



**CITY OF BOULDER
ENVIRONMENTAL ADVISORY BOARD MEETING AGENDA**

DATE: September 2, 2015

TIME: 6 pm

PLACE: 1777 Broadway, West Conference Room

- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES**
 - A. The [August 5, 2015](#) Environmental Advisory Board meeting minutes are scheduled for approval.
- 3. PUBLIC PARTICIPATION**
- 4. PUBLIC HEARING ITEMS**
- 5. DISCUSSION ITEMS**
 - A. Board Protocol & Hearing Definition Clarifications
(6-6:30 - Susan Richstone & Carey Markel)
 - B. [Mid-Year Check-In](#)
(6:30-7:15 - Brett KenCairn)
- 6. OLD BUSINESS/UPDATES**
- 7. MATTERS FROM THE ENVIRONMENTAL ADVISORY BOARD, CITY MANAGER, AND CITY ATTORNEY**
- 8. DEBRIEF MEETING/CALENDAR CHECK**
- 9. ADJOURNMENT**

**CITY OF BOULDER ENVIRONMENTAL ADVISORY BOARD
MEETING GUIDELINES**

CALL TO ORDER

The board must have a quorum (three members present) before the meeting can be called to order.

AGENDA

The board may rearrange the order of the agenda or delete items for good cause. The board may not add items requiring public notice.

PUBLIC PARTICIPATION

The public is welcome to address the board (three minutes* maximum per speaker) during the Public Participation portion of the meeting regarding any item not scheduled for a public hearing. The only items scheduled for a public hearing are those listed under the category PUBLIC HEARING ITEMS on the agenda. Any exhibits introduced into the record at this time must be provided in quantities of eight to the Board Secretary for distribution to the board and admission into the record.

DISCUSSION AND STUDY SESSION ITEMS

Discussion and study session items do not require motions of approval or recommendation.

PUBLIC HEARING ITEMS

A Public Hearing item requires a motion and a vote. The general format for hearing of an action item is as follows:

1. Presentations

- Staff presentation (15 minutes maximum*) Any exhibits introduced into the record at this time must be provided in quantities of eight to the Board Secretary for distribution to the board and admission into the record.
- Environmental Advisory Board questioning of staff for information only.

2. Public Hearing

Each speaker will be allowed an oral presentation (three minutes maximum*). All speakers wishing to pool their time must be present, and time allotted will be determined by the Chair. Two minutes will be added to the pooled speaker for each such speaker's allotted time up to a maximum of 10 minutes total.

- Time remaining is presented by a green blinking light that means one minute remains, a yellow light means 30 seconds remain, and a red light and beep means time has expired.
- Speakers should introduce themselves, giving name and address. If officially representing a group please state that for the record as well.
- Speakers are requested not to repeat items addressed by previous speakers other than to express points of agreement or disagreement. Refrain from reading long documents, and summarize comments wherever possible. Long documents may be submitted and will become a part of the official record.
- Any exhibits introduced into the record at the hearing must be provided in quantities of eight to the Board Secretary for distribution to the board and admission into the record.
- Interested persons can send a letter to the Community Planning and Sustainability staff at 1739 Broadway, Boulder, CO 80302, two weeks before the Environmental Advisory Board meeting, to be included in the board packet. Correspondence received after this time will be distributed at the board meeting.

3. Board Action

Board motion. Motions may take any number of forms. Motions are generally used to approve (with or without conditions), deny, or continue agenda item to a later date (generally in order to obtain additional information).

- Board discussion. This is undertaken entirely by members of the board. Members of the public or city staff participate only if called upon by the Chair.
- Board action (the vote). An affirmative vote of at least three members of the board is required to pass a motion approving any action.

MATTERS FROM THE ENVIRONMENTAL ADVISORYBOARD, CITY MANAGER, AND CITY ATTORNEY

Any Environmental Advisory Board member, City Manager, or the City Attorney may introduce before the board matters which are not included in the formal agenda.

ADJOURNMENT

The board's goal is that regular meetings adjourn by 8 p.m. Agenda items will not be commenced after 8 p.m. except by majority vote of board members present.

*The Chair may lengthen or shorten the time allotted as appropriate. If the allotted time is exceeded, the Chair may request that the speaker conclude his or her comments.

**CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING SUMMARY**

NAME OF BOARD/COMMISSION: Environmental Advisory Board

DATE OF MEETING: August 5, 2015

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Sandy Briggs/303-441-1931.

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:

Environmental Advisory Board Members Present: Steve Morgan, Tim Hillman, Brad Queen, Karen Crofton and Morgan Lommele.

Staff Members Present: Brett KenCairn, Kendra Tupper, Kathleen Alexander, Kevin Andrews and Sandy Briggs.

MEETING SUMMARY:

❖ **Building Performance Ordinance (BPO)**

- The board supported the proposed Building Performance Ordinance and will write a letter of endorsement to City Council to that effect.
- The board questioned and received clarification on several points:
 - Incentives, exemptions and penalties,
 - How large industrial campuses will be involved in compliance while still protecting trade secrets, and
 - The purpose of a three-year compliance period.
- The board recommends that any penalties for non-compliance be normalized by business size (per square foot).
- Some members of the board expressed concerns that owners would pass along costs to business tenants and that smaller tenants would take the brunt of these costs. They requested further analysis regarding how to measure and quantify how this might occur over time. They also suggested potentially requiring landlords to amortize any assessments levied on their tenants over five to ten years and add a requirement that tenants can “cry foul” if the assessments or payment schedule are out of line.
- The board disagreed about whether language should be added to the ordinance to regulate the potential passing through of costs from landlords to tenants.
- One board member stressed the importance of tracking the benchmarking data for all potential benefits, including economic. This will inform reports not only with energy usage levels but cost/benefit information regarding other types of payback (jobs, rebates, etc...) He also recommends using ideas from other cities around the country to urge compliance as well as expansion of PACE efforts.

❖ **Emerald Ash Borer (EAB) Update**

- The board questioned and received clarification regarding how the EAB arrived and is being mitigated, and the intent of public awareness outreach.
- A board member advocated for tree giveaways such as Boulder County has done. They also suggested that if the free trees could be provided at more obvious and convenient

locations, the effort could be more successful.

- The board agreed Forestry is using a well-balanced strategy for mitigation and prevention efforts.

1. CALL TO ORDER

Environmental Advisory Board Chair **S. Morgan** declared a quorum and the meeting was called to order at 6:10 pm.

2. APPROVAL OF MINUTES

On a motion by **B. Queen**, seconded by **M. Lommele**, the Environmental Advisory Board voted 5-0 to approve the July 1, 2015 meeting minutes as amended.

4. PUBLIC PARTICIPATION

None.

5. PUBLIC HEARING ITEMS

None.

6. DISCUSSION ITEMS

A. Building Performance Ordinance (Tupper)

K. Tupper updated the board on the status of the Building Performance Ordinance (BPO) and its pending first reading by City Council on September 1, 2015. Since the ordinance is now being fully developed and the City Manager's Rule in draft process, Environmental Advisory Board feedback is requested regarding several key areas. The options Council supported during their May 12, 2015 meeting were the same as the EAB recommendations. Therefore, the discussion is now turning towards compliance details and the implementation schedule. Ideas and strategies on achieving the highest possible compliance rates are also being sought in order to provide a complete recommendation to Council.

B. Emerald Ash Borer Update (Alexander)

K. Alexander updated the board regarding the status of the emerald ash borer infestation and requested feedback on efforts to curtail and mitigate its damage as well as provide education and outreach.

7. OLD BUSINESS/UPDATES

M. Lommele preferred the format of having brief written updates in the board packet rather than full presentations and discussions.

A. Bear-Proof Receptacle Ordinance Update (Written by Valerie Matheson)

S. Morgan commented that he and some of his neighbors are experiencing wear and tear on their receptacles that is likely due to regular use, but possibly also due to bear attempts to gain access or Western Disposal abuse. So far, two receptacles have needed replacement and the locks changed. While the replacements work well, it's not cost effective long-term to replace bins regularly.

S. Briggs will provide this feedback to **V. Matheson**.

B. Boulder Energy Challenge Update (Written by Jamie Harkins)

B. Queen requested a copy of the Snugg Home prospectus from **B. KenCairn**. They will discuss specifically what is being requested and **B. KenCairn** will provide the information offline.

S. Morgan does not believe there is enough data yet to draw any conclusions.

8. MATTERS FROM THE ENVIRONMENTAL ADVISORY BOARD, CITY MANAGER AND CITY ATTORNEY

- **K. Crofton** will write a letter to City Council acknowledging the Environmental Advisory Board's unanimous support of the Building Performance Ordinance.
- The Mid-Year Check-In has been postponed until the September 2, 2015 meeting.
- **B. KenCairn** noted that an EAB member had submitted comments to another advisory board member without providing sufficient time for the staff to respond and that a number of the conclusions drawn by the board member would have benefited from direct discussion with staff prior to presentation to another board. He requested that EAB members give staff adequate time to respond to statements made to other boards or Council or that the EAB member wanting to make such statements clearly indicate that they are making such statements as private citizens rather than as representatives of the EAB.

S. Morgan agrees but also believes this sharing is a good thing overall.

9. DEBRIEF MEETING/CALENDAR CHECK

10. ADJOURNMENT

Environmental Advisory Board adjourned at 8:11 pm.

Approved:

Chair Date

EAB Mid-Year Review

8.5.15

Overview of key issues reviewed:

1. Zero Waste Strategic Plan (Jan)
2. Commercial and Industrial ordinance (March)
3. Neonics Resolution (April)
4. Municipalization update (April)
5. GHG Inventory (May)
6. Zero Waste Ordinance (May)
7. Resilience (June)
8. Community outreach and engagement—Municipalization & Climate Commitment (June)
9. Climate Commitment (July)

Process Issues Identified During the First half of 2015

1. Board/staff responses to email from public
2. Board protocol for email discussion among the board
3. Methods for summarizing key points discussed during meetings
4. Request for more quantitative summary of cost/benefits of proposed policy
5. Request for more explicit strategic goals and objectives of city actions
6. Request for more explicit request from staff for what feedback is requested from the board

What is Working Well?

Where Are There Areas for Improvement?

**Environmental Advisory Board (EAB)
Agenda Items (January-December 2015)**

STAFF CALENDAR

January 7 Meeting

Public Hearings	Staff
1. ZWSP Work Plan, Community Engagement, Action Plan and on-going ZW program enhancements	Kara Mertz, Environmental Action Project Manager, LEAD/Jamie Harkins, Business Sustainability Specialist, LEAD

Discussion items	Staff
1. Prepare for Board Retreat	Brett KenCairn

NFCH due by 4 pm on Tues, Dec 23 (for Sunday, Dec 28 and Jan 4 paper)
Materials due by **noon on Friday, Jan 2**, emailed to EAB by 3:30 pm
Wednesday Jan 7 - PPTs for meeting due to **Juliet Bonnell** by 4:00 p.m.

January 21 Joint Board Meeting to discuss AMPS

February 4 Retreat

NFCH due by 4 pm on Wednesday, Jan 21 (for Sunday, Jan 25 and Feb 1 paper)
Materials due by **noon on Friday, Jan 30**, emailed to EAB by 3:30 pm
Wednesday Feb 4 - PPTs for meeting due to **Juliet Bonnell** by 2:00, Retreat @ 4 pm

Discussion items	Staff
1. Debrief 2014 Board Accomplishments: successes and lessons learned	Heather/Brett KenCairn
2. Debrief of 2015 City Council Priorities and staff work plan	Susan Richstone
3. Operation issues: Review of Board bylaws and board roles	Heather/All
4. 2015 Board Priorities in relation to Council Priorities and the 2015 Work Plan	Group Discussion
5. Review draft 2015 board calendar	Brett KenCairn

March 4 Meeting (M. Abbott and S. Morgan will be absent)

NFCH due by 4 pm on Wednesday, Feb 18 (for Sunday, Feb 22 and March 1 paper)
Materials due by **noon on Friday, Feb 27**, emailed to EAB by 3:30 pm
Wednesday, March 4 - PPTs for meeting due to **Juliet Bonnell** by 4:00, Meeting @ 6 pm

*Retreat f/u items: citizen email response protocol

Public Hearings	Staff
Commercial & Industrial Energy Efficiency Ordinance Update	Kendra Tupper and Elizabeth Vasatka, LEAD

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Discussion items	Staff

Old Business Updates:

- Boulder Energy Challenge update

April 1 Meeting

NFCH due by 4 pm on Wednesday, March 18 (for Sunday, March 22 and 29 paper)
 Materials due by **noon on Friday, March 27**, emailed to EAB by 3:30 pm
 Wednesday, April 1 - PPTs for meeting due to **Juliet Bonnell** by 4:00, Meeting @ 6 pm

Public Hearings	Staff
Neonic Resolution	Rella Abernathy, CP&S

Discussion items	Staff
Municipalization Update	Heather Bailey, Energy Future

Old Business Updates:

- Plastic Bag ordinance results

Monday, April 27 Joint Meeting with PRAB at 6 p.m. at 3170 Broadway, North Boulder Rec Center to discuss Emerald Ash Borer (coordinate with Sally Dieterich) – CANCELLED!!!

May 6 Meeting – Morgan Lommele absent

NFCH due by 4 pm on Wednesday, April 22 (for Sunday, April 26 and May 3 paper)
 Materials due by **noon on Friday, May 1**, emailed to EAB by 3:30 pm
 Wednesday, May 6 - PPTs for meeting due to **Juliet Bonnell** by 4:00, Meeting @ 6 pm

Public Hearings	Staff

Discussion items	Staff
Greenhouse Gas Inventory Update	Elyse Hottel

Old Business Updates:

- Proposed ZW ordinance (and request for letter of support for ordinance from EAB to share with council)
- Board Protocol for Responses to Public Emails

June 3 Meeting – Steve Morgan absent

NFCH due by 4 pm on Wednesday, May 20 (for Sunday, May 24 and 31st paper)
 Materials due by **noon on Friday, May 29**, emailed to EAB by 3:30 pm
 Wednesday June 3 - PPTs for meeting due to **Juliet Bonnell** by 4:00, Meeting @ 6 pm

Public Hearings	Staff
1. Engagement Strategies re: Municipalization and Climate	Sarah Huntley, Communications Lisa Smith, Communications
2. Climate Commitment	Brett KenCairn, Senior Environmental Planner, CP&S
3. Resilience	Greg Guibert, Chief Resilience Officer and Brett KenCairn, Senior Environmental Planner, CP&S

Discussion items	Staff

July 1 Meeting

NFCH due by 4 pm on Wednesday, June 17 (for Sunday, June 21 and 28 paper)
 Materials due by **noon on Friday, June 26**, emailed to EAB by 3:30 pm
 Wednesday July 1 - PPTs for meeting due to **Sandy Briggs** by 4:00, Meeting @ 6 pm

Public Hearings	Staff

Discussion Items	Staff
A. EAB Rules & Roles	Brett KenCairn/Steve Morgan
B. Climate Commitment	Brett KenCairn

August 5 Meeting

NFCH due by 4 pm on Wednesday, July 22 (for Sunday, July 26 and August 2 paper)
 Materials due by **noon on Friday, July 31**, emailed to EAB by 3:30 pm
 Wednesday August 5 - PPTs for meeting due to **Sandy Briggs** by 4:00, Meeting @ 6 pm

Public Hearings	Staff

Discussion items	Staff
1. Mid-year check-in	Brett KenCairn
2. Building Performance Ordinance	Kendra Tupper

Old Business/ Updates:

- Emerald Ash Borer Update Kathleen Alexander
- Bear-Proof Receptacle Ordinance Valerie Matheson (written update)
- Boulder Energy Challenge Jamie Harkins (written update)

September 2 Meeting

NFCH due by 4 pm on Wednesday, August 19 (for Sunday, August 23 and 30 paper)
 Materials due by **noon on Friday, August 28**, emailed to EAB by 3:30 pm
 Wednesday September 2 - PPTs for meeting due to **Sandy Briggs** by 4:00, Meeting @ 6 pm

Public Hearings	Staff
1.	

Discussion items	Staff
1. Board Protocol & Hearing Definition Clarifications	Susan Richstone & Carey Markel
2. Mid-Year Check-In	Brett KenCairn

Old Business/ Updates:

October 7 Meeting

NFCH due by 4 pm on Wednesday, September 23 (for Sunday, September 27 and October 4 paper)
 Materials due by **noon on Friday, October 2**, emailed to EAB by 3:30 pm
 Wednesday October 7 - PPTs for meeting due to **Sandy Briggs** by 4:00, Meeting @ 6 pm

Public Hearings	Staff
1.	

Discussion items	Staff
1. BVCP Update	Lesli Ellis
2.	

November 4 Meeting

NFCH due by 4 pm on Wednesday, October 21 (for Sunday, October 25 and November 1 paper)
 Materials due by **noon on Friday, October 30** emailed to EAB by 3:30 pm
 Wednesday November 4 - PPTs for meeting due to **Sandy Briggs** by 4:00, Meeting @ 6 pm

Public Hearings	Staff
1.	

Discussion items	Staff
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1.	
2.	
3.	
4. Priorities/Letter to Council Discussion	

December 2 Meeting

NFCH due by 4 pm on Wednesday, November 18 (for Sunday, November 22 and 29 paper)

Materials due by **noon on Friday, November 27**, emailed to EAB by 3:30 pm

Wednesday December 2- PPTs for meeting due to **Sandy Briggs** by 4:00, Meeting @ 6 pm

Public Hearings	Staff
1.	
2.	

Discussion items	Staff
1. Priorities/Letter to Council Discussion	
2.	

Items to follow up on: