

**BOULDER CITY COUNCIL MEETING
COUNCIL CHAMBERS, 1777 Broadway
Tuesday, June 17, 2014
6 p.m.**

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.
 - A. Consideration of a **motion to approve the City Council Meeting Minutes from May 20, 2014**
 - B. Consideration of a **motion to approve the City Council Meeting Minutes from June 3, 2014**
 - C. Consideration of a **motion to accept the April 29, 2014 study session summary on the Transportation Master Plan Update**
 - D. Consideration of a **motion to accept the May 27, 2014 study session summary on the Comprehensive Housing Strategy**
 - E. Introduction, **first reading** and consideration of a motion to order published by title only **ordinances submitting to the registered electors of the City of Boulder** at the special municipal election to be held on Tuesday, November 4, 2014, **the question of affirming the city's right to provide high-speed internet services (advanced services), telecommunications services, and/or cable television services** to residents, businesses, schools, libraries, nonprofit entities and other users of such services and setting forth related details
 - F. Introduction, **first reading** and consideration of a motion to order published by title only, an **ordinance amending Section 4-20-55, "Court and Vehicle Impound Costs, Fees, and Civil Penalties,"** B.R.C. 1981, **changing certain court fees**, and setting forth related details
 - G. Consideration of a **motion to approve a conduit lease to Level 3 Communications, Inc.**

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 **Ordinance No. 7979 designating** the building and property at **2104 Bluff St. to be known as the Kelso House, as an individual landmark** under the city's Historic Preservation Ordinance

Owner/Applicant: Chad and Kristen Watson

6. **MATTERS FROM THE CITY MANAGER**

A. **Boulder Civic Area Implementation Overview**

B. **Discussion of Potential Ballot Issues**

C. **2014-2015 Workplan Update**

7. **MATTERS FROM THE CITY ATTORNEY**

None

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

A. Potential Call-Ups

1. **CEAP Baseline Road Underpass** Information Packet Date: June 17 Last opportunity for Call-Up: June 17

2. **Easement Vacation to vacate a 25 foot utility easement running east-to-west through the middle of the property at 800 28th Street** Information Packet Date: June 17 Last opportunity for Call-Up: June 17

3. **Vacation of a 25-foot drainage and utility easement and a 20-foot drainage easement at 0 Kalmia Ave.** to allow for the construction of the Wonderland Creek Townhomes project. Information Packet Date: June 17 Last opportunity for Call-Up: June 17

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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CITY OF BOULDER
CITY COUNCIL PROCEEDINGS
May 20, 2014

1. CALL TO ORDER AND ROLL CALL

Mayor Appelbaum called the regular May 20, 2014 City Council meeting to order at 6:00 PM in Council Chambers.

Those present were: Mayor Appelbaum and Council Members Cowles, Jones, Karakehian, Plass, Shoemaker, and Weaver. Council Members Morzel and Young were absent.

A. DECLARATION: HISTORIC PRESERVATION MONTH

Council Member Plass read the declaration for Historic Preservation Month and presented it to Senior Planner James Hewat.

2. OPEN COMMENT and COUNCIL/STAFF RESPONSE – 6:10 PM

1. Margaret Porter – Spoke as a proponent of the North Boulder Subcommunity Plan and thanked Council for their work to improve and revitalize the area.
2. Sami Jallad – Spoke as a representative of Greenbelt Meadows neighborhood concerned about the lack of progress in relation to nuisance mosquitoes. He spoke about the challenges his family dealt with due to spraying and having to keep his young children indoors for most of the summer.
3. Rob Smoke – Spoke about the need to provide better services for the homeless population in Boulder. He was specifically concerned about the recent deaths that had occurred during especially cold nights.
4. Kevin Bracy Knight – Spoke about the need for more crosswalks and/or traffic circles as part of the North Boulder Subcommunity Plan.
5. Shirley Hueftle – Spoke about the recent deaths in the homeless community on very cold nights and the need for better services to prevent further deaths.

Council Member Jones assured the public that Council would be working on homeless issues in 2014 and expressed concern regarding the recent deaths in the homeless community.

3. CONSENT AGENDA – 6:26 PM

A. CONSIDERATION OF A MOTION TO ACCEPT THE APRIL 8, 2014 STUDY SESSION SUMMARY ON CODE ENFORCEMENT

- B. INTRODUCTION, FIRST READING, AND CONSIDERATION OF A MOTION TO ADOPT EMERGENCY ORDINANCE NO. 7975 ADOPTING SUPPLEMENT NO. 119, WHICH CODIFIES PREVIOUSLY ADOPTED ORDINANCE NOS. 7959, 7961, 7962, 7963, 7965, 7966 AND OTHER MISCELLANEOUS CORRECTIONS AND AMENDMENTS, AS AN AMENDMENT TO THE BOULDER REVISED CODE, 1981**
- C. INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY, AN ORDINANCE IMPLEMENTING RECOMMENDED ACTIONS OF THE ECONOMIC SUSTAINABILITY STRATEGY BY AMENDING TITLE 9, “LAND USE CODE,” B.R.C. 1981, IN PARTICULAR:**
- 1. ADDING A NEW INTENSITY STANDARD TO CHAPTER 9-8, “INTENSITY STANDARDS,” B.R.C. 1981, TO PERMIT LAND DEDICATED AS RIGHT-OF-WAY FOR NEW TRANSPORTATION CONNECTIONS AS DESIGNATED IN ADOPTED AREA PLANS OR ADOPTED TRANSPORTATION NETWORK PLANS TO BE INCLUDED IN THE ZONING CALCULATIONS FOR LOT AREA TO DETERMINE ALLOWABLE DENSITY (DWELLING UNITS PER ACRE) AND FLOOR AREA RATIO (FAR) AS WELL AS OPEN SPACE REQUIREMENTS ON LOTS; AND**
 - 2. CREATING AN ADDITIONAL METHOD OF PROPERTY VALUATION FOR THE DETERMINATION OF WHETHER PROPOSED WORK ON A PROPERTY TRIGGERS UPGRADES TO LIGHTING, LANDSCAPING, SITE ACCESS AND NON-CONFORMING DRIVE-THROUGHS UNDER THE LAND USE CODE**
- D. INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY, AN ORDINANCE VACATING AND AUTHORIZING THE CITY MANAGER TO EXECUTE TWO DEEDS OF VACATION TO VACATE AN EMERGENCY ACCESS EASEMENT AND A SIDEWALK EASEMENT IN ASSOCIATION WITH AN APPROVED SITE REVIEW FOR THE LANDMARK LOFTS PHASE II MULTI-FAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 970 28TH STREET**

**APPLICANT: KRIS GARDNER, DREXEL, BARRELL & CO.
PROPERTY OWNER: 970 28TH STREET – PHASE II, LLC**

- E. INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY, AN ORDINANCE TO ALLOW MODIFICATIONS TO THE MAXIMUM NUMBER OF UNITS AND FLOOR AREA OF THE BT-2, TRANSITIONAL BUSINESS ZONING DISTRICT FOR A PROJECT REFERRED TO AS THE TRINITY COMMONS LOCATED AT 2200 BROADWAY, A MIXED USE REDEVELOPMENT OF AN EXISTING SURFACE PARKING LOT. THE ORDINANCE IS REQUIRED TO PERMIT MODIFICATIONS TO INTENSITY STANDARD FOR 24 PERMANENTLY AFFORDABLE ATTACHED RESIDENTIAL UNITS AND DEVELOPMENT OF CHURCH AND COMMUNITY MEETING AND OFFICE SPACE**

Council Member Plass moved, seconded by Council Member Jones, to approve consent agenda items A-E. The motion carried 7:0, with Council Members Morzel and Young absent. Vote taken at 6:30 PM.

- 4. POTENTIAL CALL-UP CHECK IN – 6:30 PM**

Deputy Director of Community Planning and Sustainability Susan Richstone gave a brief overview of the project at Chautauqua to build ADA accessible restrooms.

No interest was expressed in calling-up items 8A-1 thru 8A-4.

ORDER OF BUSINESS

5. PUBLIC HEARINGS - 6:40 PM

A. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7971 AMENDING SECTION 9-6-5, "TEMPORARY LODGING, DINING, ENTERTAINMENT, AND CULTURAL USES," B.R.C. 1981, BY INCREASING THE NUMBER OF MOBILE FOOD VEHICLES ALLOWED ON PRIVATE PROPERTY IN DESIGNATED ZONE DISTRICTS AND SETTING FORTH RELATED DETAILS

D.U.H.M.D. Executive Director Molly Winter presented on this item.

The public hearing as opened at 7:10 PM:

1. Thomas Warnke – Spoke as the owner of the Wheel and Whisk in favor of promoting mobile food vending at events and in specific areas.
2. Shannon Aten – Spoke as the owner of a mobile food vending truck in favor of allowing more trucks at events. She also commented that simply allowing the trucks at parks would not create a new market for owners because there were not sufficient customers.
3. David Adams – Spoke as a downtown Boulder business owner with concerns about additional competition for brick and mortar restaurants. He suggested allowing mobile food vending trucks on Sunday and Monday when many restaurants are closed.
4. Adrian Julian – Spoke in favor of allowing mobile food vending trucks on and around Pearl Street Mall late at night when the bars were closing and restaurants had closed.

There being no further speakers, the public hearing was closed.

Council Member Karakehian moved, seconded by Council Member Weaver, to adopt Ordinance No. 7971 amending Section 9-6-5, "Temporary Lodging, Dining, Entertainment, and Cultural Uses," B.R.C. 1981, by increasing the number of mobile food vehicles allowed on private property in designated zone districts and setting forth related details. The motion carried 7:0, with Council Members Morzel and Young absent. Vote taken at 7:37 PM.

B. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7970 AMENDING CHAPTER 6-14, "MEDICAL MARIJUANA," B.R.C. 1981, AND CHAPTER 6-16, "RECREATIONAL MARIJUANA," B.R.C. 1981, AND SETTING FORTH RELATED DETAILS

Licensing and Collections Manager Mishawn Cook and Senior Assistant City Attorney Kathy Haddock presented on this item.

Police Officer Beverley Bookout was available to answer questions.

The public hearing was opened at 8:24 PM:

1. Truman Bradley – Spoke as one of the owners of Southwest Alternative Care and asked Council to consider extending the deadline for “fast track” conversion applications to the end of the year.
2. Shawn Coleman – Explained that the state packaging requirements allowed for the product to be tracked back to the patient and dispensary where it was purchased if law enforcement needed that information. He also supported extending the deadline for “fast track” conversion applications.
3. Heath Harmon – Spoke as a representative of the Boulder County Health Department and gave a brief overview for newly appointed council members of the impacts of marijuana on children.
4. Eisa Khoury – Spoke as the owner of MMJ America adding his voice to those requesting an extension to the end of the year for “fast track” conversion licenses.
5. Ashley Rheingold – Spoke as a business owner also requesting an extension for “fast track” conversion licenses. She also pointed out that the original ordinance did not have this deadline and it had been added in a subsequent ordinance.

There being no further speakers, the public hearing was closed.

Council Member Cowles commented that he was in favor of extending the deadline until May 2015 for “fast track” conversion licenses to allow business owners more time to consider their decision. He was also supportive of allowing logos on merchandise sold by marijuana businesses.

Council Member Cowles moved, seconded by Council Member Appelbaum, to approve Ordinance No. 7970 amending Chapter 6-14 “Medical Marijuana,” B.R.C. 1981, and setting forth related details as amended by the pink errata sheet provided by the City Attorney’s Office.

Council Member Weaver agreed with Council Member Cowles comments regarding extension of the deadline and allowing logos on merchandise sold at marijuana businesses. He also suggested that rather than increasing inspection requirements, Council may consider enforcement that was complaint based and tied to the nuisance clause found in most leases.

Council Member Plass stated that he did not agree with backing down from the merchandising requirements that Council had chosen to put in place previously. He was not

persuaded by the argument that dispensaries in Denver were able to place their logos on merchandise that was able to be worn in any city, including Boulder.

Council Member Shoemaker asked Council to consider how the city might go about regulating tours of marijuana businesses.

Council Member Karakehian agreed that an extension was necessary, but he was not in agreement with the length.

Mayor Appelbaum disagreed with the extension of any deadlines for applications and stated that he preferred to move forward as planned.

Council Member Karakehian offered an amendment to the motion, seconded by Council Member Cowles, to extend the deadline for “fast track” conversion applications to December 31, 2014. The amendment carried 6:1, with Mayor Appelbaum opposed and Council Members Morzel and Young absent. Vote taken at 9:18 PM.

Council Member Cowles offered an amendment to the motion, seconded by Council Member Weaver, to strike the last sentence on page 121, paragraph T, and to change the word “its” to “a” marijuana cultivation facility. The amendment carried 7:0, with Council Members Morzel and Young absent. Vote taken at 9:31 PM.

Council directed staff to research the ability of marijuana businesses to offer tours either to the public or elected officials under state law and bring back information for Council to consider at a later date.

Vote was taken on the original motion as amended. The motion carried 7:0, with Council Members Morzel and Young absent. Vote taken at 9:53 PM.

6. MATTERS FROM THE CITY MANAGER - 9:54 PM

A. NORTH BOULDER SUBCOMMUNITY PLAN UPDATE

Deputy Director of Community Planning Susan Richstone introduced Planner Jeff Hirt who provided the update on the North Boulder Subcommunity Plan.

B. CONSIDERATION OF A MOTION TO DIRECT THE CITY MANAGER TO SIGN THE CONTRACTUAL AGREEMENT TO HOST THE 2014 US PRO CYCLING CHALLENGE STAGE START IN DOWNTOWN BOULDER AND TO ACKNOWLEDGE OTHER LARGE-SCALE CITYWIDE EVENTS DURING THE SUMMER OF 2014

Council Member Shoemaker recused himself from all discussion and decision-making related to the US Pro Cycling Challenge in 2014 due to a conflict of interest.

Citywide Special Events Coordinator Mike Eubank presented on this item.

Council Member Plass moved, seconded by Council Member Jones, to direct the City Manager to sign the contractual agreement to host the 2014 US Pro Cycling Challenge stage

start in Downtown Boulder and to acknowledge other large-scale citywide events during the summer of 2014.

Mayor Appelbaum moved, seconded by Council Member Plass, to suspend the rules and continue the meeting. The motion carried 6:1, with Council Member Karakehian opposed and Council Members Morzel and Young absent. Vote taken at 10:41 PM.

C. 2014 STATE LEGISLATION SESSION WRAP-UP

Policy Advisor Carl Castillo presented on this item.

Will Coyne and Adam Eichberg from Headwaters Consulting presented information on the legislative session and answered questions.

Mayor Appelbaum also gave a brief update on the legislative wrap-up and asked the Legislative Committee to consider working on a more effective way of responding to requests for support at the end of legislative sessions when changes and amendments happened quickly and frequently.

7. MATTERS FROM THE CITY ATTORNEY - 11:28 PM

None.

8. MATTERS FROM MAYOR AND MEMBERS OF COUNCIL – 11:28 PM

A. POTENTIAL CALL-UPS

- 1. Site and Use Review for Trinity Commons, 2200 Broadway**
- 2. Landmark Alteration Certificate for 420 Spruce Street**
- 3. Landmark Alteration Certificate for 835 Pine Street**
- 4. Landmark Alteration Certificate for 900 Baseline Road**

No action was taken on Items 8A-1 thru 8A-4.

9. PUBLIC COMMENT ON MATTERS – 11:29 PM

None.

10. FINAL DECISIONS ON MATTERS – 11:30 PM

Vote was taken on the motion to direct the City Manager to sign the contractual agreement to host the 2014 US Pro Cycling Challenge stage start in Downtown Boulder and to acknowledge other large-scale citywide events during the summer of 2014. The motion carried 6:0, with Council Members Morzel and Young absent and Council Member Shoemaker recused. Vote taken at 11:29 PM.

11. **DEBRIEF** – 11:29 PM

None.

12. **ADJOURNMENT**

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on May 20, 2014 at 11:30 PM.

Approved this ____ day of _____, 2014.

APPROVED BY:

ATTEST:

Alisa D. Lewis
City Clerk

Matthew Appelbaum
Mayor

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**CITY OF BOULDER
CITY COUNCIL PROCEEDINGS
June 3, 2014**

1. CALL TO ORDER AND ROLL CALL – 6:00 PM

Mayor Pro Tem Karakehian called the regular June 3, 2014 City Council meeting to order at 6:00 PM in Council Chambers.

Those present were: Council Members Jones, Karakehian, Morzel, Plass, Shoemaker, Weaver and Young. Mayor Appelbaum and Council Member Cowles were absent.

Council Member Young moved, seconded by Council Member Weaver to amend the agenda by the addition of item 1B, 8B, 8C, 8D, and the removal of item 5A. The motion carried 7:0, with Mayor Appelbaum and Council Member Cowles absent. Vote taken at 6:04 PM.

A. SCIENCE TUESDAY PRESENTATION: PROFESSOR MOLNAR, RECIPIENT OF THE CRAFOORD PRIZE, “THE ROCKIES: HOW AND WHEN THEY FORMED AND WHY THEY ARE NOT LIKE OTHER MOUNTAIN RANGES”

Council Member Morzel introduced Professor Molnar and presented him with a declaration honoring his achievements.

Professor Molnar gave a presentation on how the Rocky Mountains were formed and how they differ from other mountain ranges.

B. UPDATE FROM INTERIM POLICE CHIEF GREG TESTA

Interim Police Chief Greg Testa provided an update to Council regarding recent criminal activity in Boulder.

2. OPEN COMMENT and COUNCIL/STAFF RESPONSE – 7:12 PM

1. Philip Mahoney – Spoke on behalf of One Way Disposal and the bear resistant containers that would be provided to customers.
2. Joy Redstone – Thanked Council for removing the ordinance related to panhandling from the agenda. She also spoke against the previous ordinance passed to address social misbehaviors.
3. Greg Wilkerson – Expressed appreciation to Council for their work and expressed disapproval of recent apartment buildings that had been built in Boulder.
4. Mark Rushton – Spoke about the ordinance requiring bear resistant trash containers in certain areas of the city, he informed council that “CanShed” had met all requirements.

5. Madelyn Clair – Spoke about the Civic Area Plan.
6. Jade Beaty – Spoke about the need to provide expanded services for the homeless.
7. Michael Homner – Thanked Council for removing the ordinance on aggressive begging from the agenda and suggested a comprehensive housing program for the homeless as a solution.
8. Irene Rodriguez – Thanked Council for removing the aggressive begging ordinance from the agenda.
9. Elane Spivak – Spoke about the need to help the homeless through housing and services.
10. Gina Marinelli – Spoke about her experience of being homeless in Boulder and interactions with police.
11. Fleet White – Spoke about an open records request he had submitted related to the Jon Benet Ramsey case.
12. Daphne White – Spoke about being a witness in the Jon Benet Ramsey case and the impact the allegations in the media and investigation had on her family.
13. Fleet White III – Spoke about his experience as a witness in the Jon Benet Ramsey case and the impact to his family.
14. Priscilla White – Spoke about the damage done to her family due to allegations related to the Jon Benet Ramsey case.
15. Rob Smoke – Spoke about the need to help the homeless in the community and in opposition to criminalizing panhandling in Boulder.
16. Shawn Coleman – Spoke about the ordinance related to marijuana and proposed changes related to packaging. He also referenced an email he had sent over the weekend and asked Council to review the information it contained.
17. Deborah Prowell – Spoke as a member of the homeless community and the need for more services related to housing.
18. David Prowell – Spoke as a member of the homeless community and expressed concern about the proposed ordinance related to panhandling that was removed from the agenda.
19. Sean Maher – Spoke as the Executive Director of Downtown Boulder, Inc., expressing concerned about police resources and recent crimes that had been

committed.

20. Patty Ross – Spoke as a local business owner concerned about the lack of police resources and the need for additional officers in public spaces.

COUNCIL RESPONSE:

Council Members Morzel and Shoemaker asked that staff provide outreach to all potential trash service providers on the dates and requirements for Bear Resistant trash containers.

Council Members reiterated the importance of separating criminal behaviors from the Homeless issues facing the Boulder community. They are very different and should not be lumped together.

Council Member Weaver shared some of the insights he gained from attending a Homeless forum in Denver the previous week. He was able to specifically address the number of housing vouchers currently available and those being constructed as Housing First units. He also spoke to the transition units that are being created.

Council Member Morzel expressed concern that the White family had been so impacted over the years by the negative press associated with their participation in the murder investigation of the Jon Benet Ramsey homicide. She asked for clarification as to why the records could not be released from the Nancy Krebs investigation. City Attorney Carr responded that an independent judge had reviewed the all of the Krebs investigation file and ruled that some were to be released but those remaining were pertinent to an open murder investigation and could not be released. He further explained that once a ruling has been made the courts do not rehear the same matter.

Council Member Weaver asked how long the investigation would be ongoing and whether it would at some point be cold cased. He was interested in knowing what the potential future scenario would be. City Attorney Carr indicated that police investigations were his area but a murder investigation would be open until solved. The Police Department was asked to provide a confidential report to council particularly regarding the fact that an indictment was handing down from the grand jury but not acted on by the District Attorney and what impact does that have on the case.

City Attorney Carr also noted that the White family had previously been exonerated from any allegations made in the Nancy Krebs investigation.

Council also asked for clarification relating to whether retail sales of non marijuana related products could be sold in Marijuana shops. Staff replied that research would need to done in order to provide that information.

3. CONSENT AGENDA – 8:21 PM

A. CONSIDERATION OF A MOTION TO APPROVE THE CITY COUNCIL MEETING MINUTES FROM MAY 6, 2014

- B. CONSIDERATION OF A MOTION TO ACCEPT THE APRIL 22, 2014 STUDY SESSION SUMMARY ON THE BUDGET AND FINANCIAL UPDATE, AND POTENTIAL BALLOT ISSUES**
- C. CONSIDERATION OF A MOTION TO ACCEPT THE APRIL 22, 2014 STUDY SESSION SUMMARY ON A UNIVERSITY HILL REINVESTMENT STRATEGY**
- D. CONSIDERATION OF A MOTION TO ACCEPT THE SUMMARY OF THE APRIL 29, 2014 STUDY SESSION ON BOULDER'S ENERGY FUTURE**
- E. THIRD READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7968 AMENDING CHAPTER 13-2, "CAMPAIGN FINANCING DISCLOSURE," B.R.C. 1981, INCLUDING MODIFYING THE FINANCIAL REPORTING REQUIREMENTS, ADDING ADDITIONAL REPORTING REQUIREMENTS FOR CITY COUNCIL MEMBERS, SETTING FORTH REPORTING PERIODS AND SETTING FORTH RELATED DETAILS**
- F. THIRD READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7970 AMENDING CHAPTER 6-14, "MEDICAL MARIJUANA," B.R.C. 1981, AND CHAPTER 6-16, "RECREATIONAL MARIJUANA," B.R.C. 1981, AND SETTING FORTH RELATED DETAILS**
- G. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7977 VACATING AND AUTHORIZING THE CITY MANAGER TO EXECUTE TWO DEEDS OF VACATION TO VACATE AN EMERGENCY ACCESS EASEMENT AND A SIDEWALK EASEMENT IN ASSOCIATION WITH AN APPROVED SITE REVIEW FOR THE LANDMARK LOFTS PHASE II MULTI-FAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 970 28TH ST.**
- H. INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY, AN ORDINANCE DESIGNATING THE BUILDING AND PROPERTY AT 2104 BLUFF ST., TO BE KNOWN AS THE KELSO HOUSE, AS AN INDIVIDUAL LANDMARK UNDER THE CITY'S HISTORIC PRESERVATION ORDINANCE**
- I. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7972 APPROVING SUPPLEMENTAL APPROPRIATIONS TO THE 2014 BUDGET**
- CONSIDERATION OF A MOTION TO ADJOURN FROM THE BOULDER CITY COUNCIL AND CONVENE AS THE CENTRAL AREA GENERAL IMPROVEMENT DISTRICT (CAGID) BOARD OF DIRECTORS**
- J. CONSIDERATION OF A RESOLUTION AMENDING THE 2014 DOWNTOWN COMMERCIAL DISTRICT FUND (FORMERLY CAGID FUND) BUDGET**
- CONSIDERATION OF A MOTION TO ADJOURN FROM THE CENTRAL AREA GENERAL IMPROVEMENT DISTRICT (CAGID) BOARD OF DIRECTORS AND CONVENE AS THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT (UHGID) BOARD OF DIRECTORS**
- K. CONSIDERATION OF A RESOLUTION AMENDING THE 2014 UNIVERSITY HILL COMMERCIAL DISTRICT FUND (FORMERLY UHGID) BUDGET**

CONSIDERATION OF A MOTION TO ADJOURN FROM THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT (UHGID) AND CONVENE AS THE BOULDER MUNICIPAL PROPERTY AUTHORITY

L. CONSIDERATION OF A MOTION TO ADOPT A RESOLUTION AMENDING THE 2014 BUDGET FOR THE BOULDER MUNICIPAL PROPERTY AUTHORITY

CONSIDERATION OF A MOTION TO ADJOURN FROM THE BOULDER MUNICIPAL PROPERTY AUTHORITY BOARD OF DIRECTORS AND RECONVENE AS BOULDER CITY COUNCIL

M. CONSIDERATION OF A MOTION TO AUTHORIZE THE CITY MANAGER TO ISSUE A REQUEST FOR PROPOSALS TO AWARD THE REMAINDER OF THE CITY'S EDUCATION EXCISE TAX REVENUE

Council Member Jones moved, seconded by Council Member Weaver to approve Consent Agenda items 3A through 3M. The motion carried 7:0, with Mayor Appelbaum and Council Member Cowles absent. Vote taken at 8:23 PM.

4. POTENTIAL CALL-UP CHECK IN – 8:24 PM

ORDER OF BUSINESS

5. PUBLIC HEARINGS - 8:24 PM

A. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7973 AMENDING CHAPTER 5-3, "OFFENSES AGAINST THE PERSON," B.R.C. 1981, BY ADDING A NEW SECTION 5-3-15, "SOLICITATION LIMITED," PROHIBITING SOLICITATION AT DESIGNATED PLACES AND SETTING FORTH RELATED DETAILS

This item was pulled from the agenda by the Council Agenda Committee on June 2, 2014.

B. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7978 TO MODIFY THE ALLOWABLE NUMBER OF UNITS AND FLOOR AREA OF THE BT-2, TRANSITIONAL BUSINESS ZONING DISTRICT FOR TRINITY COMMONS PROJECT, LOCATED AT 2200 BROADWAY. THE PROJECT IS PROPOSED AS A MIXED-USE

DEVELOPMENT ON AN EXISTING SURFACE PARKING LOT WITH A NEW FELLOWSHIP HALL FOR TRINITY LUTHERAN CHURCH; OFFICE SPACE FOR THE TRINITY LUTHERAN CHURCH AND OTHER NON-PROFIT ORGANIZATIONS; 24 (100 PERCENT) PERMANENTLY AFFORDABLE ATTACHED SENIOR HOUSING UNITS; AND PARTIALLY BELOW GRADE PARKING TO BE SHARED WITH OTHER OFF-SITE USERS

Executive Director of Community Planning David Driskell and Senior Planner Elaine McLaughlin presented on this item.

The public hearing was opened at 8:37 PM, there being no speakers the public hearing was closed.

Council Member Plass moved, seconded by Council Member Morzel, to adopt Ordinance No. 7978 to modify the allowable number of units and floor area of the BT-2, Transitional Business zoning district for Trinity Commons project, located at 2200 Broadway. The motion carried 7:0, with Mayor Appelbaum and Council Member Cowles absent. Vote taken at 8:39 PM.

6. MATTERS FROM THE CITY MANAGER - 8:40 PM

A. CITY OFFICE SPACE UPDATE

Facilities Fleet Manager Joe Castro presented on this item.

Council Member Plass moved, seconded by Council Member Morzel, to support option number one as presented in the packet. The motion carried 7:0, with Mayor Appelbaum and Council Member Cowles absent. Vote taken at 8:58 PM.

7. MATTERS FROM THE CITY ATTORNEY - 8:58 PM

None

8. MATTERS FROM MAYOR AND MEMBERS OF COUNCIL – 8:58 PM

A. POTENTIAL CALL-UPS

None

B. DISCUSSION REGARDING CITY FLAG TO BE CARRIED AT THE PARADE OF FLAGS AT THE SISTER CITY INTERNATIONAL CONFERENCE IN SAN JOSE JULY 31 THRU AUGUST 2

Council Member Morzel presented on this item.

Council acknowledged that the timeframe to develop a flag and have it made was not feasible for the upcoming conference. Council agreed that the Boulder Sister City Alliance could develop a flag specific to the group for use in the future at sister city events.

C. REQUEST FOR A NOD OF FIVE TO SCHEDULE A DISCUSSION TO CREATE A HOUSING ADVISORY WORKING GROUP TO WORK IN CONJUNCTION WITH THE COMPREHENSIVE HOUSING STRATEGY

Council Member Morzel presented on this item.

There was not a nod of five to schedule a discussion regarding a Housing Advisory Working Group.

Council agreed that further discussion regarding working groups or a board would take place in August as part of the discussion on the Comprehensive Housing Strategy. There was support voiced for a long term goal of establishing an ongoing Housing Advisory Board.

D. CONSIDERATION OF A MOTION TO SUBMIT A LETTER IN SUPPORT OF BRIDGE HOUSE'S APPLICATION FOR A \$510,000 GRANT FOR THE DEVELOPMENT OF BRIDGE HOUSE'S READY TO WORK HOUSING

Council Member Shoemaker presented on this item.

Council Member Shoemaker moved, seconded by Council Member Young, to authorize the City Manager to submit a letter to the appropriate State Department in support of Bridge House's application for a \$510,000 grant for the development of Bridge House's Ready to Work housing project.

9. PUBLIC COMMENT ON MATTERS

1. Alan Bowles – Spoke on behalf of PLAN Boulder County in support of the creation of a housing advisory working group and cautioned Council regarding selection of members.
2. Isabelle McDevitt – Spoke as a representative of Bridge House and thanked Council for its support in addressing the tough issues around homelessness in Boulder.

10. FINAL DECISIONS ON MATTERS

Vote was taken on the motion to authorize the City Manager to submit a letter to the appropriate State Department in support of Bridge House's application for a \$510,000 grant for the development of Bridge House's Ready to Work housing project. The motion carried 7:0, with Mayor Appelbaum and Council Member Cowles absent. Vote taken at 9:26 PM.

11. DEBRIEF

Mayor Pro Tem Karakehian thanked his colleagues for their patience with him as he ran his first meeting.

12. ADJOURNMENT

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on June 3, 2014 at 9:28 PM.

Approved this ___ day of _____, 2014.

APPROVED BY:

ATTEST:

Alisa D. Lewis
City Clerk

Matthew Appelbaum
Mayor

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**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: JUNE 17, 2014

AGENDA TITLE: Consideration of a motion to accept the summary of the April 29, 2014 Study Session Summary on the Transportation Master Plan Update.

PRESENTER/S

City Manager's Office

Jane S. Brautigam, City Manager

Public Works and Transportation Staff Team

Maureen Rait, Executive Director of Public Works

Tracy Winfree, Director of Public Works for Transportation

Michael Gardner-Sweeney, Transportation Planning/ Operations Coordinator

Kathleen Bracke, GO Boulder Manager

Chris Hagelin, Senior Transportation Planner

Micki Kaplan, Senior Transportation Planner

Marni Ratzel, Senior Transportation Planner

Randall Rutsch, Senior Transportation Planner

EXECUTIVE SUMMARY

This agenda item provides a summary of the April 29, 2014 City Council study session regarding the Transportation Master Plan (TMP) update. The study session was intended to provide council with the results of the last nine months of technical work, advisory committee input and public outreach in the five council approved Focus Areas for refinement in the Transportation Master Plan (TMP). In addition, enhancements and measurement methods for the nine measurable objectives of the TMP were provided. City Council was asked to provide feedback on the work in the five Focus Areas, the objectives and the approaches suggested for inclusion in the draft TMP. As with all city master plans, the Transportation Master Plan takes its overall policy direction from the Boulder Valley Comprehensive Plan (BVCP) and with this update is responding to the BVCP Sustainability Framework and the Climate Commitment. While the initial Policy Review phase identified the need to accelerate mode shift, the Climate Commitment

increases the need for accelerated progress in this area and the applicable objectives are modified to reflect this.

Attachment A is a summary of the presentation and discussion with City Council.

STAFF RECOMMENDATION

Staff recommends approval of the summary of the April 29, 2014 Study Session Summary on the Transportation Master Plan Update.

Suggested Motion Language:

Staff recommends council consideration of this summary and action in the form of the following motion:

Motion to accept the summary (**Attachment A**) of the April 29, 2014 Study Session Summary on the Transportation Master Plan Update.

BACKGROUND

The background information for this topic can be found in the [Study Session memorandum](#) dated April 29, 2014.

NEXT STEPS

City Council's feedback from the Aug. 28 discussion will be incorporated into the draft 2014 TMP. The draft TMP will be reviewed by boards in June and July, with their comments considered and included in the draft TMP scheduled for council consideration on July 15, 2014.

ATTACHMENTS

- A. April 29, 2014 Study Session Summary on the Transportation Master Plan Update.
- B. City of Boulder Transportation Mode Share Data and Methodology
- C. May 14, 2014 Staff Response to concerns of e-GO Carshare

ATTACHMENT A
April 29, 2014 Study Session
Transportation Master Plan Update

PRESENT

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

Staff members: Jane S. Brautigam, City Manager; Maureen Rait, Executive Director of Public Works; Tracy Winfree, Director of Public Works for Transportation; Michael Gardner-Sweeney, Transportation Planning/ Operations Coordinator; Kathleen Bracke, GO Boulder Manager; Chris Hagelin, Senior Transportation Planner; Micki Kaplan, Senior Transportation Planner; Marni Ratzel, Senior Transportation; Planner Randall Rutsch, Senior Transportation Planner

Board member: Jessica Yates, Chair, Transportation Advisory Board

Consultants: Tom Brennan, Principal Nelson/Nygaard Consultants

PURPOSE

The purpose of this study session was to present the last nine months of technical work, advisory committee input and public outreach in the five Focus Areas of the Transportation Master Plan (TMP) update that were approved by council. These Focus Areas are:

- Complete Streets: Transit Planning, Bike and Pedestrian Innovations;
- Regional;
- Transportation Demand Management (TDM);
- Funding; and,
- Integration with Sustainability Initiatives.

Also included were the refinements and proposed methodologies for the nine measurable objectives of the TMP. City Council was asked to provide feedback on the work in these Focus Areas, the refinements and proposals for the nine measurable objectives of the TMP, and the proposed content and direction for the draft TMP.

OVERVIEW OF THE PRESENTATION AND DISCUSSION

Randall Rutsch, Marni Ratzel and Tom Brennan, Nelson/Nygaard Consultants, presented the highlights of the work in each of the TMP Focus Areas. The presentation started with the current context that the update is responding to, including the 2010 Boulder Valley Comprehensive Plan's Sustainability Framework and the city's Climate Commitment goal. The Policy Review Phase at the start of the update process had shown the need for refinement and for the community to accelerate the rate of mode shift. The Climate Commitment increases the challenge to meet community goals and increases the need for

mode shift and vehicle miles of travel (VMT) reduction. So while the policy direction of the TMP remains sound and has shown significant results, refinements in the identified Focus Areas will help meet both the TMP and Climate Commitment goals. This work has been supported by a robust public outreach effort, including traditional approaches as well as a strong push in social media and digital formats.

The study session presentation highlighted the technical work and conclusions for each of the following Focus Areas in the TMP update:

- Complete Streets- The Complete Streets Focus Area includes all modes of travel but the emphasis of this update is in the following areas:
 - Bike and Pedestrian Innovations
With largely complete systems for walking and biking, the challenge now is for the city to have more people using these systems. Best practices across the world suggest this is a matter of creating neighborhoods allowing for utilitarian walking to meet daily needs and a bike system accommodating all types of riders. Experimenting through a living lab approach of testing innovative treatments with the community has been a major area of work. In addition, the Low Stress Network tool has been utilized to identify the areas where new treatments can make the system more attractive to all types of riders. In a similar way, walk audits have engaged neighborhoods in identifying deficiencies and areas of interest for pedestrians. A new mapping tool has been used to identify neighborhood walking access to a set of daily attractors. The expanded application the remaining five E's of education, encouragement, enforcement and evaluation offer the potential of creating systems that welcome all users. The full day Walk Bike Summit helped shape the Walk Bike Action Plan for the TMP.
 - Transit Planning
Since the State of the System Report, a scenario planning and testing process has explored a variety of service and capital investment approaches for transit. These were evaluated relative to fourteen measures drawn from the Sustainability Framework. The lessons learned were then applied to two options and evaluated by the Transit Technical Advisory Committee to produce a “best of the best” proposal for a Renewed Vision for Transit. The analysis showed that significant increases in transit ridership are possible both for travel within Boulder and between Boulder and other communities. And the sensitivity tests of the Community Eco Pass and parking management showed that these are cost effective ways of producing additional transit ridership. The proposed vision builds on:
 - the existing Community Transit Network (CTN) in Boulder;
 - the coming US 36 bus rapid transit (BRT);
 - the RTD Northwest Area Mobility Study (NAMS) identified regional BRT corridors to serve the redeveloping areas of Boulder;
 - and,

- the rapidly growing population of older adults that will require increased funding for Via.

In addition to the service and capital elements, this Vision will be supported by specific programs and implementation strategies.

- Regional- The city has been actively involved in the US 36 improvements and the RTD NAMS process. These long-term collaborative efforts have shown success in bring planning efforts and investment funding into the corridors connection Boulder to the surrounding communities. There is a strong policy alignment with a number of our regional partners and Boulder should continue these partnerships to advance the NAMS corridors.
- TDM- A milestone of the TDM efforts was the release of the joint study with Boulder County on the feasibility of implementing a community-wide Eco Pass Study. This study showed that much of the cost is already being paid in Boulder. Work on the TDM Toolkit is being supported through the Access Management and Parking Strategies work, which has provided a best practices review from peer cities.
- Funding- The TMP investment guiding principles have been enhanced with principles for transit investment. A complete review of the TMP project list has been completed along with an updating and enhancement of the project costing methodology.
- Integrate with Sustainability Initiatives- This area is reflected in the on-going city-wide integration and collaborative planning processes. Three joint Board workshops have been held and interdepartmental teams are staffing all the sustainability planning efforts. The TMP will inform these efforts and be informed by them as part of the “living document” approach.

COUNCIL QUESTIONS AND RESPONSES

Following the presentation, City Council members responded to the following questions:

1. Does council have any questions on the information and work efforts to date presented in these TMP focus areas:
 1. Does Council agree with the Living Laboratory approach and Action Plan framework for the Bike and Walk Innovations element of the TMP update?
 2. Does Council have feedback regarding the transit planning element and proposed “Path to a Renewed Vision for Transit”?
 3. Does Council have feedback regarding advancing next steps for analysis and coordination with Boulder County and RTD regarding the community-wide Eco Pass study?
2. Does Council have feedback regarding the proposed refinements to the TMP measurable objectives and updated targets?

General Conclusions Based on City Council Discussion

City Council is supportive of the overall results and approaches suggested by staff for the draft TMP. Council agrees with the focus on the pedestrian as the primary travel mode and the living lab approach of experimentation with the community. While there is concern with past experiences of working with RTD, council supports the four components of the renewed vision for transit and suggested some specific areas to investigate. Council supports pursuing the next step in a potential Community wide Eco Pass as a cost effective tool to increase transit ridership. Council is generally supportive of the measurable objectives but would like to have additional discussions as other efforts help us understand more about how land use and parking affect travel.

General Comments from the City Council Discussion

The council's discussion and questions included the following major areas. The staff response is in italics following questions from council.

- Several council members had attended the Walk Bike Summit and agree with the need to recognize and emphasize the walk mode. There were suggestions that the city improve maintenance, lighting, signage to destinations and signal timing for pedestrians to acknowledge walking as the primary mode. We also need to keep in mind the aging of the population and the needs of persons with disabilities.
- There were a number of comments related to the living labs. The approach is supported and we should do more of this. There was discussion about the locations of the current experiments but recognition that these were places where they could be relatively easily installed. Some council members noted that we should also recognize that some of these have produced some confusion and involve tradeoffs so we should make sure they address real issues like safety. The back in parking experiment on University was noted as impacting the public in terms of tickets while the safety benefit was not clear.
- While the low stress network investigation makes sense, what evidence do we have outside of Europe that a low stress network will increase riding? Want to know more about the tipping point and if we can get there. Several members also noted that road diets would be one approach to creating a more user friendly bike system

Probably the best US example is Davis, CA, which was the first Platinum designated bike community and has an extensive off-road bike system that is easy for all types of riders to use. But we must also look to Europe for best practices as they have been developing their bike systems longer and have bike mode shares three or more time greater than the best US examples. The 15 percent mode share tipping point represents is the consensus opinion of bike professionals and is based on experience around the world. Recent academic studies have documented a increase in bicyclist safety as the numbers of riders increases and this is part of a virtuous cycle where riders are accommodated, expected and a part of daily life in the community. Boulder already has a 10 percent or better bike mode share

and a largely complete bike system. Consequently, with an expanded effort in the five “Es,” staff and consultants believe the city can achieve the 15 percent bike mode share for 2020 established by the 1996 TMP.

The need to understand the impacts and tradeoffs, on all modes of travel, of the strategies that give priority to pedestrians and/or bicyclists was also discussed.

- .
- How are we evaluating the Living Lab experiments?
In addition to soliciting community feedback from actually using the experiments, we are doing engineering evaluations of use and user volumes before, during and after the installations.
- While council members acknowledged the need for mode shift, several members had concerns with our numbers for mode shift and the surveys that produce them.
*The city collects data from a number of sources using the best available methods and also uses national data such as the American Community Surveys done for communities across the country. The greatest value in these numbers is tracking change over time and the consistency in the trend direction between different data sources. A longer explanation on our Transportation Mode Share Data and the Transportation Metrics program is in **Attachment B**.*
- Relative to the Renewed Vision for Transit, council members agreed with the need to have more non-resident employees arrive by transit. That means they are likely not driving for all of their trips during the day so this has additional benefits. We need to enhance the first and last mile options and consider shuttle systems. We also should look closely at increasing transit service on 19th as this is an area not well served.
- Council members expressed a number of challenges in working with RTD, including the lack of data from the Smart Card system and difficulties in contracting for the Eco Pass. Council members agreed that we need a larger strategy for improving this relationship.
- There was general support for working to expand the Eco Pass program as a cost effective way to increase transit ridership. This needs to be done equitably, address social justice concerns and recognize that not all parts of the community would currently benefit. We also have to recognize that this will be complicated, both in terms of getting agreement with RTD and in terms of integrating all the various current programs and payers.
- Relative to the objectives, council member comments that we need to be including car share type options and think of how to engage individuals in greenhouse gas reductions. We need to change the incentives also need to be realistic on the balance between incentives and disincentives.
*A response to concerns raised by e-GO Carshare was prepared for Council on May 14, 2014 and is included in **Attachment C**.*

- A number of council members noted that we need to understand the land use/transportation relationship better and ensure that we improve this integration through our other planning projects.

City of Boulder – Transportation Mode Share Data and Methodology

At the recent Study Session on the update of the Transportation Master Plan (TMP), a number of questions were asked about the data collected on the travel behavior of residents and non-resident employees. Below is an explanation of the primary survey data sources and counts used by staff to measure long-term trends and track progress towards meeting the TMP objectives. City staff does not rely or focus on only one of these data sets, but utilizes all of these sources to triangulate data points and understand long-term shifts in travel behavior. Additional information on the city’s transportation metrics program can be accessed at: <https://bouldercolorado.gov/transportation/transportation-use-measurements>.

Mode Share Data

In terms of survey data, City staff uses three primary sources to measure long-term changes in travel behavior. We rely on census data from the American Community Survey (ACS) that estimates “Journey to Work” data for cities, counties and states across the county. Two local surveys are also conducted by the National Research Center (NCR); a travel diary that focuses on Boulder residents and is reported in the Modal Shift Report and a survey of resident and non-resident employees that is summarized in the Boulder Valley Employee Survey (BVES). The two local surveys have been conducted periodically from 1990 and 1991 respectively and are now consistently done every three years.

American Community Survey Methodology

This survey is conducted by the U.S. Census Bureau every year to produce annual estimates on population, housing, journey to work, and a variety of other demographic data. The data is used to collect annual estimates as well as three and five-year averages. For the Journey to Work estimates, respondents are asked, “How did this person usually get to work in the last week?” Since the ACS methodology is consistent across the country this data is used to compare Boulder to other peer cities, the region and the nation.

Travel Diary Methodology

The Travel Diary is used to examine long term trends in travel behavior. Its methodology is different from the ACS and therefore is not to be used as a direct comparison to census data. The Travel Diary looks at all trips taken by respondents, not just work trips.

Participants in the Travel Diary Study are asked to keep a log or “diary” of their travel for one randomly assigned day during the third week of September (or a replacement week if necessary).

For every trip made during the 24-hour period, respondents record the origin and destination of the travel, the travel mode used, the time of day, the number of people in the vehicle (if applicable), and the number of miles or blocks traversed during the 24-hour period. A trip is defined for participants as any “one-way travel from one point to another that takes you farther than one city block (about 200 yards) from the original location.” The study members were also asked to complete a survey regarding their household characteristics such as number of vehicles and bicycles present in the household, receipt of deliveries, work location, and other general socioeconomic demographics.

The 2012 Travel Diary Study results are based on approximately 1,100 Boulder Valley residents’ records of their travel. With a sample size of 1,000 or more in each study year, the margin of error around the results is $\pm 1.3\%$ per year. Thus, for a difference to be statistically significant between years there must be a shift of at least 2.6% (1.3% around each study year). Data from the survey is statistically weighted due to differences in travel behavior by different socioeconomic groups and a cluster analysis is performed to lower the impact of self-selection on the part of survey respondents.

Boulder Valley Employee Survey Methodology

The BVES survey is used to understand the travel behavior of Boulder employees, both residents and non-residents. The survey collects data on the work commute trip, trips taken during the day, commute benefits provided by employers and a variety of demographic data. The BVES work trip data for residents is very similar to the ACS findings.

Workers are targeted through a two-stage sampling process: first a group of employers was randomly chosen, and then employees from within the selected organization were randomly sampled. All addresses with a zip code of 80301 through 80310 were considered to be a part of Boulder Valley. Selected companies are mailed an invitation letter asking them to participate and are then contacted to determine if they would participate. Surveys are then dropped off at participating companies and picked up at a later date.

Employees also have the option of completing the survey online. A total of 1,436 surveys were collected from employees in 276 organizations. The company response rate was 18% in the downtown area and 28% in the rest of Boulder Valley. The employee response rate was 52% in both the downtown and in the rest of Boulder Valley. The data were weighted to account for the differential response rates of organizations and employees to more accurately represent employees of the Boulder Valley. With a sample size of over 1,000, the margin of error around the results is approximately $\pm 2\%$ per year.

Other Data Sources

The City also uses a variety of other data sources to validate travel trends. These include a system of bicycle counters on our bicycle network, transit ridership data, traffic counters to measure vehicle use, periodic surveys of motor vehicle travel times on six major city arterial streets, and an annual count of bicycles parked in our downtown.

Bike and Pedestrian Counters

The city has a system of count stations on the bicycle network that continuously records bicycle travel. The city also has a program to measure vehicle, bicycle, and pedestrian travel during the AM, Noon, and PM peak hours at all signalized intersections once every three (3) years.

Traffic Counters

The city has an annual program that measures daily vehicle travel at eighteen (18) locations on the city's arterial street system. The arterial count program has thirty-two (32) of historic data available back to 1983. In addition the city has a program that captures travel into and out of the city at the eighteen (18) streets that connect to the city. The boulder valley count program has twenty-two (22) of historic data available back to 1993.

Downtown Bicycle Parking Count

Each year city staff and community volunteers count the number of bicycles parked in our downtown. The purpose of this count is to examine the long-term trends in the number of bicycles used to access downtown and to determine where the bicycle parking supply is not meeting demand to identify where additional bicycle parking racks are needed. In 2013, over 4,200 bicycles were counted over 4 time periods during the first week of August, of which 79 percent were locked to bicycle racks.

Future Data Collection

In the fall of 2014, staff will be working with the National Research Center to conduct the tenth Boulder Valley Employee Survey. The next travel diary of residents will take place in 2015. Staff is continuously looking for ways to improve these surveys and other data collection methods based upon the analysis conducted of the TMP measurable objectives and Climate Commitment greenhouse gas analysis.

As part of the TMP Update, staff is researching new ways to collect travel behavior data from residents, students, employees and non-resident employees. One of the ways is to take advantage of the data collected by GPS devices and smart phones to track the origin and destination of trips. Many of the fitness apps used to track workouts already can supply a rich data set of travel. The key will be to collect not only walking and biking workouts, but also travel in vehicles and on transit.

If you have any additional questions please contact:

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Email: hagelinc@bouldercolorado.gov

Randall Rutsch, Senior Transportation Planner
Office: 303 441 4270
Email: rutschr@bouldercolorado.gov

Response to Carshare Concerns from eGo Carshare

May 14, 2014

Dear City Council Members,

Recently the City Council was contacted by Karen Worminghaus, the Executive Director of eGo Carshare with concerns regarding the possible implementation of one-way carsharing in the City of Boulder. This response from city staff is meant to initiate a dialogue with Council, the public and our stakeholders to understand the costs and benefits of introducing different carsharing models that will take place as part of the Access Management and Parking Strategies (AMPS) work program.

The City of Boulder has a long history of working with eGo Carshare (formerly Boulder Carshare) and promoting its services as one of many tools in our transportation demand management (TDM) toolbox used to reduce single occupancy vehicle use by enabling residents to live a “car-lite” or car-free lifestyle and supporting first and final mile connections with transit. eGo Carshare surveys have consistently shown that their members have lower vehicle ownership and often live car-free since they can have access to vehicle when they occasionally need it. The eGo Carshare model is based on enabling members to have access to a vehicle for round-trip uses in which the car is driven to a destination and then returned to its designated space so another carshare member can find it in the future.

Across the country and in Denver specifically, a new carshare model is being pioneered by Car2Go, a company started by Daimler Chrysler. The model that they use is different than traditional carsharing and focuses on providing one-way carsharing. Car2Go members can use a car for a one-way trip and leave it anywhere within a designated area. A website and app is used by members to locate cars around them available for use. This model relies on, in cities with managed on-street parking, a special parking permit model and financial payment to the local parking authority so that Car2GO vehicles can be parked anywhere and not be subject to ticketing or time restrictions. Other companies are also entering the carshare market offering different types of service models. One of the criticisms of the one-way carsharing model is that it may potentially convert a transit or bike trip into a vehicle trip that increases both VMT and GHG emissions. While research from Seattle suggests that may well be true, planners

from Portland stated that it is important to look at the bigger picture of how many different types of carsharing models can co-exist in the tool box allowing residents to live car-lite or car free. Portland staff explained that most of their residents using carshare were members of both ZipCar and Car2Go and used whichever system fit their need at the time depending on whether they need a round trip, one-way trip, or special vehicle type.

As part of the 2014 Access Management and Parking Strategy (AMPS) work program, City of Boulder staff and consultant team will be exploring options related to various types of carshare models to serve the broad needs of the Boulder community. The AMPS consultant team is currently doing national best practices review of carshare models to help identify potential options for Boulder. In addition, the AMPS project team will include eGo carshare and other carshare providers such as Car2Go in the AMPS community engagement process. Based on the best practice review and input from the community, staff will bring forward recommendations regarding carshare options in 4th quarter 2014 for Board and City Council consideration as part of the AMPS process.

If you have any additional questions please contact:

Chris Hagelin, Senior Transportation Planner

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**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: June 17, 2014

AGENDA TITLE: Consideration of a motion to accept the May 27, 2014 Study Session Summary on the Comprehensive Housing Strategy.

PRESENTERS

Jane S. Brautigam, City Manager
David Driskell, Interim Housing Director
Jeff Yegian, Division of Housing Manager
Susan Richstone, Deputy Director of Community Planning and Sustainability
Jay Sugnet, Project Manager, Comprehensive Housing Strategy

EXECUTIVE SUMMARY

This agenda item provides a summary of the May 27, 2014 study session on the Comprehensive Housing Strategy.



The purpose of the study session was to request council feedback on the following:

1. Foundations work (housing market analysis and research on why people make certain housing choices);
2. Initial project vision and draft goals;
3. Suggested “early wins” (i.e., policies and tools to pursue in the short term while longer term strategies are further developed and evaluated during the coming year).
4. Inventory of “housing opportunity sites” for further analysis.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff recommends Council consideration of this summary and action in the form of the following motion:

Motion to accept the May 27, 2014 Study Session Summary on a Comprehensive Housing Strategy.

NEXT STEPS

Return August 19, 2014 with draft goals for adoption.

May 27, 2014 Study Session Summary on the Comprehensive Housing Strategy

PRESENT

City Council: Lisa Morzel, Andrew Shoemaker, Macon Cowles, George Karakehian, Tim Plass, Sam Weaver, Suzanne Jones, Mary Young

Staff members: City Manager Jane S. Brautigam, Interim Housing Director David Driskell, Senior Planner Jay Sugnet, Division of Housing Manager Jeff Yegian, Deputy Director of Community Planning and Sustainability Susan Richstone.

Consultant: Heidi Aggeler, BBC Research and Consulting

OVERVIEW OF THE PRESENTATION AND DISCUSSION

City Manager, Jane Brautigam opened the meeting to introduce both the Comprehensive Housing Strategy and Envision Arapahoe. Both are priority projects for City Council and both are important precursors to the Comprehensive Plan Update that is scheduled to begin in late 2014. Specific to the Comprehensive Housing Strategy, Ms. Brautigam stated that staff will present lots of data as part of the Foundations Work, but we don't need data to tell us what we already know. Boulder has an acute and chronic housing affordability problem. Therefore for tonight, she suggested that council spend less time focusing on the data and more time on the project goals and the early wins so we can start addressing our housing affordability challenges.

She then introduced Interim Housing Director David Driskell. Mr. Driskell expressed appreciation for the interdepartmental effort, particularly between the Division of Housing and Comprehensive Planning, and the great participation from our partners throughout the community, including Boulder Housing Partners.

Mr. Driskell gave an overview of the evening and introduced Heidi Aggeler, BBC Research and Consulting, and explained that she began working with the city last year with the housing market and choice analyses, which were postponed by the flood, but back on track this year. Ms. Aggeler will present a high-level summary of the Boulder Housing Market Analysis and some interesting conclusions to the recently completed Housing Choice Survey and Analysis report. Mr. Driskell encouraged council members to review the data in greater detail after the study session and schedule time with staff to discuss more, if needed. The intent is to link the data to the discussion of the goals and what we are trying to achieve. We hope to get direction from City Council as to whether the goals are on track, with possible revisions for a Council meeting after recess to adopt the goals.

Mr. Driskell referenced the Community Profile included in the packet, and pointed out the high-level takeaway that affordable housing has made a difference in the kind of community that we are, with the establishment of the 10% goal of permanently affordable housing stock. He pointed to the

popular High Mar development as an example which leveraged \$2.5 million in city funds for nearly \$10 million in other funds to create permanently affordable senior housing.

HOUSING CHOICE SURVEY

Heidi Aggeler provided an overview of the Housing Choice Survey and Analysis. Ms. Aggeler concluded by saying how the existing inventory compares with ideals of community diversity, and how remarkable it is that the city has progressed toward the 10 percent goal of affordability in such a tight market. With the income distribution of Boulder relative to the surrounding communities, Boulder has substantially more lower-income working individuals than the surrounding communities. This type of affordable inventory will be critical to provide income diversity moving forward. The products that Boulder is able to offer, homes in walkable neighborhoods are what millennials are expressing a desire for in surveys conducted throughout the country. However, Boulder is missing products for middle-income households who want a small detached/attached home with some type of a private yard. No one believes the demand for Boulder is likely to decrease, but rather it is likely to increase, which means an expanded toolkit will be necessary to maintain the type of income diversity that Boulder has been able to maintain in the past.

GOALS

David Driskell moved on to the vision and goals, with the key points that this is not a new conversation about being the community we want to be and the importance of a values-based vision informed by the type of data and research that Heidi Aggeler shared. We have some ideals of what we want to create in a compact community that is walkable and transit-oriented, builds in diversity, and offers choice. Mr. Driskell posed the question of what are some of the decisions and policy directions that we want to start taking now to have an impact in 15 to 20 years in the future. The decisions of the past have shaped Boulder as it is today, and we want to start a new process that will impact the future. In terms of the vision, we have the Boulder Valley Comprehensive Plan, such as; using housing to help create community, support diversity, protect the environment, human development, meet the needs of low- to moderate-income households with the 10 percent goal as a target, provide a mix of housing types, preserve and rehabilitate our existing housing stock, strengthen partnerships, encourage housing development for people with special needs and integrate permanently affordable units throughout the community. As Jane Brautigam stated, we are at an opportune time leading into the comp plan process and the housing discussion will likely identify some policy statements in the comp plan that we may want to revisit, or things that aren't in there that we want to more clearly articulate, so that we look to the comp plan as a vision statement for how we want our housing to be.

David Driskell introduced the goals as a structure and important framework. They are not complete with quantified objectives but we want to hear from City Council if they are the right framework.

Draft Goals

1. Strengthen our Current Commitments

Reach or exceed Boulder's goals to serve very-low-, low- and moderate-income households, including people with disabilities, special needs, and the homeless.

2. Maintain the Middle

Prevent further loss of Boulder’s economic middle by providing greater variety of housing choices for middle-income families and for Boulder’s workforce.

3. Create Diverse Housing Choices in Every Neighborhood

Facilitate the creation of a variety of housing options in every part of the city, including existing single-family neighborhoods.

4. Create 15-minute Neighborhoods

Foster the development of mixed-income, mixed-use neighborhoods in amenity-rich locations (i.e., close to transit, open space and trails, employment centers, etc.).

5. Strengthen Partnerships

Strengthen current partnerships and explore creative new public and private partnerships to address our community’s housing challenges (e.g., CU, private developers, financing entities, affordable housing providers, etc.).

6. Enable Aging in Place

Provide housing options for seniors of all abilities and incomes to remain in our community, with access to services and established support systems.

Council Discussion:

Housing Choice Survey

- Overall, great information was provided. It leads to a desire to better understand what’s going on in the city, particularly who can afford these expensive homes? Can we gain more insight as a way to inform the preservation of existing housing?
- Did the survey identify people living in illegal housing situations? Ms. Aggeler provided data that even though the survey did not ask the specific question, the data shows that 11 percent of home owning residents have friends or relatives living with them due to a lack of affordable housing. For renting residents, the percentage is 22 percent.

Goals - General

- Overall support for the goals as well articulated and comprehensive.
- The goals need to be more quantitative. How will we measure success?
- How much are we willing to push some of our policies? Is this a municipal-sized approach or an ADU-sized approach? Are we going to think big?
- Need more clarity on action words - “provide” versus “maintain” and “preserve” versus “expand”.
- An ongoing housing advisory board would be a good mechanism to ensure continuous reassessments and provide ongoing citizen involvement.
- More affordable housing on-site, because it creates more economic diversity.
- Several council members expressed a desire to remove Area 3 from consideration.
- Consider pilot programs – many of the tools are not one size fits every neighborhood. For example, the Hill has special needs and challenges that need to be considered.

Goal 1 - Strengthen our Current Commitments

- Several council members expressed a desire to stay the course with our current commitments with inclusionary housing and the 10 percent goal of permanently affordable units.

Goal 2 - Maintain the Middle

- Agreement on the need to regain some of the middle we've lost; some asked if we should make up lost ground?
- Agreement on the need to attract the middle-class by creating diverse housing choices in every neighborhood.
- Important to strengthen middle to make all of our neighborhoods better to live in, in ways that don't just nibble around the edges.
- An important tool is changing land use regulations to permit duplexes and triplexes throughout the city. Many people find themselves in houses that are too large and could accommodate more than one family, where now, only one is permitted.

Goal 3 - Create Diverse Housing Choices in Every Neighborhood

- Agreement that creating diverse housing choices goes hand-in-hand with maintaining the middle.
- Not all neighborhoods are the same. There are large lots in north and east Boulder, which are occupied by single-family detached with land where neighborhoods would be open to more ADUs.
- ADUs may be a solution for a full range of household types.
- Boarding houses should be considered.
- See discussion below on density.

Goal 4 – Create 15-minute Neighborhoods

- Agreement on the importance of 15-minute neighborhoods in achieving multiple city goals.
- Consider looking at the very low-density parts of town, maybe allowing a richer mix, certainly allowing more housing types, more small retail to make it more neighborly.
- Many neighborhoods like the Hill and Mapleton are 15-minute neighborhoods today.
- Concern was expressed about people who are heavily invested in their neighborhoods, particularly the historic neighborhoods. In the past, some city efforts to add density have caused a backlash in the community (e.g. Washington Village on Broadway and the Junior Academy).
- This is an opportunity to transform some neighborhoods in town that are not currently 15-minute neighborhoods.
- Consider including changes to commercial districts that are adjacent these areas, as well as the transportation infrastructure to make them more permeable. It could be by striping bike lanes or creating holes in fences for passageways so that people can access commercial areas.

Goal 5 - Strengthen Partnerships

- Agreement that BHP has done a fantastic job and we should explore new opportunities.
- Agreement that CU is an important partner for a variety of reasons, particularly with planned increases in the number of students.
- CU is making a profit with every out of state student, yet the city has to house them. The externalities of more students at CU cannot be solely absorbed by the city.
- Suggest broadening the concept of partnerships to individuals.

Goal 6 - Enable Aging in Place

- Agreement with the goal of aging in place - meaning staying in Boulder, close to family, friends and established support systems.
- Aging in place can also mean flatness (or accessible housing). That means not having to change levels, doorframes wide enough to get a wheel chair through, etc. Lafayette requires new construction to be accessible.

General Discussion about Density

- Some residents in Boulder want changes, want 15-minute neighborhoods, and want to see it done well. Some see density as more sustainable for a wide range of reasons even in the farthest reaches of our city (e.g. Gunbarrel).
- On the flip side, some residents will tell you they don't want greater density and they feel already have 15-minute neighborhoods.
- When there is clamoring for additional density, it is usually in someone else's neighborhood. We need to be very careful to avoid a backlash, for example if we raised the occupancy limits citywide, it would have consequences on the Hill.
- The issues around density are sometimes related to our inability to enforce city rules and regulations with respect to occupancy, some people don't trust the city. We need to simplify and consistently enforce the rules.
- There is an appetite for creative solutions. Co-ops, ADUs, micro-units and market rate density may be more affordable. How can we creatively get more people per area?
- Some neighborhoods with larger lots (15,000 to 30,000 square feet) may be more accepting of additional housing if done gracefully.
- Zoning changes should only occur if they are welcomed by the neighborhoods and offer an economic opportunity (duplexes and triplexes tucked in walkable neighborhoods).

PROCESS OVERVIEW

Jay Sugnet provided a quick overview of the process to date and the key milestones for the creation of the Comprehensive Housing Strategy.

EARLY WINS

Jay Sugnet then described the proposed "early wins" as requested by Council. Early wins are opportunities to create needed housing in the near term without having to wait until 2015 for the completion of the strategy. This is a list of five quick projects that can be sequenced over the next year. More detailed proposals will be presented to Planning Board prior to Council consideration.

1. Right of way and density calculation
2. Council call-up of concept review
3. Senior housing in single-family neighborhoods
4. 1-to-1 unit replacement ordinance
5. Targeted fix to ADU/OAU
6. Co-operative Housing (added by Council)

Council Discussion:

1. Right of way and density calculation

- Support for the intent of the proposal, but it raises non-specific issues and how it would be accomplished.
- Concern was raised about requiring excessive street widths. It was clarified that this proposal is limited to calculating density and is not related to how wide a ROW the city may require.
- Concern that we will sacrifice density relief and open space in exchange for more units on site.
- There was a desire to better understand how we require open space now.

2. Council call-up of concept review

- Support for proposal.
- Some confusion about the proposal and a desire to understand how it works.
- May be perceived as a delay tactic, but actually stops a call-up later in the development process.
- There was some discussion about changing the name to avoid confusion.

3. Senior housing in single-family neighborhoods

- Support for proposal.
- Senior housing seems to be a type of co-op housing and concern about putting seniors in front of co-op housing. Seniors do come with cars.
- Support, but contingent on committing to looking at the general occupancy question.
- Concern about discrimination.

4. 1-to-1 unit replacement ordinance

- Support for proposal.
- Want to see the full list of properties affected.
- Concerns about leveling and building a new building (i.e. embodied energy).

5. Targeted fix to ADU/OAU

- Support for proposal.
- Suggest including boarding houses.
- Not giving notice where we did before, people may think that's sneaky.
- Should not slow down duplexes and triplexes.

Co-Operative Housing

Several Council members were expecting to see co-op housing as an easy win. Co-ops have fewer cars are more sustainable. There are several examples of co-ops in the community and we already have an ordinance in place (although the current ordinance is very restrictive and no co-ops have been built to date using that ordinance).

As a next step, staff proposes to add co-op housing to the list of “early wins” that will be sequenced over the next year.

Other

Illegal co-ops, accessory units, and other illegal housing units have developed in the city. Is there a way for these properties to be legalized with the requirement for a rental inspection, rental license,

and compliance with the green points program? Concerns were raised about grandfathering illegal units, but some were open to a policy discussion that blends it into the overall plan with a focus on the occupants and not the landlords who intentionally decide to break the law.

OPPORTUNITY SITES

Two city-owned opportunity sites were identified to create housing in the near term. Palo Parkway is a city-owned site, and Boulder Housing Partners (BHP) has created a proposal for the 3.2 acre site. The city could move forward with the BHP proposal and transfer ownership of the land in the late summer or fall. BHP could then apply to the city for annexation and go through the city's development review process and build housing within the next two years. Since the Council Study Session, several neighbors have contacted city staff with concerns about developing the site and expressed a desire to participate in the process and see potential impacts addressed as part of the development.

As a next step, staff proposes to return to Council on August 19 with more details on how to move forward with Palo Park.

The 30th and Pearl site gives us an opportunity to explore different housing types through a design competition specifically for families or seniors. The site will not be available until 2016 and is timed well with the CHS strategy development. Several council members were concerned with the appropriateness of affordable housing at 30th and Pearl and question if other uses may be more suitable for the site.

As a next step, staff will return in the fall for a more thorough conversation about 30th and Pearl as a way of working through some of the potential issues.

On partner-owned sites, BHP is continuing the good work at Red Oak and has some interesting concepts developed at a design charette in April. CU family housing North of Boulder Creek is a second site. It is a large site with some constraints in terms of flood plain, but they are exploring private public partnerships to realize the site's potential. The third site is Spruce and Broadway, a CAGID site, but has some challenges due to the small size of the lot and the purpose for which CAGID purchased the site in the 1970s (i.e parking).

David Driskell closed the meeting and thanked Council and committed to come back after the recess with draft goals for adoption.



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: June 17, 2014

AGENDA TITLE: Introduction, first reading and consideration of a motion to order published by title only ordinances submitting to the registered electors of the City of Boulder at the special municipal coordinated election to be held on Tuesday, November 4, 2014, the question of affirming the city's right to provide high-speed internet services (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services and setting forth related details.

PRESENTERS

Jane S. Brautigam, City Manager
Tom Carr, City Attorney
Bob Eichen, Chief Financial Officer
Don Ingle, Director of Information Technology

EXECUTIVE SUMMARY

Colorado Senate Bill 05-152 (also known as SB-152) was adopted to limit the ability of municipal government to engage in the provision of telecommunication services, including partnerships with private entities. This bill is codified in the Colorado Revised Statutes in §§ 29-27-101 to 304, C.R.S. Current legislative reform efforts aimed at amending SB-152 have been preempted by other telecommunications-related priorities in the Legislature.

SB-152 includes a provision allowing Colorado local government to exempt themselves from the law's provisions via a public vote. Boulder remains a community that would significantly benefit from more economical, higher-capacity telecommunication services given our tech-savvy demographic, readiness for "next gen" broadband services, and available public fiber optic infrastructure. While no definitive plans are in place to create a telecommunications utility or engage in new public-private partnerships in Boulder, the

planning and execution of new public initiatives will be unencumbered by the significant limitations in State law if an exemption measure is passed.

At the April 22, 2014 City Council Study Session, staff received authorization to draft alternative ballot language to address these legislative limitations.

STAFF RECOMMENDATION

Staff recommends council approve the placement of a measure on the November ballot reaffirming city autonomy in how it invests in community telecommunication services currently limited by Senate Bill 05-152.

Suggested Motion Language: Motion to introduce and order published by title only two alternative ordinances submitting to the registered electors of the City of Boulder at the special municipal coordinated election to be held on Tuesday, November 4, 2014, the question of affirming the city's right to provide high-speed internet services (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services and setting forth related details.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** - Overall economic impacts on the business community that could impact city revenues; promotes a diverse and sustainable economy that supports needs of all segments of the community; may also include intergovernmental relations or issues.
- **Environmental** - Overall impacts based on environmental concerns, such as: transportation, climate, energy, greenhouse gas emissions and recycling; considers balance of renewable and non-renewable resources; may also include intergovernmental relations or issues.
- **Social** - Overall impacts on the needs of diverse communities, e.g. different ethnicities and cultures, abilities, age, income, family demographics, under-represented residents; engage broad segments of community for input; may also include intergovernmental relations or issues.

OTHER IMPACTS

- Fiscal - No budgetary impacts.
- Staff time – Much of the staff time required is within normal work-plans for the departments tasked with supporting this type of vendor project. Less than 40 hours of additional staff time outside the scope of normal business duties may be expended on this project.
-

BOARD AND COMMISSION FEEDBACK

No Board and Commission feedback has been received on this matter.

PUBLIC FEEDBACK

No public feedback has been received on this matter.

BACKGROUND

In 2010, the City and a broad coalition of community members joined forces to advocate for Boulder's selection in the Google Fiber Initiative – an effort to provide competitive, high-speed broadband services to homes and business at levels beyond those of typical commercial offerings.

Though this proposed ballot measure is not offered in anticipation of a specific city-sponsored telecommunications initiative or interest in a specific public-private partnership, the background and justification provided during the Google Fiber Initiative underscores Boulder's continued opportunity to apply its unique assets in defining its digital future. Attachment A – whose structure and findings closely mirror the Google Fiber justification developed by the City in 2010 – provides key information in support of Boulder's need for greater autonomy through passage of a ballot measure reestablishing local control over public technology investment decisions.

ANALYSIS

During the 2005 legislative session, the Colorado State Legislature a state statute purporting to limit the ability of municipalities to provide telecommunication services.

The relevant language is as follows:

(1) Before a local government may engage or offer to engage in providing cable television service, telecommunications service, or advanced service, an election shall be called on whether or not the local government shall provide the proposed cable television service, telecommunications service, or advanced service.

(2) The ballot at an election conducted pursuant to this section shall pose the question as a single subject and shall include a description of the nature of the proposed service, the role that the local government will have in provision of the service, and the intended subscribers of such service. The ballot proposition shall not take effect until submitted to the electors and approved by the majority of those voting on the ballot.

C.R.S. § 29-27-201.¹

Thus far, three Colorado cities have passed measures affirming their rights to provide certain telecommunications services. Longmont passes a measure in 2011. Centennial passed its measure in 2013. Montrose passed a measure in April of this year. The ballot language for each measure was as follows:

¹ It is not clear that this is truly a matter of statewide concern, and therefore, whether the state legislature can actually limit the ability of a home rule city to provide such services. Nevertheless, having an electoral mandate would eliminate any doubt.

Longmont

Without increasing taxes, shall the citizens of the City of Longmont, Colorado, re-establish their City's right to provide all services restricted since 2005 by Title 29, article 27 of the Colorado Revised Statutes, described as "advanced services," "telecommunications services" and "cable television services," including any new and improved high bandwidth services based on future technologies, utilizing community owned infrastructure including but not limited to the existing fiber optic network, either directly or indirectly with public or private sector partners, to potential subscribers that may include telecommunications service providers, residential or commercial users within the City and the service area of the City's electric utility enterprise?

Centennial

Shall the City of Centennial, without increasing taxes, and to restore local authority that was denied to all local governments by the state legislature, and foster a more competitive marketplace, be authorized to indirectly provide high-speed Internet (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, through competitive and non-exclusive partnerships with private businesses, as expressly permitted by Article 29, Title 27, of the Colorado Revised Statutes?

Montrose

Without increasing taxes, shall the citizens of the City of Montrose Colorado re-establish their City's right to provide all services restricted since 2005 by Title 29, article 27 of the Colorado Revised Statutes, described as "advanced services," "telecommunications services" and "cable television services," including any new and improved high bandwidth services based on future technologies, utilizing community owned infrastructure including but not limited to the existing fiber optic network, either directly or indirectly with public or private sector partners, to potential subscribers that may include telecommunications service providers, residential or commercial users within the City?

The principal difference among the three ballot measures is that Longmont and Montrose sought voter approval to provide services either directly or indirectly. Centennial's voters approved only the provision of such services through third-party contracts. Staff has prepared two proposed ordinances which are attached as exhibits. One would affirm the right of the city to provide these services either directly or indirectly and the other would require the city to contract with a third party. Staff seeks direction from council on which method council approves. Council can pass only one of the two ordinances on first reading, pass both and decide later or pass neither.

ATTACHMENTS

Attachment A – Summary and Background Information for Broadband Ballot Measure

Attachment B: Broadband Ballot Language – Direct Service Option

Attachment C: Broadband Ballot Language – Third-Party Contract Option

Summary & Background Information for Broadband Ballot

Overview Key Points:

Boulder is the ideal place for the installation of high speed broadband internet because of our tech savvy population and path-breaking businesses.

It could be central to our ongoing efforts to remain at the forefront of technological innovation and comprehensive sustainability.

It has the potential to dramatically impact how our population lives and interacts.

Our highly educated citizens already use the internet for activities ranging from world class climate research to online learning and collaboration to home entertainment.

Boulder and Broadband:

Boulder is among the smartest cities in the world. ***Our highly networked residents need high speed and will innovate.*** We want to provide an optimal environment to test bandwidth intensive “killer apps” and the next generation of products and services.

A broadband network would connect us and be used by the entire city, from tech-savvy kids to college students to world renowned research scientists.

Our businesses tell us every day not only what they could use it for, but what they need it for – now. If all storage can be in the cloud, then Boulder will move aggressively to take advantage of this.

This is Boulder:

- Approximately 97% of Boulder households have access to broadband Internet service and approximately 97% are currently subscribing
- 10% of our residents have home-based businesses
- Boulder has one of the highest concentration of software engineers in the nation
- Ranks #2 in the nation for scientists and engineers as a percent of the workforce
- A critical mass of innovators. Boulder ranks #3 nationally in the number of inventors and #5 in the number of patents issued per 1,000 residents. Computer hardware (24.1%) is the leading category of patents from Boulder.
- Home of CU’s Silicon Flatirons Center - where the term “network neutrality” was coined - recognized as a national leader influencing technology policy at the FCC and beyond

The Potential Benefits

Boulder is a vision-driven, values-based community. We seek opportunities to demonstrate that environmental sustainability, economic vitality and social equity are not only compatible, but also highly interdependent and essential for long-term community success. In the use of broadband fiber we seek to support:

- **Intensified Innovation** by our local businesses and entrepreneurs who are already nationally recognized for spurring new start-ups, new ideas and new technologies and will find ways to maximize the benefit of an ultra-fast internet in ways we can't even imagine.
- **A Connected Community** where we can define new avenues for citizen engagement in local decision making, explore new frontiers for e-governance, and develop new opportunities for wired social spaces where home- and neighborhood-based entrepreneurs can meet, collaborate and evolve new forms of place-based creative networking.
- **Creative Collaboration** in new forms—between scientists and citizens, between schools and government, between neighborhoods and nonprofits—as old boundaries are blurred through a new era of connectedness.
- **Enhanced Efficiency** and related gains in quality of life, as Boulder residents and businesses are able to do more, more quickly, with less frustration, leaving more time for enjoying our great outdoors.
- **Inclusive Internet** as we work with partners like University of Colorado, Boulder Valley School District and the Boulder Community Foundation to ensure that everyone in the community is wired, connected and empowered to participate, innovate and succeed, eliminating the digital divide.
- **Cuts in Carbon** as employees are empowered by ultra-high speed connections to more effectively work from home and local businesses are better able to support far-flung clients without having to get on a plane.
- **A Learning Laboratory** that can demonstrate the real promise of ultra-high speed fiber, not just as an entertainment medium and economic development tool, but as a significant opportunity to build, test and advance the 21st century infrastructure needed to achieve the “triple bottom line” of sustainability.

Existing Infrastructure

Conduit

Since the mid-1990's, the City of Boulder has invested aggressively in the installation of a large network of telecommunications conduit. This system of 1.25-inch and 2-inch conduit was built expeditiously as unique opportunities arose to engage in partnerships

with service providers such as Level 3 and Qwest, as well as independently by the city itself in conjunction with its own transportation and utility improvement projects. The city has used many of these conduit resources to construct a state-of-the-art municipal fiber network joining more than 50 of our facilities to high-speed IT services. The city has further leveraged its conduit in various lease, sale, and trade arrangements with other governmental and private entities, allowing the city to grow its fiber optic network while developing “win/win” synergies with these third parties.

Typically, the City of Boulder has installed multiple telecommunications conduits during construction projects as a means of leveraging future opportunities. Using the SmartGrid network construction project as an illustration, the City was able to sell critical conduit resources to Xcel resulting in lower costs and faster implementation of their network. Likewise, the City would be willing to negotiate the sale or lease of existing, empty conduit for the use of private telecommunications companies in the construction of a new fiber network in Boulder. And, as administering partner for the Boulder Research and Administration Network (BRAN) -- a next-generation fiber optic infrastructure serving the City of Boulder, the University of Colorado, US Department of Commerce (NOAA/NIST) and the University Corporation for Atmospheric Research (UCAR/NCAR) -- the city would lead discussions with BRAN member organizations regarding the use of its conduit. Finally, the City of Boulder has strong, long-standing relationships other area public entities such as Boulder County and the Boulder Valley School District, each of whom has worked in cooperation with the city in the recent past to exchange mutually-beneficial telecommunication resources such as conduit and actual fiber strands.

Our highly networked residents need high speed and will innovate
An overview of Boulder home uses and business uses of ultra high speed fiber

Customer Base: Boulder Home Uses

Boulder residents – highly educated and highly networked - provide a perfect location for a high-speed broadband fiber network. Boulder is a smart city, enthusiastic about next generation roll-out. Our population is rich with experimenters, tinkerers, scientists, and innovators. This is where the unexpected benefits of a high speed network would incubate and flourish.

Teleworking and home-based businesses are the norm in Boulder – over ¼ of our workers report that they work from home at least some of the time. From scientists to software engineers, our residents need an advanced, ultra-high speed network to work remotely. With internet access to 99% of our households, almost all communication about school, sports, community, and social activities is done via e-mail and web sites.

With a goal of sustainability, there is significant movement toward a paperless community. The Boulder Valley School District's "Infinite Campus" is where students receive and submit homework and parents get updates. University of Colorado at Boulder students make up nearly one-fifth of Boulder's residents – a mostly young population that conducts study and life on the Internet. Boulder has 43,490 housing units and 52% of these are multi-family (attached) dwelling units.

Testimonials

As the City of Boulder prepared its response to the Google Fiber proposal in March 2010, we heard story after story from our residents about their need and desire for an ultra-high speed network. Here's some of what they told us:

- "On my home cul-de-sac we have 8 homes. This includes (1) a senior High Performance Computing engineer (me) working on massive weather and climate programs on the largest machines in the world. I regularly log onto systems in Tennessee, California, New Mexico, New Jersey and elsewhere. I have worked with NOAA, NCAR, DOE, aerospace, and some of the HPC and HPEC vendors. For the past 12 years or so, I have largely worked from home in Boulder, (2) a senior systems engineer currently working in telecommunications, (3) a senior networking engineer working for HP (formerly with Juniper and SGI), (4) the Dean of Engineering at CU, (5) a house builder running parts of his business from home, (6) a senior software developer, (7) a Qwest engineer. My neighbor (across the fence) in the next cul-de-sac was one of those explicitly mentioned for the Nobel prize dealing with global warming. I supported this effort."
 - "The Internet is part of my social life and my school life. I'm on Facebook at least once a day and I keep up with friends and family across the country. That's the way I can connect to people. For school, I access Infinite Campus where I can check my grades, turn in assignments, and e-mail questions to my teachers. It does have its slow times and glitches. I also go to my school's web site and can print out any missed assignments. We have online textbooks now so that I don't have to carry my books back and forth to school. I can access my Spanish textbook on the Internet. It does take a little while to load and if it was faster, that would be great!"
 - "Boulder, CO is a hotspot for intellectuals, students, computer savvy residents, and geeks of all kind. Boulder is in the top of the half-a-dozen cities in the country which would serve as the perfect beta test for the Google 1 Gbps program. Bring it!"
 - "We would look into offering streaming feeds of the events/classes we cover, and also probably propose a community-wide on-line learning program, which would make many learning opportunities available to new audiences here in Boulder. It would also become feasible to aggregate and offer distance learning opportunities in a way that can't be done with current Internet bandwidth."
-

Customer Base: Boulder Business Uses

Very few communities in the U.S. have the unique combination of a significant concentration of high technology companies, a major research university, and multiple federal laboratories. Boulder needs speed. Our companies need a faster Internet to keep up with their high level of work, to be more efficient, to communicate with other locations – and they are willing to pay for it.

In March 2010, our Economic Vitality Coordinator and Economic Council led a survey by e-mail and on boulderfiber.com that measured the business community's support. The response (161 respondents in 16 days) was swift and clear. *We asked: What would a 1Gbps fiber network mean to your business and employees?*

- 100% agreed that a 1Gbps network in Boulder is a good idea.
- 97% agreed that a 1Gbps network would benefit their business or organization.
- The majority said a 1Gbps connection would have a high impact on their ability to do research more efficiently (89%), provide more opportunities for teleworking (79%), improve sales (70%), engage in new types of research (69%), reduce costs (67%), serve new markets (65%), develop new products /services (62%), improve employee recruitment/retention (57%).
- 95% would sign up if it cost the same as their current service and 54% would pay up to 25% more.
- 67% had reliability problems and 39% had poor customer support from their current provider.
- 86% indicated all of their employees use the Internet at work.

Testimonials

- “Our speed decreases as the day progresses. Please help! I use web version of all my software. I would like to update client financial plans while sitting with the client, but the service is a bit too slow.”
- “We create content. A big fast pipe at a reasonable rate is a HUGE benefit to us. I would happily volunteer our company, 42 Productions, to be a test case and/or spokescompany.”
- “In addition to greater access to information I am really hoping to get clear video conferencing with our very large corporate customers.”
- “Boulder is one of the up and coming leaders for tech startups. A really fast fiber network would foster the innovation that's part of the startup community, and would attract a lot of talented people. It would be great for the local economy, as well as those who are innovating for the national and global economies. There are

a lot of people here who think big, and want to do great stuff for the world.”

- “This could be hugely helpful as we move into pilot and demonstration stages where substantial amounts of data will be collected and analyzed, and simulations run. We will also have partners all over the world, so having access to a system that let us communicate and demonstrate via video without "low tech" speed issues could be exciting as well as valuable.”
- “Multiple times a week, we have local clients drive across town to drop off a CD or DVD of content (high-res photos, videos, etc.); with a 1 Gbps connection...It would make us more efficient as a web design and development firm.”
- “The NOAA and NCAR community both require access to large HPC systems in Boulder and around the world. The current work horse is the Cray XT5 at Oak Ridge National Laboratory. Moving data back and forth has required installation of additional fibre links to the existing large amount in Boulder. Debugging from home on my Comcast system is really tough even with 12-15 Mbit/sec download capability. There is no way for me to begin to try to dynamically view data being produced so I can check correctness before committing 100000 cores of processing for an 8-16 hour execution.”
- “I'd use a high-speed fiber network for creating massively parallel GPU (Graphic Process Unit) computing networks. With a high bandwidth fiber connection, I could transfer large segments of GRAM (Graphics RAM) data between computers with GPUs. The result would let scientists or other computing-intensive professionals work from home.”

Customer Base: Boulder Small Businesses

Using the Small Business Administration (SBA) Office of Advocacy’s definition of small business as an independent business having fewer than 500 employees, small businesses account for over 99% of firms in Boulder. *Even using a more “on the street” measure of fewer than 100 employees, small business represents 97% of Boulder firms. That equates to 6,800 small businesses with fewer than 500 employees and 6,670 ventures with under 100 employees.*

Especially because of Boulder’s vibrant entrepreneurial and creative spirit, high education level and university presence, it enjoys a wide range of small business types, industries and growth potentials. While Boulder houses all of the traditional “small business” types (including retail, restaurant, professional and other service firms,) it is also home to many more scalable small business ventures (such as energy, technology and biotech, product-based and early manufacturing ventures.) For example, the Boulder Small Business Development Center’s 2009 Client of the Year was InDevR, a biotech firm which recently released a breakthrough virus counter. In contrast, the 2008 award

winner was Casttoo, an early stage personal product venture launched by a recent CU grad.

A sampling of some of Boulder's award-winning small businesses:

Albeo Technologies Inc. designs, manufactures and markets LED (light-emitting diode) lighting systems for industrial and commercial applications that improve profitability by reducing carbon emissions, energy consumption and maintenance costs.

Backcountry Access Inc. is a manufacturer that specializes in snow safety equipment and education, including avalanche beacons, avalanche airbag packs, probes, shovels and snow study tools.

Ecoproducts Inc. makes environmentally friendly food service products, including biodegradable cups, plates, cutlery, straws and food containers all made from renewable resources.

Eetrex Inc. Formed to commercialize proprietary power systems, battery management systems and power electronics components for battery electric vehicles (BEVs), hybrid electric vehicles (HEVs) and plug-in hybrid electric vehicles (PHEVs).

InDevR Inc. develops advanced life science instrumentation and assays for analysis of viruses and other microorganisms, using affordable, easy-to-use instrumentation and assays.

Justin's Nut Butter makes organic and natural nut butters available in convenient squeeze packs and six ounce jars.

KM-labs specializes in manufacturing low-cost, minimal maintenance ultra-fast amplifier systems as well as oscillators for applications in chemistry, biology, surgery, physics and engineering.

LogRhythm Inc. specializes in enterprise-class log and event management solutions used to empower organizations to comply with regulations, secure their networks and optimize their IT operations.

Namesté Solar works in Colorado to propagate the responsible use of solar energy and to pioneer conscientious business practices.

Precision Photonics Corp. provides high-performance laser optics and coatings to the telecommunications, defense, aerospace, biomedical and semiconductor industries.

SurveyGizmo is a sophisticated and cost-effective survey software solution for anyone to build and run online surveys.

Customer Base: Boulder Industries

Boulder's high per capita level of education and commitment to entrepreneurial healthy living has fostered formidable high tech and renewable energy industries that create the backbone of Boulder's economy. Boulder's targeted industries:

Data Storage and Software

Number of Companies 976

Number of Employees 16,066

Average Wages \$104,063

Concentration (location quotient, where U.S. average is 1.0) 6.5

Example Companies: Epsilon/Abacus, Google, IBM, Intrado, LogRhythm, Rally Software, RogueWave Software, and Markit on Demand

Bioscience

Number of Companies 186

Number of Employees 8,764

Average Wages \$94,055

Concentration (location quotient) 6.4

Example Companies: Agilent Technologies, Amgen, Array BioPharma, Corden Pharma, Covidien, and Somalogic

Aerospace

Number of Companies 42

Number of Employees 2,687

Average Wages \$90,036

Employment Concentration (location quotient) 2.8

Example Companies: Ball Aerospace, Lockheed Martin, and Northrup Grumman
CU has a world class astrophysics department

Renewable Energy

Example Companies: Cool Energy, Entegritty Wind Systems, IntraGo Corp, Namasté Solar, Siemens, Ion Engineering and Tendril Networks

Outdoor and Natural Living

Example Companies: The Boulder Center for Sports Medicine, Boulder Running Company, Catalyst Communications, Crescent Moon, GoLite, Kelty, Mountain Sports Media, Newton Running, Prana, Rocky Mounts, SmartWool, Spyder Active Sports, and Title Nine

Natural and Organic Food, Products

Example Companies: Aurora Organic Dairy, Boulder Ice Cream, Celestial Seasonings, Cocona, Eco-Products, Justin's Nut Butter, New Hope Natural Media, Next Foods, Pangea Organics, Pharmaca Integrative Pharmacy, and Rudi's Organic Bakery

Boulder is an ideal laboratory for policy and technology research
A summary of Boulder's industries, the University of Colorado, and federal laboratories

The University of Colorado at Boulder and Boulder's Federal Laboratories

Boulder is an ideal laboratory for policy and technology research. Seven federal laboratories and a major research university fuel opportunities to test high level communication and collaboration in areas such as weather modeling, climate analysis, and renewable energy. A unique concentration of high technology companies will test and fully use the network. *Boulder is a natural site for innovative uses of real time sharing of data, video, and cloud computing tools.*

Our universities and laboratories will work with us to identify novel home, business, and research uses for the network. Moreover, once valuable uses are identified, CU's Silicon Flatirons Center and Interdisciplinary Telecommunications Program (described below) provide a terrific platform for highlighting the network's success and identifying lessons for policymakers at the Federal Communication Commission and elsewhere.

The **University of Colorado at Boulder**, the flagship university of the State of Colorado, is a dynamic community of scholars and learners situated on one of the most spectacular college campuses in the country. As one of 34 U.S. public institutions belonging to the prestigious Association of American Universities (AAU) – and the only member in the Rocky Mountain region – CU has a proud tradition of academic excellence, with five Nobel laureates and more than 50 members of prestigious academic academies.

CU's commitment to groundbreaking research and fostering entrepreneurial environments, that center on the importance of education and communication, align perfectly with the benefits of a high-speed broadband network. CU-Boulder has blossomed in size and quality since opening its doors in 1877 – attracting superb faculty, staff, and students and building strong programs in the sciences, engineering, business, law, arts, humanities, education, music, and many other disciplines. Today, CU strives to position itself as the standard for the great comprehensive public research universities of the new century, while continuing to serve the people of Colorado and to engage with the world through excellence in our teaching, research, creative work, and service.

Five graduate specialty programs are in the Top 10 nationally (April 2010: *U.S. News and World Report*) – *all significant users of computing power*

- Atomic/molecular/optical physics (*No. 1* with MIT)
- Quantum physics
- Environmental sciences
- Environmental law
- Physical chemistry

The Silicon Flatirons Center for Law, Technology, and Entrepreneurship, where the term “network neutrality” was coined, is recognized as a thought leader influencing technology policy at the FCC and beyond. Founded by CU Law School Dean Phil Weiser, and led by former FCC Chief Technologist Dale Hatfield, Silicon Flatirons regularly attracts federal policymakers and telecom industry leaders to Boulder. More broadly, CU’s Interdisciplinary Telecom Program, the oldest such program in the nation, would pursue leading edge technical research. ITP’s excellent faculty is underscored by Professor Doug Sicker’s recent appointment as FCC Chief Engineer. In short, CU’s extensive technical and policy work around telecommunications provide a platform with national visibility and credibility.

Boulder’s numerous federally funded laboratories have made it a hot spot for some of the world’s top research in the areas of climate, weather, astrophysical, geophysical, measurement, and renewable energies. The local business and research community formed an organization named CO-LABS, focused on helping all of the federally funded laboratories in Colorado work efficiently with local government and private industry to foster the best possible research environment. CO-LABS has been successful in providing data on the laboratories, their research and economic impact, to the state-wide community. It also works to integrate the labs’ research into both the private and public sectors, helping to make Boulder one of the most innovative and entrepreneurial business environments in the world.

Please see Exhibit D for more information about the University of Colorado and Boulder’s federal laboratories.

Exhibit A: Community Support

In ultra-connected Boulder, Google’s fiber initiative in 2010 created a literal “buzz” within minutes of the official announcement. By late morning, City officials began receiving citizen emails expressing the desire – and expectation – that the City begin developing an immediate plan to bring this unique resource to the community. A group of local citizens, academics and nationally-known entrepreneurs spontaneously organized. Their first meeting – held in a conference room at the offices of venture capitalist Brad Feld – included an invitation to city and county officials to join the quest. Within days, a boulderfiber.com web site went live through the volunteer design and hosting services of local citizens and business leaders. City officials were invited to attend the February meeting of the Boulder-Denver New Tech Meetup and were greeted by the enthusiastic, vocal support of 300 members generating ideas for how they would use “a gig.” Requests for support letters were met with enthusiastic responses from nationally-known business, academic and even federal officials in Boulder. By March 26, the City of Boulder may have been the primary author and coordinator of the Google submittal, but the community’s ideas, vision and enthusiasm showed Boulder at its finest – entrepreneurial, visionary, iconoclastic and unified.

Our entire community is highly enthusiastic about what ultra high speed fiber can do for their home life and their businesses. Many indicators reflect deep and broad support.

- Support letters: Key stakeholders throughout Boulder endorse it, including CU, the entrepreneurial community, the Boulder Chamber, and a diverse array of others (see highlights of “testimonials” below)
-
- Web site: Boulderfiber.com is the on-line nerve center for Boulder’s effort and reflects widespread resident support. As of 3/26/10, when the RFI Response was submitted: 15,840 page views and 2,817 Google Map registrants (“votes”)
 - Business survey: Our survey underscores Boulder’s business community’s hunger for Google’s deployment
 - Social Media: Facebook pages (e.g. “Bring Boulder Fiber to Boulder”) with 1,851 fans; Twitter followers (194)
 - Media: Numerous articles and other media interviews supported the effort
-

Testimonials

Boulder is a hub for innovation, full of knowledge workers. And we hope and expect that the next generation will follow in our footsteps. Our school district recently completed a 70 mile fiber optic network connecting all their buildings, providing increased capacity and access speed to schools. Boulder commits to the future these students will create and we hope Google will too!

-
- **Susan Graf, President & CEO, Boulder Chamber**

Boulder is an ideal test-bed for your project for many reasons, among them the presence of the flagship campus of the University of Colorado. The University is located in the heart of Boulder and enrolls over 30,000 students. We are a strong research institution, with an equally strong technology transfer program. ... CU-Boulder is a strong supporter of bringing Google’s proposed 1 Gbps fiber-to-the-home network to Boulder, Colorado. Here in Boulder, the proposed network will be put to a large number of interesting and likely very unique and unforeseen, uses.

- **Philip P. DiStefano, Chancellor, University of Colorado - Boulder**

The Boulder Valley School District fully endorses the construction of a Google sponsored citywide fiber deployment within our boundaries and is excited about the opportunities that such a project would offer to our students.

- **Christopher King, Ph.D., Superintendent, Boulder Valley School District**

Boulder is extremely well positioned to test this home to metro to regional network hierarchy. There are highly skilled network engineering and management staff at all the BRAN and the FRGP/UPoP/BPoP organizations to assist in this endeavor. UCAR would be excited to participate in such a test bed.

- **Marla J. Meehl, Manager of Network Engineering and Telecommunications, University Corporation for Atmospheric Research (UCAR)**

A high bandwidth network would of course provide all kinds of opportunities for entrepreneurs to try new advanced applications in a realistic and highly supported mentorship environment. We are exceptionally well positioned to facilitate coordination and sharing of ideas among users and innovators along the Front Range's (the area ranging from Boulder to Denver) burgeoning high technology entrepreneurial community.

– **David G. Cohen, Founder and CEO, TechStars**

With the largest concentration of NOAA researchers, the biggest online NOAA data archive, and several state-of-the-art supercomputers, NOAA-Boulder is critically dependent on fast networking capabilities, both internally and externally. Whether delivering environmental data and information to the general public, collaborating with scientific colleagues at NCAR, NIST, and CU, or providing back-up hosting for stressed NOAA web sites during weather emergencies (such as land-falling hurricanes), NOAA-Boulder makes heavy use of every ounce of available bandwidth. Anything that would increase that bandwidth on local or regional scales would be of great benefit.

– **Don Mock, Deputy Director for Administration,
NOAA Earth System Research Lab**

The Boulder community is known the world over for its progressive and cutting-edge innovations...And to that end; the Boulder Community is united in the effort to bring this technology to Boulder. Our City Government, Business Community and individual citizens through social networking groups have made their opinion clear – Boulder is the natural place for progress. We invite you to join our community.

- **Jared Polis, US Representative 2nd District of Colorado**

Exhibit D: The University of Colorado at Boulder and Boulder's Federal Laboratories

The University of Colorado at Boulder, also known as CU, is Colorado's flagship university. The University of Colorado at Boulder is the city's largest employer and CU students make up nearly one-fifth of the city's residents. CU Boulder is a world-class research institution with a number of nationally ranked programs and home to five Nobel Laureates. In the past five years, 833 patents have been filed and 51 start-up companies have been formed through CU's Technology Transfer Office. CU's long history of high academic standards and ground breaking research have helped make Boulder the innovative high-tech business environment that it is today.

CU-Boulder Research Highlights

- Over \$350 million in sponsored research funding during fiscal year 2012-13

- More NASA research funding during the past three years than any other university
- More than 100 research centers, institutes, and laboratories
- One of 34 US public universities invited to join the Association of American Universities
- 4 National Medal of Science winners
- 19 members of the American Academy of Arts and Sciences
- 5 members of the National Academy of Education
- 13 members of the National Academy of Engineering
- 20 members of the National Academy of Sciences
- 98 Fulbright scholars
- 10 Packard Fellows
- 7 MacArthur Fellows
- 5 Nobel Laureates

Silicon Flatirons Center

Silicon Flatirons Center for Law, Technology, and Entrepreneurship brings to campus individuals from legal, technical, regulatory and business backgrounds to discuss issues facing the telecommunications and information technology communities. Silicon Flatirons pursues three basic goals:

- 1. To elevate the debate around technology policy issues;** Entrepreneurs are constantly developing new businesses and regulators are ever seeking to adapt to a dynamic marketplace marked by fast-moving technologies. Silicon Flatirons provides a forum for entrepreneurs, lawyers, industry professionals and policymakers to discuss the changing technologies as well as the new business models and the relevant legal issues associated with them
- 2. To facilitate networking, the development of "human capital" and the promotion of entrepreneurship in the Colorado technology community;** A core ambition of Silicon Flatiron is to develop programs on cutting edge topics that both inform our audience and expose them to new ideas. Each year, Silicon Flatirons hosts nine seminars and an annual symposium. We regularly draw over 200 people to each event, split evenly between students and professionals from the technology community. The academic environment and our strong participation from local industry facilitate a healthy balance between examining theoretical perspectives and real world insights. Notably, the Center provides a forum for analyzing the continually changing dynamics in the telecommunications and information technology marketplace and regulatory environment. In so doing, it continues to inspire and prepare students to participate in our emerging information economy and society.

Another principal ambition of the Center is to catalyze entrepreneurship in the region. Through the Center's myriad programs, including our support for the Entrepreneurial Law Clinic, a campus-wide business plan competition, the

New Technology Meetup, the Entrepreneurs Unplugged series, and the Crash Course for Entrepreneurs series, the Center establishes venues that addresses the development of skills necessary for building or counseling successful entrepreneurial ventures and creates networking opportunities to bridge the University and local communities. Through our conferences and roundtables, we are also committed to advancing scholarship of entrepreneurship.

3. To inspire student interest in technology law and entrepreneurship;

Across the University of Colorado, Silicon Flatirons looks to develop student interest and involvement in the technology sector. Students from the Law School, the Interdisciplinary Telecommunications Program, Computer Science, Journalism, the Business School, ATLAS, and other departments have attended our events. Silicon Flatirons has also matched up students from these areas with outside professional mentors. Similarly, Silicon Flatirons continues to work on developing internship opportunities for students interested in these areas. Student writing in this area also has blossomed, with a number of excellent papers submitted to the Silicon Flatirons Paper Competition.

Federal Laboratories in Boulder

Boulder's numerous federally funded laboratories have made it a hot spot for some of the world's top research in the areas of; climate, weather, astrophysical, geophysical, measurement, and renewable energies. Boulder-based laboratories include:

- **The National Center for Atmospheric Research (NCAR).** NCAR is composed of several different laboratories including; Computational and Information Systems, Earth Observing, Earth and Sun Systems, and Research Applications Laboratory. The National Center for Atmospheric Research conducts research in the following areas: Climate Earth's past climate, greenhouse effect and global warming, Earth's future, El Niño and La Niña, drought, and wildfires. Meteorology/Weather Short-term forecasts, weather forecasting and predictability, weather's effect on climate, training meteorologists, severe storms, and physical processes. Societal Impacts Effects of weather and climate on society, capacity building, and national security. Pollution and Air Chemistry Air pollution, chemistry of our atmosphere, tracking plumes, and ozone. The Whole Earth System Oceans effects on climate and weather, the effects of land use on climate, and weather, cryosphere/ice and the water cycle. Sun and Space Weather Solar furnace, suns effect on weather and climate, the solar observatory, and space weather.
- **The University Corporation for Atmospheric Research (UCAR).** In partnership with the National Science Foundation (NSF), they established the National Center for Atmospheric Research (NCAR). Since its inception, UCAR has managed NCAR, on behalf of NSF, to address pressing scientific and societal needs involving the atmosphere and its interactions with the oceans, land, and

Sun. UCAR's has been pivotal in connecting the top academic researchers from all over the world.

- **Institute for Telecommunications Sciences (ITS).** National Telecommunications and Information Administration (NTIA), part of the U.S. Department of Commerce, has been the President's principal adviser on telecommunications and information policy issues. Located in Boulder, the Institute for Telecommunication Sciences (ITS) is the research and engineering laboratory of the NTIA. ITS promotes advanced telecommunications and information infrastructure development in the United States, enhancing domestic competition, improving U.S. telecommunications trade opportunities, and promoting more efficient and effective use of the radio spectrum.
- **National Oceanic and Atmospheric Administration (NOAA).** NOAA's products and services range from daily weather forecasts, severe storm warnings, and climate monitoring to fisheries management, coastal restoration, and marine commerce support. Specific areas of focus are climate; oceans, great lakes, and coasts; and weather and air quality.

Boulder Lab Facilities:

- Earth Systems Research Laboratory (ESRL) <http://www.esrl.noaa.gov/>
In October 2005, six NOAA research organizations were consolidated into one unit, the Earth Systems Research Laboratory (ESRL). Its mission is to observe and understand the Earth system and to develop products through a commitment to research that will advance NOAA's environmental information and services on global-to-local scales. ESRL is organized into four divisions - Global Monitoring, Physical Sciences, Chemical Sciences, and Global Systems. The work of these divisions focuses on understanding climate processes and trends, providing climate information related to water management decisions, improving weather prediction, understanding the recovery of the stratospheric ozone layer, and developing air quality forecast models. ESRL is headquartered in Boulder with subordinate labs located throughout the state. The Surface Radiation Measurement Network, Forecast Verification, and Operational Systems for Weather Forecasting operate out of Boulder.
- Space Weather Prediction Center (SWPC) <http://www.swpc.noaa.gov/>
This facility reports both to NOAA and the National Weather Service, with the responsibility to monitor and forecast the weather above our atmosphere. Solar storm activities can affect people and equipment working in the space environment, such as satellite systems that can be damaged or destroyed if caught unprepared for a solar storm. SWPC also issues public notifications of extreme cases where some storms can affect communication and navigation equipment on the earth's surface. The SWPC is located with the National Weather Service in the NOAA complex in Boulder.
- National Environmental Satellite, Data, and Information Service (NESDIS) is responsible for monitoring and supporting all of NOAA's

highly specialized and technological equipment and machinery, including 16 satellites currently in orbit.

- Three divisions are located in Colorado: (1) the NOAA Library and Information Services, providing scientific, technical, and legislative information that focuses mainly on marine and coastal geographic information; (2) the National Geophysical Data Center, <http://www.ngdc.noaa.gov/html>, specializing in geophysical data describing solid earth, marine, solar-terrestrial environments and earth observations from space; (3) the National Climatic Data Center, <http://www.ncdc.noaa.gov/oa/ncdc.html>, devoted to paleoclimatic data that assists NOAA in understanding climate variability and change.
- National Weather Service (NWS) <http://www.crh.noaa.gov/bou/>
The National Weather Service forecasts the U.S. weather and issues weather-related warnings and watches and (NWS) provides weather, hydrologic, and climate forecasts and warnings for the United States, its territories, adjacent waters, and ocean areas. Operated by NOAA, the NWS operates several Weather Forecast Offices across Colorado and around the nation.
- **National Institute of Standards and Technology (NIST).** NIST's mission is to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life. With a staff of about 350 scientists, engineers, technicians, and support personnel, plus approximately 100 visiting researchers annually, the NIST Boulder Laboratories conduct research in a wide range of areas. NIST also conducts "work for others" testing and consultation. Many of its scientists have joint appointments with Colorado research universities.
- **JILA.** JILA was founded in 1962 as a joint institute of the University of Colorado and NIST. Originally, the name stood for the Joint Institute for Laboratory Astrophysics. In 1994, members voted to keep the name but discontinue use of the meaning as it did not adequately describe the scope of science conducted at the institute. JILA serves as a research platform for some of the top physicists and scientific researchers in the world, including several Nobel Laureates. Located on the CU campus, the institute includes graduate and postgraduate students, faculty, and alumni who work in some of the most challenging and fundamental areas recognized by science. Research at the facility falls into seven categories: astrophysics, atomic and molecular physics, biophysics, chemical physics, nanoscience, optical physics, and precision measurement.
- **Cooperative Institute for Research in Environmental Sciences (CIRES).** The Cooperative Institute for Research in Environmental Sciences (CIRES) is a cooperative institute between NOAA and the University of Colorado that was founded in 1967. The Institute conducts research in Earth system science, which includes environmental chemistry and biology, atmospheric and climate dynamics, cryosphere (areas of snow and ice) and polar processes, and the solar-terrestrial environment. Research topics range from glacial melting and rising sea levels to hurricane forecasting.

- **National Ecological Observatory Network (NEON).** NEON is fairly new to Boulder. It will collect data across the United States on the impacts of climate change, land use change and invasive species on natural resources and biodiversity. NEON is a project of the U.S. National Science Foundation, with many other U.S. agencies and NGOs cooperating. NEON will be the first observatory network of its kind designed to detect and enable forecasting of ecological change at continental scales over multiple decades. The data NEON collects will be freely and openly available to all users.
- **Renewable and Sustainable Energy Institute (RASEI).** RASEI, an interdisciplinary joint research effort between the University of Colorado at Boulder and the National Renewable Energy Laboratory (NREL), is advancing solutions for producing energy economically from low carbon sources, decreasing reliance on foreign oil, reducing greenhouse gas emissions, and using energy more efficiently to meet the global energy challenge. RASEI's efforts focus on interdisciplinary energy research, training the next generation of energy professionals, and the development of market-ready leading-edge technologies.

ORDINANCE NO. ____

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE SPECIAL MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, THE QUESTION OF AFFIRMING THE CITY'S RIGHT TO PROVIDE HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICES), TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS AS EXPRESSLY PERMITTED BY ARTICLE 27, TITLE 29, OF THE COLORADO REVISED STATUTES, WITHOUT LIMITING ITS HOME RULE AUTHORITY AND SETTING FORTH RELATED DETAILS.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. A special municipal coordinated election will be held in the City of Boulder, County of Boulder and State of Colorado, on Tuesday, November 4, 2014, between the hours of 7:00 a.m. and 7:00 p.m.

Section 2. At that election, there shall be submitted to the electors of the City of Boulder entitled by law to vote the question of re-establishing the city's right to provide high-speed internet services (advanced services), telecommunications services or cable television services as stated below.

Section 3. The official ballot shall contain the following ballot title, which shall also be the designation and submission clause for the question:

Ballot Question NO. ____

Affirming the City's Right to Provide Telecommunication Services

Shall the City of Boulder be authorized to provide high-speed Internet services (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by §§ 29-27-101 to 304, “Competition in Utility and Entertainment Services,” of the Colorado Revised Statutes, without limiting its home rule authority?

For the Measure_____ Against the Measure_____

Section 4. If a majority of all the votes cast at the election on the question submitted shall be for the question, the question shall be deemed to have passed and shall be effective upon passage.

Section 5. The election shall be conducted under the provisions of the Colorado Constitution, the Charter and ordinances of the City, the Boulder Revised Code, 1981 and this ordinance, and all contrary provisions of the statutes of the State of Colorado are hereby superseded.

Section 6. The officers of the City are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance and to contract with the county clerk to conduct the election for the City.

Section 7. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining provisions of this ordinance.

Section 8. This ordinance is necessary to protect the public peace, health and property of the residents of the City, and covers matters of local concern.

Section 9. The City Council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY

TITLE ONLY this 17th day of June, 2014.

Attest:

Mayor

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this ____ day of _____ 2014.

Attest:

Mayor

City Clerk

ORDINANCE NO. ____

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE SPECIAL MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, THE QUESTION OF AFFIRMING THE CITY'S RIGHT TO PROVIDE TO PROVIDE INDIRECTLY HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICES), TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES, THROUGH COMPETITIVE AND NON-EXCLUSIVE PARTNERSHIPS WITH PRIVATE BUSINESSES, AS EXPRESSLY PERMITTED BY ARTICLE 27, TITLE 29, OF THE COLORADO REVISED STATUTES, WITHOUT LIMITING ITS HOME RULE AUTHORITY AND SETTING FORTH RELATED DETAILS.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

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Section 2. At that election, there shall be submitted to the electors of the City of Boulder entitled by law to vote the question of re-establishing the city's right to provide high-speed internet (advanced services), telecommunications services or cable television services as stated below.

Section 3. The official ballot shall contain the following ballot title, which shall also be the designation and submission clause for the question:

Ballot Question NO. ____

Affirming the City's Right to Provide Telecommunication Services

Shall the City of Boulder be authorized to provide indirectly high-speed Internet services (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, through competitive and non-exclusive partnerships with private businesses, as expressly permitted by §§ 29-27-101 to 304, "Competition in Utility and Entertainment Services," of the Colorado Revised Statutes, without limiting its home rule authority?

For the Measure _____ Against the Measure _____

Section 4. If a majority of all the votes cast at the election on the question submitted shall be for the question, the question shall be deemed to have passed and shall be effective upon passage.

Section 5. The election shall be conducted under the provisions of the Colorado Constitution, the Charter and ordinances of the City, the Boulder Revised Code, 1981 and this ordinance, and all contrary provisions of the statutes of the State of Colorado are hereby superseded.

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INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this 17th day of June, 2014.

Attest:

Mayor

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this ____ day of _____ 2014.

Attest:

Mayor

City Clerk

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**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: June 17, 2014

AGENDA TITLE: Introduction, first reading and consideration of a motion to order published by title only an ordinance amending Section 4-20-55, "Court and Vehicle Impoundment Costs, Fees, and Civil Penalties," B.R.C. 1981, changing certain court fees, and setting forth related details.

PRESENTERS

Jane S. Brautigam, City Manager
Bob Eichen, Chief Financial Officer
Linda P. Cooke, Presiding Judge
Lynne C. Reynolds, Court Administrator

EXECUTIVE SUMMARY

City fees are adjusted based on costs of providing city services and depend on calculations of inflation, pricing guidelines, or service-specific cost analysis.

STAFF RECOMMENDATION

Suggested Motion Language:

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

Motion to introduce on first reading and order published by title only an ordinance amending 4-20-55, B.R.C. 1981, changing certain court fees, and setting forth related details.

ANALYSIS

Traditionally, sentencing agreements for Deferred Prosecution and Conditional Motion to Dismiss had few requirements beyond a review at the end of the timeframe to determine any new violations. Over the past four years, these sentencing agreements have evolved to where the norm involves monitoring and compliance checking of multiple conditions. This is especially true in agreements resulting from violations of minor in possession of

alcohol or marijuana and violations being settled through referral to the University of Colorado's Restorative Justice Program (CURJ). This added oversight of multiple conditions requires an increase to the administrative fee.

The administrative fee prescribed by ordinance in other Municipal Courts for this type of sentencing offer varies.

MUNICIPAL COURT	ADMINISTRATIVE FEE
Commerce City	\$50.00
Englewood	\$50.00
Fort Collins	\$50.00
Thornton	\$75.00
Arvada	\$80.00
Westminster	\$10.00 for each month
Greeley	\$100.00

Increasing the Court's administrative fee from \$50.00 to \$75.00 places the fee in the mid-range of fees charged by other municipalities for this service. Moreover, the fee increase provides appropriate costing for the complexity inherent in monitoring compliance of these sentencing agreements.

ATTACHMENT

A - Proposed ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 4-20-55, "COURT AND VEHICLE IMPOUNDMENT COSTS, FEES, AND CIVIL PENALTIES," B.R.C. 1981, CHANGING CERTAIN COURT FEES, AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER,
COLORADO:

Section 1. Section 4-20-55, B.R.C. 1981, is amended to read:

4-20-55. Court and Vehicle Impoundment Costs, Fees, and Civil Penalties.

- (a) The costs, fees, or civil penalties authorized in Chapter 2-6, "Courts and Confinements," B.R.C. 1981, shall be:
- (1) Scofflaw civil penalty \$ 25.00
 - (2) Immobilization or impoundment civil penalty 50.00
 - (3) Deferred sentence administrative costs: traffic violations 75.00
Deferred sentence administrative costs: all other violations 100.00
Deferred prosecution and conditional motions to dismiss administrative costs ~~50.00~~75.00
 - (4) Juror fees:
panel only 3.00
actual service for day 6.00
 - (5) Witness fee up to \$ 50.00
 - (6) Complaining witness default fee 300.00
 - (7) Court costs:
plea 25.00
trial to court 25.00
jury trial 25.00
administrative hearing 25.00
 - (8) Probation supervision fee 50.00
 - (9) Community service fee 35.00
 - (10) Warrant processing fee 50.00
 - (11) Failure to appear, pay, or comply fee 50.00

- (12) Stay fee (payment plan) 15.00
- (b) The costs for service of process under chapter 7-4, "Operation of Vehicles," B.R.C. 1981, shall be:
 - (1) Personal service of process: automated vehicle identification complaint:
 - served by a person other than a peace officer \$20.00
 - served by a peace officer 60.00
 - served by certified mail 3.00
- (c) The administration fee for vehicles impounded under Chapter 7-7, "Towing and Impoundment" B.R.C. 1981, shall be:
 - (1) Abandoned and inoperable vehicle impoundment fee \$25.00
 - (2) Inoperable vehicle on private property impoundment fee 25.00

Section 2. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 3. The city council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this 17th day of June 2014.

Attest:

Mayor

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this _____ day of _____, 20__.

Mayor

Attest:

City Clerk

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**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: June 17, 2014

AGENDA TITLE

Consideration of a motion to approve a conduit lease to Level 3 Communications, LLC.

PRESENTER/S

Jane S. Brautigam, City Manager
Don Ingle, Director of Information Technology
Francis Duffy, Manager, IT Infrastructure Services

EXECUTIVE SUMMARY

The City of Boulder (the "City") has been approached by Level 3 Communications, LLC ("Level 3"), a provider of telecommunication services, with the desire to enter into a ten-year lease of unused City-owned telecommunications conduit. Level 3 is an international communications company headquartered in Broomfield, CO and wishes to lease 295 linear feet of excess City-owned conduit (depicted in the map labeled Attachment A in the attached lease agreement) to facilitate connection to businesses located in downtown Boulder. In the aforementioned conduit span, the City currently owns eight conduit, one of which is currently in use by the City. With this lease to Level 3, the city will have six remaining unused conduit for its future use or potential lease to other interested parties.

As a result of negotiations with City staff, the City will receive a one-time up-front payment of \$17,700 upon execution of this lease.

The City has a long history working with telecommunication partners operating in Boulder, including Level 3, on similar projects. During the negotiations with Level 3, the City learned that they are planning a future project in Boulder in a location that the City

currently has limited telecommunications resources. City staff has expressed interest in partnering with Level 3 on this project if acceptable terms can be negotiated.

STAFF RECOMMENDATION

Staff recommends council approval of this lease agreement with Level 3 Communications, LLC.

Suggested Motion Language:

Motion to authorize the City Manager to approve a ten-year lease agreement with Level 3 for the use of spare City-owned conduit in return for a one-time lease payment to the City.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** - \$17,700 will be returned to the City’s Connectivity Fund for future enhancements to the City’s communication infrastructure.
- **Environmental** – Leasing of existing City-owned conduit provides substantial environmental benefits compared to the installation of new conduit. Use of the existing conduit will require localized temporary work zone traffic control around equipment pulling new cable through the existing conduit, but will substantially avoid excavation of streets, sidewalks, and landscaping. New excavation would result in significant environmental impacts associated with asphalt and concrete disposal and replacement, damage to trees and landscaping, damage to other infrastructure, and delays for the traveling public. All work will be permitted by the City and will be required to conform to applicable ordinances including provision of work zone traffic control that considers all modes of transportation.
- **Social** - Allows Level 3 Communications, LLC to offer additional data bandwidth to business operating within the City, greatly enhancing data services for Boulder businesses.

OTHER IMPACTS

- **Fiscal** - No budgetary impacts.
- **Staff time** – Much of the staff time required is within normal work-plans for the departments tasked with supporting this type of vendor project. Less than 40 hours of additional staff time outside the scope of normal business duties may be expended on this project.

BOARD AND COMMISSION FEEDBACK

No Board and Commission feedback has been received on this matter.

PUBLIC FEEDBACK

No public feedback has been received on this matter.

BACKGROUND

The City has been approached by Level 3 Communications, LLC (“Level 3”), an international provider of telecommunication services based in Broomfield, CO, with the intent to enter into a ten-year lease of unused, City-owned conduit located within a section of downtown Boulder. Level 3 currently owns, operates and maintains fiber optic communications networks worldwide and wish to install additional fiber optic cable in downtown Boulder to provide improved broadband services to their local customers within the City.

ANALYSIS

The City owns excess underground telecommunications conduit facilities installed or acquired over the years through City-funded public works improvements or as a result of other entities’ desires to install their conduit within City rights of way. This additional conduit capacity was installed to address potential future City needs and as a valuable commodity the City could use to negotiate new telecommunications resources, services or financial benefits from third-parties wishing to utilize these resources.

The proposed agreement calls for the City to lease to Level 3 one unused conduit located within a 295 foot section of the City’s underground conduit duct system. This section of the conduit duct system currently has seven unused conduit, one of which staff proposes to lease to Level 3. Upon termination or non-renewal of this lease agreement, the City has the option of renewing the lease, requiring that Level 3 remove the fiber optic cable or taking full ownership of the fiber installed within the conduit ducts located within the Lease Area.

Immediately upon execution of this lease agreement, Level 3 shall make a one-time payment to the City of \$17,700 for 295 linear feet of conduit at a cost of \$6.00 per linear foot per year (ten year lease term).

This proposal is mutually beneficial for Level 3 and the City of Boulder and was based on terms negotiated for projects of a similar nature done with other organizations within Boulder. In addition, these terms are supported by the findings of a private consulting firm hired in 2013 to perform a comprehensive financial valuation of the City’s vacant conduit resources.

ATTACHMENTS

Lease of City conduit between the City of Boulder and Level 3 Communications, LLC.

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LEASE OF CITY CONDUIT

between

THE CITY OF BOULDER AND LEVEL 3 COMMUNICATIONS, LLC

This AGREEMENT FOR THE LEASE OF CITY CONDUIT (this “Agreement”) is made and entered into by and between the City of Boulder, Colorado (the “City”) and LEVEL 3 COMMUNICATIONS, LLC, a Delaware limited liability company (“Level 3”). The City and Level 3 may hereinafter be referred to individually as a “Party” or collectively as the “Parties.”

RECITALS

A. The City is the owner of a conduit, along with necessary handholes and manholes for access, located in the vicinity of 11th Street between Walnut and Canyon Streets in the City of Boulder, Colorado.

B. Level 3 desires to lease from the City the approximately 295 ft of conduit along 11th Street between access point N03W06-1294 on the south side of Canyon Blvd and access point N03W06- 1415 at the alley between Canyon Blvd and Walnut, all as more further described in the attached Exhibit A (the “Leased Conduit”).

C. The City has determined that the Leased Conduit will not be required for a public purpose during the Term of this Agreement, and that the use of the Leased Conduit by Level 3 will not impair the public health, safety or welfare.

AGREEMENT

In consideration of the mutual covenants, terms, conditions and obligations contained herein, and intending to be legally bound hereby, the Parties hereby agree as follows:

1. **Incorporation of Recitals.** The above recitals are true and correct and are incorporated herein by this reference as a part of this Agreement.

2. **Lease of Conduit.**

A. **Lease of City Conduit.** The City hereby leases, demises and sets off to Level 3 one (1) City conduit of 1.25 inch diameter, made of HDPE and in the segments described as follows:

Approximately 295 feet of conduit between access point N03W06-1294 on the south side of Canyon Blvd at 11th Street and access point N03W06-1415 on 11th Street at the alley between Canyon Blvd and Walnut St., City of Boulder and as shown on the attached Exhibit A.

B. **Assignment and Subletting.** Level 3 shall not assign the lease granted in this Section nor sublease, pledge or mortgage its interest in the Leased Conduit or any

part thereof without the express, written consent of the City; provided, however, that the consent of the City shall not be required for an assignment of Level 3's interest herein to an entity that directly or indirectly controls, is controlled by or is undercommon control with Level 3. Level 3 shall do no act that would in any way encumber the City's title to the Leased Conduit nor permit them to become subject to a lien of any kind.

3. **Term.** The term of this Agreement and the term of the lease granted herein (the "Term") shall commence upon the Boulder City Council's final approval of this Agreement (the "Effective Date") and shall terminate at 11:59 p.m. on the day before the tenth anniversary of the Effective Date, unless earlier terminated by either Party in accordance with the provisions herein.

4. **Lease Payment.** Immediately upon the execution of this Agreement, Level 3 shall pay to the City a one-time payment based on a formula of \$6.00 per linear foot per year, which for the term of the Agreement equals \$17,700.

5. **Use of Conduit.**

- A. **Installation in City Conduit.** Level 3 shall have the right to install telecommunications cabling inside the Leased Conduit.
- B. **Access Points.** Level 3 shall have access to the Leased Conduit at the points set out in Exhibit A.
- C. **Maintenance and Repair Responsibilities.** The City shall be responsible for the maintenance and repair of the Leased Conduit. Level 3 shall be responsible for the operation, maintenance and repair of any telecommunications cabling installed inside the Leased Conduit.
- D. **Design and Construction Standards.** Level 3 shall comply with all of the construction, restoration, inspection, and maintenance procedures and requirements set forth in the City's Design and Construction Standards and other City laws pertaining to the use of and work in the public right-of-way. Prior to installing any infrastructure in the public right-of-way, Level 3 shall obtain a permit to work in the public right-of-way that meets the requirements of Chapter 8-5 "Work in the Public Right-of-Way and Public Easements," B.R.C. 1981.
- E. **Relocation.** In the event the City decides to relocate any segment of the Leased Conduit, then pursuant to Section 8-5-14 of the Boulder Revised Code 1981, Level 3 shall be responsible for any expenses associated with the relocation of its telecommunications cabling installed inside the Leased Conduit. In the event of any relocation, the City agrees to provide Level 3 with sixty days notice in writing, unless failure to relocate poses a threat to health, safety or welfare of the public or individuals, as determined by the City, in which case the City shall have the right to move the conduit and fiber without such notice or with a lesser notice,

at Level 3's expense, and Level 3 shall reimburse the City within thirty days of its receipt of an invoice for the relocation.

- F. Repair of Damages. Level 3 agrees to promptly repair all damage caused by Level 3 or its contractors to any existing conduit or fiber optic cable owned by the City or any other entity. If such damage poses a threat to the health, safety or welfare of the public or individuals, the City may cause repairs to be made at Level 3's expense and Level 3 shall reimburse the City within thirty days of its receipt of an invoice for the repairs.
- G. Rights-of-Way. Level 3 understands that the City may, in its sole discretion, conduct work within the right of way for routine maintenance, repairs, paving and maintenance of utilities. The City may also need to conduct work within the right of way to respond to emergencies and other events affecting public safety. The City will use its best efforts to minimize interference with any telecommunication cabling installed within the Lease Conduit.

6. Notice. All notices, other than those provided for in Paragraph 7. A, above, shall be in writing and shall be delivered by certified mail return receipt requested or by overnight delivery that is capable of providing proof of delivery. Any such notice shall be deemed effective on the date of mailing. All notices shall be addressed to the Parties as specified below:

If to City: IT Director
City of Boulder
1101 Arapahoe Avenue
Boulder, CO 80302
Attention: Don Ingle

With a copy to: Office of the City Attorney
1777 Broadway, Second Floor
P.O. Box 791
Boulder, CO 80306

If to Level 3: Level 3 Communications, LLC
1025 Eldorado Boulevard
Broomfield, Colorado 80021
Attn: Director, Network Infrastructure Services

With a copy to: Level 3 Communications, LLC
1025 Eldorado Blvd.
Broomfield, Colorado 80021
Attn: General Counsel
Facsimile: (720) 888-5122

7. Utility Notification Center and Line Location. The Parties each agree to maintain membership in, and coordinate its activities with, the Utility Notification Center of Colorado and

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Conduit Lease-.doc

any successor organization coordinating location of utility lines. The Parties agree to respond promptly and appropriately to all line location requests from the public or from other utilities, whether or not such requests are made through the Utility Notification Center.

8. Removal/Ownership of Facilities. Upon the termination of this Agreement, and at the City's sole discretion, Level 3 shall either remove all facilities owned by Level 3 within the Leased Conduit, at Level 3's sole cost and expense, or abandon the facilities in place. All Level 3 facilities abandoned in place shall become the property of the City.

9. Termination.

- A. **Material Breach.** If either Party defaults in the performance of any material term of this Agreement and does not substantially cure such default within thirty (30) days after receiving written notice of such default, then the non-defaulting Party may terminate this Agreement by providing ten- (10-) days prior written notice of termination to the defaulting Party.
- B. **Bankruptcy or Insolvency.** Either Party may terminate this Agreement effective upon written notice stating its intention to terminate in the event the other Party: (1) makes a general assignment of all or substantially all of its assets for the benefit of its creditors; (2) applies for, consents to, or acquiesces in the appointment of a receiver, trustee, custodian, or liquidator for its business or all or substantially all of its assets; (3) files, or consents to or acquiesces in, a petition seeking relief or reorganization under any bankruptcy or insolvency Laws; or (4) files a petition seeking relief or reorganization under any bankruptcy or insolvency Laws is filed against that other Party and is not dismissed within sixty (60) days after it was filed.

10. Confidential Information.

- A. **Obligations.**
- (1) Records maintained by the City are subject to public disclosure pursuant to the Colorado Open Records Act, C.R.S. § 24-72-101, *et seq.* (“**CORA**”). Certain confidential business and other records are exempt under CORA or do not meet the definition of public records. If Level 3 provides to the City documents that include trade secrets, privileged information, or confidential commercial, financial, geological, or geophysical data, including a social security numbers, or if the City provides documents to Level 3 that it considers confidential or otherwise not subject to disclosure under CORA (“**Confidential Information**”), the Party disclosing Confidential Information (the “**Discloser**”) shall segregate any documents including Confidential Information from other documents provided to the Party receiving Confidential Information (the “**Recipient**”) and shall clearly identify such documents with a stamp,

watermark or other clear mark identifying the documents as Confidential Information.

- (2) Subject to the provisions and exceptions set forth in CORA, the Recipient (i) shall use such Confidential Information only in order to fulfill its obligations under this Agreement (the “**Purpose**”); (ii) shall reproduce such Confidential Information only to the extent necessary for the Purpose; (iii) shall restrict disclosure of such Confidential Information to its and its affiliates' employees and agents who need to know such Confidential Information to carry out the Purpose and who are not direct competitors of the Discloser (and shall require such employees and agents to undertake confidentiality and use obligations at least as restrictive as those Recipient assumes herein); (iv) shall not disclose such Confidential Information to any other party without prior written approval of the Discloser; and (v) shall protect such Confidential Information with at least the same degree of care as it normally exercises to protect its own proprietary information of a similar nature, which shall be no less than reasonable care. If Recipient discloses Confidential Information to an employee, affiliate, or other person in accordance with the terms of this Agreement, any subsequent disclosure or use of such Confidential Information by such employee, affiliate, or other person shall be deemed a disclosure or use by Recipient and Recipient shall be responsible for such disclosure or use.
- (3) The restrictions on use and disclosure of Confidential Information shall not apply unless such Confidential Information, when in tangible, electronic or viewable form is marked confidential or proprietary by Discloser, or when disclosed only orally is both identified as confidential or proprietary at the time of disclosure and summarized in a writing so marked and provided to Recipient within thirty (30) days following the oral disclosure; except that (i) any unmarked material and any verbally disclosed information that Recipient knows or reasonably should know to contain Confidential Information of the Discloser and all written or oral pricing and contract proposals exchanged between the Parties shall be subject to the use and disclosure restrictions of this Agreement. Within the 30-day period referenced above, all Confidential Information communicated only orally shall be subject to the use and disclosure restrictions of this Agreement.
- (4) Each Party shall ensure that its employees, agents, representatives, and independent contractors are advised of the confidential nature of the Confidential Information and are precluded from taking any action prohibited under this Section 11. Further, each Party agrees not to alter or remove any identification, copyright or other proprietary rights notice which indicates the ownership of any part of such Confidential Information by the other Party. A Party shall undertake to immediately notify the other Party in writing of all circumstances surrounding any

possession, use or knowledge of Confidential Information at any location or by any person or entity other than those authorized by this Agreement.

- (5) Notwithstanding the foregoing, nothing in this Agreement shall restrict either Party with respect to information or data identical or similar to that contained in the Confidential Information of the other Party but which (1) that Party rightfully possessed before it received such information from the other as evidenced by written documentation; (2) subsequently becomes publicly available through no fault of that Party; (3) is subsequently furnished rightfully to that Party by a third party without restrictions on use or disclosure; or (4) is required to be disclosed by law, provided that the disclosing Party will exercise reasonable efforts to notify the other Party prior to disclosure.
- (6) Level 3 shall notify the City if Level 3: (i) permits any person to review or gives to any person any document, photograph, tangible thing, or work product referred to in this Agreement if such person has not been authorized by the City in writing to review or receive such document, photograph, tangible thing, or work product; or (ii) receives a request for inspection, a request for production, a subpoena, a court summons, or a court order relating to any document, photograph, tangible thing, or work product referred to in this Agreement.

- B. Know-How. For the avoidance of doubt neither the City nor Level 3 shall be prevented from making use of know-how and principles learned or experience gained of a non-proprietary and non-confidential nature.
- C. Remedies. Each of the Parties agrees that if either of them, their officers, employees or anyone obtaining access to the Confidential Information of the other Party by, through or under them, breaches any provision of this Section 11, the non-breaching Party shall be entitled to an accounting and repayment of all profits, compensation, commissions, remunerations and benefits which the breaching Party, its officers or employees directly or indirectly realize or may realize as a result of or arising out of, or in connection with any such breach. In addition to, and not in limitation of the foregoing, in the event of any breach of this Section 11, the Parties agree that the non-breaching Party will suffer irreparable harm and that the total amount of monetary damages for any such injury to the non-breaching Party arising from a violation of this Section 11 would be impossible to calculate and would therefore be an inadequate remedy at law. Accordingly, the Parties agree that the non-breaching Party shall be entitled to temporary and permanent injunctive relief against the breaching Party, its officers or employees and such other rights and remedies to which the non-breaching Party may be entitled to at law, in equity or under this Agreement for any violation of this Section 11. The provisions of this Section 11 shall survive the expiration or termination of this Agreement for any reason.

11. Indemnification.

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- A. Indemnification. Level 3 shall indemnify, defend and hold harmless the City, its directors, officers, employees, and agents and the heirs, executors, successors, and permitted assigns of any of the foregoing (the “City Indemnitees”) from and against all losses, claims, obligations, demands, assessments, fines and penalties (whether civil or criminal), liabilities, expenses and costs (including reasonable fees and disbursements of legal counsel and accountants), bodily and other personal injuries, damage to tangible property, and other damages, of any kind or nature, suffered or incurred by a City Indemnitee directly or indirectly arising from or related to: (1) any negligent or intentional act or omission by Level 3 or its representatives in the performance of Level 3’s obligations under this Agreement, or (2) any material breach in a representation, warranty, covenant or obligation of Level 3 contained in this Agreement.

12. Insurance Requirements.

- A. Limits. Level 3 agrees to procure and maintain in force during the terms of this Agreement, at its own cost, the following minimum coverages:

(1) Workers’ Compensation and Employers’ Liability:

- (a) Any State in Which Services Performed: Statutory
- (b) Employer’s Liability: \$100,000 Each Accident
\$500,000 Disease-Policy Limit
\$100,000 Disease-Each Employee

(2) Commercial General Liability:

- (a) Bodily injury & Property Damage General Aggregate Limit: \$1,000,000
- (b) Products/Completed Operations Aggregate Limit: \$1,000,000
- (c) Personal & Advertising Injury Limit: \$1,000,000
- (d) Each Occurrence Limit: \$1,000,000

The policy shall be on an Occurrence Form and include the following coverages:

Premises Operations; Personal and Advertising Injury; Liability assumed under an Insured Contract; Independent Contractors; and Broad Form Property Damage. Coverage provided should be at least as broad as found in Insurance Services Office (ISO) form CG0001.

The policy shall include Additional Insured-Owners, Lessees or Contractors Endorsement for completed operations, ISCO CG 2037 form or equivalent.

This coverage shall remain in place for one (1) year after the project is complete.

(3) Commercial Automobile Liability Limits

- (a) Bodily Injury & Property Damage Combined Single Limits: \$1,000,000
- (b) Uninsured/Underinsured Motorist: \$ 100,000

Policies shall cover owned, non-owned, & hired autos.

- B. Coverage. Insurance required by this Agreement shall be primary coverage, unless otherwise specified, and shall specify that in the event of payment for any loss under the coverage provided, the insurance company shall have no right of recovery against the City or its insurers. All policies of insurance under this Agreement shall be provided by a reputable insurance company or companies qualified to conduct business in Colorado. The City reserves the right, but shall not have the duty, to reject any insurer which it finds to be unsatisfactory and insist that Level 3 substitute another insurer that is reasonably satisfactory to the City. Property and Liability Insurance Companies shall be licensed to do business in Colorado and shall have an AM Best rating of not less than A- VI. This insurance shall be maintained in full force and effect during the term of this Agreement and for the additional periods set forth herein and shall protect Level 3 , its agents, employees and representatives, from claims for damages for personal injury and wrongful death and for damages to property arising in any manner from negligent or wrongful acts or omissions of Level 3 , its agents, employees, and representatives in the performance of the Services covered herein.
- C. Additional Insureds. All insurance policies (except Workers Compensation and Professional Liability) shall include the City and its elected officials and employees as additional insureds as their interests may appear. The additional insured endorsement should be at least as broad as ISO form CG2010 for General Liability coverage and similar forms for Commercial Auto and Umbrella Liability.
- D. Notice of Cancellation. Each insurance policy required by the insurance provisions of this Agreement shall provide the required coverage and shall not be suspended, voided or canceled except after thirty (30) days prior written notice has been given to the City, except when cancellation is for non-payment of premium, then ten (10) days prior notice may be given. Such notice shall be sent directly to the City. If any insurance company refuses to provide the required notices, Level 3 or its insurance broker shall notify the City of any cancellation, suspension, or non-renewal of any insurance policy within seven (7) days of receipt of insurers' notification to that effect.
- E. Certificates. Certificates showing that the Level 3 is carrying the above-described insurance, and the status of the additional insureds, shall be furnished to the City prior to the execution of this Agreement by the City. Level 3, or Level 3's insurance broker, shall notify the City of any cancellation or reduction in coverage or limits of any insurance within seven (7) days of receipt of insurer's notification to that effect. Level 3 shall forthwith obtain and submit proof of substitute insurance in the event of expiration or cancellation of coverage.

13. Representations and Warranties. Each Party represents and warrants that:

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- A. It has full right and authority, including any requisite corporate authority, to perform its respective obligations under this Agreement;
- B. The execution of this Agreement is not violative of its charter, by-laws or any law, regulation or agreement by which it is bound or to which it is subject;
- C. No litigation or governmental proceeding is pending or threatened in writing which might have a material adverse effect on this Agreement, the transaction contemplated by this Agreement or the rights of the Parties hereunder.

14. Miscellaneous Provisions.

- A. Rules of Construction. The captions or headings in this Agreement are strictly for convenience and shall not be considered in interpreting this Agreement or as amplifying or limiting any of its content. Words in this Agreement which import the singular connotation shall be interpreted as plural, and words which import the plural connotation shall be interpreted as singular, as the identity of the Parties or objects referred to may require. Unless otherwise expressly provided herein, any agreement, instrument or statute defined or referred to herein or in any agreement or instrument that is referred to herein means such agreement, instrument or statute as from time to time amended, modified or supplemented, including (in the case of agreements or instruments) by waiver or consent and (in the case of statutes) by succession of comparable successor statutes and references to all attachments thereto and instruments incorporated therein.
- B. Joint Work Product. This Agreement is the joint work product of both Parties hereto, accordingly, in the event of ambiguity no presumption shall be imposed against any Party by reason of document preparation.
- C. Scope of Agreement. If the scope of any provision of this Agreement is too broad in any respect whatsoever to permit enforcement to its fullest extent, then such provision shall be enforced to the maximum extent permitted by law, and the Parties consent to and agree that such scope may be judicially modified accordingly and that the whole of such provision of this Agreement shall not thereby fail, but that the scope of such provision shall be curtailed only to the extent necessary to conform to law.
- D. Time of Performance. Time is expressly made of the essence with respect to each and every term and provision of this Agreement.
- E. Force Majeure. Neither Party shall be in default by reason of any failure or delay in performance of this Agreement of its terms and conditions, or one or more of its obligations hereunder, and such excused Party's performance of such obligation or obligations shall be excused and extended for and during the period of any such delay if such failure arises out of causes beyond the control of the non-performing Party including, but not restricted to, acts of God or nature, including an earthquake, flood or tornado; acts of governmental authority, government codes, ordinances, actions, laws, rules, regulations or restrictions;

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insurrections, war or civil disorder; fires, floods, accidents; epidemics, quarantines; restrictions; strikes or other labor disputes (other than such excused Party's employees); lack of or delay in transportation, freight embargoes, inability to secure raw materials or transportation facilities; acts of omissions of other entities or any and all other causes beyond such Party's reasonable control. Such Party shall notify the other Party in writing of the existence of the event relied on and the cessation or termination of said event of Force Majeure and such Party shall exercise commercially reasonable efforts to minimize the time of any such delay. If an event of Force Majeure continues for more than ninety (90) days, and if the non-affected Party cannot (i) resolve the matter within such time period or (ii) provide the affected Party with an alternative solution to such matter within the same time period, such alternative solution to be substantially similar in effect to the matter affected by the Force Majeure, the affected Party has the right to terminate this Agreement.

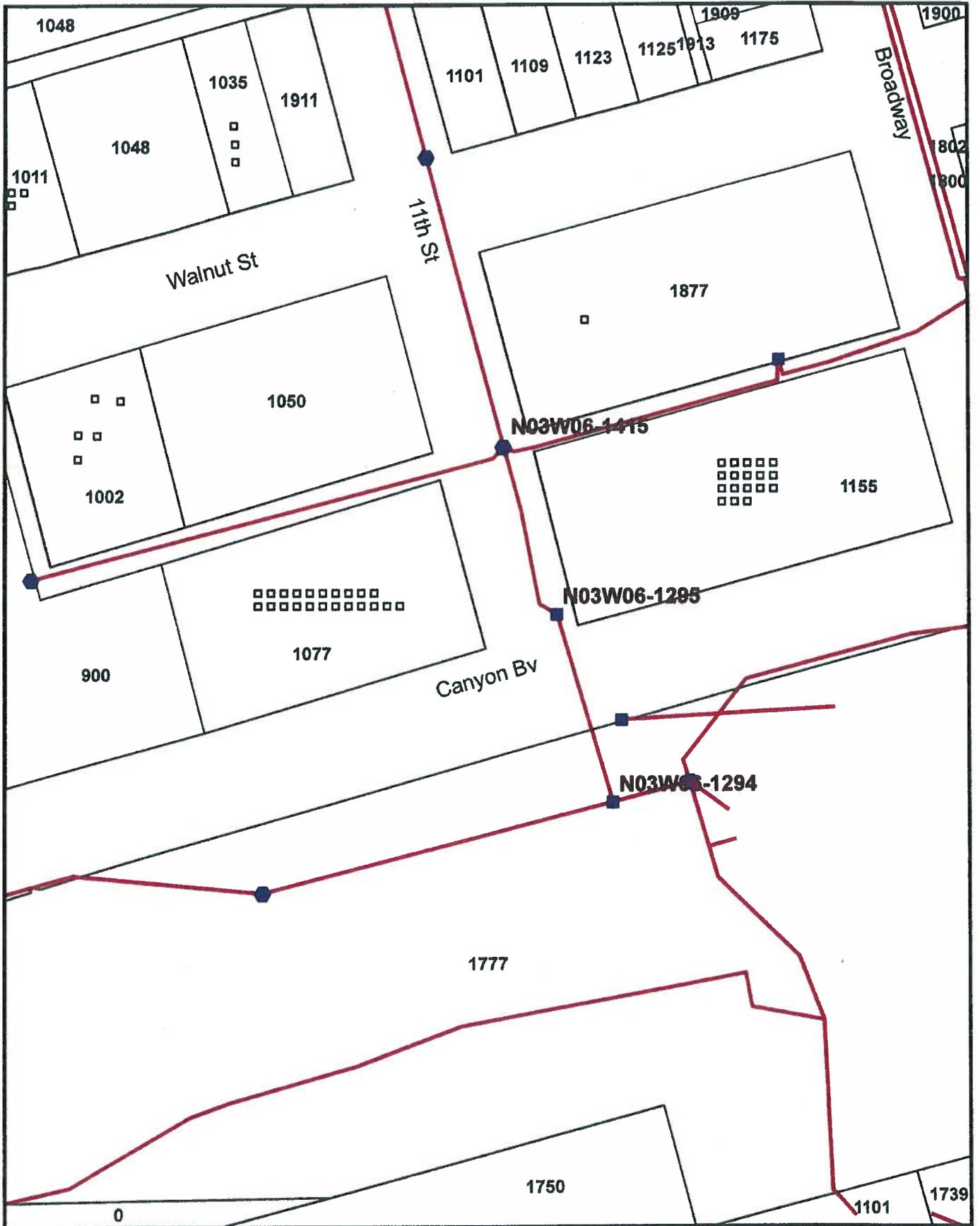
- F. Amendment. No amendments, changes or modifications to this Agreement shall be valid except if the same are in writing and signed by a duly authorized representative of each of the Parties. Neither Party shall assign any of its rights hereunder without the prior written consent of the other Party.
- G. Assignment. This Agreement may not be assigned by Level 3 without the prior written consent of the City. This Agreement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the Parties.
- H. Third Party Beneficiaries. This Agreement is entered into solely for the benefit of the Parties and shall not confer any rights upon any person or entity not a party to this Agreement.
- I. Waiver. The failure of either Party at any time to require performance by the other Party of any provision of this Agreement shall not effect in any way the full right to require such performance at any subsequent time; nor shall the waiver by either Party of a breach of any provision of this Agreement be taken or held to be a waiver of the provision itself.
- J. Applicable Law; Venue. Level 3 shall comply with all applicable Laws. This Agreement shall be construed in accordance with the Laws of the State of Colorado. Any action or proceeding brought to interpret or enforce the provisions of this Agreement shall be brought before the state or federal court situated in Boulder County, Colorado and each Party consents to jurisdiction and venue before such courts.
- K. Limitation on Liability. It is specifically understood and agreed that nothing in this Lease shall be construed as an express or implied waiver by the City of its governmental immunity or of the implied acceptance by the City of liabilities arising as a result of actions which lie in tort or could lie in tort in excess of the liabilities allowable under the Colorado Governmental Immunity Act, C.R.S. Sections 24-10-101, et seq., or as the assumption by the City of a debt, contract or

liability of Lessee in violation of Article XI, Section 1 of the Constitution of Colorado.

- L. Survival. Any and all provisions of this Agreement which, by their nature, would reasonably be expected to be complied with or performed after the expiration or termination of this Agreement, including the removal of equipment obligations set forth in Section 8 hereof, shall survive and be enforceable after the expiration or termination of this Agreement.
- M. Entire Agreement. This Agreement, including any Exhibits, contains the entire agreement between the Parties and supersedes all prior and contemporaneous communications, understandings and agreements with respect to the subject matter hereof, whether written or oral, expressed or implied. No other agreement, statement, promise, or practice between the Parties relating to the Agreement shall be binding upon the Parties.
- N. Counterparts. This Agreement may be executed in counterparts, each of which when executed and delivered shall be an original, but all of which shall constitute one and the same instrument. Facsimile signatures and scanned and emailed signatures shall be treated as originals.

[Signature page follows]

Exhibit A



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**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: June 17, 2014

AGENDA TITLE:

Second reading and consideration of a motion to adopt Ordinance No. 7979 designating the building and property at 2104 Bluff St., to be known as the Kelso House, as an individual landmark under the city's Historic Preservation Ordinance.

Owner/Applicant: Chad and Kristen Watson

PRESENTERS:

Jane S. Brautigam, City Manager

David Driskell, Executive Director of Community Planning & Sustainability

Lesli Ellis, Comprehensive Planning Manager

James M. Hewat, Senior Historic Preservation Planner

Marcy Cameron, Historic Preservation Planner

EXECUTIVE SUMMARY:

The purpose of this item is to allow City Council to determine whether the application for individual landmark designation of the building and property at 2104 Bluff St. meets the purposes and standards of the Historic Preservation Ordinance (*Sections 9-11-1 and 9-11-2, B.R.C. 1981*). The property owner made the application and is in support of the designation.

If approved, this ordinance (see **Attachment A**) would designate the building and property as an individual historic landmark. The findings are included in the ordinance. The application to landmark the property was submitted by the owner on February 27, 2014 and was reviewed in a public hearing by the Landmarks Board on May 7, 2014. The board voted 5-0 to recommend the designation to City Council. The second reading for this designation will be a quasi-judicial public hearing.

BACKGROUND:

On February 27, 2014, the city received an application from Chad and Kristen Watson for individual historic landmark designation of the property at 2104 Bluff St. A demolition permit application was initially submitted for the project, as a street-facing wall was proposed for removal. After discussions with the owner and architect, the demolition permit application was withdrawn and applications for landmark designation and a Landmark Alteration Certificate (LAC) were submitted. On March 12, 2014, the applicant received an LAC for the construction of a rear addition. Historic Boulder, Inc. holds a historic preservation easement on the property, a legal agreement stating that all changes to the property must be reviewed and approved by the organization. The applicant met with representatives of Historic Boulder, Inc. prior to issuance of a Landmark Alteration Certificate to review the proposed changes.



Figure 1. Location Map, 2104 Bluff St.

PROPERTY DESCRIPTION:

The property at 2104 Bluff St. is located on the northwest corner of 21st St. and Bluff St. An alley runs along the north edge of the property. It is located within the boundaries of the potential Walnut Street Historic District, which was identified in 1988.



*Figure 2: 2104 Bluff St., North Façade, Tax Assessor Card photograph c.1949.
Photograph Courtesy the Carnegie Branch Library for Local History.*

The one-and-one-half story building was built in 1903 and is an excellent example of an Edwardian cottage. The frame and masonry building has a varied roofline with flared gable and hipped roof dormers. The building's tall, center gable flares out into the semi-circular, wrap-around porch, which is supported by paired and single columns that rest upon paneled newel posts. Each gable end has a window with an architrave surround, and a second story balcony with simple supports is located on the north façade. The first-floor windows have segmental arches and stone sills, and the gabled ends are clad in painted wooden shingles. The original portion of the house remains largely intact with no significant alterations. A rear addition, constructed in 1994, closely reflects the design of the original house.

The 1987 Historic Building Inventory Form indicates that the building may be eligible for listing on the National Register of Historic Places and that it possesses high artistic value. *See Attachment B: 1987 Historic Building Inventory Form.*



Figure 3: North elevation, 2104 Bluff St., 2014.



Figure 4: Northwest corner, 2104 Bluff St., 2014.



Figure 5: West elevation, 2104 Bluff St., 2014.



Figure 6: Southwest corner, view of rear addition, 2104 Bluff St., 2014.

The 2100 block of Bluff St. first appears on the Sanborn Fire Insurance Maps in 1910. At that time, only the rear of the lot at 2104 Bluff St. is included, and shows two frame accessory buildings at the north end of the lot. In 1918, the full lot is included, and shows the one and a half story house with a wrap-around porch and a one-story, frame porch at the rear.

A one and a half story, frame building was located at the northwest corner of the lot and had a separate address (2230 21st St.). By 1931, the property only has one address and the rear building was used as an accessory structure. The rear porch was removed sometime after 1960, possibly at the time the addition was constructed in the 1990s.

In March 2014, the applicant received a Landmark Alteration Certificate for the construction of an addition at the rear of the house. Historic Boulder, Inc. holds a façade easement on the property whereby all exterior changes must be reviewed and approved by the organization.



WEST ELEVATION

SCALE : 1/4"=1'-0"

Figure 7: Existing West Elevation, Landmark Alteration Certificate plans, 2014.

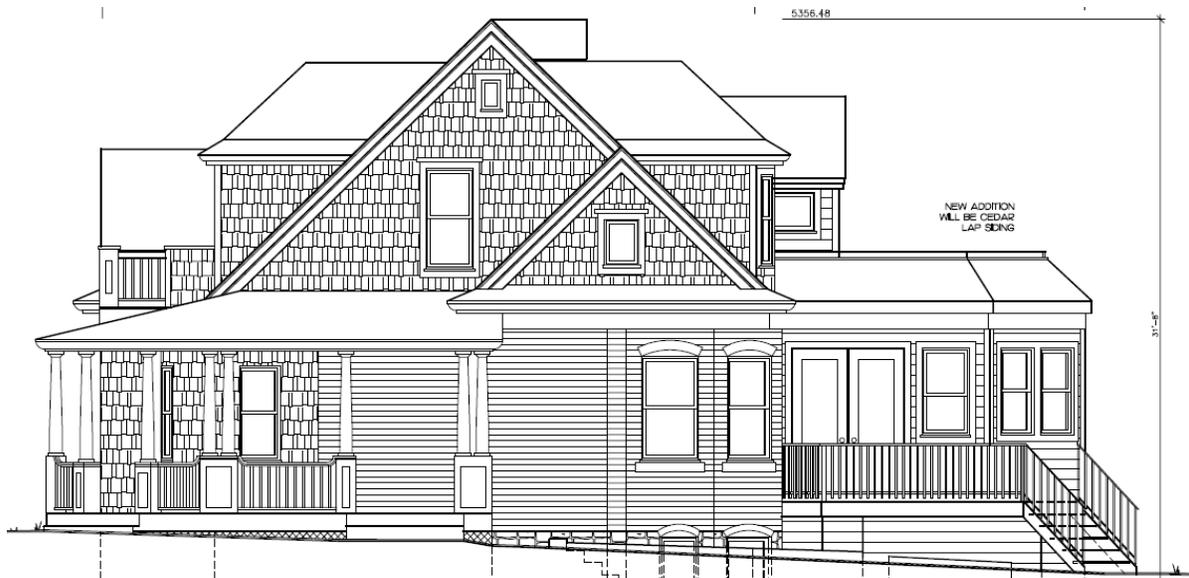


Figure 8: Proposed West Elevation, Landmark Alteration Certificate plans, 2014.

The house has had numerous owners over the past 109 years. In 1903, Helen Smith sold the lot to Fernando Neptune and a year later the address first appeared in city directories. Rev. Neptune lived here with his wife Mary and their son Robert. Rev. Neptune was a Methodist minister. By 1913 he and his wife had moved to San Diego, CA.



Figure 9: Rev. Fernando Neptune and his wife, Mary and son, Robert. Date unknown.

From 1906 until 1910, the property was owned by Lewen and Inez Nelson. Nelson had a poultry business near 13th and Pearl Streets. In 1910, Edward Fair, an Irish immigrant, resided in the house with his wife, Esther, their three children, his sister-in-law, and a live-in servant. Mr. Fair worked in a real estate office.

From 1911 until 1933, the house was owned by Lucy Hobson. Mrs. Hobson was born in 1846 in Ohio and was married to James H. Hobson (occupation unknown). Mrs. Hobson lived at 2104 Bluff St. with her daughter, Lola, and son-in-law, Leslie Kelso, two granddaughters, and Gladys Erickson, a live in maid who was born in Montana to Swedish parents.



Leslie B. Kelso, c.1920

Leslie B. Kelso was born in 1885 and moved to Boulder from St. Joseph, Missouri with his parents, Lewis and Rebecca Kelso, in 1902. He attended the State Preparatory School in Boulder, and married Lola Feron Hobson, an English instructor at the Prep school (later Boulder High School), in 1912. Active with local fraternal orders, Kelso was chancellor commander of the Boulder Lodge of the Knights of Pythias.

Kelso worked as a mortician with the J. G. Trezise Undertaking Company from 1902 to 1918. He served as deputy county coroner under his employer John G. Trezise from about 1910 until 1912 when he was elected as Democratic coroner to succeed Trezise. Kelso took office in 1913, beginning a popular tenure as Boulder county coroner. In 1919, Kelso opened his own funeral parlor after nearly seventeen years with the Trezise establishment. Kelso's funeral parlor was located in the Odd Fellows' building at the corner of Sixteenth and Pearl Streets in

Boulder, on the site previously occupied by the A. E. Howe mortuary.

The Boulder Daily Camera reported on April 29, 1945 that he sold his interest in the Kelso-Allardice Mortuary to his partner, John F. Allardice after 43 years in the mortuary business. Kelso and died in 1968, the same year he and his wife returned to Boulder after moving to Bradenton, Florida in 1947.

Kelso and his wife, Lola, had two daughters, Esther and Lorraine. Ether married James H. Lawer (Lauer) and resided in Plaski, Va. She died after surgery at a Denver hospital on Sept. 4th, 1964. Lorraine married Oscar B. Jacobson, vice president of Arapahoe Special Products, Inc., and later vice president of Arapahoe Chemicals, Inc.

After Lucy Hobson died, the property passed to Lola Kelso, who sold it a year later. The property was purchased and sold frequently in the 1930s and early 1940s, until Earl Bluebaugh purchased the property in 1943 and owned it until 1984.

Earl Bluebaugh (also seen spelled as Blubaugh) and his wife, Sophia, lived at 2104 Bluff St. from 1943 until 1984. In 1917, the Bluebaughs were married in Ft. Morgan, where Earl worked as a farm manager and they moved to Boulder in 1936. The Bluebaughs had six sons, Charles, Earl, Jr., Edward, Harold, Victor and Robert, and one daughter, Betty Lou. Earl and his wife owned and operated the Colorado Dairy from 1925 until 1946, when they sold it to Meadow Gold. From 1947 until 1957, they operated Bungalow Grocery, located at 10th and Aurora. Earl then began working at the Boulder-Denver Turnpike as a toll collector. Mr. and Mrs. Bluebaugh belonged to the First Presbyterian Church. Earl also belonged to the Boulder Elks Lodge No. 566 and his church's Senior Club. Mrs. Bluebaugh was a member of Royal Neighbors.

In 1984, Historic Boulder, Inc. purchased and restored the property as part of a hands-on workshop called Renovate Our Architectural Resources (R.O.A.R.) The project was given widespread publicity and received an award from the National Trust for Hsitoric Preservation. When the house subsequently went up for bid, it was purchased by two workshop participants, William and Ann Coburn. Historic Boulder, Inc. continues to hold a façade easement on the property; all exterior changes must be reviewed and approved by the organization.

The current owners purchased the property in 2011.

RECOMMENDATION:

Suggested Motion Language:

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

Motion to adopt Ordinance No. 7979, designating the building and the property at 2104 Bluff St., to be known as the Kelso House, as an individual landmark under the City of Boulder's Historic Preservation Ordinance.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

Economic: Owners of locally designated landmarked properties are eligible for state and local tax credits for approved rehabilitations and repairs, and studies have found that historic preservation adds to economic vitality and tourism. Exterior changes to individually landmarked buildings require a Landmark Alteration Certificate, issued by the Community Planning and Sustainability Department at no charge. The additional review process for landmarked buildings may, however, add time and design expense to a project.

Environmental: The preservation of historic buildings is inherently sustainable. Owners of individually landmarked buildings are encouraged to reuse and repair as much of the original building as possible when making exterior alterations, thereby reducing the amount of building material waste deposited in landfills. City staff can assist architects, contractors and homeowners with design and material selections and sources that are environmentally friendly. Also, the Historic Preservation website provides information on improving the energy efficiency of older buildings.

Social: The Historic Preservation Ordinance was adopted to “...enhance property values, stabilize neighborhoods, promote tourist trade and interest, and foster knowledge of the city’s living heritage.” Section 9-11-1 (a), B.R.C., 1981. The primary beneficiaries of historic designation are the property owners of a historic landmark and adjacent neighbors, who are ensured that the character of the immediate area will be protected through the design review process. The greater community also benefits from the preservation of the community’s character and history.

OTHER IMPACTS:

Fiscal: The designation of individual historic landmarks is an anticipated and ongoing function of the Historic Preservation Program.

Staff Time: This designation application is within the staff work plan.

LANDMARKS BOARD ACTION:

On May 7, 2014 the Landmarks Board voted 5-0 to recommend to City Council that the building at 2104 Bluff Street be designated as a local historic landmark, finding that it meets the standards for individual landmark designations in sections 9-11-1 and 9-11-2, B.R.C. 1981, and is consistent with the criteria specified in section 9-11-5(c), B.R.C. 1981.

ANALYSIS:

Criteria for Review

Section 9-11-6(b), B.R.C. 1981, specifies that during the review for an application for local landmark designation, the council must consider “whether the designation meets the purposes and standards in subsection 9-11-1(a) and section 9-11-2, “*City Council May Designate or Amend Landmarks and Historic Districts,*” B.R.C. 1981, in balance with the goals and policies of the Boulder Valley Comprehensive Plan” and provides that the City Council “shall approve by ordinance, modify and approve by ordinance, or disapprove the proposed designation.”

Historic, Architectural, and Environmental Significance

Staff finds that the proposed application to landmark the property at 2104 Bluff St. will protect, enhance, and perpetuate a property reminiscent of a past era important in local history and preserve an important example of Boulder's historic architecture. Staff considers the application to meet the historic criteria for individual landmark designation as outlined below:

HISTORICAL SIGNIFICANCE:

Summary: The house at 2104 Bluff St. is believed to have historic significance under criteria 1, 2, and 4.

1. Date of Construction: 1903

Elaboration: The house first appears in the city directories in 1903, shortly after the property was purchased by Rev. Fernando Neptune.

2. Association with Persons or Events: Leslie Kelso

Elaboration: Leslie Kelso was born in 1885 in St. Louis, MO. He came to Boulder, CO in 1902 and married Lola Hobson in 1912. Kelso worked as a mortician with the J.G. Trezise Undertaking Company from 1902 to 1918. He served as deputy county coroner under his employer John G. Trezise from about 1910 until 1912 when he was elected as Democratic coroner to succeed Trezise. Kelso took office in 1913, beginning a popular tenure as Boulder county coroner. In 1919, Kelso opened his own funeral parlor after nearly seventeen years with the Trezise establishment. Kelso's funeral parlor was located in the Odd Fellow's building at the corner of 16th and Pearl Streets and operated until 1945. He retired after 43 years in the mortuary business. He died in 1968 in Boulder.

3. Development of the Community: None observed

4. Recognition by Authorities: The 1987 Historic Building Form found the house to be an excellent example of an Edwardian cottage, a visual landmark, and an important addition to the architectural diversity of the Whittier neighborhood. The survey indicates that the building may be eligible for listing on the National Register of Historic Places and that it possesses high artistic value.

ARCHITECTURAL SIGNIFICANCE:

Summary: The house at 2104 Bluff St. is believed to have architectural significance under criteria 1 and 3.

1. Recognized Period or Style: Edwardian Cottage

Elaboration: The house is an excellent example of an Edwardian Cottage. The building's varied roofline and wall surfaces, wrap-around porch, and original porch detail, make it a visual landmark in the neighborhood. According to the *Guide to Colorado's Historic Architecture and Engineering*, the Edwardian form is similar to the Queen Anne style in form and massing but lacking in ornamentation. Edwardian building feature multi-gabled roofs, asymmetrical massing, simple surfaces, and occasionally wrap-around porches and classical detailing. The house at 2104 Bluff St. exhibits all of these elements, including a wrap-around porch, asymmetrical massing, multi-gabled roof and classical detailing.

- 2. **Architect or Builder of Prominence:** None observed
- 3. **Artistic Merit:** High Artistic Value
Elaboration: The house exhibits high artistic value, evidenced through its fine classical detailing and a skillful integration of design, material and color with is of excellent visual quality
- 4. **Example of the Uncommon:** None observed
- 5. **Indigenous Qualities:** None observed

ENVIRONMENTAL SIGNIFICANCE:

Summary: The house at 2003 Pine St. has environmental significance under criterion 3 and 5.

- 1. **Site Characteristics:** Situated in close proximity to east Pearl Street, this lot features mature trees and vegetation.
- 2. **Compatibility with Site:** None observed
- 3. **Geographic Importance:** This prominent corner lot is located across the street the landmarked Whittier School in the potential Whittier Historic District and features mature trees and vegetation. The house is a familiar visual feature in the neighborhood.
- 4. **Environmental Appropriateness:** None observed
- 5. **Area Integrity:** The property is located in the potential Whittier Historic District, which retains its residential historic character.

OPTIONS:

City Council may approve, modify or not approve the second reading ordinance.

Approved By:

Jane S. Brautigam,
 City Manager

ATTACHMENTS:

- A: Ordinance No. 7979
- B: Sections 9-11-1 and 9-11-2, “*Purposes and Intent*,” B.R.C., 1981
- C: Significance Criteria for individual landmarks

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ORDINANCE NO. 7979

AN ORDINANCE DESIGNATING THE BUILDING AND THE PROPERTY AT 2104 BLUFF STREET, CITY OF BOULDER, COLORADO, ALSO KNOWN AS THE KELSO HOUSE, A LANDMARK UNDER CHAPTER 9-11, "HISTORIC PRESERVATION" B.R.C. 1981, AND SETTING FORTH DETAILS IN RELATION THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. The council enacts this ordinance pursuant to its authority under Chapter 9-11, "Historic Preservation," B.R.C. 1981, to designate as a landmark a property having a special character or special historic, architectural, or aesthetic interest or value.

Section 2. The council finds that: 1) on or about February 27, 2014, property owner Chad Watson applied to the City of Boulder to designate the building and property at said property as a landmark; 2) the Landmarks Board held a public hearing on the proposed designation on May 7, 2014; and 3) on May 7, 2014, the board recommended that the council approve the proposed designation.

Section 3. The council also finds that upon public notice required by law, the council held a public hearing on the proposed designation on June 3, 2014 and upon the basis of the presentations at that hearing finds that the building and the property at 2104 Bluff Street does possess a special character and special historic, architectural, or aesthetic interest or value warranting its designation as a landmark.

Section 4. The characteristics of the subject property that justify its designation as a landmark are: 1) its historic significance is relevant to its construction in 1903, its association with Leslie Kelso, and its recognition as a example of an Edwardian cottage 2) its architectural significance

1 indicative of the Edwardian Cottage style, evidenced in its varied roof line, wrap-around porch
2 and classical detailing, and its high artistic value through a skillful integration of design, material
3 and color; and 3) its environmental significance for its geographic importance as a prominent
4 visual landmark within the potential Whittier Historic District, which retains its residential
5 historic character.

6 Section 5. The council further finds that the foregoing landmark designation is necessary
7 to promote the public health, safety, and welfare of the residents of the city.

8 Section 6. There is hereby created as a landmark the building and property located at
9 2104 Bluff Street, also known as the Kelso House, whose legal landmark boundary is identical to
10 the boundary of the legal lots upon which it sits:

11 LOT 6 BLK 182 BOULDER EAST, BOULDER COUNTY, COLORADO
12 as depicted in the proposed landmark boundary map, attached hereto as Exhibit A.

13 Section 7. The council directs that the department of Community Planning and
14 Sustainability give prompt notice of this designation to the property owner and cause a copy of
15 this ordinance to be recorded as described in Subsection 9-11-6(d), B.R.C. 1981.

16 Section 8. The council deems it appropriate that this ordinance be published by title only
17 and orders that copies of this ordinance be made available in the office of the city clerk for public
18 inspection and acquisition.

19
20 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE
21 ONLY THIS 3RD DAY OF JUNE 2014.

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24 _____
25 Mayor

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Attest:

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY
TITLE ONLY THIS 17TH DAY OF JUNE, 2014.

Mayor

Attest:

City Clerk

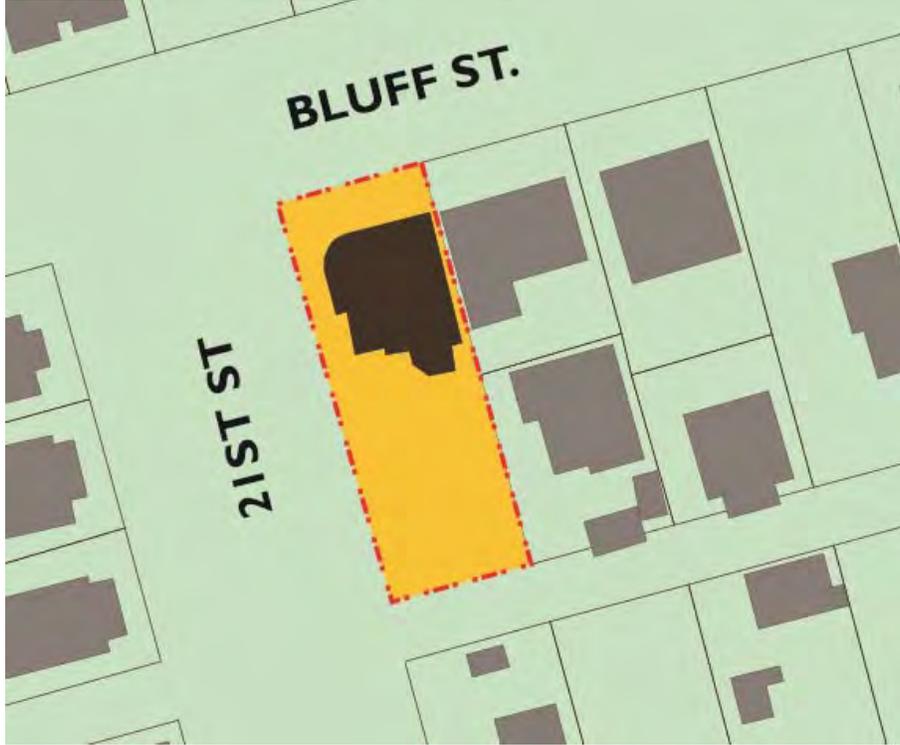


Exhibit A – Landmark Boundary Map for 2104 Bluff St.

LOT 6 BLK 182 BOULDER EAST, BOULDER COUNTY, COLORADO

**9-11-1 & 9-11-2 Purposes and Intent
Boulder Revised Code, 1981**

9-11-1: *Purpose and Legislative Intent* states:

- (a) The purpose of this chapter is to promote the public health, safety, and welfare by protecting, enhancing, and perpetuating buildings, sites, and areas of the city reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past. It is also the purpose of this chapter to develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize neighborhoods, promote tourist trade and interest, and foster knowledge of the city's living heritage.
- (b) The City Council does not intend by this chapter to preserve every old building in the city but instead to draw a reasonable balance between private property rights and the public interest in preserving the city's cultural, historic, and architectural heritage by ensuring that demolition of buildings and structures important to that heritage will be carefully weighed with other alternatives and that alterations to such buildings and structures and new construction will respect the character of each such setting, not by imitating surrounding structures, but by being compatible with them.
- (c) The City Council intends that in reviewing applications for alterations to and new construction on landmarks or structures in a historic district, the Landmarks Board shall follow relevant city policies, including, without limitation, energy-efficient design, access for the disabled and creative approaches to renovation.

9-11-2: *City Council may Designate or Amend Landmarks and Historic Districts* states:

- (a) Pursuant to the procedures in this chapter the City Council may by ordinance:
 - (1) Designate as a landmark an individual building or other feature or an integrated group of structures or features on a single lot or site having a special character and historical, architectural, or aesthetic interest or value and designate a landmark site for each landmark;
 - (2) Designate as a historic district a contiguous area containing a number of sites, buildings, structures or features having a special character and historical, architectural, or aesthetic interest or value and constituting a distinct section of the city;
 - (3) Designate as a discontinuous historic district a collection of sites, buildings, structures, or features which are contained in two or more geographically separate areas, having a special character and historical, architectural, or aesthetic interest or value that are united together by historical, architectural, or aesthetic characteristics; and
 - (4) Amend designations to add features or property to or from the site or district.
- (b) Upon designation, the property included in any such designation is subject to all the requirements of this code and other ordinances of the city.

SIGNIFICANCE CRITERIA

Individual Landmark

September 1975

On September 6, 1975, the City Council adopted Ordinance #4000 providing procedures for the designation of Landmarks and Historic Districts in the City of Boulder. The purpose of the ordinance is the preservation of the City's permitted cultural, historic, and architectural heritage. The Landmarks Board is permitted by the ordinance to adopt rules and regulations as it deems necessary for its own organization and procedures. The following Significance Criteria have been adopted by the board to help evaluate each potential designation in a consistent and equitable manner.

Historic Significance

The place (building, site, area) should show character, interest or value as part of the development, heritage, or cultural characteristics of the community, state or nation; be the site of a historic, or prehistoric event that had an effect upon society; or exemplify the cultural, political, economic, or social heritage of the community.

Date of Construction: This area of consideration places particular importance on the age of the structure.

Association with Historical Persons or Events: This association could be national, state, or local.

Distinction in the Development of the Community of Boulder: This is most applicable to an institution (religious, educational, civic, etc) or business structure, though in some cases residences might qualify. It stresses the importance of preserving those places which demonstrate the growth during different time spans in the history of Boulder, in order to maintain an awareness of our cultural, economic, social or political heritage.

Recognition by Authorities: If it is recognized by Historic Boulder, Inc. the Boulder Historical Society, local historians (Barker, Crossen, Frink, Gladden, Paddock, Schooland, etc), State Historical Society, The Improvement of Boulder, Colorado by F.L. Olmsted, or others in published form as having historic interest and value.

Other, if applicable.

Architectural Significance

The place should embody those distinguishing characteristics of an architectural type specimen, a good example of the common; be the work of an architect or master builder, known nationally, state-wide, or locally, and perhaps whose work has influenced later development; contain elements of architectural design, detail, materials or craftsmanship which represent a significant innovation; or be a fine example of the uncommon.

Recognized Period/Style: It should exemplify specific elements of an architectural period/style, i.e.: Victorian, Revival styles, such as described by *Historic American Building Survey Criteria*, Gingerbread Age (Maass), 76 Boulder Homes (Barkar), The History of Architectural Style (Marcus/Wiffin), Architecture in San Francisco (Gebhard et al), History of Architecture (Fletcher), Architecture/Colorado, and any other published source of universal or local analysis of a style.

Architect or Builder of Prominence: A good example of the work of an architect or builder who is recognized for expertise in his field nationally, state-wide, or locally.

Artistic Merit: A skillful integration of design, material, and color which is of excellent visual quality and/or demonstrates superior craftsmanship.

Example of the Uncommon: Elements of architectural design, details, or craftsmanship that are representative of a significant innovation.

Indigenous Qualities: A style or material that is particularly associated with the Boulder area.

Other, if applicable.

Environmental Significance

The place should enhance the variety, interest, and sense of identity of the community by the protection of the unique natural and man-made environment.

Site Characteristics: It should be of high quality in terms of planned or natural vegetation.

Compatibility with Site: Consideration will be given to scale, massing placement, or other qualities of design with respect to its site.

Geographic Importance: Due to its unique location or singular physical characteristics, it represents an established and familiar visual feature of the community.

Environmental Appropriateness: The surroundings are complementary and/or it is situated in a manner particularly suited to its function.

Area Integrity: Places which provide historical, architectural, or environmental importance and continuity of an existing condition, although taken singularly or out of context might not qualify under other criteria.



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: June 17, 2014

AGENDA TITLE: Boulder Civic Area Implementation Overview

PRESENTERS

Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning and Sustainability
Maureen Rait, Executive Director of Public Works
Jeff Dillon, Interim Director of Parks and Recreation
Paul Leef, Boulder Civic Area Redevelopment Project Manager
Jody Tableporter, Boulder Civic Area Redevelopment Project Manager

EXECUTIVE SUMMARY

On Sep 3, 2013, City Council approved the vision plan for the Boulder Civic Area, a document that encapsulates eighteen months of input, engagement and the aspirations of more than 5,000 Boulder residents, businesses and stakeholders. The vision plan established the goals, guiding principles and core themes for the Civic Area describing a new 'Civic Heart of Boulder' that embraces outdoor culture and nature, and provides a place for community activity and arts, among many other features.

The aspirations of the vision plan are now the delivery objectives for the implementation plan. Work to realize those objectives are being advanced in three integrated work strands:

- **Activation**
- **Transformation: Near-Term Site Improvements** (subject of the Pay-As-You-Go submission)
- **New Facilities: Long-Term Capital Project Development**

The purpose of this agenda item is to provide council with an overview of implementation activities and work efforts planned in 2014 and into 2015 to achieve both near-term and long-term steps toward achieving the Civic Area vision. Council, key stakeholders and the broader community will be engaged in specific aspects of each area of work as the implementation process moves forward (e.g., in reviewing the master plan

design) and will review budget proposals necessary to support the implementation effort in (1) the Pay-As-You-Go proposal (for near-term site redevelopment) and (2) the 2015 proposed budget and CIP (for activation as well as for programming, design and feasibility analyses for the long-term capital projects leading to a potential 2016 bond measure).

The remainder of this memo provides an overview of the key implementation efforts in each of the three strands of work.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – Overall, the investment in the Civic Area called for in the plan will help support the continued economic vitality of the downtown and surrounding area. More detailed analysis of the financial feasibility and economic impacts of implementing specific elements of the plan are now being prepared as part of the Implementation Phase. Major elements include a redesigned urban park at the core flanked by mixed-use activity centers, potentially including a public market hall, wrapped structured parking, performing arts space, and a mixed-use community services/innovation and events center.
- **Environmental** – The plan aims to improve the ecological health and water quality of Boulder Creek by expanding and improving adjacent green space, while providing opportunities for its enjoyment by the public. In addition, future pedestrian, bicycle and transit improvements will help reduce or minimize vehicular trips and their associated greenhouse gas emissions. The removal of surface parking lots will improve ground permeability and reduce the urban heat island effect in the area.
- **Social** – A key component of the plan is to improve life and property safety by removing buildings and parking from the Boulder Creek High Hazard Flood Zone. In addition, the enhancements to the Civic Area outlined in the plan will be planned and designed to be inclusive, welcoming and appealing to a diverse population of all ages, incomes, ethnicities, abilities and interests. Numerous local organizations and groups have and will continue to partner with the city in creating and realizing the vision for the area.

OTHER IMPACTS

- **Fiscal** – Civic area implementation is a key council priority and a core part of the city's 2014 work plan. Funding to support 2014 implementation activities was approved as part of the 2014 budget. Analysis of the fiscal impacts and benefits of further investment in the Civic Area will be conducted as part of the proposed implementation work effort.

BACKGROUND

The Plan for Boulder's Civic Area was [approved by City Council on Sept. 3, 2014](#).

See the adopted [Boulder Civic Area Vision Plan](#). For background on the 2012/2013 Civic Area public process, watch the [Boulder Civic Area: Year of Collaboration](#) video.

ANALYSIS

Implicit in the work proposed, collectively and under each of the three concurrent work strands for implementation, are the following assumptions:

- **City's leadership role.** In the initial years, the city will need to actively invest to develop momentum, engender a sense that positive change is possible, and spur potential interest and investment from external partners. Over time, responsibility could shift to others who are attracted by the area's early transformation and potential (e.g., the events coordination to an arts non-profit or overall site management to a conservancy).
- **Interrelatedness of the work strands.** The proposed strands function as three legs of a stool: each element is essential, interrelates to the others, and contributes to the whole. The "Activation" work creates near-term changes in use and activity that help change perceptions of the area and create near-term value; the "Transformation" work proposed in the near-term site redevelopment initiates a substantial change in the area's physical environment and usefulness, creating beautiful space and platforms for further activation; and the New Facilities create the book-ends that fully activate the area and provide permanent indoor homes for a wide range of community-serving organizations, amenities and events.
- **Future return on investment from activation.** Working with partners to create and/or enhance events and activities in the Civic Area helps to provide positive visitor experiences, and changes, over time, the public's perception of the area. This in turn can attract more people, more eyes on the park, and enhanced safety, and attract additional partners and investment, including partners who could potentially assume programming responsibility. In addition, the Civic Area can serve as the venue to pilot the programming that may be offered within proposed capital projects (e.g., a performing arts venue). The vision plan has already created renewed interest in the surrounding area as evidenced by recent activity in relation to the James Travel Site, Yokum Building, One Boulder Plaza and others.
- **Necessity of Near-term Transformation through Site Improvements.** As documented in the Civic Area vision plan, the area falls short of its promise as a community destination and civic 'heart' with a special and coherent sense of place. Both daily users and visitors experience it as a series of fragmented spaces (the library, bike path cut-through, Tea House, etc.) with very little sense of the area as a cohesive whole. Physical transformation is needed to fulfill community aspirations in three critical thematic areas: The Creek at the Core, Community Spaces, and Connections and Access.

- **Gaps being filled by Major Capital Projects.** The community identified a number of capital projects that would serve unmet needs and activate the Civic Area. The long list of needs will be reduced to a shorter list of deliverable and fundable projects for a potential 2016 bond measure. Some projects require greater degrees of due diligence than others, and achieving the right mix, with appropriate synergies between adjacent uses, is key.

IMPLEMENTATION PLAN OVERVIEW

Following are brief narrative overviews of each of three strands of implementation work in 2014 and 2015:

1. Activation: Near-term Events and Communications

Key work efforts to support near-term activation of the Civic Area are outlined below. Funding for increased activation work in the coming year will be proposed as part of the 2015 budget.

- **Hiring seasonal ambassadors** to welcome residents and visitors to the Civic Area, assist in delivering programming, and helping to ensure safety. This would be a repeating expense in each year.
- **Working with partners to deliver events/programming** to bring people back to the Civic Area, create positive experiences and foster future support. The cost will be highest in 2015, with the city and partners showing leadership to help fund and coordinate a targeted series of events in the Civic Area. The goal in the near-term is that partners increasingly assume responsibility for programming, whether through a formal or informal relationship. Over time, events management could also be shifted to a Civic Area management organization, should that be established.
- **Developing and disseminating a Civic Area/downtown events calendar** that allows citizens and visitors to easily access the activities being offered across the Civic Area (by all partners and sponsors) and downtown.

2. Transformation: Near-Term Site Improvements

The activities associated with the near-term site redevelopment include:

- **Hiring a design firm to complete a Site Improvements Master Plan** for the Civic Area. This process will engage the community and key stakeholders in developing a detailed design plan for the public spaces of the Civic Area. The resulting document will become the roadmap for the physical redevelopment of the site, building on the adopted plan's guiding principles and community vision.
- **Commissioning necessary technical reports and surveys** to underpin knowledge of site constraints, existing conditions and opportunities (e.g., topographic mapping, flood risk, etc.).
- **Completing part of the detailed schematic design** to transform the master plan into detailed plans for site reconstruction.

While a portion of the city's 2014 budget will support the initial work toward development of the site master plan, much of the work effort (completing the designs for construction and year-one of the actual site redevelopment) will be supported by the proposed Pay-As-You-Go funding. In the event the Pay-As-You-Go funding is not approved, these work efforts will need to be considered as part of the 2016 budget process.

3. New Facilities: Capital Project Development

The activities associated with capital project development, which are one-time and non-recurring costs, are outlined below. These activities will be included for funded consideration as part of the 2015 proposed budget and CIP.

- **Hosting a series of public/private work groups to further develop capital projects.** These work groups are organized around topics (i.e., Food, Art, Services and Innovation, etc.) with the goal of creating a combined shortlist of Civic Area capital projects. Some groups will start at an earlier stage and their topics will require further conceptual development (the city's service/innovation facility), while others are more advanced and will address issues like partnerships and funding (Civic Use Pad). The work groups will bring in subject matter experts and panels to present leading edge trends and best practices. Smaller work sessions will be sequenced with larger engagement opportunities to continue the Civic Area's commitment to community input and to creating a place that embodies community values and priorities.
- **Hosting internal workshops to develop service and innovation concepts.** The management team will be convened to determine overall goals for relocation/consolidation and opportunities for new and improved work flow, cross-departmental working environments, and enhanced service delivery. A parallel process will be used to evaluate the space program being developed by the Boulder Chamber as part of their Innovation HQ 3.0 initiative and opportunities for synergies and potential co-location with city offices.
- **Bringing in consultants to assist with space programming and concept development.** Expert consultants will be engaged to assist with the Market Hall concept, Complete Streets options and the city's new service/innovation approaches, among others.
- **Commissioning technical reports.** Detailed work is needed to advance projects to a delivery stage; identify potential issues related to adaptive building reuse (e.g., the Bandshell and Canyon Theater at North Library) and site redevelopment. The types of reports include due diligence work related to geotechnical conditions, hazardous materials surveys, historical surveys, parking, flood requirements, and other potential project feasibility issues and cost impacts.

Related Civic Area activities

Other activities that will contribute to the overall successful implementation of the civic area plan include.

- **Civic Use Pad:** Creating an event space on the Civic Use pad in collaboration with the St. Julien hotel will create a strong synergy with improvements being made within the Civic Area.
- **Near-term Park Improvements:** The Parks and Recreation Department is supporting the civic area vision through a number of “tidy up” projects to improve the general appearance, functioning and safety of the Civic Area. These projects have included landscaping, irrigation, painting and other improvements, as well as provision of café tables and chairs. A list is provided on the map in Attachment B.
- **Police Department:** The police department has assisted through increasing security and patrols throughout the Civic Area.
- **Library and Arts:** Library and Arts are planning programming in the park to assist with activation. The recently completed “BotJoy” art project at 13th and Arapahoe is a good example of how art can help improve and activate the area.

Detailed budget and 2015 budget summary

At the June 17 council meeting, a separate agenda item will discuss the proposed Civic Area funding for consideration as part of a “Pay-As-You-Go” bond measure in November 2014. If this funding is included in the measure, and approved by voters, it will contribute significantly to the area’s near-term transformation, supporting the design work and near-term site redevelopment described in this memo.

Subsequently, council will see additional funding requests to support both near-term “Activation” work (as part of the proposed 2015 operations budget) and long-term New Facilities / Major Capital Projects (as part of the proposed 2015 CIP). These items will be covered in detail as part of future council study sessions, with anticipated council adoption of a final 2015 budget and CIP in October of this year.

NEXT STEPS

- **Site improvements:** A Request for Qualifications (RFQ) for master site planning and design services will be issued in June and a consulting team will be hired for start of design work in early September, 2014. Council will be invited to the kick-off open house meeting in September.
- **Major Capital Projects:** Formation of work groups will occur this summer and public meetings convened late summer and early fall.
- Additional activities are detailed the Boulder Civic Area timeline, Attachment A

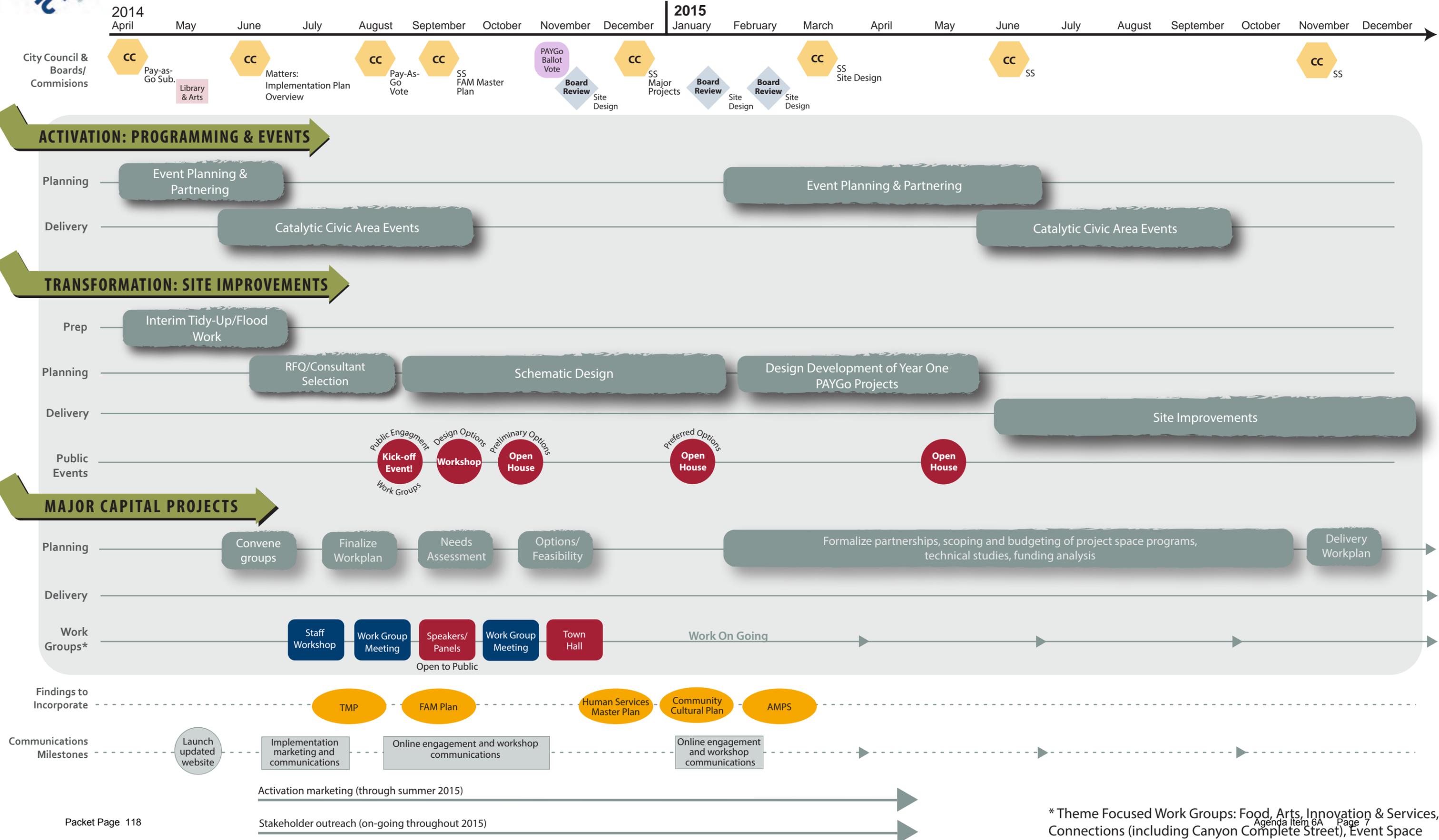
ATTACHMENTS

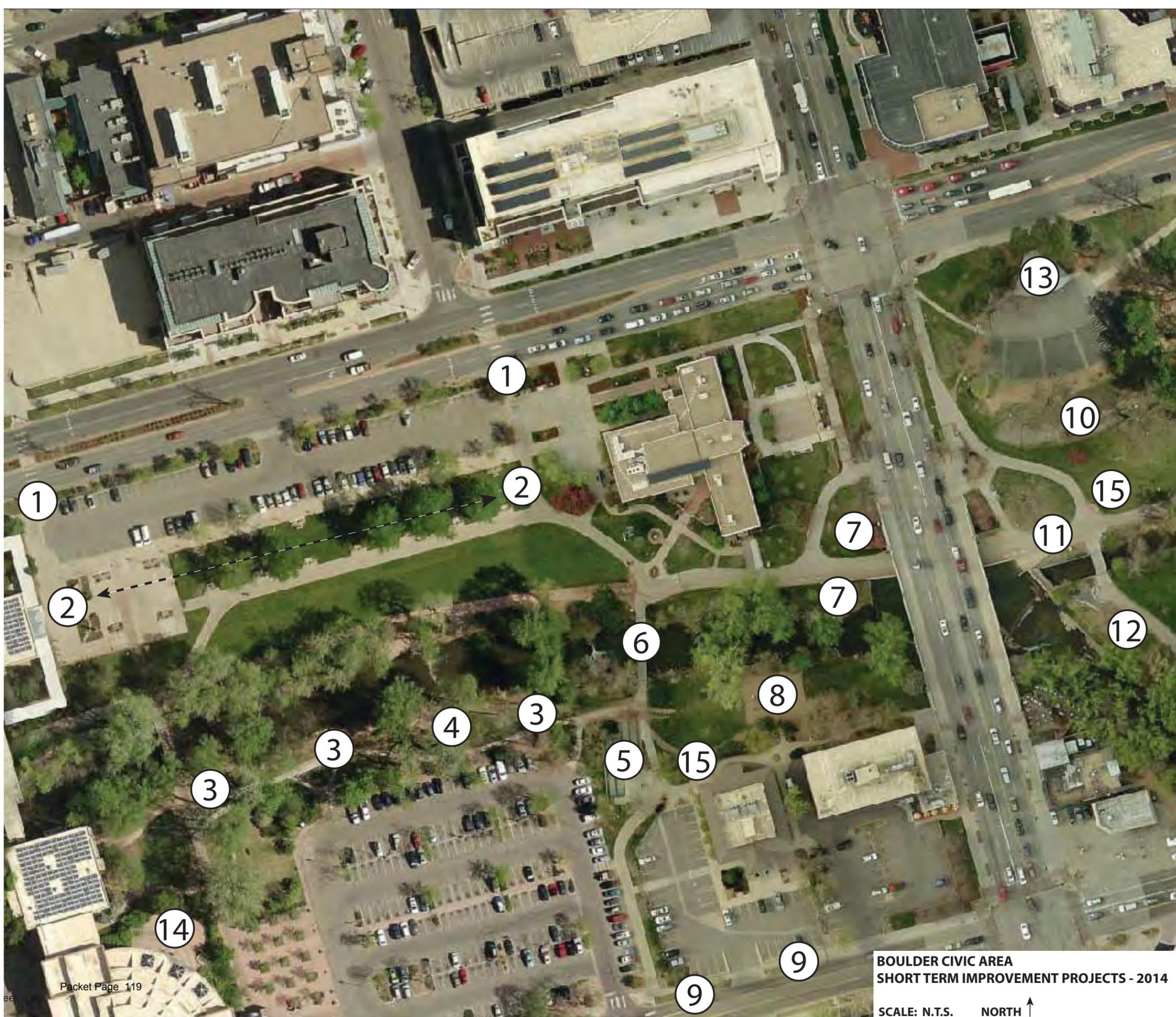
Attachment A: Civic Area Implementation Timeline

Attachment B: 2014 Park Improvement Projects



Boulder Civic Area: 2014-2015 Timeline





Area 1 – Canyon Blvd. from Library crosswalk to 11th St. crosswalk

1. Provide entry plantings at Library and 11th St. crosswalks along Canyon
2. Remove vegetation along Canyon from crosswalk to crosswalk
3. Provide irrigation along this strip for enhanced plantings

Area 2 – Library Arts Project

1. Install temporary sound / art display

Area 3 – Turf area south immediately south of Boulder Creek from library bridge crossing to municipal building crossing

1. Aerate, seed, top dress turf areas south side of Boulder Creek from library bridge crossing to municipal building bridge crossing
2. Irrigation improvements/renovation

Area 4 – South International Peace Garden Plaza

1. Clean out planters
2. Provide special plantings
3. Provide new irrigation
4. Coordinate 2015 volunteer activities

Area 5 – Shuffle board courts

1. Remove junipers
2. Add reseed / turf

Area 6 – Bridge at municipal bridge - C.P.T.E.D.

1. Prune trees at north and south bridge landings
2. Improve security lighting (FAM)

Area 7 – North and south planters immediately west of Broadway underpass

1. Clean up and remove debris

Area 8 – Playground at Park Central Building

1. Remove playground
2. Renovate irrigation
3. Seed / turf area

Area 9 – Planter strip from HR parking to library parking along Arapahoe

1. Clean-up rock mulch and replace

Area 10 – Fenced in railroad tracks at band shell

1. Remove fencing at railroad tracks - (Historic review)
2. Remove and store railroad tracks - (Historic review)
3. Add topsoil and planting beds (September)
4. Provide daffodil plantings
5. Provide irrigation

Area 11 – Planters east of Broadway underpass

1. Clean up planters
2. Provide concreted rock mulch on south planter adjacent to ditch

Area 12 – Gilbert White Memorial

1. Clean up memorial area
2. Re-seed and top dress as appropriate

Area 13 – Band shell

1. Clean and re-paint band shell (completed)
2. Scrape and re-paint benches

Area 14 - Library Pool Garden

1. Clean up / open visually
2. Add access points
3. Planting in beds
4. Add cafe tables and chairs

Area 15 - Temporary Informational Signs

**BOULDER CIVIC AREA
SHORT TERM IMPROVEMENT PROJECTS - 2014**

SCALE: N.T.S.





CITY OF BOULDER CITY COUNCIL AGENDA ITEM

MEETING DATE: June 17, 2014

AGENDA TITLE

Discussion of Potential Ballot Issues

PRESENTERS

Jane S. Brautigam, City Manager

Tom Carr, City Attorney

Bob Eichen, Chief Financial Officer

David Driskell, Executive Director of Community Planning and Sustainability

Maureen Rait, Executive Director of Public Works

Molly Winter, Director of Downtown and University Hill Management/Parking Services

Alisa Lewis, City Clerk

Peggy Bunzli, Budget Officer

EXECUTIVE SUMMARY

In preparation for the discussion of this agenda item city council members have reviewed or considered potential 2014 ballot items in two previous meetings during 2014. The first was Feb. 18, and the second was on April 22. The electronic links to these two agenda packets can be found in the background and analysis part of this agenda item.

One purpose of the April 22 study session was to provide a mechanism for council members to consider and provide input and feedback regarding potential ballot items for 2014. As a part of the capital phase of the Comprehensive Financial Strategy, one of the ballot items brought forward to council for consideration was for Pay as you Go (PAYG) financing for a limited number of capital projects. Projects discussed included city capital projects and non profit capital projects. This current agenda item provides additional information about PAYG capital items that could be included in a temporary sales and use tax increase.

Other potential ballot items discussed at the April 22 study session were ballot measures to re-establish the city's right to provide telecommunications (e.g. broadband services) and potential charter changes. Both of these items will come to council as separate agenda items.

Feedback and direction received from the City Council will inform staff of what next steps need to be completed for 2014 ballot measures.

STAFF RECOMMENDATION

Suggested Motion Language:

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

Motion to direct the City Manager to proceed with preparing a ballot item for first reading and City Council consideration on July 15 that would place on the November ballot a measure that would raise the sales and use tax rate by .3% for three years, of which .2% would be used for city capital projects and .1% for non-profit projects in the City of Boulder.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic:
 - An increase in the sales and use tax rate would create an incremental economic impact equal to the amount of the tax increase approved by the voters. Any increase would be charged on all retail purchases, and items subject to use tax for the length of the tax. The new revenue collected would provide increased funds for capital projects that can help the economic vitality of the city.
- Environmental:
 - It is expected that some of the capital projects that would be funded with this tax increase may generate more travel to the City of Boulder to enjoy the improvements made in the city. At the same time, the projects would include efficient and effective improvements to infrastructure, which would help address environmental sustainability.
- Social:
 - It is projected that an increase in the sales and use tax would provide more opportunities for everyone to enjoy the uniqueness of the quality of life in Boulder.

OTHER IMPACTS

- Fiscal: Each one tenth increase in the sales and use tax rate increases the tax on a hundred dollar purchase by ten cents. Other fiscal impacts to the city are covered in the background and analysis sections of this agenda item.

- Staff time: The staff time needed to complete the background work for ballot items is included within the departmental work plans.

BOARD AND COMMISSION FEEDBACK

This is the formative stage of the ballot process so no board or commission feedback has been solicited at this time. If council decided to move a ballot issue forward, any needed board or commission input would be sought at a later time.

PUBLIC FEEDBACK

This is the formative stage of the ballot process so no formal process has been used to solicit specific feedback at this time. If council decides to move a ballot issue forward various methods will be used to obtain public feedback.

BACKGROUND AND ANALYSIS

The following link leads to the Feb. 18 agenda packet when 2014 ballot items were considered briefly by the City Council.

[February 18 Comprehensive Financial Strategy Update](#)

As follow up to the Feb. 18 meeting, more specific ballot topics were considered at the April 22 study session. The summary and answers to most of the questions asked by council members at the April 22 study session were provided in the June 3 council packet under agenda item 3B starting on page 7. For those questions that needed more time to answer, additional information has been provided in this memo and its attachments. At the April 22 study session ballot items were considered and reviewed in the context of the ongoing long range fiscal planning used by the city. An explanation of the long range fiscal planning process used by the city and the progress made to date can be found in attachment 2 of the April 22 study session packet. The following link leads to this attachment.

[Attachment 2 - Long Range Fiscal Planning](#)

Pay As You Go (PAYG) Sales Tax for Capital Items

At the April 22 study session, there were indications that council would like to consider placing a PAYG question to the voters for the November 2014 election. Potential options that received interest were a three year .2% increase for city capital projects and an additional .1% to be used in some manner for non profit organizations, including in support of the arts.

City projects considered with regard to the .2% tax

As staff worked to prepare a recommendation for council consideration at the April 22 study session, a set of filters was developed in order to help select the projects that might be most appropriate for a November 2014 ballot measure, proposing a three year PAYG financing plan. These filters are:

- Which projects do not belong because they should be resolved in the operating budget?

- Which projects are high priority and new, as opposed to ongoing maintenance backlogs that should be addressed in the operating budget?
- Which projects have accurate cost estimates, and which need a great deal more work and vetting, therefore, would not be ready for 2014 consideration?
- Of those projects that may have inaccurate cost estimates, which could be refined in a timely manner?
- Which projects will be impactful in the community to clearly demonstrate value and success using PAYG financing?

PAYG financing options

The following table was developed to assist council in discussing the possible options in terms of percentage increases in sales and use tax, as well as in the number of years the increase would be effective. Since the April 22 meeting the projections have been updated using 2015 sales and use tax projections (previous projections used 2014 amounts).

Rate	One Year Amount	Three years	Five Years
.1%	\$3.0M	\$9.0M	\$15.0M
.2%	\$6.1M	\$18.3M	\$30.5M
.3%	\$9.2M	\$27.6M	\$46.0M

Staff Recommendation

Based upon staff review of the projects discussed in February and in light of a focus on shorter term projects that would be impactful to the community, the staff is recommending that city council consider placing a .2% - 3 year temporary sales and use tax on the ballot in November 2014 that would include the following projects:

1. The Hill

(Please see **Attachment C** for details on these projects and other options not recommended)

Street Lighting in the High Density Residential Area	\$3,500,000
Commercial District Event Street	\$700,000
Commercial District Tree Street Irrigation	\$520,000
Subtotal	<u>\$4,720,000</u>

2. Boulder Civic Area Catalytic Improvements

(Please see **Attachment A** for details)

\$8,700,000

3. Flatirons Event Center

(Please see **Attachment B** for details)

Option 1 Includes demo of current center,
new club house, restaurant
and revisions to parking \$3,560,000

Option 2 Includes demo except for
snack bar and adding restrooms to
support golf operations \$ 610,000

\$610,000 or \$3,560,000

Total (depending on the Flatirons option) \$14,030,000 or \$16,980,000

Projected tax to be generated \$18,300,000

Some of the difference between the projected amount and the total cost will be needed for a contingency account. At this time, the amount is estimated to be between 10 to 20 percent of total project costs. As costs become firmer the contingency amount may decrease. If City Council decides to move the proposed ballot item forward staff will refine the amount and bring it back to council at first reading.

Non profit projects considered with regard to the .1% tax

Prior to the April 22 study session,, several culturally focused non profits contacted the city manager to request city funding for specific capital projects. Since that study session, additional information has been received regarding each of the proposals, and city council has received communications from each of them in support of using the proposed PAYG financing for their needs. Copies of the letters from each of the entities can be found in the April 22 study session packet, as Exhibits B-D, at the link below.

[April 22 Study Session - Letters from Non Profits](#)

There are many non profit organizations and facilities in the City of Boulder, some of which have a partnership with the city, and some of which do not. One of the goals of the upcoming Community Cultural Plan (that will be discussed by City Council at the June 10 study session) will be to build a community vision for what important existing facilities/organizations should continue to receive direct support from the city and what others exist for which partnership with the city might be appropriate.

As an alternative to considering funding for the cultural facilities that have approached the city to date, to be considered for the upcoming PAYG discussion, funding requests could be considered in the future in the context of the completed Community Cultural Plan. This approach would delay funding for the following entities until another ballot measure would be considered in the future.

In the event council is interested in providing funding for some or all of the capital projects requested by these entities, it could do so by considering an additional 0.1% sales and use tax increase for a 3 year period. Such an increase would generate an estimated

\$9 million over three years. While the .1% would not fund all of the requests, it would be a significant contribution toward each request. The amounts listed are estimates provided by the entities and have not been verified by staff. If council is interested in investigating these projects as part of the ballot question, staff will work with the non profits to obtain more detailed information.

The information received to date from these entities is as follows:

Dairy Center for the Arts

The Dairy Center for Arts is requesting funding of \$4 million for improving two of the current theaters, including soundproofing, the addition of dressing rooms and the reconfiguration of one theater into a black box theater, as well as expansion and modernization of the building's lobby and façade, including an outdoor deck area as a special events space. The request would also include modernizing a hallway, reconfiguring administrative spaces to provide greater efficiency, and funding for lost operational revenues during the construction period. A detailed plan and budget has been developed in concert with an architect, general contractor and acoustics consultant. With appropriate funding, this project is nearly ready to go.

Staff Recommendation:

As mentioned above, it is important to note that the Library & Arts Department will begin a Community Cultural Plan in June of this year. The topic will be part of the June 10, 2014 Study Session. As part of the planning process, a cultural facilities analysis and vision for the current and future cultural investments by the city is recommended to be completed so that priorities could be determined on a citywide basis. This would mean considering this project at a later time, when the comprehensive needs of the city are known and an evaluation of how any overlapping synergy of one facility with another would meet the needs of all residents could have been done.

If this project is included as part of a 2014 ballot item staff suggests that the lost revenue during construction not be included as part of the ballot issue. The temporary tax is proposed to be used for capital only. Staff is concerned about the precedent this would set for other non-profit projects that would be considered for a temporary tax proposal now or in the future. One of the main financial policies that helped the city make it through the recent deep recession, without eliminating or cutting back city services, was the adherence to not mixing capital and operating costs and revenues.

Staff strongly recommends maintaining this successful financial policy for services provided directly by the city, or for any non profits the City Council may choose to support currently or in the future. For informational purposes, city departments are required to make any needed operating adjustments to keep costs in balance when a capital project results in a temporary loss of revenue. Staff suggests that, for any project funded by the city, the receiving entity be asked to do the same.

Museum of Boulder

The Museum of Boulder has recently acquired the historic Masonic Lodge building at Broadway and Pine with plans to convert the building into an expanded museum that will accommodate larger displays, as well as Smithsonian-class traveling exhibits in a specially designed gallery. The museum's scope would be expanded to allow for science and technology exhibits, as well as enhanced programming and space for children. The Museum has embarked on an ambitious capital campaign to raise the \$8 million dollars need for the renovation, and is requesting that the city provide \$4 million dollars of that total with the rest to be matched by the community. The museum commissioned an evaluation of the viability of a museum of this size and scope in Boulder, and found that it was likely to draw at least 55,000 visitors per year.

Staff Recommendation:

If this project is included, staff recommends the contribution of the requested \$4 million be contingent on the museum raising a matching \$4 million in dollars by December 31, 2017, and entering into a contract by the same date for construction of the project. Council may want to consider adding other contingencies to ensure that the project is completed and to ensure the city's contribution is no more than \$4 million.

Chautauqua

Chautauqua has requested capital funding of approximately \$3 million dollars to be used for needed rehabilitation of historic infrastructure. The proposal is to use the funding for undergrounding overhead utility lines that surround the neighborhood and that may present a fire danger not only to the neighborhood, but to open space as well. In addition, funding would be used to improve the historic stone swales that serve as stormwater infrastructure and de facto sidewalks, as well as roadways and utilities infrastructure. The cost of these improvements was estimated in 2010 to be \$2.3 million dollars, and with cost increase is now estimated at \$3 million.

Further Information about Undergrounding Utility Lines and Stormwater Improvements at Chautauqua

The city has been coordinating with the Colorado Chautauqua Association (CCA) to explore two key potential improvements at Chautauqua - undergrounding utility lines and stormwater improvements. CCA sent a letter to council on April 9, 2014 ("City's Capital Investment Strategy and Potential Ballot Issues") summarizing these improvements. Both projects will require significant disruption of Chautauqua activity areas.

Staff Recommendation:

Staff recommends that any related construction be conducted at the same time, to the extent possible. At this time, staff is not recommending that the city actively pursue these projects due to the implications that undergrounding utility lines have with the city's ongoing municipalization initiative. Staff will be present at the council meeting to answer any other questions council members may have about this topic.

Operating costs for projects

The major cause of failed capital improvement programs across the United States is the lack of a funding stream adequate to pay for the new operating costs associated with new capital projects. There have been numerous stories across the United States of new schools and prisons that have been built, or where funds are in place to build them, that have not been completed or have not been able to be used because there were no resources to pay for the new operating costs. If the voters approve investing in new or expanded projects, then new operating dollars need to accompany the approval of the projects, if they cannot be absorbed within existing resources.

NEXT STEPS

If council wishes to pursue a PAYG ballot item for 2014, staff will prepare the necessary follow up agenda memos and ballot language during the council recess and return for first reading in July.

ATTACHMENTS

- A: Civic Area: Additional Information for Potential PAYG
- B: Flatirons Event Center: Additional Information for Potential PAYG
- C: University Hill: Additional Information for Potential PAYG
- D: Miscellaneous: Additional Information for Potential PAYG

To: Members of City Council

From: Jane Brautigam, City Manager
David Driskell, Executive Director of Planning and Sustainability
Jeff Dillon, Superintendent Parks and Recreation
Paul Leef, Civic Area Project Manager
Jody Tableporter, Civic Area Project Manager

Date: June 17, 2014

Subject: Pay as you Go (PAYG) Submission: Civic Area

EXECUTIVE SUMMARY

Realizing Boulder’s aspirations for a new “Heart of the City” requires comprehensive Civic Area site redevelopment and associated funding. This memo outlines a proposed approach to redevelop the Civic Area site and identifies three essential, integrated sets of capital projects that fulfill critical first steps towards achieving the adopted Civic Area vision: Creek at the Core, Connections and Access, and Community Spaces. The memo provides a high level cost assessment for these Phase 1 capital investments to help inform Council discussions regarding the potential application of PAYG funding to this important community priority.

The first section of this memo provides context regarding the Civic Area, and in particular, the integrated and phased approach to implementation of the adopted vision, including near-term site investments, activation/events, and long term capital projects (e.g., a year-round Farmer’s Market, innovation center, multi-use event space, etc.).

I. CONTEXT: OVERVIEW OF THE CIVIC AREA IMPLEMENTATION PLAN APPROACH

On Sep 3, 2013, City Council approved the vision plan for the Boulder Civic Area, a document that encapsulated eighteen months of input, engagement and aspirations of over 5,000 Boulder citizens. The vision plan established the goals, guiding principles and core themes for the Civic Area--components that now inform the implementation plan and are reflected in three integrated strands of work (explained in greater detail in the following section):

1. Activation
2. Near-Term Site Redevelopment
3. Long-Term Capital Projects

Underlying this approach is the belief that the Civic Area project will be successful if the community develops a sense of ownership through participation in events and witnesses a positive and sustained change in the area's physical appearance and use – with near-term site improvements and activation helping to develop momentum, engender a sense that positive change is possible, and spurring potential interest and investment from external partners.

Following is an overview of the three work strands within the adopted Implementation Plan:

1. Activation

In the vision plan, the community identified the Civic Area as a place to “expand...cultural, arts, science, educational or entertainment amenities.” However, Boulder citizens have become unaccustomed and/or disinclined to use the Civic Area as their public front yard or to view it as a place for culture and arts: a role played by urban parks in other cities. The implementation plan proposes to change perceptions by bringing new activities and people back to the Civic Area for summer/fall events that engage a broad range of audiences. Once people are back in the Civic Area, enjoying new activities, new events, they will swell the ranks of those who see the area's potential as the new heart of the city.

The strategy for summer/fall 2014 is to enhance partner events, particularly those that can create a splash, foster productive partnerships, pilot programs that relate to capital projects, and bring people to the Civic Area, and to market all area activities under a Civic Area umbrella. For example, for the successful Bot Joy mural event, the Civic Area events team added a 120-kid art class (with BMoCa) and established a Civic Area hashtag for social media.

In addition to Bot Joy, 2014 Civic Area events are being developed by the Civic Area events team (comprised of Civic Area project management and Parks and Rec staff) with the Dairy (Heritage Bike Parade), BMoCa (Game Changers) and the Library (Library Summer Festival). Parks and Recreation is leveraging existing partnerships to deliver Civic Area events associated with the Get Movin Challenge (bringing Yoga into the Park), Parks & Recreation Month and a volunteer-event occurring on Public Lands Day.

Also under consideration for 2014 or 2015 are events that will stretch the curation skills of the Civic Area team, including an Innovation Civic Area camp for teens, a Community Long Table and performance series. Although not technically an event, the Civic Area team is also engaging partners to help deliver a creek side interpretive exhibit.



2. Near-Term Site Redevelopment

The Near-Term Site Redevelopment is the subject of this PAYG memo; the context and proposed work plan (interventions, cost, phasing) are covered in detail in Section II, entitled “Near-Term Site Redevelopment/PAYG Submission.”

3. Long-Term Capital Projects

The vision plan outlines a number of significant capital investments that would fundamentally shape the Civic Area’s future, creating west and east “bookends” of facilities with a renovated and expanded park at the core. Examples of facility investments include a year-round market hall, a redeveloped senior center, a multi-use events space, and relocated municipal services. Extensive work is getting underway to take these key concepts to the next level of detailed planning, feasibility analysis and stakeholder discussions, with the aim of creating a short-list with suitable detail for consideration as part of a potential 2016 bond ordinance.

To complete this work, the Civic Area team will convene public/private partners to discuss potential Civic Area long-term capital investments in each of the following areas: the Arts, Local Foods, Event Space, Connections and Innovation/Services. The groups will convene bi-monthly for six months beginning this summer. To the extent that proposed projects are common to multiple working groups (e.g., innovation center, a subject for both Event Space and Service/Innovation) combined group meetings will be scheduled.

Appendix B contains additional detail on the focus of the individual work groups.

II. NEAR-TERM SITE REDEVELOPMENT/PAYG SUBMISSION

A. Context: Implement initial capital investments to redevelop the Civic Area in keeping with the adopted vision plan

The Civic Area today lacks identity as a unified public space. Both daily users and visitors experience it as a series of fragmented spaces (the library, bike path cut-through, Tea House, etc.) with very little sense of the area as a cohesive whole. As documented in the Civic Area visioning process and the resulting vision plan, the area falls short of its promise as a community destination and civic ‘heart’ with a special and coherent sense of place.

B. Integrated delivery plan

PAYG funding is requested to substantially initiate an integrated and comprehensive redevelopment of the Civic Area. As envisioned in the adopted plan, the redeveloped Civic Area will have a “linear ‘green’ along Boulder Creek...providing natural beauty, ecological function and flood safety as well as recreational, art, and cultural opportunities.” The plan also outlines “a blend of indoor and outdoor facilities and spaces as an integral and important component of new programs for the Civic Area,” with

“access and mobility... improved so people can get to, round, within and through the Civic Area better.”

In accordance with the Civic Area Guiding Principles and best-practice design principles, the redevelopment will capitalize on the site’s unique natural assets, provide enhanced outdoor venues for community gatherings, and address connectivity issues that now isolate the Civic Area from adjacent areas of the city.

The focus is not on individual interventions (a piece of art or a new plaza) but on delivering substantial improvements across the site to create critical momentum toward reanimating Boulder’s civic heart.

The design work necessary to define in detail the proposed improvements will begin in Summer 2014.



What is outlined below is a first-level draft based on the adopted vision plan and subsequent staff team discussions, with order of magnitude cost estimates. Undoubtedly, detailed design work and community input will shape the specifics and likely alter the budget specifics. The focus at this point is to ensure that the estimated amounts are appropriate for the scale of work and change envisioned, as informed by the community vision plan’s principles and themes:

- 1. The Creek at the Core:** The Creek is a symbol of what defines Boulder— outdoor space and nature—and it is located at the city’s urban core. Many cities need to re-create this type of urban park feature; in Boulder, it is not only present but serves as the cohesive thread across the entire Civic Area site.

As illustrated in the attached diagram (see items marked #1 in Appendix A) the individual interventions to deliver “the Creek at the Core” include: infrastructure to link the library and Creek; playgrounds, nature play areas and other improvements along both sides of the creek (between the library and municipal building and East of Broadway); and improvements in the area near the Gilbert White Memorial. The combined result is an enhanced and active natural environment at the core of the city that symbolizes Boulder’s unique lifestyle-- with areas designed to support play, recreation, socializing, contemplation and education.

- 2. Community Spaces:** The adopted vision plan describes a Civic Area where people from all parts of the community gather, interact, and attend both planned and impromptu events (e.g., poetry readings, concerts, education, dance, etc.). Urban parks and civic spaces serve this vital role in numerous other cities.

To meet community aspirations, improvements are needed to the Civic Area’s infrastructure, and in particular to outdoor plazas and other community spaces to successfully host gatherings, performances and events. While new buildings and other indoor space improvements are addressed in the Long Term Capital Projects section, individual interventions proposed for the near-term include potential improvements to the Library Café/courtyard, the north library plaza, the north

municipal lawn, the sister cities plaza, and the areas/plazas adjacent to the Farmer's Market where power, lighting and other amenities are needed to support events.

Items marked #3 on the diagram in Appendix A highlight the proposed Community Space interventions. The intention is to invest in space improvements across the area to support multiple nodes of activity so that one area does not become better activated while another area becomes a place of neglect. Visitors will also stay longer and enjoy multiple activities that appeal to various members of a family or group. The plan also delivers the spaces needed for the growing indoor/outdoor programming aspirations of the library, BMoCA, and others.

- 3. Connections and Access:** The Civic Area is not only internally disjointed, but it also suffers from a lack of physical connection to other parts of the city. One of the core tenets of the vision plan is to link the Civic Area more strongly with the rest of downtown, so that the two areas function as a unit to attract greater numbers of citizens and visitors; this will not occur without better connectivity.

In advance of the envisioned redevelopment of Canyon Boulevard, targeted interventions can improve the connectivity between the Civic Area and the rest of downtown and create a better front-door(s) to the Civic Area. Proposed connections and access projects include: gateway enhancements, way-finding, signage and lighting improvements. The gateways are marked as #2 on the site diagram in Appendix A. Other improvements like lighting and signage are distributed across the Civic Area site.

In summary, the Creek at the Core, Community Spaces and Connections/Access improvements work together as three legs of a stool: each element is essential, interrelated and contribute to a working whole. For example, Boulder Creek is the signature feature which unites the entire Civic Area; if improved on its own, without better community spaces, activation and access, the desired momentum toward achieving the full Civic Area vision will unlikely be achieved.

C. Financial Implications

The estimated investment to deliver the integrated package of Creek at the Core, Community Spaces, Connections and Access is \$8.7 million. This is the proposed submission for the PAYG funding.

Cost Break-Down: The estimate is comprised of the following costs, which were developed for each of the three theme areas of proposed improvements. Cost estimates were first developed for specific anticipated components within each theme area (e.g., connecting the Library plaza to the Creek area) and verified at that level of detail. The summary below describes the components included in each theme, but provides only the "rolled up" cost estimate. The key reason for this approach is that the design work needed

to determine the specific package of improvements (which would inform more accurate cost estimates at the detailed level) has yet to occur. Importantly, that process will include substantial community input.

The staff team would like to avoid a process of “picking and choosing” specific project components to arrive at a desired budget amount before the actual design work is completed. The team is confident that the proposed budget amount is at the level necessary to achieve the desired impact in terms of improvements and transformation of the Civic Area.

If council would like to reduce the proposed amounts, the design process can certainly design to a lower level of expenditure, understanding that it will also have a lower level of overall impact (either through reducing the scope, scale or interrelationship of specific improvements, or by eliminating proposed components altogether).

- **Boulder Creek at the Core: \$4.425M**

This includes improvements to areas north and south of the creek for nature play, education, recreation and social activity, including: infrastructure to link the library and Creek; playgrounds and nature play areas and other improvements along both sides of the creek (between the library and municipal building and East of Broadway); and improvements in the area adjacent to the Gilbert White Memorial. The most substantial investment (~2.5 million) will be in transforming the south side of the creek and the library into a large state-of-the-art nature play area that will serve as a significant attraction for families and create a strong synergy with improvements currently underway at the library. Cost estimates for this and related “Creek at the Core” work include items such as asphalt removal, landforming, equipment investments, irrigation systems, pathways, furniture, extensive landscaping, lighting and signage.

- **Community Spaces: \$3.075M**

This includes enhanced or redesigned public spaces and plazas to support a variety of events and programs, along with associated infrastructure investments. Specific spaces that will be improved as part of this investment are expected to include: the Library café/courtyard, the north library plaza, the north municipal lawn, the sister cities plaza and areas/plazas adjacent to the Farmer’s Market. Cost estimates for this and related “Community Spaces” improvements include items such as surfacing replacement or refurbishment, seating, lighting, landscaping, irrigation, signage, art and providing access to electrical power to support food vending and performances.

- **Connectivity and Access: \$1.2M**

This includes improvements such as creating gateways (possibly via art) and related way-finding, pathway enhancements, signage and improved lighting across the site.

Cost Phasing: Due to the three year funding cycle associated with PAYG, the proposed improvements would be delivered in three phases of \$2.9M each. The goal is to deliver elements of the Creek at the Core, Community Spaces and Connectivity/Access themes in each of the three delivery years. The exact scope and prioritization will be influenced by the site design undertaken in 2014 and associated public engagement.

Third Party Check: The cost estimates summarized in this memo were cross-checked using: (1) historical data from Parks and Recreation projects and (2) conceptual cost estimates provided by American Civil Contractors. The estimates were found to be consistent between sources and provided reassurance regarding the overall required financing.

Previous Civic Area Cost Estimates/Submissions: Various figures have been cited previously in regards to the Civic Area redevelopment:

- **\$300,000 for “catalyst project:”** The 2014 CIP contained a request for a \$300,000 “catalyst” project that, among other things, was intended to phase in the long-term vision. That CIP financing will be used to commission consultants to work with staff and the community to transform the adopted vision plan for the park areas and public spaces to a concrete site development plan that will truly catalyze changes to the Civic Area. The Civic Area team will be retaining consultant support in June/July 2014 and launching the participatory design process shortly thereafter.
- **\$4.8 million Project Proposal:** The scope associated with the \$4.8M civic area budget included in the February Council memo was a placeholder prepared by one department. The proposal was limited in focus to a playground area south of the creek and some general signage, lighting and security improvements. The \$8.7M proposal represents a comprehensive view that reflects the aspirations in the vision plan, provides for a high degree of integration across the park, and was developed with partners, such as the Library, BMoCA and the Farmer’s Market. The new proposal, for example, seeks to: link the library to the Creek, while redeveloping the areas in-between; develop community spaces and plazas; and enhance gateways and connections across Canyon Boulevard. Achieving this greater vision necessitated a proposal for a larger investment.

D. **Process**

1. **Hire consultant.** Using 2014 CIP funding, a consulting team will be hired to lead the detailed site development planning of the Civic Area. The consultant will engage with key stakeholders as well as the broader community to develop the exact site development phasing and construction for 2015-2017, that would use PAYG funding. Projects designated for 2015 will be designed in sufficient level of detail to be “shovel ready” as funding becomes available.

2. **Phased delivery.** As previously indicated, implementation of the overall site development plan can be phased over a three year period; each phase should ensure that elements of Creek at Core, Connections/Access and Community Places are delivered to achieve the integrated effect from site redevelopment, access and activation.

1. Boulder Creek at the Core:

Includes extensive, revitalized and redesigned play areas, nature, education, and attractive people space, linking with paths and library entrances

2. Enhanced Connection and Access:

Includes possible improvements such as gateways, new signage, way-finding, crossings and art

3. Platforms for Community Activity and Arts:

Includes enhanced or redesigned plaza and public spaces designed to support events and programs, farmers' market or others



Illustrative example of improved and welcoming gateway



Example of library plaza redesigned to support multi-purpose use



Gateway feature and possible crossing enhancement at 13th Street



Illustrative example of 13th Street Plaza with Farmers' Market



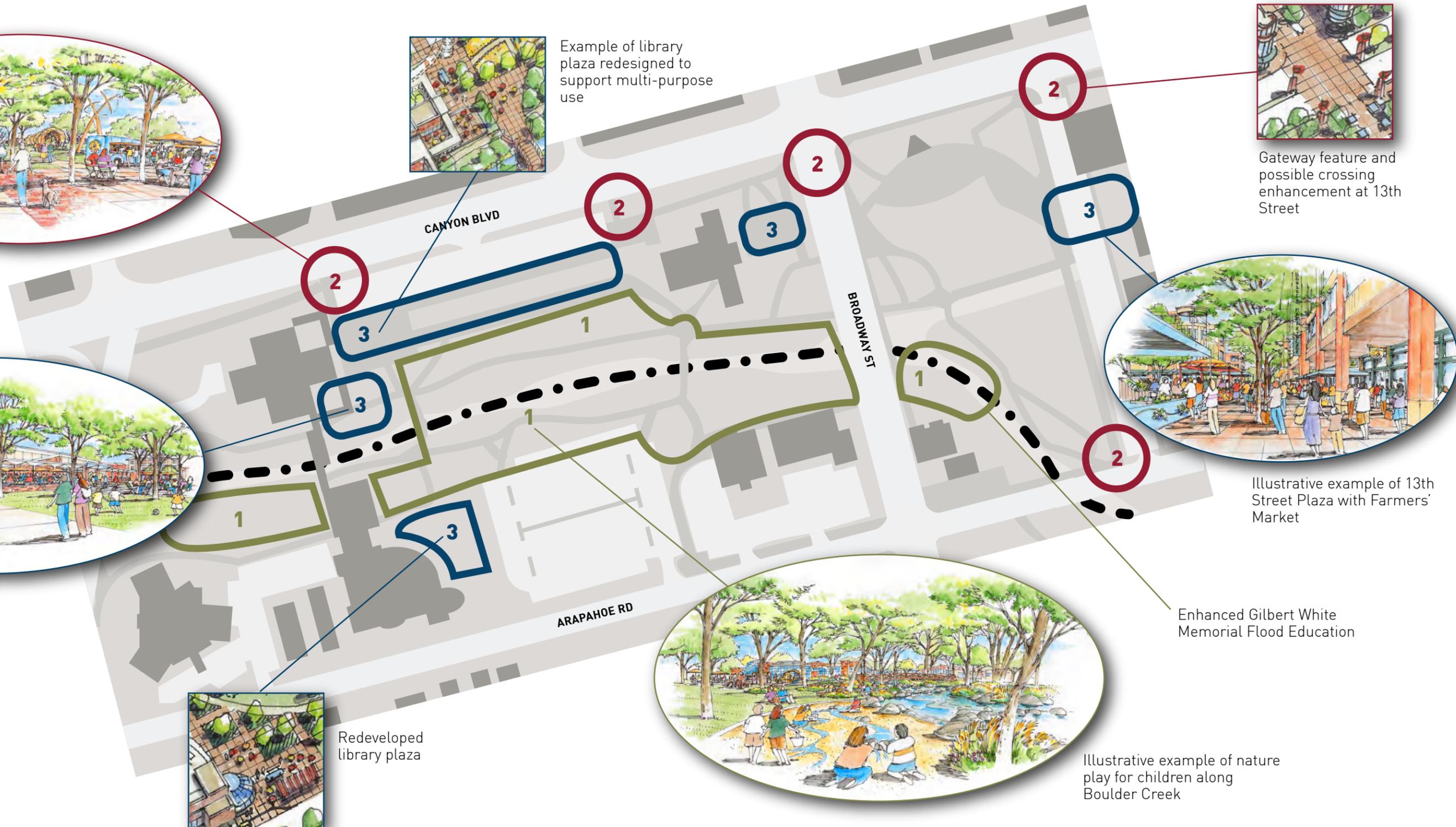
Illustrative example of seating terrace for library cafe



Redeveloped library plaza



Illustrative example of nature play for children along Boulder Creek



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APPENDIX B

Focus of Long Term Capital Project Work Groups

Food: The vision plan includes the aspiration to “expand the Farmer’s Market as a vital component of the area” and “possibly expand it to year round (or extended season) local foods marketplace.” Topic for this group will include options for the Civic Area to support the local foods sector, including the evaluation of the Farmer’s Market expansion.

Art: The vision plan has a placeholder for more culture and arts and performance space at both the East End and West End. It also states the aspiration for the Civic Area to “expand...cultural, arts, science, educational or entertainment amenities that are otherwise lacking in the community.” The Art work group will do double-duty, therefore, addressing not only art-needs but the broader aspirations related to science, education and entertainment. Civic Area capital projects that might be discussed, for example, range from a performance venue to a curated performance season.

Event Space: In the vision plan, providing “new community meeting space and gathering places” is seen as essential to delivering the Civic Heart of Boulder. Since event space means different things to different people, this group will focus on determining the need and feasibility of delivering additional meeting space for organizations (e.g., the Civic Use Pad) as well as space that can serve multiple purposes, e.g., meeting space plus demonstration kitchen, etc.

The city will also begin internal, cross-function discussions about:

Service and Innovation: In the vision plan, the Civic Area serves as the “primary location for city management and government, including functional and interactive places for the community to interface and conduct city business and be creative.” The topics discussed in this work group, therefore, will include potential new municipal buildings and innovation center. Several studies will inform the Service and Innovation work group, including a new study that identifies options for the way the city works that inform the physical configuration of city offices and buildings. This effort will examine innovative new ways of improving and streamlining service delivery, improving efficiency and lowering operating costs. Additionally, the role of the City to facilitate “productive collisions” and enhance civic engagement through physical infrastructure is vitally important to strengthening creativity and long term community resilience.

Connections: The master plans seeks to: improve the Civic Area’s pedestrian and bicycle amenities, address surface lots and parking needs, improve wayfinding to/from downtown, reduce barrier effects across major thoroughfares, and re-establish a “new urban design and streetscape character for Canyon Boulevard – to make it more of a ‘boulevard’ with attractive landscaping that is comfortable for pedestrians, bicycles, and accessible by transit.” The Connections group will have a wide-ranging remit to address this list of interrelated objectives.

Two Points of Clarification

It is very likely that the discussion in different groups will overlap. For instance, the event space group may very well discuss combined meeting and innovation space, the later being the purview of the Future Government group. The Civic Area program manager, who will be attending all group meetings, may call for combined group meetings to address shared topics, thereby tapping into a wide range of knowledge.

The assembled groups will also discuss programming. While the groups are being assembled primarily to discuss capital projects, the capital projects only make sense if the programs/activities provided therein draw a crowd. Accordingly, we will be advising potential project sponsors to do a program pilot to prove the concept well before any capital commitments are made, e.g., asking advocates of a science museum to run a pilot program to prove the communities' interest and need.

APPENDIX C

Existing Conditions of Thematic Areas and Examples of Possible Improvements



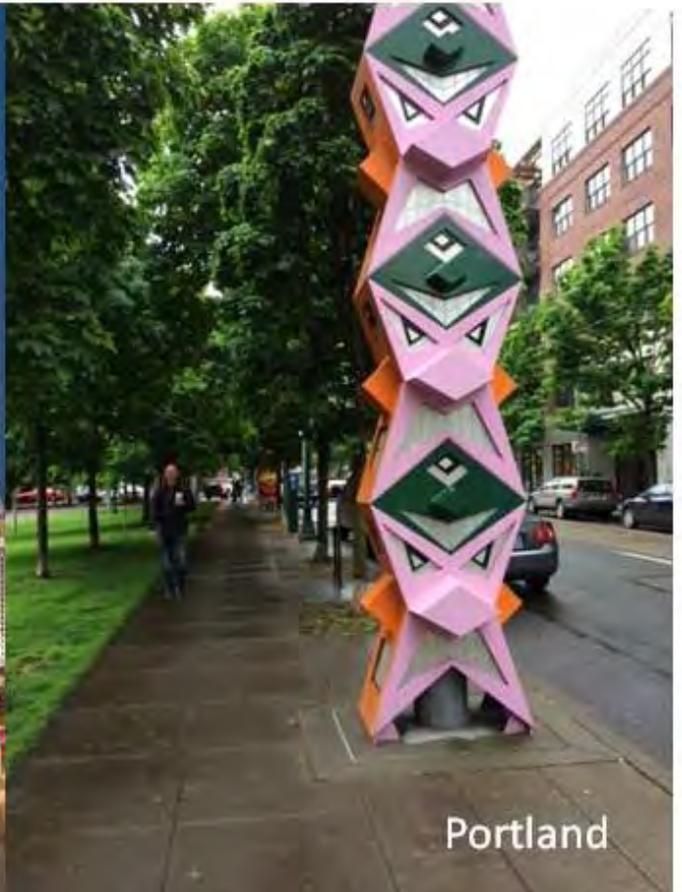
“Creek at the Core” Theme: Existing Conditions and Possible Directions



“Connections” Theme: Existing Conditions vs. Illustrative Examples (Gateways)



Grand Park, LA



Portland

“Community Spaces” Theme: Existing Conditions and Illustrative Examples



Answers to Council Questions Related to PAYG Options for the Flatirons Event Center

A potential Pay as you Go (PAYG) ballot item was discussed as a part of the April 22 City Council Study Session. Funding options for the Flatirons Event Center were included in that discussion. The following provides additional or more in-depth information related to the Flatirons Event Center.

Question:

Council asked where people have been going, with the Flatirons Event Center out of commission.

Answer:

As a result of the 2013 flood and the necessary closure of the facility, most of the civic groups and general users of the Event Center have been accommodated by several restaurants, hotels and other facilities in the community such as the Avalon Ballroom. When initially constructed, the Event Center was used as a golf club with the following uses: golf pro shop, locker room and facilities for men and women, club lounge, club dining room and related food production facilities. The western portion of the building has, until recently, been used as a meeting facility with one large meeting room capable of being divided into two smaller spaces and two separate smaller meeting rooms. Throughout the past decade, the Event Center has been leased by the Spice of Life catering company. In recent history, Spice of Life has managed approximately 25 groups per year through ongoing contracts with civic groups with an average attendance of 42 guests per event. In some years, there have been as many as 40 additional one-time events. A few of the events accommodated by the Event Center have reached 400 guests by combining the multiple gathering areas. It is evident that other opportunities exist within Boulder for large meeting spaces to accommodate community groups, but some of these facilities lack a full service commercial kitchen similar to the Event Center.

Question:

Council asked for clarification on which option for the Flatirons Event Center was being proposed and more information about the spectrum of options.

Answer:

As a result of the 2013 Flood, the Flatirons Event Center suffered damage to interior spaces. Prior to the flood, the facility was assessed in 2008 and found to be nearing the end of its useful life. After the flood, the facility was reassessed and the findings included: out of date and deteriorated building systems, marginally adequate life safety systems, overwhelming accessibility shortcomings, extreme energy inefficiencies and substantial quantities of hazardous materials. The structure also sits within the South Boulder Creek floodplain on a site that is nearly flat and has lead to repeated flooding. The structure needs flood-proofing to prevent future flood damage.

Undertaking repair to the existing structure would require a significant capital infusion just to keep it marginally functional and would fail to meet current codes and environmental sustainability goals. Full renovation to bring the existing structure into code compliance and minimize the city's risk will require capital investment equal to nearly forty years worth of current, pre-disaster revenues of the facility. Given the ongoing higher than normal maintenance costs of the facility, due to the deteriorated condition, it is simply not feasible to repair the

structure. In addition, the structure possesses many immediate and near term hazards, resulting in considerable risk exposure for the city.

Baseline Scenario

Based upon the consultant's professional assessment of the facility condition, it is staff's recommendation that, at a minimum, the council consider the *Baseline Scenario* noted below, at an estimated cost of \$610,000.

The Baseline Scenario includes:

- Demolition of the facility and removal of hazardous materials while keeping the current snack bar and adding restrooms to support the golf operations. The scope of work within this scenario includes the demolition of the existing structure with the exception of the Just Hit It Grill on the east end of the building. The interface between the Grill and the remainder of the structure is to be patched and renovated so that it can remain in operation to service golf course patrons.

This option would allow staff to remove the structure in the near term as well as all hazardous materials. It would also allow ample time to fully engage the community to determine needs and establish partnerships with the community to plan and develop a new facility that meets the community's needs while supporting the functions of the golf course. Long term operation and maintenance costs associated with a new facility will also need to be calculated as part of this effort and funding identified to support the new facility's total cost of ownership that includes annual preventative maintenance, five-year major maintenance and major capital maintenance throughout the lifecycle.

New Clubhouse Scenario

The second recommendation that would accommodate the historic use and demand for the Event Center while also supporting the essential functions of the golf course would be the *New Clubhouse Scenario* noted below, at an estimated cost of \$3,560,000.

The New Clubhouse Scenario includes:

- Demolition of existing Event Center and construction of a new golf clubhouse with restaurant, revisions to parking areas, access drive, and contiguous golf course and driving range areas.

The scope of work within this scenario includes the total demolition of the existing structure and the construction, on the site of the existing structure, of a new golf clubhouse, approximately 5,000 s.f. in size, with a 1,750 s.f. restaurant, bar and kitchen. This scenario was outlined in a report prepared by HVS for the City of Boulder in 2008. Included within this scope of work is removal and reconstruction of the parking lot - raising the elevation of the parking lot by two feet to lift it above the 100 year flood elevation and removal and reconstruction of the access drive to the point where it meets Arapahoe Avenue.

Also included within this scope of work is the modification of the adjacent golf course and driving range as a result of the revised elevations of the parking area and access drive. These modifications were defined and resulting costs estimated in the 2010 Dye Design and the HVS

Draft Business Plan (a summary of the HVS Report is attached but will require update if this project moves forward for funding).

Question:

Council inquired about the fees and costs of usage, if a new center was built, and the impact it might have on the civic groups who previously used the current Event Center.

Answer:

Once again, a feasibility analysis is needed to determine the demand in the community and the current market rate for use and space within similar facilities in the community. As an example, the feasibility analysis could explore a business model that has a majority of the costs of a new golf oriented facility paid by golf related revenues, allowing some level of subsidy to the median size groups (40-50) to use the facility during non-peak hours and off-season, at a reduced rate. This could allow current civic groups the opportunity to use the new Event Center at equitable prices, potentially based on community benefit.

1. Summary of Salient Data and Conclusions

Property: Flatirons Golf Course
Location: 5706 Arapahoe
Boulder, Colorado 80303
Date of Inspection: July 31, 2008
Date of Report: April 30, 2010

Land Description

Area: ± 128.48 acres, or $\pm 5,596,592$ square feet
Zoning: Public
Assessor's Parcel Numbers: 146334200001, 146334200002
Flood Zone: The property is located in the 100 year floodplain.

Improvements Description

Year Opened: 1933
Property Type: Municipal Public Golf Course
Food and Beverage Facilities: Spice of Life restaurant, Just Hit It snack bar
Golf Amenities: 18-hole regulation length golf course
Practice range with limited flight balls, putting green, and chipping green
Recreational Amenities: 1,800-square-foot pro shop, 1,800-square foot cart storage, 17,400-square-foot events center and restaurant

Salient Conclusions

The subject of the study is two parcels. The first is a $\pm 5,596,592$ -square-foot (± 128.48 -acre) parcel improved with a municipally owned public golf club known as the Flatirons Golf Course. The second is the site of the events center parcel, which totals 2.65 acres or $\pm 115,434$ -square feet. The improvements feature an 18-hole regulation golf course, pro shop, restaurant, and snack bar, and banquet and events center.

The Flatirons Golf Course is the only regulation length public golf course in the city of Boulder. As the only public regulation length course in the city as well as being owned by the City of Boulder, the golf course has the unique problem of trying to be all things to all people. For this reason, the green fees are well below the market average and significantly lower than courses in the area.

In addition to the golf operations at the Flatirons Golf Course, there is a 17,400 square foot events center that is used as meeting space and for banquets. The existing banquet facility at Flatirons Golf Course contains approximately 4,500 square feet of banquet space and two smaller banquet rooms, and is currently operated by A Spice of Life, a local catering company. In addition, the current tenant uses the facility as a production base for a substantial off-premises catering operation. The existing banquet facility is well-established in the area; however, it suffers from its worn and outdated interior and exterior, limited parking, and lack of curb appeal. This building also hosts the Just Hit It snack bar where golfers can get a small meal or beverages. This entity is managed by a third party operator.

There are several issues that are at the forefront of the Flatiron facilities.

1. The first is related to the irrigation system, which is 25 years old and at the end of its useful life. The system is currently in the process of being upgraded, and this process will be completed in the near future.
2. Secondly, the golf course is in need of a small restaurant/lounge, where golfers can sit down and eat after playing a round. Currently, the City of Boulder has utilized the onsite building as meeting and banquet space. An events center overlooking the golf course provides an ideal venue, and a new events center adjacent to the golf course would serve to facilitate more tournament business and increase the financial potential of the golf course.
3. The third issue is that the golf course design, and course features are dated, and are not competitive with the newer courses that are the primary competitors.
4. The fourth issue for the Flatirons Golf Course is the parking space. Currently, there are 250 parking spaces that is more than enough to serve the golf course needs, even for tournaments. However, the parking lot is shared with the events center that hosts community events and banquets for up to 300 people.
5. The Flatirons golf course is an old facility, in terms of the golf course and the existing physical improvements, and suffers from deferred maintenance as well as obsolescence. As such, there is a vital need for capital to provide improvements or new facilities to both the golf course and the accompanying facilities. The existing Banquet buildings are dilapidated, and are functionally obsolete. The building has no salvage value, and the development of a new building to provide meeting space for community service, and events requires the construction of a new building.

6. The sixth issue is that there are numerous inefficiencies in the current operating and management model for Flatirons. There are three separate areas that are staffed by three separate entities. In addition, each of these entities has their own service and financial objectives, creating a fractured environment for facility users, and eliminating opportunities for greater profitability.
7. The seventh issue, is that the events center serves as community meeting space for a large number of civic groups in the City, and there are very few alternative options for these users at the current time.
8. There is only space for the storage of 40 carts, making it inefficient and difficult to hold tournaments and events.
9. An enclosed and heated driving range and practice center would add significantly to the golf facility, and offer opportunities for additional revenue and for developing new golfers to support the golf course in future years.

Scenario Analysis

This study assesses the feasibility of making improvements to various aspects of the property. These scenarios roughly follow the golf course master plan prepared for the City of Boulder. The three separate scenarios that will be evaluated are;

- Continued operation as is, the Baseline Scenario;
- Removal of the existing banquet center, and development of a golf only clubhouse, the New Clubhouse Scenario;
- Development of full service banquet and events center in combination with an integrated golf clubhouse, the New Events Center Scenario.

Baseline Scenario

In the baseline scenario, we assume the golf course is operated as it is currently, with changes implemented that do not require additional capital for improvement of the clubhouse, the driving range or other facilities. There are two exceptions,

- (1) The first is that the golf course irrigation system will be completed
- (2) The second is that an outside, covered, events area is constructed for tournaments.

In the Baseline scenario the events center, pro shop and range are not improved. Under this scenario, the continued lease of the events center by the A Spice of Life is expected to expire in 2010, with the new lease. Because the events center and particularly the events center kitchen are in need of an

overhaul, A Spice of Life cannot continue to use the events center as is. Thus, for the Baseline scenario we assume either one of two options.

- A Spice of Life will leave and moving forward the Just Hit It grill will be the only food and beverage operation at the golf course. The events center will then be torn down, allowing more space for tournament hosting;
- Alternatively, based upon the condition of the building, and the amount of capital that will be required to keep the building operational, it is assumed that the net of the lease is a break even proposition in terms of net rent to the city.

New Clubhouse Scenario

In this scenario the existing events center and pro shop are replaced with one building that serves as pro shop, cart storage, and a small restaurant that will accommodate approximately 50-60 golfers at any one time. The minimum needs for this building are 5,000 square feet, of which about 1,750 is dedicated to food and beverage facilities. An additional 4,500 square feet is required for cart storage. Preliminary concept designs for this building show approximately 11,500 square feet, with underground cart storage.

Golf Assumptions

- (1) The golf course design will be altered, according to concept plans prepared by Dye Designs, and this renovation of the golf course would allow for a larger area for the clubhouse, range and practice facilities.
- (2) Additionally, the golf course would be used more as a tournament course and green fees would be increased moderately.
- (3) Also contemplated in this initiative is the completion of a covered and heated range area for teaching and hitting in the winter months.

Food and Beverage Assumptions

- (1) the existing tenant would remain in place only through the termination of the current lease in 2010,
- (2) the existing event center would be demolished in 2011.
- (3) A new clubhouse will be constructed that would include a restaurant, bar, and kitchen that will be targeted at golfers playing the Flatirons Golf Course.
 - a. The recommendation is for 50-60 indoor seats-- An outdoor area for beverages and a grill is also recommended, and would ideally be placed on the roof, providing views of the golf course and the Flatirons.
- (4) Self-management with yield management and market initiatives to increase utilization are assumed for this scenario. Additionally, outside consulting is recommended for the operation of these facilities.

New Event Center Scenario

The third and final scenario is the New Events Center scenario. As in the New Clubhouse scenario, the existing events center and pro shop are replaced by one combined building. Also contemplated in this initiative is the completion of a covered and heated range area for teaching and hitting in the winter months.

These improvements would encompass the pro shop, below grade cart storage, a small restaurant, and also a meeting/banquet space with space for up to 200 people, and necessary office storage and pre-function space.

Golf Assumptions

- (1) In this scenario, the golf course design will be altered, according to concept plans prepared by Dye Designs
- (2) This renovation of the golf course would allow for a larger area for the clubhouse, range and practice facilities.
- (3) The golf course would be even more focused on operation as a tournament course.
- (4) Similarly, yield management and marketing initiatives to increase utilization are assumed for this scenario as well
- (5) The golf operations are assumed to be self-managed with yield management and market initiatives to increase utilization are assumed for this scenario.

Food and Beverage Assumptions

- (1) The food and beverage operations would be professionally managed, through a management contract. It is assumed that:
- (2) The existing tenant would remain in place only through the termination of the current lease in 2010,
- (3) The existing event center would be demolished in 2011
- (4) A new clubhouse will be constructed that would include a restaurant, bar, and kitchen that will be targeted at golfers playing the Flatirons Golf Course.
 - a. The recommendation is for a $\pm 3,000$ -square-foot banquet room, three meeting rooms of about ± 500 square feet each, a $\pm 1,750$ -square-foot restaurant/snack bar and approximately $\pm 2,000$ square feet of kitchen and back-of-house storage space.
- (5) A management company will be contracted to manage all aspects of the food and beverage services.

Conclusions

Marketing

The Flatirons Golf Course currently does very little, if any marketing. It must be realized that golf is a retail business, and is directly affected by marketing efforts. There are opportunities for print media, radio, public relations and database marketing to have a significant impact on the levels of play at the golf course as well as the pricing.

In addition, there are opportunities to work with the university athletics as well as other university events to generate tournaments and paid play. This is certainly true for the weekends where CU hosts football games, parent weekends, and other events.

The Flatirons golf course is in need of an extensive and comprehensive marketing campaign to increase all avenues of business.

Under the renovation scenarios, there are additional opportunities due to the large numbers of daytime employment in Boulder, and around the golf course. The most obvious is opportunities for the driving range, but also for lunch specials and combinations of lunch and range experiences.

Management

One of the most important decisions in relation to the management of the facilities, is that both the golf course and the events center need to be aligned so that they have similar objectives. Currently, the events center is operated for its own profit motives, and while community needs are often considered, decisions relating to the golf course income stream are not a factor in those decisions. The course is now severely hampered in both the scheduling of tournaments or events, as the food and beverage component must be scheduled separately, through a different party and the golf course has no ability to adjust the availability or price of the food and beverage component. This impacts both the number of events, the size of the events, and income stream to the golf course. The end result is that rather than adding value to the golf course, the events center operations actually conflict with the golf operations at times, and detracts from the value of the golf course. The presence of a third operator on site, makes operations very confusing for the golfer.

Moving forward, in order to foster the profitability and serve the community needs, it is critical that the golf course and events center or other food and beverage operations are properly aligned. This can be done through common management of the operations or through contractual controls that assure priority, availability and pricing to the golf course. This condition applies equally to all scenarios, and should be a priority in the restructuring of the lease under the baseline scenario.

Construction Costs and Debt Service

All of the scenarios assume a new irrigation system. Because this is a necessary expense, it is not included in the feasibility of any of the three scenarios but is assumed in the projections of revenue and expense for the golf course. All three scenarios also assume \$125,000 for a covered tournament hosting area. Finally, the two new scenarios also assume the construction of a new combined pro shop, range cover and food and beverage facility. Based upon a 5.5% interest rate and a 30 year term, this would likely translate into an annual debt service of \$89,000.

In the New Clubhouse scenario, we assume the construction of a new clubhouse which would include the pro shop, cart storage, and a small restaurant for golfers. While the minimum requirements for this property are 5,000 square feet and 4,500 square feet of space for cart storage, preliminary concepts for a new clubhouse have a total of 11,500 square feet. Using a cost estimate given by the City of Boulder, we expect the construction of this building and the tournament facility to total \$5,232,500. Based upon a 5.5% interest rate and a 30 year term, this would likely translate into an annual debt service payments of \$357,000.

In the New Events Center scenario, we assume the construction of a new clubhouse which would include the pro shop, cart storage, meeting/banquet space and a small restaurant for golfers. The minimum size for this clubhouse is 16,000 square feet. Preliminary concepts for a new events center show 23,400 square feet. Using a construction cost estimate given by the City of Boulder, we expect the construction of this building and the tournament facility to total \$10,155,000. Based upon a 5.5% interest rate and a 30 year term, this would likely translate into an annual debt service of \$692,000.

Feasibility and Overall Conclusions

The table below shows the projected net profit after debt service for the next ten years of operation for each scenario. Based on these projected cash flows, the table illustrates our projections that the New Events Center scenario generates the most net income to the city each year beginning in 2011.

Scenario Net Profit Comparison

Year	Baseline	New Clubhouse	New Events Center
2011	\$45	\$197	\$337
2012	108	322	389
2013	176	397	591
2014	189	477	763
2015	196	494	810
2016	203	510	835
2017	210	526	862
2018	219	544	890
2019	227	563	918
2020	237	582	947

Based upon the stabilized year, we have assumed a 5.5% interest rate, a 30 year term, and a debt coverage ratio of 125%, and determined that this income stream would support the following;

- Baseline Scenario \$2.2 million.
- New Clubhouse Scenario \$5.5 million.
- New Events Center \$8.75 million.

Based upon this analysis, the new clubhouse scenario is feasible, while the New Events Center scenario would not be feasible unless the costs could be reduced to around \$8.75 million.

From our analysis and net income projections of the three scenarios, it is our opinion that the best option for the City of Boulder is the New Events Center scenario. Improvements to the golf course are necessary, the irrigation system must be replaced, there must be better monitoring of tee times and a marketing plan must be established. Utilization and golf revenues can be increased through these initiatives. In addition, the driving range and tournament play have tremendous upside potential.

Golf Course and Food and Beverage Conclusions

The Flatirons Golf Course is a net revenue producer for the City of Boulder. As a golf operation, the fee structure can be increased significantly in respect to the rest of the local golf market. However, the most pressing issue is the deteriorating events center. A new building could serve multiple functions for the City of Boulder. A new building could host the pro shop, serve as cart storage, have a small restaurant for golfers, host community meetings and banquets, and give the golf course a great place to

host tournaments. This, of course, all would have to be done along with an expansion of the parking lot.

However, based on our findings, although the construction of new events center would not have the single greatest impact on the overall profitability of the subject property, this option gives the City of Boulder a greatly needed community meeting venue, while also providing a great location for golf tournaments and weddings. The study also illustrates that the new clubhouse scenario, also provides the best financial potentials, and illustrates that this option should be considered as well.

Based on the projections shown above, the New Events Center is the best option for the City of Boulder. This scenario uses a third-party management company to operate the food and beverage facility for a management fee of 4.0%. It is the opinion of HVS that this is the best management option for the City of Boulder, however, we also analyzed the possibility of leasing the food and beverage operation.

Impact of Community Functions

One issue that was requested for consideration was the impact of community events on the income stream relating to the new events center scenario. Currently, the Events Center hosts about 950 events annually, and generates approximately \$1,000 per event. It is our estimate that all but about 80-90 of these events are community related. We have run a variety of analysis based upon future projections of income and expense. It is our opinion that the average revenue per event is projected at about \$1,730.66 at stabilization. Assuming that the displacement of about 450 for profit events at \$20,00 per guest, with community events at \$10.00 per guest, the average revenue per community event would decrease to \$1,480.59, or a loss of income of \$250.00 per event. The overall profit margin would be reduced by about \$82 per event, or an impact of about \$37,000 in annual profit.

Impacts of Providing Community Events at Reduced Costs

	Event Capacity	Event Capture Rate	Events/Year	Average Check	Average # of Guests	Revenues
For Profit Projections	1,535	63%	960	Total F&B Revenue		\$1,661,000
				Revenue Per Event		\$1,730.66
				Profit:	15%	\$249,150
				Profit Per Event		\$259.60
Community Events Projections	1,535	63%	960	Total F&B Revenue		\$1,421,000
				Revenue Per Event		\$1,480.59
				Profit:	12%	\$170,520
				Profit Per Event		\$177.67
Profit Difference per Event						\$81.93
Impact to Profits (450 Events)						\$36,867.41

Additional Information Related to Pay As You Go (PAYG) Options for the University Hill

Several unfunded Capital Improvement Projects (CIP) on the Hill were presented by staff for potential PAYG funding:

Street Lighting in the high density residential area:	\$3,500,000
Commercial District Event Street:	\$700,000
Commercial District Street Tree & Irrigation:	\$520,000

At the April 22nd Study Session on the Hill, council expressed support for including Hill projects in potential PAYG funding consideration and asked staff to explore two additional options and one variation as alternatives:

- **Alley improvements**

Based on a standard linear foot cost, staff estimates that paving the two Hill alleys would cost around \$740,000. Cost estimates include design and contingency of 30 per cent.

These cost estimates are not yet based on a design.

Staff does not recommend these at this time, as the three projects listed above are considered a higher priority.

- **Expanding the Event Street concept from Pennsylvania to 13th Street**

Based on recent experience with the complete street in Boulder Junction, staff used a linear per square foot cost and applied it to 13th Street. Depending on whether the improvements would be curb to curb, or from building face to building face, the costs would range from \$1.2 million to \$2.1 million. Costs include design and contingency of 30 percent. These costs are very preliminary and are not yet based on a design.

Staff does not recommend this at this time, as the three projects listed above are considered a higher priority.

- **Use solar energy to power lighting**

With feedback from Joe Paulson in Transportation and Jonathan Koehn in Community Planning & Sustainability, staff has developed these very preliminary cost estimates for solar powered LED vehicular and pedestrian lighting:

- Commercial district: \$1.2 million total
- Residential area: \$663,000 to \$341,250 per block depending on either east/west or north/south orientation.

These costs do not factor in any land acquisition or leasing for solar collectors or ongoing operations. The commercial area already has a pedestrian scale lighting system owned by the city; however, powered by Excel. Additional discussions would be necessary to explore the location of the solar collectors, the distribution method and actual locations. Staff has received information from the CU student government indicating 16 blocks as priorities for lighting in the hill area. With an average block cost of approximately \$500,000, \$3.5 million dollars could potential introduce solar powered lighting to seven blocks within the residential area; or include the commercial district and four to five residential blocks.

The staff recommendation in this memo proposes that \$500,000 be added to the original \$3,000,000 (thus the recommendation of \$3,500,000 shown above) for street lighting, rather than including \$500,000 in gateway features.

Answers to Other Council Questions Related to the Potential Pay as You Go Ballot Item

A potential Pay as you Go (PAYG) ballot item was discussed as a part of the April 22 City Council Study Session. The following provides additional or more in-depth information related to various questions that came up during the study session and were not answered at the study session itself.

Emergency Preparedness Projects

Fire Station #3 Relocation

Fire Station #3 is located at the corner of 30th Street and Arapahoe Avenue. The facility is in 100-year floodplain, and needs to be relocated. The 2012 Fire Rescue Mater Plan recommends in the action plan to evaluate the type of stations for redeveloping areas, such as fire station #3 to be relocated out of the floodplain. There is a desire to combine a new station with the Fire Department's administrative offices (currently located in Public Safety Building) and additional storage, which is also identified as a need in the master plan.

In 2011 an initial relocation site analysis was done by city staff, which was narrowed down to three potential sites for a new location for Fire Station #3, out of the 100-year floodplain, and in an optimal location for enhanced response times. With land acquisition costs, construction, and the potential addition of administrative offices and additional storage, the estimated cost could be as high as \$19 Million. Due to this high cost, the project was not recommended for pay as you go financing, and instead is recommended to be considered as part of a long term bond financing program.

Citywide Radio Infrastructure, Alerting System Replacement and Equipment Replacement

As a part of the budget process, immediate, short-term and longer-term citywide equipment replacement needs are being analyzed. Equipment that needs immediate replacement to meet industry standards and replacement best practice will be prioritized for funding in budget recommendations. Likewise, annual CIP funding is allocated to infrastructure projects based on critical need, industry standards and the CIP guiding principles.

More complex systems, such as the radio infrastructure system, require additional analysis both in terms of timing, technical solutions and funding solutions. These items are all being analyzed and appropriate funding options and timelines for funding these will be brought forward in the operating and annual CIP budget processes over the next few years.

Funding for the Arts

There are several models for funding public art and designing a commissioning process that will be explored in the Community Cultural Plan. This may include percent-for-art, direct funding, public/private collaborations, or other types of models. By the conclusion of the plan, the city will have a series of recommendations on the design of a public art program that will meet the community's need for a thorough and transparent process, adequately fulfill current best practices, and provide sustainable and strategic funding. Until then, and given the direction from the City Manager's Office to reevaluate the current public art process, staff recommends that council not assign specific funds dedicated to public art. Rather, staff recommends that council

reiterate their support of the art programs that are already embedded within the plans for Civic Area catalyst programs.

Funding for Bridge House

Council expressed interest in considering funding for Bridge House at the April 22 City Council study session. Bridge House was not one of the non profits to have requested funding from the City of Boulder as a part of the PAYG capital funding consideration. However, Bridge House did request funding through the City of Boulder’s Affordable Housing program and has been awarded a \$1.2 million grant and \$800,000 in a bridge loan, in support of the acquisition of 4747 Table Mesa Drive to provide transitional housing for participants in the Ready to Work Program.



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: June 17, 2014

AGENDA TITLE: 2014-2015 Workplan Update

PRESENTER/S

Jane S. Brautigam, City Manager
City Management Team

PURPOSE

The purpose of this item is to provide an update on the 2014-2015 Workplan relative to City Council priorities, including (A) accomplishments in the first two quarters of 2014 and (B) Workplan items for the remainder of 2014 and 2015.

ACCOMPLISHMENTS

During the past six months, City Council and staff have worked towards many accomplishments on the community's behalf. Approximately 85 percent of the resources across the organization involve core services, including public safety, maintenance and operations. "Projects," including those in the Capital Improvement Plan, account for approximately 15 percent of city resources.

As outlined in Attachment A, the city was able to continue delivering high-quality services to the community while also completing or making progress on an impressive list of projects during the first two quarters of 2014, including many related to recovery from the 2013 flood event. The accomplishments are listed in the attachment and sorted by council priority.

WORKPLAN UPDATE

Attachment B represents a list of items anticipated to be in-progress or presented to council during the second half of 2014 and entirety of 2015. It is expected that additional detail will be added to the 2015 items as 2014 progresses.

It is important to note that the overall city workplan (which is not reflected in the attachments) includes not only projects requiring council or board action, but also the

fundamental services provided to support the everyday lives of residents, businesses, and visitors in the Boulder community.

ATTACHMENTS

Attachment A: 2014 Accomplishments – First and Second Quarters

Attachment B: Updated 2014-2015 Workplan



**CITY COUNCIL WORKPLAN
2014 FIRST AND SECOND QUARTER ACCOMPLISHMENTS**

PRIORITY AREA: HOUSING-LAND USE PLANNING-TRANSPORTATION

Integrated Planning Efforts

- Comprehensive Housing Strategy – Housing survey, toolkit analysis, near-term solutions
- Envision East Arapahoe – Inventory and Assessment (includes Sustainable Streets & Centers)
- Joint City/CU East Campus planning to advance the “complete streets” focus area (part of Transportation Master Plan Update)
- North Boulder Subcommunity Plan – Action Plan development
- Boulder Junction – continued planning and implementation
- Civic Area Implementation
- Community Workshop – Resilience Strategy scoping with 100 Resilient Cities
- *(Note: Many of these efforts are coordinated with the Transportation Master Plan Update, Climate Commitment, and Access Management and Parking Strategies)*

Access Management and Parking Strategies (AMPS)

- Hired a consultant team
- Downtown access demand projections completed

Other Transportation Items

- Progress continues updating the Transportation Master Plan, including integration with other planning projects. Scheduled for council review and consideration in July 2014.
- Flood recovery and repair, including coordination with FEMA and FHWA. Significant progress has been made on permanent flood repairs including multi-use paths, street repair and reconstruction, and pedestrian bridge repair and replacement.
- New Tax Implementation - A welcomed additional 2014 initiative, the Transportation Division is making progress on increasing maintenance and repair of the existing multi-modal system.
- Progress on regional initiatives such as US 36 managed lane/BRT and bikeway project implementation, Northwest Area Mobility Study (NAMS) consensus, including regional arterial BRT and involvement in US 36 Mayors and Commissioners Coalition and 36 Commuting Solutions.
- Boulder Junction Key public improvements are progressing and being completed in segments:
 - South side of Pearl Multi-way Boulevard completed summer 2014
 - North side Pearl multi-use path (railroad tracks to Foothills) completed fall 2014
 - North side Pearl Multi-way Boulevard is being coordinated with Depot Square construction



- Junction Place Bridge over Goose Creek underway and also coordinated with Depot Square
- Boulder County/City of Boulder Community Pass Feasibility Study Completed and delivered to Commissioners and Council – Next steps exploring Community Pass incorporated into TMP Update work program
- Significant progress on Capital Bond projects and leveraged funding in the Capital Improvement Program.
 - Projects such as 63rd Street Bridge reconstruction, street repair and reconstruction throughout the community, multi-use path connections, CEAP approval for Baseline Underpass just east of Broadway, etc.
- Continued work on increasing maintenance and repair to multimodal system.
- Continued progress on regional initiatives including US36 and NAMS
- Continue progress with Boulder Junction improvements

PRIORITY AREA: LIVABILITY

University Hill Reinvestment Strategy

- Travel study for the Hill
- Hill Study Session
- Pilot Parklet installation
- MOU for 14th Street Public Private Partnership
- Fox Theatre mural completed

Human Services Strategy

- Council study session and direction Complete Phase I – research and background; identified goals, outcomes, key workplan items.

PRIORITY AREA: LOCAL FOOD

13th Street Plaza Voluntary Cleanup Program

- Provided larger space and more electrical capacity for Farmer’s Market on 13th Street Plaza.

Open Space

- Volunteer project planting 10,000 asparagus crowns on OSMP leased organic farm to table operation.
- Converted western half of the Lousberg barn to a lambing facility.
- The McKenzie property was readied for 8 acres of organic vegetable production by Dew Farms.
- Three container gardens installed at the Chautauqua Ranger Cottage.
- OSMP tent at the Boulder County Farmers’ Market is revamped with education and branding focus related to agricultural production taking place on OSMP land



- Design and build two solar-powered irrigation pumps to provide water to local vegetable production.

Other Local Food Items

- Formed cross-departmental team, sent several of these team members to a local foods workshop in Santa Fe, and supported Council Members Plass and Jones in regional *Making Local Foods Work* Steering Committee efforts.

PRIORITY AREA: CLIMATE AND ENERGY

Electric Vehicle Study

- Completed DOE-funded EV infrastructure and study.
- Placed two EV solar trees at EBCC and Spruce and Broadway parking lot for free public charging.

Climate Commitment

- Climate Commitment Travel Wise GHG analysis for transportation section in collaboration with TMP Update.
- Council briefing on Climate Commitment
- Provided support for Community Workshop – Resilience Strategy

Municipalization

- Hired consultant to assist staff in developing transition work plan
- Worked with Xcel/City Task Force until it was disbanded in March 2014
- Worked with community through solar and natural gas working groups to develop policies of future resources
- Developed utility of the future integrated energy work plan
- Attended RMI eLab Accelerator session and developed preliminary vision and structure of the “Boulder Energy Community Marketplace,” presented to council in April
- Developed draft transition work plan - a step by step process for implementing new utility by 3rd quarter 2016
- Council adopted an ordinance to create a local electric utility
- Continued work with solar and natural gas working groups
- Ongoing public outreach

PRIORITY AREA: OTHER

Flood Recovery

- Significant progress has been made on permanent flood repairs including multi-use paths, street repair and reconstruction, and pedestrian bridge repair and replacement.
- Approximately \$8.6 million has been obligated for the city through the FEMA Public Assistance Program.



- Held two community preparedness and flood recovery open houses attended by a total of approximately 150 people. Included 6 topic areas and a presentation by Boulder Office of Emergency Management and city staff.
- Completed door to door flood safety information canvassing to approximately 2,000 households.
- Produced and distributed 1,000 copies of a community guide to flood safety, publishing weekly flood safety tips to the community.
- The Long-Term Flood Recovery Group of Boulder County case management supervisor for City of Boulder residents began, and coordination with city on cases is underway.
- Consolidated contact points for residents and businesses with a new single Flood Information and Customer Service suite.
- Communicated information regarding the Recover Colorado Business Grant and Loan Program (funded through CDBG-DR funds) to hundreds of businesses, non-profit organizations, partner organizations, and approximately 3,000 rental property owners.
- Co-hosted a business flood recovery workshop with the Small Business Development Center (SBDC).

Civic Area

- Civic Area project management team hired; established working relationships with key internal staff and external partners
- Created work plan and schedule for phase 1 and 2 implementation; Identified and scheduled internal/ external work groups for major capital projects; enhancing civic area via activation projects with partners

Valmont Butte

- The city has obtained a No Action Determination from the Colorado Department of Public Health and the Environment (CDPHE) for the Valmont Butte project and also revised environmental covenants for a significantly reduced tailings impacted area. The determination by the CDPHE signifies that the Valmont Butte property has been remediated to specific state standards and that there is no evidence of contamination being released into the environment which poses an unacceptable risk to human health and the environment.

Neighborhood Parking Program

- Expansions approved in East Ridge, Mapleton Hill, and Whittier neighborhoods.

Education Excise Tax Fund Round, Yamagata Flood Fund

- Released final fund round RFP
- Released funds to community child care facilities to rebuild from flood

Policy and Legislative

- Arranged successful city delegation visit to DC focusing on support for flood recovery, energy future work and for funding CU and the federal labs; securing support for FEMA debris removal and from DOE for funding of an energy future transition plan



- Played active role in seeing that the following laws were approved by the General Assembly:
 - Providing local governments' access to federal and state criminal background information for use in reviewing licenses for applicants for commercial marijuana operations,
 - Providing for transparency, equity and multimodalism in state public private partnership agreements to build managed lands
 - Providing state funding for Safe Routes to School Program
- Killed or amended:
 - Ban on city's ability to use red light camera and photo speed radar
 - Limits on ability of municipalities to condemn electric utility infrastructure
 - Threats to city's water rights
- Developed and began providing council a regular intergovernmental updates e-newsletter

Police Department

- Refined community policing – Officers spend time developing relationships with community members to work together to find solutions to community problems.
- Obtained grant funding to increase officer staffing from two to four in 2014 to enhance the department's ability to provide direct services to the community. Positions to be on the street by the end of the year. Officers who do not need to attend an academy complete training in four months. Officers who attend an academy complete training in 10 months.
- Increased officer presence in the Downtown/University Hill/Municipal Campus areas through directed overtime assignments and use of School Resource Officers. Used plain clothed officers as needed to help spot illegal behaviors.
- Increased code enforcement staffing to respond to bear/trash issues. This brings code enforcement staffing to three officers and one supervisor and allows for 7-day-a-week coverage.
- Addition of criminalist supervisor – In response to initiatives in the Police Department Master Plan, this position will enable officers to increase their time serving the community rather than processing crime scenes.
- Expanded police field guide for flood response – A more comprehensive guide was designed for emergency responders to use to establish priorities for protecting life, property and critical infrastructure.
- Initiation of space need analysis – A space need analysis is being completed as part of the master plan initiative to evaluate the size and design of police facilities for effectiveness and efficiency.

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BOULDER CITY COUNCIL WORKPLAN

2014

2015

Project	Council or Staff Action	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Comprehensive Housing Strategy	Council	Briefing - with other related efforts, workplan	SS - objectives, recommended early action items	Briefing	Direction on policy options	Adopt strategy and action plan			
	Staff Activities	Housing choice analysis; needs assessment; best practices; trends data; workplan	Opportunity sites; draft toolkit with "bang for buck" analysis	Housing symposium and working groups; Develop policy options	Develop policy recommendations				
North Boulder	Council		Direction on options and action plan		Adopt Action Plan				
	Staff Activities	Public meeting with options	Preferred options and refined action plan	Action plan					
East Arapahoe/Sustainable Streets and Centers	Council		IP - update	Direction on preferred scenario	SS - draft plan and action plan	Next Corridor - 30th St or Colorado			
	Staff Activities		SS - issues, scope, vision	Scenario refinement and recommendations	Develop East Arapahoe action plan				
Resilience	Council		Briefing - scope agenda		SS - scoping session	SS	Direction or IP	Direction or IP	Direction or IP
	Staff Activities	Agenda setting workshop 4/28	Hire Asst. City Manager, begin strategy development	Scope strategy components	Scoping	Resilience work	Strategy analysis and development	Strategy analysis and development	Strategy analysis and development
Boulder Valley Comprehensive Plan	Council			SS - scoping session		SS	Direction or IP	Direction or IP	Direction or IP
	Staff Activities				Scoping analysis and partner outreach	Issues identification	Strategy analysis and development	Strategy analysis and development	Strategy analysis and development
Other	Council	Flood Related Annexation Strategy - Direction (options and feedback)	Usable open space - Code Change	Economic Sustainability Strategy implementation - Code Change					
				Flood Related Annexation Ordinance					
				Parking generation and reduction - Code Change					
				Density/ROW Dedication Calculations - Code Change					
				County Assessor valuations for landscape and lighting upgrades - Code Change					
			Renewable energy sources - Code Change						
Staff Activities	Flood related Annexation Strategy - analyze costs and options	Planning Board for above code changes	Planning Board for above code changes						
	Planning Board for above code changes	Flood related annexation - Sent survey to 160 properties	Flood related annexation - agreements and easement preparation						

HOUSING/LAND USE PLANNING

BOULDER CITY COUNCIL WORKPLAN

2014

2015

Project	Council or Staff Action	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Transportation Master Plan	Council	IP (includes scope for AMPs)	SS (includes AMPS)	Acceptance - establish work program and coordination	Continue implementing pilots	Coordination with BVCP	Coordination with BVCP	Coordination with BVCP	Coordination with BVCP
	Staff Activities	Scenario and sensitivity analysis	Joint board workshop, TAB	Develop final update for board recommendation and council acceptance	Implement and coordination with BVCP and Resilience				
Community EcoPass	Council	Feasibility Study - joint release with County	Rolls into TMP update						
	Staff Activities								
Regional Transportation	Council	Briefing	Briefing		Briefing		Briefing		Briefing
	Staff Activities								
Electric Vehicle Parking Ordinance/Energy Services	Council	Council agenda	SS			IP	IP	IP	IP
	Staff Activities								
Access Management and Parking Strategies	Council	Scope	SS - Guiding principles, work program and process (includes TMP update)	Round 1 Code Changes - Auto and parking planning, zoning regs, EV charging stations		Round 2 - Parking code changes and other policy issues	Council endorsement of AMPS policies and ongoing work plan		
				MOU -Trinity Lutheran Public Private Parking Partnership					
				SS - Update					
	Staff Activities	Finalize work program	Staff workshop	Round 1 parking code changes	Long term parking code changes	Additional workplan items and public process tbd	Finalize document		
		TDM tool kit development for TMP integration		Additional workplan items tbd	Additional workplan items and public process tbd				
		Short term parking code ordinance changes	Public outreach and joint board meeting						
Research/best practices		Research/best practices	Research/best practices						
Develop communications strategy	Additional workplan items tbd								
Implement Transpo.Tax	Staff	ATB approved	Budget, plan, and hire to expand maint., capital planning, and capital work	Additional maintenance, planning, and construction.					

TRANSPORTATION

BOULDER CITY COUNCIL WORKPLAN

2014

2015

	Project	Council or Staff Action	2014				2015			
			1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
ADDITIONAL ITEMS	Comp. Financial Strategy/Capital Bond	Council Staff	Direction	SS	SS - finalize ballot?	Ballot?				
	Boulder Junction Phase 1 Implementation	Staff			South side of Pearl opens	North side of Pearl and Goose Creek bridge complete	Ongoing redevelopment coordination	North side of Pearl and Goose Creek bridge landscaping install. Bridge opens.		Depot Square opens
	Boulder Junction Phase 2 - City owned site	Staff		Coordination	Coordination		Coordination			
	Yards mobilized to move for Pollard option	Staff			Remove yards Storage from Pollard's parcels, remove prairie dogs, grading and final prep	Pollard's starts construction		Yards moves continue onto roadway parcel		
ADDITIONAL HOUSING/LAND USE PLANNING/TRANSPORTATION										

BOULDER CITY COUNCIL WORKPLAN

2014

2015

Project	Council or Staff Action	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Homelessness/Human Services	Council Items		SS - Human Services Strategy Update and Homeless Action Plan (including funding priorities and partnerships)	IP - Homelessness Issues	SS - Human Services Strategy Update and Homeless Action Plan (including funding and service priorities)				
				Regional Planning update/services and housing	IP - Services and Regional coordination update			SS - Services and Regional coordination update	IP - Services and Regional coordination update
	Staff Activities		HS Strategy Update and Homeless Action Plan Update	HS Strategy Update and Homeless Action Plan - research and analysis, key stakeholder and partner engagement, options					
			Facilitate monthly Boulder Homeless Planning Group re: Service Coordination	Convene regional meeting with Denver/Boulder/MDHI					
			County Ten Year Plan meeting with focus on meeting housing goals for homelessness						
Neighborhood/Park Events and Other Events	Council Items	GOCO grant application		GOCO grant acceptance					
			2014 USPPC contract approval and special events update		SS - Special Events with Street Closures and Block Party Permitting				
	Staff Activities	Review current PR permits and developm pilot program	Conduct pilot neighborhood event (link with Hill and GOCO school yard grant)	Conduct pilot neighborhood event	Review neighborhood park planning and event pilot success and plan schedule for 2015	Finalize neighborhood event schedule for 2015	Conduct neighborhood events	Conduct neighborhood events	Review pilot program and propose permit changes required to make improvements
		Link with park planning outreach	Summer recreation programs - arts, music, health, wellness	Continue summer art series and volunteer events					
		GOCO school yard grant	Submit GOCO grant	GOCO grant award - start civic area community park planning design and outreach					
		Review and analysis of existing special event permitting	Develop recommendations						
Arts	Council Items		SS - Library & Arts, including Community Cultural Plan				Adoption of Community Cultural Plan		
	Staff Activities		Work with new director						

LIVABILITY

BOULDER CITY COUNCIL WORKPLAN

2014

2015

Project	Council or Staff Action	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Code Enforcement	Council Items	SS	SS (includes Social Issues Strategy information)						
	Staff Activities								
LIVABILITY University Hill	Council Items	IP - 14th St Public/Private Partnership		Update - 14th St Public/Private Partnership					
		Bears/Trash	Tour with CU						
			SS - Hill Reinvestment Strategy		Update - Hill Reinvestment Strategy				
	Staff Activities	14th St - Hill Alt. Mode survey		14th St - Finalize analysis and develop recommendation to proceed with the Global Agreement					
			14th St - Finalize LOI						
		14th St - Financial Analysis							
		14th St - Additional access analysis							
		14th St - Board outreach	14th St - Board outreach						
		Pilot Parklet Competition	Parklet Implementation						
		Outreach to CU and stakeholders for support of Reinvestment Strategy	Fox Theatre mural by CU students	start pilot RSD program (to run through 2016)					
Recommendation for staffing Strategy implementation and prelim. analysis of future org structure options	Hire a fixed term Hill Coordinator								

BOULDER CITY COUNCIL WORKPLAN

2014

2015

Project		Council or Staff Action		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
LOCAL FOOD	Ag Resource Management Plan	Council Items	IP - goals, objectives, strategies, outcome measurements							Review -Acceptance		
		Staff Activities			Update to OSBT	Stakeholder meetings	Stakeholder meetings	OSBT approval				
	Other or not categorized	Council Items										
		Staff Activities	CU/BVSD partnership for neighborhood garden	Form cross-dept team	Develop work plan to achieve council vision	Finalize grass-fed site for local organic beef production						
			Burk Park/Horizon School playground	Housing links with YSI programs and local gardening pilot	Select organic producer for Manchester property. This property includes the farm residence.							
			Design guidelines for edible landscape in local parks	Develop infrastructure for organic farms on OSMP								

BOULDER CITY COUNCIL WORKPLAN

2014

2015

Project		Council or Staff Action		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
CLIMATE AND ENERGY	Zero Waste Strategic Plan	Council Items	Direction on options	SS - options and feedback			Acceptance and action plan		Implementation - commercial focus		
		Staff Activities	Stakeholder input on strategies	rulemaking on curbside compost	Public feedback on strategies. Draft plan for public review.			Implementation - program enhancements and ordinance development			
	Municipalization	Council Items		Briefing - Received Council Feedback on Boulder's Energy Future Transition Work Plan	SS - Boulder's Energy Future: Work Plan/Budget Update	Briefing - Boulder's Energy Future: Work Plan Update	Boulder's Energy Future: Update	Boulder's Energy Future: Update	Boulder's Energy Future: Update	Boulder's Energy Future: Update	
				SS - Received Council Feedback on Municipalization/ Integrated Energy Work Plan/ Draft Utility of the Future Concept: Energy Community Marketplace	Meeting - Boulder's Energy Future: Budget						
				Meeting - Council Adopted an Ordinance to Create a Local Electric Utility	Meeting - Boulder's Energy Future: Update on Solar and Natural Gas Working Groups						
	Staff Activities	Xcel/City Task Force disbanded in March 2014									
	Climate Commitment	Council Items		Briefing - framework, preliminary goals/targets, strategy development	SS - goals/targets, feedback on strategy scenarios, draft document	Approval					
		Staff Activities	Working groups meet	Scenario development; GHG inventory complete, including Travel Wise GHG analysis for transportation sector in coordination with TMP Update	Strategy formulation; city organization initiative launched		Launch action plan				

BOULDER CITY COUNCIL WORKPLAN

2014

2015

Project		Council or Staff Action		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
OPEN SPACE	Charter Issues	Council Items				Address disposition process and use of Realization Point for pro bike race						
		Staff Activities										
	Highway 93 Underpass	Council Items										
		Staff Activities					Anticipated project completion					
	Eldo to Walker Ranch	Council Items										
		Staff Activities	City, County and State Parks review of contractor proposals for potential mountain bike connection	Consultant selected, feasibility study to be complete by end of 4th Qt	Assessment ongoing	Assessment complete						
	IBM Connector	Council Items										
		Staff Activities		City/County requirement complete and await railroad to replace bridge								
	Trailhead as part of transportation system	Council Items										
		Staff Activities	Improved OSMP "Taking the Bus to OSM P" Website, Bike racks have been installed at all OSMP trailheads and many access points for several years	Begin advertising program in buses connecting to trailheads.	status update							
	Voice and Sight Tag Program	Council Items	Finalized program enhancements									
		Staff Activities		Scheduled accommodations throughout the year for 20,000 Voice and Sight training program participants	Continue training and exploring alternative and new signage							

BOULDER CITY COUNCIL WORKPLAN

2014

2015

Project	Council or Staff Action	2014				2015				
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
OTHER	Emerald Ash Borer (EAB)	IP Develop preliminary management plan	Implement pilot plan	Monitoring	Evaluate long term forest management plan and EAB strategy	Management plan and response	Response	EAB	EAB	
	Human Services Strategy		SS		SS		Public hearing			
	Other Required Council Actions	Council		CEAP call up for Baseline Underpass east of Broadway	Comprehensive Annual Financial Report	Smoking ban - public hearing				
			Old Pearl Street ROW vacation		Appointment of independent auditor					
				Mobile food vehicles - ordinance change	Update on investment policies - action					
			NPP - zone expansions and removal	IGA with CDOT/County for US 36 bikeway maintenance	Modification of construction use tax filing - IP then action					
					Pearl Street Mall regulations - code changes					
				Pilot dog waste composting project - Valmont and OSMP possible site	IGA for bikeway maintenance/ US 36 enhancements					
	Valmont Butte	Council Items			SS - City Council Study Session: Next steps, future use and landmarking.	Council consideration of filing for landmark designation of historic buildings with County HPAB and Commission.				
		Staff Activities	Obtain CDPHE No Action Determination	Obtain new environmental covenants						
13th Street Plaza Voluntary Cleanup Program	Staff Activities	Remediation work continues. Open plaza for Farmer's Market.	Complete remediation work for VCUP and provide temporary surface on 13th Street Plaza	Seek cost sharing from other responsible party	Identify permanent plans for 13th Street Plaza					
					Quarterly Well Monitoring; Follow-up Remediation					
Cap. Bond 1 Implement.	Staff		Construction			85% complete			95% complete	
Flood Recovery	Staff	Ongoing support of council objectives to help people and businesses and restore infrastructure while maximizing resources	Work ongoing	Work ongoing	Work ongoing	Work ongoing	Work ongoing	Work ongoing	Work ongoing	

BOULDER CITY COUNCIL WORKPLAN

2014

2015

Project	Council or Staff Action	2014				2015				
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
OTHER	Civic Area	Council Items		PAYGO submission		SS: Civic Area capital projects	SS: Site redevelopment; update PRAB, Library & Arts Commission			
		SS - Civic Use Pad Public/private partnership			Approval of MOU with St. Julien Partners	Civic Use Pad Update				
	Staff Activities			Civic Use Pad: Develop MOU with St. Julien	Civic Use Pad: Analysis, Design, Negotiations with St. Julien					
					Civic Use Pad: BURA and Planning Board review of Urban Renewal Plan changes					
					Civic Use Pad: Task Force Update					
		EVENTS: Civic Area events team identified	Coordinate events for the Civic Area with partners, e.g., the Library, BMoCa, Farmers' Market	Enhance partners events to activate Civic Area; deploy Ambassadors	Review summer series success and revise for 2015	Calendar successful partner events; pilot joint project with Downtown	Curate event series to fill identified cultural gap	Deliver annual, partner and curated event series	Review summer series success and revise for 2016	
		STAFFING & COMMS: Hire Civic Area project managers	Advertise for seasonal park ambassadors	Implement coordinated communications plan for events, site redevelopment and capital projects	Create/ disseminate year-end Civic Area highlights					
		SITE REDEVELOPMENT: Prepare GOCO grant for nature play and park planning	Prepare estimates and background for PAYGO Submission	Issue RFQ for site redevelopment plan consultants	Complete site redevelopment planning (concept)	Design first phase of site redevelopment	Begin first phase of site redevelopment	Continue first phase of site redevelopment	Complete first phase of site redevelopment	
	CAPITAL PROJECTS: Launch Civic Area implementation with key internal directors; engage Commissions, DBI, other key external partners	Convene work groups to advance Food, Event Space, Connectivity, Arts, Service/Innovation long-term capital projects	Assemble short-list of projects for consideration for 2016 Bonding Bill	Hold discussions with potential operators/partners on capital projects	Create initial funding models; investigate additional financing to augment public funds	Refine project scope and budget	Prepare outline submission for Bonding Bill			



TO: Members of Council
FROM: Dianne Marshall, City Clerk's Office
DATE: June 17, 2014
SUBJECT: Information Packet

1. CALL UPS

- A. Vacation of a 25-foot drainage and utility easement and a 20-foot drainage easement at the Northeast corner of the intersection of 28th St. and Kalmia Ave. (0 Kalmia Ave.) to allow for the construction of the previously approved Wonderland Creek Townhomes project.
- B. Vacation of a 25 foot utility easement running perpendicular to the 28th Street Frontage Road and east-to-west at 800 28th Street (ADR2014-00082)
- C. Community and Environmental Assessment Process (CEAP) for the Baseline Road (Broadway-27th Way) Underpass Project (subject to call-up through June 17, 2014)

2. INFORMATION ITEMS

- A. Boulder's Energy Future Update
- B. Update on the City's Photo Enforcement Program
- C. Valmont City Park – Concept Plan Update

3. BOARDS AND COMMISSIONS

- A. Environmental Advisory Board – March 19, 2014
- B. Environmental Advisory Board – April 9, 2014
- C. Environmental Advisory Board – May 14, 2014
- D. Library Commission – April 2, 2014
- E. Parks and Recreation Advisory Board – January 27, 2014
- F. Parks and Recreation Advisory Board – February 24, 2014
- G. Parks and Recreation Advisory Board – March 17, 2014
- H. Parks and Recreation Advisory Board – April 28, 2014
- I. Transportation Advisory Board – March 10, 2014
- J. Transportation Advisory Board – May 12, 2014

4. DECLARATIONS

None.



INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning + Sustainability
Charles Ferro, Development Review Manager
Chandler Van Schaack, Planner I

Date: June 17, 2014

Subject: **Call-Up Item:** Vacation of a 25-foot drainage and utility easement and a 20-foot drainage easement at the Northeast corner of the intersection of 28th St. and Kalmia Ave. (0 Kalmia Ave.) to allow for the construction of the previously approved Wonderland Creek Townhomes project.

EXECUTIVE SUMMARY:

The applicant has requested vacation of an existing 25-foot drainage and utility easement and a 20-foot drainage easement at 0 Kalmia Ave., located at the Northeast corner of the intersection of 28th St. and Kalmia Ave. (refer to **Attachment B** for exact location). The 25-foot drainage and utility easement was originally dedicated as part of a previous development approval for the Manor Care Nursing Facility and recorded at the office of the Boulder County Clerk & Recorder on December 6, 1993 at Reception No. 01368611. The 20-foot drainage easement was dedicated following subdivision of the Manor Care property and recorded in the records of the Boulder County Clerk and Recorder on October 29, 2008 at Reception No. 02961845.

Currently, there are no utilities within either of the easements that are proposed to be vacated. The 25-foot drainage and utility easement proposed to be vacated previously held an 8" water main serving the Manor Care property to the north; however, this water main has been relocated into a new easement. Similarly, the 20-foot drainage easement proposed to be vacated originally served the Manor Care development; however, the previously approved Wonderland Creek Townhomes project included redesigned drainage facilities for which new drainage easements have been dedicated. Therefore, because there are no utilities within the easements proposed to be vacated and all utilities and drainage facilities have been relocated into new easements, there is no public need for the easements proposed to be vacated.

The proposed vacation was approved by staff on June 11, 2014. There is one scheduled City Council meeting, on June 17, 2014, within the 30 day call up period.

Pursuant to the procedures for easement vacations set forth in subsection 8-6-10(b), B.R.C. 1981, the city manager has approved the vacation of an existing 25-foot drainage and utility easement and a 20-foot drainage easement at 0 Kalmia Ave., located at the Northeast corner of the intersection of 28th St. and Kalmia Ave. The date of final staff approval of the easement vacation was June 11, 2014 (refer to **Attachment D**, *Notice of Disposition*). This vacation does not require approval through ordinance based on the following criteria:

- The easements have never been open to the public; and
- The easements have never carried regular vehicular or pedestrian traffic.

The vacation will be effective 30 days later on July 11, 2014 unless the approval is called up by City Council.

FISCAL IMPACTS:

None identified.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

- Economic: No economic impact is anticipated through this easement vacation.
- Environmental: No impacts are anticipated through this easement vacation.
- Social: None identified.

BACKGROUND:

0 Kalmia Ave. is located the Northeast corner of the intersection of 28th St. and Kalmia Ave. in the RM-1 (Residential- Medium 1) zone district and is comprised of a 5.09- acre lot (refer to **Attachment A**, Vicinity Map). The property is encumbered by utility, drainage and access easements, with the subject 25-foot drainage and utility easement located on the north end of the site and the subject 20-foot drainage easement extending from the north end of the site to the south end (refer to **Attachment B**, Site Plan).

The 25-foot drainage and utility easement was originally dedicated as part of a previous development approval for the Manor Care Nursing Facility. As noted above, the water main previously located in the easement to serve the Manor Care facility has since been relocated into a new easement. The 20-foot drainage easement was dedicated in 2008 following subdivision of the Manor Care property in order to convey drainage from the northern lot. The site is currently vacant; however, a new development proposal has been approved for a 45-unit residential development to be known as the Wonderland Creek Townhomes. The development will be comprised of 41 townhome units and 4 affordable single-family units.

The proposed building design requires that the existing 25-foot drainage and utility and the 20-foot drainage easement be vacated. Given that there is currently no public need for the either the 25-foot drainage and utility easement or the 20-foot drainage easement to be vacated because there are no utilities located therein, failure to vacate the easements would cause hardship to the property owner by precluding the approved development proposal from being constructed.

ANALYSIS:

Staff finds the proposed vacation of a 25-foot drainage and utility easement and a 20-foot drainage easement at 0 Kalmia Ave. consistent with the standard set forth in subsection (b) of section 8-6-10, “*Vacation of Public Easements*”, B.R.C. 1981. Specifically, staff has determined that no public need exists for the easements to be vacated due to the fact that the easements are currently unused.

PUBLIC COMMENT AND PROCESS:

Notice of the vacation was advertised in the Daily Camera within the 30 day call up period as required by the code. Staff has received no written or verbal comments adverse to the vacation.

NEXT STEPS:

If the requested vacation is not called up by City Council then the Deed of Vacation (**Attachment C**) will be recorded. If the requested vacation is called up and subsequently denied, the applicant will be limited to development outside of the easement.

ATTACHMENTS:

- A: Vicinity Map
- B: Site Plan showing easements to be vacated
- C: Deed of Vacation with Exhibit A (Legal Description and Map of the Drainage and Utility Easement to be vacated) and Exhibit B (Legal Description and Map of the Drainage Easement to be vacated)
- D: Notice of Disposition



For Administrative Purposes Only
Address: Kalmia & 28th (Wonderland Creek)
Case No. ADR2013-00199

DEED OF VACATION

The City of Boulder, Colorado, does hereby vacate and release to the present owner of the subservient land, in a manner prescribed by Subsection 8-6-10(b), B.R.C. 1981, the following: 1) a drainage and utility easement previously dedicated to the City of Boulder and recorded in the records of the Boulder County Clerk and Recorder at Reception No. 01368611 on the 6th day of December, 1993, located at the northeast corner of Kalmia Avenue and 28th Street and as more particularly described as Exhibit A attached hereto and incorporated herein by reference; and 2) a drainage easement previously dedicated to the City of Boulder on the final plat of Manor Care Subdivision recorded in the records of the Boulder County Clerk and Recorder at Reception No. 02961845 on the 29th day of October, 2008 located at the northeast corner of Kalmia Avenue and 28th Street and as more particularly described as Exhibit B attached hereto and incorporated herein by reference.

The above easement vacations and release of said easements at the northeast corner of Kalmia Avenue and 28th Street shall extend only to the portion and the type of easements specifically vacated. The within vacations are not to be construed as vacating any rights-of-way, easements or cross-easements lying within the description of the vacated portion of the easements.

Executed this _____ day of _____, 20__, by the City Manager after having received authorization from the City Council of the City of Boulder, Colorado.

CITY OF BOULDER, COLORADO

By: _____
Jane S. Brautigam, City Manager

Attest:

City Clerk

Approved as to form:



City Attorney's Office

6-11-2014
Date

EXHIBIT "A"

LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH,
RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 1 OF 2

VACATION OF A 25-FOOT DRAINAGE & UTILITY EASEMENT, DESCRIBED AT REC. NO. 01368611, OVER AND ACROSS A PORTION OF LOT 2, MANOR CARE SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTHERLY LINE OF SAID LOT 2 TO BEAR NORTH 89°43'13" EAST, A DISTANCE OF 160.31 FEET BETWEEN FOUND NO. 5 REBAR WITH 1 1/2" ALUMINUM CAPS, MARKED "FLATIRONS SURV 16406", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, THENCE NORTH 89°43'13" EAST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 58.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTHERLY LINE NORTH 89°43'13" EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 00°20'50" EAST, A DISTANCE OF 75.46 FEET; THENCE NORTH 89°39'07" EAST, A DISTANCE OF 199.00 FEET TO A POINT ON A NON-TANGENT CURVE, SAID CURVE IS THE WESTERLY RIGHT OF WAY LINE OF PASEO DEL PRADO; THENCE, ALONG SAID RIGHT OF WAY, 26.42 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 274.06 FEET, AN INCLUDED ANGLE OF 5°31'25" AND SUBTENDED BY A CHORD BEARING SOUTH 18°28'00" WEST, A DISTANCE OF 26.41 FEET; THENCE SOUTH 89°39'08" WEST, A DISTANCE OF 215.48 FEET; THENCE NORTH 00°20'52" WEST, A DISTANCE OF 100.49 FEET TO THE POINT OF BEGINNING.

SAID VACATED EASEMENT CONTAINING 7,374 SQ.FT. OR 0.17 ACRES, MORE OR LESS.

I, KENNETH W. CURFMAN, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.



KENNETH W. CURFMAN
COLORADO P.E., P.L.S. #25620
FLATIRONS, INC.

JOB NUMBER: 13-100,442 UTILITY
DRAWN BY: E. DAVIS
DATE: AUGUST 27, 2013

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

Flatirons, Inc.
Surveying, Engineering & Geomatics



655 FOURTH AVE
 LONGMONT, CO 80501
 PH: (303) 776-1733
 FAX: (303) 776-4355
www.FlatironsInc.com

BY: E. DAVIS FILE: NECT-CD-VACATION.DWG DATE: 10/1/2013 3:47 PM

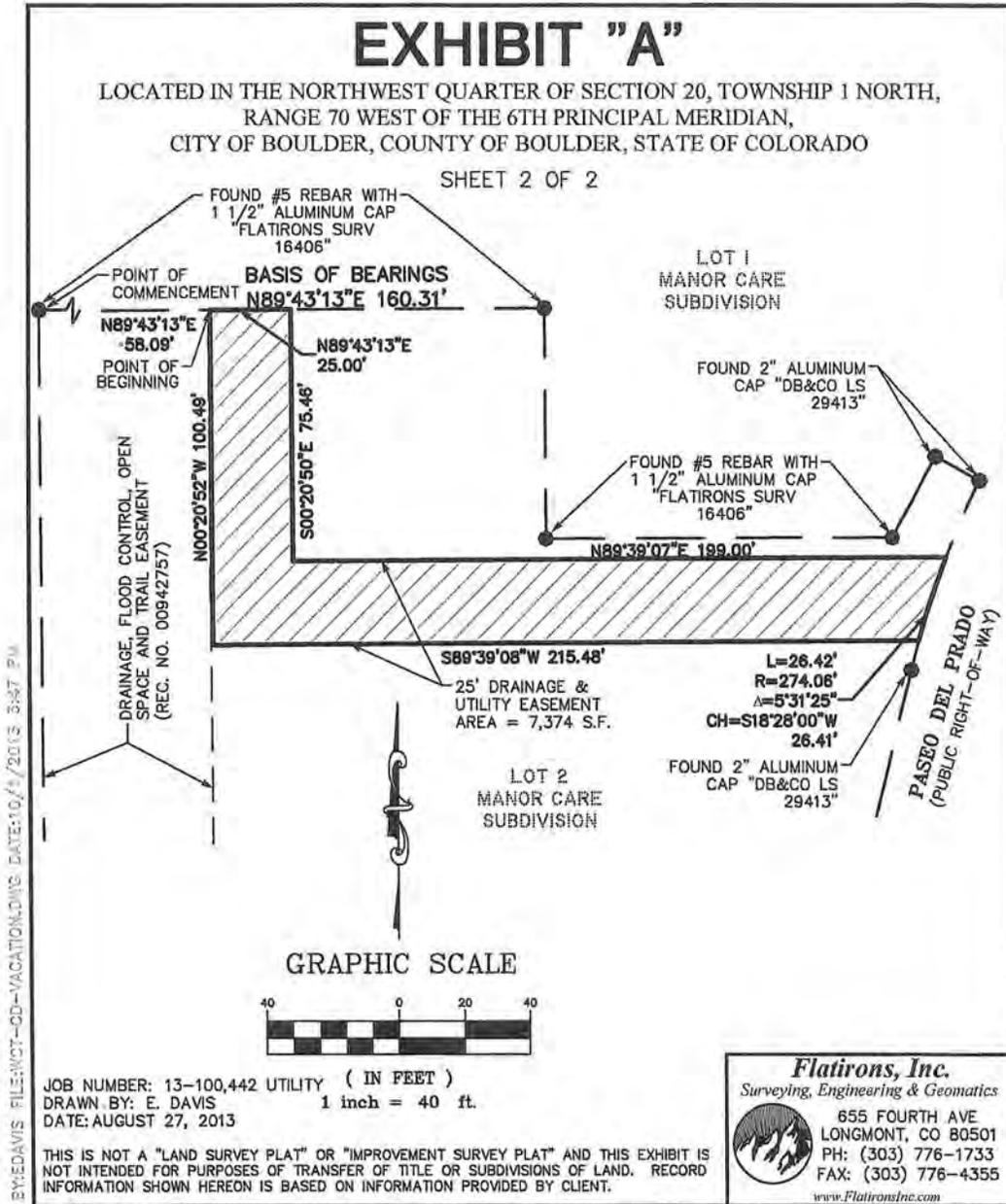


EXHIBIT "B"

LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH,
RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO
SHEET 1 OF 4

VACATION OF A 20-FOOT DRAINAGE EASEMENT OVER AND ACROSS A PORTION OF LOT 2, DESCRIBED ON THE PLAT OF MANOR CARE SUBDIVISION AT RECEPTION NO. 2961845, LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A CHORD BETWEEN FOUND MONUMENTS LOCATED ON THE SOUTHWESTERLY ROW LINE OF PASEO DEL PRADO IS ASSUMED TO BEAR NORTH 52°48'00" WEST BETWEEN A 2" ALUMINUM CAP MARKED "DB & CO LS 29413" AND A #5 REBAR WITH 1.5" ALUMINUM CAP, MARKED "FLATIRONS SURV LS 16406". ALL BEARINGS CONTAINED HEREIN ARE RELATIVE THERETO.

COMMENCING AT A POINT ON THE EASTERLY LINE OF SAID LOT 2, SAID POINT BEING THE SOUTHEAST CORNER OF SAID RIGHT OF WAY; THENCE, ALONG SAID WESTERLY AND SOUTHWESTERLY RIGHT OF WAY THE FOLLOWING THREE (3) COURSES:

1) 162.27 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 124.00 FEET, AN INCLUDED ANGLE OF 74°58'42" AND SUBTENDED BY A CHORD BEARING NORTH 52°48'00" WEST, A DISTANCE OF 150.94 FEET;

2) THENCE, CONTINUING ALONG SAID WESTERLY AND SOUTHWESTERLY RIGHT OF WAY, 63.02 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 124.00 FEET, AN INCLUDED ANGLE OF 29°07'04" AND SUBTENDED BY A CHORD BEARING NORTH 0°45'07" WEST, A DISTANCE OF 62.34 FEET;

3) THENCE NORTH 13°48'25" EAST, A DISTANCE OF 16.92 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 57°42'38" WEST, A DISTANCE OF 33.55 FEET; THENCE SOUTH 30°10'13" WEST, A DISTANCE OF 79.78 FEET TO A POINT ON A TANGENT CURVE;

BY: E DAVIS FILE: NCT-CD-VACATION.DWG DATE: 10/1/2013 5:40 PM

JOB NUMBER: 13-100,442 DRAINAGE
DRAWN BY: E. DAVIS
DATE: AUGUST 27, 2013

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EXHIBIT "B"

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RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 4

THENCE 17.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 22.00 FEET, AN INCLUDED ANGLE OF 45°31'52" AND SUBTENDED BY A CHORD BEARING SOUTH 07°24'17" WEST, A DISTANCE OF 17.03 FEET; THENCE SOUTH 23°50'42" EAST, A DISTANCE OF 102.33 FEET; THENCE SOUTH 12°51'35" EAST, A DISTANCE OF 24.78 FEET; THENCE SOUTH 03°16'24" EAST, A DISTANCE OF 46.47 FEET; THENCE SOUTH 66°36'03" EAST, A DISTANCE OF 50.98 FEET; THENCE SOUTH 40°45'02" WEST, A DISTANCE OF 60.14 FEET TO A POINT ON THE NORTHERLY LINE OF A BIKE PATH, DRAINAGE, AND FLOOD CONTROL EASEMENT AT RECEPTION NO. 01029228, RECORDED FEBRUARY 22, 1990; THENCE NORTH 38°15'16" WEST, ALONG SAID NORTHERLY EASEMENT LINE, A DISTANCE OF 20.37 FEET; THENCE NORTH 40°45'02" EAST, A DISTANCE OF 29.05 FEET; THENCE NORTH 66°36'03" WEST, A DISTANCE OF 36.12 FEET; THENCE NORTH 03°16'24" WEST, A DISTANCE OF 57.13 FEET; THENCE NORTH 12°51'35" WEST, A DISTANCE OF 21.18 FEET; THENCE NORTH 23°50'42" WEST, A DISTANCE OF 101.65 FEET TO A POINT ON A TANGENT CURVE; THENCE 35.10 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 42.00 FEET, AN INCLUDED ANGLE OF 47°52'39" AND SUBTENDED BY A CHORD BEARING NORTH 06°13'53" EAST, A DISTANCE OF 34.08 FEET; THENCE NORTH 30°10'13" EAST, A DISTANCE OF 84.66 FEET; THENCE NORTH 57°42'38" EAST, A DISTANCE OF 59.24 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY LINE OF PASEO DEL PRADO; THENCE SOUTH 13°48'25" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 28.84 FEET TO THE POINT OF BEGINNING.

SAID VACATED EASEMENT CONTAINING 8,396 SQ.FT. OR 0.19 ACRES, MORE OR LESS.

I, KENNETH W. CURFMAN, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIrons, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.



KENNETH W. CURFMAN
COLORADO P.E., P.L.S. #25620 JOB NO. 13-100,442
FLATIrons, INC.

JOB NUMBER: 13-100,442 DRAINAGE
DRAWN BY: E. DAVIS
DATE: AUGUST 27, 2013

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BY: E. DAVIS FILE: WDT-CD-VACATION.DWG DATE: 10/1/2013 3:57 PM

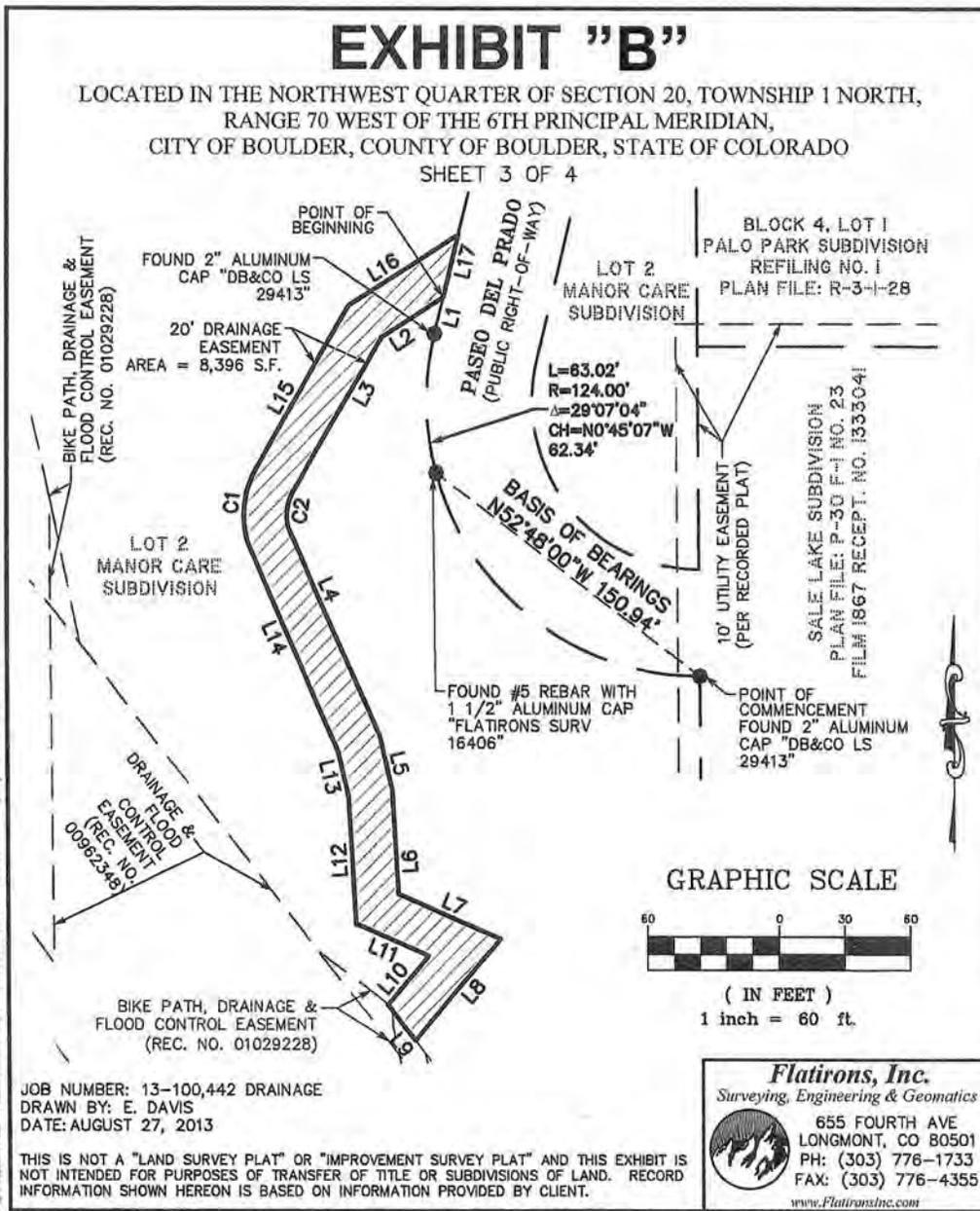


EXHIBIT "B"

LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH,
 RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,
 CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO
 SHEET 4 OF 4

PARCEL LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	16.92	N13°48'25"E
L2	33.55	S57°42'38"W
L3	79.76	S30°10'13"W
L4	102.33	S23°50'42"E
L5	24.78	S12°51'35"E
L6	46.47	S03°16'24"E
L7	50.98	S66°36'03"E
L8	60.14	S40°45'02"W
L9	20.37	N38°15'16"W
L10	29.05	N40°45'02"E
L11	36.12	N66°36'03"W
L12	57.13	N03°16'24"W
L13	21.18	N12°51'35"W
L14	101.65	N23°50'42"W
L15	84.66	N30°10'13"E
L16	59.24	N57°42'38"E
L17	28.84	S13°48'25"W

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	35.10	42.00	47°52'39"	N06°13'53"E	34.08
C2	17.48	22.00	45°31'52"	S07°24'17"W	17.03

BY: E DAVIS FILE: WCT-CD-VACATION.DWG DATE: 10/1/2013 3:47 PM

JOB NUMBER: 13-100,442 DRAINAGE
 DRAWN BY: E. DAVIS
 DATE: AUGUST 27, 2013

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CITY OF BOULDER
Community Planning and Sustainability

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1880 • fax 303-441-3241 • web www.bouldercolorado.gov

ADMINISTRATIVE REVIEW
NOTICE OF DISPOSITION

You are hereby advised that the following action was taken by the Planning Department:

DECISION: Approved
DATE: June 11, 2014
REQUEST TYPE: Public Utility Easement Vacations
ADDRESS: 0 Kalmia Ave.
APPLICANT: Stephen Sparr
CASE #: ADR2013-00199
LEGAL DESCRIPTION: Lot 2, Manor Care Subdivision, Located in the NW Quarter of Section 20, Township 1N, Range 70 West of the 6th P.M., City of Boulder, County of Boulder, State of Colorado
DESCRIPTION: PUBLIC UTILITY EASEMENT VACATIONS: for the vacation of two easements associated with the Wonderland Creek Townhomes project, including a 25-foot drainage and utility easement and a 20-foot drainage easement.

FINAL DECISION STANDARDS:
Approved as submitted. This application is approved per the criteria for Vacation of Public Easements as set forth in section 8-6-10, B.R.C. 1981. This approval does not constitute building permit approval.

This approval is limited to the vacation of a drainage and utility easement previously dedicated to the City of Boulder and recorded in the records of the Boulder County Clerk and Recorder on December 6, 1993 at Reception No. 01368611, as well as a drainage easement previously dedicated to the City of Boulder on the final plat of Manor Care Subdivision recorded in the records of the Boulder County Clerk and Recorder on October 29, 2008 at Reception No. 02961845, located at 0 Kalmia Ave.

Approved By: 
Chandler Van Schaack, Planning Department



INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning & Sustainability
Charles Ferro, Development Review Manager
Jonathan Woodward, Associate Planner

Date: June 17, 2014

Subject: Call-Up Item: Vacation of a 25 foot utility easement running perpendicular to the 28th Street Frontage Road and east-to-west at 800 28th Street (ADR2014-00082).

EXECUTIVE SUMMARY:

The applicant requests vacation of a 25 foot utility easement at 800 28th Street (refer to **Attachment D** for exact location) for a residential multi-family development project that was approved by the Planning Board in October 2013. The area to be vacated will be used for an internal sidewalk and site amenities. This site is the current location of the “Boulder Outlook Hotel.” The easement was originally dedicated in 1982 to accommodate utilities. The easement is no longer needed since utilities are not present at this location and will not be needed in the future. All requisite utility companies have approved the request.

The proposed easement vacation was approved by staff on June 2, 2014. There is one scheduled City Council meeting on June 17, 2014 which is within the 30 day call-up period.

CODE REQUIREMENTS:

Pursuant to the procedures for easement vacations set forth in subsection 8-6-10(b), B.R.C. 1981, the city manager has approved the vacation of a 25 foot existing utility easement. The date of final staff approval of the easement vacation was June 2, 2014 (refer to **Attachment E**, *Notice of Disposition*). The vacation will be effective 30 days later, on July 2, 2014, unless the approval is called up by City Council.

FISCAL IMPACTS:

This vacation of this easement was required as a condition of approval for Site Review, and it is a key part of the larger site plan for the Boulder Outlook Hotel redevelopment. A denial of this request could cause the applicant to make significant changes to the approved site plan and site design.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

- Economic: None identified.
- Environmental: No impacts are anticipated through this utility easement vacation.
- Social: None identified.

BACKGROUND:

The subject property is a 4.2 acre lot located in a Business Transitional 1 (BT-1) zone district (refer to **Attachment A**, *Vicinity Map*). It is being developed as the future American Campus Communities Student Housing. The property has a 25 foot utility easement that runs perpendicular to the west property line (refer to **Attachment B**, *Site Plan*).

The portion of easement to be vacated was originally dedicated for utility purposes in 1982. There are no public or private utilities or structural encroachments located in the easement to be vacated.

Given that there is no public need for the portion of easement for which it was intended, failure to vacate the requested portion of easement would cause hardship to the property owner, and it would interfere with the site plan and design of the future residential multi-family redevelopment.

ANALYSIS:

Staff finds the proposed vacation of a 25 foot utility easement (25 feet x 255 feet) consistent with the standard set forth in subsection (b) of section 8-6-10, “*Vacation of Public Easements*”, B.R.C. 1981. Specifically, staff has determined that no public need exists for this utility easement.

No vacation of a public easement shall be approved unless the approving agency finds that:

-  1. Change is not contrary to the public interest.
-  2. All agencies having a conceivable interest have indicated that no need exists, either in the present or conceivable future, for its original purpose or other public purpose.
-  3. Consistent with the Comprehensive Plan and Land Use Regulations.
-  a. Failure to vacate the easement would cause a substantial hardship to the use of the property consistent with the Comprehensive Plan and Land Use Regulations; or
- N/A b. Would provide a greater public benefit than retaining the property in its present status.

PUBLIC COMMENT AND PROCESS:

Notice of the vacation will be advertised in the Daily Camera within the 30 day call up period. Staff has received no written or verbal comments adverse to the vacation.

NEXT STEPS:

If the requested vacation is not called up by City Council then the Deed of Vacation (**Attachment C**) will be recorded. If the requested vacation is called up, and subsequently denied, the applicant will be limited to development on the property outside of the easement area.

ATTACHMENTS:

- Attachment A: Vicinity Map
- Attachment B: Site Plan
- Attachment C: Deed of Vacation
- Attachment D: Exhibit A
- Attachment E: Notice of Disposition



For Administrative Purposes Only
Address: 800 28th Street
Case No.: ADR2014-00082

DEED OF VACATION

The City of Boulder, Colorado does hereby vacate and release to the present owner(s) of the subservient land, in a manner prescribed by Subsection 8-6-10(b), B.R.C. 1981, the following utility easement previously dedicated to the City of Boulder and recorded in the records of Boulder County Clerk and Recorder at Film 1235, Reception No. 527442 on January 7, 1983, located at 800 28th Street and as more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The within easement vacation and release of said easement shall extend only to the portion and the type of easement specifically vacated. The within vacation is not to be construed as vacating any rights-of-way or easements or cross-easements lying within the description of the vacated portion of the easement.

Executed this _____ day of _____, 20__, by the City Manager after having received authorization from the City Council of the City of Boulder, Colorado.

CITY OF BOULDER, COLORADO

By: _____
Jane S. Brautigam, City Manager

Attest:

City Clerk

Approved as to form:

Hela Pannous
City Attorney's Office

5-28-2014
Date



EXHIBIT A
PAGE 1 OF 2

Engineers/Surveyors

Boulder
Colorado Springs
Steamboat Springs
Grand Junction

1800 18th Street
Boulder, CO 80301-2620

303-442-4338
303-442-4373 Fax

Drexel, Barrell & Co.

JANUARY 21, 2014

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SW1/4 OF SECTION 32 T1N, R70W OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OF LAND AS DESCRIBED IN ON FILM 1235 AS RECEPTION NO. 527442 IN THE BOULDER COUNTY RECORDS.

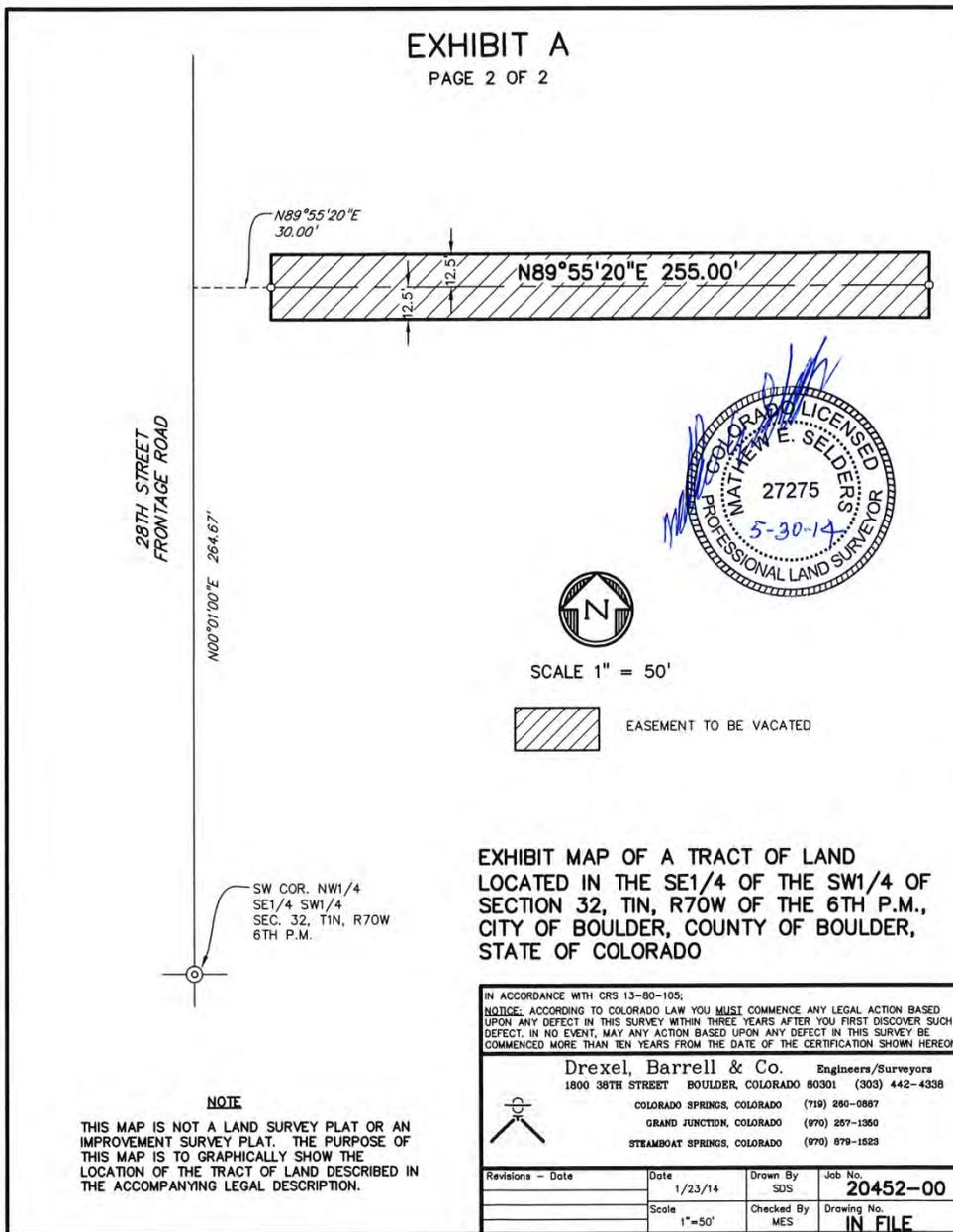
Legal Description Prepared By

Mathew E. Selders
Colorado License No. 27275
1800 38th Street
Boulder, CO 80301
303-442-4338



EXHIBIT A

PAGE 2 OF 2



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CITY OF BOULDER
Community Planning and Sustainability

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1880 • fax 303-441-3241 • web www.bouldercolorado.gov

ADMINISTRATIVE REVIEW
NOTICE OF DISPOSITION

You are hereby advised that the following action was taken by the Planning Department:

DECISION: Approved
DATE: June 2, 2014
REQUEST TYPE: Vacation/Easement
ADDRESS: 800 28th Street
APPLICANT: Xavier Garcia
CASE #: ADR2014-00082
LEGAL DESCRIPTION: See Exhibit A.
DESCRIPTION: EASEMENT VACATION to vacate a 25 foot utility easement along the west property line and running perpendicular to the 28th Street Frontage Road at 800 28th Street.

FINAL DECISION STANDARDS:

Approved as submitted. This application is approved per the criteria for Vacation of Public Easements as set forth in section 8-6-10, B.R.C. 1981. This approval does not constitute building permit approval.

This approval is limited to the vacation of a 25 foot utility easement, previously dedicated to the City of Boulder and recorded in Film 1235 as Reception No. 527442 in the Boulder County Records.

INFORMATIONAL COMMENTS:

Pursuant to section 8-6-10(b), B.R.C. 1981, approval of an easement vacation "is not effective until thirty days after the date of its approval. Promptly after approving the vacation, the manager will forward to the city council a written report, including a legal description of vacated portion of the easement and the reasons for approval. The manager will publish notice of the proposed vacation once in a newspaper of general circulation in the City within thirty days after the vacation is approved. Upon receiving such report and at any time before the effective date of the vacation, the council may rescind the manager's approval and call up the vacation request for its consideration at a public hearing, which constitutes a revocation of the vacation."

A 25 foot utility easement was dedicated on December 15, 1982 (Film 1235, Reception No. 527442). The utilities companies have consented to sign off on the request.

This decision is final and may not be appealed. A new request may be considered only as a new application.

Approved By:

Jonathan Woodward, Planning Department



INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
Maureen Rait, Executive Director of Public Works Department
Tracy Winfree, Director of Public Works for Transportation
Stephany Westhusin, Principal Transportation Projects Engineer
Debbie Ritter, Transportation Project Manager
Noreen Walsh, Senior Transportation Planner

Date: June 17, 2014

Subject: Call-up Item: Community and Environmental Assessment Process (CEAP) for the Baseline Road (Broadway-27th Way) Underpass Project (subject to call-up through June 17, 2014)

EXECUTIVE SUMMARY

This item provides City Council with the opportunity to review and call-up the Community and Environmental Assessment Process (CEAP) for the Baseline Road Underpass Project between Broadway and 27th Way. If City Council chooses not to call up this CEAP by June 17, 2014, staff will proceed with the project design alternative recommended by the Transportation Advisory Board (TAB).

The section of Baseline Road (US 36 Spur W) between Broadway (SH 93) and 27th Way has many pedestrians, bicyclists, drivers and transit riders accessing the adjacent University of Colorado at Boulder (CU) campus, Basemar Shopping Center, and other locations beyond. The existing crossing location has received a number of treatments over the past 14 years due to its high level of activity, adjacent land uses, and city goal of encouraging walking and bicycling.

The primary objective is to enhance safety for bicyclists, pedestrians and drivers in this location by providing a grade-separated bicycle/pedestrian crossing under Baseline Road. A secondary benefit anticipated with the removal of the pedestrian signal is improved traffic flow in an area that has multiple access points between Broadway and US 36, reducing overall traffic congestion and delays. Pedestrians and cyclists will no longer have to wait to safely cross Baseline Road.

An underpass at this location has been included in the Transportation Master Plan (TMP) since 1996. In 2010, following a community outreach process, TAB recommendation and council endorsement, the City of Boulder applied for a federal Transportation Improvement Program (TIP) grant to design and construct an underpass at this location. The funding award was

approved by the Denver Regional Council of Governments (DRCOG) board in 2011, with construction funds available in Fiscal Year 2015.

The project scope of work includes a new underpass, connections from the underpass to other transportation facilities, median reconstruction, street resurfacing, storm drainage capacity work on the north side of Baseline Road, a multi-use path on the east side of Broadway from the Skunk Creek path to Baseline Road, public art, landscaping, and urban design.

The project design process began in 2012 and three underpass options have been developed and evaluated through the city's CEAP. The TAB has made a recommendation for the CEAP and project design alternative and forwarded this to City Council for potential call-up.

The preferred design alternative is Option B, which improves bicycle and pedestrian crossings of Baseline Road and provides efficient connections to the crossing from all directions. Option B supports the shared goals of the Boulder Valley Comprehensive Plan (BVCP), TMP, and CU master plan by improving travel options through more direct and efficient crossings and connections. Community members preferred this option over the other options for its simple and direct connection for the majority of the users and its ability to meet Americans with Disabilities Act (ADA) design guidelines. Option B is shown on page 11 of the attached CEAP.

Following an April 14, 2014 project briefing, TAB held a public hearing and made a recommendation for the project CEAP at their May 12, 2014 meeting. The board voted 4-0 to approve the CEAP and the staff-recommended project design alternative. Construction is expected to begin in late 2014/early 2015 and take one year to complete.

FISCAL IMPACT

Included in the city's Capital Improvement Program (CIP) since 2011, the project budget is \$5.4 million, with \$4 million in federal transportation funds and \$1.4 million from city transportation funds. Additional funding is not required and staff time is included in the project budget as part of the normal work plan.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

Economic: The project helps the city achieve its economic goals by improving walking, bicycling, driving and transit access from this location to the commercial center on the south; the university on the north; and for travelers, employees, students and residents passing through the area.

Environmental: This project helps the city achieve its environmental goals by providing a safer crossing and connections to the existing bicycle and pedestrian facilities and adjacent transit stops. In addition to addressing current needs at this crossing location, this project is anticipated to decrease single-occupant vehicle use, which would reduce the use of non-renewable energy resources and greenhouse gas emissions. In the DRCOG TIP application, it was estimated that this project would result in an annual emissions reduction of 239,000 pounds of carbon dioxide due to increased bicycle and pedestrian travel.

Social: This project helps the city achieve its social sustainability goals by improving transportation options for all community members to use and enhancing public safety with a grade-separated crossing of Baseline Road.

BACKGROUND

The section of Baseline Road between Broadway (SH 93) and 27th Way has many pedestrians, bicyclists, drivers and transit riders accessing the adjacent CU campus, Basemar Shopping Center, and other locations beyond. More than 27,500 vehicles travel through this section each day and transit service includes the 204, 225 and BOUND bus routes, with both eastbound and westbound transit stops. Each day, there are 11 boardings and 95 unboardings at the westbound transit stop; with 555 boardings and 178 unboardings at the eastbound transit stop. Each day, more than 800 bicyclists and pedestrians cross Baseline Road at the existing crosswalk.

This crossing location has received a number of treatments over the past 14 years due to its high level of activity, adjacent land uses, and city goal of encouraging walking and bicycling travel. In October 2000, pedestrian crossing signs were installed. In December 2006, Pedestrian Actuated Flashing Signs (PAFs) were installed with the state-required flashing sign and “Yield” line signing and markings. Staff monitored the user effectiveness and safety of the PAFs and found that the rate of crossing accidents involving a pedestrian increased at this location.

In July 2010, a pedestrian signal was installed at the crossing location to further improve safety at this location until an underpass could be funded and constructed, as identified in the TMP. Since 2010, there have not been any accidents involving a pedestrian or bicyclist at this location. Further transportation data is contained in the Appendix of the CEAP on page 34.

Planning and design of this project began in 2012, and the scope of work includes:

- A new grade-separated bicycle and pedestrian underpass, replacing the pedestrian crossing signal on Baseline Road between Broadway and 27th Way;
- Connections to the existing sidewalks, multi-use paths and bicycle lanes;
- A new multi-use path connection along the east side of Broadway from Baseline Road south along the western side of the Basemar Shopping Center to the Skunk Creek path;
- Storm drainage improvements to increase capacity on the north side of Baseline Road, along with a permanent water quality treatment;
- Median reconstruction;
- Street resurfacing; and
- Landscaping, underpass lighting, urban design and public art.

ANALYSIS

Community Environmental Assessment Process (CEAP)

The purpose of the CEAP is to assess the potential impacts of conceptual project alternatives to inform the selection and refinement of a preferred alternative. The CEAP provides the opportunity to balance multiple community goals in the design of a capital project by assessing it against the policies outlined in the BVCP and departmental master plans. The CEAP process includes review by an interdepartmental staff review team and the relevant advisory board,

which in this case is the TAB. The attached CEAP report provides an evaluation of three underpass design options and their effects on pedestrian, bicycle, vehicular, and transit travel; as well as impacts to trees, landscaping and property acquisition/easements.

For each of the three underpass options considered in the CEAP, the width of the underpass is 24 feet and the entrance and path connections on the north side of Baseline Road are the same from the west and east sides. On the north side, some landscaping grasses, shrubs and up to six trees are anticipated to be removed. The City of Boulder Forestry group has completed an assessment of the tree conditions on the north side of Baseline Road and concluded that the trees to be removed are in good or fair condition (the tree assessment is included on page 35 of the CEAP). Landscaping will be restored, replacement trees will be planted, and staff will look for opportunities within the project area for additional tree planting.

The project will also connect the underpass to existing sidewalks, multi-use paths and on-street bicycle lanes. The medians on Baseline Road will be reconstructed and the roadway will be resurfaced with asphalt. A missing multi-use path connection along the east side of Broadway from north of Skunk Creek to Baseline Road will be completed. There will be storm drainage work to increase capacity on the north side of Baseline Road, along with a permanent water quality treatment. Bicycle parking, landscaping and public art will be incorporated into the project improvements. For all three options, there will be a curb extension at the southeast corner of Broadway and Baseline Road, with an access lane into the Einstein Bros Bagels/Starbucks and Basemar Shopping Center. The curb extension decreases the crossing distance for pedestrians and bicyclists at the east leg of the Baseline/Broadway intersection.

The construction period is estimated to be one year for all options, starting with private utility relocations work and then followed by the underpass construction.

The design options differ with regards to the bicycle and pedestrian access ramp(s) on the south side of Baseline Road and the curb extensions east of the Basemar Shopping Center driveway, along with the other related differences described below.

Option A “Access Ramp on West Side” – The 24-foot-wide underpass is perpendicular to Baseline Road and located west of the Basemar Shopping Center driveway. The entrance and path connection on the south side of Baseline Road comes from the west. Eastbound access on the underpass ramp entrance on the south side of Baseline Road requires bicyclists and pedestrians to cross the Basemar Shopping Center’s north side driveway entrance at-grade. Pedestrians can also use a staircase to access the underpass entrance. The transit stops remain in their current locations and there is space for expanded regional service operations and future transit stop amenities.

There are landscaping impacts and one tree anticipated to be removed on the south side of Baseline Road. The City of Boulder Forestry group assessed the tree to be in fair condition. Landscaping will be restored, replacement trees will be planted and staff will look for opportunities within the project area for additional tree planting.

The through lane will begin east of the Broadway and Baseline Road corner curb extension, as it exists today. Permanent easements along the south side of Baseline Road would be required for this design option, which is an additional cost. The graphic for Option A is shown on page 9 of the attached CEAP document.

Option B “Access Ramp on East Side” – The 24-foot-wide underpass crossing is at a skewed angle and the entrance ramp and path connections on the south side of Baseline Road come from the east. Westbound bicyclists and pedestrians coming will be required to cross the Basemar Shopping Center’s driveway entrance on Baseline Road at-grade to access the underpass ramp entrance. Pedestrians can also use a staircase to access the underpass. The eastbound transit stop will be relocated and reconstructed to accommodate current bus operations, with the ability to provide additional space for future bus operations, if the need arises.

There will be a curb extension east of the Basemar Shopping Center’s driveway entrance on Baseline Road, with a designated access lane into the Basemar Shopping Center. The additional space from the curb extension at the driveway is utilized for the underpass and transit stop areas. Eastbound vehicle traffic will be reduced from three to two through lanes between Broadway to the main driveway entrance to the Basemar Shopping Center.

On the south side of Baseline Road, landscaping and two trees are anticipated to be removed. The City of Boulder Forestry tree condition assessment noted these two trees to be in fair and good/fair condition. The tree condition assessment has been included in the attached CEAP Appendix. Landscaping will be restored, replacement trees will be planted, and project staff will look for opportunities within the project area for additional tree planting. The city’s landscape architect noted that the landscaping restoration area in this option provides larger spaces for quality landscaping in comparison to Option C, which has many smaller spaces for landscaping.

No additional property acquisition is required for this option. The graphic for Option B is shown on page 11 of the attached CEAP document.

Option C “Access Ramps on East and West Sides” – The 24-foot-wide underpass crossing is perpendicular to Baseline Road, similar to Option A, but the entrance ramps and path connections along the south side of Baseline Road are from both the east and west. Bicyclists and pedestrians do not need to cross the Basemar Shopping Center’s main driveway entrance on Baseline Road to access the underpass from the south side. For the east entrance ramp, there would be an additional underpass beneath the Basemar Shopping Center driveway entrance, reducing the potential for conflict between bicyclists, pedestrians and vehicles turning into Basemar Shopping Center. There is an additional cost to provide a second underpass structure for the main Basemar Shopping Center driveway entrance. Pedestrians can also use a staircase to access the south side underpass entrance. The underpass ramps on the south side have low sight distance for those entering and exiting the underpass for left turning movements which increases the potential for user conflicts.

The eastbound transit stop will be relocated and reconstructed and can accommodate current bus operations, with the ability to provide additional space for future bus operations, if the need arises. There will be a curb extension east of the Basemar Shopping Center main entrance on Baseline Road, with a designated access lane into the Basemar Shopping Center. The additional space from the curb extension at the driveway is utilized for the secondary underpass and transit stop areas. Eastbound vehicle traffic will be reduced from three to two through lanes between from Broadway and the main driveway entrance to the Basemar Shopping Center.

Permanent easements along the south side of Baseline Road will be required to construct this design option and this is an additional cost. The graphic for Option C is shown on page 13 of the attached CEAP document.

Public Feedback

Information about the project is available on the project Web page and a public meeting was held on April 8, 2014. The meeting graphics were also available at the Main Boulder Public Library's second floor reference desk.

Information about the project and the public meeting was mailed directly to 400 residents, property owners, businesses and other interested parties. The City of Boulder and CU also distributed this information through their email groups and social media.

Feedback on the project was received at the public meeting, through an online comment form and from social media sites. Eighteen people attended the April 8 meeting. Ten people and two organizations (Center for People with Disabilities and Community Cycles) provided input electronically. Most preferred Option B due to its simple, direct connections for the majority of bicycle and pedestrian users, its ability to provide an accessible facility for people with disabilities, and its reduced potential for bicycle and pedestrian conflicts on the south side of Baseline Road than Option C may have with its "T" intersection and low sight distances.

There was one person who favored Option A for its access for users coming from the west and southwest. There were four people who preferred Option C because it provided a grade-separated crossing from the east and west directions, although there was some concern about the conflict potential at the underpass entrance. In favoring Option B, Community Cycles also offered input regarding design details. Those details will be addressed as final design proceeds through next steps.

The project team is coordinating with other city departments and workgroups, including Community Planning and Sustainability, Forestry, GO Boulder, and Transportation and Utilities Maintenance. As part of the review process, the CEAP was presented to the interdepartmental staff review team on April 29, 2014, which reached concurrence for the preferred design option. Feedback and comments received during this review have been incorporated into the revised CEAP. On May 12, 2014, the TAB held a public hearing and voted 4-0 to approve the CEAP and the staff-recommended project design.

Preferred Design Option

The preferred design alternative is Option B, which improves bicycle and pedestrian crossings of Baseline Road. Option B provides efficient connections to the crossing from all directions and a direct grade-separated connection for the majority of users who come from the east and southeast. The multi-use path is detached from Baseline Road, so there is space for left- or right-turning vehicles to turn and stop for users crossing the Basemar Shopping Center driveway entrance.

This option has reduced user conflicts at the south underpass entrance compared to Option C due to fewer crossing patterns and increased sight distance. This option can be constructed within the existing public right-of-way and does not require permanent easements. Community members preferred this option due to its simple, direct connections for the majority of the users, ability to provide an accessible facility for people with disabilities and reduced potential for bicycle/pedestrian conflicts on the south side of Baseline Road. Option B supports the goals of the BVCP, TMP and CU master plan by improving multimodal travel options through more direct and efficient crossings and connections.

NEXT STEPS

If City Council chooses not to call-up this CEAP by June 17, 2014, staff will proceed with the TAB-recommended project design alternative. The project team will continue to coordinate with city departments and agencies and incorporate community input, where possible, during the final design. Construction is expected to begin in late 2014/early 2015 and take one year to complete.

ATTACHMENTS:

Attachment A – Community and Environmental Assessment Process (CEAP) for the Baseline Road (Broadway-27th Way) Underpass Project

**City Of Boulder
Community and Environmental Assessment Process**

**Baseline Road
Underpass Project
Broadway to 27th Way**



April 2014

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EXECUTIVE SUMMARY

The Baseline Road Underpass Project is located on Baseline Road between Broadway and 27th Way. (Figure 1) Following a Transportation Advisory Board (TAB) and City Council review and approval of this project, the City of Boulder applied for a federal transportation grant for this project in 2010 and was awarded the funds in 2011. The total project budget is \$5.4 million and is composed of federal (\$4 million), and city (\$1.4 million) transportation funds. This project will improve safety for bicyclists, pedestrians and drivers in this location by providing a grade separated bicycle/pedestrian crossing of Baseline Road. This underpass project is expected to reduce the conflicts between vehicles and bicyclists and pedestrians and improve crossing and connectivity in the area. The project will also connect the underpass to existing sidewalks, multi-use paths and on-street bicycle lanes, reconstruct medians and resurface the street with asphalt. Bicycle parking, landscaping and public art will be incorporated into the project improvements.

The Community and Environmental Assessment Process (CEAP) is a formal review process to consider the impacts of public development projects. The purpose of the CEAP is to assess potential impacts of conceptual project alternatives to inform the selection and refinement of a preferred alternative. The CEAP provides the opportunity to balance multiple community goals in the design of a capital project by assessing a project against the policies outlined in the Boulder Valley Comprehensive Plan (BVCP) and departmental master plans. This CEAP report provides an evaluation of three underpass design options and their features on pedestrian, bicycle, vehicular and transit travel as well as impacts to trees, landscaping and property acquisition/easements. For each of the options the width of the underpass is 24 feet and the entrance and path connections on the north side of Baseline Road adjacent to the University of Colorado (CU) are the same (from the west and east sides). On the north side some landscaping and up to six trees are anticipated to be removed. For all options there will be a curb extension/bumpout at the southeast corner of Broadway and Baseline Road with a right turn only lane into the Einstein/Starbucks retail property (2400 Baseline Rd) and the Basemar Shopping Center entrance. The design options differ with regards to the bicycle and pedestrian access ramp (s) on the south side of Baseline Road and the curb extension/bumpouts east of the shopping center driveway with other related differences as described below:

Option A “Access Ramp on West Side” – The 24 foot-wide underpass is perpendicular to Baseline Road and the entrance and path connection on the south side of Baseline Road is from the west. Access to the underpass entrance on the south side of Baseline Road for bicyclists or pedestrians coming from the east requires that they cross the Basemar Shopping Center driveway entrance at grade. Pedestrians also access the underpass using stairs. There are not any impacts to the parking lot but there are landscaping impacts at the Taco Bell property at 2450 Baseline Road. One tree on the south side of Baseline Road is anticipated to be removed. The transit stops remain in their current locations. Permanent easements along the south side of Baseline Road will be required for this design option.

Option B “Access Ramp on East Side” – The 24 foot-wide underpass crossing is at a skewed angle and the entrance ramp and path connections on the south side of Baseline Road are from the east. Bicyclists and pedestrians coming from the west requires crossing the Basemar Shopping Center driveway entrance at grade to access the underpass ramp entrance. Pedestrians can also use stairs to access the underpass. In addition to the curb extension/bumpout at the southeast corner of Broadway/Baseline Road, there will be a curb extension east of the Basemar Shopping Center driveway on Baseline Road. An access lane into the shopping center driveway will be retained but there is a lane reduction from three to two through lanes in the eastbound direction from Broadway to the Basemar Shopping Center driveway. The eastbound transit stop will be relocated and reconstructed and a bus layover space is retained but there is less capacity for expansion than the current stop. On the south side there are shrubs, grasses and two trees that will be removed with this option. No additional property acquisition is required for this option.

Option C “Access Ramps from East and West” – The 24 foot-wide underpass crossing is perpendicular to Baseline Road at the same location as Option A. There are entrance ramps and path connections from the east and west along the south side of Baseline Road for bicyclists and pedestrians to use. For the entrance ramp from the east, there would be an additional underpass beneath the Basemar Shopping Center driveway access reducing the conflict potential between underpass users and vehicles turning into Basemar Shopping Center. Pedestrians can also use a staircase to access the south side underpass entrance. In addition to the curb extension/bumpout at the southeast corner of Broadway/Baseline Road, there will be a curb extension east of the Basemar Shopping Center driveway on Baseline Road. An access lane into the shopping center driveway will be retained but there is a lane reduction from three to two through lanes in the eastbound direction from Broadway to the Basemar Shopping Center. The eastbound transit stop will be relocated and reconstructed and a bus layover space is retained but there is less capacity for expansion than the current stop. There will be landscaping impacts to both properties adjacent to the underpass on the south side of Baseline Road and shrubs, grasses and two trees on the south side will be removed with this option. Permanent easements along the south side of Baseline Road will be required to construct this design option.

The recommended project alternative is Option B. This project improves bicycle and pedestrian crossings of Baseline Road and provides efficient connections to the crossing from all directions. Option B supports the goals of the BVCP, Transportation Master Plan (TMP) and CU master plan by improving multimodal travel options through more direct and efficient crossings and connections. The underpass ramp on the south of Baseline Road provides a direct grade separated connection for the majority of users. This option can meet the Americans with Disabilities Act (ADA) design guidelines. This option has reduced user conflicts at the south side entrance due to less crossing patterns and increased sight distance than Option C. The project can be constructed without

requiring permanent easements from adjacent property owners. Feedback from the community preferred this option over the other options.

City Of Boulder Community and Environmental Assessment Process

1. Description and location of the project:

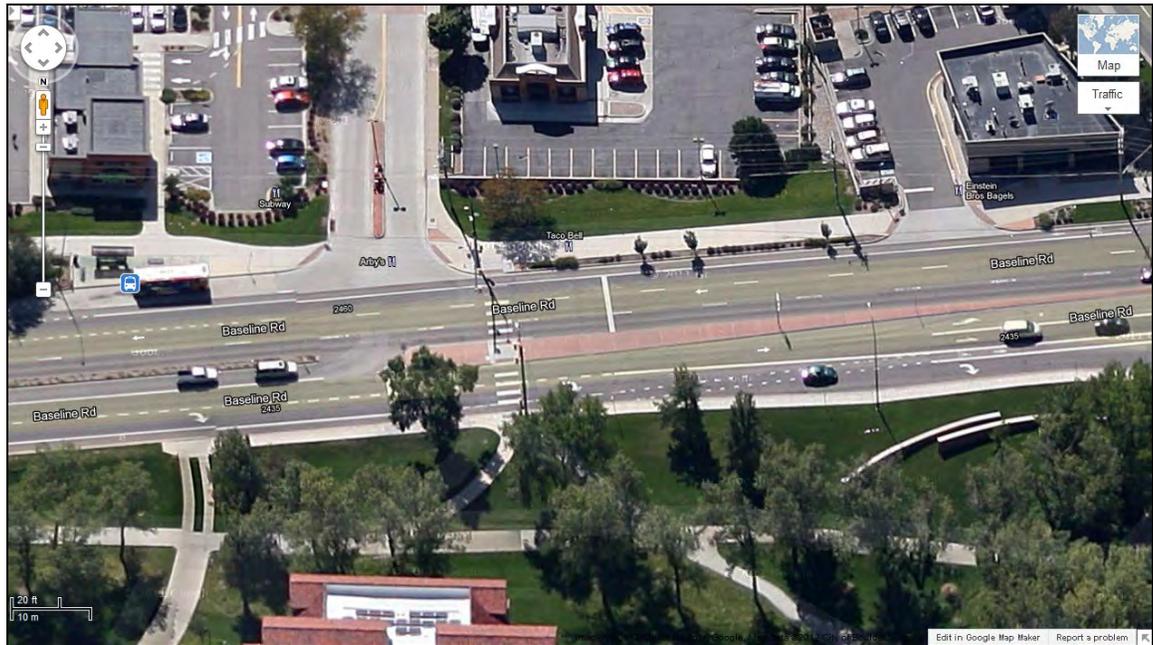


Figure 1

The Baseline Road Underpass Project will replace the existing pedestrian signal with a grade separated crossing of Baseline Road/US 36 Spur W between Broadway/SH93 and 27th Way in the City of Boulder, Colorado. Baseline Road is a Colorado Department of Transportation (CDOT) facility between SH93 and US 36. The project will also connect the underpass to existing sidewalks, multi-use paths and on-street bicycle lanes, reconstruct medians and resurface the street with asphalt. A missing connection of multi-use path on the east side of Broadway from north of Skunk Creek to Baseline Road will also be completed. There will be storm drainage work to provide capacity on the north side of Baseline Road and permanent water quality treatment. Bicycle parking, landscaping and public art will be incorporated into the project improvements.

2. Background, purpose and need for the project:

Baseline Road/US 36 Spur W between Broadway/SH93 and 27th Way has high travel activity composed of pedestrians, bicyclists, drivers and transit riders. The north side of Baseline Road is adjacent to the University of Colorado-Boulder campus. The south side is adjacent to a major commercial and retail center and near the Martin Acres neighborhood. This area is within the Bluebell/Kings

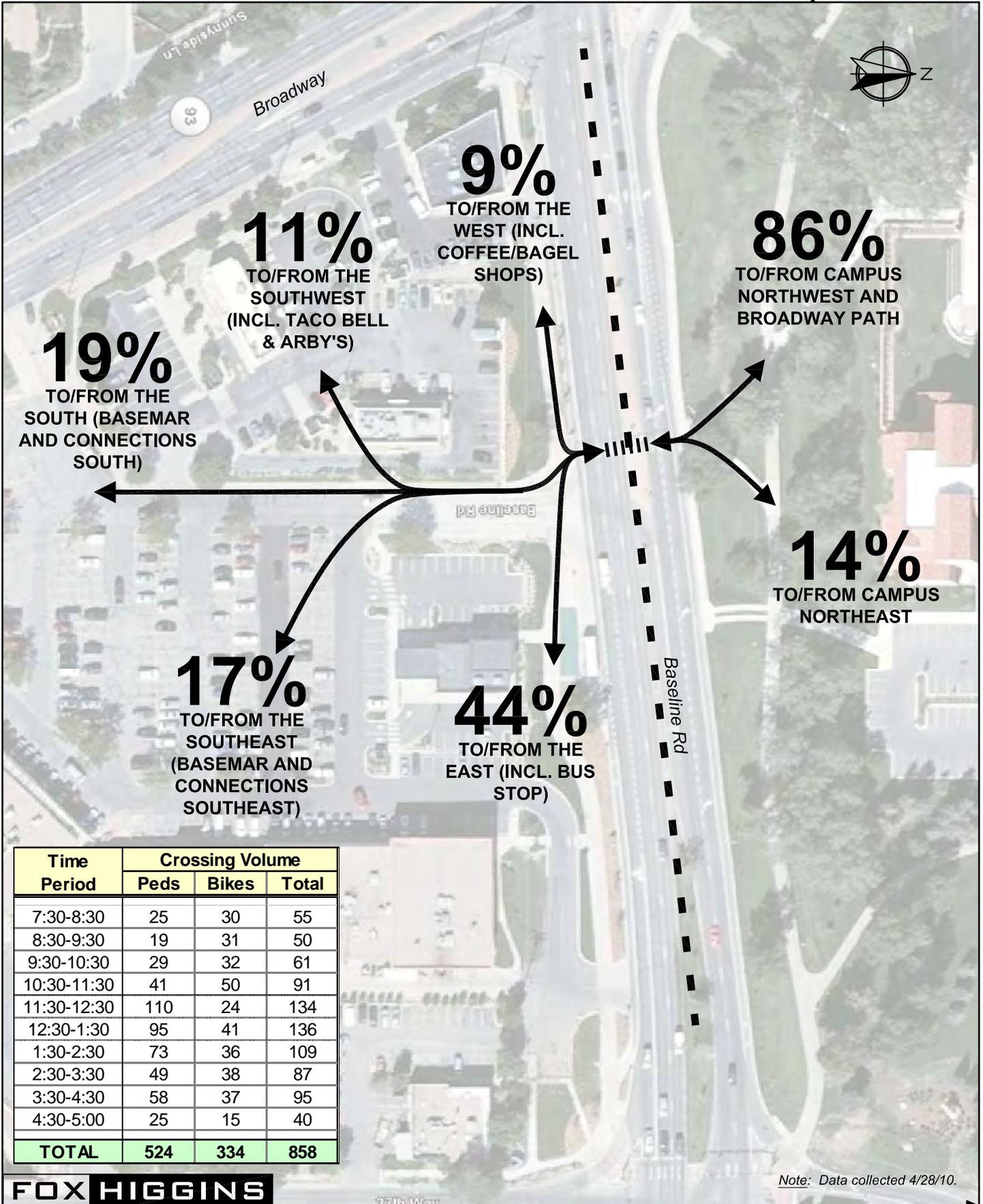
Gulch/Skunk Creek floodplain. The existing roadway is composed of on-street bicycle lanes in both traffic directions and five vehicle through lanes; two in the westbound direction and three in the eastbound direction. Over 27,500 vehicles travel through here on a daily basis. Transit service along this section of Baseline Road is provided by the 225 and the BOUND and there is future regional bus service planned for this section as well. There is a multi-use path on both sides of Baseline Road and this section of Baseline Rd is a designated Regional Bicycle Corridor by the Denver Regional Council of Governments (DRCOG).

Approximately 1600 pedestrians and bicyclists each day cross in this section; 858 at the proposed underpass location, as per counts in April 2010. The graphic on the following page illustrates the pedestrian and bicycle crossing volumes and movements during the peak hour travel periods.

Due to the high pedestrian and bicycle crossing activity in this location and the city's emphasis on providing safe multimodal transportation options in Boulder, a number of crossing treatments have been utilized at this location and an underpass has been identified in the TMP since 1996. In October 2000, pedestrian crossing signs were installed. In December 2006, a Pedestrian Actuated Flashing Signs (PAFs) treatment was installed which consisted of the State law flashing sign and Yield line signing and markings. Staff monitored the user effectiveness and safety of the PAFs and found that the rate of crossing accidents involving a pedestrian increased at this location from the 'before' conditions to the 'after' conditions. In July 2010 a pedestrian signal was installed at the crossing location to further improve safety at this location recognizing that the master plan called for an underpass. The city plans to reuse the signal equipment in another area of the city. In the fall of 2010 the City of Boulder submitted this project for consideration of a federal transportation grant following review and approval by TAB and City Council. Federal funding for this project was approved in March 2011 with funding available for construction in Federal Fiscal Year 2015.

A summary of the transportation data collected for this project location is included in the Appendix.

The project objective is to increase safety and travel efficiency for bicyclists, pedestrians and drivers in this location by providing a grade separated bicycle/pedestrian crossing of Baseline Road. This underpass project is expected to reduce the conflicts between vehicles and bicyclists and pedestrians. A secondary benefit anticipated with the removal of the pedestrian signal is a simplification of traffic flow in an area with multiple access points between Broadway/SH93 and US 36, reducing overall travel congestion and delay at this location.



Time Period	Crossing Volume		
	Peds	Bikes	Total
7:30-8:30	25	30	55
8:30-9:30	19	31	50
9:30-10:30	29	32	61
10:30-11:30	41	50	91
11:30-12:30	110	24	134
12:30-1:30	95	41	136
1:30-2:30	73	36	109
2:30-3:30	49	38	87
3:30-4:30	58	37	95
4:30-5:00	25	15	40
TOTAL	524	334	858

Note: Data collected 4/28/10.

FOX HIGGINS

TRANSPORTATION GROUP

Baseline Underpass Project
Pedestrian & Bicycle Crossing Data

3. Description of project alternatives as follows:

For each of the three options considered in the CEAP, the width of the underpass is 24 feet and the entrance and path connections on the north side of Baseline Road are the same (from the west and east sides). On the north side some landscaping grasses and shrubs and up to six trees are anticipated to be removed. The City of Boulder Forestry group has completed a tree condition assessment and concluded that the trees to be removed on the north side of Baseline Road are in good or fair condition. (Tree assessment is included in the Appendix). Landscaping will be restored and replacement trees will be planted and project staff will look for opportunities within the project area for additional tree planting.

The project will also connect the underpass to existing sidewalks, multi-use paths and on-street bicycle lanes, reconstruct medians and resurface the street with asphalt. A missing connection of multi-use path on the east side of Broadway from north of Skunk Creek to Baseline Road will be completed. There will be storm drainage work to provide capacity on the north side of Baseline Road and install a permanent water quality treatment. Bicycle parking, landscaping and public art will be incorporated into the project improvements. For all options there will be a curb extension/bumpout at the southeast corner of Broadway and Baseline Road with an access lane into the Einstein/Starbucks retail property. The curb extension decreases the crossing distance for pedestrians and bicyclists at the east leg of the Baseline/Broadway intersection.

The design options differ with regards to the bicycle and pedestrian access ramp(s) on the south side of Baseline Road and the curb extension/bumpouts east of the shopping center driveway with other related differences as described below:

Option A “Access Ramp on West Side” – The 24 foot-wide underpass is perpendicular to Baseline Road and is located west of the Basemar Shopping Center driveway. The entrance and path connection on the south side of Baseline Road comes from the west. Access on the south side of Baseline Road for bicyclists or pedestrians coming from the east is on an attached multi-use path and requires crossing the Basemar Shopping Center driveway entrance at grade to access the underpass ramp entrance. Pedestrians can also use stairs to access the underpass. The transit stops remain in their current locations and there is space for expanded regional service operations and future additional transit stop amenities.

There are not any impacts to the parking lot but there are landscaping impacts at the Taco Bell property and one tree on the south side of Baseline Road is anticipated to be removed. The City of Boulder Forestry group assessed the tree to be in fair condition. Landscaping will be restored and replacement trees will be planted and project staff will look for opportunities within the project area for additional tree planting.

Permanent easements along the south side of Baseline Road will be required for this design option which is an additional cost. The construction period is estimated to be one

year beginning with private utility relocations work followed by the underpass project construction. The graphic for Option A is on the next page.



View on South side underpass entrance.

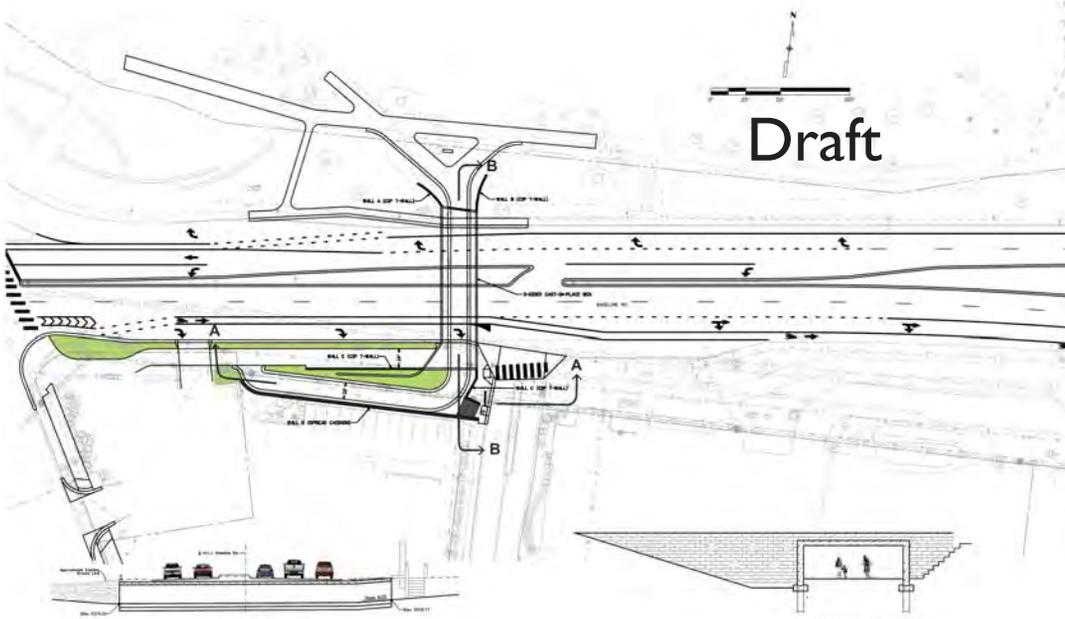


View on North side underpass entrance.

Baseline Road Underpass South Side Entrance Design Option Characteristics

√ = Has This Characteristic

Characteristic	OPTION A (Access ramp on west side)
PEDESTRIANS and BICYCLISTS	
Provides stair access for pedestrians	√
Provides ramp access from west	√
Provides ramp access from east	
Provides ramp access from east and west	
User perception of safety is enhanced due to sightlines and open views on the south side underpass entrance	
Underpass access ramps on south side entrance have wide turning radii, decreasing potential user conflicts	
Reduced user conflicts at south side entrance due to less crossing patterns and sight distance issues	√
VEHICULAR	
Reduces conflicts between vehicles and path users at Basemar Shopping Center driveway	
Removes pedestrian crossing signal on Baseline	√
Reduces eastbound through lanes between Broadway and 27th Way from three to two lanes	
TRANSIT	
Allows for bus recovery/layover area at eastbound transit stop	√
Allows space for expanded regional transit service operations and future transit stop amenities	√
Underpass access ramp is adjacent to transit stop	
LANDSCAPING AND PROPERTY	
Reduces landscaping/green space	√
Requires permanent easements on Baseline Road	√



View of North side underpass entrance.

Option B “Access Ramp on East Side” – The 24 foot-wide underpass crossing is at a skewed angle and the entrance ramp and path connections on the south side of Baseline Road come from the east. The underpass and access ramp design can meet ADA design guidelines. Bicyclists and pedestrians coming from the west will cross the Basemar Shopping Center driveway entrance at grade to access the underpass ramp entrance. The multi-use path is detached from Baseline Road so there is space for left or right turning vehicles to turn and stop for users crossing the driveway entrance. Pedestrians can also use stairs to access the underpass. The eastbound transit stop will be relocated and reconstructed and a bus layover space is retained but there is less capacity for expansion than the current stop.

There will be a curb extension east of the Basemar Shopping Center driveway on Baseline Road with a designated access lane into the Basemar Shopping Center. The additional space from the curb extension at the driveway is utilized for the underpass and transit stop areas. There is a lane reduction from three to two through lanes in the eastbound direction from Broadway to the Basemar Shopping Center.

On the south side of Baseline Road, landscaping and two trees are anticipated to be removed. The City of Boulder Forestry tree condition assessment noted these trees to be in fair and good/fair condition. The tree condition assessment has been included in the CEAP Appendix. Landscaping will be restored and replacement trees will be planted and project staff will look for opportunities within the project area for additional tree planting. The city’s landscape architect noted that the landscaping restoration area in this option provides a better opportunity for quality landscaping due to its larger spaces in comparison to Option C which has many smaller spaces for landscaping.

No additional property acquisition is required for this option. The construction period is estimated to be one year beginning with private utility relocations work followed by the underpass project construction. The graphic for Option B is on the next page.



View on South side underpass entrance.

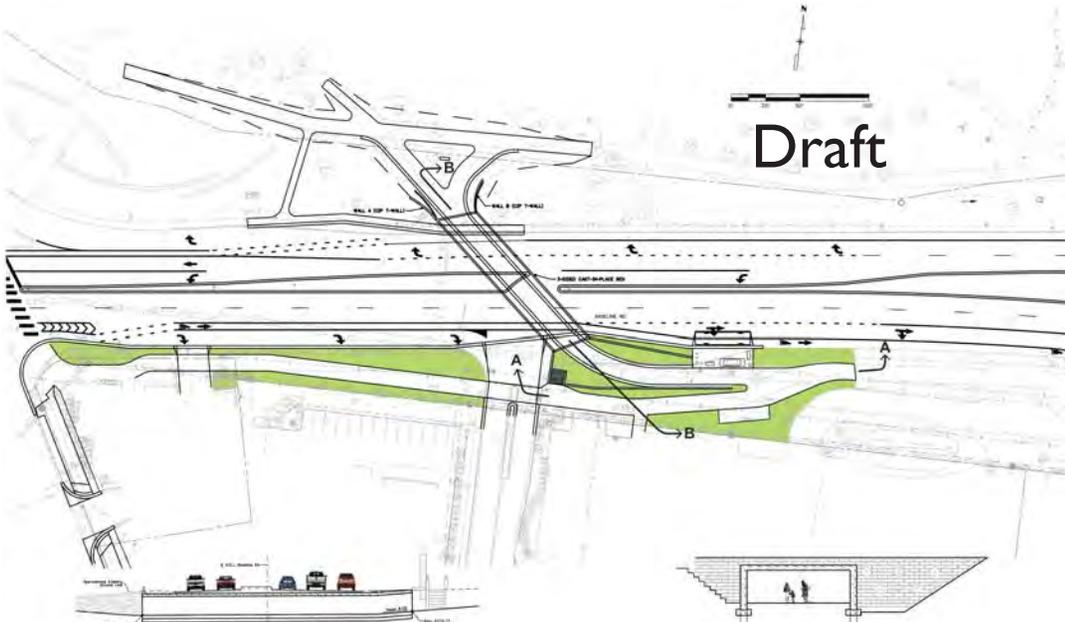


View on North side underpass entrance.

**Baseline Road Underpass South Side Entrance
 Design Option Characteristics**

√ = Has This Characteristic

Characteristic	OPTION B (Access ramp on east side)
PEDESTRIANS and BICYCLISTS	
Provides stair access for pedestrians	√
Provides ramp access from west	
Provides ramp access from east	√
Provides ramp access from east and west	
User perception of safety is enhanced due to sightlines and open views on the south side underpass entrance	√
Underpass access ramps on south side entrance have wide turning radii, decreasing potential user conflicts	√
Reduced user conflicts at south side entrance due to less crossing patterns and sight distance issues	√
VEHICULAR	
Reduces conflicts between vehicles and path users at Basemar Shopping Center driveway	√
Removes pedestrian crossing signal on Baseline	√
Reduces eastbound through lanes between Broadway and 27th Way from three to two lanes	√
TRANSIT	
Allows for bus recovery/layover area at eastbound transit stop	√
Allows space for expanded regional transit service operations and future transit stop amenities	
Underpass access ramp is adjacent to transit stop	√
LANDSCAPING AND PROPERTY	
Reduces landscaping/green space	√
Requires permanent easements on Baseline Road	



View of North side underpass entrance.

Option C “Access Ramps on East and West Sides” – The 24 foot-wide underpass crossing is perpendicular to Baseline Road which is similar to Option A but the entrance ramps and path connections along the south side of Baseline Road are from the east and west. The underpass and access ramps can meet ADA design guidelines. Bicyclists and pedestrians do not need to cross the Basemar Shopping Center driveway to access the underpass on the south side of Baseline Road. For the entrance ramp from the east, there would be an additional underpass beneath the Basemar Shopping Center driveway access reducing the conflict potential between underpass users and vehicles turning into Basemar Shopping Center. There is an additional cost to provide a second underpass structure for the Basemar Shopping Center driveway. Pedestrians can also use stairs to access the south side underpass entrance. The underpass ramps on the south side have low sight distance which increases the potential for user conflicts for those entering and exiting the underpass for left turning movements. The multi-use path on the south side of Baseline Road is attached at the Basemar Shopping Center entrance.

The eastbound transit stop will be relocated and reconstructed and a bus layover space is retained but there is less capacity for expansion than the current stop. There will be a curb extension east of the Basemar Shopping Center driveway on Baseline Road with a designated right turn access lane into the Basemar Shopping Center. The additional space from the curb extension at the driveway is utilized for the underpass and transit stop areas. There is a lane reduction from three to two through lanes in the eastbound direction from Broadway to the Basemar Shopping Center.

The additional space from the curb extension at the driveway is utilized for the underpass and transit stop areas. There is a lane reduction from three to two through lanes in the eastbound direction from Broadway to the Basemar Shopping Center.

Permanent easements along the south side of Baseline Road will be required to construct this design option and this is an additional cost to the project. The construction period is estimated to be one year beginning with private utility relocations work followed by the underpass project construction. The graphic for Option C is on the next page.



View on South side underpass entrance.

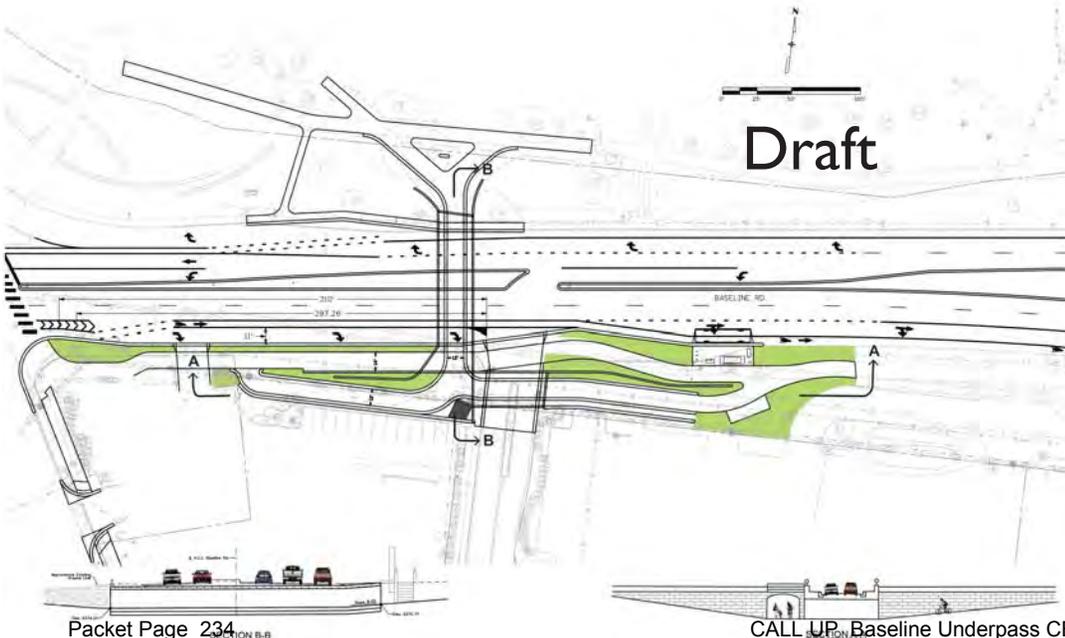


View on North side underpass entrance.

Baseline Road Underpass South Side Entrance Design Option Characteristics

√ = Has This Characteristic

Characteristic	OPTION C (Access ramps on east and west sides)
PEDESTRIANS and BICYCLISTS	
Provides stair access for pedestrians	√
Provides ramp access from west	
Provides ramp access from east	
Provides ramp access from east and west	√
User perception of safety is enhanced due to sightlines and open views on the south side underpass entrance	
Underpass access ramps on south side entrance have wide turning radii, decreasing potential user conflicts	
Reduced user conflicts at south side entrance due to less crossing patterns and sight distance issues	
VEHICULAR	
Reduces conflicts between vehicles and path users at Basemar Shopping Center driveway	√
Removes pedestrian crossing signal on Baseline	√
Reduces eastbound through lanes between Broadway and 27th Way from three to two lanes	√
TRANSIT	
Allows for bus recovery/layover area at eastbound transit stop	√
Allows space for expanded regional transit service operations and future transit stop amenities	
Underpass access ramp is adjacent to transit stop	√
LANDSCAPING AND PROPERTY	
Reduces landscaping/green space	√
Requires permanent easements on Baseline Road	√



View of North side underpass entrance.

A description of the characteristics of each of the Underpass design options has been incorporated into a table for ease of review among the three options and can be seen on the following page. The key issues that the design options are addressing include bicycle and pedestrian access and safety, transit operations and bus stop amenities, landscaping, and property acquisition. A matrix reviewing each of the options and whether they demonstrate those specific factors are also shown in the next page.

Attachment A - Baseline Underpass CEAP

	Option A-Access ramp on west side	Option B-Access ramp on east side	Option C-Access ramps on east and west
Description	This underpass is perpendicular to Baseline Road. The entrance ramp and path connections on the south side of Baseline Road come from the west.	The underpass is at a skewed angle and the entrance ramp and path connections on the south side of Baseline Road come from the east.	This option has the underpass perpendicular to Baseline Road. The entrance ramps and path connections on the south side of Baseline Road come from the east and west.
Pedestrian	Pedestrians access the underpass from the south side by a ramp from the west. If coming from the east, pedestrian must cross Basemar Shopping Center driveway at grade before using ramp or stairs.	Pedestrians access the underpass from the south side by a ramp from the east. If coming from the west, pedestrian must cross Basemar Shopping Center driveway at grade before using ramp or stairs.	Pedestrians access the south side underpass entrance from either direction and do not need to cross the Basemar Shopping Center driveway.
Bicycle	Bicyclists access the underpass from the south side by a ramp from the west or use stairs. If coming from the east, bicyclists must cross Basemar Shopping Center driveway at grade before using ramp.	Bicyclists access the underpass from the south side by a ramp from the east. If coming from the west, bicyclist must cross Basemar Shopping Center driveway at grade before using ramp or stairs. The multi-use path is detached from the roadway so visibility and distance is increased between bicyclists, pedestrians and westbound Baseline vehicles turning left into Basemar Shopping Center. There is then space for the vehicles to stop and wait for path users to cross. Boulder B-Cycle station will be relocated.	Bicyclist access the south side underpass entrance from either direction and do not cross the Basemar Shopping Center driveway. There is an additional cost to provide a second underpass structure for the Basemar Shopping Center driveway. Underpass ramps from the east and west in this space have low sight distance which increases the potential for user conflicts for those entering and exiting the underpass for left turning movements. Boulder B-Cycle station will be relocated.
Transit	The current eastbound transit stop and bus layover remains in place. There is space for expanded regional service operations and future transit stop amenities.	The eastbound transit stop is relocated and reconstructed and layover space is provided but has less capacity for expansion than existing. Underpass access ramp is adjacent to transit shelter.	The eastbound transit stop is relocated and reconstructed and layover space is provided but has less capacity for expansion than existing. Underpass access ramp is adjacent to transit shelter.
Vehicular	Same as today. (2) No curb extension/bumpout at Basemar shopping center entrance.	A curb bumpout will be constructed on the south side of Baseline on the east side of the shopping center driveway. The number of eastbound through travel lanes from Broadway to Basemar Shopping Center driveway will be reduced from three to two lanes. An access lane into the Basemar Shopping Center driveway will be retained.	A curb bumpout will be constructed on the south side of Baseline on the east side of the shopping center driveway. The number of eastbound through travel lanes from Broadway to Basemar Shopping Center driveway will be reduced from three to two lanes. An access lane into the Basemar Shopping Center driveway will be retained.
Property	A permanent easement along the south side of Baseline Road will be needed which is an additional cost.	All on city owned property on Baseline Road.	A permanent easement along the south side of Baseline Road will be needed which is an additional cost.
Landscaping and Trees	On the south side, there will be a reduction in the landscaping area and one tree will be removed. The area will be restored. (1)	On the south side, there will be a reduction in the landscaping area and two trees will be removed. The area will be restored. (1)	On the south side, there will be a reduction in the landscaping area and two trees will be removed. The area will be restored. (1)

* (1) All options have the same north side underpass access and the removal of up to six trees. Tree assessment is provided as an Appendix. (2) For all options a curb extension will be constructed at the southeast corner of Broadway and Baseline Road and an access lane into Starbucks/Einsteins property is provided.

**BASELINE ROAD UNDERPASS
South Side Entrance
DESIGN OPTION CHARACTERISTICS**

√ = Has This Characteristic

Characteristic	OPTION A (Access ramp on west side)	OPTION B (Access ramp on east side)	OPTION C (Access ramps on east and west sides)	NOTES
PEDESTRIANS and BICYCLISTS				
Provides stair access for pedestrians	√	√	√	
Provides ramp access from west	√			
Provides ramp access from east		√		
Provides ramp access from east and west			√	
User perception of safety is enhanced due to sightlines and open views on the south side underpass entrance		√		
Underpass access ramps on south side entrance have wide turning radii, decreasing potential user conflicts		√		Option B has larger turning radii for the access ramps on the south entrance than other options
Reduced user conflicts at south side entrance due to less crossing patterns and sight distance issues	√	√		
VEHICULAR				
Reduces conflicts between vehicles and path users at Basemar Shopping Center driveway		√	√	Option C reduces the conflicts more than Option B
Removes pedestrian crossing signal on Baseline	√	√	√	
Reduces eastbound through lanes between Broadway and Basemar Shopping Center driveway from three to two through lanes		√	√	
TRANSIT				
Allows for bus recovery/layover area at eastbound transit stop	√	√	√	
Allows space for expanded regional transit service operations and future transit stop amenities	√			
Underpass access ramp is adjacent to transit stop		√	√	Increased potential for user conflicts
LANDSCAPING AND PROPERTY				
Reduces landscaping/green space	√	√	√	Option C removes more existing landscaping/green space than other options
Requires permanent easements on Baseline Road	√		√	

4. Permits, Wetlands Protection and Habitat Encroachment

Construction of the project components may require the following permits:

Colorado Department of Public Health and Environment Colorado Stormwater Discharge Permit (Construction Activity General Permit and Stormwater Management Plan)

City of Boulder Floodplain Development Permit

Colorado Department of Public Health and Environment Colorado Construction Dewatering Permit

City of Boulder construction dewatering discharge agreement.

5. Preferred project alternative:

The preferred project alternative is Option B. This project improves bicycle and pedestrian crossings of Baseline Road and provides efficient connections to the crossing from all directions. Option B supports the goals of the BVCP, TMP and CU master plans by improving multimodal travel options through more direct and efficient crossings and connections. The underpass ramps on the south of Baseline Road provide a direct grade separated connection for the majority of bicyclists and users. This option has reduced user conflicts at the south side entrance due to less crossing patterns and increased sight distance than Option C. The project can be constructed within the existing public right-of-way. The underpass and access ramps can meet ADA design guidelines. Feedback from the community preferred this option over the other options.

6. Public input to date:

Information on the project is available on the project webpage and a public meeting was held on April 8, 2014. The meeting graphics were also available at the Main Boulder Library 2nd Floor Reference Desk and the project webpage. Information on the project and the public meeting was distributed to 400 residents, property owners, businesses and other interested parties through a direct mailing. The City of Boulder and University of Colorado also distributed this information through their system's email groups and social media.

Feedback on the project and the design options was received at the public meeting and through the project webpage and social media sites. Eighteen people attended the April 8 meeting and eleven people provided input electronically. Most people preferred Option B due to its simple, direct connections for the majority of the bicycle and pedestrian users, its ability to provide an accessible facility for people with disabilities and it having less potential for bicycle/pedestrian conflicts on the south side of Baseline Road than Option C may have with its "T" intersection and low sight distances. There was one person who favored Option A for its access for users coming from the west and southwest and there were four persons who preferred Option C because it provided completed grade separated access and

crossing from the east and west directions although there was some concern about the conflict potential at the underpass entrance for this option.

The project team is coordinating with other city departments and work groups including Community Planning and Sustainability, Forestry, GO Boulder and Transportation and Utilities Maintenance. As part of the CEAP review process, the CEAP was presented to the interdepartmental staff review team on April 29, 2014 for review and documentation. Feedback and comments received during this review have been incorporated into the revised CEAP. Concurrence was also obtained for the preferred design option.

At the May 12, 2014 Transportation Advisory Board meeting, the Board will hold a public hearing and consider a recommendation on the Baseline Road (Broadway to 27th Way) Underpass Project CEAP.

Following the TAB review and recommendation the CEAP will be forwarded to the City Council for call-up action by June 17, 2014.

7. Staff project manager:

This project is being managed by the City of Boulder's Public Works Department – Transportation Division. Bryant Gonsalves is the Project Manager for this project. Noreen Walsh provides assistance with the public outreach and involvement and drafting the CEAP document.

8. Other consultants or relevant contacts:

SEH Inc, a current on-call consultant for the City of Boulder composed of engineers, architects, planners, and scientists is the prime civil engineering consultant developing the designs and plans for the project. Subconsultants included in the project team for landscape design and traffic engineering include Studio Terra and Fox-Tuttle. CDOT Region 4 Local Agency Project staff are involved with the federal aid and NEPA review aspects of the project.

Goals Assessment:

- 1. Using the BVCP and department master plans, describe the primary city goals and benefits that the project will help to achieve:**
 - a. Community Sustainability Goals – How does the project improve the quality of economic, environmental and social health with future generations in mind?**

The Boulder Valley Comprehensive Plan (BVCP) and Transportation Master Plan (TMP) call for a multimodal transportation system with accessible and safe travel options and connections. The proposed underpass and connections to existing multi-use paths, on-street bicycle lanes and nearby transit stops support

the master plans' goals by improving the facilities for all modal users and the project is in the TMP.

*The project helps the city achieve its **economic** goals by improving walking, bicycling, driving and transit access for travelers, employees, students and residents traveling through the area from this location to the commercial center on the south side and the university on the north side.*

*This project helps the city achieve its **environmental** goals by providing a safer crossing and connections to the bicycle and pedestrian facilities and the adjacent transit stops. In addition to addressing current needs at this crossing location, this project is anticipated to decrease single-occupant vehicle use which would reduce and minimize the use of non-renewable energy resources and greenhouse gas emissions. In the DRCOG TIP application it was estimated that there would be an annual emissions reduction of 239,000 lbs of CO₂ from this project.*

*This project helps the city achieve its **social** sustainability goals by improving the transportation options for all members of the community to use and improving public safety with a grade separated crossing of Baseline Road.*

b. BVCP Goals related to:

***Community Design/Built Environment** – The city's goal is to evolve toward an urban form that supports sustainability. Boulder's compact, interconnected urban form helps ensure the community's environmental health, social equity and economic vitality. It also supports cost-effective infrastructure and facility investments, a high level of multimodal mobility, and easy access to employment, recreation, shopping and other amenities, as well as a strong image of Boulder as a distinct community. The project improvements and the public art and aesthetics are in support of these goals for an interconnected urban form providing multimodal mobility and easy access to employment, shopping, and educational activities. The landscaping, public art and aesthetics of the project are taking into consideration the adjacent buildings and land uses as well as the architecture of the university campus. The project team is coordinating with city and CU staff on landscaping and urban design. To view this section of the BVCP, please go to: <https://www-static.bouldercolorado.gov/docs/2-built-environment-1-201307121119.pdf>*

***Urban Services** - The proposed project helps to implement the goals and objectives of the TMP by providing a safer and more efficient crossing and connection for bicycling and walking. This underpass and the path connections on the north side will be maintained by CU Boulder Facilities Management. The underpass and path connections on the south side will be maintained by Basemar Shopping Center. To view this section of the BVCP, please go to:*

<https://www-static.bouldercolorado.gov/docs/1-core-values-sustainability-framework-general-policies-1-201307121119.pdf>

Environment – This section of the BVCP recognizes that the natural environment that characterizes the Boulder Valley is a critical asset that must be preserved and protected and is the framework within which growth and development take place.

This CEAP analysis of the project alternatives provides information on the various design options and their potential impacts on the adjacent natural resources, such as trees and landscaping and these factors have been considered in the selection of the preferred alternative. A tree assessment was conducted by the City of Boulder Forestry group and it is included in the Appendix. Further description of tree assessments and impacts are detailed in each design option.

The landscaping plans will be focused on native and low water tree species, shrubs and plants. To view this section of the BVCP, please go to:

<https://www-static.bouldercolorado.gov/docs/3-natural-environment-1-201307121120.pdf>

Economy – The policies in this section of the BVCP support the following goals related to maintaining a sustainable economy:

-Strategic Redevelopment and Sustainable Employment

-Diverse Economic Base

-Quality of Life

-Sustainable Business Practices

-Job Opportunities, Education and Training

This project supports the Quality of Life policy with the funding and construction of Urban Infrastructure that is important to the quality of life of residents, employees and visitors to the community including a strong and complete transportation system with multimodal facilities and connections.

To view this section of the BVCP, please go to: <https://www-static.bouldercolorado.gov/docs/5-economy-1-201307121121.pdf>

Transportation – The BVCP and TMP support the maintenance and development of a balanced transportation system that supports all modes of travel, making the system more efficient in carrying travelers while maintaining a safe system and shifting trips away from the single-occupant vehicle. This project helps to provide a safer multimodal transportation system with a grade separated crossing of Baseline Road. To view this section of the BVCP, please go to: <https://www-static.bouldercolorado.gov/docs/6-transportation-1-201307121121.pdf>

Housing- The new underpass will provide a safer crossing of Baseline Road for residents of nearby neighborhoods such as Martin Acres which may increase the use of bicycling and walking thereby possibly decreasing household transportation costs. University of Colorado students, faculty and staff who may or may not reside nearby will also utilize and benefit from the underpass project which is adjacent to the CU Law School and the university

campus. To view this section of the BVCP, please go to: <https://www-static.bouldercolorado.gov/docs/7-housing-1-201307121121.pdf>

Community Well Being – The policies in this section of the BVCP relate to Human Services; Social Equity; Community Health; and, Community Infrastructure and Facilities. The new underpass will provide a safer grade separated crossing of Baseline Road for use by pedestrians and bicyclists. The at-grade crossing of Baseline Road at Broadway will also be improved with the curb extension/bumpouts which will decrease the crossing distance. The project’s incorporation of artistic elements also supports this section of the plan. To view this section of the BVCP, please go to: <https://www-static.bouldercolorado.gov/docs/8-community-well-being-1-201307121122.pdf>

- c. Describe any regional goals (potential benefits or impacts to regional systems or plans?)

The CU Boulder Transportation Master Plan is part of the Campus Master Plan. The Baseline Road Underpass Project helps to fulfill their vision of mobility and accessibility for all CU Boulder faculty, staff, visitors and vendors and safe and well-maintained bicycle and pedestrian facilities.

This section of Baseline Road is identified as a regional bicycle corridor in the Denver Regional Council of Governments Metro Vision Plan and this project addresses safety and access to and from the bicycling and pedestrian facilities along Baseline Road.

2. Is this project referenced in a master plan, subcommunity or area plan? If so, what is the context in terms of goals, objectives, larger system plans, etc.? If not, why not?
This underpass project is identified in the City of Boulder Transportation Master Plan and it supports the goals of the TMP by improving safety and connectivity in the bicycle and pedestrian system.
3. Will this project be in conflict with the goals or policies in any departmental master plan and what are the trade-offs among city policies and goals in the proposed project alternative? (e.g. higher financial investment to gain better long-term services or fewer environmental impacts)
This project will not be in conflict with the goals or policies or any other departmental master plan.
4. List other city projects in the project area that are listed in a departmental master plan or the CIP.
There are not any other city projects identified in the CIP that are in the project area.
5. What are the major city, state, and federal standards that will apply to the proposed project? How will the project exceed city, state, or federal standards and

regulations (e.g. environmental, health, safety, or transportation standards)?
The project is on a State highway on CDOT property and will therefore comply with all required city, state and federal permits and meet or exceed the city and national standards (AASHTO) for the development of bikeway facilities.

6. Are there cumulative impacts to any resources from this and other projects that need to be recognized and mitigated?
There are none identified at this time.

Impact Assessment:

1. Using the attached checklist, identify the potential short or long-term impacts of the project alternatives. Use +, - or 0 in the checklist table to indicate impacts, benefits and no changes for each alternative.
- + indicates a positive effect or improved condition
 - indicates a negative effect or impact
 - 0 indicates no effect

Categories on the Checklist Table indicating positive or negative impacts (+ or -) should answer the Checklist Questions following the table in full.

City Of Boulder
Community and Environmental Assessment Process

Checklist

- + Positive effect
- Negative effect
- 0 No effect

Project Title:		Option A	Option B	Option C
A. Natural Areas or Features				
1.	Disturbance to species, communities, habitat, or ecosystems due to:			
	a. Construction activities	0	0	0
	b. Native vegetation removal	0	0	0
	c. Human or domestic animal encroachment	0	0	0
	d. Chemicals (including petroleum products, fertilizers, pesticides, herbicides)	0	0	0
	e. Behavioral displacement of wildlife species (due to noise from use activities)	0	0	0
	f. Habitat removal	0	0	0
	g. Introduction of non-native plant species in the site landscaping	0	0	0
	h. Changes to groundwater or surface runoff	0	0	0
	i. Wind erosion	0	0	0
2.	Loss of mature trees or significant plants?	-	-	-
B. Riparian Areas/Floodplains				
1.	Encroachment upon the 100-year, conveyance or high hazard flood zones?	0	0	0
2.	Disturbance to or fragmentation of a riparian corridor?	0	0	0
C. Wetlands				
1.	Disturbance to or loss of a wetland on site?	0	0	0

Attachment A - Baseline Underpass CEAP

Project Title:		Preferred Alternative	Alternative 2	Alternative 3
D. Geology and Soils				
1.	a. Impacts to unique geologic or physical features?	0	0	0
	b. Geologic development constraints?	0	0	0
	c. Substantial changes in topography?	0	0	0
	d. Changes in soil or fill material on the site?	0	0	0
	e. Phasing of earth work?	0	0	0
E. Water Quality				
1.	Impacts to water quality from any of the following?			
	a. Clearing, excavation, grading or other construction activities	-	-	-
	b. Change in hardscape	-	-	-
	c. Change in site ground features	-	-	-
	d. Change in storm drainage	+	+	+
	e. Change in vegetation	0	0	0
	f. Change in pedestrian and vehicle traffic	0	0	0
	g. Pollutants	0	0	0
2.	Exposure of groundwater contamination from excavation or pumping?	0	0	0
F. Air Quality				
1.	Short or long term impacts to air quality (CO2 emissions, pollutants)?			
	a. From mobile sources?	+	+	+
	b. From stationary sources?	0	0	0
G. Resource Conservation				
1.	Changes in water use?	+	+	+
2.	Increases or decreases in energy use?	+	+	+
3.	Generation of excess waste?	0	0	0

Attachment A - Baseline Underpass CEAP

Project Title:			Preferred Alternative	Alternative 2	Alternative 3
H. Cultural/Historic Resources					
1.	a.	Impacts to a prehistoric or archaeological site?	0	0	0
	b.	Impacts to a building or structure over fifty years of age?	0	0	0
	c.	Impacts to a historic feature of the site?	0	0	0
	d.	Impacts to significant agricultural land?	0	0	0
I. Visual Quality					
1.	a.	Effects on scenic vistas or public views?	0	0	0
	b.	Effects on the aesthetics of a site open to public view?	0	0	0
	c.	Effects on views to unique geologic or physical features?	0	0	0
	d.	Changes in lighting?	0	0	0
J. Safety					
1.	Health hazards, odors, or radon?		0	0	0
2.	Disposal of hazardous materials?		0	0	0
3.	Site hazards?		0	0	0
K. Physiological Well-being					
1.	Exposure to excessive noise?		0	0	0
2.	Excessive light or glare?		0	0	0
3.	Increase in vibrations?		0	0	0
L. Services					
1.	Additional need for:				
	a.	Water or sanitary sewer services?	0	0	0
	b.	Storm sewer/Flood control features?	0	0	0
	c.	Maintenance of pipes, culverts and manholes?	-	-	-
	d.	Police services?	0	0	0
	e.	Fire protection services?	0	0	0

Attachment A - Baseline Underpass CEAP

f. Recreation or parks facilities?	0	0	0
g. Library services?	0	0	0
h. Transportation improvements/traffic mitigation?	0	0	0
i. Parking?	0	0	0
j. Affordable housing?	0	0	0
k. Open space/urban open land?	0	0	0
l. Power or energy use?	0	0	0
m. Telecommunications?	0	0	0
n. Health care/social services?	0	0	0
o. Trash removal or recycling services?	0	0	0
M. Special Populations			
1. Effects on:			
a. Persons with disabilities?	+	+	+
b. Senior population?	+	+	+
c. Children or youth?	+	+	+
d. Restricted income persons?	+	+	+
e. People of diverse backgrounds (including Latino and other immigrants)?	+	+	+
f. Neighborhoods	+	+	+
g. Sensitive populations located near the project (e.g. schools, hospitals, nursing homes)?	+	+	+
N. Economy			
1. Utilization of existing infrastructure?	0	0	0
2. Effect on operating expenses?	0	0	0
3. Effect on economic activity?	+	+	+
4. Impacts to businesses, employment, retail sales or city revenue?	+	+	+

City of Boulder
Community and Environmental Assessment Process

Checklist Questions

Note: The following questions are a supplement to the CEAP checklist. Only those questions indicated on the checklist indicating positive or negative impacts (+ or -) are to be answered in full.

A. Natural Areas and Features

1. Describe the potential for disturbance to or loss of significant: species, plant communities, wildlife habitats, or ecosystems via any of the activities listed below. (Significant species include any species listed or proposed to be listed as rare, threatened or endangered on federal, state, county lists.)
 - a. Construction activities
 - b. Native Vegetation removal
 - c. Human or domestic animal encroachment
 - d. Chemicals to be stored or used on the site (including petroleum products, fertilizers, pesticides, herbicides)
 - e. Behavioral displacement of wildlife species (due to noise from use activities)
 - f. Introduction of non-native plant species in the site landscaping
 - g. Changes to groundwater (including installation of sump pumps) or surface runoff (storm drainage, natural stream) on the site
 - h. Potential for discharge of sediment to any body of water either short term (construction-related) or long term

For all options project staff will be redirecting a portion of the groundwater or surface water runoff. Short term discharge will be treated by installing Best Management Practices (BMPs) according to the Colorado Stormwater Discharge Permit. Long term discharge will be treated by the installation of water quality structures according to Municipal Separate Storm Sewer System (MS4) requirements.

- i. Potential for wind erosion and transport of dust and sediment from the site
2. Describe the potential for disturbance to or loss of mature trees or significant plants.

If potential impacts have been identified, please provide any of the following information that is relevant to the project:

 - A description of how the proposed project would avoid, minimize, or mitigate identified impacts.

- A habitat assessment of the site, including: 1. a list of plant and animal species and plant communities of special concern found on the site; 2. a wildlife habitat evaluation of the site.
- Maps of the site showing the location of any Boulder Valley Natural Ecosystem, Boulder County Environmental Conservation Area, or critical wildlife habitat.

For all options it is estimated up to six (6) trees on the north side of Baseline Road will need to be removed. The City of Boulder Forestry staff has conducted a tree assessment of all trees that will be potentially removed and this is included in the Appendix. Some of the trees on the north side of Baseline Road have been assessed as good condition and a few trees are in fair condition. Five of the trees are cottonwood trees and one (1) is a Siberian Elm tree. The five Cottonwood trees are not a desirable tree species along multi-use paths since their trunks tend to get hollowed out which make them more susceptible to falling down during high winds or other harsh winter conditions. The impacts to the trees on the south side of Baseline Road vary for the three options. Option A removes one (1) tree which is in fair condition; Options B and C require the removal of two (2) trees which are assessed to be in fair and good/fair condition, respectively. Project staff will plant replacement trees and look for areas to plant additional trees.

B. Riparian Areas and Floodplains

1. Describe the extent to which the project will encroach upon the 100-year, conveyance or high hazard flood zones.

A City of Boulder Floodplain Development Permit will be obtained for any of the options prior to construction and the result will not create a negative effect on the existing Bluebell/Kings Gulch/Skunk Creek floodplain. The project will encroach on the 100-year floodplain but not within the conveyance zone.

2. Describe the extent to which the project will encroach upon, disturb, or fragment a riparian corridor: (This includes impacts to the existing channel of flow, streambanks, adjacent riparian zone extending 50 ft. out from each bank, and any existing drainage from the site to a creek or stream.)

If potential impacts have been identified, please provide any of the following information that is relevant to the project:

- A description of how the proposed project would avoid, minimize, or mitigate identified impacts to habitat, vegetation, aquatic life, or water quality.
- A map showing the location of any streams, ditches and other water bodies on or near the project site.

- A map showing the location of the 100-year flood, conveyance, and high hazard flood zones relative to the project site.

E. Water Quality

1. Describe any impacts to water quality that may result from any of the following:
 - a. Clearing, excavation, grading or other construction activities that will be involved with the project;

For all options, there will be potential impacts from these activities but these will be mitigated through the water quality Best Management Practices (BMPs) outlined in the stormwater pollution prevention plan. Additionally, due to Municipal Separate Storm Sewer System (MS4) requirements, the project is installing up to five permanent water quality structures (four within the existing storm drainage system) which will capture pollutants before they would be discharged to Skunk Creek.

- b. Changes in the amount of hardscape (paving, cement, brick, or buildings) in the project area;
 - c. Permanent changes in site ground features such as paved areas or changes in topography;

For all options, there will be a slight increase in the amount of impervious surface due to the additional concrete for underpass, access ramps and path connections.

- d. Changes in the storm drainage from the site after project completion;

See response to E1a above.

- e. Change in vegetation;
 - f. Change in pedestrian and vehicle traffic;
 - g. Potential pollution sources during and after construction (may include temporary or permanent use or storage of petroleum products, fertilizers, pesticides, or herbicides).

2. Describe any pumping of groundwater that may be anticipated either during construction or as a result of the project. If excavation or pumping is planned, what is known about groundwater contamination in the surrounding area (1/4 mile in all directions from the project) and the direction of groundwater flow?

If potential impacts have been identified, please provide any of the following that is relevant to the project:

- A description of how the proposed project would avoid, minimize, or mitigate impacts to water quality.
- Information from city water quality files and other sources (state oil inspector or the CDPHE) on sites with soil and groundwater impacts within 1/4 mile radius of project or site.

- If impacts to site are possible, either from past activities at site or from adjacent sites, perform a Phase I Environmental Impact Assessment prior to further design of the project.
- Groundwater levels from borings or temporary peizometers prior to proposed dewatering or installation of drainage structures.

Contaminated groundwater has been identified in the area and is currently being assessed by the State Division of Oil and Public Safety (DOPS). Their assessment will either lead to a mitigation project to eliminate the contamination prior to construction or funding and oversight for containment and removal of contaminated groundwater encountered during construction.

F. Air Quality

1. Describe potential short or long term impacts to air quality resulting from this project. Distinguish between impacts from mobile sources (VMT/trips) and stationary sources (APEN, HAPS).

For all options, the emissions from construction equipment would have a short term effect on air quality during construction. The effects of the emissions would be negligible because of the small number of short term emission sources.

The manufacture and use of resources for the construction can provide some short-term impacts to air quality at the manufacture site or construction site. The general types of construction and construction elements are similar for all options.

The long term impacts to mobile source air quality for all options in all segments is expected to positive one with an increase in the use of bicycling and walking. In the DRCOG TIP application it was estimated that there would be an annual emissions reduction of approximately 239,000 lbs of CO₂ from this project.

G. Resource Conservation

1. Describe potential changes in water use that may result from the project.
 - a. Estimate the indoor, outdoor (irrigation) and total daily water use for the facility.
 - b. Describe plans for minimizing water use on the site (Xeriscape landscaping, efficient irrigation system).

For all options, there will be a decrease in grass lawn area. Project staff will be working with the adjacent property owners to develop landscaping restoration plans that reduce water usage.

2. Describe potential increases or decreases in energy use that may result from the project.
 - a. Describe plans for minimizing energy use on the project or how energy conservation measures will be incorporated into the building design.
 - b. Describe plans for using renewable energy sources on the project or how renewable energy sources will be incorporated into the building design?
 - c. Describe how the project will be built to LEED standards.

In all options, the existing pedestrian signal will be removed which will have a slight decrease in energy use.
Fixtures for the art component, street lighting and underpass lighting will be added but will be high efficiency.

3. Describe the potential for excess waste generation resulting from the project. If potential impacts to waste generation have been identified, please describe plans for recycling and waste minimization (deconstruction, reuse, recycling, green points).

L. Services

1. Describe any increased need for the following services as a result of the project:
 - a. Water or sanitary sewer services
 - b. Storm sewer / Flood control features
 - c. Maintenance of pipes, culverts and manholes

The pipes, inlets, manholes and water quality structures will require additional maintenance. Project staff will work with maintenance staff for the selection of water quality structure type and assessment of additional maintenance needs.

- d. Police services
 - e. Fire protection
 - f. Recreation or parks facilities
 - g. Libraries
 - h. Transportation improvements/traffic mitigation
 - i. Parking
 - j. Affordable housing
 - k. Open space/urban open land
 - l. Power or energy use
 - m. Telecommunications
 - n. Health care/social services
 - o. Trash removal or recycling services
2. Describe any impacts to any of the above existing or planned city services or department master plans as a result of this project. (e.g. budget, available

parking, planned use of the site, public access, automobile/pedestrian conflicts, views)

M. Special Populations

1. Describe any effects the project may have on the following special populations:
 - a. Persons with disabilities
 - b. Senior population
 - c. Children or Youth
 - d. Restricted income persons
 - e. People of diverse backgrounds (including Latino and other immigrants)
 - f. Sensitive Populations located near the project (e.g. adjacent neighborhoods or property owners, schools, hospitals, nursing homes)

If potential impacts have been identified, please provide the following:

- A description of how the proposed project would avoid, minimize, or mitigate identified impact.
- A description of how the proposed project would benefit special populations.

The underpass will provide a safer crossing for bicyclists and pedestrians at the pedestrian signal which could be utilized by the above identified populations. Option A does not meet ADA design guidelines. The crossing distance of the east leg of the Broadway and Baseline Road intersection will be slightly decreased by the construction of a curb extension at the southeast corner of the intersection. The project will also complete a section of multi-use path on the east side of Broadway from north of Skunk Creek to Baseline Road.

N. Economic Vitality

1. Describe how the project will enhance economic activity in the city or region or generate economic opportunities?
2. Describe any potential impacts to:
 - a. businesses in the vicinity of the project (ROW, access or parking),
 - b. employment,
 - c. retail sales or city revenueand how they might be mitigated.

In all options, this project will provide a safer crossing of Baseline Road and this will improve bicycle and pedestrian access to both Basemar Shopping Center and the University of Colorado.

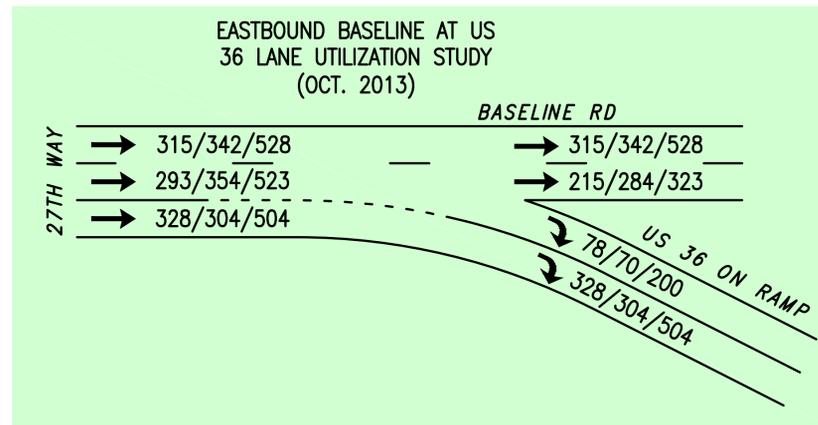
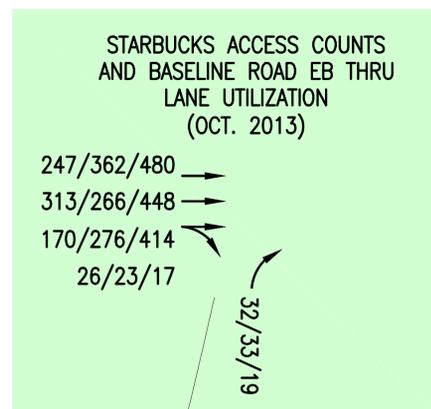
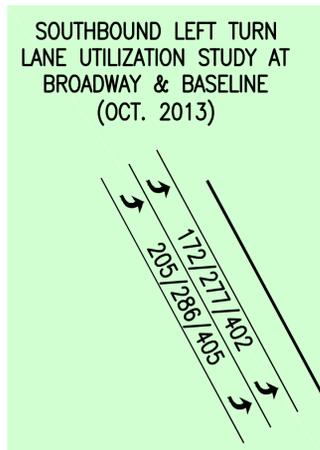
Appendix

Baseline Road Underpass Project

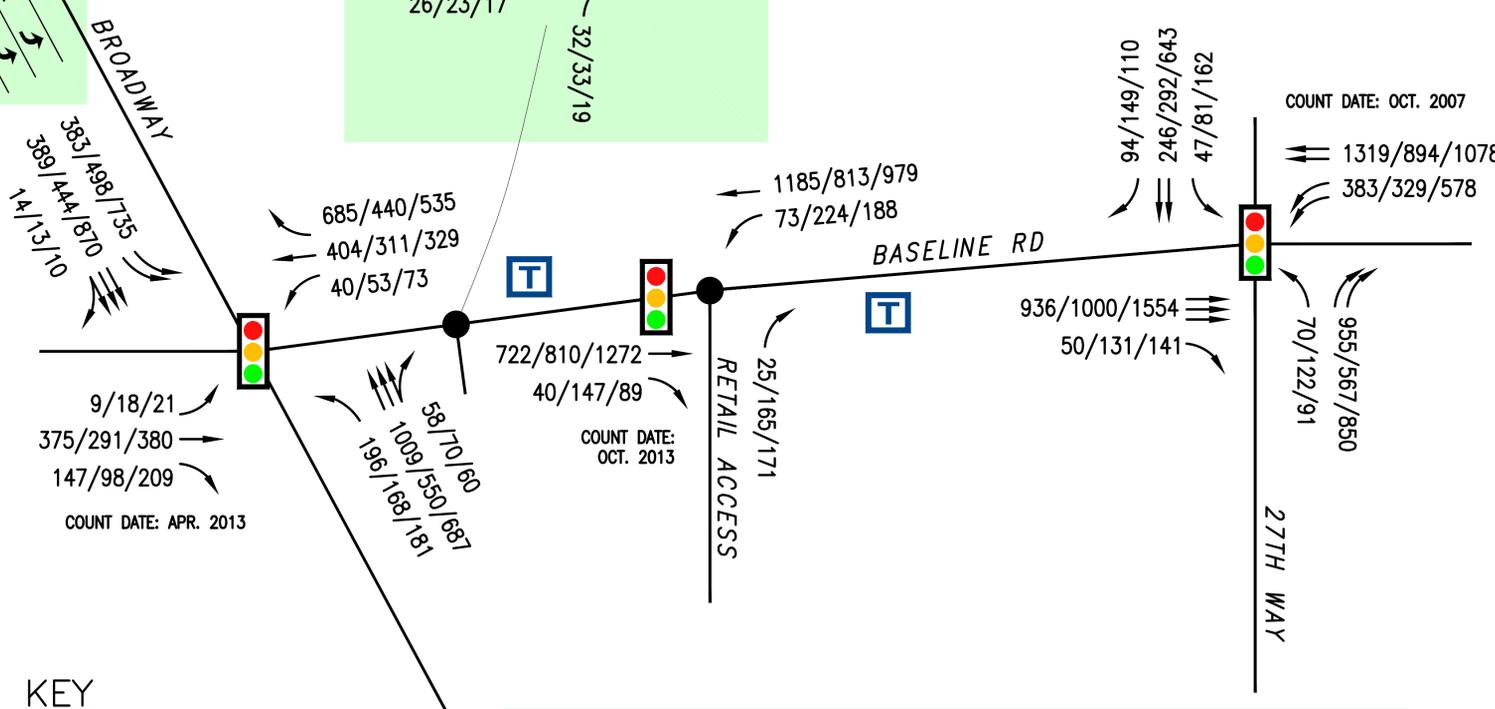
Broadway to 27th Way



Baseline Underpass Project Transportation Data



Vehicular Volumes and Lane Utilizations



KEY

XXX/XXX/XXX AM / NOON / PM PEAK HOUR VEHICULAR VOLUME

T TRANSIT STOP

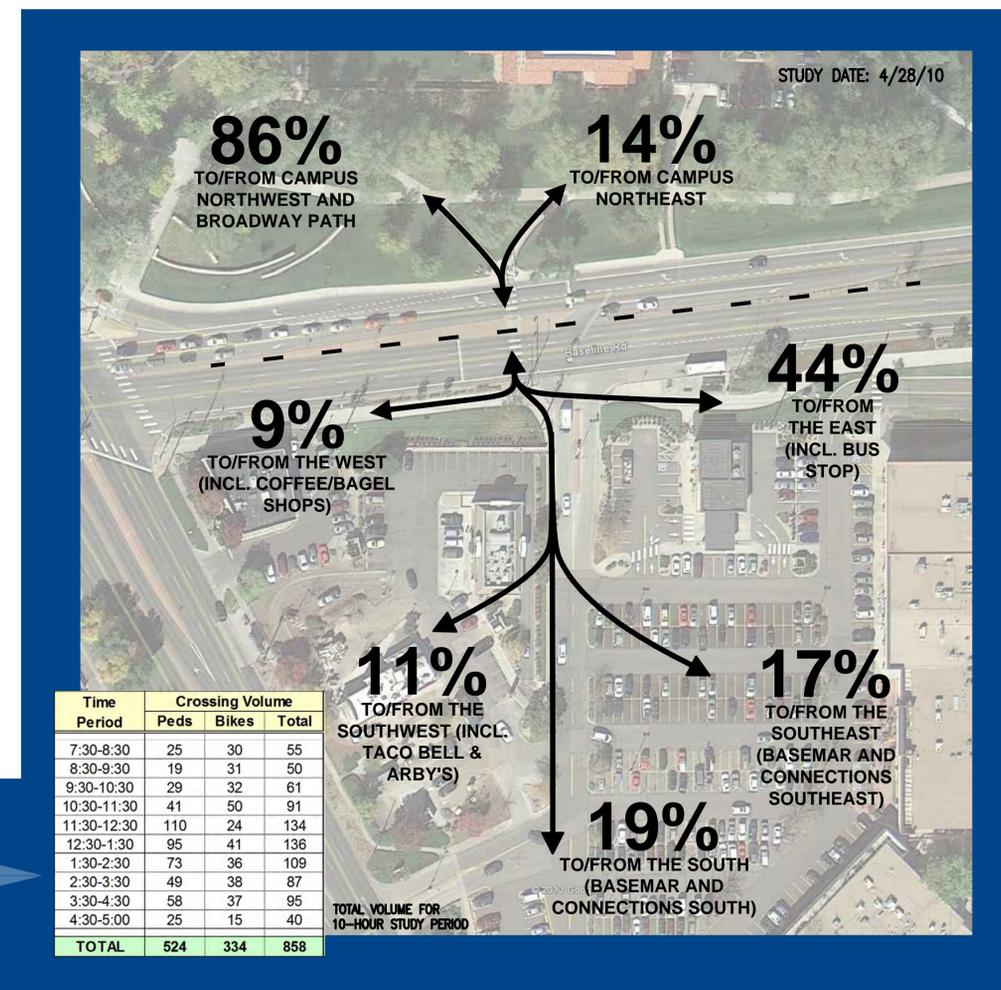
TRANSIT DATA

WB BASELINE AT BROADWAY DAILY BOARDING & ALIGHTINGS

Route	On	Off
204	8	27
225	3	68
TOTAL	11	95

EB BASELINE AT BROADWAY DAILY BOARDING & ALIGHTINGS

Route	On	Off
BOUND	453	112
204	22	40
225	80	24
TOTAL	555	176



Pedestrian & Bicycle Volumes and Travel Patterns



BASELINE ROAD UNDERPASS - TREE ASSESSMENTS. PREPARED BY PAT BOHIN, FORESTRY ASSISTANT, 4/9/14							
TREE #	LOCATION	SPECIES	DIA SIZE	CONDITION	APPRAISED VALUE	NOTES	PLAN OPTION
1	SOUTH OF BASELINE, WEST OF CROSSWALK	HONEYLOCUST	13"	FAIR	\$3,640	POWER LINE TREE	OPTION A, B AND C
2	SOUTH OF BASELINE, EAST OF BUS STOP	CRABAPPLE	15/14"	GOOD TO FAIR	\$9,900	TWO STEM TREE	OPTION B AND C
3	NORTH OF BASELINE, EAST OF CROSSWALK	SIBERIAN ELM	17/17"	FAIR	\$5,200	TWO STEM TREE	OPTION A, B AND C
4	NORTH OF BASELINE, EAST END	COTTONWOOD	17"	GOOD	CU TREE		OPTION A, B AND C
5	NORTH OF BASELINE, EAST END	COTTONWOOD	22"	FAIR	CU TREE	TIP DIE BACK	OPTION A, B AND C
6	NORTH OF BASELINE, INSIDE TRIANGLE	COTTONWOOD	24"	GOOD	\$10,200		OPTION A, B AND C
7	NORTH OF BASELINE, WEST OF CROSSWALK	COTTONWOOD	19"	GOOD	CU TREE		OPTION A, B AND C
8	NORTH OF BASELINE, WEST END	COTTONWOOD	27"	GOOD	CU TREE		OPTION A, B AND C



INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
Heather Bailey, Executive Director of Energy Strategy and Electric Utility Development

Date: June 17, 2014

Subject: Information Item: Boulder's Energy Future Budget Update

Budget Update

The municipalization exploration work plan represents a significant undertaking. In particular, the legal and technical work necessary to determine the final costs for potential acquisition of the local distribution system and launch of a municipal utility will be a considerable investment. Recognizing this, in 2011, city voters approved an increase to the Utility Occupation Tax in the amount of \$1.9 million a year. The use of this tax revenue has been allocated to the following categories:

- Legal services (condemnation and FERC Counsel)
- Consulting services related to possible municipalization and separation of Xcel Energy's (Xcel's) system (engineering and appraisal services)
- Salary and benefits (executive director of Energy Strategy and Electric Utility Development)
- Purchased services and supplies (office space and supplies)

Following the voter approval in November 2011, the city has focused its "energy future" work efforts on exploring municipalization. Work plan items completed since the last budget update to council include:

- Hired consultant to assist staff in developing transition work plan
- Worked with Xcel/City Task Force until it was disbanded in March 2014
- Developed a utility of the future integrated energy work plan
- Attended RMI eLab Accelerator session and developed preliminary vision and structure of the "Boulder Energy Community Marketplace," which was presented to council in April

- Developed draft transition work plan - a step-by-step process for implementing a new utility by 3rd quarter 2016
- Council adopted an ordinance to create a local electric utility
- Worked with community through solar and natural gas working groups to develop policies of future resources
- Ongoing public outreach

2014 Budget

The 2014 total budget of \$2,879,544 is funded from the Utility Occupation Tax (\$1.9 million, plus a three percent tax increase approved by council on Oct. 25, 2013, pursuant to the original ordinance); a one-time general fund request of \$355,000 allocated to support salaries and benefits for high-priority staffing needs in support of this project; and a \$567,544 prior year encumbrance carryover from 2013. The carryover reflects a delay in spending for consulting fees to negotiate the purchase of the system and engineering fees to assess and determine the technical capabilities of the system. Expenditures for 2014, (January through May) total \$624,009 and are within the limitations of this budget.

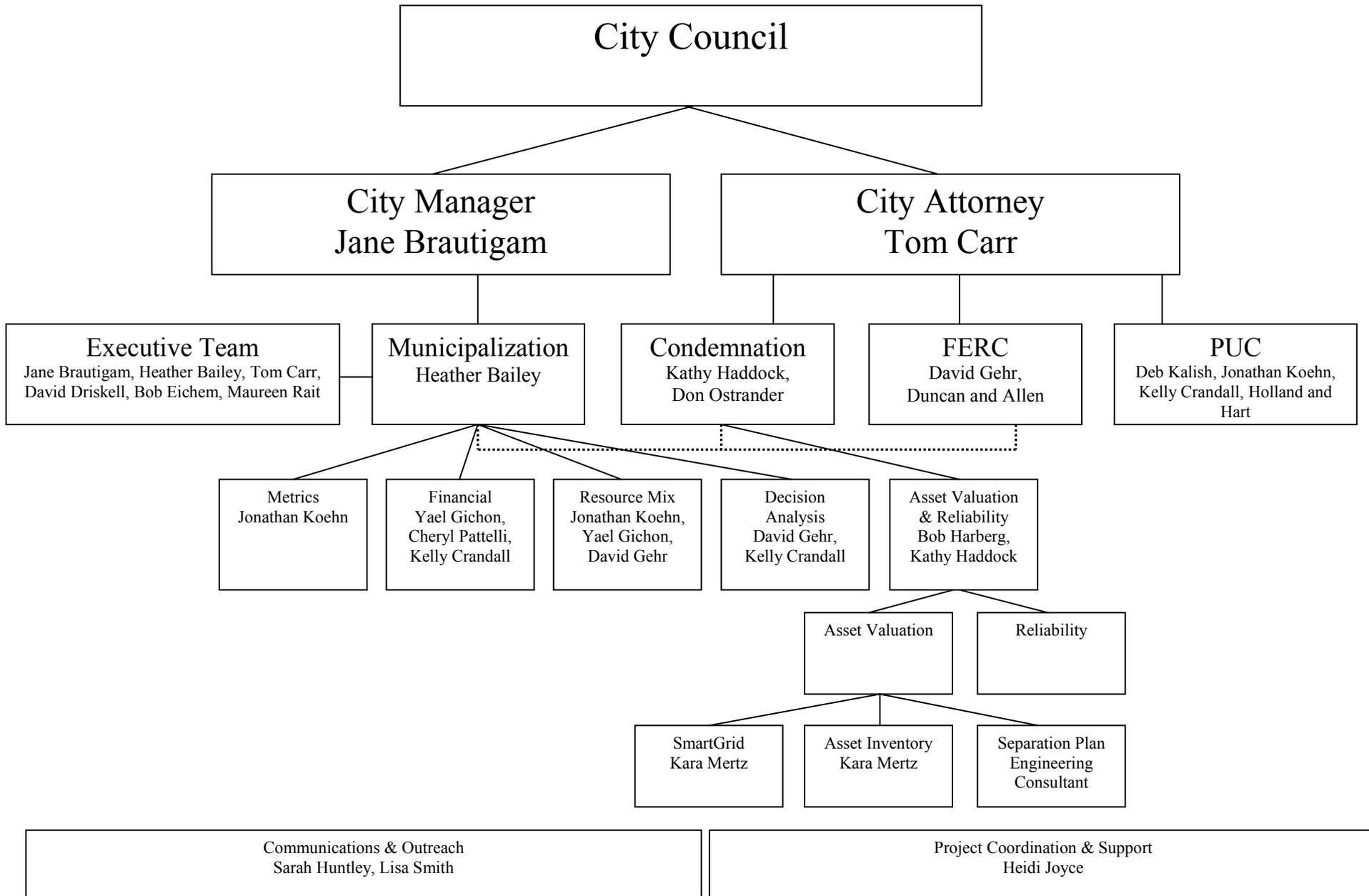
Other staff resources assigned to this effort have been allocated within existing budgets and are separate from the \$2,879,544 budget. This is in alignment with the overall priority of this effort and existing roles, responsibilities and funding, as well as the approach historically taken with other significant and cross-departmental city projects. As a reminder, an organizational chart showing those assigned to this project and their areas of focus is included as **Attachment A**. A list that includes staff working on this effort, the percentage of time spent in 2014 on the project and associated budget allocation is provided in **Attachment B**.

Attachments:

Attachment A: Organizational Chart

Attachment B: Staffing Resources

**ATTACHMENT A
Organizational Chart**



ATTACHMENT B

Boulder's Municipalization Exploration Project
 2014 Staffing Resources
 January - May, 2014

Executive Director	Source of Funding	% of Time
Heather Bailey	Utility Occupation Tax	100
		\$126,958 Utility Occupation Tax

Executive Team	Source of Funding	% of Time
Jane Brautigam	CMO Budget	7
Tom Carr	CAO Budget	13
David Driskell	P&DS Budget	5
Bob Eichem	Finance Budget	5
Maureen Rait	P&DS/PW Budget	4
Patrick Von Keyserling	Communications Budget	2
		\$34,464 Estimated Cost

Project Team	Source of Funding	% of Time
Carl Castillo	CMO Budget	5
Kelly Crandall	CAP Budget	75
David Gehr (Backfill)	General Fund (One-time GF Request)	100
Yael Gichon	CAP Budget	100
Kathy Haddock	CAO Budget	80
Robert Harberg	PW Budget	12
Sarah Huntley	Communications Budget	60
Heidi Joyce	General Fund (One-time GF Request)	100
Deb Kalish	CAO Budget	60
Jonathan Koehn	P&DS Budget	80
Kara Mertz	P&DS Budget	50
Cheryl Pattelli	Finance Budget	2
Lisa Smith	General Fund (One-time GF Request)	100
		\$372,666 Estimated Cost

Support	Source of Funding	% of Time
Joanna Paradiso	P&DS Budget	5
Sean Metrick	P&DS Budget	3
		\$7,745 Estimated Cost

Total:
\$126,958 Utility Occupation Tax
\$100,922 One-time GF Request
\$313,954 Other Funding Sources



INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
Greg Testa, Interim Chief of Police
Maureen Rait, Executive Director of Public Works
Tracy Winfree, Director of Public Works for Transportation
Michael Gardner-Sweeney, Transportation Planning and Operations Coordinator
Robert Hendry, Photo Enforcement Program Supervisor
Lynne Reynolds, Court Administrator

Date: June 17, 2014

Subject: **Information Item: Update on the City's Photo Enforcement Program**

EXECUTIVE SUMMARY

The objective of this information packet item is to update City Council on the city's Photo Enforcement Program and outline the planned expansion of the red-light violation enforcement. The city's program was initiated 15 years ago to enhance the safety of Boulder's streets by enforcing speeding and red-light running violations. The program has been successful in reducing red-light running accidents and speeding on neighborhood streets.

The scope of the speed enforcement element of the program will be maintained as a good balance of resources and the program emphasis of neighborhood streets. The red-light violation enforcement will be expanded to intersections that will benefit. The planned expansion will add two new photo red-light sites in 2014/2015.

Over the years, there have been state legislative efforts to limit or eliminate either photo speed limit enforcement, photo red-light enforcement, or both. In 2014, city Police Department representatives provided testimony against the state legislation seeking to prohibit photo enforcement of traffic violations. The city's objections have been based on the community interest in enforcement of traffic laws and the safety benefits that the program has achieved.

The 2014 attempt was passed by the Colorado Senate, but not by the Colorado House of Representatives.

FISCAL IMPACT

There are no budgetary impacts to the city organization. The photo enforcement program covers its own cost of operation.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic:** Ensuring the efficient and safe movement of traffic and goods throughout the city.
- **Environmental:** There are no anticipated environmental impacts.
- **Social:** Continuing to protect public safety.

BACKGROUND

The city's Photo Enforcement Program was initiated as a neighborhood safety demonstration program in 1998. At that time, there was significant community discussion about traffic mitigation measures (traffic circles, speed humps, etc.) being placed in the streets to enhance safety and whether enforcement of traffic laws should also be increased.

The initial program included one photo-radar van to enforce speed limit compliance and four red-light cameras to enforce red-light running violations. The demonstration was evaluated after a six-month period and, based on its merits, became an ongoing tool in the city's traffic enforcement toolbox. In subsequent years, the program has been expanded to its present form of two photo-radar vans and eight red-light cameras.

Since its inception, the Photo Enforcement Program has been managed with a team approach. The team includes staff members from the Public Works Department, Police Department, Municipal Court, and the City Attorney's Office. The team approach has allowed for clear communication, coordination and management of the program.

The city's program is operated within the state-enabling legislation originally enacted in 1997. Subsequent state legislation has impacted the operation of the program over time. Typically, states have adopted either a "driver liability" model where the driver is assessed both a monetary fine and points against their driver's license (just as a violation is enforced under conventional means) or a "vicarious liability" model where the owner of the vehicle is held responsible for the activities of their vehicle and are assessed a monetary fine only.

The vicarious liability model is how the city enforces parking violations and is commonly known as a moving parking ticket. In Colorado, the legislature took portions of each model and created a driver liability model but prohibited the addition of points against the driver's license. The lack of ability to assess points for a photo-enforced violation potentially reduced the deterrent value of the program. In addition to prohibiting the use of state recorded points against the driver's license, other significant elements of the enabling legislation are listed below.

- Prohibited any fines to be issued for speeds less than 10 mph for the first violation.
- Established a maximum fine of \$40 for all photo enforcement violations.

- Prohibited the issuance of any Outstanding Judgment Warrants (OJWs) or loss of license to those who fail to pay.
- Prohibited the use of Interstate Compact.
- Prohibited any fine “surcharges” to be added for convictions.
- Prohibited that any portion of the fine collected be shared with the vendor or payment “based upon the number of citations issued or the revenue generated by such equipment.”
- Allowed only 90 days for personal service.

Subsequent state legislation has included additional provisions that have impacted the city’s program. In 1999, legislation required a sign in advance of photo speed enforcement, doubled fines for school zones to \$80, increased the fine for red-light violations to \$75, allowed violations more than 25 mph over the speed limit to be processed as a regular ticket, and required that the summons and complaint must be personally served by a certified Class I or Class Ia Peace Officer. Personal jurisdiction or perfecting service could not occur through certified mail. In 2002, legislation required a “temporary” sign in advance of photo speed enforcement (300 feet minimum), that an officer or city employee must operate the photo-radar equipment, and that photo speed enforcement be restricted to residential neighborhood streets (speed limit 35 mph or less), streets bordering parks, and school zones. In 2004, legislation required posting a sign in advance of photo red-light enforcement and made it illegal to obstruct your vehicle plate in any fashion. In 2008, legislation allowed photo speed enforcement within construction work zones at double fines of \$80.

Over the years, there have been state legislative efforts to limit or eliminate either photo speed limit enforcement, photo red-light enforcement, or both. In 2012, 2013 and 2014, city Police Department representatives provided testimony against state legislation seeking to prohibit photo enforcement of traffic violations. The city’s objections have been based on the community interest in enforcement of traffic laws and the safety benefits that the program has achieved. The 2012 and 2013 attempts failed to make it out of committee. The 2014 attempt was passed by the Colorado Senate, but not by the Colorado House of Representatives.

The city’s photo enforcement program is provided through a combination of city staff and vendor services. The city contracts with a vendor to provide the equipment and processing of the violations at the city’s direction. City forces manage the program, deploy the photo-radar vans, serve non-responsive violators with summons and complaints, as required, provides customer service support, and adjudication of violations at the Boulder Municipal Court. The current program includes a total city staff of 9.0 full-time equivalent (FTE) employees.

ANALYSIS

Speed Limit Enforcement

The objective of the city’s photo speed limit enforcement efforts is to increase public safety by reducing speeding on city streets. Enforcement efforts are focused on neighborhood streets, streets adjacent to parks, and school zones.

The safety of Boulder’s streets is significantly affected as the speed of vehicles increases. As speeds increase by 10 miles per hour, the distance required to stop the vehicle approximately

doubles. If a pedestrian is hit by a vehicle that is traveling 20 mph, the pedestrian survival rate is 95 percent. This drops to 60 percent at 30 mph, and just 20 percent at 40 mph.

In 2013, the two photo speed enforcement vans were deployed for 5,312 hours, observed 1,208,785 vehicles, and capturing 14,638 speeding violations, of which 13,259 violations were issued.

Photo speed enforcement is not for every street. State restrictions limit deployment to residential streets with a speed limit 35 mph or less, streets adjacent to parks, school zones, and construction zones. The city's program has always emphasized deployment primarily on residential streets. Photo speed enforcement is not the proper tool for low-volume, low-violation streets where directed traditional enforcement is the preferred tool.

Historic Performance – The speed reduction and associated safety benefits are harder to quantify with photo speed enforcement. One of the difficulties is a result of the fact that camera deployment varies from month-to-month and year-to-year, making a direct comparison problematic. Analysis of individual sites over time does generate useful conclusions about the efficacy of photo speed enforcement. The overall conclusion is that photo speed enforcement deployed in a focused saturation approach generates real speed reduction benefits while the equipment is deployed. This speed reduction benefit is not maintained when the equipment is not present, nor do the speed reduction benefits generate citywide halo effects.

A secondary finding is that significant speed reduction occurs when the cameras are first deployed in a particular location and the speed reduction benefits stabilize over the long-term. In other words, the greatest speed reduction occurs with initial deployment and then stabilizes at a systemic level that is difficult to reduce further. Graphs showing these effects are provided in Attachment B. Of the examples provided, 47th Street best demonstrates these effects. The data for 3800 Broadway also shows similar results. The data for 2200 Edgewood Drive shows that once the initial reduction is achieved, further reductions are more difficult to realize.

Ticket Issuance rates – The effectiveness of photo speed enforcement is significantly impacted by the ability to maximize the percentage of tickets that are issued to violators. Over the life of the program, the technology has significantly improved the ticket issuance rate through the upgrade of the camera systems from traditional film to digital. With the resulting steady improvement, the ticket issuance rate has gone from approximately 50 percent of the violations captured in the early years of the program to approximately 90 percent currently.

Deployment Hours – Another important factor to a successful photo speed enforcement program is being able to consistently deploy the equipment. Early in the program history, the city had difficulty keeping operators with the program and deploying the van. In 2001, the operator positions were upgraded and different staffing strategies were implemented. With these changes, operator retention has stabilized and the equipment has been deployed much more consistently. In 2000, the equipment was deployed for 828 hours with one van, compared to 5,312 hours in 2013 with two vans.

Red Light Violation Enforcement

The objective of the city’s photo red-light violation enforcement is to increase safety by reducing the incidence of accidents caused by motorists running red lights.

Over the 15 years that the city has deployed red-light cameras, red-light violations have decreased from an average of 174 daily violations to 49, a 72 percent reduction. The number of accidents caused by red-light running has been reduced from an annual average of 21.05 to 6.78, a 68 percent reduction. The cumulative effect has been a reduction of more than 14 red-light running accidents annually.

Red-light Violation Enforcement - Before/After Violations and Accidents

Location	Violations per Day			Accidents per Year		
	Before	After	Percent Change	Before	After	Percent Change
28 th Street/Arapahoe Avenue (Westbound)	11	2	-80%	0.36	0.20	-44%
28 th Street/Arapahoe Avenue (Southbound)	33	8	-75%	0.00	0.41	N/A
South Boulder Rd/Table Mesa Park-n-Ride/Foothills Parkway (Westbound)	14	3	-80%	5.10	0.82	-84%
Valmont Road/47th Street (Westbound)	12	2	-80%	5.80	2.48	-57%
28 th Street/Canyon Boulevard (Northbound)	57	12	-79%	2.35	0.00	-100%
28 th Street/Canyon Boulevard (Southbound)	26	6	-76%	4.44	0.41	-91%
Baseline Road/27th Way (Eastbound)	14	10	-30%	1.50	2.07	38%
Arapahoe Avenue/30th Street (Eastbound)	7	5	-31%	1.50	0.40	-73%
Total	174	49	-72%	21.05	6.78	-68%

Table Notes

The “Before” violation condition was between:

- October and December 1998 for the four original red-light cameras (listed first above);
- October and December 2001 for the two 28th Street/Canyon Boulevard cameras; and
- April and June 2009 for the Baseline Road/27th Way and Arapahoe Avenue/30th Street cameras.

The “Before” accident history was from:

- 1996 through 1998 (excluding the last three months of 1998) for the four original red-light cameras;
- 1999 through 2001 for the two 28th Street/Canyon Boulevard cameras; and

- 2001 through 2006 for the Baseline Road/27th Way and Arapahoe Avenue/30th Street cameras.

The “After” condition was 2012 for violations and September 2009 through September 2013 for accidents.

Historic Performance - A graph showing the reduction in violations is provided in Attachment A. The graph shows increases in the violation rate in October 2001, April 2009, and May 2011. The 2001 and 2009 increases are a result of additional red-light camera sites being deployed. The 2011 increase is a result of changes in equipment that enhanced camera and detection performance. Other observations yielded from the analysis are shown below.

- The most significant reduction in violations occurs directly after a new red-light camera is deployed.
- Red-light running varies by the time of year, with the highest amount occurring in the summer and early fall months of July, August and September. This is still the case when the data is normalized to account for the seasonal increases in traffic levels.

Ticket Issuance Rates – A significant factor in a successful program is being able to issue tickets for as high a percentage of violators as possible. There are many different factors, both controllable and uncontrollable (including weather), which influence the ability to issue a violation. Over the life of the city’s program, significant advances in camera technology have aided in the ability to maximize the ticket issuance rate. The initial four red-light cameras deployed used traditional film and were front-view only. In subsequent years, the original and new cameras have been upgraded to digital technology, including front and rear cameras and videos of violations. Through these upgrades, the ticket issuance rates for red-light violations have improved from approximately 30 percent initially to approximately 90 percent currently.

Traditional Enforcement – Traditional enforcement of red-light violations is problematic. With traditional enforcement, an officer needs to be in two places at one time. First, the officer needs to be situated in front of the signal in a location where they are able to observe the position of the violator’s vehicle and the status of the traffic signal indications. Second, the officer needs to be able to stop violators after they pass through the intersection. In the transition, the officer must navigate across the busy intersection, potentially imperiling their own safety and that of other motorists. For this reason, photo red-light enforcement is an important tool in the enforcement toolbox.

Red-light Violation Enforcement Site Selection Process – The Federal Highway Administration (FHWA) provides guidance regarding placement of photo red-light violation enforcement. The supporting analysis indicates that photo red-light enforcement applied in appropriate conditions generates safety benefits. The FHWA guidelines advocate a stepped approach to selecting appropriate locations for deployment. The first step is to attempt to address intersections with an identified history of red-light running accidents. The second step is to utilize other operational and design options to reduce the incidence of red-light running; such as assuring adequate visibility of the signal displays, adequate signal timing, and appropriate signage. It is only after

implementing these two steps that photo red-light enforcement should be considered. The city uses this FHWA process to evaluate, select and prioritize intersections for camera deployment.

Longer Yellow Light Intervals – Currently, there are advocates who believe that photo red-light enforcement is not necessary. Instead, they argue that the same safety benefits can be generated by adding one second to the yellow light interval. This theory has been studied and shown to be false.

Traffic signals should be appropriately and consistently timed to enhance safety. The Institute of Transportation Engineers (ITE) provides a recommended practice for the timing of signal change intervals. The city uses this recommended practice in the timing of all traffic signals. The timing of the yellow light interval is based on the speed of the approaching vehicle and the grade of the approaching street. The yellow light interval is designed to provide enough time for approaching drivers to react to the traffic signal change and safely stop their vehicles.

Researchers investigating the effects of adding one second to the yellow light interval found that drivers adapted to the increase in yellow time by pushing deeper into the yellow interval and proceeding through the intersection later. No reduction in red-light running was achieved and no safety benefits were generated by the one-second increase in the length of the yellow light interval.

Program Cost Recovery

It is not intended, nor is it a program requirement, that the photo enforcement program fully cover its own cost of operation. As with other city services, the program is continually evaluated based on its merits and priority, and staff recommends whether or not to continue it. The financial history of the program is provided in Attachment C. Expenditures include direct costs associated with the program, including personnel, supervision, and vendor-associated costs. It does not include soft costs such as management oversight. Over the life of the program, it has covered its own cost with revenues of approximately \$13.7 million and expenses of \$13.1 million.

NEXT STEPS

The staff team continues to refine and improve the program by focusing on ways to maximize deployment effectiveness and control costs. The scope of the speed enforcement element of the program will be maintained as a good balance of resources and the program emphasis of neighborhood streets. The red light violation enforcement will be expanded to intersections that will benefit New sites will be selected based on a history of red-light running accidents and violations. The planned expansion will involve the addition of two new photo red-light sites in 2014/2015.

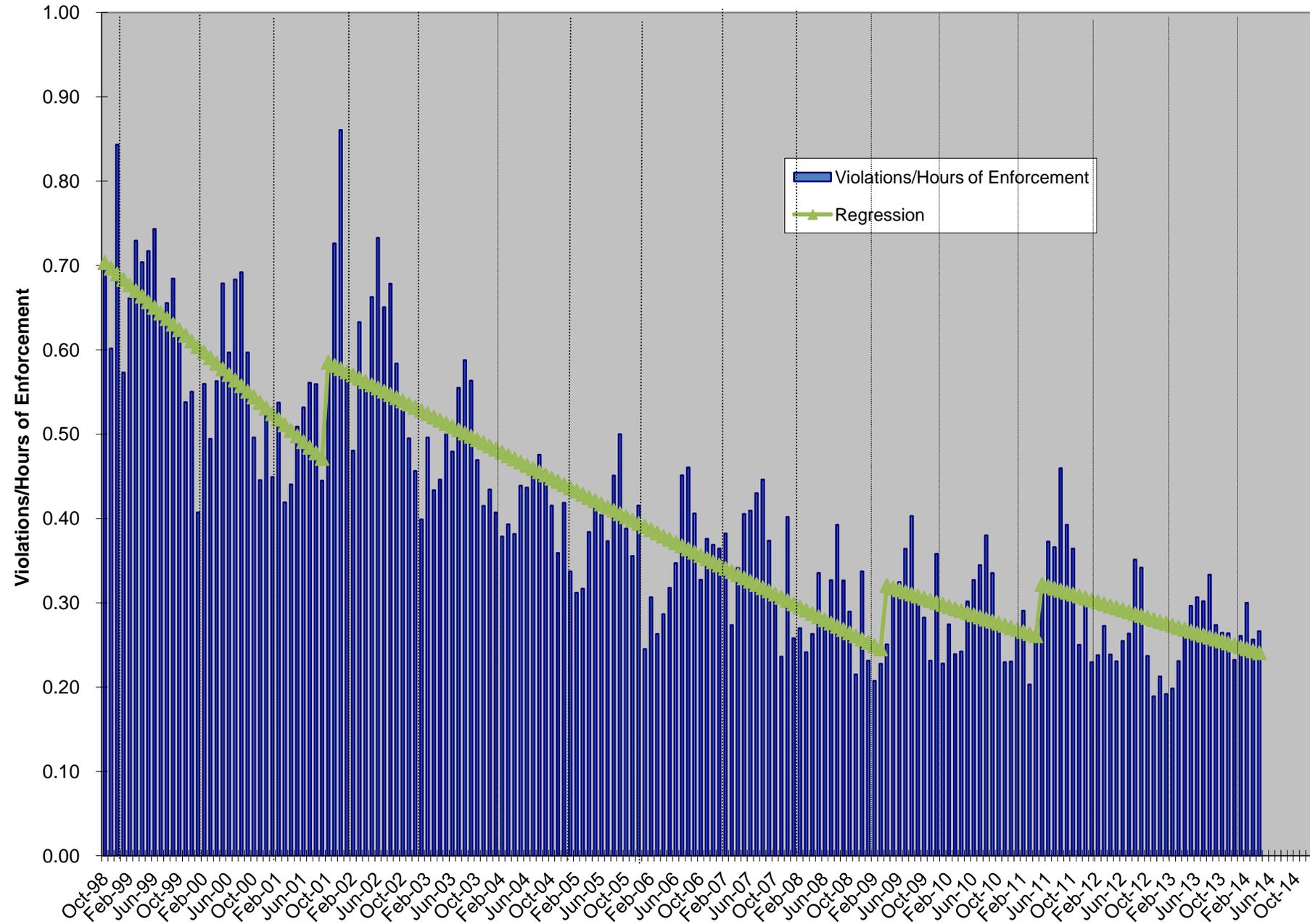
Attachments

A – Photo Red-light Enforcement Violation Rate History Graph

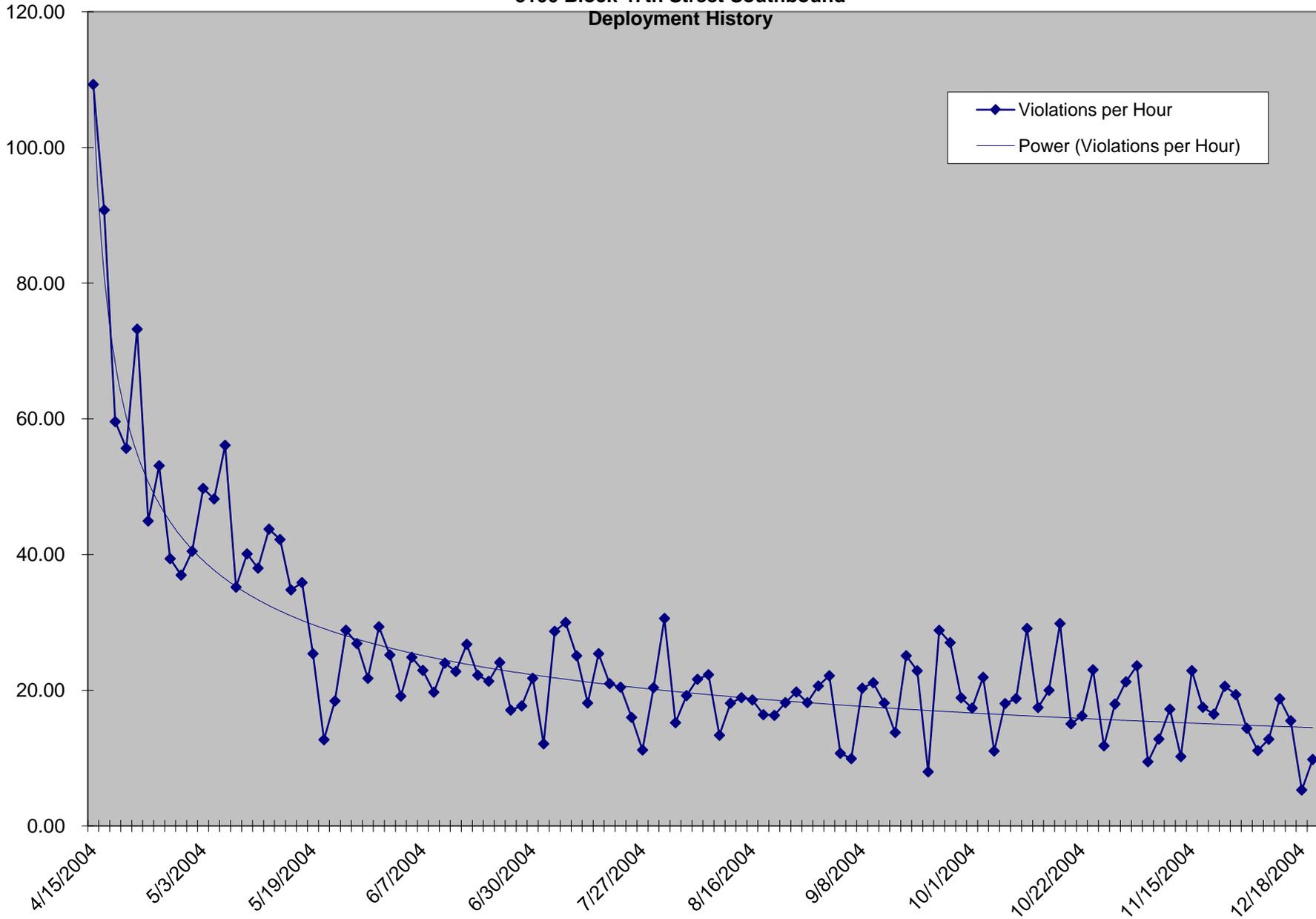
B – Photo Speed Enforcement Deployment Analysis

C – Photo Enforcement Program Fiscal History

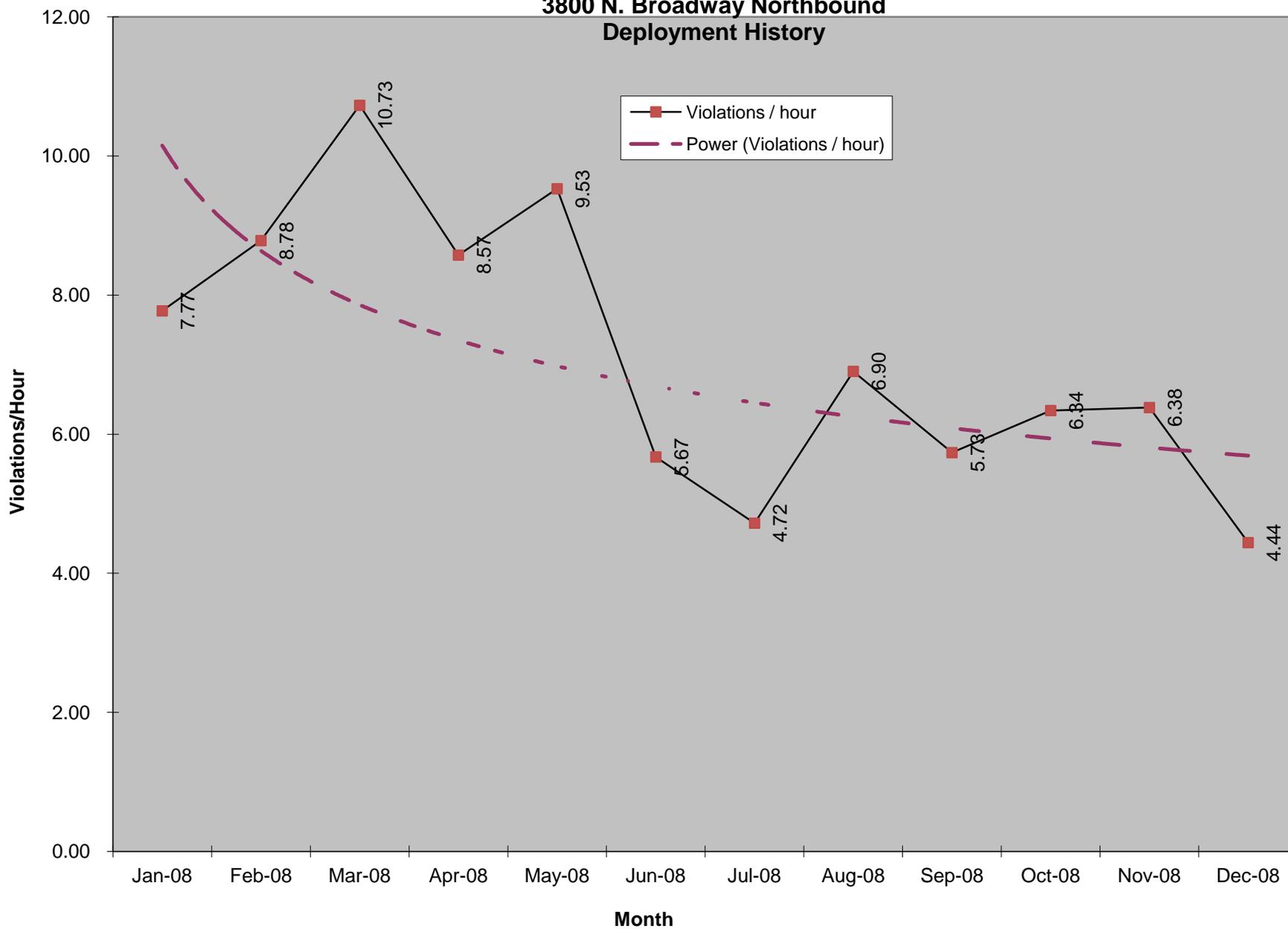
Red-light Enforcement Program



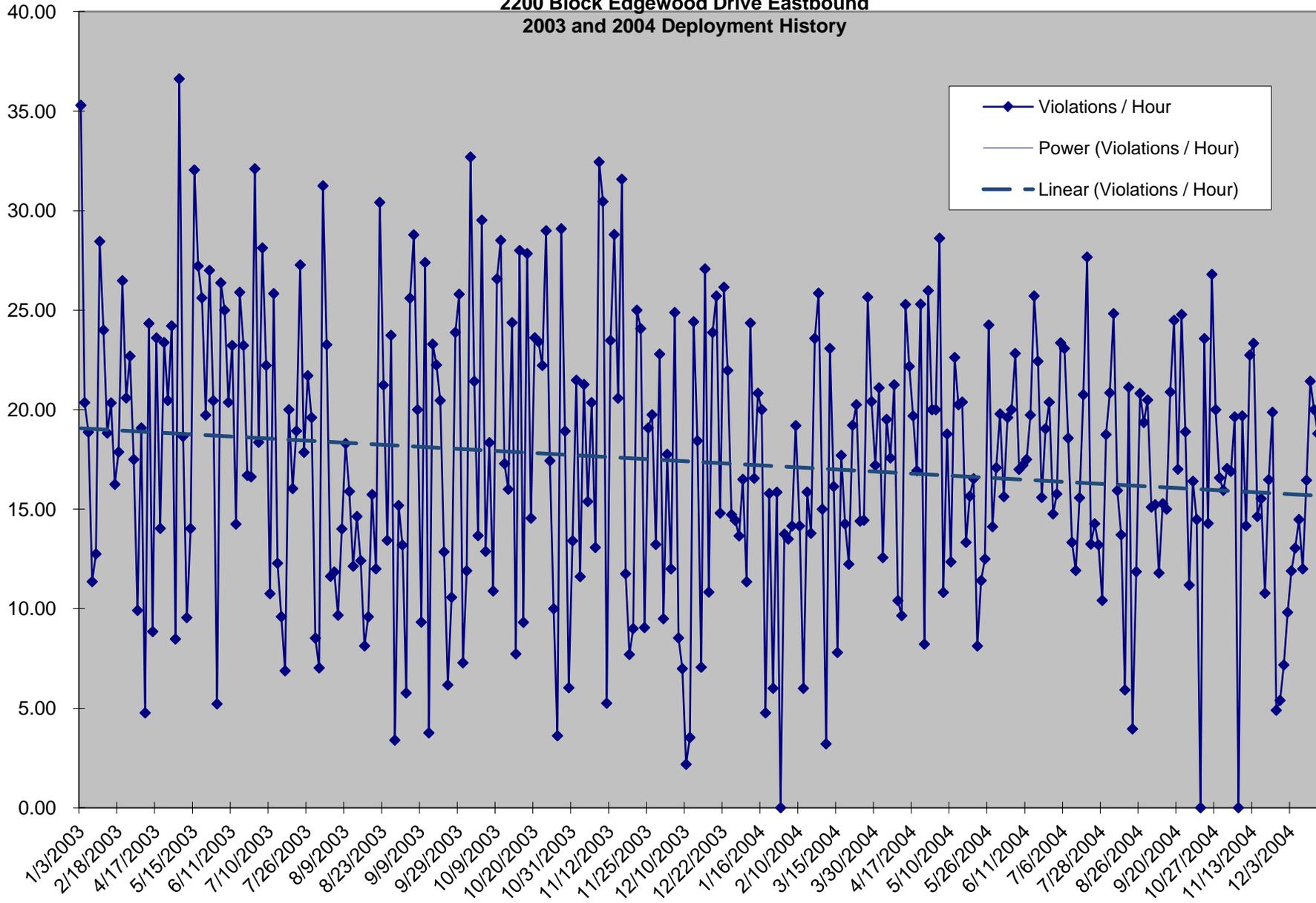
**3100 Block 47th Street Southbound
Deployment History**



3800 N. Broadway Northbound Deployment History



2200 Block Edgewood Drive Eastbound
2003 and 2004 Deployment History



City of Boulder Photo Enforcement Program

Fiscal Analysis ¹

Annual Financial Summary									
Time Period	Photo Enforcement			Photo Radar			Photo Red-Light		
	Rev	Exp	Total	Rev	Exp	Total	Rev	Exp	Total
1998 Actual	133,650	326,975	(193,325)	113,666	251,673	(138,007)	19,984	75,302	(55,318)
1999 Actual	502,000	669,390	(167,390)	224,126	284,485	(60,359)	277,874	384,905	(107,031)
2000 Actual	463,803	568,076	(104,273)	170,790	231,294	(60,504)	293,013	336,782	(43,769)
2001 Actual	484,959	720,943	(235,984)	202,683	257,688	(55,005)	282,276	463,255	(180,979)
2002 Actual	695,106	840,821	(145,715)	276,176	316,006	(39,830)	418,930	524,815	(105,885)
2003 Actual	785,339	766,644	18,695	366,579	368,094	(1,515)	418,760	398,550	20,210
2004 Actual	1,130,948	876,148	254,800	595,035	448,959	146,076	535,913	427,189	108,724
2005 Actual	1,179,299	909,087	270,212	564,983	441,007	123,976	614,316	468,080	146,236
2006 Actual	1,034,054	979,684	54,370	471,161	493,266	(22,105)	562,893	486,418	76,475
2007 Actual	1,209,879	1,087,749	122,130	548,412	564,832	(16,420)	661,467	522,917	138,550
2008 Actual	1,321,465	1,281,737	39,728	692,032	766,758	(74,726)	629,433	514,979	114,454
2009 Actual	1,585,368	1,457,745	127,623	840,685	862,203	(21,519)	744,683	595,542	149,141
2010 Actual	1,719,973	1,501,787	218,186	817,302	859,100	(41,798)	902,671	642,687	259,984
2011 Actual	1,450,097	1,132,185	317,912	416,265	499,916	(83,651)	1,033,832	632,270	401,562
2012 Actual	1,331,311	1,394,122	(62,811)	416,032	693,609	(277,577)	915,279	700,513	214,766
2013 Actual	1,468,831	1,342,717	126,114	498,226	653,681	(155,455)	970,605	689,036	281,569
Total	13,695,940	13,118,972	576,968	6,299,895	6,645,281	(345,386)	7,396,045	6,473,691	922,354

Program Performance Analysis ²

Current Year Quarterly Financial Summary									
1st Quarter	305,823	332,443	(26,620)	114,539	172,158	(57,619)	191,284	160,286	30,998
2nd Quarter	367,749	319,875	47,874	125,859	155,231	(29,372)	241,890	164,644	77,246
3rd Quarter	397,630	345,200	52,430	128,914	163,146	(34,232)	268,716	182,054	86,662
4th Quarter	397,630	345,200	52,430	128,914	163,146	(34,232)	268,716	182,054	86,662
Total	1,468,831	1,342,717	126,114	498,226	653,681	(155,455)	970,605	689,036	281,569

Notes:

¹ Fiscal Analysis data reflects BFS activity for full year actuals.

² Program Performance Analysis matches revenue and expenditures to appropriate time period (accrued) based on vendor report data.



INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager

Jeff Dillon, Interim Director, Parks and Recreation
Jeff Haley, Parks Planning Manager, Parks and Recreation
Doug Godfrey, Parks Planner, Parks and Recreation

Date: June 12, 2014

Subject: Valmont City Park – Concept Plan Update

EXECUTIVE SUMMARY

The Parks and Recreation Department is currently in the process of updating the 2008 concept plan for the undeveloped portions of Valmont City Park (VCP). The original concept plan, developed with significant community input, has served as a guiding document for park development including the successfully completed Valmont Bike Park (VBP), Valmont Dog Park (VDP) and the temporary Valmont Disc Golf Course (VDGC). The goal of the current project is to update the original concept plan to ensure it continues to meet the community's needs. The update process includes the administration of a statistically valid community survey, an industry trend analyses, an athletic field study, stakeholders meetings, outreach sessions with community youth groups, community meetings, and regular updates with City Council and the PRAB. Through extensive data gathering, analysis, and public outreach process, the goal for this project is to develop an updated concept plan for the undeveloped portion of VCP that will garner wide community acceptance and can be used to help develop future partnerships, funding opportunities, and support for possible bond consideration.

FISCAL IMPACT

The costs associated with implementing the 2008 concept plan are estimated at \$20-30 million. Based on the outcome of this current project, new project implementation costs will be

developed. In addition to capital development costs, ongoing maintenance and park operation costs will be also need to be determined based on the proposed park development plan. The costs associated with the update process include the development and administration of the community survey and staff costs. The project costs associated with this work are expected to be \$150,000 to include consultant costs.

The development of VCP is included in the department's master plan at the vision level of funding for implementation. This implies that the capital development of the park could not occur with current capital funding levels. Recently, this project has received high consideration for a potential bond funding opportunity through the Comprehensive Financial Strategy.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

Economic: Since it was completed in 2011, VBP has received considerable regional, national, and even international recognition and in 2014 the park hosted the 2014 USA Cycling Cyclo-Cross Championships. The many events hosted at the bike park have attracted visitors and competitors to the Boulder community and have positively contributed to the local economy. It is expected that future VCP amenities will provide a balance of community-based recreation opportunities and amenities that contribute to Boulder's economic landscape.

- **Environmental:** The environmental benefits of parks are far reaching and include mitigation from climate impacts, water quality enhancement opportunities, maintenance of wildlife corridors and habitat, flood mitigation and opportunities for alternative transportation. The first phase of park development included sustainable practices such as the renovation and re-use of the historic Platt Farm house, a pilot project evaluating the feasibility of composting dog-waste, and the use of solar photovoltaics. The future development of the park will continue to incorporate low impact and sustainable design and construction practices and principles.
- **Social:** Parks provide public spaces that are foundational in building community. Within parks, community members can engage with one another in recreation activities, common hobbies, special events, or simple gatherings. The development of the bike park, dog park and temporary disc golf course at VCP have proven to be focal points in our community. The concept plan update will seek to build upon and improve the successes that have already been realized after the completion of the first phase of park. Programmatic elements will be planned and designed to balance a wide range of both passive and active recreational activities for community members of all ages and abilities.

BACKGROUND

Six years after the adoption of the current VCP concept plan, the park has undergone significant development including the completion of the VBP, VDP and the temporary VDGC. With the successful completion of the first phase of park development, it is time focus on the future development of the park and use the concept plan update process to assist in developing

successful partnerships, identify grant opportunities, and possibly set the stage for a future Capital Improvement Program (CIP) or bond funding opportunities. In January 2014, Boulder-based MIG, formerly Winston Associates, was contracted by the city to serve as the planning and landscape architecture consultant on this project. MIG has a sub-contracting consultant team to provide technical expertise in areas such as transportation, civil engineering, and sustainability planning and engineering. As part of the planning process, a comprehensive data gathering, analysis, and public outreach plan has been developed for this project and includes:

Garnering Broad Public Support

A critical component of the concept plan update is a broad public engagement process that includes input from community members, elected and appointed bodies, athletic groups, recreation clubs, environmental groups, businesses, foundations, schools, and city staff. The goal of public involvement in the planning process is to:

- Inform the community about the project; and
- Compel community members to support and implement the plan.

Reaching Children and Youth

The department has engaged both Growing Up Boulder (GUB) and the Youth Opportunities Advisory Board (YOAB) to assist in reaching youth populations. Through outreach activities facilitated by the YMCA's University Hill and Crestview Elementary school-based programs and the city's Youth Services Initiative (YSI), GUB has solicited ideas and information from groups of children, youth and families. GUB prepared a report that summarized the youth feedback regarding important elements to include within a park such as accessibility, safety and appearance. Additionally, the YOAB has been consulted to assist in identifying effective mechanisms to contact youth populations, promote public meetings and provide opportunities for youth feedback.

Addressing Specific Interest Areas

During the planning process, a number of roundtable discussions and focus group meetings will be held with community experts and advocates to address topics such as athletic fields, recreation facilities, place-making and design, economic sustainability, conservation and the environment, and accessibility. Additionally, discussions will also be held with staff and industry experts to provide critical information regarding design and long term operational issues associated with different facility and amenity options.

Using Data to Inform Decisions

The department recently completed a community-wide survey that assessed the public's view of current recreation opportunities, barriers to using recreation facilities, and satisfaction with current facilities. A system-wide athletic field study is also underway that will analyze current athletic field stock and field reservation policies and ultimately provide field development and enhancement recommendations as well as field policy recommendations. In the near future, the department will conduct a system-wide aquatics analysis that will inform decisions regarding potential future facilities, amenities, or programmatic elements at VCP.

PUBLIC INPUT

On May 1, 2014, the first VCP open house was held and featured a slide presentation summarizing the work completed to date as well as a “visual preference” exercise. During the well attended public meeting, the public had the opportunity to give important historical insight, as well as provide important perspectives as to how the update plan should develop. In addition to hosting 70 community members, representatives from GUB and YOAB were also present at the first community meeting. A second public meeting will be held in the summer to present findings and gauge public opinion for different development scenarios. Several future meetings will also be scheduled with the PRAB where further public input can be provided.

ANALYSIS

The facilitation of three athletic field focus group sessions, five roundtable group discussions, one public meeting, preliminary findings from an athletic field study, findings from a community-wide opinion survey, children and youth outreach exercises, and one PRAB session has resulted in a tremendous amount of information. A summary of the findings to-date can be found in Attachment A. From these initial findings, emerging key themes and recommended programmatic elements will be identified. It is anticipated that the initial findings will focus on athletic field facilities, passive recreation opportunities and facilities, sustainability issues, and access and transportation. This data will be evaluated by the project team with the intent of developing initial findings to take to the public at the next community meeting.

NEXT STEPS

A second VCP community meeting will be held in the summer to further gather community feedback regarding desired park amenities and programs, to address conflicts in the data, and provide recommendations for the overall design direction and concept plan development. Findings from the athletic field study, expected to be completed this summer, will be shared with focus panel of sports groups and athletic field users to obtain their feedback. The data from this report will not only provide guidance about the current state of the department’s athletic fields, but will also inform decisions about future needs at VCP. Other remaining next steps before the completion of the concept plan update include the development of options and alternatives. Through each of these plan refinement stages, opportunities will be provided for public comment and feedback.

ATTACHMENTS

Attachment A: Community Feedback and Findings

COMMUNITY FEEDBACK AND FINDINGS

Community Survey

- Community members frequently use and are satisfied with Parks and Recreation facilities
- Active outdoor recreation uses rank highly for Boulder community members
- Passive recreation activities or facilities rank highly as development opportunities at Valmont City Park

Roundtable Discussion

- There needs to be a balance of active and passive recreation, as well as, a balance of amenities that are community based or those that have a regional or national draw
- Park facilities and amenities need to be multi-generational and support a wide variety of uses
- Partnerships between the University of Colorado, Boulder Valley School District, and private businesses are key in the development and success of the park
- Transportation and access issues are critical components of the park design

Community Meeting

- Active recreation uses should take precedence in the development of the park
- A majority of attendees felt that Valmont City Park should have activities, amenities, and facilities that serve the Boulder community and have a regional and national draw instead of only focusing on uses for Boulder residents
- Disc golf gets heavy use

Athletic Field Focus Group

- Investment in existing facilities will help ensure that they remain viable
- A diversity of facilities and use policies addressing field sports, skill level, and age groups is critical
- There needs to be a change in Parks and Recreation use policies
- Focus on partnerships with CU Boulder and BVSD

Athletic Field Study Preliminary

- Field supply would be positively impacted with the addition of field lighting
- Demand for practice facilities is very high
- There is an overall shortage of multi-use fields
- Demand continues year-round, but supply is sharply reduced

Children and Youth Outreach

- Access to nature, play opportunities, transportation, and food were common themes that have emerged in youth outreach activities

- Nature play and adventure play is important to both children and youth groups
- Access to park via public transportation needs to be improved dramatically
- Better outreach / communication about how existing bike trails and paths can be used to access the park
- Availability of food and places to eat are important to youth groups and their parents

PRAB Meeting (May 12, 2014)

- This is one of the last opportunities to develop a space for active recreation uses in the city
- Athletic field study does not capture all of the athletic field users and groups
- Park should be a community gathering opportunities and these opportunities can happen at athletic field events
- Community survey may not be reflective of true uses
- Department should look toward partnerships for any aquatic type facilities
- Think outside of the box when it comes to increasing opportunities for multi-use availability (lights, field bubbles, field house, movable equipment)

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

NAME OF BOARD/COMMISSION: Environmental Advisory Board

DATE OF MEETING: March 19, 2014

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Juliet Bonnell,
303-441-1931

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:

Environmental Advisory Board Members Present: Mara Abbott, Tim Hillman, Larissa Read, Stephen Morgan, and Morgan Lommele.

Staff Members Present: Brett KenCairn, Jamie Harkins, Juliet Bonnell

MEETING SUMMARY:

- EAB liked the idea of the public playing a role in the Boulder Energy Challenge Program and wanted the program to be accessible and exciting for the public.
- The board felt that marketing and outreach should be emphasized in order to attract a wide variety and number of qualified applicants.
- The board was interested in maximizing the benefit of grant award money by exploring mentorship and in-kind support opportunities so that every dollar spent has a multiplier effect.
- **M. Lommele** agreed to write an OpEd for the Daily Camera showing the board's support for and raising awareness of the Boulder Energy Challenge Program.

1. CALL TO ORDER

The Environmental Advisory Board Chair **M. Abbott** declared a quorum and the meeting was called to order at 6:11 p.m.

2. APPROVAL OF MINUTES

On a motion by **L. Read**, seconded by **T. Hillman**, the Environmental Advisory Board approved (4-0, **S. Morgan** hadn't arrived yet) the December 4, 2013 meeting minutes.

On a motion by **L. Read**, seconded by **T. Hillman**, the Environmental Advisory Board approved (4-0, **S. Morgan** hadn't arrived yet) the February 5, 2014 retreat notes.

S. Morgan arrived late to the meeting at 6:15 p.m.

3. OLD BUSINESS/UPDATES

A. B&C coordination approaches considered by other boards.

J. Bonnell shared feedback from other board secretaries and staff board liaisons regarding board and commission coordination approaches discussed by other boards. Several boards were

interested in and planning to hold joint board meetings to discuss topics that were relevant to multiple boards' expertise. Some boards already have designated ex-officio members who regularly attend other boards' meetings providing a useful link and communication between boards. Staff board liaisons mentioned the importance of ensuring that any additional B&C coordination efforts that are undertaken are an efficient and effective use of board members' energy, move the city's goals and staff's work plan items forward, and are not an unmanageable draw on staff/other boards' resources.

B. Specific topics board wants covered in facilitation/meeting management training.

L. Read would like information on the best way to handle public input at a meeting when members of the public have factual knowledge that could help to inform the board's discussion of agenda items. She was also interested in suggestions on how to build time into the agenda and appropriately follow up on "old items" that may require additional discussion.

T. Hillman wanted to know more about basic meeting facilitation and techniques for managing public input.

M. Lommele also wanted clarity on public comment procedure and a refresher on Robert's Rules. She also would like additional information/best practices on processes for the board to reach consensus and provide recommendations.

M. Abbott was interested in learning additional tips on how to run effective meetings and be provided different options/approaches that can be used and what the pros and cons might be for each. She also thought there would be value in lessons learned from past board members/chairs.

The board was interested in scheduling a facilitation/meeting management training which would ideally be scheduled during an existing EAB meeting.

C. Board "point persons" quarterly goals based on Feb 11 City Council Study Session Summary

L. Read is the EAB point person for local food and emerald ash borer/IPM. During the 1st quarter she plans to do some research to educate herself and better understand what is happening in the community regarding these issues. She mentioned also researching bees, other IPM issues and transportation in relation to access to local agriculture. She also mentioned providing additional feedback as needed and following up on points from the board's previous discussion of emerald ash borer.

T. Hillman is the EAB point person for local generation, Climate Commitment, and Housing. He noted that he plans to keep an eye on these topics (especially as climate commitment and its integration with energy and local generation is heard by City Council in April). He will keep the board updated and work to understand how the board can assist as these topics move forward. Regarding housing he mentioned that there is interest in revising the laws defining the number of unrelated occupants allowed in residential dwellings which he will watch and keep the board apprised of.

S. Morgan is the EAB point person for Climate Commitment and Housing. He is looking forward to working with the Solar Grant Committee to award the city's spring cycle grants to increase solar installations on affordable homes. He is excited about being on the Boulder

Energy Challenge Working Group and moving this forward and awarding funding for proposed projects. He wants to be briefed on the 14th St. parking garage and ensure that transportation and environmental concerns are integrated into the design plan.

M. Lommele is the EAB point person for IPM and emerald ash borer. She enjoyed the joint PRAB/EAB meeting where the boards were informed of what staff is doing to address the emerald ash borer. She mentioned that once staff has completed their next steps that she and L. Read can provide their feedback, including any comments from other EAB members. She is also the point person for Energy Future for which she mentioned that she is following this item as it's heard by council and is ready to react to updates and provide feedback as EAB's agenda allows.

M. Abbott is the point person for local food and zero waste. Similarly to L. Read, she noted that she plans to research and learn what is going on around Boulder County so she can speak from an informed place on this topic. She will attend June 3 City Council meeting during which the Zero Waste Strategic Plan is being discussed. Her goal is to become and stay informed on each of these topics and attend meetings during which they are being discussed.

L. Read requested that staff provide the EAB with a calendar and information of the topics being heard by other boards so that they will be able to stay informed and attend relevant meetings. She also suggested that point people ensure that relevant topics are added to the EAB's agenda under old business at appropriate times to keep the entire board updated.

M. Lommele is also committed to discussing transportation/environmental items with her board buddy on Transportation Advisory Board.

S. Morgan mentioned that he has seen interest growing in hydroponic businesses using large office spaces for local food. He thought that local neighborhood groups will likely be interested and engaged in this issue.

M. Lommele noted that Micah Parkin ran for council on a local food platform and suggested that EAB point people check in with Micah to find out how the board could help advance this issue.

B. KenCairn mentioned that a multi-departmental team is being formed to deal with the emerald ash borer issue and he will keep the board apprised of their progress.

4. PUBLIC PARTICIPATION

5. DISCUSSION ITEMS

- A. Boulder Energy Challenge (formerly referred to as Market Innovations) Program Development Update: Jamie Harkins (Staff is requesting feedback from the board on the proposed program structure for Boulder Energy Challenge).

J. Harkins provided an update on Boulder Energy Challenge and its structure. She requested feedback from the board on the program structure, the community showcase and outreach approaches. She informed the board that a community working group has been formed and they have been discussing the best way to structure the program and use funds (and how money can be leveraged in order to get more from other community organizations) and the scope of the program including eligibility requirements.

The program is designed to invite and stimulate local innovation and create market driven solutions to address climate change. The objectives are to increase energy efficiency and decrease GHG emissions through the use of renewable energy sources. The goal is to keep the program as flexible as possible in order to allow as many entities as possible to apply. The group has drafted potential evaluation criteria and suggested weights for each criterion.

The working group is hoping to fund a portfolio of 5-10 projects with a range of \$10,000-\$100,000 in grant funds per project through this program. The program is open to businesses, nonprofits, and individuals. The applicants aren't required to be Boulder-based, but implementation needs to occur in Boulder. Eligible projects include pilots, concept/feasibility demonstrations to test viability of an idea, new product/service development, education and behavior change, and other innovative projects to significantly reduce emissions.

Applicants will be required to submit a letter of intent on the city's website as well as a concept video that includes the energy challenge being addressed, a description of and potential of the project, the barrier they're addressing with their solution and why they're the team to do it. Applicants must also submit a narrative document that includes their installation plan, team qualifications, details of the project benefits including side benefits to the community and an explanation of how people will be able to participate in the project. The application will also require a detailed budget and work plan. City staff will screen applications and the working group will do a merit evaluation to determine the finalists. Merit evaluation criteria will be weighted to assist with scoring and include bonus criteria such as location, collaboration, and cost-share. Finalists will be featured at a community showcase event. The community showcase event will include a pitch by the project teams and a chance for members of the public to weigh in with a "people's choice" award.

J. Harkins asked the board for feedback on:

- Boulder Energy Challenge program structure;
- Public role at the community showcase event; and
- Networks, groups, or organizations for outreach efforts

S. Morgan added that the city needs to have some fiscal and operational control such as quarterly reporting to ensure that award money is being spent appropriately. He suggested regular check-ins, in-kind funding, and support/mentorships. He also suggested piggybacking the showcase with another community event.

B. Ken Cairn suggested the possibility of having a volunteer/mentor/liaison to keep track of each project.

M. Abbott suggested piggybacking the community showcase with Green Streets or perhaps with Bike-to-Work Day.

S. Morgan wanted to ensure that a good cross-section of the community be engaged and asked the "right" people could be attracted to apply.

L. Read suggested that projected GHG reductions shouldn't be weighted too heavily in the evaluation criteria due to variation in scales of projects. She also felt that cost-sharing shouldn't be weighted heavily either. She thought that location as a criterion needed to be clarified. For

example, would Boulder-based applicants get the most “credit” under the location criteria, followed by other local applicants, with no “credit” for applicants from out of state? She liked the idea of having a people’s choice award during the community showcase and suggested asking other communities how they’ve handled people’s choice awards during similar events. For marketing, she thought staff should reach out to other local city councils, federal labs such as NCAR, UCAR, Bell Labs, Volunteers for Outdoor Colorado (similar to Sierra Club), other organizations within the environmental field, and school districts with innovation for education.

T. Hillman thought this is a super exciting project and complimented staff and the working group on moving this forward. He felt there is an opportunity to combine scalability with projected GHG reductions as **L. Read** mentioned. He thought that the focus on opportunities this program is trying to stimulate such as awareness and community-engagement are just as significant as GHG reductions. This awareness-raising is a great investment in community-values which will be cultivated and grow through this program. He suggested getting as much news coverage as possible on this program and emphasized the need to continually engage the community. For the community event he also liked people’s choice idea. He mentioned working with city attorneys to include language in the award agreement that if funds are used inappropriately, all funding will be lost so that the city’s funding of this program is protected.

J. Harkins mentioned that Seattle is doing a similar project and that California and Massachusetts each have a 1 year program similar to this. She let the board know that listserv emails would be helpful to get the word out about this project to various groups. She noted that all finalists will likely be funded to some extent, but the way in which funds will be disbursed hasn’t been decided on yet.

S. Morgan noted that the evaluation criteria need to be kept general enough to allow some flexibility in awarding grant money. The city is underplaying the fact that they have a lot of information and data which is important in-kind value.

B. KenCairn mentioned that the city has more small data than big data and that in some cases the opportunity to have access to try new technology could be an even larger incentive than money and that potentially there could be an additional category to capture applicants with different motivations.

S. Morgan mentioned that there are many crowdsourcing funds available within Boulder and suggested that money will come and be available to implement the best ideas.

M. Lommele clarified that the members of the working group are well connected in the energy world and are able to help with outreach. She asked if energy efficiency and transportation folks should also be included in these groups in order to help with outreach.

She mentioned that TechStars holds an event where finalists for funding pitch it to the community, it then gets tweeted about and posted on social media and she suggested that this could be used as a model. She mentioned Dancing with the Boulder Stars as a fun event that people attend and suggested creating a similar, fun event at the Boulder Theater that includes a people’s choice award. She emphasized encouraging blogging and providing an opportunity for public to provide feedback. For additional outreach opportunities, she mentioned NREL, the Governor’s energy office, CSU, CU, CRC email listservs and 350.org and on-line opportunities for posting grant opportunities. **M. Lommele** volunteered to write an OpEd for the Daily Camera

about EAB's support of this project. An additional article by Alicia Wallace might be possible in the Monday Daily Camera.

She mentioned that more thought needs to be put into timelines, criteria, and milestones. She suggested brainstorming a list of in-kind needs that could be provided. She felt that GHG reduction is the most important and should be weighted heavily. Criteria that should be weighted in the middle range are addressing the barrier, innovation, longevity, community visibility, team qualifications, work plan, equity, location, and collaboration are important. Readiness, time to benefit, scalability and number of people reached by the project are less important and should be weighted less.

KenCairn mentioned that public/private partnerships should be explored so that a private entity could take on an administrative role in managing these projects while the city would provide the money to support the project.

J. Harkins agreed that these projects may need more active management and that some of the available money may need to help pay for administration of the awarded grant money.

M. Abbott discussed the program structure and provided TechStars as an example of a good model to potentially follow. She suggested using mentors or a point person/champion for each project to help streamline communication and administration. TechStars provides some money and teaches project starters to self-sustain by helping projects find mentors and disburse the administrative load. She would like to see the community showcase become an exciting, community event like Ignite. She thought having the event at the Boulder Theater and including a people's choice award will make it fun and a real draw for people. She suggested making a video to promote this program and using it as well as social media and looking at the tech side of things to get the word out and make things exciting.

S. Morgan noted that the city needs to consider opportunities for more funding down the road and be aware of any conflicts of interest with reviewers/companies, etc.

M. Lommele suggested creating a listserv to provide updates to interested parties and getting an article about this program published in the Boulder Blueline.

L. Read suggested testing the evaluation criteria on one or two example proposals to vet it and finalize it prior to using it to rate the first few applications.

6. PUBLIC HEARING ITEMS

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

M. Lommele inquired if other EAB members thought EAB had a role to play in the proposed new dog/leash laws.

M. Abbott felt it was more of an OSBT issue and the rest of the board agreed.

KenCairn asked the board for ideas on how to effectively frame climate issues in ways that people can relate to and care about. The new emphasis is on energy transition with no more burning of fossil fuels. How can everyone engage in the process of energy transition and be energy efficient?

He mentioned that the four main pieces of the proposed new framework are 1. Decarbonization through source changing and efficiency 2. Energy resilience 3. Economic development based on low carbon 4. Energy policy reform to change the system.

M. Abbott liked the specificity of this message and framing and felt it was very clear and effective.

M. Lommele noted that most success will come from mandates and regulation.

B. Ken Cairn agreed that the system needs to be changed and mandates and policy reform are what will support people's abilities to and ease in changing their individual action.

T. Hillman suggested viewing it through an economic lens and emphasizing that money spent on locally generated renewable energy is spent in and benefits our community versus money spent on fossil fuels that are not a good investment.

L. Read suggested focusing on changes people might notice in their community that can be connected to climate change to make it real (e.g. fish in ponds, time of when gardens can be started, timing of when you can go on trail ridge road, etc).

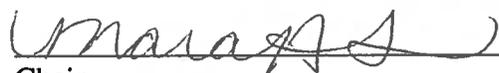
B. Ken Cairn noted that individual action needs to be balanced with fundamental system changes.

8. DEBRIEF MEETING/CALENDAR CHECK

9. ADJOURNMENT

Environmental Advisory Board adjourned at 8:11 p.m.

Approved:



Chair

5/14/14

Date

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

NAME OF BOARD/COMMISSION: Environmental Advisory Board

DATE OF MEETING: April 9, 2014

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Juliet Bonnell,
303-441-1931

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:

Environmental Advisory Board Members Present: Mara Abbott, Tim Hillman, Larissa Read, Stephen Morgan.

Environmental Advisory Board Members Absent: Morgan Lommele

Staff Members Present: Brett KenCairn, Jamie Harkins, Kara Mertz, Jonathan Koehn, Juliet Bonnell

MEETING SUMMARY:

- EAB felt the zero waste evaluation study and subsequent recommendations were thorough, informative, and well thought out.
- The board appreciated the community-driven approach of the Zero Waste Strategic Plan and emphasized the importance of zero waste education and outreach and of having the community's support for the plan.
- Overall, the board supported the evaluation study's recommendations, including mandating commercial recycling, but noted that mandates need to be implemented strategically and should be paired with incentives to be effective and acceptable to the community. S. Morgan suggested that there be incentives to the building trades. He recommended that there be a reciprocal benefit to both the city and the contractor: if they volunteer to pay a 3% deposit they could cut their permitting time by 3-4 weeks. Right now 10-16 weeks seems long. Under **S. Morgan's** suggested approach, those who choose to pay 2% would still have normal permitting times.

1. CALL TO ORDER

The Environmental Advisory Board Chair **M. Abbott** declared a quorum and the meeting was called to order at 6:11 p.m.

2. APPROVAL OF MINUTES

On a motion by **M. Abbott**, seconded by **T. Hillman**, the Environmental Advisory Board approved (4-0, **M. Lommele** absent) the March 19, 2014 meeting minutes as amended.

3. PUBLIC PARTICIPATION

4. DISCUSSION ITEMS

A. Climate Commitment

B.KenCairn postponed this discussion item to next month's EAB agenda.

5. PUBLIC HEARING ITEMS

A. Zero Waste Strategic Plan: Kara Mertz and Jamie Harkins

K. Mertz provided background information about the Zero Waste (ZW) Evaluation Study.

Laurie Batchelder Adams, of Kessler Consulting and LBA Associates presented the findings of the ZW Evaluation Study. She noted that Boulder is already doing a great job of diverting waste which means that implementing additional zero waste measures will be more challenging than if Boulder hadn't already been working so diligently to reduce waste. The goals of the study are to provide recommendations on how to divert 85% of waste, maximize GHG emissions reductions, maximize jobs, minimize costs, and maximize leveraging partnerships, upstream conservation, public engagement, ease of implementation, and provision of a strong foundation for future zero waste activities.

L.Batchelder Adams recommended that yard and wood waste drop-off center customer analysis be improved, BVSD program funding be reprioritized, BCPH funding be refocused, and commercial programs (including compost subsidies, recycling coupons, and zero waste rebates) be phased out. Kessler also recommended increasing and modifying contractual relationships with haulers, recycling centers, and other zero waste partners to enhance the transparency of how money is being spent and the benefit to the community.

The Zero Waste Task Force helped to identify a broad range of zero waste initiatives that could be implemented to help the city reach its goal. These zero waste initiatives were short-listed to include the following mandatory initiatives:

- every-other-week (EOW) trash collection,
- multi-family unit (MFU) composting,
- all homeowner curbside service,
- commercial recycling,
- commercial organics recovery,
- C&D deposit program,
- special events diversion requirement,
- city purchase of local compost,
- BCRC improvements (ability to sort and recycle plastics more efficiently),
- existing program enforcement,
- And the voluntary initiative of take-out packaging.

The initial cost per year, diverted tons and costs/revenues per year to continue programs/initiatives for each of the initiatives were then estimated. If all of the identified initiatives were implemented, 82% of all waste would be diverted, GHGs reductions would equal 10-16,000 vehicles, and both city jobs and private jobs would increase.

The consultant then identified the initiatives with the greatest ability to meet specific project goals and bundled them together. Bundle 1 created the greatest diversion/GHG reduction potential. Bundle 2 created the lowest cost to the city. Bundle 3 created the lowest cost to the customer. Tons diverted, net costs or revenues per year and customer costs per month were all calculated for each bundle.

The consultant recommended Bundle 1 which includes EOW trash collection, all homeowner

service, commercial recycling and organics collection and C&D deposit. They suggested implementing these initiatives in phases with EOW trash, commercial recycling and organics implemented by 2016 and all homeowner services and a C&D deposit program implemented by 2018.

They also recommended the following:

- eliminating and modifying existing programs
- enforcing existing regulations
- improving data collection
- more clearly defining city contracts
- tabling discussion of a single-hauler system as long as there is hauler support for implementing other zero waste recommended initiatives
- expanding education and outreach with county-wide messaging and branding
- increased use of 6400 Arapahoe with C&D deposit administration/metals storage, Eco-Cycle's "Fix-it" clinic, and new metal diversion
- and on-going updates and evaluation of the Zero Waste Strategic Plan

If Bundle 1 initiatives are implemented, the estimated annual costs are \$2 million.

K. Mertz noted that city staff will be sharing the consultant's recommendations with the community to gather feedback and discuss community values. She asked the EAB for ideas on the city's outreach approach including how to gather feedback from the community and what questions the city should be asking.

J. Harkins noted that staff is looking forward to discussing zero waste issues with council and the community to better understand what our goals are moving forward and how to accomplish them. There will be a zero waste event in May that will kick-off a robust outreach program. Staff's goal is to learn what the community thinks of the proposed zero waste strategy and discover what the community's barriers are to zero waste.

Public Participation

Randy Moorman of Eco-Cycle presented Eco-Cycle's recommended priorities for Boulder's Zero Waste Strategic Plan. Eco-Cycle supports adopting Bundle 1 from the Zero Waste Evaluation Study to achieve the greatest diversion and GHG reductions. Eco-Cycle felt the following initiatives were most important:

- mandatory commercial recycling and composting
- enhancement of composting and composting processing infrastructure
- expansion of recycling, reuse and waste reduction opportunities at CHaRM and other facilities at 6400 Arapahoe
- enhancement of C&D debris transfer station for Boulder and the region
- expansion and enhancement of the Boulder County Recycling Center
- expansion of public outreach and education efforts
- better connection between the city's zero waste efforts and Climate Action Plan

Board Discussion

T. Hillman thought the waste reduction strategy and study were great. The metrics used in the zero waste evaluation study were appropriate and he liked that this is such a community-driven approach and plan. He emphasized the importance of having the community's support for this zero waste plan since the city will be implementing mandatory initiatives.

L. Read liked the scope of the study and the details included in the recommendations and noted that these provide council and the community with a lot to respond to. She commented that the name zero waste isn't entirely true since our community goal is an 85% diversion rate. She suggested enhancing the clarity of the city's messaging by advertising the 85% goal. Commercial issues keep recurring and she'd like a forum such as a future EAB meeting or retreat to discuss commercial issues across various topics such as zero waste, energy and more. She also emphasized the importance of outreach and education in businesses, colleges, and schools. Single family homeowners and commercial businesses should be better informed about the availability of tax incentives for demolitions. She suggested that Eco-Cycle increase their presence in our community and ensure that the community is aware of Eco-Cycle's new location and mission.

S. Morgan noted that the commercial aspects are tricky. He commented that recycling should be done easily without much additional cost because costs will likely be passed along to customers, which is regressive and needs to be considered. Mandated recycling with incentives seems reasonable and rational. He felt that construction and demolition mandates need to be separated into MFU/commercial and single family because of different funding sources and economies of scale. He emphasized that the city should carefully consider the way in which commercial mandates are implemented and consider incentivizing initiatives. He suggested withholding Certificates of Occupancy until buildings have recycling and compost service as the most effective way to ensure this. He mentioned that single family homes will be hard hit by some of these mandates and that incentives on single family construction will be important to the community. Mandates for single family homes may not be necessary if there is a quid pro quo. If they volunteer to pay a 3% deposit on construction of single family homes, they could cut their permitting time by 3-4 weeks. Currently 10-16 weeks seems long to get a permit. Those who choose to pay 2% would still have normal permitting times.

M. Abbott loved watching the subsidies for commercial recycling move into mandates. She was curious about what can be done to increase composting and recycling in MFUs and suggested increasing mandates for that sector of the community as well. She noted that waste reduction is really tangible and something that can be seen. She supports additional outreach and education to help get people involved and interested in waste reduction where progress can so clearly be seen.

S. Morgan noted that just because people are required to have recycling service doesn't mean that they're using it. There is a disconnect between the current ordinance's goal and its effectiveness in reaching that goal.

T. Hillman pointed out that waste diversion is valued similarly to the city's Climate Action Plan (that there are similar funding amounts in the CAP tax and the Trash Tax). He commented that if these waste reduction initiatives reflect community values, he felt that the costs are minimal and wanted to keep the costs in perspective with the benefits of achieving the community's zero waste goals.

6. DISCUSSION ITEMS (CONTINUED)

A. Energy Future: Jonathan Koehn

J. Koehn provided the board with an update on municipalization efforts including: what has happened since August, the utility of the future, energy services, and what's ahead.

In August City Council authorized condemnation through an ordinance that was created.

Additional charter requirements were added in November and since December staff has been working with a consultant to develop a transition work plan. The transition work plan includes steps that need to be taken between now and when the city would be running the utility (first to be able to replicate system and subsequently set up for the utility of the future) and prepare for condemnation. In January the city sent Xcel a notice of intent to acquire the system. The city is now in good faith negotiations with Xcel regarding the city's intent to acquire the system. Xcel will likely respond that they aren't willing to sell their system in which case the city will file for condemnation later this year.

The Boulder Docket is Xcel's request to the commission to limit Boulder's participation in on-going efforts that we pay into on efficiency programs and solar. The city is planning to file an appeal on the PUC decision regarding jurisdictional authority.

Solar issues (related to the Boulder Docket, net metering, and reduction of soft costs) are being addressed with the help of a Solar Working Group. The city is working to remove restrictions and barriers to solar to make Boulder the most solar-friendly community.

The Natural Gas Working Group is helping staff evaluate natural gas fracking concerns, determine how natural gas will play into Boulder's energy portfolio, developing criteria for purchasing natural gas, and develop an energy services plan to present to council.

Municipalization is an opportunity to help us achieve our climate commitment goals and create a Utility of the Future business model focused on decarbonization, decentralization and democratization of our electricity services. The city is focused on providing stable, safe and reliable energy using a customer centric model that makes energy a service instead of a commodity. Local economic vitality needs to be promoted and energy services should be flexible, dynamic, and universal (available to all, not just to those who can pay). Energy should be increasingly sustainable, resilient and carbon free and rates should be stable and predictable. An entrepreneurial platform will develop the model of the future that we're looking for.

Staff is working toward a seamless transition so that on day one the city will be able to provide safe, reliable utility services. A utility formation ordinance will be going to council so that the city will be able to finance this project. A transition plan outlining operations, power supply, customer service and more will be presented to council on May 13 and working groups will be formed to help implement the transition plan and potentially create new services and innovations and insure we don't create barriers to our long-term vision.

There are many legal steps that will likely proceed (such as condemnation, potential settlement, appeal). On April 29 there is a City Council Study Session during which energy services will be discussed. Next the transition plan will do to City Council on May 13. Public engagement and outreach around the Utility of the Future vision and transition plan will continue and the city remains open to working with Xcel on a potential partnership.

7. OLD BUSINESS/UPDATES

The 2nd reading of the ordinance related to bears and trash passed unanimously. After 3rd reading of the ordinance, all properties west of Broadway will be required to have bear-resistant containers.

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

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

NAME OF BOARD/COMMISSION: Environmental Advisory Board

DATE OF MEETING: May 14, 2014

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Juliet Bonnell,
303-441-1931

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:

Environmental Advisory Board Members Present: Mara Abbott, Tim Hillman, Larissa Read, Stephen Morgan, and Morgan Lommele.

Staff Members Present: Brett KenCairn, Rella Abernathy, and Kathleen Alexander

MEETING SUMMARY:

- The board was complimentary of staff's efforts to slow the progression of Emerald Ash Borer and the work being done to better understand and prevent the use of products that include toxic neonicotinoids.
- EAB provided suggestions on ways to enhance education and outreach to the public on these important topics.
- The board supported staff's work on both Resilience and Climate Commitment. The board suggested simplifying Rockefeller's framework of resilience to be more intuitive and easier to follow. The board supported the new framing of Climate Commitment and staff's narrower scope of focus related to climate.

1. CALL TO ORDER

The Environmental Advisory Board Chair **M. Abbott** declared a quorum and the meeting was called to order at 6:03 p.m.

2. SWEARING IN OF NEW BOARD MEMBER

M. Lommele was sworn in as the new Environmental Advisory Board member.

3. APPROVAL OF MINUTES

On a motion by **L. Read**, seconded by **T. Hillman**, the Environmental Advisory Board approved (4-0, **M. Lommele** abstained because she was absent from the April 9 meeting) the April 9, 2014 meeting minutes.

4. PUBLIC PARTICIPATION

No one spoke to this item.

5. PUBLIC HEARING ITEMS

A. IPM and Emerald Ash Borer (Rella Abernathy and Kathleen Alexander)

K. Alexander provided the board with an update on Emerald Ash Borer. An IP memo was sent to City Council on April 16 which outlined staff's 2014 work plan for Emerald Ash Borer. An interdepartmental working group has been formed to address this issue and will begin meeting during the last week of May. This group has been created to allow all departments that have ash

trees on their property and/or will be affected by the loss of ash trees to provide their perspectives on how staff should move forward. This group will likely divide into subgroups to weigh in on ensuring consistent EAB management across jurisdictions including: pesticide management; how EAB will be managed in natural areas; possible code changes to facilitate EAB management; development of a long-term wood debris plan; ways to provide assistance to private property owners; long-term management of ash in the downtown area; enforcement regarding dead/dying ash trees; and mitigating the impacts of the loss of urban tree canopy. The goal of group is to develop recommendations and identify key issues that need further discussion by boards and council. Staff will return to boards and council in the fall or next spring to continue these discussions.

Staff has begun education and outreach about the Emerald Ash Borer. Three open houses have been held on this topic, Forestry staff have attended park development open houses and will attend National Kids to Parks Day and the Summer Festival in June as well as Farmer's Markets throughout the summer to provide the public with information about Emerald Ash Borer and answer questions.

Pesticide options that are available for treating infested ash trees can be found on the city's website page dedicated to Emerald Ash Borer. In addition to using pesticides to treat trees, staff has begun removing ash trees. So far approximately 60 trees have been removed with a total of 300 estimated as needing removal over time.

APHIS is currently going through the permitting process to get bio-control in the form of parasitic wasps designed to slow Emerald Ash Borer's progression. Homeowners are not allowed to apply pesticides to public trees. Two hundred public ash trees will be treated with the pesticide TREE-äge and some experimentation will be done with TreeAzin which is a more natural product/mild pesticide to slow down EAB infestation. TreeAzin may only be effective for one year in which case it would not be deemed effective enough to continue its use since it wounds the trees it is used on. Trap trees, or the girdling of ash trees, is being done inside a grid area where Emerald Ash Borer is known to be in order to stress the trees and attract Emerald Ash Borer. This is being done in an attempt to slow down the progression of Emerald Ash Borer by removing the infested trees and then treating the surrounding trees. Other cities are using trap trees for detection purposes.

There are gaps in available information regarding Emerald Ash Borer and research is being done to better understand this pest and treatment options and their effectiveness. The city is partnering with CSU in order to better understand TreeAzin's effectiveness, the effect of different products and wounding trees in Columbia Cemetery, and the impacts of some pesticides on honeybees.

L. Read attended one of the Emerald Ash Borer open houses and complimented staff on how it was conducted. She noted that the public had many questions about bees and wanted to know what locations were already infested. Members of the public were also interested in what products they were allowed to use on their property and whether their trees were infested with Emerald Ash Borer. She suggested that staff track the locations of members of the public interested in Emerald Ash Borer to determine where more outreach might be needed and take into consideration the areas where infestation is likely to spread.

Based on board members' comments, **K. Alexander** mentioned that staffs' effort to slow down the spread of Emerald Ash Borer is intended to provide other communities with more time to prepare and focus on tree replacements instead of only tree removals. The wood from tree

removals is turned into mulch and then incorporated into compost at A-1 Organics. Other options for the use of wood and wood products impacted by Emerald Ash Borer are being explored by staff. Staff will also be creating an Emerald Ash Borer newsletter to send to interested public and is tracking public interest via sign in sheets from public meetings and related incoming phone calls.

K. Alexander informed the board that in 2014 approximately \$70,000 will be spent on tree removals, replacements and pesticide applications. Long-term Emerald Ash Borer will be added as a line item in Parks & Recreation's CIP budget.

Success will be measured by whether staff is able to slow down the progression of Emerald Ash Borer spreading and whether they're able to keep up with ash removals and replacements.

K. Alexander reported that at the open houses staff received mainly positive feedback from the public on the actions being taken, but a few people expressed concern about pesticide use.

R. Abernathy informed the EAB about insecticides that include neonicotinoids which are toxic to honeybees and stay in plants for several years. City staff will not use products with neonicotinoids and are recommending that members of the public don't use them either. Unfortunately, most products that are on the market and available for residential use include neonicotinoids and are labeled in a manner that makes them seem beneficial to honeybees.

Research has shown that many apparently bee-friendly products used in the nursery industry include neonicotinoids and are actually toxic to bees. Many trees and plants that are for sale in nurseries have been treated with these toxic products. Tree companies continue to recommend products with neonicotinoids because they are cheap treatments.

Staff is contacting their plant and tree vendors to understand what treatments are being used and no longer purchase products that have been treated with neonicotinoids. Staff is also developing partnerships with other local governments in order to eliminate the use of neonicotinoids and provide the public with alternatives to neonicotinoids as well. Two bee-friendly neighborhoods have been formed in Boulder and will be pressuring the city to take action to minimize the use of products that are toxic to bees. This is an opportunity to educate the community further about the city's programs and approaches and try to set a good example and build relationships with other communities and groups with similar goals. There are currently not enough staff resources to conduct outreach and education about this important issue, but staff is actively seeking partners in the community to help fill this gap.

6. DISCUSSION ITEMS

A. Resilience (B. KenCairn)

B. KenCairn provided an update on Boulder's selection as one of the Rockefeller Grant's 100 resilient cities recipients. As part of this grant, a Chief Resilience Officer will be hired sometime this summer and a Resilience Strategy will be created within the next 2 years. Part of the program strategy is to get all of these cities together to figure out what their common key issues, needs, and opportunities are and create a platform and marketplace for these services to meet these needs in an easier and more affordable way. By creating this network of cities there is a valuable opportunity to all learn from one another.

One of the things that is being explored is how resilience fits in with all of the city's other sustainability initiatives. Resilience isn't a subset, but rather a paired twin of sustainability.

Resilience deals with what happens when a system gets knocked out of balance and explores how you learn from disruption, adapt and recover from it. Resilience is about how we survive/thrive no matter what acute shocks and chronic stresses occur. The framework of Rockefeller's four major categories of resilience includes: leadership and strategy, health and well being, economy and society, urban systems and services with subsets/features to determine how effectively we're operating in each of these categories. Effectiveness is measured by whether you are reflective, have access to resources, have redundancy/back up, have flexibility, are resourceful and adaptable, and inclusive and integrated. **B. KenCairn** expressed a little reservation about this framework due to its complexity and welcomed the board's comments on the framework.

M. Abbott noted that the framework graphic was difficult to follow and suggested that more colors be used to differentiate aspects of it.

B. KenCairn mentioned that other frameworks tend to use more intuitive categories. The qualities of resilience are fairly common, but when this framework was used in a workshop it became clear that it was not intuitive to most workshop attendees.

L. Ellis emphasized that staff is focusing on integrating this strategy into other city sustainability initiatives and clarified that the Chief Resilience Officer will be a high level, generalist position responsible for being a liaison between the city, Rockefeller and the other resilient cities.

B. KenCairn noted that resilience is focused on both physical as well as social preparedness and resilience. He informed the EAB that the county has created a resilience subcommittee with an effort to create a weeklong series of events in September as an on-going reminder of how we're building resilience.

B. Climate Commitment (B. KenCairn)

B. KenCairn provided the board with an update on Climate Commitment efforts regarding the overarching goal, framework for strategies, and action plan. A year ago council was presented with options for meeting the goal of reducing GHGs by a minimum of 80% below 1990 levels by 2050. Council requested staff to develop strategies for achieving that goal. In the interim new research has emerged that indicates that 2050 is not soon enough, 80% is not low enough, and greater action needs to be taken within the next 10-15 years. Accordingly, Fort Collins has set their Climate Commitment goal as 80% reduction by 2030. City staff has begun questioning the whole framing of this goal and has begun reframing it as replacing our fossil fuel economy with a renewable energy economy. Mark Jacobson has provided a framework outlining state and national level action that would be required (incorporating wind, solar, hydro, etc. energy). City staff has researched Boulder's energy use and worked to convert how many local solar panels, wind turbines, etc. would be needed to provide Boulder with renewable energy to meet our climate goal to provide people with a more concrete/identifiable approach to reaching our goal.

Staff has narrowed the scope of Climate focus to 1. Energy/conservation efficiency, 2. Resilience (how to maintain critical community functions during major disruptions, 3. Stimulation and growth of economic and entrepreneurial communities that are going to create the innovations we need for this energy transition, and 4. Ensuring that other locations can follow us through policy reform at the state and federal levels.

Transportation remains a sector where changes need to be made. Staff is working to develop a system where city employees will be encouraged to use electric vehicles in addition to public transportation to commute.

Solar capacity analysis for the City of Boulder is going to be conducted in order to figure out financing strategies to make solar more feasible.

By November staff plans to present a 5 year Climate plan for action to council.

7. OLD BUSINESS/UPDATES

A. Joint PB/TAB/EAB meeting follow up

T. Hillman felt the joint meeting was a valuable opportunity to share with other boards and benefit from varied expertise.

L. Read felt it would have been helpful to rotate groups during the joint PB/TAB/EAB meeting to mix up dynamics and opinions.

B. Boulder Energy Challenge

S. Morgan provided an update on the status of the Boulder Energy Challenge. The website has been launched and applications are due June 27 and will be reviewed and showcased in July.

The board discussed working with Communications staff to submit an Op-Ed article to the Daily Camera about the Boulder Energy Challenge.

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

9. DEBRIEF MEETING/CALENDAR CHECK

10. ADJOURNMENT

Environmental Advisory Board adjourned at 8:08 p.m.

Approved:



Chair

6/4/13

Date

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

Name of Board/ Commission: Library Commission	
Date of Meeting: April 2, 2014 at the Main Library	
Contact Information Preparing Summary: Leanne Slater, 303-441-3106	
Commission Members Present: Anne Sawyer, Donna O'Brien, Anna Lull, Paul Sutter, and Joni Teter (sworn in at this meeting)	
Commission Members Absent: None	
Library Staff Present: David Farnan, Director of Library & Arts Jennifer Miles, Deputy Library Director Aimee Schumm, eServices Manager Matt Chasansky, Arts and Cultural Services Manager Mary Jane Holland, Youth Services Manager Leanne Slater, Administrative Specialist II	
City Staff Present: Jennifer Bray, Communication Specialist III Glenn Magee, Facilities Design and Construction Manager	
Public Present: Martha Haberstumpf	
Type of Meeting: Regular	
Agenda Item 1: Call to Order and Approval of Agenda	[6:01 p.m., Audio 0:00 sec]
The meeting was called to order at 6:01 p.m. Agenda Item 9B was added regarding the Study Session with City Council and the Joint Meeting with the Library and Arts Commissions under Matters from the Commission.	
Agenda Item 2: Public Participation	[6:01 p.m., Audio 0:44 sec]
None.	
Agenda Item 3: Consent Agenda	
3A.: Approval of March 5, 2014 special meeting minutes (p. 3-7)	[6:02 p.m., Audio 1 min]
Motion to approve the March 5 meeting minutes as amended, presented by Sutter and seconded by O'Brien. Vote: 4-0, Teter abstained, (as she was not in attendance, nor a library commissioner at the March meeting), motion passes.	
Agenda Item 4: Welcoming of new library and arts director	[6:03 p.m., Audio 1:18 min]
David Farnan was welcomed warmly by the Library Commission.	
Agenda Item 5: Welcoming and swearing in of new commissioner	[6:05 p.m., Audio 4 min]
O'Brien administered the oath of office to newly appointed Library Commissioner Joni Teter.	
Agenda Item 6: Election of new officers	[6:08 p.m., 7 min]
Sutter nominated Sawyer as chair. No other nominations were made, therefore no vote was needed. Lull nominated Sutter as vice-chair. No other nominations were made, therefore no vote was needed. Sawyer nominated O'Brien as secretary. No other nominations were made, therefore no vote was needed. O'Brien and Teter were selected as directors for the Boulder Library Foundation.	

Agenda Item 7: Presentation: Teen Tech Lab- Adam Watts and Crystal Niedzwiadek

[6:17 p.m., Audio 16 min]

Watts and Niedzwiadek presented information regarding the up and coming new Teen Tech Lab. More information can be found here at: <http://boulderlibrary.org/pdfs/commission/2014/handouts/14AprHandouts.pdf>

Agenda Item 8: Commission Priority Discussion and Input

[6:39 p.m., Audio 38 min]

8A.: Main Library renovation project update

- **Project Timeline-** There were no questions about the project timeline.
- **Design Advisory Group meeting summary-** There were no questions about the meeting summary.
- **Public art selection timeline-** Chasansky presented information regarding the public art selection and the timeline. (Please see presentation at <http://boulderlibrary.org/pdfs/commission/2014/handouts/14AprHandouts.pdf>)

Commission discussion, questions and comments included:

- Statement made in favor of the movement using words as an element of art but in disfavor of the particular placement and word choice proposed.
- Statement of feeling bemused by the proposed art, entitled ‘Yes!’.
- Statement of feeling initially bemused but now an appreciation for the proposed art as it could serve to attract people to the library.
- Suggestion to include multilingual translations of ‘Yes!’ throughout the library.
- A question was asked about whether the public art will be within city regulation codes, regarding lighting, etc. Chasansky responded that the proposed art will go through a technical review before city planning and development services staff.

Motion to ‘support the public art selection process and its outcome,’ presented by Sutter and seconded by Lull. [No vote at that time.]

Commission discussion, questions and comments included:

- Statement made in favor of supporting the process, but not necessarily the outcome.
- Statement by staff in regards to not necessarily judging the specific artwork but embracing the process and the importance of the concept of public art in general. Also, this process helps set the stage for future public art, and the importance of public art in the community was reiterated.
- Statement made in support of the process, and of not feeling qualified to judge a specific piece of art, but can commit to the outcome.
- Statement made in regard to three of the people on the panel (art commission and the artists) and their positive reaction and enthusiasm for the art proposed. This represents a certain segment of our community.

Motion changed to ‘support the public art selection process and the recommendation of the panel,’ presented by Sutter and seconded by Lull.

Vote: 4-1, motion passes. (Sawyer stated that there was one holdout and did not call for the votes against the motion. O’Brien indicated a vote against the motion by stating that the word ‘recommendation’ was too strong.) The minority opinion letter is attached.

More information can be found here at:

<http://boulderlibrary.org/pdfs/commission/2014/handouts/14MarHandouts.pdf>

- **Café vendor selection process-** Magee presented information regarding the request for proposals (RFP) responses for the café vendor. Staff agreed to provide an update regarding who applied, how many proposals were submitted, and anticipated decision, after tomorrow’s (April 6) committee or staff meeting. This committee consists of Farnan, Watts, Magee and Kathleen Janosko.

Agenda Item 9: Matters from the Commission

[7:20 p.m., Audio 1 hr 19 min]

9A.: Review holiday closure schedule

Staff agreed to provide information regarding the budget impacts for the idea of some of the Boulder Public libraries to be open on minor holidays, with the current staffing levels.

9B.: Study Session with City Council and Joint Meeting with the Library and Arts Commissions

Staff agreed to follow up on a request for information in regards to the commissions' roles at the Study Session with City Council on June 10..

Agenda Item 10: Matters from the Department

[7:35 p.m., Audio 1 hr 34 min]

10A.: Library update (from memo)

- **Update on rules of conduct-**

Commission discussion, questions and comments included:

- Didn't like the implication that the rules do not apply to staff.
- There is a risk in explicit lists (of rules) that there can always be exclusions.
- The simpler the better
- Staff agreed to propose a draft of a more discretionary version of the rules. Discussion of this topic will continue at that time. [No formal motion was made.]

- **Review of public meeting notices-**

Commission discussion, questions and comments included:

- City's desire for consistency across the News From City Hall ads, which publicize the City Council and board and commission meetings that are upcoming.
- Commission discussion around the inclusion of specific agenda items within the news ads with the goal being to keep public informed about the library's business.
- Sawyer will draft commission recommendations to be sent to the City Clerk and the City Council subcommittee on Boards and Commissions.

- **Update to web guide on downloadable and streaming resources-** Freegal is no longer being offered, but a new resource, called Hoopla, is being offered as a different model with audiobooks, music, movies, documentaries and TV shows.

- **Boulder Library Foundation spring funding requests and library program planning-** The spring funding requests were discussed and the library commissioner role as a foundation director was clarified as a voting member of the foundation board, with a one-year term.

- **Follow up on Arapahoe Conference Room use-** This item will be revisited later as the renovation project is further along.

Agenda Item 11: Future Items/Scheduling

[8:06 p.m. Audio 2 hr 5 min]

The May agenda includes:

- Update on the 2014 Summer Reading Program
- Report on the Boulder Library Foundation grants (tentative)
- Initial 2015 library budget review
- Renovation update including the café vendor update, teen space, tech lab, and non-fiction areas
- Review of city's policies and enforcement of inappropriate behaviors
- Update to the library rules of conduct (tentative)
- Review of City Council Study Session about the Library and Arts Department, and preparation for the joint meeting with the Library and Arts commissions

Agenda Item 12: Adjournment

[8:08 p.m. Audio 2 hr 7 min]

Date, Time, and Location of Next Meeting:

The next Library Commission meeting will be held at 6 p.m. on Wed., May 7, 2014, in the 1777 West Conference Room, in the Municipal Building, 1777 Broadway St.

APPROVED BY:

ATTESTED:

Board Chair

Staff Secretary

Date

Date

An audio recording of the full meeting for which these minutes are a summary, is available on the Library Commission web page at <http://boulderlibrary.org/about/commission.html>

Commissioner Sawyer approved these minutes on May 19, 2014; and Jennifer Miles attested to this approval on May 19, 2014.

CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING SUMMARY FORM

NAME OF BOARD/COMMISSION: Parks and Recreation Advisory Board

DATE OF MEETING: January 27, 2014

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Sally Dieterich 303-413-7242

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:

Board Present: Rick Thayer, Mike Conroy, Myriah Conroy, Michelle Estrella, Kelly Wyatt, Mike Guzek, Marty Gorce

Board Absent: None

Staff Present: Jeff Dillon, Alice Guthrie, Abbie Poniatowski, Sally Dieterich, Sarah DeSouza, Jeff Haley, Alison Rhodes, Teri Olander, Kady Doelling, Jen Bray, Matt Hickey, Dean Rummel, Skyler Beck, Mike Eubank

TYPE OF MEETING: REGULAR

The meeting was called to order at 6:05 p.m.

OUTLINE OF AGENDA:

I. APPROVAL OF AGENDA: The agenda was approved.

II. FUTURE BOARD ITEMS AND TOURS

Dillon provided a timeline update:

- 2/4/14 City council meeting – Department master plan public hearing for acceptance
- 2/4/14 council meeting – Civic Area GOCO resolution planning grant for next stage
- 2/24/14 PRAB meeting – 2015 CIP 2nd touch
- 2/24/14 PRAB meeting – Financial business best practices continuation
- Tours/study sessions – CIP flood impact tour and possible city council parks tour

III. PUBLIC PARTICIPATION

Public participation was opened.

No one spoke.

Public participation was closed.

IV. CONSENT AGENDA

A. Approval of Minutes from December 16, 2013

The minutes were approved as written.

B. Informational Items

Written updates were provided to PRAB on park development, flood recovery and upcoming planning and development public engagement opportunities.

PRAB moved to accept the items as written.

V. ITEMS FOR ACTION

There were no Items for Action.

VI. ITEMS FOR DISCUSSION/INFORMATION

A. Study Session Discussion of Business Definitions.

By request, this item was moved forward to agenda item IV.

B. Financial Strategy Discussion

Poniatowski led this discussion which included review of financial trends and policy framework focusing on an understanding of the 2014 financial strategy with a goal of understanding the relationship between community priorities and financial sustainability.

B. 2015 Capital Improvement Program (CIP) 1st Touch

Haley and Poniatowski provided a CIP timeline:

- 1/27/14 – PRAB 1ST touch
- 2/24/14 – PRAB 2nd touch
- 3/24/14 – PRAB public hearing & recommendation
- Late April 2014 – Planning board 1st draft
- Late May 2014 – Proposed operating and CIP due to city manager
- Late July 2014 – Citywide CIP tour
- August 2014 – Planning board public hearing
- August 2014 – City council public hearing
- September 2014 – City council budget consideration

VII. MATTERS FROM THE DEPARTMENT

A. Cyclocross Update

Eubank shared the successes of the five day 2014 Cyclocross Nationals held at Valmont Bike Park in January.

B. South Valmont City Park Plan Update

Haley provided a timeline update:

- Consultant team engaged
- Kick off meeting with design team

- Conducting background research
- Review draft community survey

C. Civic Area Update

Dillon presented this update:

- Initial Civic Area plan passed council
- Project manager hired
- Two year fixed term position offered to runner up candidate to focus on Civic Area and model parks
- Citizens committee may be formed
- Staff to submit a \$75,000 Great Outdoors Colorado (GOCO)planning grant

D. Transition Update

- Leadership team formed to report to Dillon
- Deputy director position to be reposted
- Master plan organization assessment to aid department in developing a learning and development program

E. North Boulder Park Update

Dillon said the underground utility issue has resulted in reviewing alternate sites which triggered a review by the Arts Council arts policy. He added that this item will return to PRAB in February or March.

F. Mobile Food Truck Update

DeSouza said staff requests that council consider amending Boulder Revised Code ordinance 9-6-5 to permit more than two mobile food vehicles to congregate in the downtown area on private property.

VIII. MATTERS FROM BOARD MEMBERS

Conroy (Mike) asked about recreation center pool closures due to chemical imbalances and the NBRC closure due to off-gassing during the gymnasium floor resurfacing.

Dillon responded that resurfacing of the gymnasium floor resulted in fumes that necessitated closure on January 23.

Estrella felt that communication about the closure was poor, requesting improvements be made to the city website social media.

IX. NEXT BOARD MEETING: February 24, 2014

X. ADJOURN: The meeting adjourned at 7:40 p.m.

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

NAME OF BOARD/COMMISSION: Parks and Recreation Advisory Board

DATE OF MEETING: February 24, 2014

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Sally Dieterich 303-413-7242

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:

Board Present: Rick Thayer, Mike Conroy, Myriah Conroy, Michelle Estrella, Kelly Wyatt, Mike Guzek, Marty Gorce

Board Absent: None

Staff Present: Jeff Dillon, Alice Guthrie, Sally Dieterich, Jeff Haley, Alison Rhodes, Abbie Poniatowski, Teri Olander, Kathleen Alexander, Rella Abernathy, Leslie Ellis

TYPE OF MEETING: REGULAR

The meeting was called to order at 6:10 p.m.

OUTLINE OF AGENDA:

I. APPROVAL OF AGENDA: The agenda was approved.

II. FUTURE BOARD ITEMS AND TOURS

Dillon provided a timeline update:

- 4/22/14 City council meeting – Comprehensive financial strategy – looking at short-term bonds, sales tax or long term bond

III. PUBLIC PARTICIPATION

Public participation was opened.

Claire Douthit, resident, shared her concerns for safety issues for the proposed shelter construction at Harlow Platts Park.

Bill Gray, resident, opposed the proposed shelter construction and land use issues at Harlow Platts Park, feeling the shelter location too close to an intersection.

Bob Yates, resident, president of the Boulder History Museum, provided an update on the museum relocation. He supported the possibility of having a parks and art partnership and also a public/private partnership.

Kristina Gray, resident, opposed the proposed shelter construction at Harlow Platts Park due to concerns about increased traffic and parking issues.

Public participation was closed.

IV. CONSENT AGENDA

A. Approval of minutes from January 27, 2014

The minutes were approved as written.

B. Informational Items

Written updates were provided to PRAB on park development, flood recovery and upcoming planning and development public engagement opportunities.

PRAB moved to accept the items as written.

Haley spoke to concerns about the proposed shelter at Harlow Platts Park providing the following information:

- Identified as part of 2011 capital bond
- \$1,000,000 allocated for various park shelter replacements
- Harlow Platts Park designed as a community park, along with Foothills and East Boulder Community Park
- Public neighborhood meetings were held
- Community support for shelter construction
- Shelter to be ½ size of North Boulder Park shelter and smaller than Martin Park shelter

PRAB input:

- Conroy (Mike) asked if the shelter will be open on three sides
- Wyatt asked where restrooms would be located
- Conroy (Myriah) asked for staff to provide the language in the law
- Estrella asked for the project cost
- Thayer suggested scheduling an additional public meeting with follow-up discussion

Haley said an additional meeting will be scheduled.

V. ITEMS FOR ACTION

A. Public Hearing and Consideration of a Motion to Approve the Holiday Neighborhood Maintenance Agreement

Haley said the Holiday Neighborhood Maintenance Agreement is a construction and maintenance agreement for Holiday Park that is between parks maintenance staff and the neighborhood association. Staff requested the following motion language:

Motion to approve the 'Construction and Maintenance License Agreement' for Holiday

Neighborhood Park and authorizing the city manager to make minor amendments prior to or during

the term of this agreement in order to ensure that the park is properly used, maintained and repaired in a manner that is consistent with applicable laws and the policies and regulations of the City of Boulder.

Conroy (Myriah) made a motion to approve the motion as written:

Wyatt seconded the motion.

The motion passed unanimously 7-0.

VI. ITEMS FOR DISCUSSION/INFORMATION

A. Emerald Ash Borer (EAB) Update in Conjunction with the Environmental Advisory Board.

Alexander returned to PRAB with this update on the emerald ash borer, now extensive in the City of Boulder, the western most occurrence in North America. She provided the 2014 department workplan which is available at www.boulderparks-rec.org

B. Capital Improvement Program (CIP) 2nd Touch

Poniatowski provided this update. She said the purpose of this update was to continue the discussion on the proposed 2015-2020 CIP projects. The March PRAB meeting will be a 3rd touch and the April PRAB meeting a public hearing for approval.

C. March 2014 PRAB Meeting Date

The March 24, 2014 PRAB meeting was moved to March 17, 2014 due to spring break.

VII. MATTERS FROM THE DEPARTMENT

A. Pottery Lab Agreement Update

Olander presented a verbal outline for the future study session:

- RFP issued July 2013
- One proposal received
- Studio Arts Boulder proposal was accepted
- Contract negotiations initiated August 2013
- Negotiations ongoing
- Potential contract signing March 2014
- Potential transition date May 2014

B. South Valmont City Park Plan Update

Haley gave the status for the next month:

- Initial community survey in process
- Staff working closely with consultants
- Survey results to be presented soon

C. Potential Smoking Ban in Parks Update

Dillon provided this update:

- City Manager's Rule in place prohibiting smoking in the Civic Area from 9th to 13th Streets and Canyon Blvd. to Arapahoe Ave.
- Signs to be posted
- Police enforcement scheduled
- City to look at additional areas for potential smoking bans in public parks and open space
- Staff to return to PRAB for recommendations
- Investigate options and present to council by fall 2014

D. Chautauqua ADA Bathrooms Update

Haley provided this update:

- Staff and multiple city departments working closely with Chautauqua
- Critical need determined – compliance issue
- Funding options being investigated
- Considering partnership with Chautauqua

VIII. MATTERS FROM BOARD MEMBERS

There were no Matters from Board Members

IX. NEXT BOARD MEETING: March 17, 2014

X. ADJOURN: The meeting adjourned at 8:40 p.m.

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

NAME OF BOARD/COMMISSION: Parks and Recreation Advisory Board

DATE OF MEETING: March 17, 2014

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Sally Dieterich 303-413-7242

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:

Board Present: Rick Thayer, Mike Conroy, Myriah Conroy, Michelle Estrella, Kelly Wyatt, Mike Guzek, Marty Gorce

Board Absent: None

Staff Present: Jeff Dillon, Alice Guthrie, Sally Dieterich, Jeff Haley, Alison Rhodes, Abbie Poniatowski, Teri Olander, Dean Rummel, Jody Tableporter, Skyler Beck, Doug Godfrey

TYPE OF MEETING: REGULAR

The meeting was called to order at 6:05 p.m.

OUTLINE OF AGENDA:

I. APPROVAL OF AGENDA: The agenda was approved.

II. FUTURE BOARD ITEMS AND TOURS

Dillon provided a timeline update:

- 4/16/14 - Emerald Ash Borer (EAB) information packet to council
- 4/22/14 – Council study session on community bonds opportunities
- 4/28/14 PRAB meeting – Emerald Ash borer discussion, election of PRAB officers, CIP public hearing, Mesa Memorial Park renaming, Valmont City Park south plan update, North Boulder Park art update, BVSD subcommittee on capital improvements
- 5/6/14 Council meeting – National Kids to Parks Day declaration
- Future tour – Flood projects

III. PUBLIC PARTICIPATION

Public participation was opened.

Snow White, non-resident, asked the department to repair the baseball back stop at Scott Carpenter Park

Claire Douthit, resident, thanked Haley and Godfrey for their work creating adjustments to the Harlow Platts Park design.

Kristy and Bill Gray, residents, support the changes to the Harlow Platts Park design, saying the new proposal will be a benefit to the community. They added a request to have a single structure, not two, and to have the warming hut demolished.

Public participation was closed.

IV. CONSENT AGENDA

A. Approval of minutes from February 24, 2014

The minutes were approved as written.

B. Informational Items

Written updates were provided to PRAB on park development, flood recovery and upcoming planning and development public engagement opportunities.

PRAB moved to accept the items as written.

2. Pottery Lab Agreement Update

Olander provided a timeline for the process:

- Request for Proposal (RFP) completed
- Studio Arts Boulder in negotiation with the department
- 3/27/14 – Next meeting
- 4/28/14 PRAB meeting – Final report on next steps

V. ITEMS FOR ACTION

There were no Items for Action

VI. ITEMS FOR DISCUSSION/INFORMATION

A. Financial Strategy Discussion

Poniatowski and Rummel continued this discussion from previous meetings. Poniatowski reiterated that this effort is not only aligned with the master plan theme of financial sustainability, but also with organizational readiness. She added that cross teams are building capacity, representing multiple skills and adapting how to put financial strategy into practice. They added the following timeline:

- 4/20/14 – Review data modeling for Boulder Reservoir and athletic fields for policy guidance to implement master plan goals
- 5/20/14 – Discuss proposed fee changes and associated community and user group outreach with fee policy change recommendations

B. 2015-2020 Capital Improvement Program (CIP) 3rd Touch

Haley provided the proposed 2015 projects for the department CIP:

- Capital Enhancement - Emerald Ash Borer response, Coot Lake restoration, recreation

center enhancements

- Capital Maintenance – ADA compliance, pool re-plastering, historic railroad coach restoration, Pearl Street mall irrigation replacement
- Capital planning Studies – Recreation facility strategic plan, urban forest management plan, planning, design and construction standards
- Transfers – Tributary greenways program (lottery)

VII. MATTERS FROM THE DEPARTMENT

A. Emerald Ash Borer Update

Dillon spoke on this item. He said imidacloprid pesticide use will be prohibited on public lands which include city parks, city owned land and streets rights of ways. He added that this would not include private property. He added that this is a year to do testing, observation and work on solutions.

B. Columbia Cemetery Monetary Donation

Reilly-McNellan, Columbia Cemetery Preservation Project manager, Spoke briefly on the cemetery, both historically and currently. This included the numerous projects she has managed, including completed repair/future repair and recognition of the dedicated volunteers who help make this possible. She and three others wrote a book about the cemetery, publishing it in 2012. From sales she proudly presented a check to the parks and recreation department in the amount of \$1,100.

C. Master Plan Acceptance Celebration

PRAB members were presented with a copy of the completed Boulder Parks and Recreation Master Plan and were thanked for their participation in the process.

VIII. MATTERS FROM BOARD MEMBERS

There were no Matters from Board Members

IX. NEXT BOARD MEETING: April 28, 2014

X. ADJOURN: The meeting adjourned at 8:32 p.m.

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

NAME OF BOARD/COMMISSION: Parks and Recreation Advisory Board

DATE OF MEETING: April 28, 2014

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Sally Dieterich 303-413-7242

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:

Board Present: Mike Conroy, Michelle Estrella, Kelly Wyatt, Mike Guzek, Marty Gorce, Tom Klenow

Board Absent: Myriah Conroy

Staff Present: Jeff Dillon, Sally Dieterich, Jeff Haley, Alison Rhodes, Doug Godfrey, Teri Olander, Whitney Ofstedahl

Guests Present: Don Orr and Michele DeBerry, Boulder Valley School District
Zach Johnson and Kimmerjae Makurus, Boulder Cycling Monument

TYPE OF MEETING: REGULAR

The meeting was called to order at 6:01 p.m.

OUTLINE OF AGENDA:

I. APPROVAL OF AGENDA: The agenda was approved.

II. ELECTION OF OFFICERS AND NEW PRAB MEMBER INTRODUCTION

Mike Conroy was elected chair. Myriah Conroy was elected vice chair. Tom Klenow was introduced as the new PRAB member. He was administered the oath of office by Board Secretary Sally Dieterich on April 2, 2014.

III. FUTURE BOARD ITEMS AND TOURS

Poniatowski provided a timeline update:

- 5/19/14 PRAB meeting – On-going park development updates, operational budget update, Valmont City Park planning update
- 5/6/14 council meeting – Parks and Recreation Department declarations for national Kids to Parks Day and 30 Years of Excellence in Programming – signed by Mayor Appelbaum

IV. PUBLIC PARTICIPATION

Item VII-A was moved up to the public participation portion of the meeting.

Public participation was opened.

James Bower, non-resident and son of Bill Bower, spoke in support of renaming Mesa Memorial Park to Bill Bower Park.

Mindy Bower, non-resident and daughter of Bill Bower, spoke in support of renaming Mesa Memorial Park to Bill Bower Park.

Joe Boardman, resident, spoke in support of renaming Mesa Memorial Park to Bill Bower Park.

Diane Bergstrom, non-resident, spoke in support of renaming Mesa Memorial Park to Bill Bower Park.

Sue Kranzdorf, resident, spoke in support of renaming Mesa Memorial Park to Bill Bower Park.

Clay Evans, non-resident, spoke in support of renaming Mesa Memorial Park to Bill Bower Park.

Public participation was closed.

PRAB was unanimously in support of the renaming proposal and made a recommendation to rename Mesa Memorial Park to Bill Bower Park.

Public participation was reopened for general comments.

Asnat Macoosh, resident, thanked staff for planning changes to Harlow Platts Park. She asked that a prefabricated shelter be built near the soccer fields to provide shade. She also requested that staff develop a plan to remove geese droppings from the park.

Public participation was closed.

IV. CONSENT AGENDA

A. Approval of minutes from March 17, 2014

The minutes were approved as written.

B. Informational Items

Written updates were provided to PRAB on park development, flood recovery and upcoming planning and development public engagement opportunities.

PRAB moved to accept the items as written.

V. ITEMS FOR ACTION

A. Public Hearing and Consideration of Motions Approving the 2015-2020 Expenditures from the Permanent Parks and Recreation Fund and 2015-2020 Parks and Recreation Department Capital Improvement Program (CIP).

The public hearing was opened.

No one spoke.

The public hearing was closed.

Estrella made the following motion:

I move that PRAB approve the 2015 recommended expenditures from the Permanent Parks and

Recreation Fund (Fund 230).

Gorce seconded the motion.

The motion passed unanimously 6-0 with Guzek absent.

Estrella made the following motion:

I move to approve the recommended 2015 to 2020 Parks and Recreation Department Capital Improvement Program (CIP).

Gorce seconded the motion.

The motion passed unanimously 6-0 with Guzek absent.

VI. ITEMS FOR DISCUSSION/INFORMATION

A. Request to Rename the Park Informally Named Mesa Memorial Park to Bill Bower Park.

By request, this item was moved forward to agenda item IV.

B. Financial Strategy Discussion

Staff continued this discussion as part of the on-going financial strategy planning, reviewing data modeling for Boulder Reservoir and athletic fields.

Next steps:

- Staff to complete analysis of all services using methodology supported by PRAB
- Staff to return to PRAB in fall 2014 to provide recommendations for 2015 fee changes and implementation of fee standardization

VII. MATTERS FROM THE DEPARTMENT

A. BVSD Capital Improvement and Subcommittee

Orr and DeBerry, from BVSD reviewed the draft needs assessment of recreation facilities and a continued partnership with the City of Boulder for recreation opportunities.

B. Emerald Ash Borer Update

Staff provided a written update to PRAB.

C. North Boulder Park Art Update

Boulder Cycling Monument (BCM) representatives provided this update:

- New design passed the art commission
- Funding status remains unchanged
- New design increased budget by \$17,000

Additional updates to be provided at a future PRAB meeting.

C. Valmont City Park Planning

Godfrey provided this update:

- 1/22/14 – Project kick-off
- 1/2014 – Community survey provided to determine public preferences for South Valmont development
- Roundtable meetings to be scheduled
- Athletic fields needs assessment focus groups meetings
- Youth engagement

VIII. MATTERS FROM BOARD MEMBERS

There were no Matters from Board Members

IX. NEXT BOARD MEETING: May 19, 2014

X. ADJOURN: The meeting adjourned at 8:45 p.m.

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

Name of Board/ Commission: Transportation Advisory Board	
Date of Meeting: 10 March 2014	
Contact Information Preparing Summary: Laurel Olsen-Horen 303.441.3203	
Board Members Present: Dom Nozzi, Matt Moseley, Zane Selvans, Jessica Yates Board Members Absent: Andria Bilich	
Staff Present: Tracy Winfree, Director of Public Works for Transportation Kathleen Bracke, GO Boulder Manager Randall Rutsch, Senior Transportation Planner Marni Ratzel, Senior Transportation Planner Micki Kaplan, Senior Transportation Planner Laurel Olsen-Horen, Board Secretary	
Consultants Present: Tom Brennan, Nelson Nygaard	
Type of Meeting: Advisory/ Regular	
Agenda Item 1: Call to Order The meeting was called to order at 6:02 p.m.	[6:02 p.m.]
Agenda Item 2: Approval of minutes from 13 January and 10 February 2014 13 January minutes: Motion to approve as presented. Motion by: Selvans, Seconded by: Nozzi Vote: 4:0 10 February minutes: Motion to approve as presented. Motion by: Nozzi, Seconded by: Moseley Vote: 4:0	[6:02p.m.]
Agenda Item 3: Public Participation None	[6:03 p.m.]
Agenda Item 4: Resolution to Celebrate Matt Moseley's last TAB meeting and five-year term contribution. Jessica Yates presented item to the board Board member Yates read aloud a resolution for Matt and presented him with a gift from the city for his five-year term contribution.	[6:04 p.m.]
Agenda Item 5: Public hearing and TAB consideration of a recommendation to the City Manager regarding Expansion within the Fairview Zone This item was pulled from the agenda as the petitioning neighbors had pulled their petition at the time of the TAB meeting.	[6:04 p.m.]
Agenda Item 6: Staff briefing and input on TMP Update with an emphasis on Complete Streets Focus Areas: Transit analysis and summary of the 2014 Walk Bike Summit and a Framework for the WalkBike Action Plan, along with Regional and Funding focus areas. Randall Rutsch, Marni Ratzel and Tom Brennan from Nelson/Nygaard presented item to the board. Power point presented for this item.	[7:09 p.m.]
Executive Summary from Packet Materials: This memo provides a brief status report, check-in and opportunity for the Transportation Advisory Board (TAB) to provide input on progress to date on the Transportation Master Plan (TMP) Update, with an emphasis on the Complete Streets Focus Area, including the Transit planning as well as Bicycle and Pedestrian Innovations, along with the Regional and Funding Focus Areas. The Bicycle and Pedestrian Innovations update includes information regarding the implementation of the Living Laboratory projects, including the new E-bike pilot and updates from the Walk Bike Summit on Feb. 6, 2014. The Summit was organized around developing a vision of a walk and bike friendly community and then identifying priority strategies and time frames for those strategies to contribute to that vision. Staff is using the community feedback from the Walk Bike Summit and from the planning process throughout 2013 to develop a draft framework	

for the bicycle and pedestrian Action Plan as part of the TMP update. Initial concepts for this Action Plan are provided in more detail in the analysis section of this memo.

The Transit planning update includes the results of the transit scenario analysis including ridership, cost effectiveness and the performance of each scenario in the four evaluation accounts reflecting the Boulder Valley Comprehensive Plan (BVCP) Sustainability Framework. This analysis shows significant differences between the scenarios so they successfully illustrate the costs and benefits of different transit strategies. The results of the scenarios and the additional sensitivity tests show that there are strategies that will significantly increase transit ridership.

The Regional Focus area suggests that the city continue the collaborative approach with regional partners that has been successful in delivering transit and bike improvements on US 36, and in the future focus on the Diagonal (SH119) and Arapahoe (SH 7) corridors and other corridors resulting from the Northwest Area Mobility Study (NAMS).

The discussion in the Funding Focus area provides information on the on-going project list review and suggests some initial approaches to prioritizing the investment programs of the update.

Staff continues to move forward with the TMP Update process in 2014 in accordance with City Council and TAB guidance. The major focus over the next two months is on defining and bringing together the major building blocks of the TMP update for TAB input and Council consideration at the April 29, 2014 study session. This work is supported by increased effort in public outreach on social media and a number of open house/community events. Staff also continues actively working on a number of other efforts in collaboration with city-wide planning and sustainability initiatives.

TAB ACTION REQUESTED

Review and provide input on all the work completed in the TMP update with an emphasis on the Complete Streets Focus Areas: Transit analysis and a Framework for the Walk Bike Action Plan as well as the Regional and Funding Focus Areas.

Board discussion and comments included:

[6:47 p.m.]

- What was learned at the Bike Summit? Staff response: There were about 9 topics that came out of the summit, including, parking maximums rather than parking minimums, Eco pass, road diets, education in the schools. The summary graphic also shows how far the community has moved relative to the last Bike Summit. That graphic focused entirely on bike activities while this one includes broader topics such as 20 minute neighborhoods, mixed use development and transit access. Staff will be including a summary in the April TAB packet. The community input is consistent with TMP proposals.
- Relative to the regional stuff how does that work with the county? Can we tell them where we think are good places to invest? Staff response: We have many partners and will continue to leverage those partnerships.
- How does the new funding from the ballot measure play into the TMP update? Staff response: Funding will be implemented consistent with principles developed during the funding discussion. Specifically, most of the funding will go to fill the O&M gap and some will be added to the enhancement program and reflected in the TMP. Current funding forecasts are currently being updated.
- How is the E-bikes pilot going? Staff response: we haven't gotten any official results yet. The pilot became official on Feb. 7th. Staff is working on an etiquette campaign.
- Board member Yates read aloud board member Bilich's comments which were emailed earlier to the board and staff.
- Why wasn't speed reduction included for reducing road stress? Staff response: the city had a neighborhood traffic mitigation program that was eliminated through budget cuts but is contemplating living laboratories throughout the city.
- For the first three transit scenarios, are we looking at status quo in regards to land use and parking? Staff response: all three scenarios are guided by the current BVCP land use designations. The differences between scenarios reflect different levels of service enhancements and capital improvements on the 2035 land use baseline. These differences are reflected in the evaluation metrics (including changes in performance, cost and ridership).
- Service improvements won't have as large an increase in ridership when commuters are accessing free parking.

- Portland, OR was successful with inducing land use changes with their light rail. Do we anticipate any induced land use changes for the three scenarios? Staff response: that was not measured with this analysis. As part of the E. Arapahoe project, we will be looking at land use as part of a component to sensitivity testing. Consultant responded that in Portland, land use response to frequent bus service is similar to, and in some cases, better than the light rail corridors.
- Concerned with induced ridership. There is a lot of latent demand with car travel especially during rush hour. If we are successful in transferring commuters to transit, will we inadvertently be creating new car trips? Tom's response: there is an assumption of repurposing lane space for transit priority so it is unlikely there will be empty road space.
- The EcoPass route seems to be a very cost affective and therefore appealing.
- The regional trips don't seem to be cost effective when compared to greenhouse gas emission savings.
- The low stress bike network; where are we going with it and what are our goals? Staff response: data is still being collected at this time. Staff has been working with our consultants to understand what the criteria are and what the ratings are and why the ratings are generated.
- The main constraint for the 20 min neighborhoods is our land-use patterns.
- Does the TAC include in-commuters? Staff response: The TAC is comprised of mostly a technical and agency representatives, which include community members as well as members who live outside of Boulder. The TAC is very much in tune with the regional commute issues.
- Are we working with the differing jurisdictions; how are they involved? Not addressing partnerships with outlying communities at the level of the TMP to fix the first/last mile issues seems like a missed opportunity. Staff response: we could outline some strategies at a higher level. First a coalition needs to be built, and then they can work on bringing planning and funding resources to the corridor to move forward. US36 is a great example of a coalition that has looked into the first and final mile data and as a result, a TIGER grant is being advocated by the communities to help fund the first and final mile projects.
- There is an impression in the scenarios that the regional component needs to be more efficient, is that a universal truth? What is it that makes the other regional route inefficient? Staff response: regional service is not necessarily inefficient; the statement was made on the standpoint of attracting new ridership. It is more cost effective to invest locally if one is only looking at ridership. But regional service provides much longer rides and so is more efficient in terms of VMT and GHG reduced.
- Do any of the scenarios include information on real-time bus information? Staff response: the number one focus from the community is just that and we assume programmatic elements like this for any scenario.
- There really isn't political advocacy for pedestrians. Is there some way for the city to adjust the scales to prioritize pedestrian emphasis? Staff response: the TMP does prioritize the pedestrian. The city hosts walk audits to try to get more community members active in the discussion.

Agenda Item 7: Matters

[7:56 p.m.]

A.) Matters from the Board Included:

Collaboration with other city boards:

Board members Yates spoke with John Putnam on Planning Board. Make sure you are not lobbying for anything specific.

Board member Selvans brought up the below matter(s):

- Planning Board has been working on a lot of projects with transportation implications. Should we be keeping better track of what is going on? SPARK is a great example. In this plan, a path was placed in a way that would not be acceptable by path users. TAB will need to keep a finger on the pulse of that area as projects are moved forward.
- 2930 Pearl (Ras Kassa's) has an underpass to nowhere (practically). PB has asked the developer to relook at that area for site review.
- The James project will be potentially building out the path along the Farmer's Ditch. That seems great.
- CAGID; the residents within CAGID will not be provided EcoPasses; it seems tragic to not receive a pass. Staff is working with RTD to create a mixed-use pass (TOD pass)

Board member Nozzi brought up the below matter(s):

- Alfalfa's, Southern Sun and Trader Joe's are providing very mediocre bike parking. Staff response: enhancements to the bike parking code will be part of the TDM toolkit and AMPS.

Board member Yates brought up the below matter(s):

- When speaking with the community or the press, be mindful that you are not speaking on behalf of the board unless the board has given explicit direction to speak for it.

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

Name of Board/ Commission: Transportation Advisory Board	
Date of Meeting: 12 May 2014	
Contact Information Preparing Summary: Kaaren Davis 303.441.3233	
Board Members Present: Andria Bilich, Daniel Stellar, Zane Selvans, Jessica Yates Board Members Absent: Dom Nozzi,	
Staff Present: Tracy Winfree, Director of Public Works for Transportation Stephany Westhusin, Principal Transportation Projects Engineer Mike Gardner-Sweeney, Principal Traffic Engineer Kathleen Bracke, GO Boulder Manager Randall Rutsch, Senior Transportation Planner Chris Hagelin, Senior Transportation Planner Bryant Gonsalves, Engineering Project Manager Noreen Walsh, Senior Transportation Planner Bill Cowern, Transportation Operation Engineer Kurt Matthews, Parking Manager Kaaren Davis, Board Secretary	
Consultants	
Present: Tom Brennan, Nelson Nygaard	
Type of Meeting: Advisory/ Regular	
Agenda Item 1: Call to Order	[6:02 p.m.]
The meeting was called to order at 6:02 p.m.	
Agenda Item 2: Approval of minutes from 14 April 2014	[6:02p.m.]
Motion to approve the meeting minutes from 14 April 2014 TAB meeting as presented: Motion by: Bilich, Seconded by: Selvans	
Vote: 4:0	
Agenda Item 3: Public Participation	[6:04 p.m.]
None	
Agenda Item 4: Public hearing and TAB recommendation on the Baseline Underpass CEAP	[6:05 p.m.]
Noreen Walsh presented item to the board. Power point presented for this item.	
Executive Summary from Packet Materials:	
The Baseline Road Underpass Project location has received a number of crossing treatments over the past 14 years due to its high travel activity, proximity to U.S. 36, the University of Colorado and Basemar Shopping Center and city goals of encouraging walking and bicycling travel. An underpass has been included in the Transportation Master Plan (TMP) since 1996.	
In 2010, following a community outreach process, TAB recommendation and council endorsement the City of Boulder applied for a federal Transportation Improvements Program (TIP) grant to design and construct an underpass at this location. The funding award was approved by the DRCOG board in 2011 with construction funds available in Fiscal Year 2015. Included in the city's Capital Improvement Program (CIP) since that time, the project budget is \$5.4 million with \$4 million in federal transportation funds and \$1.4 million from city transportation funds.	
The project design process began in 2012 and three options have been developed and evaluated through the city's Community and Environmental Assessment Process (CEAP). The purpose of the CEAP is to assess potential impacts of conceptual alternatives to inform the selection and refinement of a preferred alternative. The CEAP process includes a review by the staff interdepartmental CEAP review team and a review and recommendation on the CEAP and project design alternative by the relevant advisory board which in this case is TAB.	

The purpose of this agenda item is to present the CEAP document for the Baseline Underpass Project for the Board's review and recommendation. Following TAB's recommendation, the CEAP will be forwarded to the City Council for potential call-up action by June 17, 2014. If the project is not called up the project will move forward to final design. Construction is expected to begin in late 2014/early 2015 and take one year to complete.

Staff requests that TAB:

- Provide a recommendation on the project (approval of the CEAP) to be forwarded to City Council for potential call-up action by June 17, 2014.

Board discussion and comments included:

[6:15p.m.]

- **Option A "Access Ramp on West Side"**
 - No comments
- **Option B "Access Ramp on East Side" (Staff Recommended Option)**
 - Clarification that this option no longer has a major concern associated about future limitations on transit and bike/ped. mode expansions.
 - Questions about whether there are issues surrounding this project location's status as a state highway.
 - This is a very good project. The need is clear and this project addresses the needs well.
 - Resource Conservation benefits may be a bit over stated in the CEAP, but not such that it erodes support for the project or this option.
- **Option C "Access Ramp on East and West Sides"**
 - No Comments

Public Comment:

None

Motion: Move to approve the CEAP with the staff recommended "option B" to be forwarded to City Council.

Motion by: Yates Seconded by: Selvans

Vote: 4-0 Motion Passes

Agenda Item 5: Public hearing and TAB recommendation to the City Council regarding Access Management and Parking Strategy for June 10th City Council Study Session

[6:20 p.m.]

Kathleen Bracke presented item to the board.

Power point presented for this item.

Executive Summary from Packet Materials:

The purpose of the briefings to the various city Boards is to:

1. Receive feedback on the draft Access Management and Parking Strategy (AMPS) project purpose, goals, and guiding principles;
2. Review progress since 2013 Council Study Session on AMPS; and,
3. Receive feedback on proposed 2014 schedule and work program.

The city of Boulder's parking management system has a long history. Parking meters were first installed on Pearl Street in 1946. Over the past decades, Boulder's parking system has evolved into a nationally recognized, district-based, multi-modal **access** system incorporating all modes of travel (walking, biking, transit, and autos) to meet community goals, including support for the vitality of the city's historic commercial and employment centers, and livability of its neighborhoods.

The AMPS encompasses updating the current access and parking management policies and programs and developing a new, overarching citywide strategy for access and parking management in alignment with city-wide goals. The project goal is to evolve and continuously improve Boulder's citywide access and parking management strategies and programs tailored to address the unique character and needs of the different parts of the city.

The AMPS project approach emphasizes collaboration among city departments and acknowledges the numerous current and anticipated planning efforts and initiatives such as the Transportation Master Plan (TMP) Update, Economic Sustainability Strategy, and Climate Commitment.

Elements of the AMPS project approach are:

- o AMPS is a strategy which is defined as an integrated planning approach coordinated with other master planning efforts and plans which focuses on a particular set of goals and principles that are cross-cutting and create an adaptable set of tools and methods allowing the city to continually improve and innovate to achieve its goals.
- o Evaluating existing parking and access management policies and practices within existing districts and across the community based on the city's Sustainability Framework.
- o Developing context appropriate strategies using the existing districts as role models for other transitioning areas within the community and incorporating national best practices research.

Outreach to the city advisory boards and the public is essential with the dual purpose of educating the community about the multi-modal access system and seeking input and ideas about the future opportunities for enhancements. City Council is holding a Study Session on the AMPS project on June 10, 2014. Staff will share feedback from the May Board meetings with City Council as part of the June Study Session.

Public Comment:

None

Board discussion and comments included:

[6:35 p.m.]

1. **Does the Board have feedback regarding the draft project purpose, goals, and guiding principles?**
 - o The goals currently look quite general. The presentation goal list was more specific and might be helpful to lead off with at the Study Session.
 - o Recommend development of goals around parking pricing before strategic development moves forward. Staff: SUMP Principles are foundation started from, but input from community and stakeholders will help shape options and the range of options. This area will probably carry over into 2015.
 - o Would like it stated more clearly that the AMPS goals support TMP development.
 - o Promoting progressive land use would be a good goal clarification.
2. **Does the Board have questions or feedback on the proposed approach and timeline for AMPS?**
 - o No specific comments.
3. **Does the Board have feedback on the AMPS list of 2014 work program topics? Are any Missing?**
 - o No specific comments.

General Feedback:

- Compass graphic is non-helpful
- TDM Toolkit – Would like to see how development-based TDM plans can work with existing development. Feels like the board is seeing the same materials over and over again without much progress. Done with the overviews and ready to get into the meat of the issue.
- Comment from developer that he was ready to move to Denver away from Boulder because development in Boulder is much too hard. We need to consider what sorts of things might have unintended consequences that might have detrimental effects on other key areas such as land use development.

Agenda Item 6: Staff briefing and TAB input regarding TMP Update, including the TDM and Funding Priorities and measurable objectives.

[6:43 p.m.]

Randall Rutsch presented item to the board.

Executive Summary from Packet Materials:

This memo provides a brief status report, check-in and opportunity for the Transportation Advisory Board (TAB) to provide input on progress to date on the Transportation Master Plan (TMP) Update, with an emphasis on the Transportation Demand Management (TDM) Focus Area, financial plan, and on updating the targets for several of the measurable objectives. Brief updates are provided on the other Focus Areas and the Council Study Session as well.

In the TDM Focus Area, the consultant team for the Access Management and Parking Strategy (AMPS) effort has prepared a comprehensive survey of best practices in regards to Tool Kits for new development projects. This information will be shared with TAB as part of the AMPS agenda item which will precede the TMP Update agenda item at the May 12th TAB meeting. Based on the discussion with TAB, Planning Board, and the community, staff will bring forward recommendations for amending the city's TDM Tool Kit for new developments as part of the TMP Update action items, and in collaboration with the AMPS process.

Regarding the updates for the TMP's financial plan, staff has completed its review of the existing TMP capital project list. This review reflects the experience of implementing TMP projects over the last ten years and staff is suggesting a number of changes in the programmatic approach for project prioritization. Staff is also recommending the list be modified to include several additions and deletions to respond to the evolving needs of the community. Updated project lists and maps of the project locations are included in **Attachment A and B**.

While the approach for enhancing the existing TMP measurable objectives was discussed in the Jan. 13, 2014 TAB memo and the Apr. 29, 2014 council study session memo, work related to the Travel Wise portion of Climate Commitment was still in progress and now needs to be integrated into the refinements for the TMP objectives.

Staff from Transportation and Community Planning & Sustainability, along with assistance from a variety of consultants, has finished the work to integrate the greenhouse gas (GHG) reduction potential from the transportation sector. Based on this analysis, the proposed updated targets or ranges for the target for several of the measurable objectives are contained in this section. These suggestions are driven by the key objective of vehicle miles of travel (VMT).

Staff continues to move forward with the TMP update process in accordance with City Council and TAB guidance. The major work effort over the next month will be preparing the draft TMP document incorporating the work completed to date for the overall TMP Update, including all of the Focus Areas and measurable objectives. The plan will include recommended policies, strategies, and action items per the year-long TMP update planning process. The next months will also include extensive public outreach and community feedback will focus on the major building blocks of the plan update. Social media continues to be a significant engagement tool. A public open house also is scheduled for Wed. May 28 at the Boulder Museum of Contemporary Art during the Boulder Farmers Market. In addition, staff is actively working on a number of other efforts in collaboration with city-wide planning and sustainability initiatives.

TAB Action Requested:

Review and provide input on work completed in the TMP update with emphasis on the TDM Focus Area, financial plan, and measurable objectives.

Board discussion and comments included:

[6:59 p.m.]

TDM Focus Area:

- No specific comments.

Financial Plan:

- No specific comments.

Measurable Objectives:

- Travel diary clarifications (both numbers and methodologies).
- Nine is a lot of objectives to measure. The new ones look good, so perhaps consider prioritizing objectives to perhaps pare down the number to a more manageable number.
- VMT trip reduction statistics as related to mode share and mode share change objectives.
- TAB would like to see many ways of measuring successes or failures to really inform the next update.
- CAFE standards and mode shift split indicates a transportation "silo" that is ill made. It is an artificial standard that does not necessarily best reflect our desired models or reasons for mode shifts. It would be good to move away from this "silo" and find better ways to address our needs.
- We are limited to a certain extent by the fact that most neighborhoods are already developed. It would be useful to communicate to Council that higher targets may be attainable with land use changes than are feasible with the land use status quo.

Agenda Item 7: Staff briefing and TAB input regarding the proposed year 2015-2020 Transportation Capital Improvements Program (CIP) – Part II of III.

[7:21 p.m.]

Michael Gardner-Sweeney presented the item.

Executive Summary from Packet Materials:

Every year the city goes through a budget process that creates a six-year planning budget, this year for the time period of 2015 through 2020. Within this process, funds are appropriated for the first year, 2015. The Transportation Advisory Board's (TAB) role in this process is defined in the Boulder Revised Code (BRC) TITLE 2 GOVERNMENT ORGANIZATION, Chapter 3

Boards and Commissions, Section 14 - Transportation Advisory Board; "... to review all city transportation environmental assessments and capital improvements." It is within this context that the board is asked to hold a public hearing and provide a recommendation on the Capital Improvements Program (CIP) to Planning Board and City Council.

Board discussion and comments included:

[7:25 p.m.]

- Clarifications regarding how distributions for general project areas are arrived at when large sums are not yet defined. (Particularly in TIP local match, TMP, and Corridor plan).
- Why there is not greater mode shift to pedestrian travel when so much is spent on pedestrian facilities. Whether past and current spending trends are effective in light of the above.
- Clarification regarding what role ADA access compliance (new and retro-fit as regulations change) fits into Operations and Maintenance development expenditures, and the fact that ever changing regulations will likely make retro-fit a permanent feature of these expenditures.

Agenda Item 8: Staff briefing and TAB input on the proposed Year 2016-2021 Transportation Improvements Program (TIP) submittal process – Part I of II.

[7:35 p.m.]

Randall Rutsch presented the item.

Executive Summary from Packet Materials:

The Transportation Improvement Program (TIP) process is a competitive process managed by the Denver Regional Council of Governments (DRCOG) to select projects for federal transportation funding that help to fulfill and support the goals of 2035 Metro Vision and Regional Transportation plans. Federal transportation funding also provides an ability to complete priority projects in the City of Boulder's Transportation Master Plan and other city master plans and goals by leveraging city transportation dollars and funding from other partners with federal funding.

This item provides the Transportation Advisory Board (TAB) with a summary of the application process, previous selection criteria used in preparing the TIP and a description of the process used by the city to select projects for the last six TIPs and a general timeline. Prior to the 2001-2006 TIP, TAB established a process for preparing the city's submittals with the objectives of:

- consistency with the policy direction of the Transportation Master Plan (TMP);
- funding priority projects for the city; and,
- maximizing the chances for receiving funding through the TIP process.

TAB is asked to consider the existing process for developing the city's TIP submittals and provide guidance as staff begins to develop the city's submittals. At this time, it is estimated that submittals will be due to DRCOG in late August 2014 for the 2016-2021 TIP.

Board discussion and comments included:

[7:40 p.m.]

- Clarification on how the draft list of project ideas was developed.
- Questions about why few of the projects are transit and/or for the Eastern outlying sections of the city.
- Questions regarding whether the TIP program is potentially applicable to such things as BRT service in the Arapahoe corridor.
- Discussion regarding the potential for greatly reduced funding in the TIP program due to budget issues within the program.
- Clarifications regarding funding for the US 36 Bikeway Underpass and how that project relates to other bikeway development.
- Table Mesa Park n Ride proposed underpass and its potential impacts on safety in that area. Safety improvements would be good to consider.
- Proposed underpass at Sioux and whether that is the correct location for that type of facility as it already has an overpass. Whether there underserved areas that would be better served by such a facility including Baseline and Foothills.

Agenda Item 9: Matters

[7:53 p.m.]

A.) Matters from the Board Included:

- Update on collaboration with other city boards

- Feedback from the Joint Board Workshop; 23 April
 - Having interaction with other boards and their differing perspectives is always valuable.
 - The venue was perhaps not ideal. Too loud, too big to facilitate easy conversation. "Shine" last year was the best venue so far.
 - Facilitation and structure was much better than the East Arapahoe joint meeting.
 - Looking forward to more, similar events.
 - Much of what was covered was not new for any of the TAB members. A format where we were work-shopping specific things might be beneficial.
- GAC information item – CIP:
 - Large and opportunistic.
- GAC information item -- Pennsylvania Ave.
 - Not sure that pedestrianizing that street is really in line with the Gregory Canyon Creek mitigation plan.
- TAB retreat planning (Date selection).
 - Tentative dates: Monday July 21st (good for all four present board members and staff). Backup dates: Wednesday July 9th or 16th (good for all four present board members and staff).
 - June 16th - Sustainable transportation speak-easy workshop with Will Toor and Clean Energy Action at 303 Vodka from 5:30 to 9 pm. Toor will present on Boulder meeting its transportation sector greenhouse gas targets through a combination of land use and transportation strategies.

B.) Matters from staff included:

[8:09 p.m.]

- **Uni-Hill Update:** Staff is in the very early stage of working with a developer to leverage ownership of the parking lot on 14th and looking at replacing it with an underground parking structure. 225 spaces about 100 of which are UGID. Also considering a Complete Street at 13th & Pennsylvania.
- **Regional Studies Update:**
 - Northwest Area Mobility Study going to the RTD board. Tomorrow or the 15th there will be a media briefing regarding the consensus statement (hard copy handed out to TAB). Focus is on US-36 BRT and the transit corridors. There are likely to be public hearings.
 - Legislation which passed the legislature and is now sitting on the Governor's desk. P3 legislation may get vetoed. Another is the ride share. Senate bill 14-197 (Transparency Bill).
 - RTD is having a telephone town hall 7 p.m. on May 19th (Chuck Sisk Hosting), 21st and 28th of May.

Agenda Item 10: Future Schedule Discussion:

[8:27 p.m.]

Agenda Item 11: Adjournment

[8:27 p.m.]

There being no further business to come before the board at this time, by motion regularly adopted, the meeting was adjourned at 8:27 p.m.

Motion: moved to adjourn; Bilich, seconded by: Selvans

Motion passes 4:0

Date, Time, and Location of Next Meeting:

The next meeting will be a regular meeting on Monday, 9 June 2014 in the Council Chambers, 2nd floor of the Municipal Building, at 6 p.m.; unless otherwise decided by staff and the Board.

APPROVED BY:



Board Chair

6/9/14
Date

ATTESTED:



Board Secretary

6/9/2014
Date

An audio recording of the full meeting for which these minutes are a summary is available on the Transportation Advisory Board web page.

Council Working Agreements

Council Process:

- The council will work on general discipline in being prepared to ask questions and make comments.
- The council asks the mayor to intervene if discussion on agenda items extends beyond a reasonable time frame.
- The council will engage in the practice of colloquy to fully explore the different sides of a specific point.
- The mayor will ask the city clerk to set the timer lights for council members if discussions begin to exceed efficient debate. Members should respect the lights as a time reminder, but will not be bound by them as absolute limits.
- Rather than restating a point, council members should simply say "I agree."
- The council agenda committee may, with advance notice, adjust each public speaker's time to two rather than three minutes during public hearings for items on which many speakers want to address the council.
- Council members will grant each other permission to mentor and support each other on how each person contributes to the goal of being accountable for demonstrating community leadership.
- In order to hear each other respectfully and honor the public, council will avoid body language that could convey disrespect, side conversations, talking to staff, whispering to neighboring council members, passing notes, and leaving the council chambers.
- Regarding not revisiting past discussions, the council should check-in with fellow members periodically to ensure that this is not an issue.
- During a council meeting, any form of electronic messages, including emails and texts, that relate to matters being considered and which arrived at any time during that meeting shall not be read by council members, nor shall any messages on matters under consideration be sent by council members.

Council Communication:

- Council members agree to keep quasi-judicial roles scrupulously separate between members of boards and members of council, avoid expressing ideas to board members on things coming before the board, and carefully disclose or recuse themselves when there is involvement with board members on a topic.
- Council agrees to e-mail the city manager about issues that they run into that staff or boards may be working on so that the manager can be actively involved in managing issues and keeping the full council informed well in advance of items coming before council for action.
- Members will keep the full council informed on issues from committees, public groups or other agencies that they are following, through hot line e-mails, brief verbal reports at the end of council meetings or other means.
- The council will find ways to support majority council decisions and adequately inform the public, through responsive letters that explain how divergent points of view were heard and honored in decisions, via standard e-mail responses for hot issues, by occasional council Letters to the Editor to clarify the facts, or by seeking out reporters after meetings to explain controversial decisions.

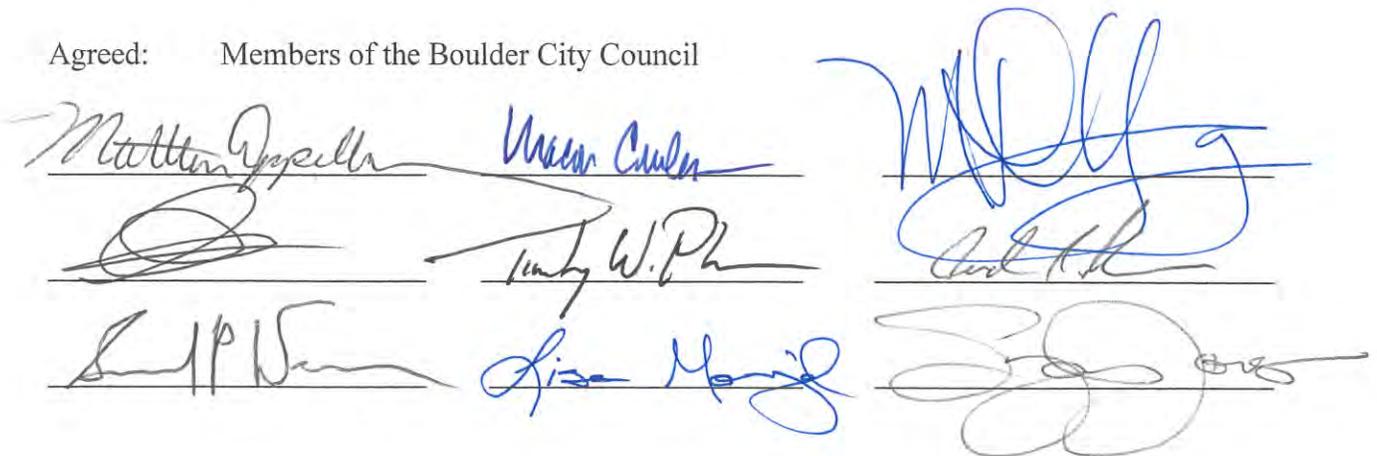
Council Committees:

- Council committee meetings will be scheduled to accommodate the council members on the committee.
- Notice of the times and places for each committee meeting will be noticed once per month in the Daily Camera.
- The council agenda will include time for reports from committees under Matters from Members of Council, noting that written communications from the committees are appropriate as well.

Selection of Mayor and Mayor Pro Tem:

- Council members will make a good faith effort to select the mayor and mayor pro tem in an open and transparent process.
- After the council election, members seeking election as mayor or mayor pro tem should:
 - make their interest in the positions known to their fellow members as soon as possible;
 - focus their communication with other council members on the positive attributes the member brings to the positions; and
 - refrain from any negative remarks about any person seeking election as mayor or mayor pro tem.
- Nominated individuals' presentations may include, but need not be limited to the following:
 - the skills and attributes the member would bring to the mayoral position;
 - the member's ability to efficiently run council meetings, respect the views of the minority while allowing the majority to rule, and perform other mayoral duties;
 - how the member would represent the city and city council and mayor position at gatherings outside of city council meetings
 - how the member would serve on and appoint other council members to regional and national boards and commissions; and
 - how the member would promote trust of the community and other council members.
- Council members should work to avoid divisiveness by being inclusive during the mayoral selection process.

Agreed: Members of the Boulder City Council



The image shows nine handwritten signatures in blue ink, arranged in three rows and three columns. Each signature is written over a horizontal line. The signatures are: Row 1: Matthew Appella, Warren Cauden, [unclear]; Row 2: [unclear], [unclear], [unclear]; Row 3: [unclear], Lisa Meryel, [unclear].

Approved by Council: January 21, 2014

2014

2015

Project	Council or Staff?	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Comprehensive Housing Strategy	Council	Briefing - with other related efforts, workplan	SS - objectives, recommended early action items	Briefing	Direction on policy options	Adopt strategy and action plan			
	Staff Activities	Housing choice analysis; needs assessment; best practices; trends data; workplan	Opportunity site inventory; potential tools with "bang for buck" analysis	Develop policy options and recommendations; stakeholder engagement					
North Boulder	Council	IP - update and preliminary policy choices	Briefing - options and feedback	Update and direction					
	Staff Activities	Public meeting with options	Preferred options and refined action plan	Action plan					
East Arapahoe/Sustainable Streets and Centers	Council		Briefing - issues, scope, and feedback	SS - preferred scenarios, draft plan, and action plan	Plan "Lite" - council action	Next Corridor - 30th St or Colorado			
	Staff Activities	Joint East Arapahoe workshop to "test" planning workshop	East Arapahoe scope of work, public workshop, scenario modeling, character definition	Scenario refinement and recommendations	Develop East Arapahoe action plan				
Resilience	Council		Briefing - scope agenda		SS - scoping session	SS	Direction or IP	Direction or IP	Direction or IP
	Staff Activities	Agenda setting workshop 4/28	Hire Asst. City Manager, begin strategy development	Scope strategy components	Scoping	Resilience work	Strategy analysis and development	Strategy analysis and development	Strategy analysis and development
Boulder Valley Comprehensive Plan	Council				SS - scoping session	SS	Direction or IP	Direction or IP	Direction or IP
	Staff Activities				Scoping analysis and partner outreach	Issues identification	Strategy analysis and development	Strategy analysis and development	Strategy analysis and development
Other	Council	Annexation Strategy - Direction (options and feedback)	Usable open space - Code Change	Economic Sustainability Strategy implementation - Code Change					
		Density/ROW Dedication Calculations - Code Change	Parking generation and reduction - Code Change						
		County Assessor valuations for landscape and lighting upgrades - Code Change	Renewable energy sources - Code Change						
	Staff Activities	Annexation Strategy - analyze costs and options	Planning Board for above code changes	Planning Board for above code changes					
Planning Board for above code changes									

HOUSING/LAND USE/PLANNING

		2014				2015				
Project	Council or Staff?	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
TRANSPORTATION	Transportation Master Plan	Council	IP (includes scope for AMPs)	SS (includes AMPS)	Acceptance - establish work program and coordination	Continue implementing pilots	Coordination with BVCP	Coordination with BVCP	Coordination with BVCP	Coordination with BVCP
		Staff Activities	Scenario and sensitivity analysis	Joint board workshop, TAB	Develop final update for board recommendation and council acceptance	Implement and coordination with BVCP and Resilience				
	Community EcoPass	Council	Feasibility Study - joint release with County	Rolls into TMP update						
		Staff Activities								
	Regional Transportation	Council	Briefing	Briefing		Briefing		Briefing		Briefing
		Staff Activities								
	Electric Vehicle Parking Ordinance/Energy Services	Council	Council agenda	SS			IP	IP	IP	IP
		Staff Activities								
	Access Management and Parking Strategies	Council	Scope	SS - Guiding principles, work program and process (includes TMP update)	Round 1 Code Changes - Auto and parking planning, zoning regs, EV charging stations	Update - Work plan and policy issues	Long Term Round 2 - Parking code changes and other policy issues	Council endorsement of ongoing work plan		
		Staff Activities	Finalize work program	Short term parking code regulation changes	Long term parking code changes	Long term parking code changes	Additional workplan items and public process tbd	Finalize document		
			TDM tool kit development for TMP integration	Long term parking code regulation changes	Additional workplan items tbd	Additional workplan items and public process tbd				
			Short term parking code ordinance changes	Public outreach and joint board meeting						
			Research/best practices	Additional workplan items tbd						
			Develop communications strategy							

ADD'L HOUS/PLAN/TRANS	Comp. Financial Strategy/Capital Bond	Council	Direction	SS	SS - finalize ballot?	Ballot?			
		Staff							
	Cap. Bond 1 Implement.	Staff		Construction			85% complete		100% Complete
	Flood Recovery	Staff		Repairs and FEMA Reimbursement	FHWA/FEMA work	FHWA/FEMA work	Building Better Boulder		Building Better Boulder
	Boulder Junction Phase 1 Implementation	Staff			South side of Pearl opens	Ongoing redevelopment coordination		Goose Creek Bridge opens	Depot Square opens
	Boulder Junction Phase 2 - City owned site	Staff		Coordination	Coordination		Coordination		
	Yards mobilized to move for Pollard option	Staff		Grading, prairie dogs, moving	Final prep			Yards moves continue	
	Safe Routes to School	Staff			Public process to prioritize projects		Application		
Implement Transpo.Tax	Staff		Expand maintenance, hire						

Project	Council or Staff?	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Homelessness/Human Services	Council Items	Shelter/ Funding: Update on position and relationship with Boulder Shelter; Shelter funding and issues update and other funders.	SS - Human Services Strategy Update and Homeless Action Plan (including funding priorities and partnerships)	IP - Homelessness Issues	SS - Human Services Strategy Update and Homeless Action Plan (including funding and service priorities)				
				Regional Planning update/services and housing					
				2014 Point in Time Report					
				SS - Services and Regional coordination update	IP - Services and Regional coordination	IP - Services and Regional	SS - Services and Regional coordination	SS - Services and Regional	IP - Services and Regional
	Staff Activities	Facilitate monthly Boulder Homeless Planning Group re:	HS Strategy Update and Homeless Action Plan Update	HS Strategy Update and Homeless Action Plan -					
		Convene regional meeting with Denver/Boulder/MDHI							
County Ten Year Plan meeting with focus on meeting housing		County Ten Year Plan meeting with focus on meeting housing							
Neighborhood/Park Events and Other Events	Council Items	GOCO grant application		GOCO grant acceptance					
					SS - Special Events with Street Closures and Block Party Permitting				
	Staff Activities	Review current PR permits and developm pilot program	Conduct pilot neighborhood event (link with Hill and GOCO school yard grant)	Conduct pilot neighborhood event	Review neighborhood park planning and event pilot success and plan schedule for 2015	Finalize nneighborhood event schedule for 2015	Conduct neighborhood events	Conduct neighborhood events	Review pilot program and propose permit changes required to make improvements
		Link with park planning outreach	Summer recreation programs - arts, music, health, wellness	Continue summer art series and volunteer events					
		GOCO school yard grant	Submit GOCO grant	GOCO grant award - start civic area community park					
			Review and analysis of existing special event permitting	Develop recommendations					
Arts	Council Items		SS - Library & Arts, including Community Cultural Plan			Adoption of Community Cultural Plan			
	Staff Activities		Work with new director						

LIVABILITY

2014

2015

Project	Council or Staff?	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Code Enforcement	Council Items	SS	SS (includes Social Issues Strategy information)						
	Staff Activities								
University Hill	Council Items	IP - 14th St Public/Private Partnership	Update - 14th St Public/Private Partnership	Update - 14th St Public/Private Partnership					
		Bears/Trash							
	Staff Activities		SS - Hill Reinvestment Strategy	Update - Hill Reinvestment Strategy					
		14th St - Hill Alt. Mode survey	14th St - Finalize analysis and develop recommendation to proceed with the Global Agreement						
		14th St - Finalize LOI							
		14th St - Financial Analysis							
		14th St - Additional access analysis							
		14th St - Board outreach							
		Pilot Parklet Competition	Parklet Implementation						
		Outreach to CU and stakeholders for support of Reinvestment Strategy	Fox Theatre mural by CU students	start pilot RSD program (to run through 2016)					
Recommendation for staffing Strategy implementation and prelim. analysis of future org structure options	Hire a fixed term Hill Coordinator								
Civic Area	Council Items					SS - Park Program and Improvements			
	Staff Activities	Civic Activity Team established	Coordinate music in park series		Review summer series success and revise for 2015	Prepare first phase of park improvements for 2015	Conduct adult fitness and health classes	Conduct visitor event at civic area around art installations	
		Hire Civic Area staff for P&R	Add seasonal park staff for outdoor education and orientation		Expand Ready to Work crew	Revise summer programs and plan for 2015	Install temporary adult fitness playground	Coordinate horticulture gardens with Farmers' Market event	
		Prepare GOCO grant for nature play and park planning	Conduct volunteer event around upgrades to Peace Garden and edible plant exhibit		Complete park planning outreach	Conduct art competition for summer installation	Install south side nature play area		
		Work with Park Foundation to develop plan for art and entertainment	Coordinate with CU for partnership with GUB and Civic Area park plan		Develop 1% for Arts demonstration project in partnership with foundations and non-profits		Expand seasonal staffing and horticulture/edible garden displays		

LIVABILITY

Project	Council or Staff?	2014				2015			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
LOCAL FOOD	Civic Area	Council Items	IP - update on implementation		SS - catalyst projects				
		Staff Activities							
	Ag Plan	Council Items	IP				Acceptance		
		Staff Activities							
	Other or not categorized	Council Items							
		Staff Activities	CU/BVSD partnership for neighborhood garden	Form cross-dept team	Develop work plan to achieve council vision				
Burk Park/Horizon School playground			Housing links with YSI programs and local gardening pilot						
	Staff Activities	Design guidelines for edible landscape in local parks							

CLIMATE AND ENERGY	Zero Waste Master Plan	Council Items	IP	SS - options and feedback		Acceptance and action plan		Implementation - commercial focus		
		Staff Activities	Stakeholder input on options and rulemaking on curbside compost		Public feedback on strategies	Draft plan and action plan for public review		Implementation - program enhancements and ordinance development		
	Municipalization	Council Items		SS - workplan	Briefing - energy services	Briefing - energy services	Update - energy services	Update - energy services	Update - energy services	Update - energy services
				SS - energy services						
		Staff Activities		Xcel/city task force; refine recommendations						
	Climate Commitment	Council Items		Briefing - framework, preliminary goals/targets, strategy development	SS - goals/targets, feedback on strategy scenarios, draft document	Approval				
		Staff Activities	Working groups meet	Scenario development; GHG inventory complete	Strategy formulation; city organization initiative launched		Launch action plan			
	Valmont Butte	Council Items			SS					
		Staff Activities								

		2014				2015			
Project	Council or Staff?	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
OPEN SPACE	Charter Issues	Council Items			Address disposition process and use of Realization Point for pro bike race				
		Staff Activities							
	Highway 93 Underpass	Council Items							
		Staff Activities			In process				
	Eldo to Walker Ranch	Council Items							
		Staff Activities	City/County review of contractor proposals for potential mountain bike connection	Routes - weather dependent					
	IBM Connector	Council Items							
		Staff Activities		City/County requirement complete and await railroad to replace bridge					
	Trailhead as part of transportation system	Council Items							
		Staff Activities			status update				
	Other or not categorized	Council Items							
		Staff Activities			additional signage				

Project	Council or Staff?	2014				2015					
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter		
OTHER	Emerald Ash Borer (EAB)	Council	IP Develop preliminary management plan	Implement pilot plan	Monitoring	Evaluate long term forest management plan and EAB strategy	Management plan and response	Response	EAB	EAB	
	Civic Use Pad	Council	SS - Public/private partnership	Approval of MOU with St. Julien Partners	Update on negotiations with St. Julien Partners						
	Human Services Strategy	Council		SS		SS		Public hearing			
	Various	Council	IGA with CDOT/County for US 36 bikeway maintenance	Pilot dog waste composting project - Valmont and OSMP possible site	Transportation code changes for AMPS	Smoking ban - public hearing					
			IGA for bikeway maintenance/ US 36 enhancements	CEAP call up for Baseline Underpass east of Broadway	Comprehensive Annual Financial Report						
			Old Pearl Street ROW vacation	DRCOG TIP Priorities for city applications	Appointment of independent auditor						
Transportation code changes - bike parking, TDM, etc.			Mobile food vehicles - ordinance change to expand podding in downtown	Update on investment policies - action							
NPP - zone expansions and removal				Modification of construction use tax filing - IP then action							
				Pearl Street Mall regulations - code changes							

COUNCIL MEMBERS

Matthew Appelbaum	Mayor
George Karakehian	Mayor Pro Tem
Macon Cowles	Council Member
Suzanne Jones	Council Member
Lisa Morzel	Council Member
Tim Plass	Council Member
Andrew Shoemaker	Council Member
Sam Weaver	Council Member
Mary Young	Council Member

COUNCIL EMPLOYEES

Thomas A. Carr	City Attorney
Jane S. Brautigam	City Manager
Linda P. Cooke	Municipal Judge

KEY STAFF

Bob Eichem	Chief Financial Officer
Alisa D. Lewis	City Clerk
Patrick von Keyserling	Communications Director
David Driskell	Executive Director of Community Planning and Sustainability and Acting Director of Housing
Molly Winter	Downtown, University Hill Management & Parking Services Director
Heather Bailey	Energy Strategy and Electric Utility Development Executive Director
Larry Donner	Fire Chief
Joyce Lira	Human Resources Director
Karen Rahn	Human Services Director
Don Ingle	Information Technology Director
Eileen Gomez	Labor Relations Director
David Farnan	Library and Arts Director
Lynne C. Reynolds	Municipal Court Administrator
Michael Patton	Open Space and Mountain Parks Director
Jeff Dillon	Acting Parks and Recreation Director
Greg Testa	Acting Police Chief
Maureen Rait	Public Works - Executive Director
Tracy Winfree	Transportation Director
Jeff Arthur	Utilities Director

2013 City Council Committee Assignments

INTERGOVERNMENTAL ORGANIZATIONS

Beyond the Fences Coalition	Morzel, Plass (Castillo – staff alternate)
Boulder County Consortium of Cities	Morzel, Young
Colorado Municipal League (CML) – Policy Committee	Jones, Appelbaum (Castillo – staff alternate)
Denver Regional Council of Governments (DRCOG)	Jones, Plass
Housing Authority (Boulder Housing Partners)	Shoemaker
Metro Mayors Caucus	Appelbaum
National League of Cities (NLC)	Appelbaum, Cowles
Resource Conservation Advisory Board	Morzel (at large seat), Plass
Rocky Flats Stewardship	Morzel, Plass (1 st alternate), Castillo (2 nd alternate)
University of Colorado (CU) / City Oversight	Cowles, Shoemaker, Weaver
US36 Mayors and Commission Coalition	Appelbaum
US36 Commuting Solutions	Karakehian, Morzel (alternate)
Urban Drainage and Flood Control District	Karakehian

LOCAL ORGANIZATIONS

Boulder Museum of Contemporary Art (BMoCA)	Young
Boulder Convention and Visitors Bureau	Plass, Cowles (alternate)
Dairy Center for the Arts	Jones
Downtown Business Improvement District Board	Shoemaker, Weaver, Young

INTERNAL CITY COMMITTEES

Audit Committee	Cowles, Morzel, Shoemaker
Boards and Commissions Committee	Plass, Shoemaker
Boulder Urban Renewal Authority (BURA) Mayoral Appointment	Karakehian
Charter Committee	Karakehian, Morzel, Weaver
Civic Use Pad/ 9 th and Canyon	Karakehian, Morzel, Young
Council Retreat Committee	Jones, Morzel
Evaluation Committee	Morzel, Plass
Legislative Committee	Jones, Karakehian, Weaver, Young
School Issues Committee	Morzel, Plass, Shoemaker

SISTER CITY REPRESENTATIVES

Jalapa, Nicaragua	Jones
Kisumu, Kenya	Morzel
Llasa, Tibet	Shoemaker
Dushanbe, Tajikistan	Weaver
Yamagata, Japan	Plass
Mante, Mexico	Young
Yateras, Cuba	Karakehian
Sister City Sub-Committee	Morzel, Cowles, Karakehian