

MEMORANDUM

To: Mayor Murphy, City Council, and Management Team

From: Margy Greer, City Clerk
Teri Colvin, ACIC Coordinator

Date: 3/5/2013

Re: 2012 Fourth Quarter Report - Status of Assignments and Recommendations from the Advisory Commission for an Inclusive Community (ACIC)

The following is a review of the progress of the Advisory Commission for an Inclusive Community (ACIC) during the fourth quarter of 2012. The review contains updates on assignments and/or recommendations that were made, completed, or are still in the working stages.

ORGANIZATIONAL UPDATE

During the fourth quarter of 2012, ACIC members attended City Council meetings, Ward meetings, and several other community meetings in an effort to educate themselves and better understand the community. ACIC Members worked hard to research possible Lakewood Linked ideas to expand the neighbors helping neighbors program.

Throughout the fourth quarter, one new person was appointed to the ACIC and in December several members were re-appointed to second terms. Additionally, several community members attended ACIC meetings and expressed an interest in joining the ACIC in the future.

In October, the Executive Committee met at the Stone House. At the Full Commission Meeting in October Sue Damour, GSA's Rocky Mountain Regional Administrator, attended and presented ideas on low and no cost ways to conserve energy, reduce water consumption, and recycle more.

ACIC Member Judy Davis was selected, as a representative from the ACIC Public Arts and Culture Committee, to serve on the Stakeholders Steering Committee that will help guide the development and creation of the City's Public Arts Master Plan.

The 2013 ACIC Officers Election took place on November 14, 2012. Gay Dugan elected as Chair. Chuck Nichols was elected as Vice-Chair. Lori Simpkins was elected as the new Secretary.

Several meetings were held with staff liaisons, the 2012 ACIC Officers and the 2013 ACIC Officers to make plans for 2013. During those discussions the Commissioner's Guide, the 2013 Annual Planning Meeting, and an ACIC restructure were discussed.

PROJECT/ASSIGNMENT UPDATE

The end of 2012 marked two years since the responsibilities for the ACIC shifted to the City Clerk's Office. During that time, the ACIC worked on nine proposals that were presented to City Council for approval and implementation:

Proposal 2011-1 Final Disposition:	Policy Regarding Naming and Renaming of Parks Proposal Approved by Council Officers and adopted by Community Resources
Proposal 2011-2 Final Disposition:	Adopt-A-School Proposal After several discussions with people from the School District, the decision is to incorporate this into the "Lakewood Linked" project. It will be most successful if it starts at a grass roots level. Residents within the neighborhoods surrounding each individual school helping with that school's particular needs. More and more projects and programs are becoming school-based rather than county-wide.
Proposal 2011-3 Final Disposition:	Renewable Energy Tax Proposal (See "Attachment A – Renewable Energy")
Proposal 2011-4 Final Disposition:	Door-to-Door Solicitation Proposal Approved by Council Officers
Proposal 2011-5 Final Disposition:	Lakewood Treasures Program Proposal Approved by Council Officers Oral history programs have been incorporated into Channel 8 programming and staff is working with JeffCo Historical Society and JeffCo Libraries to work on other living history programs.
Proposal 2011-6 Final Disposition:	Residential Property Maintenance Code Proposal (See "Attachment B – Property Maintenance Code")
Proposal 2011-7 Final Disposition:	Senior Questionnaire Proposal Withdrawn by Senior Committee.
Proposal 2012-1 Final Disposition:	Water Quantity Proposal Council Officers approved recommendations (See "Attachment C – Water Quantity")
Proposal 2012-2 Final Disposition:	Snow Angels Proposal Approved by Council Officers

If you have any questions related to this report, feel free to contact the ACIC Advisor or Coordinator at 303-987-7080 or by email at acic@lakewood.org.

MEMORANDUM

To: Margy Greer, City Clerk

From: Travis Parker, Planning Director

Date: 12/13/2012

Re: Advisory Commission for an Inclusive Community (ACIC) Renewable Energy Tax Exemption Proposal (ACIC 2011-3)

Background:

In August 2011, the Environmental Committee presented its grassroots assignment proposal, *ACIC 2011-3 – Renewable Energy Tax Proposal*, to City Council Officers, suggesting waiving use tax for renewable energy components installations. The Committee recommended that the City of Lakewood waive all of the use tax for renewable energy components used for residential and commercial renewable energy installations for five years, with the idea that the exemption would be extended if it is deemed successful. The proposal further suggested inclusions to the City's program be the same as the state sales and use tax exemptions (C.R.S. 39-26-724) and add geothermal electric, geothermal heat pumps and geothermal direct use as defined in the Federal tax credit. City Council Officers asked staff to perform additional research including, among other things, determining which other home-ruled cities offer this type of incentive, the number of permits issued for renewable energy components each year, the use tax associated with those permits, whether the tax is deterring installation of renewable energy components, and determining if there is a way to measure effectiveness over a 5-year period.

Questions from City Council Officers related to *ACIC 2011-3 – Renewable Energy Tax Proposal*:

1. Determine which other home-ruled cities offer this type of incentive?
2. What is the number of permits issued for renewable energy components each year?
3. Whether the tax is deterring installation of renewable energy components?
4. Determine if there is a way to measure effectiveness over a 5-year period?

Answers from staff regarding questions related to ACIC 2011-3 – Renewable Energy Tax Proposal:

1. The City of Boulder offers a 15% Sales & Use Tax Rebate along with their Solar Grant Program (funds derived from a portion of the remaining taxes on solar project)

*Research limited to Colorado and provided by the DSIRE Database - <http://www.dsireusa.org/incentives/index.cfm?re=0&ee=0&spv=0&st=0&srp=1&state=CO>

2. Renewable energy related permits issued by City of Lakewood 2010-2011*

	2010	2011	% Change
Projects	85	84	-1
Size of Project	912kW	1,283kW	+40
Property Evaluation	\$4,319,852	\$4,726,387	+ 9
Cost per kW installed	\$4,737	\$3,684	- 22
Permit Fees	\$22,094	\$21,963	- 0.6
Plans Review Fees	\$19,653	\$16,619	- 15
Use Taxes	\$57,275	\$65,540	+ 14

*There were not any permits requested for wind systems, biomass, or geothermal systems in the above mentioned data, but this does not preclude the viability of the inclusion of these technologies in the City of Lakewood in the future.

3. The limited data acquired from question two suggests that the drop in price of installed systems have positively affected the total size of installed systems by 40%. This assumption does suggest that an overall decrease in the cost (of which use tax could impact) of the systems positively affects installations of renewable energy systems in Lakewood.

4. One suggestion to gather this information would be to require project owners to complete a comprehensive survey to better understand the barriers and decisions of installing renewable energy systems.

Supporting Research and Staff Comments:

According to a report by the Institute for Local Self-Reliance², Colorado could potentially generate 41% of our statewide electricity needs from roof-top solar alone. As of 2011, there are 38,853 single family homes in the City of Lakewood that could potentially include some form of renewable energy generation, either retrofitted or incorporated into new construction. The City of Lakewood 2010 Business Profile shows that there is also more than 2,600 acres of commercial development in the City that has potential as well. Measures that increase the number of renewable energy fixture installations in the City of Lakewood also increase the potential for job creation and economic activity within the City.

Brian Matzen lives and operates Matzen Electric in Lakewood. He has installed a number of photovoltaic systems within the city, including one on his own home. He suggests that the industry is becoming very competitive, especially within the City of Lakewood, and he cited a number of reasons, including the impact of solar leasing programs and the classes at Red Rocks Community College, which are putting more skilled tradesmen into the local market. Solar leasing organizations, which often offer no upfront costs to their customers, are becoming a popular way to install photovoltaic systems.

Numerous other discussions with Lakewood citizens (businesses and residents) looking to install renewable energy systems in the past two years has suggested that upfront cost is the number one reason for not installing the systems.

The City of Lakewood Solar Rebate Program has offered reduced rates for permit and plan review fees as well as a full rebate of use tax for residential permits from 2010 through September 30, 2012. This reduction was provided by money from the American Recovery and Reinvestment Act (ARRA). Despite a direct rebate of plan and permit fees to homeowners for residential projects, this reduction has not resulting in a significant increase in photovoltaic installations, in fact use tax revenue dropped by approximately \$20,000 from 2011 to 2012.

City staff would prefer to offer a broader program of incentives that includes energy retrofit of older buildings. Older homes often achieve a 40% reduction in energy bills with a 60% faster return on investment compared to a solar electric array. Better yet, completing an energy retrofit and then installing solar reduces energy bills and reduces the size and cost of the solar system for the structure. San Francisco's GreenFinanceSF requires an energy audit before property owners gain access to funding.

Staff Recommendation:

Based on 2011 numbers, a complete waiver of the use tax for renewable energy equipment would reduce City revenues by \$65,000. Staff strongly supports the use of photovoltaic and other renewable energy systems, however recognizes that costs of these systems are rapidly dropping and that previous fee reductions and direct use tax rebates

have had little impact on the number of installations. Moreover, unlike the ARRA rebate, which went directly to homeowners, a tax waiver would go to the contractor and may or may not make it back to the homeowner. Staff believes that this money can be put to more cost effective use through direct investment in energy efficiency and renewable energy generation.

The staff recommendation is continue to collect use taxes for renewable energy installations, but earmark the revenues from this source for funding of sustainability initiatives in the Sustainability Division of the Lakewood Planning Department. In addition to general sustainability initiatives including the collection of baseline energy and sustainability data for the city, creation of sustainability metrics, the creation of a sustainability plan for the City, and expansion of the neighborhood sustainability program; the earmarked money will be used for direct incentives for building performance upgrades including both energy efficiency and renewable energy generation. These incentives would likely include an energy retrofit program in addition to homeowner rebate program for installation of solar or other renewables as well as continued participation in the Business Energy Education Program.

MEMORANDUM

Date: January 11, 2013

To: ACIC Neighborhood Committee

From: Margy Greer, City Clerk

RE: Council Officer's response to ACIC's Proposal for a Residential Property Maintenance Code

City Council Officers spend time reviewing the proposed recommendations and asked for staff's input on the recommendations. Below I have written your recommendations, followed by responses to those recommendations. Please note that Department Directors Kevin Paletta, Travis Parker, and Norm Brissom were all consulted and provided information to Council Officers.

Phase One: Code Evaluation.

As noted in the Condition section, Lakewood does not have an exterior property maintenance code at this time. The current code for trash removal and storage allows trash containers to be placed curbside for pick up for 48 consecutive hours per week but has no restriction on residential use of dumpsters. Accordingly, we make the following recommendations to Council:

- 1) That the Code be amended to include an external property maintenance requirement that would:
 - a. Require that residential and commercial properties maintain windows, doors, siding, paint and fencing in good condition and that damage be repaired in a timely manner.

While we fully understand and generally concur with the idea of this property maintenance code, a code change would most likely result in a significant increase in calls for service, which would require additional code enforcement personnel. With the budget constraints every department is currently working under, it should not be implemented at this time, but should be continuously reviewed for possible future implementation.

- 2) That Chapter 9.85 Defaced Property of the City Code be amended to:
 - a. Require that owners who eradicate graffiti through the use of “spot painting” ensure that the paint is uniform with the existing base paint.

This is currently the policy for painting over graffiti on all public property. We are aware of the cost to residents if such a code change is implemented requiring residents and businesses to do the same. There is currently a program in place through the courts where the community service workers, with permission of the property owners, are helping with residential graffiti paint-overs. As noted below, we believe this to be a great project within the proposed “Lakewood Linked” program.

- 3) That Chapter 8.14 Garbage, Trash, and Refuse Storage and Disposal be amended to:
 - a. Prohibit use of dumpsters for 2-R (small lot, single family residential) use.
 - b. Require that dumpsters on multi-family and commercial properties be screened from the street or enclosed, to the extent possible.

Once again, we agree with the direction this proposed code change is headed. However, this problem does not seem to be of city-wide concern. At the Council Officers Meeting there was discussion about the inability for some residents to screen dumpsters due to their placement which needs to be near the curb for pick up. Staff also has reviewed the recommendation to require screening for dumpsters on commercial properties and stated that so very many of the City’s small lot commercial businesses do not have the extra room for screening, as screening would take up more space, in some cases, parking spaces for the business. With today’s economy, we will not implementing this code change at this time. However, we will continue to review it for possible future implementation.

Phase Two: Approach to Enforcement.

Following the second phase of this study, in which we examined various approaches to enforcement, we make the following recommendations to Council:

- 1) That the City adopt an approach to code enforcement similar to the Independence Missouri program that will:
 - a. be more proactive, not purely complaint-driven;
 - b. be based on a cooperative, collaborative effort between code officers and residents;

Although code enforcement has always been a complaint-driven program, in recent years, the Police Department has implemented a more proactive approach when violations are blatant. Code Enforcement Officers have been given the authority to stop when they see a blatant violation and handle the matter immediately. This will continue to be helpful, especially along our many commercial corridors.

Again, some of these issues may be solved by neighbors assisting neighbors through the “Lakewood Linked” program.

- 2) That the City create and promote a volunteer program to match skilled individuals and residents who need assistance with their exterior maintenance similar to Arvada’s “At Your Service Arvada” Meet-Up group. This would fit with the “Linked-in Lakewood” program recently announced by Mayor Murphy.

This seems to be a perfect match for the “Lakewood Linked” program, as suggested by ACIC. It will be given to the appropriate staff to implement.

- 3) That the City continues to coordinate the donation of paint and other home improvement supplies for residents on reduced income.

Staff has researched this and the Rooney Road Recycling Center has a room they call “HazMart” which contains hundreds of paints in hundreds of colors, free to Lakewood residents. Regarding residential home improvements for residents on reduced incomes, the City continues to find ways to help on an individual basis. Once again, the court-appointed community-service youth help mend fences, paint, etc. on residential properties.

MEMORANDUM

Date: October 3, 2012

To: Executive Committee

From: Margy Greer, City Clerk

Re: Final Disposition of Proposal No. 2012-1 – Water Quantity

At the City Council Officers' meeting held on September 24, 2012, Chair of the Environment Committee Shakti presented the above referenced proposals.

In summary, the results are as follows:

1. City Council Officers encouraged Community Resources to continue to find ways to reduce the use of water in the city parks.
2. They also agreed with the recommendation to incorporate stronger language into the zoning code, requiring the use of low-water plantings in the landscaping plan for new developments.
3. The use of greywater is something that will be researched further if a new recreation center is built in Lakewood.
4. Prohibiting the use of single-pass cooling systems will be incorporated into the building code the next time it is adopted by City Council.