

**BOULDER CITY COUNCIL MEETING
MUNICIPAL BUILDING, 1777 BROADWAY
Tuesday, August 20, 2013
6 p.m.**

FINAL AGENDA

1. **CALL TO ORDER AND ROLL CALL**
2. **OPEN COMMENT and COUNCIL/STAFF RESPONSE** (limited to 45 min.) Public may address any city business for which a public hearing is not scheduled later in the meeting (this includes the consent agenda and first readings). After all public hearings have taken place, any remaining speakers will be allowed to address council. All speakers are limited to three minutes.
3. **CONSENT AGENDA** (to include first reading of ordinances) Vote to be taken on the motion at this time. (**Roll call vote required**)
 - A. Consideration of a motion to approve the City Council Meeting **Minutes from July 16, 2013**
 - B. Consideration of a motion to approve the City Council Meeting **Minutes from July 23, 2013**
 - C. Consideration of a motion to approve the City Council Meeting **Minutes from July 24, 2013**
 - D. **Third reading** and consideration of a motion to adopt the following ordinances:
 1. **Ordinance No. 7912** placing on the November 5, 2013 **ballot a measure extending and dedicating to open space, transportation and the general improvement services a 0.33 cent sales tax; and**
 2. **Ordinance No. 7913** placing on the November 5, 2013 **ballot a measure imposing a new 0.15 cent sales tax to be dedicated to transportation;** as adopted and amended at the August 5, 2013 council meeting and setting forth related details
 - E. **Third reading** and consideration of a motion to adopt **Ordinance No. 7916 submitting** to the registered electors of the City of Boulder at the general municipal coordinated election to be held on Tuesday, November 5, 2013, **the issue of whether City of Boulder taxes should be increased by an excise tax of up to 10 percent of the average market value of unprocessed recreational marijuana** from a recreational marijuana cultivation facility **and a sales and use tax of up to 10 percent on recreational marijuana** and setting forth related details
 - F. **Third reading** and consideration of a motion to adopt the following ordinances:

1. **Ordinance No. 7919** setting the ballot title and **submitting** to the voters at the November 5, 2013 election an **initiated amendment** to the City Charter **to require voter approval of the electric utility debt limit and total cost of debt repayment prior to issuance** of any debt, **prohibiting service outside of the city absent a vote by out-of-city residents in the service area, limiting debt elections to November in odd-numbered years, and limiting brokerage fees** on such indebtedness; and
 2. **Ordinance No. 7920**, setting the ballot title and **submitting** to the voters at the November 5, 2013 election **the question of setting a debt limit for acquisition of electric utility assets; amending the City Charter to allow utility related questions to be considered at any election; allowing out-of-city service and non-resident customers to be represented on the utility advisory board; adding utility services standards and requirements for the electric utility board related to rates and rate making; setting standards against discrimination and the granting of privileges and advantages; adding new sections of the City Charter related to acquisition debt limits and customer choice for out of city utility customers; and superseding any initiated ballot measure to the contrary, and setting forth related details**
- G. **Third reading** and consideration of a motion to adopt **Ordinance No. 7917 finding that the conditions precedent to formation of an electric power and light utility** of Charter section 178(a) **have been satisfied**, and setting forth related details **and acceptance of the summary of the July 23, 2013 presentation by PowerServices, Inc.**
- H. **Third reading** and consideration of a motion to adopt **Ordinance No. 7918 authorizing the acquisition of property interests owned by Public Service Company of Colorado d/b/a Xcel Energy by negotiation and purchase or through the power of eminent domain** and setting forth related details
- I. **Second reading** and consideration of a motion to adopt the following ordinances:
1. **Ordinance No. 7910 regarding** amending Section 98, **Term of bonds-disposal of bonds**, of the Charter of the City of Boulder;
 2. **Ordinance No. 7914 regarding** amendments to Charter Section 130 and other related Charter sections **changing the requirement from City electors to City residents to serve on City Boards**; and
 3. **Ordinance No. 7915 regarding** extending Ordinance 7907, **the moratorium on fracking**, all as approved for adoption on consent at the August 5th council meeting and setting forth related details
- J. Introduction, **first reading** and consideration of a motion to order published by title only an **ordinance designating** the building and property at **3015 Kalmia Ave., to be known**

as the Lundgren-Harper House, as an individual landmark under the city's Historic Preservation Ordinance

- K. Introduction, **first reading** and consideration of a motion to order published by title only, an **ordinance** vacating and authorizing the City Manager **to execute a deed of vacation** to vacate a portion **of a twenty-foot emergency access and utility easement** in association with an approved use review request to locate 68 attached multi-family residential units in an industrial zoning district **at 6655 Lookout Road**

 - L. Introduction, **first reading** and consideration of a motion to order published by title only, an **ordinance** amending chapters 10-2, 10-5, 10-5.5, 10-6, 10-7, 10-7.5, 10-8, 10-9, 10-9.5 and 10-10, B.R.C. 1981, adding new chapter 10-8.5; **adopting by reference, with amendments, the 2012 International Property Maintenance, Building, Residential, Energy Conservation, Fire, Wildland-Urban Interface, Mechanical, Fuel Gas and Plumbing Codes, and the 2011 Electrical National Code, amending sections 4-20-47, "Zoning Adjustment Filing Fees", and 2-3-4 "Board of Building Appeals,"** B.R.C. 1981; and setting forth related details

 - M. Introduction, **first reading** and consideration of a motion to order published by title only, an **ordinance** amending floodplain regulations in order **to clarify existing regulations and to protect critical facilities and lodging facilities in the 100- and 500-year floodplains**, including Chapter 9-3 "Overlay Districts," Subsection 9-6-1(d) "Use Table," and Section 9-16-1 "Definitions: B.R.C. 1981

 - N. Consideration of a **motion to authorize the disposal of approximately 0.798 acres of Open Space and Mountain Parks land** described as a permanent easement **to Public Service Company of Colorado and CenturyLink** to place power poles on the East Rudd property for the purpose of **facilitating the construction of the planned Community Ditch Trail underpass** at State Highway 93. **This is a disposal of Open Space land** under City Charter Section 177

 - O. Consideration of a **motion to reschedule the business meeting on November 5, 2013 to November 12, 2013**
4. **POTENTIAL CALL- UP CHECK IN**
Opportunity for Council to indicate possible interest in the call- up of an item listed under agenda Item 8-A1.

ORDER OF BUSINESS

5. PUBLIC HEARINGS

- A. **Second reading** and consideration of a motion to adopt **Emergency Ordinance No. 7922 extending a 0.15 sales and use tax**, which is currently dedicated to open space and expires December 31, 2019, **to remove the expiration date and dedicate the funds to**

transportation until **December 31, 2029** and thereafter dedicating the funds to **general improvement needs** as introduced and passed on first reading at the August 5, 2013 council meeting and setting forth related details

- B. Consideration of a **motion to accept the Boulder Police Master Plan, approve the Boulder Valley Comprehensive Plan (BVCP) Police Master Plan Summary and amend the BVCP Urban Service Criteria and Standards for Urban Police Protection**

6. **MATTERS FROM THE CITY MANAGER**

- A. Consideration of a **motion to adopt a resolution setting the ballot order** for the November 5, 2013 coordinated municipal election

- B. **Update on Council Chambers audiovisual upgrades**

7. **MATTERS FROM THE CITY ATTORNEY**

None

8. **MATTERS FROM MAYOR AND MEMBERS OF COUNCIL**

- A. Potential Call-Ups

- 1. **Vacation of Utility Easement in the High Mar Senior housing development**

- Information Packet Date: August 20 Last Opportunity: August 20

- 2. **Recommendation to rename Canyon Park to Emma Martinez Park** Information

- Packet Date: August 20 Last Opportunity: August 20

- 3. **Site Review on NE corner of Kalmia Ave. and 28th St.** Information Packet Date:

- August 8 Last Opportunity: August 20

- B. Consideration of a motion regarding **2013 performance evaluations**, and performance based salary adjustments for the **City manager, City Attorney, and Municipal Judge**

9. **PUBLIC COMMENT ON MATTERS** (15 min.) Public comment on any motions made under Matters.

10. **FINAL DECISIONS ON MATTERS** Action on motions made under Matters.

11. **DEBRIEF** (5 Min.) Opportunity for Council to discuss how the meeting was conducted

12. **ADJOURNMENT**

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