



City Council

July 11, 2023
Packet Addendum #1

From: [H M](#)
To: [City Council](#)
Subject: Notes on Open Space & Parks Tax Ordinance
Date: Monday, July 10, 2023 10:22:09 PM

Dear City Council,

I am writing to thank City Manager Jeff Durdin and the team for this Open Space and Parks ordinance and ballot issue language that addresses the primary elements of the direction of Council and the recommendations of the Sales Tax Task Force. Thank you!

Here are four proposals to strengthen and clarify the language:

1. Use the language established in the City Charter to preserve, protect and restore Open Space. Change the ballot language and ordinance language to continue to follow the Charter.

PROPOSED CHANGE:

BY THE IMPOSITION OF AN ADDITIONAL .125 PERCENT SALES TAX TO BE USED SOLELY TO ACQUIRE, ~~IMPROVE~~ RESTORE, PRESERVE AND MAINTAIN OPEN SPACE AND MITIGATE WILDFIRE RISKS WITHIN OPEN SPACE.

The word IMPROVE is too open to interpretation and is not in the Charter and RESTORE and PRESERVE are explicit and repeated throughout the Charter.

2. and 3.

2. Add the purpose language from the prior tax for the .375 sales tax so that voters do not have to research it or become frustrated by the lack of information. It should be very clear to voters what the purpose is. One option is to include/expand the purpose language of the 2012 tax...

3. Strengthen the ballot and ordinance language to meet City Manager Jeff Durbin's commitment to create and manage separate parks and open space funds along with establishment of an open space acquisition reserve.

CHANGE:

SHALL THE CURRENT .375 PERCENT SALES TAX APPROVED BY THE VOTERS IN 2012 FOR the acquisition, development, construction, operation and maintenance of land in and around the City of Louisville for open space buffer zones, trails, wildlife habitats, wetlands preservation and future parks OPEN SPACE AND PARKS PURPOSES BE EXTENDED FROM ITS CURRENT EXPIRATION DATE OF DECEMBER 31, 2023 FOR AN ADDITIONAL TEN YEARS, TO BE EQUALLY DIVIDED BETWEEN separate PARKS AND OPEN SPACE funds AND USED FOR THE SAME PURPOSES PREVIOUSLY APPROVED;..

4. I support including trails in the Open Space mission and objectives in the ordinance and ballot language.

The majority of the trails are part of and connect Open Space properties and regional trail corridors. It is an excellent idea to designate Open Space Staff (and OSAB as advisors) as responsible for managing trail planning, budgets, and projects prioritized by Council. In future budget planning, please support Open Space in leading the collaboration with Public Works, Parks and granting agencies to partner together to fund and implement major transportation capital projects such as underpasses and trail connections from a diverse portfolio of funding. And let's make completing the Louisville trails wayfinding and property sign replacement project a reality in 2024!

Please continue to support and follow the Louisville Financial Policy 2.2 that requires a recurring annual transfer from the General Fund to provide additional funds to fund Parks based on the formula that starts with the 2007 Parks General Fund allocation of \$626,900 and inflates the amount on an annual basis by the regional CPI for All Urban Consumers (2022/\$973,260, 2023/\$1,165,370 and 2024/\$1,115,230) We must continue to invest in the Parks Program, our parks are essential for active recreation, public health, economic development and social equity in our community.

This proposed renewal and increase of the Open Space and Parks Tax and continued support from the General Fund for additional funding for Parks will ensure a unique legacy and sustainable future for the Open Spaces and Parks of Louisville. Thank you!

Cheers,

Helen Moshak

Louisville Resident

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From: [Matt Jones](#)
To: [City Council](#)
Subject: Opens space tax hearing this Tuesday
Date: Monday, July 10, 2023 8:46:51 AM

Thanks to staff for modifying the open space tax ballot language as directed by the council. Here are four recommendations to further clarify ballot and ordinance language.

- 1) Trails should be included in both the open space and parks sections of language. Both have trails. Underpass costs should be a transportation cost, and certainly should not come from just the open space fund.
- 2) Add "restoration" to the list of uses for the open space funds in the ballot language and the ordinance. A primary objective for open space is to restore it to its natural state and not develop it. For that reason, consider dropping "improvements" as an open space use.
- 3) Make clear what the .375 sales tax can be used for the ballot language. Using "as previously approved" may be shorter, but it is less clear to voters how the money will be spent and to staff about how the money should be used.
- 4) Establish separate open space and parks funds for all the tax proceeds in the ballot language and ordinance. The open space fund should include the new .125 and ½ of the .375 tax fund, the parks fund ½ of the .375. Setting up a fund for only the new .125 tax and not including the ½ the .375 that have the same uses makes little sense to me.

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Thanks,
Matt Jones
Louisville resident

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From: [Keith Reis](#)
To: [City Council](#)
Subject: Shamrock in Alfalfa's Space
Date: Tuesday, July 11, 2023 8:28:11 AM

Good morning Council Members,

I have been a resident of Louisville on Hecla Dr since 2008. Both my kids attend Louisville schools and I volunteer in the community as a Scout leader, various LMS and BVSD events and youth coach for basketball.

As an active member of the community, I have some questions around approving this tenant:

- Shamrock's primary business is distribution to food service businesses, not selling direct to the public.
 - What would the traffic impact be on both South Boulder Road and the parking lot - how many trucks per day will be coming and going and at what hours? The residents of the apartment complex won't like early morning loading and unloading of lots trucks or the accompanying noise of the truck refrigeration units running. Keep in mind if they park a refrigerated truck overnight that unit kicks on 24/7 and they are not quiet in the least.
 - How does the company plan to do community outreach? Like letting the community know we can shop there, cause 90% of us will have no idea who that is, we may think it is part of Diamond Shamrock gas stations.
 - Will this only be a direct to consumer location? Or will it be a hub to make deliveries also?
 - How many Louisville residents could be hired here? Or do they plan to bring in their own people?
 - Regarding tax breaks - this should be a net gain for the City. I hope our Council would not give up revenue, which we need, in order to get a tenant for a private landlord. I do completely understand these things happen, however I ask - how many of the locally owned retail establishments on Main Street were granted anything at all? My guess is none.
 - How do we value our Main Street and locally owned businesses if we only offer incentives to large, national chains? Why would a local person invest in Louisville if this is how the local Government offers incentives?
 - Is this even a good fit? A Dollar store is already going in this mall. Now potential Shamrock. Is this really the best Louisville can do?
- Personally, I feel this business is better suited on the McCaslin corridor than the South Boulder Road. Isn't there vacant property there, sure seems like it. I would much rather see the Pickleball folks come to Alfalfa's, somewhere people can gather and really grow the bonds of the community than a large national food distribution company.

Really, is this the best we can do? Strip malls filled with national chains? Vacant store fronts downtown and our main business corridors? Yes we need businesses and tax revenue but is this where we are at?

Seems like our surrounding communities don't have quite the same struggles Louisville is

having with commercial real estate, locally owned or national. Why are we not attracting better partners as a community? Is our local Government focused on economic viability of the community and supporting locally owned businesses? Are we too challenging to partner with?

If I was in town for the Thursday meeting I would be on hand to voice these directly.

Thank you for taking these view points into consideration.

Keith Reis

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From: [April Kroner](#)
To: [City Council](#)
Cc: [Jeff Durbin](#); [Meredyth Muth](#); [Kathleen Kelly](#); [Rob Zuccaro](#); [Austin Brown](#); [Daniel Fricks](#)
Subject: Clarification on Shamrock Foods BAP Agreement on this evening's agenda
Date: Tuesday, July 11, 2023 12:10:13 PM
Attachments: [image003.png](#)
[image002.png](#)
Importance: High

Good morning City Council members,

I received a call from Councilor Hamlington this morning regarding an item on the consent agenda for this evening's meeting:

- 4. Consent Agenda, E. Approval of Resolution No. 43, Series 2023 – A Resolution Approving a Business Assistance Agreement with Shamrock Foods Company for an Economic Development Project in the City of Louisville.

Specifically, Councilor Hamlington inquired about the use of the property that is proposed by Shamrock. I am providing the following information for clarification purposes to all of you as I explained to her.

- Shamrock foods is intending to occupy the long-vacant property for use as a retail grocery.
- While Shamrock is well-known for being in the business of food distribution/wholesale food retailer, they are embarking on opening retail grocery store locations in some of their market areas
- It is estimated that over 90% of all retail sales will be to the general public and subject to sales tax. Businesses may wish to shop at this retail location as it is open to the public, however it's estimated that less than 10% of all sales at this location would be to businesses and exempt from sales tax.
- The property is zoned Commercial Community (C-C) which doesn't allow for wholesaling as a permitted use. This was discussed with the applicant and it was made very clear that the use for this property is not for wholesale, but rather as a retail grocery store.
- Their application includes the following description:

Describe the Goals of the Project, such as reason for relocation or expansion *

Shamrock plans to serve the Louisville community for a long time as a grocer and support the Louisville community as we support all the communities Shamrock calls home. Shamrock Foods Company is a significant contributor to non-profits, many of which are education focused and donates more than 450,000 pounds of food annually to local food banks.

Please let me know if you have any questions or need any further clarification. See you all this evening!

April Kroner, AICP
Economic Vitality Manager
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[Economic Vitality @ Louisville, CO](#)



From: [Michiko Christiansen](#)
To: [City Council](#)
Subject: Taxes and ordinances
Date: Tuesday, July 11, 2023 2:11:53 PM
Attachments: [City council members tax.docx](#)

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City council members,

The wording on the ballot and the ordinance is much better however there are couple of suggestions that may help us the community to understand better.

- The word improve has different meanings. It would be better to change the terminology to RESTORE/ PRESERVE on the ballot measure.
- Needs clarification on to be equally “divided’ between parks and open space. It will be better to revise to “for the funds to be equally (50/50) allotted each to Parks and Open Space and used for the same purposes previously approved.”
- For open space and parks purposes – this needs to be more precise meaning. Please follow what the survey’s result. It is beneficial for the community to know the funds is being use for what: Use this phrase, “For acquisition, maintenance (wildfire mitigation – e.g. grazing goats and cows), construction, operation and development of land in and around the city of Louisville for open space buffer zones, trails, wildlife habitats, wetland preservation and future parks.

Thank you,

M. Christiansen
Resident of Louisville