

**BOULDER CITY COUNCIL MEETING
MUNICIPAL BUILDING, 1777 BROADWAY
Tuesday, September 15, 2015
6 PM**

AMENDED AGENDA

- 1. CALL TO ORDER AND ROLL CALL**
 - A. U.S. Tennis Association Award Grant for Flood Restoration**
 - B. Recognition of the COB Status as a Playful City**
- 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 minutes for the August 6, 2015 City Council Special Meeting**
 - B. Consideration of a motion to accept the July 30, 2015 Climate Commitment Study Session Summary**
 - C. Consideration of a motion to accept the August 11, 2015 Capital Improvement Program (CIP) Study Session Summary**
 - D. Two matters related to a property located at 747 12th Street:**
 - 1. Third reading and consideration of a motion amending and adopting Ordinance No. 8029 designating the building and property at 747 12th St., to be known as the Cowgill Property, as an individual landmark under the City's Historic Preservation Ordinance**

Owner: 747 Twelfth Street, LLC Applicant: Landmarks Board
 - 2. Second reading, and consideration a motion publication by title only Ordinance No. 8075 granting authority to the approving authorities under Title 9, "Land Use Code," B.R.C. 1981, to approve the subdivision of one building site into two building sites for a property generally described as 747 12th Street and as an amendment to Title 9, "Land Use Code," to waive or modify certain land use regulations including standards related to the minimum lot size, setbacks, and building separation in order to meet city historic preservation objectives, and setting forth related details**
 - E. Consideration of a motion to adopt Resolution No. 1171 concerning endorsement of projects of the Mental Health Center of Boulder County, Inc. D/B/A Mental**

Health Partners that includes the **remodeling of 1000 Alpine Ave.** (Boulder) and the **purchase of land and office building located at 1455 Dixon Ave.** (Lafayette) and a recommendation that the Board of County Commissioners of the County or other appropriate issuing authority issue tax-exempt revenue bonds for Mental Health Partners and setting forth related details

F. Second reading and consideration of a motion to **adopt Ordinance No. 8070** approving **supplemental appropriations for Open Space and Information Technology** to the **2015 Budget**

4. POTENTIAL CALL-UP CHECK IN

Opportunity for Council to indicate possible interest in the call-up of an item listed under 8-A.

A. 2440 & 2490 Junction Place Site Review & Use Review Planning board voted 4-2 to approve the Site Review application

B. 5530 Spine Rd./Alexan Gunbarrel Apts. Use Review

ORDER OF BUSINESS

5. PUBLIC HEARINGS

Note: Any items removed from the Consent Agenda will be considered after any City scheduled Public Hearings.

Items **5A-5C** will be included in one (1) Public Hearing.

A. Consideration of an Emergency Ordinance No. 8082 concerning the proposed **issuance of The Boulder Municipal Property Authority Taxable Certificates of Participation, Series 2015 (the “2015 Certificates”)** in an amount not to exceed **\$41,000,000** for the purpose of providing **funds to acquire the Boulder Community Hospital Broadway Campus**; authorizing the conveyance of the Leased Property to The Boulder Municipal Property Authority (“BMPA”) and the lease back of such Leased Property by the City; authorizing a competitive sale of the 2015 Certificates subject to certain parameters and approving the distribution and use of the Preliminary Official Statement and Notice of Sale in connection with the sale of the 2015 Certificates; delegating approval of the final terms of the 2015 Certificates to the Mayor, the City Manager or the Chief Financial Officer; approving the execution and delivery of certain documents in connection with the issuance of the 2015 Certificates; and declaring an emergency ordinance and providing the effective date hereof

B. Consideration of a motion to adjourn from the Boulder City Council and convene as the Boulder Municipal Property Authority Board of Directors (BMPA); and

Consideration of **Resolution No. 139 approving the Amended and Restated Bylaws of the Boulder Municipal Property Authority (BMPA)**

- C. Consideration of **Resolution No. 140** authorizing the **issuance of certificates of participation; the method of sale of such certificates; the execution and delivery of conveyance documents, lease and indenture, the use of a notice of sale and preliminary and final official statements; the execution of related documents and setting forth related details; and**

Consideration of **a motion to adjourn from the Boulder Municipal Property Authority Board of Directors (BMPA) and reconvene as Boulder City Council; and**

- D. **Second reading** and consideration of a motion to order published by title only, **Ordinance No. 8072 to improve occupancy enforcement by amending Title 9 “Land Use Code” by amending Section 9-15-9, “Multiple Dwelling Units And Occupancy - Specific Defenses,”** eliminating a defense to over-occupancy based upon “active and diligent” management practices, amending Title 10 “Structures” amending Section 10-3-2, “Rental License Required Before Occupancy and License Exemptions” adding a prohibition of offering or advertising rental of a property without a valid rental license, adding a new Section 10-3-20 “Occupancy” requiring that the maximum legal occupancy be posted on all rental properties, requiring all rental licenses to include a notation of maximum occupancy and requiring all rental advertisements to include the maximum legal occupancy; amending Section 10-3-16 “Administrative Remedy” by increasing the fines for first and second violations and setting forth related details

At the CAC September 14th meeting, Items D & E will be switched around.

- E. Continued **second reading** and consideration of a motion to adopt and order published by title only, **Ordinance No. 8050 amending Title 10 “Structures”** for the purpose of allowing and **regulating short-term rentals** by amending Section 10-1-1 “Definitions” by amending the definition of “Operator,” amending the definition of “Rental Property,” adding a new definition of “Short-Term Rental,” adding a new Section 10-3-19 “Short-Term Rentals” and setting forth related details

Note: This item will not have a public hearing on September 15th as it was a continued item from the August 27, 2015 Special Meeting. The public hearing was held and closed on August 27, 2015.

6. MATTERS FROM THE CITY MANAGER

7. MATTERS FROM THE CITY ATTORNEY

8. MATTERS FROM MEMBERS OF COUNCIL

A. Potential Call-Ups-

1. **2440 & 2490 Junction Pl.** Site Review and Use Review Planning Board voted 4-2 to approve the Site Review application

2. **5530 Spine Rd./Alexan Gunbarrel Apts.** Use Review

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 -Opportunity for Council to discuss how the meeting was conducted-5 min

12. ADJOURNMENT

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Anyone requiring special packet preparation such as Braille, large print, or tape recorded versions may contact the City Clerk's Office at (303) 441-3002, 8 a.m. – 5 p.m. Monday through Friday. 48 hours notification prior to the meeting or preparation of special materials IS REQUIRED.

If you need Spanish interpretation or other language-related assistance for this meeting, please call (303) 441-1905 at least three business days prior to the meeting. Si usted necesita interpretación o cualquier otra ayuda con relación al idioma para esta junta, por favor comuníquese al (303) 441-1905 por lo menos 3 negocios días antes de la junta.

Electronic presentations to the city council must be pre-loaded by staff at the time of sign up and will NOT be accepted after 3:30 p.m. at regularly scheduled meetings. Electronic media must come on a prepared USB jump (flash/thumb) drive and no technical support is provided by staff.

***** The following items were moved from the September 15 agenda and scheduled on the September 14 special meeting agenda:**

1. Nod of Five for Request from Boulder Community Health Foundation to allow submittal of appropriate applications that seek approval of a development plan that would include two buildings in excess of the height limit

2. Boards & Commissions Mid Year Recruitment Appointments

3. Direction regarding City Council Representatives to the University Hill Reinvestment Working Group