

**Boulder Junction Access District (BJAD)
Joint Commission – Parking and TDM Meeting
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Boulder Junction Access District (BJAD) – TDM Meeting
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Boulder Junction Access District (BJAD) – Parking Meeting
July 20, 2016
4 - 6 pm
1777 West Conference Room, 1777 Broadway**

BJAD Joint Commission Meeting

1. Roll Call - BJAD TDM: Hyde-Wright, Bush, Pawlowski, Pedersen, Prant
2. Roll Call BJAD Parking: Bush, Pedersen, Prant, Shanahan, Wells
3. Disclosure of Conflicts of Interest
4. Approval of the May 18, 2016 BJAD Meeting Minutes
5. Public Participation
6. Introduction of Melissa Yates, Access and Parking Manager
7. Matters from Commissioners
 - Role of chairs and agenda setting
 - Selection of city council liaisons
8. Matters from Staff
 - Retreat Date
 - Status of the Pollard Site Analysis
 - Boards and Commissions Committee - Matt Appelbaum and Jan Burton – Meeting Date
9. Adjourn as BJAD Joint Commission

BJAD Parking Commission Meeting

10. Convene as BJAD Parking Commission, Wells
11. Matters from Parking Commissioners
12. Matters from Staff
 - Update on Depot Square Garage
 - Update on Unbundled Parking
13. Adjourn as BJAD Parking Commission

BJAD TDM Commission Meeting

14. Convene as BJAD TDM Commission, Prant
15. Matters from Commissioners
 - Update on the HOP Refresh Committee
16. Matters from Staff
17. Adjourn as TDM Commission

Attachments:

- May 18, 2016 BJAD Meeting Minutes
- New Meeting Dates
- City Council Liaison List
- Memo re Unbundled Parking

Upcoming Meetings/Topics

Pollard Site Council Study Session: September 27, 2016

Commissioner Terms:

<u>TDM Commission</u>	<u>Term Expires</u>	
John Pawlowski	3/2018	Property Owner/Rep
Andy Bush	3/2021	Property Owner/Rep
Alex Hyde-Wright	3/2020	Citizen at Large
Susan Prant, Chair	3/2019	Citizen at Large
Scott Pedersen	3/2017	Property Owner/Rep

<u>Parking Commission</u>	<u>Term Expires</u>	
Susan Prant	3/2019	Citizen at Large
Andy Bush	3/2021	Property Owner/Rep
Scott Pedersen	3/2017	Property Owner/Rep
Jeff Shanahan	3/2018	Property Owner/Rep
Thomas Wells, Chair	3/2020	Citizen at Large

BJAD 2016 Priorities:

- Participate in the planning for the decisions for the Pollard site in order to enhance the TDM and parking options for the Access Districts
- Pursue “quiet zone” improvements at Pearl and Valmont.
- Improve RTD transit service to Boulder Junction
- Explore and implement “last mile” transportation strategies including a high frequency shuttle service between Boulder Junction and downtown Boulder.

CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING MINUTES SUMMARY

NAME OF BOARD/COMMISSION: BOULDER JUNCTION ACCESS DISTRICTS
– Parking and TDM

MEETING DATE: May 18, 2016

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Ruth Weiss, 303-413-7318

NAMES OF MEMBERS, STAFF, AND INVITED GUESTS PRESENT:

Board Members: TDM: Pedersen (absent), Pawlowski (arrived 4:12 pm; left 5:20 pm), Bush (left at 4:45 pm), Hyde-Wright, Prant

Staff: Parking: Pedersen (absent), Shanahan, Bush (left at 4:45 pm), Wells, Prant
WEISS, BRACKE, GUIBERT, HADDOCK, CONNELLY, BOLI

Guests:

Meeting opened: 4:10 pm

BJAD Joint Commission Meeting

BJAD Joint Commission Meeting

1. Roll Call - BJAD TDM: Hyde-Wright, Bush, Pawlowski (arrived 4:12 pm; left 5:20 pm), Pedersen (absent), Prant
2. Roll Call - BJAD Parking: Bush, Pedersen (absent), Prant, Shanahan, Wells
3. Disclosure of Conflicts of Interest - Submitted
4. Approval of the March 14 and April 21, 2016 BJAD Meeting Minutes: Wells motioned to accept the March 14, 2016 meeting minutes and Shanahan seconded the motion. All commissioners were in favor. Bush motioned to approve the April 21, 2016 meeting minutes and Hyde-Wright seconded the motion. All commissioners were in a favor and the motions passed unanimously.
5. Public Participation - none
6. Draft of Resilience Strategic Plan - Greg Guibert, Chief Resilience Officer – Guibert addressed the commission to see if anything was missed. Wells offered the chronic stresses of parking and development; what the chronic stresses are and how are they dealt with; and, will Boulder Junction Access District be integrated into resilience actions. Hyde-Wright mentioned acute shock energy-gas spikes and how would city respond. Discussion continued on transition to carbon free system, how resilience plays into energy department thinking; disaster plan to tie into resiliency plan; and, flood relief.
Quiet Zone Update – Kathleen Bracke, Go Boulder Manager in Transportation: Bracke said train horn noise is regulated by the Federal Railroad Administration (FRA). The FRA establishes the Quiet Zone requirements. The city is working with other communities along the corridor to pursue the implementation of Quiet Zones. The Train Horn Rule has been opened by the train commission. Comments are due June 5 to Bracke to send to FRA and a draft for the packet to city council. Comments have more success when incorporated with other cities in the

What will it take for the nine crossings that impact residential areas, five are in the city and four are adjacent. Cost estimates are \$5 million to do all nine crossings. Bush questioned the Boulder Junction crossing with its 2013 cost estimate at \$1.3 million. Bracke will provide input for the design and cost estimation to the board and the Railroads have the discretion, if there is a threat, to not blow their horn. Bracke is applying for \$1 million in grant money. Prant confirmed that the design for all nine crossings are available online. Prant asked if the crossings were prioritized. Bracke offered that there would be a public outreach in the 4th quarter of 2016. Public feedback is coming in from BJAD. Crossings are not a development requirement. DRCOG funding would become available this fall with the goal to use for engineering, installation and building. The design permitting and installation is a long process with the railroad approval process. The change was done due to the level of the train horn noise with comments on getting the quiet zone more realistic and doable for urban communities. There is no history of safety issues at crossings in Boulder. Pawlowski questioned the final decision makers and said that if specs get approved, the way the rule is currently written, there is a risk of it being revised. Bracke said the cost estimate varies dependent on treatment and the high end cost is \$4.5 million. Should hear more in June.

7. Matters from Commissioners
Hyde attended the HOP Refresh meeting.
8. Matters from Staff
 - a. Retreat Date – noon to five preferred at the end of July.
 - b. Status of the Pollard Site Analysis – schedule for next meeting, send out to commissioners the materials for the council study session on August 30th.
 - c. Boards and Commissions Committee - Matt Appelbaum and Jan Burton – Meeting Date – dates sent for July, August and September
9. Adjourn as BJAD Joint Commission: 4:30 pm Pawlowski motioned to adjourn and Shanahan seconded. All commissioners were in favor and the motion passed 4- 0.

BJAD Parking Commission Meeting

10. Convene as BJAD Parking Commission: Wells convened the commission.
11. Election of Officers: Prant nominated Wells for Chair, Bush seconded, Wells accepted nomination and all commissioners were in favor. Bush nominated for Vice Chair, he accepted the nomination, and all commissioners were in favor.
12. Matters from Parking Commissioners - none
13. Matters from Staff
 - a. Update on Depot Square Garage: Senior Assistance City Attorney Cathy Haddock reported that the city is still trying to get the parking system reports. Protection Tech has stopped working since they are not getting paid. Wells said that the holdup in the reports is preventing the issuing of parking permits. Haddock said that an analysis on an hourly basis is too labor intensive. Wells questioned how to get the permits out. Haddock looking for interface with Protection Tech. Haddock said that revenue is being collected even though there is not a decision where it goes or what it goes for. Wells would like a list of options at the next meeting for the garage. Haddock said that the city only has the right to use 100 spaces
 - b. Update on Unbundled -Parking: Schedule for next BJAD meeting.
14. Adjourn as BJAD Parking Commission: 5:20 pm - Wells adjourned the commission and Shanahan seconded the motion. All commissioners were in favor.

**BJAD JOINT COMMISSION
2016 MEETING SCHEDULE
4 - 6 pm**

		Meeting Packet Materials due by Noon on Friday
JANUARY 21	1777 West Conference Room	
FEBRUARY 18	1777 West Conference Room	2/12
MARCH 17	1777 West Conference Room	3/11
APRIL 21	1777 West Conference Room	4/15
MAY 18	1777 West Conference Room	5/13
JUNE 15	1777 West Conference Room	6/9
JULY 20	1777 West Conference Room	7/15
AUGUST 17	1777 West Conference Room	8/12
SEPTEMBER 14	1777 West Conference Room	9/9
OCTOBER 19	1777 West Conference Room	10/14
NOVEMBER 16	1777 West Conference Room	11/10 —Thursday (Friday is holiday)
DECEMBER 21	1777 West Conference Room	12/9

2016 City Council Members
Liaison List

Matt Appelbaum -
Aaron Brockett -
Jan Burton - Prant
Suzanne Jones - Bush
Lisa Morzel - Bush
Andrew Shoemaker - Hyde-Wright
Sam Weaver - Pawlowski
Bob Yates - Prant
Mary Young -

Memorandum

TO: BJAD Parking Commission

FROM: Molly Winter, Executive Director

DATE: June 13, 2016

RE: District Responsibility Regarding Private Parking Pricing and Unbundling

A question was raised by the commission about whether there was a definition of unbundled parking as a provision in the district petition or enabling legislation allowing the district to set pricing for private facilities within the district. After review of the ordinance and petition and consultation with the city attorney's office it was found that there was nothing that allowed the district to set parking rates in other facilities.

However, Subsection 9-9-6(i) of the land use code sets out the conditions to unbundle parking from the rental fee or purchase price for dwelling units in developments of 10 units or more. This subsection could be used to enforce the requirement to unbundle provided we have the evidence to prove the violation. This subsection does not, however, give authority to require higher prices for the lease or sale of the unbundled parking spaces. This is what it says:

(i)

Parking Costs Separated From Housing Costs in New Residential Buildings: In the RH-7 and MU-4 zoning districts, all off-street parking spaces accessory to residential uses in new structures of ten dwelling units or more, or in new conversions of nonresidential buildings to residential use of ten dwelling units or more, shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space. Parking spaces that are unused or unsold with a residential unit may be leased or otherwise permitted to be used by persons who are not residents, tenants, or visitors to the property.

The code enforcement of Title 9 would be through PD&S. The code provides for administrative penalties and criminal prosecution. Administrative procedures (9-15-3), BRC 1981) result in set fines and have a slightly lower level of proof requirement. Criminal prosecution results in fines of up to \$2,000 – although the municipal usually stays far away from the maximum fine amount. One advantage to criminal prosecution is that the muni court procedures for that are well established. In administrative proceedings, a hearing officer may have to be appointed – which could be the judge, but may not be the judge. What type of enforcement action to take would probably be something the enforcement officer would decide along with the city prosecutors.

- **9-15-3. - Administrative Procedures and Remedies.**

(a)

If the city manager finds that a violation of any provision of this title or any approval granted under this title exists, the manager, after notice and an opportunity for hearing under the procedures prescribed by chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981, may take any one or more of the following actions to remedy the violation:

(1)

Impose a civil penalty according to the following schedule:

(A)

For the first violation of the provision or approval, \$100.00;

(B)

For the second violation of the same provision or approval, \$300.00; and

(C)

For the third violation of the same provision or approval, \$1,000.00;

(2)

For a violation concerning the use of a residential building under a rental license, revoke such license;

(3)

Require the filing of a declaration of use as provided in section 9-15-6, "Declaration of Use," B.R.C. 1981; or

(4)

Issue an order reasonably calculated to ensure compliance with the provisions of this title or any approval granted under this title.

(b)

Prior to the hearing, the city manager may issue an order that no person shall perform any work on any structure or land, except to correct any violation found by the manager to exist with respect to such structure or land.

(c)

If notice is given to the city manager at least forty-eight hours before the time and date set forth in the notice of hearing on any violation that the violation has been corrected, the manager will reinspect the structure or land. If the manager finds that the violation has been corrected, the manager may cancel the hearing.

(d)

No person shall fail to comply with any action taken by the manager under this section.

Ordinance Nos. 5391 (1991); 5639 (1994)

- **9-15-4. - Criminal Sanctions.**

(a)

The city attorney, acting on behalf of the people of the city, may prosecute any violation of this title or any approval granted under this title in municipal court in the same manner that other municipal offenses are prosecuted.

(b)

The penalty for violation of any provision of this title is a fine of not more than \$2,000.00 per violation. In addition, upon conviction of any person for violation of this title, the court may issue a cease and desist order and any other orders reasonably calculated to remedy the violation. Violation of any order of

the court issued under this section is a violation of this section and is punishable by a fine of not more than \$4,000.00 per violation, or incarceration for not more than ninety days in jail or both such fine and incarceration.

...

Ordinance Nos. 4928 (1985); 5639 (1994); 7288 (2003)