - The process will provide participants with timely access to all relevant information in an understandable and user-friendly way. Education and training requirements will be considered.

**Access to Decision Making** - The process will give participants the opportunity to influence decision making.

**Respect for Diverse Interests** - The process will foster respect for the diverse values, interests and knowledge of those involved.

**Accountability** - The process will reflect that participants are accountable to both their constituents and to the success of the process.

**Evaluation** - The success and results of the process will be measured and evaluated.

**Roles and Responsibilities - City Council**

City Council is ultimately responsible to all the citizens of Louisville and must weigh each of its decisions accordingly. Councilors are responsible to their local constituents under the ward system; however they must carefully consider the concerns expressed by all parties. Council must ultimately meet the needs of the entire community—including current and future generations—and act in the best interests of the City as a whole.

During its review and decision-making process, Council has an obligation to recognize the efforts and activities that have preceded its deliberations. Council should have regard for the public involvement processes that have been completed in support or opposition of projects.

**Roles and Responsibilities - City Staff and Advisory Boards**

The City should be designed and run to meet the needs and priorities of its citizens. Staff and advisory boards must ensure that the Guiding Principles direct their work. In addition to the responsibilities established by the Guiding Principles, staff and advisory boards are responsible for:

- ensuring that decisions and recommendations reflect the needs and desires of the community as a whole;
- pursuing public involvement with a positive spirit because it helps clarify those needs and desires and also adds value to projects;
- fostering long-term relationships based on respect and trust in all public involvement activities;
- encouraging positive working partnerships;
- ensuring that no participant or group is marginalized or ignored;
- drawing out the silent majority, the voiceless and the disempowered; and being familiar with a variety of public involvement techniques and the strengths and weaknesses of various approaches.

**All Participants**

The public is also accountable for the public involvement process and for the results it produces. All parties (including Council, advisory boards, staff, proponents, opponents and the public) are responsible for:

- working within the process in a cooperative and civil manner;
- focusing on real issues and not on furthering personal agendas;
- balancing personal concerns with the needs of the community as a whole;
- having realistic expectations;
- participating openly, honestly and constructively, offering ideas, suggestions and alternatives;
- listening carefully and actively considering everyone’s perspectives;
- identifying their concerns and issues early in the process;
- providing their names and contact information if they want direct feedback;
- remembering that no single voice is more important than all others, and that there are diverse opinions to be considered;
- making every effort to work within the project schedule and if this is not possible, discussing this with the proponent without delay;
- recognizing that process schedules may be constrained by external factors such as limited funding, broader project schedules or legislative requirements;
- accepting some responsibility for keeping themselves aware of current issues, making others aware of project activities and soliciting their involvement and input; and
- considering that the quality of the outcome and how that outcome is achieved are both important.

*Updated December 2019*
This pamphlet is prepared pursuant to the Home Rule Charter of the City of Louisville.

This is a compilation of Articles 4 and 5 of the Charter of the City of Louisville and is available at all times in the City Clerk’s Office, 749 Main Street, Louisville, Colorado, and on the City’s web site at www.LouisvilleCO.gov.

This pamphlet is also provided to every member of a public body (board or commission) at that body’s first meeting each year.
### SUSTAINABILITY ADVISORY BOARD

#### 2020 WORKPLAN*

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* This is a tentative work plan for 2020. Work plan is subject to change depending on internal or external demand or necessity and is to be evaluated for changes during LSAB monthly meetings.