

City Council

Meeting Minutes

August 15, 2023
City Hall, Council Chambers
749 Main Street
6:00 PM

Call to Order – Roll call was taken and the following members were present.

City Council: *Mayor Dennis Maloney*
 Mayor Pro Tem Deborah Fahey
 Councilmember Caleb Dickinson
 Councilmember Barbara Hamlington
 Councilmember Dietrich Hoefner
 Councilmember Chris Leh (arrived remotely 6:01 pm)
 Councilmember Maxine Most

Staff Present: *Jeff Durbin, City Manager*
 Kayla Betzold, Sustainability Manager
 Rafael Gutierrez, Police Chief
 Paulina Bennett, IT Director
 Meredyth Muth, City Clerk
 Genny Kline, Deputy City Clerk

Others Present: *Kathleen Kelly, City Attorney*

Mayor Maloney read a letter the City sent to the residents of Maui offering help as they recover from the recent wildfire.

APPROVAL OF AGENDA

Mayor Maloney called for changes to the agenda and hearing none asked for a motion.

Motion: Councilmember Hamlington moved to approve the agenda, seconded by Councilmember Dickinson. **Vote:** All in favor.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA AND ITEMS ON THE CONSENT AGENDA

Eric Lund, Chamber of Commerce, stated the Chamber has submitted a letter of support to the Council for the proposed concept plan review process as this may help encourage efficient development. They also submitted a letter with concerns about the proposed Dark Sky ordinance. He also noted concerns about the proposed Boulder County minimum wage changes. He invited everyone to their upcoming events.

APPROVAL OF THE CONSENT AGENDA

Mayor Maloney asked for changes to the consent agenda; hearing none he asked for a motion: **Motion:** Councilmember Dickinson moved to approve the consent agenda, seconded by Councilmember Hoefner. **Vote:** All in favor.

- A.** Approval of Bills
- B.** Approval of Minutes: February 7, 2023; August 1, 2023
- C.** Approval of Contract with Zayo for Service Renewal & Additional Redundant Internet Connections

COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA

Councilmember Leh reported he was attending remotely as he recovers from COVID.

CITY MANAGER'S REPORT

None.

REGULAR BUSINESS

RESOLUTION NO. 48, SERIES 2023 – A RESOLUTION APPROVING AN INTERNAL DECARBONIZATION PLAN FOR THE CITY OF LOUISVILLE ORGANIZATION

Mayor Maloney introduced the item.

Sustainability Manager Kayla Betzold stated this project is a part of the Council's 2023 Work Plan. Staff is asking the Council to adopt the proposed plan for internal decarbonization.

She stated the City contracted with McKinstry Essention, LCC to complete an engineering, mechanical and financial analysis for each municipal facility and associated fleet and equipment with the goal of creating a strategic roadmap for cost-effective electrification and decarbonization of all operations by 2030.

She noted that Council gave direction earlier in the year to move forward with hybrid electrification to keep natural gas in place for use only when it is extremely cold. Council also gave direction to extend the goal date from 2030 to 2040 to ensure project cost effectiveness.

Betzold reviewed the process of decarbonization stating it will include evaluating the embodied carbon in existing facilities; reducing energy use; reducing emissions; reducing

fossil fuels on site by making facilities renewably operable; and moving to zero-carbon energy sources.

Brian Goldcrump, McKinstry, reviewed their key findings. They identified a pathway to decarbonization by 2040; included hybrid electrification; identified the total net cost at \$4.3M – \$14.4M; and found that self-owned solar is cheaper than purchasing solar.

He reviewed current overall emissions; roughly 90% of energy use is by buildings. For the fleet they found there are electric vehicles for many uses but not for large, heavy-duty trucks such as snow plows. He reviewed the road map and how the phasing would work to get to full decarbonization by 2040. The phasing includes timing to only replace equipment when it has reached end of life.

He reviewed the evaluation criteria, the locations for implementation, and the roadmap with phases. The highest priority buildings for renewable energy systems are the wastewater plant, recreation center, and the City services building. He reviewed the recommended locations for EV chargers and the recommendations for replacing gas powered equipment.

Ashley Brasovan, McKinstry, reviewed the possible grant opportunities that could offset costs. She noted there is an unprecedented amount of funding available for shovel-ready projects. She stated this list should be refreshed every 5-7 years to find the best options.

She reviewed the other co-benefits and unquantified benefits of implementation including avoiding future carbon emissions penalties and future natural gas price shock; having facilities ready for future micro-grids; and improved employee conditions and retention.

She reviewed net costs of decarbonization which the study shows to be \$4M - \$14M. She reviewed implementation strategies including energy performance contracting, design-build projects, and self-implementation.

Public Comments

John Cowley, Louisville, asked City Council to amend the resolution to commit Council to spending on the high priority items. He asked Council to shorten the schedule for the plan to be complete by 2028.

Tess Weltzin, Lafayette, encouraged the Council to divest from fossil fuels to help future generations and move toward decarbonization to ensure a better future for our residents.

Shira Nathan, Lafayette, encouraged Council to approve the plan. They noted recent extreme weather events across the world and encouraged Council to be a commit to the plan as the first priority of the City.

Katie Doyle-Myers, Louisville, noted that decarbonization in city buildings is key to a better future. She encouraged a yes vote. Approval of the plan is a message that the City prioritizes the future of our youth.

Josh Cooperman, Louisville, thanked Council for supporting the plan to this point and urged Council to adopt it. He asked for implementation to be prioritized with urgency. He would like Louisville to set an example for other communities and for residents.

Sherry Sommer, Louisville, stated this plan is doable and it makes Louisville a leader among its peers. She noted the co-benefits will help employees with a better work environment. She would like more detailed information on the grant opportunities and financing.

Tiffany Boyd, Louisville, stated she likes the on sight renewables to reduce dependence on power companies. She urged a yes vote to commit to addressing climate change.

Councilmember Dickinson stated he supports the plan and noted it allows the City to lead by example. He would like the City to also address decarbonization for the rest of the buildings in town that are not City owned.

Councilmember Most stated this is important to the community. She would like this information given to residents so others know how to do this type of work. We need to assist and incentivize our businesses and residents to do this on their own.

Councilmember Most asked when electric options for heavy duty vehicles are expected. Goldcrump stated those are just starting to come online but it will be a few years.

Councilmember Leh stated this is a great framework to reduce our carbon footprint. He is concerned the costs are not specific enough for longer term planning.

Mayor Maloney stated we need to address this issue and reduce Greenhouse gases. He likes the report and the direction it is taking the City. He would like deeper discussion of the numbers and costs involved. Phase one could be as much as \$20M in the next three years. To fully fund this would likely require a bond issue as we don't have the reserves to pay for this in cash. He looks forward to discussion of implantation and funding. He stated the phasing makes sense and aligns with the end of life of equipment.

Councilmember Hoefner stated he too would like more information on the financial model and how the City could pay for it. We wants to move forward but would like to better understand the costs.

Councilmember Dickinson asked if the plan presented tonight is likely to need a bond issue or just budgeting over time. City Manager Durbin stated staff can't answer that at this time. Details of how to include this into the rest of the City's budget still need to be worked out. Manager Betzold noted the plan estimates \$1.7-\$2M in annual costs.

Mayor Pro Tem Fahey agreed this is a good plan it would make us a leader in the community. She would like to determine what funding is available and what the timelines will be, then determine what to prioritize.

Councilmember Hamlington asked how long the funds from the Inflation Reduction Act will be available. Brasovan stated they are set to go through 2032 but that could change with a new administration.

Councilmember Hamlington wants to see real action implemented and would like to see a way to hold the City accountable to meeting these goals.

Mayor Maloney proposed continuing this item to a special meeting on October 24 for further discussion of how to start the financing of the plan.

Councilmember Most stated she would like to approve the plan this evening and also have the October meeting to start discussing implementation. She feels it is a reasonable commitment to approve the plan now and discuss the financing in October.

Mayor Maloney stated he agrees, however, he has questions on the financial side and he wants to make sure we get it right. He stated he is supportive of the plan but wants to make sure there is a financially doable strategy to move it forward.

Councilmember Dickinson agreed with Councilmember Most that the Plan can be approved this evening to show our commitment to the plan. How we fund this and how fast that happens can be addressed at the October meeting.

Mayor Maloney stated he would prefer a later vote when everyone can feel comfortable with the timing and understanding the funding so there is unanimous support.

Councilmember Hamlington stated the strategy is important and so understanding what is financially doable. The plan and the financing are tied together and she doesn't want to move forward with something without committing to pay for it.

Councilmember Hoefner agreed. He wants to understand the near term expenses and if we can pay for that before we commit to anything.

Mayor Pro Tem Fahey agreed everyone supports this but we need to know what we can afford and how it fits in the budget.

Councilmember Leh stated we need to know we can fund the projects before we adopt the goals. We need to understand how we will phase it and how it impacts other priorities.

Members agreed to continue the item to October 24 for further discussion of the financing and how the City can commit to making this happen.

**ORDINANCE NO. 1855, SERIES 2023 – AN ORDINANCE AMENDING CHAPTER 5.08
OF THE LOUISVILLE MUNICIPAL CODE CONCERNING ART GALLERY PERMITS –
2ND READING – PUBLIC HEARING (advertised *Daily Camera* 8/6/23)**

Mayor Maloney introduced the item and opened the public hearing.

Deputy City Clerk Genny Kline stated the legislature recently passed a bill that allows retail establishments to serve complimentary alcoholic beverages on their premises for up to 24 special events each year. This bill amended state statute which previously limited this type of permit to Art Galleries. The Louisville Municipal Code needs to be amended to include this new license type. The Code modifications will replicate those in state statute.

This request was presented to the Local Licensing Authority at their July 24, 2023 meeting and they expressed no concerns regarding this new license. The State has set the fee for this application at \$25.00

Public Comment – None.

Councilmember Hamlington asked if the businesses that might offer more risky events, such as rock climbing would take on this risk or if the ordinance should outline such issues. Deputy Clerk Kline stated that risk is taken on by the business and they are responsible for knowing the risks.

Councilmember Dickinson asked if the 24 times per year could be changed to weekly. Deputy Clerk Kline stated that would not be an allowed given how the state rules are written.

Public Comment – None.

Mayor Maloney closed the public hearing.

MOTION: Councilmember Dickinson moved to approve Ordinance No. 1855, Series 2023; seconded by Councilmember Most.

VOTE: Motion passed by unanimous roll call vote.

CITY ATTORNEY’S REPORT

None.

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

Mayor Maloney asked to move the budget and work plan discussion to September 12 and cancel the scheduled August 22 meeting. Everyone agreed to the change.

Councilmember Most asked staff to look at what Lafayette just passed for building code updates to compare it to what we have. Mayor Maloney asked for that information to be emailed to members.

Councilmember Dickinson asked for information about what other communities are putting in place for safety around ebikes and asked what our current rules are.

Mayor Pro Tem Fahey noted she has gotten many comments about traffic safety lately. Chief Gutierrez noted some of the traffic work the Police Department is currently doing.

Mayor Pro Tem Fahey stated she would like discussion on fire mitigation and if we can require that power lines be undergrounded. City Manager Durbin noted that the PUC has that authority not the City. He noted the City annually undergrounds lines in Old Town.

Councilmember Most would like the City Council to consider banning open fires in backyards.

Councilmember Leh asked for more work on fire hardening and resilience.

ADJOURN

Members adjourned at 8:22 pm.

Dennis Maloney, Mayor

Meredyth Muth, City Clerk