

**PLANNING AND ECONOMIC
DEVELOPMENT
POLICY COMMITTEE
MEETING**

JUNE 8, 2015

**PLANNING AND ECONOMIC DEVELOPMENT
POLICY COMMITTEE
AGENDA**

**Committee Members: Chair- Council Member Brad Pierce
Vice Chair-Council Member Sally Mounier
Council Member Marsha Berzins
Mt. Elbert Conference Room
June 8, 2015
3:00 PM**

Committee Initiatives as assigned by City Council include:

- Sustainability of Buildings and Cities (green initiative)
- Economic Vitality – Fitzsimons
- Small Business Development and Incentives

1. Approval of Minutes for May 13, 2015 PED Meeting – Attachment
2. Oil and Gas Committee – Attachment
Staff Support: Stephen Rodriguez, Senior Planner II
3. East Aurora Annexation Study Update – Attachment
Staff Support: Karen Hancock, Environmental Program Specialist
4. Miscellaneous Matters for Consideration
5. Next Meeting Date: July 8, 2015
8:30 AM
Mt. Elbert

NOTE: If you received a copy of this agenda and wish to have a full packet, please contact Linda Elick, Support Person for the Planning & Economic Development (PED) Policy Committee at 303-739-7497.

**PLANNING AND ECONOMIC DEVELOPMENT
POLICY COMMITTEE MEETING
May 13, 2015**

Members Present: Chair Brad Pierce, Vice Chair Sally Mounier, Council Member Marsha Berzins

Others Present: Nancy Freed, Andrea Amonick, Daniel Money, George Koumantakis, Jim Sayre, Vinessa Irvin, Jim Sayre, John Fernandez, Karen Hancock, Stephen Rodriguez, Sarah Wieder, Scott Berg, Todd Kuntzelman, Nick Sowa, Karen Goldman, Dick Hinson, Dexter Harding, Mary Ann Farrell

BUILDING PERMIT FLAT FEES

Summary of Issue and Discussion:

Mr. Scott Berg, Chief Building Official explained to the committee that staff was asked to provide an update on the use of flat fees for certain building permits. A test program to charge flat fees for Signs, Residential decks, Residential patio covers and Residential basement finish was put into place in September, 2014.

The flat fee concept provides a simpler, more consistent and fairer fees for citizens. This method creates a fee that is based on a cost recovery model that varies based on the type of permit being obtained and reflects the city's actual costs for the work involved to process, review, and inspect each permit. The flat fee model means that all customers who obtain a permit for the same type of project pay exactly the same fee. Also important to note is that the flat fee process has no effect on the calculation and collection of city use tax; the applicant is still required to provide the building material costs so the city can accurately calculate city use and county taxes.

Feedback from citizens and contractors regarding the flat permit fee concept has been extremely positive. Under the old program, at the time of permit application a contractor might have to estimate the project cost because they haven't ordered materials and did not know labor costs prior to applying for a permit. By having the flat fees in place, contractors now know ahead of time the cost of the building fees and can accurately estimate jobs for their customers saving time and money.

Based on the success of the flat fee model, staff would like to continue to use a flat fee for the four permits in the model and expand the flat fee concept to other building permits that involve work on existing buildings. Staff asked the committee if they agreed with the current flat fee concept and agreed to expand the flat permit fee concept to other permit types.

Outcome:

The committee was in agreement to continue to use a flat fee for the four permits in the model and to expand on the flat fee concept to other building permits that involve work on existing buildings.

Follow-up Action:

Staff will expand on the flat fee concept. The new flat fees would be based on actual costs and attempt to keep the fee lower than what has been collected on these permits using the project cost method to ensure that customers are not negatively impacted by this new program.

MISCELLANOUS ITEMS

- Chair Brad Pierce explained that at study session, there was consensus by council to create the Oil and Gas Committee through an ordinance. Chair Pierce went on to say that there may be some people on this committee that do not live in Aurora however do work for companies in Aurora. Karen Goldman, Deputy City Clerk presented some of her thoughts from the perception of someone who is responsible for the administration of all the boards and commissions in the city.

In looking at the ordinance and by-laws one issue that stands out is in membership. The ordinance and by-laws make it very clear that City Council will appoint citizen members. There is no indication as to the process for appointing operator and surface owner members and suggested that they be very clear on how the members will be selected. This will be important, not only initially, but also as terms for members end. Currently, City boards conduct interviews with prospective applicant and then choose to support one or more candidates for formal approval by the City Council.

Karen Goldman asked the Committee if they wanted the Oil and Gas Committee to follow the same procedures as the rest of the boards. Does the Committee want the initial interviews and appointments to be conducted by the PED Policy Committee, the full Council or some other entity? Ms. Goldman noted that in recent years, Council has determined it will interview and appoint members to both the Civil Service Commission and the Planning Commission. It should be very clear on resident status and if you want someone to be a registered elector. The majority of the boards do require one year of residency. You need to think about what happens if you don't have term limits. The current by-laws indicate that there are no term limits. The term limits that are currently in place are tied to the length of term of the city council.

Ms. Goldman offered examples of interviewing applicants. (1) A policy committee can look at all of the applicants and ranked them for City Council. (2) Once the committee is established you can do what most of the boards do and that is to have the members of the committee, do the interviews and write a memo to City Council supporting one or more members for appointment.

Ms. Goldman explained the role of Local Government Designee, which is the City Clerk's office serves as a 'central reception' for all boards and commissions, posts the individual meeting dates on the website calendar; receives applications and ensuring basic requirements for serving have been met; notify members whose terms are about to expire, requests information as to whether they wish to reapply, creating commentaries for board appointments in e-Agenda; posting agenda items and meeting minutes on the board web pages; updating membership rosters/lists, among other items. The City Clerk's office works closely with all staff liaisons to ensure consistency of procedures and information.

Chair Pierce asked that the packet for the June PED meeting include discussion on registration, term limits, interview processes and positions, should they be residents, formalize the local government designee. The options in the current ordinance, the options in Council Member Petersons proposal should also be included along with meeting times

Next Meeting: June 8, 2015
Mt. Elbert Conference Room
2:00 PM

Approved: _____
Chair Brad Pierce

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Planning and Economic Development Policy Committee Agenda Item Commentary

Item Title: Oil and Gas Committee composition
Item Initiator: Stephen Rodriguez Planning and Development Services
Staff Source: Jim Sayre, Manager of Planning and Development Services
Deputy City Manager Signature:
Outside Speaker:
Council Goal: 1.0: Assure a safe community for people--2012: 1.0--Assure a safe community for peopl

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Information Only

HISTORY *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

At the direction of City Council, the composition of the Oil and Gas Committee is back before PED. Staff presented the option to formalize the Oil and Gas Committee at the May 11th Study Session. A draft ordinance was included with a proposed committee composition of three citizen members, three oil and gas industry representatives, and three surface owners. The committee would also draw up their own bylaws. City Council voted to send the item back to PED to look at the composition of the committee, and provide for a more representative make up of the committee, balanced between the industry and neighbors.

Currently, the bi-monthly committee meetings include staff members, operators (Conoco Phillips), surface owners (Alpert and Oakwood Homes), interested citizens, and COGCC liaison (Nancy Prince). Since the committee was formed in the Fall of 2012, attendance has consistently been between 15-20 people, and an educational speaker has presented a topic at every meeting.

If the oil and gas committee is formalized, the City Clerk would examine membership requirements and eligibility issues based on direction from the City Council. Staff supports the idea that procedures for application, interviewing and appointment be the same as for Aurora's other boards/commissions, recognizing that all initial applicants would have to be interviewed/appointed by the City Council. Staff also supports making the role of the Local Government Designee the same as the staff liaison for all other boards/commissions.

Staff is presenting the following options to PED to consider and leaving an option for PED's specific recommendation. Option 1 reflects an email from Council Member Peterson regarding the composition of the committee. The second option represents what was presented to PED in May, and the third column is from Council Member Pierce and will be discussed by the PED at their June meeting. As a note, the COGCC has indicated that they would not want to have a voting member serving on a formal board.

Option 1 (Council Member Peterson)	Option 2 (PED May 13, 2015 meeting)	Option 3 (Council Member Pierce)
2 HOA members appointed from the most affected neighborhoods	3 citizen members	5 private citizens who live in Aurora
2 members from the oil/natural gas industry	3 oil and gas industry representatives	3 oil and gas operators with operations in Aurora
6 members appointed by Council	3 surface owners	3 Aurora property owners including either surface or mineral owners
1 COGCC member		
2 housing development representatives		

ITEM SUMMARY (Brief description of item, discussion, key points, recommendations, etc.)
 The questions before the Committee are:
 (1) Does PED wish to forward the item regarding the composition of the Oil and Gas Committee to Study Session?
 (2) If so, what is the composition of the Committee, and who would they report to?

QUESTIONS FOR Committee

APPROVAL REVIEW:

Director Review: Chapel, Susan (5/27/2015 7:52:04 AM) Approve
 Review for Comment: Sayre, Jim (5/27/2015 1:36:07 PM) I will ask Steve to attached CM Peterson's email regarding the composition of the committee. OK

Review for Comment: Money, Daniel (5/29/2015 2:29:52 PM)

Review for Comment: Morris, Adrian (5/29/2015 2:31:37 PM)

Review for Comment: Goldman, Karen (6/1/2015 2:54:54 PM) I made some additions to the narrative regarding the role of the City Clerk should the Committee be formed.

Legal Review: Morris, Adrian (6/1/2015 4:22:47 PM) Approve -
 Finance Review: Morris, Adrian (6/1/2015 4:23:03 PM) -
 Finance Review: Morris, Adrian (6/1/2015 4:23:24 PM) - Reviewed by Dan Money
 DCM Review: Batchelor, Jason (6/1/2015 4:37:12 PM) Approve -

EXHIBITS ATTACHED:

BPmemo.pdf
CM Brad Pierce e-mail.pdf
Oil and Gas Considerations for PED Committee.pdf
RPmemo.docx

Elick, Linda

From: Parnes, Mindy
Sent: Friday, May 29, 2015 10:12 AM
To: Amonick, Andrea; Elick, Linda
Cc: Rodriguez, Stephen E; Wieder, Sarah
Subject: Brad Pierce FW: Item for the Backup for 6/8 PED committee

Is it too late to make this edit for Brad Pierce? See below.

Mindy

From: Pierce, Brad
Sent: Friday, May 29, 2015 10:08 AM
To: Sayre, Jim
Cc: Parnes, Mindy; Watkins, Robert; Pierce, Brad
Subject: Re: Item for the Backup for 6/8 PED committee

Jim, Mindy & Bob,

I'm not sure the appropriate person to send this to since Jim Sayre is out until June 4th and Bob Watkins is out until June 1st.

Yesterday I sent Jim my proposal for the structure of the new oil & gas advisory committee for inclusion in the backup for the June 8th PED meeting.

I mistakenly put 6 private citizens when I meant to say 5.

If there is still time include my revised proposal in the PED backup, here's what it should say. If not, at PED I'll just verbally say my proposal if for 5 private citizens.

=====

This is a proposal for the structure for the new oil & gas advisory committee that will be heard at the June 8th PED meeting.

- 5 private citizens who live in Aurora.
- 3 oil & gas operators with operations in Aurora, which could include pipeline or service companies like Halliburton or drilling rig companies.
- 3 Aurora property owners which would include either surface or mineral owners like Oakwood / HBA and individual mineral right owners.

I believe this structure provides a balance of people who have in interest in oil & gas.

Applications would be submitted for all these positions and all would be appointed by the entire City Council.

Please include this email in the 6/8/15 PED meeting backup.

Thanks & please contact me with any questions.

Brad Pierce

=====

Thanks,

Brad

From: Pierce, Brad

Sent: Thursday, May 28, 2015 3:45 PM

To: Sayre, Jim

Subject: Re: Item for the Backup for 6/8 PED committee

Thanks Jim,

Brad

From: Sayre, Jim

Sent: Thursday, May 28, 2015 12:19 PM

To: Pierce, Brad

Subject: Re: Item for the Backup for 6/8 PED committee

Ok will do

Sent from my iPhone

On May 28, 2015, at 10:56 AM, Pierce, Brad <bpierce@auroragov.org> wrote:

Jim,

This is a proposal for the structure for the new oil & gas advisory committee that will be heard at the June 8th PED meeting.

- 6 private citizens who live in Aurora.
- 3 oil & gas operators with operations in Aurora, which could include pipeline or service companies like Halliburton or drilling rig companies.
- 3 Aurora property owners which would include either surface or mineral owners like Oakwood / HBA and individual mineral right owners.

I believe this structure provides a balance of people who have in interest in oil & gas.

Applications would be submitted for all these positions and all would be appointed by the entire City Council.

Please include this email in the 6/8/15 PED meeting backup.

Thanks & please contact me with any questions.

Brad Pierce

**CITY OF AURORA
OIL AND GAS ADVISORY COMMITTEE
CONSIDERATIONS FOR PED POLICY COMMITTEE, MAY 13, 2015**

1. Membership – bylaws indicate that citizen members are appointed by City Council. There is no indication as to the process for appointing operator and surface owner members. This will be important, not only initially, but also as terms for members end.

Currently, City boards conduct interviews with prospective applicants and then choose to support one or more candidates for formal approval by the City Council.

Do you wish the Oil and Gas Committee to follow the same procedures as the rest of the boards? Do you wish the initial interviews and appointments to be conducted by the PED Policy Committee, the full Council or some other entity? (NOTE: In recent years, the Council has determined it will interview and appoint members to both the Civil Service Commission and the Planning Commission.)

2. Role of Local Government Designee – The City Clerk’s office serves as ‘central reception’ for all boards and commissions, performing the following for all boards and commissions: posting the individual meeting dates on the website calendar; receiving applications and ensuring basic requirements for serving have been met; notifying members whose terms are about to expire, requesting information as to whether they wish to reapply; creating commentaries for board appointments in e-Agenda; posting agenda items and meeting minutes on the board web pages; updating membership rosters/lists, among other items. The City Clerk’s office works closely with all staff liaisons to ensure consistency of procedures and information.

Do you wish the Local Government Designee to have the same working relationship with the City Clerk’s office as the other staff liaisons?

FROM: Council Member Renie Peterson

TO: Oil and Natural Gas Committee

DATE: March 25, 2015

RE: Committee Structure

A significant number of suggestions on the structure of the new Planning & Economic Development Policy Committee were not included in the draft proposed at the last PED&R meeting. With that in mind, I would like to share my suggestions with you as follows:

PROPOSED COMMITTEE STRUCTURE:

- 2 members appointed by the HOA from the 2 most affected neighborhoods
- 2 members from the oil/natural gas industry
- 6 members appointed by City Council
- 1 member from COGCC
- 2 housing development representatives

RATIONALE:

As oil/natural gas industry issues arise, the Council Member from each affected Ward will need to rely on the expertise and communication abilities of the resource people in my suggested committee structure:

- The HOA appointed members would provide a conduit of information updates to and from the communities most affected by the industry.
- The oil/natural gas industry representatives would lend industry/technology specific input to the discussions.
- The Council appointees would liaison with Council Members to provide timely informational updates.
- The COGCC member would provide input on state regulations and information on oil spills via Form 19 and Form 27 mechanisms.
- The housing developer representatives would provide information on housing industry needs as well as add input on plans for future development on the eastern side of Aurora.

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Planning and Economic Development Policy Committee Agenda Item Commentary

Item Title: East Aurora Annexation Study--Update
Item Initiator: Karen Hancock
Staff Source: Jim Sayre, Planning Division Manager
Deputy City Manager Signature:
Outside Speaker: Mark Nuszer, MAN Consultants
Council Goal: 6.1: Ensure the delivery of high quality services to residents in an efficient and cost effective manner--2012: 6.1-- Ensure the delivery of high quality services to residents in an efficient and cost effective manne

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Information Only

HISTORY *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

Background

Staff received a request in June 2014, on behalf of several landowners who wish to annex 2,983 acres (4.66 square miles) to the city. The land ownership group includes Steven Cohen, Marc Cooper, James Spelhalski and Andy Chaikovsky, and they are represented by Michael Sheldon and Diana Rael. The landowners have indicated that they intend to develop these properties in a typical suburban format with primarily residential uses and densities along with retail uses at major corners, all pursuant to the E-470 and Northeastern Plains zone districts, within a timeframe of 10 to 30 years. The properties are located northeast of Hayesmount Rd. and Yale Ave. (see attached map) the location of these properties is outside the city's existing planning and annexation boundaries and outside all the boundaries of the city's master infrastructure plans for roads, water, sewer and storm drainage.

History

This annexation and a recommendation to conduct an assessment of its fiscal and service impacts was presented at the September 10, 2014, Planning, Economic Development and Redevelopment Policy Committee Meeting and the November 17, 2014 Special Study Session. At the Special Study Session, City Council asked staff to provide a follow-up presentation that described the level of effort needed to conduct a study for a larger geographic area. Staff provided additional information and a preliminary cost estimate at the December 22, 2014, Study Session. Based on direction from Council, in January 2015, staff issued a Request for Proposals to select a qualified team to conduct the study. Mark A.

Nuszer Consultants team (MAN) was selected and the City Council approved the contract not to exceed \$531,200 at Study Session and Regular Meeting on March 16, 2015, with a waiver of reconsideration.

ITEM SUMMARY *(Brief description of item, discussion, key points, recommendations, etc.)*

Consultant Scope

The RFP included nine tasks that are required to be addressed as part of this project and are listed below.

- Project Management
- Community Support
- Literature Search
- Site Survey
- Land Use Plan, including land use and zoning, population/demographics, phased development, oil and gas, environmental opportunities and constraints (topography, views, solar orientation, drainage), habitat/history/cultural resources
- Transportation
- Fiscal Impact
- Coordination with wet utilities consultant team
- Comprehensive Plan amendment

The majority of the work performed to date by the consultant team is associated with the literature search and site survey; all the other tasks have been initiated and are on schedule. An intra-departmental kick-off meeting was held on April 9, 2015 to introduce the consultant team to key department staff, discuss the goals and objectives of the project, outline the contract scope of services and present a timeline for deliverables. The team has a dedicated work space in the Planning and Development Services Department to facilitate weekly meetings with key staff and the project management team. The consultant team will also be closely coordinating land use planning efforts with representatives/consultants of the primary land owners within the East Aurora Annexation Study area.

Schedule

Below is a list of the tasks that have been completed to date and also tasks expected to be completed in the third quarter of 2015.

May 2015

- Completed literature and site survey
- Initiated community outreach plan discussions/coordination with Neighborhood Services and Communications Departments
- Reviewed the fiscal impact analysis parameters and policy with ODA and Manager's office
- Completed initial outreach to representatives of the primary land owners within the district
- Developed a framework plan in coordination with the consultant team's economists/fiscal impact experts
- Initiated coordination with Aurora Water and its consultants regarding the interface of the prospective master land use plan with the preparation of a master wet utilities plan
- Initiated coordination between consultant and city's transportation planners to assure consistency between the annexation study documents and the city's existing transportation plans

- Created a composite schedule of action items and work deadlines necessary for the completion of the annexation and initial zoning of the CCSC property by the end of 2015
- Initiated scenario planning for the master land use plan

June 2015

- Complete the first draft of the land use plan
- Continue individual outreach efforts to representatives of the primary land owners within the study area
- Submit the Travel Demand Modeling memo
- Continue on-going coordination with the wet utilities consultant team
- Finalize overall community outreach program

July – August 2015

- Focus on community outreach, eastern Aurora neighborhoods and in the study area
- Begin drafting the transportation plan
- Begin drafting the phasing plan for the fiscal impact analysis to support negotiation of the annexation agreement with the CCSC ownership group.

A summary schedule with key milestones for both the East Aurora Annexation Study and annexation process is provided as Attachment B. This item is provided for information purposes only. Staff will continue to update the Planning and Economic Development Committee on the progress of this important city project.

QUESTIONS FOR Committee

This item is for information purposes only.

APPROVAL REVIEW:

Director Review: Elick, Linda (5/27/2015 3:50:38 PM) Approve
 Review for Comment: Irvin, Vinessa (5/27/2015 5:31:52 PM)

Review for Comment: Hancock, Karen (5/28/2015 9:18:38 AM)

Legal Review: Morris, Adrian (5/28/2015 9:44:32 AM) Approve -
 Review for Comment: Bailey, Nancy (5/28/2015 10:50:29 AM)

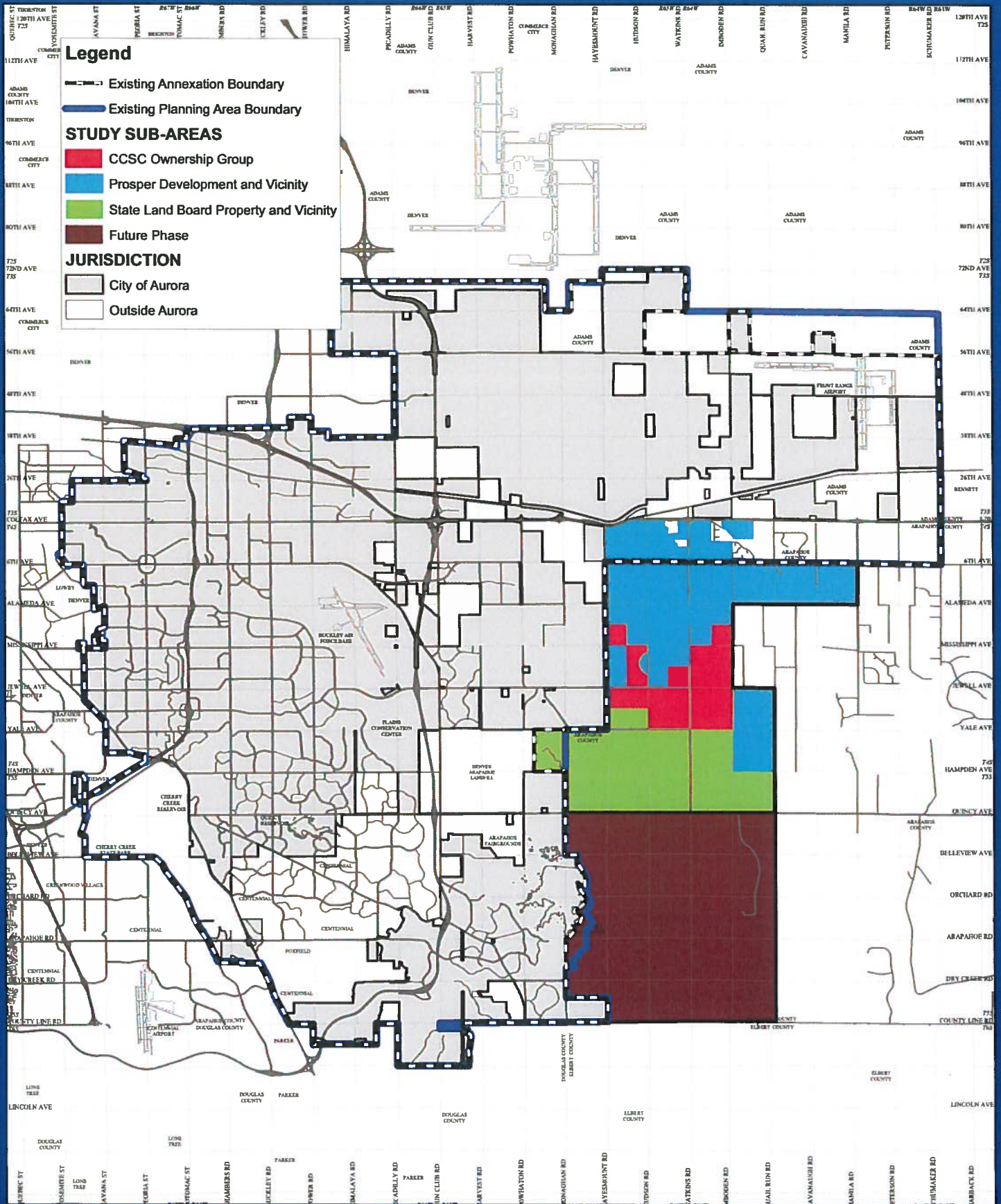
DCM Review: Batchelor, Jason (6/1/2015 4:36:30 PM) Approve -

EXHIBITS ATTACHED:

East Annexation Study Areas E Agenda Map.pdf
 Schedule.pdf

Legend

- Existing Annexation Boundary
- Existing Planning Area Boundary
- STUDY SUB-AREAS**
 - CCSC Ownership Group
 - Prosper Development and Vicinity
 - State Land Board Property and Vicinity
 - Future Phase
- JURISDICTION**
 - City of Aurora
 - Outside Aurora



East Annexation Study Area



City of Aurora Planning Department
303.739.7250 | 10151 E. Alameda Parkway, Aurora, CO 80012 | F: 303.739.7268
www.aurora.gov



Proposed Schedule, East Aurora Annexation Study

Task	Date
PED Update	06/08/2015
Planning Commission Update	06/24/2015
City reviews Annexation application	06/19/2015-08/28/2015
City Council Meeting—Resolution finding Annexation Petition in Substantial Compliance and set public hearing date	07/27/2015
City reviews Initial Zoning application	09/01/2015-10/23/2015
PED Update	09/09/2015
City Council Meeting—Public Hearing on annexation and consideration of Resolution/certain findings of fact	09/14/2015
PED Update	10/07/2015
Planning Commission Public Hearing on initial zoning	11/10/2015
City Council Meeting—Introduction of Annexation and Initial Zoning Ordinances	12/07/2015
City Council Meeting—Final Reading of Annexation and Initial Zoning Ordinances	12/21/2015
Annexation and Initial Zoning Ordinances effective date	01/23/2016