

***City Council  
Business Retention & Development Committee***

***A sub-committee of the Louisville City Council***

**Monday, February 2, 2015  
8:00 AM – 10:00 AM  
Library Meeting Room  
951 Spruce Street  
(entry on the north side of building)**

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of January 5, 2015 Meeting Minutes
- V. Public Comments on Items Not on the Agenda
- VI. Notice of Posting Locations
- VII. Open Government Pamphlet
- VIII. BRaD Advocacy
- IX. Retention Meetings
  - Vaisala – Aaron
- X. ED Update
- XI. Reports from committee members –
- XII. Discussion Items for Next Meeting: March 2015
- XIII. Adjourn

***City Council  
Business Retention &  
Development Committee  
Meeting Minutes***

**January 5, 2015  
Library Meeting Room  
951 Spruce Street**

**CALL TO ORDER** –The meeting was called to order by Chair Dalton at 8:00 AM in the 1<sup>st</sup> Floor Meeting room at the Louisville Library, 951 Spruce Street, Louisville, Colorado.

**ROLL CALL** – The following members were present:

Committee Members: Chair Hank Dalton  
Shelley Angell, Chamber of Commerce  
Rob Lathrop, Louisville Revitalization Commission  
Jeff Lipton, City Council  
Sue Loo, City Council  
Michael Menaker, Alternate Revitalization Commission  
Chris Pritchard, Planning Commission  
Jim Tienken, Downtown Business Association

Staff Present: Heather Balsler, Acting City Manager  
Aaron DeJong, Economic Development Director  
Dawn Burgess, Executive Assistant to the City Manager

Others Present: Rick Brew  
Randy Caranci  
Justin McClure

**APPROVAL OF AGENDA** – approved

**APPROVAL OF NOVEMBER 3, 2014 MINUTES:** Approved

**APPROVAL OF DECEMBER 3, 2014 MINUTES:** Approved

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

None

**ELECTION OF CHAIR AND VICE-CHAIR FOR 2015:**

The Board nominated Hank Dalton as Chair. The nomination was approved by acclamation.

The Board nominated Rob Lathrop as Vice-chair. The nomination was approved by acclamation.

**TAKEAWAYS FROM THE SOUTH BOULDER ROAD ROUNDTABLE**

Economic Director Aaron DeJong said he heard 4 main takeaways:

- People feel a lack of connection – people want the ability to walk
- People want certainty in development approval process
- People want mixed use
- Signage, visibility and access need to be improved

General takeaways:

- People seemed reluctant to talk
- Not just trees in the way that cause an issue: need bigger signs
- Height should be increased to 3 stories to make building look interesting
- Mixed use zoning would make area very lively.
- Focus on existing retail
- Simple items should be a walk-through at city Hall.

Council member Jeff Lipton said there are a huge number of existing rooftops planned around this corridor. Problem is connectivity. Need to make it attractive for people to get to businesses. Not sure we need a lot of new residential as far as mixed use. Would it be practical to put another big box – that would be a tough argument. Should be on King Sooper side – better circulation.

Tienken said it would be advantageous to look at building several pedestrian underpasses to connect north Louisville, Steel Ranch, North End and across South Boulder Road.

Connectivity is the key to making businesses survive long term. Significant pedestrian / bicycle impediment. Need to look strongly at master connectivity plan. Would contribute to current plan the city has.

Vice Chair Rob Lathrop said connectivity is not that far off. 3 underpasses are in the works (South Street, Steel Ranch, across Hwy 42. One that is missing and will be most expensive is getting from north to south side of South Boulder Rd (SoBoRd). Major employer facility needed in the area but no place to put a large building except a redevelopment of Loftus.

Commissioner Michael Menaker said we need to be careful with mixed use in Louisville. Horizontal mixed use can work – emphasize there is nothing urban about 3 stories. It is an

affordability issue. Main Street realignment makes sense and doing underpass at the same time. Connectivity is important but what will people do with it?

Chair Dalton said if big box stores wanted to be here they would already be here. He came away with: form based zoning sounds like a wonderful concept. It could provide certainty, predictability and fairness to those seeking to redevelop. Form based code is more about how it looks and feels rather than what is in it.

Chair Dalton said you don't have to have vertical mixed use, it can be horizontal. SoBoRd small area plan can discuss. Cost of tunnels is prohibitive but agrees that we need a plan for reorientation of Main Street. We should pursue that.

Commissioner Menaker said there was a remarkable lack of candor in the meeting. Chair Dalton said the City is moving forward with surveying developers about the land development process.

Council member Loo said it is a minor point but physical setting of meeting was not good.

Council member Lipton said once zoning is in place the process is pretty efficient. There is a lot of certainty of outcome. Discussion of process and ease of process.

Commissioner Chris Pritchard said other communities can be more accommodating because they have more land. Connectivity does need to be looked at. Form based is a good idea. Citizens want something different than developers. Maybe go one on one with developers to get more information.

There was a discussion of the SoBoRd survey.

Justin McClure said the conversation of process was good. Also likes form based. Likes predictability.

Rick Brew said the PUD process can be difficult. Proposed projects need some sort of variance and that creates uncertainty and negotiations with City Staff.

Deputy City Manager will make sure these comments get to Planning for the Small Area Plan process.

### **BRaD ADVOCACY DISCUSSION**

Vice Chair Lathrop led discussion of BRaD advocating back in October. How can BRaD advocate for City-wide issues as well as quasi-judicial issues?

In taking an advocate role, is the makeup of the BRaD Committee appropriate?

Is the BRaD Committee the appropriate entity for advocacy?

What are other communities doing to fill the role?

Council member Lipton said we should be advocate for strong business climate. We can advocate for policies and processes and programs supportive of business community. He believes we should we create 5 significant goals for 2015. Help solve some of the easily solvable issues. Things that are project oriented for BRaD to work on.

DeJong asked, as an example, for the group advocating for housing in Centennial Valley – is BRaD that group? Council member Lipton said that should be part of small area plan process.

There was a discussion of if and how BRaD should advocate.

Chair Dalton said there are some things in this discussion we can advocate: ie simplicity in zoning. We are set up to advocate business-friendly policies. Not specific projects.

Commissioner Menaker agreed saying we should work on things we can make recommendation on.

Vice Chair Lathrop said when we see the results of developer survey that may give us common area.

Council member Lipton clarified that the BRaD committee can bring impediments from the business community to staff's attention. This will open the conversation with City administration as to what staff needs.

Commissioner Angell said retention visits allow people to be more open than if we are in public forum.

Commissioner Menaker said we should advocate for policy position where people walk away feeling the process is fair.

Chair Dalton said in order to develop we have to stretch rules so then staff looks for concession. What we need are broader based rules. For positive effect, we need to simplify our regulatory structure.

Acting City Manager Balsler said policy dictates process. Staff is doing their job based on what they believe is direction from Council and policy.

Chair Dalton said for next meeting: can you think of specific thing we can advocate changing that will have a positive effect on business or development.

Council member Lipton said he still thinks process is fair. Would like to hear what the specific issues have been impediments. For next meeting he would like to have Planning Director and Building Official attend.

## **RETENTION MEETINGS**

Huckleberry and Zucca are doing well. They are happy to have the patios. The location of the patio in front of Huckleberry will be tweaked for the 2015 season.

DeJong reported that 3 Margaritas and the new owner could not come to a new lease agreement. A Thai/Vietnamese restaurant is scheduled to go in that space.

**REPORT FROM COMMITTEE MEMBERS:**

Commissioner Angell asked about the former Chili's space. DeJong said the issue is that it can only be a two year sublease due to the existing Chili's lease on the building.

Acting City Manager Balsler gave an update on the Legislative Agenda meeting.

Commissioner Pritchard said there will be a Small Area Plan walking tour of SoBoRd on January 14th.

**ITEMS FOR THE NEXT AGENDA:**

Posting notice

What specific items should we advocate for?

Retention visit report

**ADJOURN** – The meeting adjourned at 9:30 am.

**SUBJECT: POSTING NOTICES OF PUBLIC MEETINGS**

**DATE: JANUARY 5, 2015**

**PRESENTED BY: AARON M. DEJONG**

**SUMMARY:**

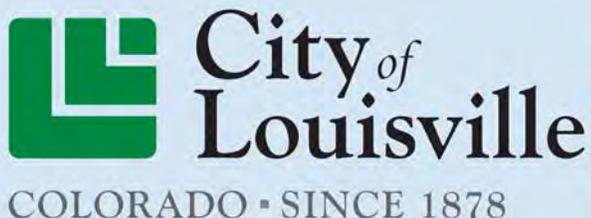
At the first meeting of 2015, the BRaD is required to identify the locations for Posting Notices of Public Meetings (better known as meeting agendas). The following are the locations identified as the official posting locations for the BRaD agendas;

- City Hall
- Recreation Center
- Library
- Police Department/Court Building
- City web site ([www.LouisvilleCO.gov](http://www.LouisvilleCO.gov))

**RECOMMENDATION:**

Staff recommends approving a motion to adopt the above locations as the official posting locations for BRaD agendas.

# Open Government & Ethics Pamphlet 2015



**City Manager's Office**  
**749 Main Street**  
**Louisville CO 80027**  
**[www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)**  
**[info@LouisvilleCO.gov](mailto:info@LouisvilleCO.gov)**  
**303.335.4533**

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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 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

The 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 in DVD formats 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](http://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 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 website at [www.LouisvilleCO.gov](http://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](http://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](http://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](http://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](http://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 members directly at [CityCouncil@LouisvilleCO.gov](mailto: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](http://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
- Golf Course Advisory Board
- Historic Preservation Commission
- Historical Commission
- Horticulture and Forestry Advisory Board
- Housing Authority
- Library Board of Trustees
- Local Licensing Authority
- Open Space Advisory Board
- Planning Commission
- Revitalization Commission
- Sustainability Advisory Board
- Youth Advisory Board

Information about boards as well as meeting agendas and schedules for each board is available on the City's website ([www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)).

Agendas for all Board and Commission meetings are posted a minimum of 72 hours prior to each meeting and are posted at these 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](http://www.LouisvilleCO.gov)

Copies of complete meeting packets containing all agenda-related materials are available for review at least 72 hours prior to each meeting and may be found at the following locations:

- Louisville Public Library Reference Area, 951 Spruce Street,
- City Clerk's Office, City Hall, 749 Main Street
- City web site at [www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)

## **Planning Commission**

The Planning Commission evaluates land use proposals against zoning laws and holds public hearings as outlined in City codes. Following a public hearing, the Commission recommends, through a resolution, that the City Council accept or reject a proposal.

- Regular Planning Commission meetings are held at 6:30 PM on the second Thursday of each month. Overflow meetings are scheduled for 6:30 PM on the 4th Thursday of the month as needed, and occasionally Study Sessions are held.
- Regular meetings are broadcast live on Comcast Channel 8 and archived for viewing on the City's website ([www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)).

## **Open Government Training**

All City Council members and members of a permanent Board or Commission are required to participate in at least one City-sponsored open government-related seminar, workshop, or other training program at least once every two years.

# **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
- On the City web site at [www.LouisvilleCO.gov](http://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 through 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 em-

ployee 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](http://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](http://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 requestor of the reason.

Citizens are encouraged to review the City's website ([www.LouisvilleCo.gov](http://www.LouisvilleCo.gov)) for information, and to contact the City with any questions regarding City records.

# **Public Involvement Policy**

**P**ublic 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 partici-

pants 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 2014*

**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](http://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.**

**SUBJECT: IDEAS FOR BRAD ADVOCACY**

**DATE: FEBRUARY 2, 2015**

**PRESENTED BY: AARON M. DEJONG**

**SUMMARY:**

During the January 2015 BRaD meeting, members were interested in developing goals for 2015 to advocate for business issues relating to City policies and decision making. This memorandum describes several items which the committee may want to pursue further. Staff would like a discussion about these topics and direction as to the items to pursue.

**DISCUSSION:**

Below is a list of business interest items to discuss the merits and interest to advocate for in 2015. Staff has heard the topics through various meetings and discussions with city leaders, residents, and businesses. These topics are in no particular order.

Increase connectivity among business centers and neighborhoods in Louisville

Connecting neighborhoods to the commercial areas has been a concept discussed in the South Boulder Road Small Area Plan process.

Pursue zoning changes / incentives for the Phillips 66 / Former Storagetek site

Activity for the 430 acre parcel in SE Louisville remains minimal. This is partly due to the current zoning as a single user development limiting its marketability. Establishing an incentive structure to encourage the community's vision for the property may help entice development.

Reduce building permit review times for commercial and industrial projects

With the added commercial and industrial development happening in Louisville, building permit review requests are greater than the staff can handle to turn around in a short time frame. Additional resources are needed to reduce the time between permit submittal and approval for construction.

Redevelopment or re-tenanting of the former Sam's Club building.

The former Sam's Club building is the largest and most visible retail vacancy in town. Its full utilization will provide greater strength for the area.

Discuss collaboration with other communities in Boulder County to advocate for primary employer issues.

The issues facing primary employers in the area are the same whether in Louisville, Boulder, Longmont, Lafayette, and Superior. Speaking with one voice on these issues may create movement on establishing business friendly policies in several municipalities.

Increase housing development / redevelopment opportunities in Louisville

Additional housing would bring in more residents to frequent the existing retailers. Housing prices continue to rise in Louisville, causing affordability issues for middle and low-income families. A constrained supply of housing and lack of differing housing types is compounding the affordability concern and the ability for older residents to stay in town.

Advocate for transportation access and improvements for business centers in Louisville

Related to housing prices, the transportation network in and around Louisville is becoming more congested. Increasing multi-modal availability and options may help alleviate traffic congestion and better access to the community for commuters.

Assist in developing parking solutions for downtown

Parking demand in downtown has increased the last several years without large new additions of supply. Impacts on parking availability and neighborhood impacts are being experienced.

Evaluate the current incentive programs and discuss other incentive structures

The City has a quality Business Assistance Program centered on investment in property by primary employers and sales tax rebate programs for retailers. Other programs exist for local governments that could be evaluated.

Advocate for form-based zoning regulations for areas in transition

For areas of town that are in transition, a concept has been proposed to create form-based zoning regulations that govern the physical form (i.e. size and layout of buildings), rather than uses allowed on a property.

**RECOMMENDATION:**

Staff would like a discussion about these topics and direction as to the items to pursue.

**SUBJECT: ECONOMIC DEVELOPMENT UPDATE**

**DATE: FEBRUARY 2, 2015**

**PRESENTED BY: AARON DEJONG, ECONOMIC DEVELOPMENT**

New tenant for 1795 Dogwood – I have been notified that a new company to the State will be locating at 1795 Dogwood in the CTC. The company was awarded state incentives in January. They would like to remain confidential until agreements are executed.

Preparation of Urban Renewal Plan for 550 S. McCaslin – City Council directed staff to begin the preparation of an Urban Renewal Plan for the former Sam's Club building on McCaslin. The Plan will outline actions and tools to help remediate the blighting factors on the property.

Core Area TIF Bonds – The first payment to the developer from the Core Area TIF bonds has been processed.

Louisville CEO Forum – Staff will be planning to restart the Louisville CEO forum with help from several local companies. Having this communication channel with Louisville primary employers, led by primary employers, will give valuable input into City decision making.

DELO Developments to Planning Commission – The DELO Phase II and DELO Plaza developments are scheduled to go to the Planning Commission in February.