



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: March 3, 2015**

**AGENDA TITLE:** Consideration of a motion to accept the February 10, 2015 Study Session Summary regarding the Chautauqua Lease.

**PRESENTERS:**  
Tom Carr, City Attorney

**EXECUTIVE SUMMARY:**

The purpose of this agenda item is to seek council approval of the following summary of the February 10, 2015 study session on the Chautauqua lease. Council scheduled this study session to provide direction regarding issues to be addressed regarding the Chautauqua lease and to establish a process for negotiating a new lease.

**STAFF RECOMMENDATION:**

Staff recommends approval of the summary of the February 10, 2015 study session regarding the Chautauqua lease.

**Suggested Motion Language:**

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to accept the study session summary of the February 10, 2015 study session, included as **Attachment A**.

**BACKGROUND:** The background information for this topic can be found in the Study Session Memorandum dated February 10, 2015.

**NEXT STEPS:**

Based on input at the study sessions, staff will:

1. Appoint a council subcommittee for lease negotiations. This committee was established at the February 17, 2015 council meeting.
2. Retain a facilitator and establish a meeting schedule for the subcommittee.

**ATTACHMENT A – February 10, 2015 Study Session Summary**

Study Session Summary  
February 10, 2015  
Chautauqua Lease

PRESENT

City Council: Mayor Matthew Appelbaum, Mayor Pro Tem Suzanne Jones, Council Members Macon Cowles, Suzanne Jones, George Karakehian, Tim Plass, Andrew Shoemaker, Sam Weaver and Mary Young.

Staff members: City Manager Jane S. Brautigam, City Attorney Tom Carr

PURPOSE

The purpose of this study session was for council to discuss and provide feedback on issues related to and process for the negotiation of the Chautauqua lease.

INTRODUCTION AND PRESENTATION

City attorney Tom Carr made a brief presentation regarding the history and purpose of the Chautauqua lease. The city has leased 26 acres to the Colorado Chautauqua Association (CCA) for 117 years. The lease is more than a lease. It is a document that governs an important and very successful public private partnership. Some of the key terms of the lease are the length, rent, responsibilities, governance, use of facilities, parking and limitation of subleases. The lease states that City Council appoints 2/15 of the CCA Board. No City Council members are currently on the CCA Board. The city, in cooperation with CCA and the community, developed guiding principles for Chautauqua. These principles were applied successfully to plan and construct new restrooms near the auditorium and can inform the lease negotiations. Potential issues were identified and a proposed process was suggested.

DISCUSSION

Council members considered the appropriate form of agreement. There seemed to be consensus that the lease should be limited to issues traditionally addressed in a lease, such as term, rent and subleasing. Management related issues could be better addressed in a separate agreement. These issues could include more difficult issues such as parking and maintenance responsibilities. The agreement could be more flexible than the lease to adapt to changing conditions over time.

Council members discussed other specific issues that either the lease or agreement should address. This includes the status of the Primrose cabin, future projects like undergrounding utilities, stormwater improvements, and the continued maintenance of various facilities in the Chautauqua area. Council members noted that any future lease subcommittee should also look at the distinction between public infrastructure and improvements (capital improvements) and private improvements (e.g., buildings operated

by CCA or cottage owners) in how the terms are structured. The historic context also creates conflicts – for example, city standards recently dictated curbs on the streets, yet that is inconsistent with the vision for the area. The lease or agreement should address conflicts like this.

Council also discussed issues such as term, governance and the appropriate contribution from cottage owners. Council did not reach any consensus on any of these issues. Council agreed to have a subcommittee address these issues first before they were brought before council.

Council also discussed the importance of community outreach early in the process, rather than later this summer. One approach that proved effective in the stewardship process was allowing public comment at some committee meetings.

Council directed staff to organize a subcommittee made of council members and representatives of CCA. City staff would serve in a support role to the committee. There was a suggestion that members of interested boards be included. The direction was that the committee be kept relatively small, but that the meetings should be public with a public comment period. Council members also suggested that the subcommittee consider devoting one session to board input. The committee should also focus on ensuring the correct issues are identified early in the process. Staff was directed to bring forward a motion to create the subcommittee.

#### NEXT STEPS

Staff presented a motion to adopt a charter for the subcommittee at the February 17, 2015 council meeting. After amending the charter, council adopted the motion unanimously. Council members George Karakehian and Tim Plass were appointed to serve on the subcommittee.

Staff will work to schedule the first subcommittee meeting shortly, with the anticipation that the committee will complete its work by May.