BOULDER CITY COUNCIL MEETING
COUNCIL CHAMBERS, 1777 Broadway
Tuesday, October 7, 2014
5:30 p.m.

AGENDA

1. **CALL TO ORDER AND ROLL CALL**

   A. **Declaration in support of Crosswalk Safety Week**

   B. **Declaration in support of Cities and Towns Week, October 20-26**

   C. **Declaration Honoring Boulder History Museum Day, October 10**

   D. **Science Tuesday Presentation: Professor Ryan, National Science Foundation Study on Fracking**

   E. **Appreciation of Fire Chief Larry Donner**

2. **OPEN COMMENT and COUNCIL/STAFF RESPONSE** (limited to 45 min.) Public may address any city business for which a public hearing is not scheduled later in the meeting (this includes the consent agenda and first readings). After all public hearings have taken place; any remaining speakers will be allowed to address council. All speakers are limited to three minutes.

3. **CONSENT AGENDA** (to include first reading of ordinances) Vote to be taken on the motion at this time. (Roll-Call Vote Required)

   A. Consideration of a motion to **approve the** City Council Meeting **Minutes from August 19, 2014**

   B. Consideration of a motion to **approve the** City Council Meeting **Minutes from September 2, 2014**

   C. Consideration of a motion to **approve the** City Council Meeting **Minutes from September 9, 2014**

   D. Consideration of a motion to **approve the** City Council Meeting **Minutes from September 16, 2014**

   E. Consideration of a motion to **accept** the **study session summary on** the **2014 Update on Homeless Issues and Ten-Year Plan to Address Homelessness from August 26, 2014**

   F. Consideration of a motion to **accept** the **study session summary on** the **2015 Recommended Budget from September 9, 2014**

G. Consideration of a motion to **accept** the **study session summary on Planning Policies from September 16, 2014**

H. Consideration of a **motion to adopt Resolution No. 1142 in support of Boulder County's 2014 Ballot Measure 1A, a countywide flood recovery sales and use tax**

I. Consideration of a **motion to adopt Resolution No. 1143 in support of Boulder County's 2014 Ballot Measure 1B, extending Boulder County's 0.9 mill ad valorem property tax mill levy for fifteen years to and including December 31, 2013**

J. Consideration of a motion to **adopt Resolution No. 1144 in support of Boulder Valley School District's 2014 Ballot Measure Designated as 3A, "Improving All Buildings, Benefiting All Students**

K. Consideration of a **motion to adopt Resolution No. 1145 in support of Protection of Unaccompanied Children Immigrating into the United States**

L. Second reading and consideration of a **motion to adopt Ordinance No. 7995 approving supplemental appropriations to the 2014 Budget for the Open Space Acquisition Bond, Series 2014, in the aggregate principal amount of $10,123,341**, for the purpose of providing funds for the acquisition of open space real property or interests therein and the costs of issuance of the Series 2014 Bonds

M. Second reading and consideration of a **motion to adopt Ordinance No. 7996 amending** Title 1, **B.R.C. 1981, concerning "General Administration,"** Title 2, B.R.C. 1981, concerning **"Government Organization,"** Title 5, B.R.C. 1981, concerning **"General Offenses," and** Title 7, B.R.C. 1981, concerning **"Vehicles, Pedestrians and Parking"**

N. Second reading and consideration of a **motion to adopt Ordinance No. 8000 vacating and authorizing the City Manager to execute a deed of vacation** to vacate a public pedestrian and bicycle trail easement located **on Naropa University property at 2130 Arapahoe Avenue**

Applicant: Todd Kilburn
Property Owner: Naropa University

O. Consideration of a **motion authorizing** the City Manager to enter into **a settlement agreement in the litigation brought against the city by Dustin Kellogg and Meredith Frantz**

P. Consideration of a **motion to reappoint Dr. David Frederick to the city audit committee** as the external governmental accounting expert

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 three ordinances designating the buildings and properties at 905 Marine, 1622 9th St., and 1630 9th St., to be known as the Wolcott House, the George and Mabel Reynolds House, and the Finch-Paddock House, respectively**, **as individual landmarks** under the city's Historic Preservation Ordinance

Owner/Applicant: Christian Griffith

B. **Consideration of the following items relating to the 2015 Budget**:

1. **Public hearing** on the proposed 2015 City of Boulder Budget; and

2. Introduction, **first reading**, and consideration of a motion to order published by title only an **ordinance that adopts a budget for the City of Boulder**, Colorado, **for the fiscal year commencing on the first day of January 2015 and ending on the last day of December 2015**, and setting forth details in relation thereto; and

3. Introduction, **first reading** and consideration of a motion to order published by title only an **ordinance that establishes the 2014 City of Boulder property tax mill levies which are to be collected by the County of Boulder, State of Colorado, within the City of Boulder in 2015** for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado, and setting forth details in relation thereto; and

4. Introduction, **first reading** and consideration of a motion to order published by title only an **ordinance that appropriates money to defray expenses and liabilities of the City of Boulder, Colorado, for the 2015 fiscal year of the City of Boulder, commencing on the first day of January 2015**, and ending on the last day of December 2015, and setting forth details in relation thereto; and

5. Introduction, **first reading** and consideration of a motion to order published by title only an **ordinance, that amends Section 3-8-3 and Chapter 4-20 of the B.R.C. 1981 changing certain fees**, and setting forth details in relation thereto.

6. **MATTERS FROM THE CITY MANAGER**

A. **Consideration of the 2015 State and Federal Legislative Agenda**

7. **MATTERS FROM THE CITY ATTORNEY**

None

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

A. **Potential Call-Ups**

1. **Site and Use Review application**, No. LUR2014-00042, **for** the redevelopment of the **45.5-acre Western Disposal Services site at 2655 N. 63rd St. in the IM zone district to include one 28.34-acre lot with a proposed 55' tall, 109,873 s.f. waste transfer station and recycling collection and processing facility and 4 developable lots** ranging from 2.55 to 3.19 acres in size for future light industrial and technology development uses. Board vote: 6-1 (Gerstle opposed) Information Packet Date: October 7 Last Opportunity for Call-Up: October 7

B. **2015 Council Retreat and Recess Dates**

C. **Motion to appoint a member and delegate to the Community-wide Eco-Pass Working Group**

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
August 19, 2014

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

Mayor Appelbaum called the regular August 19, 2014 City Council meeting to order at 6:00 PM in Council Chambers.

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

A. **DECLARATION HONORING MERCEDES ALVAREZ, FOUNDER AND DIRECTOR OF FOUNDATION OF NICARAGUAN SOLAR WOMEN**

Council Member Jones presented Maria Mercedes Alvarez with the declaration honoring her achievements and acknowledging August 19, 2014 as Mercedes Maria Alvarez Day.

B. **BRIEFING ON RECOMMENDATIONS OF THE SOLAR WORKING GROUP**

Mayor Appelbaum recognized members of all three task forces associated with municipalization and introduced Executive Director of Energy Strategy and Electric Utility Development Heather Bailey.

Executive Director of Energy Strategy and Electric Utility Development Heather Bailey introduced John Street, a member of the Solar Working Group who presented the recommendations of the group to Council.

2. **OPEN COMMENT and COUNCIL/STAFF RESPONSE** – 6:34 PM

1. Taber Ward – Spoke as the owner of Mountain Flower and Urban Goat Dairy in favor of a conservation easement for Long's Gardens.

2. Bill Mattiace – Spoke as the former Mayor of Las Cruces, New Mexico, he gave his perspective on municipalization as an elected official in a community that had attempted to take over the local electric utility. He urged Council to change their course and save the city's money.

3. Vanessa Keeley – Spoke as the Executive Director of Growing Gardens in favor of a conservation easement for Long's Gardens.

4. Merrakech Maxwell – Spoke as a local high school student in support of a conservation easement for Long's Gardens.

5. Bob Crifasi – Spoke in support of a conservation easement for Long's Gardens.

6. Bill Obermeier – Spoke as the Executive Director of the Dairy Center supporting the upcoming ballot issue for a tax increase related to culture and safety.

7. Sally Powell-Ashby – Spoke in favor of a conservation easement for Long's Gardens.

8. Angelique Espinoza – Spoke on behalf of the Boulder Chamber in support of the broadband issue that would be on the November ballot.

9. Katrina Lems – Spoke as a participant in Cultiva in favor of a conservation easement for Long's Gardens.

10. Jay Messinger – Spoke on behalf of BMOCA in favor of the proposed ballot issue for culture and safety. He also presented Council with an invitation to their September 19 event.

11. Sydney Macy – Spoke as a Senior Director for the Colorado Conservation Fund in support of a conservation easement for Long's Gardens.

12. Sara Mayer – Spoke as part owner of a goat at Long's Gardens and in favor of a conservation easement.

13. Pedro Cruz – Spoke as a youth leader at Cultiva in favor of a conservation easement for Long's Gardens.

14. Isabel McDevitt – Spoke as the Executive Director of Bridge House concerned about services for the homeless in Boulder.

15. Rob Smoke – Spoke about his concerns for the homeless community in Boulder.

16. Catherine Long – Spoke as the owner of Long family in favor of a conservation easement for Long's Gardens.

17. Michelle Estrella – Requested that Council approve the naming of Bill Bower Park.

18. Nancy Geyer – Spoke as the Executive Director of the Boulder History Museum in favor of the culture and safety tax proposed on the 2014 ballot.

19. Catherine Schweiger – Spoke in favor of a conservation easement for Long's Gardens.

City Attorney Tom Carr responded that he had a meeting with the Long family scheduled for Friday afternoon regarding negotiations for the property. He noted that the intent was to start with where there was common ground before working on areas of disagreement. He stated that there was interest on both sides to preserve the property. He voiced concerns about finding the funds to pay for either a conservation easement or purchase of the property.

Council Member Jones commented that she supported negotiations with the Long family and she hoped an agreement could be reached.

Council Member Young agreed with Council Member Jones' comments.

Council Member Cowles recalled his history of support for the purchase or conservation easement at Long's Gardens. He stated that he believed the city had always negotiated in good faith with the Long family. He commented on the complications involved with conservation easements and the holder of the easement when property changed hands.

Council Member Morzel voiced her support for preserving Long's Gardens and expressed her faith in staff to negotiate with the Long family.

3. **CONSENT AGENDA** – 7:34 PM

A. **CONSIDERATION OF A MOTION TO APPROVE THE CITY COUNCIL MEETING MINUTES FROM JULY 29, 2014**

Council Member Weaver recused himself from this item as he was not in attendance at the meeting.

B. **CONSIDERATION OF A MOTION TO ACCEPT THE STUDY SESSION SUMMARIES ON THE AMPS UPDATE FROM JUNE 10 AND JULY 29, 2014**

Council Member Weaver recused himself from this item as he was not in attendance at the meeting.

C. **CONSIDERATION OF A MOTION TO ACCEPT THE STUDY SESSION SUMMARY FROM JULY 29, 2014 ON THE ZERO WASTE STRATEGIC PLAN**

Council Member Weaver recused himself from this item as he was not in attendance at the meeting.

Council Member Jones recused herself from this item because she was recused from this topic at the study session.

Council Member Morzel requested the study session summary be amended to reflect comments she had made on education outreach.

D. **CONSIDERATION OF A MOTION TO APPROVE RESOLUTION NO. 1138 DECLARING THE CITY OF BOULDER'S OFFICIAL INTENT TO REIMBURSE ITSELF WITH THE PROCEEDS OF A FUTURE BORROWING FOR CERTAIN CAPITAL EXPENDITURES AND OPEN SPACE LAND PURCHASES TO BE UNDERTAKEN BY THE CITY; IDENTIFYING SAID CAPITAL EXPENDITURES AND THE FUNDS TO BE USED FOR SUCH PAYMENT; AND PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH**

E. **CONSIDERATION OF A MOTION TO APPROVE RESOLUTION NO. 1139 CONCERNING THE PROPOSED CITY OF BOULDER OPEN SPACE ACQUISITION BONDS, SERIES 2014 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $10,000,000, AUTHORIZING THE NOTICE OF BOND SALE WITH RESPECT TO SAID 2014 BONDS; PRESCRIBING CERTAIN DETAILS CONCERNING SAID PROPOSED SALE AND SAID 2014 BONDS; APPROVING THE**

FORM OF A PRELIMINARY OFFICIAL STATEMENT; AND PROVIDING THE EFFECTIVE DATE OF THIS RESOLUTION

F. **CONSIDERATION OF A MOTION TO APPROVE RESOLUTION NO. 1140 DELEGATING THE CITY MANAGER TO SIGN DOCUMENTS TO AUTHORIZE THE CITY TO RECEIVE FEMA HAZARD MITIGATION GRANT MONEY**

G. **CONSIDERATION OF A MOTION TO APPROVE RESOLUTION NO. 1141 ASSIGNING THE CITY OF BOULDER'S 2014 PRIVATE ACTIVITY BOND ALLOCATION TO BOULDER HOUSING PARTNERS TO BE ISSUED TO ELEMENT PROPERTIES**

Council Member Young asked what the process and selection criteria were for awarding Boulder Housing Partners funds.

Community Investment Program Manager Kristin Hyser reviewed the process for identifying and selecting recipients for the funds.

Council Member Weaver asked questions related to the proposed recipient and the selected project providing affordable housing.

Ms. Hyser answered that there were 45 permanent affordable units that would be built by Element Properties.

Council Member Morzel asked if an RFP had been issued to identify other possible recipients.

Ms. Hyser responded by explaining the process for identifying applicants and the technical review panel that made the recommendation.

Council Member Morzel requested that affordable housing be mixed with market rate housing and that those living in affordable units not be forced to come and go through separate entrances and exits as she had seen in New York City.

H. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ADOPT EMERGENCY ORDINANCE NO. 7988 ADOPTING SUPPLEMENT NO. 120, WHICH CODIFIES PREVIOUSLY ADOPTED ORDINANCE NOS. 7968, 7969, 7970, 7971, AND 7974, AS AN AMENDMENT TO THE BOULDER REVISED CODE, 1981**

I. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE AMENDING THE 9TH AND CANYON URBAN RENEWAL PLAN IN ORDER TO FACILITATE A CIVIC USE**

Council Member Morzel pointed out a typo on page 173 of the packet.

J. **SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7987 APPROVING SUPPLEMENTAL APPROPRIATIONS TO THE 2014 BUDGET RELATED TO FLOOD INSURANCE PROCEEDS**

K. **CONTINUED SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7980 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**

Council Member Jones clarified for the public that the city was not planning to go into the broadband business, but wanted to have the flexibility to form partnerships with companies like Google if they were to be presented.

L. **THIRD READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7982 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 AMENDING CITY CHARTER SECTION 9 TO PROVIDE THAT THE CITY COUNCIL MAY MEET IN EXECUTIVE SESSION ONLY FOR THE PURPOSE OF DISCUSSING LEGAL ADVICE AND NEGOTIATION STRATEGY RELATING TO THE CREATION OF A MUNICIPAL ELECTRICAL UTILITY, WITH SUCH AUTHORITY ENDING ON DECEMBER 31, 2017; SETTING FORTH THE BALLOT TITLE; AND SPECIFYING THE FORM OF THE BALLOT AND OTHER RELATED DETAILS**

This item was pulled from the Consent Agenda at the request of Council Member Weaver for further discussion.

M. **THIRD READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7983 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 AUTHORIZING THE CITY COUNCIL TO INCREASE THE SALES AND USE TAX BY UP TO 0.3 CENTS ON EVERY DOLLAR, EFFECTIVE JANUARY 1, 2015 THROUGH DECEMBER 31, 2017, FOR THE PURPOSE OF FUNDING A VARIETY OF CAPITAL IMPROVEMENT PROJECTS; GIVING APPROVAL FOR THE COLLECTION, RETENTION AND EXPENDITURE OF THE FULL TAX PROCEEDS AND ANY RELATED EARNINGS, NOTWITHSTANDING ANY STATE REVENUE OR EXPENDITURE LIMITATION; AND SETTING FORTH THE EFFECTIVE DATE, BALLOT TITLE, AMENDMENTS TO SECTION 3-2-5, "RATE OF TAX," B.R.C., 1981 AND RELATED DETAILS**

Council consensus was to select Option 1 presented in the packet in Attachment B.

N. **CONSIDERATION OF A MOTION TO NAME THE PARK FORMERLY KNOWN AS MESA MEMORIAL PARK TO BILL BOWER PARK**

Council Member Plass moved, seconded by Council Member Jones, to approve Consent Agenda Items A-N, with Item L pulled for further discussion under Public Hearings, Item 3C amended to clarify Council discussion and selecting Option 1 on Item 3M. The motion carried 9:0. Vote taken at 7:59 PM.

4. **POTENTIAL CALL-UP CHECK IN** – 7:59 PM

No interest was expressed in calling-up item 8A-1.

ORDER OF BUSINESS

5. **PUBLIC HEARINGS** - 7:59 PM

A. **FIRST READING, CONSIDERATION OF A MOTION TO PUBLISH BY TITLE ONLY, AND ADOPTION AS AN EMERGENCY MEASURE ORDINANCE NO. 7990 TEMPORARILY SUSPENDING THE ACCEPTANCE OF BUILDING PERMIT AND SITE REVIEW APPLICATIONS THAT WILL RESULT IN ADDING RESIDENTIAL FLOOR AREA TO THOSE AREAS ZONED BMS THAT ARE LOCATED IN THE GENERAL AREA DESCRIBED AS THE UNIVERSITY HILL BUSINESS DISTRICT UNTIL MARCH 18, 2015 AND SETTING FORTH RELATED DETAILS**

Acting City Manager Maureen Rait introduced Planning Consultant Ruth McHeyser who presented on this item.

The public hearing was opened at 8:12 PM.

1. Bill Marine – Spoke in support of the proposed moratorium as a means to take a look at the future and preservation of The Hill.

2. Jyotsna Raj – Spoke as a resident of The Hill and UHCAMC Commissioner in favor of the moratorium to allow time to consider means of revitalization for the area.

3. Dan Powers – Spoke in favor of the proposed moratorium for University Hill.

There being no further speakers, the public hearing was closed at 8:18 PM.

Council Member Shoemaker moved, seconded by Council Member Weaver, to adopt Ordinance No. 7990 temporarily suspending the acceptance of building permit and site review applications that will result in adding residential floor area to those areas zoned BMS that are located in the general area described as the University Hill Business District until March 18, 2015 and setting forth related details.

Council Member Shoemaker assured those present that the intent was to address the issue in a timely manner and only take action related to the problem at hand. He pointed out that the intent was to address one specific problem and not the moratorium was tailored to it.

Council Member Weaver added that he wanted to make sure the University of Colorado was engaged in generating solutions.

Council Member Karakehian agreed with Council Member Weaver's comments and recalled discussions he had with community members regarding the moratorium.

Council Member Jones commented that addressing problems with development on The Hill was important and pausing to ensure the vision aligned with the municipal code was the right direction to take in resolving the problem.

The motion carried 9:0. Vote taken at 8:21 PM.

B. **THIRD READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7982 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 AMENDING CITY CHARTER SECTION 9 TO PROVIDE THAT THE CITY COUNCIL MAY MEET IN EXECUTIVE SESSION ONLY FOR THE PURPOSE OF DISCUSSING LEGAL ADVICE AND NEGOTIATION STRATEGY RELATING TO THE CREATION OF A MUNICIPAL ELECTRICAL UTILITY, WITH SUCH AUTHORITY ENDING ON DECEMBER 31, 2017; SETTING FORTH THE BALLOT TITLE; AND SPECIFYING THE FORM OF THE BALLOT AND OTHER RELATED DETAILS**

This item was pulled from the Consent Agenda for further discussion and a public hearing.

City Attorney Tom Carr gave introductory remarks to open the discussion.

Council Member Weaver explained that his reason for pulling this item stemmed from conversations with constituents and concerns related to having a third party verify the executive sessions were only about the topic noticed to the public. He noted that his concerns had been put at bay after hearing additional information and thoughts at the meeting.

There being no speakers present the public hearing was closed.

Council Member Weaver moved, seconded by Mayor Appelbaum, to adopt as an emergency measure, Ordinance No. 7982 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 amending City Charter Section 9 to provide that the city council may meet in executive session only for the purpose of discussing legal advice and negotiation strategy relating to the creation of a municipal electrical utility, with such authority ending on December 31, 2017; setting forth the ballot title; and specifying the form of the ballot and other related details and as amended on the blue errata sheet provided by the City Attorney's Office. The motion carried 9:0. Vote taken at 8:40 PM.

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

None

7. **MATTERS FROM THE CITY ATTORNEY** - 8:40 PM

None

8. **MATTERS FROM MAYOR AND MEMBERS OF COUNCIL** – 8:40 PM

A. **Potential Call-Ups**

1. **VACATION OF A UTILITY EASEMENT THAT IS APPROXIMATELY 8,363 SQUARE FEET, RUNS EAST-TO-WEST, AND THROUGH THE MIDDLE OF 2810 29TH STREET AND 2850 29TH STREET (ADR2014-00124)**

No interest was expressed in calling-up item 8A-1.

B. **BOARD AND COMMISSION APPOINTMENTS**

Boulder Urban Renewal Authority

Nominations were opened:

Mayor Appelbaum requested the support of Council to appoint Danica Powell to the Boulder Urban Renewal Authority.

Council consensus was to appoint Ms. Powell.

Danica Powell was appointed to the Boulder Urban Renewal Authority for a term ending March 31, 2017.

Human Relations Commission

Nominations were opened:

Mayor Appelbaum nominated Aaron Ting.

Council Member Plass nominated Nikhil Mankekar.

Council Member Weaver nominated Darren O'Connor.

Council Member Morzel nominated Mary Ann Wilner.

There being no further nominations, vote was taken, Council Members Cowles, Karakehian, Morzel, Plass and Young voted for Nikhil Mankekar. Council Members Jones and Weaver voted for Darren O'Connor and Mayor Appelbaum and Council Member Shoemaker voted for Aaron Ting.

Nikhil Mankekar was appointed to the Human Relations Commission for an unexpired term ending March 31, 2015.

Mayor Appelbaum moved, seconded by Council Member Weaver, to ratify the board and commission appointments.

C. **APPOINTMENT TO THE COLORADO MUNICIPAL LEAGUE POLICY COMMITTEE**

Mayor Appelbaum moved, seconded by Council Member Weaver to appoint Council Member Morzel to the Colorado Municipal League Policy Committee.

D. **REQUEST FOR PERMISSION TO ATTEND THE TRANSPORTATION ADVISORY BOARD RETREAT FROM COUNCIL MEMBER PLASS**

Council Member Plass moved, seconded by Council Member Plass, to approve Council Member Plass' request to attend the Transportation Advisory Board Retreat on August 25 and appointing Council Member Shoemaker as the alternate if he is unable to attend.

9. **PUBLIC COMMENT ON MATTERS** – 8:52 PM - None

10. **FINAL DECISIONS ON MATTERS** – 8:52 PM

Vote was taken on the motion to ratify the board and commission appointments. The motion carried 9:0. Vote taken at 8:53 PM.

Vote was taken on the motion to appoint Council Member Morzel to the Colorado Municipal League Policy Committee. The motion carried 9:0. Vote taken at 8:54 PM.

Vote was taken on the motion to approve Council Member Plass' request to attend the Transportation Advisory Board Retreat on August 25 and appointing Council Member Shoemaker as the alternate if he is unable to attend. The motion carried 9:0. Vote taken at 8:55 PM.

11. **DEBRIEF** – 8:55 PM

Council requested City Clerk staff send reminders to those serving on the Council Agenda Committee (CAC) two weeks prior to the beginning of their rotation.

Council Members Karakehian and Morzel volunteered to bring ideas to Council supporting efficient meeting management for future discussion.

12. **ADJOURNMENT** – 9:02 PM

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on August 19, 2014 at 9:02 PM.

Approved this ___ day of _____, 2014.

APPROVED BY:

_____
Matthew Appelbaum
Mayor

ATTEST:

_____
Alisa D. Lewis
City Clerk

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CITY OF BOULDER
CITY COUNCIL PROCEEDINGS
September 2, 2014

1. **CALL TO ORDER AND ROLL CALL**

Mayor Appelbaum called the September 2, 2014 City Council meeting to order at 6:00 PM in Council Chambers.

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

A. **DECLARATION IN SUPPORT OF LGBTQ PRIDE WEEK, SEPTEMBER 8-14**

Council Member Cowles read the declaration and presented it to Human Relations Commission Chair Amy Zuckerman.

B. **DECLARATION IN SUPPORT OF BOCO STRONG FLOOD COMMEMORATION WEEK**

Mayor Pro Tem Karakehian read the declaration and presented it to Communication Manager Mike Banuelos.

2. **OPEN COMMENT AND COUNCIL/STAFF RESPONSE** – 6:12 PM

1. Richard Shane – Spoke in favor of lifting the occupancy limits for senior citizens to allow co-op housing.

2. Robert Helgans – Spoke on behalf of his wife who had written to Council in opposition to the proposed changes to occupancy limits for seniors.

3. Ingrid Fotino – Spoke as a member of Saint Aiden's Episcopal Church concerned about the homeless community.

4. Ben Binder – Spoke about South Boulder Creek flood mitigation measures and in opposition to the staff recommendation.

5. Noah Molatch – Spoke as a Boulder resident in opposition to the proposed zoning changes for historic neighborhoods and specifically around impacts to available parking.

6. Wilson Fanestil – Spoke in opposition to the proposed occupancy limit changes for seniors. He was in favor of a more equitable solution that addressed the needs of all those seeking housing in Boulder rather than a smaller population.

7. Carolyn Bninski – Spoke about the need for affordable housing for seniors in the city of Boulder.

8. Cedar Barstow – Spoke in support of raising occupancy limits related to senior citizens living in Boulder.

9. Raymond Bridge – Spoke on behalf of PLAN Boulder County in support of affordable and market rate housing for low and moderate income households. He suggested Council table the issue related to raising occupancy limits related to senior citizens until Council could have a full discussion regarding occupancy limits in the entirety of Boulder.

10. Mary Ward – Spoke in opposition to the proposed changes to occupancy requirements for senior citizens.

11. Dorothy Cohen – Spoke about the rapid growth and development occurring in Boulder and she recommended slowing down. She commented that quality of life should be a consideration when developments were approved.

12. Mike Marsh – Spoke against development and growth that was impacting the quality of life for citizens in Boulder. He noted that studies had shown Boulder could sustain a population of up to 100,000 before quality of life would be impacted for all. He suggested putting the issue to a vote of the people so the citizens could be heard.

13. Mark Biggers – Spoke in support of the Boulder Housing Partner's strategic plan that placed importance on the issue of affordable housing in Boulder.

14. Ruth Blackmore – Spoke about the need to take a step back from development while Council made decisions on the wider vision for Boulder's future.

15. Cosima Krueger-Cunningham – Spoke about her concerns around conflicting visions for development in Boulder.

16. Lisa Harris – Spoke about her concerns regarding planning policies and density in Boulder.

17. Greg Wilkerson – Spoke about his concerns about the surface temperature of the earth and its impacts on plants and animals.

18. Carole Driver – Spoke against changes to occupancy limits related to senior citizens.

19. Margaret Porter – Spoke in favor of lifting occupancy limitations to allow senior citizens the chance to age in place in Boulder.

20. Zane Selvans – Spoke in favor of changing occupancy limits for citizens to allow them to live in housing cooperatives if they chose to do so.

21. John Driver – Spoke against the proposed changes to occupancy limits related to senior citizens. He was specifically concerned about young families that were living in low density areas that would be impacted by the proposed changes.

22. Elizabeth Allen – Spoke in support of raising occupancy limitations for senior citizens to allow them to live in housing cooperatives. She stated that her understanding was that the proposed changes would only allow a certain number of higher density single-family homes per city block.

23. Arthur Okner – Spoke as a senior living in a cooperative housing environment and the benefits provided by the living arrangement.

24. David Clair – Spoke about the Boulder Creek Restoration Project and the great work that had been done since the September, 2013 flood event.

25. Judy Langberg – Spoke as a community member opposed to the proposed development on Palo Parkway.

26. Dorsey Delavigne – Spoke as city resident opposed to the high density housing project on Palo Parkway.

27. Shayna Stillman – Spoke as a city resident opposed to the high density housing project on Palo Parkway.

28. Dolores Sargent – Spoke as a city resident opposed to the high density housing project on Palo Parkway.

29. David Holzman – Spoke about his concerns about safety for those recreating on Boulder Creek.

30. Lisa Spalding – Spoke in opposition to the proposed changes to occupancy limits in senior housing.

31. Stacey Goldfarb – Agreed with comments made related to density and development, she also spoke about the need for young people to be able to afford homes that would allow their family to grow.

32. Bill Marine – Spoke about the need to gather more data before lifting occupancy limits in Boulder.

33. Elaine Dannemiller – Spoke in opposition to the proposed changes to occupancy limits related to senior citizens.

34. Neshama Abraham – Spoke about the benefits of co-op housing for seniors and in favor of changing the occupancy limits for this age group.

35. Donna Shay – Spoke in support of alternative living situations for senior citizens in Boulder.

36. Judy Renfroe – Spoke in opposition to the proposed changes to occupancy limits and out of concern that the new rules would be abused.

37. David Williard – Spoke about the impact of developments that have been built in the ten years since he bought his home and the need for more parks and play areas for families and children. He was also opposed to the proposed development on Palo Parkway, he was specifically concerned about the density proposed.

38. Jyotsna Raj – Spoke in opposition to the proposed changes to occupancy limits related to senior citizens.

39. Samantha Weston – Spoke as a homeowner and landlord in Boulder, she expressed concern regarding enforcement of licensing for rental units.

40. Kim Badgett – Spoke about the importance of having affordable housing in the city of Boulder and considering the impacts to current residents when those units were created.

41. Eric Budd – Spoke in support of increased density for Boulder, specifically in the urban areas.

City Manager Jane Brautigam provided Council with an update on the Boulder Creek near Eben Fine Park and recommendations made by a consultant to make this portion of the creek safer for the community.

Council Member Morzel expressed hope that a neighborhood liaison would be funded in the 2015 budget to help with licensing issues with rental housing.

City Manager Jane Brautigam responded that a half FTE was being requested in the 2015 budget to assist with enforcement with rental licensing. She noted that the neighborhood liaison request was not in the proposed budget, but Council could direct staff to create and fill such a position.

3. **CONSENT AGENDA** – 7:42 PM

A. **CONSIDERATION OF A MOTION TO ACCEPT THE AUGUST 12, 2014 STUDY SESSION SUMMARY ON BOULDER HOUSING PARTNERS' DRAFT STRATEGIC PLAN**

B. **FIRST READING, CONSIDERATION OF A MOTION TO PUBLISH BY TITLE ONLY, AND ADOPT AS AN EMERGENCY MEASURE ORDINANCE NO. 7991 AUTHORIZING THE ISSUANCE BY THE CITY OF BOULDER, COLORADO, OF ITS OPEN SPACE ACQUISITION BONDS, SERIES 2014, IN THE AGGREGATE PRINCIPAL AMOUNT OF $10,000,000, FOR THE PURPOSE OF PROVIDING FUNDS FOR THE ACQUISITION OF OPEN SPACE REAL PROPERTY OR INTERESTS**

THEREIN AND THE COSTS OF ISSUANCE OF THE SERIES 2014 BONDS; PRESCRIBING THE FORM OF SAID SERIES 2014 BONDS; PROVIDING FOR THE SALE OF SAID SERIES 2014 BONDS; PROVIDING FOR THE PAYMENT AND REDEMPTION OF SAID SERIES 2014 BONDS FROM AND OUT OF THE REVENUE TO BE DERIVED BY THE CITY FROM THAT PORTION OF THE CITY'S SALES AND USE TAX AVAILABLE FOR SUCH PURPOSES BY ORDINANCES APPROVED BY VOTE OF THE QUALIFIED ELECTORS OF THE CITY; PROVIDING A PLEDGE OF THE FULL FAITH AND CREDIT OF THE CITY AS ADDITIONAL SECURITY FOR SAID SERIES 2014 BONDS; PROVIDING OTHER DETAILS AND APPROVING OTHER DOCUMENTS IN CONNECTION WITH SAID SERIES 2014 BONDS; AND DECLARING AN EMERGENCY AND PROVIDING THE EFFECTIVE DATE HEREOF

C. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY, THE FOLLOWING ORDINANCES:**

1. **AN ORDINANCE AMENDING SECTION 9-2-13, "CONCEPT PLAN REVIEW AND COMMENT," B.R.C. 1981, TO ADD A PROCESS FOR REVIEW OF CONCEPT PLANS BY CITY COUNCIL; AND**

2. **AN ORDINANCE AMENDING SECTION 9-8-5, "OCCUPANCY OF DWELLING UNITS," B.R.C. 1981, TO MODIFY OCCUPANCY LIMITATIONS FOR HOUSING FOR PERSONS 62 YEARS OF AGE OR OLDER**

Item 3C-2 was not approved, Council requested additional information before moving forward with changes to occupancy limits.

Council Member Plass moved, seconded by Council Member Karakehian, to approve Consent Agenda Items A thru C, with no action taken on Item 3C-2.

Council Member Morzel asked to revisit occupancy limits as a whole and the impacts of additional units and/or changing occupancy limits before moving forward.

Council Member Karakehian expressed concern about the issues raised by homeowners in neighborhoods that could be negatively impacted by changes to occupancy limits. He was specifically concerned about impacts to available parking and an increase in rental units due to any changes.

Council Member Young pointed out that she had posted a number of questions to Hotline and she was looking forward to getting answers. She agreed with concerns related to parking.

Mayor Appelbaum pointed asked if the occupancy ordinance would be brought back to Council as scheduled in two weeks.

City Manager Jane Brautigam indicated that staff would need more time before bringing back any further information.

Council Member Cowles recalled his opposition to changes in occupancy limits at the January Council Retreat due to giving special privileges to only one segment of society. He

preferred to see a package deal brought back to Council for consideration rather than the proposal that only addressed senior citizens.

Council Member Weaver suggested additional outreach at the neighborhood level to identify areas in the city where the proposal would be well received and welcomed. He was in favor of small pilot studies before making a change across the city.

Council Member Shoemaker expressed concern that the ordinance was not written in a way that made it usable by the community. He wanted to ensure that any pilot was meaningful and provided a model that worked for Boulder and might be more acceptable to other neighborhoods as well.

Council Member Jones thanked staff for their work and agreed with Council Member Morzel's comments and stated her support for a neighborhood liaison position in the 2015 budget.

Mayor Appelbaum commented that he was concerned that a small pilot would not address concerns about impacts to home values in Boulder.

Council Member Young noted that early wins were supported at the Council Retreat and she believed that was the impetuous in bringing forward the early wins related to housing.

Council Member Cowles agreed that Council had directed staff to do the work presented and he did not want the public to think that staff brought forward the recommendations without their support. He agreed with mayor Appelbaum's concerns with small pilot projects. He suggested groups mobilize and present their idea to the neighborhood groups, he thought that might help minimize concerns.

Council Member Morzel encouraged a more comprehensive approach to housing issues in Boulder.

Council asked if staff had a preference related to Item 3C-2.

Executive Director of Community Planning David Driskell responded that staff would prefer to not pass 3C-2 so they can have the broader community discussion before returning to Council.

The motion carried 9:0. Vote taken at 8:22 PM.

4. **POTENTIAL CALL-UP CHECK IN** – 8:22 PM

No interest was expressed in calling-up item 8A-1.

ORDER OF BUSINESS

5. **PUBLIC HEARINGS** - 8:22 PM

A. **CONSIDERATION OF A MOTION TO APPROVE THE COMPREHENSIVE HOUSING STRATEGY (CHS) GOALS AND PROVIDE DIRECTION ON THE NEXT PHASE OF PUBLIC ENGAGEMENT, SHORT TERM ACTIONS AND OPPORTUNITY SITES**

Executive Director of Community Planning David Driskell and Senior Planner Jay Sugnet presented on this item.

The public hearing was opened at 9:00 PM:

1. Zane Selvans – Spoke about the wide range of citizen groups that would have to be engaged in order for a full community discussion to occur and his concerns that it would slow the process and lengthen the timeframe for implementation of the Comprehensive Housing Strategy. He was concerned about neighborhood groups not fully representing renters and students in their neighborhoods if they were brought into the conversation.

2. Elizabeth Allen – Spoke against any exemptions for developers from providing low income and affordable housing. She was generally against fast development and expressed disapproval of the Boulder Junction project.

3. Mike Befeler – Spoke as a long time Boulder resident and recalled his experience watching Boulder residents dope with change and urged a conservative approach to housing in Boulder.

4. Ellen Taxman – Spoke in favor of co-op housing for seniors to allow them to age in place in a supportive atmosphere.

5. Raymond Bridge – Spoke on behalf of PLAN Boulder County concerned about what staff was considering “early wins” related to the Comprehensive Housing Strategy.

6. Lincoln Miller – Spoke about the housing cooperatives that were already in place in Boulder and how they served as a model for a successful pilot project.

7. Judy Renfroe – Spoke about the importance of diversity on the proposed working groups associated with the Comprehensive Housing Strategy.

8. Tom Volchausen – Spoke in support of the draft goals for the Comprehensive Housing Strategy proposed by staff.

9. Sarah Dawn Haymes – Spoke in support of increasing options for affordable housing in Boulder and asked that Council ensure that all housing populations are represented in the proposed working groups.

10. Josh Rosenfield – Spoke about the importance of affordable housing in Boulder in the larger vision for the city.

11. Tom Birkle – (Due to microphone problems, this speaker's comments were not recorded)

12. Sue Prant – Agreed with the comments made by Zane Selvans and in support of diversity on the working groups.

13. Antonio Bricca – Spoke as a University of Colorado student interested in more affordable housing in Boulder.

14. Will Toor – Spoke on behalf of Better Boulder in support of the proposed early wins and larger long-term plan included in the Comprehensive Housing Strategy.

15. John Tayer – Spoke as the President of the Boulder Chamber of Commerce in favor of moving forward with the short-term and long-term actions proposed by staff.

16. Francois Poinsette – Spoke as a resident from a neighborhood including medium and high density housing. She spoke in favor of increasing density within the city of Boulder. She was in favor of including students, renters and seniors in conversations regarding occupancy issues in addition to the typical Boulder homeowner.

17. Ed Byrne – Spoke about the need for affordable housing identifying that the high cost of homes was the cause of the large number of in-commuters to Boulder.

18. Nolan Rosall – Spoke about the Palo Parkway project and the length of time the city had owned the property leading up to this potential development. He also spoke about the success of Habitat for Humanity in building affordable housing.

19. Kim Badgett – Asked Council to address questions related to diminishing parking in Boulder and expressed concerns related to drunk drivers and the increasing number of serving establishments.

20. Susan Lythgoe – Spoke as the Executive Director of Flatiron's Habitat for Humanity in support of the proposed housing goals and in support of the Palo Parkway project.

21. Judy Langberg – Spoke about the importance of community involvement in the Comprehensive Housing Strategy process. She spoke in opposition to the Palo Parkway project.

22. Adrian Sopher – Spoke in support of the draft goals proposed by staff and his concerns about how long the community involvement process could take.

There being no further speakers, the public hearing was closed at 9:47 PM.

Council responded to the following questions:

- Have conditions changed since May 27?
- Does Council support the project goals?
- Does Council support moving forward with the public engagement process?

Council Member Weaver pointed out the difference in profit to the developer when smaller units were built rather than larger ones. He noted that maximizing built area when demand for large units was high brought in more money for developers in Boulder. He suggested staff look at code provisions that were complicating staff's work.

Mr. Driskell commented that the working groups and staff would be looking at issues with the current code.

Council Member Weaver stated that subject matter experts would be able to provide alternative solutions much easier than the average layperson.

Council Member Morzel asked Council to consider how units could be made market affordable rather than just affordable compared to other homes in Boulder. She pointed out that the market in Boulder was unusually high compared to other nearby communities and she wanted to explore ways to lower the prices.

Council Member Karakehian suggested the city might want to be involved in funding smaller unit development.

Mayor Appelbaum agreed with Council Morzel's concerns about market rate affordability, but he wasn't sure Council would be able to take steps to change the housing market. He commented that affordable homes in Boulder could likely appear higher scale than those in other communities due to the character of Boulder and the standards home buyers looked for.

Council Member Jones stated that the goals were positive and she heard agreement that the problem of affordability should be addressed no matter how difficult it was to answer. She wanted to ensure that a larger discussion regarding development should occur and that the community needed to be a part of it.

Council Member Cowles pointed out that one of the questions given in the presentation asked if conditions had changed since staff last met with Council and he believed they had in that housing prices had continued to rise. He reviewed the discussion at the January Council Retreat and the direction that was given to staff at that time. He agreed that working group members should be diverse in age, occupation, income and housing status.

Council Member Morzel cautioned Council against taking action that would complicate enforcement and encouraged staff to include CU in the discussion. She was in favor of having a housing plan rather than a housing strategy.

Mayor Appelbaum wondered if Council was directing staff to move forward with the proposed goals even though there were questions that had not been answered, specifically around affordability.

Council Member Shoemaker pointed out that there were many great neighborhoods in Boulder that were vibrant and working near downtown. He was concerned that by moving forward on the proposed goals might be preemptive and could upset homeowners in those communities. He suggested adding a goal of increasing enforcement and addressing the issues with the current state before making changes. He wondered what Boulder could do to win more of the workforce back.

Mayor Appelbaum stated that he was comfortable moving forward on the proposed goals without answering the questions that were outstanding.

Council Member Shoemaker stated that he did not agree with the third goal. He wanted to gain the confidence of the public by creating code that could be enforced and hire the right staff to carry out the enforcement.

Mayor Appelbaum responded that he thought that was addressed in the goals even though it was not stated directly.

Council Member Weaver commented that the goals were very broad and it was difficult to understand how they would be carried out and achieved. He commented that he agreed enforcement would make members of the community more open to trying something different if there were assurances in place. He asked where the location would be for off-site affordable housing and asked that information be included in the final strategy. He supported reaching out to neighborhoods and hiring a neighborhood liaison.

Council Member Plass stated that he supported the goals, but there were further discussions he would like to see take place. He was concerned about the third goal around providing diverse housing and hoped there was a better way to phrase the goal in a way that acknowledged the unique character of each neighborhood.

Council Member Young agreed with others comments and encouraged outreach to neighborhoods. She also supported rephrasing the third goal.

Mayor Appelbaum stated that he was in agreement with the third goal and stated that he would like to see a higher level of engagement from neighborhoods that tended not speak up on issues. He supported spreading affordable housing throughout the community like his colleagues, but he did not believe all affordable housing had to be on-site. He was more concerned about the greater goal then dictating how to reach the goal because he wasn’t sure building affordable units on-site was the right solution.

Council Member Cowles commented that staff and Council may decide down the road that certain areas were not appropriate for affordable housing or co-op housing in general and therefore he did not want to prevent opportunities or lock staff into a specific process. He wanted to pursue ways to maintain residential homes and keep them from being turned into investment properties.

Mayor Appelbaum moved, seconded by Council Member Cowles, to suspend the rules and continue the meeting. The motion carried 9:0. Vote taken at 10:50 PM.

Council Member Karakehian commented that enforcement was a priority and he hoped to talk about it more when the budget hearing occurred.

Council Member Morzel stated that she wanted the goals to be stated very clearly with predictable outcomes.

Mr. Driskell pointed out that the goals were meant to be broad to provide a vision and the specifics on how to reach each goal would be provided at a later date.

Council responded to the following questions:

- Does Council wish to continue with the next three short term actions?
    - 1-to-1 unit replacement for 100% permanently affordable
    - Targeted modifications to ADU/ODU
    - Targeted modifications to cooperative housing

Mr. Driskell asked if Council preferred to answer these questions or fold them into the larger planning policy discussion that would occur at a later date.

Council Member Plass commented that he would prefer moving forward on affordable housing, but the ADU/ODU's and cooperative housing would be best discussed in the planning policy meeting.

Council Member Young suggested starting with identification of current ADU/ODU's that were already working in Boulder. She supported lifting occupancy limits for seniors and wanted to move forward with the proposed ordinance.

Council Member Karakehian agreed with Council Member Plass's comments regarding folding the two actions the larger discussion.

Council Member Weaver also agreed with discussing the second two goals in the larger discussion and suggested bring forward an ordinance changing how open space was calculated making it a measure of square footage rather than by unit.

Council Member Morzel stated her support for the action items proposed.

Mayor Appelbaum asked if these items were short term and would be moved forward with minimal community involvement or if they were longer term goals.

Mr. Driskell indicated that staff had identified them as items that there was minimal controversy around, but if Council directed staff otherwise, they could be folded into the larger strategy, discussion and further outreach would be done.

Council Member Jones asked how soon staff would move if Council determined these were good short term goals and projects.

Mr. Driskell responded that staff would begin work in the near future.

Council Member Shoemaker agreed that the first item on affordable housing was prime to move forward, but ADU/ODU's and cooperative housing should be addressed in the larger discussion. He wondered if legalizing a current successful co-op that was embraced by the neighborhood it was located in as an experiment might help the community embrace the idea.

Council Member Jones expressed support for legalizing co-op housing.

Mayor Appelbaum stated that he heard consensus on affordable housing, but the other two required additional discussion. He stated concern regarding the amount of staff time it would take to move forward on ADU/ODU's and cooperative housing.

Council Member Morzel wondered if specific zoning districts had been proposed for lifting occupancy limits for seniors it might have been better received. She did not believe the impacts would be as great as people thought.

Council Member Weaver commented that he heard his colleagues concerns about the difficulty around ADU/ODU's and cooperative housing. He liked the idea of legalizing one or more co-ops currently in operation as a pilot.

Mr. Driskell indicated that a study session was scheduled for December and the working group would be able to present preliminary recommendations.

Council agreed to ask staff to explore alternative calculations for open space requirements and bring back an ordinance for consideration.

Council was asked to respond to the following question:

- Does Council support moving forward on the Palo Parkway opportunity site?

Council Member Cowles commented that he understood the importance of the Palo Parkway site and recalled the experience building Northfield Commons. He asked those residents to remember the opposition faced when that development was built and consider how few opportunities there were to build permanently affordable housing. He noted that it was Council's job to figure out what the community wanted and needed and then bring that vision to fruition. He applauded the public process that Boulder Housing Partner's embraced and the inclusion of impacted groups.

Council Member Plass agreed the project should move forward and encouraged Boulder Housing Partner's to work with concerned community members to address their issues with the development.

Council Member Young suggested adding a turnaround for emergency vehicles as part of the Palo Parkway project.

Council Member Morzel also supported the project and encouraged engagement with neighbors.

Council was asked to respond to the following question:

- Does Council support initial exploration of potential for CU housing on UHGID lot (14th and College), and micro-units on CAGID lot (Spruce and Broadway)?

Council Member Morzel expressed support for housing for staff and faculty proposed on the UHGID lot.

Council Member Weaver suggested starting discussions with the understanding that if the project became overly complicated to back off and reconsider.

Council Member Shoemaker noted that this project was different than what was addressed with the moratorium on building permits for University Hill and he supported projects that addressed the problem of in-commuting.

Council Member Young agreed the UHGID project was worth exploring.

Council Member Morzel expressed support for the CAGID project and suggested having a floor for seniors with a shared living space.

Council Member Jones liked the idea of micro-units and commented that she wasn't sure it was wise to add another project downtown to those that were already taking place.

Mayor Appelbaum liked the idea of removing the surface parking and building a more attractive development. He was wary of how well micro-units would be received in Boulder. He supported receiving more information on the project before moving forward.

Council Member Weaver commented that he would like to know if an underground parking lot was feasible because that could change whether or not the project could move forward.

Council Member Jones underscored her comments regarding the importance of affordable housing for Boulder.

Council Member Weaver moved, seconded by Council Member Plass, to approve the Comprehensive Housing Strategy (CHS) goals with Goal 3 amended.

Council Member Shoemaker offered a friendly amendment to look more closely at the loss of residential units to investors. Council Member Weaver accepted the friendly amendment.

Council Member Cowles offered an amendment to the motion, seconded by Council Member Morzel, to include modified targets for ADU/ODU's and co-op housing to be brought back for Council consideration in December. The motion carried 6:3, with Council Members Karakehian, Plass and Shoemaker opposed. Vote taken at 11:40 PM.

Vote was then taken on the original motion with the amendment included. The motion carried 9:0. Vote taken at 11:43 PM.

B. **CONSIDERATION OF A MOTION APPROVING POTENTIAL PROJECTS FOR SUBMITTAL TO THE DENVER REGIONAL COUNCIL OF GOVERNMENTS FOR THE 2016-2021 TRANSPORTATION IMPROVEMENT PROGRAM**

Senior Transportation Planner Noreen Walsh presented on this item.

Council Member Jones pointed out that she and Council Member Plass were the representatives to the Denver Regional Council of Governments. She recalled the hard discussions that had occurred around TIP projects and scoring.

Council Member Plass noted that there was a difference in philosophy between Boulder and DRCOG which led to some of the changes in TIP criteria.

The public hearing was opened at 12:10 AM, there being no speakers present the public hearing was immediately closed.

Council Member Plass moved, seconded by Council Member Karakehian, to approve potential projects for submittal to the Denver Regional Council of Governments for the 2016-2021 Transportation Improvement Program.

Mayor Appelbaum thanked his colleagues and staff for their work with DRCOG.

The motion carried 9:0. Vote taken at 12:12 AM.

6. **MATTERS FROM THE CITY MANAGER** - 12:12 AM

None

7. **MATTERS FROM THE CITY ATTORNEY** - 12:12 AM

None

8. **MATTERS FROM MAYOR AND MEMBERS OF COUNCIL** - 12:12 AM

A. **Potential Call-Ups**

1. **USE REVIEW APPROVAL NO. LUR2014-00044, FOR EXPANSION OF THE ESCOFFIER CULINARY SCHOOL WITHIN THE TABLE MESA SHOPPING CENTER AT 693 TABLE MESA DR.**

No interest was expressed in calling-up Item 8A-1.

B. **CONSIDERATION OF A MOTION REGARDING 2014 PERFORMANCE EVALUATIONS AND PERFORMANCE BASED SALARY ADJUSTMENTS FOR THE CITY MANAGER, CITY ATTORNEY AND MUNICIPAL JUDGE**

Council Members Morzel and Plass presented on this item.

Council determined that it would prefer to open a public hearing on this item during the discussion rather than wait until the end of public comment.

The public hearing was opened at 12:25 AM, there being no speakers present the public hearing was immediately closed.

City Attorney Carr expressed that he was disappointed with the recommended percentage difference between himself and the city manager. He indicated that it implied that he had not performed to the same level as the city manager.

After further discussion the following motion was made:

Council Member Plass moved, seconded by Council Member Karakehian, to award a 4 percent increase to all three Council employees.

Council Member Cowles offered an amendment to the motion, seconded by Council Member Jones, to award a 6 percent increase to the City Manager.

Mayor Appelbaum supported research on salaries for comparable positions in similar communities in Colorado.

Council Member Plass forewarned that the research would be difficult because of additional benefits and tenure for that position in comparable cities.

Mayor Appelbaum wondered if a matrix similar to what other employees were held to related to pay increases would be helpful.

Vote was taken on the amendment. The motion failed 4:5, with Council Members Cowles, Jones, Shoemaker and Young in favor. Vote taken at 12:25 AM.

Vote was taken on the original motion. The motion carried 9:0. Vote taken at 12:25 AM.

Council Member Karakehian commended the council employees for their work in 2013 and congratulated them on their raises.

Council Member Morzel also thanked staff for their assistance with the review process.

Council Member Cowles also congratulated council employees on their performance appraisals.

C. CONVERSATION OF WHETHER TO SCHEDULE A STUDY SESSION RELATED TO PLANNING POLICIES

Mayor Appelbaum commented that Council Member Karakehian had suggested holding the discussion on the night of the next Council Meeting.

Council Member Shoemaker wondered if time would be better spent figuring out how to structure the conversation and what would be on the table for discussion.

Council Member Weaver pointed out that he had sent comments into Hotline. He commented that he did not want to have staff lead the discussion and would prefer a council led discussion instead. His preference was to keep the conversation as open as possible.

Council Member Morzel expressed that she did not want to tack this item on to another study session and her preference was to hold the conversation as soon as possible.

Council Member Young agreed that the discussion should be a priority and should not take up a scheduled study session.

Council Member Karakehian commented that he would like the discussion to start with what council would like to put on the table and see where the conversation went from there.

Council Member Plass and Mayor Appelbaum expressed interest in having the conversation.

Council Member Cowles noted that he would like a list of projects and possibly a tour of the projects prior to the meeting.

Staff would provide a project list prior to the meeting and it would be a Council led discussion. The Council Agenda Committee would consider logistics, review the preliminary list of projects, and offer feedback.

9. **PUBLIC COMMENT ON MATTERS** – 12:45 AM - None

10. **FINAL DECISIONS ON MATTERS** – 12:45 AM - None

11. **DEBRIEF** - None

12. **ADJOURNMENT**

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on September 3, 2014 at 12:47 AM.

Approved this ___ day of _____, 2014.

APPROVED BY:

_____
Matthew Appelbaum, Mayor

ATTEST:

_____
Alisa D. Lewis, City Clerk

CITY COUNCIL PROCEEDINGS
Tuesday, September 9, 2014
6:00 p.m.

1. **CALL TO ORDER AND ROLL CALL**

Mayor Appelbaum called the special September 9, 2014 City Council meeting to order at 6:09 PM in Council Chambers.

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

2. **CONSIDERATION OF A MOTION TO APPROVE CHANGING THE START TIME OF THE SEPTEMBER 16, 2014 MEETING TO 7:00 PM IN ORDER TO HAVE A STUDY SESSION ON PLANNING POLICIES FROM 5 – 7 PM.**

Mayor Appelbaum moved, seconded by Council Member Jones to approve changing the start time of the September 16, 2014 meeting to 7:00 PM in order to have a Study Session on Planning Policies from 5 – 7 PM.

Mayor Appelbaum opened the discussion by explaining that the Council Agenda Committee (CAC) had recommended having the Planning Policies discussion moved from the agenda to a Study Session in order have a facilitated conversation. This would allow for all council members to participate in the discussion sense there was no staff memo or presentation and it seemed a better fit for a study session format.

Council Member Weaver expressed confusion that the council would have any problem with a conversation on the regular meeting agenda.

Council Member Cowles, current rotating member on CAC, indicated that council had yet to have a discussion to identify what specific concerns and proposed outcomes might be. This format would allow the discussion and opportunity to identify items with council consensus.

Council Member Jones noted that the facilitator would be the same person used for the retreat where council established the work plan and thought this would be valuable for a successful discussion.

Council Member Karakehian noted that CAC had agreed for that very same reason.

Council Member Young suggested that the Hotline from Council Member Weaver be used to guide the discussion.

Mayor Appelbaum shared that the CAC suggested that each Council Member send their specific areas of concern, projects which needed additional information and desired next steps in a one page document to Hotline by Friday. That way similar areas of concern would rise in priority and help in structuring the conversation.

Council Member Plass asked if CAC had a discussion about the impact of precluding the public from commenting on the topic if it were moved to a study session.

Mayor Appelbaum responded that CAC had not had that specific conversation but pointed out that by having the conversation prior to the meeting the general public would then have the opportunity to address the topic during the council meeting, after hearing council's initial conversation. In addition, if council chose they could take additional action under Matters Form Members of Council

Vote was taken on the motion to approve changing the start time of the September 16, 2014 meeting to 7:00 PM in order to have a Study Session on Planning Policies from 5 – 7 PM. The motion carried 8:0, with Council Member Morzel absent. Vote was taken on the motion at 6:26 PM.

3. **ADJOURNMENT**

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on September 9, 2014 at 6:30 PM.

Approved this ___ day of _____, 2014.

APPROVED BY:

_____
Matthew Appelbaum
Mayor

ATTEST:

_____
Alisa D. Lewis
City Clerk

CITY OF BOULDER
CITY COUNCIL PROCEEDINGS
Tuesday, September 16, 2014

1. **CALL TO ORDER AND ROLL CALL** – 7:08 PM

Mayor Appelbaum called the September 16, 2014 City Council meeting to order at 7:08 PM in Council Chambers.

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

Mayor Appelbaum moved, seconded by Council Member Shoemaker, to approve an amended agenda adding a presentation by BVSD regarding its ballot measure, pulling the second reading ordinance regarding Concept Reviews and adding a public hearing on Planning Policies and an item under Matters from Members of Council to approve the absence of Council Member Young from two business meetings in November. The motion carried 9:0 at 7:15 PM.

A. **DECLARATION IN SUPPORT OF IMMIGRANT HERITAGE WEEK**

Council Member Shoemaker presented Human Relations Commissioner Jose Beteta with the declaration supporting Immigrant Heritage Week October 5-11, 2014.

B. **DISCUSSION WITH BOULDER COUNTY COMMISSIONERS REGARDING BALLOT ITEMS**

Boulder County Commissioner Elise Jones, Community Leader Claire Levy and District Attorney Stan Garnett spoke to Council about the flood recovery measure and the safety net tax that Boulder County placed on the ballot for the November election.

C. **DISCUSSION WITH BVSD REGARDING BALLOT ITEMS**

Superintendent Bruce Messinger, Deputy Superintendent Dreirdre Pilch, and Board of Education President Lori Alright spoke about the tax measure to support the School District's November ballot measure which would provide funding for the District's master plan.

2. **OPEN COMMENT and COUNCIL/STAFF RESPONSE** – 7:58 PM

1. Christopher Shears – Gave Council an update on the Pearl West/Boulder Camera project and the promises made to the city related to the project.

2. Roger Auer – Spoke about his experiences in the education system growing up.

3. Lynn Segal – Spoke about the problem with bears getting into residential trash in Boulder and the need for enforcement of bear resistant containers in designated areas. She supported municipalization of trash service.

4. Rob Smoke – Spoke about the problem of public intoxication and the need to provide assistance to those struggling with alcoholism and other problems that may cause homelessness. He spoke about the need to increase services for the homeless community.

5. Ann Mescall – Spoke in support of shared housing options for senior citizens in Boulder and the need to make changes to the occupancy limits to allow for co-op housing.

6. Tommy Nigro – Spoke as the applicant for the site review amendment for Boulder Residence Inn at 2250 Canyon Blvd.

3. **CONSENT AGENDA** – 8:10 PM

A. **CONSIDERATION OF A MOTION TO APPROVE THE CITY COUNCIL MEETING MINUTES FROM JULY 22, 2014**

B. **CONSIDERATION OF A MOTION TO APPROVE THE CITY COUNCIL MEETING MINUTES FROM AUGUST 5, 2014**

C. **CONSIDERATION OF A MOTION TO ACCEPT THE STUDY SESSION SUMMARY FROM AUGUST 12, 2014 ON THE DRAFT 2015-2020 CAPITAL IMPROVEMENT PROGRAM**

D. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY, AN ORDINANCE AMENDING TITLE 1, B.R.C. 1981, CONCERNING "GENERAL ADMINISTRATION," TITLE 2, B.R.C. 1981, CONCERNING "GOVERNMENT ORGANIZATION," TITLE 5, B.R.C. 1981, CONCERNING "GENERAL OFFENSES," AND TITLE 7, B.R.C. 1981, "VEHICLES, PEDESTRIANS AND PARKING"**

E. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY, AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION FOR THE OPEN SPACE ACQUISITION BONDS, SERIES 2014, IN THE AGGREGATE PRINCIPAL AMOUNT OF $10,000,000, FOR THE PURPOSE OF PROVIDING FUNDS FOR THE ACQUISITION OF OPEN SPACE REAL PROPERTY OR INTERESTS THEREIN AND THE COSTS OF THE SERIES 2014 BONDS**

F. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY, THREE ORDINANCES DESIGNATING THE BUILDINGS AND PROPERTIES AT 905 MARINE, 1622 9TH ST., AND 1630 9TH ST., TO BE KNOWN AS THE WOLCOTT HOUSE, THE GEORGE AND MABEL REYNOLDS HOUSE, AND THE FINCH-PADDOCK HOUSE, RESPECTIVELY, AS INDIVIDUAL LANDMARKS UNDER THE CITY'S HISTORIC PRESERVATION ORDINANCE**

G. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY, AN ORDINANCE VACATING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED OF VACATION TO VACATE A PUBLIC PEDESTRIAN AND**

BICYCLE TRAIL EASEMENT LOCATED ON NAROPA UNIVERSITY PROPERTY AT 2130 ARAPAHOE AVENUE

APPLICANT: TODD KILBURN
PROPERTY OWNER: NAROPA UNIVERSITY

H. **CONSIDERATION OF A MOTION TO AUTHORIZE THE CITY MANAGER TO DISBURSE THE CITY'S REMAINING EDUCATION EXCISE TAX REVENUE**

Council Member Plass spoke about what a great experience it was being able to offer recommendations to the City Manager for the Education Excise Tax revenue.

Council Member Cowles moved, seconded by Council Member Karakehian, to approve Consent Agenda Items 3A thru 3H. The motion carried 9:0. Vote taken at 8:17 PM.

4. **POTENTIAL CALL-UP CHECK IN** – 8:17 PM

Senior Planner James Hewat answered questions regarding board action on item 8A-1.

Council Members expressed concerns regarding the contributing building that was demolished without proper approval at 437 Highland Ave. and asked what measures of enforcement could be taken.

Council expressed an interest in items 8A-1 and 8A-5.

ORDER OF BUSINESS

5. **PUBLIC HEARINGS** - 8:27 PM

A. **CONSIDERATION OF A MOTION TO APPROVE THE PURCHASE OF APPROXIMATELY 80 ACRES OF LAND, THE MINERAL ESTATE, NINE (9) SHARES OF LEFT HAND DITCH COMPANY WATER, 80 SHARES OF DRY CREEK-DAVIDSON DITCH COMPANY WATER, TWO HOUSES AND ASSOCIATED OUTBUILDINGS LOCATED AT 3285 AND 3287 95TH ST. FROM THE MARTINSON FAMILY FOR $3,000,000 FOR OPEN SPACE AND MOUNTAIN PARKS PURPOSES**

Director of Open Space and Mountain Parks Mike Patton and Property Agent John D'Amico presented on this item.

The public hearing was opened at 8:43 PM.

1. Raymond Bridge – Spoke on behalf of Friends of Boulder Open Space in favor of the purchase of the Martinson property.

There being no further speakers, the public hearing was closed at 8:44 PM.

Council Member Jones moved, seconded by Council Member Young, to approve the purchase of approximately 80 acres of land, the mineral estate, nine (9) shares of Left Hand

Ditch Company water, 80 shares of Dry Creek-Davidson Ditch Company water, two houses and associated outbuildings located at 3285 and 3287 95th St. from the Martinson family for $3,000,000 for Open Space and Mountain Parks purposes.

Council Member Jones commented that this purchase fit in very well with the city's values and priorities.

Council Member Young agreed and noted that it was a very complimentary property to add to Open Space and Mountain Parks.

The motion carried 9:0. Vote taken at 8:46 PM.

B. **FOLLOW-UP DISCUSSION AND POSSIBLE CONSIDERATION OF EMERGENCY ORDINANCE(S), OTHER ORDINANCE(S), AND/OR MOTIONS RELATED TO PLANNING POLICIES**

Executive Director of Community Planning David Driskell was present to answer questions from Council.

Mayor Appelbaum asked Council Members planning to put a motion on the floor to indicate their intentions prior to the public hearing.

Council Member Weaver stated that he would be putting a motion on the floor.

Council Member Cowles indicated that he would also be putting a motion on the floor.

The public hearing was opened at 8:58 PM.

1. Sally Schneider – Spoke about her concerns regarding the size and design of new development in Boulder. She asked for a slowdown in development and more consideration be given to large new buildings. She expressed concern about the Boulder Junction project and the transportation impacts that would come with its completion.

2. Gavin McMillan – Spoke in opposition to any moratorium placed on the development application process and urged Council to turn to updating the Boulder Valley Comprehensive Plan.

3. Clif Harald – Spoke as the Executive Director of the Boulder Economic Council urging Council to proceed with caution when considering changes to development strategy.

4. David Vollmar – Spoke as a citizen opposed to a moratorium related to development applications.

5. Dan Powers – Spoke as the Executive Director of Boulder Tomorrow in support of the current process for development applications and review.

6. Sue Prant – Spoke in support of the current process for development applications. She spoke in support of creating a pedestrian centered city that discouraged the use of vehicles.

7. Steve Pomerance – Expressed concerns related to Boulder Junction and misinformation he believed had been given at the meeting by Council. He supported changes to the development application process, but warned the project went well beyond that and would be a great undertaking.

8. Greg Wilkerson – Suggested that Council poll the public regarding the total population and the timeframe for growth they would like to see for Boulder.

9. Aaron Brockett – Spoke as a private citizen in support of making minor adjustments to the development review process and criteria.

10. Sean Maher – Spoke as the Executive Director of Downtown Boulder, Inc. giving statistics related to a local technology company related to use of alternative means of transportation in Boulder as it related to the location of the business over the years.

11. John Tayer – Spoke as the Executive Director of the Boulder Chamber offering support to Council for public outreach in the efforts to make changes to development processes. He also urged Council to consider carefully which items were meant for a larger comprehensive plan.

12. Alan Boles – Supported the points that Council Member Weaver had made and asked Council to preserve the vision for Boulder and engage the community in the vision process.

13. Ruth Blackmore – Thanked Council Member Weaver for his analysis and the comprehensive development strategy he had proposed. She also thanked other Council Members that had put their thoughts and input on Hotline for the public to see.

14. Angelique Espinoza – Spoke as the Public Affairs Director for the Boulder Chamber, urged Council to consider other metrics besides capping the number of jobs Boulder was able to support based on development analysis.

15. Leonard May – Spoke as a private citizen concerned about the many impacts of development on transportation, the environment and more. He suggested Council create an interconnected metric system to determine the level of impacts proposed developments might have.

16. Raymond Bridge – Spoke on behalf of PLAN Boulder County in support of a comprehensive development policy.

17. Will Tour – Spoke on behalf of Better Boulder opposed to a moratorium associated with development applications. He spoke about the need for aesthetically pleasing and well planned development.

18. Brendan Ash – Thanked Council for the opportunity to speak and spoke about the difficulties young families face when they wish to locate to Boulder. She provided Council with 900 signatures opposing a moratorium on development applications.

19. Phil Shull – Commented that he was encouraged by the study session discussion and pleased that the proposed moratorium on development applications was off the table.

20. Wade Wimmel – Spoke as a commercial broker in Boulder concerned about steps that could impact growth plans of local businesses. He commented that business owners had disclosed to him the problems they had attracting talent due to the lack of housing in Boulder.

21. Lynn Segal – Spoke about the need for a comprehensive jobs strategy for Boulder.

22. Stephen Sparn – Spoke in support of a moderate approach to making changes to the development application and review process. He was opposed to any kind of moratorium related to the development application process.

23. Ed Byrne – Spoke in support of the Boulder Valley Comprehensive Plan and in opposition to making changes to the development application and review process.

24. Dick Harris – Spoke about the need for clear communication between Council and staff when giving direction. He spoke in support of Council Member Weaver's proposal that was sent on Hotline.

25. Patrick Dillard – Spoke in support of changes to development strategies to correct problems with the comprehensive plan that were put in motion so long ago that the implications could not be known.

26. Adrian Sopher – Spoke in support of an update to the Boulder Valley Comprehensive Plan.

27. Kim Badgett – Stated her concern about seeing Council Members speaking with developers between the study session and regular meeting.

There being no further speakers, the public hearing was closed at 9:52 PM.

Mayor Appelbaum invited Council Members to make a motion if that was their intent.

<u>Council Member Weaver moved, seconded by Council Member Morzel to:</u>

a. <u>the City Manager be directed to create a Comprehensive Development Strategy which includes a robust public process using surveys, public meetings, consultation with neighborhood organizations, community organizations, and other stakeholder groups, and other appropriate means to test alternative growth outcomes and scenarios, and thereby determine the rate of future residential, commercial, and industrial development, and other factors, quantities, and qualities related to such development,</u>

to be identified during the process, that Council determines that the citizens of the City believe to be in the City's best interests over the next 20 years;

b. this comprehensive public process be initiated, designed, developed, managed, and reviewed on an on-going basis by a committee of Council members selected by the Council, Planning and other Board and Commission members and citizens as designated by the Council, and city staff members as designated by the city manager and city attorney, the Members of Council to be a majority of the committee, and the design be approved by the Council before the process is initiated;

c. the City Manager work with the Community Planning and Sustainability Department to make any legislative, process, or code adjustments that are determined to be needed in the process described in (a);

d. the legislative, process, or code adjustments referenced in (c) above include without limitation early and on-going consideration of and action on (i) representations of features to be included in a project site or use plan review be more binding than they are currently, (ii) a neighborhood liaison position be instituted, (iii) a Housing Advisory Board be created and seated, (iv) Planning Board responsibilities be expanded to include generation of legislative proposals, (v) density bonus policies be reviewed, (vi) significant community benefit be received by the citizens of the City for height and intensity variances, (vii) adequate public facilities impact fees to be receive by the City to offset development impacts, (viii) calculation of development metrics such as open space area be reviewed to insure they are not incentivizing larger units over smaller units; (ix) and all other such issues as the committee and Council deem appropriate;

e. the quantities and qualities described in (a) should include consideration during the process of (i) residential population and rate of change, (ii) employment base and rate of change, (iii) annual greenhouse gas emissions and rate of change, (iv) levels of service for all public services and rate of change, (v) neighborhood walkability and transit access indices and rates of change, (vi) delivered building quality and accessibility at human scale, (vii) and all other such issues as the committee and Council deem appropriate;

f. the outcomes of this process, reflecting the multi-faceted desires of the community regarding growth outcomes, be reflected in the upcoming five-year update of the Boulder Valley Comprehensive Plan, perhaps as a separate section;

g. the outcomes of this process include a tracking system for the quantitative measures, and for assessments of the qualitative measures, on an annual basis to be compared to the desired outcomes reflected in (f) for informational purposes of the City;

h. the outcomes of this process be used as the basis of an ordinance or ordinances concerning development in the City; and

i. the City Manager be directed to suspend activity on any long-term planning processes that the City Manager determines could be substantially negatively impacted by the Comprehensive Development Strategy effort, until the time such process is completed.

Council Member Weaver spoke about the need for metrics in relation to development applications and review of those applications. He advocated for a comprehensive plan and development strategy that would connect the dots between the impacts of development and the other master plans the city had. He saw the comprehensive development strategy as a component of the larger Boulder Valley Comprehensive Plan if it were commissioned. He noted that his goal was to connect the dots and take into account community desires.

Council Member Morzel thanked Council Member Weaver for sparking a community conversation that she felt was overdue. She spoke about how messy the beginnings of these conversations could be, but noted that it was how the process moved forward that mattered. She noted that her goal was to determine how to manage the minimal space the city had left for development to ensure the vision was met at build-out. She supported a comprehensive development strategy because it would address many of the community concerns around housing, jobs, the environment and more. She encouraged engagement with the community to ensure that all voices were heard and urged opposing sides to hear one another out. She spoke about the North Boulder Sub-Community and the success of the project in creating vibrant area. She agreed that having metrics in place to inform the development review process would be helpful.

Council Member Young referred to the vision created at the Council Retreat in January as the tool that informed the work plan for Council. She noted that council had directed staff to do work on development issues around housing, redevelopment and others. She then turned to the Boulder Valley Comprehensive Plan and noted that it was lacking a strategy for the built environment and stated she would support the motion as a means to fill the hole in the current comprehensive plan.

Council Member Shoemaker acknowledged the time and passion Council Member Weaver had put into his thoughts on development issues. He agreed that metrics were needed related to redevelopment, but did not believe the approach proposed would provide the results desired. He stated that he was in favor of a more conservative approach that was discussed in the study session. He was concerned the numbers would drive Boulder's plan and he did not think that was appropriate.

Council Member Jones agreed with Council Member Young's comments and noted that Council Member Weaver's motion captured the concerns that came out at Council's retreat. She did not understand why some council members seemed threatened by the proposal and urged further exploration of valuable metrics around development. She stated that in the end it was about knowing what Boulder wanted and knowing how to get there. She wondered if the proposal would be less threatening if it were linked to the Boulder Valley Comprehensive Plan. She commented that she would support the motion.

Council Member Shoemaker stated that he did not recall requesting a more comprehensive process than the Boulder Valley Comprehensive Plan update would provide when it was completed.

Council Member Jones clarified that she was interested in understanding what community members liked and did not like about current and recent developments and why.

Council Member Weaver pointed out that his proposal would put in place a Council driven process, which he could see as a positive or a negative depending on one's position on the issue.

Council Member Cowles disagreed with the idea that Planning over the last 10-15 years had not been a Council driven process. He believed that it had been a Council driven process, and then noted the study of the jobs population ratio in 2000-2001. Some people thought we should limit commercial development because there was no place to house all of the in-commuters. §1.21 was added to the BVCP in 2005, acknowledging that we would seek opportunities for additional housing at appropriate places in the community. This propelled the planning processes for the transit village, for increasing the capacity for housing along the 28th street frontage, for converting some industrial uses to residential uses, and for the Gunbarrel Town Center Plan. So for ten years we had dealt with this issue of housing, and had done extensive outreach to the public. We did not see eye to eye, no doubt, about these issues; and if we have another extensive planning process, we would not agree. If we do a Comprehensive Development Strategy, it would require planners to stop doing the other things they were working on. He commented that he would not support the motion because it did not reflect the discussion at the Council Retreat and there were more pressing projects for staff to work on.

Mayor Appelbaum agreed with Council Member Cowles comments and stated that he would not support the motion because it was far too directive and convoluted. He worried about relying solely on metrics as the proposal appeared to require. He did not believe council would agree on how to calculate and analyze the metrics if they were put in place. He noted that discussion of the comprehensive plan update would occur in October.

Council Member Plass agreed with Mayor Appelbaum's comments and thanked Council Member Weaver for his work. He also expressed concern about how directive the motion appeared to be. He noted that he was in favor of exploring metrics, but was also worried there would not be consensus around how to analyze and use the data. He supported including development strategy in the update to the Boulder Valley Comprehensive Plan.

<u>The motion failed 4:5 with Council Members Jones, Morzel, Weaver and Young in favor. Vote taken at 10:36 PM.</u>

<u>Council Member Cowles moved, seconded by Council Member Plass, that staff review, provide information and make recommendations to council on the following:</u>

a. <u>Which policies/tools identified by council, as presented at the September 16, 2014 Study Session, could be reviewed/revised discretely and efficiently?</u>

b. Do by right projects result in better design than projects that go through discretionary review? Comparisons and examples would be helpful.

c. Process changes that would lead to improvement of the public realm and the design of better buildings.

d. Process changes that would lead to increased predictability in the review process;

e. Are there changes to Site Review Criteria that would make discretionary review more effective and lead to better buildings, taking into account the roles of both BDAB and Planning Board?

f. What has been the role of "community benefit" in obtaining entitlements and does the term need to be defined in the Code?

g. Comment on the feasibility of creating a 3-D model that would demonstrate the current zoning capacity of the City?

Council Member Cowles reviewed the process that he and Council Member Plass went through in crafting the motion.

Mayor Appelbaum moved, seconded by Council Member Weaver, to suspend the rules and continue the meeting. The motion carried 8:1, with Council Member Karakehian opposed. Vote taken at 10:59 PM.

Vote was taken on the motion on the floor. The motion carried 9:0. Vote taken at 11:01PM.

6. **MATTERS FROM THE CITY MANAGER** - 11:02 PM

None

7. **MATTERS FROM THE CITY ATTORNEY** - 11:02 PM

None

8. **MATTERS FROM MAYOR AND MEMBERS OF COUNCIL** - 11:02 PM

A. **POTENTIAL CALL-UPS**

1. LANDMARK ALTERATION CERTIFICATE TO DEMOLISH A CONTRIBUTING ACCESSORY BUILDING, CONSTRUCT A 6' X 26' REAR DECK, FLAGSTONE PATIO, AND BASKETBALL COURT, RETAINING WALLS AND FIRE PIT WITH CONCRETE BASE AT 437 HIGHLAND AVE.

Senior Planner James Hewat was available to answer questions and City Attorney Tom Carr provided information on the Landmark's Board action and the staff recommendation. Mr. Carr also explained the enforcement provisions and the procedure for holding a hearing if

Council voted to call-up this item or item 8A-5.

Council Member Plass expressed concern that the message being sent to owners in historic districts if no enforcement was pursued related to the demolition of a contributing building without the proper Landmark Alteration Certificate.

Council Member Plass moved, seconded by Council Member Morzel, to call-up item 8A-1.

2. **LANDMARK ALTERATION CERTIFICATE TO REMODEL AND CHANGE THE ROOF FORM TO ONE SIDE OF THE CONTRIBUTING ACCESSORY BUILDING AT 2515 7TH ST.**

No interest was expressed in calling-up item 8A-2.

3. **SITE REVIEW AMENDMENT APPLICATION NO. LUR2013-00059 AND FINAL PLAT APPLICATION NO. TEC2013-00073 FOR THE BOULDER MUNICIPAL AIRPORT TO SUBDIVIDE THE EXISTING 123.5 ACRE LOT INTO TWO NEW LOTS: LOT 1C (2.6 ACRES) AND LOT 2C (120.8 ACRES). THE SITE IS LOCATED AT 3300 AIRPORT RD. AND IS WITHIN THE P AND IG ZONING DISTRICTS.**

No interest was expressed in calling-up item 8A-3.

4. **SITE AND USE REVIEW APPLICATION NO. LUR2014-00036 TO AMEND THE EXISTING IRIS HOLLOW PUD TO ALLOW FOR A NEW TWO-STORY, 3,131 SQ. FT. PROFESSIONAL OFFICE BUILDING AT 2619 IRIS HOLLOW PL. THE PROPOSED OFFICE BUILDING WOULD BE AN EXPANSION OF THE EXISTING 'BLUE SKY BRIDGE' NON-PROFIT FACILITY LOCATED ON THE ADJACENT SITE TO THE WEST AT 2617 IRIS HOLLOW PL. THE PROPOSAL INCLUDES A REQUEST FOR A 20% PARKING REDUCTION TO ALLOW FOR 8 OFF-STREET PARKING SPACES WHERE 10 PARKING SPACES WERE REQUIRED.**

No interest was expressed in calling-up item 8A-4.

5. **BOULDER RESIDENCE INN AT VILLAGE SHOPPING CENTER (2250 CANYON BLVD): SITE REVIEW AMENDMENT FOR A NEW MOTEL AT THE SOUTHWEST CORNER OF CANYON BOULEVARD AND 26TH STREET IN THE VILLAGE SHOPPING CENTER WITH FOUR STORIES ABOVE GRADE. BELOW GRADE BASEMENT PARKING IS APPROVED TO BE UNDER THE NORTH WING OF THE HOTEL ALONG CANYON BLVD. PODIUM PARKING IS APPROVED ON THE FIRST FLOOR OF THE SOUTH WING ALONG WITH SURFACE PARKING ALONG THE INTERIOR WEST PROPERTY LINE. AMENDMENT TO PREVIOUS APPROVALS: P-77-5, P-81-3 AND P-91-30. BOARD ACTION: VOTE WAS 5-2 TO APPROVE (GERSTLE AND GRAY OPPOSED).**

Council Member Karakehian commented that he was interested in calling this item up because of how the decision came about and the fact that he did not know the owner or developer. He pointed out that there did not appear to be a lot of discussion at the first Planning Board meeting and it was unclear to him why it was approved at the next meeting if the top floor was eliminated from the plans. He was confused about why the height issue was involved when there were other buildings nearby with the same height requested by the

applicant.

Executive Director of Community Planning David Driskell answered questions and provided information on Planning Board discussions and action taken.

Council Member Cowles commented that he had been following this project as it went through Planning Board and he was also confused about why the height of the project was a problem.

Council Member Karakehian moved, seconded by Council Member Cowles, to call-up item 8A-5.

B. **DISCUSSION OF 2015 COUNCIL RETREAT DATES AND COUNCIL RECESS DATES**

City Clerk Alisa Lewis requested Council approve January 23 and 24 as the dates for the 2015 Council Retreat and make a decision on the 2015 Council Recess dates.

Council Member Morzel explained the complications around the schedule for Council Employee evaluations and the scheduling of the recess.

City Attorney Tom Carr agreed with Council Member Morzel's concerns and added that next year was a council election and that tended to create additional work for staff and council alike.

Mayor Appelbaum noted that in 2014 there was an issue with Council Members being out of town that caused the retreat to be extended from 3 weeks to 4 weeks.

Council requested this come back at the October 7, 2014 meeting to allow council members the opportunity to consult their calendars.

C. **REQUEST FOR COUNCIL SUPPORT FOR MAYOR TO RUN FOR THE NATIONAL LEAGUE OF CITIES BOARD OF DIRECTORS**

Council Member Karakehian moved, seconded by Council Member Plass, support for Mayor Appelbaum to run for the National League of Cities Board of Directors.

D. **MOTION TO APPROVE 2 BUSINESS MEETING ABSENCES IN NOVEMBER FOR COUNCIL MEMBER YOUNG**

Mayor Appelbaum moved, seconded by Council Member Shoemaker, to approve 2 business meeting absences in November for Council Member Young.

9. **PUBLIC COMMENT ON MATTERS** – 11:32 PM

1. Alex May – Spoke to the Landmark's Board hearing on 437 Highland Avenue and noted that had the applicant requested reconstruction of the building, the approval of the Landmark Alteration Certificate may have been more difficult to achieve. He also

suggested that the reconstruction of the demolished contributing building would then not be considered a contributing structure as part of the landmarked home.

2. Tom Nigro – Spoke on behalf of Stonebridge Developers, the applicant for the Residence inn at the Village Shopping Center. He recalled his experience at Planning Board and commented that he was confused about the issue around height as well.

10. **FINAL DECISIONS ON MATTERS** – 11:39 PM

Vote was taken on the motion to call-up item 8A-1. The motion carried 9:0. Vote taken at 11:39 PM.

Council Member Karakehian commented that he was willing to withdraw his motion regarding the call up of the Residence Inn at the Village Shopping Center after having his questions answered regarding the height issue that caused Planning Board to have a split vote.

Council Member Shoemaker expressed disappointment that the motion might be withdrawn, he was concerned that by removing the top floor of the hotel the city was reducing the potential revenue for the business itself.

Council Member Karakehian chose not to withdraw his motion.

Council Member Jones commented that the context of the decision might be difficult to ascertain from the Planning Board minutes. She was specifically concerned with others stating that they thought the decision had been made arbitrarily.

Council Member Weaver stated that he did not get the impression that the decision was made lightly and he thought Planning Board was looking for a way to help the project move forward. He noted that he would not support the motion.

Mayor Appelbaum agreed with Council Member Weaver's comments and stated that he would not be supporting the motion. He did not believe a substantial positive change to the plans would occur if Council spent an entire meeting discussing the project.

Council Member Young stated that approval of another 55 foot tall building should not be based on the fact that others nearby had been approved.

Council Member Shoemaker clarified that he supported the call-up so that Council could receive more information on why the changes to the development plans were requested and changed between meetings with the Planning Board.

Vote was taken on the motion to call-up item 8A-5. The motion failed 3:6, with Council Members Cowles, Karakehian and Shoemaker in favor. Vote taken at 11:52 PM.

Vote was taken on the motion to support Mayor Appelbaum to run for the National League of Cities Board of Directors. The motion carried 9:0. Vote taken at 11:53 PM.

Vote was taken on the motion to approve 2 business meeting absences in November for Council Member Young. The motion carried 9:0. Vote taken at 11:53 PM.

11. **DEBRIEF** – 11:53 PM

Council Member Morzel thanked everyone for their comments on planning issues.

12. **ADJOURNMENT**

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on September 16, 2014 at 11:59 PM.

Approved this ___ day of _____, 2014.

APPROVED BY:

_____
Matthew Appelbaum, Mayor

ATTEST:

_____
Alisa D. Lewis, City Clerk

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: Oct. 7, 2014

AGENDA TITLE: Consideration of a motion to accept the summary of the Aug. 26, 2014 Update on Homeless Issues and Ten-Year Plan to Address Homelessness Study Session.

PRESENTERS
Jane S. Brautigam, City Manager
Karen Rahn, Director, Human Services
Greg Testa, Chief of Police
Wendy Schwartz, Human Services Planning Manager

EXECUTIVE SUMMARY

This agenda item presents a summary of the Aug. 26, 2014 Update on Homeless Issues and Ten-Year Plan to Address Homelessness Study Session.

The purpose of the study session was to provide an update on national and local homelessness initiatives, the countywide Ten-Year Plan to Address Homelessness (TYP), potential strategies for the City of Boulder to consider and current efforts in the downtown area.

STAFF RECOMMENDATION

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

Motion to accept the summary of the Aug. 26, 2014 Update on Homeless Issues and Ten-Year Plan to Address Homelessness Study Session.

NEXT STEPS

1. Staff will incorporate feedback from council into Homeless Action Plan Goals and Strategies and schedule an update on progress to council in the first quarter, 2014.
2. Human Services Strategy Update Study Session, First Quarter, 2015.

ATTACHMENTS

Attachment A: Aug. 26, 2014 Update on Homeless Issues and Ten-Year Plan to Address Homelessness Study Session Summary

City Council Study Session Summary
Aug. 26, 2014
Update on Homeless Issues and Ten-Year Plan to Address Homelessness

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

Staff Presenters: City Manager Jane Brautigam, Police Chief Greg Testa, Human Services Director Karen Rahn, Human Services Planning Manager Wendy Schwartz

Guest Presenters: Gary Sanford, Executive Director, Metro Denver Homeless Initiative (MDHI), Robin Bohannan, Director, Boulder County Community Services, Dr. Mary Wickersham, Principal, Social Solutions/Director of CEPA (Center for Education Policy Analysis, University of Colorado).

PURPOSE
The purpose of the study session was to provide an update on national and local homelessness initiatives, accomplishments to date of the countywide Ten-Year Plan to Address Homelessness, potential strategies for the City of Boulder to consider and current efforts in the downtown area.

OVERVIEW OF PRESENTATION
Karen Rahn opened the meeting and provided an overview of:

- Federal priorities in addressing homelessness;
- Key themes from the 100,000 Homes Campaign and successful efforts to reduce homelessness in other communities across the country; and
- Regional homelessness efforts the city and its partners are participating in.

Gary Sanford provided an overview of MDHI, its role in federal funding processes, and leadership in regional initiatives. In response to council member questions, Mr. Sanford provided the following information:

- The Vulnerability Index and similar tools are helpful for prioritizing clients for resources such as housing, but are not typically used for emergency shelter;
- One opportunity to drive regional collaboration is through funding incentives and requirements – system improvements as a condition of funding and offering resources to support changes;
- The Homeless Management Information System (HMIS) database is one regional effort that Boulder service providers could participate in to be helpful to Boulder homelessness efforts and the region as a whole;
- Communities throughout the Metro Denver region have been experiencing a significant amount of “travelers” passing through; and

- Metro region could consider a simple summer survey to develop a better understanding of where travelers are from, how long they stay and why they came to the region.

Robin Bohannan presented information on accomplishments of the Boulder County Ten-Year Plan to Address Homelessness. In response to questions from council, Ms. Bohannan provided the following information:

- Homelessness is not just a human services sector problem; multiple sectors will be required to reach goals of the Boulder County Ten-Year Plan to Address Homelessness;
- Homelessness won't be solved with more services. Housing is needed to most effectively impact positive, long-term outcomes;
- There are many homeless children and families across the county. This population is sometimes "hidden";
- Significant county funding, including Temporary Safety Net tax funding, has been devoted in recent years to prevention and rapid re-housing for families;
- Improved homeless data is important, though providers face challenges with multiple databases required by multiple funders; county working on data warehouse as possible solution to multiple databases; and
- Difficult to say how much emergency shelter is needed in the county; that assessment hasn't been done.

City Manager Jane Brautigam and Police Chief Greg Testa presented information on efforts downtown and citywide to address behavior issues and crime:

- The new Early Diversion Get Engaged (EDGE) Program partnership with Mental Health Partners is very helpful in managing situations where individuals involved with law enforcement could benefit from mental health intervention;
- The majority of municipal court violations in recent years are attributed to 53 people (out of 1967 total defendants) that had between 31 and 138 violations each; and
- Ongoing partnership between law enforcement, municipal court and human services is needed to find more ways to get most vulnerable individuals into services.

Linda Cooke, Presiding Judge, Municipal Court, explained that Municipal Court and the Police Department share information about frequent offenders to facilitate access to needed services and housing.

Karen Rahn presented available data related to concerns about an "influx of homeless" into Boulder. Although some people may come to Boulder for homeless services, the available information does not suggest a significant number are coming to the city for that reason.

In response to a question from council, Greg Harms, Executive Director of Boulder Shelter for the Homeless (BSH), clarified that approximately 50 percent of BSH emergency shelter clients stay less than seven days per winter shelter season. Summer clients in BSH's transition program typically stay 3-5 months as part of the program.

Dr. Mary Wickersham, presented information about how Pay for Success/Social Impact Bonds are being implemented across the country, including a project being developed in Denver to address homeless individuals that are the highest utilizers of emergency services, by re-allocating savings from one system of services to fund gaps in other systems.

Karen Rahn reviewed the Homeless Action Plan strategies and potential initiatives Council provided feedback on the initiatives as described below.

Isabel McDevitt, Executive Director of Bridge House, explained services available at Bridge House and the Bridge House Resource Center, and stated that there have been a number of community requests for a larger space for those services. Ms. McDevitt also explained the Ready-To-Work model and services provided to program participants that will be housed at the planned Ready-To-Work transitional housing site at 4747 Table Mesa.

Jeff Yegian, Division of Housing Manager, clarified that after the closing for the property at 4747 Table Mesa on September 2, the city's funds to acquire the property would be expended.

COUNCIL DISCUSSION

General Themes

- Data on homeless population and services is important. Staff should work with providers to assess barriers to a shared data system and support mechanisms to resolve and implement a system.
- Support systems improvements such as coordinated entry, coordinated case management and vulnerability assessment to ensure that the city is using its resources efficiently and effectively, before more resources are devoted to a specific area.
- Preserve existing affordable housing as a prevention strategy and a path out of homelessness.
- Explore strategies to better understand who "travelers" are and why they are here.
- More services will not solve homelessness; ultimately people need housing.

Potential Initiatives

Council expressed support for further exploration/implementation of the following initiatives:

Strategy 1 – Strengthen Regional Partnerships

1. Explore city funding requirements for coordinated entry, assessment of vulnerability and prioritization; work with other funders, MDHI and service providers to identify barriers and resources needed to implement.
2. Actively support the proposed goals of the Metro Mayors Caucus, Homeless Committee.

Strategy 2 – Innovative Solutions to Increase Housing Options

3. More thorough evaluation of emergency sheltering system and update target goals for sheltering.
4. Feasibility study for Pay for Success.
5. Develop community dashboard on goals when those has been identified.

6. Identify any new opportunities in the Boulder Broomfield Regional Consortium Consolidated Plan to prioritize homeless housing.
7. Strengthen landlord relationships for housing retention, incentives.
8. Address barriers to federal resources such as Fair Market Rent (FMR) requirements. Council expressed that some housing options in Strategy 2 were challenging to assess because they need to be discussed as part of the broader conversation on the Comprehensive Housing Strategy, and more information is needed about targets for numbers/types of units.

Strategy 3 – Improve Local Service Integration

9. Require system improvements (coordinated entry, assessment, data) as condition of city funding.
10. Develop prioritization system for some services, including vulnerability assessment Explore the feasibility of expanded Bridge House day services center (not day shelter). Day services are programs that engage people in productive daily activities leading to greater self-sufficiency and stability.

Strategy 4 – Improve Community Education

11. Work with communi*ty stakeholders to improve communications* and information about homeless populations; important to highlight "invisible" populations such as families, but also make sure education includes veterans, youth, mentally ill.
12. Expand communications methods to include information and stories from homeless people about homelessness; maximize use of city and local partner websites, and media vehicles.

REQUESTED FOLLOW UP INFORMATION

1. Homeless Management Information System (HMIS)

Council members requested a link with additional information about HMIS, and information about which local Boulder homeless services agencies were currently using HMIS. The HMIS page of the Metro Denver Homeless Initiative website, link here, includes a description of HMIS, as well as HMIS intake, interim assessment and exit forms.

Homeless service providers within the City of Boulder that currently use HMIS include:

- Boulder County Housing and Human Services
- Boulder Shelter for the Homeless
- Mental Health Partners
- Attention Homes

2. Vulnerability Index

Council members requested a link to the Vulnerability Index assessment tool. An example of this tool is located here. A modified version of the Vulnerability Index, known as the Vulnerability Index and Service Prioritization Decision Assistance Tool (VI-SPDAT), is now being used as a common assessment tool in many initiatives, including the 25 Cities Initiative pilot that Boulder and other counties in the Metro Denver area are participating in.

Bus Passes and Bus Tickets

Council requested information on the availability of bus passes or tickets for homeless individuals and why there might not be enough passes/tickets available to meet the needs of the population. Some local homeless service agencies provide bus fare for homeless clients, to allow transportation to medical appointments, job interviews or similar needs. However, there is generally not enough funding in agency budgets to provide for all transportation needs for all clients every month.

The city currently provides funding for transportation to and from Boulder Shelter for the Homeless, Boulder Outreach for Homeless Overflow (BOHO), and downtown during the winter sheltering season and provides support through the city Public Works Department to VIA for special needs populations. Some agencies supported by the city through the Human Services Fund assist clients with disabilities in signing up for reduced-rate bus passes.

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CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: October 7, 2014

AGENDA TITLE Consideration of a motion to accept the study session summary on the 2015 Recommended Budget from September 9, 2014

PRESENTERS
Jane S. Brautigam, City Manager
Peggy Bunzli, Budget Officer
Jeff Arthur, Director of Public Works for Utilities
Heather Bailey, Executive Director of Energy Strategy and Electric Utility Development

EXECUTIVE SUMMARY

The purpose of the Sep. 9 Study Session was to present information on the 2015 City Manager Recommended Budget and receive council's feedback.

The first reading of the 2015 budget ordinances will be held at the Oct. 7, 2014 City Council Meeting. Additional information related to the Sep. 9 Study Session is provided in the Oct. 7, 2014 City Council Meeting 2015 Recommended Budget memo.

STAFF RECOMMENDATION

Suggested Motion Language:

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

Motion to accept the summary of the September 9, 2014 study session related to the 2015 Recommended Budget. The summary is included as **Attachment A** to this agenda item.

BACKGROUND

Background information can be found in the 2015 Recommended Budget document and the Sep. 9 Study Session memo.

ATTACHMENT

A. Summary of the Sep. 9, 2014 City Council Study Session

September 9, 2014
City Council Study Session Summary
2015 Recommended Budget

PRESENT
Council members Present: Matt Applebaum, Macon Cowles, Suzanne Jones, George Karakehian, Tim Plass, Andrew Shoemaker, Sam Weaver, Mary Young

Staff Members: Jane Brautigam, Peggy Bunzli, Jeff Arthur, Heather Bailey, Bob Eichem, Molly Winter, Karen Rahn, Jeff Dillon, Mo Rait, Greg Testa, Douglas Sullivan, Don Ingle

PURPOSE
The purpose of this study session was to present information on the 2015 Recommended Budget and to receive council feedback in preparation for the first reading of the 2015 budget ordinances on Oct 7, 2014. The study session had the following agenda:

- Financial Update
- 2015 Recommended Budget
    - Overview
    - Highlights
- Next Steps

PRESENTATION
Introduction
City Manager Jane Brautigam opened the meeting by outlining the agenda for the study session and the presentation. She acknowledged that the development of the budget required hard work from many employees throughout the city and emphasized that the budget was developed with a "One City, One Boulder" approach in mind. She then introduced, and turned the presentation over to, Peggy Bunzli.

Financial Update
Peggy Bunzli provided a financial update for the city, placing special focus on the national, state and local economic conditions that served as context for the 2015 Recommended Budget. Ms. Bunzli noted that the economic outlook for the region is good overall. Economic growth is moderate and expected to continue. Colorado's labor market and residential real estate market are both strong relative to other regions throughout the country and this strength is leading to statewide job growth and improving home values, both of which benefit retail trade sales. Nationally, the economy is also improving. However, global geopolitical risk remains.

Ms. Bunzli provided Sales and Use Tax Revenues for the city. Ms. Bunzli stated that Boulder's Sales and Use tax collections are projected to grow 3.11 percent year-over-year compared with 5.6 percent projected growth in the State Retail Trade Sales. She explained that Boulder recovered from the recession at a faster pace than the rest of the state and it is this mismatch in recovery rates that makes comparisons difficult. In other words, the State's Retail Trade Sales numbers are being projected from a lower base. Boulder's year-to-date Sales and Use Tax revenues through June 2014 came in at 10.94 percent above 2013 revenues. Approximately, 6 percent of this change is due to one-time, non-recurring revenue sources like Recreational Marijuana, Construction Use Tax and Business Use Tax. This level of revenue growth is not anticipated to continue. Retail sales for 2014 are being reported lower than projections and will be closely monitored. Looking back over longer periods of time (2005-2013), General Fund estimated revenues have been trending close to actual revenues which provides for good and conservative information for budget development purposes. Boulder has been confronting a loss of buying power across all service areas over the last decade or more. From 2000 to 2013 this loss of buying power has totaled $29 million. This serves as an important reminder for the city to focus on priorities and best use of resources to achieve community goals.

Ms. Bunzli moved on to provide an overview of the 2015 Recommended Budget. Ms. Bunzli first explained the structure and timing of the budget process. It is a process that is part of the city's overall planning and financial strategy and founded in the Community Sustainability Framework. Each department within the city operates and develops its respective budget according to strategic and master plans (which feed into the Sustainability

Framework) using Priority Based Budgeting as a means of program and service prioritization. The budget process begins in early January with a retreat where the City Council establishes annual goals. The process ends in October with adoption of the budget. There are multiple opportunities for public input along the way through master planning outreach, board and commission meetings and public budget hearings.

Ms. Bunzli provided an overview of the citywide budget. The 2015 Recommended Budget totals $317 million comprised of $249 million in operating and $68 million in capital expenditures. The $249 million operating budget is further divided into $113 million in general fund expenditures and $135 million in dedicated fund expenditures. The 2015 Recommended Budget represents a 17.5 percent increase over the 2014 Approved budget. 9.6 percent of this increase is capital related, 3.5 percent are one-time expenditures, and 4.4 percent are ongoing expenditures. The significant areas of spending are Utilities, Public Safety, Transportation, Open Space and Mountain Parks and Parks and Recreation. With Utilities excluded, citywide spending totals $230 million.

Total Citywide Revenues in 2015 are projected at $312 million of which $115 million is derived from Sales and Use Tax. With Utilities rates excluded, Sales and Use Tax represents nearly half of all revenue. This underscores the importance of monitoring economic conditions. General Fund revenues are projected to be $120 million. Sales and Use Tax makes up approximately 45 percent of the total General Fund revenues. Property Taxes are the second most significant contributor to total General Fund revenues at 21 percent.

General Fund Expenditures in the 2015 Recommended Budget total $128 million. Public Safety constitutes a major portion of General Fund expenditures at approximately 40 percent of the overall total. Contained in General Fund expenditures is the category of Transfers to Other Funds, totaling $15 million. Included in these transfers is General Fund support of restricted funds including Planning and Development, Affordable Housing, Library, Recreation and Open Space. One department of particular note is the Library and Arts Department. Direct General Fund support of the Library and Arts Department is $578,000, mostly in Arts funding. However, actual General Fund support to the department is over $7 million, with the $6.5 million General Fund transfer to the Library Fund.

The 2015 Recommended Budget provides a 14 percent emergency reserve. Best practices prescribe replenishment of reserves in 1-3 years after a major disaster, and the city expects to rebuild the reserve to the established target of 15 percent by 2016. The 2015 Recommended Budget also includes establishment of an operating reserve within the 0.25 Cent Sales Tax Fund. This reserve will be built incrementally from 5 percent in 2015, to 10 percent in 2016 and 15 percent in 2017.

Ms. Bunzli ended the budget overview portion of the presentation by providing information on Recreational Marijuana. Revenue from Recreational Marijuana was not included in the revenue projections for the 2015 Recommended Budget. It is considered one-time revenue as it is susceptible to suspension given its current illegal status at the federal level. Although not included in projections, any revenue that is generated is first used to cover costs associated with enforcement and licensing and secondly directed into educational initiatives. 2014 revenues are trending under projections. However, there is budget contingency available to absorb this. All revenue will be appropriated as a supplemental in 2015.

The following general ideas and themes emerged from council discussion of the Budget Overview:

- $2 million in revenues was projected for recreational marijuana through end of year 2014, but only $500,000 has been collected through June. Expenditures were projected at approximately $800,000, before contingencies. State share-back proceeds came in 60 percent lower than anticipated. Recreational Marijuana related revenues and expenditures are not tracked in a separate fund. Rather, they are held within the General Fund and accounted for separately.
- Council asked about the composition of fund balances and how they relate to fund reserves. Staff explained that the fund financials are a long-term financial control tool. They are based on 5-year forward projections and incorporate anticipated major expenses. In many cases, large balances after reserves represent planned savings for capital investments. It was agreed that Staff would provide follow-up on this item.

Budget Highlights

City Manager Jane Brautigam began the budget highlights section by providing a brief agenda and emphasizing the key themes that served to guide the 2015 Recommended Budget development. These themes include: flood recovery

and mitigation, council and community priorities, resilience both in community infrastructure and in the city organization, and multi-year thinking. Ms. Brautigam then introduced the major budget issues of 2015:

- Water, Wastewater and Stormwater/Flood Management
- Energy
- Other Highlights
- Additional Items

Water, Wastewater and Stormwater/Flood Management
Director of Public Works for Utilities Jeff Arthur delivered this portion of the presentation and began by providing context for the proposed changes to both revenues (rates) and expenditures. Boulder operates and maintain over $2 billion dollars worth of assets related to water utilities. This operation and maintenance is subject to a comprehensive approach to rehabilitation, replacement and maintenance and this approach is expressed financially in both current budgets as well as the CIP. Council and community input over the past year encouraged Public Works-Utilities to carefully assess its work plan. Public Works – Utilities is now proposing raising rates in excess of what was included in the 2015 Recommended Budget to accelerate remediation work.

One area of particular importance is the Wastewater Collection System. Current funding rates support rehabilitation of aging vitrified clay pipe over a 90 year period. A 10 percent increase in rates reduces this timeline to 45 years; 25 percent to 20-25 years; 30 percent to 15 years; and 50 percent to 7 years. Mr. Arthur explained that inflow and infiltration, which are the primary concerns with the wastewater collection system, result from aging pipes, manholes, flood damage, private service lines and inflow from homes and businesses. Public Works-Utilities is recommending adding 3.0 FTE to the wastewater utilities. 1.0 FTE would focus on engineering and project management work related to additional capital projects. 1.0 FTE would focus on increased maintenance of the system and 1.0 FTE would be dedicated to outreach, education and compliance enforcement in relation to private property connections and impact on the sanitary sewer.

Mr. Arthur shifted to the Water Fund and explained that there are numerous privately owned, operated, and maintained irrigation ditches that cross the city. The city is a shareholder in a number of these ditches. In many cases these ditches interact with the city's stormwater collection system. The September 2013 flood and changed conditions after the flood have resulted in identification of issues with the way these two systems interact.Public Works – Utilities is requesting an additional 1.0 FTE to focus on addressing these issues.

Mr. Arthur moved onto the Stormwater & Flood Management Fund and described how the flood events of September 2013 have provided important data and increased demand for investment in related projects and services. The city currently has one maintenance crew (3 FTE) for the entire stormwater collection system. PW-Utilities is proposing two additional crews and related equipment to increase preventative maintenance and emergency response capabilities. PW- Utilities is also requesting an additional 1.0 FTE that will be dedicated to flood control and major drainageway maintenance in addition to the 0.5 seasonal that was previously requested. An additional 1.0 FTE for an additional engineer/project manager to support an expanded capital improvements program was also previously requested.

Mr. Arthur explained that in total, Public Works – Utilities is proposing increases in the rates of 5 percent, 30 percent and 75 percent in the Water Fund, Wastewater Fund, and Stormwater/Flood Management Fund, respectively. This differs from the 5 percent, 25 percent, and 71 percent rates that are currently included in the 2015 Budget. Mr. Arthur provided a breakdown of the percentage impact on the average water bill for the full rate increase, divided by customer type. The impact varies by customer type. For example, typical single family households would see a 23 percent increase on compared to 41 percent increase for a sample large format retailer. Mr. Arthur provided comparisons to average combined water bills for surrounding communities and highlighted that the proposed rate increases would shift Boulder's rates from the lower third to the upper third. Mr. Arthur added that Utilities is proposing a rate study to review the current rate structure for all customer classes.

The following general ideas and themes emerged from council discussion of Water, Wastewater and Stormwater/Flood Management:

- The additions being discussed in the Wastewater Fund were included as part of a 30 percent increase being proposed, not the 25 percent currently in the 2015 Recommended Budget. Public Works – Utilities was seeking council feedback on incorporating the higher rates.
- There is some concern amongst the community regarding rate increases. A rate study would take at least a year to complete. A study might result in increased rates for some customers and decreased rates for others, but would not impact overall revenue needs.
- Tier 1 projects were determined based upon on population and growth data available at the time of the last master plan update. Elevated groundwater levels after the flood allowed the utility to use meters to check flows and this information will inform potential master plan updates including possible reprioritization of projects.
- Council asked if the rate increases can be temporary until certain milestones are reached. Staff responded that this approach would only work if the scope were short-term in nature (two years or less), which they are not. Cost escalation and regulatory permit driven projects over a 20-year rehabilitation program would exceed the proposed 2015 increase. In addition, there are other projects that need to be considered including a major upgrade to Betasso that further support the need for funding increases.
- Council pointed out the color-coded status map within the presentation and asked if this rate increase will significantly change the color of the infrastructure condition map, shifting it from mostly red (deteriorated condition) to more yellow (fair condition) and green (good condition). Staff stated that the map is preliminary and that more assessment is needed.
- The current Master Plan was not developed to address a 1,000 year flood and does not address specific areas of housing that were flooded in the September 2013 flood. Council asked if sewer backups and lines adjacent to the aforementioned houses could be targeted. Mr. Arthur explained that efforts will focus on areas where water entered the system which may not be the same areas where resulting backups occurred.
- Staff is studying to see if there can be potential savings from performing pipe rehabilitation work in-house..
- Council affirmed that they were comfortable with the 5 percent, 30 percent and 75 percent increase in rates. Council voiced some reservations about such sharp increases, but concluded that this was the prudent course of action. Council also noted that Fort Collins has much higher rates, with a similar geography to Boulder.
- Additional information will be provided for the Oct. 7 Budget Hearing.

Energy

Executive Director of Energy Strategy and Electric Utility Development (ES&EUD) Heather Bailey began her presentation with an overview of the 2015 budget recommendations for the ES&EUD project. ES&EUD is requesting additional funding of $4.9 million over the $2 million provided by the Utility Occupation Tax. The typical budget of approximately $2.5 million, covers 2.5 FTE and $1 million in overhead, as well as $1.2 to $1.5 million in consulting and legal fees. This new budget reflects an acceleration of the project and additional funding needs. This funding will be sourced from General Fund reserves which will be replenished in 2016 and 2017 with Utility Occupation Tax revenues. The reason for this acceleration of funding is to provide flexibility to respond to legal costs and the transition plan, the timing of which is highly uncertain.

ES&EUD, as it currently exists, has moved from the exploration to the implementation phase and requires that the project be accelerated by at least a year compared to the original plan. The current plan calls for the formation of a fully operational utility by the third quarter of 2016. The process includes measured steps and off-ramps should the project not be continued. The entire process is heavily dependent on legal outcomes. For this reason, Staff will move forward with building the framework for the utility without spending any money on hard assets. Many of the systems being implemented will be interrelated with activities and systems in other city departments and will provide benefits regardless of whether or not establishment of a utility is pursued.

The following general ideas and themes emerged from council discussion of Energy:

- Council asked for more background explanation about the Energy work plan and implementation. Ms. Bailey explained that the consultant report was modified to fit the city's timeline. Staff also confirmed that this phased-approach could be provided during the budget sessions.

- There was a report given to council earlier in the year that described the implementation plan, but this report did not include a phased-in approach. Council would like to see this information made available for review.
- The ES&EUD budget comprises only 2 percent of the citywide budget.
- Council asked about how much lead time is needed for various activities and that there is much concern about spending money toward a project that may not materialize. Ms. Bailey explained that once the condemnation process is complete, the city will have a very short time to pay for the utility and take it over. As a result, much preparation is needed. A minimum of 12-15 months lead time is necessary to modify the water billing system to accommodate electrical billing. Additionally, Negotiations with Xcel about purchasing energy and their willingness to be cooperative in transitioning operations and maintenance of the system to the city is uncertain. If Xcel is uncooperative, the city will need to reach out to alternative energy sources and/or wait up to 18 months for build generation capacity. The city will also need the O&M resources from day one to take over the infrastructure. This will take 3-9 months of advance staging.
- Information transfer from Xcel to the city may not begin until the utility is purchased. The current plan allows 18 months to 2 years to install the interconnection equipment that will provide actual wholesale meter data to the city.
- Council encouraged the public to review the transition plan brought before council on August 24.
- There was a voice of opposition in council regarding borrowing money from the General Fund, and a concern that there should be a vote to the public. Other members of council responded that using the General Fund to front the funds is an appropriate use of money, even if it is not paid back.
- There was a sentiment among council that the city is to the point with Xcel that it cannot arbitrarily hamstring the project. The city must stay committed.
- Staff noted that the majority of the legal process will be completed in 2015 and the city will know more than it does today. The city is doing everything in a holistic manner to provide external benefits citywide. There is still the possibility of sunk costs.
- Additional information will be provided for the Oct. 7 Budget Hearing.

Other Highlights

Jane Brautigam shifted the focus of the presentation to other important highlights included in the 2015 Budget. She began by focusing on public safety. The 2015 Recommended Budget includes the addition of one police officer and one criminalist. Both of these additions are consistent with the Police Department's Master Plan. Ms. Brautigam also described additions to the Fire Department budget which include a new Safety Officer program as well as $275,000 in funding toward life-saving equipment. The additions to public safety over the last few years, particularly to the Police Department, have resulted in increased case flow at the Municipal Courts and the City Attorney's Office. Both Departments have not seen staffing increases in multiple years. The 2015 Recommended Budget aims to remedy this with the addition of 2.0 FTE fixed term staff, and 1 ongoing FTE, at the Municipal Court to address both the increased case load and help the department transition to a new case management system. Similarly, the 2015 Recommended Budget includes the addition of 1.0 FTE prosecutor position and a 1.0 FTE general counsel position in the City Attorney's Office to help with the growing workload.

Ms. Brautigam went on to discuss a second area of focus of the 2015 Recommended Budget – investment in the community. This is reflected with the continuation of the University Hill coordinator position in 2015 as well as funding for a new Residential Services District Pilot program for the Hill. The Civic Area revitalization is also highlighted within the budget as it its budget implications span across multiple city departments and throughout the community.

Ms. Brautigam paid special attention throughout her presentation to note the importance of resilience. Resilience in the 2015 Recommended Budget most directly relates to: flood recovery and mitigation, asset management, transportation and the Emerald Ash Borer response, and organizational capacity. To address organizational capacity and growth in demand for city services, a net increase of 10 fixed-term and 33.1 ongoing positions was being recommended in the 2015 Budget. Twelve of the added FTE relate specifically to Master Plan implementation, 5.0 FTE for public safety and code enforcement, and 7.5 FTE for support services. The 2015 Recommended Budget surpasses the city's high water mark of 1,300 FTE for the first time since 2002. Multiple recessions greatly reduced staffing levels across the city organization over the last ten years.

Ms. Brautigam addressed topics of special concern for the 2015 Budget. There was concern expressed about the lack of a Neighborhood Services program within the city. The position that filled this role was eliminated during the last recession and never replaced. Analysis is currently being conducted on the best practices regarding this function which will likely be placed in the City Manager's Office and cost allocated. Additional information will be provided at the Oct 7 council meeting.

Rental licensing backlog has been reduced over the last year or so. Even with that, the 2015 Recommended Budget includes an additional 0.5 FTE in Planning and Development Services to continue in this effort. Code enforcement within the Police Department was also bolstered in 2014 and now operates on a 7 day 7am-5pm schedule with police officers covering in the evenings. Additional information on code enforcement will be provided at the Oct 7 council meeting.

Finally, Ms. Brautigam discussed the potential inclusion of VRBO into the city and council's work plan. This item was not included in the 2014 work plan, but will be included in the 2015 plan. There are policy implications regarding VRBO that could involve ordinance changes and even a ballot initiative. Currently, VRBO is illegal in Boulder, but violations are difficult and costly to investigate, prove and prosecute. There is potential for the accommodations tax to be a vehicle for legalization, but the topic needs more study.

Conclusion
City Manager Brautigam concluded the presentation by providing an overview of the next steps which possibly include a second study session on September 23, if needed, and Budget Hearings on October 7 (first reading) and October 21 (Second hearing). If no additional readings are needed the council will vote to adopt the 2015 Budget, including CIP on October 21. The council should also expect a Comprehensive Financial Strategy update in the first quarter of 2015.

QUESTIONS AND DISCUSSION

The following general ideas and themes emerged from council discussion of the rest of the 2015 Recommended Budget:

- Council asked about funding to non-profits. Funding to non profits through the Human Services Fund is reflected as a line item in the Human Services detailed budget. Council will be reviewing funding recommendations for the 2015 Human Services fund round in December. Additional information will be provided for the Oct. 7 Budget Hearing.
- Council was interested in knowing how the budget may have differed if the flood had not occurred. Staff indicated that the flood was informative and helped the city revisit priorities, based on what was learned as a result of the flood. Additional information will be provided for the Oct. 7 Budget Hearing.
- Council expressed interest in having police officers wear body cameras. Additional information will be provided for the Oct. 7 Budget Hearing.
- Council asked for clarification on the ICMA fellowship. Jane Brautigam explained that it would be an entry level position for a young MPA graduate who is pursuing a career in local government and desires impactful government experience. Council wondered why $80,000 was budgeted for that position. Staff indicated that this was an error and that the corrected information would be brought back to council for the Oct. 7 Budget Hearing.
- Staff clarified the funding sources for the 1.0FTE Deputy Director position in DUHMD.
- The $87,500 in the 2015 Budget Request is for a small bucket truck for the Parks and Recreation Forestry Division. Currently the workgroup has four tree climbers. Use of a bucket truck is safer and more efficient for emerald ash borer sampling, tree pruning requests from the public (i.e. clearance pruning, removing deadwood) and emergency response (storm damage pruning).
- The Parks and Recreation CIP funding for emerald ash borer will be used for ash tree removals, tree planting (ash replacements and proactive planting to compensate for the loss of the ash component of the urban tree canopy), pesticide applications to save significant large public ash trees and hardscape upgrades in parks to accommodate new tree planting. 1.0 FTE is being added to enhance the capacity of the city website, including content management. Council expressed interest in improving search features of the site.

Rental Enforcement

- Council stated that licensing, code and rental enforcement should me more efficient to reduce neighborhood concerns. Council also recommended that the VBRO should be addressed in the 2015 work plan. Additional information will be provided for the Oct. 7 Budget Hearing.
- Council recommended that the role of the neighborhood liaison should be clearly defined, with specific outcomes to be measured. Additional information will be provided for the Oct. 7 Budget Hearing.
- Council asked for clarification of fixed-term staffing in the budget. Additional information will be provided for the Oct. 7 Budget Hearing.

Transportation

- The transit line item includes contributions to Via, and services like the JUMP, BOUND, and HOP. The HOP contract includes funding from CU Boulder and RTD flowing through the city's budget. Additional information about investments in services, including partner contributions, will be provided for the Oct 7 council meeting.
- There is a strong relationship between transit service frequency and ridership. Transit productivity in Boulder is higher than the rest of the RTD region. The farebox recovery rate for the RTD system is about 20 percent, similar to transit systems across the US, and Boulder's farebox recovery is about 40 percent. Additional information about ridership results will be provided for the Oct 7 council meeting.
- The proposed $300,000+ increase in Transportation Operations and Maintenance funding would cover maintenance across the multi-modal system and fend off a new gap being created by cost increases decreasing buying power.
- The proposed $700,000 for the Transportation Master Plan Implementation is the result of the recently updated TMP and the voter approved .15 cent tax. The voter approved tax allowed for some capacity to enhance the multimodal system in addition to covering operating and maintenance shortfalls. After replenishing the operating reserve in 2014, that additional capacity to enhance the system would be included with the 2015 budget with the benefit of new TMP guidance. Investments for TMP implementation would include expanded living lab projects, support for corridor studies and envision East Arapahoe, among other projects.
- Additional information will be provided for the Oct. 7 Budget Hearing.

Boulder Junction

- The Boulder Junction TDM Fund is funded by a combination of property tax and payment in lieu of taxes. The fund was established in perpetuity.

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CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: September 16, 2014

AGENDA TITLE:
Consideration of a motion to accept the study session summary from September 16, 2014 on Planning Policies.

PRESENTER:
Alisa D. Lewis, City Clerk on behalf of
Facilitator Heather Bergman of Peak Facilitation Group

EXECUTIVE SUMMARY

This agenda item provides a summary of the September 16, 2014 City Council study session on Planning Policies. The objectives of the session were to:

1. Clarify the problem that Council members perceive related to planning and development in Boulder
2. Identify where there are convergences or divergences among Council related to problem definition
3. Identify potential action items that the City could take to address the identified problem
4. Agree on next steps toward addressing the problem

Suggested Motion Language:
Motion to accept the study session summary of the September 16, 2014 Study Session included in this agenda item as Attachment A.

NEXT STEPS

At the conclusion of the study session, Council agreed upon the following next steps:

1. Assess the planning policy issues raised and indicate:
    a. Which are discrete items that could be reviewed/revised discretely and efficiently
    b. Which are bigger, items at the level of the Comp Plan

2. Analyze tools and processes available and suggest improvements that will produce more predictable outcomes

Later in the evening, after a public hearing, Council further deliberated on how to address concerns related to development activity and outcomes. At the conclusion of that discussion, Council unanimously approved a motion stating:

Move that staff review, provide information and make recommendations to Council on the following:
Which policy/tools identified by council, as presented at the September 16, 2104 Study Session, could be reviewed/revised discretely and efficiently, including:
a. Do by right projects result in better design than projects that go through discretionary review? Comparisons and examples would be helpful.
b. Process changes that would lead to improvement of the public realm and the design of better buildings.
c. Process changes that would lead to increased predictability in the review process;
d. Are there changes to Site Review Criteria that would make discretionary review more effective and lead to better buildings, taking into account the roles of both BDAB and Planning Board?
e. What has been the role of "community benefit" in obtaining entitlements and does the term need to be defined in the Code?
f. Comment on the feasibility of creating a 3-D model that would demonstrate the current zoning capacity of the City?

Staff is working to prepare information and potential next steps related to this motion language for discussion at Council's October 14 study session.

ATTACHMENTS
Attachment A: September 16, 2014 Study Session on Planning Summary

Study Session Summary on Planning Policies
September 16, 2014, 5-7pm

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

Staff Members: David Driskell, Maureen Rait

Purpose
Study Session Objectives:

- Clarify the problem that Council members perceive related to planning and development in Boulder
- Identify where there are convergences or divergences among Council related to problem definition
- Identify potential action items that the City could take to address the identified problem
- Agree on next steps toward addressing the problem

Defining the Problem
Each Council member was given 3 minutes to describe the problem in his or her own words. The following perspectives emerged:

- The current issues around planning are not catastrophic, and a moratorium on development is not necessary at this time.
- Several of the projects that are currently under construction in Boulder have been working through the planning and review processes for 8 to 10 years. This indicates that a regulated and effective planning process already exists.
- The City could benefit from creating more development incentives, better design projects, and minimize focus on areas that have already received development support in the past.
- There is a need to emphasize improvement on the quality of the public realm: increase permeability, create interconnected spaces, foster accidental encounters, and improve the design process.
- The Planning Board may need more appropriate tools for evaluating potential development (e.g., density bonuses and growth limit) and assess whether the tools help to meet overall community sustainability goals.
- The overall vision lacks clarity, and the “feel” of development should be prioritized. The City should evaluate whether zoning and building codes are aligned with community values.
- The financial industry should not be the driving influence of development, especially in the event that commercial development results in unmitigated externalities.
- Mobile home parks are of intrinsic value to the overall community due to the diversity of their populations, but these neighborhoods also have the poorest infrastructure.
- The scarcity of water resources must be incorporated into future planning.
- Antiquated land use codes do not reflect modern values.

- A holistic planning vision should be implemented. The new vision should incorporate residential and commercial development, as well as integrate the effects of development on carbon footprint, water availability, school accessibility, etc. Quantifying these impacts should be a key facet of this plan.

Agreeing on the Problem

Discussion

After they shared their individual perspectives on the problem, Council members discussed the ideas that were raised and were encouraged to look for commonalities and convergences with the ideas raised by their colleagues.

- There were differing perspectives about the importance of or need for an in-depth visioning process.
- Some Council members indicated that the discussion around an overall vision should coincide with the upcoming Comprehensive Plan review (Comp Plan). The discussion around a planning process at this time would be inefficient and potentially duplicative.
- A request was made for implementing better mechanisms and tools. Refining the definition of "community benefit" would allow it to be applied more effectively.
- The concern was raised that applying concepts such as community benefit to the planning process might not be a predictable tool with predictable outcomes under current planning policies.
- Tools such as form-based zoning and overlay districts could be utilized for improving predictability.
- The use of metrics tied to an implementation package or strategy can be used to set targets. However, metrics can be irrelevant and misleading (e.g., carbon intensity is an accurate measurement but increase of carbon is unavoidable with any level of growth). Thus, metrics must be put in context and used with caution.
- Existing codes are antiquated and need to be reviewed and revised to meet current values.
- Certain rules for Planning Board could be reviewed and refined for efficacy, and concept review should happen earlier rather than later.
- There is a need for community input, in order to engage residents in planning efforts in their communities. The City should appoint a neighborhood liaison to assist with this effort.

Proposed Actions to Address the Problem

Before Council members proposed specific action items to address the problems outlined in the planning process, Executive Director of Community Planning & Sustainability, David Driskell, presented the Planning Department's current initiatives related to the issues under discussion:

- The Design Excellence work effort this year includes the appearance of Victor Dover (Dover, Kohl & Partners Town Planning) on October 8th & 9th to assess recent development in Boulder. His input will contribute to a booklet available for the public containing information on building designs and corresponding demographics in Boulder. On October 9th, Victor will lead a workshop to cover his assessment of development in Boulder. Also, as part of this work effort the Planning Board and Design Advisory Board are having a joint walking tour and discussion of design outcomes on Sept 30, 2014.

- A joint workshop is scheduled with the Council and Planning Board on October 14th. The focus will be on the 2015 Comp Plan update. Ben Herman (Director, Clarion & Associates) and David Godschalk (Professor Emeritus, Department of City and Regional Planning at the University of North Carolina) will lead the workshop. Their feedback will include input from sources around the country on comprehensive plans and how they can best be implemented.
- A date has been set in the near future for a meeting with the Boulder County Planning Commissioners to hear their input on key issues and opportunities for the 2015 BVCP update.
- The Planning Department is currently working with a consultant on broadening community outreach based on feedback from the comprehensive housing strategy. Symposia and working groups will be scheduled to discuss tools that will extend outreach and further engage the community.
- The East Arapahoe Corridor is being reviewed, with discussions currently underway to evaluate alternative visions for the future of that part of the city. The Planning Department is also collaborating with CommunityViz, utilizing the corridor as a means to test metric-driven scenario planning tools. These tools may subsequently be applied in the BVCP update process.
- On November 12th, a study session with the Planning Board and Council will be held on energy and climate, looking at the pathway to making Boulder a carbon-neutral city by 2050.

Following this summary of planning activities, Council members were invited to identify the highest-priority action item they would like the City to take to address the identified problems. Council proposals included the following:

1. Enhance site review criteria to give Planning Board more tools for discretionary review; do this in a discrete process that is separate from the Comp Plan update
2. Let staff proceed with the plans that David Driskell laid out earlier in the meeting
3. Analyze policies and tools; do initial cut/assessment of which policies would benefit from further discussion and possible revision; be efficient
4. Make a comprehensive development strategy be the focus of the Comp Plan
5. Implement process changes to get better buildings and improved public realm; the process should be initiated through a staff review resulting in a recommended process that addresses and includes the Design Advisory Board, Planning Board, and staff
6. Analyze tools and staff processes leading up to Comp Plan review and utilize data to inform decisions in Comp Plan
7. Add metrics-based planning processes including assessing community targets and ongoing monitoring; do this through a comprehensive development strategy leading up to the Comp Plan update; this process should be directed by Council
8. Implement a community planning strategy with review of site review criteria and modernize codes with significant community participation (start now)
9. Analyze planning tools and add metrics as a development strategy leading up to Comp Plan

Next Steps

The Council was asked to discuss common threads in the action items presented and determine next steps for staff:

Discussion

- If staff is to develop a comprehensive development strategy, it is crucial that they (staff) be aligned with Council goals.
- Staff should focus on more discrete, immediate tasks, which can be accomplished efficiently, as opposed to more broad goals around revising the Comp Plan. A comprehensive development strategy is not necessary at this time and will be included in the future Comp Plan discussion.
- It is important to know what it would take to make policy revisions.
- Enhancing site review criteria and implementing process changes could assist planning and development discussions and outcomes.

Summary of Next Steps

After some discussion, the group agreed that the following would be an acceptable next step in the planning discussion. (Note: Some members of the group indicated that this next step was an acceptable second choice, but their preference would be for staff to initiate work on a comprehensive development strategy as a precursor to the Comp Plan revision.)

3. Assess the planning policy issues raised and indicate:
    a. Which are discrete items that could be reviewed/revised discretely and efficiently
    b. Which are bigger, items at the level of the Comp Plan
4. Analyze tools and processes available and suggest improvements that will produce more predictable outcomes

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: October 7, 2014

AGENDA TITLE: Consideration of a motion to adopt a resolution in support of Boulder County's 2014 Ballot Measure 1A, a countywide flood recovery sales and use tax

PRESENTER:

Mayor Matthew Appelbaum

EXECUTIVE SUMMARY

Council scheduled consideration of a resolution in support of Boulder County's 2014 ballot measure 1A, a 5 year, 0.185% countywide flood recovery sales and use tax to raise $9.8 million annually. A resolution of support has been developed for council's consideration and is included as **Attachment A**. The county's resolution referring the measure to the ballot is included as **Attachment B** and its resolution approving the title for the measure is included as **Attachment C**.

Suggested Motion Language:

Motion to adopt Resolution Number 1142 in support of Boulder County Issue 1A, a countywide flood recovery sales and use tax

Attachment:

A. Proposed City Council Resolution No. 1142
B. Boulder County Resolution No. 2014-66
C. Boulder County Resolution No. 2014-67

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Boulder City Council

RESOLUTION NO. 1142

A RESOLUTION SUPPORTING BOULDER COUNTY'S 2014 BALLOT MEASURE DESIGNATED AS 1A, A COUNTYWIDE FLOOD RECOVERY SALES AND USE TAX

FINDINGS

The City of Boulder City Council finds as follows:

1. In September 2013, an unprecedented amount of rain fell along the Colorado Front Range, including in the City of Boulder and throughout Boulder County, creating such pervasive flooding, damage and destruction that the Boulder County Commissioners declared a countywide disaster, the Governor of Colorado declared a State disaster and the President of the United States declared the September Colorado Flood a Presidential disaster.

2. As a result of the flooding, residents in the City of Boulder and throughout Boulder County were severely impacted, with destruction or damage occurring to both public and private property in the city and county, including more than 1,600 homes and 150 miles of roads, as well as numerous businesses, bridges, trails, open space, ditches, reservoirs, and infrastructure for water, sewer and power.

3. Boulder County has estimated its flood recovery costs to address damage in the county as $217 million, including $128 million to reconstruct county roads, $29 million to restore waterways in the county and $14 million in immediate flood response, rescue and mitigation of high hazard situations.
4. The county estimates that after accounting for all State and Federal reimbursements, the county will have a shortfall of $56 million in flood recovery expenses that it must fund.

5. Boulder County has therefore referred to the voters 2014 Ballot Measure 1A, which would create a five year, 0.185% sales and use tax to raise $9.8 million annually for flood recovery.

6. The sales tax amount equates to slightly less than 2 cents on a $10 purchase, or 18.5 cents on a $100 purchase within Boulder County limits.

7. Funds would pay for the costs associated with immediate flood response, repair of public infrastructure, including permanent repairs to roads and bridges, and restoration of waterways, and assistance to county residents impacted by the 2013 flood.
8. In addition, these funds would be used to ensure Boulder County's readiness to respond to future disasters and emergency situations, including floods and wildfires.

9. Boulder's City Council recognizes that flood recovery work in Boulder County benefits the residents of the City of Boulder as well as all county residents by ensuring safe access to mountain communities, including recreational access for bicyclists, mitigating future flood risk in upstream creek corridors, and providing for the recovery, well-being and self-sufficiency of families and individuals impacted by the 2013 flood.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the City of Boulder hereby supports and urges a YES vote on Boulder County Issue 1A, a countywide flood recovery sales and use tax which will appear on the November 4, 2014, election ballot.

Resolved this 7th day of October, 2014

_____
Mayor

Attest

_____
City Clerk on behalf of the
Director of Finance and Record

RESOLUTION NO. 2014-66

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BOULDER COUNTY DESCRIBING A PROPOSAL FOR THE IMPOSITION OF AN ADDITIONAL 0.185% COUNTY-WIDE SALES AND USE TAX TO FUND FLOOD RECOVERY; AND A VOTER-APPROVED REVENUE CHANGE; AND PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, in September 2013, an unprecedented amount of rain fell over the Colorado Front Range, including Boulder County; and

WHEREAS, beginning on September 11, the rainfall intensified, resulting in widespread flooding throughout the mountains and plains of Boulder County and multiple other counties along the Front Range and Eastern Plains of Colorado; and

WHEREAS**,** flooding occurred in every drainage in Boulder County, with severe flooding occurring in mountain canyons resulting in the damage and destruction of 150 miles of mountain roads, effectively making it impossible to travel from eastern to western Boulder County; and

WHEREAS, the devastation of the County transportation network in the mountains necessitated an air evacuation operation to rescue residents and visitors stranded in western Boulder County, which was the first operation of its kind in the history of the State of Colorado and the largest national operation of its kind since the operations associated with Hurricane Katrina; and

WHEREAS, this disaster was so widespread and devastating that the Boulder County Board of Commissioners declared a County-wide disaster, the Governor of Colorado declared a State disaster, and the President of the United States declared the September Colorado Flood a Presidential Disaster; and

WHEREAS, as a result of the flooding, thousands of Boulder County residents were impacted as more than 1,600 homes were damaged or destroyed, more than 150 private bridges and driveways were destroyed or received significant damage, thousands of residents were unable to return to their homes for a significant period of time, and four individuals perished; and

WHEREAS, the Flood caused extensive damage and destruction to vast areas of public and private property across Boulder County, including not only hundreds of homes, but also many businesses; infrastructure providing water, sewer, and power; hundreds of miles of county roads and dozens of county bridges; and numerous trails, recreation areas, ditches, and reservoirs; and

WHEREAS, by Federal estimates Boulder County was the most impacted county in this disaster with FEMA individual assistance totaling over $35 million and Small Business Association assistance to individuals and businesses totaling almost $65 million; FEMA Public Assistance currently estimated at more than $82 million and Federal Highway Road Damage of $40 million; and

WHEREAS, the estimated cost of damage to public infrastructure in Boulder County is more than $217 million, including an estimated $128 million in damage to County roads, $29 million in damage to waterways and ditches within the County, and an estimated $14 million in immediate flood response and mitigation of high hazard situations; and

WHEREAS, the County must pay for the costs already expended on recovery efforts, and, although the State and Federal Governments generously provide reimbursement to the County for some of the recovery expenses, such reimbursements only cover a portion of the expenses and some of the reimbursements take years to receive, if they are ultimately granted at all; and

WHEREAS, in addition to the enormous expenses already accrued, the County also has an urgent and ongoing need to continue recovery work, including: rebuilding of roads and bridges, restoring public parks and trails, reimbursing repair costs to qualifying individuals, improving existing culverts and drainage facilities to prevent future flooding, and other restoration measures designed to prevent or minimize future harm to people and property; and

WHEREAS, without additional funding to fully restore damaged and destroyed areas, property values will be diminished and residents and businesses may move to other communities, depleting the County of valuable investment; and

WHEREAS, without additional funding, the County will not be able to minimize future flooding risks to people and property to the full extent possible and the County will be at risk of experiencing catastrophic damage once again if another flood occurs; and

WHEREAS, after accounting for all State and Federal reimbursement, the County has an estimated $56.1 million in flood recovery expenses that it must fund. The revenues from this proposed 0.185% (18.5 hundredths of one percent) sales and use tax would provide the County with an estimated $49.6 million.

WHEREAS, in order to bear the enormous expenses required to rebuild damaged property, aid impacted residents, and minimize future flood risk, this Board finds that the most appropriate response is to seek an additional 0.185% sales and use tax to fund flood recovery measures; and

WHEREAS, Article 2, Title 29, Colorado Revised Statutes, as amended (hereinafter the "Article"), provides for the imposition of a County-wide sales and use tax upon approval of a majority of the registered electors of the County voting on such question; and

WHEREAS, this Board finds that, if the majority of the registered electors voting thereon vote for approval of this County-wide sales and use tax, the revenues from such tax shall be allocated in accordance with this proposal.

WHEREAS, the Board desires to refer to the registered electors of the County, to be determined by a majority voting thereon, the question of whether such taxes and voter-approved revenue change shall be approved or disapproved; and

WHEREAS, the Article provides for the submission of such a County-wide sales and use tax proposal to the registered electors of the County at a general election scheduled within 120 days after adoption of such resolution; and

WHEREAS, the Article provides that the County Clerk and Recorder shall publish the text of such tax proposal four separate times, a week apart, in the official newspaper of the County and of each city and incorporated town within the County; and

WHEREAS, Colo. Const., Art. X, Section 20(3)(b), requires certain election notices to be mailed to all registered voters of the County; and

WHEREAS, the Article provides that the proposal shall contain certain provisions concerning the amount, levying and scope of said tax.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BOULDER COUNTY, COLORADO that there shall be referred to the registered electors of the County at the general election to be held on Tuesday, November 4, 2014, the following proposal:

1. (a) There is hereby imposed a County-wide 0.185% (18.5 hundredths of one percent) sales tax in accordance with the provisions of the Article upon the sale at retail of tangible personal property and the furnishing of certain services in the County as provided in paragraph (d) of Subsection (1) of Section 29-2-105, Colorado Revised Statutes ("C.R.S."), as amended, and as is more fully hereinafter set forth.

(b) The amount subject to tax shall not include the amount of any sales or use tax imposed by Article 26 of Title 39, C.R.S., as amended.

(c) The gross receipts from sales shall include delivery charges when such charges are subject to the State Sales and Use Tax imposed by Article 26 of Title 39, C.R.S., as amended, regardless of the place to which delivery is made.

(d) The County-wide sales tax proposed hereby shall not apply to the sale of construction and building materials, as the term is used in Section 29-2-109, C.R.S., as amended, if such materials are picked up by the purchaser and if the purchaser of such materials presents to the retailer a building permit or other documentation acceptable to the County evidencing that a local use tax has been paid or is required to be paid.

(e) The County-wide sales and use tax proposed hereby shall not apply to the sale of food purchased with food stamps. For the purposes of this paragraph, “food” shall have the meaning as provided in 7 U.S.C., Section 2012(g), as amended.

(f) The County-wide sales and use tax proposed hereby shall not apply to the sale of food purchased with funds provided by the special supplemental food program for women, infants, and children, 42 U.S.C., Section 1786. For the purposes of this paragraph, "food" shall have the meaning as provided in 42 U.S.C., Section 1786, as amended.

(g) The County-wide sales tax proposed hereby shall not apply to the sale of tangible personal property at retail or the furnishing of services if the transaction was previously subjected to a sales or use tax lawfully imposed on the purchaser or user by another statutory or home rule county equal to or in excess of that sought to be imposed by the County. A credit shall be granted against the sales tax imposed by the County with respect to such transaction equal in amount to the lawfully imposed local sales or use tax previously paid by the purchaser or user to the previous statutory or home rule county. The amount of the credit shall not exceed the sales tax imposed by the County.

(h) Notwithstanding any other provision contained herein, the value of construction and building materials on which a use tax has previously been collected by an incorporated town, city, or county shall be exempt from the town, city or county sales tax if the materials are delivered by the retailer or his agent to a site within the limits of such town, city or county.

(i) There shall be exempt from taxation under the provisions of this proposed County-wide sales and use tax, the tangible personal property and services which are exempt under the provisions specified in Part 7 of Article 26 of Title 39, C.R.S., as amended, except that only those local exemptions identified in Section 29-2-105(d)(1), C.R.S., listed below in (1) through (4), and when legally recognized, the local exemptions listed below in (5) through (7) shall apply to this County sales and use tax. The following exemptions are consistent with exemptions contained in various existing Boulder County sales and use tax resolutions:

(1) For sales of machinery or machine tools specified in Section 39-26-709(1), C.R.S.

(2) For sales of food specified in Section 39-26-707(1)(e), C.R.S.

(3) For sales of components used in the production of energy, including but not limited to alternating current electricity, from a renewable energy source, specified in Section 39-26-724, C.R.S.;

(4) For sales of electricity, coal, wood, gas, fuel oil, or coke specified in Section 39-26-715(1)(a)(II), C.R.S.

(5) For sales of wood from salvaged trees killed or infested in Colorado by mountain pine beetles or spruce beetles as specified in Section 39-26-723, C.R.S.

(6) For sales that benefit a Colorado school specified in Section 39-26-725, C.R.S.

(7) For sales by an association or organization of parents and teachers of public school students that is a charitable organization as specified in Section 39-26-718(1)(c), C.R.S.

(j) All sales of tangible personal property on which a specific ownership tax has been paid or is payable shall be exempt from the sales tax imposed by the County when such sales meet both of the following conditions:

(i) The purchaser is a non-resident of or has his principal place of business outside of the County; and

(ii) Such tangible personal property is registered or required to be registered outside the limits of the County under the laws of the State of Colorado.

(k) For the purposes of this sales tax proposal, all retail sales are consummated at the place of business of the retailer, unless the tangible personal property sold is delivered by the retailer or his agent to a destination outside the limits of the County or to a common carrier for delivery to a destination outside the limits of the County.

(l) In the event a retailer has no permanent place of business in the County or has more than one place of business, the place or places at which the retail sales are consummated for the purpose of a sales tax imposed by this proposal shall be determined by the provisions of article 26 of title 39, C.R.S., as amended, and by rules and regulations promulgated by the Colorado Department of Revenue.

(m) The County-wide sales tax proposed hereby shall be collected, administered and enforced by the Executive Director of the Colorado Department of Revenue in the same manner as the collection, administration, and enforcement of the Colorado State Sales Tax, as provided by articles 26 and 21 of title 39 and article 2 of title 29, C.R.S., as amended; provided that the County shall be authorized to enter into an intergovernmental agreement with said Executive Director pursuant to Section 39-26-122.5, C.R.S., as amended, to enhance systemic efficiencies in the collection of such taxes.

2. There is hereby imposed a County-wide 0.185% use tax in accordance with the provisions of the Article for the privilege of using or consuming in the County any construction and building materials, purchased at retail, and for storing, using, or consuming in the County any motor and other vehicles on which registration is required, purchased at retail. Subject to the provisions of Section 39-26-212, C.R.S., as amended, the use tax shall not extend or apply:

(a) To the storage, use, or consumption of any tangible personal property, the sale of which is subject to a retail sales tax imposed by the County;

(b) To the storage, use, or consumption of any tangible personal property purchased for resale in the County either in its original form or as an ingredient of a manufactured or compounded product, in the regular course of a business;

(c) To the storage, use, or consumption of tangible personal property brought into the County by a non-resident thereof for his own storage, use, or consumption while temporarily within the County; however, this exemption does not apply to the storage, use, or consumption of tangible personal property brought into this State by a non-resident to be used in the conduct of a business in this State;

(d) To the storage, use, or consumption of tangible personal property by the United States government or the State of Colorado, or its institutions, or its political subdivisions in their governmental capacities only, or by religious or charitable corporations in the conduct of their regular religious or charitable functions;

(e) To the storage, use, or consumption of tangible personal property by a person engaged in the business of manufacturing or compounding for sale, profit, or use any article, substance or commodity, which tangible personal property enters into the processing of or becomes an ingredient or component part of the product or service which is manufactured, compounded or furnished and the container, label, or the furnished shipping case thereof;

(f) To the storage, use, or consumption of any article of tangible personal property the sale or use of which has already been subjected to a legally imposed sales or use tax of another statutory or home rule county equal to or in excess of that imposed by the County. A credit shall be granted against the use tax imposed by the County with respect to a person's storage, use, or consumption in the County of tangible personal property purchased in another statutory or home rule county. The amount of the credit shall be equal to the tax paid by the person by reason of the imposition of a sales or use tax of the other statutory or home rule county on the purchase or use of the property. The amount of the credit shall not exceed the tax imposed by this resolution;

(g) To the storage, use, or consumption of tangible personal property and household effects acquired outside of the County and brought into it by a nonresident acquiring residency;

(h) To the storage or use of a motor vehicle of the owner is or was, at the time of purchase, a nonresident of the County and purchased the vehicle outside of the County for use outside of the County and actually so used it for a substantial and primary purpose for which it was acquired and registered, titled, and licensed said motor vehicle outside of the County;

(i) To the storage, use or consumption of any construction and building materials and motor and other vehicles on which registration is required if a written contract for the purchase thereof was entered into prior to January 1, 2015;

(j) To the storage, use or consumption of any construction and building materials required or made necessary in the performance of any construction contract bid, let, or entered into any time prior to January 1, 2015.

3. The 0.185% use tax provided for herein shall be applicable to every motor vehicle for which registration is required by the laws of the State of Colorado, and no registration shall be made for any motor vehicle by the Department of Revenue or its authorized agents until any tax due upon the use, storage, or consumption thereof pursuant to this resolution has been paid.

4. The definition of words herein contained shall be as said words are defined in Section 39-26-102, C.R.S., as amended, and said definitions are incorporated herein.

5. Except as provided by Section 39-26-208, C.R.S., as amended, any use tax imposed shall be collected, enforced and administered by the County. The use tax on construction and building materials will be collected by the County building inspector or as may be otherwise provided by intergovernmental agreement, based upon an estimate of building and construction materials costs submitted by the owner or contractor at the lime a building permit application is made.

6. If the majority of the registered electors voting thereon vote for approval of this County-wide sales and use tax proposal, such additional 0.185% County-wide sales and use tax, which amounts to a $9.8 million annual increase, shall be effective at 12:01 a.m. on January 1, 2015 throughout the incorporated and unincorporated portions of the County up to and including December 31, 2019.

7. If the majority of the registered electors voting thereon vote for approval of this County-wide sales and use tax proposal, revenues collected from the imposition of said 0.185% County-wide sales and use tax up to and including December 31, 2019 shall be expended in accordance with this Resolution.

8. The cost of the election shall be paid from the general fund of the County.

9. The County Clerk and Recorder shall publish the text of this sales and use tax proposal four separate times, a week apart, in the official newspaper of the County and each city and incorporated town within this County.

10. The conduct of the election shall conform so far as is practicable to the general election laws of the Stale of Colorado.

11. All of the net proceeds from the additional 0.185% County-wide sales and use tax proposed hereby that are received by the County from collections during the period authorized hereby shall be distributed to the County and expended by the County to pay for flood recovery expenses, including:

(a) Repairing damaged county roads and bridges in a way that reduces the risk of future flood damage,

(b) Restoring areas washed out by the flooding,

(c) Re-routing those rivers whose course was changed by the flood in order to reduce the risk of future flooding,

(d) Assisting programs that rebuild residents' homes and businesses,

(e) Reducing the impact on low-income and other residents especially impacted by the flood,

(f) And other flood recovery measures.

12. Interest generated from the revenues of the sales and use tax shall be used for the purposes set forth in this resolution.

13. For purposes of TABOR, the receipt and expenditure of revenues of the 0.185% County-wide sales and use tax proposed hereby together with earnings on the investment of the proceeds of such tax shall constitute a voter-approved revenue change.

14. The sales and use tax shall expire at 12:00 a.m. on January 1, 2020, and any monies remaining after January 1, 2020 may continue to be expended solely for the purposes set forth herein until completely exhausted.

15. The proposal as described in this Resolution shall take effect immediately upon the approval of the electorate.

16. A notice of the approval of this County-wide sales and use tax proposal by a majority of the registered electors voting thereon shall forthwith be submitted by the County Clerk and Recorder to the Executive Director of the Department of Revenue, together with a certified copy of this Resolution, no later than November 17, 2014.

17. The election shall be conducted on November 4, 2014 as a coordinated election in accordance with articles 1 to 13 of title 1, C.R.S. (the "Uniform Election Code").

18. The Board shall take further action by resolution to set a ballot title for the proposal described herein. For purposes of Section 1-11-203.5, C.R.S., as amended, such resolution shall serve to set the ballot title for such proposal.

19. No later than September 5, 2014, the Designated Election Official shall certify the order of the ballot and ballot content to the Clerk and Recorder of the County (the "County Clerk"). The "Designated Election Official" shall be Michelle Krezek, Intergovernmental Relations Director and Administrative Deputy to the Board.

20. The order of the ballot shall be determined by the County Clerk as provided in Section 1-5-407(5), C.R.S., and the rules of the Secretary of State. In accordance therewith, if the County refers more than one ballot issue, the order of the ballot shall, in accordance therewith, be as

follows: first, measures to increase taxes; second, measures to retain revenues in excess of its fiscal year spending limit; third, measures to increase debt: fourth, citizen petitions: and fifth, other referred measures. If the County refers more than one ballot issue within any such type of ballot issue, the order within such type of ballot issue shall, unless otherwise determined by the Board, be the same as the order of the ballot issues in the resolution of the Board that orders that such ballot issues be so referred (with questions set forth in separate resolutions listed in the order in which such resolutions were adopted).

21. The Designated Election Official is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and comply with the Uniform Election Code, TABOR, and other applicable laws; provided that all acts required or permitted by the Uniform Election Code relevant to voting by early voters' ballots, absentee ballots, and emergency absentee ballots which are to be performed by the Designated Election Official shall be performed by the County Clerk. The election shall be conducted in accordance with the Uniform Election Code, TABOR, and all other applicable laws.

22. No later than September 23, 2014, the Designated Election Official shall submit to the County Clerk, in the form, if any, specified by the County Clerk, the notice of election required by Subsection (3)(b) of TABOR.

23. The Designated Election Official, the County Clerk and other County officials and employees are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

24. All actions not inconsistent with the provisions of this Resolution heretofore taken by the members of the Board and the officers and employees of the County and directed toward holding the election for the purposes stated herein are hereby ratified, approved, and confirmed.

25. All prior acts, orders or resolutions, or parts thereof, by the County in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

26. If any provision of this resolution or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

IT IS HEREBY DECLARED by the Board of County Commissioners of the County of Boulder, State of Colorado that this resolution is necessary for the immediate preservation of the public health, safety and welfare, and that it shall become effective immediately upon its adoption.

APPROVED THIS 12TH DAY OF AUGUST, 2014.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY

ATTEST:

_____
Cindy Domenico, Chair

_____
Deputy Clerk to the Board

_____
Deb Gardner, Vice-Chair

_____
Elise Jones, Commissioner

RESOLUTION NO. 2014-67

A RESOLUTION APPROVING A BALLOT TITLE FOR THE 0.185% COUNTY-WIDE FLOOD RECOVERY SALES AND USE TAX REFERRED TO THE NOVEMBER 4, 2014 GENERAL BALLOT ELECTION

WHEREAS, this Board has adopted Resolution No. 2014-66, referring an issue to the November 4, 2014, general election ballot; and

WHEREAS, this Board desires to determine the ballot title for the issue referred for placement on the ballot for the November 4, 2014, general election; and

WHEREAS, pursuant to Sections 30-11-103.5 and 31-11-111(3), C.R.S., as amended, this Board must fix a ballot title according to the following guidelines: consider the public confusion that might be caused by a misleading title; avoid a title for which the general understanding of the effect of a "yes" or "no" vote would be unclear; no conflict with titles selected for any other measure that will appear on the County ballot in the same election; and the title shall correctly and fairly express the true intent and meaning of the measure; and

WHEREAS, this Board finds that the ballot title set forth below meets the statutory guidelines.

NOW, THEREFORE, BE IT RESOLVED that, in accordance with the statutory guidelines, the Board does hereby fix the following ballot title for the referred issue:

COUNTY ISSUE 1A (County-wide Flood Recovery Sales and Use Tax)

SHALL BOULDER COUNTY TAXES BE INCREASED $9.8 MILLION ANNUALLY (FIRST FULL FISCAL YEAR DOLLAR INCREASE STARTING IN 2015) AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER THROUGH DECEMBER 31, 2019, FROM AN ADDITIONAL COUNTY-WIDE SALES AND USE TAX OF 18.5 HUNDREDTHS OF ONE PERCENT (0.185%), FOR THE PURPOSE OF PAYING FOR THE RECOVERY FROM THE 2013 FLOOD, INCLUDING: REPAIRING DAMAGED COUNTY ROADS AND BRIDGES IN A WAY THAT REDUCES THE RISK OF FUTURE FLOOD DAMAGE, RESTORING AREAS WASHED OUT BY THE FLOODING, RE-ROUTING THOSE RIVERS WHOSE COURSE WAS CHANGED BY THE FLOOD IN ORDER TO REDUCE THE RISK OF FUTURE FLOODING, ASSISTING PROGRAMS THAT REBUILD RESIDENTS' HOMES AND BUSINESSES, REDUCING THE IMPACT ON LOW INCOME AND OTHER RESIDENTS ESPECIALLY IMPACTED BY THE FLOOD, AND OTHER FLOOD RECOVERY MEASURES; AND SHALL THE REVENUES AND EARNINGS ON INVESTMENT OF THE PROCEEDS OF SUCH TAX AUTHORIZED BY THIS BALLOT ISSUE, REGARDLESS OF AMOUNT, CONSTITUTE A VOTER-APPROVED REVENUE CHANGE; ALL AS MORE PARTICULARLY SET FORTH IN BOARD OF COUNTY COMMISSIONERS' RESOLUTION NO. 2014-66?

YES ____ NO ____

APPROVED THIS 12TH DAY OF AUGUST, 2014.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY

ATTEST:

_____
Cindy Domenico, Chair

_____
Deputy Clerk to the Board

_____
Deb Gardner, Vice-Chair

_____
Elise Jones, Commissioner

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: October 7, 2014

AGENDA TITLE: Consideration of a motion to adopt a resolution in support of Boulder County's 2014 Ballot Measure 1B, extending Boulder County's 0.9 mill ad valorem property tax mill levy for fifteen years to and including December 31, 2030

PRESENTER:
Mayor Matthew Appelbaum

EXECUTIVE SUMMARY
Council scheduled consideration of a resolution in support of Boulder County's 2014 ballot measure 1B, which extends the existing Temporary Human Services Safety Net Mill Levy (HSSN) of 0.9 mill (nine-tenths of one mill).

A resolution of support has been developed for council's consideration and is included as **Attachment A**. The county's resolution referring the measure to the ballot is included as **Attachment B** and its resolution approving the title for the resolution is included as **Attachment C**. Boulder County's Report on the Temporary Safety Net Tax is included as **Attachment D**.

Suggested Motion Language:
Motion to adopt Resolution Number 1143 in support of Boulder County Issue 1B, a proposed extension of Boulder County's Temporary Human Services Safety Net of 0.9 mill ad valorem property tax mill levy for fifteen years

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

- Economic – The Temporary Human Services Safety Net (HSSN) tax has demonstrated a tangible return on public investment through funding of early intervention and prevention activities. These early intervention and prevention services enable nonprofit and government agencies to reach more people in need with a lower expense per person served.

- Social – HSSN funding provides a safety net of basic human services, ensuring physical and mental health care, emergency shelter, transitional and permanent supportive housing; and programming to assist Boulder residents in meeting basic needs and achieve self-sufficiency and self-reliance. Residents served by agencies receiving HSSN funding are diverse low-income or at-risk populations. Services provided through HSSN allow lower income families and individuals to remain housed, employed and productive members of the community. HSSN funding also bolsters the community's ability to respond to natural disasters and meet needs in a timely manner.

BACKGROUND:

In November 2010, Boulder County residents voted in support of a .09 mill levy to provide alternative funding for human services to ensure that the state's underfunding of such services did not negatively impact families and children in Boulder County.

On August 16, 2014 Boulder County Commissioners approved placing Issue 1B on the November ballot, asking Boulder County voters to extend the HSSN .09 mill levy for an additional 15 years.

ANALYSIS:

Boulder County estimates that at least 12 community partners have served 11,000 Boulder clients with approximately $3.6 million in HSSN tax dollars. Services provided with these tax dollars include housing for the homeless and very low income residents, basic needs and family stability programs, mental health services, health care, parent support programs and domestic violence services. The HSSN tax dollars leverage city, state and federal resources to support City of Boulder residents.

The City of Boulder has received funds from the HSSN tax to expand and enhance services to Boulder residents for several city programs:

- Family Resource Schools program works in five Boulder elementary schools with low-income families and children to remove non-academic barriers to school success;
- The Family Resource Center (FRC) at Manhattan Middle School provides at-risk families with comprehensive family support services;
- Early Childhood programs including the Child Care Subsidy and Referral Program offering financial assistance, child care referrals, parent education for eligible, low-income families, and the Child Care Recruitment and Training Program which recruits, trains and provides technical assistance to licensed child care providers to improve the quality of child care in the community.

These funds have contributed to the city's ability to provide stabilizing services which keep vulnerable families from falling deeper into poverty and help many improve their economic status and self-sufficiency.

Continuation of the .09 county mill levy will continue resources to support City of Boulder low-income and vulnerable residents.

Attachment:

A. Proposed City Council Resolution No. 1143
B. Boulder County Resolution No. 2014-69
C. Boulder County Resolution No. 2014-70
D. Boulder County's Report on the Temporary Safety Net Tax

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Boulder City Council

RESOLUTION NO. 1143

A RESOLUTION SUPPORTING BOULDER COUNTY'S 2014 BALLOT MEASURE DESIGNATED AS 1B, WHICH EXTENDS BOULDER COUNTY'S 0.9 MILL AD VALOREM PROPERTY TAX MILL LEVY FOR FIFTEEN YEARS TO AND INCLUDING DECEMBER 31, 2030

FINDINGS

The City of Boulder City Council finds as follows:

1. On July 27, 2010, the Board of County Commissioners adopted Resolution No. 2010-92, proposing and placing on the 2010 general election ballot the approval of the existing Human Services Safety Net Mill Levy (hereinafter known as the HSSN) of 0.9 mill (nine-tenths of one mill).

2. The voters of the County of Boulder approved the HSSN proposal described in said Resolution No. 2010-92, and the revenues from said Mill Levy have been collected and expended in accordance with the terms of said resolution.

3. Under the terms of Resolution No. 2010-92, said HSSN will expire on December 31, 2015.

4. Boulder County Issue 1B, county resolution No. 2014-69, a proposed extension of Boulder County's 0.9 mill ad valorem property tax mill levy for fifteen years will be placed on the November 4, 2014 general election ballot.

5. State and federal funding have been inadequate since the voters approved the HSSN in 2010 and without an extension many of the services that the HSSN has funded will be cut back or terminated.

6. Unprecedented caseload growth and service demands, coupled with reduced financial support from State and Federal governments, continue to place significant strains on the ability of Boulder County, the City of Boulder and community-based human services safety net providers to effectively meet City of Boulder and Boulder County residents' needs within available resources; and

7. HSSN investments have financially supported an integrated approach to providing services that allows the County, the City of Boulder and community partners to operate more efficiently and to more quickly identify early intervention and prevention services that families and individuals may need to avoid crisis. These early intervention and prevention services enable the safety net providers to reach more people in need with a lower expense per person served.

8. The HSSN funding bolsters the community's ability to respond to natural disasters and unanticipated events.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the City of Boulder hereby supports and urges a YES vote on Boulder County Issue 1B, Human Services Safety Net Mill Levy Extension, which will appear on the November 4, 2014, election ballot.

Resolved this 7th day of October, 2014

_____
Mayor

Attest

_____
City Clerk on behalf of the
Director of Finance and Record

RESOLUTION NO. 2014-69

A RESOLUTION DESCRIBING A PROPOSAL FOR AN EXTENSION OF THE 0.9 MILL BOULDER COUNTY AD VALOREM HUMAN SERVICES SAFETY NET MILL LEVY.

WHEREAS, on July 27, 2010, the Board of County Commissioners adopted Resolution No. 2010-92, proposing and placing on the 2010 general election ballot the approval of the existing Human Services Safety Net Mill Levy (hereinafter known as the HSSN) of 0.9 mill (nine-tenths of one mill); and

WHEREAS, the voters of the County of Boulder approved the HSSN proposal described in said Resolution No. 2010-92, and the revenues from said Mill Levy have been collected and expended in accordance with the terms of said Resolution; and

WHEREAS, under the terms of Resolution No. 2010-92, said HSSN will expire on December 31, 2015; and

WHEREAS, the 0.9 mill has provided the County with the funds necessary to continue the County's provision of valuable human services as more particularly outlined below. However, as State and Federal funding have been inadequate since the voters approved the HSSN in 2010, without an extension, many of the services that the HSSN has funded will be cut back or entirely terminated; and

WHEREAS, Human Services in the State of Colorado are provided through a State supervised, county administered delivery system, and Boulder County is statutorily responsible for raising a portion of the funding for human services through property taxes; and

WHEREAS, unprecedented caseload growth and service demands, coupled with reduced financial support from State and Federal governments, continue to place significant strains on the ability of Boulder County and community-based human services safety net providers to effectively meet Boulder County residents' needs within available resources; and

WHEREAS, in order to continue forward progress in supporting safety services throughout the community and to avoid severe cutbacks or termination in those County human services programs in times of continually rising caseloads, this Board finds that the most appropriate response is to seek a continuation in the County's aggregate ad valorem property tax mill levy in order to provide alternative funding for these programs; and

WHEREAS, to continue to meet the increased service demands of Boulder County's residents, the County is seeking a 15-year extension of the 0.9 mill property tax mill levy increase originally approved by voters in 2010; and

WHEREAS, the intent of continuing this mill levy increase is to generate the revenues necessary to fill the funding gaps in Boulder County created by:

- Unprecedented need for services from Boulder County's safety net providers, both in the non-profit and government sectors, as reflected in across-the-board demand for family and individual stabilization and prevention resources that reduce the need for much more expensive interventions;

- Significant increases in Food Assistance (Supplemental Nutrition Assistance Program, or "SNAP," and formerly known as "Food Stamps"), Medicaid, health insurance, housing and other stabilizing support programs with inadequate State and Federal funding to provide these services and support expanded workload associated with caseload growth;

- Increased demand for Child Care Assistance Programs (CCAP) with inadequate funding to support families transitioning to work and needing quality early childhood services;

- Inadequate funding levels for child protection, adult protection, and child welfare prevention services necessary to ensure family, child, and individual safety and well-being;

- State and Federal cuts to the Temporary Assistance to Needy Families (TANF) block grant;

- State legislation that led to the depletion of Boulder County's TANF reserves; and

WHEREAS, the Federal Food Assistance and Medicaid programs provide the most basic safety net for families and individuals living in poverty. These benefits not only provide food security and medical coverage, they also directly benefit the County's economic development by providing a $190 million annual payer source for medical care and $24 million into the local economy through the purchase of food. A 2014 analysis of funding for eligibility services associated with Food Assistance and Medicaid determined that they were under-funded by more than $32 million statewide. The study also found that counties specifically were being under-funded by about one-third of what was needed to support the eligibility activities; and

WHEREAS, the impacts of the economic recession, slow economic recovery, combined with the high cost of living in Boulder County continues to put a strain on many residents. For example, a family of three with one adult and two children must earn $55,524 simply to cover all major costs, and the poverty rate for female heads-of-household with children under 18 is 26%. The pressures created by economic difficulty and high living expenses have led an unprecedented number of Boulder County's residents to ask for help, and this increased demand is only expected to continue. Since 2008, Boulder County's Medicaid enrollment has risen 162% from 16,000 people to

42,000 people and enrollment in the Food Assistance program has risen 124% from 8,900 people to 20,000 people; and

WHEREAS, the CCAP is funded through a block grant from the State of Colorado, and is primarily used to provide child care subsidies to low-income working families and those who, for a short time, are in search of work. Parents are required to pay a portion of the cost of the child care, based on their families' incomes; and

WHEREAS, in early 2010 the number of children receiving child care subsidies had grown to 1,056, a 45% increase since 2007. In 2010, the State's funding available for Boulder County's CCAP was reduced by $2.2 million, and Boulder County was forced to place a freeze on CCAP beginning in January 2010 as a result. As of July 2010, there were 652 children on the CCAP waiting list and Boulder County could only afford to support 650 children within CCAP. HSSN funding reversed this situation and today, with the availability of HSSN funding, there is no CCAP waiting list, 1,100 children of low-income families are in quality childcare in Boulder County, and the County has been able to restore CCAP resources to all families up to 225% of the Federal Poverty Level; and

WHEREAS, for every dollar invested in child care assistance and early learning programs, the community gains $12.90 in return on investment; and

WHEREAS, if Boulder County families are unable to access the child care subsidy program, parents are left with challenging options, which may include leaving their children in substandard or unsafe situations that fail to prepare the child for early education and may place the child at risk. For many families, the lack of affordable child care prevents them from accessing work force development services and/or employment; and

WHEREAS, through community partnerships, Boulder County has adopted a highly effective, nationally-recognized collaborative model that has greatly reduced the number of children needing to be removed from their parents' custody while ensuring child safety and well-being. However, the State has cut funding to Boulder County's program, despite a 6% increase in child abuse and neglect reports in Boulder County; and

WHEREAS, HSSN funding has demonstrated a tangible return on investment through its early intervention and prevention activities; and

WHEREAS, the HSSN has invested nearly $4 million into the County's Housing Stabilization Program, which has served 1,734 households since 2008 by providing critical rental assistance and case management to help families and individuals remain in their homes, avoid homelessness, and stabilize themselves; and

WHEREAS, nearly $4 million in HSSN funding has helped boost the ability of the County and its community partners to meet unprecedented increases in need for health coverage assistance and medical care; and

WHEREAS, the HSSN has invested over $6 million to help families and individuals meet basic needs like food and financial assistance. HSSN funds have also been leveraged to increase in-kind services, strengthen community collaboratives, and provide needed case management; and

WHEREAS, HSSN investments have been coupled with a focus on early intervention and prevention services, which help families and individuals avoid crisis and severe illness, which in turn greatly reduces the community's cost of providing services; and

WHEREAS, HSSN investments have financially supported an integrated approach to providing services that allows the County and its partners to operate more efficiently and to more quickly identify early intervention and prevention services that families and individuals may need to avoid crisis or illness. These early intervention and prevention services enable the safety net providers to reach more people in need with a lower expense per person served; and

WHEREAS, HSSN funding will be invested to deepen our community-wide integrated approach to providing services that allow the County and safety net providers to operate more efficiently and effectively by quickly identifying early intervention and prevention services that families and individuals may need to avoid crisis or illness; and

WHEREAS, the HSSN funding significantly bolsters our community's ability to respond to increasingly frequent natural disasters; and

WHEREAS, HSSN funding greatly strengthened the foundation from which the County and its community partners responded to the 2010 Four Mile Fire and the 2013 Floods, leading to a partnership which quickly and efficiently responded to thousands of households that needed assistance during those crises; and

WHEREAS, by State statute adopted in 2008, counties were required to spend down TANF reserves, which had been previously used as a "rainy-day fund" to cover periods when human services caseloads were increasing and State funding for services was decreasing. State-mandated limits placed on the TANF reserves safety net came at the worst possible time. As the economy fell into recession, from 2008 to 2009, the number of TANF households in Boulder County grew by 41%, and grew by an additional 20% in the first six months of 2010. By 2011, the County's rainy day TANF reserves balance was fully exhausted, placing numerous critical community supports at risk. As a result, the County had to terminate long-standing funding support for emergency service community providers, cut vital child protection and child welfare services, significantly reduce its investment in employment development programs, cut CCAP, close offices, eliminate vital positions, and greatly restrict the level of funding for mental health services. Through HSSN funding Boulder County has been able to counteract the deficit caused by the depleted TANF reserves and, in so doing, restore many of the programs that were reduced due to that deficit. An extension of the HSSN would enable the

County to continue these valuable services to ensure that the basic needs of Boulder County residents are met to the greatest degree possible; and

WHEREAS, Boulder County's collaboration with community partners has been greatly strengthened by HSSN funding, boosting partnerships that are based on effective outcomes and increased return on investment; and

WHEREAS, Boulder County implements many of its human services objectives through a network of strong public/private partnerships with non-profit providers through contracts for services with those agencies, and proceeds from an extension of the HSSN will go towards preserving current levels of basic human services for emergency food, shelter, and other safety net services and ensuring access to effective early intervention and prevention supports through contracts with such agencies; and

WHEREAS, for all of these reasons, the Board finds that it is appropriate to seek voter approval for a 15-year extension of the Human Services Safety Net Mill Levy of 0.9 mill to ensure that the State and Federal governments' underfunding of such services does not harm families and children in Boulder County; and

WHEREAS, Section 29-1-301, C.R.S., provides that County property tax revenues cannot increase more from year to year than 5.5% as computed in compliance with the provisions of that Section, unless, pursuant to Section 29-1-302(2)(b), C.R.S., the question of exempting the property tax revenues is included in the question submitted for an extension of the mill levy increase, and this Board desires to exempt the revenues in the determination of the limitation as provided in Section 29-1-301(2) and Section 29-1-302(2)(b), C.R.S.; and

WHEREAS, this Board finds that an extension of the Human Services Safety Net Mill Levy of 0.9 mill is necessary to meet the needs outlined above, and revenues from the balance of the authorized increase shall be deposited in the Human Services Safety Net Fund to be expended for these human services programs; and

WHEREAS, an extension of the Human Services Safety Net Mill Levy of 0.9 mill would result in the continued annual collection of approximately $21 for a $300,000 home; and

WHEREAS, the Board of County Commissioners of the County of Boulder intends that this proposal not change the amount, levying and scope of the existing 0.9 mill Human Services Safety Net Mill Levy as stated in Resolution No. 2010-92, except for purposes of the extension of the existing 0.9 mill Human Services Safety Net Mill Levy for an additional period of fifteen years from the current expiration date of December 31, 2015, to be effective up to and including December 31, 2030, with the revenues generated from said tax to be used for the purposes as stated in this Resolution, and to obtain a voter-approved revenue change for the additional tax revenues and the interest earned thereon for purposes of Section 20 of Article X of the Colorado

Constitution, said proposal as described in Resolution No. 2010-92 is amended and to the extent of conflict superseded by this Resolution; and

WHEREAS, it is the intent of the Board of County Commissioners that, should the proposal to extend the existing County-wide Human Services Safety Net Mill Levy not be approved by the electorate in November, the existing tax and existing voter-approved revenue change shall not in any way be affected by such failed amendment and shall continue in full force and effect as if this Resolution had not been adopted; and

WHEREAS, the revenues and earnings produced by the extension of the 0.9 mill shall be exempted from the fiscal year spending limitations and be a voter-approved revenue change and property tax revenue change for purposes of the limitations of Section 20 of Article X of the Colorado Constitution.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Boulder County, in accordance with Section 20 of Article X of the Colorado Constitution and Section 29-1-302, C.R.S., does hereby refer to the November 4, 2014, general election ballot a proposal to extend the Boulder County ad valorem Human Services Safety Net Mill Levy of 0.9 mill for 15 years for the purpose of funding services for health and human services programs as outlined in the preamble of this resolution.

BE IT FURTHER RESOLVED that funds generated by the extension of the property tax mill levy will be appropriated annually as determined by the Boulder County Board of County Commissioners in its sole discretion, in accordance with the provisions of this resolution, and nothing contained herein shall be construed as creating a claim by any individual or group for receipt of such funds.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or applications and to this end, the provisions of this resolution are declared to be severable.

BE IT FURTHER RESOLVED that the proposal set forth in this Resolution shall take effect immediately upon approval by a majority of voters voting thereon at the November 4, 2014 general election, for purposes of adopting the County's aggregate and component mill levy for 2016, the authorized extension of the mill levy increase being temporary and expiring after the 2030 fiscal year.

IT IS HEREBY DECLARED by the Board of County Commissioners of the County of Boulder, State of Colorado that this resolution is necessary for the immediate preservation of the public health, safety and welfare, and that it shall become effective immediately upon its adoption.

ADOPTED THIS 12th DAY OF AUGUST, 2014.

(SEAL)

BOARD OF COUNTY COMMISSIONERS OF BOULDER COUNTY

ATTEST:

_____
Cindy Domenico, Chair

_____
Deputy Clerk to the Board

_____
Deb Gardner, Vice-Chair

_____
Elise Jones, Commissioner

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RESOLUTION NO. 2014-70

A RESOLUTION APPROVING A BALLOT TITLE FOR THE HUMAN SERVICES SAFETY NET MILL LEVY EXTENSION REFERRED TO THE NOVEMBER 4, 2014 GENERAL ELECTION BALLOT

WHEREAS, this Board has adopted Resolution No. 2014-69, referring an issue to the November 4, 2014, general election ballot; and

WHEREAS, this Board desires to determine the ballot title for the issue referred for placement on the ballot for the November 4, 2014, general election; and

WHEREAS, pursuant to Sections 30-11-103.5 and 31-11-111(3), C.R.S., as amended, this Board must fix a ballot title according to the following guidelines: consider the public confusion that might be caused by a misleading title; avoid a title for which the general understanding of the effect of a "yes" or "no" vote would be unclear; no conflict with titles selected for any other measure that will appear on the County ballot in the same election; and the title shall correctly and fairly express the true intent and meaning of the measure; and

WHEREAS, this Board finds that the ballot title set forth below meets the statutory guidelines.

NOW, THEREFORE, BE IT RESOLVED that, in accordance with the statutory guidelines, the Board does hereby fix the following ballot title for the referred issue:

COUNTY ISSUE 1B (Human Services Safety Net Mill Levy Extension):
WITH NO INCREASE IN ANY COUNTY TAX, SHALL BOULDER COUNTY'S 0.9 MILL AD VALOREM PROPERTY TAX MILL LEVY BE EXTENDED FOR FIFTEEN YEARS TO AND INCLUDING DECEMBER 31, 2030 FOR THE PURPOSES OF FILLING DEFICIENCIES IN STATE AND FEDERAL FUNDING FOR COUNTY HOUSING AND HUMAN SERVICES PROGRAMS AND FOR CONTRACTS WITH NON-PROFIT AGENCIES MAINTAINING A SAFETY NET FOR FAMILIES AND CHILDREN IN BOULDER COUNTY, THE REVENUES OF SAID EXTENDED PROPERTY TAX TO BE IN EXCESS OF THAT WHICH WOULD OTHERWISE BE PERMITTED UNDER SECTION 29-1-301, C.R.S., EACH YEAR WITHOUT SUCH EXTENSION; AND SHALL THE REVENUES AND EARNINGS ON THE INVESTMENT OF THE PROCEEDS OF SUCH TAX, REGARDLESS OF AMOUNT, CONSTITUTE A VOTER-APPROVED REVENUE CHANGE AND A PROPERTY TAX REVENUE CHANGE; ALL AS MORE PARTICULARLY SET FORTH IN BOARD OF COUNTY COMMISSIONERS' RESOLUTION NO. 2014-69?

YES ____ NO ____

APPROVED THIS 12TH DAY OF AUGUST, 2014.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY

ATTEST:

_____
Cindy Domenico, Chair

_____
Deputy Clerk to the Board

_____
Deb Gardner, Vice-Chair

_____
Elise Jones, Commissioner

Boulder County's Temporary

Human Services Safety Net

2014 Report

Investment in Prevention | Savings to Community

Family & Children Services | Housing | Food Assistance | Financial Assistance | Elder Services | Health Coverage | Education & Skill Building

Hope for the future,
help when you need it.

BOULDER COUNTY HOUSING & HUMAN SERVICES

The Temporary Human Services Safety Net

hope & help

In November 2010, Boulder County voters took a visionary step forward to strengthen our community safety net. The passage of Ballot Initiative 1A, also known as the Temporary Human Services Safety Net (TSN), set aside about $5 million a year in property taxes to help backfill funding cuts to crucial human services in Boulder County. It was a revolutionary idea, and still is.

And it couldn't have come at a better time. The Great Recession along with two significant disasters (a fire and a flood) devastated many of our neighbors here in Boulder County. The TSN allowed us to invest in extremely important services to help make sure it was easier for people to get the help they need. And it worked. As you'll see in this report, among other things TSN investments have supported huge increases in the numbers of people receiving food assistance and Medicaid in our county. They've made it possible for hundreds of families to get help with child care so parents can work, look for a job, or go to school. They've helped get additional mental health services to so many of our neighbors who need them. TSN dollars have been used to help people pay their rent so they can avoid homelessness. And the TSN has helped strengthen partnerships that flourished in the aftermath of disaster.

As you'll also see in this report, because it's helped so many people, the TSN has saved our community significant amounts of money and generated tremendous additional revenue. The return on the investment that Boulder County taxpayers have made has been substantial, and will only continue to increase. The investment has fueled collaboration with and between community partners to help our neighbors avoid crisis, with a focus on early intervention and prevention to help them stabilize. Working together, we are turning the safety *net* into a *trampoline*, on which our neighbors can bounce back to stability and self-sufficiency.

The BCDHHS motto says it all: "hope for the future, help when you need it." We believe that true community is about supporting those in need and creating an optimistic vision for what's to come. Not only do we believe in the resilience of our community, but we also know we have a duty to help make it possible. And we know your participation is vital. We have more work to do. Please stay involved, know your neighbors, and remember that **there is no community without *you***.

The Temporary Human Services Safety Net

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The Temporary Human Services Safety Net

how we got here

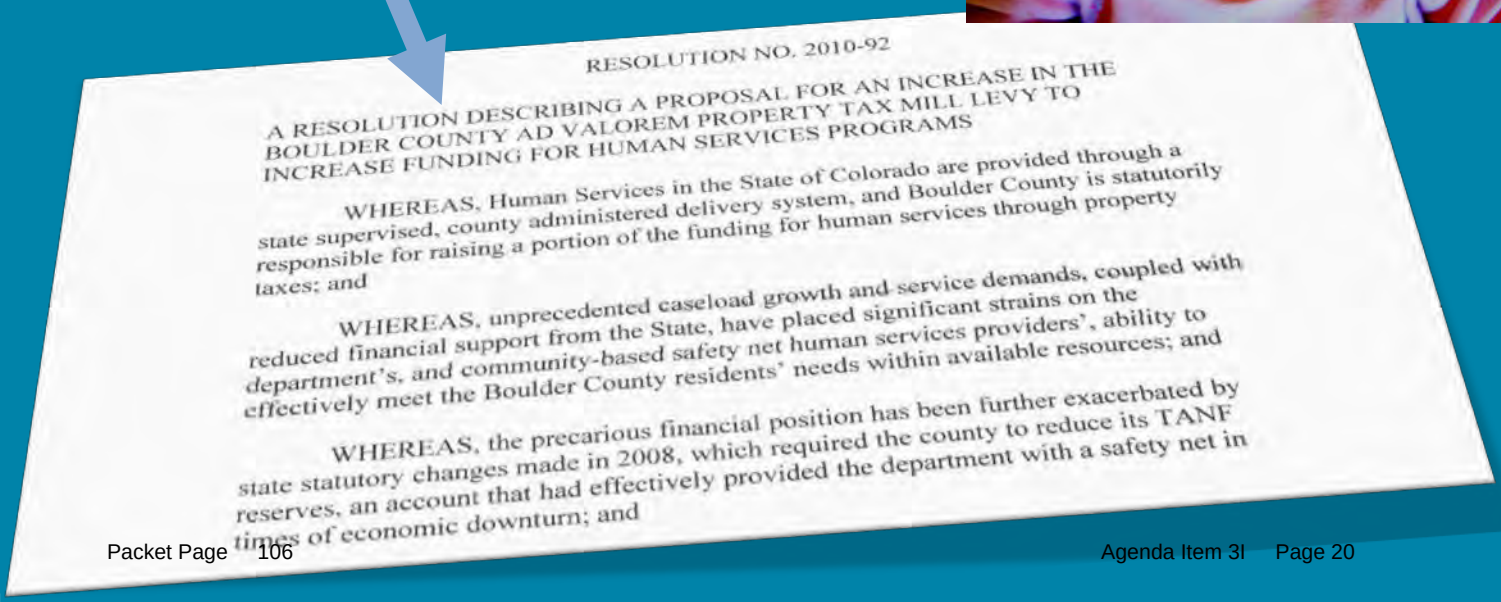
Significant state and federal budget cuts for human services had eaten away at funding for critical programs at the county level and amongst our community partners.

The U.S. had entered the Great Recession, and our economy was hitting Boulder County residents hard. The need for help with food, housing, and healthcare was skyrocketing.

Boulder County Commissioners worked with the community (including many of our non-profit and governmental partners) to ask the residents of Boulder County to help backfill cuts so services could be restored and we could address the rising need for help.

Ballot Initiative 1A, the Temporary Human Services Safety Net (TSN), was passed by voters in November 2010.

- A 5-year 0.9 mill property tax increase
- Generates about $5 million per year
- Cost: about $21 a year for a person with a $300,000 home in Boulder County



RESOLUTION NO. 2010-92

A RESOLUTION DESCRIBING A PROPOSAL FOR AN INCREASE IN THE BOULDER COUNTY AD VALOREM PROPERTY TAX MILL LEVY TO INCREASE FUNDING FOR HUMAN SERVICES PROGRAMS

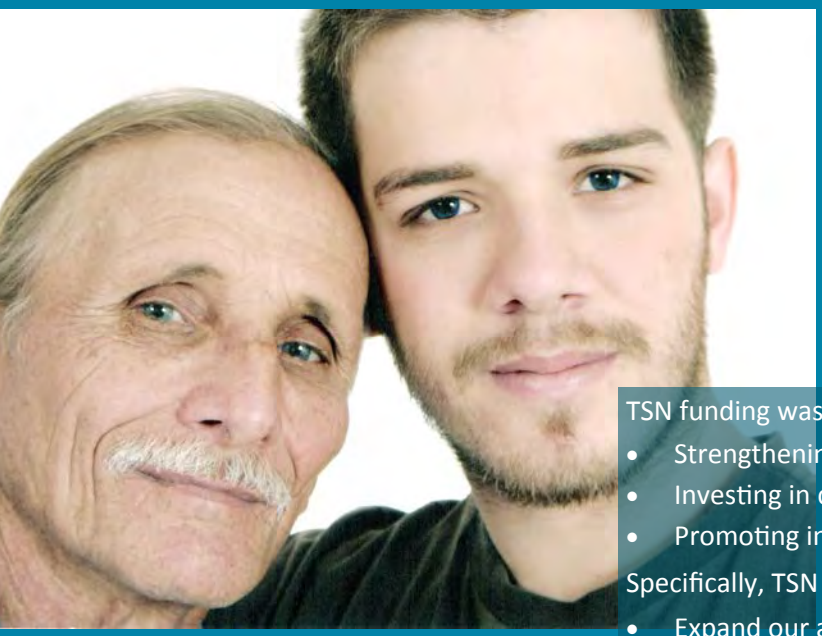
WHEREAS, Human Services in the State of Colorado are provided through a state supervised, county administered delivery system, and Boulder County is statutorily responsible for raising a portion of the funding for human services through property taxes; and

WHEREAS, unprecedented caseload growth and service demands, coupled with reduced financial support from the State, have placed significant strains on the department's, and community-based safety net human services providers', ability to effectively meet the Boulder County residents' needs within available resources; and

WHEREAS, the precarious financial position has been further exacerbated by state statutory changes made in 2008, which required the county to reduce its TANF reserves, an account that had effectively provided the department with a safety net in times of economic downturn; and

The Temporary Human Services Safety Net

how we got here



The TSN was coupled with a philosophy of investing in families early, before they hit a crisis.

By stabilizing families, not only can we help them get back on their feet, but we also keep them from needing high-cost assistance later.

TSN funding was prioritized by our community for several key areas:

- Strengthening early intervention and prevention services
- Investing in community-based safety net services
- Promoting individual and family stabilization

Specifically, TSN funding was used to:

- Expand our ability to provide stabilizing services like food and financial assistance for families, children, and individuals
- Extend our ability to help with housing and rent
- Increase access to health care
- Provide more help for families to access quality childcare
- Boost job training and employment supports
- Create and support community-based Family Resource Centers
- Increase access to mental health and substance abuse services

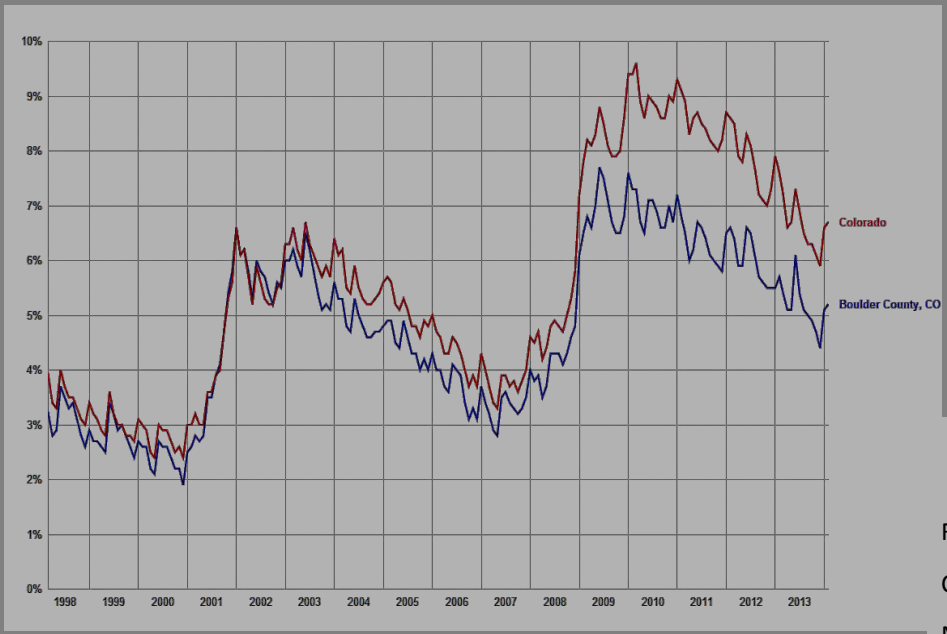
Ballot Language Excerpts:

- BOCC finds that it is appropriate to seek voter approval for a temporary mill levy increase to provide alternative funding to human services to ensure that the state's underfunding of such services does not harm families and children in Boulder County
- Boulder County seeks to implement many of its human services objectives through a public/private partnership with non-profit agencies-through contracts for services with those agencies, and will use certain of the proceeds hereof to preserve current levels of basic human services during the economic downturn for emergency food, shelter, and other safety net services through contracts with such agencies

The Temporary Human Services Safety Net

tough times

(are still with us)



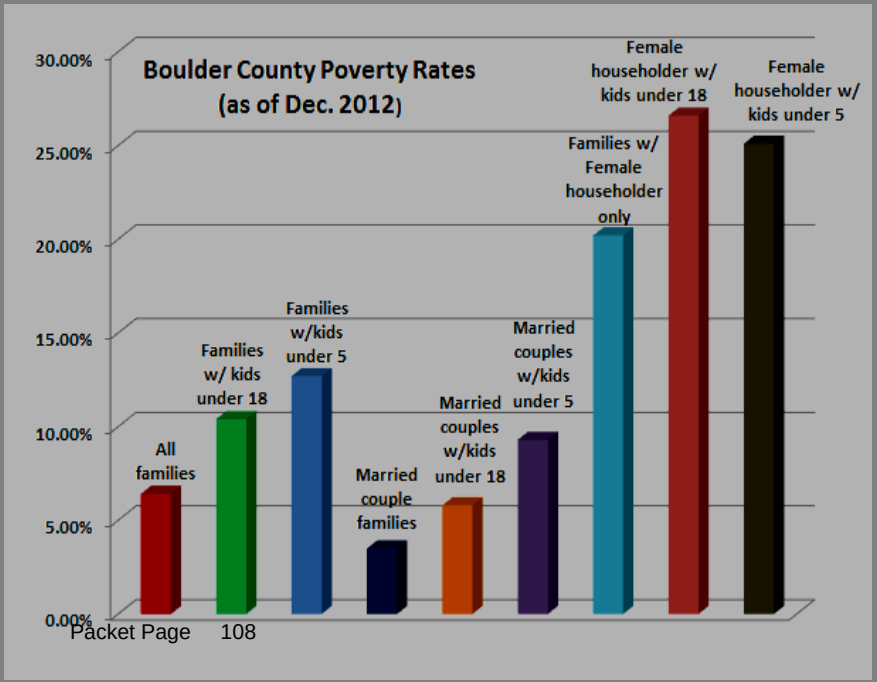
Unemployment

in Boulder County has fallen slowly from its 2010 peak, but remains higher than pre-recession data.

Monthly Expenses	1 Adult, 2 Children	1 Adult, 3 children
Food	$536	$749
Child Care	$996	$1,346
Medical	$427	$410
Housing	$1,059	$1,544
Transportation	$639	$686
Other	$258	$351
Required annual income before taxes	$55,524	$72,131

Cost of living

in Boulder County continues to rise faster than many people's ability to keep up. Single parents, in particular, face a difficult challenge.



Poverty

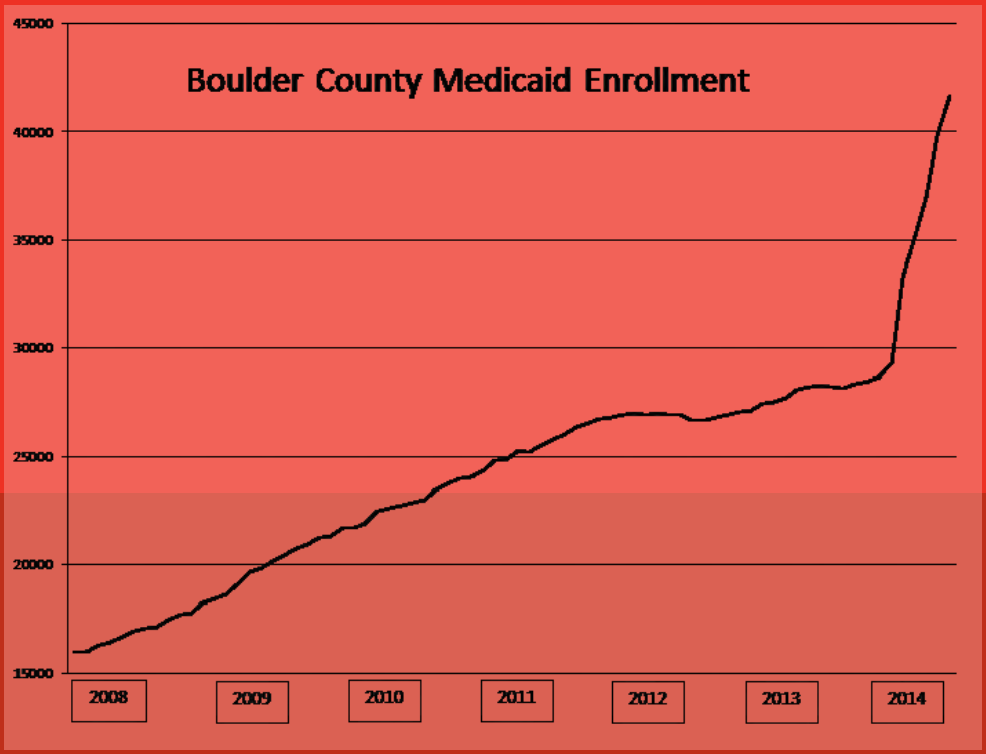
rates in Boulder County are 1 in 4 for single female heads-of-household with kids, and 13% of Colorado families with kids under 5 live in poverty.

The Temporary Human Services Safety Net

recovery

(we've been busy)

The **economic downturn** and ongoing **cost-of-living pressures** have led many of our neighbors to ask for help over the past few years.

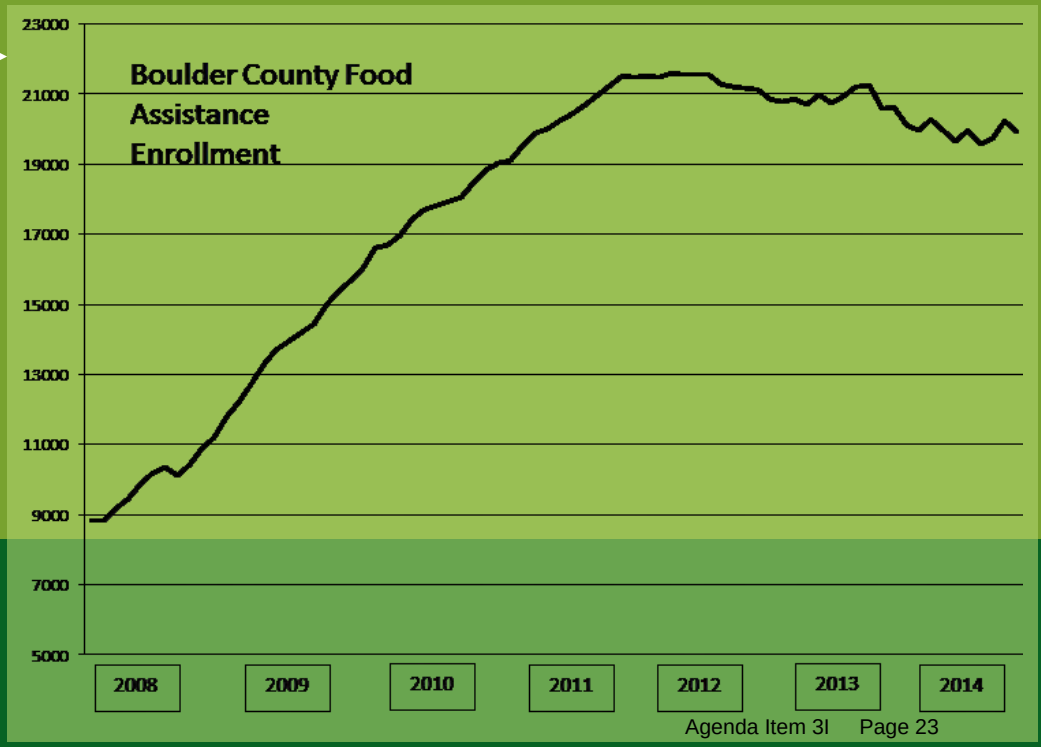


Help with healthcare

Since 2008, Medicaid enrollment in Boulder County **has risen 162%,** from 16,000 to 42,000 people.

Help with food

Since 2008, enrollment in Food Assistance (the SNAP program) in Boulder County **has increased 124%**, from 8,900 to 20,000 people.



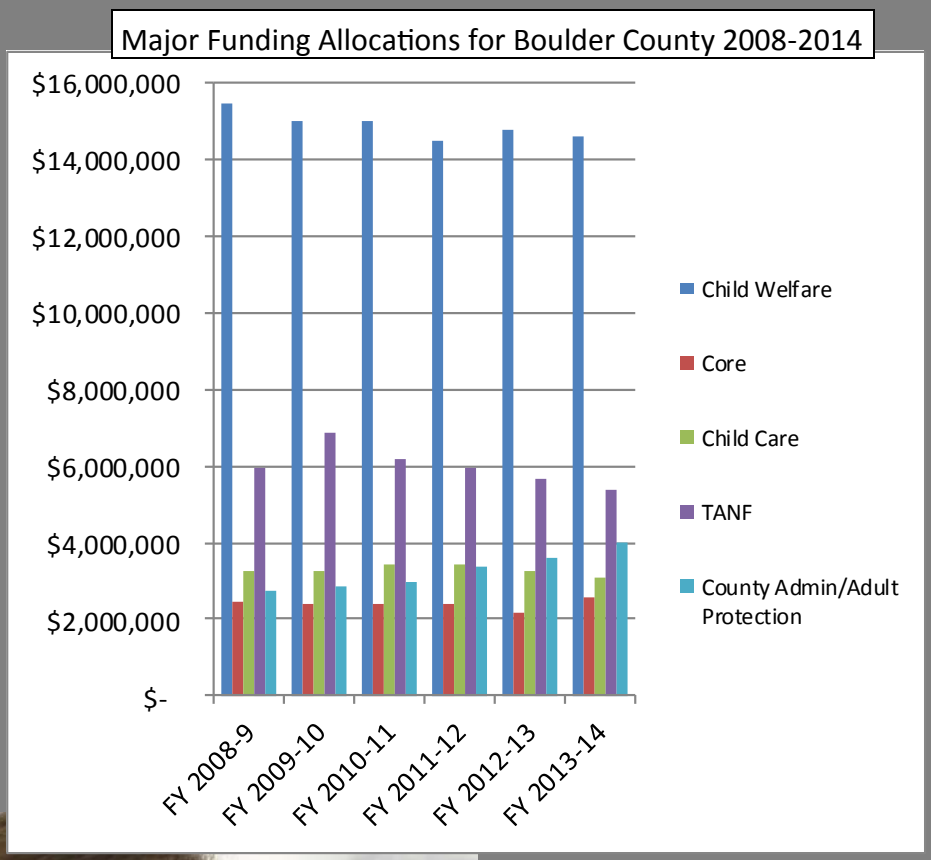
The Temporary Human Services Safety Net

tough times

(are still with us)

Reduced Funding

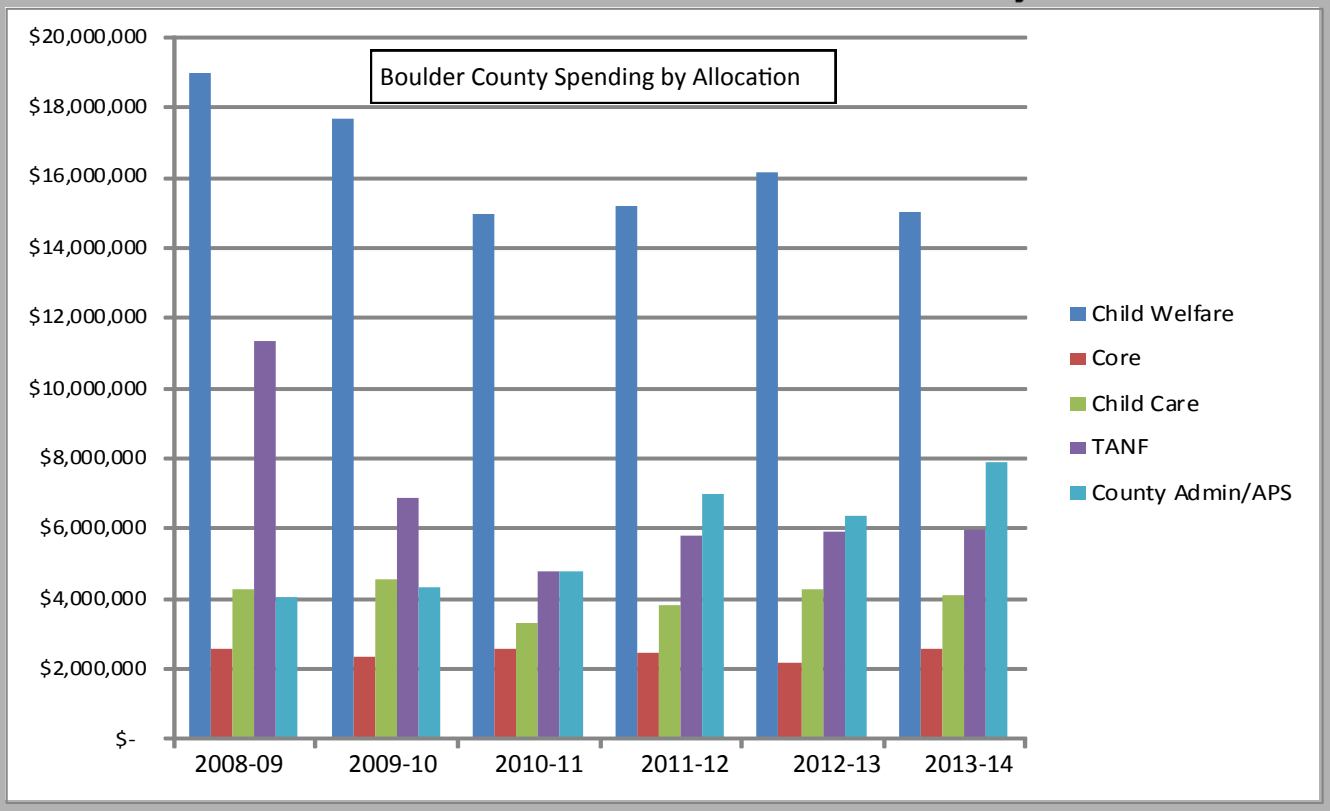
Because of state and federal budget cuts coupled with a deep economic recession, our major funding sources have not come close to keeping up with the increased need for assistance. The net effect has been reduced funding for people in need.



The Temporary Human Services Safety Net

tough times
(are still with us)

Reduced Access to State and Federal Safety Net Dollars



In 2008, the Colorado legislature significantly reduced the amount of Temporary Assistance for Needy Families (TANF) funding counties could utilize. TANF supports vital child care, child welfare, and community based services for families in need.

This flexible funding has helped support numerous shortfalls in the past. Since 2009, the TANF cuts have severely limited counties' ability to do this.

The Temporary Human Services Safety Net

tough times

(are still with us)

The human services safety net is always very important, and especially during and following **disasters**. Boulder County's focus on proactively preparing for disasters and working collaboratively with partners during response and recovery helps make our safety net one of the strongest in the country, quickly ready to help support residents in need.

More than **10,500 homes were damaged or destroyed** in Boulder County during the 2013 floods. **Damages totaled $121.6 million,** and FEMA data indicate there are **at least 263 highly vulnerable* households** in the county now very much in need of help with rebuilding.

*Primarily Low-income, elderly, people with young children, and disabled individuals

Flood

Almost exactly three years after the worst fire in recorded county history, unprecedented flooding hit Boulder County hard in September 2013, devastating many communities and displacing thousands of residents.
The impacts continue to this day.

Fire

The Fourmile Fire in 2010 destroyed 169 homes and resulted in $217 million in insurance claims, the most expensive wildfire in Colorado history at the time.

The Temporary Human Services Safety Net has helped fuel a collaborative effort in our community to strengthen our ability to get critical help to people *when they need it*. This was clear in our response to the 2013 floods, and we continue to build on that success through our TSN-funded community partnerships.

The Temporary Human Services Safety Net

tough times

(are still with us)

Strong Safety Net = Quick Response

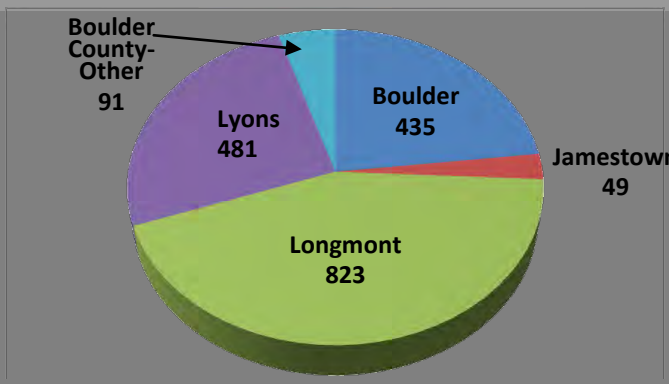
Disaster Recovery

Boulder County, in collaboration with our community partners, responds quickly during disasters like these to ensure residents have the help they need when they need it. Because of the strength of our TSN-boosted partnerships, in the aftermath of the 2013 flooding we were well-positioned to extend help to **over 1900 households** needing immediate (and longer-term) assistance.

Quick Response = Strong Community

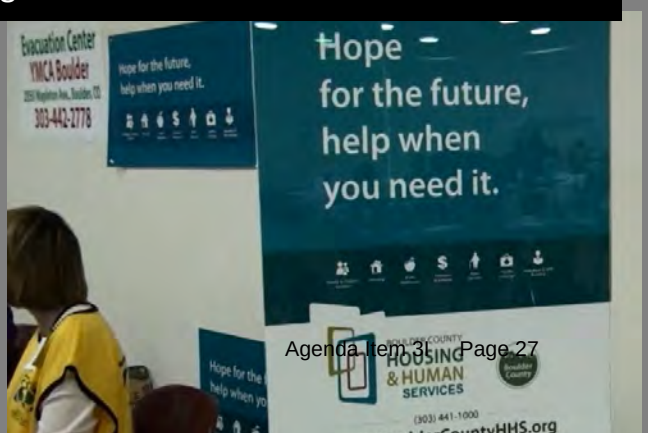
Boulder Disaster Assistance Center
9/20/14

Disaster Assistance Center (DAC) Households Served



"I have never, in all of the time I've been with FEMA, seen such a **well-organized force of a community** coming together. I have never seen such community support to help people in a disaster get their lives back on track."

-13-year FEMA veteran Edith Lovell, at our Longmont Disaster Assistance Center



The Temporary Human Services Safety Net

recovery

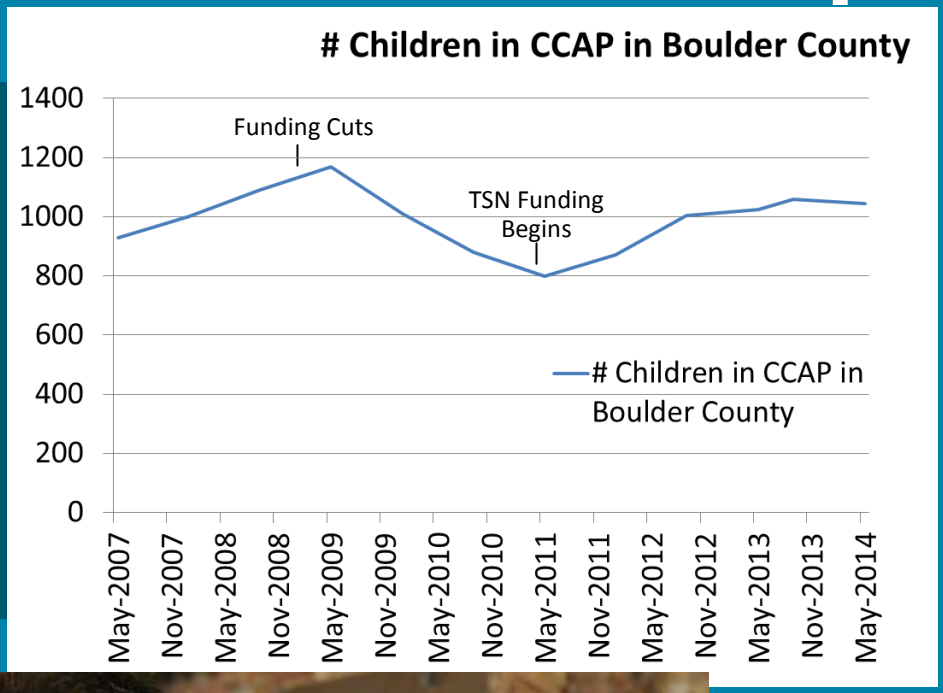
(we've been busy)

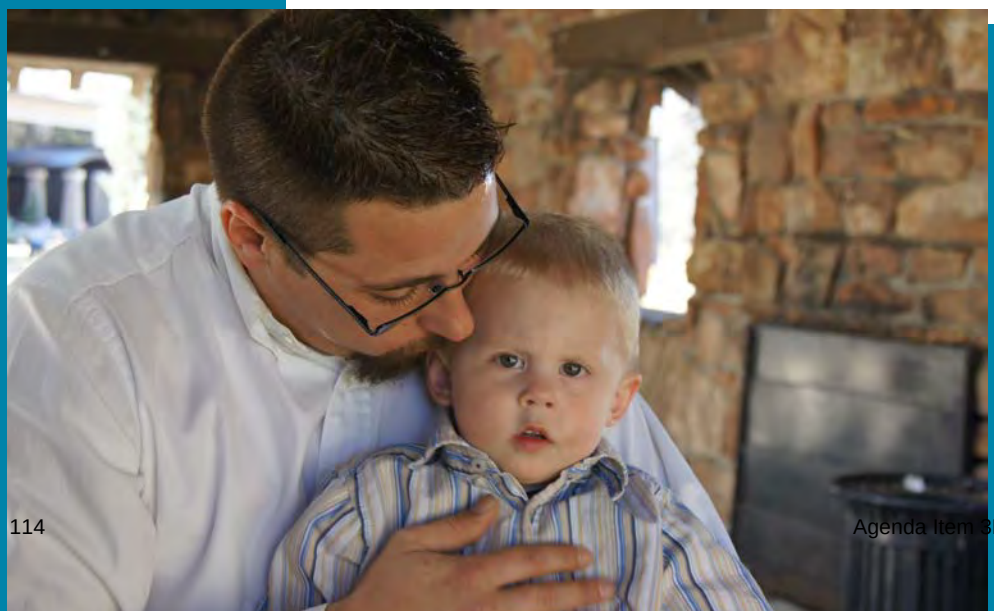
The **economic downturn** and ongoing **cost-of-living pressures** have led many of our neighbors to ask for help over the past few years.

Quality child care is an extremely important support for Boulder County residents who are trying to stabilize themselves and their families. Without this support, it can be very difficult to maintain adequate employment to make enough money to cover the costs of many other necessities like food, housing, health care, and transportation.

The Boulder County **Child Care Assistance Program** (CCAP) provides financial support for individuals and families to help cover the costs of child care. In order to qualify, parents or caretakers must be working, looking for a job, or pursuing an education.

Due to state and federal funding cuts, the CCAP program had to be closed to new clients and the numbers of families served had to be reduced between 2009 and 2010. The TSN has invested important funding back into this program to re-open the program and once again increase the numbers of families receiving this crucial assistance.





Client photos by Geneva Bailey

The Temporary Human Services Safety Net

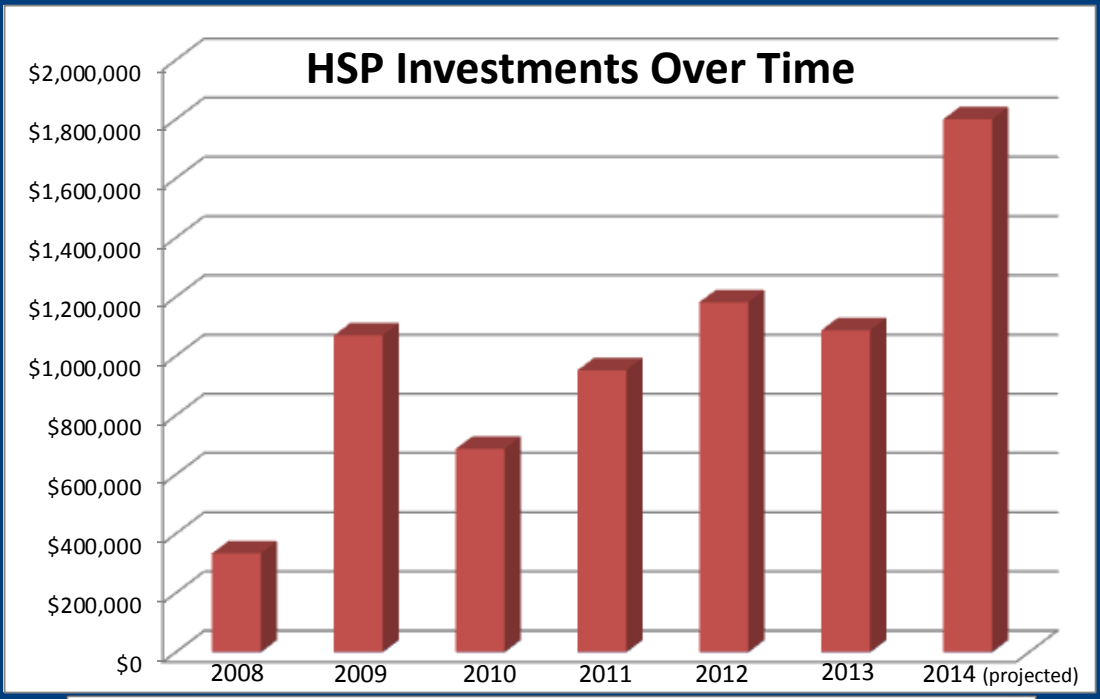
recovery

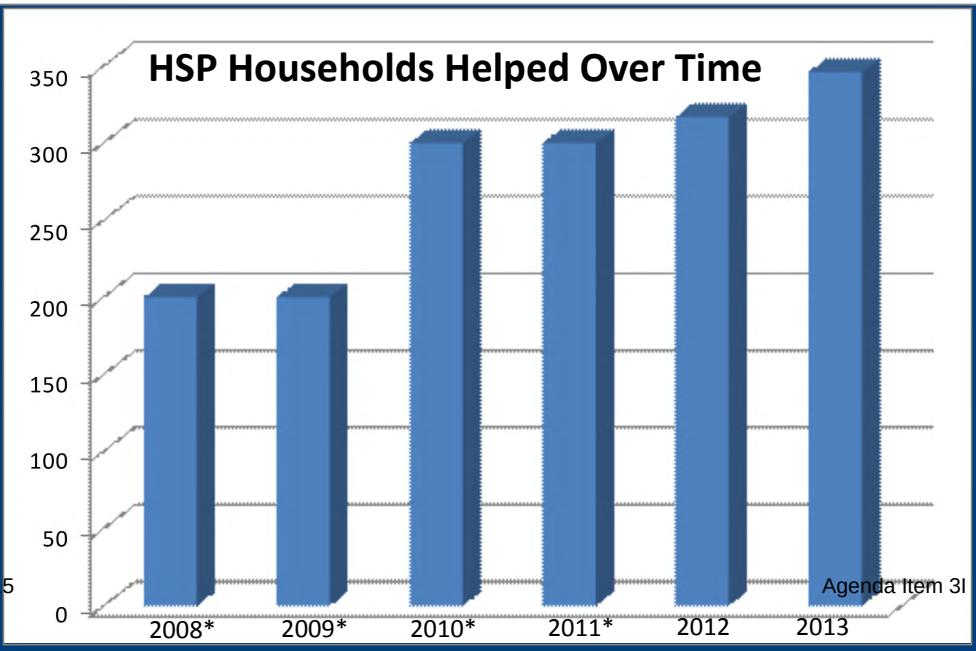
(we've been busy)

The **economic downturn** and ongoing **cost-of-living pressures** have led many of our neighbors to ask for help over the past few years.

Help with housing

Safe and stable housing is one of the most important supports a person can receive. The **Housing Stabilization Program** (HSP) provides financial assistance for Boulder County residents to pay their rent. By the end of 2014, the HSP will have invested **over $7 million** into our communities and will have helped **nearly 1,900 households** stabilize and avoid dislocation.





* Estimated

The Temporary Human Services Safety Net

recovery

(we've been busy)

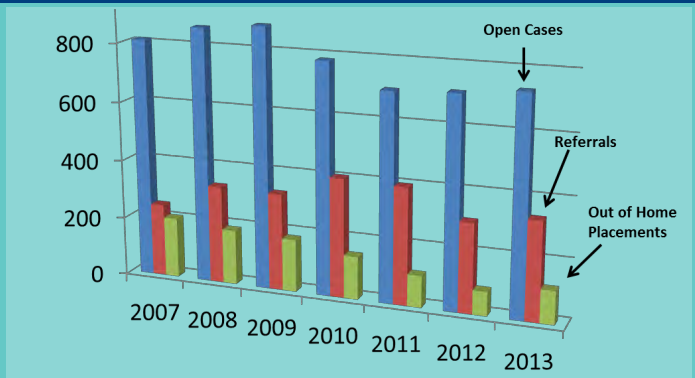
Help with housing

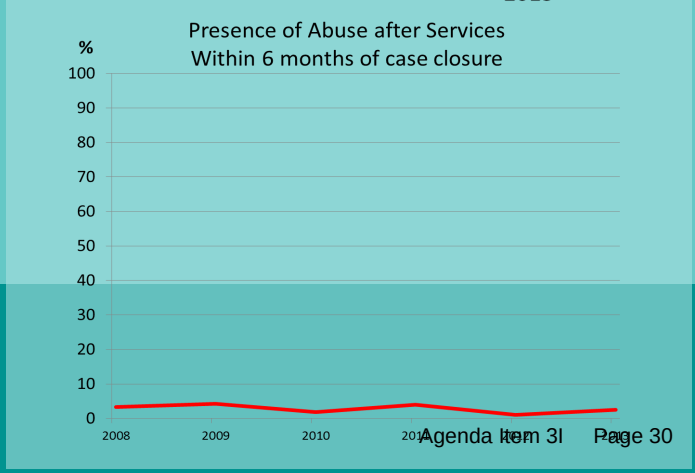
As part of our other efforts, in fall 2012 we opened Josephine Commons, 74 units of affordable housing in Lafayette. It was fully leased in four days. Phase II of the development, another 72 affordable units, will be finished and fully leased by the end of 2014.

In 2013, we purchased 13 acres of land in Louisville for more affordable housing for our community.

Help for families

Our focus on early intervention and prevention has helped keep families together and children safe at home. Children are being removed from their homes much less frequently as we increase our focus on getting services to families sooner.

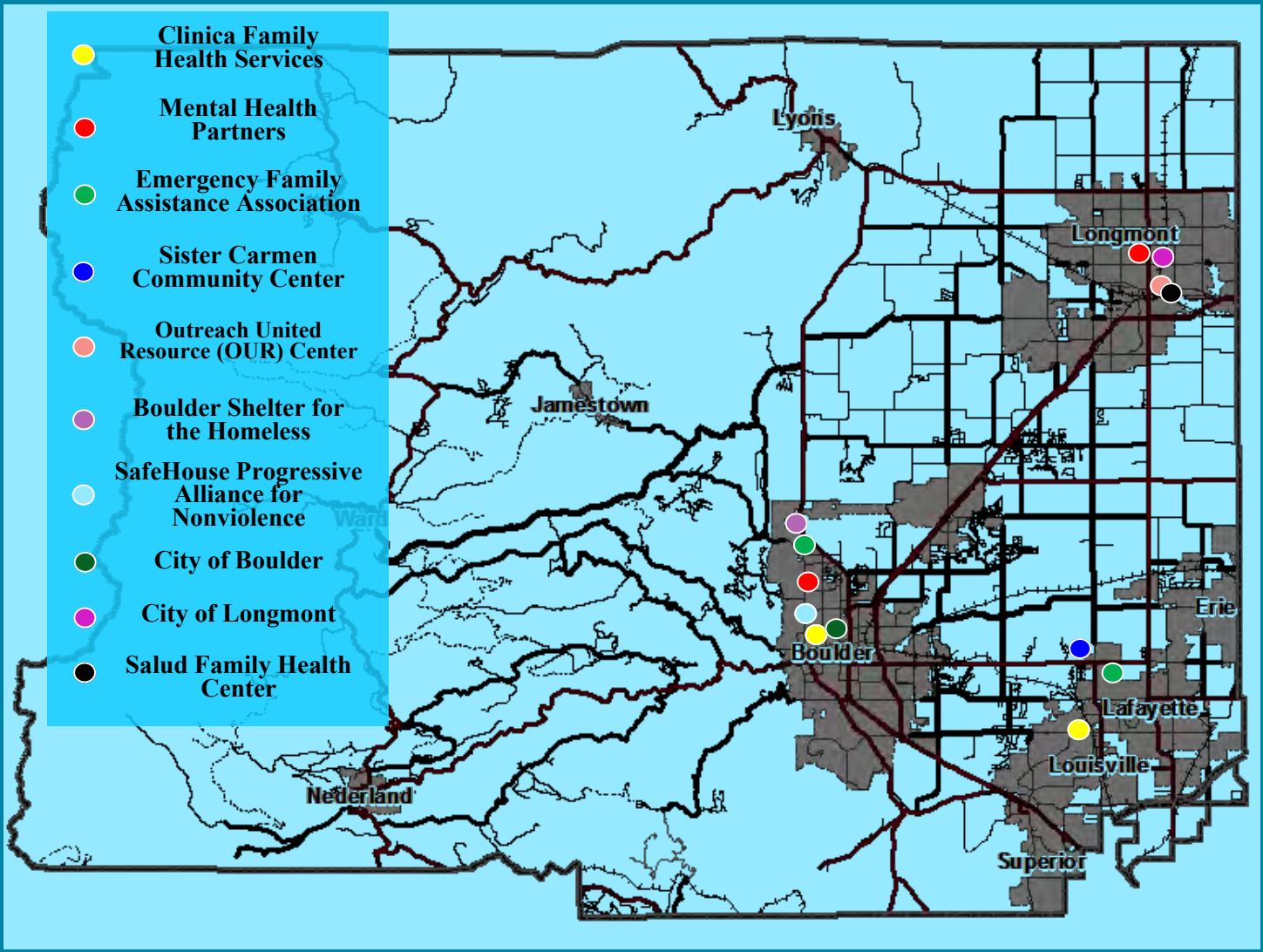




The Temporary Human Services Safety Net

partnership, investment

We couldn't do this without our strong network of **community partners**.



Key to helping families navigate crisis, stabilize, and achieve long-term stability is a seamless coordinated continuum of services, supported by knowledgeable staff. Through TSN investments, formalized partnerships between DHHS and our TSN-supported partner agencies have led to more coordinated practices, improved tools for service delivery, and universal training to support case management and related services.

BCDHHS recently launched a revised **universal case management assessment tool** and new **standardized framework for services delivery** which are now being used across key safety net partners, resulting in more timely and appropriate services for families and less duplication of effort.

The Temporary Human Services Safety Net

partnership, investment

Boulder County Housing Stabilization Program

As the name implies, Boulder County's **Housing Stabilization Program (HSP)** helps stabilize families by preventing housing dislocation and homelessness, and getting other assistance to families as soon as possible to help them avoid other crises. HSP clients are identified through referrals from partner organizations.

HSP financial help comes primarily in the form of rental assistance. Since 2008, we have helped **1,734 individuals and families** with a total of **6,472 months of assistance**, averaging 4 months of help and $3,459 of assistance per household.

56% of the households served have had incomes at or below $20,000 per year.

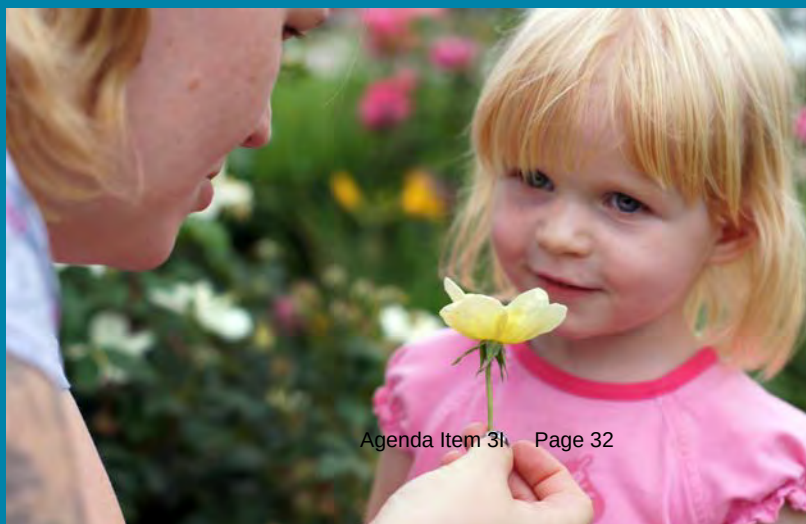
HSP—Months of Assistance Received		
Number of Months	**Number of Households**	**Percentage**
1	333	19%
2-4	970	56%
5-8	246	14%
9-12	161	9%
13+	26	1%

HSP Referrals from Community Partners 2008 to Present

Bridge House	12
EFAA	174
OUR Center	305
SAFE	33
Sister Carmen	201
SPAN	22
Veterans Affairs	29

Of the 1,734 households in the Housing Stabilization Program, 777 were directly case managed by our partners in their own communities, utilizing the universal case management assessment tool and new standardized framework for services delivery.

This has ensured clients get the help they need where they live and when they need it.



The Temporary Human Services Safety Net

partnership, investment

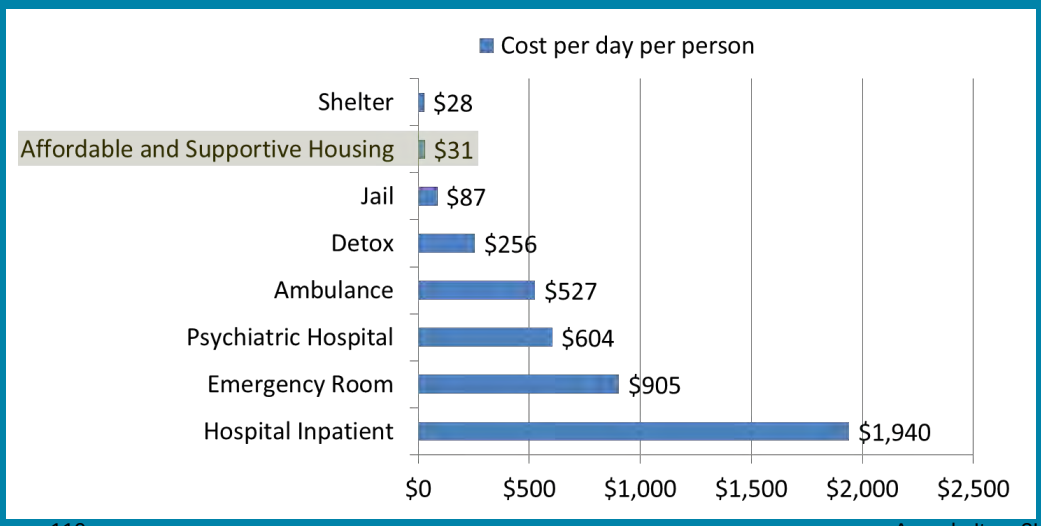
Boulder County Housing Stabilization Program

Emily's Story

When Emily came to our Housing Stabilization Program (HSP) she was homeless, fleeing her abusive partner, and caring for her son who has special needs. Scared, confused, and depressed, Emily began working with staff from HSP and Safehouse Progressive Alliance for Nonviolence (SPAN) to create a safety plan and secure her basic needs for herself and her son.

Soon after obtaining her apartment through HSP funds, she went from having a large deficit in her budget to a surplus of almost $400 a month. Emily advocated for herself at work and earned a promotion to manager. Her son, who had been to more schools than she could count, had significant improvement in his classroom behavior. At the time she transitioned out of HSP, Emily had already paid her next month's rent and still had almost a full month of rent in her savings account.

Compared to the financial costs of crisis that homelessness and dislocation sometimes brings, Housing Stabilization Program assistance saves the community tremendous amounts of money.



The Temporary Human Services Safety Net

partnership, investment

Boulder County Child Care Assistance Program

Michael's Story

Michael's contracting job was giving him just enough income to pay his bills, but not enough to cover child care for his young son. A friend was helping watch his son while Michael worked, but Michael frequently had to leave his job when his friend needed to tend to other business. While he was grateful for his friend's help, he was concerned his inconsistent schedule was jeopardizing his employment. He found out about the CCAP program through the City of Boulder Family Resource Center and immediately applied. Less than two months later, his son was in a quality child care setting with other children his age, and was thriving. Michael also found he had more energy and time for his work, and within six months he'd been promoted to supervisor. He then had enough income to cover the child care expenses and exit CCAP. He also had money left over for other things, including an annual membership to the zoo for him and his son.

In part due to financial support from the TSN, in July 2012 Boulder County **expanded our CCAP program income eligibility by 25%** to help additional parents and caregivers in the community. As a result, many Boulder County residents who were facing the possibility of becoming ineligible due to modest pay increases were able to remain in the program.

Overall, we have increased participation in CCAP by 200 families and 400 children since 2011.

Since 2009, the Child Care Assistance Program has injected $17.8 million into the Boulder County child care system.

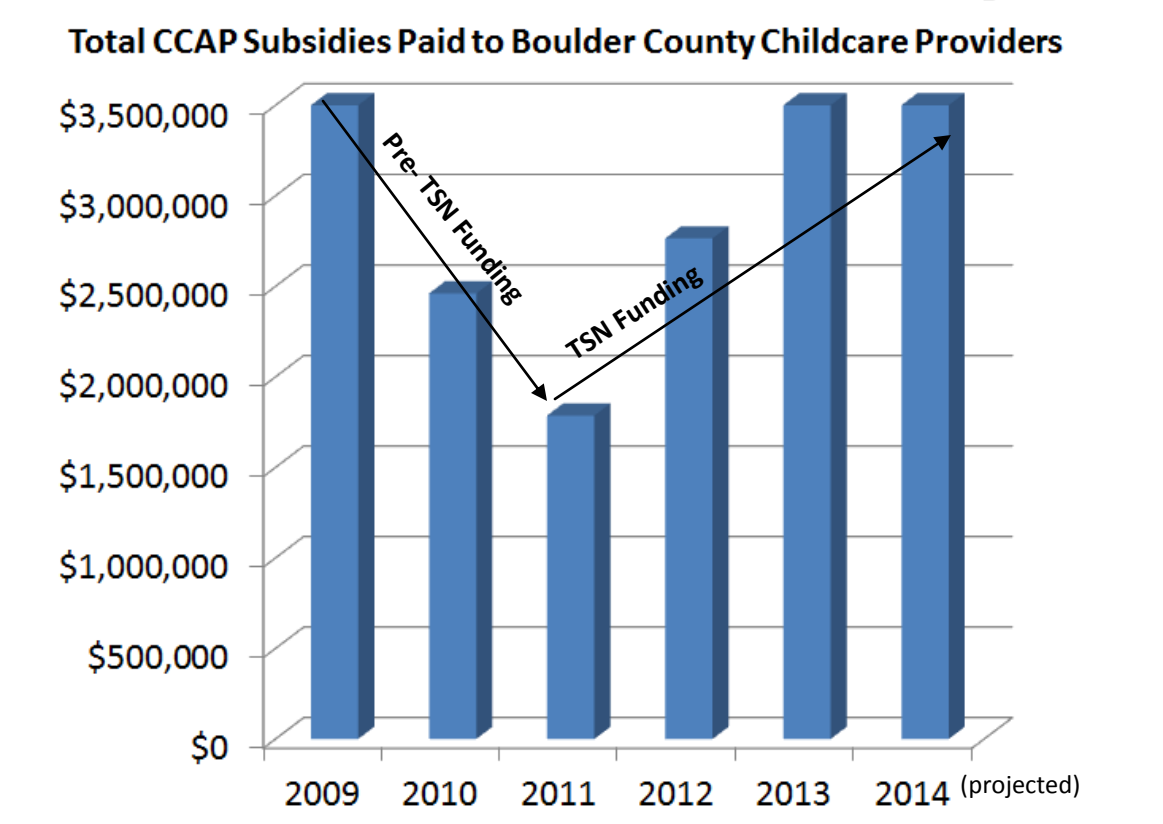
The Temporary Human Services Safety Net

partnership, investment

Boulder County Child Care Assistance Program

Affordable child care helps families stabilize.

On average, qualifying parents and guardians pay **just 9%** of the costs of quality childcare through CCAP.

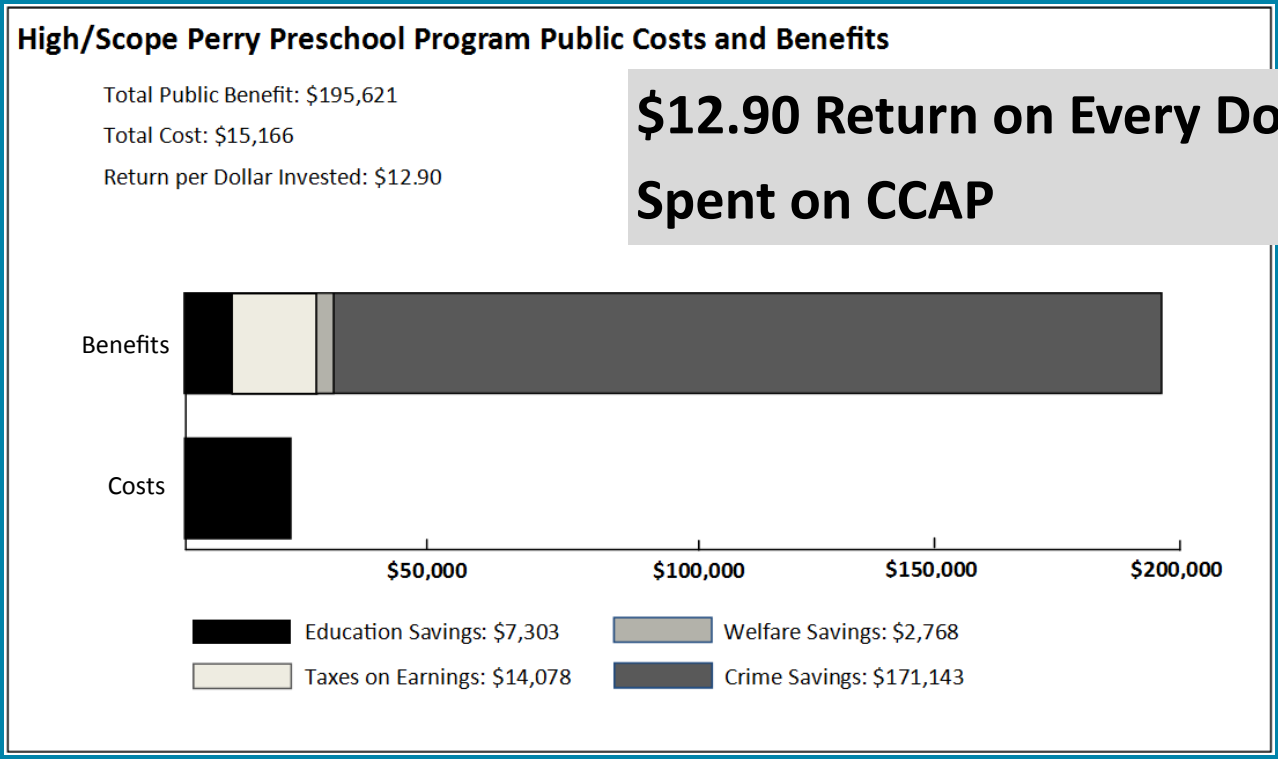


The Temporary Human Services Safety Net

partnership, investment

Return on Investment: CCAP

Financial support for lower-income residents to access quality child care and early learning programs is a very efficient and effective investment. A recent study by the Massachusetts Institute of Technology found that **for every dollar invested** in these supports, **the public gains $12.90** in return.



*http://web.mit.edu/workplacecenter/docs/Full%20Report.pdf

The study looked at a sample of 123 low-income children who were assessed to be at high risk of school failure. 58 of the children were randomly selected to attend a quality two-year preschool program for 2– and 3-year-olds; the others attended no preschool program. Researchers have followed the two groups for 40 years.

Evaluating return-on-investment, the study concluded that, 40 years after the preschool experience, the public gained $12.90 for every dollar spent on the program. From the study: "Much of the savings came from dollars not spent on incarceration; there were also savings to the public in lower special education costs, taxes paid to public coffers because of higher earnings [14% more], and savings in public assistance costs."

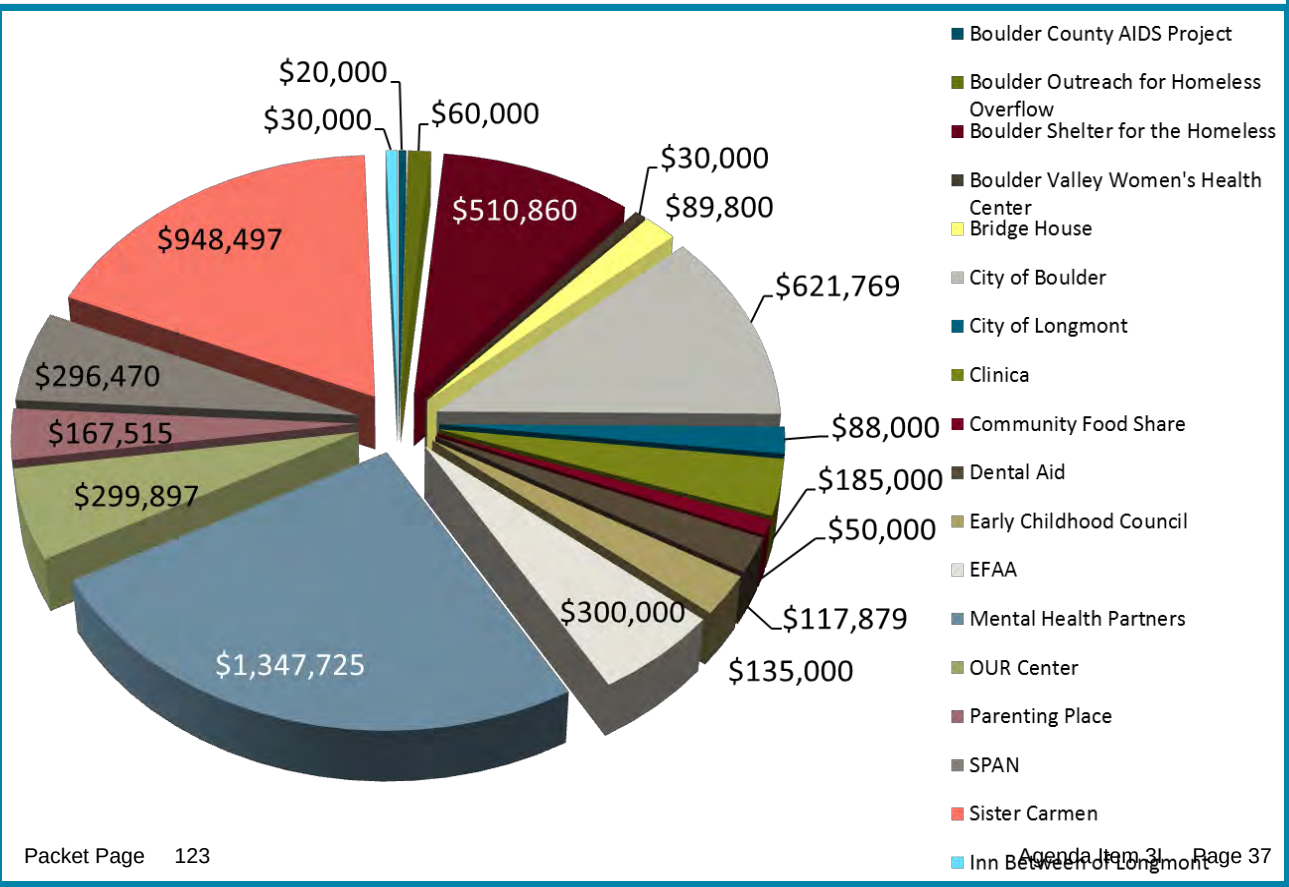
While the overall CCAP return-on-investment is significantly higher, based on these findings the $2 million TSN investment in the program can be estimated to generate nearly a **$26 million benefit** to our community.

The Temporary Human Services Safety Net

partnership, investment

TSN-Funded Community Partner Programs 2011-2014

Basic Needs & Family Stability	Health Coverage	Housing	Mental Health Services	Child Care
Sister Carmen Community Center	Boulder County AIDS Project	Boulder Outreach for Homeless Overflow	Mental Health Partners	Early Childhood Council of Boulder County
City of Boulder	Boulder Valley Women's Health Center	Boulder Shelter for the Homeless		City of Boulder
City of Longmont	Clinica Family Health Services	Bridge House		
Community Food Share	Dental Aid	The Inn Between of Longmont		
EFAA				
OUR Center				
Parenting Place				
SPAN				



The Temporary Human Services Safety Net

partnership, investment

Turning the safety **net** into a **trampoline**.

Community Partner Impact

Sister Carmen COMMUNITY CENTER

A Family Resource Center

"Temporary Human Services Safety Net (TSN) funding has been a tremendous benefit to Sister Carmen Community Center and participants in our programs. During the economic downturn, the funding has allowed us to provide financial assistance to additional families we would not have been able to serve otherwise.

We've been able to bolster our staffing levels in order to meet the increased demand for our services. The additional staff also allowed us to help our participants with enrollment in public benefits programs like Child Health Plan Plus (CHP+). Beyond that, we've been able to provide additional services, like parenting classes, that give families the tools and support they need to avoid spiraling further into crisis."

Suzanne Crawford, Sister Carmen CEO

Elena (not pictured) entered the HSP program through Sister Carmen after just having had a baby, being out of work for a year and supporting her mixed-generational family. Within three months, she and the other adult members of her household became employed. They now make enough money to move into their own homes. Elena's younger brother will be starting college in the fall. HSP gave them the support to get out of the never-ending cycle of late payments that late fees can fuel.

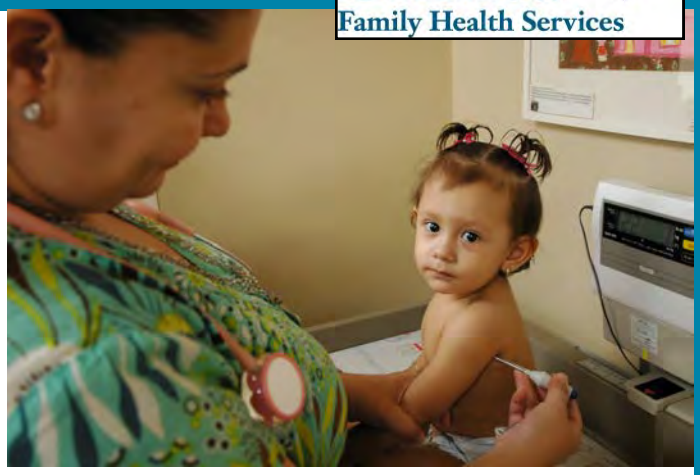
The Temporary Human Services Safety Net

partnership, investment

Turning the safety **net** into a **trampoline**.

Community Partner Impact

Clinica Family Health Services



Between 2008, when the Great Recession started, and 2012, when the economy finally began to strengthen again, Clinica Family Health Services saw an astounding 20% increase in its patient census (from 34,257 to 40,962 individuals) and a 28% increase in the number of appointments provided to patients. Day after day, patients told us about being laid off and burning through their savings. We had engineers and paralegals coming to us because, after losing their jobs, they had to settle for positions at box stores that offered no health benefits. We had middle-aged couples in business attire sitting with our financial screeners, looking for health care they could afford on unemployment benefits. None of them ever thought they would be turning to a community health center for help.

During this same period, Congress cut $600 million from the community health center program. Then the Colorado State Legislature declared a two-year fiscal emergency and implemented steep budget cuts that adversely affected a number of Clinica's funding streams, specifically the state Primary Care Fund, the Colorado Indigent Care Program and Medicaid payments. By 2010, our executive team was facing painful choices. We had already cut every possible expense out of our budget. What next? Should we turn patients away? Should we lay off staff or quit offering mental health services?

Boulder County's Temporary Human Services Safety Net Initiative gave Clinica much needed breathing room. We quit worrying about lay-offs and created additional capacity by implementing more group visits and co-visits. We fine-tuned our behavioral health care to provide more of the brief therapy that was so beneficial to patients suffering depression or anxiety often due to financial stress. We even expanded our homeless health care services, adding weekly visits to Safehouse, Boulder Shelter for the Homeless and Bridge House.

Clinica's financial footing is extremely solid now, but we are still tremendously grateful for the assistance that the TSN provided us at a time when we truly needed it.

Simon Smith, President and CEO, Clinica Family Health Services

The Temporary Human Services Safety Net

partnership, investment

Turning the safety **net** into a **trampoline**.

Community Partner Impact

safehouse progressive alliance for nonviolence

Years ago, an exasperated woman staying at the SPAN Shelter told me "I feel like a human hot potato, getting tossed from one agency to another. I go one place for affordable housing only to find there is none. I go another place to get my kids signed up for childcare, but we don't qualify. I thought living with my abuser was crazy-making, but this is almost as bad." Her frustration was a challenge to us to do better. The Boulder County Temporary Human Services Safety Net (TSN) has allowed SPAN and other community-based human services to do just that: a better job streamlining meaningful resources that support individuals and families from crisis to safety and stability.

The SPAN Community Resource Advocate, a position funded through the TSN, provides comprehensive resource support to survivor of domestic violence who walk through the SPAN Shelter doors. That's nearly 1,200 adults and children since TSN funding was available in 2011. With domestic violence being a primary cause of homelessness for women and children, providing access to child care assistance, housing and rental assistance, and post-crisis support are essential to the long-term safety and stability of domestic violence survivors. We know what works: Interrupt violence early; reduce barriers; enhance the strength and resiliency of survivors; and, provide integrated services that meet the complex needs of adults and children impacted by domestic violence. The TSN has been an investment in solutions that work. We have a long way to go, but the TSN has certainly put us on the right track.

Anne Tapp, Director,
Safehouse Progressive Alliance for Nonviolence (SPAN)

The Temporary Human Services Safety Net

partnership, investment

Turning the safety **net** into a **trampoline**.

Community Partner Impact

Tremendous Boost in Capacity, Less Unreimbursed Health Care

"The TSN has helped us build our case management capacity for benefits sign-up for single homeless adults. We have launched a resource center where we're able to sign people up quickly thanks in part to an incredible partnership with county staff. This has really helped us with getting people enrolled for the Medicaid expansion, in particular. **We've signed up 250 people for food assistance. We've also signed up 151 people for Medicaid**, which means 151 fewer instances in which our community clinics have to help pay for health care and our clients are able to access more preventive care, improving their health. Also, the county's Housing Stabilization Program has been incredible for so many families in particular."

Isabel McDevitt, Executive Director, Bridge House

Stronger Partnerships

"We work with offenders coming out of the Boulder County Jail, and they need everything: mental health care, housing, basic needs like food assistance and medical care. We work with the Boulder Shelter, Bridge House, Sister Carmen, Mental Health Partners… and the fact that the TSN dollars have been able to fund so many of our partners has helped us in those collaborations. Because it's really hard to say that there's one thing in particular our clients need when they come out of jail. The fact that those TSN dollars went to a number of organizations, all of us supporting one another, I think, is something we need to be sure continues."

Nicky Marone, Executive Director, Focus Re-Entry

The Temporary Human Services Safety Net

partnership, investment

Turning the safety **net** into a **trampoline**.

Community Partner Impact

"One of our programs is Aspen Center for Child Development. The CCAP strengthening has definitely helped us. We are able to get CCAP for the children that come to us and all the benefits that come with that. It's made our operating smoother, it's been less stressful, and it's also ensured that the population that we target – very low-income families – are able to rely on a quicker response. So many are ready to go back to work but can't find that child care, and now with no waiting list they're able to get right in there and get to work. This has really strengthened our self-sufficiency programming.

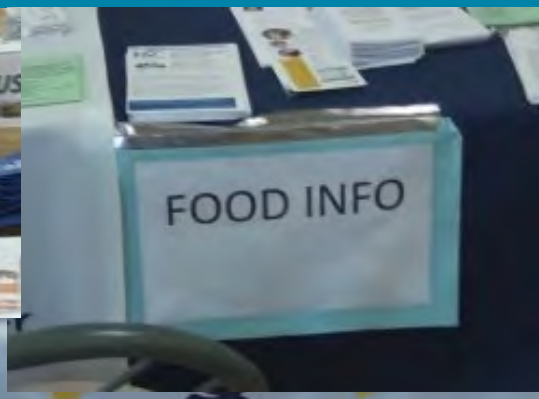
OUR Center has also received a good bit of support through the Housing Stabilization Program. **We've seen a 75% reduction in the number of families that we've sheltered in motels.** That's huge. We now very rarely have to put families in motels, and can instead focus more funding on prevention services."

Edwina Salazar, Executive Director, OUR Center

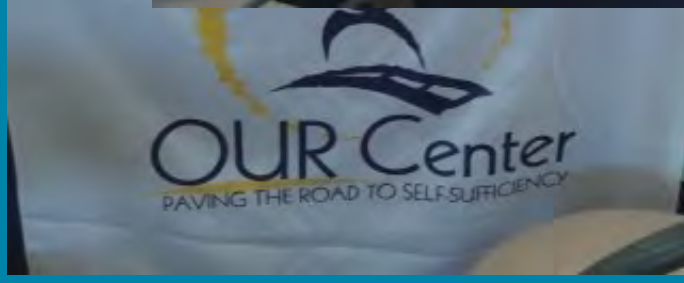
OUR Center
PAVING THE ROAD TO SELF-SUFFICIENCY

Child Care More Accessible

75% Reduction in Motel Sheltering



Comprehensive Help at Longmont Disaster Assistance Center

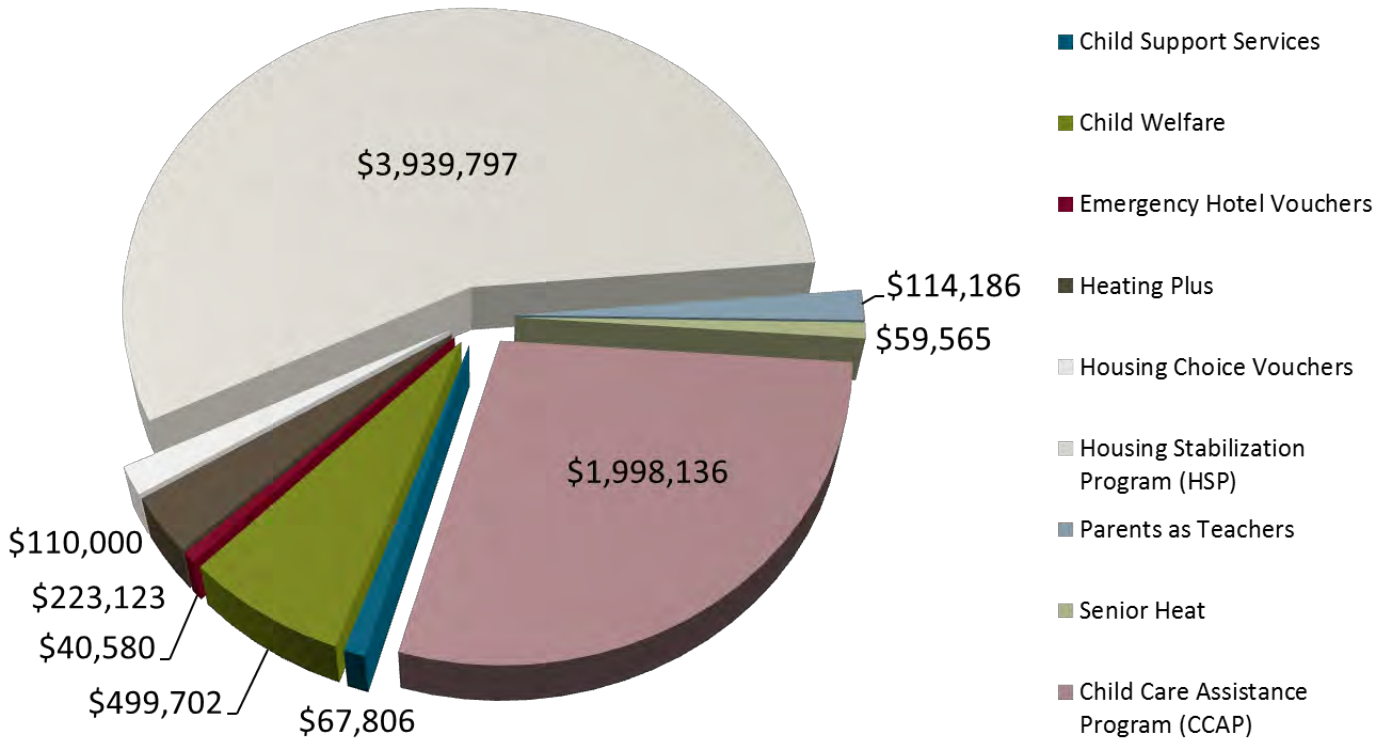


The Temporary Human Services Safety Net

partnership, investment

TSN-Funded Stabilization Supports 2011-2014

Basic Needs & Family Stability	Housing	Child Care
Child Support Services	Emergency Hotel Vouchers	Child Care Assistance Program (CCAP)
Child Welfare	Housing Choice Vouchers (Formerly Section 8)	
Heating Plus	Housing Stabilization Program (HSP)	
Parents as Teachers		
Senior Heat		



The Temporary Human Services Safety Net

partnership, investment Savings

How much is the TSN saving us? *A lot.*

- Emergency shelter costs **8 times more than** housing stabilization services (Costs of Homelessness).
- Foster care placement (homeless children are 34 times more likely to go to foster care) costs **4 times** more than wrap-around family preservation services (DHHS data)
- Unstable family and school environments are nearly **12 times more costly** than early childhood investments (MIT High/Scope study).
- Medical costs for the homeless are **twice as high** as those taking part in supportive housing programs. Hospital stays for the homeless are 4 days longer than for those who are supportively housed (Costs of Homelessness).
- 83% of homeless children have witnessed at least one violent event by the age of 12; these children are 15% more likely to need mental health services, which average $2,865 per episode (Costs of Homelessness).
- Students who drop out of high school earn on average $200,000 less over their lifetime than high school graduates, a direct economic impact on their communities (Costs of Homelessness).
- Every dollar spent on mental health services **saves about 88 cents** in costs related to arrests, jail, and hospitalizations (UCLA Study).
- Preventive health care saves millions of dollars a year by helping avoid medical crises.

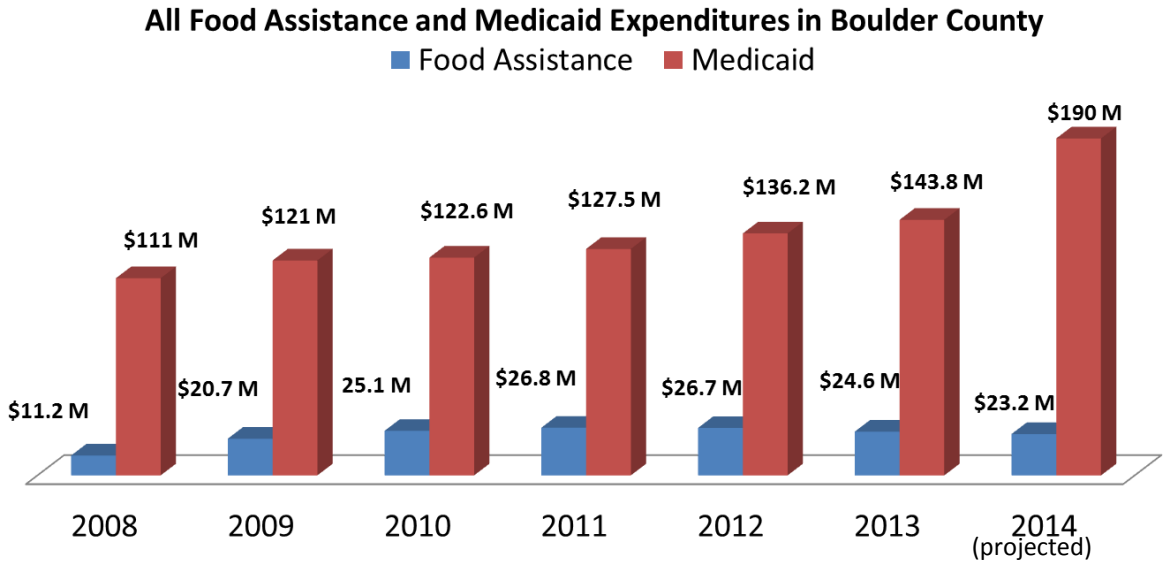
A $5 million annual investment in supportive housing, early childhood development, and basic needs clearly **generates many times that amount** in savings to the taxpayer and to our community.

The Temporary Human Services Safety Net

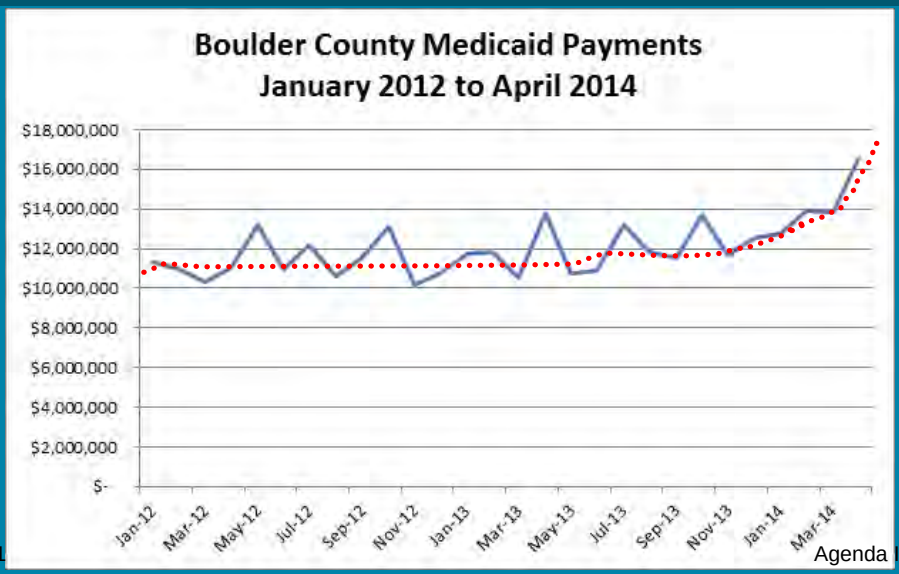
partnership, investment

Return on Investment: Medicaid Providers

Our collaboration with community partners on early intervention and prevention has led to a marked increase in dollars coming into Boulder County for Medicaid and Food Assistance. During 2013 alone, the two major assistance programs **injected $168.4 million into the local economy**.



Our collective efforts to enroll those who now qualify for health coverage under the Affordable Care Act have contributed to a significant increase in Medicaid payments to Boulder County providers in the first several months of 2014. At the current rate, the net result will be a **$46 million increase** in Medicaid payments for 2014. And the benefits of so many more Boulder County residents having access to preventive health care are tremendous—both for their well-being and our community's strength and financial health. The TSN continues to help fuel this progress.



The Temporary Human Services Safety Net

partnership, investment

Return on Investment: Self-Sufficiency

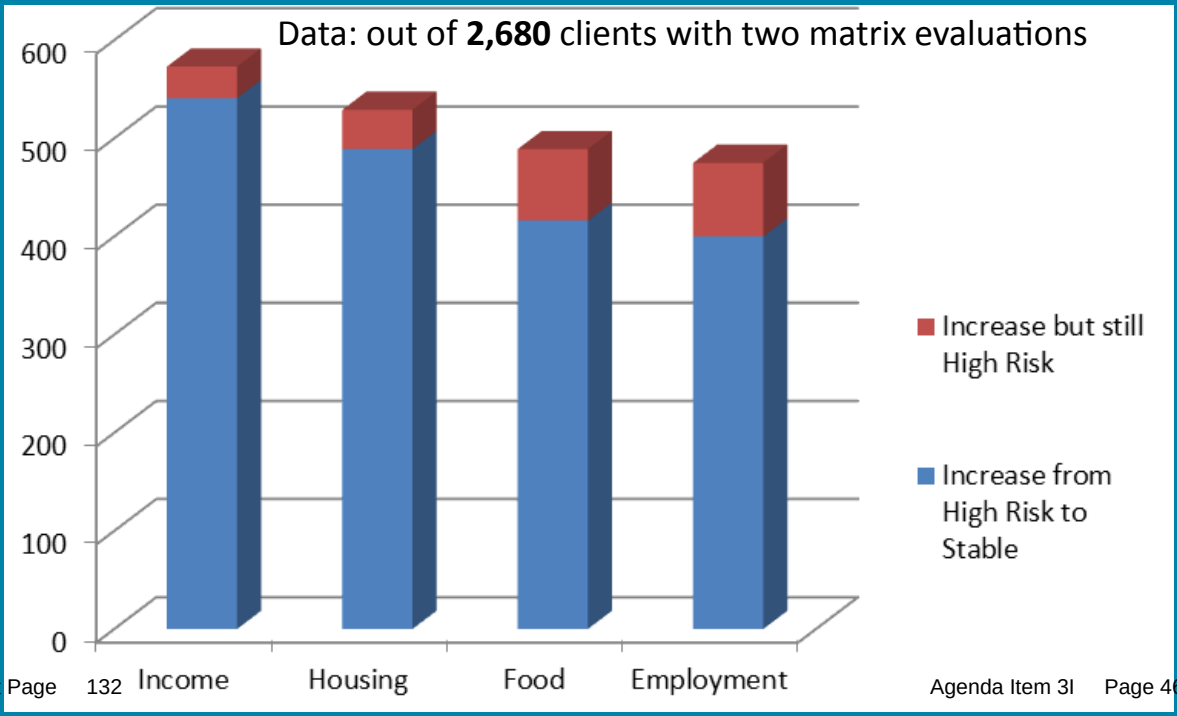
TSN funding provides support for basic needs emergency services and various case management programs across the county. This pivotal network of safety net programs serves some of the county's most at-risk families in need. These programs assist with access to food resources, emergency and transitional housing supports, training for employment, clothing, and other services. Basic needs programs have provided assistance to nearly 12,000 families since the TSN initiative was approved.

TSN Basic Needs Programs: 11,904 families served

TSN Case Management Programs: 3,564 families served

Case Managers working with families evaluate areas of need according to the Boulder County Self Sufficiency Matrix. This assessment tool helps case managers look across 21 domains related to self sufficiency including Housing, Income, Food, and Employment. The matrix helps to identify high risk areas of need as well as areas where the family is stable or thriving. Case Managers frequently update the matrix to evaluate progress towards this stable or thriving state.

The chart below shows 4 domains of the 21 in the self sufficiency matrix and how many individuals and families assessed for change had an improvement in their matrix score.



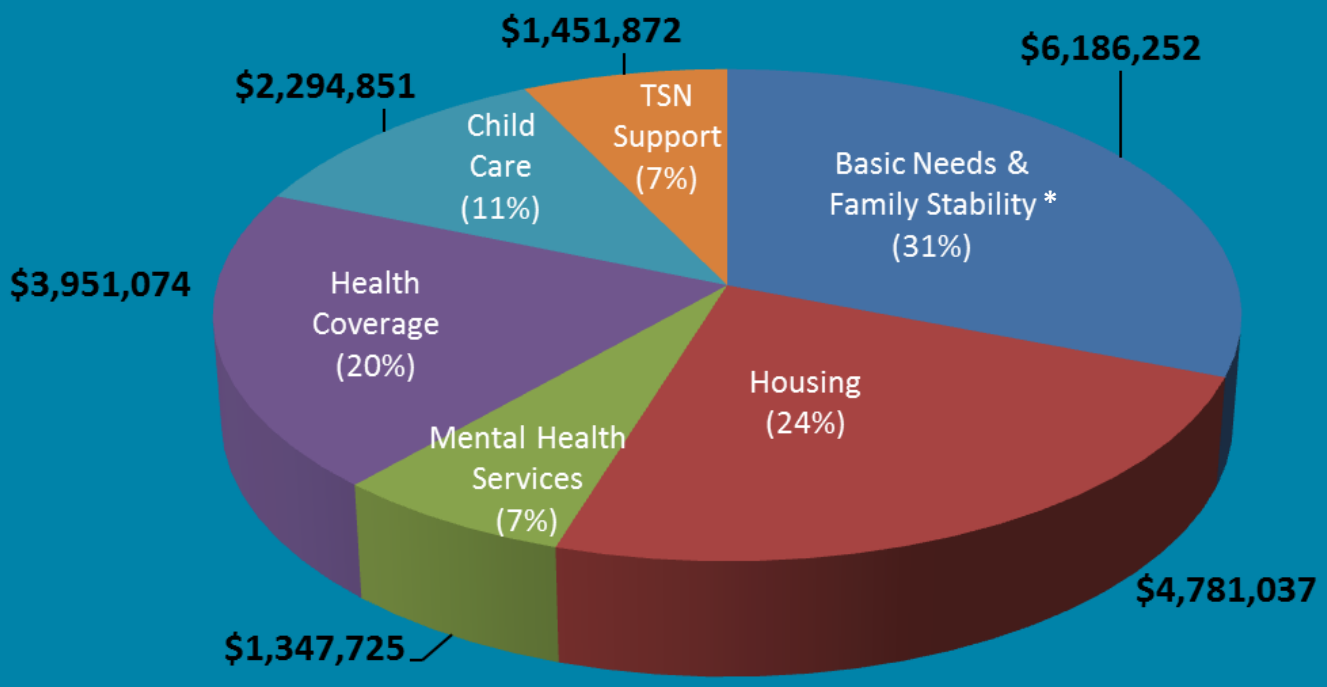
The Temporary Human Services Safety Net

partnership, investment

Turning the safety **net** into a **trampoline**.

TSN Total Investments 2011 - 2014

$20,012,811



This funding has helped turn the safety *net* into a *trampoline* that no longer simply catches and holds people. Because of the early intervention and prevention focus and partnerships boosted by the TSN, our neighbors in need are better able to bounce back out to sustainable self-sufficiency.

* Basic Needs & Family Stability:

- Food Assistance
- Financial Assistance for Families and Seniors
- In-kind Services for Families and Seniors
- Case Management

The Temporary Human Services Safety Net

connect with us

Visit us on the web at
www.BoulderCountyHHS.org

Family & Children Services

Housing

Food Assistance

Financial Assistance

Elder Services

Health Coverage

Education & Skill Building

Hope for the future,
help when you need it.

BOULDER COUNTY
HOUSING & HUMAN SERVICES

Boulder County

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: October 7, 2014

AGENDA TITLE: Consideration of a motion to adopt a resolution in support of Boulder Valley School District's 2014 Ballot Measure Designated as 3A, "Improving All Buildings, Benefiting All Students"

PRESENTER
Mayor Matthew Appelbaum

EXECUTIVE SUMMARY
Council scheduled consideration of a resolution in support of Boulder Valley School District's 2014 ballot measure designated as "3A," and described as "Improving All Buildings, Benefiting All Students." A resolution of support has been developed for council's consideration and is included as **Attachment A**. The district's resolution referring the measure to the ballot and incorporating the ballot language is included as **Attachment B**. The referenced "Education Facilities Master Plan" is included as **Attachment C**.

Suggested Motion Language:

Motion to adopt Resolution Number 1144 in support of Boulder Valley School District's 2014 Ballot Measure Designated as 3A.

ATTACHMENTS
A. Proposed City Council Resolution No. 1144
B. Boulder Valley School District Resolution No. 14-20
C. Educational Facilities Master Plan, August 2014

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Boulder City Council

RESOLUTION NO. 1144

A RESOLUTION SUPPORTING BOULDER VALLEY SCHOOL DISTRICT'S 2014 BALLOT MEASURE DESIGNATED AS 3A, FUNDING ALL BUILDINGS, BENEFITING ALL STUDENTS

FINDINGS

The City of Boulder City Council finds as follows:

1. The Boulder Valley School District is recognized throughout Colorado for its high rate of student academic achievement and its innovation in classroom teaching.

2. For more than a decade, the State of Colorado has been unable to provide adequate funding for the capital maintenance of Colorado's public education infrastructure placing this responsibility almost entirely upon local school district taxpayers.

3. Greater than 70 percent of the Boulder Valley School District's buildings are more than 30 years old and in need of structural repair, renovation, sustainability upgrades, in four cases, a new building or building replacement.

4. A Capitol Improvement Planning Committee, made up mostly of private citizens, assessed the district's capital needs for more than a year and recommended a new BVSD Facilities Master Plan to the school board made up of proposed capital improvements in the areas of critical repairs, preventative maintenance, asbestos removal, enhanced building security, increased energy efficiency to support green building principles, renovation of learning spaces, building replacement as needed and other improvements touching every district building.

5. On August 12, 2014, the Boulder Valley School District Board of Education unanimously approved the recommended BVSD Facilities Master Plan and, separately, approved a capital improvement bond measure in the amount of $576 million to be considered by district voters at the November 4, 2014 general election.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the City of Boulder hereby supports and urges a YES vote on Boulder Valley School District Ballot Measure 3A, which will appear on the November 4, 2014, election ballot.

Resolved this 7th day of October, 2014

_____
Mayor

Attest

_____
City Clerk on behalf of the
Director of Finance and Record

BOULDER VALLEY SCHOOL DISTRICT RE-2

RESOLUTION NO. 14-20

RESOLUTION CALLING AN ELECTION ON NOVEMBER 4, 2014, TO AUTHORIZE THE INCURRENCE OF GENERAL OBLIGATION INDEBTEDNESS BY THE DISTRICT AND AUTHORIZE THE LEVY OF AD VALOREM PROPERTY TAXES TO PAY FOR SUCH GENERAL OBLIGATION INDEBTEDNESS; AND SETTING THE BALLOT TITLE AND BALLOT QUESTION FOR THE FOREGOING.

WHEREAS, the Boulder Valley School District Re-2 (the "District"), in the Counties of Boulder and Gilpin, and the City and County of Broomfield and the State of Colorado, is a public corporation duly organized and existing under the Constitution and the laws of the State of Colorado; and

WHEREAS, the members of the Board of Education of the District (the "Board") have been duly elected, chosen and qualified; and

WHEREAS, Article X, Section 20 of the Colorado Constitution ("TABOR") requires voter approval for any new tax, the creation of any debt and for spending certain moneys above limits established by TABOR; and

WHEREAS, the Board has determined that the interest of the District and the public interest and necessity demand and require additions to and improvement of District Facilities as further described in Section 4 hereof, all at a cost estimated at approximately $576,520,000 (the "Project"); and

WHEREAS, TABOR requires the District to submit ballot issues (as defined in TABOR) to the District's electors on limited election days before action can be taken on such ballot issues; and

WHEREAS, November 4, 2014, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR; and

WHEREAS, the County Clerk and Recorders in Boulder and Gilpin Counties, and the Clerk and Recorder of the City and County of Broomfield (collectively, the "Clerks") will conduct the election on November 4, 2014 as a coordinated election (the "election"); and

WHEREAS, it is necessary to submit to the eligible electors of the District, at the election, the proposition of creating general obligation indebtedness in the aggregate principal

amount of not to exceed $576,520,000 to finance the Project and increasing taxes to pay such debt; and

WHEREAS, the District will not have held more than one other election on the question of contracting a bonded indebtedness for any purpose within the twelve months immediately preceding the election herein called.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF BOULDER VALLEY SCHOOL DISTRICT RE-2, IN THE COUNTIES OF BOULDER AND GILPIN AND THE CITY AND COUNTY OF BROOMFIELD, COLORADO:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the District and the officers thereof, directed towards the election, the Project and the objects and purposes herein stated and the question set forth herein are, ratified, approved and confirmed. Unless otherwise defined herein, all terms used herein shall have the meanings specified in Section 22-42-101, C.R.S. or Section 1-1-104, C.R.S.

Section 2. Pursuant to TABOR, Title 22, C.R.S. and the Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto, the Board hereby determines that an election shall be held on November 4, 2014, and that there shall be submitted to the eligible electors of the District the question set forth herein. Because the election will be held as part of the coordinated election, the Board hereby determines that the Clerks shall conduct the election on behalf of the District. The officers of the District are hereby authorized to enter into one or more intergovernmental agreements with the Clerks pursuant to Section 1-7-116, C.R.S. Any such intergovernmental agreements heretofore entered into in connection with the election are hereby ratified, approved and confirmed.

Section 3. The total aggregate principal amount of the indebtedness to be incurred from time to time for the portion of the Project to be acquired pursuant to this resolution shall not exceed the sum of $576,520,000.

Section 4. The Board hereby authorizes and directs the officers of the District to certify on or before September 5, 2014, the following question in substantially the form hereinafter set forth to the Clerks. Such question shall be submitted to the eligible electors of the District at the election:

BOND QUESTION:

SHALL BOULDER VALLEY SCHOOL DISTRICT RE-2 DEBT BE INCREASED $576,520,000 WITH A REPAYMENT COST OF UP TO $1,351,017,635, AND SHALL DISTRICT TAXES BE INCREASED UP TO $56,097,800 ANNUALLY TO PAY SUCH DEBT, ALL FOR THE PURPOSES DESCRIBED IN THE DISTRICT'S EDUCATIONAL FACILITIES MASTER PLAN APPROVED BY THE BOARD OF EDUCATION AND MONITORED BY A CITIZENS' BOND OVERSIGHT COMMITTEE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

- INVESTING IN ALL DISTRICT SCHOOLS, SITES AND FACILITIES BY REPAIRING, REPLACING, AND/OR UPGRADING INFRASTRUCTURE, BUILDING SYSTEMS AND FINISHES FOR THE PURPOSES OF IMPROVING THE LEARNING AND WORK ENVIRONMENT FOR STUDENTS AND STAFF, INCREASING FUNCTIONALITY AND EFFICIENCY OF DISTRICT-WIDE SUPPORT FACILITIES, EXTENDING THE LIFE OF BUILDINGS; IMPROVING ENERGY EFFICIENCY AND CREATING SAFER ENVIRONMENTS;

- ADDRESSING THE EDUCATIONAL DEFICIENCIES IN DISTRICT SCHOOLS BY MODERNIZING, EXPANDING AND CONSTRUCTING LEARNING SPACES SUCH AS BUT NOT LIMITED TO CLASSROOMS, PERFORMANCE SPACES, FITNESS FACILITIES, SPECIAL EDUCATION DEDICATED SPACES AND SPACES THAT SUPPORT INNOVATIVE EDUCATIONAL DELIVERY;

- EXPANDING FULL-DAY KINDERGARTEN OPPORTUNITIES AND PRESCHOOL PROGRAMS BY RENOVATING, ENLARGING AND CONSTRUCTING EARLY CHILDHOOD EDUCATION SPACES;

- CONSTRUCTING AND EQUIPPING A SCHOOL CAMPUS TO SERVE GRADES PRE-K THROUGH 8 IN ERIE, COLORADO TO ACCOMMODATE ENROLLMENT GROWTH AND INVESTING IN THE REPLACEMENT OF SELECT SCHOOLS THAT HAVE EXCEEDED THEIR SERVICE LIVES;

AND, TO THE EXTENT FUNDS ARE AVAILABLE, FOR OTHER CAPITAL EXPENDITURES RELATED TO CONSTRUCTING, REPAIRING AND EQUIPPING DISTRICT BUILDINGS, AND SHALL THE MILL LEVY BE INCREASED IN ANY YEAR WITHOUT LIMITATION AS TO RATE AND AMOUNT SUFFICIENT TO PAY THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON SUCH DEBT OR ANY REFUNDING DEBT (OR TO CREATE A RESERVE FOR SUCH PAYMENT); SUCH DEBT TO BE EVIDENCED BY THE ISSUANCE OF GENERAL OBLIGATION BONDS TO BE SOLD IN ONE SERIES OR MORE, FOR A PRICE ABOVE OR BELOW THE PRINCIPAL AMOUNT OF SUCH SERIES, ON TERMS AND CONDITIONS AND WITH SUCH MATURITIES AS PERMITTED BY LAW, INCLUDING PROVISIONS FOR REDEMPTION OF THE BONDS PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF A PREMIUM OF NOT TO EXCEED ONE PERCENT; AND SHALL THE DISTRICT BE AUTHORIZED TO ISSUE DEBT TO REFUND THE DEBT AUTHORIZED IN THIS QUESTION, PROVIDED THAT AFTER THE ISSUANCE OF SUCH REFUNDING DEBT THE TOTAL OUTSTANDING PRINCIPAL AMOUNT OF ALL DEBT ISSUED

PURSUANT TO THIS QUESTION DOES NOT EXCEED THE MAXIMUM PRINCIPAL AMOUNT SET FORTH ABOVE; AND PROVIDED FURTHER THAT ALL DEBT ISSUED BY THE DISTRICT PURSUANT TO THIS QUESTION IS ISSUED ON TERMS THAT DO NOT EXCEED THE REPAYMENT COSTS AUTHORIZED IN THIS QUESTION; AND SHALL SUCH TAX REVENUES AND THE EARNINGS FROM THE INVESTMENT OF SUCH BOND PROCEEDS AND TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

Section 5. Sandra M. Eicher is hereby appointed as the designated election official of the District for purposes of performing acts required or permitted by law in connection with the election.

Section 6. If a majority of the votes cast on the question to authorize general obligation indebtedness and the levy of ad valorem property taxes submitted at the election shall be in favor of incurring general obligation indebtedness and levying ad valorem property taxes as provided in such question, the District acting through the Board shall be authorized to proceed with the necessary action to incur general obligation indebtedness and levy ad valorem property taxes in accordance with such question.

Any authority to contract general obligation indebtedness or to levy ad valorem property taxes, if conferred by the results of the election, shall be deemed and considered a continuing authority to contract the general obligation indebtedness and levy the ad valorem taxes so authorized at any one time, or from time to time, and neither the partial exercise of the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

Section 7. If a majority of the votes cast on the question authorize the issuance of bonds as described in the bond question set forth above, the District intends to issue such bonds in the approximate aggregate principal amount of $576,520,000 to pay the costs of the Project, including the reimbursement of certain costs incurred by the District prior to the execution and delivery of such bonds, upon terms acceptable to the District, as authorized in a resolution to be hereafter adopted and to take all further action which is necessary or desirable in connection therewith. The officers, employees and agents of the District shall take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated hereby

and shall take all action necessary or desirable to finance the Project and to otherwise carry out the transactions contemplated by this resolution. The District shall not use reimbursed moneys for purposes prohibited by Treasury Regulation §1.150-2(h). This resolution is intended to be a declaration of "official intent" to reimburse expenditures within the meaning of Treasury Regulation §1.150-2.

Section 8. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

Section 9. The officers of the District are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution. The President is hereby authorized to execute this resolution on behalf of the Board. In the absence of the Secretary, the Assistant Secretary or any other officer of the Board is hereby authorized to attest to such execution by the President.

Section 10. All orders, bylaws and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed.

Section 11. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

ADOPTED AND APPROVED this August 12, 2014.

_____
President
Board of Education

(SEAL)

ATTEST:

_____
Secretary

STATE OF COLORADO	)	
	)	
COUNTIES OF BOULDER AND	)	
GILPIN, CITY AND COUNTY	)	
OF BROOMFIELD	)	SS.
	)	
BOULDER VALLEY SCHOOL	)	
DISTRICT RE-2	)	

I, Sandra Eicher, the Secretary of the Board of Education (the "Board") of Boulder Valley School District Re-2 (the "District"), do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Board at a regular meeting of the Board held on August 12, 2014.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the meeting of August 12, 2014, by an affirmative vote of a majority of the members of the Board as follows:

Name	"Yes"	"No"	Absent	Abstain
Shelly Benford, District A				
Tina Marquis, District B				
Laurie Albright, Ed.D., District C				
Sam Fuqua, District D				
Tom Miers, District E				
Jennie Belval, District F				
Jim Reed, District G				

3. The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the President of the Board, sealed with the District seal, attested by the Secretary and recorded in the minutes of the Board.

5. Attached hereto as Exhibit A is a copy of the notice of the August 12, 2014 meeting, which notice was posted in one place within the District at least 24 hours before such meeting and which notice included agenda information, if available.

6. There are no bylaws, rules or regulations of the Board which prevent the immediate adoption of the Resolution set forth in the foregoing proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District, this August 12, 2014.

_____

Secretary

(SEAL)

EXHIBIT A

(Attach Notice of Meeting)

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Educational Facilities Master Plan

August 2014

Boulder Valley School District
Excellence and Equity

Acknowledgements

Special acknowledgement is given to the Capital Improvement Planning Committee, Board of Education members and staff. The following individuals earned commendation for the many long hours spent studying, researching and envisioning the strategies and actions recommended in the Master Plan. Their time and commitment has made a dramatic contribution to the community's responsibility to maintain and improve the education environment for students and staff in the Boulder Valley School District.

Board of Education

Laurie Albright	President, Director District C
Jennie Belval	Vice-President, Director District F
Shelly Benford	Treasurer, Director District A
Sam Fuqua	Director District D
Tina Marquis	Director District B
Tom Miers	Director District E
Jim Reed	Director District F

BVSD Administration

Bruce Messinger, Ph.D	Superintendent of Schools
Deirdre Pilch, Ed.D	Deputy Superintendent

Capital Improvement Planning Committee

Carol Ciufolo	Eva Forberger	Jean Paxton
Susan Churchill	Arlene Fox	Jim Pollicita
Jeff Clay	Juana Gomez	Shawn Ropp
Amanda Crissup	Bill Gotthelf	Fran Ryan, Co-chair
Kent Cruger	Matthew Heron	Tracy Shiflet
Donald Deane	Andrew Kelsey	Don Stensrud
David Ellis	Richard Leddon	Lisa Stephens
Adam Fels, Co-chair	Doug Macdonald	Ed Trofino
Wendy Fiedler	Chris Newby	Rodney Vanderwall
Jim Fitzpatrick	Lani Nobles	Anthony Whitehouse

Don Orr, BVSD Assistant Superintendent of Operational Services
Susan Cousins, Communications Specialist
Kim Mann, Executive Assistant

Vision of the Boulder Valley School District

We develop our children's greatest abilities and make possible the discovery and pursuit of their dreams which, when fulfilled, will benefit us all. We provide a comprehensive and innovative approach to education and graduate successful, curious, lifelong learners who confidently confront the great challenges of their time.

Mission

The mission of the Boulder Valley School District is to create challenging, meaningful and engaging learning opportunities so that all children thrive and are prepared for successful, civically engaged lives.

Values

1. We respect the inherent value of each student and incorporate the strengths and diversity of students, families, staff and communities.
2. Societal inequities and unique learning needs will not be barriers to student success.
3. We address the intellectual growth, health and physical development, and social emotional well-being of students.
4. We value accountability and transparency at all levels.

Goals

GOAL #1 – Boulder Valley School District will partner with students, families, staff, and community members to address the unique learning needs of each student and to create meaningful and engaging opportunities for each child.

GOAL # 2 - Boulder Valley School District will ensure that each student meets or exceeds appropriate expectations relative to intellectual growth, physical development and social emotional well-being.

GOAL #3 - Boulder Valley School District will ensure that students, families, staff, and community members experience a safe, healthy and inclusive environment.

The following strategies will be used to attain these goals:

a. Boulder Valley School District will assess the success of each child as well as the overall effectiveness of the school system using multiple measures.
b. Boulder Valley School District will partner with parents and the larger community to help all students enter school ready to learn and continue to learn throughout their educational experience.
c. Boulder Valley School District will attract, hire and retain outstanding professionals at all levels of the organization.
d. Boulder Valley School District will provide high quality professional development.
e. Boulder Valley School District will increase community involvement, corporate partnerships, volunteer involvement and legislative advocacy.

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Executive Summary

BVSD serves almost 31,000 students over 500 square miles in buildings constructed in nearly every decade of the last 120 years. Due to the way schools are funded in Colorado, there is not enough state funding to both educate our children and adequately maintain our buildings. In BVSD, we have a history of investing in our talented staff and the work that directly supports students in the classroom. As such, BVSD has not been able to maintain a regular schedule of repair and replacement as materials wear out and building systems reach the end of their service lives. To maintain our standard of excellence we need to invest in the facilities where our students and staff perform their exemplary work.

With this in mind, the Board of Education directed staff to complete an assessment of the condition of Boulder Valley School District facilities and appointed the Capital Improvement Planning Committee to work with district staff to identify and prioritize capital improvement needs and advise the Board of Education regarding the long term facility needs of the District.

A complete building and site assessment was performed on all district buildings, encompassing over 4.5 million square feet of district assets. In addition, the committee identified capital improvement needs that extend beyond those of specific schools and will strengthen district infrastructure as well as expand educational opportunities for students.

This work is the basis for this Educational Facility Master Plan which identifies $576 million in capital projects that will improve learning environments in all schools. It will extend the life of buildings worth investing in and replace schools that have reached the end of their service lives.

Improving the educational environment

One chief aim of the plan is to create learning spaces that are functional, safe, healthy and comfortable. It provides spaces that respond to changes in educational programming such as new approaches to Special Education or expanding early childhood education. Renovations will allow us to better monitor and control who enters buildings and improve our communications with law enforcement. The plan calls for removal of most asbestos from buildings and will make learning spaces more comfortable through improvements to ventilation and installation of air conditioning. With a focus on lifelong health, the plan provides opportunities for more students to engage in physical activity individually or as part of a team and develop lasting exercise habits.

Investing in infrastructure

Nearly 50 percent of the plan is committed to extending the life of existing buildings by investing in building structures and systems such as roofs, electrical, plumbing and heating, ventilation and air conditioning systems. Schools will get a much needed boost in aesthetics with new flooring, paint and ceilings.

With an eye on sustainability, we've included measures to increase energy efficiency by upgrading lighting and fine tuning HVAC controls to make sure systems are operating as designed and allow us more control over how and when systems run. Of course, all projects will follow BVSD's green building principles. Building and operating sustainably makes sense for students, the planet and our bottom line.

Investing in the future

Looking to the future and enrollment growth in East County, the plan includes constructing a school campus in Erie to serve students in preschool through eighth grade. Our assessment also identified three schools where the investment to address needed repairs and replacement, as well as shortcomings in educational functionality, was significant enough that it is wiser to replace the school rather than to make significant investments in a worn-out, outdated building.

Constructing new schools provides the opportunity to take a new and innovative approach to educational delivery. Our challenge is to prepare students for future success in careers that may not even exist today. We need to teach students the new skills of the workplace; creativity, collaboration, communication and critical thinking. Learning spaces need to be flexible and support innovative educational delivery. These ideas can be applied to new construction or to using existing spaces differently.

Technology's role in education will continue to grow. In this plan we invest in our technology infrastructure and expand our ability to train teachers how to use technology in and out of the classroom.

Improving operations

It also is time to invest in the support facilities that keep the district running—delivering students safely to school every day, providing healthy meals and supporting educators in the schools. Improvements to district support facilities will improve operational functionality and efficiency and improve services to students, staff and families.

This investment in BVSD facilities will make a dramatic difference for our students and staff.

District Snapshot

BVSD's financial reality

During the recession that began in 2008, Colorado legislators were faced with increasingly hard choices in funding state obligations, and funding reductions occurred in all public sectors. From 2009-2014, the Colorado legislature underfunded schools by up to $1 billion annually compared to what should have been allocated according to the school finance act. The impact to BVSD grew to almost $35 million per year. **The cumulative impacts are over $3.5 billion for the state and nearly $122 million for BVSD.**

No district in Colorado, including BVSD, has a funding model that provides for regular maintenance and improvements to buildings. In 2009-10, the state conducted a facility assessment of all public school facilities in Colorado. The statewide facility assessment determined that there is currently over $13.9 billion of capital improvement needs throughout the state. By 2018, the amount of need is forecasted to increase to over $17.8 billion.

Due to the way schools are funded in Colorado, there is not enough state funding to educate our children and adequately maintain and improve our buildings. In BVSD we choose to direct limited resources to the classroom. This was true even before the recession-driven cuts.

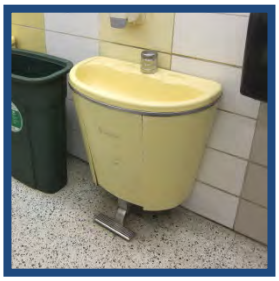
Aging buildings

BVSD's inventory of schools ranges from a two-room structure in Gold Hill built before the turn of the twentieth century to the first LEED Platinum certified middle school in the state which opened in 2010 and includes buildings constructed in nearly every decade in between. Nearly 72 percent of buildings are over 30 years old. Although there have been renovations to buildings over the years, much of the original infrastructure still remains.

BVSD facilities continue to age and deteriorate. As we have lost ground in state funding, we also have lost ground in our ability to maintain our buildings. As such, BVSD has not been able to maintain a regular schedule of replacement as materials wear out and building systems reach the end of their service life.

Failing concrete

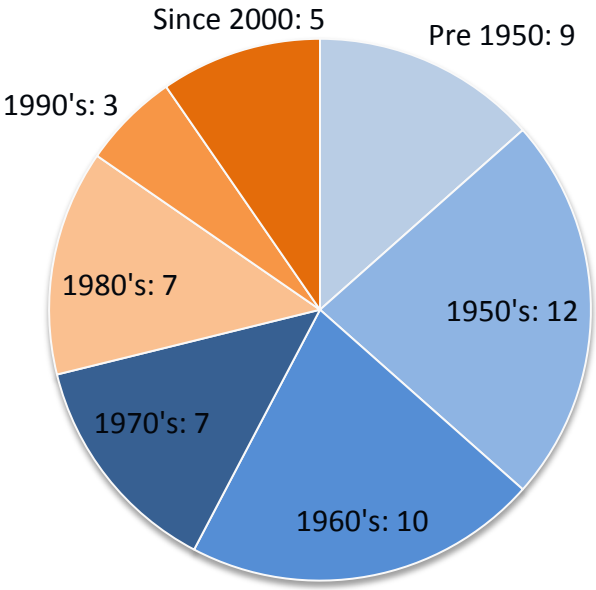
Damaged, worn out door


Outdated plumbing

Failing masonry

The numbers

- 55 school buildings (53 district owned, 1 charter owned, 1 leased)
- 4 support facilities
- 4.8 million square feet
- 72 percent of BVSD-owned buildings are over 30 years old
    - Oldest: Whittier 1882
    - Newest: Columbine 2011



The future of enrollment

BVSD monitors enrollment throughout the district on an on-going basis. As part of the capital improvement planning process, staff looked at enrollment growth for each community in the District as it relates to the need for additional instructional space.

Schools in Broomfield and the mountain communities show stable or declining enrollment and are not in need of additional instructional space. Schools in Boulder and Louisville have experienced recent growth which is likely to continue into the near future. However, expected growth can be accommodated through open enrollment restrictions or greater use of other underutilized school facilities in those communities.

Only the schools serving the communities of Lafayette and Erie show a strong potential for future enrollment growth and the need to increase instructional space. East County elementary schools currently operating near capacity will

need to accommodate the enrollment from nearly 1,500 new single family detached units over the next 10 years, primarily from development underway in the Town of Erie. Additional residential development within the City of Lafayette and increasing open enrollment restrictions in surrounding schools will further limit the ability of existing schools to absorb overall enrollment growth in the community. For these reasons, the Lafayette feeder system will likely become increasingly strained and require a new school facility in the coming years. (More information about enrollment growth can be found on page 15.)

Process for identifying needs

The process to update the Educational Facility Master Plan took place over two years and included information gathering and public processing.

Facility assessment

BVSD Planning, Engineering and Construction staff inventoried district facilities to identify facility maintenance, renovation and expansion needs and incorporated the findings in a proprietary facility assessment database. The assessment work included review of existing data, onsite inspections and interviews with maintenance crews and department heads. The assessment team also met with school administrators and asked that they include school staff and families in helping to identify needs. In some cases, specialty consultants were used. An immense amount of data was collected to provide a thorough understanding of the district's needs. Cost estimates were created using our assessment database and a national cost database.

The same process and objectivity were applied to all schools. These assessments were consistent with the state's public school facility guidelines which are used to determine health and safety issues, site requirements, educational technology requirements and other criteria. This is a typical approach to facilities planning which provides a straight forward way of implementing long-term master plans and measuring success.

Identified deficiencies were assigned into categories according to the function and condition of each. The needs identified through the assessment address critical repair and replacement as well as improvements to educational functionality. Additional information about how needs were classified can be found in the Project Details section on page 18.

Capital Improvement Planning Committee

To assist with capital improvement planning, the board created the Capital Improvement Planning Committee (CIPC). CIPC was charged with advising the board regarding the long term facility needs of the district and with working with staff to identify and prioritize capital improvement needs.

The membership of CIPC was representative of the demographic characteristics of the Boulder Valley School District and included constituents with and without school-aged children. The membership represented a broad background of knowledge and experience including but not limited to general business, real estate, information technology, development/construction, architecture/engineering and financial management. The group included BVSD

principals and staff members as well as community members, all of whom offered valuable stakeholder perspectives in the process.

CIPC developed six subcommittees to identify needs beyond the requirements of specific schools, such as: fitness and physical development, district services, innovative learning spaces, technology, security and enrollment growth.

The group was convened in May 2013 and met 14 times over 12 months. Subcommittee members also met outside of the regular committee meetings. At the conclusion of its work, the group presented a prioritized list of capital improvement recommendations to the Superintendent and Board of Education.

Public Input

It is important that Boulder Valley schools meet the needs of students and reflect the values of the community. As part of the capital improvement planning process, BVSD solicited input from the community from several sources.

Community Values Meetings

BVSD hosted a series of seven community meetings to allow members of the community the opportunity to provide input and help shape the district's Educational Facility Master Plan.

Meetings were held in the district's comprehensive high schools in Nederland, Boulder, Lafayette, Louisville and Broomfield. Spanish interpreters were provided at two meetings and one meeting was conducted entirely in Spanish.

In the meetings, participants were provided information about the district's facilities and the effort to inventory capital improvement needs. Then participants were asked to share their thoughts about what they value in BVSD school buildings via survey and small group discussion.

BVSD Listens online survey

In addition to the community meetings, a survey was conducted via BVSD Listens, BVSD's online community engagement site.

The online survey followed a structure similar to the Community Values Meetings. Participants were asked to view a presentation and then provide input about what types of projects they felt were most important for the district.

Community poll

BVSD contracted with Talmey Drake Research & Strategy to conduct a poll of likely voters in the district. This scientifically-conducted poll provides a valid

assessment of community perception concerning both potential bond support and overall BVSD performance. The survey measured voter reaction to different levels of bond funding identified by CIPC.

To get a sense of the type of projects the community would support in a capital improvement program, participants were asked to rate a list of possible projects.

All projects polled at 50% support or higher. Poll results showed the following projects were supported by greater than 65% of all respondents:

- Critical repairs/maintenance to meet code (88%);
- Preventive maintenance to extend the life of buildings (83%);
- Remove asbestos where possible without demolition (82%);
- Make district emergency communication system compatible with police and others (80%);
- Remodel schools to bring up to date, plus add handicap restrooms (79%);
- Improve energy efficiency and support green building principles (70%) and
- Renovate learning spaces for innovative approaches to learning (67%).

According to Talmey-Drake's analysis, the community's perception of the quality of education in BVSD appears to be moving in the right direction, with 73% of District voters rating the quality of education provided by BVSD schools as "Excellent" and "Good," while the percentage rating the quality as "Only fair" and "Poor" has fallen to just 15%, the *lowest* since Talmey-Drake began polling in the District back in 1988.

A common theme across the results of all the community input sessions was strong support of addressing critical repair and maintenance needs as well as making renovations to improve educational functionality. The Capital Improvement Planning Committee and Board of Education considered the breadth of community input in determining what to include in the Educational Facility Master Plan.

What's in the plan? – major themes and projects

As staff and CIPC investigated the needs of the district, several themes emerged related to types of projects needed in the schools and values the community wanted reflected in district facilities.

Improve the physical condition of buildings: critical repair and replacement

Over half of the total funding of the Educational Facility Master Plan will go toward critical repair and replacement. The combination of aged building stock and lack of ongoing funding to maintain a regular repair and replacement schedule has created a backlog of critical needs. Many building systems have reached or will soon reach the end of their service lives. Materials and fixtures such as carpet, flooring, casework, doors and windows are simply worn out and need to be replaced. In some cases, equipment may still be functional but can no longer be serviced because parts are no longer manufactured. There also are situations where facilities need to be brought into compliance with modern building code requirements.

Educational functionality improvements

In addition, the plan also includes renovations intended to improve the educational functionality of learning spaces such as renovations to Special Education spaces or remodeling an auditorium. Increasing opportunities for more students to participate in fitness activities, whether on the playground, individually or as part of team is another theme in the plan.

Replacement schools

One of the benefits of gathering accurate facility data is not only that the true condition becomes clear, but also that it results in a benchmark to analyze the effect of investing in facility improvements. Developed by industry associations, this benchmark is known as the Facility Condition Index, or FCI. The FCI is the ratio of deferred maintenance dollars to the value of the facility and provides a straightforward comparison of an organization's facility assets.

The estimated value of the facility is the value of the physical structure and does not include other costs that may be necessary to replace a building such as demolition, asbestos abatement, site development, utilities and overhead. To calculate the FCI for a building, divide the total estimated cost to complete deferred maintenance projects for the building by the estimated value of the facility as follows:

current cost of repairs/value of the facility

For example, if a facility's value is $1,000,000 and the cost of correcting its existing deficiencies is $100,000, the building's FCI is $100,000/$1,000,000 or 0.1. The lower the FCI, the lower the need for remedial funding relative to the facility's value. An FCI of 0.1 signifies a 10 percent deficiency, which is generally considered low, and an FCI of 0.7 or greater means that a building needs extensive repairs or replacement.

BVSD's assessment revealed three schools with FCI ratings that indicate replacing the building is warranted:

School	Cost to address deficiencies	Facility value*	FCI
Creekside Elementary	$6,992,120	$10,132,200	.69
Douglass Elementary	$8,747,242	$11,941,000	.73
Emerald Elementary	$8,160,260	$11,260,000	.72

*Does not include all costs related to replacing the building such as demolition, asbestos abatement, site development, utilities and overhead costs

The Educational Facility Master Plan includes the replacement of these three buildings onsite.

Safe, healthy, comfortable schools

BVSD has a responsibility to students and staff to provide safe, healthy and comfortable learning environments. It follows that students and staff perform at their best in these conditions. The master plan includes projects to support these goals.

Security

Students and staff need to feel safe every day in order to have a valuable experience at school. The CIPC Security Subcommittee worked with BVSD professionals, reviewed consultant reports and industry publications and looked at best practices from other districts to identify opportunities to make BVSD facilities more secure. A variety of projects are included in the master plan that aim to secure physical access to schools and maintain the district's security infrastructure such as upgrading and expanding use of exterior cameras at secondary schools; updating BVSD to digital radio communications; removing portable classrooms at some locations and installing electronic security controls at entrances. The master plan also calls for renovating main entrances to schools where needed to provide more control over visitors entering the building.

Asbestos abatement

The master plan calls for the removal of asbestos containing materials where possible without major demolition and reconstruction. This includes removing ceiling tiles, flooring and pipe insulation.

Air conditioning

Most of BVSD's elementary schools and some middle schools are not air conditioned. To provide a comfortable environment during hot weather, these buildings are purged of hot inside air at night which is replaced with cooler air pulled from outside. Improvements planned for heating, ventilation and cooling systems in the master plan will help systems perform better and improve the effectiveness of nighttime purging. However, some buildings, because of the way they are designed are not effectively cooled by nighttime purging even when systems are performing optimally. For these five buildings, the master plan calls for installing air conditioning.

Additionally, the district plans to expand the extended year learning program to schools with high needs populations that will benefit from more time in school over the summer. These three schools also will have air conditioning installed.

Educational innovation

The future of education is accelerating. How and where we teach must keep pace to stay relevant and keep students engaged. As we look at renovating and improving our facilities, we want to do so through the lens of 21st century learning concepts to assure our facilities meet the needs of our students today and well into the future.

Our challenge is to prepare students for future success in careers that may not even exist today. We need to teach students the new skills of the workplace; creativity, collaboration, communication and critical thinking. Learning spaces need to be flexible and support innovative educational delivery.

To prompt creative thinking about the possibilities of educational facilities and promote innovation in facility design and function, every school will be eligible to apply for funding to support improvements to facilities to encourage innovative approaches to educational delivery. A set of Educational Innovation Guiding Principles will be developed to inform project design teams of what we hope to achieve in terms of educational innovation in renovation and construction projects.

Projects will be determined by individual schools and may include elements such as non-traditional furniture (stand-up desks, booths), small performance spaces for presentations, labs to support project-based learning, 3-D printers or

redesigning floor plans to create flexible learning spaces. Aligning with BVSD's vision, mission and goals, this investment will allow us to meet the individual and unique needs of students and personalize the learning experience.

Early childhood education

BVSD believes that strong educational opportunities in the early years set children on a path to academic success. The master plan supports BVSD's goal to expand early childhood education in the district by adding classrooms to accommodate full day kindergarten and constructing new and improving existing preschool classrooms and playgrounds.

Operational efficiency and functionality

The master plan includes improvements to district-wide support facilities aimed at improving operational functionality and efficiency.

Transportation

The existing Transportation Department facility falls short of meeting the needs of the department both in terms of safety and function. The facility does not meet current code requirements in a number of areas. The office has a number of functional deficiencies as well, including inadequate driver training and meeting space, insufficient bus dispatch space, undersized office space and lack of secure storage. Fleet maintenance is performed in a separate location which is poorly lit, inadequately ventilated and undersized which compromises safety.

The improvements to the Transportation facility outlined in the master plan will provide a modern, safe, efficient facility for managing transportation operations and maintaining the district fleet.

Technology training and district support

The facility that provides district-wide support consists of a series of buildings originally constructed in 1963 with the latest addition completed in 1983. The facility has numerous structural deficiencies including code compliance, degraded building exterior, inefficient windows, roofs and boilers at the end of their service life. The facility has a number of functional deficiencies as well. Visitors (often with small children) have difficulty finding their way to their destinations which typically are at the rear of the building. It is difficult to secure the building after hours while still allowing for access to meeting rooms. The professional training center is well used but needs additional parking and restrooms. Many work spaces are configured as single occupant spaces with permanent walls which is not an efficient use of space and limits flexibility as well as opportunities for collaboration and communication.

The proposed rebuild will expand the space available for meeting and training. In particular, a new educational technology training center will be constructed which is intended to provide training and support for educators as the district integrates more technology into curriculum delivery.

In addition, the older, east side of the existing building will be demolished and replaced with a multi-story addition on a smaller footprint. The reduced footprint will make room for more parking onsite. The goal is to provide a more efficient building which will accommodate existing staff as well as IT and Health Services staff. Moving these staff will make space available in the school where they are currently located and will allow for better collaboration with other district staff. In addition, work spaces (for individuals and meetings) will be designed to be flexible, and encourage collaboration and communication among employees.

Departments with high public visitation will be located near the front of the building allowing for easier access. Spaces used for after-hours meetings will be designed and located to allow for secure access.

District Kitchen

Over the last six years, Food Services has worked diligently to transform the quality of food being served to BVSD's students while at the same time fully complying with newly revised USDA guidelines. BVSD continues to work toward the goal of providing meals made with fresh, natural, locally-sourced ingredients; however, the positive gains made in this area have also created some challenges.

Purchasing, storage, work space and refrigeration space are Food Services' most pressing problems.

In 2013-14, BVSD served over 11,000 full meals and over 2,000 snacks per day. The average number of students who buy food each day increased in 2013-14 by 7% with continued increases anticipated each year.

Daily meals are prepared from three regional kitchens (3,500 meals at each kitchen) then delivered to schools where they are heated and served. This process involves ordering, cooking, packaging, labeling, and shipping from each kitchen—an inefficient redundancy of effort and cost.

These regional kitchens were not designed to be large-scale production kitchens and have neither adequate space for staff to move about safely nor adequate storage of food. Schools with regional kitchens are also significantly impacted by the presence of the kitchens in terms of increased vehicle traffic, increased

security costs, increased custodial costs, rodent concerns and loss of the kitchen for school use.

A district kitchen will provide:

- Adequate storage and refrigeration space to provide the flexibility to buy seasonally fresh, local food that we can process and prepare to freeze and store for use in the winter as opposed to buying pre-packaged, frozen food;
- An expected savings in buying products in bulk;
- Food production and most storage would move away from the school sites, freeing up the school's space and other resources, reducing the negative impacts on production school sites by numerous supply deliveries, catering operations, and lunch preparation during the day;
- Better food safety and security; The potential for a food security breach is much higher when production kitchens are in schools, which are "open" as opposed to in a secure district kitchen;
- A way to better manage the food preparation process, ensuring the best quality control and the least amount of waste and
- A decrease in the number of production kitchens will decrease production payroll costs.

District-wide Special Education Services

There is a need in the district to provide centralized Special Education services to students with intensive needs. The facility that currently serves students with mental health issues (Halcyon) is ill-suited for the current population and, as is, does not provide much opportunity to expand services. Funding in the master plan will allow staff and the community to engage in a visioning process to identify program and facility needs with construction to follow.

Enrollment growth in East County

There is significant anticipated additional growth from new housing being constructed in the BVSD portion of the Town of Erie. Enough residential development is currently under construction or has received final approval to add approximately 250 elementary students in this school's attendance area with potential for another 500 additional elementary students to come from developments currently in review. BVSD doesn't have a school in Erie, and there is not enough capacity in existing East County schools to absorb this growth.

The master plan calls for the construction of a new pre-K through 8th grade campus to serve the BVSD portion of the Town of Erie. Land for the school has been identified and is anticipated to be dedicated to the district at no cost by the end of 2014. The configuration of the campus as either a PK-8 or an

elementary and middle school will be determined when the district begins the pre-design phase for the project.

Energy efficiency and sustainability

BVSD has made an organizational commitment to sustainability through district policy and the Sustainability Management System (SMS). Adopted in 2009, the SMS is a comprehensive approach for identifying and coordinating existing efforts, establishing baselines, defining sustainability for BVSD, and creating plans to integrate sustainability into operations and curriculum. The SMS set five year goals in four areas: buildings, materials flows, transportation and education with an overarching theme of climate. The work included in the Educational Facility Master Plan provides significant opportunity to advance the district towards its goals, particularly in the areas of green building and climate.

The Boulder Valley School District is committed to becoming a leader in environmental sustainability by creating healthy learning environments, while providing students with the skills to address the systemic challenges faced by the world in this new century.

The master plan includes significant renovations to heating, ventilation and cooling systems (HVAC) in a number of schools. Upgrading to newer, more efficient systems will improve energy efficiency. The large scale of this work also creates the opportunity to perform integrated design and retro-commissioning. Integrated design is a whole building analysis that brings together a multi-discipline team of professionals to identify opportunities to make other improvements in the building and mechanical and electrical systems to further reduce energy use. Retro-commissioning ensures mechanical systems are running as designed by reviewing programming and identifying needed repairs. Other upgrades intended to boost sustainability include installing LED lighting in some locations, particularly gyms; replacing old, inefficient boilers with efficient models, replacing windows and installing pipe insulation.

All projects will follow the district's green building guiding principles. These principles push water and energy efficiency beyond code requirements and call for energy modeling as well as commissioning of mechanical systems upon completion to ensure all systems are performing optimally.

Where these alternatives exist, all projects should use materials that are durable, repairable, and reusable or recyclable; limit toxins and indoor air pollutants; are made with high post-consumer recycled content; and are resource and energy efficient in their manufacturing, use and disposal.

The guidelines call for making new roof structures solar ready and for the diversion of at least 50 percent of construction waste. In addition, projects should support our educational mission by striving to incorporate teachable moments such as lessons about the construction work in the school and energy efficient or sustainable features; designing features that teach, such as a truth wall; and including student groups in the design and construction process.

Project details

This chapter provides descriptions of the capital improvement projects planned for each school and for district support services. The scope of work for each project was developed based on the data collected through the facility assessment and the recommendations of the CIPC subcommittees. The scopes presented on these pages do not represent a comprehensive list of all the work that will be performed, but rather give an overview of what will be accomplished. The project budgets are estimates presented in a range and rounded to the nearest $100,000. Final budgets will be determined by professional design teams during the design phase as the scope of work is further refined. For projects at schools, the work is presented in the following subcategories:

Facility Condition Assessment

The Facility Condition Assessment category includes physical deficiencies with building systems or materials identified in the facility assessment. It identifies items that are in need of repair or are at/near the end of their service life. In addition, the category includes items that need to be addressed to meet life/safety code requirements as well as necessary features that may be missing from a building.

Program Compatibility Assessment

The Program Compatibility Assessment category includes spaces or building amenities that are needed to deliver the educational program in the building identified in the facility assessment. The program deficiencies were identified by interviewing the school principals and department heads. The deficiencies could include the lack of needed instructional spaces such as laboratory facilities or appropriate Special Education classrooms, additional space needed due to enrollment growth or amenities such as additional storage space.

Health and Physical Development

The Health and Physical Development category includes playground facilities at the elementary schools and athletic facilities at the high schools and middle schools that are deteriorating, need repair or replacement or do not exist as identified in the facility assessment. The category also includes augmenting fitness facilities to expand opportunities for more students to participate, such as adding tracks and running paths at middle schools and making playgrounds ADA compliant. The athletic needs deficiencies were identified by interviewing the school principals and the school and district athletic directors. The category also includes improvements recommended by the CIPC Fitness and Physical Development Subcommittee.

Safety and Security

Safety and Security needs were identified during the facility assessment and by the CIPC Safety and Security Subcommittee. A variety of projects are included in the master plan that aim to secure physical access to schools and maintain the district's security infrastructure.

Sustainability

The Sustainability Needs Assessment identifies sustainability needs that support the District's Sustainability Management System and are improvements that will increase energy efficiency in the buildings. The sustainability deficiencies were identified by the District's Sustainability Coordinator and Energy Manager.

Innovation

Every school is eligible for educational innovation funding to support improvements to facilities that encourage innovative approaches to educational delivery. A set of Educational Innovation Guiding Principles will be developed to inform project design teams of what we hope to achieve in terms of educational innovation in renovation and construction projects.

Project details

Angevine Middle School

1150 S. Boulder Road
Lafayette, CO 80026

Gross Square Footage: 121,676 sq. ft.
Original Construction Date: 1989
Estimated Project Budget: $5,500,000 - $6,100,000*
Innovation: up to $400,000
*Final budget will be determined during the design phase.

Following is an overview of the work to be completed at the school:

Facility Condition	• Exterior wall improvements such as caulking, painting and masonry repairs • Improvements to interior and exterior doors • Improvements to interior finishes such as curtains, flooring, carpet, ceiling tiles and painting • Plumbing improvements • HVAC improvements • Fire protection improvements • Electrical system improvements including emergency generator • Repair/replace fixtures such as lockers, bleachers, counter tops • Repair/replace operable walls • Restroom renovations • Site improvements including fencing, paving, sidewalks, drainage, landscape and irrigation • Audio enhancement in every classroom**
Program Compatibility	• Provide Special Education classrooms • Provide ADA work stations in labs
Health and Physical Development	• Provide synthetic turf field and track • Replace athletic equipment
Safety and Security	• Install electronic security controls • Install security partitions • Install exterior cameras • Install camera/intercom security system
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Replace aged boilers with efficient condensing type
Innovation	Angevine Middle School is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in estimated school budget

Arapahoe Campus

6600 E. Arapahoe Avenue
Boulder, CO 80303

Gross Square Footage: 152,146 sq. ft.
Original Construction Date: 1965
Estimated Project Budget: $8,800,000 - $9,700,000*
Innovation: up to $400,000
* Final project budget will be developed during the design phase.

Following is an overview of the work to be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors and repair masonry • Replace roof • Restroom renovations • Replace interior doors • Improvements to interior finishes such as ceilings, carpet, flooring and paint • Replace interior doors • Asbestos abatement • Remodel auto shops • HVAC improvements • Upgrade fire protection systems • Electrical systems improvements • Repair/replace fixtures such as lockers and casework • Paving • Audio enhancement in every classroom**
Program Compatibility	• Replace portables with permanent classrooms • Replace garage
Safety and Security	• Install camera/intercom security system • Replace/add exterior cameras • Install electronic security controls • Install security partitions
Sustainability	• Air distribution system improvements • Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs • Replace aged boiler with more efficient condensing type
Innovation	Arapahoe Campus is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in estimated school budget

Project details

Aspen Creek K-8 School

5500 Aspen Creek Drive
Broomfield, CO 80020

Gross Square Footage: 122,111 sq. ft.
Original Construction Date: 2000
Estimated Project Budget: $4,200,000 – $4,600,000*
Innovation: up to $400,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace skylights and paint • Replace roof • HVAC system improvements • Replace clock system • Site improvement such as drainage and paving • Improve drop-off lanes • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool** • Construct classrooms to replace portables • Provide Special Education classroom
Health and Physical Development	• Provide running path • Repair tennis court • Upgrade playground equipment and surface material
Safety and Security	• Redesign main entry to provide more control over visitor access • Install electronic security controls • Install security partitions • Install exterior cameras • Install camera/intercom security system
Sustainability	• Conduct retro-commissioning and repairs • Upgrade HVAC controls
Innovation	Aspen Creek K-8 is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

BCSIS/High Peaks

3995 East Aurora Avenue
Boulder, CO 80303

Gross Square Footage: 64,728 sq. ft.
Original Construction Date: 1963
Estimated Project Budget: $4,800,000 - $5,300,000*
Innovation: up to $200,000
*Final budget will be determined during the design phase.

Following is an overview of the work to be completed at the school:

Facility Condition	• Roof repair/replacement • Repair/replace exterior windows and doors • Improvements to interior finishes such as ceilings, wall tile and paint • HVAC improvements • Plumbing improvements • Fire alarm and communications upgrades • Repair/replace fixtures such as casework and countertops • Site improvements such as drainage, fencing, paving irrigation, landscaping and playfield renovation • Asbestos abatement • Improve preschool drop-off • Audio enhancement in every classroom**
Program Compatibility	• Provide teacher lounge/work room • Provide additional storage • Provide adequate space for full-day kindergarten** • Provide adequate space for preschool**
Health and Physical Development	• Upgrade playground equipment and surface materials • Renovate preschool playground
Safety and Security	• Install camera/intercom security system • Install electronic security controls • Install security partitions
Sustainability	• Conduct retro-commissioning and repairs • Upgrade HVAC controls • Replace aged boilers with more efficient condensing type
Innovation	BCSIS/High Peaks are eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in estimated school budget

Project details

Bear Creek Elementary School

2500 Table Mesa Drive
Boulder, CO 80305

Gross Square Footage: 54,853 sq. ft.
Original Construction Date: 1971
Estimated Project Budget: $4,500,000 - $5,000,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Replace roof • Restroom renovations • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Asbestos abatement • HVAC system improvements • Electrical system improvements • Repair/replace equipment and fixtures such as casework and countertops • Renovate playfield • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool** • Provide outdoor storage
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Install camera/intercom security system • Install electronic security controls • Install security partitions
Sustainability	• Upgrade HVAC controls • Conduct retro-commissioning and repairs
Innovation	Bear Creek Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Birch Elementary School

1035 Birch Street
Broomfield, CO 80020

Gross Square Footage: 51,192 sq. ft.
Original Construction Date: 1972
Estimated Project Budget: $7,200,000 - $8,000,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Replace roof • Improvements to interior finishes such as carpet, flooring, ceiling tile, paint and casework • Restroom renovations • Install building-wide air conditioning • Electrical system improvements including emergency generator • Intercom and clock system improvements • Asbestos abatement • Audio enhancement in every classroom**
Program Compatibility Assessment	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool** • Close classroom walls • Convert stage to motor lab • Provide additional preschool storage and restroom • Upgrade kiln room • Provide art room storage • Provide adequate Special Education space
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Install electronic security controls • Install security partitions • Install camera/intercom security system • Redesign main entry to provide more control over visitor access
Sustainability	• Upgrade HVAC controls • Conduct retro-commissioning and repairs
Innovation	Birch Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Boulder High School

1604 Arapahoe Avenue
Boulder, CO 80302

Gross Square Footage: 245,971 sq. ft.
Original Construction Date: 1937
Estimated Project Budget: $17,600,000 - $19,400,000*
Innovation: up to $800,000
*Final budget will be determined during the design phase.

Following is an overview of the work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors, paint and repair stonework • Repair/replace roof • Renovate backstage area/dressing rooms/restrooms • Renovate band area • Renovate kitchen and cafeteria • Restroom renovations • Repair/replace interior doors • Improvements to interior finishes such as curtains, ceilings, carpet, flooring and paint • Asbestos abatement • Plumbing improvements including ADA • HVAC repair/replacement • Communications systems repair/replacement • Repair/replace fixtures such as casework and stage rigging • Site improvements such as fencing, drainage and paving • Audio enhancement in all classrooms**
Program Compatibility	• Provide adequate Special Education space
Health and Physical Development	• Stadium renovations including bleachers, track and turf • Provide new field house • Provide multi-purpose fitness room • Modernize weight room • Repair tennis courts
Safety and Security	• Redesign main entry to provide more control over visitor access • Install camera/intercom security system • Replace/add exterior cameras • Install electronic security controls • Install security partitions
Sustainability	• Upgrade lighting • Upgrade HVAC controls • Replace aged boiler with more efficient condensing type
Innovation	Boulder High School is eligible to receive up to $800,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Boulder Prep Charter School

5075 Chaparral Court
Boulder, CO 80301

Gross Square Footage: 6,000 sq. ft.
Estimated Project Budget: $130,000 - $140,000*
Innovation: up to $50,000
* Final budget will be developed during the design phase.

Following is an overview of the work that will be completed at the school:

Facility Condition	• Replace roof • Replace ceiling tiles • HVAC improvements
Innovation	Boulder Prep is eligible to receive up to $50,000 in additional funds to implement facility improvements that support innovative teaching methods.

Project details

Broomfield Heights Middle School

1555 Daphne Street
Broomfield, CO 80020

Gross Square Footage: 111,379 sq. ft.
Original Construction Date: 1983
Estimated Project Budget: $12,600,000 – 14,000,000*
Innovation: up to $400,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as replace/repair doors and windows, repair masonry and painting • Replace roof • Replace operable walls • Replace interior doors • Improvements to interior finishes such as carpet, flooring, tile and paint • Restroom renovations • Plumbing repair/replacement • HVAC repair/replacement • Install building-wide air conditioning • Electrical system improvements • Fire protection system improvements • Repair/replace fixtures and equipment such as lockers, stage curtains, bleachers and casework • Site improvements such as paving and irrigation • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate Special Education space • Provide additional seating in cafetorium
Health and Physical Development	• Athletic field improvements • Provide track and synthetic field
Safety and Security	• Install electronic security controls • Install security partitions • Redesign main entry to provide more control over visitor access • Install camera/intercom security system • Install exterior security cameras
Sustainability	• Upgrade lighting • Upgrade HVAC controls
Innovation	Broomfield Heights Middle School is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Broomfield High School

1 Eagle Way
Broomfield, CO 80020

Gross Square Footage: 240,535 sq. ft.
Original Construction Date: 1959
Estimated Project Budget: $14,700,000 - $16,300,000*
Innovation: up to $800,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors and paint • Replace roof • Renovate Science area • Remodel kitchen and cafeteria • Replace interior doors • Asbestos abatement • Improvements to interior finishes such as carpet, flooring, ceilings and paint • HVAC system improvements • Fire protection system improvements • Site improvements such as irrigation and paving • Renovate auditorium stage area • Audio enhancement in every classroom**
Program Compatibility	• Provide Tech Lab equipment
Health and Physical Development	• Replace athletic fixtures such as bleachers and goals • Renovate locker rooms • Repair/add tennis courts • Provide baseball dugout • Provide field house • Provide multipurpose fitness room • Modernize weight room
Safety and Security	• Redesign main entry to provide control over visitor access • Replace/add exterior cameras • Install camera/intercom security system • Install security partitions • Install electronic security controls
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs
Innovation	Broomfield High School is eligible to receive up to $800,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Casey Middle School

1301 High Street
Boulder, CO 80304

Gross Square Footage: 106,458 sq. ft.
Original Construction Date: 2010
Estimated Project Budget: $900,000 - $1,000,000*
Innovation: up to $400,000
*Final budget will be determined during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Interior paint as needed • Replace/upgrade kitchen equipment • Provide synthetic turf play area • Audio enhancement in every classroom**
Health and Physical Development	• Provide running path
Safety and Security	• Install electronic security controls • Install exterior cameras • Install security partitions • Install camera/intercom security system
Sustainability	• Conduct retro-commissioning and repairs
Innovation	Casey Middle Schools is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in school project budget

Centaurus High School

10300 South Boulder Road
Lafayette, CO 80026

Gross Square Footage: 194,687 sq. ft.
Original Construction Date: 1973
Estimated Project Budget: $20,500,000 - $22,700,000*
Innovation: up to $800,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors and paint • Replace roof • Asbestos abatement • Renovate locker rooms • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Replace clock system • HVAC system improvements • Electrical system improvements/generator replacement • Renovate commons area at auditorium (Argo) • Restroom renovations • Repair/replace fixtures such as bleachers and scoreboard • Site improvements such as paving and irrigation • Audio enhancement in every classroom**
Program Compatibility	• Provide new choir classroom • Provide adequate Special Education space • Renovate library • Renovate kitchen and cafeteria • Redesign main entry
Health and Physical Development	• Stadium renovations including track and synthetic turf • Provide multi-purpose fitness room • Modernize weight room • Repair/add tennis courts
Safety and Security	• Install security partitions • Install electronic security controls • Install camera/intercom security system • Replace/add exterior cameras • Renovate computer server closet
Sustainability	• Upgrade lighting
Innovation	Centaurus High School is eligible to receive up to $800,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Centennial Middle School

2205 Norwood Avenue
Boulder, CO 80304

Gross Square Footage: 117,772 sq. ft.
Original Construction Date: 1960
Estimated Project Budget: $9,100,000 - $10,000,000*
Innovation: up to $400,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Replace roof • Restroom renovations • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceilings and paint • Repair/replace fixtures and equipment such as kitchen equipment and casework • HVAC system improvements • Electrical system improvements • Replace auditorium seating • Remodel locker room • Site improvements such as irrigation and paving • Install audio enhancement in every classroom**
Program Compatibility	• Remodel auxiliary gym
Health and Physical Development	• Replace basketball courts • Provide cooking lab • Renovate Science labs • Remodel Music space • Provide synthetic turf field and track
Safety and Security	• Install electronic security controls • Install camera/intercom security system • Install exterior cameras • Install security partitions
Sustainability	• Upgrade lighting • Conduct retro-commissioning and repairs • Upgrade HVAC controls
Innovation	Centennial Middle School is eligible to receive up to $ 400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Coal Creek Elementary School

801 West Tamarisk
Louisville, CO 80027

Gross Square Footage: 57,305 sq. ft.
Original Construction Date: 1984
Estimated Project Budget: $3,300,000 - $3,700,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Replace exterior windows • Improvements to interior finishes such as carpet, flooring, and paint • HVAC system improvements • Electrical system improvements • Site improvements such as paving and irrigation • Renovate playfield • Audio enhancement in every classroom**
Program Compatibility	• Provide space for full-day kindergarten** • Provide space for preschool** • Renovate gym • Restroom renovations • Provide adequate Special Education space • Renovate staff lounge/workroom
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Install camera/intercom security system • Install electronic security controls • Install security partitions
Sustainability	• Replace boilers with more efficient condensing type • Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs
Innovation	Coal Creek Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Columbine Elementary School

3130 Repplier Drive
Boulder, CO 80304

Gross Square Footage: 68,787 sq. ft.
Original Construction Date: 2011
Estimated Project Budget: $220,000 - $240,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten**
Safety and Security	• Install camera/intercom security system • Install electronic security controls • Install security partitions
Sustainability	• Conduct retro-commissioning and repairs • Upgrade lighting
Innovation	Columbine Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Community Montessori School

805 Gillaspie Drive
Boulder, CO 80305

Gross Square Footage: 42,588 sq. ft.
Original Construction Date: 1960
Estimated Project Budget: $4,200,000 - $4,600,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Replace roof • Restroom renovations • Repair/replace interior doors • Improvements to interior finishes such as paint • Asbestos abatement • HVAC improvements • Electrical improvements • Repair/replace intercom and clock systems • Fire protection system improvements • Repair/replace fixtures such as casework • Site improvements such as drainage, paving and concrete • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide teacher work room • Expand office space
Health and Physical Development	• Upgrade playground equipment and surface material • Renovate playfield and ball field
Safety and Security	• Redesign main entry to provide more control over visitor access • Install electronic security controls • Install camera/intercom security system • Install security partitions
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs • Replace aged boiler with more efficient condensing type
Innovation	Community Montessori is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Creekside Elementary School

3740 Martin Drive
Boulder, CO 80305

Gross Square Footage: 50,661 sq. ft.
Original Construction Date: 1956
Estimated Project Budget: $16,500,000 - $18,300,000*
* Final project budget will be developed during the design phase.

The building will be replaced with a new elementary school.

Crest View Elementary School

1897 Sumac Drive
Boulder, CO 80304

Gross Square Footage: 66,884 sq. ft.
Original Construction Date: 1958
Estimated Project Budget: $5,700,000 - $6,200,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors, paint and clean • Replace roof • Restroom renovations • Repair/replace fixtures such as casework • Replace interior doors • Improvements to interior finishes such as carpet, flooring, and paint • Asbestos abatement • Electrical system upgrades including emergency generator • HVAC system improvements • New storm drain line • Replace clock and intercom systems • Site improvements such as paving • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten**
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Redesign main entry to provide more control over visitor access • Install camera/intercom security system • Install security partitions
Sustainability	• Conduct retro-commissioning and repairs • Replace aged boilers with more efficient condensing type • Upgrade lighting
Innovation	Crest View Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Douglass Elementary School

840 75th Street
Boulder, CO 80303

Gross Square Footage: 58,705 sq. ft.
Original Construction Date: 1952
Estimated Project Budget: $19,500,000 - $21,600,000*
* Final project budget will be developed during the design phase.

The building will be replaced with a new elementary school.

Eisenhower Elementary School

1220 Eisenhower Drive
Boulder, CO 80303

Gross Square Footage: 59,525 sq. ft.
Original Construction Date: 1971
Estimated Project Budget: $4,200,000 - $4,700,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors, repair masonry and paint • Replace roof • Restroom renovations • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Asbestos abatement • Electrical system improvements • Repair/replace fixtures and equipment such as casework and kitchen equipment • Site improvements such as paving and landscaping • HVAC system improvements • Audio enhancement in every classroom**
Program Compatibility	• Renovations to address sound issues in open classrooms • Provide adequate Special Education space • Enlarge music storage • Provide space for full-day kindergarten** • Provide space for preschool**
Health and Physical Development	• Upgrade playground equipment and surfacing
Safety and Security	• Install camera/intercom security system • Install electronic security controls • Redesign main entry to provide more control over visitor access
Sustainability	• Upgrade HVAC controls • Replace aged boilers with efficient condensing type • Conduct retro-commissioning and repairs
Innovation	Eisenhower Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Eldorado K-8 School

3351 Indiana Street
Superior, CO 80027

Gross Square Footage: 123,343 sq. ft.
Original Construction Date: 2000
Estimated Project Budget: $7,000,000 - $7,800,000*
Innovation: up to $400,000
*Final budget will be determined during the design phase

Following is an overview of work that will be completed at the school:

Facility Condition	• Roof repairs • Repair/replace/upgrade interior doors • Site improvements such as paving, fencing, concrete work and irrigation • Improvements to interior finishes such as carpet, ceiling and paint • Replace clock system • Improve drop-off lanes • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool ** • Replace portables with permanent classrooms • Provide adequate kitchen/cafeteria support space
Health and Physical Development	• Repair outdoor play surface material • Provide running path • Resurface tennis courts
Safety and Security	• Redesign main entry to provide more control over visitor access • Install electronic security controls • Install camera/intercom security system
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs
Innovation	Eldorado K-8 School is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in the estimated school budget.

Emerald Elementary School

755 W. Elmhurst Place
Broomfield, CO 80020

Gross Square Footage: 62,573 sq. ft.
Original Construction Date: 1958
Estimated Project Budget: $17,200,000 - $19,000,000*
* Final project budget will be developed during the design phase.

The building will be replaced with a new elementary school.

Project details

Escuela Bilingüe Pioneer

101 Baseline Road
Lafayette, CO 80026

Gross Square Footage: 74,864 sq. ft.
Original Construction Date: 1928
Estimated Project Budget: $7,400,000 - $8,200,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of the work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors and painting • Restroom renovations • Repair/replace roof • Repair/replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • HVAC improvements • Electrical upgrades • Repair/replace intercom and clock systems • Fire protection system improvements • Renovate kitchen and repair/replace equipment • Repair/replace fixtures such as casework • Asbestos abatement • Site improvements such as paving and irrigation • Install building-wide air conditioning • Audio enhancement for every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide new bus loop
Health and Physical Development	• Upgrade playground surfacing and equipment
Safety and Security	• Install camera/intercom security system • Install electronic security controls • Install security partitions
Sustainability	• Conduct retro-commissioning and repairs • Upgrade lighting • Upgrade HVAC controls
Innovation	Escuela Bilingüe Pioneer is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Fairview High School

1515 Greenbriar Boulevard
Boulder, CO 80305

Gross Square Footage: 264,007 sq. ft.
Original Construction Date: 1971
Estimated Project Budget: $17,400,000 - $19,200,000*
Innovation: up to $800,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Replace roof • Restroom renovations • Replace interior doors • Repair/replace fixtures such as bleachers and lockers • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Asbestos abatement • HVAC system improvements • Electrical system improvements • Fire protection system improvements • Remodel kitchen and cafeteria • Remodel auditorium • Audio enhancement in every classroom**
Health and Physical Development	• Modernize weight room • Provide multi-purpose room • Provide press box
Safety and Security	• Install security partitions • Install camera/intercom security system • Install electronic security control • Replace intercom system
Sustainability	• Upgrade HVAC controls • Upgrade lighting
Innovation	Fairview High School is eligible to receive up to $800,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Fireside Elementary School

845 West Dahlia Street
Louisville, CO 80027

Gross Square Footage: 61,486 sq. ft.
Original Construction Date: 1989
Estimated Project Budget: $4,000,000 - $4,400,000*
Innovation: up to $200,000
* Final budget will be determined in the design phase.

Following is an overview of work to be completed at the school:

Facility Condition	• Exterior building improvements such as masonry repair and window repair/replacement • Roof replacement • Restroom renovations • Improvement to interior finishes such as carpet, flooring, ceilings and paint • HVAC upgrades • Replace intercom and clock systems • Paving • Renovate play field • Fire safety system improvements • Install audio enhancement in all classrooms**
Program Compatibility	• Provide adequate space for all-day kindergarten** • Provide adequate space for preschool**
Health and Physical Development	• Upgrade playground surfacing and equipment
Safety and Security	• Install camera/intercom security system • Install security partitions • Install electronic security controls
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs
Innovation	Fireside Elementary is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not reflected in estimated school budget

Flatirons Elementary School

1150 7th Street
Boulder, CO 80302

Gross Square Footage: 43,857 sq. ft.
Original Construction Date: 1956
Estimated Project Budget: $3,600,000 - $4,000,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Repair/replace roof • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Asbestos abatement • HVAC system improvements • Electrical system improvements • Repair/replace fixtures such as casework • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool** • Parking lot improvements
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Redesign main entry to provide more control over visitor access • Install security partitions • Install camera/intercom security system • Install electronic security controls
Sustainability	• Replace boilers with efficient condensing type • Upgrade HVAC controls • Upgrade lighting
Innovation	Flatirons Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Foothill Elementary School

1001 Hawthorne Avenue
Boulder, CO 80304

Gross Square Footage: 76,021 sq. ft.
Original Construction Date: 1949
Estimated Project Budget: $5,200,000 - $5,700,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Replace roof • Restroom renovations • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Asbestos abatement • HVAC system improvements • Electrical system improvements • Repair/replace fixtures such as sinks and casework • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten**
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Redesign main entry to provide more control over visitor access • Install security partitions • Install electronic security controls • Install camera/intercom security system
Sustainability	• Replace boilers with efficient condensing type • Upgrade HVAC controls • Upgrade lighting
Innovation	Foothill Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Gold Hill School

890 Main Street
Gold Hill, CO 80302

Gross Square Footage: 3,316 sq. ft.
Original Construction Date: 1915
Estimated Project Budget: $440,000 - $490,000*
Innovation: $50,000
* Final budget will be developed in the design phase.

Following is an overview of the work that will be completed at the school:

Facility Condition	• Exterior building improvements such as paint, window and door replacement • Restroom renovations including ADA • Plumbing improvements • Fire safety system improvements • Electrical improvements • Replace cabinets and chalkboards • Install audio enhancement in every classroom**
Program Compatibility	• Remodel coat room and main entry
Health and Physical Development	• Playground improvements such as shade structure, new sod and equipment
Safety and Security	• Install camera/intercom security system at main entry • Install electronic security controls
Sustainability	• Conduct retro-commissioning and repairs
Innovation	Gold Hill Elementary is eligible to receive up to $50,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Halcyon Middle / High School

3100 Bucknell Court
Boulder, CO 80305

Gross Square Footage: 10,168 sq. ft.
Original Construction Date: 1955
Estimated Project Budget: $800,000 - $880,000*
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school. This work will need to be completed regardless of whether or not the current program remains at the building.

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Replace interior doors • Asbestos abatement • Improvements to interior finishes such as flooring • HVAC improvements • Electrical system upgrades • Communications system upgrades • Repair/replace fixtures such as casework • Site improvements such as paving, irrigation and landscaping
Safety and Security	• Install electronic security controls • Install camera/intercom security system • Install security partitions

Heatherwood Elementary School

7750 Concord Drive
Boulder, CO 80301

Gross Square Footage: 60,797 sq. ft.
Original Construction Date: 1971
Estimated Project Budget: $4,100,000 - $4,600,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors and repair masonry • Replace roof • Replace interior doors • Improvements to interior finishes such as flooring, tile and paint • Asbestos abatement • Restroom renovations • Electrical system improvements • Repair/replace fixtures and equipment such as casework and kitchen equipment • Audio enhancement for every classroom**
Program Compatibility	• Renovations to address sound issues in open classrooms • Provide storage space • Provide adequate parking • Provide adequate Special Education space • Provide adequate space for full-day kindergarten** • Provide adequate space for preschool **
Health and Physical Development	• Upgrade playground equipment and surfacing
Safety and Security	• Install electronic security controls • Install camera/intercom security system • Install security partitions
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs • Replace aged boilers with more efficient condensing type
Innovation	Heatherwood Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Horizons K-8 Charter School

4545 Sioux Drive
Boulder, CO 80303

Gross Square Footage: 50,227 sq. ft.
Original Construction Date: 1959
Estimated Project Budget: $1,000,000 - $1,100,000*
Innovation: $400,000
* Final budget will be developed in the design phase.

Following is an overview of the work that will be completed at the school:

Facility Condition	• Replace exterior doors • Improvements to interior finishes such as wall tile, paint, flooring, carpet and ceiling tile • Asbestos abatement • Fire safety system upgrades • Electrical upgrades • Repair/replace interior fixtures such as casework • Renovate playfields • Install audio enhancement in every classroom**
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Install exterior cameras
Sustainability	• Upgrade lighting • Conduct retro-commissioning and repairs • Install electronic security controls • Install camera/intercom security system • Install interior security partitions
Innovation	Horizons K-8 is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in estimated project budget

Jamestown Elementary School

111 Mesa Street
Jamestown, CO 80455

Gross Square Footage: 5,030 sq. ft.
Original Construction Date: 1954
Estimated Project Budget: $450,000 - $500,000*
Innovation: up to $50,000
* Final budget will be determined during the design phase.

Following is an overview of work to be completed at the school:

Facility Condition	• Exterior building improvement such window and door replacement • Asbestos abatement • Improvements to interior finishes such as paint and carpet • Remodel restrooms including ADA • Plumbing improvements • Replace furnace • Electrical improvements • Replace/replace fixtures such as casework • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten**
Health and Physical Development	• Playground improvements such as new shade structure and surface material
Safety and Security	• Redesign front entrance to increase control over visitor access • Install camera/intercom security system • Install electronic security controls
Sustainability	• Conduct retro-commissioning and repairs
Innovation	Jamestown Elementary is eligible to receive up to $50,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in estimated project budget

Project details

Justice High School

805 Excalibur Street
Lafayette, CO 80026

Project Budget: $170,000 - $180,000*

* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Renovate kitchen • Remove abandoned utilities

Kohl Elementary School

1000 West 10th Avenue
Broomfield, CO 80020

Gross Square Footage: 60,717 sq. ft.
Original Construction Date: 1959
Estimated Project Budget: $4,600,000 - $5,100,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors, clean and paint • Repair/replace roof • Restroom renovations including staff facilities • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tile, paint and white boards • Intercom system improvements • Electrical system upgrades including emergency generator • Repair/replace fixtures such as casework • Site improvements such as paving, irrigation and fencing • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool** • Provide adequate Special Education space
Health and Physical Development	• Provide preschool playground • Upgrade playground equipment and surface material
Safety and Security	• Redesign main entry to provide more control over visitor access • Install electronic security controls • Install security partitions • Install camera/intercom security system • Upgrade parking lighting
Sustainability	• Conduct retro-commissioning and repairs • Upgrade HVAC controls • Upgrade lighting
Innovation	Kohl Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Lafayette Bus Facility

1220 Rock Creek Circle
Lafayette, CO 80026

Gross Square Footage: sq. ft. 6,492
Original Construction Date: 2000
Estimated Project Budget: $1,500,000 - $1,700,000*
* Final budget will be determined during the design phase.

Following provides an overview of the work that will be completed:

Facility Condition	• Electrical upgrades including emergency generator
Program Compatibility	• Pave and install new gravel for parking lot
Sustainability	• Upgrade lighting • Conduct retro-commissioning and repairs

Lafayette Elementary School

101 N. Bermont Avenue
Lafayette, CO 80026

Gross Square Footage: 62,203 sq. ft.
Original Construction Date: 1964
Estimated Project Budget: $4,600,000 - $5,000,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Repair roof • Restroom renovations • Replace interior doors • Asbestos abatement • Electrical system upgrades including emergency generator • Communications and clock system improvements • HVAC system improvements • Site improvements such as paving and drainage • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool** • Provide adequate Special Education space
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Install electronic security controls • Install security partitions • Install camera/intercom security system • Redesign main entry to provide more control over visitor access • Improve parking lot and exterior lighting
Sustainability	• Conduct retro-commissioning and repairs • Upgrade lighting
Innovation	Lafayette Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Louisville Elementary School

400 Hutchinson Street
Louisville, CO 80027

Gross Square Footage: 63,034 sq. ft.
Original Construction Date: 1964
Estimated Project Budget: $3,400,000 - $3,800,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Repair roof • Replace interior doors • Improvements to interior finishes such as carpet and paint • Asbestos abatement • Replace intercom • Fire protection system improvements • Electrical system upgrades including emergency generator • Repair/replace fixtures such as casework • Site improvements such as paving and drainage • Restroom renovations • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool** • Provide adequate Special Education space
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Install camera/intercom security system • Install electronic security controls • Install security partitions
Sustainability	• Conduct retro-commissioning and repairs • Upgrade lighting • Upgrade HVAC controls
Innovation	Louisville Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Louisville Middle School

1341 Main Street
Louisville, CO 80027

Gross Square Footage: 101,483 sq. ft.
Original Construction Date: 1939
Estimated Project Budget: $5,100,000 - $5,600,000*
Innovation: up to $400,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Repair/replace roof including skylights and flashing at main gym • Repair/replace operable walls • Repair/replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Plumbing system improvements • Electrical system upgrades including emergency generator • Repair/replace fixtures and equipment such as casework, bleachers and lockers • Site improvements such as drainage, paving and irrigation • Audio enhancement in every classroom**
Program Compatibility	• Provide outdoor storage
Health and Physical Development	• Provide synthetic turf field and track
Safety and Security	• Redesign main entry to provide more control over visitor access • Install exterior cameras • Install camera/intercom security system • Install electronic security controls
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs
Innovation	Louisville Middle School is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Manhattan Middle School

290 Manhattan Drive
Boulder, CO 80303

Gross Square Footage: 93,542 sq. ft.
Original Construction Date: 1965
Estimated Project Budget: $4,700,000 - $5,200,000*
Innovation: up to $400,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Replace exterior doors • Repair roof • Renovate kitchen and loading dock • Improvements to interior finishes such as carpet and ceiling tile • Electrical system upgrades including emergency generator • Replace intercom system • Restroom renovations • Repair irrigation storage tank • Audio enhancement in every classroom**
Program Compatibility	• Provide additional student lockers • Provide dressing rooms • Provide adequate Special Education space
Health and Physical Development	• Provide running path • Provide new bleachers at field
Safety and Security	• Install exterior cameras • Install security partitions • Install camera/intercom security system • Install electronic security controls • Redesign main entry to provide more control over visitor access
Sustainability	• Replace boiler with efficient condensing type • Upgrade lighting • Conduct retro-commissioning and repairs
Innovation	Manhattan Middle School is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Mapleton Early Childhood Center

840 Mapleton Avenue
Boulder, CO 80304

Gross Square Footage: 21,527 sq. ft.
Original Construction Date: 1889
Estimated Project Budget: $1,000,000 - $1,200,000*
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Replace roof • Provide boiler • Electrical system improvements • Renovate retaining wall • Audio enhancement in every classroom**
Health and Physical Development	• Provide additional playground
Safety and Security	• Install camera/intercom security system
Sustainability	• Upgrade HVAC controls

Project details

Mesa Elementary School

1575 Lehigh Street
Boulder, CO 80305

Gross Square Footage: 55,195 sq. ft.
Original Construction Date: 1966
Estimated Project Budget: $4,300,000 - $4,700,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Replace roof • Restroom renovations • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Asbestos abatement • HVAC system improvements • Electrical system improvements • Repair/replace fixtures such as casework • Upgrade parking lot/drop-off area • Audio enhancement in every classroom**
tProgram Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool**
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Install electronic security controls • Redesign main entry to provide more control over visitor access • Install security partitions • Install camera/intercom security system
Sustainability	• Replace aged boilers with efficient condensing type • Upgrade HVAC Controls • Upgrade lighting • Conduct retro-commissioning and repairs
Innovation	Mesa Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Monarch High School

329 Campus Drive
Louisville, CO 80027

Gross Square Footage: 241,819 sq. ft.
Original Construction Date: 1998
Estimated Project Budget: $8,600,000 - $9,500,000*
Innovation: up to $800,000
* Final project budget will be determined during the design phase.

Following is an overview of the work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace doors • Replace roof • Replace moveable partitions • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Plumbing repair/replacement • HVAC repair • Intercom and clock system repair/replacement • Kitchen renovation and equipment upgrades • Replace gym bleachers • Site improvements such as paving and irrigation • Audio enhancement in every classroom**
Program Compatibility	• Renovations to Music spaces
Health and Physical Development	• Replace field bleachers • Provide press box • Repair/replace athletic facilities such as baseball/softball fields and fixtures, football and soccer goals • Repair/add tennis courts • Modernize weight room • Provide multi-purpose fitness room
Safety and Security	• Install camera/intercom security system • Install electronic security controls • Install security partitions • Replace/add exterior cameras
Sustainability	• Upgrade lighting • Conduct retro-commissioning and repairs • Upgrade HVAC controls
Innovation	Monarch High School is eligible to receive up to $800,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in estimated project budget

Project details

Monarch K-8 School

263 Campus Drive
Louisville, CO 80027

Gross Square Footage: 114,491 sq. ft.
Original Construction Date: 1997
Estimated Project Budget: $5,500,000 - $6,100,000*
Innovation: up to $400,000
* Final project budget will be determined in the design phase.

Following is an overview of the work that will be completed at the school:

Facility Condition	• Exterior building improvements such as masonry repair and door repair/replacement • Replace roof • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Plumbing improvements • HVAC repair • Repair/replace intercom and clock systems • Repair/replace interior fixtures such as casework • Provide preschool drop-off loop and additional parking • Site improvements such as irrigation, paving and concrete work • Audio enhancement in every classroom**
Program Compatibility	• Provide additional storage space • Provide adequate space for full-day kindergarten** • Provide adequate space for preschool**
Health and Physical Development	• Repair/replace playground surface material • Provide running path
Safety and Security	• Add exterior cameras • Install camera/intercom security system • Install security partitions • Install electronic security controls • Redesign main entry to provide more control over visitor access
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs • Replace aged boilers with more efficient condensing type
Innovation	Monarch K-8 is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in estimated project budget

Nederland Bus Facility

225 Ridge Road
Nederland, CO 80466

Gross Square Footage: 3960 sq. ft.
Original Construction Date: 2001
Estimated Project Budget: $250,000 - $280,000*
* Final budget will be determined during the design phase.

Following provides an overview of the work that will be completed:

Program Compatibility	• Construct additional wash bay
Safety and Security	• Install electronic security controls
Sustainability	• Upgrade lighting • Conduct retro-commissioning and repairs

Project details

Nederland Elementary School

1 Sundown Trail
Nederland, CO 80466

Gross Square Footage: 61,470 sq. ft.
Original Construction Date: 1989
Estimated Project Budget: $4,700,000 - $5,100,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace skylights and doors • Replace roof • Remodel kitchen and cafeteria • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Site improvements such as paving and irrigation • Restroom renovations • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool** • Provide small group learning spaces
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Install security partitions • Redesign main entry to provide more control over visitor access • Install electronic security controls
Sustainability	• Conduct retro-commissioning and repairs • Upgrade HVAC controls • Upgrade lighting • Replace aged boiler with more efficient condensing type
Innovation	Nederland Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project total

Nederland Middle / Senior High School

597 Eldora Road
Nederland, CO 80466

Gross Square Footage: 102,168 sq. ft.
Original Construction Date: 1971
Estimated Project Budget: $5,600,000 - $6,200,000*
Innovation: up to $400,000
* Final budget will be developed during the design phase.

Following is an overview of the work that will be completed during the design phase:

Facility Condition	• Exterior building improvements such as repair/replace doors and windows and painting • Replace roof • Remodel kitchen and cafeteria and repair/replace equipment • Restroom renovations • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tiles and paint • Asbestos abatement • Plumbing repair/replacement • HVAC repair/replacement • Repair/replace fixtures such as lockers, toilet partitions and casework • Replace bleachers • Site improvements such as irrigation, paving, fencing and concrete • Audio enhancement in all classrooms**
Program Compatibility	• Provide additional storage
Health and Physical Development	• Provide multi-purpose fitness room • Modernize weight room • Upgrade baseball/playfield
Safety and Security	• Install additional exterior cameras • Install electronic security controls • Install camera/intercom security system • Install security partitions
Sustainability	• Lighting upgrades • Conduct retro-commissioning and repairs
Innovation	Nederland Middle/Senior is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in estimated project budget

Project details

New Vista High School

700 20th Street
Boulder, CO 80302

Gross Square Footage: 77,966 sq. ft.
Original Construction Date: 1953
Estimated Project Budget: $9,000,000 - $9,900,000*
Innovation: up to $400,000
* Final estimated budget will be developed during the design phase.

Following is an overview of the work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors, repair masonry and concrete • Replace roof • Restroom renovations including ADA • Replace interior doors • Asbestos abatement • Improvements to interior finishes such as carpet, flooring, ceiling tiles and paint • Repair/replace HVAC system • Fire protection system improvements • Electrical system improvements • Repair/replace fixtures such as shelving and bleachers • Site improvements such as drainage and paving • Install building-wide air conditioning • Audio enhancement for every classroom**
Program Compatibility	• Remodel auditorium • Provide changing room/shower
Safety and Security	• Install electronic security controls • Install camera/intercom security system • Replace/add exterior cameras
Sustainability	• Conduct retro-commissioning and repairs • Upgrade HVAC controls • Upgrade lighting • Replace aged boiler with more efficient condensing type
Innovation	New Vista High School is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

Peak to Peak Charter School

800 Merlin Drive
Lafayette, CO 80026

Original Construction Date: 2001
Estimated Project Budget: $4,000,000 - $4,400,000*
Innovation: up to $800,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Provide fencing • Improve acoustics • Improvements to interior finishes such as flooring • Parking lot improvements • Sidewalk repairs • Audio enhancement in every classroom**
Program Compatibility	• Provide gymnasium
Innovation	Peak to Peak Charter School is eligible to receive up to $800,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Platt Middle School

6096 Baseline Road
Boulder, CO 80303

Gross Square Footage: 123,958 sq. ft.
Original Construction Date: 1958
Estimated Project Budget: $13,200,000 - $14,600,000*
Innovation: up to $400,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors, repair masonry and paint • Restroom renovations • Remodel kitchen and cafeteria and repair replace kitchen equipment • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tiles and paint • Asbestos abatement • Plumbing improvements • HVAC repair/replacement • Electrical system repair/replacement • Repair replace fixtures such as casework • Site improvements such as drainage irrigation and paving • Audio enhancement in every classroom**
Program Compatibility	• Provide auxiliary gym • Provide shop space
Health and Physical Development	• Provide synthetic turf field and track
Safety and Security	• Install camera/intercom security system • Install security partitions • Install electronic security controls • Install exterior cameras
Sustainability	• Upgrade lighting • Conduct retro-commissioning and repairs • Replace aged boiler with more efficient condensing type
Innovation	Platt Middle School is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Ryan Elementary School

1405 Centaur Village Drive
Lafayette, CO 80026

Gross Square Footage: 54,912 sq. ft.
Original Construction Date: 1983
Estimated Project Budget: $2,500,000 - $2,800,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors, replace fascia and repair masonry • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tile, paint and casework • Asbestos abatement • Restroom renovations • HVAC system improvements • Electrical system upgrades including emergency generator • Communications and clock system improvements • Site improvements such as paving, landscaping and irrigation • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool** • Provide adequate Special Education space
Health and Physical Development	• Upgrade playground equipment
Safety and Security	• Install electronic security controls • Install camera/intercom security system • Install security partitions • Upgrade exterior lighting
Sustainability	• Conduct retro-commissioning and repairs • Upgrade HVAC controls • Upgrade lighting • Replace aged boiler with efficient condensing type
Innovation	Ryan Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Sanchez Elementary School

655 Sir Galahad Drive
Lafayette, CO 80026

Gross Square Footage: 55,320 sq. ft.
Original Construction Date: 1986
Estimated Project Budget: $4,500,000 - $5,000,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors, replace fascia and repair masonry • Repair/replace interior doors • Improvements to interior finishes such as flooring, ceiling tile, paint and casework • Restroom renovations • HVAC system improvements • Install building-wide air conditioning • Electrical system upgrades including emergency generator • Communications and clock system improvements • Repair/replace fixtures such as curtains and casework • Site improvements such as paving, landscaping and irrigation • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool** • Provide receiving/recycling area
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Install electronic security controls • Install camera/intercom security system • Install security partitions
Sustainability	• Conduct retro-commissioning and repairs • Upgrade HVAC controls • Upgrade lighting • Replace aged boiler with efficient condensing type
Innovation	Sanchez Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Sombrero Marsh Environmental Education Center

1466 N. 63rd Street
Boulder, CO 80305

Estimated Project Budget: $ 340,000 - $380,000*

* Final project budget will be developed during the design phase.

Following is an overview of the work that will be completed at the facility:

Facility Condition	• Replace roof • Electrical system upgrades • Provide trash and recycling enclosure • Pave driveway and parking lot
Program Compatibility	• Provide storage • Provide staff work space
Safety and Security	• Install electronic security controls
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs

Project details

Southern Hills Middle School

1500 Knox Drive
Boulder, CO 80305

Gross Square Footage: 98,340 sq. ft.
Original Construction Date: 1963
Estimated Project Budget: $8,900,000 – $9,800,000*
Innovation: up to $400,000
* Final project budget will be developed during the design phase.

Following is an overview of the work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors, repair masonry and paint • Replace roof • Restroom renovations including ADA • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceilings and paint • Asbestos abatement • Install building-wide air conditioning • Electrical system upgrades • Repair/replace intercom and communication systems • Replace fixtures and equipment such as bleachers, lockers and kitchen equipment • Site improvements such as drainage, paving and irrigation • Audio enhancement in every classroom**
Health and Physical Development	• Renovate baseball field
Safety and Security	• Install electronic security controls • Install camera/intercom security system • Install security partitions • Install exterior cameras
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs • Replace aged boiler with more efficient condensing type
Innovation	Southern Hills Middle School is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Summit Middle School

4665 Hanover Avenue
Boulder, CO 80305

Gross Square Footage: 49,944 sq. ft.
Original Construction Date: 1964
Estimated Project Budget: $7,800,000 - $8,600,000*
Innovation: up to $400,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors • Repair/replace roof • Restroom renovations including ADA • Repair/replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Asbestos abatement • Plumbing system improvements • Electrical system improvements • Communications system improvements • Repair/replace fixtures and equipment such as casework and kitchen equipment • Audio enhancement in every classroom**
Program Compatibility	• Provide auditorium • Provide music area • Provide flex space • Replace portables with classrooms • Remodel classrooms • Provide fab lab and patio • Remodel entry and administration
Health and Physical Development	• Provide outdoor running path
Safety and Security	• Install exterior cameras • Install electronic security controls • Install camera/intercom security system • Install security partitions
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs
Innovation	Summit Middle School is eligible to receive up to $400,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Superior Elementary School

1800 South Indiana Street
Superior, Colorado 80027

Gross Square Footage: 71,464 sq. ft.
Original Construction Date: 1996
Estimated Project Budget: $4,000,000 - $4,400,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Replace roof • Improvements to interior finishes such as carpet, ceiling tile and paint • Electrical system upgrades including emergency generator • HVAC system improvements including chiller • Communication and clock system improvements • Site improvements such as paving, irrigation and fencing • Repair/replace fixtures and equipment such as window blinds • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide adequate space for preschool** • Renovate secretary's office • Provide outside storage
Health and Physical Development	• Upgrade playground equipment and surface material
Safety and Security	• Redesign main entry to provide more control over visitor access • Install electronic security controls • Install camera/intercom security system • Install security partitions
Sustainability	• Upgrade HVAC controls • Upgrade lighting • Conduct retro-commissioning and repairs
Innovation	Superior Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

University Hill Elementary School

956 16th Street
Boulder, CO 80302

Gross Square Footage (Intermediate): 55,387 sq. ft.
Gross Square Footage (Primary): 14,314 sq. ft.
Original Construction Date: 1905 (Intermediate), 1949 (Primary)
Estimated Project Budget: $7,800,000 - $8,600,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors, clean masonry and paint • Replace roof • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Restroom renovations • Asbestos abatement • Communication system improvements • Plumbing improvements • HVAC system improvements • Fire protection system improvements • Electrical system upgrades • Repair/replace fixtures and equipment such as casework and gym equipment • Site improvements such as paving and fencing • Install building-wide air conditioning in intermediate bldg. • Audio enhancement in every classroom**
Program Compatibility	• Provide additional storage • Provide adequate space for full-day kindergarten** • Provide adequate space for preschool**
Health and Physical Development	• Upgrade playground equipment and surface material • Provide synthetic turf playfield
Safety and Security	• Redesign main entry to provide more control over visitor access • Install camera/intercom security system • Install security partitions
Sustainability	• Conduct retro-commissioning and repairs • Upgrade lighting
Innovation	University Hill Elementary School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

Project details

Whittier International School

2008 Pine Street
Boulder, CO 80302

Gross Square Footage: 46,517 sq. ft.
Original Construction Date: 1882
Estimated Project Budget: $6,400,000 - $7,100,000*
Innovation: up to $200,000
* Final project budget will be developed during the design phase.

Following is an overview of work that will be completed at the school:

Facility Condition	• Exterior building improvements such as repair/replace windows and doors, repair masonry and paint • Replace roof • Replace interior doors • Improvements to interior finishes such as carpet, flooring, ceiling tile and paint • Asbestos abatement • HVAC system improvements • Install building-wide air conditioning • Electrical system improvements • Restroom renovations • Repair/replace equipment and fixtures such as casework • Site improvements such as drainage, paving and irrigation • Audio enhancement in every classroom**
Program Compatibility	• Provide adequate space for full-day kindergarten** • Provide library support spaces • Provide additional storage • Provide adequate Special Education space
Health and Physical Development	• Upgrade playground equipment and surface material • Provide synthetic turf playfield
Safety and Security	• Redesign main entry to provide control over visitor access • Install electronic security controls • Install camera/intercom security system • Install security partitions
Sustainability	• Upgrade lighting • Upgrade HVAC controls • Conduct retro-commissioning and repairs • Replace aged boiler with more efficient condensing type
Innovation	Whittier International School is eligible to receive up to $200,000 in additional funds to implement facility improvements that support innovative teaching methods.

** Not included in project budget

District-wide Support Campus

6500 East Arapahoe Road
Boulder, CO 80303

Gross Square Footage: 135,102 sq. ft.
Original Construction Date: 1963
Estimated Project Budget: $45,100,000 - $49,900,000*
* Final project budget will be developed during the design phase.

The Educational Master Plan includes the following projects to support and improve district systems and services provided at the Education Center:

Transportation Estimated Project Budget: $15,100,000 – $16,700,000*	• Demolish the existing district Transportation offices, bus parking and vehicle washing facility and replace with a new structure • Renovate the existing fleet maintenance facility
Technology Training Center and administrative offices Estimated Project Budget: $18,200,000 - $20,100,000*	• Expand the existing Professional Development Center to provide additional space for student and staff technology training • Partially demolish existing building and replace with a new structure on a smaller footprint to provide more parking • Modernize work spaces • Provide adequate space to accommodate staff currently working at another location • Provide secure after-hours access to meeting spaces • Improve public access for visitors
District Kitchen Estimated Project Budget: $9,600,000 – $10,600,000*	• Renovate existing space to create a District Kitchen
Warehouse/Maintenance Estimated Project Budget: $2,200,000 – $2,500,000*	• Renovate existing warehouse space

* Final budgets will be determined during the design phase.

District-wide Support Services and Programs

The Educational Master Plan includes the following projects to support and improve district systems, programs and services:

District-wide radios Estimated Budget: $810,000 - $890,000*	• Upgrade the district-wide radio system from analog to digital
Information Technology Estimated Budget: $11,700,000 – $12,900,000*	• Improvements to assure Internet and system stability • Install audio enhancement in every classroom • Extend BVSD Internet to select affordable housing projects
Full-day Kindergarten Estimated Budget: $13,100,000 – $14,500,000*	• Provide adequate space for full-day kindergarten at every school
Early Childhood Education Estimated Budget: $8,100,000 – $9,000,000*	• Provide adequate space for preschool at every school or regional facility

* Final budgets will be developed during the design phase.

Erie School

Project Budget: $37,700,000 – $41,700,000*

* Final project budget will be developed during the design phase.

Project description

A new school will be constructed in the Boulder Valley School District attendance area in Erie. The school will serve grades PK-8. The configuration of the campus will be determined when the district begins the pre-design phase for the project.

Centralized Special Education Services

Estimated Project Budget: $6,200,000 - $6,800,000

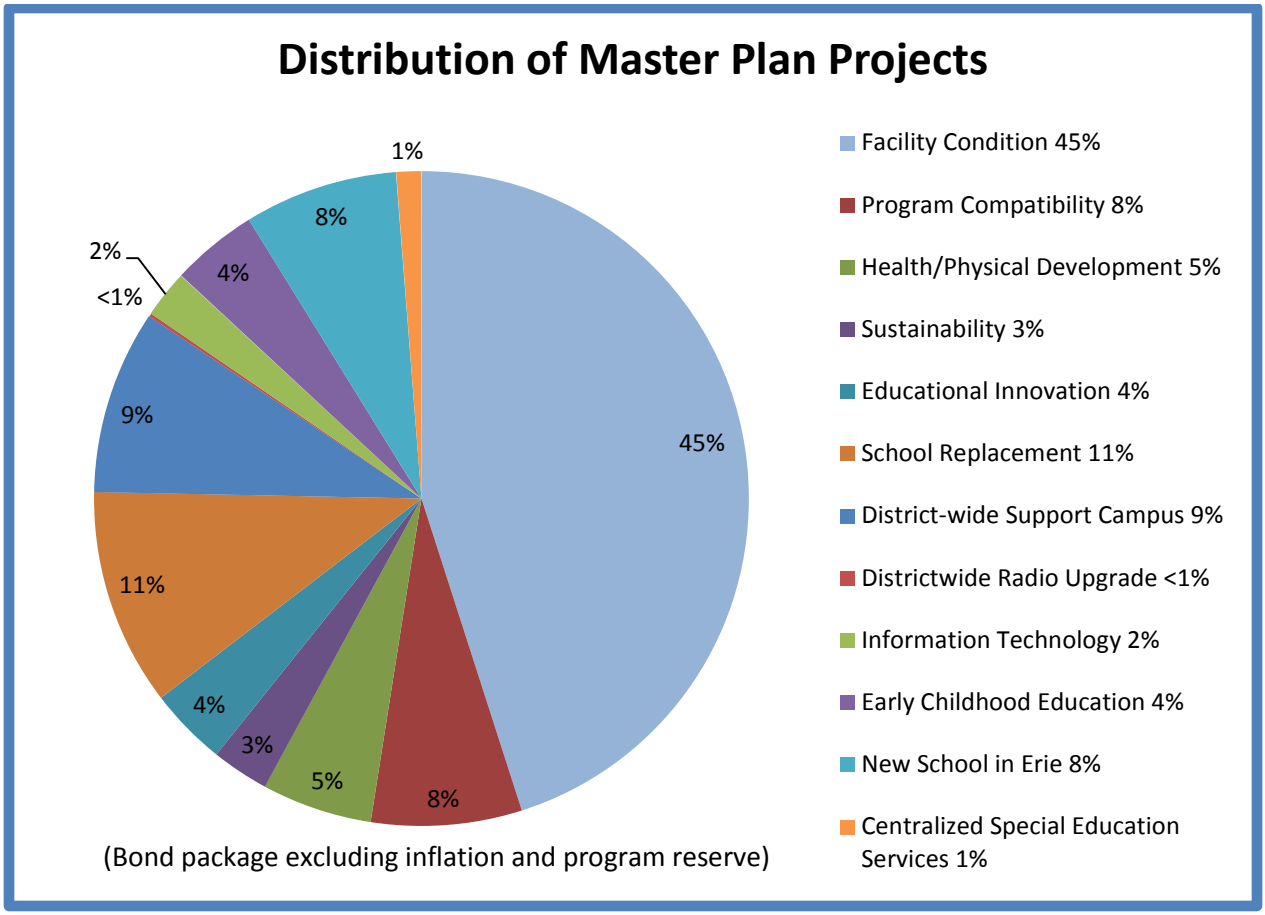
Project description

BVSD will convene a team of staff, community members and parents to develop a vision and plan programming and facility needs for students with significant social-emotional needs, as well as students with significant needs who have an autism diagnosis. The new facility will serve students with Individual Education Plans, including students currently served at the Halcyon campus.

The following pages provide a break-out of the total dollar amount of all projects and a comparison of the distribution of funding among projects.

Educational Facility Master Plan Budget	
	Budgeted Amount
Facility Condition (includes over $8M for Security in school allocations)	**$235,770,000**
Program Compatibility	**$38,970,000**
Health and Physical Development	**$28,460,000**
Sustainability	**$14,820,000**
Educational Innovation	**$20,150,000**
School Replacement	
Creekside	$17,410,000
Douglass	$20,570,000
Emerald	$18,070,000
School Replacement Subtotal	**$56,050,000**
District-wide Support Campus	
Construct new Transportation facility	$15,940,000
Construct Technology Training Center and renovate administrative offices	$19,170,000
Construct District Kitchen	$10,060,000
Renovate Maintenance/Warehouse building	$2,340,000
District-wide Subtotal	**$47,510,000**
District-wide radio upgrade	**$850,000**
IT	
Internet and system stability	$8,430,000
Integrated audio enhancement for every classroom	$3,510,000
Extend BVSD Internet to select affordable housing projects	$390,000
IT Subtotal	**$12,330,000**
Early Childhood Education	
Extend full-day kindergarten opportunities	$13,800,000
Extend preschool options to more schools	$8,550,000
Early Childhood Education Subtotal	**$22,350,000**
Construct school in Erie	**$39,700,000**
Centralized Special Education services	**$6,500,000**
Master Plan Subtotal	**$523,460,000**
Inflation	**$45,160,000**
Program Reserve	**$7,900,000**
Master Plan Budget Total	**$576,520,000**

Project details



CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: October 7, 2014

AGENDA TITLE
Consideration of a motion to adopt a Resolution No. 1145 in support of Protection of Unaccompanied Children Immigrating into the United States

PRESENTERS
Jane S. Brautigam, City Manager
Karen Rahn, Director, Human Services
Carmen Atilano, Manager, Community Relations

EXECUTIVE SUMMARY:
The purpose of this memorandum is to provide City Council with a recommendation regarding a proposed resolution in support of protection of unaccompanied children immigrating into the United States.

STAFF RECOMMENDATION:

Suggested Motion Language:
Staff requests council consideration of this matter and action in the form of the following motion:
Motion to adopt Resolution No. 1145 in Support of Protection of Unaccompanied Children Immigrating into the United States.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

- **Economic –** The economic impact of unaccompanied children immigrating into the United States is challenging to measure and politically contentious.

- **Social –** Many of these children are fleeing violent situations in their home country. They endure a long and dangerous journey to reach the border. When they are placed in a standard shelter, they are, relieved to be in a safe and caring environment where they can wait for a sponsor to arrive to take custody.

BACKGROUND:

On August 18, the Human Relations Commission approved a declaration regarding "Protection of Unaccompanied Children Immigrating into the United States." While originally formatted as a declaration for consideration and eventual approval by the mayor, staff has since reformatted it into a resolution for full council consideration.

ANALYSIS:

Approval of this resolution would result in time-sensitive communication to federal officials relating to the immediate needs of immigrant children. It is recommended that consideration of this matter occur independent of, and sooner than the November 6 scheduled date for final approval of the city's 2015 state and federal legislative agenda. Beyond calls on Congress, the resolution asks for immediate action by the President that does not require any legislative change.

NEXT STEPS:

Approval of this resolution separate from the city's legislative agenda will not prevent relevant language from later being incorporated into the legislative agenda, which is scheduled for first consideration on October 7 and final approval on November 6.

ATTACHMENTS:

A: Resolution No. 1145 in Support of Protection of Unaccompanied Children Immigrating into the United States

Boulder City Council

RESOLUTION NO. 1145

A RESOLUTION URGING PROTECTION OF UNACCOMPANIED CHILDREN IMMIGRATING INTO THE UNITED STATES

WHEREAS, In recent months an unprecedented number of unaccompanied minors have fled their home countries in Central America to seek refuge in the United States, creating a humanitarian crisis and requiring immediate action by the Administration and Congress of the United States; and

WHEREAS, According to the United States Customs and Border Protection, the United States government has apprehended approximately 52,000 unaccompanied minors so far this fiscal year and expects to apprehend at least 90,000 by the end of October; and

WHEREAS, A recent report from the United Nations High Commissioner for Refugees (UNHCR), found that a majority of unaccompanied minors whom they interviewed that have been apprehended at the U.S. southwest border, many from Honduras, El Salvador and Guatemala, were fleeing instances of extreme violence such as drug cartels and gang activity. Others are victims of human trafficking or were living in poverty and are attempting to reunite with family members already in the United States, traveling alone, and facing unknown dangers and harm along their journey; and

WHEREAS, Many of the U.S. laws and procedures regarding unaccompanied minors are focused on the welfare of the child, rather than detention, and the United States Department of Health and Human Sevices (HHS) must place the children in the "least restrictive setting" possible; and

WHEREAS, Addressing the issue of unaccompanied children will require cooperation from all branches of the United States government and appropriate funding to respond to the crisis in a humanitarian and child protection-focused manner.

NOW, THEREFORE, BE IT RESOLVED, that the Boulder City Council urges the President and Congress of the United States to focus resources on protecting unaccompanied children immigrating into the United States from harm and uphold their right to due process, and be it further

RESOLVED, That the Boulder City Council urges the President and Congress of the United States to adopt immigration policies to ensure that unaccompanied minors receive appropriate child welfare services, legal support and expeditious reunification with their families already in the United States; and be it

RESOLVED, That the City Clerk transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from Colorado in the Congress of the United States.

RESOLVED, this 7th day of October, 2014

_____
Matthew Appelbaum, Mayor

Attest

_____
City Clerk

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: October 7, 2014

AGENDA TITLE:
Second reading and consideration of a motion to adopt Ordinance No. 7995 approving supplemental appropriations to the 2014 Budget for the Open Space Acquisition Bonds, Series 2014, in the aggregate principal amount of $10,123,341, for the purpose of providing funds for the acquisition of open space real property or interests therein and the costs of issuance of the Series 2014 Bonds.

PRESENTERS:
Jane S. Brautigam, City Manager
Mike Patton, Director of Open Space and Mountain Parks
Bob Eichem, Chief Financial Officer
Cheryl Pattelli, Director of Finance

EXECUTIVE SUMMARY
At the closing on October 9, 2014 of the sale of the $10,000,000 in City of Boulder, Colorado, Open Space Acquisition Bonds, Series 2014, the bond proceeds along with $123,341 in bond premium will be received. Funds are requested to pay for the acquisition of open space real property or interests therein to total $9,902,220 and the costs of issuance of $221,121 will be deposited into the Open Space Fund. This ordinance is being proposed in order to make funds available shortly after receipt.

STAFF 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. 7995 approving supplemental appropriations to the 2014 Budget for the Open Space Acquisition Bonds, Series 2014, in the aggregate principal amount of $10,123,341, for the purpose of providing funds for the acquisition of open space real property or interests therein and the costs of issuance of the Series 2014 Bonds.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: By management of 46,632 acres of land, the Open Space and Mountain Parks Department contributes to the economic vitality goal of the city as it provides the context for the diverse and vibrant economic system that sustains services for residents. The land system and the quality of life it represents attract visitors to the community who make significant contributions to city taxes. The city's open space values also help businesses recruit and retain quality employees.

- Environmental: Although there are no environmental issues as a result of the proposed bond offering, the preservation of open space lands contributes to the environmental sustainability goal of the City Council. The department's land acquisition, land and resource management and visitor service programs help preserve and protect the Open Space values of the surrounding publicly-owned land.

- Social: The City's open space land is acquired, maintained, preserved, retained and used to preserve or restore natural areas characterized by or including terrain, geologic formations, flora or fauna that are unusual, spectacular, historically important, scientifically valuable or unique, or that represent outstanding or rare examples of native species; to preserve water resources in their natural or traditional state, scenic area or vistas, wildlife habitats or fragile ecosystems; to preserve land for passive recreational use, such as hiking, photography or nature studies, and, if specially designated, bicycling, horseback riding or fishing; to preserve agricultural uses and land suitable for agricultural production; to utilize land for shaping the development of the City, limiting urban sprawl and disciplining growth; to utilize non-urban land for spatial definition of urban areas; to utilize land to prevent encroachment on floodplains; and to preserve land for its aesthetic or passive recreational value and its contribution to the quality of life of the community. Because Open Space and Mountain Parks lands, facilities and programs are equally accessible to all members of the community, they help to support the city's community sustainability goal because all residents "who live in Boulder can feel a part of and thrive in" this aspect of their community.

OTHER IMPACTS

- Staff time - Preparing for the issuance of the bonds is considered part of the normal work plan.

ATTACHMENTS:

A: Proposed Ordinance

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ORDINANCE NO. 7995

AN ORDINANCE RELATING TO THE FINANCIAL AFFAIRS OF THE CITY OF BOULDER, COLORADO, MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014 SETTING FORTH DETAILS IN RELATION TO THE FOREGOING.

WHEREAS, Section 102 of the Charter of the City of Boulder provides that: "At any time after the passage of the annual appropriation ordinance and after at least one week's public notice, the council may transfer unused balances appropriated for one purpose to another purpose, and may by ordinance appropriate available revenues not included in the annual budget;" and

WHEREAS, the City Council now desires to make certain supplemental appropriations for purposes not provided for in the 2014 annual budget; and,

WHEREAS, required public notice has been given;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, that the following amounts are appropriated:

Section 1. Open Space Fund

Appropriation from Additional Revenue	$10,123,341

Section 2. The City Council finds that 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. If any part or parts hereof are for any reason held to be invalid, such shall not affect the remaining portion of this ordinance.

Section 4. The Council deems it appropriate that this ordinance be published by title only and order 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 16th day of September, 2014.

_____

Mayor

Attest:

_____

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE this 7th day of October, 2014.

_____

Mayor

Attest:

_____

City Clerk

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: October 7, 2014

AGENDA TITLE: Second reading and consideration of a motion to adopt Ordinance No. 7996 amending Title 1, B.R.C. 1981, concerning "General Administration," Title 2, B.R.C. 1981, concerning "Government Organization," Title 5, B.R.C. 1981, concerning "General Offenses," and Title 7, B.R.C. 1981, concerning "Vehicles, Pedestrians and Parking"

PRESENTER/S
Jane S. Brautigam, City Manager
Maureen Rait, Executive Director of Public Works
Tracy Winfree, Director of Public Works for Transportation
Bill Cowern, Transportation Operations Engineer
Carey Weinheimer, Deputy Police Chief – Support and Staff Services
Janet Michels, Assistant City Attorney
Kurt Matthews, Parking Manager
Joe Paulson, Transportation Operations Engineer (Signals and Lighting)
Marni Ratzel, GO Boulder Senior Transportation Planner

EXECUTIVE SUMMARY
This agenda item presents proposed transportation-related changes to the Boulder Revised Code (B.R.C.). These changes are intended to address enforcement and/or operational issues identified by city staff. The Sept. 16 first reading packet is available online and the proposed ordinance is provided as **Attachment A**.

Proposed changes include technical corrections; updating the B.R.C. to be consistent with state regulations; and achieving consistency with local initiatives already underway, such as recognizing the operation of a shared street and experimenting with bike lanes protected by parked vehicles. Some of the proposed changes would make it easier for the public to enjoy high-quality special events in the City of Boulder. Other changes would make it easier for staff to enforce laws related to public safety.

These proposed changes do not reflect new transportation, police or parking management policy direction and are not associated with any new initiatives. Another phase of proposed ordinance changes that will be evaluated through public processes, such as the Access Management and Parking Strategy (AMPS), will likely have policy implications.

FIRST READING QUESTIONS

A City Council member provided several questions during the first reading, which staff has addressed below.

1. "Would it be possible to make a slight modification in the language where instead of saying "shared by all modes of transportation" (packet pg. 42, line 13 and anywhere else it appears) it were to read "shared by people in all modes of transportation"? It would emphasize that there is always a person behind the wheel of a car and on a bicycle."

Staff has considered this proposed change to the definition of a "Shared Street" and believes the change in wording would be semantic with no significant legal difference. Therefore, we are not recommending this change. If City Council determines that it is important to make this change, it will require additional reading(s) of this proposed ordinance.

2. "On packet pg. 48, line 3, the definition of "wireless telephone" does not sound like it would cover an iPad or "wearable" device. Do we want to include these other devices and use a broader definition? A wearable device can still be distracting."

The proposed creation of B.R.C. 7-4-78 Misuse of a Wireless Telephone is intended to copy existing state law into the B.R.C. so that these violations can be prosecuted by the Boulder Municipal Court. Staff's recommends that, in this case, the B.R.C. be consistent with state law. Having two similar, but not identical, laws may create confusion when tickets are written and may be harmful in the prosecution of municipal court cases.

3. "The term "driving a bicycle" struck me as odd. Is there a reason for using this instead of "riding a bicycle"?"

The B.R.C. consistently references "driving a bicycle" rather than "riding a bicycle." This is in part due to the fact that a bicycle is considered a vehicle and held to the same rules as vehicles in most situations. Staff recommends being consistent by continuing to use the "driving a bicycle" language in the B.R.C.

4. "On packet pg. 53, line 9, would paratransit vehicles (such as Via or Access-a-ride) be allowed to park in bus stops (if only to pick up passengers)?"

Staff believes that paratransit services such as Via or Access-a-Ride would meet the definition of public entities that provide mass transit services to the general public currently proposed in B.R.C. 7-6-13(b)(6). Those services would not be subject to the restrictions created by this ordinance. In addition, the common business model of these

paratransit services is generally to provide door-to-door pickup and drop-off and not to use bus stops.

5. "Minor item: on packet pg. 53 also at line 9, item numbering goes from 6 to 8, looks like 7 was skipped."

In B.R.C. Section 7-6-13(b), the only two sections that include proposed changes are items 6 and 8. Therefore, staff listed the two numbers with ellipses ("...") between them. The numbers are not intended to be sequential.

STAFF RECOMMENDATION

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

Motion to introduce and order published by title only an ordinance amending Title 1**,** B.R.C. 1981, concerning "General Administration", Title 2, B.R.C. 1981, concerning "Government Organization", Title 5, B.R.C. 1981, concerning "General Offenses" and Title 7, B.R.C. 1981, concerning "Vehicles, Pedestrians and Parking".

ATTACHMENTS

Attachment A: ORDINANCE No. 7996

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ORDINANCE NO. 7996

AN ORDINANCE AMENDING CHAPTERS 1-2, 2-2, SECTION 5-6-15, B.R.C. 1981, TITLE 7, B.R.C. 1981, AND ADDING A NEW SECTION 7-4-78, B.R.C. 1981, CONCERNING THE AUTHORITY OF THE TRAFFIC ENGINEER, REGULATION OF VEHICLES, PEDESTRIANS AND TRAFFIC, PARKING INFRACTIONS, AND VEHICLE IMPOUNDS, AND SETTING FORTH RELATED DETAILS.

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

Section 1. Section 1-2-1(b), B.R.C. 1981, is amended to read:

"Abandoned motor vehicle" means any motor vehicle that is left in one location on public property or on private property without the consent of the owner thereof for twenty-four hours or more than the time limited by any signs, meters, pay stations or pavement markings that apply to that location, or for a continuous period of more than seventy-two hours at any otherwise unregulated location.

Section 2. Section 2-2-11, B.R.C. 1981, is amended to read:

2-2-11. Traffic Engineering.

(a) The city manager is appointed as traffic engineer for the City to perform the responsibilities provided in this section and other applicable ordinances of the City. It is the general duty of the traffic engineer to plan the installation, timing, and maintenance of traffic control devices; to plan and direct the operation and parking of traffic on the streets of the City; to conduct investigations of traffic conditions; to represent the City in dealing with officials of other governments on traffic and street improvements; to make agreements dividing responsibility for maintenance of streets and traffic control devices over which authority is exercised jointly with other governments; and to take such steps as are reasonably necessary and proper to carry out these plans subject to the availability of funds.

(b) In addition to other duties prescribed by this code or other ordinances of the City, the city manager may, without limitation:

…

(15) Close streets or portions of streets temporarily ~~for no more than eight hours~~ for community or neighborhood events, if the manager finds that the public safety and convenience would not be thereby adversely affected and subject to such conditions as the manager deems reasonable to protect public health, safety, and welfare; and

(16) Approve use of all or a portion of streets for bicycle or pedestrian racing events, and temporarily close ~~for no more than twelve hours~~ all or a portion of such areas as reasonably necessary for the safety of racers, spectators, and those who would otherwise use the facility, if the manager also determines that:

Section 3. Section 7-1-1(a), B.R.C. 1981, is amended to read:

"Abandoned vehicle" means any vehicle other than a bicycle that is left in one location on public property or on private property without the consent of the owner thereof for twenty-four hours more than the time limited by any signs, meters, pay stations or pavement markings that apply to that location, or for a continuous period of more than seventy-two hours at any other unregulated location.

"Shared Street" means a roadway that minimizes demarcations between vehicle traffic and pedestrians by removing features such as curbs, road surface markings, and certain regulations. Through a variety of treatments including landscaping, traffic calming, pavement features and pedestrian amenities, it is made accessible and designed to be shared by all modes of transportation. The street is intended to be used for open space and pedestrian circulation as well as typical transportation purposes conducted in a safe manner by all modes of transportation. Many of the rules restricting a pedestrian or cyclist's use of the roadway are suspended on this roadway.

Section 4. Section 5-6-15, B.R.C. 1981, is amended to read:

5-6-15. Pedestrian Interference in Roadway Prohibited.

Every pedestrian crossing or otherwise within a roadway shall yield the right of way to and avoid any interference with all vehicles upon or approaching the roadway. This section does not apply to pedestrians crossing in crosswalks or in accordance with Subsection 7-5-15(d), B.R.C. 1981 or to pedestrians walking along and upon roadways designated as shared streets.

Section 5. Section 7-2-12, B.R.C. 1981, is amended to read:

7-2-12. Exemptions For Authorized Emergency Vehicles.

(a) The driver of an authorized emergency vehicle, while responding to an emergency call, while in pursuit of an actual or suspected violator of the law, or while responding to

but not returning from a fire alarm may exercise the privileges set forth in this section. The driver of any authorized emergency vehicle may:

(1) Park or stop, irrespective of the provisions of this title;

(2) Proceed past a red or stop traffic control signal or sign, but only after slowing down as may be necessary for reasonably safe operation;

(3) Exceed a speed limit so long as life or property is not unreasonably endangered thereby; and

(4) Disregard regulations governing direction of movement, turning in specified directions, or driving in a particular place.

(b) The provisions of this section and section 7-2-13, "Exemptions For Maintenance Vehicles," B.R.C. 1981, do not relieve the privileged driver of the duty to drive with due regard for the safety of all persons, nor do such provisions protect the driver from the consequences of such driver's reckless disregard for the safety of others.

(c) The exemptions granted in this section apply only while the authorized emergency vehicle, other than a bicycle, is making use of audible or visible signals meeting the requirements of section 42-4-213 or 42-4-222, C.R.S., as amended, unless using such visual signals would cause an obstruction to the normal flow of traffic. But an authorized emergency vehicle being operated as a police vehicle while responding to or in actual pursuit of a suspected violator of any provision of this title, title 5, Boulder Revised Code, or title 18, Colorado Revised Statutes, need not display or make use of audible or visible signals as long as such pursuit is being made to obtain verification of or evidence of the guilt of the suspected violator. Where paragraph (a)(1) of this section is concerned, only such lights or other measures need to be taken as are reasonably necessary to warn of the special hazard, if any, presented by such parking or stopping.

Section 6. Section 7-3-3, B.R.C. 1981, is amended to read:

7-3-3. Height, Length, and Weight of Vehicles.

(a) No person shall drive, move, stop, or park on any street any vehicle or vehicles of a size, weight, or load that exceeds that permitted for such vehicle or vehicles under sections 42-4-502 through 42-4-509, C.R.S., as amended.

. . .

(c) It is a specific defense to a charge of violating this section that the driving, moving, stopping, and parking occurred on a street that was not a state highway, and

(1) Was in compliance with a permit issued under the provisions of subsection (d) of this section; or

(2) Was in compliance with a permit or exclusion under section 42-4-510, C.R.S., as amended, and that the vehicle was being driven on a street that is also a state highway as provided in section 43-2-135, C.R.S.

(d) The city manager shall issue a one time permit allowing a vehicle or vehicles that are, when loaded, oversize or overweight or both to travel so loaded over city streets upon application therefor if the manager finds that:

Section 7. Section 7-4-7, B.R.C. 1981, is amended to read:

7-4-7. Flashing Yellow Signal.

(a) A driver facing a traffic control signal when the circular yellow lens of the signal is illuminated with rapid intermittent flashes is thereby warned:

(1) At an intersection, that cross traffic has a flashing red light.

(2) At any other location, that a special hazard exists, and drivers of all vehicles shall proceed past such signal and through the hazardous location only with caution.

(b) A driver facing a traffic control signal when the yellow arrow lens of the signal is illuminated with rapid intermittent flashes is thereby warned that opposing traffic has ~~a green signal and~~ the right of way and the driver should proceed with caution.

(c) This section does not apply to railroad signs or signals.

Section 8. Section 7-4-52, B.R.C. 1981, is amended to read:

7-4-52. ~~Inattentive~~ Careless Driving.

(a) No person shall drive:

(1) In a careless, inattentive, negligent, or imprudent manner without due regard for the width, grade, curves, corners, traffic, and use of the streets or other places, or any other attendant circumstances; or

(2) In such a manner as to violate two or more of the specific sections of this title regulating the driving of vehicles for which penalty points are assessed against the

driving privilege under the statutes of the state in a single driving episode. This paragraph does not limit the application of paragraph (a)(1) of this section.

(b) Any person who violates any provision of this section commits the offense of ~~inattentive~~ careless driving, and upon conviction thereof shall be punished by a fine of no more than $1,000.00, jail of no more than ninety days, or both such fine and jail.

Section 9. Section 7-4-64, B.R.C. 1981, is amended to read:

7-4-64. Stop for School Bus Required.

(a) A driver meeting or overtaking from either direction a school bus stopped upon a street shall stop before reaching the school bus, if there is displayed on the school bus ~~in the direction facing the driver~~ two or more alternately flashing red lights, and shall not proceed until the school bus resumes motion or the flashing red lights are no longer displayed. But the driver of a vehicle that is on a different roadway of a divided street than the school bus is not required by this section to stop upon meeting or passing a school bus. For the purposes of this section, divided street includes division by a painted median serving as a clearly indicated dividing island.

(b) Any person who violates any provision of this section commits the offense of failure to stop for school bus and upon conviction thereof shall be punished by a fine of no more than $1,000.00, jail of no more than ninety days, or both such fine and jail.

Section 10. Section 7-4-66, B.R.C. 1981, is amended to read:

7-4-66. Operation of Vehicle on Approach of Authorized Emergency Vehicle.

(a) Upon the immediate approach of an authorized emergency vehicle making use of audible or visual signals meeting the requirements of section 42-4-213 or 42-4-222, C.R.S., as amended, the driver of every other vehicle shall yield the right-of-way and where possible shall immediately clear the farthest left-hand lane lawfully available to through traffic, shall drive to a position parallel to and as close as possible to the right-hand curb of a roadway clear of any intersection, and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer or firefighter or the driver of the authorized emergency vehicle.

(b)(1) A driver in a vehicle that is approaching or passing a stationary authorized emergency vehicle that is giving a visual signal by means of flashing, rotating, or oscillating red, blue, or white lights as permitted by section 42-4-213 or 42-4-222 or a stationary towing carrier vehicle that is giving a visual signal by means of flashing, rotating, or oscillating yellow lights shall exhibit due care and caution and proceed as described in paragraphs (2) and (3) of this subsection (b).

(2) On a highway with at least two adjacent lanes proceeding in the same direction on the same side of the highway where a stationary authorized emergency vehicle or stationary towing carrier vehicle is located, the driver of an approaching or passing vehicle shall proceed with due care and caution and yield the right-of-way by moving into a lane at least one moving lane apart from the stationary authorized emergency vehicle or stationary towing carrier vehicle, unless directed otherwise by a peace officer or other authorized emergency personnel. If movement to an adjacent moving lane is not possible due to weather, road conditions, or the immediate presence of vehicular or pedestrian traffic, the driver of the approaching vehicle shall proceed in the manner described in paragraph (3) of this subsection (b).

(3) On a highway that does not have at least two adjacent lanes proceeding in the same direction on the same side of the highway where a stationary authorized emergency vehicle or stationary towing carrier vehicle is located, or if movement by the driver of the approaching vehicle into an adjacent moving lane, as described in paragraph (2) of this subsection (b), is not possible, the driver of an approaching vehicle shall reduce and maintain a safe speed with regard to the location of the stationary authorized vehicle or stationary towing carrier vehicle, weather conditions, road conditions, and vehicular or pedestrian traffic and proceed with due care and caution, or as directed by a peace officer or other authorized emergency personnel.

(c)(1) A driver in a vehicle that is approaching or passing a maintenance, repair, or construction vehicle that is moving at less than twenty miles per hour shall exhibit due care and caution and proceed as described in paragraphs (2) and (3) of this subsection (c).

(2) On a highway with at least two adjacent lanes proceeding in the same direction on the same side of the highway where a stationary or slow-moving maintenance, repair, or construction vehicle is located, the driver of an approaching or passing vehicle shall proceed with due care and caution and yield the right-of-way by moving into a lane at least one moving lane apart from the vehicle, unless directed otherwise by a peace officer or other authorized emergency personnel. If movement to an adjacent moving lane is not possible due to weather, road conditions, or the immediate presence of vehicular or pedestrian traffic, the driver of the approaching vehicle shall proceed in the manner described in paragraph (3) of this subsection (c).

(3) On a highway that does not have at least two adjacent lanes proceeding in the same direction on the same side of the highway where a stationary or slow-moving maintenance, repair, or construction vehicle is located, or if movement by the driver of the approaching vehicle into an adjacent moving lane, as described in paragraph (2) of

this subsection (c), is not possible, the driver of an approaching vehicle shall reduce and maintain a safe speed with regard to the location of the stationary or slow-moving maintenance, repair, or construction vehicle, weather conditions, road conditions, and vehicular or pedestrian traffic, and shall proceed with due care and caution, or as directed by a peace officer or other authorized emergency personnel.

(d)(1) A driver in a vehicle that is approaching or passing a motor vehicle where the tires are being equipped with chains on the side of the highway shall exhibit due care and caution and proceed as described in paragraphs (2) and (3) of this subsection (d).

(2) On a highway with at least two adjacent lanes proceeding in the same direction on the same side of the highway where chains are being applied to the tires of a motor vehicle, the driver of an approaching or passing vehicle shall proceed with due care and caution and yield the right-of-way by moving into a lane at least one moving lane apart from the vehicle, unless directed otherwise by a peace officer or other authorized emergency personnel. If movement to an adjacent moving lane is not possible due to weather, road conditions, or the immediate presence of vehicular or pedestrian traffic, the driver of the approaching vehicle shall proceed in the manner described in paragraph (c) of this subsection (d).

(3) On a highway that does not have at least two adjacent lanes proceeding in the same direction on the same side of the highway where chains are being applied to the tires of a motor vehicle, or if movement by the driver of the approaching vehicle into an adjacent moving lane, as described in paragraph (2) of this subsection (d), is not possible, the driver of an approaching vehicle shall reduce and maintain a safe speed with regard to the location of the motor vehicle where chains are being applied to the tires, weather conditions, road conditions, and vehicular or pedestrian traffic, and shall proceed with due care and caution, or as directed by a peace officer or other authorized emergency personnel.

(e~~b~~) Any person who violates any provision of this section commits the offense of interference with an emergency vehicle and upon conviction thereof shall be punished by a fine of no more than $1,000.00, jail of no more than ninety days, or both such fine and jail.

Section 11. Adding new Section 7-4-78, "Misuse of a Wireless Telephone," B.R.C. 1981 to read:

7-4-78. Misuse of a Wireless Telephone.

(a) As used in this section, unless the context otherwise requires:

(1) "Emergency" means a situation in which a person:

(A) Has reason to fear for such person's life or safety or believes that a criminal act may be perpetrated against such person or another person, requiring the use of a wireless telephone while the car is moving; or

(B) Reports a fire, a traffic accident in which one or more injuries are apparent, a serious road hazard, a medical or hazardous materials emergency, or a person who is driving in a reckless, careless, or otherwise unsafe manner.

(2) "Operating a motor vehicle" means driving a motor vehicle on a public highway, but "operating a motor vehicle" shall not mean maintaining the instruments of control while the motor vehicle is at rest in a shoulder lane or lawfully parked.

(3) "Use" means talking on or listening to a wireless telephone or engaging the wireless telephone for text messaging or other similar forms of manual data entry or transmission.

(4) "Wireless telephone" means a telephone that operates without a physical, wireline connection to the provider's equipment. The term includes, without limitation, cellular and mobile telephones.

(b) A person under eighteen years of age shall not use a wireless telephone while operating a motor vehicle. An operator of a motor vehicle shall not be cited for a violation of this paragraph unless a law enforcement officer saw the operator use, as defined in this section, a wireless telephone.

(c) A person eighteen years of age or older shall not use a wireless telephone for the purpose of engaging in text messaging or other similar forms of manual data entry or transmission while operating a motor vehicle. An operator of a motor vehicle shall not be cited for a violation of this paragraph unless a law enforcement officer saw the operator use a wireless telephone for the purpose of engaging in text messaging or other similar forms of manual data entry or transmission.

(d) Subsection (b) or (c) of this section shall not apply to a person who is using the wireless telephone:

(1) To contact a public safety entity; or

(2) During an emergency.

(e) A person who operates a motor vehicle in violation of subsection (b) or (c) of this section commits a traffic infraction, and the court shall assess a fine of fifty dollars. A second or subsequent violation of subsection (b) or (c) of this section shall be a traffic infraction and the court shall assess a fine of one hundred dollars.

(f) The provisions of this section shall not be construed to authorize the seizure and forfeiture of a wireless telephone, unless otherwise provided by law.

(g) This section shall not apply to peace officers as defined in this Code or in section 16-2.5-101, C.R.S., as amended, in the performance of their official duties.

Section 12. Section 7-5-4, B.R.C. 1981, is amended to read:

7-5-4. Bicycle to Be Driven to Right.

(a) Every person driving a bicycle or electric assisted bicycle upon a roadway at a speed so slow as to impede or block the normal and legal forward movement of traffic proceeding immediately behind such bicycle shall drive within the right four feet of the right-hand through lane of the roadway, except under any of the following conditions:

. . .

(b) A bicycle or electric assisted bicycle may be driven on a paved shoulder if such driving does not violate any section of this title for passing or direction of travel.

(c) The provisions of this section do not apply to roadways designated as shared streets.

Section 13. Section 7-5-14, B.R.C. 1981, is amended to read:

7-5-14. Pedestrian or Bicyclist Entering Roadway.

No pedestrian or bicyclist shall suddenly leave a curb or other place of safety and walk, run, or drive into the path of a moving vehicle that is ~~both~~ so close as to constitute an immediate hazard ~~and is not required to stop or yield by a traffic control sign or signal~~.

Section 14. Section 7-5-15, B.R.C. 1981, is amended to read:

7-5-15 Pedestrian Obedience to Traffic Signal Required.

(a) Except as otherwise directed by a pedestrian traffic control signal as described in subsection (b), no pedestrian shall enter the roadway at an intersection controlled by a steady traffic control signal unless a circular green signal is displayed governing the direction of travel.

(b) ~~Where a pedestrian control signal exhibiting "Walk" or "Don't Walk" word or symbol indications is in operation, no pedestrian shall enter the roadway unless a steady or flashing "Walk" indication is displayed governing the direction of travel.~~Where a pedestrian traffic control signal is in place and operating, no pedestrian shall enter the roadway except where the illuminated symbols described in this subsection are displayed governing the direction of travel:

(1) A walking person (symbolizing "Walk") signal indication means that, exercising due caution, a pedestrian facing the signal indication may start to cross the roadway in the direction of the signal indication.

(2) Except as provided in subsection (4), a flashing upraised hand (symbolizing "Don't Walk") signal indication means that a pedestrian shall not start to cross the roadway in the direction of the signal indication, but that any pedestrian who has already started to cross on a "Walk" signal indication may complete crossing the roadway.

(3) A steady "Don't Walk" signal indication means that a pedestrian shall not enter the roadway in the direction of the signal indication.

(4) A countdown display showing the number of seconds remaining in the pedestrian change interval means that a pedestrian facing the signal indication may start to cross the roadway in the direction of the signal indication, but only if such pedestrian is able to safely walk completely across the street prior to the signal changing to assign the right of way to any conflicting traffic movement.

(c) The prohibitions of this section apply to a pedestrian crossing in the crosswalk, in the intersection, or within fifty feet of the crosswalk.

(d) Whenever a traffic ~~signal~~ control signal ~~system~~ provides for the stopping of all vehicular traffic and the exclusive movement of pedestrians and "Walk" and "Don't Walk" ~~word or~~ symbol indications control such pedestrian movement, pedestrians may cross in any direction between corners of the intersection offering the shortest route within the boundaries of the intersection while the walk indication is exhibited.

(e) Any pedestrian who has lawfully entered a crosswalk governed by traffic control signals may complete crossing the roadway notwithstanding any indication subsequently displayed.

(f) No pedestrian shall enter a roadway where an operable audible or visual warning ~~traffic control~~ device is located unless such device is activated. However, a pedestrian possessing the right of way who fails to activate a warning device or who is within the cross walk upon the expiration of such warning continues to possess the right of way.

Section 15. Section 7-5-16, B.R.C. 1981, is amended to read:

7-5-16. Pedestrian at Flashing Yellow or Red Light.

Pedestrians facing any ~~crossing a roadway with a~~ flashing yellow or red ~~traffic control indication light~~signal indicator at an intersection, unless otherwise directed by a pedestrian signal indicator or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right of way to vehicles lawfully within the intersection at the time that the flashing yellow or red signal indicator is first displayed ~~shall obey the rules for non-intersection crossing described in Subsections 7-5-17(a) and (b), B.R.C. 1981~~.

Section 16. Section 7-5-17, B.R.C. 1981, is amended to read:

7-5-17. Pedestrian Crossing at Other Than Crosswalk.

(a) No pedestrian shall cross a roadway other than by a route at right angles to the curb or by the shortest route to the opposite curb.

(b) Where a traffic control signal is in operation at an intersection, no pedestrian shall cross a roadway within fifty feet of the crosswalk at the intersection except in the crosswalk in conformance with Section 7-5-15, "Pedestrian Obedience to Traffic Signal Required," B.R.C. 1981.

(c) The provisions of this section do not apply to pedestrians crossing in crosswalks or in accordance with Subsec-tion 7-5-15(d), B.R.C. 1981, or pedestrians walking along and upon streets designated as shared streets.

Section 17. Section 7-5-19, B.R.C. 1981, is amended to read:

7-5-19. Pedestrian to Use Sidewalks on Main Streets.

(a) Where a sidewalk or bike lane between parking spaces and a curb is provided on or adjacent to any street that is a state highway, a street with four or more lanes for moving motor vehicular traffic, or a street in a district zoned BT, BC, or BR and its use is practicable for walking, no person shall walk along and upon an adjacent roadway.

(b) Where no such sidewalk is provided on such a street, pedestrians shall walk along a road shoulder, if present, as far as practicable from the edge of the roadway, unless a traffic control device indicates otherwise.

(c) The provisions of this section do not apply to pedestrians walking along and upon streets designated as shared streets.

Section 18. Section 7-5-20, B.R.C. 1981, is amended to read:

7-5-20. Pedestrian to Walk Facing Traffic.

A pedestrian walking along and upon a roadway shall walk as near as practicable to an outside edge of the roadway and, if on a two-way street, shall walk only on the left side facing approaching traffic, unless the pedestrian is walking on a bike lane between parking spaces and a curb. The provisions of this section do not apply to pedestrians walking along and upon roadways designated as shared streets.

Section 19. Section 7-6-9, B.R.C. 1981, is amended to read:

7-6-9. Parked Too Far From Curb.

Except where a traffic control device indicates otherwise or where angle parking is permitted, vehicles shall be parked only in the position specified below:

(a) On a two-way street, all vehicles with four or more wheels shall be parked with the right-hand wheels within twelve inches of the right-hand curb. On a one-way street, vehicles parked on the right shall be parked in compliance with the rule for two-way streets, and vehicles parked on the left shall be parked with the left-hand wheels parallel to and within twelve inches of the left-hand curb. On a cul-de-sac or other closed street with traffic control devices designating parking spaces, vehicles shall be parked with all wheels within the marked parking space.

(b) Vehicles with three or fewer wheels shall be parked with at least one wheel in compliance with subsection (a) of this section, and no part of the vehicle shall be more than six feet from the appropriate curb.

(c) In no case shall any vehicle be double parked.

Section 20. Section 7-6-10, B.R.C. 1981, is amended to read:

7-6-10. Obedience to Angle Parking Rules.

(a) Upon any portion of a street where front-in angle parking adjacent to a curb is indicated by a traffic control device, no vehicle shall be parked other than at the angle to the curb so indicated and with the front of the vehicle facing the curb and within twelve inches of it. ~~However, where signs so require,~~

(b) Upon any portion of a street where back-in angle parking adjacent to a curb is indicated by a traffic control device, no vehicle shall be parked other than at the angle to the curb so indicated and with the rear of the vehicle facing the curb and within twelve inches of it.

(c) Upon any portion of a street where front-in angle parking is indicated by a traffic control device adjacent to a bike lane, no vehicle shall be parked other than at the angle to the left-hand edge of the protected bike lane so indicated and with the front of the vehicle facing the left-hand edge and within twelve inches of it.

(d) Upon any portion of a street where back-in angle parking is indicated by a traffic control device adjacent to a bike lane, no vehicle shall be parked other than at the angle to the left-hand edge of the bike lane so indicated and with the back of the vehicle facing the left-hand edge and within twelve inches of it.

(e~~b~~) No vehicle shall be parked in an angle parking zone if it exceeds twenty feet in length or eight feet in width, including cargo or load.

Section 21. Sections 7-6-13(b)(6) and (8), B.R.C. 1981, are amended to read:

7-6-13. Stopping or Parking Prohibited in Specified Places.

…

(b) No vehicle may be parked:

…

(6) In a bus stop unless the vehicle is a bus used by a mass transit district, a mass transit authority, or any other public entity authorized under the laws of this state to provide mass transportation services to the general public;

...

(8) In a manner that obstructs the commencement or ongoing operation of a public construction, maintenance, or repair project, or a street closure, after twenty-four hours' advance notice of the parking prohibition (i) in any location where permitted parking time is limited by any signs, meters, pay stations or pavement markings that apply to that location, or (ii) after seventy-two hours' advance notice of the parking prohibition at any otherwise unregulated location, and the time ~~it~~ the parking prohibition is effective has been conspicuously posted and reasonable efforts have been made to maintain notice on the site.

...

Section 22. Section 7-6-21, B.R.C. 1981, is amended to read:

7-6-21. Parking in Loading Zone Prohibited.

(a) No vehicle shall be parked in a loading zone for any purpose or period of time except:

(1) In a passenger loading zone, for the visible loading or unloading of passengers for a period ~~not in any case to exceed three minutes~~ indicated by a traffic control sign; or

(2) In any other loading zone, for the visible unloading and delivery or pick-up and loading of property for a period not in any case to exceed thirty minutes, or such shorter time indicated by a traffic control sign, or loading or unloading of passengers for a period not in any case to exceed three minutes.

(b) All alleys in a district zoned BT, BC, BR, or I are a loading zone. On all other streets, traffic control signs indicate loading zones.

Section 23. Section 7-6-24, B.R.C. 1981, is amended to read:

7-6-24. All-Night Parking of Commercial Vehicle, Camper or Motor Home, or Trailer Prohibited.

(a) No commercial vehicle shall be parked on any street in any district of the city zoned RR-1, RR-2, RE, RL-1, RL-2, RM-1, RM-2, RM-3, RMX-1, RMX-2, RH-1, RH-2, RH-3, RH-4, RH-5, MH, P, or A for more than thirty minutes between 8 p.m. and 7 a.m. The penalty for a first violation of this section is $40. The penalty for a second violation of

this section by the same vehicle or the same registered owner of a vehicle is $50. The penalty for a third and any subsequent violation of this section by the same vehicle or the same registered owner of a vehicle is $60.

(b) No camper, motor home or trailer shall be parked on any street for more than twenty-four hours. The penalty for a first violation of this section is $40. The penalty for a second violation of this section by the same vehicle or the same registered owner of a vehicle is $50. The penalty for a third and any subsequent violation of this section by the same vehicle or the same registered owner of a vehicle is $60.

Section 24. Section 7-7-2(a), B.R.C. 1981, is amended to read:

7-7-2. Authority of City to Impound Vehicle.

(a) A peace officer is authorized to remove or cause to be removed a vehicle from any public or private property when:

...

(3) A vehicle is found unattended and situated in a manner that obstructs the commencement or ongoing operation of a public construction, maintenance, or repair project or street closure~~;~~ and

(A) in any location where permitted parking time is limited by any signs, meters, pay stations or pavement markings that apply to that location, twenty-four hours' advance notice of the parking prohibition, the time the parking prohibition is effective has been conspicuously posted and reasonable efforts have been made to maintain notice on the site; or

(B) in any otherwise unregulated location, seventy-two hours' advance notice of the parking prohibition, the time it is effective, and that vehicles will be towed away at the owner's expense has been conspicuously posted and reasonable efforts have been made to maintain notice on the site;

...

(9) Parking on public property.

(A) A vehicle has been found upon a street, public parking lot or other public property in a signed "tow away zone," and the person in possession

of the vehicle is not present or is unwilling or unable to provide for its immediate removal;

(B) A vehicle has been found parked at a metered parking space on a street or a metered parking space in a public parking lot for twenty-four hours or more than the time limited by any signs, meters, pay stations or pavement markings that apply to that location, or for seventy-two or more hours at any otherwise unregulated location without being moved, there is a warning on the parking meter or a sign which indicates that such a vehicle may be towed, and the person in possession of the vehicle is not present or is unwilling or unable to provide for its immediate removal;

Section 25. Section 7-7-3(a), B.R.C. 1981, is amended to read:

7-7-3. Abandoned and Inoperable Vehicle.

(a) Any vehicle left in one location upon any public property or on any private property, without the consent of the property owner, for twenty-four hours or more than the time limited by any signs, meters, pay stations or pavement markings that apply to that location, or for a continuous period of more than seventy-two hours at any otherwise unregulated location, constitutes an abandoned vehicle, which is a public nuisance. Proof that the vehicle's odometer shows movement of no more than two-tenths of a mile during a period of at least twenty-four hours after the time limited by any signs, meters, pay stations or pavement markings that apply to that location, or at least seventy-two hours at any otherwise unregulated location, shall constitute prima facie evidence that the vehicle was left in one location.

Section 26. 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 27. 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 16th day of September, 2014.

.

_____
Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this 7th day of October, 2014.

.

_____
Mayor

Attest:

_____
City Clerk

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CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: October 7, 2014

AGENDA TITLE
Second reading and consideration of a motion to order published by title only, Ordinance No. 8000 vacating, and authorizing the City Manager to execute a deed of vacation to vacate a public pedestrian and bicycle trail easement located on Naropa University property at 2130 Arapahoe Avenue.

Applicant: Todd Kilburn
Property Owner: Naropa University

PRESENTER/S
Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning and Sustainability
Charles Ferro, Development Review Manager
Sloane Walbert, Planner I

EXECUTIVE SUMMARY
Naropa University is requesting the vacation of a 14-foot public pedestrian and bicycle trail easement running along the western property line of the property located at 2130 Arapahoe Avenue. The subject easement was originally dedicated to the city in 1989 to accommodate a public bike and pedestrian path to connect the University of Colorado campus to Arapahoe Avenue. The connection was originally envisioned to cross the property along its western property line. Refer to ***Figure 1*** for context. The public path was never constructed and the city has since amended the connection plan to relocate the multi-use path to the eastern side of the same property. The city is working with Naropa University and the University of Colorado to coordinate construction of the path in its new location. Further, Naropa University has signed a Grant of Easement form for a new easement to accommodate the multi-use path, which is being held in escrow by the City Attorney's Office until the requested vacation is approved. Therefore, because the city has entered into an agreement with Naropa University for the dedication of a new easement, the subject easement is no longer necessary for public use.

On September 16, 2014, City Council approved first reading of the draft ordinance and did not have any questions for staff.

STAFF RECOMMENDATION
Staff finds that the criteria of section 8-6-9, "Vacation of Public Rights-of-Way and Public Access Easements," B.R.C. 1981 can be met and recommends that the City Council take the following action:

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

Motion to adopt Ordinance No. 8000 vacating, and authorizing the City Manager to execute a Deed of Vacation to vacate a public pedestrian and bicycle trail easement located at 2130 Arapahoe Avenue.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: None identified.
- Environmental: None identified.
- Social: None identified.

OTHER IMPACTS

- Fiscal: No impact.
- Staff time: The vacation application has been processed through the provisions of a standard public right-of-way or public easement vacation process and is within normal staff work plans.

BOARD AND COMMISSION FEEDBACK
Notification was sent to the Planning Board on September 8, 2014 in conformance with Section 79 of the Boulder City Charter.

PUBLIC FEEDBACK
All notice requirements of section 9-4-3, "Public Notice Requirements," B.R.C. 1981 have been met. Public notice of this proposed vacation was sent to property owners within 600 feet of the project site on July 9, 2014. Staff has received no comments from the public.

BACKGROUND
The subject property is located south of and adjacent to Arapahoe Avenue, west of Folsom Street in a Residential – High 1 (RH-1) zoning district (a vicinity map with zone districts is provided in ***Attachment A***). The subject 14-foot public pedestrian and bicycle trail easement runs along the west property line and is shown in ***Figure 1*** on the following page. The easement was required as a part of the Planned Unit Development (PUD) Amendment and Special Review approved for the expansion of Naropa's facility in 1989.

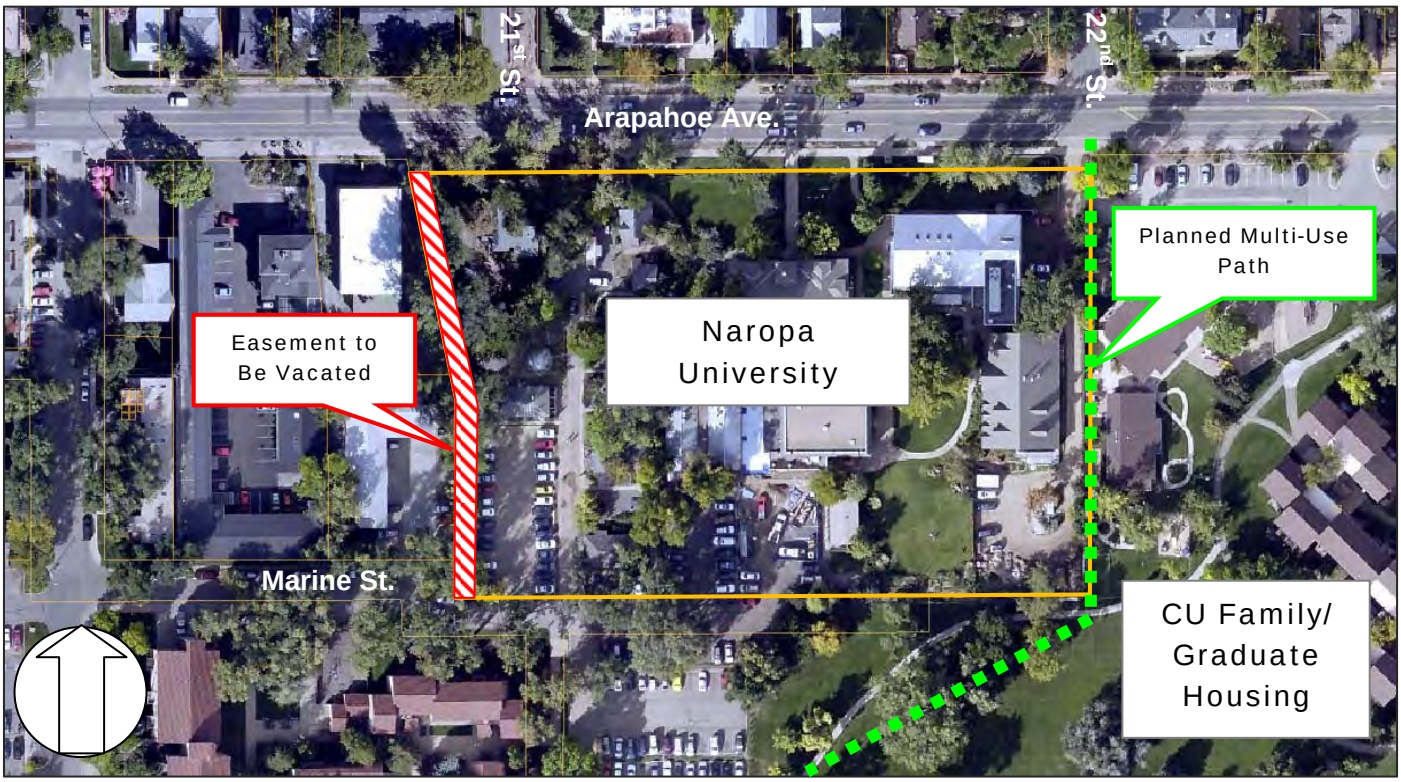

Figure 1: Easement to Be Vacated and Planned Multi-Use Path Connection

The public path was never constructed in the originally approved location (shown in red above) and the path connection has since been amended in the Transportation Master Plan (TMP) to be located on the eastern side of the property (shown in green above). The new path configuration will enable connection to an existing path on University of Colorado property to the south and provide a better alignment to connect to 22nd Street north of Arapahoe Avenue. Naropa University has signed a Grant of Easement form for a new 14-foot wide pedestrian and bicycle trail easement for the multi-use path, which is being held in escrow by the City Attorney's Office until after an ordinance takes effect vacating the subject easement (see ***Attachment D***). As such, the subject easement is no longer necessary. A multi-use path will continue to be accommodated on the property to connect the University of Colorado campus to Arapahoe Avenue, just in a slightly different configuration. The vacation and rededication of a public easement is necessary to realize the amended location for the connection in the TMP. The multi-use path connection is being funded by a Capital Improvements Bond, which was approved by Boulder voters in 2011. The city is working with the University of Colorado and Naropa University to coordinate the construction of the path. However, the timing of construction is not known at this time.

ANALYSIS

The subject easement was declared open to the public when it was dedicated and thus must be vacated by ordinance passed by City Council. In order for the existing easement

to be vacated the council would have to conclude that the criteria under subsection 8-6-9(c), B.R.C. 1981 are met. Staff has reviewed this vacation request and has concluded that the criteria can be met as discussed as follows.

(1) The applicant must demonstrate that the public purpose for which an easement or right-of-way was originally acquired or dedicated is no longer valid or necessary for public use;

The subject easement was originally dedicated to the City of Boulder as a "public pedestrian and bicycle trail" easement in 1989. The purpose of the easement was to accommodate a multi-use path to connect the University of Colorado campus to Arapahoe Avenue. The public path was never constructed and the proposed connection has since been amended in the TMP to be located on the eastern side of the property. Naropa University has signed a Grant of Easement form for the new multi-use path, which is being held in escrow by the City Attorney's Office until after an ordinance takes effect vacating the subject easement. Therefore, the public purpose for which the subject easement was originally dedicated is no longer valid or necessary.

(2) All agencies and departments having a conceivable interest in the easement or right-of-way must indicate that no need exists, either at present or conceivable in the future, to retain the property as an easement or right-of-way, either for its original purpose or for some other public purpose unless the vacation ordinance retains the needed utility or right-of-way easement;

The proposed vacation has been evaluated by the Planning, Public Works and Transportation Departments and it has been collectively concluded that the public entities would have no conceivable future interest in the existing easement since a separate easement will be dedicated to accommodate the multi-use path connection. CenturyLink, Comcast, and Xcel have also approved the request.

(3) The applicant must demonstrate, consistent with the Boulder Valley Comprehensive Plan and the City's land use regulations, either:

(A) That failure to vacate an existing right-of-way or easement on the property would cause a substantial hardship to the use of the property consistent with the Boulder Valley Comprehensive Plan and the City's land use regulations; or

Not Applicable.

(B) That vacation of the easement or right-of-way would actually provide a greater public benefit than retaining the property in its present status.

The vacation would result in a greater public benefit by accommodating future connections as identified in the TMP. As mentioned above, the applicant has

entered into an agreement with the city to dedicate a new public pedestrian and bicycle path easement across the eastern edge of the property. Dedication of the new easement, which is necessary in order for the adopted multi-use path connection to be constructed, is contingent upon vacation of the existing easement. Failure to vacate the subject easement would preclude the adopted multi-use path connection from being constructed, in accordance with the adopted TMP. The public purposes for which the easement was dedicated will be protected under a separate easement dedication.

ATTACHMENTS:

Attachment A: Vicinity Map
Attachment B: Ordinance No. 8000
Attachment C: Draft Deed of Vacation
Attachment D: Replacement Easement to be Dedicated

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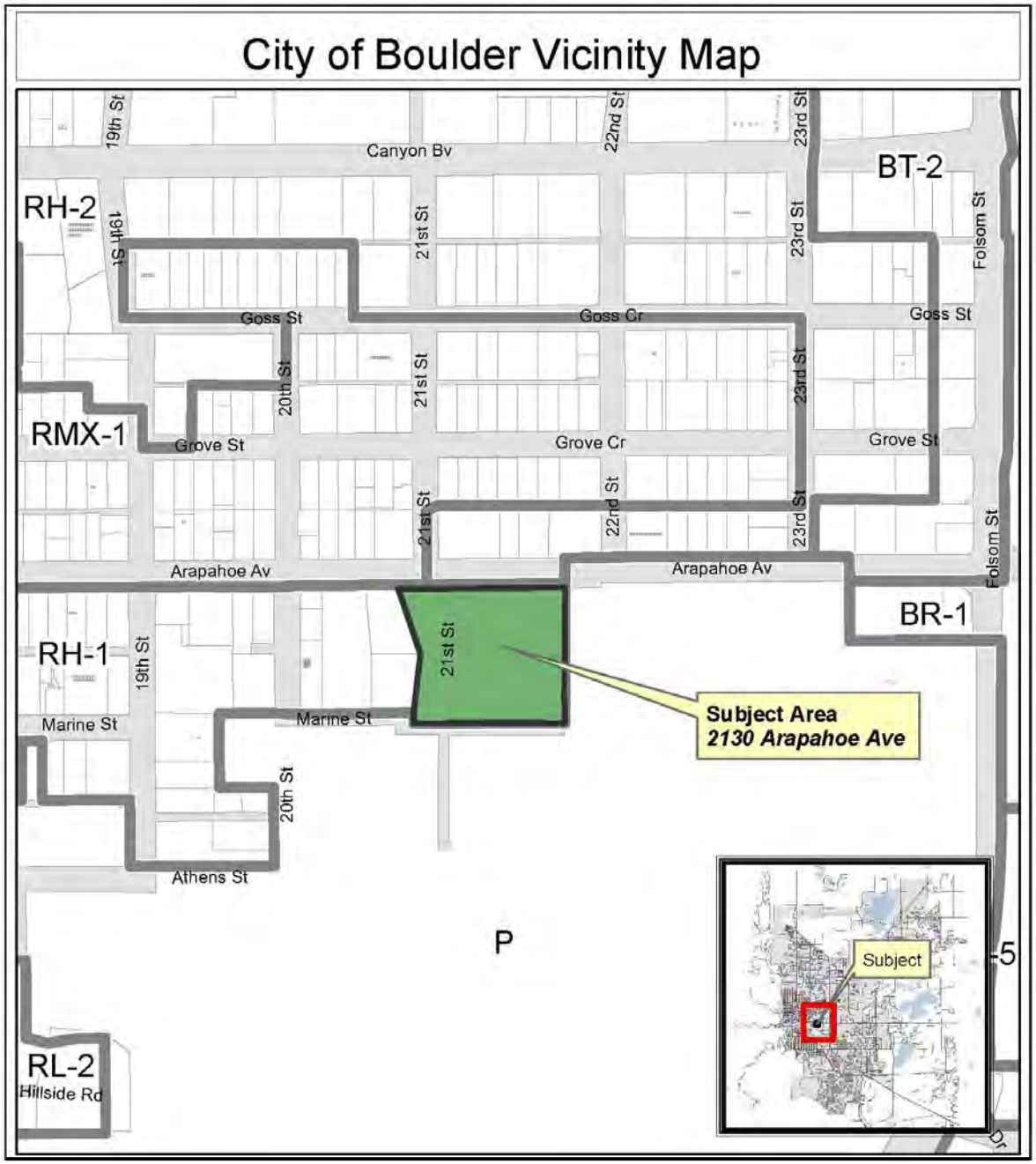
City of Boulder Vicinity Map
Canyon Bv
19th St
22nd St
23rd St
BT-2
RH-2
21st St
Folsom St
Goss St
Goss Cr
RMX-1
20th St
Grove St
Grove Cr
Arapahoe Av
BR-1
RH-1
Marine St
Subject Area
2130 Arapahoe Ave
Athens St
P
Subject
RL-2
Hillside Rd

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ORDINANCE NO. 8000

AN ORDINANCE VACATING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED OF VACATION FOR A PUBLIC PEDESTRIAN AND BICYCLE TRAIL EASEMENT LOCATED AT 2130 ARAPAHOE AVENUE, AND SETTING FORTH RELATED DETAILS.

THE CITY COUNCIL OF THE CITY OF BOULDER FINDS AND RECITES THAT:

A. Naropa University, a Colorado non-profit corporation, the owner of the property generally known as 2130 Arapahoe Avenue and more particularly described on Exhibit A attached hereto and incorporated herein, requested that the city vacate the public pedestrian and bicycle trail easement ("Easement") generally located on the western property line of their property and more particularly described on Exhibit B attached hereto and incorporated herein.

B. The Easement was previously dedicated to the City pursuant to the Grant of Easement recorded in the records of the Boulder County Clerk and Recorder at Film No. 1591 and Reception No. 00999199 on the 23rd day of August, 1989 and which is shown on Exhibit B.

C. The City Council is of the opinion that the requested vacation is in the public interest and that said rights-of-way are not necessary for the public use.

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

1. The City Council vacates and authorizes the city manager to execute a deed of vacation for the Easement described above.

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.

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 16th day of September, 2014.

_____
Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this 7th day of October, 2014.

_____
Mayor

Attest:

_____
City Clerk

EXHIBIT A TO ORDINANCE

EXHIBIT A

LEGAL DESCRIPTION

Parcel I:

A portion of the North ½ of the Northeast ¼ of Section 31, Township 1 North, Range 70 West of the 6th P.M., County of Boulder, State of Colorado, described as follows: Beginning at a point which is 1006.5 feet West and 30 feet South from the Northeast corner of Section 31, Township 1 North, Range 70 West of the 6th P.M.; thence South 360 feet; thence West 203 feet; thence North 360 feet; thence East 203 feet to the Place of Beginning.

EXCEPTING THEREFROM that portion conveyed to the Regents of the University of Colorado by Deed recorded December 1, 1974 on Film 874 as Reception No. 124666.

Parcel II:

A parcel of land located in the Northeast ¼ of the Northeast ¼ of Section 31, Township 1 North, Range 70 West of the 6th P.M., described as follows: Commencing at the Southeast corner of Tract 174 (being more fully described in Deed recorded in Book 263 at Page 331), City of Boulder, Boulder County, Colorado; thence South 89°41' West along the South line of said Tract 174 a distance of 100.00 feet to the TRUE POINT OF BEGINNING; thence South 89°41' West a distance of 150.00 feet; thence South 0°03' West a distance of 20 feet; thence North 89°41' East a distance of 150.00 feet; thence North 0°03' East a distance of 20.00 feet to the True Point of Beginning.

Parcel III:

Lots 1, 2, 3, 4, 5 and 6,
Block 3,
ARAPAHOE PARK ADDITION,
City of Boulder,
County of Boulder,
State of Colorado,
TOGETHER WITH that portion of vacated 23rd Street, Marine Street and alley in Block 3 all being in ARAPAHOE PARK ADDITION, as vacated by Ordinance No. 1177, dated March 1, 1927, that reverts to said land by operation of law,
County of Boulder, State of Colorado.

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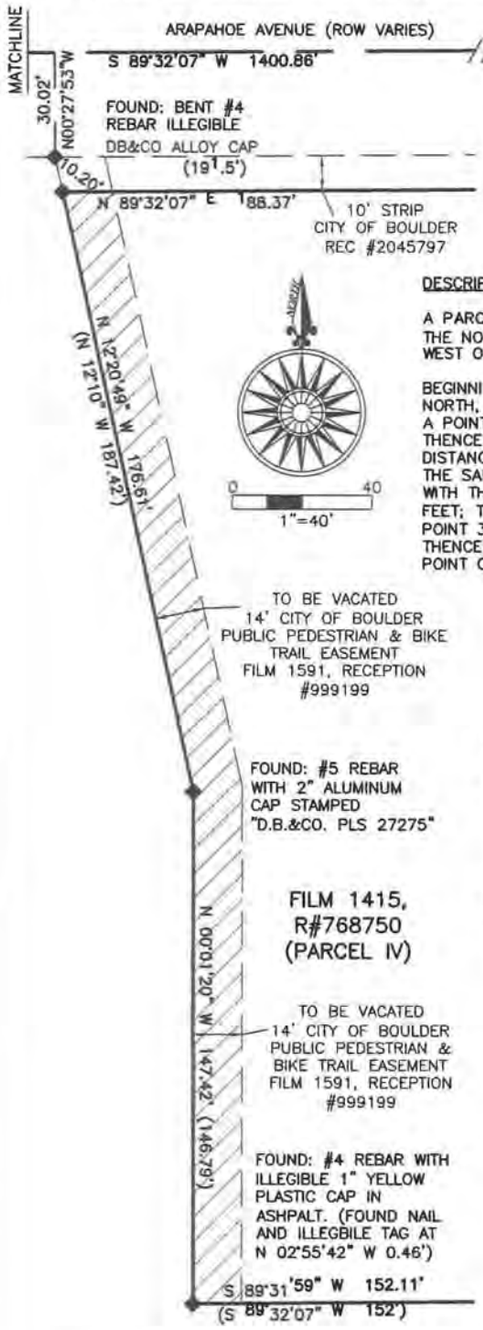
EXHIBIT B TO ORDINANCE

EXHIBIT B

VACATION OF AN EXISTING EASEMENT DESCRIBED ON FILM 1591, RECEPTION #999199 AND FOUND ON PARCEL IV AS DESCRIBED ON FILM 1415, RECEPTION #768750 LOCATED IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO



DESCRIPTION AS IT APPEARS IN EXHIBIT A OF FILM 1591, RECEPTION #999199

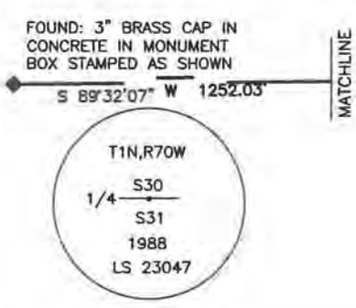
A PARCEL OF LAND DESCRIBED AS THE WEST 14 FEET OF A TRACT OF LAND IN THE NORTHEAST ¼ OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M.; THENCE WEST 1209.5 FEET, TO A POINT; THENCE SOUTH 30 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF THE SAID SECTION 31 A DISTANCE OF 330 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SAID SECTION 31 A DISTANCE OF 152 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SAID SECTION 31 A DISTANCE OF 146.79 FEET; THENCE NORTH 12°10" WEST A DISTANCE OF 187.42 FEET, TO A POINT 30 FEET SOUTH OF THE NORTH LINE OF THE SAID SECTION 31; THENCE EAST A DISTANCE OF 191.5 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING, COUNTY OF BOULDER, STATE OF COLORADO.

NOTES:

1. THIS EXHIBIT MAP IS ISSUED WITHOUT THE BENEFIT OF A TITLE SEARCH BY ZENITH LAND SURVEYING, INC. AT THE REQUEST OF THE CLIENT/OWNER. THERE MAY BE EASEMENTS, RIGHTS OF WAY, OR OTHER ENCUMBRANCES IN THE PUBLIC RECORD THAT MAY AFFECT THE SUBJECT PROPERTY THAT ARE NOT SHOWN ON THIS MAP.
2. THIS EXHIBIT MAP IS MEANT SOLELY TO DEPICT THE EASEMENT DESCRIBED ON FILM 1591, RECEPTION #999199. IT IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY AS DEFINED IN C.R.S. 38-51-102(13) OR A LAND SURVEY PLAT AS DEFINED IN C.R.S. 38-51-102(12).

COLORADO LICENSED
EARL FLETCHER HENDERSON
34993
7/16/14
PROFESSIONAL LAND SURVEYOR



THIS MAP DOES NOT REPRESENT A MONUMENTED LAND SURVEY OR TITLE SEARCH PERFORMED BY ZENITH LAND SURVEYING, INC. THERE MAY BE EASEMENTS OR OTHER ENCUMBRANCES ON THE SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON.

Zenith Land Surveying, Inc.
1880 Hawthorn Place
Boulder, Colorado 80304
303-579-2057-Tel.
www.ZenithLS.com

SCALE: 1"=40'	JOB NO. 14009
DATE: JULY 15, 2014	PAGE 1 OF 1

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For Administrative Purposes Only
Address: 2130 Arapahoe Ave.
Case No. LUR2014-00052

DEED OF VACATION

The City of Boulder, Colorado, does hereby vacate and release to the present owner of the land, in the manner prescribed by Section 43-2-302, C.R.S., the public pedestrian and bicycle trail easement previously dedicated to the City pursuant to the Grant of Easement recorded in the records of the Boulder County Clerk and Recorder at Film No. 1591, Reception No. 00999199 on the 23rd day of August, 1989, and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The above right-of-way vacation and release of said right-of-way shall extend only to the portion and the type of easements specifically vacated. The within vacation is not to be construed as vacating any rights-of-way, easements or cross-easements lying within the description of the vacated portion of the right-of-way.

Executed this _____ day of _____, 2014, by the City Manager after having received authorization from the City Council of the City of Boulder, Colorado, pursuant to Ordinance No. _____, adopted by 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

_____
Date

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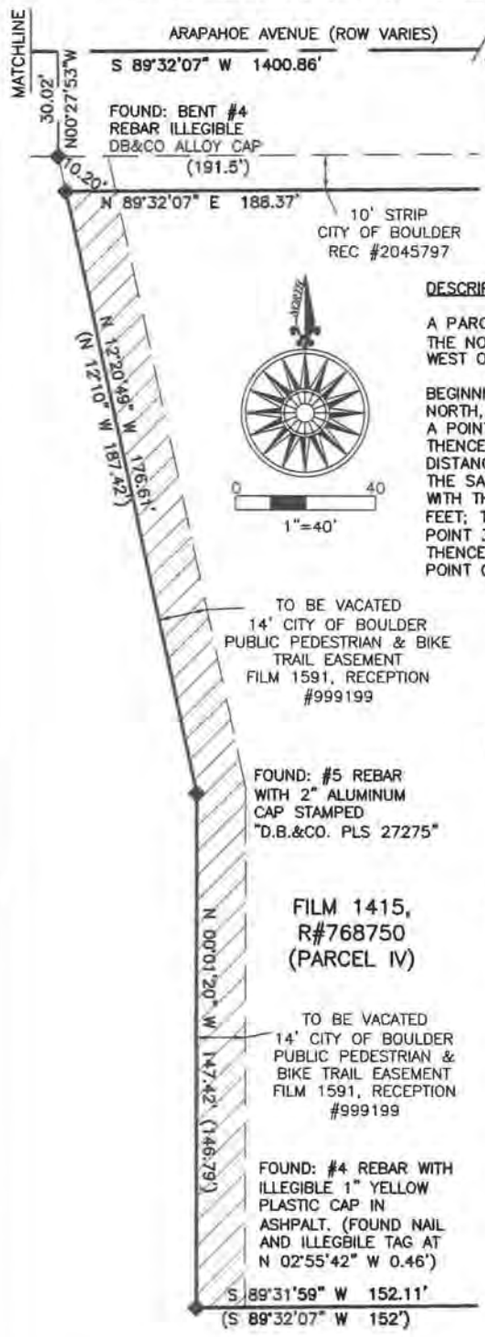
EXHIBIT A TO DEED OF VACATION

EXHIBIT A

VACATION OF AN EXISTING EASEMENT DESCRIBED ON FILM 1591, RECEPTION #999199 AND FOUND ON PARCEL IV AS DESCRIBED ON FILM 1415, RECEPTION #768750 LOCATED IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO



DESCRIPTION AS IT APPEARS IN EXHIBIT A OF FILM 1591, RECEPTION #999199

A PARCEL OF LAND DESCRIBED AS THE WEST 14 FEET OF A TRACT OF LAND IN THE NORTHEAST ¼ OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M.; THENCE WEST 1209.5 FEET, TO A POINT; THENCE SOUTH 30 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF THE SAID SECTION 31 A DISTANCE OF 330 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SAID SECTION 31 A DISTANCE OF 152 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SAID SECTION 31 A DISTANCE OF 146.79 FEET; THENCE NORTH 12°10" WEST A DISTANCE OF 187.42 FEET, TO A POINT 30 FEET SOUTH OF THE NORTH LINE OF THE SAID SECTION 31; THENCE EAST A DISTANCE OF 191.5 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING, COUNTY OF BOULDER, STATE OF COLORADO.

NOTES:

1. THIS EXHIBIT MAP IS ISSUED WITHOUT THE BENEFIT OF A TITLE SEARCH BY ZENITH LAND SURVEYING, INC. AT THE REQUEST OF THE CLIENT/OWNER. THERE MAY BE EASEMENTS, RIGHTS OF WAY, OR OTHER ENCUMBRANCES IN THE PUBLIC RECORD THAT MAY AFFECT THE SUBJECT PROPERTY THAT ARE NOT SHOWN ON THIS MAP.
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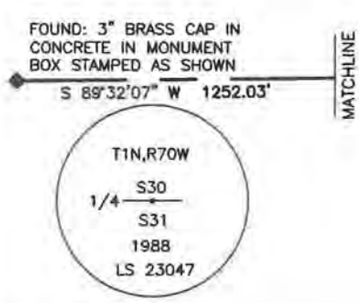
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR CARL FLETCHER HENDERSON 34993 7/16/14



THIS MAP DOES NOT REPRESENT A MONUMENTED LAND SURVEY OR TITLE SEARCH PERFORMED BY ZENITH LAND SURVEYING, INC. THERE MAY BE EASEMENTS OR OTHER ENCUMBRANCES ON THE SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON.

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303-579-2057-Tel.
www.ZenithLS.com

SCALE: 1"=40'	JOB NO. 14009
DATE: JULY 15, 2014	PAGE 1 OF 1

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GRANT OF EASEMENT

NAROPA UNIVERSITY, a Colorado non-profit corporation ("Grantor"), whose address is 2130 Arapahoe Avenue, Boulder, Colorado 80302, for $1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the CITY OF BOULDER, a Colorado home rule city, (the "City"), whose address is 1777 Broadway, Boulder, Colorado 80302, an easement for the installation, construction, repair, maintenance and reconstruction of a public pedestrian and bicycle trail and appurtenances thereto, together with all rights and privileges as are necessary or incidental to the reasonable and proper use of such easement in and to, over, under and across the following real property, situated in Boulder County, Colorado, to-wit:

See Exhibit A attached

Grantor, for itself and for its successors and assigns, does hereby covenant and agree that no permanent structure or improvement shall be placed on said easement by itself or its successors or assigns, and that said use of such easement shall not otherwise be obstructed or interfered with.

Grantor warrants its ability to grant and convey this easement.

The terms of this easement shall run with the land and shall be binding upon and inure to the benefit of the Grantor, its agents, lessees and assigns, and all other successors to it in interest and shall continue as a servitude running in perpetuity with the property described above.

IN WITNESS WHEREOF, Grantor has caused this instrument to be duly executed as of this 10th day of June, 2014.

GRANTOR:
Naropa University,
a Colorado non-profit corporation

By: _____
Vice President for Business
Affairs and Chief Financial Officer

ATTEST

_____
Secretary

STATE OF COLORADO)
)ss.
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 10 day of June, 2014 by Todd Kilburn as Vice President for Business Affairs and Chief Financial Officer and Joy Valania as Secretary of Naropa University.

PAMELA WATERMAN
Notary Public
State of Colorado

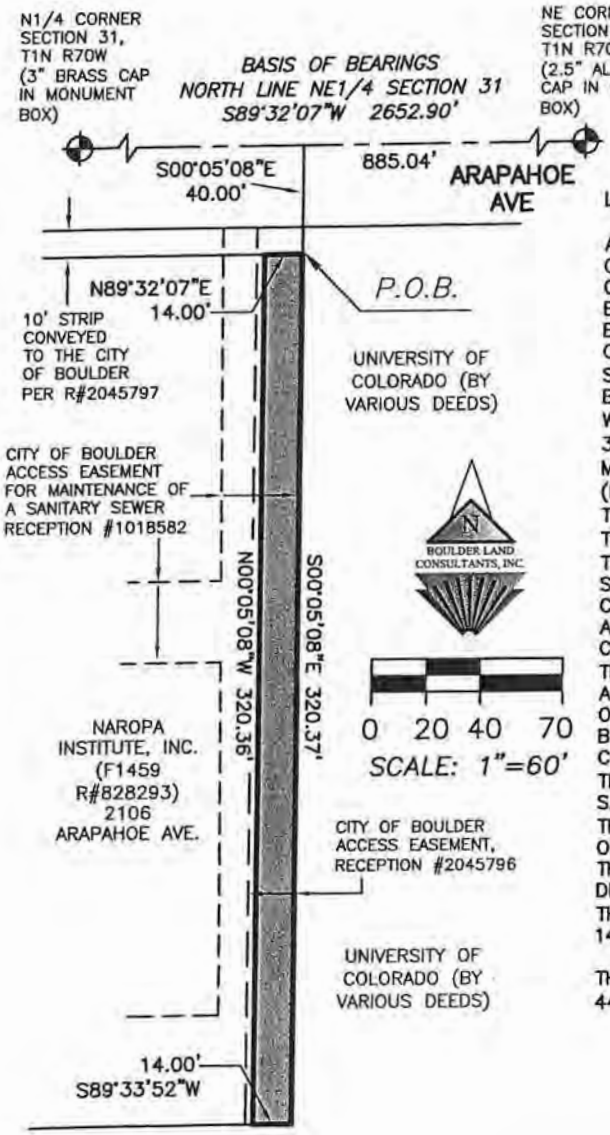
Witness my hand and official seal.
My commission expires: 12/07/2015

Pamela Waterman
Notary Public

EXHIBIT A

A LEGAL DESCRIPTION AND EXHIBIT MAP OF AN EASEMENT

LOCATED IN THE NORTHEAST 1/4 OF SECTION 31, T1N, R70W OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO.



COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR JASON W. NEWBY 20134 3/25/14

LEGAL DESCRIPTION:

A STRIP OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, SAID STRIP OF LAND BEING DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31, AS MONUMENTED BY A 2.5" CITY OF BOULDER ALLOY CAP IN MONUMENT BOX FROM WHENCE THE NORTH 1/4 CORNER OF SAID SECTION 31 AS MONUMENTED BY A 3" BRASS DISK IN MONUMENT BOX BEARS S 89°32'07" W, 2652.90 FEET (BASIS OF BEARINGS HEREIN), AS SURVEYED;
THENCE S 89°32'07" W ALONG THE NORTH LINE OF THE NE1/4 OF SAID SECTION 31, 885.04 FEET;
THENCE S 00°05'08" E, 40.00 FEET TO THE SOUTHEAST CORNER OF THAT STRIP OF LAND CONVEYED TO THE CITY OF BOULDER AS DESCRIBED AT RECEPTION NO. 2045797 OF THE BOULDER COUNTY RECORDS AND THE POINT OF BEGINNING;
THENCE CONTINUING S 00°05'08" E, 320.37 FEET ALONG THE EAST LINE OF PARCEL III AS DESCRIBED ON FILM 1459 AS RECEPTION NO. 828293 OF THE BOULDER COUNTY RECORDS TO THE SOUTHEAST CORNER THEREOF.
THENCE S 89°33'52" W ALONG THE SOUTH LINE OF SAID PARCEL III, 14.00 FEET;
THENCE N 00°05'08" W PARALLEL TO THE EAST LINE OF SAID PARCEL III, 320.36 FEET TO A POINT ON THE SOUTH LINE OF SAID STRIP OF LAND AS DESCRIBED AT RECEPTION NO. 2045797;
THENCE N 89°32'07" E ALONG SAID SOUTH LINE, 14.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED STRIP OF LAND CONTAINS 4485 SQUARE FEET (0.103 ACRES), MORE OR LESS.

THIS MAP WAS PREPARED BY

BOULDER LAND CONSULTANTS, INC.

5690 VALMONT RD. BOULDER, CO 80301
(303) 443-3616
www.BLCsurveyors.com

NOTE:
THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY OR TITLE SEARCH PERFORMED BY BOULDER LAND CONSULTANTS, INC. THERE MAY EXIST EASEMENTS AND/OR OTHER ENCUMBRANCES AFFECTING THE SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON.

PROJECT #113COB11
"11311LD Naropa01_R1.DWG"
DATE: 03/25/2014

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ALL RIGHTS RESERVED

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: OCTOBER 7, 2014

AGENDA TITLE: Consideration of a motion authorizing the city manager to enter into a settlement agreement in the litigation brought against the city by Dustin Kellogg and Meredith Frantz.

PRESENTER/S
Jane S. Brautigam, City Manager
Tom Carr, City Attorney

EXECUTIVE SUMMARY

This matter arises out of a lawsuit brought against the city by plaintiffs Dustin Kellogg and Meredith Frantz. The lawsuit arises out of a traffic accident between a bicycle ridden by Mr. Kellogg and a motorcycle ridden by a city police officer.

If City Council approves, the parties have agreed through a mediated settlement to settle all claims for a proposed payment of $30,000 to the plaintiffs and dismissal of the city. The city manager and city attorney recommend approval of the settlement. The police chief also supports this settlement proposal.

Because the amount of the proposed settlement exceeds $10,000, City Council approval of the proposed settlement is necessary pursuant to 2-2-14 (c) B.R.C., 1981.

STAFF RECOMMENDATION

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

Motion to authorize the city manager to enter into an agreement to settle the lawsuit brought by Dustin Kellogg through payment of $30,000.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: Not applicable.
- Environmental: Not applicable.
- Social: The resolution of disputes is generally of social benefit and the resolution of this dispute will free up city attorney time to work on other projects.

OTHER IMPACTS

- Fiscal -Budgetary: Payment for the proposed settlement will be made from the city's Property and Casualty Fund which was established and funded for the purpose of paying claims and settling cases. This settlement is within the city's anticipated loss planning parameters.

- Staff Time: The city attorney's office represents the city in this matter and outside counsel represents the police officer. Outside counsel mitigates the impact on staff time. Outside counsel, who has been providing assistance in this matter, has estimated that it would cost at least $30,000 to take this matter through trial.

  Given the projected costs of litigation and the disputed negligence of the city employee, the city attorney believes that it is unlikely that the city would wind up in a significantly better economic position by litigating the case as compared to accepting the settlement offer.

BOARD AND COMMISSION FEEDBACK:

None

PUBLIC FEEDBACK:

None

BACKGROUND:

Mr. Kellogg sustained a commuted fracture of his left patella (kneecap). Mr. Kellogg brought a lawsuit against the city alleging that the negligence of the city employee caused him to suffer physical impairment, pain and suffering, medical expenses and loss of earnings. Through a mediated settlement conference, the parties reached an agreement to settle the case for the amount of $30,000, which is less than the estimated litigation costs to take this matter through trial.

ANALYSIS:

It is not possible to predict the outcome of a trial. Causation issues – the degree to which the city caused Mr. Kellogg's injuries – would be an issue of fact for a jury to determine and is hard to predict. It seems unlikely that a reasonable jury would apportion all of the causation to the city. However, it is possible that a jury might apportion some responsibility to the city, potentially leaving the city liable for a portion of the claimed damages and all of its own trial costs.

OPTIONS:
Council has the option of approving or rejecting the proposed settlement. If the settlement is rejected, the matter will continue to trial.

ATTACHMENTS:
Attachment A - Settlement Agreement

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SETTLEMENT AND RELEASE

This Settlement and Release (the "Release") is entered into on this 23 day of September, 2014 by Dustin Kellogg ("Mr. Kellogg") and Meredith Frantz ("Ms. Frantz") with the City of Boulder (the "City"). Mr. Kellogg and Ms. Frantz are sometimes referred to jointly as the "Plaintiffs." Mr. Kellogg, Ms. Frantz and the City are sometimes referred to collectively as the "Parties."

RECITALS

On or about August 19, 2013, the Plaintiffs filed a civil action in District Court, Boulder County, Colorado, Case No.2013 CV 31245, against the City and Bradley Frederking claiming that the City was responsible for certain injuries allegedly suffered by Mr. Kellogg as a result of a traffic accident purportedly caused by vehicle driven by a City employee (the "Civil Action").

The Parties, without admitting to any liability or wrongdoing, have agreed to enter into settlement for purposes of compromising, resolving and settling any and all claims, liabilities, duties, judgments and obligations as set forth below and subject to the terms and conditions herein.

A condition precedent to settlement requires the Plaintiffs to dismiss Bradley Frederking from the Civil Action prior to settlement.

AGREEMENT

NOW THEREFORE, Mr. Kellogg and Ms. Frantz agree as follows:

1. Release and Discharge from Mr. Kellogg and Ms. Frantz. In consideration of the good and adequate consideration provided for herein, the sufficiency of which is hereby acknowledged and confessed, Mr. Kellogg and Ms. Frantz do hereby for themselves, their administrators, conservators, predecessors, successors, assigns, agents, servants and all other persons, and any and all other parties claiming through or under them, unequivocally and without reservation, release, acquit and forever discharges the City, and its employees, contractors, agents, predecessors, successors, servants, administrators, attorneys and insurers of and from any and all liability, actions, causes of action, claims, medical liens, demands, damages, costs, loss of services, loss of properties, expenses, compensation and any and all consequential damages or injuries, which the Plaintiffs now have, or which may hereafter arise, be discovered or accrue, known or unknown, contingent or liquidated, suspected or unsuspected, which were or could have been asserted in the Civil Action.

2. General Release. Mr. Kellogg and Ms. Frantz hereby acknowledge and

agree that the release set forth above in Paragraph 1 is a **GENERAL RELEASE** and the Plaintiffs further expressly waive and assume the risk of any and all claims for damages which exist as of this date, but of which the Plaintiffs do not know or suspect to exist, whether through ignorance, oversight, error, negligence or otherwise, and which, if known, would materially affect the decision to enter into this Release. Mr. Kellogg and Ms. Frantz further agree that they have accepted the benefit of the consideration called for herein as a complete compromise of matters involving disputed issues of law and fact, and they assume the risk that the facts or law may be otherwise than they believe. It is understood and agreed that this settlement is a compromise of a disputed claim, and the consideration provided for herein is not to be construed as an admission of liability on the part of the City.

3. Indemnification. The Plaintiffs jointly and severally agree to indemnify, defend and hold harmless the City, and others released by this Release, against claims by any person, firm or corporation made pursuant to a theory of assignment, lien interest, subrogation right, or other right of substitution to any claims related to the incident, including claims already made and claims that may be made in the future. This provision shall have application to:

Claims, costs, expenses, damages, recoveries and deficiencies, including interest or penalties, that the City, and others released under this Release, may incur as a result of such claims based upon actions, claims or demands by lien holders or by holders of subrogated interests;

Claims by governmental entities or agencies, including but not limited to Medicare or Medicaid, or claims by other persons or third-party insurance carriers claiming a subrogation or other interest in the funds paid to the Plaintiffs pursuant to this Release; and

SEQ CHAPTER \h \r 1Claims, actions, or liability for attorneys' fees or costs incurred on behalf of Mr. Kellogg and/or Ms. Frantz in connection with the incident or its aftermath, including any fees or costs with regard to which reimbursement may be permitted under Federal or State law.

If any other provision of this Release is deemed unenforceable or invalid for any reason, the Plaintiffs' obligation to indemnify, defend and hold harmless under this Release shall continue in full force and effect. This element of the Release is a separately bargained for benefit and is independently enforceable.

4. Consideration. In consideration for the Plaintiffs' release of claims and other promises, the City agrees to pay the sum of $30,000 to the Plaintiffs.

5. Warranty of Capacity to Execute Agreement. The Plaintiffs represent and

warrant that no other person or entity has or has had any interest to the claims, demands, obligations, or causes of action referred to in this Release, and that the Plaintiffs have the sole right and exclusive authority to execute this Release, and that neither Mr. Kellogg nor Ms. Frantz have sold, assigned, transferred, conveyed or otherwise disposed of any of the claims, demands, obligations or causes of action released or referred to in this Release. In the event any third party brings an action under any purported sale, assignment or transfer of either Mr. Kellogg's or Ms. Frantz's interest, the Plaintiffs agree to defend and hold the City harmless from such claim.

6. Dismissal of the Civil Action. In consideration of the releases set forth herein, and in consideration of the other good and adequate consideration provided for herein, the sufficiency of which is hereby acknowledged and confessed, the Plaintiffs agree to execute a stipulated motion for the voluntary dismissal of the Civil Action with prejudice against the City. The motion will indicate that each party will pay its own fees and costs.

7. Entire Agreement and Successors in Interest. The Release contains the entire agreement between the Parties, and the terms of this Release are contractual and not a mere recital. This Release shall be binding upon and inure to the benefit of the executors, administrators, personal representatives, devisees, agents, employees, officers, directors, trustees, conservators, guardians, beneficiaries, heirs, successors and assigns of each party.

8. No Admission of Liability. It is understood and agreed that this Release is a compromise of disputed claims, and that consideration thereon is not to be construed as an admission of liability on the part of the City, by whom liability is expressly denied.

9. Mistake. Mr. Kellogg and Ms. Frantz expressly assume all risks that this Release was a result of any mistake of any kind, waiving all claims or defenses based upon the doctrine of mistake. This Release shall act as an accord and satisfaction with respect to the Parties and all claims designated herein.

10. Severability. If any provision of this Release shall be held by a court of competent jurisdiction to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not be affected or impaired thereby.

11. Headings. The headings of the various paragraphs contained herein are for convenience of reference only and shall not affect the meaning or construction of any of the provisions of this Release.

12. Construction of Release. Except to the extent modified herein, this entire Release shall be construed and interpreted in accordance with the laws of the state of Colorado. Further, the language of this Release shall be construed as a whole, according to its intent, and not strictly for or against any of the Parties, regardless of who drafted or was primarily responsible for drafting any of the language in this Release. The Parties have

been given the opportunity to object to, request modification of, or reject any clause or provision herein to which they do not agree. Should any court find any provision in this Release to be ambiguous, then such provision shall be determined in accordance with the Parties' express intention that this Release be construed in the broadest possible manner, in accordance with the Parties' express intention that all disputes asserted by Mr. Kellogg and/ or Ms. Frantz against the City be forever resolved.

13. Representation of Comprehension of Document. In entering into this Release, the Plaintiffs represent that the terms of this document are understood and voluntarily accepted by him, and that they have signed the Release as their own free acts. Except as provided for herein, the Plaintiffs have not relied upon any statements or representations made by the City or other persons representing it in the course of negotiating this Release.

14. Additional Documents. The Parties have agreed to cooperate fully and execute any and all supplementary documents and to take all additional actions which may be necessary or appropriate to give full force and effect to the terms of this Release, including filing any stipulated or voluntary motion to dismiss the Civil Action against the City with prejudice.

Dustin Kellogg Dustin Kellogg Date 9/23/14

STATE OF COLORADO)
) ss.
COUNTY OF Boulder)

The foregoing instrument was acknowledged before me by Dustin Kellogg on this 23 day of September 2014.

WITNESS MY HAND AND OFFICIAL SEAL.

My Commission expires: October 26, 2015

JESSICA SALAZAR
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20044038016
My Commission Expires Oct. 26, 2015

Jessica Salazar
Notary Public

Meredith Frantz Meredith Frantz Date 9/23/14

STATE OF COLORADO)
) ss.
COUNTY OF Boulder)

The foregoing instrument was acknowledged before me by Meredith Frantz on this 23 day of September 2014.

WITNESS MY HAND AND OFFICIAL SEAL.

My Commission expires: October 26, 2015

JESSICA SALAZAR
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20044038016
My Commission Expires Oct. 26, 2015

Notary Public

APPROVED AS TO FORM BY:

Michael J. Thomson
Purvis · Gray, LLP
4410 Arapahoe Ave, Suite 200
Boulder CO 80303
Attorneys for the Plaintiffs

CITY OF BOULDER

City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM BY:

Thomas A. Carr
Erin E. Poe
Boulder City Attorney's Office
1777 Broadway
Boulder, CO 80304

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CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: October 7, 2014

AGENDA TITLE
Consideration of a motion to reappoint Dr. David Frederick to the city audit committee as the external governmental accounting expert.

PRESENTERS
Jane S. Brautigam, City Manager
Bob Eichem, Chief Financial Officer
Cheryl Pattelli, Director of Finance
Duane Hudson, Controller
Ron Gilbert, Assistant Controller

EXECUTIVE SUMMARY
Since 2005, the city audit committee has included a member from the community at large to include external governmental accounting expertise on the committee. Governmental auditing is a unique and specialized field and it is important to find a member with this expertise. Dr. David Frederick, Professor of Accounting at the Leeds School of Business, has served in that role since it was created and has been involved in the review and acceptance of the city's financial reporting. Upon consideration of his past contributions to the committee, current city council audit committee members recommended that Dr. David Frederick be reappointed for an additional three year term beginning December 1, 2014 and that this recommendation be presented to the full city council for formal approval.

Key Issue Identification: Dr. Frederick has served the city well, continually providing accounting and auditing insight and assistance to the other audit committee members. There are no known issues outstanding regarding his reappointment.

STAFF RECOMMENDATION:

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

Motion to appoint Dr. David Frederick to the city audit committee for a three year term beginning December 1, 2014.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

- Economic: The reappointment of Dr. David Frederick as the external financial expert on the city audit committee will provide continuity to the committee. His reappointment will continue to provide additional financial experience and expertise to the committee in the discharge of their financial oversight responsibilities.
- Environmental: There are no direct environmental implications of the reappointment.
- Social: Dr. David Frederick is a Professor of Accounting at the Leeds School of Business, University of Colorado at Boulder (the University). His involvement with the city promotes cooperation and interaction between the city and the University. It has even led to further teamwork between the city and the University, including a current consulting project for evaluation of the city's purchasing procedures by one of the University's accounting classes. His involvement with the city audit committee will continue to facilitate strong relationships between our entities.

OTHER IMPACTS:

- Fiscal: The work of the city audit committee is part of the ongoing financial oversight that occurs within the city. While the fiscal impact cannot be separately measured, use of an audit committee to perform financial oversight of city financial operations is considered a best practice in governmental finance and is highly recommended by both the American Institute of Certified Public Accountants and the Government Finance Officers Association. The appointed position Dr. David Frederick has held and is recommended to hold does not have any direct fiscal impact to the current or future budgets of the city.
- Staff time: The city audit committee is typically convened no more than two times per year to meet with and review the findings of the City Council appointed external auditor and to discharge other financial oversight responsibilities. Staff time to support this function is part of the existing work plan for the Finance Department. Reappointment of Dr. David Frederick is not expected to have any additional impact on staff time.

ANALYSIS:
The American Institute of Certified Public Accountants as well as the Government Finance Officers Association recommend that at least one member of a local government audit committee be a financial expert.

Dr. Frederick teaches at the Leeds School of Business and was previously involved in municipal auditing as a certified public accountant. Dr. Frederick is a member of the American Accounting Association and the American Institute of Certified Public Accountants. A summary of his qualifications is included as Attachment A.

The City Council audit committee members recommend reappointment of Dr. David Frederick to a three year term to the city audit committee commencing December 1, 2014.

ATTACHMENTS: Dr. David Frederick Summary Resume

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ATTACHMENT A

DR. DAVID FREDERICK
SUMMARY RESUME

City of Boulder Audit Committee
Potential Citizen Financial Expert Member

Ph.D., *The University of Michigan*, Accounting
B.S., *University of Colorado at Boulder*, Accounting
Associate Professor of Accounting
Leeds School of Business, University of Colorado at Boulder

Professional Experience
CPA, *KPMG*, Washington, D.C.
The portion of my client portfolio for which I had management responsibilities during financial statement audits performed by KPMG:
Not-for-Profits: Herndon, Virginia; National Press Club; National Tropical Botanical Gardens; Reading is Fundamental; Smithsonian National Museum
For-Profits: American Security National Bank; Women's National Bank

Professional Affiliations
AICPA (American Institute of Certified Public Accountants); American Accounting Association; Beta Alpha Psi; Beta Gamma Sigma; Intellectbase; Judgment/Decision Making Society

University of Colorado Service
Chancellor's Tuition & Aid Advisory Board
Provost's Academic Affairs Budget Advisory Committee
Sports Entertainment & Creative Industries, Director and Founder

Research and Teaching Interests
My research efforts are concentrated in the areas of behavioral decision-making, auditing, and the analysis of sports enterprise. A central feature in both the practice of auditing and sports enterprise is professional judgment and decision making. The goal of my research is to better understand individuals' actual decision behavior and its basis in underlying psychological processes. This work will be useful to those seeking to gain insight into their decision behavior, assess its quality, and to improve it.

Frederick, D. M., E. A. Frederick, W. H. Kaempfer, and R. L. Wobbekind. "Panethnic linsanity: issues with the concept and use of race in research on discrimination in sports." ***Journal of Global Intelligence & Policy – JGIP***, Volume 6, Issue 11 (Fall 2013): 1-22.

Honors and Awards
Research: KPMG Peat Marwick Foundation grants; American Accounting Association grant.
Teaching: PricewaterhouseCoopers grants; Gerald and Lillian Dykstra Foundation fellowship; Frascona Teaching Excellence Scholar; Tisone Innovation in Teaching Scholar.

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CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: October 7, 2014

AGENDA TITLE:
Second reading and consideration of a motion to adopt three ordinances designating the buildings and properties at 905 Marine, 1622 9th St., and 1630 9th St., to be known as the Wolcott House, the George and Mabel Reynolds House, and the Finch-Paddock House, respectively, as individual landmarks under the city's Historic Preservation Ordinance.

Owner/Applicant: Christian Griffith

PRESENTERS:
Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning & Sustainability
Lesli Ellis, Comprehensive Planning Manager
James Hewat, Senior Historic Preservation Planner
Marcy Cameron, Historic Preservation Planner

EXECUTIVE SUMMARY:
The purpose of this item is to allow the City Council to determine whether the proposed individual landmark designations of the buildings at 905 Marine St., 1622 9th St. and 1630 9th St. meet the purposes and standards of the Historic Preservation Ordinance *(Sections 9-11-1 and 9-11-2, B.R.C. 1981)*. The property owner is in support of the designations.

If approved, these ordinances (see **Attachments A, B and C**) would designate the buildings as individual landmarks. The findings are included in the ordinance. The landmark designation applications were submitted by the property owner on May 22, 2014, and were heard by the Landmarks Board on August 6, 2014. The board voted 4-0 to recommend the designations to City Council. The second reading for these designations will be a quasi-judicial public hearing.

RECOMMENDATION:

Suggested Motion Language:
Staff requests council consideration of this matter and action in the form of the following motions:

Motion to adopt Ordinance No. _____, designating the building at 905 Marine, to be known as the Wolcott House, as an individual landmark under the City of Boulder's Historic Preservation Ordinance.

Motion to adopt Ordinance No. _____, designating the building at 1622 9th St., to be known as the Mabel and George Reynolds House, as an individual landmark under the City of Boulder's Historic Preservation Ordinance.

Motion to adopt Ordinance No. _____, designating the building at 1630 9th St., to be known as the Finch-Paddock 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 August 6, 2014 the Landmarks Board voted 4-0 to recommend to City Council that the buildings at 905 Marine St., 1622 9th St., and 1630 9th St. be designated as local historic landmarks, finding that they meet the standards for individual landmark designation 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.

BACKGROUND:
In 2001, a Memorandum of Agreement (MOA) was created between the University of Colorado and the City of Boulder to recognize the importance of the historic buildings located in the Grandview neighborhood along Grandview Avenue between Broadway and 14th Streets. The MOA protected the buildings located within the "Grandview Preserve" to find alternatives to the demolition of identified historic buildings in the area. While the MOA expired in 2011, the University and the city have continued to work together to honor the agreement. In 2012, the university issued a Request for Proposals for the relocation of three houses within the Grandview Preserve: 1220 Grandview Ave., 1243 Grandview Ave., and 1244 Grandview Ave.

Christian Griffith responded to the RFP, and was selected to relocate the houses at 1220 Grandview Ave. (Reynolds House) and 1243 Grandview Ave. (Finch-Paddock House). No proposals were received for 1244 Grandview Ave., and that house has since been demolished. The City of Boulder and the University of Colorado together committed $100,000 per house to help offset the abatement and moving costs. Acceptance of the city's funds required that the houses be located within city limits and that, once relocated, an application be submitted by the new owner to landmark the buildings. The buildings were relocated to their current site on May 6th, 2014.

Figure 1. Relocation of the Finch-Paddock (left) and Reynolds houses on May 6th, 2014.

On May 22, 2014 the city received applications from Christian Griffith for individual landmark designation of the properties at 1622 9th St., 1630 9th St. and for the house and a portion of the site at 905 Marine St.

PROPERTY DESCRIPTION:

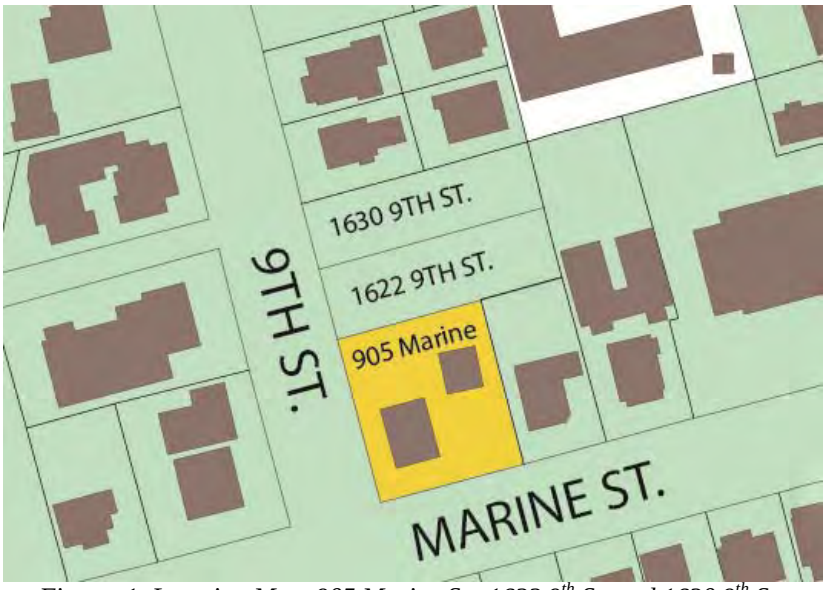

Figure 1. Location Map, 905 Marine St., 1622 9th St. and 1630 9th St.

The properties are located within the potential Expanded Highland Lawn Historic District.

905 Marine St. – The Wolcott House

Figure 5. 905 Marine St., c. 1949 (left) and 2012 (right).

The two-story house at 905 Marine St. is a 1,944 square foot vernacular wood frame house located on a 10,482 square foot lot at northeast corner of 9th St. and Marine St. It has a hipped roof with overhanging, enclosed eaves. The façade features an off-center paneled door while the front porch has a concrete base and four wood columns support the overhanging roof. There are three double hung windows across the front with plain wood surrounds. Alterations include changes to the concrete porch base, non-historic siding, a non-original door and new window frames. Overall, the house is symmetrical and features little ornamentation.

The exact date of construction for the house is unclear. In recorded interviews with the Wolcott family, Roland Wolcott (1917-2011) claimed that his grandfather, Horace A.

Wolcott bought Tract 487 from Marinus Smith before there were streets and built the house, with the help of a local carpenter, on the lot now known as 905 Marine St. The Wolcott's indicated that the house was originally built as a two-family dwelling. Horace, Louisa and their three sons lived in the west portion of the house and rented out the east portion at $12 a month. Roland estimated that the building was constructed sometime between 1876 and 1887, the year that Horace died. The 1989 Historic Building Inventory Form states the house was likely built by Charles R. Larson during the 1890s. Charles was an immigrant from Norway who worked as home builder. Charles could be the carpenter who helped Horace construct the house. However, the 1887 W.C. Willits Map of Boulder shows a house in this location on a 200' x 100' lot just west of land owned by Amos Bixby and the Boulder Brewing Company.

Roland Wolcott states that there was a fire on the east portion of the house of 905 Marine St. sometime around 1908. That same year, Charles Wolcott (Roland's father), who was working in Monarch, Colorado, came back to Boulder and married Rosetta Gordon Bell. The couple moved in with Charles' brother, Frank Wolcott, on 920 Mapleton Ave. while 905 Marine St. was being renovated. It is unclear how much of the house changed from its original look. In 1912 when construction was completed, Charles Wolcott, his wife, and children moved into 905 Marine St.

Figure 4. Second from left is Charles Wolcott, fourth from left is his son, Roland, and in front of Roland is Rosetta Wolcott, Charles' wife. Photo taken 1930.

Charles was a miner, an investor, he wrote poetry, and grew food for the family in the large garden. The family spent many summers in Ward, CO, and while they were gone, 905 Marine St. was rented out to a Texas family multiple times. Apparently, Charles would walk from Ward to Boulder once a week to check on the renters and to gather vegetables from his garden to bring back to Ward in order to feed his family.

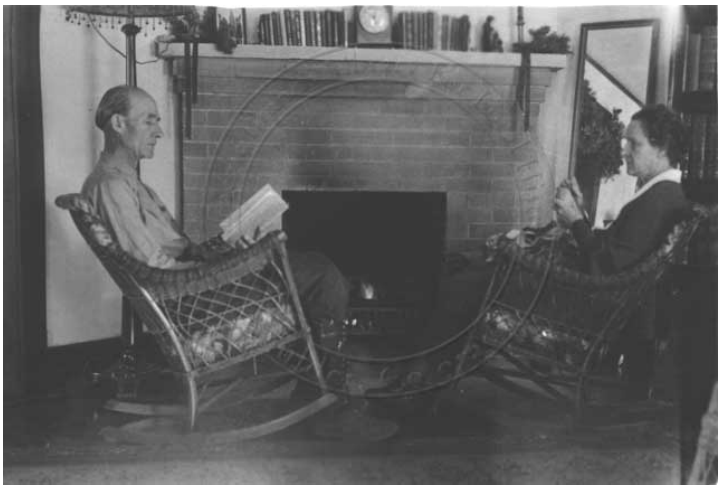

Figure 5. Charles and Rosetta Wolcott sitting in front of the fireplace at 905 Marine, c. 1936.

Rosetta was born in Leipzig, Germany and the daughter of James Washington Bell. Appointed in 1883, James Bell was the first University of Colorado Boulder faculty member with a Ph.D. Rosetta taught at the university from 1920-1948 and was reportedly close to Mary Rippon, the third faculty member and the first female teacher of the University. Rosetta specialized in teaching French and Spanish, but could also speak Italian and German. Charles died in 1957, and Rosetta in 1974.

Charles and Rosetta's daughter, Cleophile Evelyn, took care of both her parents in their old age and continued to live in the house after their deaths. She never married but was involved in teaching and worked at the University of Colorado, the branch school in Denver, at Rockmont College and at Wheaton College. She maintained honey bees and a large vegetable garden on the property like her father and grandfather. Evelyn died in 1999.

Figure 7. Photo of T.D.A. Cockerell in front of a field of sunflowers at 905 Marine St, date unknown. Cockerell was an internationally known scientist and highly regarded teacher of botany at the University of Colorado.

Christian Griffith purchased the property in 2000 after Evelyn Wolcott's death. In 2001, Griffith moved the house formerly located at 1434 15th St. to 905 Marine St. It sits to the east of the original Wolcott House. The relocated house is not included as part of this landmark designation application.

1622 9th St. – The George and Mabel Reynolds House

The receiving site for the Reynolds House is located at 1622 9th St., a newly-subdivided 6,150 square foot lot near the northeast corner of 9th St. and Marine Streets. It is located within the potential Expanded Highland Lawn Historic District.

Figure 5. 1622 9th St. (Formerly 1220 Grandview Ave.,) c. 1949 (left) and 2012 (right).

Constructed in 1906, the house is an example of the Edwardian Vernacular frame and masonry construction popular in Boulder during the late nineteenth and early twentieth century's. The one-and-a-half story brick and frame building features a front gabled roof with overhanging eaves. Decorative elements on the front gable end include a vent with scalloped louvers, decorative wooden shingles, and a door flanked by double-hung windows with dentil trim and decorative sills. Gabled dormers are located on the east and west elevations and feature shingled walls and paired windows. Small eyebrow vents are located on the east and west roof slopes. The north façade features a flat-roof porch with classical columns and a wooden railing. The paneled and glazed door with a transom is located on the west side of the north façade and a large, double-hung window is located on the east side of the same façade. A c.1920 addition that was located on the east elevation was removed prior to the relocation. The west elevation features a two-story bay window. The building rested on an evenly coursed stone foundation.

Historically, the building provided housing for University of Colorado professors. The house's first residents were Walter and Rachel Clarke, who owned the property from 1903 until 1919. In 1910, the Clarkes rented the house to Wilford Robbins, a biology teacher at the University of Colorado, and his mother, Jennie. In 1913, Esther White, a teacher at Washington School and widow of Reverend Edgar White, rented the house.

In 1919, the property was purchased by Dr. George Reynolds who lived in the house with his wife, Mabel, until 1962. Dr. Reynolds was professor emeritus of English literature at the University of Colorado. Born in 1877 in Rosendale, Wisconsin, he received a Ph.D. from Lawrence College in Appleton, Wisconsin in 1898 and went on to receive a second doctorate from the University of Colorado in 1905. Before joining the University of Colorado faculty, he taught at Shattuck School in Minnesota, the University of Montana in Missoula, and the University of Indiana. In 1919, he joined the University of Colorado as head of the department of English literature. He remained as the department's head until his retirement in 1945.

Figure 7. Photo of Dr. George Reynolds, date unknown.

Dr. Reynolds was very active during his career and even into his retirement. He held a number of visiting professorships, was a lecturer twice at the University of Birmingham in England and served one semester at the University of Hawaii. With the help of his wife, Dr. Mabel S. Reynolds, who was also on the CU faculty, they founded the Little Theater on campus. A Daily Camera article called him "one of the world's foremost authorities on the Elizabethan theater and its staging."[1] Dr. Reynolds was an author of several books, including "Freedom Speaks," published in 1943, which was a series of essays on patriotic subjects. It was republished by the Infantry Journal for use by the Army.[2] Dr. Reynolds donated money to the City of Boulder to construct its first branch library on Table Mesa Drive in South Boulder and is named in his honor.

George's wife, Mabel, was also accomplished. Born in Iowa, she did graduate work studying speech at Northwestern University and married George in 1912. Like her husband, she taught at the University of Montana and the University of Indiana. From 1919 until 1945, she taught English literature and speech at the University of Colorado. Mabel died in 1947, and George died in 1964.

The house was purchased by the University of Colorado after Dr. Reynolds's death in 1964 and was converted for office use. In May of 2014, Christian Griffith relocated the house to its current site at 1622 9th St. The house is currently awaiting construction of a foundation at the receiving site.

<u>1630 9th St. – The Finch-Paddock House</u>

The property at 1630 9th St. is located on a newly subdivided 7,445 square foot lot near the northeast corner of 9th St. and Marine Streets. It is now located within the potential expanded Highland Lawn Historic District.

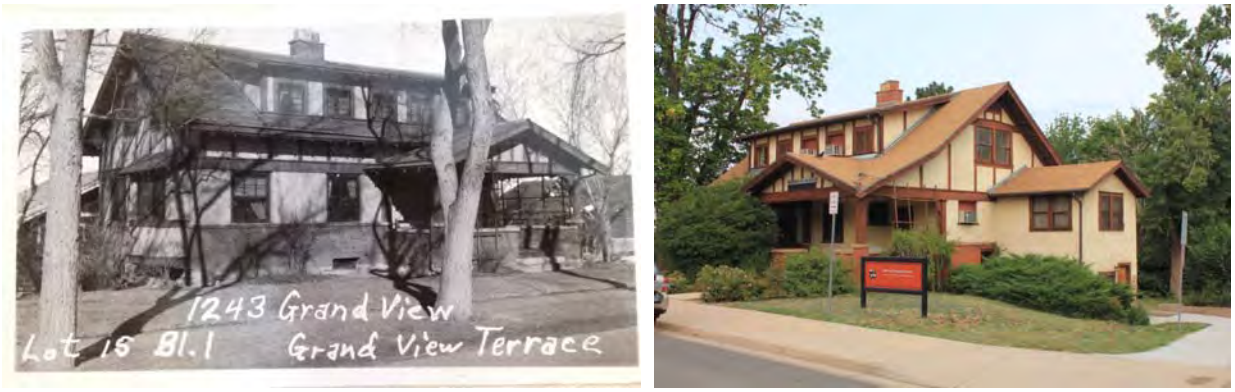

Figure 5. 1630 9th St. (Formerly 1243 Grandview Ave.,) c. 1949 (left) and 2012 (right).

[1] "Dr. George F. Reynolds Dies, Was Noted Elizabethan Authority" *Daily Camera*, Feb. 7th, 1964.
[2] Ibid.

The building was constructed in 1909 and is an example of the Craftsman-Bungalow inspired design popular in Boulder during the early twentieth century. The one-and-half story building features a side gable roof with wide, overhanging eaves and exposed rafters. The building rests on a cut fieldstone with brick walls to the sill level and stucco and half-timbering above. A long, shed-roof dormer is located on the north and south roof slopes and each features five multi-light casement windows. Two of the windows on the south façade gable and one on the east elevation have been removed for the installation of air conditioning units. The asymmetrical porch features a gable above the entrance with stucco and half-timbering and is supported by wood posts with arched brackets atop brick pillars. The off-center, paneled and glazed door is located on the east side of the south façade. Multi-over-single light double-hung windows are located on the first floor. The west elevation features a shed roofed bay window with paired windows. A small gable-roof addition is located on the east elevation and features paired, double hung windows and a solid wood door on the lower level.

The building is architecturally significant as an intact example of the Craftsman-Bungalow inspired design dating from the early twentieth century. Representative details include the combination of stone, brick, wood and stucco, the gabled roof with overhanging eaves, the half-timbering, the multi-over-single light windows, and the prominent porch.

Carnegie Branch Library For Local History
Boulder Public Library

Figure 7, photo of Mrs. Rosa Finch and daughter Frances, c. 1904-1930.

From 1909 to 1931, Edwin J. and Rose C. Finch owned and resided in the house. Mr. Finch was employed by the Boulder National Bank as a teller, and later a bookkeeper for many years. He was also well known as treasurer of the Woodmen of the World, a charitable fraternal group. Edwin was also a prominent Freemason. He died in 1923. His wife, Rosa Finch was well known in various social circles and a matron of the Queen Esther chapter of the Eastern Star, a prominent member of the Daughters of the American Revolution, and a member of the Christian Science church. Rosa died of pneumonia at age 52. She and her husband were noted for having "one of the prettiest gardens in Boulder and [they] used to spend hours working together in it."[3] Their daughter, Frances, graduated from Georgetown University in Washington, D.C. in 1932.

After Mrs. Finch's death, the house was then owned by Percy B. Paddock. Percy was the son of Lucius Carver Paddock, editor and owner of the Boulder Daily Camera. Born and educated in Boulder, Percy was appointed postmaster of Boulder in 1934, and remained so until his death in 1946. Early in life he sustained an eye injury in a baseball game and had to give up a position as a linotype operator for The Daily Camera. While his eyesight was recovering, he carried a series of jobs before being appointed postmaster. He worked with the Colorado and Southern railway in its freight depot, worked with the state auditor's office, worked as a Colorado Fuel and Iron representative, worked with the wholesale coal business in Denver, and also operated a store on University Hill. In 1906, Percy married Sarah

[3] "Mrs. Rosa Finch Dies Early Today of Double Pneumonia." Daily Camera, March 31, 1930.

Virginia Jamison. After Percy's death, his widow moved to Santa Monica, California, to be near their daughter.

Figure 9. Photo of Percy Paddock,c. 1940 (Left) and photograph of Postal Service employees, taken before the first airmail delivery, c.1936.

John E. and Martha H. Thompson owned the house from 1946-54. John was a department manager at Esquire, a local engineering and building company located at 1255 Portland Place. In 1952, the Thompsons were living in Lakewood, Colorado and were leasing 1243 Grandview Ave. to a group of university students. Based on letters from the City Building Inspector, there were six women that formed a sorority and lived in the house during this period. The sorority also rented out the basement to two men which was in violation of zoning ordinances, and by the end of the 1953 school year, the City evicted the two men and two women to conform to the number of residents that zoning allowed for the property.

Gordon L. and Miriam Yager owned the house from 1954 until 1971. Gordon and Miriam were from Iowa and were married in 1937. While living at 1243 Grandview, Gordon worked as an insurance auditor at K L Pearce Co. In 1971, the Regents of the University of Colorado purchased the house.

Christian Griffith purchased the house in 2013 from the University of Colorado and relocated it to its current location at 1630 9th St. in May of 2014.

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 905 Marine St., 1622 9th St., and 1630 9th St. will protect, enhance, and perpetuate properties reminiscent of past eras important in local history and preserve important examples of Boulder's historic architecture. Staff considers the applications to meet the historic criteria for individual landmark designation as outlined below:

905 MARINE ST.

HISTORIC SIGNIFICANCE – 905 MARINE ST.:
Summary: The house at 905 Marine St. is believed to have historic significance under criteria 1 and 2.

1. **Date of Construction:** c. 1880
   Elaboration: The Historic Building Inventory Record for this property estimates the house was built in the 1890s, but Roland and Evelyn Wolcott in a family history recording claim it was built in the 1880s. The 1887 W.C. Willits Map of Boulder shows a house in this location on a 200' x 100' lot, just west of land owned by Amos Bixby and the Boulder Brewing Company. There is a warranty deed showing the purchase of the tract of land from Marinus Smith to the Wolcott family in 1875, so it is likely that construction of the house began shortly after then.

2. **Association with Persons or Events**: The Wolcott Family
   Elaboration: Horace and Louisa Wolcott migrated to the Boulder vicinity in the 1860s. They purchased the land from Marinus Smith and built their house, likely with the help of local builder Charles Larson. After Horace's death, his son Edward and his family lived there, and after a fire sometime around 1908, Horace's second son, Charles, rebuilt the house and lived there for many years after that. Charles was the Vice President of the Monarch Consolidated Gold & Copper Company, and also worked at the Colorado Consolidated Lumber Co. His wife Rosetta was a language professor at the University from 1920-1948. Charles' daughter Evelyn, a teacher, lived at the house until her death in 1999. Overall, the Wolcott family resided on the same lot of land for over a century.

ARCHITECTURAL SIGNIFICANCE – 905 MARINE ST.:
Summary: The house at 905 Marine St. is believed to have architectural significance under criteria 1.

1. **Recognized Period or Style:** Vernacular
   Elaboration: The house is an example of the vernacular building type. According to the *Guide to Colorado's Historic Architecture and Engineering*, the house at 905 Marine St. is a good representative example of the hipped roof box plan.

ENVIRONMENTAL SIGNIFICANCE- 905 MARINE ST.:
Summary: The house at 905 Marine St. has environmental significance under criteria 2, 3 and 5.

2. **Compatibility with Site:** Residential historic character
   Elaboration: The house retains its historic relationship to its lot and surrounding neighborhood.

3. **Geographic Importance:** Visual Landmark
   Elaboration: This house is prominently located on the northeast corner of 9th and Marine St. The house serves as a prominent visual landmark in the area within the potential expanded Highland Lawn Historic District.

5. **Area Integrity:** Potential Highland Lawn Historic District
   Elaboration: The property is located within the boundaries of the potential expanded Highland Lawn Historic District, which retains its residential historic character.

1622 9TH STREET

HISTORICAL SIGNIFICANCE- 1622 9TH ST.:

Summary: The house at 1622 9th St. is considered to have historic significance under criteria 1 and 2.

1. **Date of Construction:** 1906
   Elaboration: The house first appears in the City directories in 1910 (listed as 1220 Grandview), but the tax assessor Card notes the date of construction as 1906.

2. **Association with Persons or Events**: Dr. George Reynolds
   Elaboration: Dr. George Reynolds and his wife, Dr. Mabel Reynolds, were well known University of Colorado professors. Both were employed by the university from 1919 to 1945. George was a well-known Elizabethan authority and an author of several books. The Reynolds were responsible for establishing the Little Theater on campus, and George donated money to have Boulder's first branch library created, which is named in his honor. Mabel died in 1947, and George died in 1964.

ARCHITECTURAL SIGNIFICANCE1622 9TH ST.:

Summary: The house at 1622 9th St. is considered to have architectural significance under criteria 1.

1. **Recognized Period or Style:** Edwardian Vernacular
   Elaboration: The house is an example of the Edwardian Vernacular style. The building's gabled roof, decorative wood shingles, double-hung windows with stone sills and lintels, and classical porch details.. The *Guide to Colorado's Historic Architecture and Engineering* notes that the Edwardian form is similar to the Queen Anne style in form and massing but lacking in ornamentation. Edwardian buildings feature multi-gabled roofs, asymmetrical massing, simple surfaces, and occasionally wrap-around porches and classical detailing. The house 1622 9th St. exhibits a few of these elements, including a multi-gabled roof, simple surfaces, and classical detailing. While the building has been relocated from its original context, the new location in the identified potential expanded Highland Lawn Historic District is contextually appropriate.

ENVIRONMENTAL SIGNIFICANCE - 1622 9TH ST.:
Summary: Because the house has been relocated from its original site, the house at 1622 9th St. only has environmental significance under criteria 5.

5. **Area Integrity:** Potential expanded Highland Lawn Historic District.
   Elaboration: The property is located within the potential Expanded Highland Lawn historic district. While the building has been relocated from its original context, the new location in the potential expanded Highland Lawn Historic District is contextually appropriate.

<u>1630 9TH ST.</u>
HISTORICAL SIGNIFICANCE- 1630 9TH ST.:
Summary: The house at 1630 9th St. is believed to have historic significance under criteria 1 and 2.

1. **Date of Construction:** 1909
   Elaboration: The Tax Assessor Card notes a date of construction in 1909.

2. **Association with Persons or Events**: Edwin and Rose Finch, Percy Paddock
   Elaboration: Edwin was born c. 1859 in New York and Rosa was born c. 1871 in Illinois. The couple was listed as living at 1243 Grandview from 1909 to 1931. Edwin worked as the bookkeeper for Boulder National Bank for a number of years, and was a prominent Mason. Rosa was well known through many clubs and social circles, including Daughters of the American Revolution and the Christian Science Church in Boulder.

   Percy Paddock lived at 1243 Grandview from 1931 to 1946. He was the son of Boulder pioneer L. C. Paddock, the owner and editor of the Boulder Daily Camera. Percy worked with Colorado and Southern Railway, Colorado Fuel and Iron, and was a merchant on University Hill. He is probably most well known for being appointed Postmaster of Boulder in 1934. He died in 1946.

ARCHITECTURAL SIGNIFICANCE- 1630 9TH ST.:
Summary: The Finch-Paddock House is considered to have architectural significance under criterion 1.

1. **Recognized Period or Style:** Craftsman
   Elaboration: The house is an excellent example of a Craftsman-Bungalow inspired design popular in Boulder the early twentieth century. Character-defining features include the combination of stone, brick, wood, stucco, and a low gabled roof forms representative of this type of architecture. The house has wide overhanging eaves, half-timbering, multi light-over-single light windows and prominent porch. While the building has been relocated from its original context, the new location in the identified potential expanded Highland Lawn Historic District is contextually appropriate.

ENVIRONMENTAL SIGNIFICANCE- 1630 9TH ST.:
Summary: Because the house has been relocated from its original site, the house at 1630 9th St. only has environmental significance under criteria 5.

5. **Area Integrity:** Potential Expanded Highland Lawn Historic District.
   Elaboration: While the building has been relocated from its original context, the new location in the identified potential expanded Highland Lawn Historic District is contextually appropriate.

OPTIONS:

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

Approved By:

_____
Jane S. Brautigam,
City Manager

ATTACHMENTS:
A: Ordinance No. 7997 (905 Marine St.)
B: Ordinance No. 7998 (1622 9th St.)
C: Ordinance No. 7999 (1630 9th St.)
D: Sections 9-11-1 and 9-11-2, "*Purposes and Intent*," B.R.C., 1981
E: Significance Criteria for Individual Landmarks

ORDINANCE NO. 7997

AN ORDINANCE DESIGNATING THE BUILDING AND THE PROPERTY AT 905 MARINE ST., CITY OF BOULDER, COLORADO, ALSO KNOWN AS THE WOLCOTT 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 l. 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 May 22, 2014, property owner Christian Griffith applied to the City of Boulder to designate the building and a portion of the property at said property as a landmark; 2) the Landmarks Board held a public hearing on the proposed designation on August 6, 2013; and 3) on August 6, 2013, 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 September 19, 2014 and upon the basis of the presentations at that hearing finds that the building and the property at 905 Marine St. 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 the 1880s, its association with the Wolcott family, who owned the property for over 110 years; and 2) its architectural significance

indicative of a vernacular hipped-roof box plan, and; 3) its environmental significance for its location within the potential Expanded Lawn Historic District, which retains its residential historic character.

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

Section 6. There is hereby created as a landmark the building and property located at 905 Marine St., also known as the Wolcott House, whose legal landmark boundary encompasses a portion of the legal lots upon which it sits:

> A PORTION OF LOT 1, EVELYN'S GARDEN SUBDIVISION, BOULDER COUNTY, COLORADO; BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, EVELYN'S GARDEN UBDIVISION, CONTINUING EAST APPROXIMATELY 55', THENCE EXTENDING NORTH TO THE NORTH PROPERTY LINE, THENCE CONTINUING ALONG THE NORTH AND WEST PROPERTY LINES AS SHOWN IN THE LANDMARK BOUNDARY MAP IDENTIFIED AS EXHIBIT A.

as depicted in the proposed landmark boundary map, attached hereto as Exhibit A.

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

Section 8. The 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 16TH DAY OF SEPTEMBER, 2014.

_____

Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY THIS 7TH DAY OF OCTOBER, 2014.

_____
Mayor

Attest:

_____
City Clerk

Exhibit A – Landmark Boundary Map for 905 Marine St.

A PORTION OF LOT 1, EVELYN'S GARDEN SUBDIVISION, BOULDER COUNTY, COLORADO; BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, EVELYN'S GARDEN UBDIVISION, CONTINUING EAST APPROXIMATELY 55', THENCE EXTENDING NORTH TO THE NORTH PROPERTY LINE, THENCE CONTINUING ALONG THE NORTH AND WEST PROPERTY LINES AS SHOWN IN THE LANDMARK BOUNDARY MAP IDENTIFIED AS EXHIBIT A.

ORDINANCE NO. 7998

AN ORDINANCE DESIGNATING THE BUILDING AND THE PROPERTY AT 1622 9TH STREET, CITY OF BOULDER, COLORADO, ALSO KNOWN AS THE GEORGE AND MABEL REYNOLDS 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 l. 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 May 22, 2014, property owner Christian Griffith 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 August 6, 2014; and 3) on August 6, 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 September 16, 2014 and upon the basis of the presentations at that hearing finds that the building and the property at 1622 9th 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 1906 and its association with George and Mabel Reynolds; 2) its architectural significance indicative of the Edwardian

Vernacular style, evidenced in its one-and-a-half story form, decorative wood shingles, and classical details; and 3) its environmental significance for its location within the potential Expanded Lawn Historic District, which retains its residential historic character.

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

Section 6. There is hereby created as a landmark the building and property located at 1622 9th Street, also known as the George and Mabel Reynolds House, whose legal landmark boundary is identical to the boundary of the legal lots upon which it sits:

LOT 2, EVELYN'S GARDEN SUBDIVISION, BOULDER COUNTY, COLORADO

as depicted in the proposed landmark boundary map, attached hereto as Exhibit A.

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

Section 8. The 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 16TH DAY OF SEPTEMBER 2014.

_____

Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY THIS 7TH DAY OF OCTOBER, 2014.

_____
Mayor

Attest:

_____
City Clerk

Exhibit A – Landmark Boundary Map for 1622 9th St.

LOT 3, EVELYN'S GARDEN SUBDIVISION, BOULDER COUNTY, COLORADO

ORDINANCE NO. 7999

AN ORDINANCE DESIGNATING THE BUILDING AND THE PROPERTY AT 1630 9TH STREET, CITY OF BOULDER, COLORADO, ALSO KNOWN AS THE FINCH-PADDOCK 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 l. 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 May 22, 2014, property owner Christian Griffith 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 August 6, 2014; and 3) on August 6, 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 September 16, 2014 and upon the basis of the presentations at that hearing finds that the building and the property at 1630 9th 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 1909 and its association with Edwin and Rose Finch and Percy Paddock; 2) its architectural significance indicative of the

Craftsman Bungalow style, evidenced in its combination of stone, brick, wood and stucco, low-gabled roof forms and divided-light windows; and 3) its environmental significance for its location within the potential Expanded Lawn Historic District, which retains its residential historic character.

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

Section 6. There is hereby created as a landmark the building and property located at 1630 9th Street, also known as the Paddock-Finch House, whose legal landmark boundary is identical to the boundary of the legal lots upon which it sits:

LOT 3, EVELYN'S GARDEN SUBDIVISION, BOULDER COUNTY, COLORADO

as depicted in the proposed landmark boundary map, attached hereto as Exhibit A.

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

Section 8. The 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 16TH DAY OF SEPTEMBER 2014.

_____

Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY THIS 7TH DAY OF OCTOBER, 2014.

_____
Mayor

Attest:

_____
City Clerk

<u>Exhibit A – Landmark Boundary Map for 1630 9th St.</u>

LOT 3, EVELYN'S GARDEN SUBDIVISION, 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 discontiguous 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.

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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: October 7, 2014

AGENDA TITLE: Consideration of the following items relating to the 2015 Budget:

1. Public hearing on the proposed 2015 City of Boulder Budget; and
2. Introduction, first reading, and consideration of a motion to order published by title only an ordinance that adopts a budget for the City of Boulder, Colorado, for the fiscal year commencing on the first day of January 2015 and ending on the last day of December 2015, and setting forth details in relation thereto; and
3. Introduction, first reading, and consideration of a motion to order published by title only an ordinance that establishes the 2014 City of Boulder property tax mill levies which are to be collected by the County of Boulder, State of Colorado, within the City of Boulder in 2015 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado, and setting forth details in relation thereto; and
4. Introduction, first reading, and consideration of a motion to order published by title only an ordinance that appropriates money to defray expenses and liabilities of the City of Boulder, Colorado, for the 2015 fiscal year of the City of Boulder, commencing on the first day of January 2015, and ending on the last day of December 2015, and setting forth details in relation thereto; and
5. Introduction, first reading, and consideration of a motion to order published by title only an ordinance, that amends Section 3-8-3 and Chapter 4-20 of the B.R.C. 1981 changing certain fees, and setting forth details in relation thereto.

PRESENTERS
Jane S. Brautigam, City Manager
Bob Eichem, Chief Financial Officer
Cheryl Pattelli, Director of Finance
Peggy Bunzli, Budget Officer
Maureen Rait, Executive Director of Public Works
David Driskell, Executive Director of Community Planning and Sustainability

Heather Bailey, Executive Director of Energy Strategy and Electric Utility Development Jeff Arthur, Director of Public Works for Utilities Mike Patton, Director of Open Space and Mountain Parks Karen Rahn, Director of Human Services Greg Testa, Police Chief Tracy Winfree, Director of Public Works for Transportation Molly Winter, Director of Downtown and University Hill Management Division/Parking Services

EXECUTIVE SUMMARY

The purpose of this item is the adoption of the 2015 budget and other related ordinances to appropriate city funds as presented in the 2015 Recommended Budget, for the 2015 fiscal year.

The 2015-2020 Draft Capital Improvements Program (CIP) was reviewed with City Council during the study session on Aug. 12, 2014. A summary of the CIP study session was included in the materials for the Sept. 16 City Council meeting (consent agenda). Additional information related to the CIP study session was provided in Attachment D to the September 9 Study Session memo. The 2015 Recommended Budget was reviewed with City Council during the study session on Sept. 9, 2014. A summary of the 2015 Recommended Budget study session is included in the materials for the Oct. 7 City Council meeting (consent agenda). See below for additional information related to the 2015 Recommended Budget study session. To facilitate council review of the 2015 Recommended Budget, staff has also prepared a single list of each change proposed for the budget that occurred after council received the 2015 Recommended Budget document (see **Attachment A**). **Attachment B** provides a summary of all city funds and shows the impact to fund balance of the proposed budget.

Adoption of the ordinance that establishes the 2014 mill levy (unchanged from 2013) for the city and the ordinance that changes certain codified fees is also requested. Along with the annual update of codified fees in the Boulder Revised Code (BRC), the fees ordinance also includes a change from directly setting annual dog licensing fees in the BRC, to setting them by City Manager Rule, pursuant to section 4-1-12 of the code. The city is proposing this change in order to harmonize the dog license fee setting practice with the recently amended practice for the voice and sight/green tag program. The city will continue its current practice of proposing increases for dog license fees, discussing them with affected user groups and the community at large, and finally discussing any increases as part of the budget process each year. Dog licensing fees are not proposed to be increased as part of the 2015 budget process.

The Downtown Commercial District (formerly known as the Central Area General Improvement District), the University Hill Commercial District (formerly known as University Hill General Improvement District), the Boulder Municipal Property Authority (BMPA), the Forest Glen Transit Pass General Improvement District, the Boulder Junction General Improvement District for Parking, and the Boulder Junction Improvement District for Transportation Demand Management (TDM) budgets are not

included with these ordinances. They will be appropriated by resolution under a separate agenda item on Oct. 21, 2014, coinciding with the second reading of the city budget.

STAFF RECOMMENDATION

Staff recommends adoption of the following four ordinances:

- **Budget Adoption Ordinance (Attachment C)**
  The Charter of the City of Boulder requires that, before the city establishes the property tax mill levy, the annual budget that summarizes sources and uses must be approved. The ordinance included in this packet incorporates the 2015 Recommended Budget.

- **Mill Levy Ordinance (Attachment D)**
  As a result of the passage of Ballot Issue 201, "Retention of Property Tax Funds" approved by voters on Nov. 4, 2008, the remaining restrictions on property tax collected by the City of Boulder have been eliminated. Ballot Issue 201 had the effect of reducing the mill levy credit by 0.50 mill each year until the credit was completely eliminated. The mill levy credit was completely eliminated in the 2011 mill levy calculation (for 2012 property tax collections).
  The ordinance included in this packet sets the 2014 mill levy for collection in 2015. The following is the mill levy for 2014 (this is unchanged from 2013):

Mill Levy	11.981

- **Appropriation Ordinance (Attachment E)**
  This ordinance appropriates funds as stated in the budget ordinance for 2015.

- **Fees Ordinance (Attachment F)**
  City fees are adjusted based on costs of providing city services and depend on calculations of inflation, pricing guidelines, or service-specific cost analysis. The annual budget process also provides an opportunity to review and clarify the Boulder Revised Code language related to fees and rates.

Suggested Motion Language

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

- Motion to introduce and order published by title only an ordinance adopting the 2015 budget;
- Motion to introduce and order published by title only an ordinance establishing the property tax mill levy for 2014 to be collected in 2015;
- Motion to introduce and order published by title only an ordinance appropriating the 2015 budget; and
- Motion to introduce and order published by title only an ordinance changing certain fees.

OTHER IMPACTS

- **Fiscal** - This item will appropriate funds to implement the City of Boulder's 2015 budget. This budget is based on the City Manager's 2015 Recommended Budget and in accordance with City Council's feedback provided during the study session. In addition to the budget ordinances, the property tax mill levy and fees ordinance are also included. These ordinances are necessary to fund the annual budget in full.

- **Staff time** - Staff time for this process is allocated in the Budget Division's regular annual work plan.

BACKGROUND AND ADDITIONAL INFORMATION

A City Council study session on the 2015 Recommended Budget was held on Sept. 9, 2014. The following provides additional information on some of the items discussed at that study session or relevant to the attached ordinances. A study session summary is included in the consent agenda of this meeting. Bolded items within each category highlight additions since the Sep. 9 Study Session, now included in the Recommended Budget.

Energy

The December 6, 2011 ordinance extending and increasing the Utility Occupation Tax (UOT) states that the tax may be increased by the lesser of 3 percent or the average amount of rate increases made by public utility companies delivering natural gas or electricity in the city. Rate analysis has been completed for the prior year and indicates that electric and gas rates have increased by over 3 percent. The 2015 budget includes the maximum allowable rate increase of 3 percent to the UOT, over the 2014 amount of $1,957,000.

Pursuant to Chapter 3-13-19 of the Boulder Revised Code, any increase in the UOT revenue, related to the 2011 ballot measure dedicating $1.9 million for the "purposes of exploration and planning for the creation of a municipal electric utility and acquiring an existing electric distribution system", must be used for the same purposes. Therefore, the 2015 Energy Strategy and Electric Utility Development budget includes funding of $2,015,710 from the 2015 UOT.

Potential Municipal Electric Utility

The strategy that best positions the City of Boulder to achieve success in creating a local electric utility is the recommended budget presented to council on Sep. 9, 2014. The 2015 recommended budget supports legal actions and start-up costs necessary to launch and operate an electric utility.

At the Sep. 9 Study Session, council asked for additional information on the project's budget as it relates to key milestones and activities (as outlined in the transition plan provided to council on Aug. 19, 2014). Below are critical steps and spending points that need to occur in 2015 in order to be prepared to acquire and run the system on "Day 1,"

which may be as soon as the second half of 2016.

Critical steps to be taken in 2015
Costs related to systems evaluation, such as upgrades to customer service and billing, developing a cash flow model, and resource planning models, need to occur in 2015 as they are necessary to the Transition Plan and provide long term value to the city. This includes moving ahead with an initial assessment of existing city Information Technology (IT) systems to identify gaps and determine the lead time to make modifications. These modifications will not be implemented until there is more certainty around the timing of condemnation. The plan also includes work on resource modeling, which would incorporate a distributed generation potential study, energy efficiency scenarios, and other programs offered by the city. All of this work would be accomplished with internal staff, community working groups and some consulting support.

Staff also recommends moving forward with negotiations for a power contract and issuance of a Request for Proposal (RFP) due to the long lead time to secure resources, especially if Xcel does not cooperate. This work can be stopped at any time without having spent significant funds other than investing in consultants to assist the city's efforts.

Additionally, staff plans to move forward with developing the Open Access Transmission Tariff (OATT) to take to council after the first of the year, which involves some legal and engineering support.

As we deal with the uncertainty and potential delays related to various legal procedures, the areas of primary focus will be on internal operations necessary for a municipal electric utility – cataloguing and evaluating our existing policies, procedures and standards with respect to customer service, billing, risk management and safety, procurement, warehouse and inventory operations, human resources, fleet management, meter reading, maintenance and operations, construction, project management, engineering, environmental, and any other relevant processes that could be used or modified to support the electric utility. The goal is to leverage what the city already does in public works, water utilities, support services and other related departments and build on it. All of this would benefit the city by providing opportunities to improve existing operations.

However, if we are asked to simultaneously go to the Public Utilities Commission (PUC) and continue with condemnation, resulting legal fees and the need for expert consulting work will increase costs. Being prepared to respond quickly and intelligently to the uncertain legal process is the most crucial piece of the budget decision and drives the need for flexibility provided by the $4.9 million advanced allocation.

The recommended budget supports necessary costs that may arise in 2015 and is phased so that funds are spent only as greater certainty is achieved in the legal and regulatory

process. **Attachment H** was developed to illustrate how staff would phase the transition plan if there were any delays caused by litigation proceedings.

Further evaluation of the Transition Plan has identified a need for an additional Project Manager position (1.0 FTE) to support the project teams and provide overall plan coordination. The funding has been incorporated into the existing budget by decreasing the contingency, resulting in no additional funding increases (see Table 1).

Table 1

2015 Budget - Projected Uses	***Recommended (As presented to City Council at the Sep. 9 Study Session)***	***Recommended (Revised to reflect additional 1.0 FTE Project Manager position)***
Staffing - Current (3.5 FTE)	$638,235	$638,235
Staffing – Additional 2.0 FTE, as defined by the Transition Plan	$281,250	$281,250
Staffing – Additional 1.0 FTE Project Manager position (includes salary, benefits and associated costs)	$0	$156,002
Consulting and Contract Services	$4,077,498	$4,077,498
Systems	$380,000	$380,000
Separation/Operation	$850,000	$850,000
Purchased Services and Supplies	$216,252	$216,252
Contingency	$500,000	$343,998
TOTAL	$6,943,235	$6,943,235

Deferred Funding Approach

At the Sep. 9 Study Session, some council members requested that staff explore a deferred funding approach, so that the request for the $4.9 million advance against the UOT would not be brought forward all at once in the 2015 budget. Such an approach would reduce the 2015 budget request by at least $2.5 million with respect to tasks outlined in the transition plan schedule. A deferred funding approach would include $280,000 in one-time additional funding from the General fund for current staffing, as well as additional funding from the 2016 UOT, with no funding from the 2017 UOT. Under this approach, once we know the timing of condemnation proceedings, which is the key to determining the utility start-up date, we would likely need to return to council for funds to support transition plan investments and litigation support.

Staff does not recommend a deferred funding approach. This approach does not allow for flexibility to manage and respond to uncertain legal outcomes and the associated consulting and contract services expenditures, as outlined in the transition work plan. While retaining flexibility, staff plans to control and phase in the spending of all funds that have been advanced under the original budget request and would report to Council quarterly on the status of the budget.

Conclusion
While it may be possible to support the transition plan under the alternative budget approach, staff recommends that council approve the budget proposed in the Sep. 9 Study Session memorandum, with the **additional approval of 1.0 FTE position for project management support**. Staff will update council quarterly on spending.

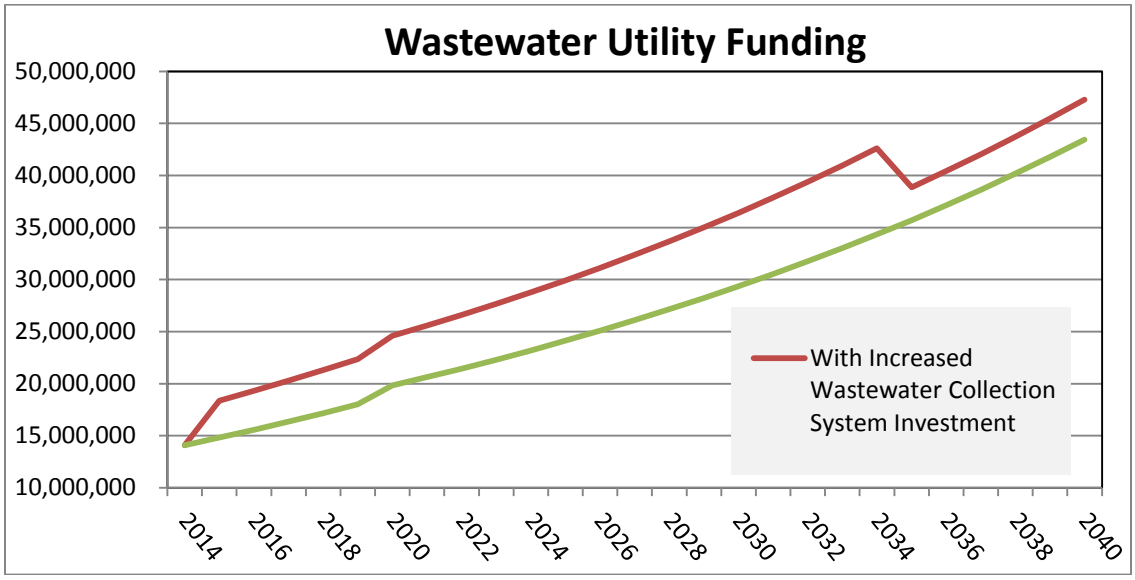
Water, Wastewater and Stormwater/Flood management Fees and Rates
Impacts associated with the September 2013 Flood have raised public awareness about the vulnerabilities of aging infrastructure and the city's significant risk of flooding and other natural disasters. In response to community feedback, the 2015 utilities budget and the six year CIP propose significant additional investment focused on improving the reliability of infrastructure systems and increasing the pace of flood mitigation efforts.

Stormwater & Flood Management Utility
In the stormwater and flood management utility, **a 75 percent rate increase is proposed** with a focus on expediting capital projects and studies intended to reduce flood risks associated with the major drainageway system. Funding is also proposed to increase maintenance and emergency response capabilities.

Wastewater
In the wastewater utility, **a 30 percent rate increase is proposed** with a focus on additional investment in rehabilitation of the city's aging wastewater collection system to improve reliability during major rainfall events. In addition to capital investment, funding is also proposed to increase preventative maintenance, improve emergency response, and develop programs to address system reliability issues originating on private property.

During the Sep. 9 budget study session, City Council requested information about possible rate decreases following completion of proposed pipe rehabilitation efforts. Figure 1 below compares future wastewater funding with and without additional wastewater collection system investment. Funding needs based on projected cost escalation and regulatory permit driven projects is shown in green. Funding needs with the proposed additional collection system investment is shown in red. While there is a potential decrease in funding needs upon completion of the proposed clay and concrete pipe rehabilitation initiative, projected long term cost escalation significantly offsets that decrease. Further, by the time the current effort is completed, including paying off bond debt, the remainder of the collection system will be 20-years older and new rehabilitation needs are likely to have emerged.

Figure 1



Water

Projections developed during the 2014 budget process anticipated a 4 percent increase in the water fund for 2015, primarily to address cost escalation in areas such as construction, materials, and energy. The proposed 2015 budget is based on a 5 percent increase, with additional funding primarily focused on replacement of aging water distribution and transmission mains.

Rate Study

Prior to the Sep. 2013 flood, a study was underway to evaluate water budgets for commercial, industrial, and institutional customers. Based on customer feedback during this year's budget process, staff is recommending that this effort be expanded to include a more comprehensive rate study that evaluates the impacts of the water budget rate structure and considers all customer types. The study would be initiated in 2015. Due to the significant analysis involved and need for community involvement, any recommended changes would most likely be considered concurrent with the budget process during 2016.

Staff is currently evaluating a potential change to the methodology used to calculate the stormwater and flood management utility monthly fee for a small number of customers with very large lots and large amounts of undeveloped pervious area. If an alternative methodology is identified, an associated ordinance change could be forwarded for City Council consideration in 2015.

Flood Impact

The September 2013 Flood had a direct impact on the city's capital budget, as described in the Draft 2015 to 2020 CIP, both in a special highlight section on the Flood and in individual department overviews, in which details of changes to the CIP were outlined. It

is more difficult to identify the specific impact of the flood on the future operating budgets for several reasons:

- Full costs and eventual reimbursements are not fully known yet
- The city continues to seek grant funding for both recovery and mitigation work
- The Flood has brought to light emerging priorities, shaping both short- and long-term financial plans, in coordination with citywide resilience strategies.

Costs of immediate emergency response and recovery efforts have been covered by reserves across the city's funds and there was no impact to the operating elements of the 2014 Budget, as a result. The city expects to recuperate approximately 63 percent of response and recovery costs in reimbursement from FEMA, FHWA, the State and the city's insurance providers, leaving a gap of approximately $10 million one-time monies, across all funds, that the city will have to absorb. The 2015 Recommended Budget includes a two-year plan to replenish emergency reserves.

Neighborhood Services

Based on City Council's interest in investing in support for Boulder's neighborhoods, staff has begun evaluating best practices for neighborhood relations and the delivery of neighborhood services. Preliminary staff research shows that different communities use different models for addressing neighborhoods but one that may serve Boulder well–especially in the short term–is a dedicated neighborhood liaison which is similar to the city's current approach for supporting Economic Vitality.

A **Neighborhood Liaison position** is proposed to be added to the City Manager's Office as part of the 2015 Budget. The objectives to be achieved by adding this position in 2015 are:

1. Re-establish the system of neighborhood contacts/leaders for citywide use.
2. Establish the Neighborhood Liaison as the point of contact for neighborhoods.
3. Better involve and inform community members.
4. Develop a longer-term plan for providing improved neighborhood services.

Because improving connections between city government and city neighborhoods requires a collaborative effort, the Neighborhood Liaison will partner with a small interdepartmental team of existing staff to both respond to neighborhood concerns that are identified through outreach and further refine the city's understanding of neighborhood issues and opportunities.

The following short-term work efforts will be undertaken by the Neighborhood Liaison and the staff team:

1. Hold meetings with leadership of existing neighborhood organizations.
2. Clearly identify the parts of the city where organization is non-existent.
3. Develop a profile of each city neighborhood which identifies important issues and opportunities as well as neighborhood strengths, including grassroots organizational capacity.
4. Develop a communication toolkit to maximize information sharing with neighborhoods and residents.

5. Assist the city manager in developing a neighborhood-focused workplan and staffing model to inform the 2016 budget.

In 2015, success will be determined by the achievement of the stated objectives. Beyond 2015, success will be measured by:

1. Increased organization and engagement of neighborhoods which currently lack neighborhood organizations.
2. Demonstrated ability by city government to proactively address neighborhood issues outside formal processes.
3. Improved results for relevant questions for selected subcommunities on the 2017 Community Survey.

The total estimated cost for this position and program, including both personnel and non-personnel expenditures, is $150,000. Since this position supports the entire organization's efforts to connect with neighborhoods, cost allocation is an appropriate and proposed funding mechanism, which will be implemented with an annual cost allocation update in 2015. In the interim before that update is completed, the position is recommended to be covered using one-time savings in the General Fund.

Code Enforcement and Rental Housing Licensing

Council questions identified as part of the Sep. 9, 2014 Study Session on the 2015 Budget included requests for updated information about code enforcement.

On April 8, 2014, staff from Public Works, Community Planning and Sustainability, and the Police Department provided council with an overview of how code enforcement works in the city. The April 8 study session memo can be found here. Council was briefed on a broad array of issues that fall under the umbrella of code enforcement responsibilities as well as the way in which they are handled and by which departments and work groups.

Some concerns were raised by council during the April 8 study session. The full list can be found in the study session summary, but key issues revolved around rental units. Council members expressed general concern about the quality of rental housing and the city's efforts to improve it, about the potential numbers of unlicensed rental units and units that may be created illegally, and about housing units that may be used illegally as vacation rentals by owner, or VRBOs.

Enforcement and Municipal Court

The city (Police, Public Works and Community Planning & Sustainability) has responded to approximately 10,104 code enforcement issues since Jan. 1, 2011. These cases encompass numerous types of violations, from sign code and building code violations, to marijuana-related violations, graffiti and trash, rental license, and over occupancy issues.

Some code enforcement complaints turn out not to be violations. For example, Public Works (PW) and Community Planning & Sustainability (CP&S) were able to close 823 of 2,851 cases (29%) after initial inspection and investigation found that no violation

existed. The majority of issues that are verified by staff as violations are dealt with administratively and never require any type of court action. Since Jan. 1, 2011, PW and CP&S have resolved 1,773 verified issues while sending only a few dozen to court. The same is true of the Police Department (PD). PD has addressed 5,918 violations since Jan. 1, 2011, but issued only about 500 tickets. This is a result of the city's focus on education and voluntary compliance.

Of the code enforcement cases that have required prosecution, most are the result of tickets written by the PD's Code Enforcement unit for violations related to trash, failure to keep sidewalks clear of snow, graffiti, and smoking in entryways.

It is also worth noting that 8 rental license cases and 18 occupancy cases have also been prosecuted. Nearly all occupancy cases and rental license cases resulted either in a guilty verdict, a plea bargain, and/or a city attorney dismissal. To put these figures in context, 1,122 rental license cases and 133 occupancy cases have been investigated since Jan. 1, 2011. In that time, 982 rental license cases have been closed – 485 of them where no violation was found – and 127 occupancy cases have been closed – 83 of them where no violation was found.

Code Enforcement data is provided in **Attachment I**.

<u>2015 Proposed Enhancements for Rental Housing License Enforcement</u>
The proposed 2015 Budget includes the addition of a .50 FTE Code Compliance Specialist, providing for 1.0 FTE (total) dedicated to enforcement of rental housing licensing. The additional staffing would provide the resources for more proactive rental housing license enforcement.

Currently, there are 20,633 licensed rental units in the city. According to the Census Data, as of Jan. 1, 2014, there are 44,028 total dwelling units, 51 percent of the units are renter occupied and the vacancy rate is 2.78 percent. Based upon this information, there could be approximately 1,200 potentially unlicensed rental units in the city. Staff will track the number of unlicensed properties brought into compliance over the next year to ensure the success of the program.

<u>Rental Housing Inspection & Licensing Quality Assurance Initiative</u>
The Rental Housing Inspection & Licensing Program includes two key components. The city adopted the International Property Maintenance Code (IPMC) as its housing code. The city also implemented an energy efficiency component (SmartRegs) that requires rental units to demonstrate compliance through the use of either a performance or prescriptive path. SmartRegs compliance is facilitated by the city/county EnergySmart service. To date, approximately 5,000 of the city's 20,633 licensed rental units have achieved compliance with Smart Regs. The compliance deadline is Dec. 31, 2018.

During the Sep. 9, 2014 study session on the 2015 Budget, Council asked staff to further consider how the overall quality of rental housing could be improved in support of the city's Comprehensive Housing Strategy goals. Currently, rental housing inspections are

performed by third party inspectors licensed through the city but selected and hired by the property owner. Although the contractor license qualifies the inspector, the city does not audit any of the inspectors' work to make sure buildings are meeting the minimum standards of the International Property Maintenance Code (IPMC).

To enhance the rental housing inspection and licensing program, staff proposes **incorporating a new quality assurance (QA) program in 2015** which will be similar to the SmartRegs program. The current SmartRegs QA consists of working with property owners to schedule a time to gain access to perform an inspection after the SmartRegs inspector has performed an initial inspection. The two inspections are then compared and the inconsistencies shared with the inspector and property manager/owner. Similarly, staff is proposing to begin "Live QA" inspections, which will occur simultaneously with the rental license inspections performed by the rental inspector. The QA Inspector will also work with property management companies and property owners to gain access at various stages during the 4-year cycle of the rental license, allowing a more proactive enforcement of the IPMC. Performing live QA and interim IPMC based inspections will provide insight into how the rental license baseline and renewal inspections are being performed in the field.

The cost to fund this proposal in 2015 is $178,000 and includes **1.0 Inspector FTE, 1.0 Administrative FTE**, and $52,000 in NPE ($22,000 ongoing and $30,000 one-time) and will be funded from the current rental housing program revenue. The additional on-going cost of $148,000 cannot be funded longer-term based upon the current fee structure ($70 per license renewed every four years). However, as mentioned during the Sep. 9 meeting, a comprehensive evaluation of the Rental Housing Inspection & Licensing Program, including SmartRegs, is underway in order to assess what potential measures and actions are needed to ensure that all units achieve SmartRegs compliance by the Dec. 31, 2018 deadline.

The proposed investment in quality assurance is intended as an interim step until the more comprehensive analysis of the entire program is completed during 2015 to support the consideration of potential program adjustments as part of the 2016 budget process. As part of the larger program evaluation, staff will evaluate the existing cost recovery policy and fee structure.

However, in the near term, staff believe that by increasing resources in rental licensing enforcement (already in the proposed budget), adding the QA inspection and administrative resources as currently proposed, and leveraging existing resources by even more closely coordinating with land use enforcement on occupancy, the city can increase its overall enforcement effectiveness in this area as requested by Council at the Sep. 9 Study Session.

<u>VRBOs</u>
Research and analysis on VRBOs is on the 2015 city work plan. A staff working group will be providing in depth analysis on VRBOs and options the city may want to pursue for council consideration in 2015.

Body Cameras for Police Officers

At the Sep. 9 2015 Budget Study Session, the City Council requested that the Police Department explore the possible purchase and deployment of body worn cameras for police officers. Body worn cameras are used by officers during their shifts to record enforcement actions, contacts with individuals involved in actual or potential criminal conduct, contacts or situations that may become adversarial, suspicious incidents, any situation involving a crime where a body worn camera may aid in the apprehension and/or prosecution of a suspect, and any other contact or situation where the officer believes that a recording would be appropriate and/or valuable to document an incident.

Equipping all uniformed officers will require the purchase of 150 cameras and carry total costs of $103,500, comprised of $74,250 in one-time expense and $29,250 in ongoing expense (for maintenance and replacement). The Police Department identified $16,500 in one-time funds within existing budget reducing the budget impact in 2015 to **$87,000**. Cameras will be assigned to individual officers to ensure accountability, usage, and oversight by supervisors. The Police Department is in the process of developing policies and procedures, based on industry standards and best practices, to provide appropriate direction and management of the body worn camera program. Following council support of this at the Sep. 9 Budget Study Session, the purchase of these the cameras **has been added** to the 2015 Recommended Budget.

Open Space and Mountain Parks Trail Repair

The Open Space and Mountain Parks (OSMP) Department has continued to adjust priorities and respond to community needs, while managing the large amount of work remaining to restore trails damaged in last year's flood and carefully documenting efforts in order to maximize reimbursement. Additionally, the critical review of projected revenues and needed expenditures continues in order to ensure that the department deploys resources efficiently and effectively in response to the overall work plan. In recognition of the evolving situation associated with flood recovery efforts, the Open Space Board of Trustees recommended, at its Sep. 10 meeting, that OSMP add staffing resources, specifically a Trail Specialist and a trail crew, to the 2015 Budget. The Trail Specialist would focus on trail planning, design and permitting and the crew would be charged with both annual maintenance throughout the system and restoring trails damaged by the flood.

The Department still has approximately five years of work to do in implementing the trail work called for in the West Trail Study Area Plan. However, restoring trails damaged by the flood is taking higher priority at this time in order to prevent further resource damage as users hike impacted trails in the system. The additional trail specialist and crew would allow the city to restore damaged trails more quickly, while also continuing to invest in the maintenance of trails that were not damaged by the 2013 Flood.

The associated additional budget of $180,000, **now included in the 2015 Recommended Budget**, would fund the following elements of this recommendation:

- Maintenance Person III/Trails Specialist – three year fixed-term standard position at $55,000 per year with benefits
- Crew Lead – seasonal at $25,000 per year
- Trail crew – seasonal at $88,000 per year
- Truck rental at $10,000 per year
- Assorted tools at $2,000

Additional Coverage of Public Meetings

City Council has expressed some interest in the possibility of the city providing video coverage of public meetings beyond the currently covered council meetings. At this time, all City Council Meeting, Budget Study Sessions and Energy Study Sessions are covered, and additional Study Sessions are covered at council's request. In 2014 a number of additional study sessions have had video coverage.

Based on current frequency and length of study sessions, staff estimates that video coverage of all study sessions could be contracted out for approximately $20,000 more per year than the current Recommended Budget level.

Some council members have also expressed interest in video coverage of board and commission meetings. While coverage, particularly of meetings not held in council chambers, is logistically challenging and not possible within available resources, if council were interested in considering this further, staff could explore potential costs and options and bring back information at a later date. Based on that information, if council wanted to pursue additional coverage, this could be addressed through a budget supplemental in 2015 or as a part of the 2016 budget process.

Neighborhood Parking Permit Enforcement

The ten Neighborhood Parking Permit (NPP) Programs within the city of Boulder are enforced on a regular basis however at different rates based on their size and activity. University Hill, Whittier, Mapleton and Goss Grove are the largest and busiest zones and are enforced between four days a week and two depending on the time of year. The smaller zones such as University Hill Heights, Fairview, High/Sunset, East Ridge and Columbine are enforced one to two days a week. Staff is consistently monitoring the violations and assessing the level of compliance in order to allocate enforcement staff to the areas where parking management is needed. During 2013, 13,637 contacts were made within the ten NPP's through issuing tickets (12,722), warnings (135) and voids (780). During 2014, the contact data is tracking the 2013 performance. The goal of all enforcement is education and compliance.

The approach for initiating districts is based on requests from residents. Guidelines are in place for the criteria to establish an NPP, as well as a public outreach process to seek feedback from all the residents in the proposed zone and those in the surrounding area. The regulatory process includes feedback from the Transportation Advisory Board with the final decision by City Council. Staff has received two requests for zone expansions in Mapleton and West Pearl; and a request for a new NPP is being submitted from 2800 Aurora. Currently, there is no direct connection between planning reviews and potential

parking districts; staff will explore possible mechanisms to identify potential parking issues as part of the review process.

Funding to Human Services Agencies

Attachment G provides detailed information on 2014 funding to the community through the Human Services Department Human Services Fund, Youth Opportunities Fund, Human Relations Commission Community Event and Community Impacts Funds, and annual contracts to Meals on Wheels and Mental Health Partners. Funding in the 2015 recommended budget reflects similar amounts. Contracts are annual based on approved city council budgets and meeting performance goals. The next update to city council on 2015 allocations for the Human Services Fund is scheduled for December 16.

Additionally, $281,838 from Education Excise Tax revenues will be distributed to eight nonprofit agencies in 2014. Details can be found at this link: 2014 Education Excise Tax Funding Awards. This is expected to be the final round of funding from this revenue source whose tax rate was reduced to zero in 2010.

Boulder Chamber Sponsorship

In response to council's question at the Sep. 9 City Council Study Session on the 2015 Recommended Budget, the Boulder Chamber has provided a description of how the proposed city's 2015 sponsorship of $20,000 would be used (as well as an update on the Chamber's use of $5,000 in city funding in 2014). The sponsorship would be used to support the Boulder Chamber's Innovation Blueprint 3.0, a set of initiatives designed to sustain Boulder's status as a global capital of innovation, and specifically:

1. Capital Investment Attraction – Phase 2: Follow through on recommendations from 2014 efforts (entrepreneur leadership roundtable and Esprit Entrepreneur event) by implementing strategies for drawing capital resources to our community, including preparing local entrepreneurs for their pitches to prospective funders.
    - Based on the feedback of the top leadership in Boulder's entrepreneurial community, the Boulder Chamber is piloting a mechanism for preparing local entrepreneurs for their pitches to prospective funders and exploring the opportunity to pursue industry-specific mentoring sessions.
    - The Boulder Chamber is in preliminary discussions regarding an Advanced Industries grant request through the Colorado Office of Economic Development and International Trade (OEDIT) with a focus on building a virtual network of funding support and entrepreneur mentoring services.
    - Further strategies for drawing capital resources to our community are being explored. The Boulder Chamber will reconvene local entrepreneur leaders for further roundtable discussions of priority initiatives for securing startup financing. This could include using the Tech Stars models for other key Boulder industries (like natural products and outdoor recreation), as well other methods for attracting the attention of capital finance resources from the coasts.

2. Branding Boulder Innovation: With the launch of the Innovation Blueprint 3.0 website, www.teamboulder.org, the Boulder Chamber will further advance the site as a marketing tool to promote Boulder's entrepreneurial community and a resource to serve startup business leaders, prospective investors and employees.
    - The Innovation Blueprint 3.0 website will serve as the key portal for communication regarding Boulder's leadership in the global innovation community, featuring blog posts from nationally acclaimed thought leaders.
    - The Boulder Chamber will focus resources, with support from the City of Boulder, on creating and managing fresh content and positioning the website in social media channels as a go-to resource for the national entrepreneur audience.

Boulder Chamber's Update on City's 2014 Funding

The Boulder Chamber's Innovation Blueprint 3.0 has been driving a set of actions that are designed to sustain Boulder's status as a global capital of innovation. For 2014, the City of Boulder agreed to support the Innovation Blueprint 3.0 activities with a $5,000 grant. This contribution was targeted toward a forum of top level startup finance experts to evaluate funding gaps and develop a prioritized action plan for pursuing additional investor and financing resources.

In July, the Boulder Chamber hosted a roundtable discussion with top leadership in Boulder's entrepreneurial community who have vast experience in business venture funding to discuss the highest priority focus for efforts to secure additional capital resources for Boulder startup enterprises. The group agreed that there are significant dollars available to Boulder's startup enterprises and that the biggest barrier to securing this funding is the approach that entrepreneurs take in their pitch for funding resources. The opinion of these experts is that Boulder's entrepreneurs tend to be unprepared to provide the financial and basic business development information that funders need to make their decisions. Given this situation, the group agreed that the highest leverage focus of efforts to secure additional capital resources for Boulder startups is to better prepare entrepreneurs for their funding pitches.

Following-up on this roundtable discussion, the Boulder Chamber is conducting a pilot program at its upcoming Esprit Entrepreneur event on October 23 that will feature direct mentoring sessions for Boulder's startup enterprises. The session will begin with a general panel discussion, followed by the experts convening roundtable mentoring discussions regarding their specific areas of financing expertise. Entrepreneurs in the audience will be invited to join the roundtable discussion that best responds to their area of financial need. This is a pilot initiative and, ultimately, we hope to create a sustainable model for these roundtable mentoring sessions in order to meet the demand for this type of training for Boulder's entrepreneurs.

Fixed-Term Staffing

At the Sep. 9 Budget Study Session, the City Council requested a breakdown of the number of fixed-term positions included in the 2015 recommended staffing levels. The 2015 City Manager's Recommended Budget includes a total of 1,358.68 FTE of which 1,317.53 FTE are ongoing and 41.15 FTE (including grant and Climate Action Tax funded positions) are fixed-term. **Attachment J** provides a full overview of city staffing by department.

Transportation

Streetlight Pole Replacement

According to the tariff, the City of Boulder and other cities with franchise agreements with Xcel are required to pay Xcel's cost for replacing structurally deficient light poles. However, the city is monitoring and documenting these replacements to assure there is a legitimate reason for replacement and to track those poles that are replaced. Furthermore, it is the city's position that its liability for future acquisition will not be increased by this situation. Other cities in the region are facing similar issues with Xcel and working similarly to document and minimize impacts.

Transit Operations

The Transit Operations budget line item supports Via Mobility Services, buy-ups for the JUMP and BOUND services, and the contract for the HOP service with multiple partners including the City, CU Students and RTD. It also includes funding for the capacity/contingency to respond to service increases, unexpected circumstances, and leveraging for Transportation Master Plan (TMP) implementation. The breakout is as follows:

Via Mobility Services:	$275,000
JUMP/BOUND Buy-up:	$400,000
HOP Contract:	$2,500,000
(30 percent city, 70 percent RTD and CU)	

Results of Increasing Transit Frequency

The City has pursued several high-frequency, direct, branded routes locally and regionally to increase ridership on the transit system creating Boulder's "Community Transit Network", or HOP, SK!P, JUMP, BOUND-type services. The SK!P clearly demonstrated a ridership response, with its ridership increasing from approximately 2,000 riders per day to over 4,000 riders per day, within one month, and only service changes and branding driving the ridership increase. During the 2014 TMP Update process, the public clearly expressed their interest in maintaining and expanding "CTN"-type services for Boulder's Renewed Transit Vision (survey results and input during TMP public outreach demonstrated this as a high priority). The Transportation Division has tracked ridership response on the overall transit system, as new high-frequency, branded routes are added to the system. For a graphic tracking those results click here and go to page 2-4, figure 2-5 of the 2014 Transportation Master Plan.

Transit Ridership

Compared to the RTD Region and US trends – Nationally, Boulder residents are avid bus riders. Boulder residents ride transit at a rate more than twice the national average. Boulder's CTN services are among the most cost effective routes of all the RTD routes in the Boulder region. For comparison, the HOP is very cost effective at $2.07 per passenger trip, compared to the RTD average cost for local routes at $4.81 per passenger trip (source: page ES-5, State of the System Report). In addition, the overall Boulder-based transit system is more productive than the rest of the RTD region and than average productivity on transit systems across the country. RTD's farebox recovery goal is 20 percent of operating costs, which is also the average farebox recovery of US transit systems. Boulder's farebox recovery rate is 43 percent. Please use this link to the State of the System Report (page ES-5) for more information.

TMP Implementation

A top priority in 2014 was to fully replenish the Transportation Operating Reserve, which was depleted for Flood response and recovery. As noted in the supplemental budget documentation at the time, "reserve restoration in 2014 allows time for the Transportation Master Plan (TMP) Update to inform other strategic investments for the 2015 budget process." In line with this plan, the Transportation Division applied $1 million of the additional revenue from the voter-approved .15 cent sales tax for reserve replenishment in 2014, and has applied the ongoing funding to TMP implementation in 2015 and beyond, as indicated in the 2015 Recommended Budget.

The TMP, accepted by council in 2014, identifies immediate and near term actions some of which include:

- Create innovations in the Pedestrian/Bicycle system to achieve increased safety and increased mode share across target markets (women, older adults and families with children);
- Increase and improve education and encouragement for safe and expanded use of the multimodal system;
- Develop near-term, local transit service plans and programming with RTD, to optimize the opening of Depot Square and the implementation of US36 BRT;
- Advance next steps for Regional Arterial BRT on SH 119 and SH 7;
- Continue strategic involvement in regional transportation initiatives;
- Continue exploration of a Community Eco Pass;
- Remain engaged with potential new regional funding and emerging opportunities to fund transportation based on user-based fees;
- Pursue corridor prioritization, scoping and/or design for Canyon Boulevard, East Arapahoe, and Colorado Ave/30th Street (in that order);
- Budget for and pursue public involvement and design for federally funded or other leveraged funded projects;
- Continue involvement with integrated planning efforts such as Access Management and Parking Strategies (AMPS), Envision East Arapahoe, Civic Area, Climate Commitment, and Comprehensive Housing Strategy.

Additional details can be found in the 2014 TMP Action Plan. A study session checking in with council on TMP Implementation is currently scheduled for Feb. 24, 2015.

Fund Balances

Fund Financial Statements (Fund Financials)

The fund financial section of the budget document is used as a financial planning tool. It shows the fiscal impact of proposed budget on the longer term financial outlook of a fund.

The *Ending Fund Balance After Reserves* line shows the fund balance remaining, after setting aside funds for designated reserves and other required purposes, such as emergency or TABOR reserves. As part of good fund management and adhering to the city's reserve policies, the budget is built to include these reserves, and the ongoing sustainability of the fund is shown by a continuing positive *Ending Fund Balance After Reserves*.

Other Fund Financials

In non-General Fund fund financials, fund balances after reserves may vary considerably from one year to the next and at times may be substantial. These balance variations and occasional large balances are usually related to planning and accumulating funds for large capital projects.

Fund balances after reserves can also increase for the following reasons:

- Revenues come in above projections
- Expenditures come in below budget
- Timing of expenditures require carryover into the subsequent year.

These increases to fund balance are considered one-time and, typically, the funds are budgeted for one-time uses in the following 1 to 2 years (including carryover).

General Fund

One-time expenditures in the General Fund have historically not been related to large capital projects but are used for fixed-term funding, one time investments for maintenance or renovation work, major studies, or time-limited operating expenditures, such as the costs associated with the exploration of creating a municipal electric utility.

In November 2013, voters approved renewal of Open Space taxes, including moving a portion of these (.11 cent tax) to be used for General Fund purposes, starting in 2019. The 2015 General Fund fund financial now reflects this increased revenue beginning in 2019, and ongoing thereafter. This increases the ending fund balance after reserves in 2019 and beyond by several million dollars since the corresponding expenditures have not yet been determined or included in the fund financial statement. In line with the city's use of Priority Based Budgeting, as the city approaches 2019, potential expenditures will be prioritized and appropriate budgets will be proposed.

QUESTIONS
Council members may contact the Budget Division (Peggy Bunzli at bunzlip@bouldercolorado.gov or 303 441 1848) for any questions they have on the contents of this agenda item, including clarification of any budget program or fund status.

BUDGET MATERIALS ONLINE
Budget materials can be found at the following links:
2015 Recommended Budget;
Draft 2015-2020 CIP;
Sep. 9 study session memo;
Additional materials for Sep. 9 Budget Study Session;
Video of Sep. 9 Study Session
Past budgets.

PUBLIC FEEDBACK
There will be a public hearing at both first and second readings of these ordinances.

NEXT STEPS

- Tuesday, Oct. 21 - Public hearing and second reading of the 2015 City of Boulder budget ordinances; General Improvement District budget resolutions.
- Tuesday, Nov. 6 - Public hearing and third reading of the 2015 City of Boulder budget ordinances (if needed).

ATTACHMENTS

Attachment A	Budget Changes document, logging changes proposed to the 2015 Recommended Budget and Draft 2015-2020 CIP since publication
Attachment B	The Fund Activity Summary that reflects the impact of 2015 estimated revenues and appropriations on the fund balance for each fund in the city.
Attachment C	A proposed ordinance adopting the Budget for the City of Boulder for 2015.
Attachment D	A proposed ordinance establishing 2014 City of Boulder property tax mill levies.
Attachment E	A proposed ordinance appropriating the 2015 budget.
Attachment F	A proposed ordinance amending Section 3-8-3 and Chapter 4-20 of the B.R.C. 1981, changing certain fees.
Attachment G	2014 Funding to Human Service Agencies
Attachment H	Energy Transition Plan Schedule showing potential changes
Attachment I	Code Enforcement Data
Attachment J	2015 Recommended Staffing by Department

2015 Recommended Budget Changes

Item	Budget Document Change Description	Document	Section(s)	Page(s)
1	Police Department – Added $87,000 in NPE for the purchase of 150 on-body cameras.	Recommended Budget	City Manager's Budget Message, Sources and Uses, Department Overviews	17, 24, 101-102, 105-106, 214-216
2	Open Space and Mountain Parks – Added a 1.0 FTE Trails Specialist ($55,000) along with funding for a seasonal trails maintenance crew ($125,000)	Recommended Budget	City Manager's Budget Message, Sources and Uses, Department Overviews, Fund Financials	17, 28, 85, 101-104, 109, 202-205, 272-273
3	City Manager's Office – Added 1.0 FTE for Neighborhood Services Liaison ($100,000) along with program NPE ($50,000)	Recommended Budget	City Manager's Budget Message, Sources and Uses, Department Overviews	12, 22, 101-106, 136, 140-141
4	City Manager's Office – Corrected salary expense, including benefits, for ICMA Management Intern ($55,380)	Recommended Budget	City Manager's Budget Message, Sources and Uses, Department Overviews	12, 22, 101-106, 136, 140-142
5	Energy Strategy and Electric Utility Development – added 1.0 FTE Project Manager	Recommended Budget	City Manager's Budget Message, Sources and Uses, Energy Project	14, 23, 103-104, 115-117
6	Public Works – Development and Support Services – In Rental Licensing Program added $178,000 and 2.0 FTE to previous $37,000 and 0.5 FTE. This $178,000 in additional funding includes $52,000 in NPE, for a total addition of 2.5 FTE and $215,000 in 2015.	Recommended Budget	City Manager's Budget Message, Sources and Uses, Department Overviews, Fund Financials	18, 29, 85, 101-104, 109, 217-219, 222, 224-226, 275
7	Public Works – Utilities – Incorporated 5%, 30% and 75% rate increases to the Water Fund, Wastewater Fund, and Stormwater Fund, respectively,	Recommended Budget	Sources and Uses, Fees and Rates, Fund Financials	85, 87, 98, 99, 278-279, 286-289, 298-300
8	Public Works – Utilities – Added a total of $1,713,656 in changes including: Water Fund – 1.0 FTE Water Resources Planner ($112,000) Wastewater Fund – 1.0 FTE Wastewater Outreach & Compliance Coordinator ($185,800 w/ $107,000 in NPE); 0.75 FTE Civil Engineer II ($72,750); 1.0 FTE Maintenance Person IV ($65,956) Stormwater Fund – 1.0 FTE Maintenance Person IV ($66,000); 3.0 FTE Maintenance Person III ($171,000); 1.0 FTE Maintenance Person II ($53,000); 0.25 FTE Civil Engineer II ($24,250); Vaccum Truck ($400,000)	Recommended Budget	City Manager's Budget Message, Sources and Uses, Department Overviews, Fund Financials	18-19, 30, 85, 101, 103-104, 109-110, 217-219, 234-238, 278-288, 286-289

Draft 2015-2020 CIP Changes

Item	Draft CIP Change Description	Document	Section(s)	Page(s)
1	Parks & Recreation - Coot Lake Restoration: Funding amount of $250,000 in 2015 is correct; however, $200,000 is from the Lottery Fund, while $50,000 is from the .25 Cent Sales Tax Fund (incorrect data entry) - Pearl Street Mall Irrigation System Replacement: Funding decreased from $750,000 to $550,000 in 2015; all $550,000 is from the Permanent Parks and Recreation Fund (incorrect data entry)	Draft 2015-2020 CIP	Funding Summaries, Parks & Recreation	19, 22, 36, 41, 47, 53, 55, 184, 190, 198
2	Public Works - Stormwater Utility - Fourmile Canyon Creek - Upland to Violet: Funding increased from $500,000 to $1,000,000 in 2018, increased from $750,000 to $1,500,000 in 2019 and decreased from $2,500,000 to $1,250,000 in 2020 (incorrect data entry) - Local Drainage Improvements: Funding decreased from $780,000 to $712,400 in 2015, from $811,200 to $730,080 in 2016, from $843,648 to $759,283 in 2017, from $877,394 to $789,655 in 2018, from $912,490 to $821,241 in 2019, and from $948,989 to $854,090 in 2020 (incorrect data entry)	Draft 2015-2020 CIP	Funding Summaries, Greenways, Utilities	19, 26, 36, 38, 47, 56, 126, 262, 272
3	Public Works - Wastewater Utility - Sanitary Sewer Manhole Rehabilitation: Incorrect data entry; correct funding amount for 2019 is $243,331 - Sanitary Sewer Rehabilitation: Funding increased $622,000 (rate increase)	Draft 2015-2020 CIP	Funding Summaries, Utilities	19, 29, 36, 41, 47, 59, 263, 287, 288
4	Public Works - Water Utility - Barker Dam Hydroelectric: Funding decreased to $0 in 2016 and 2017, decreased from $3,613,459 to $50,000 in 2018, increased from $0 to $390,832 in 2019, and increased from $0 to $4,101,789 in 2020 (incorrect data entry) - Barker Dam Outlet: Funding increased from $8,034,143 to $8,134,143 in 2019 (incorrect data entry) - NCWCD Conveyance - Carter Lake Pipeline: funding increased from $33,938,701 to $34,288,701 in 2018 - Source Water Monitoring: funding amounts for 2015-2019 are $100,000 for each year (incorrect data entry) - Utility Billing Computer System Replacement: funding increased from $0 to $100,000 in 2015, increased from $0 to $125,000 in 2020, and decreased from $500,000 to $0 in 2017 (incorrect data entry) - Water System Security Upgrades: funding decreased from $150,000 to $90,000 in 2019, increased from $90,000 to $118,434 in 2020 (incorrect data entry) - Wittemyer Ponds: funding increased from $473,735 to $492,685 in 2020 (incorrect data entry)	Draft 2015-2020 CIP	Funding Summaries, Utilities	19, 30-31, 36, 38-39, 43, 47, 60-61, 264-265, 299-300, 316, 324, 330

Draft 2015-2020 CIP Changes

Item	Draft CIP Change Description	Document	Section(s)	Page(s)
5	Public Works – Transportation – Boulder Junction – Junction Place Enhancements (Goose Creek to Bluff): funding increased from $477,000 to $577,000 in 2015 (incorrect data entry)	Draft 2015–2020 CIP	Funding Summaries, Transportation	19, 27, 36, 38, 47, 49, 222, 230
6	Public Works – FAM/Fleet – Miscellaneous Facility DET Projects: funding amount of $465,000 in 2015 is correct; however, $170,350 is from the Capital Development Fund, while $294,650 is from the General Fund (incorrect data entry)	Draft 2015–2020 CIP	Funding Summaries, Facilities & Asset Management	19, 24, 36, 41, 47, 49, 52, 94, 103

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ACTIVITY BY FUND (in thousands)

Fund Title	Projected Fund Balance 1/1/2015	Estimated Revenues Including Transfers In	Appropriations Including Transfers Out	Projected Fund Balance 12/31/2015	Projected Changes in Fund Balance
General	$ 34,251	$ 120,575	$ 128,483	26,343	$ (7,908)
.25 Cent Sales Tax	1,205	8,229	8,408	1,026	(179)
Affordable Housing	6,491	1,264	1,221	6,534	44
Airport	254	1,062	432	884	630
Boulder Junction Access GID TDM	113	83	149	47	(66)
Boulder Junction GID Parking	43	433	433	43	-
Boulder Junction Improvement	49	1,038	652	435	386
Capital Development	3,881	1,454	181	5,154	1,273
Capital Improvement Fund	3,057	8	3,065	0	(3,057)
Climate Action Plan	250	1,859	1,900	209	(42)
Community Development Block Grant (CDBG)	-	649	649	-	-
Community Housing Assistance Program	53	2,366	2,386	32	(20)
Compensated Absences	1,425	773	834	1,364	(61)
Computer Replacement	6,585	1,973	2,677	5,881	(704)
Downtown Commercial District	5,193	7,950	9,715	3,429	(1,764)
Equipment Replacement	2,982	995	542	3,435	453
Facility Renovation and Replacement	3,097	2,862	3,582	2,376	(720)
Fleet Operations	140	4,254	3,763	631	491
Fleet Replacement	8,201	6,791	7,543	7,450	(751)
HOME Investment Partnership Grant	-	846	846	-	-
Library	1,082	7,648	7,648	1,082	-
Lottery	606	840	836	610	4
Open Space and Mountain Parks	13,399	30,280	29,720	13,960	561
Permanent Parks and Recreation	490	2,368	2,329	529	39
Planning and Development Services	5,007	9,815	11,209	3,613	(1,394)
Property and Casualty Insurance	5,387	1,692	1,966	5,114	(274)
Recreation Activity	1,326	9,802	10,180	949	(377)
Stormwater/Flood Management Utility	6,488	31,350	25,942	11,896	5,408
Telecommunications	1,312	746	812	1,246	(66)
Transit Pass GID	10	15	15	9	-
Transportation	4,008	30,757	30,661	4,104	96
Transportation Development	317	674	712	280	(37)
University Hill Commercial District	748	580	654	674	(74)
Wastewater Utility	8,836	31,782	32,483	8,135	(701)
Water Utility	30,037	33,017	32,675	30,379	343
Worker's Compensation Insurance	2,718	1,569	1,926	2,362	(357)
Totals	**$ 159,043**	**$ 358,399**	**$ 367,225**	**$ 150,217**	**$ (8,826)**

Note:

The table above reflects the impact of the 2015 budget, including estimated revenues (with transfers in) and appropriations (with transfers out), on projected unreserved fund balance.

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ORDINANCE NO. XXXX

AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF BOULDER, COLORADO, FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2015 AND ENDING ON THE LAST DAY OF DECEMBER 2015 AND SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the City Manager has submitted a recommended budget for fiscal year 2015 to the City Council as required by Charter; and,

WHEREAS, upon due and proper notice, numerous study sessions and public hearings have been held on said recommended budget;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO THAT THE FOLLOWING FISCAL YEAR 2015 BUDGET IS HEREBY ADOPTED:

Section 1. That estimated expenditures for fiscal year 2015 are as follows (excludes carryover and the General Improvement Districts):

General Operating Fund	$128,483,373
Capital Development Fund	180,554
Lottery Fund	836,000
Planning and Development Services Fund	11,209,244
Affordable Housing Fund	1,220,670
Community Housing Assistance Program Fund	2,386,103
.25 Cent Sales Tax Fund	8,407,685
Library Fund	7,648,063
Recreation Activity Fund	10,179,576
Climate Action Plan Fund	1,900,180

Open Space Fund	29,719,596
Airport Fund	431,994
Transportation Fund	30,661,228
Transportation Development Fund	711,673
Community Development Block Grant (CDBG) Fund	648,739
HOME Investment Partnership Grant Fund	846,076
Permanent Parks and Recreation Fund	2,328,756
Boulder Junction Improvement Fund	652,000
Water Utility Fund	32,674,594
Wastewater Utility Fund	32,483,089
Stormwater/Flood Management Utility Fund	25,941,538
Telecommunications Fund	811,879
Property and Casualty Insurance Fund	1,965,524
Worker's Compensation Insurance Fund	1,926,015
Compensated Absences Fund	833,885
Fleet Operations Fund	3,762,727
Fleet Replacement Fund	7,542,543
Computer Replacement Fund	2,676,825
Equipment Replacement Fund	542,370
Facility Renovation and Replacement Fund	3,582,490
Less: Interfund Transfers	24,198,377
Less: Internal Service Fund Charges	20,669,087
TOTAL (Including Debt Service)	$308,327,525

Section 2. That estimated carryover funds from fiscal year 2014 are as follows (excludes General Improvement Districts):

General Operating Fund	$5,000,000
Capital Development Fund	400,000
Lottery Fund	970,000
Planning & Development Services Fund	1,500,000
Affordable Housing Fund	6,000,000
Community Housing Assistance Program Fund	3,000,000
.25 Cent Sales Tax Fund	1,200,000
Climate Action Plan Fund	1,200,000
Open Space Fund	9,830,000
Airport Fund	1,000,000
Transportation Fund	25,000,000
Transportation Development Fund	1,800,000
Community Development Block Grant (CDBG) Fund	1,000,000
HOME Investment Partnership Grant Fund	1,000,000
Permanent Parks and Recreation Fund	2,300,000
Boulder Junction Improvement Fund	3,000,000
2011 Capital Improvement Bond Fund	9,528,240
Water Utility Fund	3,100,000
Wastewater Utility Fund	1,900,000
Stormwater/Flood Management Fund	8,000,000
Telecommunications Fund (Internal Service Fund)	80,000
Fleet Replacement Fund (Internal Service Fund)	2,000,000
Computer Replacement Fund (Internal Service Fund)	300,000

Equipment Replacement Fund (Internal Service Fund)	250,000
Facility Renovation and Replacement Fund (Internal Service Fund)	4,250,000
TOTAL	$93,608,240

Section 3. That estimated revenues and fund balances available for fiscal year 2015 to fund the above expenditures are as follows (excludes carryover and General Improvement Districts):

Taxes	$168,927,449
Charges for Services	66,005,932
Internal Service Fund Charges	20,790,333
Sale of Goods and Capital Assets	4,043,507
License Fees and Fines	18,206,978
Intergovernmental and Grants	18,877,234
Interest/Lease/Rent	3,465,220
Other Revenues	1,474,475
Bond Proceeds	26,125,000
Transfers In	21,783,150
Less: Transfers	21,783,150
Less: Internal Service Fund Charges	20,790,333
Plus: Fund Balance	3,495,711
TOTAL	$310,621,506

Section 4. That the proposed budget as submitted and hereinabove summarized be adopted as the budget of the City of Boulder, Colorado, for the 2015 fiscal year.

Section 5. The City Council finds that the budget must be adopted before the mill levy can be certified, and said levy must be certified to the County Assessor of the County of Boulder, State of Colorado, by December 15, 2014.

Section 6. 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 7. The 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 7th day of October, 2014.

_____
Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this 21st day of October, 2014.

_____
Mayor

Attest:

_____
City Clerk

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ORDINANCE NO. XXXX

AN ORDINANCE ESTABLISHING THE 2014 CITY OF BOULDER PROPERTY TAX MILL LEVIES WHICH ARE TO BE COLLECTED BY THE COUNTY OF BOULDER, STATE OF COLORADO, WITHIN THE CITY OF BOULDER IN 2015 FOR PAYMENT OF EXPENDITURES BY THE CITY OF BOULDER DURING THE FISCAL YEAR 2015 PROVIDING THAT SAID LEVY BE CERTIFIED TO THE COUNTY ASSESSOR OF THE COUNTY OF BOULDER, STATE OF COLORADO, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, Section 94 of the Charter of the City of Boulder, Colorado requires the City Council to make by ordinance the proper levy in mills on each dollar of the assessed valuation of all taxable property within the City, such levy representing the amount of taxes for City purposes necessary to provide for payment during the ensuing fiscal year of the properly authorized demands upon the Treasury, and to cause said total levy to be certified to the County Assessor of the County of Boulder, State of Colorado; and

WHEREAS, after reviewing the requirements for anticipated expenditures as well as anticipated revenues from other sources for 2015, the City Council has determined that for the year of 2014, the proper mill levy, which shall be collected in 2015 by the Treasurer of the County of Boulder, State of Colorado, upon each dollar of the assessed valuation of all taxable property within the city, shall be 11.981 mills; and

WHEREAS, Boulder residents approved Ballot Issue 201 on November 4, 2008, which has the effect of allowing the retention of property tax monies collected above the limits imposed by Article X, Section 20, of the Colorado Constitution, commonly referred to as “TABOR,” and reducing the mill levy credit by 0.50 mill each year until the credit is completely eliminated; and

WHEREAS, in line with those guidelines, no mill levy credit remains, and a total of 11.981 mills is to be assessed upon each dollar of assessed valuation of all taxable property with the City.

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

Section 1. For the purpose of maintaining funds to defray the general expenses of the City of Boulder, Colorado, during the fiscal year of the City commencing at 12:00 Midnight at the end of December 31, 2014, and ending at 12:00 Midnight at the end of December 31, 2015, there is hereby levied for the year of 2014 to be collected in 2015 a tax of 11.981 mills upon each dollar of the total assessed valuation of all taxable property within the City of Boulder, Colorado. The levy includes the following components:

GENERAL CITY OPERATIONS	8.748
PERMANENT PARKS FUND (Charter Sec. 161)	.900
LIBRARY FUND (Charter Sec. 165)	.333
TOTAL	9.981
GENERAL CITY OPERATIONS (PUBLIC SAFETY)	2.000
NET MILL LEVY	11.981

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 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.

Section 4. Pursuant to Section 18 of the Charter of the City of Boulder, this ordinance shall take effect immediately upon publication after final passage.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY this 7th day of October, 2014.

_____
Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this 21st day of October, 2014.

_____
Mayor

Attest:

_____
City Clerk

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ORDINANCE NO. XXXX

AN ORDINANCE APPROPRIATING MONEY TO DEFRAY EXPENSES AND LIABILITIES OF THE CITY OF BOULDER, COLORADO, FOR THE 2015 FISCAL YEAR OF THE CITY OF BOULDER, COMMENCING ON THE FIRST DAY OF JANUARY 2015, AND ENDING ON THE LAST DAY OF DECEMBER 2015, AND SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the City Council has approved a motion to adopt the budget for 2015; and,

WHEREAS, the City Council has by ordinance made the property tax levy in mills upon each dollar of the total assessed valuation of all taxable property within the City, such levy representing the amount of taxes for City purposes necessary to provide for payment in part during the City's said fiscal year of the properly authorized demands upon the Treasury; and,

WHEREAS, the City Council is now desirous of making appropriations for the ensuing fiscal year as required by Section 95 of the Charter of the City of Boulder;

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

Section 1. The following appropriations are hereby made for the City of Boulder's fiscal year commencing at 12:00 Midnight at the end of December 31, 2014 and ending at 12:00 Midnight at the end of December 31, 2015, for payment of 2015 City operating expenses, capital improvements, and general obligation and interest payments:

General Operating Fund	$128,483,373
Capital Development Fund	180,554
Lottery Fund	836,000

Planning and Development Services Fund	11,209,244
Affordable Housing Fund	1,220,670
Community Housing Assistance Program Fund	2,386,103
.25 Cent Sales Tax Fund	8,407,685
Library Fund	7,648,063
Recreation Activity Fund	10,179,576
Climate Action Plan Fund	1,900,180
Open Space Fund	29,719,596
Airport Fund	431,994
Transportation Fund	30,661,228
Transportation Development Fund	711,673
Community Development Block Grant (CDBG) Fund	648,739
HOME Investment Partnership Grant Fund	846,076
Permanent Parks and Recreation Fund	2,328,756
Boulder Junction Improvement Fund	652,000
Water Utility Fund	32,674,594
Wastewater Utility Fund	32,483,089
Stormwater/Flood Management Utility Fund	25,941,538
Telecommunications Fund	811,879
Property and Casualty Insurance Fund	1,965,524
Worker's Compensation Insurance Fund	1,926,015
Compensated Absences Fund	833,885
Fleet Operations Fund	3,762,727
Fleet Replacement Fund	7,542,543
Computer Replacement Fund	2,676,825

Equipment Replacement Fund	542,370
Facility Renovation and Replacement Fund	3,582,490
Less: Interfund Transfers	24,198,377
Less: Internal Service Fund Charges	20,669,087
TOTAL (Including Debt Service)	$308,327,525

Section 2. The following appropriations are hereby made for the City of Boulder's fiscal year commencing January 1, 2015 and ending December 31, 2015 for estimated carryover expenditures:

General Operating Fund	$5,000,000
Capital Development Fund	400,000
Lottery Fund	970,000
Planning & Development Services Fund	1,500,000
Affordable Housing Fund	6,000,000
Community Housing Assistance Program Fund	3,000,000
.25 Cent Sales Tax Fund	1,200,000
Climate Action Plan Fund	1,200,000
Open Space Fund	9,830,000
Airport Fund	1,000,000
Transportation Fund	25,000,000
Transportation Development Fund	1,800,000
Community Development Block Grant (CDBG) Fund	1,000,000
HOME Investment Partnership Grant Fund	1,000,000
Permanent Parks and Recreation Fund	2,300,000
Boulder Junction Improvement Fund	3,000,000
2011 Capital Improvement Bond Fund	9,528,240

Water Utility Fund	3,100,000
Wastewater Utility Fund	1,900,000
Stormwater/Flood Management Fund	8,000,000
Telecommunications Fund (Internal Service Fund)	80,000
Fleet Replacement Fund (Internal Service Fund)	2,000,000
Computer Replacement Fund (Internal Service Fund)	300,000
Equipment Replacement Fund (Internal Service Fund)	250,000
Facility Renovation and Replacement Fund (Internal Service Fund)	4,250,000
TOTAL	$93,608,240

Section 3. The following appropriations are hereby made for the City of Boulder's fiscal year commencing January 1, 2015, and ending December 31, 2015, for Fund Balances:

General Operating Fund	$26,343,000
Capital Development Fund	5,153,993
Lottery Fund	610,232
Planning and Development Services Fund	3,613,315
Affordable Housing Fund	6,534,301
Community Housing Assistance Program Fund	32,315
.25 Cent Sales Tax Fund	1,026,083
Library Fund	1,081,902
Recreation Activity Fund	949,051
Climate Action Plan Fund	208,641
Open Space Fund	13,959,973
Airport Fund	884,078
Transportation Fund	4,104,395

Transportation Development Fund	279,680
Permanent Parks and Recreation Fund	418,243
Boulder Junction Improvement Fund	434,678
Water Utility Fund	30,479,426
Wastewater Utility Fund	8,210,294
Stormwater/Flood Management Utility Fund	11,946,227
Telecommunications Fund	1,246,198
Property and Casualty Insurance Fund	5,113,608
Worker's Compensation Insurance Fund	2,361,613
Compensated Absences Fund	1,364,234
Fleet Operations Fund	631,249
Fleet Replacement Fund	7,450,323
Computer Replacement Fund	5,880,904
Equipment Replacement Fund	3,434,795
Facility Renovation and Replacement Fund	2,376,334
TOTAL FUND BALANCES	$146,129,085

Section 4. The City Council hereby appropriates as revenues all 2014 year-end cash balances not previously reserved for insurance or bond purposes for all purposes not designated as "emergencies", including without limitation subsequent years' expenditures, capital improvements, adverse economic conditions and revenue shortfalls, pursuant to Article X, Section 20 to the Colorado Constitution, approved by the electorate on November 3, 1992; and

Section 5. The sums of money as appropriated for the purposes defined in this ordinance shall not be over expended, and that transfers between the various appropriations defined in this ordinance shall not be made except upon supplemental

appropriations by ordinance authorizing such transfer duly adopted by City Council of the City of Boulder, Colorado. It is expressly provided hereby that at any time after the passage of this ordinance and after at least one week's public notice, the Council may transfer unused balances appropriated for one purpose to another purpose, and may appropriate available revenues not included in the annual budget and appropriations ordinance.

Section 6. The City Council is of the opinion that the provisions of the within ordinance are necessary for the protection of the public peace, property, and welfare of the residents of the city, and covers matters of local concern.

Section 7. Pursuant to Section 95 of the Boulder City Charter, the annual appropriation ordinance must be adopted by December 1 and to Section 18 of the Charter, this ordinance shall take effect immediately upon publication after final passage.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY this 7th day of October, 2014.

_____
Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, AND ORDERED PUBLISHED BY TITLE ONLY this 21st day of October, 2014.

_____
Mayor

Attest:

_____
City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 3-8-3 AND CHAPTER 4-20, B.R.C. 1981, CHANGING CERTAIN FEES AND SETTING FORTH RELATED DETAILS.

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

Section 1. 3-8-3, B.R.C. 1981, is amended to read:

3-8-3. Tax Imposed on Nonresidential and Residential Development.

(a) Tax Rate: No person engaged in nonresidential or residential development in the city shall fail to pay a development excise tax thereon according to the following rates:

....

(2) For new detached dwelling unit:

Park land	$1,144.84 ~~1,115.83~~
Transportation	$2,226.93~~2,170.50~~
Total:	$3,371.77~~3,286.33~~

(3) For new attached dwelling unit or mobile home:

Park land	$795.98~~775.81~~
Transportation	$1,650.29~~1,608.47~~
Total:	$2,446.27~~2,384.28~~

b) Waiver of Tax Imposed on Annexation of Developed Residential Land: For property annexed with existing residential development, the tax imposed by this chapter is prorated in accordance with the following formula: one twenty-sixth of the applicable tax is waived for each full year the residence existed prior to July 17, 1988. The date on which residential development existed for determination of the waiver is the date of the issuance by Boulder County of a certificate of occupancy for the structure.

Section 2. Chapter 4-20, "Fees," B.R.C. 1981, is amended to read:

....

4-20-3. Auctioneer License Fees.

An applicant for an auctioneer license shall pay an annual fee of $79~~77~~ and $7 per person submitted for background check review.

4-20-4. Building Contractor License, Building Permit Fees, and Payment of Estimated Use Tax.

....

d) The value of the work covered by the permit shall be determined by either the City of Boulder Valuation Table or the estimated value of the work covered by the permit provided by the applicant at time of application. The higher of the two valuations shall be used to calculate the building permit fees and the estimated pre-payment of construction use tax if the applicant chooses to pay use taxes pursuant to Subsection 3-2-14(a), "Methods of Paying Sales and Use Tax," B.R.C. 1981.

(1) City of Boulder Valuation Table means a table of per square foot construction values based on type of construction and use. The city has adopted the August ~~2012~~ 2014 version of the cost data as published by the International Code Council. The table rates are for new construction which includes additions. All other scopes of work are expressed as a percentage of the new rate as follows:

Core and Shell	75%
Basement Finish	50%
All Others	50%

....

4-20-5. Circus, Carnival, and Menagerie License Fees.

An applicant for a circus, carnival, and menagerie license shall pay $416 ~~405~~ per day of operation.

....

4-20-7. Dog License Fee.

An applicant for a Dog License shall pay the fee established by the city manager rule pursuant to Section 4-1-12, "City Manager May Issue Regulations," B.R.C. 1981.

~~(a) An applicant for a dog license shall pay the following fees per year:~~

~~(1)For dogs less than one year old or for altered dogs upon presentation of a veterinary certificate showing alteration: One-year license: $15.~~

~~(2) For unaltered dogs one year or more old: One-year license: $30.~~

~~(3)Additional fee for licenses renewed later than February 1 of the calendar year in which renewal is due: $5.~~

~~(b)An applicant to transfer a dog license shall pay the fees specified for a new license, subject to the proration provisions of this section.~~

~~(c) The holder of a dog license shall pay $2 for a replacement dog tag.~~

~~(d)The fees prescribed in Subsection (a) of this section shall be reduced for the last quarter of the annual license term for all licenses except renewals.~~

....

4-20-10. Itinerant Merchant License Fee.

An applicant for an itinerant merchant license shall pay $54~~53~~ per year plus $7 per person submitted for background check review.

4-20-11. Mall License and Permit Fees.

The following fees shall be paid before issuance of a ~~mall building extension~~ revocable permit or lease, kiosk, mobile vending cart, ambulatory vendor, entertainment vending, personal services vending, animal, or special activity permit, and rental of advertising space on informational kiosks:

(a) For revocable permit or leases issued in accordance with Section 8-6-6, "Requirements for Revocable Permits, Short-Term Leases and Long-Term Leases," B.R.C. 1981~~building extension permits~~, an annual fee of $15.90~~15.50~~ per square foot of occupied space;

(b) For kiosk permits, an annual fee to be negotiated by contract with the city manager;

(c) For mobile vending carts, $2,125.00~~2,075.00~~ per year, payable in two equal payments by April 1 and August 1, or, for substitution or other permits which begin later in the year and are prorated, within thirty days of permit approval;

(d) For ambulatory vendor permits, $106.00~~103.50~~ per month from May through September, and $53.00~~51.00~~ per month from October through April;

(e) For any permits requiring use of utilities to be provided by the city, up to a maximum of $18.50~~18.00~~ per day;

(f) For rental of advertising space on informational kiosks, $975.00 per quarter section per year;

(g) For animal permits, $0.00 per permit;

(h) For entertainment vending permits, $14.75~~14.50~~ per month;

(i) For personal services vending permits, $106.00~~103.50~~ per month from May through September, and $53.00 ~~51.00~~from October through April; and

(j) For a newspaper vending machine permit, $66.50 per year.

....

4-20-17. Secondhand Dealer and Pawnbroker License Fee.

(a) An applicant for a secondhand dealer license shall pay $111 ~~108~~ per year plus $7 per person submitted for background check review.

(b) An applicant for a pawnbroker license shall pay $2,082~~2,029~~ per year plus $7 per person submitted for background check review.

(c) The fees for a new license prescribed in Subsections (a) and (b) of this section shall be prorated on a monthly basis.

....

4-20-20. Revocable Right of Way Permit/Lease Application Fee.

....

(d) An applicant for an encroachment off the Pearl Street Mall shall pay an annual fee of $11.13~~10.85~~ per square foot of leased area.

....

....

4-20-23. Water Permit Fees.

An applicant for a water permit under Section 11-1-14, "Permit to Make Water Main Connections," 11-1-15, "Out of City Water Service," or 11-1-16, "Permit to Sell Water," B.R.C. 1981, or for water meter installation under Section 11-1-36, "Location and Installation of Meters; Maintenance of Access to Meters," B.R.C. 1981, or for testing or inspection of backflow prevention assemblies under Section 11-1-25, "Duty to Maintain Backflow Prevention Assembly and Prevent Cross-Connection," B.R.C. 1981, and for inspection for cross-connections under Section 11-1-25, "Duty to Maintain Backflow Prevention Assembly and Prevent Cross-Connection," B.R.C. 1981, shall pay the following fees:

....

(d) Water meter installation fee:

(1)	¾" meter	$ 639.00~~544.00~~
(2)	1" meter	904.00~~764.00~~
(3)	1½" meter (domestic)	2,493.00~~2,351.00~~
(4)	1½" meter (sprinkler)	2,362.00 ~~2,460.00~~
(5)	2" meter (domestic)	3,080.00 ~~2,866.00~~
(6)	2" meter (sprinkler)	2,942.00 ~~2,591.00~~
(7)	3" meter	3,621.00 ~~3,172.00~~

(8)	4" meter	4,742.00 ~~4,062.00~~
(9)	Install ¾" meter transponder	265.00 ~~225.00~~
(10)	Install 1" meter transponder	310.00 ~~262.00~~
(11)	Install 1½" meter transponder	376.00~~322.00~~
(12)	Install 2" meter transponder (domestic)	399.00 ~~341.00~~
(13)	3" to 8" meter transponder (domestic)	985.00 ~~820.00~~
(14)	2" to 8" meter transponder (sprinkler)	985.00 ~~820.00~~
(15)	Call back for ¾" and 1"	55.00~~53.00~~
(16)	Call back for 1½" and 2"	98.00 ~~95.00~~

Sales tax is due on materials portion of installation.

(e) Tap fee:

(1)	¾" in DIP or CIP	$125.00 ~~111.00~~
(2)	¾" in AC or PVC	223.00~~206.00~~
(3)	1" in DIP or CIP	139.00~~118.00~~
(4)	1" in AC or PVC	233.00~~210.00~~
(5)	1½"	465.00~~354.00~~
(6)	2"	608.00~~452.00~~
(7)	4"	377.00~~363.00~~
(8)	6"	434.00~~420.00~~
(9)	8"	516.00~~502.00~~
(10)	12"	672.00~~658.00~~
(11)	Call back for installing a water tap	123.00~~114.00~~

Sales tax is due on materials portion of installation.

....

4-20-24. Water Service Fees.

A person shall pay the following charges for water services:

(a)	To terminate water service	$33.00~~32.00~~

(b)	To deliver water service termination notice	15.00~~14.00~~
(c)	To remove water meter	62.00~~60.00~~
(d)	To reset water meter	55.00~~53.00~~
(e)	To resume water service	31.00~~30.00~~
(f)	To resume water service after 3 p.m. or on weekends or holidays	60.00~~57.00~~
(g)	Special meter read	40.00~~38.00~~
(h)	To test meter and meter tests accurate	50.00
(i)	Water monitors	110.00

4-20-25. Monthly Water User Charges.

(a) Treated water monthly service charges:

Meter Size	***Inside City***	***Outside City***
¾"	$ 9.67~~9.40~~	$ 14.51~~14.10~~
1"	16.27~~15.81~~	24.40~~23.70~~
1½"	35.04~~34.08~~	52.57~~51.12~~
2"	61.38~~59.70~~	92.08~~89.56~~
3"	136.54~~132.81~~	204.81~~199.22~~
4"	241.76~~235.17~~	362.63~~352.75~~
6"	542.52~~527.75~~	813.78~~791.63~~
8"	963.56~~937.34~~	1,445.34~~1,406.00~~

(b) Treated water quantity charges:

(1) Block Rate Structure:

	Block Rates (per thousand gallons of water)	***Block Size (% of monthly water budget)***
Block 1	$ 2.55~~2.42~~	0—60%
Block 2	3.40~~3.23~~	61—100%
Block 3	6.80~~6.46~~	101—150%
Block 4	10.20~~9.69~~	151—200%
Block 5	17.00~~16.15~~	Greater than 200%

....

4-20-26. Water Plant Investment Fees.

(a) Water utility customers shall pay the following plant investment fees:

The number of bedrooms, type of units, number of units, irrigated area, and AWC Usage** are used to determine water budgets as well as calculate the Plant Investment Fee. Any changes to these characteristics may require payment of an additional Plant Investment Fee before any water budget adjustments are made.

Customer Description PIF Amount

(1) Single Unit Dwelling:

Type	***Amount of Square Feet of Irrigable Area***	***Application Rate***	
Outdoor [per S.F. of irrigated area (2,000 S.F. minimum)]	First 5,000 square feet of irrigable area	15 gallons per square feet (gpsf)	$ 2.78~~2.67~~
	Next 9,000 square feet of irrigable area	12 gpsf	2.33~~2.14~~
	Irrigable area in excess of 14,000 square feet	10 gpsf	1.86~~1.79~~
Indoor			11,926.00~~11,467.00~~

Customer Description PIF Amount

(2) Multi Unit Dwelling:

Outdoor (Separate irrigation service under Paragraph (4) of this section).

Indoor	
1 or 2 bedroom unit (per unit)	$ 6,816.00~~6,554.00~~
3 bedroom unit (per unit)	8,520.00~~8,192.00~~
4 bedroom unit (per unit)	10,223.00~~9,830.00~~
5 or more bedroom unit (per unit)	11,926.00~~11,467.00~~

(3) Nonresidential:

Outdoor (Separate irrigation service under Paragraph (4) of this section).

Indoor:

	AWC Usage (Gallons) **		
Meter size *	***25%***	***50%***	***85%***
¾"	N/A	30,000	165,000
1"	42,000	108,000	503,000
1½"	99,000	228,000	924,000
2"	183,000	483,000	1,941,000

	PIF Amount		
Meter size *	***25%***	***50%***	***85%***
¾"	N/A	$ 4,260.00~~4,096.00~~	$ 22,819.00~~21,941.00~~
1"	$ 5,963.00~~5,734.00~~	15,334.00~~14,744.00~~	71,416.00~~68,669.00~~
1½"	14,056.00~~13,516.00~~	32,371.00~~31,126.00~~	131,190.00~~126,144.00~~
2"	25,982.00~~24,983.00~~	68,577.00~~65,939.00~~	275,582.00~~264,983.00~~

Water usage other than that listed above may be evaluated and assessed a proportional PIF on a case by case basis.

* Nonresidential meters larger than 2 inches require a special agreement described under Paragraph (5) of this section. The efficiency standard option with a corresponding special agreement is available to all nonresidential customers.

** Average Winter Consumption Usage (AWC Usage), is based on a usage distribution of all nonresidential accounts with a given meter size.

"N/A" means this option is not available for purchase.

(4) Irrigation service:

Usage	***Application Rate***	***PIF Amount***
Per S.F. of irrigated area (2,000 S.F. minimum)	15 gallons per square feet (gpsf)	$2.78~~2.67~~

(5) The PIF for a customer whose total water demand exceeds the water use demand described in subsection 11-1-52(j), B.R.C. 1981, is as follows:

(A)	Raw Water:	[(AYWA/30,650 acre feet) x A] plus

(B)	Water Delivery Infrastructure:	[(PDWD/53,000,000 gallons per day) x B] = Total PIF

Where:

AYWA = customer's average year water demand in acre feet

30,650 acre feet = city's usable water rights capacity

A = value of city's raw water

PDWD = customer's peak day water demand in million gallons per day

53,000,000 gallons per day = city's current treated water delivery capacity

B = value of city's water delivery infrastructure

	Water Asset Valuations
A	$418,072,046.00
B	867,788,457.00~~834,411,978.00~~

4-20-27. Wastewater Permit Fees.

An applicant for a wastewater tap or permit under Section 11-2-8, "When Connections With Sanitary Sewer Mains Required," or 11-2-9, "Permit to Make Sanitary Sewer Connection," B.R.C. 1981, shall pay the following fees:

....

(c) Sewer tap fee:

(1)	4" PVC and VCP	$133.00~~127.00~~
(2)	4" RCP	206.00~~194.00~~
(3)	6" PVC and VCP	164.00~~158.00~~
(4)	6" RCP	234.00~~222.00~~
(5)	Manhole tap	598.00~~560.00~~
(6)	Call back for installing a sewer tap	86.00 ~~80.00~~

Sales tax is due on materials portion of installation.

4-20-28. Monthly Wastewater User Charges.

(a) Monthly service charge:

Meter Size	***Inside City***	***Outside City***
¾"	$ 1.43 ~~1.10~~	$ 2.15~~1.66~~

1"	2.51 ~~1.93~~	3.76~~2.92~~
1½"	5.73~~4.41~~	8.60~~6.56~~
2"	10.10 ~~7.77~~	15.15 ~~11.69~~
3"	22.71~~17.47~~	34.07~~26.24~~
4"	40.42~~31.09~~	60.63~~46.64~~
6"	90.94~~69.95~~	136.40~~104.91~~
8"	161.67~~124.36~~	242.50~~186.49~~

(b) Quantity charge:

(1) Average strength sewage (up to and including two hundred twenty mg/l TSS, twenty-five mg/l NH3-N, or two hundred thirty mg/l BOD):

Quantity	***Inside City***	***Outside City***
Per 1,000 gallons of billable usage	$5.76~~4.43~~	$8.64~~6.61~~

....

4-20-29. Wastewater Plant Investment Fees.

(a) Sanitary sewer utility customers shall pay the following plant investment fees:

Customer Description

(1) Single Unit Dwelling:

PIF Amount
$4,652.00~~4,473.00~~

(2) Multi Unit Dwelling:

Description	***PIF Amount***
1 or 2 bedroom unit (per unit)	$2,658.00~~2,556.00~~
3 bedroom unit (per unit)	3,323.00~~3,195.00~~
4 bedroom unit (per unit)	3,987.00~~3,834.00~~
5 or more bedroom unit (per unit)	4,652.00~~4,473.00~~

(3) Nonresidential:

	AWC Usage (Gallons) **		
Meter size *	25%	50%	85%
¾"	N/A	$ 30,000	$ 165,000
1"	$ 42,000	108,000	503,000
1½"	99,000	228,000	924,000
2"	183,000	483,000	1,941,000

	PIF Amount ($)		
Meter size *	25%	50%	85%
¾"	N/A	$ 1,661.00~~1,597.00~~	$ 9,137.00~~8,786.00~~
1"	$ 2,326.00~~2,237.00~~	5,981.00~~5,751.00~~	27,856.00~~26,785.00~~
1½"	5,483.00~~5,272.00~~	12,627.00~~12,141.00~~	51,172.00~~49,204.00~~
2"	10,135.00~~9,745.00~~	26,749.00~~25,720.00~~	107,493.00~~103,359.00~~

* Nonresidential meters larger than 2 inches require a special agreement described under Paragraph (4) of this section. The efficiency standard option with a corresponding special agreement is available to all nonresidential customers.

** Average Winter Consumption Usage (AWC Usage) is based on a usage distribution of all nonresidential accounts with a given meter size.
"N/A" means this option is not available for purchase.

(4) The PIF for a customer who exceeds the wastewater discharge described in Subsection 11-2-33(j), B.R.C. 1981, is calculated as follows:
[(PDH/25,000,000 gallons per day) x A] plus
[(ABOD/36,000 lbs. per day) x B] plus
[(ATSS/39,000 lbs. per day) x C] plus
[(ANH3/4,060 lbs. per day) x D] = Total PIF

Where:

PDH = customer's peak day hydraulic loading in million gallons per day
25,000,000 gallons per day = city's current hydraulic and collection capacity
A = value of city's hydraulic and collection capacity
ABOD = thirty-day average BOD5 loading removal in lbs. per day where BOD5 is the amount of dissolved oxygen consumed in five days by biological processes breaking down organic matter
36,000 lbs. per day = city's current BOD5 removal capacity
B = value of city's BOD5 removal capacity
ATSS = customer's thirty-day average total suspended solids (TSS) loading requiring removal in lbs. per day
39,000 lbs. per day = city's current TSS removal capacity
C = value of city's TSS removal capacity

ANH_3 = customer's thirty-day average ammonia nitrogen as N (NH_3-N) loading requiring removal in lbs. per day
4,060 lbs. per day = city's current NH_3-N removal capacity
D = value of city's NH_3-N removal capacity

	Wastewater Asset Valuations
A	$267,287,242.00~~257,006,963.00~~
B	29,435,727.00~~28,303,584.00~~
C	5,181,768.00~~4,982,469.00~~
D	11,873,163.00~~11,416,503.00~~

....

4-20-45. Storm Water and Flood Management Fees.

(a) Owners of detached residences and attached single unit metered residences in the city shall pay the following monthly storm water and flood management fees:

Size of Parcel

(1)	Up to 15,000 sq. ft.	$13.46~~7.69~~
(2)	15,000—30,000 sq. ft.	16.82~~9.61~~
(3)	30,001 sq. ft. and over	20.20~~11.54~~

(b) The owners of all other parcels of land in the city on which any improvement has been constructed shall pay a storm water and flood management fee based on the monthly rate in Paragraph (a)(1) of this section (for up to a fifteen thousand square foot parcel) multiplied by the ratio of the runoff coefficient of the parcel to a coefficient of 0.43 and by the ratio of the area of the parcel in square feet to a seven thousand square foot parcel. If the calculation results in a fee less than the monthly rate in Paragraph (a)(1) of this section, then the fee specified in Paragraph (a)(1) of this section will be assessed.

4-20-46. Storm Water and Flood Management Utility Plant Investment Fee.

Owners of all parcels of land in the city submitting building permit applications shall pay a storm water and flood management plant investment fee based on the square feet of added impervious area. However, if new storm water detention facilities are built by the owner according to the most current City of Boulder Design and Construction Standards in effect at the time the building permit application is submitted, on or after April 2, 2009, the applicable fee shall be reduced by fifty percent.

	PIF Amount
(Per Square Foot of Impervious Area)	$2.14~~2.06~~

....

4-20-62. Capital Facility Impact Fee.

(a) Impact Fee Rate: No person engaged in nonresidential or residential development in the city shall fail to pay a development impact fee. Fees shall be assessed and collected according to the standards of Chapter 8-9, "Capital Facility Impact Fee," B.R.C. 1981, and the following rates:

Table 1: Impact Fee Rates for Single Family Residential per Dwelling Unit

Size Range (SF)	***IMPACT FEE RATE***						
	Library	***Parks & Recreation***	***Human Services***	***Municipal Facilities***	***Police***	***Fire***	***TOTAL***
~~900 or less~~	~~$211~~	~~$1,443~~	~~$ 68~~	~~$129~~	~~$135~~	~~$ 96~~	~~$2,082~~
~~901—1000~~	~~244~~	~~1,674~~	~~78~~	~~149~~	~~157~~	~~111~~	~~2,413~~
~~1001—1100~~	~~273~~	~~1,875~~	~~88~~	~~167~~	~~176~~	~~123~~	~~2,702~~
~~1101—1200~~	~~300~~	~~2,060~~	~~97~~	~~183~~	~~193~~	~~136~~	~~2,969~~
~~1201—1300~~	~~325~~	~~2,230~~	~~106~~	~~199~~	~~209~~	~~149~~	~~3,218~~
~~1301—1400~~	~~348~~	~~2,387~~	~~112~~	~~212~~	~~224~~	~~158~~	~~3,441~~
~~1401—1500~~	~~370~~	~~2,535~~	~~119~~	~~225~~	~~236~~	~~168~~	~~3,653~~
~~1501—1600~~	~~390~~	~~2,672~~	~~126~~	~~239~~	~~250~~	~~177~~	~~3,854~~
~~1601—1700~~	~~408~~	~~2,803~~	~~132~~	~~249~~	~~263~~	~~185~~	~~4,040~~
~~1701—1800~~	~~428~~	~~2,923~~	~~137~~	~~260~~	~~273~~	~~194~~	~~4,215~~
~~1801—1900~~	~~444~~	~~3,038~~	~~143~~	~~270~~	~~285~~	~~203~~	~~4,383~~
~~1901—2000~~	~~459~~	~~3,147~~	~~149~~	~~280~~	~~295~~	~~209~~	~~4,539~~
~~2001—2100~~	~~474~~	~~3,250~~	~~153~~	~~289~~	~~303~~	~~215~~	~~4,684~~
~~2101—2200~~	~~489~~	~~3,350~~	~~158~~	~~298~~	~~315~~	~~222~~	~~4,832~~
~~2201—2300~~	~~503~~	~~3,444~~	~~162~~	~~305~~	~~323~~	~~228~~	~~4,965~~
~~2301—2400~~	~~516~~	~~3,536~~	~~167~~	~~316~~	~~332~~	~~234~~	~~5,101~~
~~2401—2500~~	~~528~~	~~3,622~~	~~171~~	~~323~~	~~339~~	~~241~~	~~5,224~~
~~2501—2600~~	~~542~~	~~3,705~~	~~175~~	~~330~~	~~346~~	~~246~~	~~5,344~~
~~2601—2700~~	~~552~~	~~3,785~~	~~179~~	~~337~~	~~355~~	~~251~~	~~5,459~~
~~2701—2800~~	~~564~~	~~3,862~~	~~182~~	~~343~~	~~362~~	~~257~~	~~5,570~~
~~2801—2900~~	~~575~~	~~3,938~~	~~185~~	~~350~~	~~369~~	~~262~~	~~5,679~~
~~2901—3000~~	~~585~~	~~4,010~~	~~188~~	~~357~~	~~376~~	~~266~~	~~5,782~~
~~3001—3100~~	~~595~~	~~4,078~~	~~191~~	~~363~~	~~382~~	~~271~~	~~5,880~~
~~3101—3200~~	~~606~~	~~4,146~~	~~195~~	~~369~~	~~389~~	~~276~~	~~5,981~~
~~3201—3300~~	~~615~~	~~4,211~~	~~199~~	~~376~~	~~395~~	~~280~~	~~6,076~~
~~3301—3400~~	~~625~~	~~4,276~~	~~203~~	~~381~~	~~401~~	~~285~~	~~6,171~~
~~3401—3500~~	~~633~~	~~4,337~~	~~205~~	~~387~~	~~406~~	~~288~~	~~6,256~~

~~3501 – 3600~~	~~642~~	~~4,397~~	~~208~~	~~392~~	~~411~~	~~292~~	~~6,342~~
~~3601 – 3700~~	~~652~~	~~4,455~~	~~210~~	~~396~~	~~416~~	~~295~~	~~6,424~~

Size Range (SF)	**IMPACT FEE RATE**						
	Library	***Parks & Recreation***	***Human Services***	***Municipal Facilities***	***Police***	***Fire***	***TOTAL***
900 or less	$218	$1,489	$70	$133	$139	$99	$2,148
901-1000	252	1,728	80	154	162	115	2,491
1001-1100	282	1,935	91	172	182	127	2,789
1101-1200	310	2,126	100	189	199	140	3,064
1201-1300	335	2,301	109	205	216	154	3,320
1301-1400	359	2,463	116	219	231	163	3,551
1401-1500	382	2,616	123	232	244	173	3,770
1501-1600	402	2,758	130	247	258	183	3,978
1601-1700	421	2,893	136	257	271	191	4,169
1701-1800	442	3,017	141	268	282	200	4,350
1801-1900	458	3,135	148	279	294	209	4,523
1901-2000	474	3,248	154	289	304	216	4,685
2001-2100	489	3,354	158	298	313	222	4,834
2101-2200	505	3,457	163	308	325	229	4,987
2201-2300	519	3,554	167	315	333	235	5,123
2301-2400	533	3,649	172	326	343	241	5,264
2401-2500	545	3,738	176	333	350	249	5,391
2501-2600	559	3,824	181	341	357	254	5,516
2601-2700	570	3,906	185	348	366	259	5,634
2701-2800	582	3,986	188	354	374	265	5,749
2801-2900	593	4,064	191	361	381	270	5,860
2901-3000	604	4,138	194	368	388	275	5,967
3001-3100	614	4,208	197	375	394	280	6,068
3101-3200		4,279					

	625		201	381	401	285	6,172
3201-3300	635	4,346	205	388	408	289	6,271
3301-3400	645	4,413	209	393	414	294	6,368
3401-3500	653	4,476	212	399	419	297	6,456
3501-3600	663	4,538	215	405	424	301	6,546
3601-3700	673	4,598	217	409	429	304	6,630

Table 2: Impact Fee Rates for Multifamily Residential per Dwelling Unit

Size Range (SF)	***IMPACT FEE RATE***						
	Library	***Parks & Recreation***	***Human Services***	***Municipal Facilities***	***Police***	***Fire***	***TOTAL***
~~600 or less~~	~~$222~~	~~$1,524~~	~~$ 71~~	~~$135~~	~~$143~~	~~$166~~	~~$2,261~~
~~601—700~~	~~269~~	~~1,845~~	~~87~~	~~163~~	~~173~~	~~201~~	~~2,738~~
~~701—800~~	~~309~~	~~2,124~~	~~100~~	~~188~~	~~199~~	~~231~~	~~3,151~~
~~801—900~~	~~345~~	~~2,369~~	~~112~~	~~211~~	~~222~~	~~259~~	~~3,518~~
~~901—1000~~	~~378~~	~~2,588~~	~~121~~	~~230~~	~~243~~	~~282~~	~~3,842~~
~~1001—1100~~	~~406~~	~~2,786~~	~~132~~	~~248~~	~~262~~	~~303~~	~~4,137~~
~~1101—1200~~	~~434~~	~~2,967~~	~~139~~	~~265~~	~~278~~	~~324~~	~~4,407~~
~~1201—1300~~	~~458~~	~~3,134~~	~~147~~	~~279~~	~~293~~	~~342~~	~~4,653~~
~~1301—1400~~	~~479~~	~~3,289~~	~~155~~	~~293~~	~~308~~	~~359~~	~~4,883~~
~~1401—1500~~	~~501~~	~~3,433~~	~~161~~	~~304~~	~~322~~	~~376~~	~~5,097~~
~~1501—1600~~	~~520~~	~~3,566~~	~~168~~	~~318~~	~~334~~	~~390~~	~~5,296~~

Size Range (SF)	**IMPACT FEE RATE**						
	Library	***Parks & Recreation***	***Human Services***	***Municipal Facilities***	***Police***	***Fire***	***TOTAL***
600 or less	$229	$1,573	$73	$139	$148	$171	$2,333
601-700	278	1,904	90	168	179	207	2,826
701-800	319	2,192	103	194	205	238	3,251
801-900	356	2,445	116	218	229	267	3,631
901-1000	390	2,671	125	237	251	291	3,965
1001-1100	419	2,875	136	256	270	313	4,269

1101-1200	448	3,062	143	273	287	334	4,547
1201-1300	473	3,234	152	288	302	353	4,802
1301-1400	494	3,394	160	302	318	370	5,038
1401-1500	517	3,543	166	314	332	388	5,260
1501-1600	537	3,680	173	328	345	402	5,465

Table 3: Impact Fee Rates for Nonresidential

Nonresidential Uses	***Impact Fee Rates Per Square Foot of Nonresidential Floor Area***			
	Municipal Facilities	***Police***	***Fire***	***TOTAL***
~~Retail/Restaurant~~	~~$0.14~~	~~$0.48~~	~~$0.38~~	~~$1.00~~
~~Business Park~~	~~$0.16~~	~~$0.11~~	~~$0.10~~	~~$0.37~~
~~Office~~	~~$0.20~~	~~$0.16~~	~~$0.58~~	~~$0.94~~
~~Hospital~~	~~$0.17~~	~~$0.15~~	~~$0.49~~	~~$0.81~~
~~School~~	~~$0.04~~	~~$0.07~~	~~$0.13~~	~~$0.24~~
~~Mini-Warehouse~~	~~$0.00~~	~~$0.02~~	~~$0.00~~	~~$0.02~~
~~Warehousing~~	~~$0.06~~	~~$0.04~~	~~$0.04~~	~~$0.14~~
~~Light Industrial~~	~~$0.12~~	~~$0.05~~	~~$0.07~~	~~$0.24~~
Other Nonresidential Uses	***Impact Fee Rates for Other Nonresidential Uses Based on Unique Demand Indicators***			
	Municipal Facilities	***Police***	***Fire***	***Total***
~~Nursing Home (per bed)~~	~~$19.19~~	~~$21.32~~	~~$52.22~~	~~$92.73~~
~~Day Care (per student)~~	~~$7.46~~	~~$19.19~~	~~$23.44~~	~~$50.09~~
~~Lodging (per room)~~	~~$23.44~~	~~$51.16~~	~~$65.02~~	~~$139.62~~

Nonresidential Uses	**Impact Fee Rates Per Square Foot of Nonresidential Floor Area**			
	Municipal Facilities	***Police***	***Fire***	***TOTAL***
Retail/ Restaurant	$0.14	$0.50	$0.40	$1.04
Business Park	$0.17	$0.11	$0.10	$0.38
Office	$0.21	$0.17	$0.59	$0.97
Hospital	$0.18	$0.15	$0.51	$0.84
School	$0.04	$0.08	$0.13	$0.25

Mini-Warehouse	$0.00	$0.02	$0.00	$0.02
Warehousing	$0.07	$0.04	$0.04	$0.15
Light Industrial	$0.12	$0.06	$0.08	$0.26
Other Nonresidential Uses	**Impact Fee Rates for Other Nonresidential Uses Based on Unique Demand Indicators**			
	Municipal Facilities	***Police***	***Fire***	***TOTAL***
Nursing Home (per bed)	$19.80	$22.00	$53.89	$95.69
Day Care (per student)	$7.70	$19.80	$24.19	$51.69
Lodging (per room)	$24.19	$52.80	$67.10	$144.09

(b) Additional Floor Area – Affordable Housing Linkage Fee. Section 9-8-2, "Floor Area Ratio Requirements," B.R.C. 1981, permits floor area components above the base floor area in the DT-5 zoning district. No person engaged in nonresidential development that is associated with constructing additional floor area components permitted under the requirements of Section 9-8-2, "Floor Area Ratio Requirements," B.R.C. 1981, shall fail to pay a housing linkage fee of $9.53 per sq. ft. for such floor area.

....

4-20-66. Mobile Food Vehicle Sales.

An applicant for a mobile food vehicle permit shall pay a $231~~225~~ application fee and a $231~~225~~ renewal fee per year.

....

Section 3. Chapter 4-7, “Dog License,” B.R.C. 1981, is amended to read:

....

4-7-2. License Required.

(a) The owner or keeper of any dog kept within the city shall secure from the city manager and at all times maintain a current license for such dog. It is a specific defense to a charge of violating this section that:

(1) The owner or keeper of the dog had not yet lived in the city for thirty days; or

(2) The dog was four months of age or less.

(b) If ownership or possession of a dog licensed under this chapter changes, the new owner or keeper shall, before taking possession of the dog, obtain a new license upon presenting the old license, demonstrating compliance with the inoculation requirement and paying the fee prescribed by Subsection 4-20-7~~(b)~~, B.R.C. 1981.

(c) The maximum penalty for a first or second conviction within two years, based on date of violation, is a fine of $500.00. For a third and each subsequent conviction, the general penalty provisions of Section 5-2-4, "General Penalties," shall apply.

....

4-7-6. Dog Tags.

(a) No person who owns or keeps a dog that is found within the jurisdiction of the city shall fail to ensure that such dog at all times wears a collar or harness made of a durable material to which is attached at all times the appropriate dog tag or identification tag required by this section.

(b) Every dog required by Section 4-7-2, "License Required," B.R.C. 1981, to be licensed shall bear a current City of Boulder dog tag that is issued by the city manager to each person who complies with the requirements of this chapter; that contains a serial number, the year of its issuance, and the words "City of Boulder"; and the color of which changes each year.

(1) No person who does not own or keep a dog fully licensed and inoculated under the provisions of this chapter shall possess a dog tag issued by the city manager.

(2) No person shall attach a dog tag issued by the city manager to the collar or harness of any dog except the dog tag issued to that dog at the time of issuance of the license to which the dog tag relates.

(3) If a dog tag is lost or destroyed, the license holder may obtain a duplicate tag from the city manager upon paying the fee prescribed by Subsection 4-20-7~~(c)~~, B.R.C. 1981.

....

....

Section 4. This ordinance is effective on January 1, 2015.

Section 5. 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 6. 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 7th day of October 2014.

_____
Mayor

Attest:

_____
City Clerk

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

_____
Mayor

Attest:

_____
City Clerk

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Human Services Department 2014 Community Funding (not including Education Excise Tax funding)

Agency	Human Services Fund	Youth Opportunities Fund	HRC Community Event Fund	HRC Community Impact Fund	Contracts*	Total
Acorn School (School Readiness Initiative)	25,000					**25,000**
Alternatives for Youth (Boulder County iThrive - Early Intervention for Teen Alcohol & Drug Use)	10,000					**10,000**
Americas for the Arts (Americas Latino Eco Festival)					5,000	**5,000**
Arapahoe Ridge High School (REAL Program - Student Leadership)		9,000				**9,000**
Attention Inc. (Shelter and Services for Youth)	40,000					**40,000**
Barrio E (Barrio Dance event and Feel Puerto Rico event)			4,150			**4,150**
Blue Sky Bridge (Child and Family Advocacy Program)	25,000					**25,000**
Boulder Asian Pacific Alliance (Boulder Asian Festival)			1,600			**1,600**
Boulder County AIDS Project (HIV Care & Prevention Services)	30,000					**30,000**
Boulder County Legal Services (Legal Services for Low-Income COB Residents & Victims of Domestic Violence)	37,000					**37,000**
Boulder County Public Health Department (GENESIS - Youth Health Risk Reduction)	50,000					**50,000**
Boulder Day Nursery (Early Learning Programs)	65,000					**65,000**
Boulder High School (Si Se Puede - Mentoring and College Prep; Leveling the Playing Field - College & Career Prep)		9,509				**9,509**
Boulder History Museum (Chief Niwot Legend & Legacy)				2,000		**2,000**
Boulder Housing Partners (1175 Lee Hill - Housing First)	33,592					**33,592**
Boulder Jewish Festival (2014 Boulder Jewish Festival)			1,600			**1,600**
Boulder Judo Training Center (Aim Higher Project Youth Program)		10,648				**10,648**
Boulder Museum of Contemporary Art (Access Tours; Children's Day; Studio Group Youth Leadership Program)		9,042	1,500	1,000		**11,542**
Boulder Outreach for Homeless Overflow (Emergency Warming Centers)	20,000					**20,000**
Boulder Pride (Transgender Programing Project; Pridefest 2014)			1,600	6,000		**7,600**
Boulder Shelter for the Homeless (Winter Shelter, Outreach, Transition Program, Transitional Housing, Housing First)	120,000					**120,000**
Boulder Valley School District (Teen Parents Prog.; BHS Adelante program - Academic Support)	45,000					**45,000**
Boulder Valley Women's Health Center (Subsidized Reproductive & Sexual Health Services and Education)	100,000	13,000				**113,000**
Bridge House (Employment Services and Resource Center/Basic Needs for Homeless)	70,000		2,000			**72,000**
Care Connect (Medical Mobility, Grocery Delivery, Minor Home Repairs and Yard Clean-Up for Seinors)	32,000					**32,000**
Center for People with Disabilities (CPWD) (Advocacy Services; Home Care; Independent Living Program)	40,000					**40,000**
Centro Amistad (Companeras Program - Mentorship for Latinas and Their Children to Build Self Sufficiency)	10,000					**10,000**
City of Boulder - Parks & Recreation (Youth Services Initiative "Getting Fit")		13,000				**13,000**
Children First of the Rockies (Safe Exchange for Children)	5,000					**5,000**
Children's House Preschool (First Chance Scholarship)	22,050					**22,050**
Clinica Campesina Family Health Services (Health Care for Low-Income COB Residents)	300,000					**300,000**
Colorado Nonprofit Development Center for Veterans Awareness Series				1,500		**1,500**
Community Action Development Corporation (CADC) for Circles Program	10,000					**10,000**
Community Cycles (Building an Inclusive Biking Community)				2,600		**2,600**
Community Food Share (Food Procurement and Distribution Program)	5,000					**5,000**
Dental Aid (Programs for Adults, Children and Preschoolers; 2014 Community Event)	121,295		1,500			**122,795**
Emergency Family Assistance Association (Emergency Shelter & Transitional Housing; Basic Needs)	110,000					**110,000**
Family Learning Center (School Readiness and Youth Development)	68,751					**68,751**
FOCUS Reentry (Women Ex-offender Transition Mentoring)	5,000					**5,000**
Growing Gardens (Cultiva Youth Project)		8,000				**8,000**
Immigrant Legal Center (Immigrant Legal Services)	25,000					**25,000**
Intercambio Des Comunidades (English Language, Asset-Building and Cultural Integration for Immigrants)	20,000					**20,000**
Latino Taskforce of Boulder County (Latino History Project; Exhibit on Discrimination Against Mexican Americans)			2,300			**2,300**
Meals on Wheels (Meal Delivery to Homebound)					75,000	**75,000**
Mental Health Partners (Services for Severely Mentally Ill; Family Resources Schools; Prevention & Intervention Program)*	350,000				278,521	**628,521**
Mother House (Transitional Housing and Support Services for Pregnant Women and New Mothers)	10,000					**10,000**
Motus Theater (Do You Know Who I Am? Cultural Awareness Theater)			1,150			**1,150**
Mountain Flower Goat Dairy (Hooves to Hands Youth Entrepreneur Program)		10,000				**10,000**
New Horizons Preschool (Bilingual Early Childhood Education)	42,000					**42,000**
Out Boulder (Youth Leadership Development)		7,100				**7,100**
Parlando School for the Arts (Music Education Accessibility for Youth)		9,945				**9,945**
Postoley Dance Ensemble (2014 Folk Dancing on the Plaza)			1,500			**1,500**
Safehouse Progressive Alliance for Nonviolence (SPAN, -Domestic Violence & Victim Svcs; Outreach; Violence Prevention)	94,500					**94,500**
Veterans Helping Veterans Now (Veteran & Family Support Services)	15,000					**15,000**
Village Arts Coalition (2014 International Festival)			1,600			**1,600**
Voices for Children (CASA)	5,000					**5,000**
YWCA of Boulder County (Children's Alley Child Care; Latina Achievement Support)	95,000					**95,000**
Youth Opportunity Program - Group Activities		35,000				**35,000**
Youth Opportunity Program - Individual Awards		25,000				**25,000**
Totals	**2,056,188**	**159,244**	**20,500**	**13,100**	**358,521**	**2,607,553**

*MHP Contracts: The cost of the MHP contract for the Family Resource Schools Program ($130,091) is offset by other funding sources which comprise 50% of direct program costs (Source: 2015 Budget PBB Costing Template)
Prevention and Intervention Program Contract is $148,430

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TRANSITION PLAN SCHEDULE OVERVIEW

August 12, 2014

*Blue lines represent changes in schedule and work efforts based on potential delays caused by litigation proceedings.

TASK	2014		2015				2016				2017-2019		
	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4			
DEFINITIONS													
DAY 1 - Boulder pays for system and has right to collect revenue													
DAY 2 - Full Separation/integration complete												→	2018 QTR3
PLANNING & ENGINEERING													
Systems													
GIS													
SCADA													
Review Xcel SCADA information													
Evaluate SCADA communication protocol											2017 QTR1	↔	2017 QTR3
Implement SCADA system											2017 QTR3	↔	2018 QTR3
Modeling													
Policies/Procedures/Standards													
National Electrical Safety Code (NESC), Occupational Safety and Health Administration (OSHA), Environmental Protection Agency (EPA), "good utility practice," and best practices													
Developer Standards													
Review Xcel Developer Standards													
Develop Boulder Developer Standards													
Interconnection Standards													
Review Xcel Interconnection Standards													
Develop Boulder Interconnection Standards													
Additional Facilities & Services													
Review Xcel Standards for Additional Facilities & Services													
Develop Boulder Standards for Additional Facilities & Services													
Impact Fees and Charges													
Review Xcel Impact Fees and Charges													
Develop Boulder Impact Fees and Charges													
Service Contracts for Large Customers													
*Review Xcel Service Contracts for Large Customers													
Develop Boulder Service Contracts for Large Customers													
Substation, Transmission, Distribution Design Manuals													
Review Xcel Substation, Transmission, Distribution Design Manuals													
Develop Boulder Substation, Transmission, Distribution Design Manuals													
Substation, Transmission, Distribution Materials and Construction Standards													
Review Xcel Substation, Transmission, Distribution Materials and Construction Standards													
Develop Boulder Substation, Transmission, Distribution Materials and Construction Standards													
Substation, Transmission, Distribution System Planning Guidelines													
Review Xcel Substation, Transmission, Distribution System Planning Guidelines													
Develop Boulder Substation, Transmission, Distribution System Planning Guidelines													
***Meter Maintenance & Testing Standards**													
Review Xcel Meter Maintenance & Testing Standards													
Develop Boulder Meter Maintenance & Testing Standards													
Council approval of Engineering Policies (as needed)													
Planning & Engineering Studies													
***System Map**													
Review Xcel's System Map for Boulder system													
Issue RFP, Determine Contractor, Complete System Map and Inventory													
System Model													
Review Xcel's System Model for Boulder system													
Issue RFP, Determine Contractor, Update System Model consistent with mapping													
Protective Device Coordination													
Review Xcel's Device Protection schemes for Boulder system													
Issue RFP, Determine Contractor, Perform Coordination Study													
Arc Flash Analysis													
Review Xcel's Arc Flash study/incident energy levels for Boulder system													

An initial assessment of systems would begin in 2015, however modification and review of Xcel data occurs when we get access to it - probably during condemnation

*Dependent on when we get access to Xcel data and may be dependent on litigation (impacts nearly all tasks in planning and engineering)

TRANSITION PLAN SCHEDULE OVERVIEW

August 12, 2014

*Blue lines represent changes in schedule and work efforts based on potential delays caused by litigation proceedings.

TASK	2014		2015				2016				2017-2019		
	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4			
Issue RFP, Determine Contractor, Perform Arc Flash Study													
Long Range Plan													
Issue RFP, Determine Contractor, Complete Long Range Plan											2018 QTR3	↔	2019 QTR2
CONSTRUCTION, OPERATIONS & MAINTENANCE													
Evaluate construction & operations services to outsource (needs assessment)													
RFI for contract crews													
City/council approval as needed													
Issue RFPs and choose contractors for Construction Contract Crews													
Finalize contracts for Construction Contract Crews; contractor implementation period													
Meter Reading													
Expand water meter reading operations or sub-contract; implement													
Locate and lease 12-15 acres with building(s) for Construction Work Space											2017 QTR1	↔	2018 QTR3
Office Space/Printing/Mail Room/Meeting Room (Construction)													
Indoor Warehouse													
Outdoor Warehouse/ Laydown Yard													
Transformer & Equipment Shop													
Vehicle & Equipment Shelters/Storage													
Meter Shop													
Substation Shop													
Vehicle Service & Maintenance													
Dispatch Center													
SCADA Operations Center											2017 QTR1	↔	2018 QTR3
Emergency Operations Center													
Systems													
Outage Management System													
Evaluate Interim Outage Management Options in advance of Boulder implemented system and SCADA													
Implement Interim Outage Management Technology or coordinate with Xcel													
Meter Data Management													
Review Xcel meter reading technical requirements and communication protocols OR contract with Xcel for meter reading													
Implement Meter Data Collection/Management System OR develop meter data transfer and system testing plan with Xcel													
Inventory													
Warehouse Stock													
Obtain list of unique or critical equipment specific to Boulder territory													
Determine warehouse inventory levels and purchasing requirements to meet scheduled and emergency work													
Stock Warehouse													
Meters													
Determine required metering inventory levels and purchasing requirements to replace meters as part of ongoing maintenance													
Stock meter shop													
Needs assessment for future meter replacement program (input into LRP); compatibility, functionality, etc.)											2017 QTR1	↔	2017 QTR3
Equipment/Tools													
Contract Crew Equipment													
Service Crew Equipment													
Meter Tech Equipment													
Vehicles													
Rolling Stock													
Personal Protective Equipment													
Policies/Procedures/Standards (Construction & Operations)													
System Operations Procedures													
Review Xcel system operations standards													
Develop Boulder system operations procedures													
System Inspection, Maintenance, and Testing Procedures													
Review Xcel system inspection, maintenance, and testing standards and reports for 5 historical years													
Develop Boulder system inspection, maintenance, and testing procedures													
Vegetation Management Plan													

If delayed by litigation, note: do initial assessment for facility needs in 2015, but postpone

If available, otherwise, delay depending on discovery

TRANSITION PLAN SCHEDULE OVERVIEW

August 12, 2014

*Blue lines represent changes in schedule and work efforts based on potential delays caused by litigation proceedings.

TASK	2014		2015				2016				2017-2019		
	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4			
*Review Xcel information on vegetation management requirements including clearing cycles and status of Boulder circuits.													
Evaluate existing City practices, determine expansion of City practices or develop separate plan, finalize Vegetation Management Plan													
Outage Response & Emergency Operating Plan													
*Obtain SAIDI and SAIFI for Boulder circuits for the most recent 5 historical years													
Evaluate synergies with other City operations and finalize Outage Response & Emergency Operating Plan													
Council Approval of Construction & Operations Policies (as needed)													
POWER SUPPLY													
Policies/Procedures/Standards													
Risk Management Protocols													
REC & Carbon tracking protocols (with sustainability office)													
Resource Planning													
Integrated Resource Planning													
Determine IRP process including: participants, required data, frequency, approval process, need for consultants, etc											2017 QTR1	↔	2017 QTR3
Potential IRP Working Groups											2017 QTR1	↔	2017 QTR3
Colorado Renewable Energy Resource (RES) Compliance Plan													
Develop and implement RES compliance plan based on state requirements											2018 QTR4	↔	2019 QTR2
Load Forecast													
Review 10 years of historical monthly retail load data, by customer class, from Xcel; adjust to delivery points													
Review 10 years of historical DSM & EE energy/capacity displacement from Xcel programs													
Review 10 years of historical generation from third-party owned generation (DG)													
Develop estimate of future generation/displacement from existing and anticipated city owned or third-party DSM/EE/DG for 10 year planning cycle													
Develop current and 10-year summer/winter energy and demand load profile by delivery point													
Evaluate Rocky Mountain Reserve Group participation													
Power Supply													
Power Supply Preliminary Evaluation (RFP Pre-Work)													
Form Power Supply Working Group													
Issue RFP for Power Supply and Transmission Service consultant; choose consultant													
Evaluate Boulder Distributed Generation Potential													
Perform local solar potential capacity analysis													
Create web based solar mapping platform utilizing Lidar or equivalent tool													
Perform Local generation potential capacity analysis (other generation resources, e.g. CHP, biomass, geothermal, etc)													
Establish Short and Long Term Power Supply RFP objectives that meet technical requirements for delivery, cost, environmental priorities and Utility of Future vision													
Contract for Power Supply													
Prepare and Issue RFP for Power Supply													
Receive responses and evaluate bids for Power Supply													
Negotiate Contract/Commit to Power Supply; contingent on trial outcome													
Council approval of Power Supply contract													
Transmission Agreements													
Determine appropriate transmission service													
Provide OATT Application													
Execute OATT agreements for transmission service													
Portfolio Dispatch and Optimization													
Issue RFI for Portfolio Management (Dispatch & Optimization) if required													
Issue RFP for Portfolio Dispatch and contract resources if required													

*Dependent on litigation discovery, may be delayed

If start up date moved six months

TRANSITION PLAN SCHEDULE OVERVIEW

August 12, 2014

*Blue lines represent changes in schedule and work efforts based on potential delays caused by litigation proceedings.

TASK	2014		2015				2016				2017-2019		
	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4			
Implement system requirements for power supply dispatch and coordination with Transmission Owner if required													
CUSTOMER SERVICE													
Issue RFP for call center representative and outsource													
Billing/Collections Staff													
Expand current City operations for electric billing/collections													
Output Services Inc. (OSI) - printing and mailing bills and notices													
e-Complish/Chase Paymentech - process phone and online credit payments													
JP Morgan Chase - process check payments													
Vanco Services - electronic payments													
Systems													
Customer Information (CIS/Billing)													
Assign Customer Service Manager for project manager of CIS system													
Internal evaluation for CIS system requirements													
Contract with Advanced Utility to configure software for electric billing													
CIS system - Software programming implementation													
Import Customer Account Information and CIS "live" testing with Call Center													
Review Customer Account Information													
Policies/Procedures/Standards													
Customer Service Policies													
*Request Xcel's existing customer account policies and charges, deposits, credit checks, disconnection/reconnection, late payments, bill disputes, etc.													
Develop Customer Service policies													
Council approval of Customer Service Policies													
Key Accounts													
Establish criteria for Key Accounts													
Identify and Tag Key Accounts													
Develop Key Account Service Plan													
Customer Account Transition Communication													
Form Communication Working Group													
Develop/revise customer interface platforms and contact information (phone, email, website)													
Launch Customer Transition Communication													
ENERGY SERVICES													
Existing (Xcel) Customer Programs- Billing Transition													
Obtain list of current and anticipated City customers participating in existing Xcel sponsored programs.													
Determine legacy Xcel customers that require program support and ongoing bill credits/compensation (if necessary).													
Incorporate billing methodology to continue credits/compensation to legacy Xcel program participants if necessary.													
Energy Services Development - Day 1													
Form Energy Services working group (energy efficiency and solar)													
Determine Energy Services objectives and preliminary design													
Develop Energy Services budget for 10-year planning cycle													
Identify customer energy services needs													
Perform gap analysis from existing services													
Develop plan to institute energy services as of Day 1 and beyond													
Develop Energy Services													
Engage legal, marketing, customer service, operations, metering, billing, etc.													
Develop Rate Structures or Riders for input into rate development													
Establish Measurement and Verification Guidelines and Methodology													
Public process/Council approval													
Finalize Energy Services													
Market and Launch Day 1 Energy Services													
Branding, Marketing & Communications Plan													

*Dependent on Xcel cooperation on litigation

Dependent on litigation discovery , may be delayed 6 months

TRANSITION PLAN SCHEDULE OVERVIEW

August 12, 2014

*Blue lines represent changes in schedule and work efforts based on potential delays caused by litigation proceedings.

TASK	2014		2015				2016				2017-2019		
	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4			
Evaluate need for branding and logo; develop preliminary budget													
Branding design; preliminary marketing/communication plan													
Public Process/Council approval of branding and logo													
Finalize branding and communication plan and budget; identify audience, format, content, and timing													
Launch branding and communication plan													
LEGAL/REGULATORY													
CONDEMNATION PROCESS													
PUC PROCESS													
FERC/NERC/WECC Compliance													
Perform NERC system compliance assessment; confirm proper registration, register with WECC													
Identify and document filing requirements													
Develop Boulder compliance plan													
FINANCE & ACCOUNTING													
Systems													
Resource (Capital) Planning and Financial Management													
Modify/expand Tyler Munis Financial system for electric operation													
Accounting													
Modify/expand Tyler Munis Accounting system for electric operation													
FERC Accounting													
GASB Accounting													
Purchasing													
Asset Management													
Insurance													
Personnel Related Insurance - evaluate current self-insurance coverage and adjust as needed													
Equipment Related Insurance - evaluate current self-insurance coverage and adjust as needed													
Budget													
10-20 year Budget (preliminary/pro forma)													
10-20 year Budget (final for bond issuance)													
Refresh Budget (using final retail rates) for Charter Metrics													
Rates													
Retail Rate Working Group													
Issue RFP and choose contractor for Rate Analysis													
Develop Boulder Rates													
Identify Rate Components and preliminary rate structure													
Cost of Service Study													
Develop Rates (final for bond issuance)													
Public process/Council approval of rates													
Finalize Rates													
FINANCING													
BRIDGE LOAN													
Solicitation													
Council Process													
Bridge Loan Prep													
Bridge Loan Duration													
BONDS													
Bond Prep													
Issue RFP for Bond Underwriter													
Development of official statement													
Rating agency presentations													
Investor presentations/Drafting of disclosure documents													
Issue Bonds													
SUPPORT SERVICES													
Fleet Service Management System													
Administrative Policies													
Human Resources													
HR Staffing Assessment													
Review/revise existing Personnel Policies following HR Staffing Assessment													
IT & Telephone													
Facilities Management													
Fleet Management													
Accident Investigation Procedures													
Incorporate electric operations requirements into current procedures													
Establish/Adopt Safety Policies & Training Programs for electric operations													
INTER-DEPARTMENT ASSESSMENTS											2017 QTR1	↔	2018 QTR3
Governance													
Governance Working Group													
Create Utility Advisory Board													
INTERCONNECTION											2017 QTR1	↔	2018 QTR3

Public Works Code Enforcement	Jan 01, 2011 through Sep 12, 2014			
	New Cases	Closed Cases (Total)	*Closed Cases (No Violation)*	Open Cases
Building Inspections				
Building Code Violations	369	335	*48*	34
Dangerous Building Abatement	13	13	*0*	0
Grading Violation	7	5	*2*	2
Housing Code	75	67	*16*	8
Rental License	1122	982	*485*	140
Others				
Marijuana Enforcement	368	362	*3*	6
Nuisance Abatement	10	4	*1*	6
Wood Roof Covering	34	18	*2*	16
Right-of-Way				
Right-of-Way	29	29	*8*	0
Transportation	1	1	*0*	0
Utility Code	11	11	*1*	0
TOTAL	2039	1827	*566*	212

CP&S Code Enforcement	Jan 01, 2011 through Sep 12, 2014			
	New Cases	Closed Cases (Total)	*Closed Cases (No Violation)*	Open Cases
Zoning Enforcement				
Land Use Violations	265	253	*90*	12
Over-Occupancy Violation	133	127	*83*	6
Illegal Units	103	87	*36*	16
Sign Code Violation	274	267	*30*	7
Home Occupation Violation	37	35	*18*	2
TOTAL	812	769	*257*	43

Police Department Code Enforcement Violation Count

Violation Counts*

Violation Description	2011**	2012	2013	2014 to Aug. 31	Total Violations	Summons	Guilty	Dismissal	Pending
Trash	X	886	1109	489	**2484**	258	189	63	6
Sign in Right-of-way	X	166	648	237	**1051**				
Snow on Sidewalk	X	246	493	447	**1186**	36	34	2	0
Tall Growth	X	289	218	137	**644**	3	2	1	0
Overhanging Sidewalk/Street ***	X	X	92	272	**364**				
Outdoor Furniture Restriction	X	36	31	18	**85**				
Graffiti	X	2	15	17	**34**	37	17	15	5
Noxious Weed Control****	X	X	30	23	**53**				
Rodent Control	X	X	5	1	**6**				
Smoking in an Entryway	X	1	3	3	**7**	163	122	9	32
Pesticides	X	1	1	2	**4**				
Total All	**X**	**1627**	**2645**	**1646**	**5918**	**497**	**364**	**90**	**43**

*The Police Department's Code Enforcement Unit does not open a case unless a violation is found.

**Prior to the establishment of the Police Department's Code Enforcement Unit in 2012, Public Works enforced these code violations. In 2011, the total number of those cases investigated by Public Works was 1,335.

***Responsibility belonged to Public Works before 2013. These cases are included in the Public Works data.

****Requirement did not exist before 2013.

STANDARD FULL TIME EQUIVALENT (FTE)

	2014 Approved	2014 Adjusted[1]	2015 Recommended	Variance 2014 Adj.- 2015
City Attorney's Office	21.20	21.20	25.70	4.50
City Manager's Office	18.50	18.00	19.50	1.50
Community Planning and Sustainability	47.19	46.81	50.06	3.25
Downtown and University Hill Management Division	42.25	42.50	44.50	2.00
Energy Strategy and Electric Utility Development	4.50	4.50	6.50	2.00
Finance	36.00	39.00	38.67	(0.33)
Fire	120.33	120.33	121.33	1.00
Housing	11.50	12.70	13.20	0.50
Human Resources	18.63	18.63	24.63	6.00
Human Services	37.41	35.84	37.19	1.35
Information Technology	36.85	36.85	37.18	0.33
Library and Arts	79.51	79.51	78.51	(1.00)
Municipal Court	18.13	18.13	21.13	3.00
Open Space and Mountain Parks	95.35	95.35	102.35	7.00
Parks & Recreation	127.37	125.35	130.35	5.00
Police	282.50	286.00	288.00	2.00
Public Works-Development and Support Services	74.53	75.62	82.62	7.00
Public Works-Transportation	60.09	68.34	70.34	2.00
Public Works-Utilities	154.17	154.92	166.92	12.00
Total	**1,286.01**	**1,299.58**	**1,358.68**	**59.10**

[1]Adjustments remove changes approved and incorporated after the passage of the 2014 Approved Budget as well as FTE conversions and reallocations.

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CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: October 7, 2014

AGENDA TITLE: Discussion and input on the proposed 2015 State and Federal Legislative Agenda

PRESENTERS:
Jane S. Brautigam, City Manager
Carl Castillo, Policy Advisor

EXECUTIVE SUMMARY

The purpose of this item is to allow council to review and provide input on the city's proposed 2015 State and Federal Legislative Agenda (the "2015 Agenda," **Attachment A**). Proposed substantive policy changes from the 2014 Agenda are summarized below and reflected with strike-through and double-underline formatting.

Once approved, the 2015 Agenda will be available to present to the city's state legislative delegation at a breakfast scheduled for Nov. 14, 2014 and to its congressional delegation during a city visit to Washington D.C. anticipated sometime next year. The 2015 Agenda will also provide individual council members and city staff with authority to advocate on behalf of the city for the stated positions as opportunities arise during the rest of this year and throughout 2015.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – City lobbying efforts have and are expected to continue to contribute to the city's economic sustainability goals. In 2015 this is expected to include advocating for necessary modifications to the Colorado Urban Renewal law that would protect the city's continued ability to use tax increment financing in appropriate circumstances and for continued funding for the federally funded laboratories in Boulder.

- **Environmental –** City lobbying efforts have and are expected to continue to contribute to the city's environmental sustainability goals. In 2015 this will include efforts to preserve and support the ability of local governments to engage in climate action efforts and to encourage widespread adoption of electric and efficient motorized vehicles.

- **Social** - City lobbying efforts have and are expected to continue to contribute to the city's social sustainability goals. In 2015 this is expected to include reforming construction defects law to reduce disincentives to construction of affordable and owner-occupied multifamily housing; supporting comprehensive immigration reform and supporting the rights of all people regardless of their actual or perceived sexual orientation or gender variance status.

OTHER IMPACTS

- **Fiscal** – The proposed 2015 Agenda includes several positions that would protect the city's financial resources, including those that would lead to state and federal assistance for flood disaster recovery and mitigation expenses and that would protect the city's workers compensation and retirement system. In terms of financial outlays, the city anticipates renewing contracts for lobbying services with the following consultants:

    - *Smith Dawson & Andrews* – Approximately $40,000/year for city-specific representation before Congress and the federal executive branch.
    - *Headwaters Strategies, Inc.* – Approximately $48,000/year for city-specific representation before the Colorado General Assembly and the state executive branch.
    - *Dutko Grayling* - $23,340/year for the city's portion of a contract for federal representation of the US 36 Mayors and Commissioners Coalition.

- **Staff time** - Creation of a legislative agenda, and devoting time to advance it, is part of staff's approved work plan.

COUNCIL LEGISLATIVE COMMITTEE FEEDBACK

Council's Legislative Committee (Mayor Pro Tem Karakehian and Council Members Jones and Weaver, the "Committee") met on July 30th and again on Sept 15th to review and provide input on the proposed 2015 Agenda. The committee recommended several changes, all which have since been incorporated into the proposed 2015 Agenda under consideration by council.

The one and only position that was added after the committee's last review was on federal and state support for building community resilience.

BOARD FEEDBACK

On Aug. 18th, the city's Human Relations Commission (HRC) recommended that council adopt the following position:

- ***PROTECT UNACCOMPANIED CHILDREN IMMIGRATING INTO THE UNITED STATES***

  In 2014, an unprecedented number of unaccompanied minors fled their home countries in Central America to seek refuge in the United States, creating a humanitarian crisis and requiring immediate action by the Administration and Congress of the United States. Many of the U.S. laws and procedures regarding unaccompanied minors are focused on the welfare of the child, rather than detention, and the United States Department of Health and Human Services (HHS) must place the children in the "least restrictive setting" possible. Boulder City Council urges the President and Congress of the United States to adopt immigration policies that ensure that unaccompanied minors receive appropriate child welfare services, legal support and expeditious reunification with their families already in the United States.

Then on Sept. 15th, the HRC approved a conceptual recommendation for council to advocate for a livable wage increase to the minimum wage. Staff has since captured that general direction in the below position:

- ***INCREASE THE MINIMUM WAGE***

  In his 2014 State of the Union address, President Obama called on Congress to raise the federal minimum wage from $7.25 to $10.10 an hour. Colorado's minimum wage is currently $8 per hour. The Economic Policy Institute estimates that raising the federal minimum wage to $10.10 by 2016 would:

  - *Increase wages for 269,000 working Coloradans who currently make the minimum wage;*
  - *Raise wages for another 141,000 Coloradans who would see their salaries adjusted upward to reflect a new pay scale;*
  - *Elevate all affected Coloradans' total earnings by $578.1 million each year, contributing to workers' spending power;*
  - *Support 217,000 children in Colorado; and,*
  - *Increase Colorado's GDP by $366 million and create 1,500 full-time jobs over three years.*

  Raising the minimum wage also would reduce Coloradans' reliance on safety nets like Medicaid, the Children's Health Insurance Program and the Supplemental Nutrition Assistance Program (SNAP). In Colorado, raising the minimum wage would decrease SNAP enrollment by more than 42,300 people and save Colorado $40.7 million. Two-thirds of minimum wage workers are women. Women, minorities, and families with children would be among those to benefit most from

a higher minimum wage. Nearly 17,000 Colorado veterans would also see higher wages.

For these reasons, the city supports change at either the state or federal level that would increase the state's minimum wage to $10.10 by 2016.

These positions were not considered by Council's Legislative Committee, nor included in the proposed 2015 Agenda. However, with council direction one or both could be incorporated into the final version of the 2015 Agenda that will be considered on Nov. 6th.

BACKGROUND

The 2015 regular session of the Colorado General Assembly is scheduled to convene on Jan. 7, 2015. Each legislator is allowed to introduce five bills. The deadline for legislators to request their first three bills is Dec. 1, 2014. Unless "late bill" status is granted, all bills must be introduced no later than Jan. 28, 2015.

In order to develop the proposed 2015 Agenda, modifications from the city's 2014 Agenda were made. In making these modifications, several considerations were taken into account, including:

1. A review of the 2014 state legislative session;
2. A review of the 2nd session of the 113th Congress;
3. Input from city staff and council's legislative committee, and;
4. Discussions with the city's regional partners

ANALYSIS

The following is a list of the most significant policy changes proposed for the 2015 Agenda:

1) **Purpose of the Legislative Agenda**
    a. Limits of using legislative agenda for non-legislative efforts to influence state and federal priorities.
    b. Increased authority for Council's Legislative Committee to provide direction on legislation in limited circumstances.
    c. Support for regional partners as a reason why city may adopt a position which does not otherwise meet all six criteria for including positions in its agenda.

2) **State Legislative Priorities –** Identified the following as new priorities:
    a. Encourage more widespread adoption of electric and efficient motorized vehicles
    b. Protection of city's retirement system.
    c. Protection of local government authority to use red light cameras.
    d. Protection against threats to city's water rights.

3) **Enhance Customer Energy Choice** – Specified support in existing position for facilitating customer sharing of electricity generation.

4) **Increase Public Access to Energy Data** – Specified support in existing position for creating an exception to Colorado Open Records Act.

5) **Encourage More Widespread Adoption of Electric and Efficient Motorized Vehicles** - Specified support in existing position for the following:
    a. Funding to ensure network of fast-charging stations;
    b. Modifications to current HOV exemption program;
    c. Modification of state tax credit for electric vehicles;
    d. Electric vehicle tariffs to encourage off-peak charging;
    e. Zero emission vehicle standard.

6) **Promote Waste Reduction and Diversion Efforts –** Clarified limitation of support for "waste to energy" technologies.

7) **Community Resilience –** Added new position urging federal and state support for community resilience efforts.

8) **Urban Renewal Law –** Narrowed list of examples of the type of reforms to Colorado's Urban Renewal Authorities law which the city would support.

9) **Construction Defects Law** – New position supporting reform of state's construction defects law.

NEXT STEPS

Staff will incorporate changes provided by council into a revised 2015 Agenda and bring it back for approval on Nov. 6, 2014, most likely to be scheduled for the consent calendar. A breakfast with council members and state legislators is scheduled for Nov. 14, 2014.

ATTACHMENTS

Attachment A – Proposed 2015 Agenda, substantive policy revisions reflected

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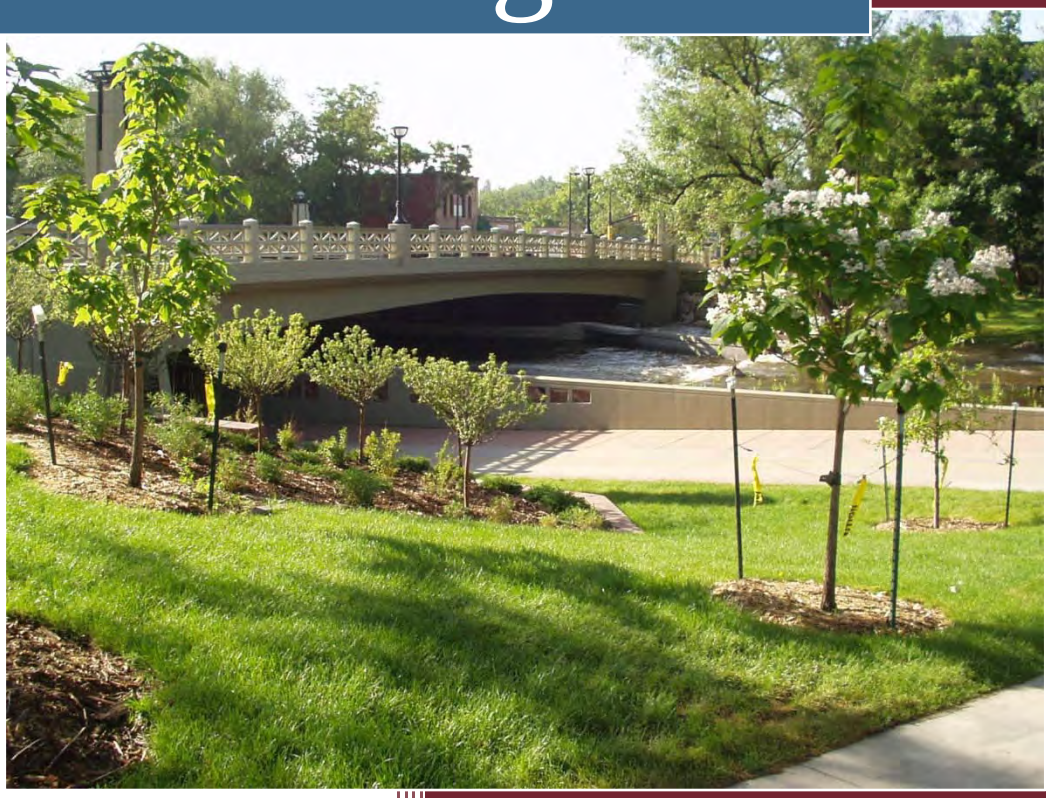
2015

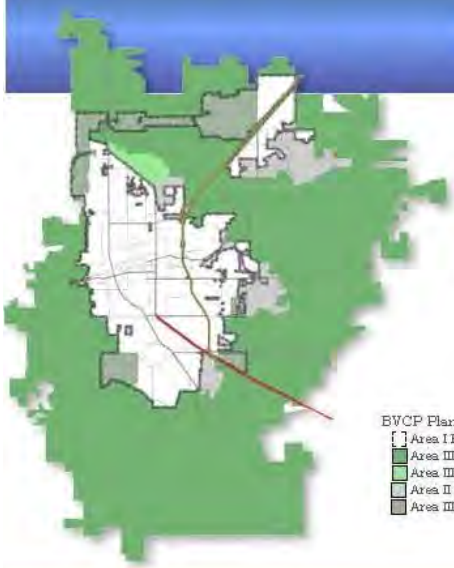
State and Federal Legislative Agenda



Proposed on

October 7, 2014

2014 Community Profile

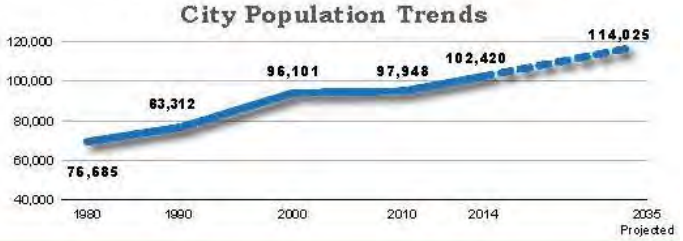


25.8 square miles

70 city Open Space square miles[1]

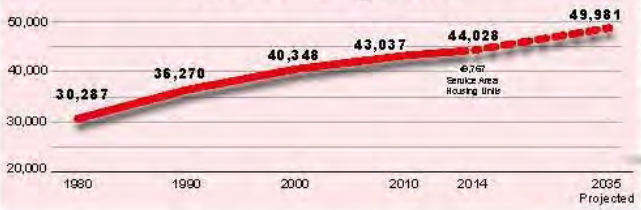
102,420 city population[2]
114,200 Service Area Population

City Population Trends

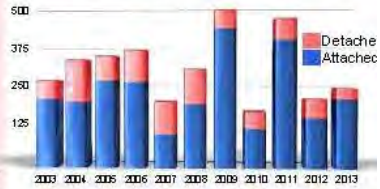


44,028 Housing Units[2]

Total Housing Units[4]

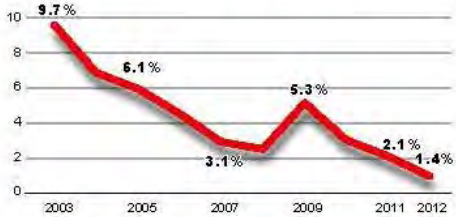


New Housing Units Completed[4]



Rental vs Owner Occupied Housing Units[5]

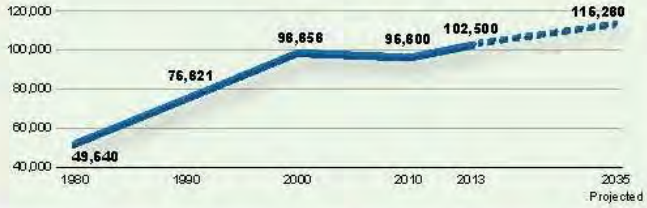
Residential Rental Vacancy Rates[6]



Housing Costs & Incomes

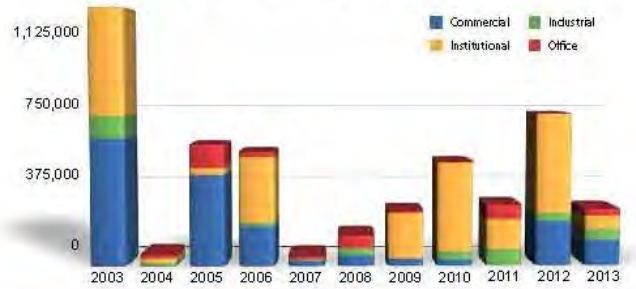
102,500 Jobs[9]
105,450 Service Area Jobs

City Job Trends

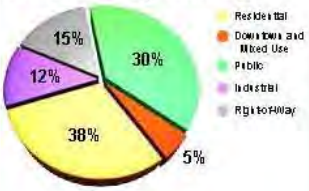


Boulder Commuting Patterns[10]

New Non-Residential Square Footage[11]



Land Area by Zoning[11]



Vacancy Rate[12]

Retail	4.9%
Office	9.4%
Warehouse	4.8%
R&D/Flex	7.4%

Top 10 Employers (2011)

(listed in alphabetical order)

- Ball Aerospace
- Boulder Community Hospital
- Boulder County
- Boulder Valley School District
- City of Boulder
- Covidien
- IBM
- Micro Motion/Emerson
- UCAR/NCAR
- University of Colorado Boulder

CONTACTS

City Council			
NAME/ADDRESS	**CURRENT TERM**		**CONTACT INFORMATION**
Matthew Appelbaum, Mayor 200 Pawnee Drive Boulder, CO 80303	Began 11/19/2013	Expires 11/21/2017	303-499-8970 appelbaumm@bouldercolorado.gov
Macon Cowles 1726 Mapleton Ave Boulder, CO 80304	Began 11/19/2013	Expires 11/17/2015	303-638-6884 cowlesm.bouldercouncil@gmail.com
Suzanne Jones 1133 6th Street Boulder, CO 80302	Began 11/15/2011	Expires 11/17/2015	720-633-7388 joness@bouldercolorado.gov
George Karakehian, Mayor Pro Tem 534 Mapleton Avenue Boulder, CO 80304	Began 11/15/2011	Expires 11/17/2015	303-218-8612 karakehiang@bouldercolorado.gov
Lisa Morzel 2155 Poplar Avenue Boulder, CO 80304	Began 11/15/2011	Expires 11/17/2015	303-815-6723 lisamorzel@gmail.com
Tim Plass 655 Maxwell Avenue Boulder, CO 80304	Began 11/15/2011	Expires 11/17/2015	720-299-4518 plasst@bouldercolorado.gov
Andrew Shoemaker 1064 10th St. Boulder, CO 80302	Began 11/19/2013	Expires 11/21/17	303-332-8646 shoemakera@bouldercolorado.gov
Sam Weaver 2423 23rd Street Boulder, CO 80304	Began 11/19/2013	Expires 11/21/17	303-416-6130 weavers@bouldercolorado.gov
Mary Young 1420 Alpine Ave Boulder, CO 80304	Began 11/19/2013	Expires 11/21/17	303-501-2439 youngm@bouldercolorado.gov

City Manager
Jane S. Brautigam
303-441-3090
brautigamj@bouldercolorado.gov

City Attorney
Tom Carr
303-441-3020
carrt@bouldercolorado.gov

Policy Advisor
Carl Castillo
303-441-3009
castilloc@bouldrecolorado.gov

Mailing Address
P.O. Box 791, Boulder, CO 80306

Physical Address
1777 Broadway, Boulder, CO 80302

Legislative Website
bouldercolorado.gov/policy-advisor/state-federal-legislative-matters

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CLIMATE CHANGE AND COMMUNITY RESILIENCE 10

- Preserve and support the ability of local governments to engage in climate action efforts 10
- Facilitate access to renewable energy 10
- Expand the development of climate change adaptation strategies 10
- Enhance customer energy choice 11
- Increase public access to energy data 11
- Support energy utility and regulatory enhancements 12
- Increase energy efficiency 12
- Encourage more widespread adoption of electric and efficient motorized vehicles 12
- Support reform of Property Assessed Clean Energy (PACE) Finance statutes to allow for resumption of Boulder County's ClimateSmart Loan Program (CSLP) 13
- Promote waste reduction and diversion efforts 14
- Support improvements to the Colorado Oil and Gas Conservation Commission's oversight of oil and gas drilling and preservation of local control to adopt regulations, moratoriums or other limits as necessary 15
- Federal and state support for building community resilience 17

DEMOCRACY AND GOVERNANCE 17

- Support for an amendment to the U.S. Constitution abolishing corporate personhood 17
- Support General Assembly action to submit to the Colorado electorate a referred measure to reform the current process for citizen-initiated constitutional and statutory amendments by altering the signature collection requirements and requiring a supermajority voter approval for constitutional amendments, except for those measures that look to amend previous voter-approved constitutional amendments; and requiring for a time a supermajority approval by the General Assembly to change citizen-initiated statutory amendments 18

ECONOMIC VITALITY 18

- Protect core provisions of the Colorado Urban Renewal law, which provide effective redevelopment tools for municipalities such as tax increment financing and eminent domain 18

- Support continued funding and support for the federally funded labs located in Boulder 19
- Support facilitating the ability of municipalities to enter into revenue sharing agreements 20

HOUSING 21

- Oppose federal efforts to reduce appropriations for HUD Public Housing and Section 8 programs which provide rental assistance to low-income households 21
- Oppose federal reductions to Community Development Block Grant program and HOME Investment Partnerships 21
- Support for state housing trust fund 21
- Support legislation that helps address the power imbalance between owners of mobile homes and owners of mobile home parks 22
- Oppose further cuts to state funded health and human service programs, especially those that are preventive in nature 22
- Reform construction defects law so as to reduce disincentives to construction of affordable and owner-occupied multifamily housing 22

HUMAN SERVICES/HUMAN RIGHTS 23

- Support comprehensive federal immigration reform 23
- further the rights of all people regardless of their actual or perceived sexual orientation or gender variance status 24

INTERNAL ADMINISTRATIVE MATTERS 25

- Protect workers' compensation system 25
- Protect governmental immunity 26
- Oppose changes that could unnecessarily result in increased contributions or force a reduction in benefits for members of the Public Employees Retirement Association (PERA) 26

LOCAL CONTROL 27

- Oppose threats to local control and home rule authority 27

NATURAL RESOURCES, WILDLIFE AND PARKS 27

- protect the ability of local governments and the land trust community to acquire and protect parks and open space 27

- Support state legislation furthering implementation of the city's Urban Wildlife Management Plan 28
- support to address the city's emerald ash borer infestation 29
- Support more balance in the composition of Colorado's "Pesticide Advisory Committee" and for restoration of local government authority to regulate certain pesticide uses 29

PUBLIC HEALTH AND SAFETY 30

- state and federal assistance for flood disaster recovery needs and expenses 30
- Support for safe use and commercial regulation of recreational marijuana 30
- Support removal of barriers that prevent legitimate marijuana businesses to access banking services 31
- promote health and safety concerns associated with alcohol abuse in the greater community 31
- close the federal gun show loophole 32
- Oppose expanding the application of the "make my day" law beyond personal residences 32
- Oppose limiting the state's ability to regulate concealed weapons or local government's ability to restrict possession of weapons in public facilities 32
- Oppose mandates for local government enforcement of federal immigration laws 33
- Oppose infringements on employment and personnel decisions made by municipal police and fire departments 33
- Oppose imposition of onerous information gathering and reporting requirements on public safety, especially when those requirements come with substantial costs that are not supported by adequate funding 33
- increase the financial threshold of property damage that triggers a police investigation of non-injury traffic accidents 33
- Oppose limitations on municipal authority to operate red light or photo radar cameras to enforce traffic safety 34

ROCKY FLATS 35

- Support funding for the Department of Energy for the Office of Legacy Management and U.S. Fish and Wildlife Service in order to manage Rocky Flats as a national wildlife refuge with the appropriate systems in place for long term stewardship 35

TAX POLICY 35

- Support the Market Fairness Act and other action to preserve and expand the authority of local governments to collect taxes 35

TELECOMMUNICATIONS 36

- reestablish the right of municipalities to provide telecommunication services such as large and complex city-wide fiber and premise networks 36

TRANSPORTATION 36

- increases transportation funding and prioritize its expenditure on projects that maintain existing infrastructure, are multimodal in design and that otherwise promote smart growth 36
- realign the Colorado Transportation Commission to include population, not just geography, to ensure fair representation of the metropolitan area 38
- promote "Complete Streets," accommodating all modes of travel 38
- Oppose limitations on the city's ability to regulate vehicle use on sidewalks, multi-use pathways, and bike lanes, or that requires the city to alter its current code in order to maintain current policy on allowed uses of those facilities 38
- Oppose transfering the maintenance responsibilities for regional highways from the Colorado Department of Transportation to local governments 39
- Support flexible solutions and new funding opportunities to address impacts of train horn noise and support creation of quiet zones 39

UNIVERSITY OF COLORADO 40

- Support a renewed commitment by the state and federal governments to fund the University of Colorado and its capital programs 40

WATER 41

- Support legislation that promotes the efficient utilization and conservation of water . 41
- Oppose significant threats to the city's water rights 41

PURPOSE OF THE LEGISLATIVE AGENDA

The purpose of the city's 2015 State and Federal Legislative Agenda (the "Legislative Agenda") is to formalize city positions on legislation expected to be considered by the Colorado General Assembly and the U.S. Congress. The city offers the Legislative Agenda as a guideline to legislators for reference when considering legislation impacting the City of Boulder. Strategic, targeted, and/or abbreviated versions of the information contained in this agenda will also be created throughout the year for use in further legislative communications.

The Legislative Agenda was developed in advance of the convening of the 2015 Colorado General Assembly and the 114th U.S. Congress. Consequently, it does not address legislation by bill number. Instead, it describes the underlying interest the city has on specific issues. With the coordination of the city's Policy Advisor, it will be used by individual council members and city staff to inform city positions taken on specific bills once these legislative sessions begin. At that point, council may also consider amendments to the Legislative Agenda and address specific bills that have been proposed.

The city often attempts to influence state and federal policies through other avenues, beyond the legislative agenda, such as by submitting comments on administrative rulemakings or "sunset" reviews of expiring legislation, or by making direct appeals to federal and state administrative officials. While the Legislative Agenda is not designed to direct such action, it can be looked toward as a resource to inform such city efforts.

Council may revisit the Legislative Agenda at any point. It may do so as a body, or through its Legislative Committee. Council created this committee for the purpose of convening on an ad hoc basis with the Policy Advisor and other city staff as necessary when one or more of the following circumstances exist:

1. There is an immediate need for council members to participate with staff in developing a legislative strategy to advance or defeat a bill which is clearly addressed by the city's legislative agenda or other council-approved policy documents, or;

2. There is action expected on pending legislation that affects a matter which council has previously indicated interest in and that could significantly impact the city, but which council did not provide specific direction on (either through its legislative agenda or other approved policy documents) and with timing that will not allow for council direction to be obtained. In these limited situations, the Policy Advisor may turn to the committee for direction on such legislation so that the city can advocate accordingly. ~~There is a question about whether a bill, which was clearly not anticipated or addressed by council in the approved legislative agenda or by other established council policy, but which could be of significant concern to the city, should be brought to the full council for consideration of a position.~~

Council's Legislative Committee is also turned to during non-legislative periods to provide suggestions on revisions to the legislative agenda and to plan agendas for meetings with legislators.

As has been done in years past, council is again adopting a goal that modifications to this legislative agenda require consistency, when applicable, with the six criteria described below:

1. Uniformity with current city council goals;
2. Expected relevance in the upcoming or present state and federal legislative sessions;
3. Uniqueness of issue or impact to the City of Boulder;
4. Viability, or likelihood of achieving goal;
5. Opportunity for providing funding for City of Boulder; and,
6. High probability of metrics of success in order to allow the position to be deleted from future agendas if achieved.

Departures from these criteria are made in unique circumstances as determined by council, such as when adoption of a city position is important to support its regional partners, even while the legislation is otherwise of limited consequence to the city.

The city welcomes the opportunity to discuss the city's Legislative Agenda. Please direct any questions to City Council members or to the city's Policy Advisor at 303-441-3009.

STATE LEGISLATIVE PRIORITIES AT A GLANCE

1. Enhance the ability of local governments to develop and implement effective **energy strategies** that reduce environmental impacts, provide stable rates and promote economic vitality and, protect the authorities of cities to form municipal utilities. Page 10 describes a variety of specific legislative concepts that the city would support in this regard.

2. Encourage more widespread **adoption of electric and efficient motorized vehicles** through various means, including incentives to purchase such vehicles and a development of a network of fast-charging stations, as more fully described on page 12.

3. Oppose changes that could purposefully, or inadvertently, lead to unnecessary increases to employer or employee contributions or reductions in employee benefits for members of the **Public Employees Retirement Association (PERA)**. Page 26 describes the city's interest in PERA further as well as its qualified support for legislation necessary to ensure fund-stability informed by a comprehensive evaluation of the impacts of those changes.

4. Preserve the authority of local governments to use **red light cameras or photo radar enforcement**. Page 34 describes how these tools are used by the city and their importance to the public's safety.

5. Protect against significant **threats to the city's water rights**, especially those allowing for out-of-priority, un-augmented well use in the South Platte basin. Page 41 describes the negative impact to the city of permitting such use.

~~2. Support legislation reestablishing the right of municipalities to provide telecommunication services such as large and complex city-wide fiber and premise networks. This position is explained in greater detail on page 36 of the agenda.~~

~~3. Support Amendment 64 implementing legislation that ensures the safe use of recreational marijuana by allowing local government access to background checks and the seed-to-sale tracking information for commercial operators. This position is explained in greater detail on page 30 of the agenda.~~

~~4. Support legislation that increases transportation funding and prioritizes its expenditure on projects that maintain existing infrastructure, are multimodal in design and that otherwise promote smart growth. As described on page 36, this may include legislation to continue funding the Safe Routes to School~~

~~Program and to require public private partnerships for state-funded managed lanes to meet certain criteria including prioritizing the number of people moved by the project over the amount of vehicles moved or revenue generated. Legislative support may also be required for a possible state ballot measure.~~

FEDERAL LEGISLATIVE PRIORITIES AT A GLANCE

1. Seek federal support for Boulder's federally funded labs and the University of Colorado Boulder. As described further on pages 19 and 39, these institutions are foundational to the economic and cultural well being of the city. ~~One important way to assist them in 2014, as described further on page 15, is to support revisions to the federal budget sequestration.~~

2. Support legislation necessary to seek state and federal assistance for flood disaster recovery needs and expenses described further on page 30.

3. Continue to brief federal officials on the city's municipalization efforts and seek support as necessary, while positioning Boulder as a national pilot for the new energy utility, as explained further on page 10 of the agenda.

~~ENERGY AND~~ CLIMATE CHANGE AND COMMUNITY RESILIENCE

- ## PRESERVE AND SUPPORT THE ABILITY OF LOCAL GOVERNMENTS TO ENGAGE IN CLIMATE ACTION EFFORTS

Preserve and support the ability of local governments to develop and implement effective energy strategies that reduce environmental impacts by:

- Forming their own energy utilities;
- Securing access to information from regulated utilities of designated undergrounding funds and communitywide energy information relevant to climate action programs;
- Facilitating local government purchases of street lighting; and,
- Funding local government energy efficiency and renewable energy programs.

- ## FACILITATE ACCESS TO RENEWABLE ENERGY

Facilitate access to renewable energy by:

- Allowing for aggregation of residential or commercial electric customers in municipal purchase of renewable energy on behalf of these groups of customers (a.k.a. community choice aggregation);
- Reinstating the federal production tax credit for wind energy which was allowed to expire at the end of 2013;
- Allowing mobile home owners to receive the same rebates and incentives for installation of solar panels as are available to other homeowners;
- Establishing a small state level carbon tax with proceeds used to fund renewable energy projects as well as transmission and distribution system improvements that enable additional deployment of renewables and energy efficiency measures;
- Supporting federal policies that establish a price on carbon emissions domestically as well as internationally; and,
- Allowing customer access to diverse solar options through a variety of well-designed and equitable policies (including net metering, feed-in tariffs, “value of solar” tariffs, or minimum bills) that fully recognize the value of local solar.

- ## EXPAND THE DEVELOPMENT OF CLIMATE CHANGE ADAPTATION STRATEGIES

The city understands that the early impacts of climate change have already appeared and that scientists believe further impacts are inevitable, regardless of decreases to future global

greenhouse gas emissions. In addition, the city recognizes that decisions we make today about land use, infrastructure, health, water management, agriculture, biodiversity and housing will have lasting consequences. It is therefore important to begin planning now for the impacts of climate change in the future. Consequently, the city supports legislation that expands the development of climate change adaptation strategies such as those that initiate, foster, and enhance existing efforts to improve economic and social well-being, public safety and security, public health, environmental justice, species and habitat protection, and ecological function.

- **ENHANCE CUSTOMER ENERGY CHOICE**

Enhance the energy choices available to customers by:

- Making any necessary changes to the community solar gardens law (HB10-1342) to allow for its successful implementation, especially with regard to facilitating formation of smaller (500 kW and under) solar gardens;
- Enacting time-of-day electricity price signals that would, among other things, promote charging of vehicles at night;
- Requiring statewide lighting, appliance and other equipment efficiency standards and/or incentives, as appropriate, for efficient technologies;
- Facilitating customer sharing of electricity generation through strategies like enhanced virtual net metering or microgrid development; and,
- Precluding utilities from imposing excessive charges onto their customers for net metering of distributed renewable energy generation, customer-sited combined heat and power systems, or on-site energy recapture systems.

- **INCREASE PUBLIC ACCESS TO ENERGY DATA**

Increase the public's access to energy data by:

- Standardizing regulated utility filings to increase transparency at the PUC;
- Promoting best practices related to energy data, such as adoption of the Green Button Program by regulated utilities;
- Facilitating the development of a third-party energy data center and/or demand-side management program implementer;
- Enabling regulated utilities to provide aggregated whole-building data to building owners and property managers for use in building benchmarking and energy efficiency improvements; and,
- Creating an exception to the Colorado Open Records Act that confirms the ability of local governments to protect customers' energy data when they participate in local energy efficiency programs.

• SUPPORT ENERGY UTILITY AND REGULATORY ENHANCEMENTS

Support energy utility and regulatory enhancements by:

- Requiring utilities to file grid modernization plans;
- Changing the Public Utilities Commission regulations to encourage investments in conservation by replacing the current focus on minimization of energy rates to one focusing on minimization of the consumer's total energy bill;
- Unbundling rates to clearly differentiate fixed and variable energy costs;
- Facilitating the use of investor–owned transmission lines at fair and reasonable prices to convey renewable energy from multiple sources (a.k.a. retail wheeling).

The city also supports legislation similar to HB12-1234 that would clarify that, for purposes of the rules governing intervention in administrative hearings before the Colorado Public Utilities Commission (PUC), customers of a business regulated by the PUC qualify as persons who "will be interested in or affected by" the PUC's order.

• INCREASE ENERGY EFFICIENCY

Increase energy efficiency by establishing high performance residential and commercial building codes.

• ENCOURAGE MORE WIDESPREAD ADOPTION OF ELECTRIC AND EFFICIENT MOTORIZED VEHICLES

Metropolitan Denver and the northern Front Range were classified as a "marginal" ozone nonattainment area by the U.S. Environmental Protection Agency effective July 20, 2012. The city supports legislation that would decrease the amount of air pollutants, including greenhouse gas emissions, resulting from the use of motorized vehicles. While the primary approach will always be to encourage alternative modes of transportation that reduce vehicle miles travelled, the city will also support legislative change that reduce energy use and emissions of air pollutants from vehicles, specifically legislation that:

- Uses existing "Alternative Fuels Colorado Program" state funding to ensure the development of a network of fast-charging stations along the state's major corridors;
- Modifies current "HOV Exemption Program," which provides owners of 2,000 low-emission and energy efficient vehicles free access to high-occupancy-toll lanes, to limit the exemption to three years per vehicles and to allocate the new permits to only the owners of the most energy efficient vehicles, which should be updated periodically.

- Modifies existing state tax credit for electric vehicles making them transferable in order to create new financing opportunities (e.g., leases, performance contracting, etc) and to allow public sector agencies to take advantage of those credits;
- Directs utilities to offer electric vehicle tariffs which would allow EV owners to charge their cars at cheaper rates during off-peak times of the day.
- Requires the state's vehicle registration database to be structured to allow local governments to have access to fuel efficiency information of the vehicles registered in their jurisdiction;
- Provides Colorado counties the option to implement a revenue-neutral system that imposes higher vehicle registration fees on the purchase of less efficient vehicles and rebates on the purchase of more efficient vehicles (assuming social equity concerns can be concerned);
- Supports the adoption of the next phase (post-2025) of federal vehicle efficiency standards for light duty vehicles and of the next phase (post 2016) of federal efficiency standards for medium and heavy duty vehicles;
- Requires a percentage of vehicles sold in Colorado to meet "zero emission vehicle standards," as enacted in California (requires 15% of vehicles sales to be ZEV by 2025) and subsequently adopted by nine other states;
- Increases state biofuel infrastructure and develop a statewide biofuels strategy, and;
- ~~Change current regulations so that net metering of vehicle-to-grid charge and discharge cycling can be accommodated; and~~
- Encourages the proliferation of public charging stations for electric vehicles by requiring new parking lots and parking structures to provide a minimum number of public charging stations.

• SUPPORT REFORM OF PROPERTY ASSESSED CLEAN ENERGY (PACE) FINANCE STATUTES TO ALLOW FOR RESUMPTION OF BOULDER COUNTY'S CLIMATESMART LOAN PROGRAM (CSLP)

The city has been an active supporter of Boulder County's PACE finance program, the CSLP. Many city residents have taken advantage of the CSLP to secure low-interest loans to make energy efficiency and renewable energy upgrades to their homes. However, actions taken in 2010 by Fannie Mae, Freddie Mac, and the Federal Housing Finance Agency have forced local governments across the country, including Boulder County, to suspend their PACE financing programs. The city supports reversal or resolution of these federal actions, either through legislation or regulation, to allow PACE programs to again move forward. If such federal action is taken, the city would also urge the Colorado General Assembly to quickly take any action necessary to conform Colorado's PACE enabling statutes with the new federal requirements.

- **PROMOTE WASTE REDUCTION AND DIVERSION EFFORTS**

In Colorado, there are currently no statewide minimum waste diversion goals. In addition, there exist artificially inexpensive landfill tip fees and no minimum recycled content standards. This often makes the most environmentally responsible management practices like source reduction and recycling and composting cost prohibitive. The city supports statewide legislation that would:

- Encourage product stewardship and take-back programs (a.k.a. "extended producer responsibility");
- Ban specific materials;
- Require post-consumer minimum content standards for product manufacture;
- Implement statewide or regional landfill tip fee surcharges to be used for waste reduction;
- Create tax credits to encourage source reduction, recycling and composting, and markets for recycled materials, and;
- Establish a statewide waste diversion goal structured to include incentives and assistance programs to spur waste diversion state-wide, and encourage additional resource recovery.

While the city opposes "waste to energy" technologies involving trash incineration or incentivizing landfilling for the sake of energy creation, the city supports energy capture from anaerobic digestive technologies at composting and wastewater treatment plants. The city also supports energy production from the organic matter portions of the waste stream that would otherwise end up in a landfill if not used to make energy or energy products. Examples of this type of beneficial use include woody construction and demolition waste and yard waste that is not able to be otherwise diverted from landfilling and can be used to produce electricity or liquid fuel components. The city, however, views all energy production uses as last in priority to other beneficial uses such as composting, recycling, and re-purposing.

The city also has specific concerns about the environmental hazards posed by electronic waste in landfills. Therefore, the city supports legislation that requires extended producer responsibility that is regulated to be environmentally and socially acceptable. Finally, the city would support repeal of the prohibition contained in state law (C.R.S. Section 25-17-104) on local government bans on "use or sale of specific types of plastic materials or products" or restrictions on "containers . . . for any consumer products."

- **SUPPORT IMPROVEMENTS TO THE COLORADO OIL AND GAS CONSERVATION COMMISSION'S OVERSIGHT OF OIL AND GAS DRILLING AND PRESERVATION OF LOCAL CONTROL TO ADOPT REGULATIONS, MORATORIUMS OR OTHER LIMITS AS NECESSARY**

Oil and gas drilling is an industrial activity that is increasing in Colorado and within the northern Front Range, and which poses significant risks and potential adverse impacts, These include damage to air and water quality, scenic values, property values, public infrastructure, and public health and that can significantly affect both local quality of life and economic prosperity.

There is growing public concern about the proximity of oil and gas development to communities and other sensitive resources and about industry techniques, such as hydraulic fracturing (or "fracking"), used to access oil and gas resources. Fracking is a process whereby fluids are injected at high pressure into underground rock formations to blast them open and enable new or increased exploitation of fossil fuel resources. Chemicals typically used in the fracking process include diesel fuel, benzene, industrial solvents, and other carcinogens and endocrine disrupters. According to the Colorado Oil and Gas Conservation Commission (COGCC), nearly all of the more than 51,000 oil and gas wells operating in Colorado are fracked.

There is increasing evidence and growing concern that oil and gas operations emit toxic air pollutants, volatile organic compounds that cause ground-level ozone, and potentially large amounts of methane, one of the most potent greenhouse gasses. Further, according to the COGCC, since 2010, there have been more than 1,500 spills in Colorado – an average of 500 each year – and more than 20% of these spills have contaminated water supplies. Accordingly, the city believes that fracking should not be an exempted activity under the Clean Water Act or Safe Drinking Water Act or other federal environmental laws.

In July of 1993 the City of Boulder adopted its own regulations to govern oil and gas operations and production on city open space lands. These regulations require an application to the city manager, and hearings conducted by the Open Space Board of Trustees and City Council. Since the adoption of these regulations in 1993, no one has applied to conduct new drilling operations on Open Space lands. These regulations, however, do not address the issue of fracking or other emerging concerns about oil and gas impacts, nor do they address any potential drilling that might be proposed within city limits on non-open space lands.

Boulder County and many of the communities surrounding Boulder are facing increased oil and gas drilling activity and are in various stages of adopting moratoria or crafting new rules to address potential risks and adverse impacts from fracking and other drilling activities. The State of Colorado argues that state authority preempts local rules. In addition, the oil and gas industry sued Longmont challenging a ban on fracking within city limits that was adopted by Longmont citizens by a 60% vote. A decision in favor of industry is currently being appealed by Longmont. Furthermore, several multi-year studies are underway—including one by the University of Colorado at Boulder—to analyze air, water and public

health impacts of fracking, the results of which will not be out for several years. In response, the Boulder City Council adopted a year-long moratorium in June 2013 on processing any new permits for oil and gas exploration or development within the city limits or on our city open space. The council subsequently placed an initiative on the November ballot to extend this moratorium until June 2018, while waiting for the results of these pending studies and lawsuits; voters passed this ballot initiative (2H) by over 78%.

The City of Boulder believes that local governments have both the right and responsibility to take action to protect the public health and well being of its residents as well as the environment. The city supports the state setting minimum standards and best management practices for the oil and gas industry (such as those suggested by the International Energy Agency on this subject, entitled "Golden Rules for a Golden Age of Gas"), but also believes that local jurisdictions must be allowed to adopt strong rules as needed to address local concerns and conditions. To that end, the city supports legislation that clarifies and strengthens the authority of local governments to use their existing land use authorities to manage and tailor oil and gas activities within their borders to ensure public health, safety and welfare, and to protect the environment. The city also opposes legislation that would preempt local authority to establish bans, temporary moratoriums, or to establish and enforce regulations over such fracking operations.

In addition, the city supports legislation that would address specific oil and gas drilling impacts, including legislation to:

- Better protect homes and communities by increasing the minimum distance between wells and occupied buildings from the current 350' setback to 1000', 1,500' for schools, giving local governments an effective role in controlling the pace and footprint of development in their jurisdictions;
- Lift the current prohibition on local governments passing along the cost of inspections to industry.
- Adopt statewide protections for water including: requiring setbacks from all streams and lakes; requiring baseline and periodic water monitoring at all drilling sites; raising casing and cementing standards to ensure wellbore integrity; and requiring operators to formulate a water management plan and recycle wastewater before acquiring new supplies.
- Better protect air quality at and near oil and gas operations and decrease greenhouse gas emissions by requiring strict controls on fugitive emissions from oil and gas facilities, including adopting the latest technology in leak detection and repair.
- ~~Increase fines for negligent, repeated or significant spills.~~
- Address the dual mandate and composition of the COGCC to make its primary role the regulation of the oil and gas industry to protect the public health, safety and the environment.
- Support further study of air, water and public health impacts oil and gas operations and ways to mitigate or avoid impacts.

- **FEDERAL AND STATE SUPPORT FOR BUILDING COMMUNITY RESILIENCE**

In December 2013, Boulder was selected as one of 32 inaugural cities to participate in 100 Resilient Cities, an exciting new initiative pioneered by the Rockefeller Foundation that is committed to building resilience in diverse communities worldwide. Resilience and adaptation are real challenges Boulder is wrestling with as the community recovers from historic flooding that created severe and lasting impacts. This follows just three years after experiencing (then) Colorado's most financially destructive wildfire in state history. These experiences and a long history of climate mitigation initiatives have taught the city that resilience strategies involve more than managing or recovering from disruptive events. Resilience as the ability to "bounce back" is insufficient. To mobilize the resources and community support necessary to significantly increase our social, economic and ecological resilience, we must formulate a compelling vision of the future towards which our efforts allow us to "bounce forward".

Over the next two years, we will be working to develop a resilience strategy that will build on past successes and look to new integrated planning to ensure a thriving future for our community. With Rockefeller Foundation support, the city has hired its first Chief Resilience Officer to lead the coordination and development of broad reaching resilience strategy.

In order for Boulder and other communities around the nation to implement these strategies, they will require coordination and financial and technical support from the state and federal governments. The city will support legislation that furthers such goals.

DEMOCRACY AND GOVERNANCE

- **SUPPORT FOR AN AMENDMENT TO THE U.S. CONSTITUTION ABOLISHING CORPORATE PERSONHOOD**

On November 1, 2011, the residents of Boulder voted, by a 73 percent majority, to approve Ballot Question No. 2H which called for "reclaiming democracy from the corrupting effects of corporate influence by amending the United States Constitution to establish that: 1) Only human beings, not corporations, are entitled to constitutional rights; and 2) Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech."

The City of Boulder will support state and federal legislation similar to SJR12-1034, or action by other intergovernmental partners, that furthers efforts to amend the U.S. Constitution with language that captures the sentiment, if not the exact language, expressed by Ballot Question No. 2H. This includes support for the joint resolution that was introduced in the U.S. Senate on December 8, 2011 by Senator Bernie Sanders to amend the Constitution to exclude corporations from First Amendment rights to spend money on Political Campaigns (a.k.a. the Saving American Democracy Amendment).

- **SUPPORT GENERAL ASSEMBLY ACTION TO SUBMIT TO THE COLORADO ELECTORATE A REFERRED MEASURE TO REFORM THE CURRENT PROCESS FOR CITIZEN-INITIATED CONSTITUTIONAL AND STATUTORY AMENDMENTS BY ALTERING THE SIGNATURE COLLECTION REQUIREMENTS AND REQUIRING A SUPERMAJORITY VOTER APPROVAL FOR CONSTITUTIONAL AMENDMENTS, EXCEPT FOR THOSE MEASURES THAT LOOK TO AMEND PREVIOUS VOTER-APPROVED CONSTITUTIONAL AMENDMENTS; AND REQUIRING FOR A TIME A SUPERMAJORITY APPROVAL BY THE GENERAL ASSEMBLY TO CHANGE CITIZEN-INITIATED STATUTORY AMENDMENTS**

Over the past 25 years, as a result of its low threshold requirements, Colorado has experienced a surge in citizen-initiated ballot measures. In the last 18 years alone, the constitution has been amended 35 times, adding detailed and sometimes conflicting provisions with far-reaching consequences. The city supports state legislation similar to HCR12-1003 that would reform the citizen initiative process to make it more difficult to amend the state constitution while providing assurance to Colorado citizens that statutory amendments will be respected by state elected officials.

ECONOMIC VITALITY

- **PROTECT CORE PROVISIONS OF THE COLORADO URBAN RENEWAL LAW, WHICH PROVIDE EFFECTIVE REDEVELOPMENT TOOLS FOR MUNICIPALITIES SUCH AS TAX INCREMENT FINANCING AND EMINENT DOMAIN**

Unlike many communities that contain vast areas of undeveloped land planned for future commercial and residential use, Boulder's future economic sustainability will depend on effective and ongoing re-use of existing developed property. The majority of future redevelopment in Boulder will be completed by private entities and through private investment. However, in rare circumstances, and based on the requirements of the urban renewal law, projects that demonstrate a compelling community need may only be achievable through a public/private urban renewal partnership. Municipalities should retain the capacity to facilitate revitalization of their urbanized areas. The city, however, recognizes that there have been instances of abuse of this tool that threaten its continued availability. Accordingly, the city will support legislation designed to address such abuses, ~~including changes~~ specifically those designed to assure that: the tax increment base is set at a fair level; ~~or requirements that~~ the impacts of projects in the urban renewal area are adequately communicated to the other impacted taxing districts (e.g., allowing counties to appoint a member to serve on urban renewal authority board), and/or; the increment revenues be distributed to impacted taxing entities following repayment of financial obligations.

• SUPPORT CONTINUED FUNDING AND SUPPORT FOR THE FEDERALLY FUNDED LABS LOCATED IN BOULDER

The city's economic vitality policy strongly supports the federally funded laboratories that are located in the city, specifically:

- Cooperative Institute for Research in Environmental Sciences (CIRES)
- Joint Institute for Laboratory Astrophysics (JILA)
- Laboratory for Atmospheric and Space Physics (LASP)
- National Center for Atmospheric Research (NCAR)
- National Ecological Observatory Network (NEON)
- National Institute of Standards and Technology (NIST)
- National Oceanic and Atmospheric Administration (NOAA)
    - Earth System Research Laboratory (ESRL)
    - National Geophysical Data Center (DGDC)
    - National Weather Service (NWS)
    - National Environmental Satellite, Data and Information Service (NESDIS)
    - Space Weather Prediction Center (SWPC)
- National Telecommunications and Information Administration (NTIA)
- University Corporation for Atmospheric Research (UCAR)
- UNAVCO
- United States Geological Survey (USGS)

The labs, the research they conduct, and the researchers and staff they employ are vitally important to the City of Boulder, Boulder County, the Denver metropolitan region, the state, and the nation as a whole. The research funding they receive is redistributed throughout Colorado and beyond in the form of discretionary employee income, purchases of goods and services from suppliers, and contractual agreements with universities and private industry. Technologies they've created have led to technology transfer and spin-off companies.

In the Boulder metro area alone, federal research labs employed over 3,539 people in 2012. The NOAA, NIST and NTIA labs accounted for over one-third of this employment. These are high-skilled, highly educated employees whose average annual compensation in 2012 was $107,900. In August 2013, CU's Leeds School of Business released a study entitled, "CO-LABS Economic Impact Study: Economic and Fiscal Impacts of Federally Funded Research Facilities". According to the report, the net economic benefit to Boulder County of the federal labs, combined with other federally funded research laboratories in Colorado, totaled $743.2 million in FY 2012.

Boulder highly values the scientific contributions the labs and their employees have made to the entire nation, as well as the economic impact they have on our community. These institutions work closely with scientific researchers from the University of Colorado in Boulder and Colorado State University in nearby Ft. Collins. This synergy of scientific knowledge is found nowhere else in the United States.

Just as the labs generate direct benefits (employment, local spending) and associated indirect activity through an economic multiplier effect, the opposite holds true for funding reductions. According to CU's Leeds School of Business, for every job lost at these federal laboratories, an additional 1.17 jobs will be lost in Colorado. For every $1 million in funding cuts to the labs, an additional $1.13 million in economic impact will be lost. Perhaps even more troubling, our national capacity for research and innovation will be damaged by lay-offs of scientists and researchers, jeopardizing new advanced technologies, future businesses formed to commercialize developing technologies, and our global competitiveness.

- **SUPPORT FACILITATING THE ABILITY OF MUNICIPALITIES TO ENTER INTO REVENUE SHARING AGREEMENTS**

The city believes that there are a number of shortcomings associated with the current reliance municipalities have on sales tax generation. These include revenue-driven development detached from community land use goals, the use of incentives to capture development at the expense of municipal budgets, and sales tax revenue volatility resulting from counterproductive competition of regional retail outlets. In order to address these and other limitations, the City of Boulder, in conjunction with the Boulder County Consortium of Cities, is exploring the possibility of a revenue sharing agreement with one or more of its municipal neighbors. The significant challenge of such an undertaking would be diminished if the state were to provide mechanisms to encourage such agreements. One possibility would be for the state to establish a task force to evaluate the possibility of exploring revenue sharing as it may relate to the creation of a service tax or the removal of barriers to collecting Internet sales tax.

- ~~**SUPPORT REVISIONS TO THE FEDERAL BUDGET SEQUESTRATION AS IT HAS AND WILL CONTINUE TO DRASTICALLY IMPACT FUNDING FOR VITAL PROGRAMS AND SERVICES PROVIDED BY THE FEDERAL LABS, THE UNIVERSITY OF COLORADO BOULDER, THE BOULDER VALLEY SCHOOL DISTRICT, BOULDER COUNTY AND THE CITY OF BOULDER**~~

~~Automatic cuts, enacted as a part of the debt ceiling and "Super Committee" debates of last year, are expected to trim $1.2 trillion from federal spending over the next decade. The city recognizes the importance of reducing the national debt through a combination of revenue increases and targeted budget reductions. However, the city is very concerned about the direct and indirect health, safety, education, human service and economic impacts to the Boulder community of across-the-board cuts to the federal budget. Instead, the city would support an approach that generates the Budget Control Act-mandated savings through administrative efficiencies and strategic cuts to obsolete or duplicative programs.~~

HOUSING

- **OPPOSE FEDERAL EFFORTS TO REDUCE APPROPRIATIONS FOR HUD PUBLIC HOUSING AND SECTION 8 PROGRAMS WHICH PROVIDE RENTAL ASSISTANCE TO LOW-INCOME HOUSEHOLDS**

In the continuum of housing options for Boulder citizens, public housing and Section 8 vouchers provide a unique source of safe and affordable homes for approximately 1,000 families. Public housing and voucher assistance serve the most low income families in Boulder, 95 percent of whom have incomes below $14,000 annually and pay an average of less than $300 per month in rent. There are very few, if any, market options for these families who depend entirely on the availability of federal assistance in order to live with dignity and assurance of shelter.

- **OPPOSE FEDERAL REDUCTIONS TO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME INVESTMENT PARTNERSHIPS**

Boulder has participated in the CDBG program since 1975, and funds have been used in the past for a variety of projects ranging from assistance to nonprofit agencies that provide services to the city's low and moderate income residents, to construction of the Pearl Street Mall, and renovation of the Chautauqua Auditorium. Boulder has also participated in the HOME program since 1992 and program funds have supported the production and preservation of affordable housing. For the past eight years Boulder has been the lead agency for a regional HOME Consortium including all of Boulder and Broomfield Counties. Half of the HOME funds received by Boulder are used in Boulder and half in the other Consortium communities. In 2014, the city received $720,822 in CDBG funding, a 37% decrease over 10 years, and $940,084 in HOME funding, a 31% decrease in five years, from the U.S. Department of Housing and Urban Development. The CDBG and HOME programs allow the city to strengthen public infrastructure, increase supply of affordable housing, and improve the quality of life for the city's low and moderate income residents.

- **SUPPORT FOR STATE HOUSING TRUST FUND**

The city is supportive of legislative efforts that would lead to creation and financing of a state affordable housing trust fund.

- **SUPPORT LEGISLATION THAT HELPS ADDRESS THE POWER IMBALANCE BETWEEN OWNERS OF MOBILE HOMES AND OWNERS OF MOBILE HOME PARKS**

It is the policy of the city to encourage affordable housing ownership, including manufactured housing. Current market conditions place owners of manufactured housing at a disadvantage compared to other potential investors in the purchase of manufactured home communities. These dynamics often lead to the exclusion of the potential buyers who have the most at stake and the greatest need for an opportunity to purchase the park.

- **OPPOSE FURTHER CUTS TO STATE FUNDED HEALTH AND HUMAN SERVICE PROGRAMS, ESPECIALLY THOSE THAT ARE PREVENTIVE IN NATURE**

In recent years the state made drastic cuts to services that help provide a safety net to thousands of city residents. This includes services to very low income residents, children and families, mentally ill, disabled and people without health insurance. The city urges the General Assembly to avoid making further cuts to those essential services that serve the city's most vulnerable, especially intervention and prevention services that keep people out of crisis.

- **REFORM CONSTRUCTION DEFECTS LAW SO AS TO REDUCE DISINCENTIVES TO CONSTRUCTION OF AFFORDABLE AND OWNER-OCCUPIED MULTIFAMILY HOUSING**

In some areas of Boulder, such as in areas where transit-oriented-development is desired, the city encourages higher density housing, including a mix of rental and owner-occupied units. In recent years, however, Boulder and many other cities in the Denver metro-area have seen multi-unit projects increasingly constructed only for rental purposes, not as owner-occupied housing units. One reason cited by developers for building mostly rentals is the construction defects liability that they are exposed to when building condominiums, especially after the passage of Colorado's "Homeowners Protection Act of 2007," as well as the high cost of insuring against such losses. According to one DRCOG study, the liability/insurance disincentive is most pronounced when units cost less than $400,000.

The city places a high value on protecting the rights of its residents to seek legal redress for construction defects. At the same time, it agrees with municipalities throughout the region that threats of litigation cannot be so great as to discourage developers from constructing affordable, for-ownership, multifamily housing. Accordingly, in an effort to balance these interests, the city will support reform to the state's construction defect law to ensure that: (1) agreements requiring a fair and balanced mediation or arbitration process to determine construction defects liability are not unilaterally circumvented or eliminated by either party, and; that (2) prior to initiating a construction defect lawsuit that an association of

homeowners receive the consent of a majority of the individual owners affected by construction defects after being informed of the projected costs, duration, and financial impact of pursuing such litigation.

HUMAN SERVICES/HUMAN RIGHTS

- ### SUPPORT COMPREHENSIVE FEDERAL IMMIGRATION REFORM

The City of Boulder has been, and remains, committed to the protection of civil and human rights for all people. It believes in the dignity of all Boulder residents, regardless of immigration status, and recognizes the importance of their many contributions to the social, religious, cultural and economic life of the city.

The failures of the U.S. immigration system have had profound impacts within the Boulder community. These include very young students losing motivation to excel in their learning because of knowledge that they lack affordable higher educational opportunities and the existence of an underclass, climate of fear, informal economy and work force inequities.

Accordingly, the city welcomes and encourages cooperation at all levels of government to work together to support swift and responsible legislative action to produce equitable, humane, effective and comprehensive federal immigration reform that provides for:

1. Enforceable immigration laws;
2. A rational and humane approach to the undocumented population;
3. A simplified visa system which allows for family unification of those who have been separated by the legal immigration backlog process and which provides for legal status for the existing immigrant workforce;
4. A rate and system of controlled immigration that matches the needs of our economy;
5. Social integration for our existing immigrant workforce and their families;
6. Recognizing employers as key allies in implementing immigration policy and enhancing enforcement of labor laws to remove the market advantage that leads to exploiting immigration status to pay lower wages, avoid taxes and violate labor laws;
7. A system which ultimately aids in border control, and;
8. Bilateral partnerships with other countries to promote economic development that will reduce the flow of immigrants.

The city also supports federal legislation, such as the often introduced Development, Relief, and Education for Alien Minors Act (The “DREAM Act”), that would qualify students for immigration relief if they have resided in the United States for several consecutive years, arrived in the U.S. as young children and demonstrated good moral character; put such students on a pathway to citizenship if they graduate from high school or obtain a GED and complete at least 2 years towards a 4-year degree or serve in the U.S. military for at least two years, and; eliminate a federal provision that discourages states from providing in-state tuition to their undocumented immigrant student residents, thus restoring full authority to the states to determine state college and university fees. Similarly, the city supports

legislation, like HB14-1124, which would allow instate tuition for American Indian Tribe members with ties to Colorado.

Finally, the city supports legislation like the Uniting American Families Act of 2013 (S.296), which would ensure that all Americans, regardless of sexual orientation, receive equal treatment under immigration laws. The 2013 bill specifically would have allowed partners and children of U.S. citizens and lawful permanent residents to obtain lawful permanent resident status the same way heterosexual spouses can. It would also allow for family-based immigration for gay and lesbian Americans and the reunification of families, which strengthens our communities.

- **FURTHER THE RIGHTS OF ALL PEOPLE REGARDLESS OF THEIR ACTUAL OR PERCEIVED SEXUAL ORIENTATION OR GENDER VARIANCE STATUS**

On May 18, 2004, Boulder's City Council adopted Resolution No. 947. This resolution affirms the city's commitment to the protection of civil rights for all people as outlined in the city's human rights ordinance. Furthermore, the resolution recognized the many contributions that the city's gay, lesbian, bisexual and transgender residents have provided that have enhanced the lives of all in the community. Finally, the resolution declared support for repealing or legislatively challenging the Colorado state law prohibiting the issuance of same sex marriage licenses.

Consistent with the city's long history of support for the equal rights of all people regardless of their actual or perceived sexual orientation or gender variance status, the city will continue to support the right for same-sex couples to enjoy and be bound by the same legal rights and responsibilities as married, opposite-sex couples, including the right to be issued a marriage license and to file joint income tax returns.

The city supports the Employment Non-Discrimination Act (ENDA) of 2013 (S. 815), a federal bill to prohibit employment discrimination on the basis of sexual orientation or gender identity. With no clear federal law prohibiting workplace discrimination on the basis of sexual orientation or gender identity, many lesbian, gay, bisexual, and transgender workers live with uncertainty and fear about whether they'll be able to keep a job and care for their families. Without a comprehensive federal law like ENDA, these workers lack antidiscrimination protections in a majority of states. ~~The city also supports legislation like the Tax Parity for Health Plan Beneficiaries Act (S. 738 and H.R. 2523), bills which were considered in both the House and Senate of the 113th Congress. Under the existing federal tax code, health benefits for same-sex domestic partners (unlike those of heterosexual spouses of employees) are taxed as income to the employee. The Tax Parity for Health Plan Beneficiaries Act would provide tax equity for same-sex couples. It has received support from 77 of the nation's largest companies, including Microsoft, Boeing and Alaska Airlines. Under the umbrella organization named the Business Coalition for Benefits Tax Equity, they have stated that the current tax inequity puts them at a competitive disadvantage.~~

- ~~**SUPPORT ANTI-WAGE THEFT LEGISLATION**~~

~~Wage theft is a common problem across Colorado in which an employee is denied the wages that they earned through their labor. It takes various forms and state statutes do not provide adequate remedies or protections for these workers. Victims of wage theft are often lower-income and each incident of wage theft puts the individual and family at risk of losing their housing or not having access to food and other necessities of daily life. The failure to pay wages owed is broadly destructive because it victimizes not only economically vulnerable members of the workforce but also the network of service providers and governmental institutions that strive to address the needs of Boulder's population.~~

~~The city's "Failure to Pay Wages" ordinance (B.R.C., 1981, Section 5-3-13) enables workers alleging an employer's failure to pay to seek recovery of their wages through the city's Office of Human Rights. That office has handled over 100 cases and recovered more than $50,000 in pay for work performed within Boulder. Examples of jobs most likely to encounter such wage disputes include construction, landscaping, day labor, personal services, and child care. However, the ordinance does not protect workers outside the City of Boulder, including Boulder residents who work outside the city limits.~~

~~State laws are very limited in the support they provide workers trying to recover unpaid wages. For this reason, the city supports legislation at the state level (e.g., the Income Protection Act by Singer-Ulibarri) to counter wage theft by increasing administrative remedies that provide more access to justice for workers trying to secure wages that they earned.~~

INTERNAL ADMINISTRATIVE MATTERS

- **PROTECT WORKERS' COMPENSATION SYSTEM**

The city's self-insurance program is a cost efficient method to provide workers' compensation. The workers' compensation system serves a dual purpose, providing benefits promptly to injured employees in a cost-effective manner and minimizing costly litigation. Consequently, the city will support legislation that improves the administrative efficiency of the State of Colorado's Division of Workers' Compensation.

State intervention or taxation can negatively impact the city. Consequently, the city will oppose legislation that increases insurance premium costs to employers, adds administrative burdens or taxes to self-insurance programs, promotes litigation, or removes existing off-sets to workers' compensation benefits.

The city also opposes efforts to expand "presumptive disease" claims associated with workers' compensation insurance. Presumptive disease claims are a change in the philosophy guiding workers' compensation insurance. They presume an existing or previous employee obtained the disease from work associated with that person's employer unless the employer can prove

otherwise. The 2007 legislative session enacted legislation that requires that, under the Workers' Compensation Act of Colorado, if a firefighter contracts cancer of the brain, skin, digestive system, hematological system or genitourinary system, the condition be deemed to have occurred within the scope of employment unless the employer can prove that the covered cancer did not occur within the scope of employment. This is a particularly difficult proposition for employers as many diseases have a genetic component and cannot be definitively detected in baseline (time of hiring or imposition of new law) testing. The result of this legislation was a 15 percent increase in premiums associated with fire employees. The city opposes any effort to further shift the burden of proof for workers' compensation claims.

- **PROTECT GOVERNMENTAL IMMUNITY**

The complexity and diversity of city operations and services required to meet the needs of the residents of Boulder may expose the city and its officers and employees to liability for damage and injury. City officers and employees must be confident that they have the city's support in the lawful and proper performance of their assigned duties and responsibilities.

Consequently, the city will support legislation that provides immunity to municipalities and their officers and employees in the lawful and proper performance of their duties and responsibilities and that discourages baseless and frivolous claims against the same. Conversely, the city will oppose legislation that expands or increases municipal liability or further limits municipal immunity beyond current law.

- **OPPOSE CHANGES THAT COULD UNNECESSARILY RESULT IN INCREASED CONTRIBUTIONS OR FORCE A REDUCTION IN BENEFITS FOR MEMBERS OF THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (PERA)**

Two significant pieces of legislation were enacted in recent years aimed at putting PERA back on track to being fully funded. The first, SB06-235, passed in 2006, made several changes, including: (1) temporary increases in the amount that employers from each division must contribute to PERA, with increases staying in effect until accounts in those divisions are found to be 100% funded; (2) the addition of an eight percent cap per year on the Highest Average Salary (HAS) for new hires; (3) a change of the Rule of 80 to a Rule of 85 with a minimum retirement age of 55 for new hires; (4) a prescribed amortization period reduced from 40 years to 30 years; (5) a requirement for independent actuarial studies to be conducted before future benefit increases could occur; and, (6) a new requirement to purchase service at full actuarial cost.

Then in 2010, SB10-001 was enacted to require, among other things: (1) additional increases in the temporary employer contributions beyond previous requirements, with exemptions for the local government division where further increases were deemed unnecessary; (2) reductions in the cost of living adjustments (COLA); (3) application of the 3-year HAS with a

base year and an eight percent spike cap applicable to current members not eligible to retire on January 1, 2011; (4) extension of the Rule of 85 to existing members with less than five years of service credit as of January 1, 2011, creation of a Rule of 88 for new hires and a Rule of 90 for hires after 2017, and; (5) a new requirement for contributions from retirees who return to work.

Despite this legislation, a result of comprehensive and collaborative efforts by PERA, legislators and representatives of employer groups, and despite a 2012 independent auditor finding that PERA's assumed 8% rate of return is "within a reasonable range of possible scenarios," a variety of legislation has since been and is expected to continue to be introduced in the Colorado General Assembly to further change the PERA system. The city recognizes that further reforms may indeed be required and consequently supports legislation deemed necessary to stabilize PERA's funds, but only when informed by a comprehensive evaluation of the impacts of those changes so as to protect against unnecessary increases to employer or employee contributions or reductions in employee benefits. One reform the city would support without further analysis is changes to the composition of the 16-member PERA Board of Trustees to provide more balanced representation from non-PERA covered members. However, as one of the largest of the 24 member governments in PERA's Local Government Division, Boulder will oppose piecemeal state legislation that has unknown financial impacts.

LOCAL CONTROL

- **OPPOSE THREATS TO LOCAL CONTROL AND HOME RULE AUTHORITY**

Several bills are introduced each session that threaten to erode local powers. As a general matter, the city believes that local problems need local solutions and that the current authority and powers of municipal governments in areas such as land use, zoning, personnel matters and sales tax, should not be further eroded. Legislation threatening local control, that does not otherwise further interests specified in this legislative agenda or otherwise recognized by City Council, will be opposed by the city.

NATURAL RESOURCES, WILDLIFE AND PARKS

- **PROTECT THE ABILITY OF LOCAL GOVERNMENTS AND THE LAND TRUST COMMUNITY TO ACQUIRE AND PROTECT PARKS AND OPEN SPACE**

Colorado Lottery proceeds have been one of the few sources of state funding for conservation of natural resources, wildlife and parks, providing $2.3 billion statewide over the past 28 years. Profits from the sale of lottery products are allocated according to the following formula: up to 50 percent to the Great Outdoors Colorado (GOCO) Trust Fund, 40 percent to the Conservation Trust Fund (CTF), and 10 percent to the Colorado Division of Parks and

Outdoor Recreation. GOCO provides competitive grants to projects that preserve, protect and enhance Colorado's wildlife, parks, rivers, trails and open space. The fund is capped (approximately $54 million in 2011) and any spillover is directed to the BEST rural school capital construction assistance fund. The CTF funds are used by local communities across the state for outdoor projects including trail construction, ball fields, playgrounds, and adding new parks or enhancing existing parks.

CTF and GOCO funds have for years been a critical part of the city's capital budget. Important acquisitions have been added to Boulder's inventory of parks and open space that have helped shape our community, preserve ecological systems and create opportunities for active and passive recreation for people of all ages. Among the projects accomplished with GOCO funding include Valmont Bike Park, winner of the 2011 Colorado Parks and Recreation Association award for recreation facility design and future host of the 2014 USA Cyclo-Cross National Championships.

The city supports preservation of the current lottery distribution formula and will oppose legislation that would change that allocation or create new lottery scratch tickets for other purposes that would decrease demand for the existing lottery tickets.

- **SUPPORT STATE LEGISLATION FURTHERING IMPLEMENTATION OF THE CITY'S URBAN WILDLIFE MANAGEMENT PLAN**

The Urban Wildlife Management Plan (UWMP) was developed to provide guidance on how Boulder's urban areas will provide diverse, self-sustaining, native wildlife populations in a manner compatible with basic human needs, social and economic values and long-term ecological sustainability. The plan also seeks to reduce conflicts between humans and wildlife in the urban core. Management of the city's lands outside of the urban core such as Open Space and Mountain Parks lands and utilities lands (Silver Lake Watershed, Boulder Reservoir) are covered by the plans of the appropriate managing department.

Because of the network of nearby natural lands, its geographic setting at the intersection of the mountains and plains, Boulder's urban areas are visited or inhabited by a wide range of wildlife species. Some species keep a low profile, present little or no conflict and go unnoticed by most urban residents. Other species are highly valued by the community, but most of these present little or no conflict with urban services or land uses. There are, however species that are valued by the community that do come into conflict with people. These include prairie dogs, black bear, mountain lions, Canada geese and mule deer. The city is often attempting to simultaneously conserve these species on open space lands, while managing conflict in the urban area.

There are often opportunities on a species-specific level to support legislation at a state or federal level to complement our conservation and conflict management efforts. Examples include support of funding for mosquito management to address state or federal public health issues/mandates; modifications of laws to allow prairie dog relocation to other counties without commissioner approval; and, modifications to in-stream flow legislation that

would allow the city to retain the value of its water rights while simultaneously conserving native and sport fisheries.

- **SUPPORT TO ADDRESS THE CITY'S EMERALD ASH BORER INFESTATION**

In late September of 2013, the emerald ash borer (EAB), an invasive pest of ash trees, was identified within the city limits of Boulder. The EAB is a hard to detect, and even more difficult to exterminate, insect that kills even healthy ash trees within 2-4 years of first symptoms. Although the EAB flies, infestation normally results from movement of infested ash trees and wood (e.g., firewood, chips, packing and industrial materials).

The EAB poses a significant threat to the ash trees within the city. There are approximately 38,000 city park and public street rights-of-way trees under the jurisdiction of the Boulder Parks and Recreation Urban Forestry Division: approximately 6,000 are ash trees (15 percent of the public tree population). That number rises to 98,000 when you include private ash trees within the city and 1.45 million when you take into account all the ash trees in the Denver metro area. Consequently, local governments may require significant support from the state to contain the threat, enforce a quarantine, remove dead trees and to educate the public.

The city will support necessary state legislation, including requests for supplemental funding for the CDA or the creation of an account to support emergency response to pests when no specific agricultural or horticultural industry is primarily impacted, to allow the state to partner with the city in addressing the challenges presented by the EAB.

- **SUPPORT MORE BALANCE IN THE COMPOSITION OF COLORADO'S "PESTICIDE ADVISORY COMMITTEE" AND FOR RESTORATION OF LOCAL GOVERNMENT AUTHORITY TO REGULATE CERTAIN PESTICIDE USES**

The Colorado Pesticide Applicators' Act applies to pesticide applicators with the focus primarily on testing and licensing of commercial pesticide applicators. It also incorporates EPA rules and federal pesticide law. Until 2006, when industry-backed legislation was enacted, the Act allowed local governments in Colorado wide discretion to enact pesticide regulations. Since 2006, however, local control to regulate almost all aspects of pesticide use has been preempted by state law. The 2006 legislation expanded state preemption for all pesticide users. The only exception is for the posting of notification of pesticide applications for non-commercial pesticide applicators.

Revisions to the Act can now be expected in 2015, following a sunset review initiated this fall and expected to be concluded with a report and recommendations by the end of 2014. Given the city's vested concerns in regaining some of its former authority to protect human health

and the environment from the potential adverse effects of pesticides, city representatives expect to be involved at several steps in the sunset review. During this time, it will advocate for legislation that provides a more balanced perspective on pesticide use that takes into account recent studies concerning the human health and environmental impacts of pesticides that were not known at the time the Act was initially enacted. Specifically, it will support expansion of the state's Pesticide Advisory Committee to include members with technical expertise in human health risk (particularly to children), non-target species impacts including pollinators, water quality impacts, local governments, and others to ensure the publics' best interests; state protections for children and pollinators; and, restoration of the ability in specific situations for local governments to regain some authority to restrict pesticide use when immediate risk to human health or the environment cannot be addressed by the federal or state governments to adequately safeguard the public interest in a timely manner.

PUBLIC HEALTH AND SAFETY

- ### STATE AND FEDERAL ASSISTANCE FOR FLOOD DISASTER RECOVERY NEEDS AND EXPENSES

September 2013 brought unprecedented rainfall to the region causing significant flooding and extensive damage to many Colorado communities. In Boulder, total damage to city infrastructure and public lands is estimated at $27.3 million, and private-property damage is estimated at $300 million. The city was declared a national disaster which created the opportunity for possible reimbursement through the Federal Emergency Management Agency (FEMA), Federal Highway Administration (FHWA) and the State of Colorado. As of September, 2014, the city had spent approximately $16 million on flood recovery. Estimated reimbursements from FEMA, the State of Colorado and the Federal Highway Administration (FHWA) are currently anticipated to be $14.5 million. The city continues to pursue grant funding from federal and state agencies for recovery and resilience projects.

- ### SUPPORT FOR SAFE USE AND COMMERCIAL REGULATION OF RECREATIONAL MARIJUANA

The city will support or oppose legislation, as necessary, in furtherance of the following principles:

1. Maintaining or creating new mechanisms to ensure marijuana is appropriately labeled and regulated so that only adults intentionally choosing to use marijuana are exposed to it, that such users receive a safe product with complete information about the impacts of what they are choosing to ingest, and that these substances are kept away from children.

2. Maintaining a dual licensing system to allow both the state and local governments to issue and enforce licensing of commercial marijuana facilities.
3. Allowing local governments to recover the full costs of any commercial licenses they choose to allow.
4. Maintaining as a matter of state interest and responsibility the creation of overall safety requirements related to recreational marijuana while reserving to local governments specific abilities, but not mandate, to adopt additional requirements and monitor and enforce those rules.

- **SUPPORT REMOVAL OF BARRIERS THAT PREVENT LEGITIMATE MARIJUANA BUSINESSES TO ACCESS BANKING SERVICES**

Legitimate marijuana businesses in Boulder are forced to operate on a cash-only basis because the substance's federal status currently bars banks from doing business with them. This inequity creates a vulnerability to several of the enforcement priorities outlined in the Deputy Attorney General's letter dated August 29, 2013. More importantly it creates a serious local public safety problem. Statutory solutions are at the federal level and there are efforts underway to try and address this, most recently by Rep. Ed Perlmutter. The city will support these efforts to remove legal and administrative barriers that prevent these businesses from accessing banking services.

- **PROMOTE HEALTH AND SAFETY CONCERNS ASSOCIATED WITH ALCOHOL ABUSE IN THE GREATER COMMUNITY**

Boulder's City Council adopted Resolution 960 on October 19, 2004, concerning alcohol abuse within the community. This resolution affirmed the city's commitment to finding solutions to address the critical issues of health, safety and well being stemming from alcohol abuse within the city.

Since this time, Council has expressly stated its support for appropriate legislation that would:

1. Require the sale of kegs containing alcohol to have a tag attached that would permit tracing of the purchaser, and;
2. Require mandatory server training.
3. Repeal the provision contained in C.R.S. Section 27-81-117 preventing municipalities from adopting public drunkenness ordinances; and
4. Permit municipalities to regulate licensees' hours of alcohol service.

The city will support appropriate legislation that furthers these goals. Conversely, the city will oppose any legislation that undermines these goals, including efforts similar to SB12-118 which would eliminate the 25 percent food requirement for Hotel and Restaurant liquor licenses.

- **CLOSE THE FEDERAL GUN SHOW LOOPHOLE**

While criminal background checks are currently required for purchases of guns at gun shows in Colorado, there are states that do not have such laws. In order to ensure that guns are not placed in the hands of criminals, a federal law eliminating the gun show loophole is necessary.

- **OPPOSE EXPANDING THE APPLICATION OF THE "MAKE MY DAY" LAW BEYOND PERSONAL RESIDENCES**

- **OPPOSE LIMITING THE STATE'S ABILITY TO REGULATE CONCEALED WEAPONS OR LOCAL GOVERNMENT'S ABILITY TO RESTRICT POSSESSION OF WEAPONS IN PUBLIC FACILITIES**

H.R.822, the National Right-to-Carry Reciprocity Act of 2011, is pending in Congress. This legislation would require Colorado to honor concealed carry permits granted by other states, even when those permit holders could not meet the standards required by Colorado law. This would strip Colorado of the power to create its own public safety laws and hand that power over to the federal government – and the states with the weakest protections. H.R.822 would also empower gun traffickers and threaten the safety of our police officers. To protect vulnerable people, states have set standards for carrying handguns that include criteria beyond an applicant's ability to pass a federal background check. For example, many states issue permits to people with alcohol abuse problems, no firearms safety training, or who are under the age of 21. Colorado does not. Colorado also grants limited discretion to law enforcement to approve or deny a permit. Colorado's standards also keep guns out of the hands of dangerous criminals. H.R.822, however, would permit citizens of states with less strict laws to freely carry concealed weapons in our state. Because of these problems, the city urges its federal delegation to stand up for law enforcement and support Colorado's right to make its own decisions about how to protect public safety.

Boulder also has concerns with regard to the open carrying of guns. While cities are prevented from restricting permitted holders of concealed weapons, Boulder wants to make sure it maintains the ability to prevent the open carrying of guns in its public facilities. The open carrying of weapons is alarming to many people and can create logistical issues for the police department.

- **OPPOSE MANDATES FOR LOCAL GOVERNMENT ENFORCEMENT OF FEDERAL IMMIGRATION LAWS**

The city supports preserving the option for its police officers to enforce federal laws, including federal immigration laws. However, it will vigorously oppose any state or federal legislation that mandates that its police enforce federal immigration laws, especially if they are unfunded mandates or are likely to result in enforcement officers engaging in racial profiling or discrimination based on race, ethnicity or national origin.

- **OPPOSE INFRINGEMENTS ON EMPLOYMENT AND PERSONNEL DECISIONS MADE BY MUNICIPAL POLICE AND FIRE DEPARTMENTS**

Employees of the city's fire and police departments are part of collective bargaining units. As part of those units, they have the right to negotiate the terms of their employment. The city opposes any state or federal law that would mandate municipalities to collectively bargain with public safety employee labor unions over wages, benefits, or working conditions, under one-size-fits-all rules.

- **OPPOSE IMPOSITION OF ONEROUS INFORMATION GATHERING AND REPORTING REQUIREMENTS ON PUBLIC SAFETY, ESPECIALLY WHEN THOSE REQUIREMENTS COME WITH SUBSTANTIAL COSTS THAT ARE NOT SUPPORTED BY ADEQUATE FUNDING**

An example of a reporting requirement that has been imposed on local law enforcement agencies in the past is the state law requiring the arrest of undocumented immigrants to be reported to Immigration and Customs Enforcement.

- **INCREASE THE FINANCIAL THRESHOLD OF PROPERTY DAMAGE THAT TRIGGERS A POLICE INVESTIGATION OF NON-INJURY TRAFFIC ACCIDENTS**

It takes very little damage to a vehicle to reach the current threshold of $1,000. While the city's police department currently responds to most accidents, increasing the damage threshold will provide greater flexibility and more local control over the use of police resources.

- **OPPOSE LIMITATIONS ON MUNICIPAL AUTHORITY TO OPERATE RED LIGHT OR PHOTO RADAR CAMERAS TO ENFORCE TRAFFIC SAFETY**

Boulder is one of nine cities in Colorado that use photo enforcement to enhance the safety of its streets. The red light locations in Boulder were carefully selected due to a historic rate of higher accidents over other locations. Use of photo enforcement at these red light locations has yielded significant safety benefits and reduced red light running accidents by 68 percent. Moreover, fewer and fewer red light tickets are issued at these locations each year due to increased compliance. Removal of these cameras could result in accident rates and non-compliance returning to pre-enforcement levels.

Quantifying photo speed enforcement success is somewhat more difficult. It is implemented per strict state statute requirements that limit where it can be placed. It enables the city to enforce speed limits in neighborhood locations that do not have a high enough volume of traffic to justify deployment of officers. It is particularly effective in school zones. One conclusion that can be made is that photo speed enforcement has enhanced the safety of neighborhood streets and school zones by reducing speeding.

Between 1999, when Boulder first introduced photo enforcement, and 2013, fines associated with violations of the city's photo enforcement program and red light violations generated $13,695,940 in revenue at a direct cost to the city of $13,118,972. When soft costs of overseeing the program are factored in, the costs of running the program essentially run even to the revenue it generates.

The true cost associated with motorists running red lights and speeding through neighborhoods is not captured in the financial information provided above. It is best quantified in the cost to our community associated with the personal injury and property damage from motorists speeding and running red lights. Recent studies have shown that the average red light camera location in the U.S. results in $38,000 a year in reduced societal costs, not to mention the number of lives and grief saved from fewer right-angle crashes. For Boulder, with our eight (8) red light running cameras, this results in $304,000 in societal cost saved annually.

For these reasons, the city will oppose any legislation similar to SB14-181 that would prohibit or otherwise further restrict the rights of local governments to use red light cameras or photo radar enforcement.

ROCKY FLATS

- **SUPPORT FUNDING FOR THE DEPARTMENT OF ENERGY FOR THE OFFICE OF LEGACY MANAGEMENT AND U.S. FISH AND WILDLIFE SERVICE IN ORDER TO MANAGE ROCKY FLATS AS A NATIONAL WILDLIFE REFUGE WITH THE APPROPRIATE SYSTEMS IN PLACE FOR LONG TERM STEWARDSHIP**

In February of 2006, the Rocky Flats Stewardship Council (RFSC) was formed to focus on the post-closure management of Rocky Flats, the former nuclear weapons plant southwest of Boulder. As a member of RFSC, the city is very supportive of the 2001 federal legislation (Rocky Flats National Wildlife Refuge Act of 2001) that designates Rocky Flats as a future national wildlife refuge site as well as the requirement that long-term liability, ownership and management of the site remain with the federal government. The city supports legislation authorizing, funding, or otherwise providing assistance for the Rocky Flats Legacy Stakeholders Organization, or alternative organization, to work on coordinating regional open space and conservation efforts as they relate to Rocky Flats

TAX POLICY

- **SUPPORT THE MARKET FAIRNESS ACT AND OTHER ACTION TO PRESERVE AND EXPAND THE AUTHORITY OF LOCAL GOVERNMENTS TO COLLECT TAXES**

According to research undertaken by Forrester Research for Internet Retailer, national online retail spending climbed to nearly $200 billion in 2011, up from $30 billion in 2000, and will grow approximately 10 percent per year to reach $280 billion and comprise more than seven percent of overall national retail spending by 2015. At the state level, the National Conference of State Legislatures estimates that Colorado will lose $352 million in 2012 from uncollected sales taxes. The growth in internet retail activity presents a clear challenge to the operating budgets of Colorado's local governments, many of which rely on sales taxes to fund critical municipal services, as well as the state budget. Consequently, the city supports legislation, such as the Marketplace Fairness Act, that provides authority for states and Colorado local governments to collect sales taxes on purchases made over the internet, regardless of whether the vendor has a physical nexus with the state. Appropriate limitations on this authority might include exemptions for small businesses, centralized collection of taxes on non-nexus sales and adoption of a common tax base for non-nexus sales. However, the city will not support changes which would allow the state to collect and remit tax revenues on non-nexus sales based on anything other than each municipality's individual sales tax rate (e.g., the city opposes use of a blended tax rate) or which would dictate the tax base or assume authority to collect revenues on local nexus sales which the city already has the authority to tax and collect.

TELECOMMUNICATIONS

- **REESTABLISH THE RIGHT OF MUNICIPALITIES TO PROVIDE TELECOMMUNICATION SERVICES SUCH AS LARGE AND COMPLEX CITY-WIDE FIBER AND PREMISE NETWORKS**

The provision of telecommunication access to ensure effective and appropriate access to educational and city resources are seen as a must in today's society. Utilizing current infrastructure and public-private partnerships can create necessary competition to retain low-cost, high-speed access to our residents, regardless of economic status. Senate Bill 05-152 preempted home rule municipalities from providing telecommunication services (with certain limited exceptions) without a vote of the people, even if infrastructure had already been built. Boulder believes that this legislation is overly restrictive in its private sector "non-compete" provisions. Given the very "low and slow" market evolution in providing low-cost and easily accessible internet and other telecommunication services, the city is completely hamstrung in seeking ways of legitimately investing public dollars in infrastructure and services to resolve the digital divide and general access issues in our communities.

TRANSPORTATION

- **INCREASES TRANSPORTATION FUNDING AND PRIORITIZE ITS EXPENDITURE ON PROJECTS THAT MAINTAIN EXISTING INFRASTRUCTURE, ARE MULTIMODAL IN DESIGN AND THAT OTHERWISE PROMOTE SMART GROWTH**

The city and the entire Denver metropolitan area are in need of new funding to maintain existing infrastructure and transit services, for multi-modal transportation improvements related to roadway, bicycle, pedestrian, carpool/vanpool and for travel demand management activities that would increase the efficiency of the existing system. There is a critical need for federal and state funds to ensure completion of the US 36 BRT project, including funding to acquire the best vehicles and BRT amenities possible and first and final mile connections to that corridor. Funding is also necessary for implementation of the recommendations of the Northwest Area Mobility Study (NAMS); specifically North I25 bi-directional HOV/Transit lanes and development of an arterial BRT system along SH119, US287, 120th Ave, South Boulder Road, Arapahoe/SH7, and SH 42.

The city supports turning to funding sources that are tied to transportation use, including vehicle registration, car rentals, gasoline consumption, or vehicle miles traveled, provided that a significant portion of the funding generated is directed toward specific, identified projects, including US Highway 36 and arterial BRT, or to programs that fund alternative modes of transportation.

This city also supports the recent trend of turning to managed lanes as a practical solution for improving mobility by providing viable travel options in congested corridors. In fact, the

city believes that any significant new lane capacity built with state funds be required to be managed. Managed lanes should result in regulation of demand to ensure choices for the traveler beyond the single occupancy vehicle by providing for the option of travel by bus and free or discounted access to high occupancy vehicles ("HOVs"), as well as allowing pricing to help manage corridor performance, such as dynamic, variable-priced tolls linked to congestion. Public-private partnerships (PPPs) are often essential to identifying funding to construct managed lanes. The challenge, however, is that the partnerships can sometimes focus too much on revenue generation and insufficiently on transportation performance. Moreover, decisions can be made by the state that do not receive sufficient vetting and/or oversight from the affected local governments. In order to ensure that only appropriate toll projects are built, the city would support legislation to require all PPPs for managed lanes to undergo a transparent approval process and to demonstrate maximization in the transportation of people (not just vehicles); reinvestment of at least a portion of toll operating revenues into the corridor for continued improvements; and prioritization of travel choices with a portion of toll revenues supporting transit and/or travel demand management, in order to maximize the value of the transportation investment and to ensure that lower-income residents benefit from the public investment in a toll road. The city also support legislation mandating a determination by the appropriate Metropolitan Planning Organizations (MPOs) that all toll projects, including those which do not use state or federal funding, be analyzed for consistency with the development policies of the MPO's plan, and that the MPOs assess implications of such projects on the region's fiscal health, air and water quality, energy, climate change and long-term sustainability. Finally, the city would support legislation similar to HB12-1171 that would prohibit the use of so called "non compete" clauses which are sometimes included in PPPs to preclude maintenance of, or improvements to, existing roads (e.g., Highway 93) in order to increase travel demand on new tolled lanes.

The city believes that new or existing funding should be used for regional priorities as determined by the area MPO, or, where no MPO exists, by the local Transportation Planning Region (TPR) where the improvements are supported by the affected local governments. The city also believes that state legislation should require MPOs and TPRs to model projects for their expected contribution to greenhouse gases and vehicle miles traveled and to prioritize those projects that reduce both.

With regard to federal transportation funding, MAP-21, the latest federal transportation authorization bill, made continued funding for the federal government's Safe Routes to School (SRTS) program beyond the 2013-14 fiscal year very unlikely. The SRTS program has proven itself a successful and popular program in Colorado. It has provided CDOT with approximately $2.5 million/year allowing capital and programmatic funding to flow to more than 500 schools across Colorado to improve safe access to schools, ranging from small towns like Ridgeway and Brush, to our largest cities like Denver and Colorado Springs. As a result, the number of children walking and biking to school has increased by as much as 31 percent. SRTS helps make kids safer, improves congestion near schools, and gives students opportunities to become more comfortable with travel options at an early age. The 2014 Safe Routes to School Act (HB14-3012) directed $700,000 in general fund revenue to allow part of the programmatic functions to continue for the 2014-2015 fiscal year. The city would support

legislation in 2015 that would provide ~~direct a small portion of FASTER safety~~ funds to continue this ~~existing~~ program, helping ensure safe transportation for our most vulnerable population; our children.

- ~~**SUPPORT LEGISLATION FACILITATING THE PROVISION OF RIDE-SHARING SERVICES**~~

- **REALIGN THE COLORADO TRANSPORTATION COMMISSION TO INCLUDE POPULATION, NOT JUST GEOGRAPHY, TO ENSURE FAIR REPRESENTATION OF THE METROPOLITAN AREA**

- **PROMOTE "COMPLETE STREETS," ACCOMMODATING ALL MODES OF TRAVEL**

The city supports legislation that furthers the concept of "Complete Streets" where modes are interconnected and a complete set of options are made available to improve efficiency and mobility for all. The city also supports legislation that promotes sustainable transportation solutions recognizing energy sources, impacts of vehicle miles traveled, connections to land use, urban design, and increased accessibility for all.

- **OPPOSE LIMITATIONS ON THE CITY'S ABILITY TO REGULATE VEHICLE USE ON SIDEWALKS, MULTI-USE PATHWAYS, AND BIKE LANES, OR THAT REQUIRES THE CITY TO ALTER ITS CURRENT CODE IN ORDER TO MAINTAIN CURRENT POLICY ON ALLOWED USES OF THOSE FACILITIES**

The city's current ordinances prohibit the use of Segways or motorized "toy vehicles" such as scooters, electric skateboards or mini bikes on sidewalks, multi-use paths or bike lanes. City-initiated changes to such policies would best be informed by a public process where input from the various sidewalk, multi-use path, and trail users could be solicited and evaluated. The city opposes changes to state law that would require the city to change its policy or force an unnecessary and potentially controversial re-evaluation of its policy.

- **OPPOSE TRANSFERING THE MAINTENANCE RESPONSIBILITIES FOR REGIONAL HIGHWAYS FROM THE COLORADO DEPARTMENT OF TRANSPORTATION TO LOCAL GOVERNMENTS**

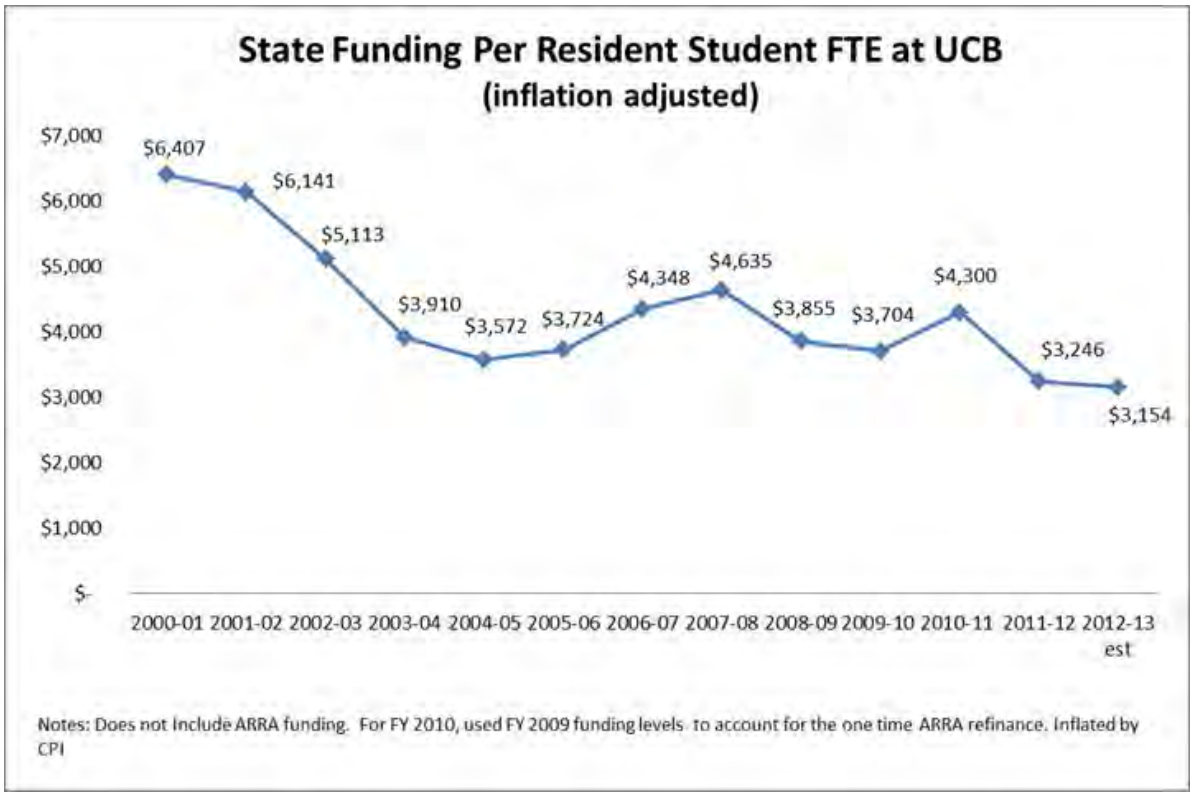
In past years, the Colorado General Assembly has been asked to consider legislation that would lead to the unilateral transfer to local governments of state highways. Boulder has several state highways that would be subject to such "devolution," including U.S. 36 and Highways 93, 7 and 119. The city believes that these types of regional highways, which service multiple communities and counties, need to remain the responsibility of the state government.

- **SUPPORT FLEXIBLE SOLUTIONS AND NEW FUNDING OPPORTUNITIES TO ADDRESS IMPACTS OF TRAIN HORN NOISE AND SUPPORT CREATION OF QUIET ZONES**

The city intends to participate in the upcoming Federal Railroad Administration (FRA) rule making process anticipated to open in late 2014/early 2015 to modify the train horn rules and requirements to create quiet zones. Whether through that process or through legislative means, the city will support more flexible and affordable options that work within the context of the local communities and support the safety goals of the FRA as well as the sustainability goals of EPA, HUD, DOT (FTA & FHWA). Addressing train horn noise and quiet zones is important to achieve local, regional, and national goals for multimodal transportation options, safety, housing, jobs, and the environment. Opportunities to amend the FRA train horn rules and quiet zone requirements, as well as identify funding sources for implementation, will address existing community concerns caused by train horn noise and support transportation options and mixed use, transit oriented development areas within the core areas of the city and other communities located along the Burlington Northern Santa Fe railroad corridor.

UNIVERSITY OF COLORADO

- **SUPPORT A RENEWED COMMITMENT BY THE STATE AND FEDERAL GOVERNMENTS TO FUND THE UNIVERSITY OF COLORADO AND ITS CAPITAL PROGRAMS**



The City of Boulder has been the proud home to the flagship campus of the University of Colorado (CU) since 1876. CU's Boulder campus (CU-Boulder) brings to the city the Colorado Shakespeare Festival, the Conference on World Affairs, the CU Concerts and Artist Series, access to libraries, athletic events, noncredit courses, and numerous other social and cultural offerings, all of which significantly contribute to the city's vibrancy. Furthermore, it directly employed 14,803 people in fiscal year (FY) 2011, 8,105 which were non-students (including temporary workers) earning average salaries of $57,216, accounting for 5.2 percent of total employment in Boulder County. Through research, teaching, operations, construction, student spending, and visitation, CU is an economic driver in Boulder County, contributing more than $1.5 billion in economic activity locally driven off $809 million in direct expenditures in the county in FY2011. This funding is by and large non-local, thus leveraging outside investment for the local economy. The presence of CU's research facilities and the highly skilled labor force that CU produces, have attracted major federal facilities, satellite institutions, and major private firms to the city. Yet, as reflected in the above graph, state funding for CU-Boulder has seen a dramatic decline over the last decade, a decline that

is anticipated to continue over at least the next two years. In light of the extraordinary importance of CU to the city, the city will support state and federal legislation that provides a renewed attention to funding CU, its capital programs (currently facing a maintenance backlog of approximately $320 million), and particularly legislation that helps preserve the flagship status of the CU-Boulder campus.

WATER

- ### SUPPORT LEGISLATION THAT PROMOTES THE EFFICIENT UTILIZATION AND CONSERVATION OF WATER

Boulder is on the forefront of support for water conservation and efficient utilization of water. Boulder uses a water budget rate structure to reward the efficient use of water and penalize wasteful practices. Boulder has adopted water conservation goals for build-out that will help meet the city's adopted reliability criteria for water supplies without significant new water acquisitions when fully using water sources already owned by the city. Water conservation can be an important public outreach and educational tool and can help to maximize reservoir storage levels and water use reductions needed during drought periods. Although the first priority for conserved water is drought protection and the extent to which the city can direct conserved water to any particular use is limited, when reservoirs are full, some conserved water can be provided for non-permanent uses such as annual agricultural leasing or instream flow enhancement. Accordingly, Boulder will support legislation that promotes water conservation, instream flow enhancement and the efficient utilization of water when such legislation is structured to also be protective of the city's water rights. By way of example, the city would support legislation that would phase in a requirement that new indoor water fixtures (including toilets, urinals, showers and faucets) sold in Colorado meet reduced flush volume requirements consistent with the US Environmental Protection Agencies WaterSense guidelines, provided that the legislation would not mandate retrofitting nor require local governments to assure compliance.

- ### OPPOSE SIGNIFICANT THREATS TO THE CITY'S WATER RIGHTS

In prior years, Boulder has lost thousands of acre-feet of the city's water because of the lack of proper well augmentation on the South Platte River. Loss of this reservoir water increases Boulder's risk of severe water shortage during drought years. In non-drought years, the city supports Boulder Creek basin farmers through annual leases of any water in excess of the city's short-term and long-term needs for approximately $30 per acre foot. Offsetting un-augmented well use in the South Platte basin would represent a $120,000 loss to the city in a year that 4,000 acre-feet of water is given up and would also decrease water for Boulder Creek farmers by reducing the city's leasable supplies. If other water users with junior water rights were to operate without proper augmentation and cause Boulder to need to permanently replace the water rights for 4,000 acre-feet of municipal water to protect the

city against drought and any negative effects of climate change that might occur, it would cost $48,000,000 or more.

Recent Colorado Supreme Court decisions have found that the State Engineer was not properly administering some water rights, such as for agricultural irrigation wells that were operating under junior water rights without providing senior water rights owners with sufficient augmentation water. New state legislation passed in the years from 2003 to 2009 clarifies that many well owners must file in water court for well augmentation plans and address the amount of augmentation water to be provided. To protect the yield of its existing water rights, Boulder has coordinated with other water users owning senior surface water rights, including many farmers, to participate in water court cases and monitor legislative actions regarding water rights. Many of the underlying disputes have now been addressed. Nevertheless, some issues remain that may result in the General Assembly again becoming the arena for water bills that attempt to incrementally adjust, or in many cases by-pass, the state constitution's Prior Appropriation Doctrine.

Bills that may be introduced might include attempts to limit the amount of augmentation water that junior diverters are required to return to the river to less than their impact on more senior water rights or to replace the jurisdiction of water courts with state engineer authority such that decisions on the adequacy of augmentation plans would be less transparent and subject to political influence. The city is committed to the legal principle of maximum utilization of both surface water and groundwater and believes this can best be achieved through water court-approved augmentation plans rather than the political process. To the extent that future bills significantly threaten the city's water rights, such as by shifting responsibility for well augmentation from well users to senior water rights owners, or increasing reliability for junior water rights by decreasing reliability for senior water rights, they will be vigorously opposed.

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TO: Members of Council
FROM: Dianne Marshall, City Clerk's Office
DATE: October 7, 2014
SUBJECT: Information Packet

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1. **CALL UPS**
   - **A.** **Site and Use Review** application, no. LUR2014-00042, for the redevelopment of the 45.5-acre Western Disposal Services site at 2655 N. 63rd St. in the IM zone district to include one 28.34-acre lot with a proposed 55' tall, 109,873 s.f. waste transfer station and recycling collection and processing facility and 4 developable lots ranging from 2.55 to 3.19 acres in size for future light industrial and technology development uses.

2. **INFORMATION ITEMS**
   - **A.** Update on Annexation of Flood Impacted Properties
   - **B.** North Boulder Sub-Community Action Plan

3. **BOARDS AND COMMISSIONS**
   - **A.** Beverages Licensing Commission – September 17, 2014
   - **B.** Human Relations Commission – September 15, 2014
   - **C.** Library Commission – July 9, 2014
   - **D.** Library Commission – July 26, 2014
   - **E.** Library Commission – August 6, 2014
   - **F.** Open Space Board of Trustees – September 2, 2014
   - **G.** Open Space Board of Trustees – September 10, 2014
   - **H.** Planning Board – August 7, 2014
   - **I.** Planning Board – September 18, 2014
   - **J.** Parks and Recreation Advisory Board – August 25, 2014
   - **K.** Transportation Advisory Board – August 11, 2014
   - **L.** Water Resources Advisory Board – August 18, 2014

4. **DECLARATIONS**
   - **A.** Marie Mercedes Alvarex Day – August 19, 2014
   - **B.** Colorado Cities and Towns Week – October 20-26, 2014
   - **C.** Crosswalk Safety Week – October 5-18, 2014
   - **D.** Escoffier Day – October 9, 2014

INFORMATION PACKET
MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning + Sustainability
Susan Richstone, Deputy Director of Community Planning + Sustainability
Charles Ferro, Development Review Manager
Chandler Van Schaack, Planner I

Date: October 7, 2014

Subject: Call-Up Item: **Site and Use Review** application, no. LUR2014-00042, for the redevelopment of the 45.5-acre Western Disposal Services site at 2655 N. 63rd St. in the IM zone district to include one 28.34-acre lot with a proposed 55' tall, 109,873 s.f. waste transfer station and recycling collection and processing facility and 4 developable lots ranging from 2.55 to 3.19 acres in size for future light industrial and technology development uses.

EXECUTIVE SUMMARY:

On September 18, 2014, Planning Board approved (6-1, J. Gerstle opposed) the subject application with the conditions found in the disposition of approval, provided as **Attachment A**.

The current proposal is to allow for the redevelopment of the 45.5-acre Western Disposal Services site at 2655 N. 63rd St. in the IM zone district to include one 28.34-acre lot with a proposed 55' tall, 109,873 s.f. waste transfer station and recycling collection and processing facility (waste transfer station) and 4 developable lots ranging from 2.55 to 3.19 acres in size for future light industrial and technology development uses. The proposed waste transfer station and recycling collection and processing facility, to be located adjacent to Western Disposal's existing compost, mulch and dimensional lumber processing yard, would replace the existing facility at 5880 Butte Mill, and would include a public access drop-off facility for yard and wood waste, certain recyclable materials and residual trash.

The four additional lots would be developed at a later time subject to detailed Design Guidelines (see **Attachment B**). Per the Applicant's written statement, the intent for the development of the site will be to pursue a complementary dynamic between the compost, mulch and wood processing facility, the future waste transfer station and public drop-off, and the four additional development lots, potentially creating an "EcoDistrict" by maximizing the advantage of waste heat, by-products, and other technologies that may be related to Western's processes, or those of the businesses in the Park. Please refer to **Figure 1** for a vicinity map.

Figure 1: Vicinity Map

The proposal includes two vehicular access points off of 63rd Street, including a primary access to the waste transfer station and public drop-off facility to be placed in the same location as the existing site entrance on the northern portion of the site as well as a new access and roundabout circulation drive further to the southeast. Access to the four additional lots will be taken from the circulation drive via a combination of shared access points for the three southern lots and two access points serving the northern lot. Bicycle and pedestrian circulation into and through the site will be accomplished via detached sidewalks along 63rd Street and the internal circulation drives. The plan also includes a soft-surface pedestrian path running along the edge of the wetland area on the southern portion of the site from 63rd Street to a proposed pocket park, and extending north from the pocket park along the eastern edge of the waste transfer station parcel.

In terms of building design, the proposed Design Guidelines (see **Attachment B)** address all elements including the scale and mass of buildings, materials, colors, roof styles and door and window openings, and are intended to promote a cohesive design statement within each parcel and throughout the development as a whole. In addition, the proposed Lots 2 thru 5 would be required to go through an administrative Site Review (subject to call-up by the Planning Board) at the time of redevelopment to ensure consistency with the intent of the Design Guidelines and Site Review criteria. The proposed waste transfer station is proposed at a height of up to 55’. The

remaining buildings are intended to meet the maximum permitted by-right height for the IM zone of 45 feet. In terms of site layout, the Design Guidelines promote building-forward design, with modifications to the setbacks requested in order to allow for 10' building setbacks on Lot 2 along the internal access drive and 10' setbacks on Lot 3 along 63rd St. where 20' is the minimum required per the IM zone district standards. Parking is to be located so as to minimize the visual impact, and open space and landscaping will be required to meet applicable city standards.

The Planning Board's approval is subject to a 30-day call-up period by City Council which expires on **October 20, 2014**. City Council is scheduled to consider this application for call-up at its **October 7, 2014** public meeting.

The staff memorandum of recommendation to Planning Board and other related background materials are available on the city website. Follow the links: *www.bouldercolorado.gov ➔ A to Z ➔Planning Board➔search for past meeting materials planning board➔2014➔09.18.2014 PB Packet.*

BACKGROUND:

An application for a similar project was reviewed as a Concept Plan by the Planning Board on Dec. 5, 2013 (the memo and the minutes are available on the city website. Follow the links: *www.bouldercolorado.gov ➔ A to Z ➔Planning Board➔search for past meeting materials planning board➔2013➔12.05.2013 PB Packet).* At that time, the applicant had proposed to subdivide the site into 12 development parcels ranging from 1.5 acres to 8.6 acres in size, initially establishing (4) four lots with frontage along 63rd Street that could be sold or leased. At that time, it was undetermined whether Western Disposal would relocate their waste transfer station and recycling collection and processing facility to the subject site from its current location at 5880 Butte Mill; however, the proposed site plan was intended to allow for a future/potential transfer station and public access drop off facility within the site. A discussion and comparison of the proposed project and the Concept Plan review is provided in Key Issue no. 1 below.

Project Site.

The 45.5-acre project site is located in East Boulder just north of Arapahoe Ave. off of 63rd Street, immediately across from the Leggett Owen Reservoir. The site is bounded by 63rd Street on the east, Stazio Ball Fields and the Leggett Reservoir outfall on the north, the Union Pacific railroad on the west and the Leggett Reservoir inlet and Boulder County Recycling facility on the south (see **Figure 1** for a vicinity map). Currently, the project site is largely vacant except for approximately 12 acres of the property, generally located west of the Jones Donnelly ditch, which is being used by Western Disposal as one of the few compost processing facilities in the State of Colorado. The yard waste composting operation was established as a pilot program in 2002 and later formalized through a Use Review in 2008 (LUR2008-00018).

Site Context.

The project site is within the 1-mile section of 63rd Street between Arapahoe and Valmont Roads identified in the 2006 Master Plan for Waste Reduction as "Recycle Row," which is an area intended to serve as a one-stop-shop where Boulder residents and businesses can access facilities to meet all their waste reduction and recycling needs. Currently, the Master Plan for Waste Reduction is being updated as the Zero Waste Strategic Plan, a draft of which anticipates that the project site will include public drop off for wood and yard wastes to complement Western

Disposal's composting operations, as well as a potential construction and demolition debris sorting facility to serve the city and the region. In addition, existing uses within the "Recycle Row" corridor currently include Eco-Cycle and the Center for Resource Conservation at 6400 Arapahoe, Boulder County Recycling Center and a regional Hazardous Materials Management Facility at 1901 63rd, and Western Disposal's existing transfer station and public access drop off located at 5880 Butte Mill Rd.

ANALYSIS:

Overall, the project was found to be consistent with the Site Review Criteria of section 9-2-14(h), B.R.C. 1981. A consistency analysis of the proposed project with the site review criteria is provided in **Attachment C**. Because the design of the proposed transfer station has not been finalized and the other four lots are to be developed at a later date through individual site reviews, much of the criteria for building design, mass and scale refers to the proposed design guidelines for the development. The waste transfer station will be required to submit a Site Review Amendment application (subject to call up by the Planning Board) for approval of the architectural design, which will ensure that the final design will be consistent with the approved Design Guidelines. Similarly, consistency with the approved Design Guidelines and Site Review criteria for Lots 2 thru 5 will be ensured through the Administrative Site Review process that each lot will be required to undergo prior to development.

The application was found to be consistent with the Use Review criteria of section 9-2-15(e), B.R.C. 1981. Specifically, the relocation of the waste transfer station and recycling collection and processing facility is necessary in order to foster the city's Waste and Recycling policies, and the operating characteristics of the proposed use are such that the use will provide a direct service to the surrounding area while remaining compatible with and having a minimal negative impact on the use of nearby properties. In addition, given the variety of uses surrounding the site and the historical presence of a composting facility in this location, the proposed use will not change the predominant character of the surrounding area. Please see **Attachment C** for staff's complete analysis of the review criteria.

Planning Board Hearing. At their September 18, 2014 public hearing, the Planning Board approved the subject Site and Use Review request with a vote of 6-1 (J. Gerstle opposed). Board member Gerstle opposed the motion due to the project including modifications to setbacks without including final building designs. The board amended the conditions of approval to allow for a phased development plan that includes construction of the infrastructure improvements within three years and construction of the waste transfer station and recycling collection and processing facility within six years. The board also added a condition of approval requiring an amendment to the approved design guidelines to include consideration of bike access to the public drop-off area, alternatively fueled vehicle access, minimization of mosquito habitat, and multiple uses of parking areas such as recreation, events and food trucks. Finally, the board amended the conditions of approval to require approval of a Site Review Amendment for the 55' height and final architectural design of the waste transfer station and recycling collection and processing facility. There were no public comments regarding the proposal.

The 30-day call up period expires on **October 20, 2014**. City Council is scheduled to consider these applications for call-up at its **October 7, 2014** public meeting.

ATTACHMENTS:

A. Notice of Disposition dated September 18, 2014
B. Applicant's Proposed Plan
C. Site and Use Review Criteria Analysis

CITY OF BOULDER
Community Planning & 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

CITY OF BOULDER PLANNING BOARD NOTICE OF DISPOSITION

You are hereby advised that on September 18, 2014 the following action was taken by the Planning Board based on the standards and criteria of the Land Use Regulations as set forth in Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

DECISION:	**APPROVED WITH CONDITIONS**
PROJECT NAME:	**WESTERN INDUSTRIAL PARK**
DESCRIPTION:	**Site and Use Review for the redevelopment of the 45.5-acre Western Disposal Services site at 2655 N. 63rd St. in the IM zone district to include one 28.34-acre lot with a proposed 55' tall waste transfer station and recycling collection and processing facility approximately 110,000 s.f. in size and 4 developable lots ranging from 2.55 to 3.19 acres in size for future light industrial and technology development uses.**
LOCATION:	**2655 N 63RD ST**
COOR:	**N04E02**
LEGAL DESCRIPTION:	**Outlot C1, Boulder County Recycling and Composting Authority Subdivision Replat A Lot Line Adjustment, City of Boulder, County of Boulder, State of Colorado.**
APPLICANT:	**NANCY BLACKWOOD**
OWNER:	**WESTERN INDUSTRIAL PARK LLC**
APPLICATION:	**LUR2014-00042**
ZONING:	**IM**
CASE MANAGER:	**Chandler Van Schaack**
VESTED PROPERTY RIGHT:	**NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.**

APPROVED MODIFICATIONS FROM THE LAND USE REGULATIONS:
Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981:

- **Height modification for Lot 1 to allow for a maximum principal building height of 55 feet where 45 feet is the maximum principal building height allowed by right.**
- **Reduction in the minimum front yard landscaped setback to allow for 10' setbacks on Lot 2 along the internal access drive and 10' setbacks on Lot 3 along 63rd St. where 20' is the minimum required.**

Section 9-9-5, "Site Access Control," B.R.C. 1981:

- **Increase in number of access points permitted to allow for two access points on Lot 2 where one is the maximum number permitted.**

This decision may be called up before the City Council on or before **October 20, 2014**. If no call-up occurs, the decision is deemed final thirty days after the Planning Board's decision.
Final Approval Date: **October 21, 2014.**

FOR CONDITIONS OF APPROVAL, SEE THE FOLLOWING PAGES OF THIS DISPOSITION.

IN ORDER FOR A BUILDING PERMIT APPLICATION TO BE PROCESSED FOR THIS PROJECT, A

SIGNED DEVELOPMENT AGREEMENT AND SIGNED FINAL PLANS MUST BE SUBMITTED TO THE PLANNING DEPARTMENT WITH DISPOSITION CONDITIONS AS APPROVED SHOWN ON THE FINAL PLANS. IF THE DEVELOPMENT AGREEMENT IS NOT SIGNED WITHIN NINETY (90) DAYS OF THE FINAL DECISION DATE, THE PLANNING BOARD APPROVAL AUTOMATICALLY EXPIRES.

Pursuant to Section 9-2-12 of the Land Use Regulations (Boulder Revised Code, 1981), the applicant must begin and substantially complete the approved development in compliance with the phasing plan. Failure to "substantially complete" (as defined in Section 9-2-12, Boulder Revised Code 1981) the development in compliance with the phasing plan shall cause this development approval to expire.

At its public hearing on September 18, 2014 the Planning Board approved the request with the following motion:

On a motion by **C. Gray**, seconded by **J. Putnam**, the Planning Board voted 6-1 (**J. Gerstle** opposed) to approve Site and Use Review application LUR2014-00042, adopting the staff memorandum as findings of fact, including the attached analysis of review criteria and subject to the recommended conditions of approval which shall be revised to include the following Condition of Site Review Approval No. 7:

7. Pursuant to Subsection 9-2-12(a), "Three Year Rule," B.R.C. 1981, the following development/phasing plan is approved:

a. Phase I, to construct the public infrastructure improvements, shall commence at the date of this approval and shall be substantially completed within three years.
b. Phase II, to construct a waste transfer station and recycling collection and processing facility, shall commence upon the expiration of Phase I and expires three years thereafter.

Friendly amendment by **J. Putnam**, accepted by **C. Gray** to add a condition 3.h to the Conditions of Site Review Approval which shall read as follows:

Amended design guidelines that will provide:
(1) Consideration for access for bicycles to the public waste transfer drop-off area
(2) Consideration for alternatively fueled vehicle access such as charging stations, bio diesel or compressed natural gas,
(3) Consideration for minimization of mosquito habitat in storm water infrastructure and landscaping,
(4) Consideration for multiple uses of parking areas, such as recreation, events, and food trucks.

Friendly amendment by **J. Putnam** accepted by **C. Gray** to revise Condition of Site Review Approval No. 6 to read:

6. Prior to a building permit application for any of the proposed Lots 2-5 of Western Industrial Park Subdivision, the Applicant shall submit a Land Use Review application for a **Site Review Amendment pursuant to Subsection 9-2-14(m), "Amendments to Approved Site Plans," B.R.C. 1981.** Prior to a building permit application for any building on Lot 1 the Applicant shall submit a Land Use Review application for a **Site Review Amendment** pursuant to Subsection 9-2-14(m), "Amendments to Approved Site Plans," B.R.C. 1981 for approval of the architectural design. Even if the building on Lot 1 exceeds the permitted height for principal buildings set forth in section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, such proposed height, by itself, shall not require a referral of such Site Review Amendment to the Planning Board; however, the City Manager may, in her discretion, either refer such application to the Planning Board or make the decision subject to call-up by the Planning Board.

Friendly amendment **by A. Brockett, accepted by C. Gray and J. Putnam,** to add to condition 3.h that shared parking between Lots 1 through 5 shall be strongly encouraged.

CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS OF SITE REVIEW APPROVAL:

1. The Applicant shall ensure that the **development shall be in compliance with all approved plans** dated August 29, 2014 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.

2. The Applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following:
   a. Annexation Agreement dated January 13, 1988 and recorded March 20, 1989 at Film 1571, Reception No. 972794;
   b. Annexation Ordinances 5151 5152 and 5153;
   c. Development Agreement recorded on November 5, 2001 at Reception No. 2215932; and
   d. Subdivision Agreement recorded on November 5, 2001 at Reception No. 2215933.

3. Prior to a building permit application on proposed Lot 1 of Western Industrial Park Subdivision, the Applicant shall submit a Technical Document Review application for the following items, subject to the approval of the City Manager:

   a. **Final architectural plans**, including material samples and colors, to insure compliance with the intent of this approval and compatibility with the surrounding area. The architectural intent shown on the approved plans dated August 29, 2014 and in the approved Western Industrial Park Design Guidelines & Standards dated August 29, 2014 is acceptable. Planning staff will review plans to assure that the architectural intent is performed.

   b. A **final site plan** which includes detailed floor plans and section drawings.

   c. A **final utility plan** meeting the City of Boulder Design and Construction Standards.

   d. A **final storm water report and plan** meeting the City of Boulder Design and Construction Standards.

   e. **Final transportation plans** meeting the City of Boulder Design and Construction Standards and CDOT Access Code Standards, for all transportation improvements. These plans must include, but are not limited to: street plan and profile drawings, typical cross-section, street cross-sectional drawings, signage and striping plans in conformance with Manual on Uniform Traffic Control Devices (MUTCD) standards, transportation detail drawings, geotechnical soils report, and pavement analysis.

   f. A **detailed landscape plan**, including size, quantity, and type of plants existing and proposed; type and quality of non-living landscaping materials; any site grading proposed; and any irrigation system proposed, to insure compliance with this approval and the City's landscaping requirements. Removal of trees must receive prior approval of the Planning Department. Removal of any tree in City right of way must also receive prior approval of the City Forester.

   g. A **detailed outdoor lighting plan** showing location, size, and intensity of illumination units, indicating compliance with section 9-9-16, B.R.C.1981.

   h. **Amended design guidelines** that will provide:
      1. Consideration for access for bicycles to the public waste transfer drop-off area
      2. Consideration for alternatively fueled vehicle access such as charging stations, bio diesel or compressed natural gas,
      3. Consideration for minimization of mosquito habitat in storm water infrastructure and landscaping,
      4. Consideration for multiple uses of parking areas, such as recreation, events, and food trucks.
      5. Strong encouragement of shared parking between Lots 1-5.

4. Prior to a building permit application for proposed Lot 1 of Western Industrial Park Subdivision, the Applicant shall submit a Technical Document Review application for **a Final Plat**, subject to the review and approval of the City Manager, and execute a subdivision agreement meeting the requirements of chapter 9-12,

"Subdivision," B.R.C. 1981 and which provides for the construction of all public improvements and dedication of all easements necessary to serve the development.

5. Prior to a building permit application for proposed Lot 1 of Western Industrial Park Subdivision, the Applicant shall submit **a financial guarantee**, in a form acceptable to the Director of Public Works, in an amount equal to the cost of providing eco-passes to the employees of the respective building for three years after the issuance of a certificate of occupancy for that building as proposed in the Applicant's Transportation Demand Management (TDM) plan.

6. Prior to a building permit application for any of the proposed Lots 2-5 of Western Industrial Park Subdivision, the Applicant shall submit a Land Use Review application for a **Site Review Amendment pursuant to Subsection 9-2-14(m), "Amendments to Approved Site Plans," B.R.C. 1981.** Prior to a building permit application for any building on Lot 1 the Applicant shall submit a Land Use Review application for a **Site Review Amendment** pursuant to Subsection 9-2-14(m), "Amendments to Approved Site Plans," B.R.C. 1981 for approval of the architectural design. Even if the building on Lot 1 exceeds the permitted height for principal buildings set forth in section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, such proposed height, by itself, shall not require a referral of such Site Review Amendment to the Planning Board; however, the City Manager may, in her discretion, either refer such application to the Planning Board or make the decision subject to call-up by the Planning Board.

7. Pursuant to Subsection 9-2-12(a), "Three Year Rule," B.R.C. 1981, the following **development/phasing plan** is approved:

   a. Phase I, to construct the public infrastructure improvements, shall commence at the date of this approval and shall be substantially completed within three years.
   b. Phase II, to construct a waste transfer station and recycling collection and processing facility, shall commence upon the expiration of Phase I and expires three years thereafter.

RECOMMENDED CONDITIONS OF USE REVIEW APPROVAL:

1. The Applicant shall ensure that the **development shall be in compliance with all approved plans** dated August 29, 2014 and the Western Industrial Park Design Guidelines & Standards dated August 29, 2014 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.

2. The Applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following:
   c. Annexation Agreement dated January 13, 1988 and recorded March 20, 1989 at Film 1571, Reception No. 972794;
   d. Annexation Ordinances 5151, 5152 and 5153;
   e. Development Agreement recorded on November 5, 2001 at Reception No. 2215932; and
   f. Subdivision Agreement recorded on November 5, 2001 at Reception No. 2215933.

3. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.

4. The Applicant shall ensure that the **Large Recycling Collection and Public Access Drop-Off Facility** operates in accordance with the following conditions:

   a. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition, or shall be baled or pelletized. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage shall be in containers approved by the city fire department. No storage, excluding truck trailers and overseas containers, shall be visible above the height of the fencing.

b. The site shall be maintained free of vermin infestation and shall be cleaned of litter and loose debris on at least a daily basis.

c. Any container provided for after-hours donation of recyclable materials shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials

d. The containers shall be clearly marked to identify the type of materials that may be deposited. The facility shall display a notice stating that no material shall be left outside the recycling containers.

e. The facility shall be clearly marked with the name and phone number of the facility operator and the hours of operation.

5. The Applicant shall ensure that the **Recycling Processing Facility and Waste Transfer Station** operates in accordance with the following conditions:

a. Processors shall operate in a wholly enclosed building except for incidental storage, or within an area enclosed on all sides by an opaque fence or wall not less than seven feet in height and landscaped on all street frontages.

b. All exterior storage of material shall be in sturdy containers or enclosures which are covered or within an area enclosed on all sides by an opaque fence or wall not less than seven feet in height, secured, and maintained in good condition, or shall be baled or pelletized. Storage containers for flammable materials shall be constructed of nonflammable material. Oil storage shall be in containers approved by the city fire department. No storage, except for truck trailers or overseas containers, shall be visible above the height of the fencing.

c. The site shall be maintained free of vermin infestation, shall be cleaned of litter and loose debris on at least a daily basis, and shall be secured from unauthorized entry and removal of materials when attendants are not present.

d. Any containers provided for after-hours donation of recyclable materials shall be of sturdy, rustproof construction; shall have sufficient capacity to accommodate materials collected; and shall be secure from unauthorized entry or removal of materials.

e. Containers shall be clearly marked to identify the type of material that may be deposited. The facility shall display a notice stating that no material shall be left outside the recycling containers.

f. No dust, fumes, smoke, vibration, or odor from the facility shall be detectable on neighboring properties.

g. Any composting component of the use shall be operated in accordance with the practices outlined in the Management Plan dated July, 2008 which is attached as an exhibit to the Notice of Disposition, if approved.

h. The access road and parking spaces shall be maintained as an all-weather surface suitable for emergency vehicle access that prevents dust and tracking roadway material onto adjacent streets.

6. Upon the execution of the development agreement required by section 9-2-9, B.R.C., 1981, this approval **supersedes the conditions of approval** contained in Exhibit A (Planning Department Notice of Disposition dated July 21, 2008) to the Development Agreement recorded in the Office of the Boulder County Clerk and Recorder at Reception No. 2959121 on October 10, 2008.

By: _____
David Driskell, Secretary of the Planning Board

Address: 2655 N. 63rd St.

Note: Due to the size and number of pages of the plan set, Attachment B was too large to include in the memo. Therefore, a complete set of plans is available in the City Council office of the City Manager's Office.

Case #: LUR2014-00042

Project Name: Western Industrial Park

Date: Sept. 18, 2014

CRITERIA FOR REVIEW

No site review application shall be approved unless the approving agency finds that:

(1) Boulder Valley Comprehensive Plan:

✓ (A) The proposed site plan is consistent with the land use map and the service area map and, on balance, the policies of the Boulder Valley Comprehensive Plan.

The proposal to subdivide the subject property and redevelop the site with Western Disposal's Waste Transfer Station and Public Access Drop-Off Facility as well as four light industrial lots to be developed at a later date is consistent with a number of Boulder Valley Comprehensive Plan Policies. In particular, the proposed Design Guidelines include numerous sustainability-oriented requirements and policies that meet the following goals, among others:

- 4.03 Energy Conservation and Renewable Energy,
- 4.04, Energy Efficient Land Use,
- 4.05, Energy Efficient Building Design,
- 5.06, Industry Clusters, and
- 5.14 Employment Opportunities.

In addition, Staff finds the relocation of the waste transfer station and public access drop-off facility onto the subject site adjacent to the existing compost facility to be more consistent with the city's broader sustainability-oriented goals as well as the long-term community vision contained in the Master Plan for Waste Reduction (MPWR), adopted by City Council in 2006. The MPWR implements the policies contained in the BVCP for the area of Energy and Climate, specifically subsections *4.06, Construction Waste Minimization* and *4.07, Waste Minimization and Recycling*.

N/A (B) The proposed development shall not exceed the maximum density associated with the Boulder Valley Comprehensive Plan residential land use designation. Additionally, if the density of existing residential development within a three-hundred-foot area surrounding the site is at or exceeds the density permitted in the Boulder Valley Comprehensive Plan, then the maximum density permitted on the site shall not exceed the lesser of:

Not applicable, as this proposal does not include any residential.

N/A (i) The density permitted in the Boulder Valley Comprehensive Plan, or,

N/A (ii) The maximum number of units that could be placed on the site without waiving or varying any of the requirements of chapter 9-8, "Intensity Standards," B.R.C. 1981.

_✓_ (C) The proposed development's success in meeting the broad range of BVCP Policies considers the economic feasibility of implementation techniques require to meet other site review criteria.

The overall philosophy for the development of the Western Industrial Park (WIP) site is to pursue a complementary dynamic between the compost, mulch and wood processing facility, the future transfer station and public drop-off, and the 4 additional business lots. Ideally, businesses desiring to locate within the WIP will self-select in part because of the proximity to Western's facilities, and the entire "Recycle Row" facilities. These considerations are a fundamental part of the applicant's proposal.

(2) Site Design: Projects should preserve and enhance the community's unique sense of place through creative design that respects historic character, relationship to the natural environment, multi-modal transportation connectivity and its physical setting. Projects should utilize site design techniques which are consistent with the purpose of site review in subsection (a) of this section and enhance the quality of the project. In determining whether this subsection is met, the approving agency will consider the following factors:

___(A) Open Space: Open space, including, without limitation, parks, recreation areas, and playgrounds:

_✓_ (i) Useable open space is arranged to be accessible and functional and incorporates quality landscaping, a mixture of sun and shade and places to gather;

The open space for the proposed Western Industrial Park incorporates a trail system along the southeast edge of the site and along the east edge of the transfer station site that will provide pedestrian circulation within the site. The trail system also joins the future sidewalk / bike lane along 63rd St. A small pocket park will provide common outdoor seating areas with views of the foothills, and the design guidelines encourage the creation of common open space features on each of the development parcels as they redevelop. The site is also directly south of the Stazio Ball Fields complex, which provides ample recreational opportunities. The ball fields will be accessible from the project site via the sidewalk/ bike lanes on 63rd St.

N/A (ii) Private open space is provided for each detached residential unit;

Not applicable, as this proposal does not include any residential.

_✓_(iii) The project provides for the preservation of or mitigation of adverse impacts to natural features, including, without limitation, healthy long-lived trees, significant plant communities, ground and surface water, wetlands, riparian areas, drainage areas and species on the federal Endangered Species List, "Species of Special Concern in Boulder County" designated by Boulder County, or prairie dogs (Cynomys ludiovicianus), which is a species of local concern, and their habitat;

Per the applicant's written statement, a premium has been placed on preserving the unique natural characteristics of the adjacent landscapes on the north and

southeast edges of the WIP site to maintain a sense of natural amenity, which distinguishes this property as unique and an attractive setting for business. (See comments under Landscaping below for additional information.) There are no Endangered Species on the WIP site.

_✓_(iv) The open space provides a relief to the density, both within the project and from surrounding development;

The WIP site context is relatively rural and the surrounding uses are commercial, so it is arguable as to whether the surrounding development necessitates a relief to density; however, the proposal incorporates a variety of open space meant to maintain existing views and enhance the natural landscape surrounding the building sites. Open space/landscape buffers have been incorporated along the edges of the site. Open space internal to the 4 development parcels is addressed in the Design Guidelines, Chapters 2.0 Site Planning, Circulation and Parking Criteria and 3.0 Landscape Design. Open space within the development parcels shall be provided in excess of the minimum requirements of the Boulder Revised Code.

_✓_(v) Open space designed for active recreational purposes is of a size that it will be functionally useable and located in a safe and convenient proximity to the uses to which it is meant to serve;

The site is adjacent to Stazio Fields and will connect to that site via the sidewalk system along 63rd St. Recreational amenities within the site include an internal pedestrian loop and a small pocket park at the west end of the trail along the south edge of the site that will incorporate benches, boulders, picnic tables and a trellis to frame the views to the mountains.

_✓_(vi) The open space provides a buffer to protect sensitive environmental features and natural areas; and

A small area within the WIP along the southeast edge of the site contains the buffer zones for the mapped wetlands located south of the site, adjacent to the Leggett Inlet. The WIP Site Plan, Landscape Plan and Design Guidelines all respect the wetlands and provide criteria established for minor improvements within the Wetland Buffer Zones (such as trails/paths/seating areas/pocket park). Refer to the WIP Design Guidelines and Standards, Chapter 3.0: Landscape Design, Section 3.2: Landscaping within the Inner 25' Wetland, and Section 3.3: Landscape Zone Adjacent to and within 50' Outer Wetland for additional information

_✓_(vii) If possible, open space is linked to an area- or city-wide system.

The open space trail system within Western Industrial Park will provide pedestrian/bicycle linkages to the soon to be completed 63rd Street sidewalk and bike lane, which can be used to access the South Boulder Creek Trail via the Stazio Ball Fields to the north.

N/A (B) *Open Space in Mixed Use Developments (Developments that contain a mix of residential and non-residential uses)*

Not applicable, as this proposal does not include any residential.

N/A (i) The open space provides for a balance of private and shared areas for the residential uses and common open space that is available for use by both the residential and non-residential uses that will meet the needs of the anticipated residents, occupants, tenants, and visitors of the property; and

N/A (ii) The open space provides active areas and passive areas that will meet the needs of the anticipated residents, occupants, tenants, and visitors of the property and are compatible with the surrounding area or an adopted plan for the area.

___(C) *Landscaping*

_✓_(i) The project provides for aesthetic enhancement and a variety of plant and hard surface materials, and the selection of materials provides for a variety of colors and contrasts and the preservation or use of local native vegetation where appropriate;

The landscape design for the site closely follows standard xeric techniques, featuring a more natural/informal native and colorful plant palette along the 63rd Street edge and internal street and driveway into the waste transfer station. More manicured landscapes will be limited to the 2 major entries into the site off 63rd Street, parking lot screening and at the building entries. The perimeter landscape adjacent to the wetlands on the southeast and along the Leggett outlet on the north will be a mixture of native trees and shrubs. Please refer to WIP Design Guidelines and Standards, Chapter 3.0 Landscape Design for additional information.

_✓_(ii) Landscape design attempts to avoid, minimize, or mitigate impacts to important native species, plant communities of special concern, threatened and endangered species and habitat by integrating the existing natural environment into the project;

There are no threatened or endangered species on site. Wood rail fencing is proposed along the southeast property line to minimize impacts to adjacent wetlands and along the north property boundary adjacent to Leggett Outlet.

_✓_(iii) The project provides significant amounts of plant material sized in excess of the landscaping requirements of sections 9-9-12, "Landscaping and Screening Standards" and 9-9-13, "Streetscape Design Standards," B.R.C. 1981; and

Landscaping in the Western Industrial Park is proposed to meet the current landscape requirements. See Landscape Requirements chart on Sheet L2.0 and refer to the WIP Design Guidelines and Standards Chapter 3.0, Sections 3.8 (Suggested Plant Materials Palette), and 3.9 (Minimum Landscape Material, Size and Quantities). In addition to the areas of the site that will be landscaped per the existing requirements, there is an existing wetland area which will be preserved and

lined with a soft surface path along the southeast portion of the site as well as several mature trees along the Leggett Outfall which will be preserved.

_✓_(iv) The setbacks, yards, and useable open space along public rights-of-way are landscaped to provide attractive streetscapes, to enhance architectural features, and to contribute to the development of an attractive site plan.

The landscape concept for Western Industrial Park incorporates informal planting materials and landscape elements along 63rd Street and the internal roadway, within the natural open space areas on the north and south edges of the site, and along the internal pedestrian corridors. Trails are provided in the perimeter setbacks, and a pocket park on the southeast edge of the site will include a trellis/shelter structure with tables and benches, providing an outdoor meeting area with views to the Foothills and Flatirons. In addition, the Design Guidelines include language encouraging the use of landscaping to enhance architectural features.

___(D) *Circulation:* Circulation, including, without limitation, the transportation system that serves the property, whether public or private and whether constructed by the developer or not:

_✓_(i) High speeds are discouraged or a physical separation between streets and the project is provided;

High speeds are discouraged through the design of the access streets to both the Waste Transfer Station/Public access drop off and the short "round about" street that provides access to the 4 development parcels. The fact that there are no through streets proposed and that all internal streets include detached sidewalks separated from the street by a planting strip both help to achieve this goal.

_✓_(ii) Potential conflicts with vehicles are minimized;

The traffic to the transfer station has been separated from that traffic accessing the 4 development parcels, thereby significantly minimizing any vehicle conflicts between the larger WTS trucks and the traffic to the development parcels. Additionally, the circulation for the WTS/Public drop off traffic has been separated from the WTS traffic within the WTS/Public Drop-off access site. (See Sheet SP2.0 for specific details.)

_✓_(iii) Safe and convenient connections are provided that support multi-modal mobility through and between properties, accessible to the public within the project and between the project and the existing and proposed transportation systems, including, without limitation, streets, bikeways, pedestrianways and trails;

Two (2) points of access are proposed into the site from 63rd Street. Circulation has been designed to create/maximize the efficient utilization of the parcels. The South Boulder Creek Pedestrian/Bicycle Path runs parallel to and west of South Boulder Creek. A connection east is stubbed out east just south of the Stazio Ball Fields (under the UP RR) parallel to and north of the Leggett Outfall. This provides for a

future connection east to the bike lanes and sidewalk in the soon to be completed 63rd Street. The WIP plan will connect to the sidewalk and bike lane along 63rd street via the internal sidewalks and soft surface pedestrian path.

_✓_(iv) Alternatives to the automobile are promoted by incorporating site design techniques, land use patterns, and supporting infrastructure that supports and encourages walking, biking, and other alternatives to the single-occupant vehicle;

See response above.

_✓_(v) Where practical and beneficial, a significant shift away from single-occupant vehicle use to alternate modes is promoted through the use of travel demand management techniques;

Please refer to the Travel Demand Management (TDM) Plan and Traffic Study/Analysis as part of this submittal under separate cover.

_✓_(vi) On-site facilities for external linkage are provided with other modes of transportation, where applicable;

As mentioned above, the proposal includes internal sidewalks and pedestrian paths that will connect to the sidewalk/ bike lane on 63rd, which will allow access to the South Boulder Creek Trail via Stazio Ball Fields.

_✓_(vii) The amount of land devoted to the street system is minimized; and

Per the applicant's calculations, the amount of land dedicated to the internal street system constitutes approximately 4.2% of the WIP site and the streets have been designed to the minimum dimensions to be functional.

_✓_(viii) The project is designed for the types of traffic expected, including, without limitation, automobiles, bicycles, and pedestrians, and provides safety, separation from living areas, and control of noise and exhaust.

The Western Industrial Park site has been designed to accommodate all types of traffic, providing separation between the WTS/Public Drop-Off Facility traffic and the traffic to the 4 development parcels to allow for both employee/ resident vehicular travel as well as large Western Disposal trucks.

___(E) *Parking*

_✓_(i) The project incorporates into the design of parking areas measures to provide safety, convenience, and separation of pedestrian movements from vehicular movements;

The parking area for the public access drop-off facility has been designed to separate pedestrian and vehicular movements, with the incorporation of sidewalks adjacent to the parking spaces. The design of the parking areas for the development

parcels will be determined at time of review, and is outlined in the WIP Design Guidelines and Standards, Chapter 2.0, Section 2.6 Parking Lots. Parking areas will be required to meet all D&CS and land use code standards, and will be reviewed by staff through the site review process.

_✓_(ii) The design of parking areas makes efficient use of the land and uses the minimum amount of land necessary to meet the parking needs of the project;

The Waste Transfer Station (WTS) Visitor and Employee parking lot has been designed to wrap around the north and northeast corner of the WTS building. Chapter 2.0, Section 2.6 Parking Lots also includes criteria for minimizing land dedicated to parking.C

_✓_(iii) Parking areas and lighting are designed to reduce the visual impact on the project, adjacent properties, and adjacent streets; and

The lighting requirements outlined in the Design Guidelines meet or exceed the city lighting standards as outlined in section 9-9-16, B.R.C. 1981. Per Section 7.0 of the Design Guidelines, the intent of the approach to the overall lighting design of the Western Industrial Park is to reduce light pollution and incorporate "dark sky maintenance" into the selection of lighting fixtures. The guidelines also require all lighting fixtures to shield or confine light spread to within a site's boundaries.

_✓_(iv) Parking areas utilize landscaping materials to provide shade in excess of the requirements in Subsection 9-9-6 (d), "Parking Area Design Standards," and Section 9-9-14, "Parking Lot Landscaping Standards," B.R.C. 1981.

The Design Guidelines include numerous measures to reduce the urban heat island effect and promote parking lot shading, including providing shade from existing and new trees, shade from structures covered by solar panels, shade from architectural devices with high solar reflectance levels, hardscape materials with high SRI ratings (29+), and pervious pavement systems.

___(F) *Building Design, Livability, and Relationship to the Existing or Proposed Surrounding Area*

_✓_(i) The building height, mass, scale, orientation, and configuration are compatible with the existing character of the area or the character established by an adopted plan for the area;

The building height, mass, scale, orientation and configuration of the proposed project are compatible with the other buildings along/within the "Recycle Row" corridor (Western Disposal Services, EcoCycle, Boulder County Recycling Center and CHaRM), which are a mix of mostly two to three story buildings with a modern architectural vernacular. Overall, the Design Guidelines will serve to create predictability in future phases and to ensure the use of high quality materials and

modern building design, thereby enhancing the character of the Recycle Row area as it continues to develop.

_✓_(ii) The height of buildings is in general proportion to the height of existing buildings and the proposed or projected heights of approved buildings or approved plans for the immediate area;

The height of the Waste Transfer Station is proposed to be 55', to accommodate the machinery required to maneuver within the building. All other buildings in lots 2-5 the WIP will range from 35' - 45'. This is in keeping with existing buildings along 63rd Street. Via Mobility and the Boulder County Recycling Facility are both 3-story buildings up to 40' in height, and the Public Service Building directly east of this site is far in excess of 55' in height. Overall, given the relatively sparse development pattern in the area, there is not much of an existing context to relate to; however, the proposed building heights are in keeping with the industrial/ Recycle Row character.

_✓_(iii) The orientation of buildings minimizes shadows on and blocking of views from adjacent properties;

Due to the fact that the site is essentially surrounded by undevelopable parcels of land on all sides, the orientation of buildings is such that no nearby structures will be shaded as the site redevelops. Regarding views from adjacent properties, the natural buffers between the subject site and adjacent sites, particularly the railroad corridor and adjacent open space that runs to the west of the site, ensure that existing views of the Flatirons to the west will be maintained following the development of the site. In addition, mountain views from the adjacent Stazio Ball Fields will be preserved due to the fact that the existing compost facility is located immediately to the south of the ball fields and is not proposed for any new development as part of this proposal.

_✓_(iv) If the character of the area is identifiable, the project is made compatible by the appropriate use of color, materials, landscaping, signs, and lighting;

The character of the area is an eclectic mix of industrial styles, with nearby PSCo-owned industrial facilities to the east and north, modern industrial buildings such as Via Mobility to the north and Boulder County Recycling to the south, and the historic industrial Valmont Butte site to the north east. The implementation of the proposed Design Guidelines and Standards will serve to attract a wide variety of design solutions that are innovative and sustainable, which will help to shape the future identity of the Recycle Row area. Please refer to Chapters 4.0 Architectural Design Criteria and 5.0 Sustainability Criteria (Resource, Energy and Water Conservation) for specific information and precedent images.

_✓_(v) Projects are designed to a human scale and promote a safe and vibrant pedestrian experience through the location of building frontages along public streets, plazas, sidewalks and paths, and through the use of building elements, design details and

landscape materials that include, without limitation, the location of entrances and windows, and the creation of transparency and activity at the pedestrian level;

The Design Guidelines include numerous elements related to maintaining human-scaled architecture within the park. Some of these elements include breaking down very large buildings into modules or subparts to reduce perceived scale, incorporating architectural features such as overhangs, sunshades, light shelves, awnings and living "green" walls, and utilizing innovative and varied modern material uses, facade skin articulation, variations in material patterning/texture, angled roof forms, unique roof planes, building orientation, as well as pedestrian scale entries and other features.

_✓_ (vi) To the extent practical, the project provides public amenities and planned public facilities;

The proposed project incorporates a looped pedestrian trail and a small common pocket park as amenities for the businesses in the Western Industrial Park.

N/A (vii) For residential projects, the project assists the community in producing a variety of housing types, such as multifamily, townhouses and detached single family units, as well as mixed lot sizes, number of bedrooms and sizes of units;

Not applicable, as this proposal does not include any residential.

N/A (viii) For residential projects, noise is minimized between units, between buildings, and from either on-site or off-site external sources through spacing, landscaping, and building materials;

Not applicable, as this proposal does not include any residential.

_✓_ (ix) A lighting plan is provided which augments security, energy conservation, safety, and aesthetics;

Lighting design is addressed in Chapter 7.0 Exterior Site Lighting Criteria. Specific lighting plans shall be provided at the Technical Document phase for each parcel, and will be required to meet all city standards.

_✓_ (x) The project incorporates the natural environment into the design and avoids, minimizes, or mitigates impacts to natural systems;

The Design Guidelines include numerous strategies for incorporating the natural environment into the design of the project, including planting native grasses and plant species, utilizing bio-swales, constructing green roofs, using water-efficient landscaping, etc. Many of the green building techniques outlined in the guidelines are intended to minimize impacts to natural systems.

✓ (xi) Buildings minimize or mitigate energy use; support on-site renewable energy generation and/or energy management systems; construction wastes are minimized; the project mitigates urban heat island effects; and the project reasonably mitigates or minimizes water use and impacts on water quality.

The Design Guidelines include numerous strategies designed to meet the above goal. Sections of the guidelines with specific energy-related requirements include: 5.1, Sustainable Sites, 5.2, Water Efficiency, 5.3, Energy and Atmosphere, 5.4, Materials and Resources, and 5.5., Indoor Environmental Quality, and 5.6, Special Consideration for the Waste Transfer Facility. Specific methods for on-site renewable energy proposed by the applicant include solar, geothermal, biomass to biogas and fuel cell combustion/ on-site generators. In addition, the project will be required to meet the city's robust energy code (30% above IECC).

✓ (xii) Exteriors or buildings present a sense of permanence through the use of authentic materials such as stone, brick, wood, metal or similar products and building material detailing;

The Design Guidelines encourage exterior materials and colors that are "aesthetically pleasing, of high quality and compatible with materials and colors of nearby structures." The use of durable materials such as brick, cast-stone, tile and textured brick are encouraged. Textured precast, stucco, and dark aluminum panels or spandrel glass panels may be suitable if used at a scale visually related to pedestrians.

✓ (xiii) Cut and fill are minimized on the site, the design of buildings conforms to the natural contours of the land, and the site design minimizes erosion, slope instability, landslide, mudflow or subsidence, and minimizes the potential threat to property caused by geological hazards;

The project site is relatively flat; therefore, cut and fill have been minimized in the site design. (See Sheet C2.0 Preliminary Grading Plan for additional information.)

N/A (xiv) In the urbanizing areas along the Boulder Valley Comprehensive Plan boundaries between Area II and Area III, the building and site design provide for a well-defined urban edge; and

Not applicable, as the site is not located in a boundary between Area II and Area III.

N/A (xv) In the urbanizing areas located on the major streets shown on the map in Appendix A of this title near the Boulder Valley Comprehensive Plan boundaries between Area II and Area III, the buildings and site design establish a sense of entry and arrival to the City by creating a defined urban edge and a transition between rural and urban areas.

Not applicable, as the project site is not located in a "gateway site" as established by the BVCP.

N/A (G) *Solar Siting and Construction: For the purpose of ensuring the maximum potential for utilization of solar energy in the City, all applicants for residential site reviews shall place streets, lots, open spaces, and buildings so as to maximize the potential for the use of solar energy in accordance with the following solar siting criteria:*

Not applicable, as the proposed development does not include any residential units; however, the Waste Transfer Station is intended to utilize active solar for on-site energy production, and section 4.4 Rooftops and Roof Forms, and 5.3, Energy and Atmosphere, of the Design Guidelines include measures to promote the use of photovoltaic solar on the other developable lots.

N/A (i) *Placement of Open Space and Streets:* Open space areas are located wherever practical to protect buildings from shading by other buildings within the development or from buildings on adjacent properties. Topography and other natural features and constraints may justify deviations from this criterion.

N/A (ii) *Lot Layout and Building Siting:* Lots are oriented and buildings are sited in a way which maximizes the solar potential of each principal building.
Lots are designed to facilitate siting a structure which is unshaded by other nearby structures. Wherever practical, buildings are sited close to the north lot line to increase yard space to the south for better owner control of shading.

N/A (iii) *Building Form:* The shapes of buildings are designed to maximize utilization of solar energy. Buildings shall meet the solar access protection and solar siting requirements of section 9-9-17, "Solar Access," B.R.C. 1981.

N/A (iv) *Landscaping:* The shading effects of proposed landscaping on adjacent buildings are minimized.

N/A (H) *Additional Criteria for Poles Above the Permitted Height:* No site review application for a pole above the permitted height will be approved unless the approving agency finds all of the following:

N/A (i) The light pole is required for nighttime recreation activities, which are compatible with the surrounding neighborhood, or the light or traffic signal pole is required for safety, or the electrical utility pole is required to serve the needs of the City; and

N/A (ii) The pole is at the minimum height appropriate to accomplish the purposes for which the pole was erected and is designed and constructed so as to minimize light and electromagnetic pollution.

N/A (I) *Land Use Intensity Modifications:*

N/A (J) *Additional Criteria for Floor Area Ratio Increase for Buildings in the BR-1 District:*

N/A (K) *Additional Criteria for Parking Reductions: The off-street parking requirements of section 9-9-6,, "Parking Standards," B.R.C. 1981, may be modified as follows:*

N/A (L) *Additional Criteria for Off-Site Parking:* The parking required under section 9-9-6, "Parking Standards," B.R.C. 1981, may be located on a separate lot if the following conditions are met:

USE REVIEW CRITERIA

Criteria for Review: No use review application will be approved unless the approving agency finds all of the following:

✓ (1) Consistency with Zoning and Non-Conformity: The use is consistent with the purpose of the zoning district as set forth in Section 9-5-2(c), "Zoning Districts Purposes," B.R.C. 1981, except in the case of a non-conforming use;

The subject site is located within the IM (Industrial- Manufacturing) zone district, which is defined per section 9-5-2(c)(4)(C), B.R.C. 1981, as "*Industrial manufacturing areas primarily used for research, development, manufacturing, and service industrial uses in buildings on large lots. Residential uses and other complementary uses may be allowed in appropriate locations."* Pursuant to section 9-6-1, "Schedule of Permitted Land Uses," B.R.C. 1981, "recycling processing facilities" are allowed in the IM zone district if approved through a Use Review.

_____ (2) Rationale: The use either:

_____ (A) Provides direct service or convenience to or reduces adverse impacts to the surrounding uses or neighborhood;

_____ (B) Provides a compatible transition between higher intensity and lower intensity uses;

✓ (C) Is necessary to foster a specific city policy, as expressed in the Boulder Valley Comprehensive Plan, including, without limitation, historic preservation, moderate income housing, residential and non-residential mixed uses in appropriate locations, and group living arrangements for special populations; or

The proposed relocation of Western Disposal's Waste Transfer Station and Public Drop-off Facility from 5880 Butte Mill to 2655 N. 63rs St. is necessary in order to foster the city's Waste and Recycling policies. Specifically, the proposal furthers the goals contained in sections 4.06 and 4.07 of the Boulder Valley Comprehensive Plan (BVCP), which are listed below:

4.06: Construction Waste Minimization
The city and county will encourage renovation of existing buildings over demolition and will develop policies and programs that promote the reuse of materials salvaged after deconstruction.

4.07: Waste Minimization and Recycling
The city and county will pursue and support programs and activities that reduce the amount of waste that must be landfilled and pursue Zero Waste

as a long term goal. Policies, programs and regulations will emphasize waste prevention, reuse, composting, recycling and the use of materials with recycled content.

The current Western Disposal transfer station has been in operation for many years. While it has adequately served the needs of city residents up until now, the facility is limited in size and ability to sort and store a variety of commodities and materials on-site, including a limitation to sort for a variety of construction and demolition materials. A modern, state-of-the-art transfer facility as is currently proposed will allow for additional sorting and processing opportunities. In addition, co-locating the facility next to the existing compost facility will allow Western to more efficiently share resources between facilities and to streamline operations while reducing energy usage spent on transportation. The new facility will also afford Western opportunities to meet the flex along with the corresponding value of the specific commodities in the marketplace, or, on the basis of changes in public policy.

_____ (D) Is an existing legal non-conforming use or a change thereto that is permitted under subsection (e) of this section;

✓ 3) Compatibility: The location, size, design, and operating characteristics of the proposed development or change to an existing development are such that the use will be reasonably compatible with and have minimal negative impact on the use of nearby properties or for residential uses in industrial zoning districts, the proposed development reasonably mitigates the potential negative impacts from nearby properties;

The proposed relocation of Western Disposal's Waste Transfer Station and Public Drop-off Facility from 5880 Butte Mill to 2655 N. 63rd St. will be reasonably compatible with and have minimal negative impact on the use of nearby properties. The existing site is home to Western Disposal composting operations, construction and wood waste processing center, and is bounded by 63rd Street on the east, Stazio Ball Fields and the Leggett Reservoir outfall on the north, the Union Pacific railroad on the west and the Leggett Reservoir inlet and Boulder County Recycling facility on the south. These adjacent uses act as "buffers" for the project site, and insure that the proposed uses will not have any negative impact on surrounding uses. Further, the other uses located in proximity to the site are primarily industrial uses which have been located in close proximity to both of Western's existing sites for many years. Taking this into consideration, the proposed waste transfer station and public access drop-off facility will remain compatible with the surrounding uses.

✓ (4) Infrastructure: As compared to development permitted under Section 9-6-1, "Schedule of Permitted Uses of Land," B.R.C. 1981, in the zone, or as compared to the existing level of impact of a non-conforming use, the proposed development will not significantly adversely affect the infrastructure of the surrounding area, including, without limitation, water, wastewater, and storm drainage utilities and streets;

The majority of the infrastructure required for the proposed development is already in place. The new infrastructure required for the development is minimal given the site's large size (45.5 acres), and meets all applicable engineering standards with regards to stormwater, waste water, etc.

✓ (5) Character of Area: The use will not change the predominant character of the surrounding area or the character established by adopted design guidelines or plans for the area; and

The consolidation of Western's facilities within the Western Industrial Park site supports the further development of "Recycle Row" as outlined in the MPWR, wherein the one mile section of 63rd Street between Arapahoe and Valmont roads should serve as a one-stop-shop where Boulder residents and businesses can access facilities to meet all their waste reduction and recycling needs. The existing uses within the "Recycle Row" corridor currently include: Eco-Cycle and the Center for Resource Conservation, Boulder County Recycling Facility, Western Disposal composting operations, construction and wood waste processing center, and the existing WDS transfer station and public access drop off and WDS's headquarters. Given the number of recycling and waste-related industries already located in close proximity to the site as well as the fact that the area is identified as a center for such uses in the BVCP, the proposed waste transfer station will enhance rather than change the predominant character of the surrounding area.

N/A (6) Conversion of Dwelling Units to Non-Residential Uses: There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts set forth in Subsection 9-5-2(c)(1)(a), B.R.C. 1981, to non-residential uses that are allowed pursuant to a use review, or through the change of one non-conforming use to another non-conforming use. The presumption against such a conversion may be overcome by a finding that the use to be approved serves another compelling social, human services, governmental, or recreational need in the community including, without limitation, a use for a day care center, park, religious assembly, social service use, benevolent organization use, art or craft studio space, museum, or an educational use.

Not applicable, as there are no existing residential units on the project site.

INFORMATION PACKET
MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning and Sustainability
Maureen Rait, Executive Director of Public Works
Susan Richstone, Deputy Director of Community Planning and Sustainability
Jeff Arthur, Director of Public Works for Utilities
Bob Harberg, Principal Engineer for Public Works - Utilities
Chris Meschuk, Flood Recovery Coordinator for Community Services
Bev Johnson, Annexation Project Manager

Date: September 30, 2014

Subject: Information Item: Update on Annexation of Flood Impacted Properties

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PURPOSE

The purpose of this memo is to provide City Council with an update on the Annexation of Flood Impacted Properties. Two properties were recently annexed by emergency under a package of special incentives created to assist property owners, and eight additional properties will be brought forward in December 2014 for 1st reading of an annexation ordinance. In addition, the city recently received a grant of $1,000,000 from the Colorado Department of Public Health and Environment (CDPHE) for the purpose of constructing water and sewer infrastructure in neighborhoods impacted by the flood. Landowners in three neighborhoods (Githens Acres, Old Tale Road and Cherryvale Road) without adequate utility infrastructure are being considered for possible use of the funds based on flood damage information. Surveys were sent out to property owners in these neighborhoods to gauge the level of interest. Results of the survey will be available after October 22, 2014.

BACKGROUND

After the September 2013 flood, the City of Boulder was contacted by a number of Area II property owners outside the city limits with concerns about their wells and on-site wastewater systems (OWS) and interest in connecting to the city water and wastewater systems. As part of the December 3, 2013 City Council briefing on the flood, staff presented options for helping impacted residents by facilitating annexation and connection to city utilities. City Council members expressed support for helping flood-impacted property owners by creating incentives

for annexation and also indicated that landowners should pay their share of costs and did not want annexation expenses to result in deferment of other needed city projects. The detailed package of incentives was presented through an information packet to Council in March 2014 prior to property owner outreach and was based on current Council approved annexation guidelines, and the -annexation package provided to the Gapter Road neighborhood in 2010.. Except for the fee and tax waivers, the package is consistent with the city's *Guidelines for Annexation of Substantially Developed Residential Properties* (2000), which has been the guiding policy document for single family residential annexations since 2000. The package includes the following:

1. The city will waive the annexation application and public hearing fees totaling $6,580 for individual applications. (same as Gapter Road)
2. The city will waive all Development Excise Taxes (cost varies depending on age of home, can be up to $3,286 for a new home) and Housing Excise Taxes ($0.23 per house square foot). (same as Gapter Road)
3. The city will offer a 10-year financing plan for all water, wastewater and stormwater PIFs. (Financing of PIFs is a new offer.)
4. Property owners along creeks will be required to dedicate a flood maintenance easement of 60 feet along either side of the centerline of a major drainageway. (same as Gapter Road)
5. Property owners will be required to connect to water and wastewater systems within a few months of annexation or completion of any necessary public improvements and begin reimbursement to the city of their individual share of the costs of those public improvements as well as permit fees, tap fees, inspection fees and PIFs. (same as Gapter)
6. Community benefit requirements would be applied to properties with additional development potential, which includes the ability to subdivide the property and/or build at least one additional unit on the property. A community benefit requirement in the form of two times the cash in-lieu contribution as set forth in the inclusionary housing ordinance to the Affordable Housing Fund would be required at the time of subdivision building permit for the additional unit. (This requirement is consistent with the city's annexation guidelines.)

In Spring 2014, staff moved forward with the project by making an offer to approximately 160 property owners in Area II enclaves and neighborhoods adjacent to the city. The city also stipulated that it will not enter into individual negotiations with landowners under this offer due to the added staff resources involved in individual negotiations. If a property owner wishes to negotiate items not outlined in the standard package, they would pay all standard annexation fees and go through the regular annexation application review process without the ability to finance utility connection costs through the city. For example, any requests for change to the community benefit requirement outlined above would need to be reviewed through the regular development review process. Property owners interested in subdividing their property concurrent with annexation would also need to go through the regular review process and pay the full set of fees.

Staff initially received requests for more information about the specific costs of annexation from 35 property owners in May and June 2014. Of those properties, two were annexed by emergency in August 2014 and eight more are moving forward with annexation this fall (see Attachment A

for the location of these properties). The landowners of these properties were all offered the same package as outlined above and have agreed to the conditions of annexation.

KEY ISSUES

Six of the eight properties moving forward with annexation have further development potential of an additional unit. All property owners are providing community benefit in the form of two times the cash in-lieu contribution as set forth in the inclusionary housing ordinance to the Affordable Housing Fund at the time of building permit for any additional unit.

One of the annexing properties, 4415 Garnet Lane, is adjacent to the Githens Acres enclave. The property fronts on Garnet Lane, which is currently under Boulder County jurisdiction. Boulder County staff has requested that the city annex the portion of the road that fronts 4415 Garnet Lane and the property to the north (see Attachment B). This portion of the road includes an existing road barrier that was erected by the county several years ago to prevent cut-through traffic between 19th and 26th streets. The concern that this road barrier may be removed once the road is in the city has been a primary concern of the neighborhood over the years and a factor in their past decision not to annex. The city has stated that although it will not guarantee permanent closure of this road as a condition of annexation (which the neighborhood has requested in the past), staff has no intention of removing the barrier in the near future.

NEIGHBORHOOD ANNEXATIONS

Sixty-seven of the 160 property owners that received the offer from the city are part of residential neighborhoods (Githens Acres, Old Tale Road and Cherryvale/Baseline roads) lacking adequate utility infrastructure to make water and sewer hook-up feasible. The city has estimated the infrastructure installation and road resurfacing costs to be approximately $1.1 million for Githens Acres ($31,355 per household), $842,000 for Cherryvale/Baseline roads ($30,016 per most households) and $730,000 for Old Tale Road ($27,500 per household). Including the infrastructure construction costs, total annexation costs for households in these neighborhoods range as follows:

Githens Acres	$44,700 - $76,800
Old Tale Road	$18,700 - $72,900
Cherryvale/Baseline roads	$52,700 - $186,663[1]

In order to make annexation more financially feasible for these neighborhoods, the city offered to upfront the cost of installing the utility mains in those neighborhoods if at least 75 percent of the landowners were willing to annex. A survey of landowners in April 2014 indicated there was not enough interest in moving forward with annexation in these areas. The reasons for not annexing included cost and, in the case of Githens Acres, disagreement with the city's policy regarding Silver Lake Ditch rights[2].

[1] Higher costs are associated with properties along Baseline where infrastructure improvement costs would be shared by only 3 households.

[2] The settlement agreement between the City of Boulder, Colorado and The Silver Lake Ditch & Reservoir Company stipulates that under a voluntary annexation of a Silver Lake Ditch Irrigated Property, the city shall be granted the option to purchase any shares associated with the property at the time of the completion of the first transfer of ownership of the property outside of the nuclear family.

In August 2014, the city received a grant from the Colorado Department of Public Health and Environment (CDPHE) for $1,000,000 to construct water and sewer infrastructure in one of these neighborhoods. The grant funds were authorized by the state legislature (House Bill 1002) to assist communities in recovering from the September 2013 flood. The city must obligate this money by June 2015, and expend all funds by June 2016.

Property owners in the three neighborhoods lacking adequate infrastructure were sent letters informing them of the grant award and the potential cost savings for annexation. Annexation costs for individual households in these neighborhoods, with and without the grant money, range as follows:

	Without Grant Money	With Grant Money
Githens Acres	$44,700 - $76,800	$24,100 - $43,800
Old Tale Road	$18,700 - $72,900	$10,400 - $45,400
Cherryvale/Baseline roads	$52,700 - $186,663	$22,700 - $55,100

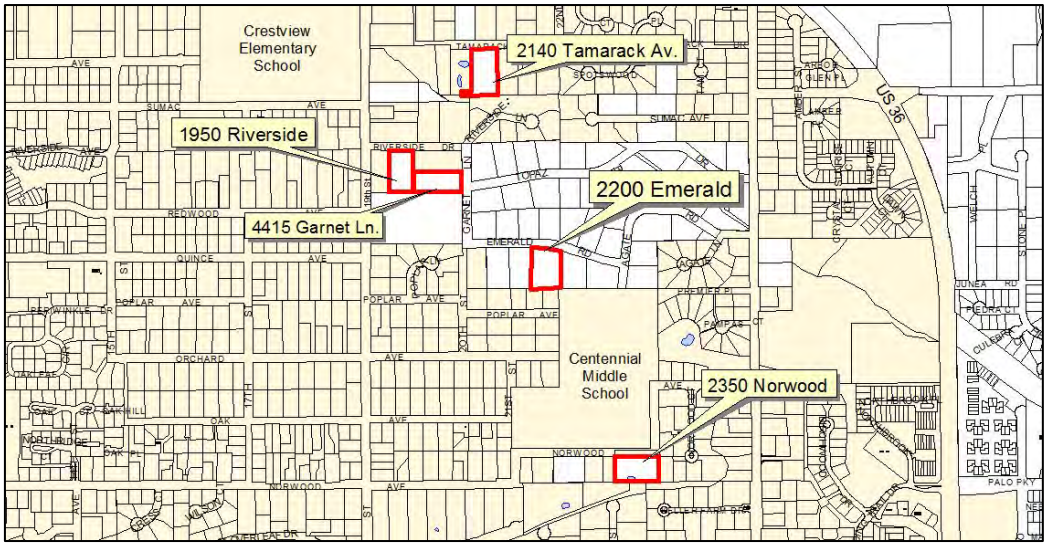
The letter to homeowners included a survey to determine how many property owners would be interested in annexing if the cost is reduced due to the new grant funding. In addition to the reduction in cost of the utility main infrastructure, the city is offering these neighborhoods further support by waiving the annexation administration fee and offering to finance all of the costs related to water and wastewater utility connection as in the original offer.

NEXT STEPS

The deadline for receiving surveys from the neighborhoods is October 17, 2014. Once the surveys have been compiled, staff will select the neighborhood for use of the grant money that has the highest level of interest in annexation, and will then notify City Council and the neighborhoods of the results. The city will proceed to annex the right of way in the area that will receive the grant funded infrastructure, as well as any contiguous property owners interested in annexation at the same time (as required by State Law), including those interested in connecting to the new infrastructure. Staff anticipates that the annexation process will take approximately five months and Planning Board and City Council hearings will be scheduled for April and May 2015.

ATTACHMENTS:

Attachment A: Location Maps
Attachment B: Garnet Lane annexation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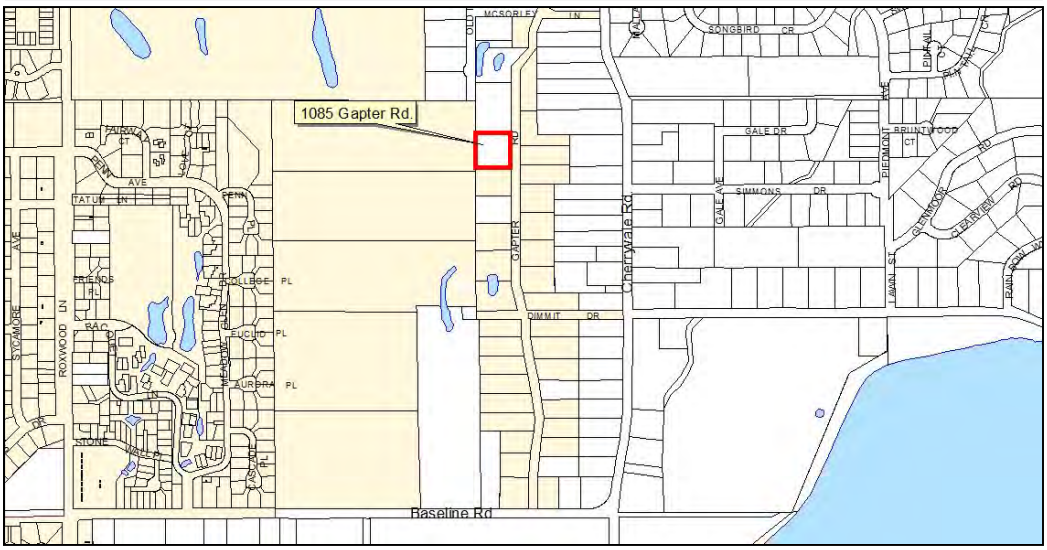
1950 Riverside
2200 Emerald
4415 Garnet Ln.
Centennial
Middle
School
2350 Norwood
US 36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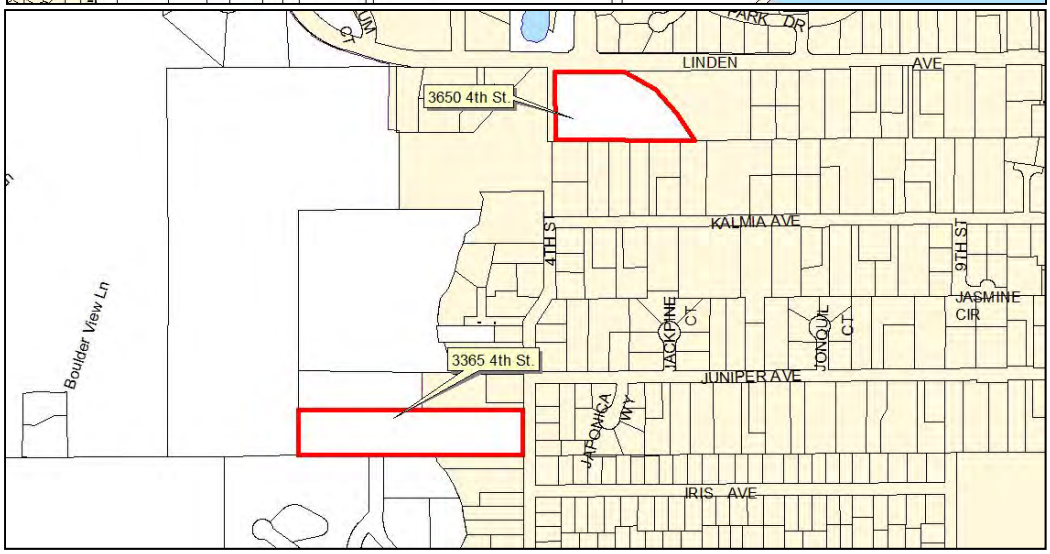
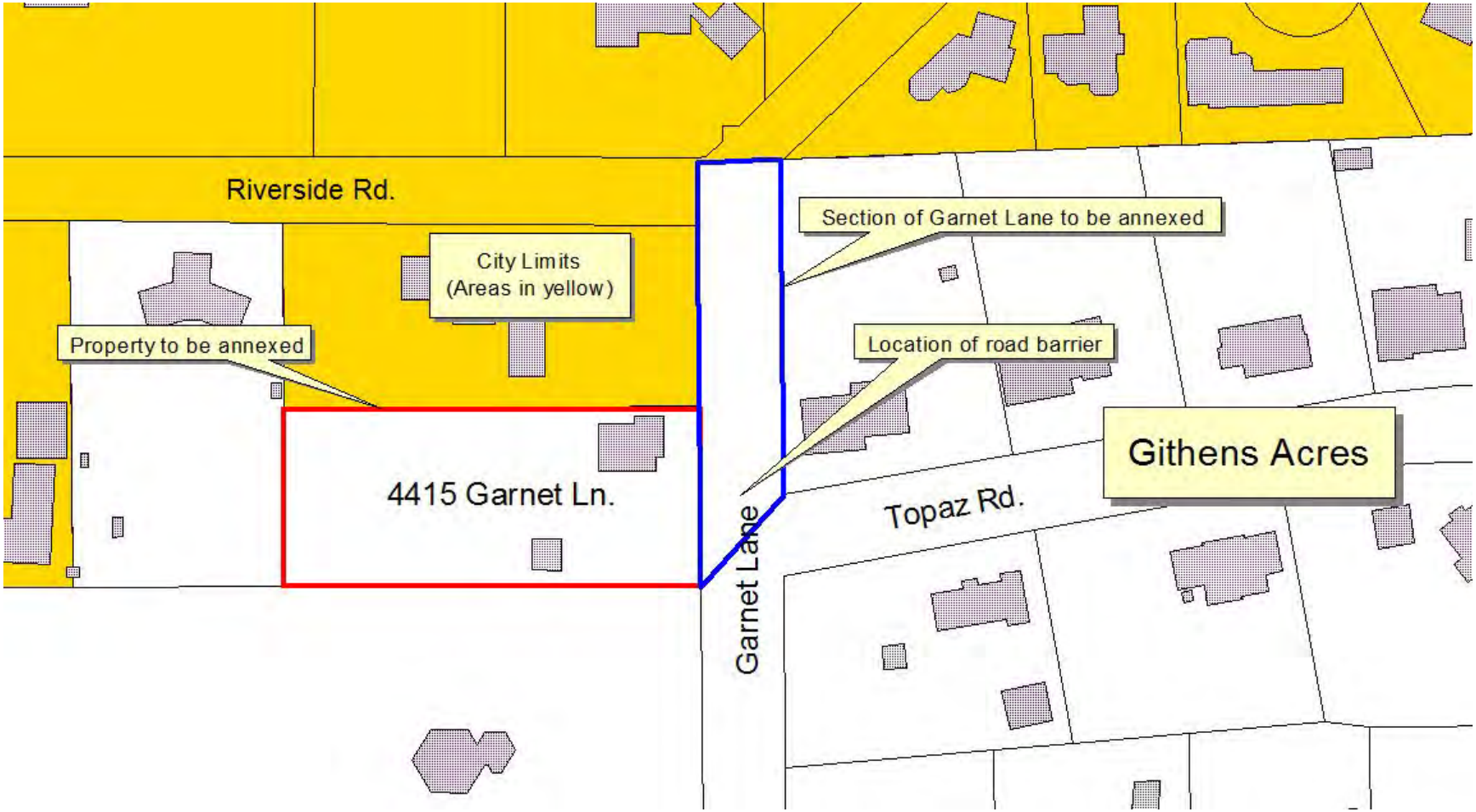
Cherrywale Rd
Baseline Rd


LINDEN AVE
3650 4th St.
KALMIA AVE
4TH ST
9TH ST
JASMINE CIR
JACKPINE CT
JONQUIL CT
Boulder View Ln
3365 4th St.
JUNIPER AVE
JATOBICA WY
IRIS AVE


Riverside Rd.
Section of Garnet Lane to be annexed
City Limits
(Areas in yellow)
Property to be annexed
Location of road barrier
Githens Acres
4415 Garnet Ln.
Topaz Rd.
Garnet Lane

INFORMATION PACKET
MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning & Sustainability (CP&S)
Susan Richstone, Deputy Director, CP&S
Lesli Ellis, Comprehensive Planning Manager
Jeff Hirt, Planner II

Date: October 7, 2014

Subject: Information Item: North Boulder Subcommunity Action Plan

---

EXECUTIVE SUMMARY

The purpose of this memo is to provide council with the final North Boulder Subcommunity Action Plan. The Action Plan is a new generation of implementation items to further advance the North Boulder Subcommunity Plan (1995 Plan) with a focus on the North Broadway area. This Action Plan does not amend the 1995 Plan.

Council reviewed and discussed the preliminary action plan on May 20, 2014, and expressed support for both the scope and preliminary action plan items. City Council, Planning Board, Transportation Advisory Board, and additional community input has shaped refinements to the Action Plan presented in Attachment A.

Please contact Jeff Hirt (hirtj@bouldercolorado.gov) by Friday, October 17, 2014 with any comments or questions about this Action Plan.

FISCAL IMPACT

Many of the action items will require prioritization against other potential work plan items, citywide and local capital improvements in future Capital Improvements Plans, and other funding priorities.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic –** The action items support redevelopment and investment that will foster the economic vitality of the North Broadway area.
- **Environmental** – The action items will foster a more "complete, discernible neighborhood" as called for in the 1995 Plan and will support lowering vehicle trips and creating a more walk- and bicycle-friendly area.
- **Social** – Staff has engaged a broad segment of the community in this planning effort through both traditional community meetings and online engagement opportunities. The action items will foster a safer and more vibrant North Broadway area.

BACKGROUND

The action plan is the result of an approximately 1 year process that included significant community engagement and feedback from City Council, Planning Board, and the Transportation Advisory Board. Attachment A provides a detailed summary of the process on pages 4-5. Staff completed this Action Plan consistent with the schedule presented to City Council, Planning Board, and the community last year.

New Community and Board Feedback

Since the May 20, 2014 council discussion, the following feedback has informed the action items:

Planning Board - August 28, 2014 Summary

Key themes from this meeting included:

- Support for periodic updates to ensure the city is advancing the action items;
- Enhancing North Broadway pedestrian and bicycle connections is critical to the vitality of the area;
- Support for the improvement district concept or other strategies to expedite action items;
- Support for zoning code adjustments to better accommodate service industrial and artists land uses; and
- The need to better articulate how the city will implement the action items, particularly those that require city funding.

Transportation Advisory Board – September 8, 2014 Summary

Key themes from this meeting included:

- Support for enhanced bicycle connections like separated bicycle lanes that better tie into the rest of the city network;
- Support for a new transit route along 28th Street/US 36 to connect the North Broadway area to the 28th Street regional commercial and Boulder Junction areas;
- Support for extending the SKIP terminus north from its current terminus at the homeless shelter; and
- Support for keeping on-street parking along Broadway as it serves dual purposes for parking and buffering between pedestrian areas and Broadway.

Community Feedback – August-September 2014

The North Boulder community provided additional feedback at the August 28 Planning Board meeting, an open house on September 23, 2014, and online feedback on the final draft. Key themes from the community during August and September included:

- Support for advancing the Fourmile Canyon Creek floodway improvements following the September 2013 flood events. Specifically, community members are interested in opportunities to remove the Village Center from the high hazard flood zone and mitigation opportunities upstream;
- Support for the arts component of the Action Plan, particularly strategies for small spaces for artists; and
- Support for the improvement district approach to advance those action items that require city funding.

Action Plan Summary

The action plan is included in Attachment A and includes the following:

- Introduction and background
- A one-page, graphic snapshot of the action items
- Detailed action items organized by three categories: 1) Arts and Placemaking; 2) Transportation, Access, and Parking; and 3) Land Use and Development. Each action item includes:

  Timeframe: Target for completion of the action item

  Summary: What it is and why it is important

1995 Plan Policies and Objectives: How the 1995 Plan policies support the action item
Specific Actions: These may include potential code amendments, capital improvements, etc.
Background: Any relevant analysis or background that informed the action item
Examples: For some action items, examples of how other communities have addressed this issue
Department Responsibility and Cost

NEXT STEPS
Next steps include the following:

1. City staff has already started working on some of the action items including Action Item 2.3 (US 36 and Broadway mobility hub). GO Boulder staff will be conducting outreach with community members, RTD, CDOT, and Boulder County around concepts for this area.
2. Continue to work with the North Boulder Armory site developer on plans to redevelop that site consistent with the 1995 Plan.
3. Use this Action Plan to propose work plans and prioritization of funding requests for implementation as part of annual work plans.
4. Provide updates every two years to Planning Board and City Council on the status of the Action Plan's implementation.
5. A future, Village Center-focused North Boulder Subcommunity Plan update once the outcomes from the Fourmile Canyon Creek flood mapping and mitigation process are more certain (see page 3 of the Action Plan for more detailed description of the flood's impacts on the project).

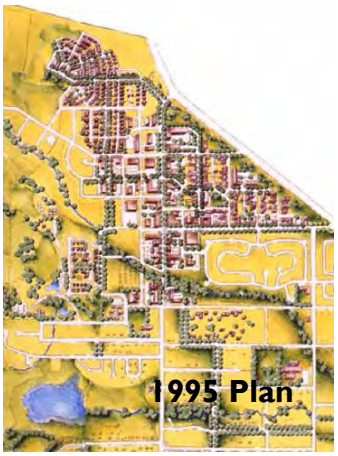
ATTACHMENTS/LINKS
Attachment A: North Boulder Subcommunity Action Plan
North Boulder Subcommunity Action Plan Appendices

CITY OF BOULDER

ACTION PLAN

NORTH BOULDER SUBCOMMUNITY

UPDATED: **OCTOBER 2014**



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Appendices

Appendix 1: North Broadway Market Study
Appendix 2: 2013-2014 Community Input Summary
Appendix 3: 1995 Plan Implementation Background
Appendix 4: Improvement District Background

Acknowledgements

Special thanks to the people listed below and the participants who donated their time and ideas through the North Boulder Subcommunity Plan update process.

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

Planning Board Members
Aaron Brockett, Chair
Bryan Bowen
Leonard May
John Putnam
John Gerstle
Crystal Gray
Elizabeth Payton

Transportation Advisory Board Members
Jessica Yates, Chair
Andria Bilich
Dom Nozzi
Zane Selvans
Daniel Stellar

All images courtesy of City of Boulder unless otherwise noted.

Community Organizations
Boulder Housing Partners
Community Cycles
NoBo Arts District
North Boulder Alliance
North Broadway Community Forum

City Staff
Jeff Hirt, Planner II, Project Coordinator
David Driskell, Executive Director of Community Planning & Sustainability (CP&S)
Susan Richstone, Deputy Director, CP&S
Lesli Ellis, Comprehensive Planning Manager
Kathleen Bracke, GO Boulder Manager
Matt Chasansky, Manager of Art and Cultural Services
Elizabeth Hanson, Economic Vitality Coordinator
Mike Sweeney, Transportation Operations and Planning Coordinator
Bill Cowern, Transportation Operations Engineer
Randall Rutsch, Senior Transportation Planner
Micki Kaplan, Senior Transportation Planner
Marni Ratzel, Senior Transportation Planner
Molly Winter, Downtown & University Hill Management Division & Parking Services
Charles Ferro, Development Review Manager
Brian Holmes, Zoning Administrator
Karl Guiler, Senior Planner
Marcy Cameron, Planner I
Anna Nord, GO Boulder Intern

Consultants
ArLand Land Use Economics
MIG/Winston Boulder

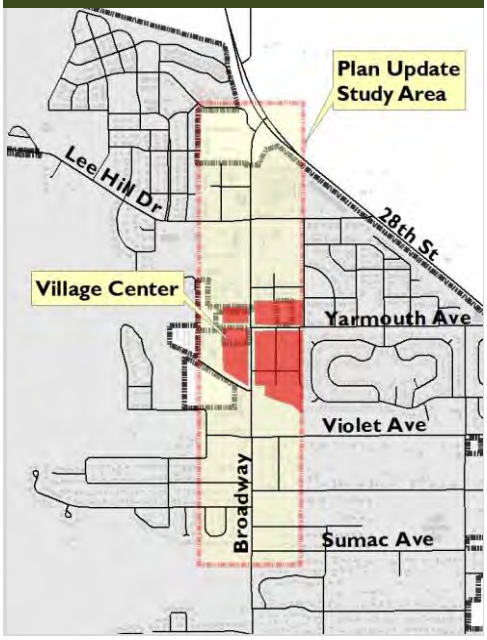
Image from April 24, 2014 North Boulder Community Workshop

FOCUSED AND ACTION ORIENTED

In August 1995, the city adopted the North Boulder Subcommunity Plan (1995 Plan). The 1995 Plan envisions a "beautiful, diverse, inclusive, and adaptive" North Boulder. This plan has shaped today's North Boulder.

However, some key elements from the 1995 Plan have not been fully realized. As a result, in 2013, the city launched a plan update with a focus on the North Broadway area (Figure 1: Study Area) and invited the community to participate. Because community members indicated strong support for the 1995 Plan's overarching vision and policies during this process, the purpose of this Action Plan is to advance those items from the 1995 Plan that have not been fully realized and reflect current community values. Some action items are carried forward from the 1995 Plan with refinements and some are new, but all actions are consistent with the 1995 Plan.

Figure 1: Study Area



This Action Plan does not amend the 1995 Plan. It acts as an implementation guide for the next 5+ years. The city will continue to evaluate the responsiveness of the 1995 Plan and this Action Plan against community priorities and development trends. The city anticipates a future plan update as the outcomes from the September 2013 flood become clearer (see below).

September 2013 Flood

September 2013 brought unprecedented rainfall to the region and North Boulder, causing significant flooding and extensive damage to both private property and public infrastructure. Full recovery will take years. The flood changed the scope and schedule of the project.

The study area experienced extensive impacts from the flood. Fourmile Canyon Creek flooded most of the properties on the west side of the Village Center and flooded differently than modeled and expected.

The 1995 Plan identifies the Village Center as the "symbolic heart" of the subcommunity and the future neighborhood center. The boundaries of the Village Center area are on both sides of Broadway at Yarmouth Avenue as depicted in Figure 1 above.

Much of the western portion of the Village Center was already within the 100 year floodplain prior to the September 2013 flood event. Further, most of the west side of the Village Center was and is within the High Hazard Flood zone that has the most restrictive standards for land use and development.

Due to the uncertainty of the forthcoming flood mapping and mitigation process, this Action Plan does not directly address this Village Center area. The city will undertake a future Village Center-focused plan update once the outcomes from this process become clearer (anticipated 2016). This Action Plan reflects those items that can advance outside of this flood mapping and mitigation process.

2013-2014 North Boulder Subcommunity Plan Update Process

Like the 1995 Plan, this Action Plan reflects on participation of people with differing viewpoints through a variety of events. Additionally, City Council, Planning Board, the Transportation Advisory Board, and the arts community provided ideas and feedback throughout the project. Figure 2 provides an overview of the different project phases.

Figure 2: 2014 North Boulder Subcommunity Plan Update Process

What Did the Community Say?

The plan update began with an extensive listening and learning phase in the North Boulder community. These conversations continued throughout the project, along with two well-attended meetings that involved community members, youth, and artists (see Figures 3 and 4).

The following themes emerged from these events. Appendix 2 provides a more detailed summary of those key themes and how the city is addressing them in this Action Plan or in parallel initiatives.

- **Support for a Geographically Targeted, Action-Oriented Plan Update**. The 1995 Plan has shaped (and continues to shape) today's North Broadway with redevelopment and city investments in infrastructure and civic facilities. While conditions have changed, the 1995 Plan's overarching vision and policies are still valid. The community supports a North Broadway-focused, action-oriented plan update.
- **Support the Growing North Boulder Arts Scene and North Boulder as a Distinct, Eclectic Place**. There is strong support for the growing concentration of creative industries in North Boulder and the arts district concept. The Action Plan should foster this trend through arts-oriented placemaking, city support for arts district formation, pursuit of an arts anchor land use, and strategies to preserve affordable artists and service industrial space. All of these strategies support the idea of North Boulder as a distinct, eclectic place that bolsters the economic vitality of the area.
- **Advance the 1995 Plan's Vision for North Broadway as Walkable, Bikeable, Transit-Friendly Main Street**. North Broadway should be a walkable, bikeable, human-scaled main street, as presented in the 1995 Plan. The 1995 Plan's vision for multi-modal connectivity and transit access is on the right track but has not been fully realized. This includes improved connectivity for all modes, particularly east-west intersections across Broadway and north-south bicycle connectivity along or near Broadway.

- **Improve Parking Conditions in Redeveloped Areas.** The redevelopment of North Broadway into a more urban place brings parking challenges, particularly for retail and restaurants that depend on patrons finding parking. The city should study the problem and develop responsive solutions that also maintain multi-modal access.
- **Mixed Opinions on the Village Center Concept**. Some community members still support the 1995 Plan's concept of keeping the retail and mixed use areas concentrated on North Broadway at the Yarmouth intersection on both sides of the street, while others have stated that North Broadway should act more as a corridor.
- **Mixed Opinions on Housing Diversity and a Future Grocery Store**. While many community members agree that large format, or "big box" retail is inappropriate on North Broadway, there is a desire for some type of anchor land use to bolster the economic vitality of the area. There are mixed opinions on the suitability of a neighborhood scale grocery store. Community members also support the mission of affordable and special needs housing types but many have stated there is an overconcentration in North Boulder.

Figure 3: Community Meeting Images

October 2013 Community Open House Images – Top: Open House; Middle: Growing Up Boulder Table; Bottom: NoBo Arts District Interactive Mosaic

April 2014 Community Workshop Images – Facilitated Small Group Conversations

Figure 4: Plan Update Community Engagement

Community engagement informed development of the Action Plan, including:

- **Focused Community Conversations**: Approximately 20 focused interviews with the North Boulder community to identify issues and opportunities this plan update should address
- **October 2013 Project Kickoff Open House** to introduce the project, identify issues, opportunities, and community priorities (approximately 100 in attendance, including an interactive mosaic organized by the NoBo Arts District)
- **Growing Up Boulder** input that reflects children, youth, and parent perspectives (see Appendix 2)
- **April 2014 Community Workshop** (approximately 60 in attendance) with small group discussions around possible action items, and
- **Community Review** of Draft Action Plan (September 2014).

How Will The Action Plan Be Implemented?

This Action Plan reflects items that further advance the 1995 Plan's vision. The 1995 Plan will continue as the adopted subcommunity plan, including goals and objectives, development guidelines, the transportation plan (including required connections), and future land use map.

Each action item will require city resources. The city will prioritize action items against other local and citywide projects. The primary funding sources for the action items that require direct city funding are the citywide Capital Improvements Plan (CIP) and Operating Budget (see graphic below).

Implementation of these action items will take time, particularly with continued competition with other city priorities. This plan assigns each action item an estimated implementation timeline, and in some cases, estimated costs.

The primary purpose of Action Item 3.3 (Explore Improvement District) is to enhance and accelerate the implementation of many of these action items. This and other tools like regulatory incentives for private development (e.g., Action Items 1.3, 3.2) could serve to advance these action items in the competitive prioritization process for city funds and resources.

Example Template of Action Plan 2 Year Update

Action Item:

Actions Taken:

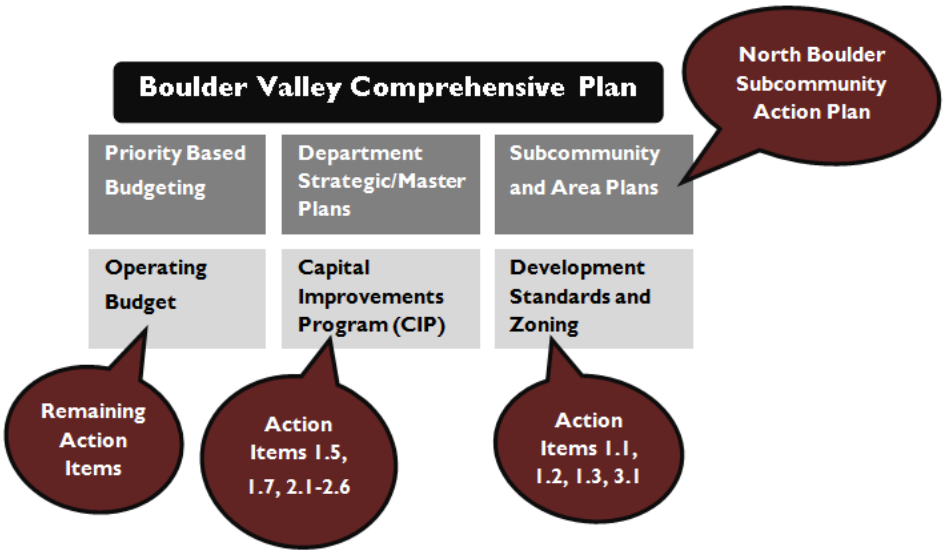
Outcomes:

Completeness:

Tracking Progress

One way to facilitate implementation of these action items is to establish a status update process to Planning Board and City Council. This Action Plan should be evaluated every two years for progress on the implementation of these action items, and any needed refinements to the action plan. This status update may take the form of the example to the right:

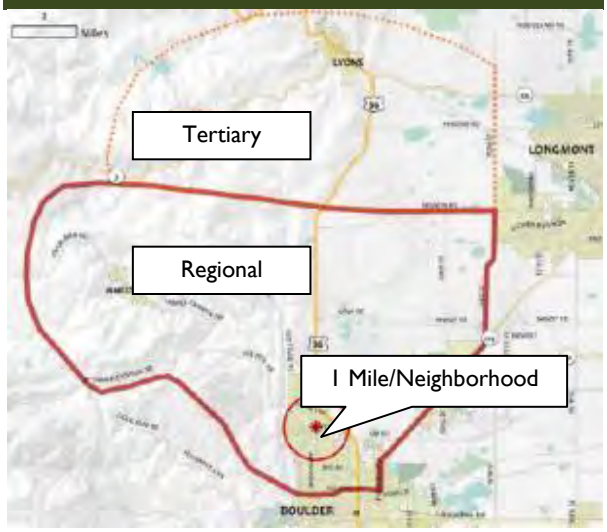
How Does the City Allocate Resources to Implement these Action Items?
The graphic below illustrates the citywide decision making structure from the 2010 BVCP. The 2004-2019 Capital Improvements Plan (CIP) includes guiding principles and criteria for selecting projects for funding (see CIP Figure 1-4). Projects that require city funding or staff resources that do not fit within these criteria are prioritized into the operating budget.



North Broadway Market Study

In 2013, the city completed a North Broadway Market Study that informed the plan update (see Appendix 1 for the full study). The purpose of the market study was to identify the land use and market barriers to realize the 1995 Plan's vision for North Broadway. Also, the market study can inform a future Village Center-focused analysis after flood mapping is complete.

Figure 5: North Broadway Market Study Study Areas

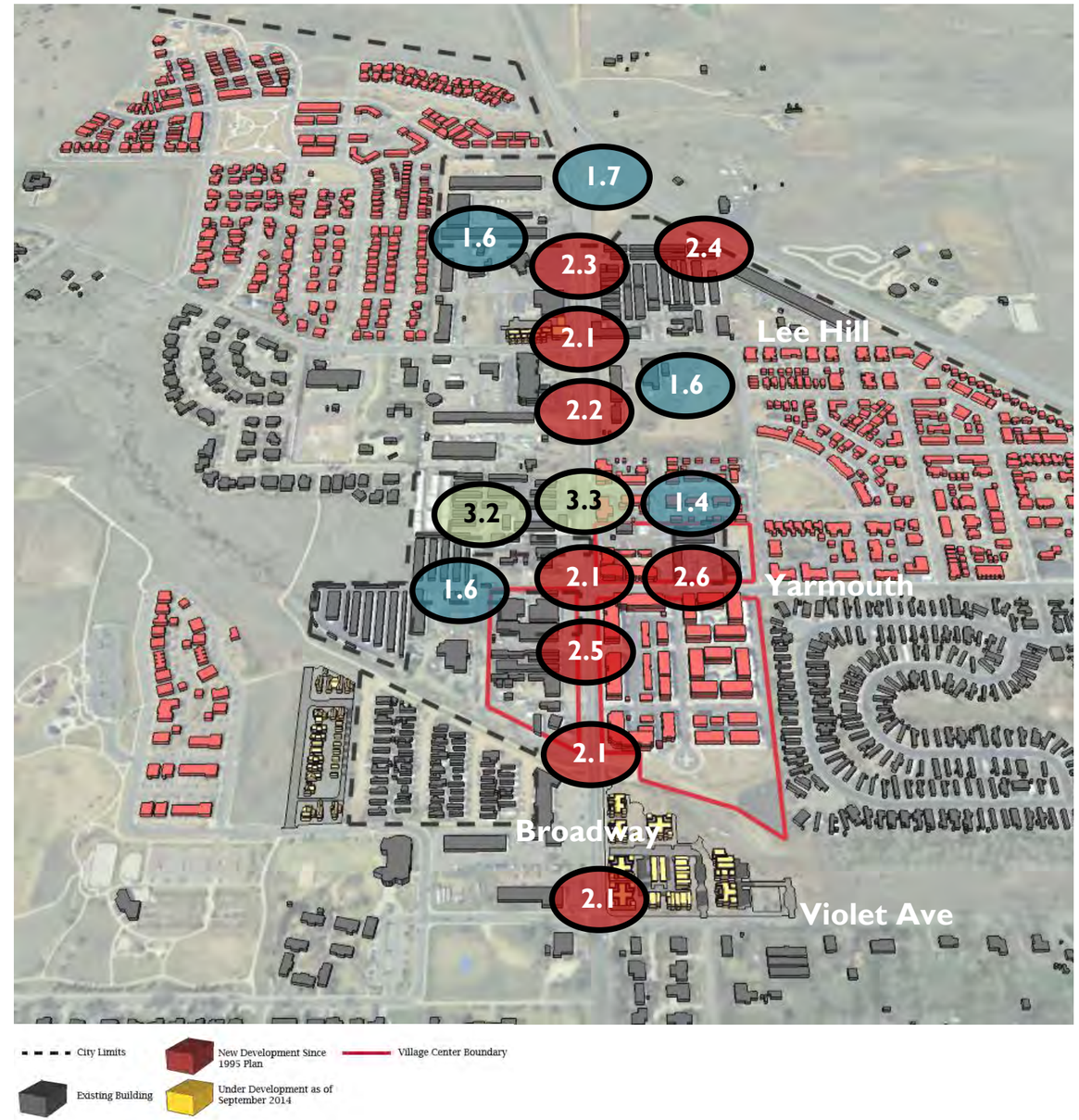


Key market study findings include:

1. **Higher Incomes and Housing Values**: The one mile neighborhood market area (from the intersection of Yarmouth and Broadway) has higher income households and higher housing values than the City of Boulder and Boulder County on average.
2. **Demographics and Employment**: The neighborhood market area has a greater percentage of residents of Hispanic origin and a larger percentage of residents aged 0-17 years than the City of Boulder and Boulder County on average, and 1,200-1,300 full or part time employees.
3. **Current Grocery Store Demand**: The neighborhood market area has unmet neighborhood demand for approximately 17,000-28,000 square feet of grocery store uses, and unmet regional and tertiary area demand for approximately 25,700-42,900 square feet of grocery store uses.
4. **New Grocery Store Impacts**: A new, full service grocery store in the North Broadway area could impact existing area grocery store revenues up to 20-25%.
5. **Forecasted Retail Demand, Non Grocery**: The neighborhood market area has a forecasted demand of approximately 85,000-195,000 square feet of new retail to 2035, in addition to grocery store demand.
6. **Forecasted Office and Industrial Demand**: The North Broadway area has a forecasted demand of approximately 25,000-30,000 square feet of additional office and 30,000-35,000 additional light industrial/flex space to 2035.
7. **New Retail Demand Drivers**: The North Broadway area's retail demand is relatively weak, but can be bolstered by:
   a. An anchor land use, additional redevelopment activity, or significantly more households; and
   b. The addition of a significant number of new households in the neighborhood market area, which would also minimize the impact a new grocery store would have on existing stores in the market areas.
8. **Anchor Land Use Potential**: The North Armory site and Village Center areas have the most potential for an anchor land use, although both have constraints. The North Armory site is less centrally located and is not currently zoned to accommodate a major retail (or other) type of anchor. The west side of the Village Center has floodplain issues that must be resolved before any redevelopment is feasible.

ACTION PLAN SNAPSHOT

	Action	Responsibility	Cost	Timing
1. Arts and Placemaking	**1.1 Analyze and Adjust Regulations to Allow Desired Live-Work Uses**	Community Planning and Sustainability	Staff Time	Short (Underway)
	1.2 Evaluate Strategies for Creative Signs	Community Planning and Sustainability, City Attorneys, Library and Arts through Community Cultural Plan	Staff Time, Legal Support May Be Required	Mid
	1.3 Analyze Public Art Regulations and Incentives	Community Planning and Sustainability, Library and Arts through Community Cultural Plan	Staff Time, TBD Costs for Public Installations	Mid (Underway)
	1.4 Analyze North Broadway Public Art Program	Library and Arts through Community Cultural Plan, Public Works	Staff Time and TBD costs for public art installations	Mid (Underway)
	1.5 Analyze Infrastructure Spending on Arts Policies	Library and Arts through Community Cultural Plan, Public Works-Transportation, Community Planning and Sustainability	Staff Time, TBD Costs for Public Installations	Mid (Underway)
	1.6 Explore Arts-Oriented Anchor Land Use	Library and Arts, Community Planning and Sustainability	Staff Time	Mid
	1.7 Initiate Visioning and Design Process for Broadway and US 36 Gateway	Library and Arts, Community Planning and Sustainability, Public Works Transportation	Staff Time, estimated $50-$100K consultant fees	Long
2. Transportation, Access, and Parking	**2.1 Enhance North Broadway Pedestrian Connections**	Public Works-Transportation, Library and Arts, Community Planning and Sustainability	TBD	Mid
	2.2 Enhance North Broadway Bicycle Facilities	Public Works-Transportation, Library and Arts, Community Planning and Sustainability	TBD	Mid
	2.3 Evaluate Extension of SKIP Terminus North and Mobility Hub at Broadway and US 36	Public Works-Transportation, Community Planning and Sustainability	TBD	Long (Underway)
	2.4 Evaluate US 36 Transit Route	Public Works-Transportation	TBD	Long (Underway)
	2.5 Initiate North Broadway Streetscape Plan	Public Works-Transportation, Community Planning and Sustainability, Library and Arts	Staff Time, estimated $50-$100K consultant fees	Mid
	2.6 Conduct Parking Utilization Study for Redeveloped Areas and Develop Related Strategies	Public Works, Downtown and University Management Division/Parking Services, Community Planning and Sustainability	Staff time, estimated consultant fees: $10,000	Short
3. Land Use and Development	**3.1 Evaluate Affordable Service Industrial and Artist's Space Strategies**	Community Planning and Sustainability, Library and Arts, Housing Division	TBD	Mid
	3.2 Establish Criteria to Guide Nonresidential Annexations	Community Planning and Sustainability	TBD	Short
	3.3 Explore Improvement District	Community Planning and Sustainability, University Management Division/Parking Services	Staff Time, Estimated consultant budget: $50,000	Long



Timing: *Short: 6 months – 2 Years; Mid: 3-5 Years; Long: 5+ Years* ***Note:*** *Map reflects approximate possible locations for implementation of action items. The map does not show those action items with general North Broadway applicability.*

DETAILED ACTIONS

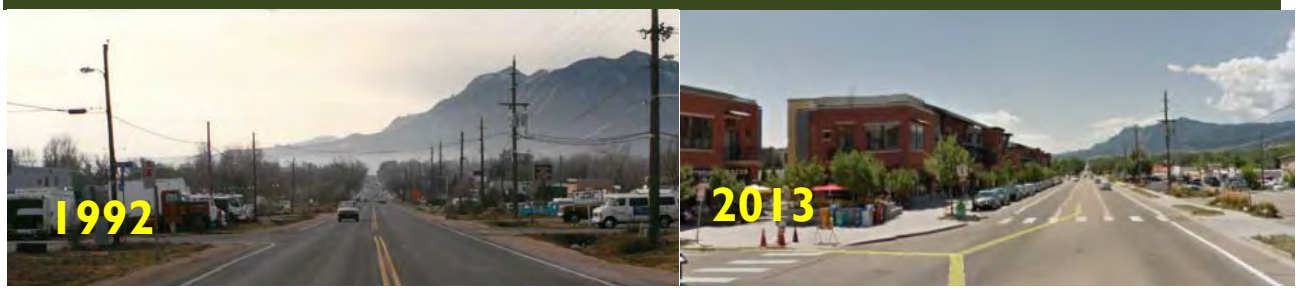
This Action Plan has three categories. Each one contains a brief description, goal statement, and policy guidance from the 1995 Plan.

1. **Arts and Placemaking;**
2. **Transportation, Access, and Parking; and**
3. **Land Use and Development.**

The table below summarizes how the detailed action items are presented.

Action Item *Brief description* **Timeframe** – from October 2014
Summary – What it is and why it is important.
1995 Plan Policies and Objectives – How the 1995 Plan directly or indirectly supports this action item.
Specific Possible Actions – Specific implementation strategies to advance the action item.
Background – Highlights of any relevant analysis, background, or references to other city initiatives.
Examples – If applicable, examples of how other communities have addressed this issue.
Department Responsible and Cost – Who within the city is primarily responsible for implementing the action item and costs including staff time, capital costs, or other cost estimates.

North Broadway 1992 and 2013



1. ARTS AND PLACEMAKING

In 2014, the North Broadway area has approximately 225 artists and creative industry professionals.[1] Arts-oriented placemaking[2] has strong community support as a strategy to foster these groups and the concept of North Broadway as a pedestrian friendly, eclectic, main street atmosphere.

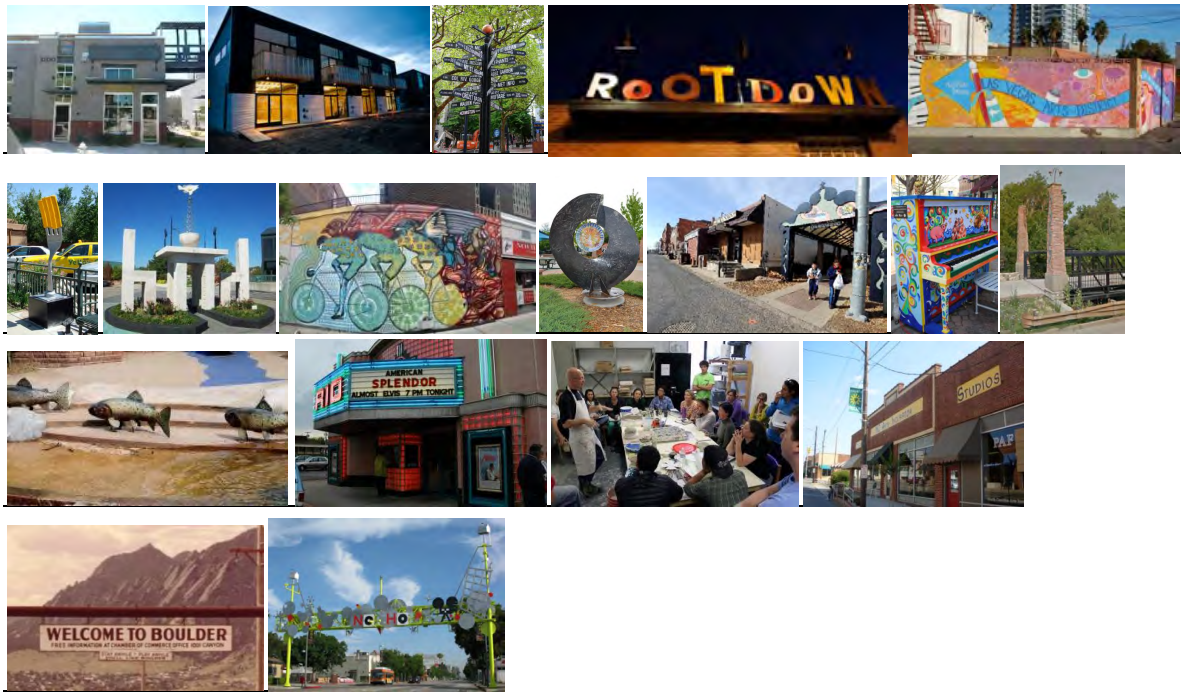
Action Plan Arts and Placemaking Goal

Support and foster the growing number of artists in North Boulder through land use, transportation, and placemaking strategies and investment.

1995 Plan Arts and Placemaking Key Policies

- *Create and preserve environments which promote sound and robust physical, mental, emotional, spiritual, economic, and artistic health in our community (Steering Committee Vision Statement)*
- *A place where artists, crafts persons, and small industrial business owners can live and work within close proximity. (Village Center transition areas to north and west)*

Additional 1995 Plan arts and placemaking policies are highlighted in the action items below.



[1] Source: NoBo Arts District

[2] The Project for Public Spaces defines placemaking as "both an overarching idea and a hands-on tool for improving a neighborhood, city or region" and "how we collectively shape our public realm to maximize shared value and facilitate creative patterns of activities and connections (cultural, economic, social, ecological) that define a place and support its ongoing evolution."

1.1 Analyze and Adjust Regulations to Allow Desired Live-Work Uses

Support artists, startup businesses, and spaces where people can live and work in close proximity by analyzing and adjusting live-work regulations.

Timeframe: Short (6 months – 2 years)

Summary

The city's land use code defines live-work to only include uses "as allowed in the industrial zoning districts." While combining uses allowed in a zone district is allowed (e.g. a residential and office use), Title 9 should be clearer that the city explicitly allows live-work in some zone districts to avoid the need for case by case interpretations, and provide additional guidance through use-specific standards.

Examples of Live/Work Units

1995 Plan Live/Work Policies and Objectives

- *New live/work areas close to the village center where people can live, work, shop, and recreate within close proximity (Executive Summary).*
- *Live/work units in a vertically and horizontally mixed configuration of office and residential uses along Broadway, 13th, 14th and Yarmouth (Yarmouth North Land Use Concept)*
- *Office/Light Industrial areas in North Boulder should provide live-work or workshop opportunities (Employment and Retail Centers Objectives)*
- *Reduce vehicle miles travelled and trip volumes city-wide (Employment and Retail Centers Objectives)*

Specific Possible Actions

1.1.1 Explicitly Allow Live-Work in More Zone Districts: Analyze zone districts to allow live-work as a by-right use in more areas and adjust Table 6-1 accordingly. The North Broadway area does not have any zone districts that are not also in other areas of the city, so any changes would affect areas outside of North Boulder. Specific zone districts to explicitly allow live-work may include zone districts that already allow both residential and a wide range of nonresidential uses.

1.1.2 Modify Live-Work Definition to be more inclusive of a range of live-work types, possibly differentiating between higher and lower impact types of live-work units, remove standards from the definition (see Background below), and adjust reference to "as allowed in the industrial zoning districts".

1.1.3 Live-Work Performance Standards: Analyze need for any performance standards for live-work that may address buffering, impacts on surrounding areas, operational characteristics, etc. Ensure any live-work provisions in Title 9 reference the current city building code requirements for live-work units.

Background

- BRC Sec. 9-16-1 defines a live-work unit as "a structure with a combination of uses where work activities occur as allowed in the industrial zoning districts and includes a dwelling unit for the business occupant, but not including a caretaker dwelling unit. Such unit shall have only one kitchen and shall be occupied by either the owner, the tenant, or the owner's or tenant's employee plus any other persons that may be allowed to occupy a dwelling unit pursuant to Section 9-8-5, 'Occupancy of Dwelling Units,' B.R.C. 1981. The live-work unit must be the residence of a person responsible for the work performed on the premises."
- Table 6-1 only explicitly allows live-work by right in MU-4 and IMS zone districts that represent only 4% of the study area. Table 6-1 allows live-work with a use review process in the IS-1 and IS-2 zone districts that represent 19% of the study area
- The 2012 International Building Code addresses Live-Work units with the following requirements: [3]
  - Handled on case-by-case basis depending on the nature of the nonresidential use
  - 3,000 square foot maximum size for less stringent building code requirements (e.g., sprinklering requirements)
  - 50% maximum floor area for the nonresidential portion
  - ADA accessibility is required for the nonresidential area

Department Responsibility: Community Planning and Sustainability (lead)
Cost: Staff Time

[3] 2012 IBC Sec. 419 Live/Work Units

1.2 Evaluate Strategies for Creative Signs

Evaluate strategies that enable creative signage that contributes to the artistic and eclectic character of the North Broadway area.
Timeframe: Mid (3-5 years)

Summary
Creative and artistic signage can be an effective tool to foster an eclectic, distinct place that also enables business and neighborhood identification, particularly as a means to support the growing number of North Boulder artists. The Action Plan and Community Cultural Plan processes have highlighted that the city's sign code can be difficult to interpret for creative and artistic signs and the sign code may be too rigid to enable creative signs.

1995 Plan Signage Policies and Objectives

- *Not directly addressed, but numerous plan policies that support a variety of strategies to foster placemaking, such as:*
  - *Strengthen and support existing neighborhoods*
  - *Avoid monotonous building designs*
  - *Preserve and enhance the existing diversity and character of North Boulder's neighborhoods.*

Specific Possible Actions

1.2.1 **Evaluate Strategies for Creative Signs**: Through the citywide Community Cultural Plan, evaluate current sign regulations and processes to better enable creative signs. This process should evaluate how the city interprets what is considered art (and thus exempt or subject to the sign code) and how the city can provide more guidance for creative signs that would contribute to North Broadway's artistic and eclectic character.

Background

- Art that does not advertise a business or product is exempt from a sign permit in the sign code and classified as "noncommercial", however, most works of art in a nonresidential area have the same restrictions as signs with advertising (BRC Sec. 9-9-21 (d)(8)).
- Examples of existing Boulder signs the current sign code prohibits include:
  - Holiday Drive In Sign
  - Boulder Theater Sign
  - The Colorado Shakespeare Festival Sign (extending over Broadway seasonally at 15th Street).

Examples

- City of Pasadena, CA Creative Sign Permit – includes process and design standards that address context, architecture, and impacts on surrounding areas.
- Town of Estes Park, CO Creative Sign Program – includes Design Review Board, purpose is to "provide more flexibility in the application of the sign code"

Department Responsibility: Community Planning and Sustainability (lead), Library and Arts, City Attorneys
Cost: Staff Time, Legal Support May Be Required

Examples of Creative Signs Not Currently Allowed Under Sign Code

(Portland, OR - too tall, lettering too large)

(Denver - extends above roof line)

(Arts District Mural - advertises a product or business)

1.3 Analyze Public Art Regulations and Incentives

Through the citywide Community Cultural Plan, foster public art through private development to contribute to the artistic and eclectic character of the North Broadway area through requirements or incentivizes.

Timeframe: Mid (3-5 years)

Summary

The likelihood of continued private redevelopment in the North Broadway area in the next several years presents an opportunity to encourage public art that contributes to the creative, unique, and eclectic character of the North Broadway area. However, the city does not currently have regulations or policy guidance to address the goal of providing public art in private developments.

1995 Plan Public Art in Private Development Policies and Objectives

- *Not directly addressed, but 1995 Plan Arts and Placemaking Policies on page 10 support this action item.*

Specific Possible Actions

1.3.1. Public Art Requirement for Larger Private Development: Utilize tools from the citywide Community Cultural Plan that may include requiring larger private development projects in the North Broadway area to provide public art, contribute to a public art fund, or include an artist on the design team. Private redevelopment may include nonresidential and multifamily projects over a size threshold, TBD during implementation of this action item.

1.3.2. Public Art Incentives: Evaluate regulatory incentives for provision of public art in North Broadway area such as density bonuses and expedited development review.

Background

- Title 9 does not address public art directly through development standards, definitions, or any review criteria for development applications.

Examples

- City of Santa Monica, CA – Cultural Arts Program provides incentives for public art in nonresidential projects over 7,500 square feet or more
- City of Tampa, FL – density bonuses for public art

Department Responsibility: Library and Arts (lead), Community Planning and Sustainability
Cost: Staff Time

Examples of Public Art

1.4 Analyze North Broadway Public Art Program

Through the citywide Community Cultural Plan, evaluate a program to foster public art through public and private investment and partnerships to contribute to the artistic and eclectic character of the North Broadway area.

Timeframe: Mid (3-5 years)

Summary

The Action Plan process, the emerging number of North Broadway artists, and the city's Community Cultural Plan process have highlighted a growing community interest in a North Broadway public art program. Community members have cited numerous regional examples that have fostered the arts and placemaking from Longmont (art in alleys) to Lafayette (Public Road rotating art) to Denver (public art on public buildings).

1995 Plan Public Art Program Policies and Objectives

- *Not directly addressed, but 1995 Plan Arts and Placemaking Policies on page 10 support this action item.*

Specific Possible Actions

1.4.1. North Broadway Public Art Program: Through the citywide Community Cultural Plan, encourage public and private arts investment to utilize local artists. For instance, encourage sculpture by local artists to be on rotating display in prominent public locations or encourage murals painted by local artists in appropriate places.

Background

- The city is currently launching a Community Cultural Plan that will establish the community's vision for culture and creative industries, including a toolbox and action plan. The city will be considering public art citywide and in the North Broadway area with that planning effort. The city anticipates this plan will be completed by late 2015.

Examples

- City of Lafayette – Public Art Committee whose mission is to "Bringing large-scale, permanently installed public art and an annual art on loan sculpture walk to Lafayette". Includes an "Art on the Street Program" for South Public Road (see image to right).
- City of Longmont – Alleyscape and Breezway Project aims to revitalize parking lots, alleyways, and breezeways that "are essential to the growth and development of downtown". Projects have been prioritized into the city's Capital Improvements Plan and built (see image to right).

Department Responsibility: Library and Arts (lead), Public Works

Cost: Staff Time and TBD costs for public art installations

Examples of Public Art

Public Road Art – Lafayette

Art in Alleys - Longmont

1.5 Analyze Infrastructure Spending on Arts Policies

Through the citywide Community Cultural Plan, foster public art to contribute to the artistic and eclectic character of the North Broadway area through arts investment in infrastructure.

Timeframe: Mid (3-5 years)

Summary

The Action Plan process, the emerging number of North Broadway artists, and the city's Community Cultural Plan process have highlighted a growing community interest in establishing a target arts investment amount for infrastructure projects. This may include transportation (streets, pedestrian crossings, etc.), utilities (e.g., flood mitigation, utility boxes), or civic buildings. While the city has historically integrated public art into some infrastructure projects, there is not an adopted policy or guidelines.

1995 Plan Infrastructure Spending on Public Art Program Policies and Objectives

- *Not directly addressed, but 1995 Plan Arts and Placemaking Policies on page 10 support this action tem.*

Specific Possible Actions

1.5.1. Analyze Infrastructure Spending on Arts Policy: Through the citywide Community Cultural Plan, consider a North Broadway-specific policy to invest a target percentage towards public art with major infrastructure projects, with preference towards using local artists. The Community Cultural Plan may also consider related citywide investment targets.

Background

- As a matter of practice, the city has invested an average of 1-1.5% of a project's budget with recent major infrastructure projects[4]. However, the city does not have any adopted policies to ensure this practice is consistent and continues.

Example

- **Fort Collins – Art in Public Places Program (APP) -** Created in 1995 and includes an APP Board, 1% spending towards public art for city construction projects over $250,000, and a requirement for city construction projects between $50,000 and $250,000 to include a city-certified artist in the design process.

Department Responsibility: Library and Arts (lead), Public Works

Cost: Staff Time and TBD costs for public art installations

Examples of Public Art

Fort Collins Art in Public Places Program – Painted Pianos

Public Art with Clear Creek Enhancements – Golden, CO

Public Art with 28th Street Improvements – Boulder

[4] Major, recent infrastructure projects with this level of public art investment include 28th Street, the Broadway and Euclid project, Skunk Creek underpass, and the 30th Street underpass and bridge replacement just south of Pearl Street.

1.6 Explore Arts-Oriented Anchor Land Use

Identify potential North Broadway arts anchor land uses and implement strategies to foster development of an arts oriented anchor land use.

Timeframe: Mid (3-5 years)

Summary

The Action Plan process and the North Broadway Market Study (see Appendix 1) have highlighted a growing interest in a North Broadway anchor land use to enhance the economic vitality of the area. With this Action Plan's emphasis on arts and placemaking, the city should explore opportunities for an arts-oriented anchor land use in the North Broadway area.

1995 Plan Public Art Program Policies and Objectives

- *Not directly addressed, but 1995 Plan Arts and Placemaking Policies on page 10 support this action item.*

Specific Possible Actions

1.6.1. Coordinate with Citywide Community Cultural Plan to identify desirable anchor land uses and the market for these uses in North Boulder. Specific possible anchor land uses include:

- Arts and/or business incubator to support artists and startups
- Destination retail or restaurants (e.g., brewpub, music venue)
- Neighborhood scale, independent movie theater
- Satellite classrooms for art programs

1.6.2. Identify Suitable Locations for an anchor land use.

1.6.3. Anchor Land Use Recruitment Strategy: Develop an anchor land use recruitment strategy that may include marketing strategies to commercial real estate brokers.

Background

- The North Broadway Market Study indicates some demand for additional retail and office, but that absorption will be slow without an anchor land use (see Appendix 1, page 3).
- The North Broadway Market Study indicates that the 1995 Plan's Village Center area and the Armory site have the most potential to accommodate an anchor land use (see Appendix 1, page 3).

Examples

- Tech Ranch – Austin: Entrepreneur development programs, startup work space, and team building
- The Crucible – Oakland: Nonprofit education and training in the fine and industrial arts
- University of Missouri-Kansas City Downtown Arts Campus - Moved art classes to a satellite location closer to a growing arts scene.

Department Responsibility: Library and Arts, Community Planning and Sustainability
Cost: Staff Time

Examples of Arts Anchor Land Uses

Independent Movie Theater

Arts Incubator

University Art Class Facility, Satellite Location

1.7 Initiate Visioning and Design Process for Broadway and US 36 Gateway

Engage the community to design a gateway that reflects current priorities.

Timeframe: Long: (5+ years)

Summary

One of the 1995 Plan's action items is a US 36 and Broadway gateway concept. This project has never come to fruition, and the 1995 Plan's design concept may not reflect current community priorities that include arts and placemaking, announcing "you are in Boulder" and a distinct neighborhood, traffic calming, and enhanced transit opportunities.

US 36 and Broadway Today

Gateway to Arts District

Gateway to Coors Field, Denver

1995 Plan Public Art Program Policies and Objectives

During the 1995 planning process, the North Boulder community considered several alternatives for the US 36 and Broadway gateway. The favored concept was a gateway that focuses on landform and landscape design rather than on any architectural treatment or "statement."

Specific Possible Actions

1.7.1. Initiate community visioning and design process for gateway that integrates with enhanced transit opportunities (see Action Item 2.3). This may include a gateway process as part of larger North Broadway Streetscape Plan process (see Action Item 2.5), developing alternatives and costs, and identifying funding strategies to implement preferred alternatives.

1.7.2. Continue to work with CDOT to find alternate suitable locations for maintenance facilities.

Background

- The city completed a draft North Broadway Streetscape Plan (2003) as a 1995 Plan action item that includes some gateway concepts with landscaping. The city never officially adopted this plan but has used it to guide some streetscape improvements along the east side of Broadway north of Violet Avenue as redevelopment has occurred.
- Amount of land in gateway (includes 70' buffer along US 36 and areas designated as gateway): 11.8 acres

Department Responsibility: Library and Arts, Community Planning and Sustainability, Public Works Transportation

Cost: Staff Time, consultant may be necessary, estimated $50-$100K consultant fees

2. TRANSPORTATION, ACCESS, AND PARKING

The 1995 Plan contains a connections plan for cars, bicycles, pedestrians, and transit. The city implemented many of these connections and other related improvements following the 1995 Plan. However, the North Boulder community supports the implementation of several missing connections and new services to enhance access by all modes.

The action items in this section focus on bicycle, pedestrian, and transit connections because the community has indicated they are a priority, and the 2014 Transportation Master Plan ranks them as the second highest priority level behind system maintenance and travel safety. These action items support the goals of the 2014 Transportation Master Plan and are consistent with the direction of the Access Management and Parking Strategy and the city's Climate Commitment. They also support the Arts and Placemaking action items.

Action Plan Transportation, Access, and Parking Goal

Foster a new generation of implementation items that further advance current community transportation, access, and parking priorities reflected in the 1995 Plan.

1995 Plan Transportation, Access, and Parking Key Policies (Chapter 8, page 20)

- *Encourage walking, biking, and transit use by providing safe, comfortable and convenient pedestrian and bicycle path connections.*
- *Determine locations for future transit center.*
- *Determine methods to calm traffic speeds on neighborhood streets.*
- *Pursue aggressive strategies to reduce the number and distance of car trips.*
- *Design a stronger entry/ gateway to the City at Broadway and U.S. 36.*
- *Inter-connect the street network in new neighborhoods.*

Additional 1995 Plan land use and development policies are highlighted in the action items below.

2.1 Enhance North Broadway Pedestrian Connections

Establish and enhance pedestrian connectivity, emphasizing east-west connectivity across North Broadway integrated with placemaking.

Timeframe: Mid (3-5 years)

Summary

Both the North Boulder community and the North Broadway Market Study identified inadequate pedestrian connectivity along and near North Broadway as a barrier towards the 1995 Plan's goal for a walkable, main street concept. The 2014 Transportation Master Plan places pedestrian improvements as a high priority for funding and implementation as the "fundamental way to travel" and the "primary mode of transportation".

Broadway and Fourmile Canyon Creek Underpass

1995 Plan Pedestrian Access Policies and Objectives

- *New pedestrian and bicycle connections that will connect "missing links" in the overall bicycle/pedestrian network and improve access and safety to schools and other centers. (Executive Summary, primary concept)*
- *Provide safe and enjoyable pedestrian and bike paths, and transit facilities (Steering Committee Vision Statement)*
- *Encourage walking, biking, and transit use by providing safe, comfortable and convenient pedestrian and bicycle path connections. (Chapter 8, Transportation Goals)*
- *The 1995 Plan contains a Bicycle/Pedestrian Improvements Right-of-Way plan that has shaped new connections since the city adopted the plan. In addition to the east-west pedestrian crossings on North Broadway, the 1995 Plan also shows two pedestrian connections from the Boulder Meadows mobile home park to the Uptown Broadway development that have not been implemented.*

Specific Possible Actions

2.1.1. Boulder Meadows: Continue to explore establishing a pedestrian connection from Boulder Meadows to the Uptown development and Fourmile Canyon Creek.

2.1.2. Arts and Placemaking Enhancements, Signalized Intersections: Enhance pedestrian crossing experience at existing and future signalized intersections with arts and placemaking that may include public art, signage, or alternative paving designs. Existing and planned signalized intersections in the study area include:

- Violet and Broadway (existing signalized intersection)
- Lee Hill and Broadway (existing signalized intersection)
- US 36 and Broadway (in Boulder County, existing signalized intersection, see Action item 1.7)
- Yarmouth and Broadway (planned signalized intersection)

2.1.3. Arts and Placemaking Enhancements, Uncontrolled Intersections: Enhance pedestrian experience at existing and future uncontrolled (no traffic signal, includes signed and striped crosswalks) intersections with safety enhancements that integrate arts and placemaking.

2.1.4. Establish Target Investment: Through citywide Community Cultural Plan, establish a target spending percentage at these intersections for public art and placemaking, with preference for local artists on the design team.

2.1.5. Fourmile Canyon Creek Broadway Underpass: Implement safety measures under Broadway at the Fourmile Canyon Creek underpass (e.g., improved lighting).

Background

The city's Pedestrian Crossing Treatment Installation Guidelines (2011) include standards for controlled (signalized) and uncontrolled pedestrian crossings:

- Controlled Pedestrian Crossing are where motorists are required to stop by either a stop sign or traffic signal (including a HAWK beacon). The city has more opportunities for arts and placemaking in the public right-of-way at these intersections than uncontrolled intersections.
- Uncontrolled Pedestrian Crossing are established pedestrian crossings that do not include a traffic signal, a HAWK beacon, or a stop sign that requires motor vehicles to stop before entering the crosswalk. For example, Boulder's crosswalks with signs and/or pedestrian actuated flashing yellow lights are considered "uncontrolled". The city's opportunity for arts and placemaking at these intersections is more limited to the areas that do not interfere with the intersection.

Department Responsibility: Public Works Transportation (lead), Library and Arts, Community Planning and Sustainability

Cost: TBD

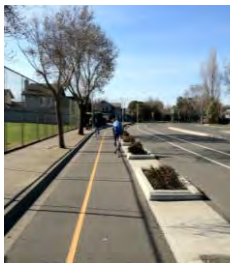
2.2 Enhance North Broadway Bicycle Facilities

Enhance and provide new bicycle facilities with an emphasis on north-south connectivity along and near Broadway.

Timeframe: Mid (3-5 years)

Summary

North Broadway has bicycle lanes, but the North Boulder community has expressed that bicycling feels unsafe due to traffic speeds and a lack of motorist awareness. North Broadway is the most direct north-south bicycle connector linking North Boulder to the rest of the community. The citywide Transportation Master Plan places a high priority on bicycle improvements and creating a lower stress level for this mode of travel, including a citywide grid network that connects different destinations and links bicycling and transit.



Coeur d' Alene, ID Public Art Bicycle Racks

1995 Plan Bicycle Access Policies and Objectives

- *New pedestrian and bicycle connections that will connect "missing links" in the overall bicycle/pedestrian network and improve access and safety to schools and other centers. (Executive Summary, primary concept)*
- *Provide safe and enjoyable pedestrian and bike paths, and transit facilities (Steering Committee Vision Statement)*
- *Encourage walking, biking, and transit use by providing safe, comfortable and convenient pedestrian and bicycle path connections. (Chapter 8, Transportation Goals)*
- *The 1995 Plan contains a Bicycle/Pedestrian Improvements Right-of-Way plan that has shaped new connections since the city adopted the plan.*

Specific Possible Actions

2.2.1. Enhanced Bicycle Facilities: Construct enhanced bicycle facilities along North Broadway, in accordance with the Transportation Master Plan's priority for a low stress bicycle network. This may include city evaluation of a separated bicycle lane along North Broadway.

2.2.2. Target Arts and Placemaking Investment: Through the citywide Community Cultural Plan, establish a target percentage of spending on North Broadway bicycle enhancements for public art and placemaking, with local artists on the design team.

2.2.3. B-Cycle Stations, High Priority: Work with B-Cycle group to advance stations at Yarmouth and Broadway, Lucky's, and 19th and Violet (all of which are high priority, but unfunded items in B-Cycle's master plan).

2.2.4. B-Cycle Station @ Gateway Mobility Hub: Work with B-Cycle group to place US 36 and Broadway B-Cycle station as high priority item in their master plan as US 36 and Broadway gateway/mobility hub progresses (see Action item 2.3).

2.2.5. Enhanced Bicycle Facilities and Annexation Community Benefit: Include funding towards or construction of B-Cycle station in accordance with their master plan and other "above and beyond" bicycle enhancements in the North Broadway area to contribute towards community benefit as part of annexation (see Action Item 3.3).

Background

- Since 1995, the city has constructed bicycle lanes on North Broadway, Lee Hill, and Yarmouth. The city has also constructed the Fourmile Canyon Creek trail and Broadway underpass in the study area since 1995.
- The Boulder B-Cycle Master Plan (August 2013) includes station planning principles to prioritize future locations, including:
  - High employment and density areas
  - Proximity to destinations
  - Multimodal access nearby
  - Good visibility, and
  - Proximity to existing stations (i.e., within ½ mile of stations, "clusters of stations are essential").

Examples

- Boulder Baseline Cycle Track – part of city's Living Laboratory program from 30th – 35th
- City of Coeur d' Alene, ID – Public Art Bike Racks, part of the 4th Street/Midtown Placemaking Project, used local artists to construct public art that also functions as bicycle racks. Cities with similar programs include Nashville; Louisville, KY; Columbus, OH; Austin, and Chicago.

Department Responsibility: Public Works Transportation (lead), Library and Arts, Community Planning and Sustainability

Cost: TBD

2.3 Evaluate Extension of SKIP Terminus North and Mobility Hub at Broadway and US 36

Evaluate a mobility hub at US 36 and Broadway pursuant to the citywide Transportation Master Plan, and integrate its design with Action 1.7 (US 36 and Broadway Gateway).

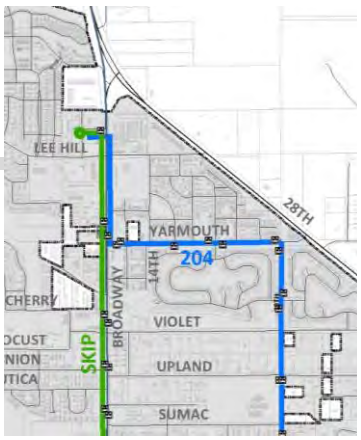
Timeframe: Long (5+ years)

Summary

Both the 1995 Plan and the 2014 Transportation Master Plan (TMP) recommend a transit center or mobility hub at US 36 and Broadway. The North Boulder community continues to support this concept, including integration with Action 2.3 (Gateway), and the arts and placemaking strategies set forth in this Action Plan. North Boulder community members also support extending the SKIP terminus north away from its current location at the homeless shelter and connections with other transit routes.

1995 Plan US 36 and Broadway, SKIP Access Policies and Objectives

- *Explore possible locations for future transit center(s) (Executive Summary)*
- *Provide transit centers with shelter from the elements, seating, covered bicycle parking, schedule and fare information, and newspaper racks. (Transportation Objectives, page 20)*
- *The 1995 Plan contains a Auto/Transit Improvements Right-of-Way Plan that shows a transit route as a future connection to the Dakota Ridge area with a circulator route (page 25)*



Existing North Broadway Transit Routes

Specific Possible Actions

2.3.1 Continue to work with agency partners (CDOT and Boulder County) to find other suitable locations for any desired maintenance facilities, rather than in the gateway area.

2.3.2 Implement mobility hub in accordance with the Transportation Master Plan, including transit, bike share, car share, bicycle parking, and integration with Action 1.7 (Gateway). The city should consider First and Final Mile[5] solutions to the surrounding community with this process in accordance with the TMP.

2.3.3 Extend SKIP terminus and other transit connections north to US 36 and Broadway.

Background

- The TMP identifies the North Boulder Mobility Center to include high amenity bus stop features, including real time passenger information displays, wayfinding, and a bike and car share station (see Action Item 2.2.4 B-Cycle, 2014 TMP Figure 5-8 Transit Facilities and Amenities)

Department Responsibility: Public Works Transportation (lead), Community Planning and Sustainability, and Agency Partners (CDOT, RTD, Boulder County)

Cost: TBD

[5] First and last mile strategies are typically designed to help transit users access transit or final destinations. Strategies vary widely from infrastructure to policy to education. Successful programs will improve the user experience by supporting intuitive, safe and recognizable routes to and from transit stations/stops (Source: 2014 Transportation Master Plan Action Plan).

2.4 Evaluate US 36 Transit Route

Evaluate a bus route more directly linking the North Broadway area to the 28th Street commercial area and Boulder Junction.

Timeframe: Long (5+ years)

Issue Summary

The 1995 Plan and the citywide Transportation Master Plan both show a proposed transit route from a future mobility hub at US 36 and Broadway that runs along US 36/28th Street into and near the US 36/28th Street regional commercial areas and Boulder Junction. The North Boulder community continues to support this future transit improvement.

1995 Plan US 36 Transit Route Policies and Objectives

- *Encourage walking, biking, and transit by providing safe, comfortable and convenient connections (Executive Summary, Connections)*
- *Provide a transit stop on US 36 (Neighborhood Recommendations, page 14)*
- *Auto/Transit Improvements Right-of-Way Plan (page 25 – route shown as future connection)*

Specific Possible Actions

2.4.1 Work with CDOT and RTD to study and implement US 36 transit route, integrated into planning for the US 36 and Broadway gateway area and mobility hub (see Action Item 1.7, Gateway, 2.3)

Department Responsibility: Public Works Transportation (lead)
Cost: TBD

Image from 2014 Transportation Master Plan Showing Proposed US 36/28th Street Transit Connection (in blue)

2.5 Conduct Parking Utilization Study for Redeveloped Areas and Develop Related Strategies

The city should understand and quantify the parking issues first with a parking utilization study and develop responsive strategies.

Timeframe: Short (6 months - 2 years)

Summary

The North Boulder community has identified inadequate parking conditions as a key barrier to the viability of retail and restaurants in the North Broadway area. The community has expressed that these businesses depend on patrons being able to find a parking space as they are often arriving by car. The primary area of concern is the east side of Broadway north of Fourmile Canyon Creek.

Broadway and Yellow Pine Street Parking

1995 Plan Parking Policies and Objectives

- *Look for opportunities to experiment with new parking management strategies aimed at reducing the number and distance of car trips, such as shared parking with adjacent public and private users. (Community Facilities Objectives, page 18)*

Specific Possible Actions

2.7.1 Parking Utilization Study: Conduct parking utilization study for North Broadway area, with an emphasis on the Uptown and Main Street North areas, but extending to new projects including Violet Crossing (4410 Broadway) and plans for the Armory site (4750 Broadway). This study should also consider future redevelopment on the west side of Broadway.

2.7.2 Identify and Implement Parking Management Strategies: Once the city quantifies any parking issues, evaluate and identify appropriate parking and access management strategies from the forthcoming Access Management and Parking Strategy parking toolkit. Strategies from this toolkit should balance incentives versus requirements and may include:

- Shared parking opportunities
- Parking reductions by right (e.g., with proximity to transit, enhanced bicycle facilities, etc.)
- Evaluation of a North Broadway parking and access district
- Increased enforcement of parking time limits (e.g., 2 hour limits in Uptown and Main Street North areas)
- Evaluation of underutilized loading areas for parking
- Evaluation of "edge parking" – storage parking options that can be accessed by transit, or bicycle/pedestrian connections for occasional use of second vehicles.
- Evaluation of paid parking options

Background

- The Access Management and Parking Strategy is currently underway and will develop a toolkit of best practices to address a variety of parking issues around the city. This will include the "SUMP" principles– shared, unbundled, managed, and paid parking.
- The Travel Demand Management programs that are components of the 2014 Transportation Master Plan (see Sec 4.6) also address parking as one type of TDM strategy. This action item should integrate with Action Item 2.8, TDM.

Department Responsibility: Downtown and University Management Division/Parking Services (lead), Public Works, Community Planning and Sustainability

Cost: Staff time, consultant may be necessary, estimated consultant fees for parking utilization study: $10,000

2.6 Initiate North Broadway Streetscape Plan

Initiate a comprehensive evaluation and plan for the North Broadway area that addresses the physical aspects of the public realm including streetscaping, placemaking/arts, transit, and access management.

Timeframe: Mid (3-5 years)

Summary

A comprehensive streetscape plan can address many of the action items in this Action Plan as part of one coordinated effort. This would enable a coordinated evaluation and plan that synchronizes all of the elements of the North Broadway public realm together – design, placemaking, access management, the US 36 and Broadway gateway, and transit enhancements.

1995 Plan North Broadway Streetscape Policies and Objectives

- *Develop and implement streetscape improvements (including burying utility lines) along N. Broadway (Employment and Retail Centers Action Plan, page 17)*
- *Development of a North Broadway streetscape plan as one of the first phases of implementing the Plan (Transportation Recommendations, page 22)*
- *Design streetscapes in conformance with the streetscape plans below, or subsequently adopted streetscape plans (e.g., North Broadway) (Transportation Recommendations, page 23)*

Specific Possible Actions

2.6.1 Combined Action Item Implementation: Evaluate a process to implement Action Items 1.4 (Explore North Broadway Public Art Program), 1.7 (Initiate Visioning and Design Process for Broadway and US 36 Gateway), 2.1 (Enhance North Broadway Pedestrian Connections), and 2.2 (Enhance North Broadway Bicycle Facilities) together as part of a comprehensive North Broadway Streetscape Plan.

2.5.1 Access Management Strategies: Initiate process to engage property owners and businesses on west side of Broadway to analyze access issues and management strategies. Strategies may include:

- Evaluate using the current North Boulder Transportation Connections Plan to establish preferred access points (from 1995 Plan).
- Analyze approach and strategies to access management and coordinate with citywide Access Management and Parking Strategy toolkit with items such as access districts.

Image from North Broadway Streetscape Plan (2003)

Background

- The city drafted but never adopted a North Broadway Streetscape Plan in 2003 as a 1995 Plan implementation item. This plan has been used to guide some of the streetscape improvements that have occurred with redevelopment on the east side of Broadway, but has seen limited use outside of a few projects.
- Broadway between Violet Avenue and Lee Hill Drive has five vehicular access points on the east side, with one more anticipated as the Armory site redevelops. This same half-mile stretch on the west side currently has 17 vehicular access points, which creates more points of conflict for pedestrians and bicyclists and interrupts the flow of vehicular traffic.
- Section 9-9-5 of the Boulder Revised Code outlines the City's policy on site access control.
- Section 2.04 (Site Access) from the City of Boulder Design and Construction Standards outlines the design standards for curb cuts.

Department Responsibility: Public Works Transportation, Library and Arts, Community Planning and Sustainability

Cost: Staff Time, consultant may be necessary, estimated $50-$100K consultant fees

3. LAND USE AND DEVELOPMENT

The overall purpose of these land use and development action items is to: 1) synchronize with the Arts and Placemaking and Transportation, Access, and Parking action items, and 2) to capitalize on land use and development opportunities in the North Broadway area. This Action Plan does not change any existing or future 1995 Plan zoning and land use classifications. Future Village Center-focused analysis may yield future land use map changes.

Land Use and Development Action Plan Goal

Use land use and development tools to capitalize on opportunities and remove barriers towards realizing the 1995 Plan's vision for the North Broadway area.

1995 Plan Land Use and Development Key Policies

The 1995 Plan categorizes land use and development policies by subcommunity wide and area specific items. Subcommunity wide land use and development policies include (from Executive Summary):

- *Maintenance of existing zoning in established neighborhoods*
- *Mixed density, mixed income housing neighborhoods with good connections to parks, shops, office, and civic uses*
- *An emphasis on design quality and improved site design*
- *An improved land use pattern with a village center acting as the "symbolic heart" and core activity area for North Boulder*

Additional 1995 Plan land use and development policies are highlighted in the action items below.

3.1 Evaluate Affordable Service Industrial and Artist's Space Strategies

Coordinate with the citywide Community Cultural Plan to analyze strategies to preserve and foster new affordable service industrial and artist's space in the North Broadway area.

Timeframe: Mid (3-5 years)

Summary

The North Boulder community, Planning Board, and City Council have expressed concern over erosion of spaces that foster the growing arts scene in North Boulder and service industrial land uses that serve a valuable community need. The primary concern is the increasing lack of affordability of these spaces and that redevelopment will push them out of the area.

North Broadway Art Studio

North Broadway Service Industrial

1995 Plan Affordable Service Industrial and Artists Policies and Objectives

- *Strengthen the established residential and service industrial areas (Executive Summary, Primary Concept)*
- *Re-write service industrial zoning standards to support the development guidelines for industrial areas (Employment and Retail Centers Action Plan)*
- *While one of the goals of the Subcommunity Plan is to upgrade the appearance of the Broadway corridor, these businesses are extremely valuable to the area and to the City as a whole and should not be displaced. Most of the rents in this area are low compared to the rest of the city, and the uses that are located in large buildings, generate relatively few vehicle trips per square foot of building area. (Employment and Retail Centers Recommendations)*
- *Preserve the existing diversity of industrial uses (Employment and Retail Centers Recommendations)*

Specific Possible Actions

3.1.1 Account for and Allow More Service Industrial and Arts-Related Uses: Update Title 9 use chart to clarify allowances for desirable service industrial and arts-related land uses that have emerged since last code update (late 1990s).

3.1.2 Evaluate Counting Towards Affordable Housing Requirements and Annexation Community Benefit: Evaluate feasibility of allowing affordable service industrial towards annexation community benefit requirement (see Action Item 3.2) and affordable artist's space to satisfy the city's affordable housing requirements.

3.1.3 Industrial Protection Area: Evaluate mechanism for industrial protection area. This may include strategies such as:

- Defining the geographic area eligible for this designation in Title 9
- Requirements or incentives for provision of service industrial or artist's space with redevelopment
- Additional restrictions on non service industrial and artist's space
- Allow affordable service industrial and artist's space to count towards affordable housing requirements in these areas (per Action Item 3.1.2 above)

Examples

- City of Portland, Oregon, Guild's Lake Industrial Sanctuary Plan (2001): incorporated into citywide Comprehensive Plan and zoning code, articulates importance of industrial land uses, includes action plan
- City of Chicago: Planned Manufacturing Districts, Industrial Corridor Designations: purpose is to provide clarity and certainty for industrial businesses and that they won't face undue competition from other land uses
- Artist Space Boston: Program through the Boston Redevelopment Authority that works with city departments to develop and acquire affordable spaces permanently dedicated to artists

Department Responsibility: Community Planning and Sustainability (lead), Library and Arts, Housing Division, City Attorneys

Cost: TBD

3.2 Establish Criteria to Guide Nonresidential Annexations

Develop North Boulder-specific community benefit criteria to provide more guidance and certainty for nonresidential annexations.

Timeframe: Short (6 months - 2 years)

Summary

Section 1.24 of the Boulder Valley Comprehensive Plan (BVCP)[6] and page 14 (Neighborhoods Action Plan) of the 1995 Plan identify annexation of Area II properties as a priority. BVCP Section 1.24 also requires that any property requested for annexation that has development potential to demonstrate "special opportunity or benefit to the city". Properties gain numerous benefits by annexing into the city such as increased development potential and improved access to city services. However, nonresidential Area II properties in the North Broadway area have little guidance or certainty for how to satisfy this community benefit requirement, outside of provision of affordable housing. This Action Plan process has identified several more specific potential community benefits for nonresidential county enclaves in North Boulder.

1995 Plan Annexation Policies and Objectives

- *Annexation of the remaining North Boulder enclaves should occur (Neighborhood Recommendations – County Enclaves, page 10)*
- *Develop annexation package for Area II properties*
- *Help defray the property owners costs of annexation (County Enclave Development Guidelines)*

Specific Possible Actions

3.3.1 Develop North Boulder-Specific Community Benefit Guidelines to guide annexations for eligible properties that expands on current citywide policies that may include but are not limited to:

- Preservation or provision of affordable artists and/or service industrial space (see Action Item 3.1);
- Contribution towards the city's North Broadway arts and placemaking vision;
- Contribution towards or construction of bicycle facilities beyond those required by city code, such as a Boulder B-cycle station in accordance with their master plan;
- Provision of senior housing that is consistent with BVCP goals; and
- Guidelines that are consistent with the city's residential annexation policies (see Background section below).

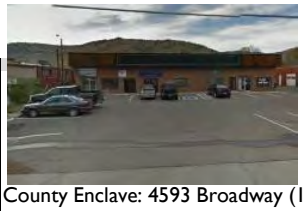
Background

- September 2013 Flood Residential Annexations - The city has initiated a process to assist residential property owners with annexing property impacted by the September 2013 flood event (e.g., failing water and sewer infrastructure). The city has offered a special package of incentives for residential properties, some of which are in the North Boulder area that were affected by Fourmile Canyon Creek flooding.
- BVCP Residential Annexation Policies - The city adopted residential annexation guidelines in 2002 that supplements BVCP annexation policies with more detail on applying the city's community benefit policies (e.g., guidelines for properties in floodplain areas, properties with additional development potential, etc.), but has not adopted any expanded nonresidential policies.
- Annexations Since 1995: Of the approximately 1,848 acres that encompasses the North Boulder Subcommunity, the city has annexed approximately 192 acres since the 1995 Plan (approximately 10% of the subcommunity land area).
- North Broadway County Enclaves - The North Broadway study area has approximately 14 acres of county enclaves. Approximately 7% of the study area is in county enclaves.
- The average timeline for an annexation is approximately 12-16 months based on recent annexation cases processed by the city's Planning and Development Services Division.

Department Responsibility: Community Planning and Sustainability (lead), City Attorneys
Cost: TBD

North Broadway Nonresidential County Enclaves

County Enclave: 1309 Yarmouth (1.3 acres)



County Enclave: 4593 Broadway (1 acre)

County Enclave: 4635 Broadway (2.1 acres)

County Enclave: 975 Rosewood (2.5 acres)

Other:
4699 Broadway (county enclave -1 acre)
4949 Broadway (surrounded by city on three sides – 8.3 acres)

[6] BVCP Sec. 1.24 states "The city will actively pursue annexation of county enclaves, Area II properties along the western boundary, and other fully developed Area II properties".

3.3 Explore Improvement District

Analyze feasibility of a North Broadway Improvement District to further Action Plan goals.

Timeframe: Long (5+ years)

Summary

Of the 16 Action Items, at least 9 will likely require direct funding from the city[7]. All of these actions will require either financial or staffing resources to implement. The city has effectively utilized General Improvement Districts to provide revenue that advances specific goals. An improvement district could be an effective mechanism to expedite some of these action items (e.g., arts and placemaking improvements, parking management strategies, etc.) that the city will evaluate against other priorities in a competitive process. The city also has an opportunity to synchronize an improvement district with the evolving NoBo Arts District and the pursuit of official city and state designation in coordination with the citywide Community Cultural Plan. Appendix 4 and the Specific Possible Actions section below provides a more detailed summary of the city's options for establishing an improvement district.

Parklet in University Hill Improvement District

1995 Plan Improvement District Policies and Objectives

- *Initiate a process such as an assessment district to develop equitable funding mechanisms to establish the desired pedestrian, street, and bicycle system. (Transportation Chapter, page 22)*
- *Establish Assessment District to implement library, transit center, and other public facilities' development in the Village Center area (Community Facilities Action Plan)*
- *In order to fund the public improvements recommended in the Plan, it may be necessary to establish an assessment district or utilize other mechanisms to equitably distribute costs and benefits of the improvements (Implementation, page 33)*

Specific Possible Actions

3.4.1. Conduct Stakeholder Outreach, including:
- Identify desired study area and develop property database
- Determine service priorities and support for district
- Identify district management options

3.4.2. Conduct District Feasibility Assessment, including:
- Cost and revenue analysis for different district structures (see Appendix 4 for structural options)
- Business plan with district purpose, boundaries, work program, budget, assessment method, district type, and governance structure

3.4.3. District Formation (depending on results of outreach and feasibility assessment), including:
- Legal and procedural steps for district formation under BRC Chapter 8-4 and Colorado Law
- Mobilizing stakeholders to manage a petition drive
- Preparation for City Council action
- Facilitating an election to approve assessments and taxes

Background

- Creative Districting: A group of North Boulder community members and artists are actively working on official state and local designation of a NoBo Arts District through the state's Creative Industries program. The city's Library and Arts Department division is supporting this effort and coordinating closely with this plan update through the citywide Community Cultural Plan.
- BRC Chapter 8-4 (General Improvement Districts) provides the mechanism for the city to establish GIDs

Department Responsibility: Downtown and University Management Division/Parking Services (lead), Community Planning and Sustainability, City Attorneys

Cost: Staff Time, consultant may be required, consultant budget estimate: Approximately $50,000 ($25,000 for district feasibility analysis and $25,000 for district formation, including legal support)

[7] Action items 1.4, 1.5, 1.7, and 2.1- 2.6 will require direct funding from the city.

APPENDIX 1: NORTH BROADWAY MARKET STUDY

North Broadway Market Study

Presented to:

City of Boulder, Colorado

December 18, 2013

Prepared by:

ARLAND
Land Use Economics

1807 South Pearl Street
Denver, CO 80210
720.244.7678 t
720.228.2211 f

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I. EXECUTIVE SUMMARY

ArLand Land Use Economics (ArLand) was retained by the City of Boulder in the summer and fall of 2013 to prepare a market analysis for the North Broadway area. ArLand prepared this technical report summarizing the economic conditions and market potentials of the area. The report serves as a framework and background for the development of the North Boulder Subcommunity Plan update.

Project Scope

The purpose of the market study is to act as the foundation to evaluate the feasibility of developing the Village Center as currently depicted in the North Boulder Subcommunity Plan (1995 Plan), with a focus on the feasibility of a retail anchor land use, and to evaluate the redevelopment potential on North Broadway as it relates to the 1995 Plan's vision. The information is a basis for planning the types and intensities of uses, development scenarios and preferred alternatives. As with any plan and ultimate development project, the actual mix and timing of development is going to vary.

Existing Conditions and Findings

- The **North Boulder Subcommunity Plan**, adopted in 1995, **helped facilitate a tremendous amount of change and redevelopment** in the North Boulder area. While the Holiday neighborhood and Uptown Broadway followed the subcommunity's planning process, **a few significant areas have not redeveloped** and outstanding questions remain regarding the Village Center and anchor land uses; role and location of a grocery store; the future of the Armory site; and the increased prominence and role of the arts in the area.
- Because the North Boulder Subcommunity is at the northern edge of Boulder and adjacent to open space, **several market areas were examined** including the immediate neighborhood market area (1-Mile Market Area[1]), as well as Regional and Tertiary Market Areas which include households in communities like Jamestown, Lake of the Pines, and county areas beyond City limits. This report closely examines the potential for a grocery store in the North Broadway area. Boulder is a jobs center and attracts a significant number of commuters, some of whom will shop while in the City. At the same time, **communities like Longmont and Louisville have grown enough to support their own specialty stores**, like Lucky's and Alfalfa's, reducing the number of residents from these communities who would shop in Boulder for specialty grocery items.
- **There are higher income households in the 1-Mile Market Area,** and a solid mix of income types and households. The majority of households in the 1-Mile Market Area earn between $100,000 and $200,000 annually. There are a significant percentage of households with higher incomes and higher housing values in the market areas examined relative to the City of Boulder and Boulder County. Other characteristics of the 1-Mile Market Area include a greater percentage of residents of Hispanic origin, a larger

[1] For the purposes of this report, the neighborhood market area is a 1-mile radius from the intersection of Yarmouth Avenue and Broadway in North Boulder.

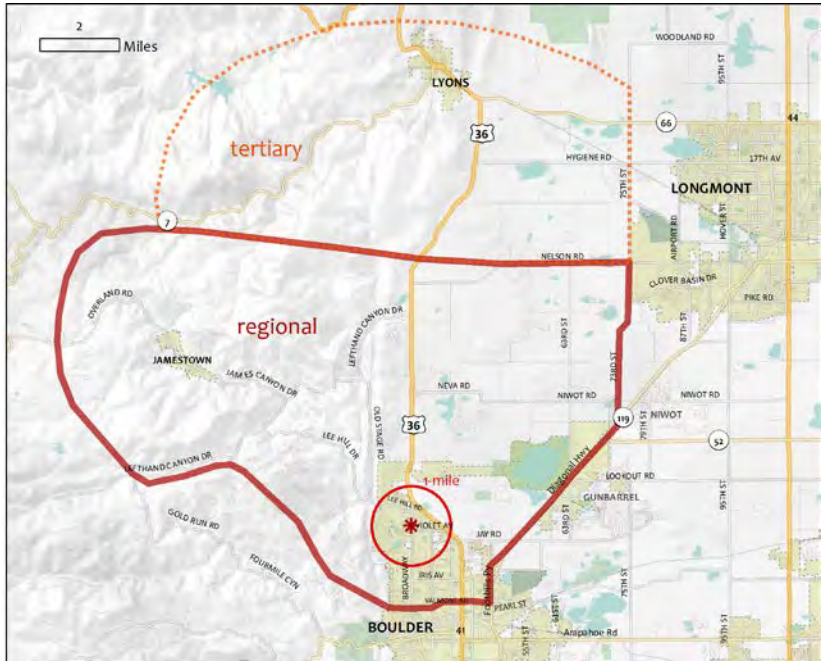
percentage of residents aged 0-17 years, and a greater percentage of homes valued at less than $150,000 based on estimates of the current population.

- **There are an estimated 1,200 to 1,300 full and part time employees in the North Broadway area** (immediate NoBo neighborhood) with employees in manufacturing, landscaping and construction-related fields, wholesale and retail trades, and personal and business services. There are an estimated 225 artists and others in the creative industries located in the area, according to the NoBo Art District.

- Neighborhood-oriented retail such as grocery stores is heavily dependent on the number of neighborhood rooftops. **There is a significant amount of grocery store retail square feet in the Boulder market area** (over 673,000 square feet in 20 stores), however, much of it is more centrally located and in neighborhoods south and east of the North Broadway area, highlighting why **some North Broadway residents feel that there is a lack of grocery services** in the neighborhood. At the same time, most grocery stores, while serving a neighborhood need, also serve residents from a wide-ranging area.

- Under current conditions, the analysis indicates that there is **unmet neighborhood demand for 17,000 to 28,000 square feet of grocery uses** in the 1-mile radius. In evaluating the market, many stores would also evaluate potential demand in the wider Regional and Tertiary market areas which would include serving communities in the broader area such as Jamestown and Lyons shown in Figure 1. In this area, under current conditions, there is broader unmet demand for **25,700 to 42,900 square feet of grocery uses**, assuming that residents here would drive to Boulder for their grocery store needs.

Figure 1
Grocery Store / Supermarket Market Areas



Source: ArLand

- At the same time, potential developers and retailers evaluating the North Boulder market have expressed concern about the **significant amount of grocery retail** already existing in the Boulder market, as well as the North Broadway area's proximity to open space and lack of density relative to other Boulder neighborhoods. Potential developers and retailers have also indicated concern

about the **potential impact that an additional neighborhood or full-service grocery store** would have on existing grocery store retailers in the area. Conversations and an impact analysis estimate that the impact would be 20-25% of current estimated revenues for those stores closest to the North Broadway area. Lucky's, because of its geographic proximity to the North Broadway area, would potentially be the most heavily impacted.

- From now through 2035, this analysis forecasts **demand for approximately 85,000 to 195,000 square feet of additional retail and restaurant development** in the 1-Mile Market area, in addition to demand for grocery store retail. However, without an anchor or additional redevelopment activity, absorption is likely to be slow. Grocery store development could propel demand for commercial development adjacent to or in easy proximity to the grocery store. Without additional activities supporting redevelopment west of Broadway, Armory redevelopment would not be enough to help bolster commercial redevelopment mid-block or at the Broadway and Yarmouth Village Center intersection. Additional activities would include any activity that would accentuate the role of Yarmouth and Broadway as the Village Center in the area.
- From now through 2035, this analysis forecasts **demand for approximately 25,000 to 30,000 square feet of additional office and 30,000 to 35,000 square feet of additional light industrial / flex space.** Small office space has been popular in the area for business and professional services, many in the creative arena. Some of the industrial demand could be met at properties zoned industrial in the northern portion of the North Broadway area. Small office space demand could be met at redeveloped properties on the west side of Broadway.
- **The Armory site and Village Center area have the greatest potential for a retail anchor land use or grocery store location, but both have significant constraints**. The Armory is not as centrally located (relative to the Village Center area) and is not currently zoned to accommodate a traditional grocery store or other major retail anchor. The Village Center has not materialized as the neighborhood center and intersection as the North Boulder Subcommunity Plan identifies. There are also flood plain issues for some of the properties west of Broadway.
- At this point in time, without the addition of a significant number of households in the area, **the addition of a neighborhood or full-service grocery store would potentially impact the viability of other grocery stores including Lucky's,** which is approximately one mile from Broadway and Yarmouth. There has also been an ongoing desire for neighborhood commercial services. The market for these services would be bolstered with an increased number of households in the market area which would strengthen demand.
- The NoBo Art District has a significant and growing presence in the North Broadway community.[2] With **an estimated 225 artists and creatives** in the area, it is a potential avenue to create a brand and niche distinct from other parts of Boulder. The District has indicated a strong interest in assisting with branding, public improvements, and other activities which could potentially help the

[2] The NoBo Art District is not an officially designated arts district, but is currently pursuing state and local designation.

District as well as their businesses. They have organized First Friday events as well as other activities in the area. There is a particularly strong clustering of artists at 4949 Broadway and 4593 Broadway.

- Broadway can be wide and intimidating. Yarmouth doesn't go through on the west side of Broadway. While the North Boulder Subcommunity Plan calls for Yarmouth to extend through to the west side of Broadway, that extension will be facilitated when redevelopment occurs on the affected properties. **An intersection and pedestrian crossing at the Yarmouth and Broadway location will help ground the location as the neighborhood Village Center and create a better connection between the east and west sides of Broadway**. Without additional improvements to the intersection of Yarmouth and Broadway like these, it is unlikely that any commercial redevelopment at the Armory would benefit the Village Center area and vice-versa. Limited retail development at the Armory should not impact any commercial development potentials at the Village Center area.
- **On the west side of Broadway, there are a large number of public storage units, auto service centers, and industrial buildings, many of which house artists, construction, and other related businesses**. Some of the buildings are poorly maintained and were significantly impacted by the September 2013 flood. Storage, in particular, provides income to current property owners and can be a difficult land use to transition from.
- Many of the properties in the North Broadway area were heavily impacted by the September 2013 flood. A flood study completed prior to this flood event in 2008 **estimated over $5 million needed for flood plain mitigation on properties on the west side of Broadway near Four Mile Canyon Creek**[3]. The 2013 flood event has triggered the need to reassess the flood boundaries and required mitigation which will affect this estimate. At this time, any redevelopment activity would need to address the flood plain improvement with the first redevelopment responsible for paying all the costs.
- On the west side of Broadway in the Village Center area, there are a variety of **properties within County enclaves**. For redevelopment to occur in accordance with the North Boulder Subcommunity Plan, the properties must annex into the City. Through annexation, city water and sewer will be provided to the properties and additional development potential is allowed. Annexation and connection to city utilities is expensive, and many of these county enclaves have additional challenges, in particular high hazard floodplain designation. Therefore, **annexation and redevelopment of the properties is particularly challenging**.

[3] Source: City of Boulder/Urban Drainage and Flood Control District – Fourmile Canyon Creek and Wonderland Creek Major Drainageway Planning (Final Plan), May 2011, page18.

II. INTRODUCTION

The City of Boulder retained ArLand Land Use Economics (ArLand) in the summer and fall of 2013 to prepare a market study for the North Broadway area in preparation for the City's planned update of the North Boulder Subcommunity plan. The purpose of the market study is to help analyze the feasibility of developing the Village Center as currently depicted in the North Boulder Subcommunity Plan and to evaluate the development potential along North Broadway. Data analysis was completed and interviews were conducted in the summer of 2013. The report is intended to serve as a framework and background for the development of an update to the subcommunity plan.

Project Background

The North Boulder Subcommunity Plan, adopted in 1995, helped facilitate a tremendous amount of change and redevelopment in the North Boulder area. At the time, the area contained nearly half of the city's total vacant residential land and several prominent vacant or under-developed commercial sites. While the Holiday Neighborhood is a result of the subcommunity planning process which envisioned an integrated, mixed-use, mixed-income community, a few significant sites in the Village Center and in the Yarmouth North areas have not redeveloped. It appears that the 100 year flood plain has impeded redevelopment in parts of the area west of Broadway. The Village Center concept, intended to be the "heart of the subcommunity" has not fully materialized. A number of questions have surfaced since the development of the 1995 Plan, relating to:

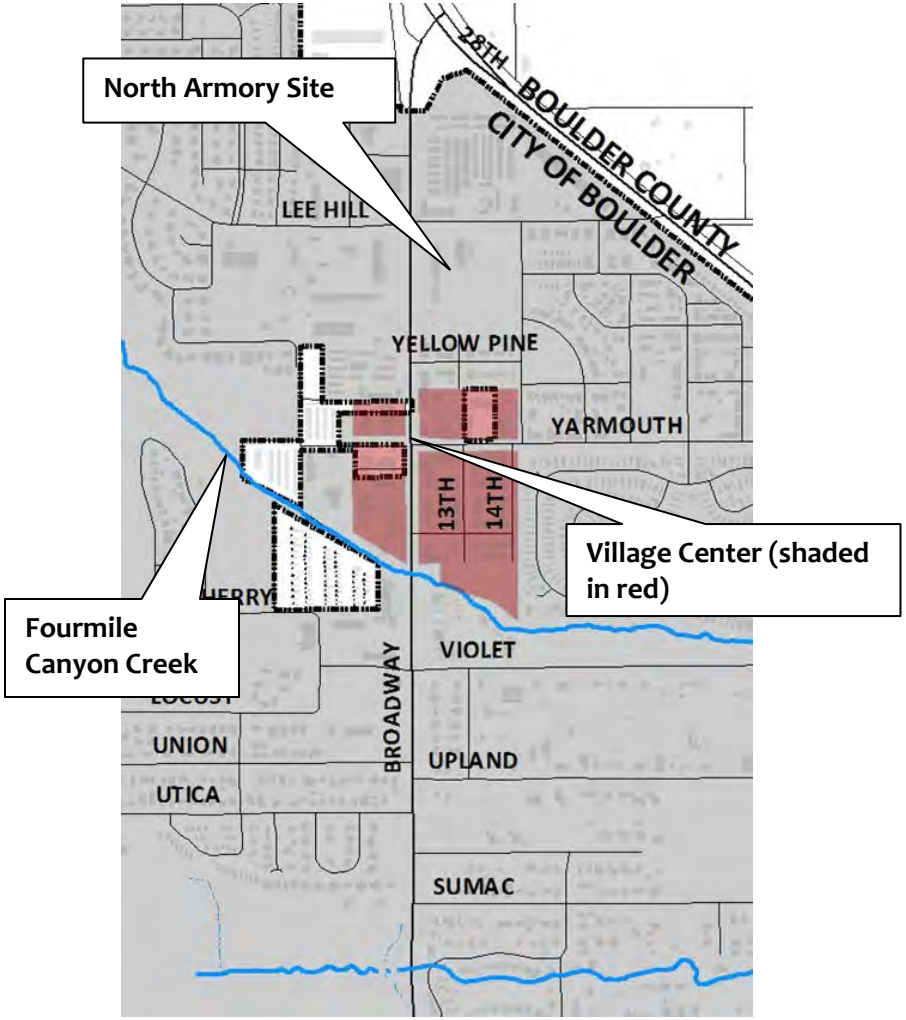
- Village Center location and anchor land uses
- Role and location of a grocery store
- Future plans for the National Armory site
- Increased prominence and role of arts in the area

Current Conditions

The North Broadway area is located at the northern gateway of the City of Boulder (Figure 2). The area is bordered by residential development and open space to the north. Industrial, storage and commercial uses can be found on the northern end of Broadway. The area transitions to the Holiday neighborhood on the east side of Broadway and Uptown Broadway. While there have been a few scattered redevelopment projects on the west side of Broadway, it retains its primarily industrial and warehouse orientation. Fourmile Canyon Creek also runs through the neighborhood, south of Yarmouth. It flooded significantly in September, 2013, and as a result, the City will conduct further assessments in the area to determine the need for any new mitigation strategies.

The upcoming North Boulder Subcommunity Plan update and this market study are intended to set the policy framework for the future of this area. Many in the community maintain their support for the original subcommunity plan. While there has been some disappointment that some of the original tenets of the plan have not been implemented, a clearer understanding of current market constraints and opportunities will enable a realistic update and implementation of the plan.

Figure 2
North Broadway Area



Source: City of Boulder

1995 North Boulder Subcommunity Plan North Broadway Vision

While the original North Boulder Subcommunity Plan (1995 Plan) encompasses a much broader geographic area in North Boulder, this market study, and the subsequent North Boulder Subcommunity Plan update is a much more focused examination and plan for the North Broadway area (Figure 2).

The 1995 Plan calls for a Village Center on both sides of Broadway at Yarmouth, extending to Fourmile Canyon Creek to the south. The Center is intended to serve as the subcommunity's core retail area and heart of the subcommunity. While the east side of the Village Center has built out, the west side has not. The areas north of the Village Center are intended for valuable service industrial uses, with some residential, neighborhood-serving small-scale retail, and office.

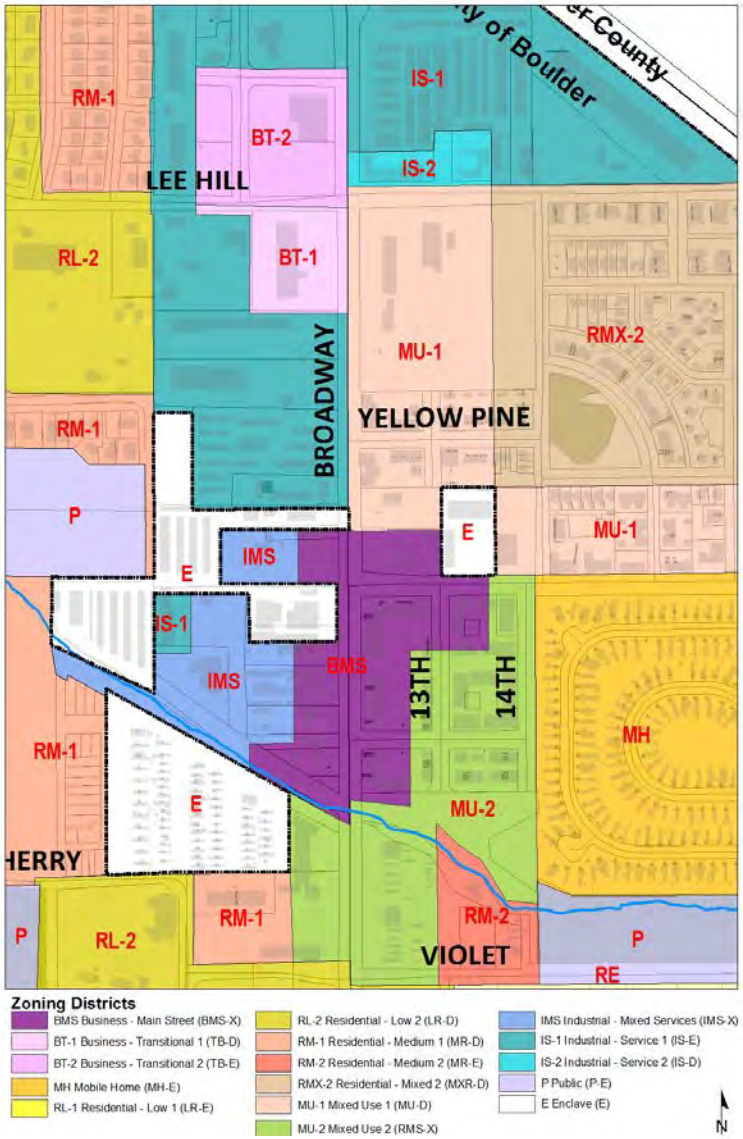
Following adoption of the 1995 Plan, the City initiated a rezoning process to align current zoning with the 1995 Plan's future land use categories on several key properties along North Broadway. These properties include the Village Center and Yarmouth North (Armory site area) areas. Table 1 below summarizes select development standards and use regulations for the three zone districts that encompass most of the Village Center area and Armory site. The zoning map for the area is shown in Figure 3.

Table 1
North Broadway Zoning Summary

Zoning District/Description	Building Size Restrictions		Select Use Restrictions
Business Main Street (BMS) Business areas generally anchored around a Main Street that are intended to serve the surrounding residential neighborhoods.	Maximum Building Size	15,000 s.f.	• Detached and attached dwelling units allowed • Restaurants < 1,500 s.f. allowed (> 1,500 sf requires use review) • A variety of office uses allowed • All convenience retail allowed, over 20,000 s.f. requires use review
	Floor Area Ratio (FAR)	.67	
	Maximum Building Height	38'	
	Maximum # Stories	3	
Mixed Use 1 (MU-1) Mixed use areas which are primarily intended to have a mix of residential and nonresidential land uses within close proximity to each other.	Maximum Building Size	15,000 s.f.	• Attached dwelling units allowed • Detached dwelling units requires use review • No retail over 5,000 square feet • Restaurants < 1,500 s.f. allowed • Office uses allowed provided more of the building is used for residential (otherwise requires use review) • Retail restricted primarily to convenience retail with at least 50% of building used as residential.
	Floor Area Ratio (FAR)	.6	
	Maximum Building Height	35'	
	Maximum # Stories	2	
Mixed Use 2 (MU-2) Mixed use residential areas adjacent to a redeveloping main street area, which are intended to provide a transition between a main street commercial area and established residential districts.	Maximum Building Size	15,000 s.f.	• Attached residential units allowed • Detached residential units require use review • Convenience retail < 2,000 s.f. allowed • Most other retail sales < 5,000 s.f. requires use review • No retail over 5,000 square feet • Restaurants < 1,000 s.f. allowed • Office uses allowed provided more of the building is used for residential (otherwise requires use review)

Source: City of Boulder

Figure 3
North Broadway Area Zoning Map



Source: City of Boulder

The intent of the 1995 Plan's future land use categories and subsequent rezonings was to keep the commercial services in the Village Center area at a smaller, more neighborhood scale. However, interviews indicate that the size (square footage) limitations, in particular, for retail and restaurant uses, have been disincentives to development in some areas along North Broadway.

Market Study Scope

The market study's scope examines local and regional economic and demographic trends and projections impacting the North Broadway area with a particular focus on the potential for commercial development as it supports a Village Center. It is organized into the following sections.

- *Economic and Demographic Framework* discusses relevant local, regional and market area population, demographic and employment trends and projections impacting the market potential for the North Broadway area.
- *Retail Market Analysis* examines the retail market and potential retail uses appropriate for the neighborhood.
- *Office and Flex Analysis* discusses small office potential. It also discusses the current industrial market and its role in the area's redevelopment.
- *North Broadway Barriers* discusses some of the area's redevelopment constraints as well as discusses potential tools.
- *North Boulder Subcommunity Plan Update Opportunities* summarizes and discusses overall land use potentials and next steps.

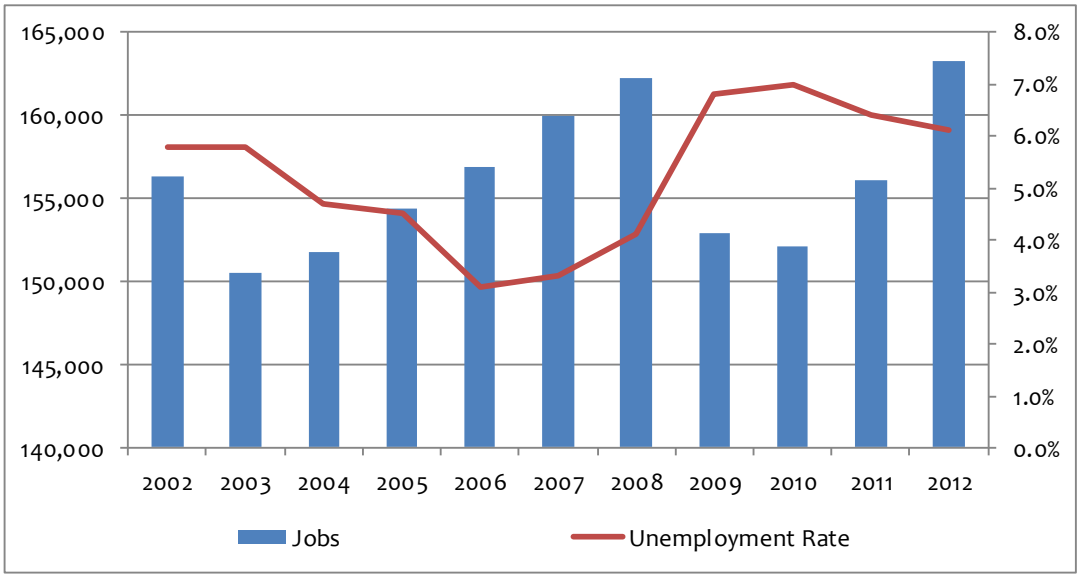
III. Economic and Demographic Framework

This section describes the economic and demographic trends for the North Broadway area, the market area(s), the City of Boulder, and the region. The background information is intended to help depict North Broadway's place within the larger economy and provide information to help inform future planning and land use opportunities in the area.

3.1 General Economic Background

Like much of the nation and the larger metropolitan region, Boulder County has seen a great fluctuation of jobs in the last decade. All aspects of the local economy have been affected, including real estate and development. After the terrorist attacks of 2001, the number of jobs declined locally and then rebounded through 2008. The County again lost jobs during the Great Recession and is now in the midst of a recovery as can be seen in Figure 4. While the national recession has officially ended, economic recovery has lagged somewhat plagued by continued relatively high levels of unemployment. Boulder County and the larger Denver-Boulder metropolitan region, in general, have fared relatively well in comparison to the rest of the country.

Figure 4
Boulder County Jobs and Unemployment Rate, 2002-2012



Source: BLS, ArLand

In 2012, there were over 160,000 jobs in the County (Table 2). More than half are located in the City. Top industries include Professional, Scientific and Technical Services, Educational Services, Health Care and Social Assistance. Significant industry clusters include aerospace, bioscience, data storage, light manufacturing, natural and organic products, outdoor recreation, photonics, renewable energy and energy research, software and tourism. A survey conducted by the Boulder Economic Council in 2012 found that the vast majority (83%) of individuals employed in the City live within a 20 to 30 minute drive or approximately 20-mile radius of the City. This would include residents commuting to homes in Boulder County north of the North Broadway area in areas such as Jamestown, Lyons, Longmont, and other communities.

Table 2
Boulder County Employment, 2002-2012

Industry	2002	2006	2012	2012 Percentage of Total	Change 2002-2012	Percentage Change 2002-2012
Agriculture, Forestry, Fishing and Hunting	400	334	374	0.2%	-26	-6.5%
Mining	237	630	250	0.2%	13	5.5%
Utilities	322	307	288	0.2%	-34	-10.6%
Construction	7,148	5,706	4,192	2.6%	-2,956	-41.4%
Manufacturing	22,345	18,652	16,824	10.3%	-5,521	-24.7%
Wholesale Trade	5,073	5,504	5,439	3.3%	366	7.2%
Retail Trade	16,555	16,162	16,455	10.1%	-100	-0.6%
Transportation and Warehousing	3,169	2,148	2,013	1.2%	-1,156	-36.5%
Information	10,822	8,863	8,683	5.3%	-2,139	-19.8%
Finance and Insurance	4,375	4,677	4,807	2.9%	432	9.9%
Real Estate and Rental and Leasing	2,848	2,409	2,271	1.4%	-577	-20.3%
Professional, Scientific, and Technical Services	18,256	21,833	24,112	14.8%	5,856	32.1%
Management of Companies and Enterprises	618	1,477	1,071	0.7%	453	73.3%
Administrative and Support and Waste Management	7,211	6,571	6,602	4.0%	-609	-8.4%
Educational Services	16,656	17,555	20,286	12.4%	3,630	21.8%
Health Care and Social Assistance	13,643	16,050	19,120	11.7%	5,477	40.1%
Arts, Entertainment, and Recreation	2,214	2,529	2,712	1.7%	498	22.5%
Accommodation and Food Services	13,483	14,141	15,645	9.6%	2,162	16.0%
Other Services (except Public Administration)	4,586	4,139	4,671	2.9%	85	1.9%
Public Administration	6,392	7,200	7,473	4.6%	1,081	16.9%
Total	**156,353**	**156,887**	**163,288**	**100.0%**	**6,935**	**4.4%**

Source: Colorado Department of Labor & Employment, BLS ArLand

3.2 Population and Demographic Characteristics

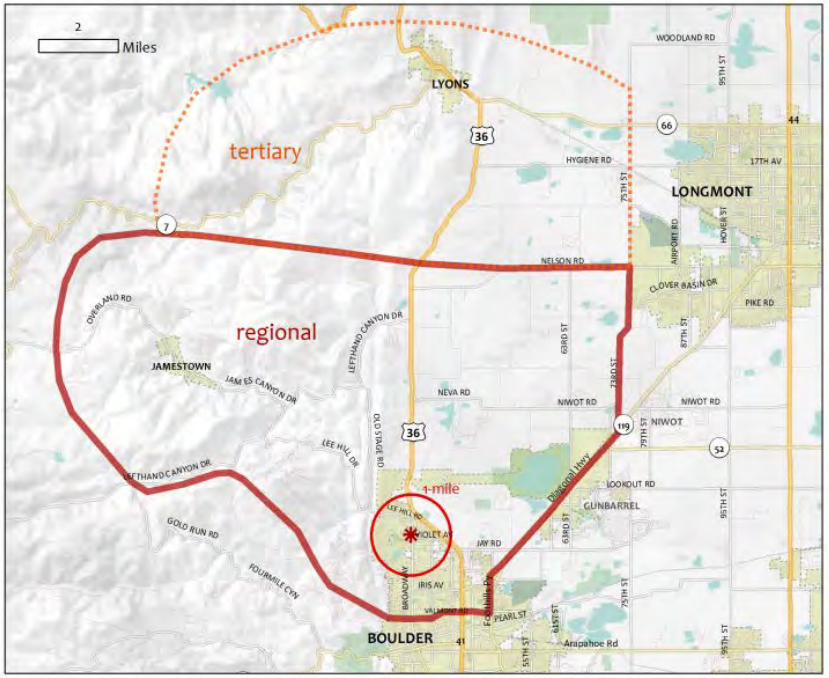
The City of Boulder is one of ten incorporated cities and towns located in Boulder County. It is the largest City and the jobs center for the immediate region. While the City attracts commuters from throughout the County, the North Broadway area is the northern gateway to the City of Boulder particularly for travelers and commuters living in Jamestown, Lyons and other County locations to the north.

For purposes of the retail market analysis, 1-Mile, Regional and Tertiary Market Areas were designated as shown in Figure 5. The market areas are the areas from which a project will draw the majority of its retail customers. Boundaries of market areas are often irregular because they can be influenced by geographic barriers, commuting patterns, and the presence of competing or complementary retailers. Typically neighborhood oriented retail encompasses a 1 to 2 mile radius, community level retail encompasses a 3 mile radius, and regional level retail encompasses an approximate 5 mile (or larger) radius around a potential site.

The 1-Mile Market Area is the area within an approximate 1-mile radius from the intersection of Broadway and Yarmouth and represents the neighborhood market area for the North Broadway area. It also represents the market area for a neighborhood-level grocery store. It includes most of the residential areas at the northern edge of the City.

A larger supermarket or grocery store would also likely attract shoppers in a wider ranging area; not only the immediate North Broadway neighborhood, but parts of the County as shown in Figure 5 designated as the Regional Market Area. It would also

Figure 5
1-Mile, Regional and Tertiary Market Areas



Source: ArLand

likely attract commuters travelling to Boulder for jobs and services. The Regional Market Area includes Jamestown, the larger north Boulder community, as well as communities in the County like Lake Valley and Lake of the Pines.

The Tertiary Market Area includes communities further north such as Lyons in Figure 5 and does not include the 1-Mile and Regional Market Area. While it is possible to shop at the local grocery stores in town, for larger items and greater selection, households in these areas are likely to travel to Boulder (as well as Longmont). Although Boulder is a jobs and services center, Longmont is attractive to these shoppers because of the presence of a full-size Walmart. Our analysis assumes that a North Broadway grocer would only be able to attract a portion of the potential spending that might be available in this area.

3.3 Market Area Demographic Characteristics

There are over 8,000 persons in 3,200 households in the 1-Mile Market Area (Table 3). The Regional Market Area (which incorporates all of the 1-Mile Market Area) is estimated at 36,800 persons in nearly 16,000 households. There are nearly 3,300 persons in 1,400 households in the Tertiary Market Area. In comparison, the City of Boulder's 2013 population is over 100,000 persons in 43,400 households. Average household sizes in the North Broadway market areas are higher, in general, than the City as a whole, which is reflective of the household nature of the area and the higher concentrations of students in other areas of the City.

Table 3
Population and Households in Market Areas, 2013

	Persons	Households	Persons / Households
1-Mile Market Area	8,185	3,231	2.6
Regional Market Area	36,830	15,926	2.4
Tertiary Market Area	3,262	1,412	2.3
City of Boulder	100,493	43,433	2.2
Boulder County	305,015	124,233	2.5

Source: Claritas, ArLand

Table 4 shows housing tenure within the 1-Mile, Regional, Tertiary Market Areas, the City of Boulder, and Boulder County. Although there is rental housing in the immediate 1-Mile Market Area, the vast majority of housing is owner occupied. Owner occupancy in the market areas and the County is much higher than the City as a whole, which is about 50% owner-occupied and 50% renter-occupied.

Table 4
Housing Tenure

	Owner Occupied	Renter Occupied
1-Mile Market Area	87.3%	12.7%
Regional Market Area	71.0%	29.0%
Tertiary Market Area	77.5%	22.5%
City of Boulder	50.1%	49.9%
Boulder County	64.4%	35.6%

Source: Claritas, ArLand

Median household incomes are shown in Table 5 and income breakdowns are shown in Figure 6. In general, market area household incomes are much higher than the City as a whole. Average and median household incomes in the 1-Mile Market Area are estimated at nearly $112,000, indicating the presence of a number of higher income households within this market area.

Figure 6 indicates that the greatest percentage of households in all areas earn between $100,000 and $200,000 (2013).

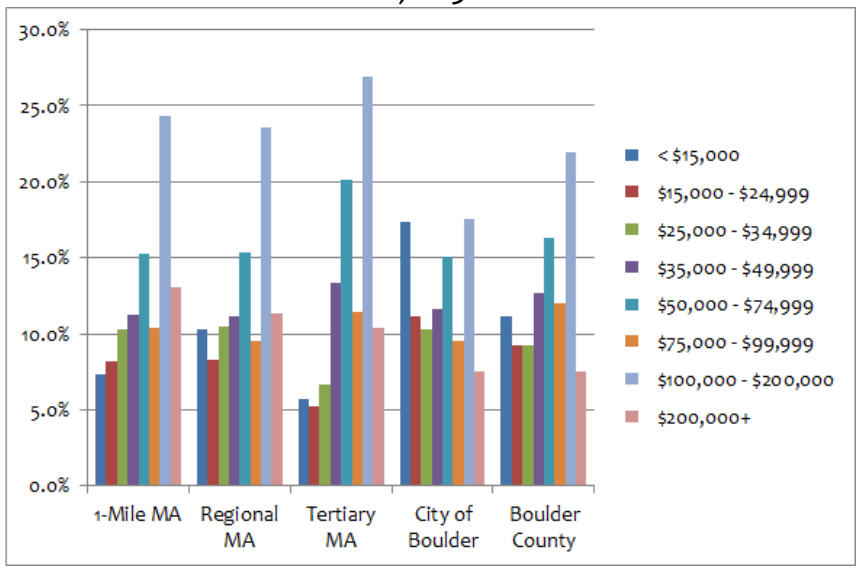
Table 5
Median Household Incomes, 2013

	Median HH Income	Avg HH Income
1-Mile Market Area	$71,314	$111,816
Regional Market Area	$65,929	$103,865
Tertiary Market Area	$73,544	$106,775
City of Boulder *	$56,274	$84,225
Boulder County *	$66,989	$92,308

Source: Claritas, ArLand

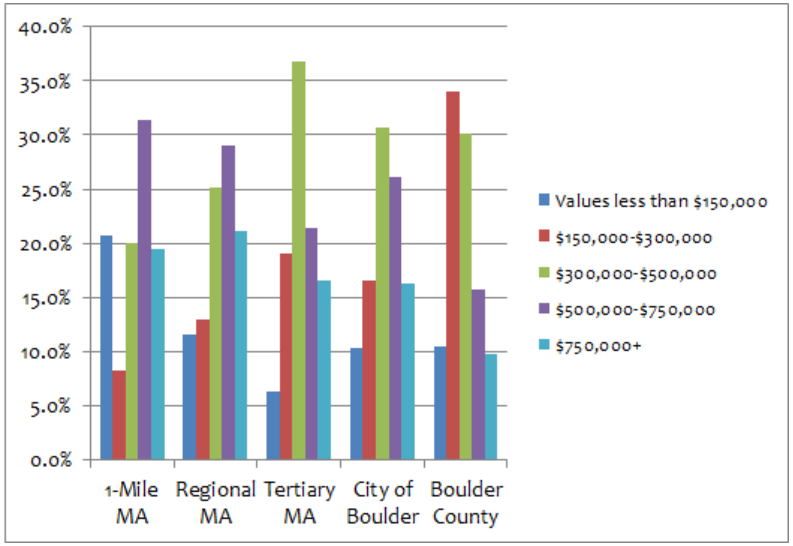
* 2012 American Community Survey

Figure 6
Household Income Breakdowns, 2013



Source: Claritas, ArLand

Figure 7
Owner-Occupied Housing Values, 2013



Source: Claritas, ArLand

Figure 7 above indicates that the highest percentage of owner occupied houses in the 1-Mile and Regional Market Areas are homes valued between $500,000 and $750,000. Both Market Areas have a significant percentage of homes valued at $300,000 and up. The 1-Mile Market Area also has a high percentage of homes valued at less than $150,000.

Table 6 shows median owner occupied housing values. Of all the market areas analyzed, the 1-Mile Market Area has the highest values.

Table 6
Median Owner-Occupied Housing Values, 2013

	Median Owner-Occupied Housing Values
1-Mile Market Area	$507,034
Regional Market Area	$501,943
Tertiary Market Area	$425,330
City of Boulder	$447,204
Boulder County	$329,450

Source: Claritas, ArLand

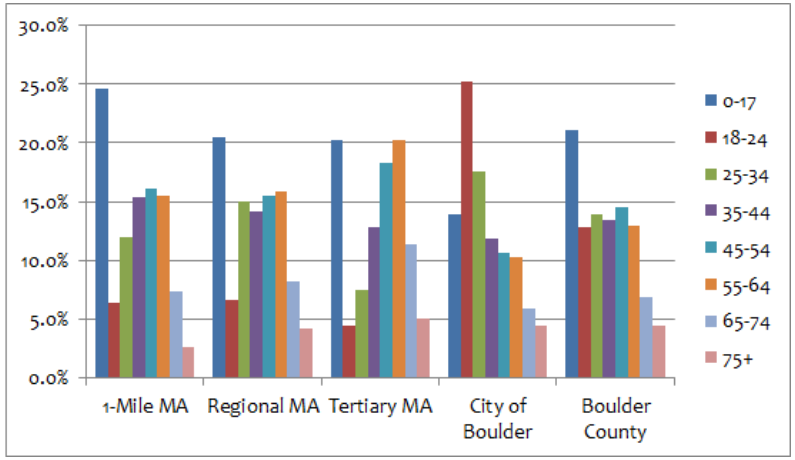
The median ages in the market areas are older than the City and County, respectively, as shown in Table 7 at 39.5 in the 1-Mile Market Area and over 40 in the Regional and Tertiary Market Areas.

Table 7
Median Age, 2013

	Median Age
1-Mile Market Area	39.5
Regional Market Area	40.5
Tertiary Market Area	47.7
City of Boulder	31.1
Boulder County	36.7

Source: Claritas, ArLand

Figure 8
Age Breakdowns



Source: Claritas

Figure 8 shows that the 1-Mile Market Area has a much higher percentage of children between 0-17 relative to the rest of the population in the area. The City's university population shows up in the high percentage of residents in the 18-24 age categories.

Figure 9
Race and Ethnicity, 2013

	1-Mile Market Area	Regional Market Area	Tertiary Market Area	City of Boulder	Boulder County
White	82.5%	87.8%	94.0%	87.7%	86.6%
Black	0.8%	0.7%	0.4%	0.8%	0.8%
American Indian	0.5%	0.5%	0.3%	0.4%	0.6%
Asian/Pacific Islander	4.4%	3.4%	1.5%	4.9%	4.4%
Other / Two or more	11.8%	7.6%	3.7%	6.2%	7.5%
Hispanic Origin*	18.5%	11.5%	5.5%	8.9%	13.9%

Source: Claritas, ArLand

* can be of any race

The 1-Mile Market Area has a greater percentage of residents of Hispanic origin compared to the other market areas, the City and County, as a whole (Figure 9).

3.4 NoBo Psychographics

Psychographics is a term to describe characteristics of people and neighborhoods, which instead of being purely demographic, reflect attitudes, interests, opinion, and lifestyles. Nielsen / Claritas is a leading system for characterizing neighborhoods into one of 66 distinct market segments. Psychographic studies of individuals or communities can be valuable in the fields of marketing, demographics, opinion research, and social research. Commercial and residential developers are increasingly interested in understanding a community's psychographic profile. The categories and terms described below are used to describe psychographic segments nationally. The psychographic information is derived from Census data, leading consumer surveys, and other public and private sources of demographic and consumer information.

Households living in the NoBo neighborhood (1-Mile Radius) fall into the following market segments:

- *The Affluentials*: These residents enjoy comfortable, suburban lifestyles. The median incomes and home values are well above the U.S. median values and members of this group tend to have college degrees and white collar jobs. The Affluentials are big fans of health foods, computer equipment, consumer electronics, and the like. They are drawn to comfortable homes and apartments with a manageable commute to downtown jobs, restaurants, and entertainment.
- *Inner Suburbs*: Residents tend to be high school educated and downscale. This group is racially diverse, divided evenly between homeowners and renters, and filled with households that are either young or aging in place.
- *Elite Suburbs*: The most affluent social group, this group makes six figure incomes, have post graduate degrees, own single family homes, and are in managerial and professional occupations. They are home to America's up and coming business class. They rank highly for owning a small business and having a home office.
- *Middleburbs*: The group includes a mix of homeowners and renters as well as high school and college graduates. They tend to have good jobs and discretionary incomes to visit casual-dining restaurants, shop at midscale department restaurants, and travel across the U.S. and Canada.
- *Landed Gentry*: This group consists of wealthy Americans who migrated to the smaller boomtowns. Many of the households contain Boomer families and couples with college degrees, expansive homes and professional jobs. They're twice as likely as average Americans to telecommute. They can afford to spend heavily on consumer electronics, wireless and computer technology, and the like. This group tries to maintain a balanced lifestyle between high power jobs and laid-back leisure.

3.5 Employment and Commercial Real Estate Characteristics

According to Info USA, there are approximately 1,200 to 1,300 full- and part-time employees in the commercial areas in an approximately ½ mile radius from the intersection of Broadway and Yarmouth.[4] The commercial areas include the newer commercial east of Broadway, found mostly in the Holiday neighborhood and Uptown Broadway developments, as well as the older, industrial, warehouse area west of Broadway. Most of the businesses are small, averaging 6 or fewer employees each.

There are several landscaping and construction related firms in the area. There is manufacturing in the area although much of it has transitioned to artists working with metals, textiles, and leather. Namaste Solar is included in the Wholesale Trade category, along with several other wholesale businesses in the area. Within the retail category, restaurants have hired the most full- and part-time employees at an estimated 165 workers, according to Table 8. There are a number of businesses in the miscellaneous retail categories with many of the artists falling into these categories. There is a 1st Bank, along with small offices of insurance agents, financial advisors, and others in the Finance category. There are a number of different services in the area, including a number of personal services as well as business services, auto repair and others.

[4] The ½ mile radius was chosen here to primarily analyze employment in the immediate North Broadway corridor area.

Table 8
Full and Part Time Employment at North Broadway Businesses, 2013

Industries	2013 Estimated Employment	Industries	2013 Estimated Employment
Agricultural Services	33	Finance, Insurance, Real Estate	60
Construction	61	Services	553
Manufacturing	19	Lodging	40
Food	1	Personal Services	49
Printing, Publishing	2	Business Services	42
Leather / Textile Products	11	Auto Repair	69
Fabricated Metals	1	Misc. Repair	2
Machinery	3	Misc. Entertainment	72
Transportation Equipment	1	Health Services	36
Transportation		Legal Services	5
Motor Freight Transportation & Warehousing	33	Educational Services	74
Wholesale Trade	106	Social Services	100
Retail Trade	311	Museums / Galleries	2
Building Materials	14	Membership Organizations	2
General Merchandise	6	Engineers, Architects, Accountants	54
Food	33	Misc. Services	6
Auto Parts	11	Public Administration	93
Clothing	2		
Furniture and furnishings	28		
Restaurants	165		
Misc. Retail	52		
		Total	**1,269**

Source: InfoUSA, ArLand

Note: Businesses in an approximately 1/2 mile radius from the Yarmouth and Broadway intersections.

3.6 Population and Household Forecasts

In order to begin developing projections for future supportable grocery and other commercial development, forecasts for the market areas are developed based on population, household, and employment projections. Table 9 shows the population and households in the 1-Mile, Regional, and Tertiary Market Areas and the forecasts for population and household growth in these areas. Any developments currently under construction or in the planning pipeline are not included in the 2013 estimates. Figure 10 and Table 10 (following) provides a summary of the key developments under review or approved for construction.

Table 9
1-Mile, Regional, and Tertiary Market Areas Population and Household Forecasts, 2013-2035

	2013	2035	2013-2035	CAGR 2013-2035
1 Mile Market Area				
Population	8,185	9,386	1,201	0.6%
Households	3,231	3,787	556	0.7%
Persons/ HH	2.5	2.5	2.2	
Regional Market Area				
Population	36,830	38,731	1,901	0.2%
Households	15,926	17,179	1,253	0.3%
Persons/ HH	2.4	2.3	1.5	
Tertiary Market Area				
Population	3,262	3,432	170	0.2%
Households	1,412	1,517	105	0.3%
Persons/ HH	2.3	2.3	1.6	

Source: Claritas, DRCOG, City of Boulder, ArLand

Current projections show relatively modest additions to the household count through 2035. The 1-Mile Market Area is projected to add approximately 550 new households, while the Regional Market Area is projected to add almost 1,300 households. Forecast annual growth rates are less than 1% per year.

Figure 10
Major Developments in North Broadway Area (1995-2013)

Source: City of Boulder, ArLand

Table 10
Major Developments in North Broadway Area (1995-2013)

Map ID	Name	Date	Approx. Site Size	Description
1	Holiday	2003-2005	27 acres	324 residential units (187 market rate units and 137 permanently affordable units), 55,000 square feet of non-residential space and a 1.7 acre park
2	Dakota Ridge	2001-present	42 acres	420 residential units (300 market rate and 120 permanently affordable units.)
3	Uptown Broadway	2003, 2008	8.5 acres	223 residential units (185 market rate and 38 permanently affordable) and 40,337 square feet of mixed use commercial space
4	Westview	2011-2012	1 acre	34 pemanently affordable units
5	Foothills	2001-2002	5 acres	74 residential units (22 market rate and 52 permanently affordable units)
UNDER REVIEW / UNDER CONSTRUCTION				
6	820 Lee Hill	2014	6 acres	32 single family detached homes
7	Violet Crossing	2013	4.7 acres	98 market rate residential units
8	1000 Rosewood	2013	4.5 acres	18 residential units (16 single family units, 2 duplex units), 50% permanently affordable
9	1175 Lee Hill	2014	1.2 acres	31 residential units (market rate and 31 permanently affordable transitional housing units)
Units Under Review / Under Construction				**179**

Source: City of Boulder

Between 1995 and 2013, a significant number of residential units were added to the North Broadway area as shown in Figure 10 in Map ID numbers 1 through 5. These select developments added 1,076 residential units to the North Broadway area during this time period.

Areas 6 through 10 in Figure 10 and Table 10 show 179 units in planned residential projects that are currently under review, or are under construction.

3.7 Employment Forecasts

Employment forecasts are also relatively modest for the area. Table 11 indicates that the market areas are forecast for jobs growth with the addition of approximately 117 jobs in the 1-Mile Market Area, 247 jobs in the Regional Market Area and 36 jobs in the Tertiary Market Area. There is a slight discrepancy between the estimates for North Broadway jobs found in Table 9 and 1-Mile Market Area estimates because of slightly different geographic areas.

Table 11
1-Mile, Regional and Tertiary Market Areas Employment Forecasts, 2013-2035

	2013	2035	2013-2035	CAGR 2013-2035
1 Mile Market Area	1,570	1,687	117	0.3%
Regional Market Area	17,989	18,236	247	0.1%
Tertiary Market Area	964	1,000	36	0.2%

Source: DRCOG, ArLand

3.8 High Hazard Zone

Figure 11 depicts the High Hazard Zone in the North Broadway area which encompasses a significant portion of the area north of Rosewood Street. There are a variety of storage and industrial uses and artists located in the area. No redevelopment is allowed in the high hazard areas without significant flood mitigation.

Figure 11
High Hazard Zones in North Broadway

Source: City of Boulder

The flood of September 2013 affected a number of properties in the area. The City is assessing the event and will reevaluate the need for remapping and mitigation strategies along Fourmile Canyon Creek. The City's estimated costs for flood mitigation in the Village Center area west of Broadway (before the flood in 2008) were about $2.7 million with an additional approximately $3.1 million in estimated building flood mitigation costs. It is unclear how the September 2013 flood event will impact these estimates. The City has no current funds to help offset the costs of flood mitigation. At this time, anyone interested in redeveloping the area would be fully responsible for offsetting these expenses up-front.

Although there are a number of reasons why the area west of Broadway has not redeveloped, the lack of funding to pay for flood plain improvements is a significant barrier. Although Violet Crossing, a 98-unit multi-family apartment project at Violet and Broadway is currently under construction, some of the public flood plain mitigation funds used to improve the property were agreed upon and allocated a number of years ago. Similar funds would be unavailable now for any new flood plain improvements since the program is now focused on mitigation of flood hazards associated with existing development.

IV. Retail Market Analysis

This section discusses the retail market potential for the North Broadway area. It examines current and future retail demand and supply in the market areas.

4.1 Retail Demand Analysis

Retail demand is calculated by:

- Estimating households and incomes in the market area in order to derive total incomes potentially available for retail expenditures; and,
- Based on current expenditure patterns, calculating the income percentage spent in retail categories by residents within the market area. This results in estimated demand by retail category.

By comparing estimated demand (both current and future) to an estimate of supply or sales by retail category, an estimate of unmet retail demand can be calculated by:

- Subtracting supply from demand to obtain an estimate of unmet demand; and
- Incorporating sales per square foot averages by retail category in order to arrive at the approximate square footage of unmet retail demand.

The estimate of unmet retail demand is considered by retailers along with other criteria in making location decisions. Retailers also consider other factors including the overall retail project format, synergy with other tenants, and location relative to other stores. Retailers locate in different types of centers, and each retailer has its own location criteria.

The next sections will focus on demand and supply for a grocery store in the neighborhood first, followed by a discussion of general retail in the North Broadway area.

4.2 Current and Future Demand for North Broadway Area Grocery Store

Table 12 shows the estimated total household incomes in the 1-Mile Market Area currently, in 2020, 2025, and 2035, based on estimated potential growth in households and average household incomes. The analysis conservatively estimates that average household incomes will remain constant. Total incomes potentially available, a portion of which will be available for retail expenditures, are currently $361 million and projected to increase to (in today's dollars) $423 million by 2035.

Table 12
Total Household Incomes in the 1-Mile Market Area

	2013	2020	2025	2035	Growth 2013-2035	CAGR % Growth 2013-2035
1 Mile Market Area						
Households	3,231	3,377	3,494	3,787	556	0.7%
Average Household Income	$111,816	$111,816	$111,816	$111,816	$111,816	--
Total Household Incomes	$361,277,496	$377,612,485	$390,728,170	$423,490,663	$62,213,167	0.7%

Source: DRCOG, City of Boulder, ArLand

Table 13 compares expenditure potential to retail capture by existing grocery store retailers to estimate unmet retail demand for groceries. Demand is calculated by multiplying total household incomes by potential household expenditures for groceries. An estimate of current sales is subtracted out. Table 13 shows that there is current unmet demand for 17,000 to 28,000 square feet of grocery store space. By 2035, that increases to 23,000 to 34,000 square feet.

Table 13
Grocery Demand in 1-Mile Market Area

2013 Households	3,231
Avg Household Income	$111,816
Total Household Income	$361,277,496
Annual HH Growth Rate through 2035	0.7%
% Expenditures on Groceries	5.50%
Grocery Demand	$19,870,262
Est. Sales	$9,613,571
Current Retail Void	$10,256,691
Est. Sales / SF	$450
Current Retail Void (S.F.)	*17,094 - 28,491*
Additional Demand from Household Growth (S.F.)	*7,604*
Total Demand 2035 (S.F.)	*22,797 - 33,796*

Source: Claritas, Census of Retail Trade for CO, ULI, ArLand

4.3 Current and Future Demand for Full-Service Grocery

Table 14 shows the estimated total household incomes in the Regional and Tertiary Market Areas, in 2020, 2025, and 2035, based on estimated potential growth in households and average household incomes. The Regional and Tertiary Market Areas represent the areas that a conventional full service grocery store (60,000 square foot store and larger) would examine as part of their potential customer base.

The analysis conservatively estimates that average household incomes will remain constant at the household incomes shown. Total incomes in the Regional Market Area, a portion of which will be available for grocery store expenditures are currently $1.6 billion increasing to (in today's dollars) nearly $1.8 billion by 2035. In the Tertiary Market Area, total incomes estimated (based on ¼ of the households in the Tertiary Market Area) are $37 million increasing to over $40 million by 2035.

Table 14
Total Household Incomes in the Regional and Tertiary Market Areas

	2013	2020	2025	2035	Growth 2013-2035	CAGR % Growth 2013-2035
Regional Market Area						
Households	15,926	16,256	16,519	17,179	1,253	0.3%
Average Household Income	$103,865	$103,865	$103,865	$103,865	$103,865	--
Total Household Incomes	$1,654,153,990	$1,688,434,697	$1,715,793,338	$1,784,276,900	$130,122,910	0.3%
Tertiary Market Area (1/4 of Households)						
Households	353	360	366	379	26	0.3%
Average Household Income	$106,775	$106,775	$106,775	$106,775	$106,775	--
Total Household Incomes	$37,691,575	$38,440,414	$39,033,245	$40,499,676	$2,808,101	0.3%

Source: DRCOG, ArLand

Table 15
Grocery Store Demand in Regional and Tertiary Market Areas

2013 Households	16,014
Avg Household Income	$103,881
Total Household Income	$1,663,576,884
Annual HH Growth Rate through 2035	0.3%
% Expenditures on Groceries	5.50%
Grocery Demand	$91,496,729
Est. Sales	$76,068,000
Current Retail Void	$15,428,729
Est. Sales / SF	$450
Current Retail Void (S.F.)	*25,714 - 42,858*
Additional Demand from Household Growth (S.F.)	*35,013*
Total Demand 2035 (S.F.)	*51,974 - 86,624*

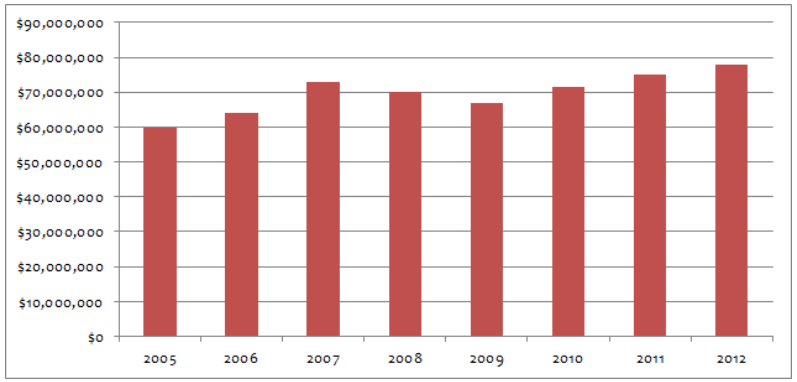
Source: Claritas, Census of Retail Trade for CO, ULI, ArLand

The analysis in Table 15 includes an estimate of Walmart Neighborhood grocery sales. It indicates that there is a current retail grocery void of approximately 25,700 square feet to 42,900 square feet in the Regional and Tertiary Market Areas. By 2035, assuming no additional grocery store in the wider regional area, that demand increases to 52,000 square feet to 86,600 square feet.

4.4 Retail Supply Characteristics

Despite a dip in sales tax collections in 2009 corresponding to the period of the Great Recession, the City's retail sales tax collections have rebounded according to Figure 12. City sales taxes are 3.41% of retail sales revenues in the City of Boulder. Retail in the North Broadway area has generated 1.5% to 1.7% of overall City sales tax revenues in the last seven years.

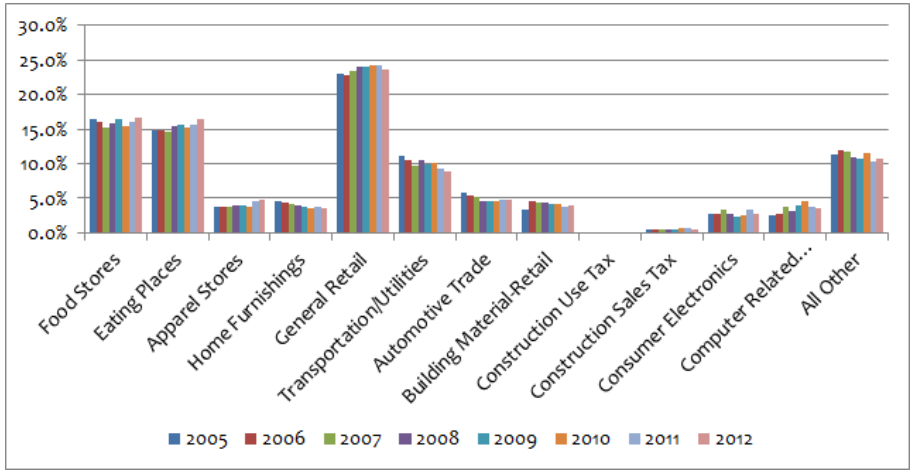
Figure 12
City of Boulder Sales Tax Collections, 2005-2012



Source: City of Boulder, ArLand

Food and grocery stores are a consistent source of sales tax revenues for the City of Boulder. While General Retail generates the majority of sales taxes, food stores (groceries) and eating places (restaurants) fall closely behind (Figure 13).

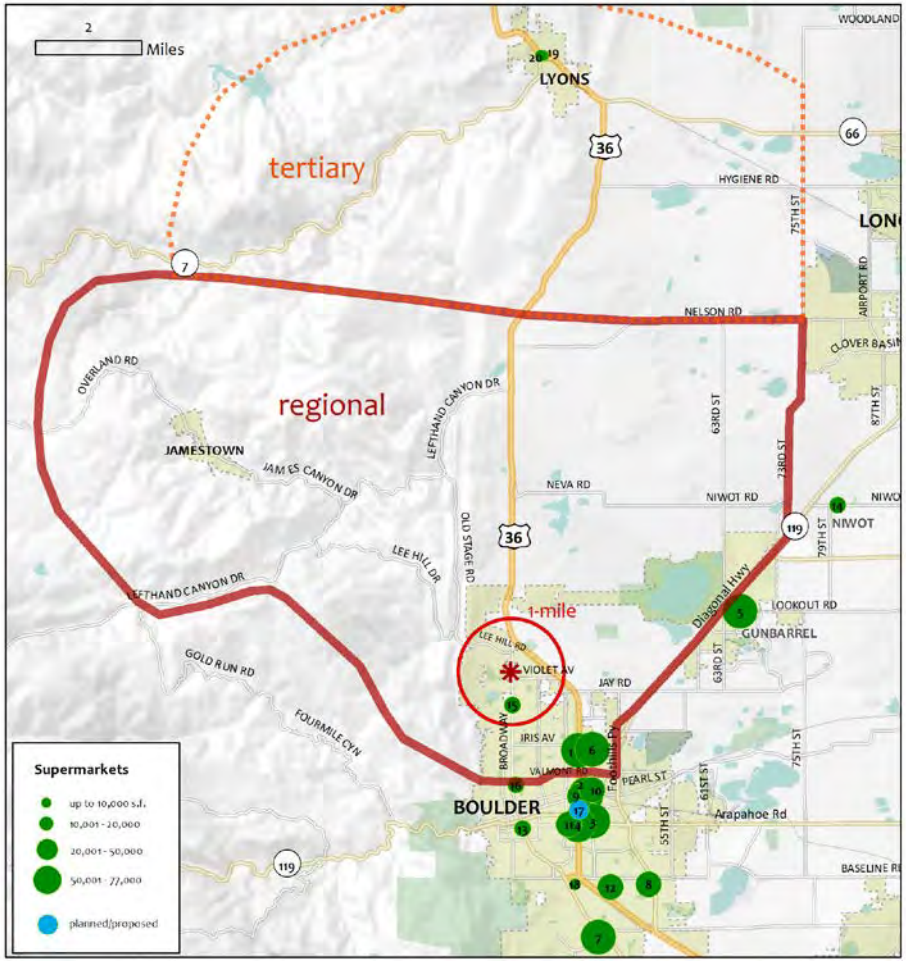
Figure 13
City of Boulder Sales Tax Collections by Industry, 2005-2012



Source: City of Boulder, ArLand

Figure 14 shows grocery store supply in the area. The significant amount of grocery, centrally located and in Boulder's major commercial corridors south and east of the North Broadway area highlights why some residents feel there is a grocery store void in the neighborhood. At the same time, these grocery stores serve a wide-ranging area, including North Broadway households.

Figure 14
Grocery Stores and Supermarkets



Source: ArLand

Table 16
Grocery Stores and Supermarkets

ID	Name	Address	City	Est. Grocery SF
1	Safeway	3325 28th St.	Boulder	77,000
2	Whole Foods Market	2905 Pearl St.	Boulder	77,000
3	King Soopers	1650 30th St.	Boulder	58,000
4	Safeway	2798 Arapahoe Ave.	Boulder	55,000
5	King Soopers	6550 Lookout Rd.	Boulder	55,000
6	Walmart Neighborhood Market	3303 30th St.	Boulder	52,000
7	King Soopers	4600 Table Mesa Dr.	Boulder	52,000
8	Safeway	4800 Baseline	Boulder	50,000
9	Target (with Fresh Grocery)	2800 Pearl St.	Boulder	30,000
10	Natural Grocers/Vitamin Cottage	2355 30th St.	Boulder	25,000
11	Sprouts	2525 Arapahoe Ave.	Boulder	25,000
12	Sprouts	2950 Baseline	Boulder	24,000
13	Alfalfa's Market	1651 Broadway St.	Boulder	20,000
14	Niwot Market	7980 Niwot Rd.	Longmont	15,000
15	Lucky's Market	3960 Broadway St.	Boulder	14,000
16	Ideal Market (Whole Foods)	1275 Alpine Ave.	Boulder	14,000
17	Trader Joe's	28th & Walnut.	Boulder	14,000
18	Whole Foods	2584 Baseline Dr.	Boulder	10,000
19	St. Vrain Market, Deli, Bakery	455 Main St.	Lyons	3,000
20	Steamboat Mtn. Natural Foods	454 Main St.	Lyons	3,000
	TOTAL			673,000

Source: ArLand, City of Boulder

4.5 Impact of New Supermarket / Grocer

There is over 670,000 square feet of grocery store space in the City of Boulder and in nearby communities (in the Regional and Tertiary Market Areas) in an estimated 20 grocery stores and supermarkets. Interviews indicate concern over the great number of grocery options in the Boulder market and the impact that new stores will have, particularly on the independent grocery stores. There has also been concern expressed about the proximity of open space and fewer numbers of households in the North Broadway area.

- Grocery stores prefer to be located in areas where there are households completely surrounding them. North Broadway is at the edge of North Boulder and adjacent to a significant amount of open space. Any larger or full-service grocery store would need to depend on potential grocery store demand and regular shopping from households in the Regional and Tertiary Market Areas. While some of these households have been affected by the flood of September 2013, the analysis assumes that households will be rebuilt in the same communities.
- There are fewer households in the immediate North Broadway area. As a point of comparison, Lucky's is approximately one mile from the intersection of Broadway and Yarmouth (Table 17). Some of the households in Lucky's 1-Mile ring overlap with the count of households in the 1-Mile ring around Broadway and Yarmouth. There are nearly 1,400 more households in the Lucky's 1-Mile ring compared to the number of households in the 1-Mile ring at the intersection of Broadway and Yarmouth. There are more than 5,500 households in the same geographic area around the Ideal Market.
- Communities outside of Boulder, such as Louisville and Longmont are building their own specialty and independent grocery stores. Although this potentially reduces traffic and trip generation, it also means that these shoppers are not purchasing as much at Boulder outlets as they may have been previously when these stores did not exist in their areas.

Table 17
Households in 1-Mile Radius Around Independent Grocery Stores

	Households in 1- Mile Radius	Difference in Household Numbers
Intersection of Broadway and Yarmouth	3,231	--
Lucky's Market	4,625	1,394
Ideal Market	8,806	5,575
Alfalfa's Market	10,789	7,558

Source: Claritas, ArLand

A gravity model approach was used to help estimate the likely impacts on nearby competing supermarkets of a new Broadway store. A new grocery store locating along north Broadway in Boulder would draw only a small fraction of its eventual customer base from future household growth, which is projected to be relatively slow. Most spending would instead come from a shift in spending patterns already present in the market area. In other words, some grocery spending currently going to other existing market area stores would be shifted to

a new Broadway store based, primarily, on convenience and product selection.

This spatially-driven technique begins with an over-simplification of the competitive environment. Only households within the Regional Market Area are considered as potential customers and only those stores within the market area are considered as potential destinations. Obviously, household shopping behavior differs, however, of all the retail categories, households tend to regularly enjoy going to a neighborhood grocery store or supermarket out of habit and familiarity. It is assumed that households will allocate their supermarket spending across the handful of competing stores based solely on the distance to each store and the size (attractiveness) of each store. The model is termed a gravity model because, gravitational "pull" decreases as a function of the distance. Thus, nearby stores are much more likely to attract spending than more distant stores of a similar size.

Table 18 shows the current estimated share of market by the grocery stores in the Regional Market Area. It should be noted that these are estimates based on size of store, location of market area households and their willingness to spend at these stores based on the geographic proximity to the store.

Table 18
Current Market Area Grocery Store Estimated Share of Sales in the Regional Market Area

Name	Estimated SF	Est. Sales from Market Area	Market Area Share
Lucky's Market	13,000	$9,618,000	11%
Ideal Market	14,000	$8,400,000	9%
Safeway	77,000	$34,650,000	38%
Walmart Nbhd. Mkt.	52,000	$23,400,000	26%
New Market Area Store	0	$0	0%
Stores Outside Market Area		$15,428,729	17%
Total	**156,000**	**$91,496,729**	100%

Source: ArLand

It is assumed that there is over $90 million of grocery store spending available across these stores in the market area based on households, incomes and spending of households in the market area. Stores and other grocery venues outside of the immediate market area at grocery stores not listed also receive some market area spending.

Assuming that a new store of approximately 40,000 square feet was constructed in the market and assuming that a new store would fare relatively well in capturing market share, Table 19 assumes that all existing stores would be equally impacted[5]. In reality, Lucky's would potentially be hardest hit, given its geographic proximity and smaller size. However, in this more conservative model, all stores would suffer equally with a 20% decrease in sales. Lucky's has estimated that a new store would affect revenues negatively by up to 25%.

[5] A 40,000 square foot store was used as an example as it represents the average size of the stores listed in the table.

Table 19
Potential Sales Impact of New Grocery Store

Name	Estimated SF	Est. Sales from Trade Area Households	Market Area Share of Sales	Change in Sales
Lucky's Market	13,000	$7,739,269	8%	-20%
Ideal Market	14,000	$6,759,187	7%	-20%
Safeway	77,000	$27,881,647	30%	-20%
Walmart Nbhd. Mkt.	52,000	$18,829,164	21%	-20%
New Market Area Store	**40,000**	**$17,872,501**	20%	N/A
Stores Outside Market Area		$12,414,960	14%	-20%
Total	**196,000**	**$91,496,729**	100%	

Source: ArLand

4.6 North Broadway Inventory

Table 20 summarizes the retail tenants currently in the North Broadway area by type of business in the Holiday and Uptown Broadway developments. While there are a few scattered retail establishments west of Broadway, they tend to be construction and auto oriented establishments. Some of the artists located in these areas sell from their locations, although the majority of them do not use these locations as primary retail outlets. The newer retail space in the area (east of Broadway) houses office, business and personal services, and restaurant uses. There is a small specialty retail niche in fitness and cycling serving patrons of the sport. North Broadway, particularly Amante's Coffee, is a convenient de-facto gathering spot for cycling enthusiasts.

Table 20
Commercial Establishments North to South (in the Uptown Broadway and Holiday Developments)

Business Name	Category
Acqua Fleur Day Spa	Personal Service
MIG Winston	Business Service
Spruce Café	Restaurant
Winter & Company	Business Service
Alice Cohen CPA	Personal / Business Service
North Boulder Studio	Personal / Business Service
Oblique	Business Service
North Boulder Chiropractic	Personal / Business Service
Lawrence & Associates CPAs	Personal / Business Service
Caledonia Wealth Management	Personal / Business Service
Proto's Pizzeria	Restaurant
Iron Works Fitness	Wellness
Red Pine Studios	Business Service
Bacco Mozzarella Bar	Restaurant
Amante Coffee	Restaurant
Boulder Cycle Sport	Wellness
4580 Restaurant	Restaurant
Subway	Restaurant
1st Bank	Personal / Business Service
FasCat Coaching / Performance Cycling	Wellness / Retail
Gamers Guild	Retail
Chicago Hair	Personal Service
Pupusas Restaurant	Restaurant
Boulder Cycle Sport	Wellness / Retail
Boulder Dental Arts	Personal Service
Red Tail Wellness	Wellness

Source: ArLand

The Holiday Neighborhood

The Holiday neighborhood is a 324-unit community in the North Broadway area that was developed by Boulder Housing Partners in partnership with seven developers and a variety of non-profit organizations on a site in the City that was originally slated for development as big box retail.

Main Street North is a mixed-use development at the gateway to the Holiday Neighborhood with buildings and uses arranged around Broadway and Yellow Pine Avenue. The non-residential space is comprised of approximately 55,000 square feet. Commercial tenants include Spruce Confections, Proto's Pizzeria, and other shops and offices. Well-defined common areas provide places for café seating and outdoor gathering. The architecture provides a traditional "Main Street" two-story scale. Office and retail spaces range in size from as small as 630 square feet to as large as 4,000 square feet.

Uptown Broadway

In 2003, while the Holiday neighborhood was building out, Uptown Broadway also commenced development on the east side of Broadway and Yarmouth. The development is comprised of approximately 40,000 square feet of mixed use commercial space and 233 residential units. Although the residential development was successful, the retail struggled for a variety of reasons. The commercial part of the development was subsequently converted to retail condos. Although approximately 800 square feet remains to be sold and is currently vacant, it has taken a number of years for the commercial space to be fully occupied.

Speculation on why the commercial development has been unsuccessful include: lack of critical mass of retail in the area, zoning restrictions on size of retail and lack of easy parking, among other reasons.

4.7 Retail Demand without an Anchor

The relatively slow absorption of the Uptown Broadway neighborhood has been a concern and recently approved projects such as Violet Crossing and Westview have little or no ground floor commercial space. Without a strong retail anchor, more area households, or activities to help bring people into the neighborhood to shop, future retail demand would tend to be more limited with slow absorption of space.

Tables 21 and 22 shows potential retail demand in the neighborhood or 1-Mile Market Area.

Table 21
Retail Demand in 1-Mile Market Area

2013 Households	3,231
Avg Household Income	$111,816
Total Household Income	$361,277,496
Annual HH Growth Rate	0.7%

Category	% Retail Expenditures [1]	Demand (retail potential)	Est. Sales	Current Retail Void ($)	Est. Sales / s.f. [2]	Current Retail Void (s.f.)	Additional Demand from Household Growth (s.f.) (22-yr)	Total Demand 2035
Convenience Goods								
Grocery Stores	5.50%	$19,870,262	$9,613,571	$10,256,691	$450	22,793	7,604	30,396
Specialty Food Stores	0.30%	$1,075,811	$578,638	$497,173	$350	1,420	529	1,950
Beer, Wine, and Liquor Stores	0.42%	$1,503,268	$4,084,463	-$2,581,195	$300	--	863	--
Health & Personal Care Stores	1.96%	$7,072,874	$3,375,045	$3,697,829	$350	10,565	3,480	14,045
Shopper's Goods								
General Merchandise Stores	5.53%	$19,978,872	$5,727,434	$14,251,438	$500	28,503	6,881	35,384
Furniture & Home Furnishings Stores	1.02%	$3,679,110	$735,036	$2,944,074	$250	11,776	2,534	14,311
Clothing and Clothing Accessories	2.13%	$7,679,414	$2,781,159	$4,898,255	$250	19,593	5,290	24,883
Sport. Goods, Hobby, Book, & Music	0.92%	$3,333,981	$1,324,352	$2,009,629	$250	8,039	2,296	10,335
Miscellaneous Store Retailers	1.14%	$4,117,314	$3,486,893	$630,421	$250	2,522	2,836	5,358
Food Services & Drinking Places								
Full-Service Restaurants	2.13%	$7,691,247	$4,309,595	$3,381,652	$350	9,662	3,784	13,446
Limited-Service Eating Places	1.86%	$6,713,916	$1,541,576	$5,172,340	$325	15,915	3,557	19,472
Special Food Services	0.36%	$1,289,823	$1,266	$1,288,557	$250	5,154	888	6,043
Drinking Places (Alcoholic Bevs.)	0.22%	$786,411	$1,156,314	-$369,903	$250	--	542	--
Durable Goods								
Auto Parts, Accessories, and Tires	0.68%	$2,472,788	$352,252	$2,120,536	$250	8,482	1,703	10,185
Bldg Mater., Garden Equip. & Supply	4.42%	$15,954,058	$11,483,217	$4,470,841	$300	14,903	9,158	24,061
Electronics & Appliance Stores	0.98%	$3,529,721	$492,881	$3,036,840	$250	12,147	2,431	14,579
Total (without Groceries)	**24.05%**	**$86,878,606**	**$41,430,121**	**$45,448,485**		**148,681**		**194,050**

Source: Claritas, Census of Retail Trade for CO, ULI, ArLand

[1] Demand percentages based on national and state averages

[2] National averages per Urban Land Institute, research and retailer interviews

Table 22
Unmet Retail Demand by 2035 (Non-Grocery)

	1-Mile Market Area (s.f.) 2013	1-Mile Market Area (s.f.) 2035
Convenience Goods		
Specialty Food Stores	1,420	1,950
Beer, Wine, and Liquor Stores	--	--
Health & Personal Care Stores	10,565	14,045
Shopper's Goods		
General Merchandise Stores	---	---
Furniture & Home Furnishings Stores	11,776	14,311
Clothing and Clothing Accessories	19,593	24,883
Sport. Goods, Hobby, Book, & Music	8,039	10,335
Miscellaneous Store Retailers	2,522	5,358
Food Services & Drinking Places		
Full-Service Restaurants	9,662	13,446
Limited-Service Eating Places	15,915	19,472
Special Food Services	5,154	6,043
Drinking Places (Alcoholic Bevs.)	--	--
Total	**84,646**	**194,488**

Source: Claritas, Census of Retail Trade for CO, ULI, ArLand

The analysis shows demand for 85,000 to 195,000 square feet in retail categories appropriate for the North Broadway area. This demand figure does not include grocery store demand.

Categories most appropriate would include:

- Specialty Food Stores
- Health and Personal Care
- Furniture and Home Furnishings
- Clothing and Accessories
- Sporting Goods, Hobby, Books and Music
- Miscellaneous Store Retailers
- Full-Service Restaurants
- Limited Service Eating Places

Without the addition of catalyst activities, public investment, or anchor tenants to help galvanize commercial activities, potential lease up would likely be slow and incremental.

4.8 Retail Demand with an Anchor

The 8.5 acre Armory site is relatively small for a conventional grocery store anchored center; however, it is among a handful of North Broadway sites that have the potential to generate interest among retailers for a grocery store co-location. Grocery stores in conventional centers typically have square footage requirements, and developers of these centers typically add additional retail and commercial services within these centers to help with financial feasibility. Smaller, more urban grocery stores also have square footage requirements and developers of these centers will often add additional retail and commercial uses because there is strong interest among many retailers in co-location with a grocery store. For example, the planned urban grocery store at 20th and Chestnut in the

LoDo neighborhood of downtown Denver has an estimated 10,000 to 20,000 square feet of additional retail and office.

Banks, restaurants, dry cleaners, and other personal and business services like to be located next to grocery stores. Grocery stores may bring in a householder 2 to 3 times per week, at which time the householder is taking care of other business during the same shopping trip. A grocery store on the east side of Broadway would help support commercial activities on the Armory site and on the east side of the street, primarily.

4.9 Retail Market Analysis Conclusions

While there is grocery demand, there are trade-offs and questions regarding the feasibility of a grocery store in the neighborhood.

- Grocery stores prefer to be located in areas where there are households completely surrounding them. North Broadway is at the edge of North Boulder and adjacent to a significant amount of open space. This situation will not change.
- There is concern about the limited number of households in the North Broadway area. Additional households would make retailers more comfortable about a potential North Broadway location.
- There is ongoing concern about cannibalization of the existing and popular Lucky's market. It is located about one-mile from the Broadway and Yarmouth intersection. Depending on the market niche of a new grocery store, the impact analysis and conversations estimate that the impact would be in the range of 20 to 25% of overall store revenues at Lucky's. Given the thin margins under which grocery stores operate, Lucky's could find it difficult to survive under such conditions.
- Lucky's is currently not interested in a Lucky's annex or a smaller store in the North Broadway area at this time.
- Locally-based retailers, in particular, are anxiously awaiting the effect of the Walmart and Trader Joe's openings.
- Other alternatives include a smaller convenience store, offering limited fresh produce, a food co-op, and the like. There are two very limited stores in the neighborhood, which may potentially be a base for expanding neighborhood offerings.
- Grocery store development on the Armory site could propel demand for commercial development adjacent to or in easy proximity to the grocery store. However, the North Boulder Subcommunity Plan and current zoning on the Armory site are not conducive to construction of a conventional grocery store.
- Commercial development likes corners for easy accessibility. Lee Hill and Broadway is the closest intersection to the Armory, and there is development already slated for, or currently existing on these corners. However, without additional activities supporting redevelopment west of Broadway, it is unclear whether Armory redevelopment would be enough to help propel or bolster commercial redevelopment, mid-block or further south on the west side of Broadway.
- There is demand for an additional 85,000 to 195,000 square feet in retail categories appropriate for the North Broadway area, including specialty retail, restaurants, and the like. In order to facilitate lease-up, there would be the need to add catalyst activities or anchor tenants to the area such as art galleries (in conjunction with local artists), destination restaurants, entertainment offerings, brewpubs, musical venues, etc.

V. Office and Light Industrial Analysis

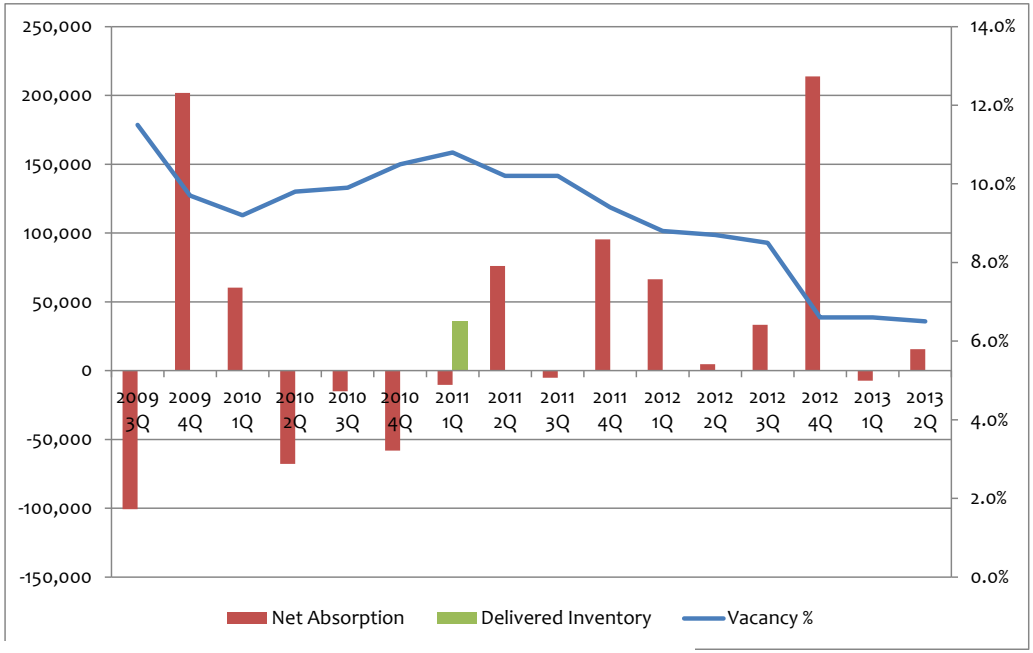
This section examines the office and industrial market in the North Broadway area. There is over 500,000 square feet of non-residential space between Violet and US 36 along Broadway. Of the commercial uses at the Holiday development and Uptown Broadway neighborhoods, small office space has been the most successfully developed. Office helps promote day time activity in residential neighborhoods, and, in the case of Boulder, helps accommodate personal and business services, and other creative industries. There is a significant amount of industrial, warehouse, and storage space west of Broadway. Several of the industrial areas offer smaller, inexpensive space for artists and other craftspeople.

5.1 Office Development Trends

Downtown Boulder, which is a creative office hub for the region, is experiencing very low vacancy rates, resulting in high gross rental rates of $30 to $35 per square foot (plus parking), pushing some companies to examine other more inexpensive areas in Boulder. While there are lower lease rates on the US 36 corridor and in Longmont, many companies would prefer to remain in the City as they grow.

As of the second quarter of 2013, the Boulder office vacancy rate at an estimated 6.5% is substantially lower than the 16.5% vacancy rate in the metropolitan Denver region, as a whole. There is about 11 million square feet of office space in Boulder. Recent vacancy rates have declined and there has been recent positive absorption in the market. Office development activity has picked up recently in preparation for an improving economy (Figure 15). There are several projects currently in the planning stage including a potential 70,000 square foot mixed use redevelopment project, including office at 30th and Pearl, and a 45,000 square foot office-flex property at 3200-28th Street.

Figure 15
Boulder Office Development Trends



Source: CoStar

Both the Holiday neighborhood and Uptown Broadway include office space. Studio Mews near Zamia Street within the Holiday neighborhood was intended to be an energizing mix of unique buildings and uses with residences above artists' studios and shops. The studios and shops have been converted to primarily office uses, although many of the businesses are in the creative realm. Dakota Ridge west of the Broadway corridor also has some office space.

5.2 Office Development Potential

The market for office is a function of growth or change in jobs among those industry sectors that typically occupy office space. Table 23 describes the current jobs in the Regional Market Area, which is the market area examined for office space potential. Approximately 250 jobs are forecast for this area.

After calculating the number of potential new jobs during this time period, an estimate was made of the portion of the workforce in industry categories and their requirements for office space. While categories such as Construction and Wholesale Trade may occupy very little traditional office space, industries such as Professional and Technical Services, for example, have an estimated high percentage of their work force in office space. Future jobs growth in the area indicates demand of approximately 25,000 to 30,000 square feet of office space, much of which would be in a small office configuration, similar to what has been developed in the area. Interviews also indicate that increasing demand for small office space has been seen as the economy returns. Studio Mews, which was originally intended to be artists' studios in the Holiday neighborhood, does include a few artists, however, many of the users are more office-oriented.

Table 23
Potential Office Space Demand, 2010-2035

Industry	Estimated Regional Jobs 2013	% Jobs	% of Total Jobs Estimated to be Office	New Regional Market Area Jobs 2013-2035	Office Jobs	Market Area Office Space S.F. Needs[1]
Agriculture, Forestry, Fishing and Hunting	73	0.5%	10%	1	0	32
Mining	40	0.3%	60%	1	0	105
Utilities	33	0.2%	15%	1	0	22
Construction	669	4.7%	5%	12	1	146
Manufacturing	773	5.5%	10%	14	1	338
Wholesale Trade	636	4.5%	10%	11	1	278
Retail Trade	1,424	10.1%	10%	25	2	622
Transportation and Warehousing	58	0.4%	10%	1	0	25
Information	150	1.1%	70%	3	2	459
Finance and Insurance	667	4.7%	95%	12	11	2,768
Real Estate and Rental and Leasing	559	4.0%	95%	10	9	2,319
Professional and Technical Services	1,433	10.1%	95%	25	24	5,946
Management of Companies and Enterprise:	44	0.3%	95%	1	1	183
Administrative and Waste Services	413	2.9%	15%	7	1	271
Educational Services	855	6.0%	25%	15	4	934
Health Care and Social Assistance	2,578	18.2%	65%	45	29	7,319
Arts, Entertainment, and Recreation	415	2.9%	15%	7	1	272
Accommodation and Food Services	961	6.8%	15%	17	3	630
Other Services, Ex. Public Admin	1,058	7.5%	15%	18	3	693
Public Administration	1,299	9.2%	60%	23	14	3,404
Total	**14,138**	100.0%	43%	**247**	**107**	**26,763**

Source: Claritaas, DRCOG, ArLand
[1] CoStar estimates 250 square foot per office job

5.3 Current Industrial Uses

Boulder has long been a jobs hub for the region, although there is mounting concern about the lack of quality industrial and warehouse space to accommodate growing and innovative businesses. According to interviews and the Xceligent database, lease rates for the industrial space west of Broadway are $14-$17 per square foot on a modified gross or gross basis for spaces fronting Broadway and $9-$12 per square foot towards the back of the properties. Some of the industrial space, particularly at 4593 and 4949 Broadway, are properties conducive to dividing up into 400-500 square foot spaces, attractive to artists and others in creative, start-up industries. The artists' spaces are primarily rentals.

There are older auto-related uses interspersed among the industrial and retail uses west of Broadway. There are a number of properties used primarily for storage. There are infrastructure and maintenance issues throughout the properties. Access, parking, setbacks, etc. are inconsistent throughout the west side of the street. According to interviews, the heavier industrial uses have slowly moved out. While there have historically been more auto-oriented uses, those uses are not as lucrative anymore and have been replaced by storage, which is. Namaste Solar, the solar panel developer and installer, has their headquarters in the area.

5.4 Industrial Demand

While there is demand for industrial and light industrial flex uses in the Boulder market and the North Broadway area, further significant development of this use is precluded by the mixed use development that has already occurred in the area, and the lack of available space to adequately accommodate Boulder businesses that have outgrown their 'start-up' space. Although there are more technical definitions, in general, industrial space refers to traditional industrial space with manufacturing or other uses which either need a lot of space or are generally not as desirable in a mixed use environment. Light industrial flex space is intentionally flexible where some of the space can be used for office and other space can be used for light manufacturing and warehousing. This type of space can be popular among startups because of its relatively low cost.

The market for industrial space is a function of growth or change in jobs among those industry sectors that typically occupy industrial space. Table 24 describes the current jobs in the Regional Market Area and the share that are estimated to be industrial jobs.

After calculating the number of potential new jobs forecast to be created by 2035, an estimate was made of the portion of the workforce in industry categories with requirements for light industrial flex space. While there is estimated demand for up to 30,000 square feet in the North Broadway area, it is not anticipated that traditional industrial space for significant processing or manufacturing is appropriate in the North Broadway area. Flexible commercial space appropriate for startups, businesses like Namaste Solar, light research and development, artist's space and potentially some quasi-retail space, would be targeted light industrial users.

The 1995 North Boulder Subcommunity Plan highlights the importance of the industrial uses to the area acknowledging that additional commercial and industrial space provides opportunities for people to work close to where they live. It also acknowledges the importance of upgrading the Broadway corridor, at the same time, stating that light industrial businesses are extremely valuable and should not be displaced. Rents are relatively low compared to the rest of the City, and the current uses generate relatively fewer vehicle trips per square foot of building area. The 1995 Plan also suggests the design of buildings which are structurally flexible to accommodate a mix of uses over their expected lives.

Table 24
Potential Light Industrial Flex Demand

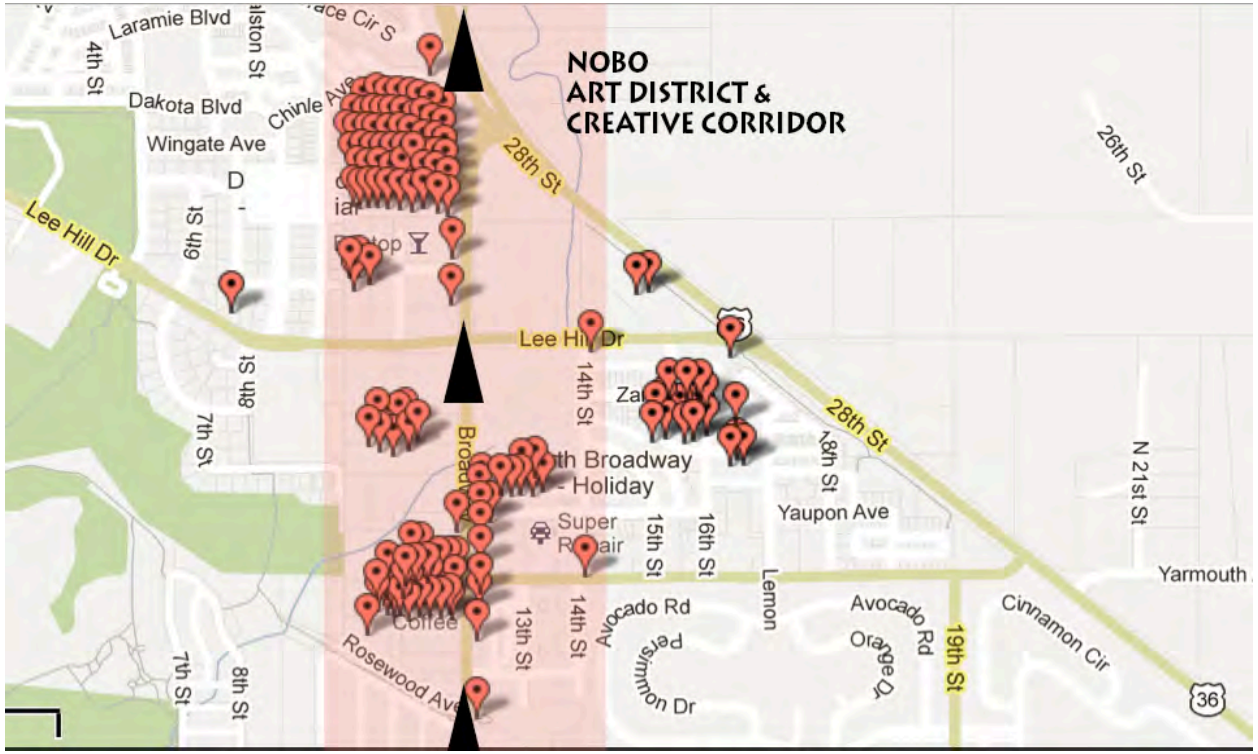
Industry	Estimated Regional Jobs 2013	% Jobs	% of Total Jobs Estimated to be in Industrial Space	New Regional Market Area Jobs 2012-2035	Industrial Jobs	Market Area Industrial Space S. F. Needs[1]
Agriculture, Forestry, Fishing and Hunting	73	0.5%	60%	1	1	306
Mining	40	0.3%	25%	1	0	70
Utilities	33	0.2%	85%	1	0	196
Construction	669	4.7%	50%	12	6	2,630
Manufacturing	773	5.5%	90%	14	12	4,862
Wholesale Trade	636	4.5%	90%	11	10	12,000
Retail Trade	1,424	10.1%	10%	25	2	995
Transportation and Warehousing	58	0.4%	80%	1	1	973
Information	150	1.1%	30%	3	1	629
Finance and Insurance	667	4.7%	5%	12	1	350
Real Estate and Rental and Leasing	559	4.0%	5%	10	0	244
Professional and Technical Services	1,433	10.1%	5%	25	1	626
Management of Companies and Enterprise:	44	0.3%	5%	1	0	17
Administrative and Waste Services	413	2.9%	40%	7	3	1,299
Educational Services	855	6.0%	5%	15	1	336
Health Care and Social Assistance	2,578	18.2%	5%	45	2	1,013
Arts, Entertainment, and Recreation	415	2.9%	3%	7	0	98
Accommodation and Food Services	961	6.8%	3%	17	1	227
Other Services, Ex. Public Admin	1,058	7.5%	20%	18	4	1,664
Public Administration	1,299	9.2%	20%	23	5	2,042
Total	**14,138**	**100.0%**	21%	**247**	**51**	**30,576**

Source: DRCOG, CoStar, Claritas, ArLand
[1] Square foot per job estimates vary from 450 to 1,200 sf depending on industry

5.5 Artists

The NoBo Art District is an artist-run organization dedicated to promoting the artists and creative industries in the North Boulder area. The District has a significant and growing presence in the North Boulder community. The district is not an officially designated arts district at this time, but is pursuing that designation through City and State channels. According to the district, there are over 225 artists and others in the creative industries clustered along Broadway and the North Boulder area. On the west side of Broadway, there is a particularly strong clustering of artists at 4949 Broadway and 4593 Broadway.

Figure 16
North Broadway Artists and Creatives



Source: NoBo Art District

The district's initiatives include:

- Sponsoring First Friday openings and other events to support local artists;
- Offering PaintAbout classes and scholarships to support access to contemporary art and education;
- Hosting art projects and other community events like the NoBo Little Libraries at various venues within the neighborhood; and,
- Initiating the creation of a vital street-scape enlivened by sculpture, lighting and other art through the creation of a public arts program.

Source: NoBo Art District

The group is interested in getting more involved in the "branding" of North Broadway through sculpture, lighting, painting of the street, and other activities which would not only help their respective businesses, but would also help brand and distinguish the area from the wide variety of other commercial districts in Boulder. A further description of potential artists' involvement is discussed in the Opportunities section.

5.6 Potential Office and Industrial Demand Capture

Through 2035, the analysis forecasts demand for approximately 20,000 to 25,000 square feet of office and 30,000 to 35,000 square feet of light industrial / flex space. However, demand capture is going to be dependent on overcoming some of the barriers to redevelopment historically seen in the area and taking advantage of potential area opportunities. This will be discussed in the next sections on Barriers and Next Steps.

VI. NORTH BROADWAY BARRIERS

The potential demand for commercial uses in the North Broadway area is described below, taking into consideration local and regional market trends, feedback from area real estate experts, developers, brokers and property owners. Competitive development projects and trends over the past ten years were examined. As with any plan and ultimate development project, the actual mix and timing of development is going to vary based upon a variety of factors, including the needs of the property owners, the development and financial markets, the timing and cost of public sector improvements and assistance, if any, and level of private sector investment.

6.1 Village Center

One of the primary challenges to the development of a Village Center in the North Broadway area is the perception in the community and in the market that it took a significant amount of time for the existing commercial to absorb. At the same time, there isn't as much retail space to activate the area as is desirable.

- The North Broadway area is on the edge of the City, so it is not an area that many Boulder residents will traverse as they are commuting or running other errands, although some residents of outlying communities do commute through the area. While there are some bicycling shops that are a destination for those in the bicycling community, there aren't other significant clusters of destination retailers or an anchor tenant like a supermarket. Although restaurants like 4580 and Proto's have been successful in attracting people throughout the City, other destinations in the area are few and far between.
- There has been a discussion of a grocery anchored retail shopping center to help activate the retail spaces in the North Broadway area. North Boulder community members have expressed some interest in a grocery store, but over time they have become somewhat split on the level of support for the concept of a new store. While a grocery store with a conventional layout could serve as an anchor tenant for the area, its locational benefit would generally accrue to other retail establishments and intersections closest to the center first.
- While there appears to be market demand for a smaller convenience or grocery store, there has been a longstanding concern on the part of the grocers that there aren't enough households to support another independent local market primarily serving the local neighborhood. Lucky's is very close and it is estimated that another grocery store in the area similar to Lucky's would negatively impact the store.
- Smaller grocery stores tend to carry higher priced merchandise and, although helpful for convenience items, would not be attractive for significant shopping among those with more modest incomes in the neighborhood. The introduction of the Walmart neighborhood grocery store to the Diagonal Plaza area detracts from the ability of a North Broadway grocery store to serve the local neighborhood.
- The width of Broadway, lack of pedestrian crossings, and the traffic volume are also barriers to retail synergy at the Yarmouth and Broadway intersection that includes the Village Center. Property owners on the west side of Broadway have observed that patrons

of restaurants on the east side of Broadway will often park on their properties and then have to cross Broadway to get to their destinations.

6.2 Public Storage

One of the more significant challenges to the redevelopment of the West Broadway area is the number of self-storage units in the area. This particular use has been successful in the area and the growth of smaller residential units and commercial space in the immediate area has contributed to the demand. It can provide significant cash flow to property owners and can be a difficult land use to transition from because it can be financially lucrative.

Conservatively, self-storage facilities generate an estimated $8 per square foot (NNN) basis[6]. Gross revenues average over $1 per square foot based on posted price lists for storage facilities in the area. Assuming a capitalization rate of 7.75%, this translates to $103 per square foot for the building as well as the land on which the building is located. Any redeveloper would need to pay this price in order to acquire land in this area, in addition to paying for other needed public improvements. While prices fluctuate depending on Broadway frontage, prices appear to be in line with recent sales. The Namaste Solar building and land's value is estimated at $115 to $125 per square foot, per Boulder County assessor's records.

6.3 Flood Plain

Another difficult issue is the need for significant flood mitigation prior to redevelopment near Yarmouth and Broadway, west of Broadway. The estimated costs in the area west of Broadway, encompassing the commercial area fronting Broadway, are about $2.7 million. There is also an additional approximately $3.1 million in estimated building flood mitigation costs. The September 2013 floods have triggered the need to reevaluate the flood plain maps in the area. These estimates may change.

While there may be funds available through the Federal Emergency Management Agency (FEMA) for flood recovery cost reimbursement, it is unlikely that FEMA would reimburse the City for floodplain related redevelopment costs. Redevelopment in the flood plain would need to occur in a manner consistent with FEMA, State, and City of Boulder floodplain development regulations.

6.4 Annexation

Some of the properties west of Broadway in the Village Center area have not been annexed into the City. These properties are all County enclaves. The North Boulder Subcommunity Plan particularly encourages annexation of these County enclaves for a variety of reasons including provision of urban services, given that the properties are already developed at urban densities. Proposed annexations with additional development potential need to demonstrate community benefit consistent with Boulder Valley Comprehensive Plan (BVCP)

[6] NNN is a triple net lease where, in addition to the stipulated rent, the lessee assumes payment of all expenses associated with the operation of the property including taxes, insurance and other operating expenses, including costs of maintenance and repair.

policies. Annexations that are most strongly encouraged are those that resolve an issue of public health without creating additional development impacts.

VII. NORTH BOULDER SUBCOMMUNITY PLAN UPDATE OPPORTUNITIES

Despite the barriers described throughout this study, there are significant opportunities in the North Broadway market area. The community is interested in ensuring that the intent of the existing plan for the area is carried out, with some modifications to address changing circumstances and existing conditions.

While there has been a longstanding desire for a grocery-anchored center to not only help define and to assist with the commercial activities in the community, other action items could bolster the existing retail and address some of the redevelopment barriers in the area.

Table 25
North Boulder Subcommunity Plan Update Opportunities

	Existing Condition	Opportunity
Village Center	The Village Center is focused on the intersection of Broadway and Yarmouth, some of which overlaps with the high hazard flood zone.	The Village Center geographic area should be re-evaluated to align future land use options with the area's market realities and post-flood assessment and conditions.
Grocery Anchor	Retailers and others are waiting to see how the grocery situation pans out in Boulder. This analysis was conducted as the Walmart Neighborhood grocery recently opened to large crowds. Trader Joe's has yet to open as of the date of this report. While the new retailers will generate a surge in interest in the short term, and while sales and traffic will return to previous levels, there will be some impact on stores and/or merchandise directly competitive with the new offerings.	Grocery stores need rooftops and there is ongoing concern with local service providers about the general lack of rooftops in the North Broadway area. Any number of additional rooftops would help support a convenience type of market. Several North Boulder community members have expressed interest in a convenience oriented grocery in the market area. Working with the existing stores to expand their offerings (there are two very limited stores offering some fresh foods in the North Broadway area), partnering with a food co-op, farmers market, or other alternative form of supplying fresh groceries to the neighborhood would help address demand and have a much more limited impact on other area grocers.

	Existing Condition	Opportunity
NoBo Art District	There are an estimated 225 artists and others in creative industries in the North Broadway area with a strong interest in creating / supporting a brand for the area that reflects their presence and helps bolster their creative activities. This group has indicated a strong interest in being involved in the development of public improvements and related activities. There is also inexpensive industrial space in the North Broadway area, some of which hasn't been well-maintained. Some of the spaces are work spaces for artists. They are sized small enough to be inexpensive rentals.	Incorporate artists into the public process. Evaluate potential for a plan for funding that incorporates art into public spaces and improvements. The NoBo Art District can potentially sponsor competitions for branding ideas and other public improvements with City assistance and other support. While artists are located throughout the area, they tend to be clustered in the more inexpensive industrial spaces on Broadway. Most of the artists do not own their spaces. Work with developers to ensure that inexpensive live / work and other flex space is available to help support the arts community in the North Broadway area.
Other Anchor Tenants / Users	Need for additional "anchors" to support / bolster commercial activities in the area	Branding activities, commercial space to support the brand, working with local brokers and developers to identify additional anchors such as art galleries (in conjunction with local artists), destination restaurants, entertainment offerings, brewpubs, musical venues, and the like. Identify local retailers, based on the categories identified, in other parts of the City or region, with a potential interest in expanding. Continue to support small office space users.

	Existing Condition	Opportunity
Street Improvements	Although Broadway can be busy, it is not a major arterial. However, it can be wide and intimidating to cross. Yarmouth doesn't go through on the west side of Broadway yet. There is some willingness among area property owners for a Yarmouth extension across Broadway to the west.	Evaluate opportunities to create an intersection at Yarmouth and Broadway (or at the center of the geographically defined Village Center, if refined) to enhance the Village Center concept in the 1995 North Boulder Subcommunity Plan. Study the need for a pedestrian signal or other alternatives to ensure that pedestrians can traverse Broadway safely at Yarmouth, or other key intersections that may advance the Village Center concept. Work with the property owner on the west side of Broadway at Yarmouth to ensure that a Yarmouth extension would complement potential future redevelopment plans.
Public Storage And Other Potential Redevelopment Sites	Public storage sites are scattered throughout the area west of Broadway and there are a variety of other underutilized sites in the area west of Broadway including auto service centers, etc.	The economics of public storage are difficult to address. In the short term, there are locations in front of some of the storage and/or industrial facilities that could facilitate some redevelopment. During the North Boulder Subcommunity Plan update and with the help of developers currently located in the neighborhood, reach out to property owners on the west side of Broadway regarding their redevelopment interests and potentials.

	Existing Condition	Opportunity
Flood Plain Mitigation	There is an estimated over $5 million needed for flood plain mitigation on properties on the west side of Broadway near Four Mile Canyon Creek. While funds may be available from FEMA for flood recovery cost reimbursement, funds for floodplain redevelopment are not available. The funds available may not cover all of the projected needs. At this time, any redevelopment activity would generate the need to address the flood plain improvements with the first redevelopment responsible for paying all the costs. Because of the multiple property owners in the area, this presents a significant barrier towards redevelopment.	Funding for flood plain improvements has been addressed in other jurisdictions through larger regional districts which receive public and private funds to address flood plain improvements needed, however, these funds are typically prioritized to mitigate flood hazards to existing development. In order to help incentivize redevelopment in the area, potential flood mitigation tools might include: • The use of special districts, such as urban renewal, or more targeted districts, to address and fund flood plain mitigation improvements needed up front to be repaid through redevelopment tax increment over time. Redevelopment activity would be needed in order to generate the tax increment necessary to pay back the improvements made. • Redevelopment, as a City financial tool, could be focused on public improvements. Explore its use in the area west of Broadway to help facilitate flood plain improvements, and address other infrastructure needs.
Annexation	On the west side of Broadway, there are a variety of properties within County enclaves. For redevelopment to occur, the properties must annex into the City with the inclusion of substantial community benefit. For some of the smaller property owners, this has presented a challenge for redevelopment.	Annexation is a complex, Citywide policy issue. Explore opportunities for flexibility with annexations that would align with overall project goals and desired outcomes for the area.

	Existing Condition	Opportunity
Armory	Developers have entered into an agreement with the Colorado Department of Military and Veterans Affairs (DMVA) to explore the purchase and redevelopment of the Army National Guard Armory. Various site plans and options have been discussed with the community over a number of years. North Boulder community members have expressed some interest in a grocery store, but over time, they have been somewhat split on the level of support for the concept of a new store.	Without additional improvements to the intersection of Yarmouth and Broadway, including improvements that would make Yarmouth a true intersection, it is unlikely that commercial redevelopment at the Armory would benefit the Village Center area. At the same time, allowing limited retail development at the Armory should not negatively impact the market potential for commercial development at the Village Center area since its challenges, in some respects, are unrelated. At this point in time, without a significant number of additional households in the North Broadway area, the addition of a neighborhood or full-service grocery store would potentially impact the viability of other grocery stores including Lucky's, which is less than one mile from Broadway and Yarmouth. With or without the grocery anchor, there has also been an ongoing desire for neighborhood commercial services. While there is a market, their potential viability would be strengthened, in general, with an increased number of households in the North Broadway area.

APPENDIX 2: 2013-2014 COMMUNITY INPUT SUMMARY

This appendix summarizes community input on the North Boulder Subcommunity Plan from small group discussions, two public meetings in October 2013 and April 2014, and an open house in September 2014. The table below organizes community input into key themes and how the Action Plan or parallel city initiatives are addressing it.

	Key Themes from Community Input	Action Plan Items (if applicable)	Notes
General Comments	**1995 Plan's Vision is Still Valid** The 1995 Plan's overarching vision for the North Broadway area is still valid, including: • Strengthening established areas; • Redevelopment with a focus on walkable, connected, and mixed use places; • A diversity of housing choices; • New community and civic attractions; • Improved design quality; • An integrated network of parks and open space; and • Preservation and enhancement of sensitive environmental areas	All	The plan update focuses on a new generation of action items that further advances the 1995 Plan's vision.
	Action Oriented Approach Support for an action oriented approach that further implements the 1995 Plan's vision.		
	Geographic Focus Support for the targeted geographic focus on the North Broadway area as this is the area with the most potential for change.	All	The plan update focuses on the North Broadway area (see Figure 1: Study Area).
	Keep North Broadway Eclectic Concerns about North Broadway losing its "funkiness" and eclectic atmosphere as redevelopment occurs.	All	The Action Plan has arts and placemaking strategies throughout. Additionally, the Action Plan recommends protections for service industrial and arts oriented land uses, which have contributed towards the area's eclectic appeal.
	North Broadway as Human Scale Place Support for North Broadway as a pedestrian friendly, human-scaled main street, as presented in the 1995 plan.	Transportation, Access, and Parking Action Items (2.1-2.8)	The Action Plan recommends streetscape improvements and pedestrian and bicycle enhancements. Additionally, the 1995 Plan's vision and policies support this concept.
Arts and Placemaking Comments	**Strong Support for NoBo Arts District**	1.1-2.2, 2.5, 3.1-3.3	The Action Plan contains numerous recommendations to support the growing arts scene in North Boulder. The city's Library and Arts Department is also launching two key related initiatives – the Community Cultural Plan and Creative Districting project in 2014 that will evaluate opportunities for the city to support formation of local creative districts like NoBo. The city is also supporting formation of NoBo Arts District including meeting facilitation, utilizing a consultant to support the district, and other forthcoming support.
	US 36 and Broadway Gateway Continued support for community process to design a new vision for this area.	1.7	The 1995 Plan's vision for the US 36 and Broadway gateway reflects a "focus on landform and landscape design rather than on any architectural treatment or statement." The Action Plan process indicated support for a new type of gateway that includes placemaking and integration with a mobility hub.

	Key Themes from Community Input	Action Plan Items (if applicable)	Notes
			CDOT has expressed interest in maintenance facilities in the gateway area. City staff is currently working with CDOT to evaluate other locations for maintenance facilities that would meet their needs and the city's wishes for the gateway area.
	Losing Affordable Artists and Service Industrial is a Key Concern The community is concerned that as redevelopment continues to occur along North Broadway, the affordable spaces that have accommodated artists, creative industries, and service industrial businesses will disappear.	3.1	The Action Plan recommends strategies to further this priority throughout. The city's Library and Arts Department is also launching the Community Cultural Plan that will evaluate opportunities to advance these strategies. The 1995 Plan also supports "methods to strengthen service industrial areas" that yielded related zoning code changes in the late 1990s to implement the plan that are still in effect.
	Arts Anchor Land Use An arts anchor land use would bolster the economic vitality of the area and foster the growing North Broadway arts community.	1.6	The North Broadway Market Study (see Appendix A) also supports this strategy, and the Action Plan addresses this. The Community Cultural Plan will also evaluate opportunities to advance this strategy.
	Arts-Oriented Placemaking Along North Broadway Support for arts oriented placemaking along North Broadway as an opportunity for branding, to unify the area, and support the growing North Boulder arts scene. This could include streetscape improvements and art integrated into infrastructure (e.g., artistic crosswalks).	1.2-2.2; 2.5, 3.3	The Action Plan recommends these strategies throughout, including the potential for a more comprehensive strategy with a North Broadway Streetscape Plan.
	Creative Signage The city's sign code may be too rigid and should support creative signage to foster the growing North Boulder arts scene and placemaking opportunities. This includes business and arts district identification signs and directional signs to the businesses less visible off of Broadway.	1.2	The Action Plan contains specific recommendations addressing this.
	Live/Work Support for more allowances for live/work units, particularly for artists.	1.1	The Action Plan contains specific recommendations addressing this.
	North Broadway Streetscape Plan Support for a comprehensive evaluation and strategies to achieve a variety of goals for North Broadway around arts, placemaking, walkability/bikeability, and access management.	2.5	The Action Plan contains specific recommendations addressing this.
Transportation, Access, and Parking	**Transportation Connectivity** The 1995 Plan's vision for connectivity has not been fully realized—there are several missing multi-modal connections.	Transportation, Access, and Parking Action Items (2.1-2.6)	The 1995 Plan's connections plan is still being implemented as redevelopment occurs. Specific new or enhanced transportation connections are discussed below.
	Specific Transportation Connections		
	East-West Pedestrian Connectivity Broadway is a major barrier to cross with the existing limited pedestrian crosswalks.	2.1	The Action Plan recommends evaluating new or enhanced crossings at the Broadway and Yellow Pine, Yarmouth, Violet, and Lee Hill Road intersections and as improved lighting and safety measures at the Fourmile Canyon Creek path Broadway underpass.
	North-South Bicycle Connectivity Bicycling along or near Broadway north-south is challenging and needs improvement because of traffic speeds and lack infrastructure to make it easy and safe.	2.2	The Action Plan recommends related enhancements and the city's GO Boulder staff is evaluating separated or buffered bicycle facilities along North Broadway that has been included in the 2014 Transportation Master Plan. The Violet Crossing development at the northeast corner of Violet and Broadway has also facilitated a connection across Fourmile Canyon Creek.
	Boulder Meadows Bicycle/Pedestrian Connection The community supports a direct bicycle and pedestrian connection from this mobile home park west to the Uptown mixed use development. No connection currently exists without going north to Yarmouth.	2.1	The 1995 Plan (connections plan) shows two proposed connections west to the Uptown mixed use area. The Action Plan further recommends implementing this connection.

	Key Themes from Community Input	Action Plan Items (if applicable)	Notes
	Signalized Intersection at Broadway and Yarmouth Support for a new signalized intersection at this location.	2.1, 2.5	The 1995 Plan calls for a stoplight at this intersection that redevelopment on the west side of Broadway at Yarmouth will facilitate. The Action Plan further emphasizes facilitating this connection.
	Placemaking and Transportation Infrastructure Support for placemaking with infrastructure – e.g., artistic crosswalks.	2.1-2.2	The Action recommends art integrated with transportation infrastructure.
	North Broadway B-Cycle The community supports an additional B-Cycle station(s) in the North Broadway area to link in with the growing citywide network of stations.	2.2	The Action Plan contains specific recommendations addressing this.
	Broadway Traffic Calming The community agrees North Broadway is wide an intimidating to cross, in part because of high speed traffic.	1.7, 2.1-2.2, 2.5	The Action Plan contains a recommendation for a North Broadway Streetscape Plan that should include traffic calming measures.
	North Broadway Streetscape Plan Strong support for a comprehensive evaluation and strategies with a streetscape plan to achieve a combination of goals around walkability, placemaking, etc.	2.5	The Action Plan contains specific recommendations addressing this.
	Inadequate Parking The community indicated that there may be inadequate parking for businesses in the redeveloped areas along North Broadway (e.g., Main Street North, Uptown). While there is support for minimizing parking lots from an urban design standpoint, these businesses depend on patrons arriving by car.	2.6	The Action Plan contains specific recommendations addressing this, first starting with a parking utilization analysis to better understand the problem before identifying potential solutions.
	Enhanced Transit The community supports extending the SKIP terminus north away from the current location at the homeless shelter. The current terminus feels unsafe and does not integrate well into the neighborhood. The community also supports evaluating a new transit route along US 36 east connecting the North Broadway area to the commercial areas along 28th Street and Boulder Junction.	2.3-2.4	The Action Plan and Transportation Master Plan contain specific recommendations addressing this.
Land Use and Development	**Affordable and Special Needs Housing**		
	The community supports the diversity of housing choices that has emerged since 1995, but there may now be an overconcentration of affordable and/or special needs housing in the North Boulder Subcommunity.	The citywide Comprehensive Housing Strategy (CHS) will develop a new generation of housing strategies and related implementation tools. The city's Housing Division has been actively involved with the North Boulder Subcommunity Plan and these comments have been communicated to them to consider with the CHS project.	
	Community members support the mission of special needs housing but have stated there is an overconcentration in North Boulder.		
	Higher Density Housing Mixed opinions on whether or not higher density housing along Broadway between Violet and Sumac is desirable.	The Boulder Valley Comprehensive Plan and Comprehensive Housing Strategy (which includes an opportunity site component) will further evaluate the feasibility of new housing.	
	View Protection Mixed opinions on the west side of Broadway regarding avoiding the "canyon" effect with redevelopment and view protection to the west.	The city's zoning code has several mechanisms to support view protection. First, the citywide charter limiting any building to a maximum of 55 feet in height, and all zone districts abutting the west side of Broadway have floor area ratio (FAR) standards, setbacks, and open space requirements.	
	Village Center Mixed opinions on the 1995 Plan's concept of keeping the retail and mixed use areas concentrated in one area along North Broadway, on both sides of the street, while others have stated that North Broadway should act more as a corridor.	The ongoing flood mitigation and mapping process will delay evaluation of the village center.	
	Annexations Community support for providing more flexibility and fostering annexations of county enclaves in the study area.	3.2	Action Plan Item 3.2 directly addresses this item.

Key Themes from Community Input	Action Plan Items (if applicable)	Notes
Anchor Land Use The community (and the North Broadway Market Study) support the importance of an anchor land use to bolster the economic vitality of the area.	1.6	Action Plan Item 1.6 directly addresses this item. The current proposal for the Armory site's redevelopment includes several new tenants, one of which is a destination brew pub that may act as a future anchor.
Armory Site The Armory site is an important opportunity, but the community has mixed opinions on what is appropriate there. However, there is strong support for integrating the arts and placemaking into the site and an urban, walkable concept.	The Armory site developer has submitted plans to redevelop the site as a mixed use project with residential, retail, artists space, and a brew pub. To date, the concept has received strong community support. The proposal is slated for Planning Board and City Council hearings in 2014.	
Large Scale Retail The community continues to support neighborhood scale retail, rather than any "big box" type of retail, consistent with the community's vision with the 1995 Plan.	The current zoning along North Broadway restricts retail uses to a neighborhood scale. This zoning has been in place since the late 1990s as a 1995 Plan implementation item. The Business Main Street is intended to be the highest density area along North Broadway (part of the Village Center) and requires a use review for any retail over 20,000 square feet, and the MU-1 district that includes the Armory site and Main Street North only allows retail in a mixed use building, and no more than 5,000 square feet of retail.	
Affordable Service Industrial and Artists Space The community supports strategies to address protection and promotion of affordable artists, service industrial, and live-work space.	1.1, 3.1	Action Plan items 1.1 and 3.1 directly address this item.
Library Community support for a library, which was an implementation item from the 1995 Plan.	Since the Action Plan project has begun, the NoBo Corner Library has opened at Violet and Broadway.	
Need Outdoor Space for Events Community support for more outdoor gathering areas for events.	The Main Street North and Uptown developments have some outdoor public plaza areas, and the redevelopment plan submitted for the Armory includes substantial outdoor plaza areas.	
Public Safety Issues with Homeless Shelters The community expressed safety concerns, particularly as it relates to the transient population in the North Broadway area.	2.1	Action Plan Item 2.1 (Fourmile Canyon Creek underpass lighting) directly addresses this. City staff has also relayed these concerns to the existing homeless shelter and soon to be completed transitional housing at 1175 Lee Hill, and learned that both facilities have detailed codes of conduct that addresses behavior of their tenants outside of the shelter in the North Broadway area. The City's Police Department has also been involved with this project, having supported community meetings to listen and respond to these concerns.
General Improvement District Community support for exploring formation of a North Broadway improvement district to support numerous goals throughout this Action Plan.	3.3	Action Plan Item 3.3 directly addresses this.
Flood Mitigation Community support for financing Fourmile Canyon Creek flood mitigation improvements, in addition to already completed sediment removal and cleanup after the September 2013 floods.	The city has applied for Community Development Block Grant (Disaster Recovery) funding through the Colorado Resiliency Planning Grant Program for a "West Fourmile Canyon Creek Annexation Study and Design Charrette" that includes the Ponderosa Mobile Home park.	

GROWING UP BOULDER INPUT

A sample of child, youth and parent perspectives (2013-2014)

For the North Boulder Subcommunity Plan Update, Growing Up Boulder used a variety of methods to ask young people and their parents, "*What do you like or not like about North Broadway? What are the key opportunities for that area?*"

While the information collected is not part of a scientific study, we believe the views shared here still represent meaningful input into the Update, and they include an important subset of the community that is often not represented at public meetings or in more traditional forms of outreach.

Community Engagement methods employed include:

- Drawing sessions with elementary and middle school children and the public meeting on October 30, 2013 (n=3 elementary school children, n=1 middle school student)
- Questions for parents of young children via Boulder Rock'n Moms Yahoo Group post on November 7, 2013 (n=24)
- Questions for high school student acquaintances via email on November 7, 2013 (n=4)
- "City-on-a-wall" activity and individual drawings with Foothill Elementary School 1st grade class on May 5, 2014 (n=24)

Answers varied significantly by age group. Below is a summary of the most frequently requested design elements, in descending order of importance.

Group	Ideas/Design elements
Elementary School children	• Fields, trees and flowers • Zoo or space for animals • Toy store
Youth (middle school + high school)	• Increased safety at the Front Range/Broadway bus stop • Safer paths to walk and ride bikes in North Boulder
Parents	• Indoor play space • Water features (pool and/or splash pad) • Inexpensive restaurants • General store • Shade on playgrounds

The rest of this document provides the detailed information collected from children, youth and families.

Design elements	Elementary School	Middle School	High School	Parents of children
n=56	**27**	**1**	**4**	**24**
Businesses				
Ice cream/frozen yogurt	2		2	
Inexpensive restaurant			1	**6**
healthy drive through				1
"Fun" store like Apple Store			1	
Toy store	**5**		1	
Artisan shop			1	
museum	1			
mall	1			
general/small grocery store	2			**6**
Candy store	4		1	
Book store		1		
winding pedestrian shopping areas				5
Clothing store			1	
Recreation				
zoo and/or space for animals	**11**			
water features (pool and/or splash pad)	2		1	**8**
playground	2		1	
indoor play area	1	1	1	**14**
teen hangout				3
skate park				2
library--regular-sized				5
improve Holiday playground				5
outdoor community space				1
shade on playgrounds				**6**
interactive trail				1
movie theater			1	
fields, trees and flowers	**17**	1	1	2
Transportation			1	
Safer paths to walk and bike (Dakota Ridge to Broadway scary)	2		**3**	2
Ecopass			1	
Increased safety at Front Range/Broadway stop			**4**	3
More walkable destinations				3
Safety				
Increased safety in Dakota Ridge			2	2

Complete responses

During the October 2013 North Boulder Subcommunity Meeting, facilitators worked with several elementary school and middle school students to collect their ideas for the North Boulder Subcommunity Plan. The instructions were:

1. Draw a picture of North Broadway which answers these questions:
    a. (All ages) What do you see yourself doing in the main North Boulder downtown area? What would it look like, smell like, feel like? With whom would you be doing it? How would you get there? (Bus, bike, scooter, walk, car, roller skates, skateboard?)
    b. (First grade and older) Would the North Broadway area be a corridor (one straight line of stores down Broadway) or more of a town center (spread out to side streets perpendicular to Broadway and on Broadway)?

These are the children's responses:

Elementary School Child (n=3)

- Recreational spaces
    - A place to play hide and seek and tag
    - Field

    - Play on tree trunks
    - A pool in our neighborhood (Dakota Ridge) or nearby (three kids requested this)
    - Park designed with giant candy corn sculptures (giant candyland playground)
    - toys outside, both big and little
    - zoo
- Businesses
    - toy store
    - Candy store
- Transportation
    - Better places to bike and walk; too scary to bike from home in Dakota Ridge down Broadway to shops there

Middle School Youth

- Business:
    - Bookstore
- Transportation
    - Bike path
- Recreational spaces
    - Park with a field
    - More trees

High School Youth (n=4)

Mara Mintzer, Dakota Ridge neighborhood resident, sent the following email to high school students she knew within the neighborhood:

> *I am working with the City of Boulder to update their plans for how North Boulder/North Broadway (the area near and across from Protos and Spruce Confections) should develop. I want to make sure the voices of teens are heard in this plan. If you have a few minutes, could you please send me your answers to the following questions, and I'll pass your ideas along to the City:*
>
> *What do you like or not like about North Broadway? What would make it more teen-friendly?*
>
> *Your answers might include ideas for new businesses, places to hang out, things to do, or ways to get around. You might also think about how the National Guard Armory could redevelop.*
>
> *Thank you in advance for taking the time to answer these questions. Your answers will help shape the future of your town! Also, feel free to share these questions with your friends living in North Boulder.*

These are their responses:

- It would be really cool to have a safe bike route from Dakota ridge to Protos area. Also, the location of the bus stop can sometimes be scary due to the characters that hang around there, and is such a bummer if you want to go into town via RTD by yourself (with out friends/ parents). Making that environment more secure feeling. I think if some popular business came to attract more people, there would be others around and teens would feel safer. I'll pass this along to some of my other North Boulder friends!
- A small business for local artists would be cool. Just a place where people can sell things they have made (art, toys, jewelry etc.).
- More ice cream or frozen yogurt shops—a place like Sweet Cow, where the ice cream is good and you can hang out on the astroturf lawn; also would be good to be able to hold an event there
- Less professional/adult places and more new and fun places, like the Apple Store
- The homeless shelter: it feels very uncomfortable to be near there at the bus stop, but additional businesses would make the area feel safer. I think it makes sense that homeless people share our community, but I don't want our community to be dominated by them to the point that I don't feel safe. I think they should treat Boulder with the same respect that other citizens have (i.e. don't talk too loudly or rudely on the bus or in the library). I don't feel safe taking the bus in the night or the early morning. The city should have an Ecopass for everyone so that more people take the bus and it feels more populated. I would also feel better if there were more police around and/or if there were a police person that the whole neighborhood knows.
- In the Dakota Ridge neighborhood: I walk my dog early in the morning (5:45 am) and sometimes late at night, and I don't feel safe. I saw a guy peeing in the bushes on 5th Street, I have seen people tagging the neighborhood, and I have seen people sleeping on the benches.
- The strip club is a real problem! Turn that area into an RTD hub.

Parent perspective (n=24)

On 11/7/2013, Mara Mintzer posted the following question to "Boulder Rock'n Moms Yahoo Group," a group utilized by a large number of parents (usually of small children) in the Boulder area:

> *North Boulder families: What do you like or not like about North Broadway? What are the key opportunities for that area? What actions can the City take in the new flood context?*
>
> *The City of Boulder is updating the North Boulder Subcommunity Plan, and they are looking for feedback from North Boulder residents about how the area of North Broadway (near, around and across from Protos) should continue to develop over the next 20 years. I want to make sure the voices of families and children are heard in this process. Please send me your ideas and the ideas of your children (no idea is too ridiculous) so that I can send them along to the City. I work for Growing Up Boulder (www.growingupboulder.org), in case you are wondering why I am asking these questions! Thank you in advance for your time.*

Twenty-four parents responded:

- There have been many voices to have some sort of water feature in north boulder and i completely agree. Although, I would take it a bit further than a splash pad... Boulder is lacking in quality outdoor aquatics! We have lived in a number of communities and this is the first where there isn't a great outdoor pool! We need a 50 meter/yard swimming pool, diving well, baby pool, and kid water play area. Please help bring this to north boulder!! I have seen other communities combine it with a skating rink and that would be great for skating and hockey... but please help with the pool!
- We would also love to see a play area for young kids. This town does a great job with fitness for adults and older kids, but there is hardly anything for young kids and practically nothing for toddlers and babies. A Gymboree or Peekadoodle would be amazing!
- More restaurants, please!! I know it may never happen but how about a healthy drive through? :) A Starbucks! We are always driving out of this community because there just aren't enough options. Believe me, if there were - we would be there bc it;s no fun to drive an hour round trip with little ones for food in the evening!
- I would love an arboretum or a botanic garden. The Chicago Botanic Garden is located in a suburb of Chicago so maybe we could have something like that here :) They had amazing train garden in the summer and moved it inside for the winter months (holiday theme). Kids loved it and it was amazing!!
- There need to be more teen hangouts. It would be great to have a skate park for teens in North Boulder. Scott Carpenter park is too crowded, with BMX bikes and skateboarders competing for space. Many of the skater kids hang out at Installation, a skating shop next to Whole Foods. The owner, Raoul, lets kids hang out there because they have nowhere else to go.
- A pool complex! With a splash pad play area, a kiddy pool and a big pool, and hot tub. Either public or private pool and tennis club.
  Indoor play space, with an indoor playground for crummy days. Look at
  Peekadoodle or Urban Recess as models. Both in San Francisco.
- I think relocating the Bus Stop strip club would be a great idea in a neighborhood where single family home prices are fetching upwards of 650k. I would assume that plan is in the works but know in general its better not to assume anything. Just my 2c. :)
- Yes! A huge splash pad in North Boulder Park.
- Another Lucky's grocer (sorry to whomever owns Lucky's; unless, they want a new project;) where the ROTC lot is (didn't it sell?).
- A pavilion at the community garden to block sunlight
- BURY the POWER-LINES ON GRAPE!!!
- I would love to see a library branch in north boulder.
- I think an indoor play space for the winter would be great and more storefronts, restaurants, shops would be great.
- I REALLY want to encourage folks to RESPOND TO THIS! In Boulder, suggestions from the community are often taken very seriously and actually implemented.
- My five-year-old's preschool class at Boulder Journey School, recently partnered with Growing Up Boulder on submitting ideas to revamp the Boulder Civic Area (around bandshell/Library/Dushanbe Teahouse/Boulder Creek). Not only did the City Council and designers listen to the kids and take their ideas seriously, the winning bid for the design consists mostly of ideas that came FROM THE KIDS! How cool is that?! When Boulder has an amazing, functional, family-friendly Civic Area to enjoy, you'll have a bunch of five-year-olds (among others) to thank :).
- A library would be great. And I second the indoor play space, retail storefronts, more cafés & restaurants. I'd love to see it all laid out in an interesting way, though. Like a winding pedestrian shopping area that one enters into, rather than just straight rows of shops along Broadway, would be cool. I'd love to hear other folk's ideas.

- Me too - an indoor play space (so lacking in Boulder) would be GREAT! There are so many families up here. And yes, more storefronts and placing for us to wander and visit during the day.
  I live in the Holiday neighborhood and think the big playground/park that was built down the street from Protos is terrible. It has no slides or swings or great climbing structures. It doesn't really make sense - Holiday is so community oriented and has so many families - but b/c the playground is pretty useless, no families with kids congregate there. I think it would make a HUGE difference to upgrade the park so people could have a place for kiddos of all ages to come and be with each other.
- My husband would like to see: at least one crosswalk and some kind of interactive trail for kids.
  Also, a playground with a splash pad or water play of some kind. There's so little shade up north because all the trees are so young. It's hot up there!
- So ladies my husband and I are considering opening an indoor playspace and would love to get feedback from people as to the type of things they are looking for. I have a concept but would love more input.
- Are people looking for a place to drop kids and come back or a fun place to hang while their kids play? Any input appreciated.
- It is so true- I don't understand that playground at all! We've visited it a couple of times when we stopped to check out the little library right there and my kids were done after about 2 minutes. They were more interested in running around the large grassy area.
- For the indoor playspace, this is a great model. I've been to the one in Oakland, CA several times and loved it. http://www.tumbleandteacafe.com/
- There used to be a place in N. Boulder called Playgrounds - from what I understand, it was a profitable business, but the people who started it had to move back east for family reasons and no bought it from the.
- Me personally, I love to hang with other parents and I am not comfortable dropping my kiddos off somewhere - so I am looking for a nice space that serves tea/snacks/etc - has lots of places for mommas and papas to chat and lots of safe, soft toys for kiddos to play on (think play - the new grandrabbits place), but with wifi, tea, food and tables for parents that don't have to supervise their kids 100% of the time. On that note, I'd also put out some really strong rules about kiddos who do need supervision and have parents that don't provide it, impacting everyone else, but that's another story.
- I would be happy to share more about playgrounds and/or other ideas (in my pre-children life, I was a pretty sharp marketing/business chick)...
- I had a similar idea a while back, but I wasn't prepared to raise funds, do a biz plan, etc., back then. When I visit my parents in Holland, MI, I take my daughter to Deanna's Playhouse, and I based my idea on it: http://lifeservicessystem.org/deannasplayhouse/index.html
- While Deanna's is a Christian-based, non profit combination play space and Parenting Place with wonderful parenting support and resources, I wanted to create just the play space. But now that Parenting Place is closed, perhaps this is an opportunity for you to pick up where they left off and provide similar services as well as a play space.
- Deanna's is huge, and is sponsored by local businesses with a $5 per person entry fee, keeping it accessible to lower income families. There are different activities and areas for babies and kids up to age 5, including an art room, music room and dress-up/stage. I think the liability of drop-off places is pretty big, and you would have to have highly trained employees, but it sure is convenient for parents. Deanna's is not drop-off, and in fact, they encouraged parents to play with their kids and not sit on the sidelines. You would have to decide if you want to keep the price low to allow economic diversity, or if you want it to be a premium destination. I would love for a play place to have a breadth of activities from non-electronic media to creativity zones to indoor play structures. Birthday parties too!
- My husband and I were just talking about this because we were in Westminster at JumpCity. There isn't a lot of indoor options for kids in Boulder. You have to go to the burbs. I looked into this once as business to possibly open. The challenge was the amount of space needed and the CRAZY prices here for leasing a building like that. The math just did not add up. Especially having to account for the slower summer months. I'm wondering if a space like that could get a bit of a price break? But, if offered some parenting services, maybe some grants would help.
- I think it would be awesome to have some sort of play place that was indoor and outdoor. If we are throwing out our ultimate wish list. I would love to have a super awesome indoor and outdoor pool. North Boulder Rec is pretty good, but it would be great to have something like that Indoor, but than an awesome outdoor pool for the summer. Something with fountains, slides, etc.
- But, something like that at our end of town would bring people from other parts of Boulder to our hood to eat, drink, shop, etc.
- Does anyone know if there is going to be any type of community meeting or anything to discuss?
- Mara- I love that you posted this question here, you know I have an opinion:)

  - An outdoor pool. Please. There are plenty of people from the South in the N. Boulder hoods and we just want our dang neighborhood pool like we had when when we grew up. A modern one like at Colorado Athletic Club. Not a horrible 1970's pool. Not directly in Dakota Ridge but close too it :)
  - Indoor play space- would love to have a Little Monkey business somewhere, just not sure if I want in N. Boulder. I don't want N. Boulder to become big box-ish or chain store-ish. Commercial but like W. or E. Pearl.
  - Walkable. N. Boulder destinations need to be walkable and connected by walking paths.
  - Something that encapsulates outdoor living, but not necessarily another playground. An amphitheater and park like Chastain Park in Atlanta.
  - Trees. Plant lots and lots of trees. Again a Southern thing.
  - More restaurants and small cafes.
  - Less industrial feel. Something to balance all the auto shops and storage units and U-haul establishments. Happy to co-exist but they are an industrial eye sore in my opinion. Not to make it too Stepford but I do in fact like that Connecticut towns require business and storefronts to adhere to a certain aesthetic for signage, building facades, etc. N. Boulder is the place to do that if Boulder ever did.
- I agree with a lot of what has already been said but would like to throw in my support for the following:
  - improvement of Holiday Park with better play structures;
  - an outdoor pool or at least a splash pad/fountain/water play area for kids (maybe at Foothills Community Park?);
  - an indoor play area would also be great (there used to be a place in Denver called The Village that had an indoor play area with an attached cafe that served food, coffee, wine and beer, etc.; it also held music, art, and other classes for kids and cooking classes for adults. Parents had to stay with their kids but I think a place where you could drop your kids off would also be great);
  - grocery store;
  - more retail, including restaurants. A family-friendly burger-beer place would be awesome (something like Southern Sun up here!);
  - library branch (more than what is going in at Yarmouth and Broadway).
- That's great you are considering opening a play space in N. Boulder. I had some feedback from indoor play spaces that I have bad experiences at to try to know what parents AREN'T looking for:
  - Parents that don't supervise their children, who are on their electronic devices and oblivious to everything else going on around them. I would almost say you should have a no-electronic device rule at the door.
  - Parents that have a kid that is too sick to go to daycare, or who has been sent home from daycare and bring their visibly sick kid (mucus running down their face, coughing, etc.) to the play space. The play space needs to be vigilant about cleaning.
  - Playspaces that have dangerous or not maintained pieces. I went to bouncetown one time in Longmont and one of the bounce castles was not inflated enough, and no employees or parents were supervising the kids, and one kid managed to push a stick up tube, down inside the bounce castle and then got himself stuck face down in the hole and almost suffocated before I had to go get his parents/store employees to get him out.
  - The JCC has a very simple tumbling room with lots of padded shapes that you can re-arrange and climb over which i really like.
- My husband and I feel we need:
  - More shade at all the parks, especially over the play structures
  - Water features, such as a pool and splash pad (most other Boulder neighborhood have this as part of their HOA or in the form of a public pool within easy walking/biking distance)
  - A fun, kid-friendly playground in Holiday
  - A safe bike-route on or near North Broadway (not safe for kids or cautious adults right now)
  - Indoor play space—both for little kids and another for bigger kids
  - Increased safety at the bus stop in front of the homeless shelter
  - More family-friendly restaurants—similar to Proto's (but we get sick of pizza every week and Proto's can be expensive)

FOOTHILLS ELEMENTARY: CHILD INPUT FOR NORTH-BOULDER SUB-COMMUNITY PLAN

Sample: 24 6-7 year-old children in grade 1 class at Foothills Elementary, Boulder, CO. (Note: This was a small convenience sample).

I. The City on the Wall

Method

- This activity was based on Stanley King's method *The City on the Wall (*http://youthmanual.blogspot.com/p/city-on-wall.html)
- The facilitator drew an 'original wild landscape,' and a person (you) arriving in a canoe, then asked the question: "What do you see, feel and smell here?" Next, the first house was built, then some friends' houses, and finally the glue factory, which children asked to be placed further away.
- Next, children were asked to draw on this landscape what they would like to see in their city (results in section a. below). This took place in groups of six. During this process the other three groups were asked where they currently like to go, and what activities they like to do in their actual city (results in section b. below).
- A discussion followed, where children were asked the following questions: "What do you see, or smell now?" "What do you like that would make you want to live here?" "Why would you not want to live here?" (Results in section c. below).
- In the final section of this activity children were asked: "What is the most important thing you would like to see in your city?" (Results below in section d.).

Results

a) City on the Wall drawing (see below). This drawing has numerous buildings, some parks, trees and play-structures, and is quite crowded and chaotic (which is generally the result of this activity). The children did not include any mode of transport other than walking (i.e. there were no depictions of cars, bikes or roads).

b) Answers to the question "Where do you like to go/what do you like to do in your city" fell under three general categories: City-based retail activities, city-based indoor/outdoor activities, and nature-based outdoor activities (see Table 1.).

Table 1. Children's Favoured Activities

City-based Retail	City-based Indoor/Outdoor Activities	Nature-based Outdoor Activities
Ice Cream	Swimming Pool	Boulder Reservoir
Toy Store	Football	Hike
Museum	School	Kayak
Mall	Roller-coaster	Camping
	Gymnastics	Summer Camps
	Swing on bars	Fishing
	Tag	Boulder creek – walk dog
	Sand Box	
	Play cops and robbers	
	Play hide and seek	
	Play with friends in park	

	Carnival		

c) Discussion of The City on the Wall image: Children's answers to the four questions are presented in Table 2.

Table 2. Children's perception of their 'City on the Wall'

What do you smell?	What do you see?	Why would you live here?	Why would you not live here?
Smoke	Happiness	Like trees	Too crowded
Bagels	Crowded		Too polluted
Garbage	Lots of trees		Small place with lots in it
Ice Cream	Glue factory nicely separated		Hard to find your way with all the houses
	Homes, spread out		
	Big difference from when it started – now it is a lot more polluted		

d) Table 3 shows the important things children said they would like to see in their city. The responses were divided into three major categories: Built structure, Nature/Environment, Other.

Table 3. Children's choices of important things in a city

Built Structure	Nature/Environment	Other
Pickle store	Nature	Peaceful song
Ice Cream Store	Crystal Cave	Skydiving off roofs
Animal Shelter	Hills	
Zoo*	Zoo*	
Mall	Waterfall	
American Girl Doll Store	Nature and green to be pretty	
Bakery	Park	
Big outdoor pool	Woods to be alone, with only birds around you	
Children's Library **	No pollution	

* Response included in two categories

** Teacher's response

II. Drawing Activity

Methods

The second activity was an extension of the first, asking children to create individual drawings of what they would like to see in their ideal city.

Results

The majority of children depicted **their homes** (n = 16) or **themselves** (n = 13) surrounded by **nature** (19). Most common forms of nature were the combination of green fields, trees and flowers (14). Many children also drew rivers and mountains, some included forests, one a green roof, one a vegetable garden, and one a crystal or diamond cave.

Two other major themes emerged with the analysis of the drawings: **Built structures**, other than one's home, were highly prevalent. These structures were most commonly a friend's house (4), or a store. Stores would be the following: candy store (2), general store (2), a toy store, rock store, bakery, and a pickle store. Other buildings included a homeless shelter, two animal shelters, dog-houses, a zoo, the White House, and a factory. Outdoor built structures were two playgrounds, two football fields, a pool, and a soccer field. **Animals** were also commonly depicted (in 10 drawings), mainly showing companion animals such as dogs, but birds or fish were also present, and in one case a ladybug, and one a monkey.

A large portion of children who drew themselves and other people, had the person pictured in an outdoor environment, about half the time participating in an **outdoor activity** (12 drawings). Only two children drew a person inside a building (one in own home, one in toy store). Most common outdoor activities were walking, riding a bike and riding in a boat. Other activities were hiking, paddle-boarding, climbing, walking a dog, swimming, playing in a garden or playground, sky-diving, and climbing a tree.

Less than half the children (n=9) included modes of **transportation** in their pictures. The major form of transportation depicted was walking, followed by riding a bike. Although roads or path were drawn in many cases, only two children drew cars, and neither put themselves in the vehicle. Public transportation was not depicted in any of the drawings.

About half of the children (n = 12) also used words, sentences or phrases to describe their ideas and recommendations. Listed below are the children's relevant quotes:

"Trees, nature."

"Zoo animals."

"I love biking!"

"I want to live in the mountains and get food from nature! I'll visit the animal shelter every day! I'll lay on the warm grass and listen and look at the birds!"

"I love my Mama. I love an love an love!"

"No polluted air."

"Make airplanes, make boats."

"Peaceful cabin in the woods."

"Not polluted air."

"I love to bike and swim and a peaceful song."

"I love the hot."

Appendix 3: 1995 Plan Implementation Background

The North Boulder Subcommunity Plan contains numerous recommendations, many of which have been implemented. These recommendations range from new development and design standards, capital investments in civic facilities, and new transportation connections. Some of the key items from the 1995 Plan that the city has implemented include:

- **Five new zoning districts**, including a Business Main Street (BMS) district that was used for a rezoning for the Village Center area;
- **Numerous new parks** in accordance with the 1995 Plan, including Foothills Community Park and Holiday Neighborhood Park;
- **Several annexations** of county enclaves consistent with the 1995 Plan; and
- **New transportation connections** made in accordance with the 1995 Plan as redevelopment has occurred.

1999 and 2012 North Boulder Aerial Images

1995 PLAN IMPLEMENTATION SUMMARY

Category	Implementation Item and Description	Implementation Status
Zoning and Land Use	**New Zone Districts and Development Standards** The 1995 Plan contains numerous recommendations for new North Boulder zone districts and development standards.	Five new zoning districts were created and properties were subsequently rezoned to: • A business main street zone, patterned after historic 'Main Street' business districts; • Three mixed use zones that provide a transition between the higher intensity business 'Main Street' and surrounding residential or industrial areas; and • A mixed density residential zone district.
North Broadway Area (Village Center and Yarmouth North)	**Village Center** The 1995 Plan calls for a Village Center concept on both sides of Broadway at around Yarmouth Avenue.	• The city has rezoned properties in the Village Center and Yarmouth North areas to BMS, MU-1, and RMX-2 (see current zoning map to the right). • The east side of the Village Center has seen significant redevelopment, but the west side has not. • These redevelopment areas have been largely consistent with the plan's goals for vertical mixed use and pedestrian-oriented design.
Community Facilities, Parks, and Open Space	**Parkland** The 1995 Plan recommends several new parks throughout the subcommunity.	Since 1995, the following parks have been built or are in the process of being built: • Foothills Community Park • Neighborhood Park on the Mann property • Holiday Neighborhood Park • The Elks Neighborhood Park is in the 2013-2018 Capital Improvements Plan • Dakota Ridge Neighborhood Parks
	North Boulder Library The 1995 Plan recommends a new Boulder Library branch in North Boulder	The NoBo Corner Library opened in 2014 at the corner of Yarmouth and Broadway. The 1995 Plan and many community members still supports a full service library in North Boulder.

1995 PLAN IMPLEMENTATION SUMMARY

Category	Implementation Item and Description	Implementation Status
Annexation	The 1995 Plan supports annexation of county enclaves (Area II properties) in the North Boulder Subcommunity.	Since 1995, several county enclaves have annexed into the city in the North Boulder Subcommunity. The map below highlights these areas: **ANNEXATIONS SINCE 1995 (OUTLINED IN RED)**
Transportation and Streetscape	**Development Compliance with Transportation Plan** The 1995 Plan recommended a new requirement for compliance with the Transportation Plan during development or redevelopment.	The city adopted an ordinance that requires dedication or reservation of Rights-of-Way in conformance with the North Boulder Subcommunity Transportation Plan.

1995 PLAN IMPLEMENTATION SUMMARY

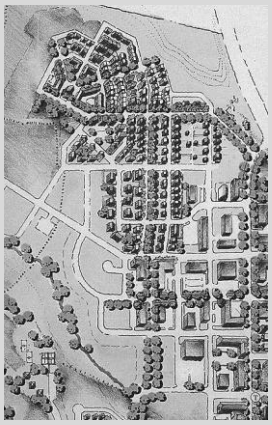
Category	Implementation Item and Description	Implementation Status
	North Broadway Streetscape The 1995 Plan recommended development and implementation of streetscape improvements along North Broadway	A draft North Broadway Streetscape Plan was developed and has been used as a guide to establish the streetscape design for Broadway from US 36 to Upland and improvements that were required when properties redeveloped (e.g., street trees, benches, lighting, on-street parking).
	Auto/Transit Improvements Right-of-Way Plan The 1995 Plan calls for transportation connections that encourage walking, biking, and transit use.	**Connectivity:** As new development has occurred in North Boulder (particularly north of Violet Avenue), connectivity has been enhanced by introducing more of a street grid consistent with the Auto/Transit Improvements Right-of-Way Plan. Streets have generally been designed to be narrower and more pedestrian friendly. **Enhanced Transit:** The 1995 Plan calls for enhanced transit service in North Boulder. The Auto/Transit Improvements Right-of-Way Plan recommends circulator transit routes through some of the North Boulder neighborhoods along with a route along US 36 connecting to shopping areas along 28th Avenue. Currently, bus service along Broadway only extends to Front Range Avenue and Broadway (one block north of Lee Hill Road). **US 36 Gateway:** The city has also not implemented a gateway feature where Broadway intersects with US 36, as recommended by the plan.[1]
Stormwater Utilities	The 1995 Plan recommends protection for riparian areas and utilization of flood plain areas for bicycle and pedestrian travel.	While not a specific implementation item from the 1995 Plan, the city completed the Fourmile Canyon Creek and Wonderland Creek Major Drainageway Planning effort in 2011. This document will inform future planning and development decisions in North Boulder, particularly in the Village Center area. Staff does not anticipate any updates to this study.

[1] See page 22 of the 1995 North Boulder Subcommunity Plan.

North Boulder Subcommunity Development Activity (1995-2013)

The 1995 Plan sets forth specific estimates for future growth in the North Boulder Subcommunity. Staff analysis of building permit records from 1995-2013 reveal the North Boulder Subcommunity is:

1995 Plan Concept for Lee Hill Road Area



2013 Development Pattern

The above images illustrate how the 1995 Plan helped shaped development patterns.

- **Approaching the 1995 Plan's Estimate for New Residential Units** - The 1995 Plan approximated between 1,629-1,784 new housing units would be built within "about 13-17 years" in the subcommunity based on a number of factors.[2]. According to city building permit records, approximately 1,700 new housing units have been built since the 1995 Plan. The city's growth projections for the North Boulder Subcommunity estimate an additional approximately 550 housing units by 2035.[3]
- **Adding More Retail than the 1995 Plan Estimated** – The 1995 Plan estimated 85,000 square feet of new retail subcommunity-wide. Since 1995, about 178,000 square feet of new retail has been built.
- **Adding Office Space at Faster Rate than the 1995 Plan Estimated** – From 1995 to 2013, the amount of new office space increased by 291% from approximately 100,000 square feet to approximately 391,000 square feet, exceeding the 1995 Plan's estimated new office space of approximately 299,000 square feet.

The tables that follow provide a more detailed summary of residential and nonresidential development activity since the 1995 Plan, along with existing land use and zoning.[4]

[2] These factors included Boulder Valley Comprehensive Plan density assumptions by zone district and growth rates consistent with the North Boulder projections from the Integrated Planning Project.
[3] The city's growth projections use a variety of factors from current zoning to future land use, to more qualitative analysis of specific sites with growth potential.
[4] SOURCES: North Boulder Subcommunity Plan, city building permit records. The numbers reflect building permits where Certificates of Occupancy (C.O.) were issued between 1995 and 2013. There are several developments under review that have not received C.O.'s to date.

NORTH BOULDER SUBCOMMUNITY-WIDE RESIDENTIAL DEVELOPMENT ACTIVITY (1995-2013)

	1995 Total	Percent of 1995 Total	1995 Plan Estimate for Future Units	New Since 1995	Total Units 2013	Percent of Total Units 2013	Increase 1995-2013
Attached Units	1,084	27%	n/a	1,096	2,180	38%	101%
Detached Units (includes mobile homes)	2,930	73%	n/a	635	3,566	62%	22%
Total North Boulder Subcommunity Wide Housing Units	4,014	100%	1,629-1,784 New Units	1,731	5,745	100%	43%

NORTH BOULDER SUBCOMMUNITY NONRESIDENTIAL DEVELOPMENT ACTIVITY

	1995 Count (sq. ft)	Percent of 1995 Total	1995 Plan Estimate for Future Square Footage	New Square Feet Since 1995	Total Square Footage 2013	Percent of Total 2013	Increase 1995-2013
Retail	200,000	27%	85,000	178,177	463,177	28%	89%
Office	100,000	13%	299,000	291,057	690,057	42%	291%
Industrial	450,000	60%	n/a	45,969	495,970	30%	10%
Total	750,000	100%		515,203	1,265,203	100%	69%

Existing Zoning and Land Use in the North Boulder Subcommunity

The following tables illustrate the current zoning and land use conditions in the North Boulder Subcommunity. Generally, the data shows that:

- Most of the subcommunity is zoned low or medium density residential;
- A significant portion of the subcommunity is zoned and used as public (open space, parks, etc);
- A higher percentage of land is *classified* as a commercial land use than the amount of land that is *zoned* for commercial, and
- A lower percentage of land is *classified* as an industrial land use than is actually *zoned* industrial.

EXISTING LAND USE BY LAND AREA, NORTH BOULDER SUBCOMMUNITY[5]

Name	Acres	Percent
Agricultural	1.0	0.07%
Commercial	103.7	6.9%
Industrial	3.7	0.2%
Mixed Use	11.4	0.8%
Residential	1,088.5	72.4%
Public/Institutional	204.7	13.6%
Vacant	90.7	6%

EXISTING ZONING BY LAND AREA, NORTH BOULDER SUBCOMMUNITY

Zone District Category	Acres	Percent
Agricultural	17.8	1.0%
Commercial	23.9	1.2%
Industrial	120.1	6.0%
Mixed Use	34.8	1.7%
Residential	1,391.1	69.9%
Public/Institutional	222.5	11.2%

[5] SOURCE: Boulder County Assessors Office (based on how the county classifies land uses, which may not align with city zoning classifications).

MAJOR DEVELOPMENTS IN NORTH BROADWAY AREA (1995-2013) Date: 8-15-13

	Construction Date	Approx. Site Size	Characteristics
1. Holiday	2003-2005	27 acres	324 residential units (187 market rate units and 137 permanently affordable units), 55,164 square feet of non-residential space and a 1.7 acre park.
2. Dakota Ridge	2001 – present	42 acres	420 residential units composed of 195 apartments, 65 townhouses and 130 single-family homes, and 30 (possible) commercial area conversion units. In addition, 23,025 square feet of office/retail space is located in the Neighborhood Center.
3. Uptown Broadway	2003, 2008	8.5 acres	223 residential units and 40,337 square feet of mixed use commercial space
4. Westview	2011-2012	1 acre	34 permanently affordable residential units that meet the affordable housing requirements for the development for the Residences at 29th
5. Foothills	2001-2002	5 acres	75 permanently affordable units in duplexes, fourplexes, townhomes, apartments, carriage units, a group home and a community center
Pipeline/Under Review			
6. 820 Lee Hill	2014 (expected)	6 acres	32 single family detached homes proposed
7. Violet Crossing	2013 (expected)	4.7 acres	10 two- and three-story buildings that house 78 market rate apartments and 20 affordable apartments
8. 1000 Rosewood	2013 (expected)	4.5 acres	18 dwelling units (16 single family units, 2 duplex units)
9. 1175 Lee Hill	2014 (expected)	1.2 acres	2 story multifamily transitional housing with 31 units

Total number of housing units in pipeline/under review: 179 (including 31 transitional housing units)

APPENDIX 4: IMPROVEMENT DISTRICT BACKGROUND

An improvement district is a private sector initiative to manage and improve the environment of a business district with services financed by a self-imposed and self-governed assessment. Similar to a common area maintenance (CAM) charge commonly found in shopping malls and office parks, improvement districts can help a business district increase its competitiveness in the regional marketplace. Services financed by an improvement district are intended to enhance, not replace, existing city services.

Benefits of Improvement Districts

Benefits from improvement districts, which can stretch well beyond their boundaries, include:

- Creating and maintaining a cleaner, safer and more attractive business district;
- Ensuring stable and predictable revenues;
- Providing innovative management;
- Responding quickly to market changes and community needs;
- Promoting distinct identities in business districts;
- Leveraging resources; and
- Creating a unified voice to increase a business district's influence.

Colorado Improvement Districts Law

Colorado's Improvement District Law of 1988[1] includes the following key provisions:

- Improvement districts can finance a wide variety of services, including marketing, maintenance, economic development, public safety, planning, events, and parking management.
- Improvement districts are accountable to those who pay through an improvement district board of directors comprised of property and business owners within the district.
- Services financed by an improvement district are usually provided by a private sector organization, not government.
- Improvement districts require demonstrated support from owners of personal and real property representing more than 50% of assessed value and acreage.
- The "Taxpayers Bill of Rights" (TABOR) requires a vote by owners of real and personal property and lessees and residents of commercial property within a district to approve the assessment.
- Controls and safeguards can include a cap on assessments and a periodic review to ensure that improvement district services are effective.

Boulder Improvement Districts

Current city improvement districts and their purposes include:

- Boulder Junction Access and Parking Districts: Created in 2010 for parking related services and improvements and providing travel demand management programs such as EcoPasses, car share, and bike share. Property tax based with parking revenues and bonding capacity.
- Central Area (CAGID): Created in 1970s for parking and related improvements, property tax based with bonding capacity.
- University Hill (UHGID): Created in 1970s for parking and related improvements, expanded in 1987 to include public right of way maintenance, streetscaping, landscaping, signage, etc. Property tax based with parking revenue and bonding capacity.
- Downtown Business Improvement District: Created in 1999 in the downtown for enhanced maintenance, marketing, and business development. Property tax based.
- Forest Glen EcoPass District: Created to pay for EcoPasses for residents, property tax based.

[1] C.R.S 31-25-602.

Colorado Special Financing Districts Summary

	Business Improvement District (BID)	Downtown Development Authority (DDA)	Urban Renewal Authority (URA)	General Improvement District (GID)	Special Improvement District (SID)
Background	Quasi-municipal organization is a subdivision of the state. All property assessed in a BID must be commercial. Boundary may or may not be contiguous.	Quasi-municipal organization intended to halt or prevent deterioration of property values or structures in Central Business District.	Established to eliminate blighted areas for redevelopment by purchasing, rehabilitating, and selling land for development.	Quasi-municipal organization that is a subdivision of the state. Can provide a wide range of services.	An assessment district which is not a subdivision of the state, nor is it separate from the municipality.
Focus Areas	Management, Marketing, Advocacy, Economic Development	Real Estate Development, Infrastructure, Operations	Real Estate Development, Rehab, Financing, Infrastructure	Capital Improvements, Public Facilities, Maintenance	Capital Improvements, Infrastructure
Formation Process	Approval by petition of property owners representing 50% of acreage and 50% of value of proposed district; Council ordinance; TABOR election.	City ordinance subject to vote by affected property owners; TABOR election.	Finding of blight; Petition by 25 electors; Council resolution.	At least 200 or 30% of, whichever is less, electors of the proposed district must sign petitions; If all taxable property owners in the district sign a petition, public hearing can be waived.	Need petitions from property owners who will bear at least 50% of the cost of the improvement; ordinance forms district.
Assessment Method	Assessment or mill levy on commercial property	TIF on property and/or sales and 5 mill property tax for operations	TIF on property and/or sales tax	Property tax and income from improvements	Assessments on property
Pros/Cons	Very flexible entity that can finance improvements and provide services.	Ability to finance improvements and provide services; through general mill levy and TIF increment. Needs approval from other county entities to collect increment.	Can generate sales and/or tax increment to finance future development. Increment needs approval from county entities.	Only those in district can authorize and pay for improvements. Requires petition and election.	Equitable: only those who benefit pay. Difficult to form – requires election. City constructs improvements.
Governance	Minimum 5-member board appointed by Mayor or governing body; Can also be elected.	5-11 member board appointed by City Council.	5-11 member commission appointed by City Council.	Governing body is ex-officio board.	City Council
Can they…					
Operate Facilities?	Yes	Yes	Yes	Yes	No
Levy property tax with voter approval?	Yes	5 mill property tax for operations	No, but can use TIF	Yes	No
Levy sales tax with voter approval?	No, but may create SID within BID	No, but can use TIF	No, but can use TIF	No	No
Issue GO bonds with voter approval?	Yes	Bonds secured by property tax	Yes	Yes	No
Issue revenue bonds?	Yes	Increment can be issued by municipality	Yes	Yes	Yes
Issue special assessment bonds?	Yes	No	No	Yes	Yes

Source: Progressive Urban Management Associates, Colorado Revised Statutes 31-25

CITY OF BOULDER
BEVERAGE LICENSING AUTHORITY
*** * * MINUTES * * ***
WEDNESDAY, SEPTEMBER 17, 2014, 3:00 P.M.
CITY COUNCIL CHAMBERS
MUNICIPAL BUILDING – 2ND FLOOR
1777 BROADWAY, BOULDER, COLORADO

NAME OF BOARD/COMMISSION:	Beverage Licensing Authority (BLA)
DATE OF MEETING:	September 17, 2014
NAME & PHONE OF PERSON PREPARING SUMMARY:	Mishawn Cook, Licensing Manager (303-441-3010) Kristen Huber, Licensing Specialist (303-441-3034)

NAMES OF MEMBERS, STAFF, AND INVITED GUESTS PRESENT:

Board Members: Steve Wallace, Harriet Barker, Lisa Spalding, David Timken, and Tim McMurray.

Staff Present: Sandra Llanes, Assistant City Attorney, Mishawn Cook, Licensing Manager, Michele Lamb, Tax and Licensing Administrator, and Kristen Huber, Licensing Specialist.

QUASI-JUDICIAL MEETING OUTLINE OF AGENDA

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1. **Member roll call; Approval of Beverage Licensing Authority (BLA) minutes from August 20, 2014, and hearing agenda issues from licensing clerk.**

   Roll call was taken. A quorum of five BLA members attended with all members present. Member Spalding suggested one change to the August 20, 2014 draft minutes. Member Barker moved, McMurray seconded, to approve the August 20, 2014 minutes as amended. Motion approved 5:0.

   Ms. Cook stated that a hearing would not be convened for Agenda Item #7 because Licensing staff did not receive a complete application.

   Ms. Cook noted that she had additional comments for Agenda Item #13 regarding the Folsom Field and Coors Event Center temporary modifications which she would explain under that item.

   Ms. Cook also stated that a representative of LYFE Kitchen had requested that Agenda Item #11 be moved to the beginning of the hearing. Rachel Mitchell, Member and Registered

Manager of LYFE Kitchen, then requested to have Agenda Item #11 moved to the beginning of the hearing. The BLA agreed to the change and Agenda Item #11 proceeded after Agenda Item #4.

2. **Matters from the Boulder Police Department (BPD).**

   Officer Kaufman appeared on behalf of the BPD and stated that there were no matters to discuss.

3. **Matters from the Responsible Hospitality Group (RHG).**

   Ms. Cook stated that the RHG would not be attending the hearing. Ms. Cook also noted that a state training for liquor licensees would be held in the Council Chambers on Thursday, September 18, 2014.

4. **Jennifer Korbelik, Community Coordinator, City of Boulder, and Susan Stafford, Director, Off-Campus Housing and Neighborhood Relations, University of Colorado Boulder.**

   Ms. Korbelik and Ms. Stafford presented to the BLA about their collaborative efforts regarding alcohol in the community.

5. **Show cause hearing concerning a May 31, 2014 violation and whether the Hotel-Restaurant type liquor license held by Back Country Pizza and Tap House, LLC d/b/a Back Country Pizza and Tap House, 2319 Arapahoe Ave, Boulder, CO 80302, should be suspended or revoked.**

   This item proceeded after Agenda Item #11. An audio CD was entered as Exhibit 1, a fully executed stipulation was entered as Exhibit 2, and a Proof of Training form was entered as Exhibit 3.

   John Fayman, Registered Manager, and Mary Boerman, General Manager, were sworn in and confirmed the ten day premise posting under oath. Hearing procedures were read. No BLA members disclosed ex-parte communications or conflicts of interest.

   Janet Michels, Assistant City Attorney, stated that a stipulation to the facts in this matter had been reached. The fully executed stipulation was entered as Exhibit 2. Member Spalding moved, Barker seconded, to accept the stipulation to the facts. Motion approved 5:0.

   Mr. Fayman and Ms. Boerman provided testimony regarding mitigating evidence.

   The BLA noted mitigating factors. Member Wallace moved, McMurray seconded, to set this violation penalty at 3 suspension days served with 11 days held in abeyance. Motion approved 5:0.

   The licensee requested to serve the 3 suspension dates from October 6 to October 8, 2014. Member McMurray moved, Spalding seconded, to accept the requested 3 suspension dates from October 6 to October 8, 2014. Motion approved 5:0.

6. **Public Hearing and Consideration of whether there is good cause for a non-renewal of a July 21, 2014 non-administrative renewal application from Xianfa Inc. d/b/a Yurihana, 6525 Gunpark Drive, Suite 330, Boulder, CO 80301; Lian Hua Xian, President and Registered Manager; with a premise business mailing address, for a renewal of a Hotel-Restaurant type liquor license.**

   Lian Hua Xian, President and Registered Manager, and Kiki Choung, translator, were sworn in and confirmed the ten day premise posting under oath. Hearing procedures were read. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

   Ms. Cook stated that the sales tax division would now approve this license renewal.

   Mr. Xian and Ms. Choung provided testimony regarding the renewal application.

   Member Barker moved, Timken seconded, to approve this renewal application for a Hotel-Restaurant type liquor license with a condition of non-administrative renewal in 2015. Motion approved 5:0.

7. **Public hearing and Consideration of an application from non-profit, The Humane Society of Boulder Valley, Inc, with Jeff Mason, Event Organizer, for the Boulder Marathon event at Boulder Reservoir, 5565 N. 51st Street, Boulder, CO 80301; for a Special Event Liquor Permit on Sunday October 5, 2014.**

   This item was not discussed as Licensing staff did not receive a complete application.

8. **Public hearing of a May 22, 2014 application from Jamieson S. St. John d/b/a Jamieson S. St. John, 1325 Broadway, Suite 201, Boulder, CO 80302; Jamieson St. John, Owner and Registered Manager; with a business mailing address at 8471 Turnpike Drive, Suite 222, Westminster, CO 80031; for a transfer of a Hotel-Restaurant type liquor license.**

   Dan Carr appeared as the licensee's attorney. Jamieson St. John, Owner and Registered Manager, was sworn in and confirmed the ten day premise posting under oath. Hearing procedures were waived. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

   Mr. St. John provided testimony regarding the license transfer application.

   Member Spalding moved, Barker seconded, to approve this transfer application for a Hotel-Restaurant type liquor license. Motion approved 5:0.

9. **Public hearing of a July 9, 2014 application from Botte Piccola d/b/a PMG, 2018 10th Street, Boulder, CO 80302; Emily Gold, Owner, and Burton Daniel, Registered Manager; with a premise business mailing address, for a transfer of a Hotel-Restaurant type liquor license.**

   Emily Gold, Owner, and Burton Daniel, Registered Manager, were sworn in and confirmed the ten day premise posting under oath. Hearing procedures were read. Member McMurray

disclosed that he knew Mr. Daniel and Member Spalding disclosed that she read an article about PMG in the Daily Camera. No other BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

Mr. Burton and Ms. Gold provided testimony regarding the transfer application. A copy of the restaurant menu and wine list was entered as Exhibit 1.

Member Spalding moved, Barker seconded, to approve this transfer application for a Hotel-Restaurant type liquor license. Motion approved 5:0.

10. **Public hearing of a July 16, 2014 application from Boulder Indoor Soccer, Inc. d/b/a Boulder Indoor Soccer, 3203 Pearl Street, Boulder, CO 80301; Simone Smead, President and Owner, Patricia Amman, Vice President and Owner, Peter Ambrose, Secretary and Owner, and Patrick Keane, Treasurer, Owner, and Registered Manager, with no other members holding over a 10% interest; with a business mailing address at 2845 29th Street, Suite B, Boulder, CO 80301, for a new Beer and Wine type liquor license.**

    Peter Ambrose, Secretary and Owner, was sworn in and confirmed the ten day premise posting under oath. Hearing procedures were waived. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

    Mr. Ambrose provided testimony regarding the license application and neighborhood petition results.

    Member McMurray moved, Barker seconded, to approve this new Beer and Wine type liquor license. Motion approved 5:0.

11. **Public hearing of a July 21, 2014 application from Cita Corp, LLC d/b/a LYFE Kitchen, 1600 Pearl Street, Suite 100, Boulder, CO 80302; DJ Mitchell, Member, and Rachel Mitchell, Member and Registered Manager; with a business mailing address at P.O. Box 100505, Denver, CO 80250, for a new Hotel-Restaurant type liquor license.**

    This item proceeded after Agenda Item #4 per the licensee's request. Carol Johnson, representative of Esquire Petioning Services, DJ Mitchell, Member, and Rachel Mitchell, Member and Registered Manager, were sworn in and confirmed the ten day premise posting under oath. Hearing procedures were read. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

    Ms. Johnson provided testimony regarding the neighborhood petitions.

    Mr. Mitchell and Ms. Mitchell provided testimony regarding the license application.

Member McMurray moved, Barker seconded, to approve this new Hotel-Restaurant type liquor license. Motion approved 5:0.

12. Matters from the Assistant City Attorney:

Sandra Llanes, Assistant City Attorney, stated that the proposed changes to the BLA Rules of Procedure are on the City Council agenda for December 2, 2014.

13. Matters from the Licensing Clerk:

A. <u>Informational items:</u>

i) September Special Events and Temporary Modifications

Ms. Cook noted that the list included temporary modifications for Folsom Field East Stands and Folsom Field West Stands for home football games. Ms. Cook also noted that she anticipated a temporary modification application for the Coors Events Conference Center for home basketball games.

Ms. Cook stated that Licensing staff is increasing on-site inspections for Special Events.

ii) September Liquor License renewal mailing list

This material was stated to be in the hearing packet.

Ms. Cook stated that the videos for the BLA Special Hearing on October 30, 2014 for the Press Play matter would be distributed on flash drives.

14. Matters from the Chair and Members of the Authority

Member Spalding inquired about the temporary modifications for Folsom Field East and Folsom Field West and Ms. Cook further explained the modifications. Member Spalding also inquired about the new Illegal Pete's location on University Hill. Ms. Cook stated that she would research it.

ADJOURNMENT

Member Barker moved, McMurray seconded, to adjourn the meeting. Motion approved 5:0, thus the hearing was adjourned at 6:03 p.m.

TIME AND LOCATION OF FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS:

3rd Wednesday of every Month at 3PM in City Council Chambers for 2014.

Attested: Approved:

Mishawn J. Cook, Tax and License Manager Chair of Beverage Licensing Authority

City of Boulder
BOARDS AND COMMISSIONS MEETING SUMMARY FORM

NAME OF BOARD/COMMISSION: Human Relations Commission

DATE OF MEETING: Sept. 15, 2014

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Robin Pennington 303-441-1912

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:
Commissioners – Amy Zuckerman, Shirly White, Emilia Pollauf, Nikhil Mankekar
Staff – Karen Rahn, Carmen Atilano, Kim Pearson
Commissioners absent - José Beteta

WHAT TYPE OF MEETING (CIRCLE ONE) **[REGULAR]** [SPECIAL] [QUASI-JUDICIAL]

AGENDA ITEM 1 - CALL TO ORDER – The Sept. 15, 2014 HRC meeting was called to order at 6:01 p.m. by **A. Zuckerman.**

AGENDA ITEM 2 – OATH OF OFFICE: Nikhil Mankekar

AGENDA ITEM 3 – AGENDA ADJUSTMENTS – None.

AGENDA ITEM 4 – APPROVAL OF MINUTES – E. Pollauf moved to accept the Aug. 18, 2014 minutes**. S. White seconded** the motion. **Motion carries 4-0.**

AGENDA ITEM 5 – COMMUNITY PARTICIPATION (non-agenda action items) –
Alphosnse Keasley spoke on the visit of Fulbright Dr. Maphosa and invited the commissioners to the reception to be held for him next week. **Francisco Uribe** expressed concern that only five DMV offices in the state are available to issue license and identifications to undocumented persons, and requested that the HRC recommend City Council to place on their Legislative Agenda a request that the state request funding for additional offices.

AGENDA ITEM 6 – ACTION ITEMS

A. Living Wage Issue –Harry Hempy, Green Party candidate for governor, spoke in support repealing the statute preventing municipalities from establishing a minimum wage and the importance of the role of government to protect wages. **Neil DiMuccio** spoke in support of raising the minimum wage in Boulder, and the struggle to earn an income above the poverty level despite having both a bachelor's and a master's degree. **Francisco Uribe**, a member of the Immigrant Advisory Committee, spoke about the difficulties faced by his Hispanic friends who hold two and three jobs in order to pay rent, utilities and buy food. **S. White** gave a report on the Living Wage Forum that was held on Sept. 2 and proposed that the HRC host a special meeting in October for a living wage public hearing. A discussion was held among the commissioners and staff regarding possible dates, venues and methods of publicizing the event. **S. White moved** to approve**. E. Pollauf seconded. Motion carries 4-0.**

AGENDA ITEM 7 – DISCUSSION/INFORMATIONAL ITEMS

A. Work Plan Update

1. **Resolution on Unaccompanied Immigrant Children** – **C. Atilano** reported on the revision of the document from a declaration to a resolution, and that it is scheduled to go before City Council on Oct. 7.
2. **Marriage Equality – A. Zuckerman** reported that the Colorado Supreme Court announced that it would take a case this year.
3. **Proclamations**
    a. **PrideFest – A. Zuckerman** stated that she had brought a copy of the

declaration which was presented on Sept. 14 at PrideFest.

b. **Celebration of Immigrant Heritage – C. Atilano** noted that the proclamation will be read at the Sept. 16 council meeting and accepted by Commissioner José Beteta.

4. **October through December HRC Meeting Location –** C. Atilano noted that the October, November and December HRC meetings would be held in the 1777 West Conference room instead of Council Chambers.

B. Bolder Boulder – No updates were provided.

C. Event Reports – A. Zuckerman attended the Sept. 14 PrideFest event and commented that the HRC has funded a lot of work around transgender issues and looked forward to the formal report from Out Boulder. **E. Pollauf** attended several events at the Americas Latino Eco Festival that took place Sept. 11 – 15.

D. Follow Up Tasks – Submit the approved August minutes, look into holding a Living Wage Public Hearing on Oct. 26 at Sacred Heart Church and a second hearing later that week, continue to work on the **Resolution on Unaccompanied Immigrant Children**, confirm that **J. Beteta** will appear before City Council to read the **Celebration of Immigrant Heritage Proclamation,** prepare recommendations around minimum wage and opening more DMV offices for HRC to submit to City Council for consideration for their legislative agenda.

AGENDA ITEM 8 – IMMEDIATE ACTION ITEMS – None. It was noted that interpreters would be needed for the Living Wage Public Hearing.

AGENDA ITEM 9 – Adjournment – **E. Pollauf moved** to adjourn the Sept. 15, 2014 meeting. **N. Mankekar seconded** the motion. **Motion carries 4-0.** The meeting was adjourned at 7:00 p.m.

TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS: The next regular meeting of the HRC will be Oct. 20, 2014 at 6:00 p.m. at 1777 West Conference Room, Municipal Building, 1777 Broadway St.

CITY OF BOULDER
BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING
MINUTES

Name of Board/ Commission: Library Commission

Date of Meeting: July 9, 2014 at the Reynolds Branch Library, 3595 Table Mesa Drive, conference room

Contact Information Preparing Summary: Jennifer Bray, 303-441-4160

Commission Members Present: Anne Sawyer, Donna O'Brien, Anna Lull, Paul Sutter, and Joni Teter
Commission Members Absent: None

Library Staff Present:
David Farnan, Director of Library & Arts
Jennifer Miles, Deputy Library Director
Linda Cumming, Reynolds Branch Manager

City Staff Present:
Jennifer Bray, Communications Specialist III
Glenn Magee, Facilities Design and Construction Manager

Public Present:
No members of the public attended the meeting.

Type of Meeting: Regular

Agenda Item 1: Call to Order and Approval of Agenda **[6:00 p.m., Audio 0:20 sec]**

The meeting was called to order at 6:00 p.m.

Agenda Item 2: Public Participation **[6:00 p.m., Audio 0:43 sec]**

No members of the public were in attendance.

Agenda Item 3: Consent Agenda **[6:00 p.m., Audio 0:54 sec]**

Item 3A, Approval of May 7, 2014 Library Commission Meeting minutes.
Sawyer emailed suggested changes to the commission prior to the meeting. Teter motion was made to approve the minutes as amended. Vote: 5-0, approved unanimously.

Item 3B, Approval of May 14, 2014 joint Arts Commission and Library Commission meeting minutes.
It was noted that the Arts Commission has already approved these minutes at the May 21, 2014 Arts Commission meeting. Sawyer said there was a request for more information on the Community Cultural Plan. Teter asked Farnan to summarize the staff's perspective of the meeting discussion and asked the commission if there was value in capturing more detail about the discussion on public art and what public art means. Sawyer asked for agreement from the commission to direct staff to include more information in the minutes on the Community Cultural Plan and public art or to leave the minutes as written. Sutter supported adding additional detail. Sawyer made a motion to add additional information as noted to the minutes. Vote: 5-0, approved unanimously.

Item 3C, Motion to approve Warner Charitable Trust donation.
Sawyer gave a short summary of Alex Warner's biography, which is included in the Library Commission Handbook. This information came from the Carnegie Branch Library for Local History. Sutter moved, and Lull seconded, to approve the resolution as offered in the agenda packet. Vote: 5-0, approved unanimously.

Agenda Item 4: Commission Priority Discussion and Input **[6:09 p.m., Audio 9:20 min]**

Item 4A, Main Library renovation project update (p. 10-12)
Magee presented information regarding the construction update and a project budget update, as well as a summary of the Teen Space grand opening to the public, which was held on June 26, 2014. Magee discussed some of the new furniture, noted that the raised floor installation in the Reference area is almost completed, that the chiller has been installed and is operational and temperatures are noticeably cooler. Magee raised library staff for the way they're handling the shelving changes. Magee noted that Aimee Schumm has completed the contract for the new automated materials handling/RFID system, and that Interlock Construction may be working to prepare the space for the new system. In the north wing of the Main Library, Facilities and Asset Management staff have completed the remodel of the Channel 8 offices to include new Communication staff offices. Legal agreements for the bridge café are still

being finalized.

Commission discussion, questions, and comments included:

- Flood improvements? Newer flood study indicated that fewer improvements need to be made. Staff are working to have flood walls built, waterproofing the basement, and putting funding toward fixing skylights, repairing leaks in windows, roof and balconies, as well as in Ch. 8 studio area of building.
- Any potential for unexpected surprised? Yes, there was a railing issue a few weeks ago which was handled, we had a learning curve on the now completed Teen Space as far as equipment storage, and this is all good experience before we tackle the larger projects such as the phase 3 children's area. Interlock Construction has been fabulous.

Item 4B, Discussion of commission priority goals with respect to a library district

Sawyer asked fellow commissioners if they would like to begin a discussion about a library district and, if so, what would their goals be? There was agreement that more information about funding would be helpful. A question was raised about whether or not commissioners would want to identify an expanded taxing area for a districting question. After more discussion, Sawyer proposed tabling this district discussion until it is determined to be part of, or a goal of, the library master plan update. Any library districting question would be deferred until late 2016 when master plan update is completed, if it was determined to be something the Library Commission wanted to pursue. Vote: 5-0, passed unanimously.

Commission discussion, questions, and comments included:

- Lull wondered if BPL has been approached by other libraries for a district discussion? Broomfield and Louisville are not interested in becoming a district.
- Teter fine with tabling this discussion, and noted that becoming a district would be about more than just funding, but about what kind of library services we want to provide. Colorado already has more special districts than any other state. The county does not get library services for free, but the agreement was that they would provide social services and cities would provide library services. Farnan noted that, per capita, BPL is one of the best financed libraries in Colorado.
- O'Brien asked what the timing is for the master plan update? Update will begin in September 2015 and run through August 2016, with implementation beginning in January 2017.

Agenda Item 5: Matters from the Commission **[6:36p.m., Audio 36:26 min]**

5A: Review and update of Library Commission bylaws (p. 13-16)

Commission voted unanimously to update the bylaws. Sawyer emailed changes to the bylaws to the commissioners prior to the meeting. See page 2 of July meeting handout at: http://www.boulderlibrary.org/pdfs/commission/2014/handouts/14JulHandouts.pdf . Vote: 5-0. Sawyer's amendment will be voted on at the August Library Commission meeting.

5B: Preparation for July 26, 2014 Library Commission retreat (p. 17)

The final agenda packet will be distributed the Tuesday prior to the retreat on July 22.

Commission discussion, questions, and comments included:

- Teter asked if there was a document outlining the role of the Library Commission? There is a statement, but we should get samples from other libraries to help in defining role in respect to staff, the public, the Arts Commission. There is charter language, and legal responsibilities of the commissioners. This will be discussed further at the retreat as far as what commissioners think their role is, and what staff thinks, and how commissioners may be helpful to staff.
- The 2013 communications guidelines and the working document from a retreat a few years ago will be circulated, and Miles will include in the retreat packet.
- Farnan stated that the charter was last updated in the 1980s, and gives the commission broad operational authority, and almost no mention of strategy. Mentions commissioners being beholden to the city manager, and does not mention commissioners acting on behalf of the general public.
- Teter said that in the bylaws, commissioners must be at least 18 years old to serve, and asked if we would want to change that, and perhaps strengthen relationship with the Boulder Teen Advisory Board.

5C: Library Commission update (from memo) (p. 18-19)
There were no comments or questions about this item.

5D: Statement of support for public art at the library
After last commission meeting in May, Sutter had drafted a statement in support of public art. Commissioners discussed and made revisions to the statement to be as follows:

"In the wake of the recent proposed public art installation at the Main Library, the Library Commission wishes to express its general support for public art in and around the libraries. We believe that public art enriches our libraries as public spaces and adds to the cultural experiences essential to the mission of the BPL. We support a robust public art selection process that includes substantial opportunities for public input."

Sutter moved to approve the statement as listed above, O'Brien seconded. Vote: 4-1, Teter opposed. Motion passes. (Note: The minority opinion is attached.)

Agenda Item 6: Matters from the Department **[7:10 p.m., Audio 1 hr., 10:23 min.]**

6A: Library update (from memo) (p. 20-23)

- Update on the 2014 budget adjustment to base budget process
- Temporary public art projects and process

Sawyer made a motion to support the public art projects as defined in the memo, Lull seconded. Vote: 5-0, passes unanimously.

- Review of City Council feedback from June 10, 2014 study session
- "The Foundry" tech lab user agreement
- Status of the proposed changes to library rules of conduct
  (Commission will discuss at Aug. 6, 2014 meeting)
- Commission handbook updates
- Updated on library consortium
- Update on Prospector

Agenda Item 7: Future Items and Scheduling **[7:31 p.m., Audio 1 hr., 31:37 min]**

- Next meeting Aug. 6, 2014 at Main Library, and the Foundry's grand opening is the next day, at 10 a.m.
- Would commissioners like to tour The Foundry before dinner or at the beginning of the Aug. 6 meeting? Was decided to do tour at 5 p.m. before dinner.
- Update on the proposed changes to rules of conduct
- Library renovation update, update on city manager's recommended budget, update on library website, and making a motion on library commission bylaws. Civic area behaviors will be discussed at Sept. meeting.

Agenda Item 8: Adjournment **[7:36 p.m., Audio 1 hr., 36 min.]**
There being no further business to come before the board at this time, the meeting was adjourned at 7:36 p.m.

Date, Time, and Location of Next Meeting:
The next Library Commission meeting will be at 6:00 p.m. on Wed., Aug. 6, 2014, at the Main Library in the Arapahoe Conference Room, 1001 Arapahoe Ave., Boulder, CO 80302.

Commissioner Sawyer approved these minutes on September 24, 2014; and Carrie Mills attested to this approval on September 24, 2014.

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

LIBRARY COMMISSION MEETING
JULY 9, 2014

Minority Opinion on the "support for public art" motion

I strongly support the notion that "arts" are a part of the BPL mission. My concern was with the motion's wording. "Public art" in Boulder has been focused on monumental works associated with facilities for at least the last 20 years. While there are times and places when monumental art is appropriate, I believe that "public art" in the context of the Library's mission has a much broader meaning, including interactive, temporary, and educational art, in a wide range of media and forms.

The July motion was prompted by the controversy over the City's most recent foray into "monumental art." I thought it was important to clarify that the "public art" support by the Library Commission goes beyond monumental art to encompassing a broader vision. I have no doubt that my fellow Commissioners are equally supportive of this broader definition. However, our shared vision would not necessarily be obvious to someone reading a motion to support "public art," given the context and historic associations with that term.

Submitted by Joni Teter

CITY OF BOULDER
BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING
MINUTES

Name of Board/ Commission: Boulder Public Library Commission Annual Retreat

Date of Meeting: July 26, 2014 at the Meadows Room, Chautauqua Meeting House, 900 Baseline Rd.

Contact Information Preparing Summary: Jennifer Miles, 303-441-3106

Commission Members Present: Anne Sawyer, Donna O'Brien, Anna Lull, Paul Sutter, and Joni Teter
Commission Members Absent: None

Library Staff Present: David Farnan, Director of Library & Arts
Jennifer Miles, Deputy Library Director
City Staff Present: Jane Brautigam, City Manager

City Council Members Present: Tim Plass
Facilitators: Sharon Morris, Director of Library Development, Colorado State Library
Jacqueline Murphy, Library Community Programs Senior Consultant, Colorado State Library
Public Present:
Alice McDonald
Peter Richards

Type of Meeting: Retreat

Agenda Item 1: Introduction and Review of Agenda and Outcomes
The meeting was called to order at 9:08 a.m. Facilitators Morris and Murphy introduced themselves and acknowledged the commitment of the Library Commission to the community. The following outcomes were reviewed. Boulder Library Commission members will have:

- A clear understanding and outline of the roles of the Library Commission
- A list of ways the commission can be more effective
- Agreement on objectives and strategies for 2014-2016

Agenda Item 2: Core Values **[Audio 17:55]**
Retreat agreements were established. Commissioners shared a favorite memory of libraries, and their values and personal motivations for serving on the Library Commission. The motivating factors included:

- The opportunity to make a difference in the community
- Presenting what the library is to the community
- Great opportunity to get to know the community being a newcomer
- Represent the interests and needs of the neighborhoods in Boulder
- Support the practice of history in the digital age
- The vital importance of community public space
- Libraries are a central part of life
- Listening to the community and helping to make things happen
- Bringing the right people together to solve problems

Agenda Item 3: Commission Responsibilities (Relationships and Responsibilities) **[Audio 30:30]**
Sawyer introduced the purpose of the discussion to begin to outline and clarify the role of the commission, its definition in the charter, and the relationship between the Library Commission, City Council, the city manager and the library director. She asked Brautigam to share what the charter language that states 'the Library Commission works under the direction of the City Manager' means to her and what she expects from the commission.

Brautigam shared that the charter was written at a time when the government worked differently and does not accurately described what the commission does or should be doing today. The Library Commission operates for the benefit of the community, looking ahead and guiding staff for the future of the library. She stated that she thought the City of Lafayette's charter language accurately described the Library Commission's role and responsibilities. She sees the commission's role as being advisory to City Council and to work with the library staff.

Teter noted that the pamphlets from the Colorado State Library were helpful because they make a distinction between a governing board and an advisory board.

Sawyer introduced City Council Member, Tim Plass, and he shared a council member's perspective on the role of

the Library Commission. Plass thanked the commissioners for their service. The Library Commission provides a different perspective than staff. The Library Commission is an extension of the will of the City Council and represents the citizens' perspective. The commission provides important feedback to City Council to help it make decisions for the community so that Boulder can have the best library possible and that it represents what the community wants.

There was discussion about the most effective ways for the Library Commission to give feedback to the city manager and City Council, and speak at City Council meetings.

Sawyer stated that having the 'open door' relationship with the city manager and City Council has been beneficial for the commissioners to be able to share information and feedback directly. She stated that as the charter is changed, it is important to maintain these relationships.

Teter stated that it will be useful to have language that defines the relationship of the Library Commission to the director and the staff. There was discussion about the current practice to include input on hiring the library director. O'Brien stated that current practices should be written down.

Sawyer noted that staff is another stakeholder that is not represented in the charter. She asked Farnan to share what staff sees as the role of the Library Commission. Rather than broad operational authority and decisions, Farnan stated that making policy decisions is a valuable role for the commission. He stated that the Library Commission should have a role in evaluating operational efficiency. He also thought advising staff on strategy and where the library is going in the future is another important role for the Library Commission. He said that what he sees as missing from the charter is the Library Commission's responsibility to the community. It is important for staff to know that the Library Commission is representing the community's view.

There was discussion on the role of the Library Commission in evaluating performance of the staff. Brautigam stated that it is her role to evaluate staff performance but that she is open to the Library Commission's feedback. Plass encouraged the commissioners to share any concerns they might have about staff performance one-on-one with Brautigam.

Sawyer said that the Library Commission helping to define the role of the library director and top management role is an interesting discussion for the commission to have at a later date. She also stated that providing an annual review of library services may be an appropriate role for the commission. She requested that the Library Commission create a subcommittee to further define the role of the Library Commission.

Agenda Item 4: Commission Responsibilities (City Charter) [Audio 1:21:36]

Sawyer asked the commissioners to discuss their responsibility to the community. The following suggestions were offered and discussed:

- Acknowledging and supporting how libraries are changing and making sure these changes are meeting community needs
- Reflecting the diversity of the community
- Assisting members of the community that have some need of the library
- Advocating to the community and acting as liaisons to communicate plans and strategies for the library to the community
- Recognizing community needs of the library and reacting to get them met
- Balancing priorities
- Representing the library to the community and the community to the library
- Being responsive to community questions and concerns and bringing issues to commission meetings
- Reaching out to diverse populations
- Do we expand our role to include community relations and marketing?
- Managing capital priorities

Teter added that clarifying and defining who we [library] are serving is important to understand in setting priorities. There was discussion about the Library Master Plan and policies that guide priorities and that these are topics for future discussion. The commission discussed their role and involvement in discussing policy issues at the state and national level and advocacy on policy issues that have local impact. Sutter recommended having a channel open [to the State Library] to stay informed and give input on issues. O'Brien stated that she would like to think locally and make where we live a better place. Lull agreed and recommended staying focused on issues that have direct impact

on our local libraries.

Based upon the roles and responsibilities discussion, Murphy invited the commissioners to outline what they like in the current charter and what elements they would like to change. Teter suggested having a conversation about charter vs. bylaws. Murphy likened the charter to the Library Commission's constitution and suggested that the bylaws describe how the Library Commission governs itself as a board.

Sawyer asked the commissioners if they wanted to pursue recommending to City Council for charter changes on the [2015] ballot. There was consensus to pursue recommending charter changes. There was discussion about the similarities between the language in the city charter and the Boulder Revised Code and the process for updating both and what information should be included in each. Sutter suggested that central strategy for revision is for the commission to decide if it should be defined as a governing board or an advisory board.

Sawyer asked the commissioners to state their interest in forming a subcommittee. Sawyer and Teter volunteered to serve on the subcommittee. Farnan will be involved. O'Brien recommended that there be a standing agenda item for the monthly Library Commission meeting for the subcommittee to report back to the commission.

Farnan informed the commissioners that their recommendation would need to be presented to the City Council by March 2015. Sawyer proposed charter changes be ready for commission review by December 2014. Sawyer requested that the commissioners submit their input on charter language directly to her by Aug. 1. Farnan offered to inform the city manager of the Library Commission's intent to recommend charter changes on Monday, July 30.

Sutter noted that the Library Commission hadn't yet discussed the Boulder Library Foundation and many of the examples provided in the packet had language about administering trusts. O'Brien said the foundation is separate. Sawyer stated that the Library Commission oversees the Warner Memorial Trust and recommended keeping language related to overseeing trusts. Farnan acknowledged the commission for having a great discussion**.**

Agenda Item 5: Commission Review **[Audio 2:01:58]**

Morris asked the commissioners to consider, as an advisory board, what they need from each other or what they need to do as a whole in order to improve the operation of the commission. She also asked them what resources or tools they need from others to perform their responsibilities as commissioners.

Teter commented that the one-at-a-time discussion online ahead of the meetings is helpful and she would like it to be continued. Sutter has struggled with the nature of open meetings and coming to consensus and would like to have a better sense of what is going to happen during the meetings. Sawyer shared that issues can be sent to the chair to review with Farnan before the meeting. Murphy offered that the commission and staff consider phrasing agenda items to indicate the expected action. Lull would like to have the objective of each agenda item be clearly stated. O'Brien stated that the questions for commission at the end of the memos has been helpful. Teter shared that having the information in the packet in advance is beneficial to good discussion. O'Brien acknowledged her fellow commissioners for always coming prepared to meetings and being a high performing group. Sutter suggested that new commissioners be oriented to the purpose of each section of the agenda.

There was discussion about the options for reorganizing the agenda structure and clearly stating the purpose of each item. Teter recommended including a standing agenda item for subcommittee reports. Sawyer suggested starting by restructuring the September meeting agenda and asking for the commissioners' feedback about it.

Teter suggested making the relationship with the Boulder Library Foundation more effective. There was discussion about the Library Commission's relationship with the Boulder Library Foundation and the foundation's role in fundraising and promoting the library.

Farnan asked the commissioners to give guidance on the contents of the monthly meeting minutes. Sawyer wants the minutes to accurately reflect the meeting, the concepts discussed and consensus. O'Brien and Sawyer agreed that having their names included with statements is helpful when referring back. Teter urged that the public be kept in mind when writing minutes, the City Council is not the only audience. Sawyer suggested that the minutes guidelines created a couple of years ago be reviewed and updated. Sutter recommended that commission state what the public record should reflect at the end of the discussion of each agenda item. Farnan asked if the commissioners were all comfortable with their names being included. All commissioners agreed.

Agenda Item 6: Strategies Discussion **[Audio 2:39:15]**

Following the Strategy Discussion Outline in the meeting packet, Farnan asked for the commissioners' feedback on strategies for the library.

There was discussion about target audiences and who it should be serving. It was suggested that an emphasis be placed upon making the library more dynamic for children. Sutter noted that making the library inviting to children would slowly correct the common notion that libraries are "old-fashioned." Lull emphasized the importance of children's programming because it imparts early literacy skills to parents. Commissioners also cited high-need populations as a target demographic, but stated that reaching out to low-need users would revitalize support for public services among taxpayers. Overall, it was agreed to use literacy as a unifying objective across all library users.

Commissioners discussed the concept of free services and programs, and fees for programming. Farnan asked the commissioners to weigh in on charging fees for programs. Sawyer stated that the library should be a place where all people come together. O'Brien would prefer a mix of fee and free programming to bring about a strong mix. Sutter reframed the question to ask what will get more people into the library, noting that fee-based programming may achieve that end. All commissioners agreed that it was important to revamp the film programming.
The discussion included the following points:

- "Free" is not necessarily valued
- Library partnering with other agencies to further targeted community groups
    - Including Dairy Center for the Arts?
- Consider fees for some services/programs with partners or stakeholders
    - Subsidize as needed
    - Mix of fee and non-fee and foundation support
    - Could increase quality of programs and help with marketing
    - Suggested donations could be an option
    - Start with a pilot?
- Increase programming and attendance through marketing
- Programming to attract a wider population – more dynamic, outside of the box events

O'Brien mentioned some comments from the public, noting the perception of the library as unwelcoming. Sawyer suggested increased training in customer service for staff working the front desk. Farnan noted other staffing concerns, especially in balancing the number of staff accessible to the public and the number of staff working on internal and external projects. O'Brien responded that the desire is not for increased quantity of service, but increased quality.

Farnan began a discussion on what steps should be taken to support the idea of "Reinventing the Place to Be." Commissioners considered how to approach the Library Foundation to discuss programs and other activities that can reinvent the library as the place to be. The following suggestions were offered and discussed:

- Build partnerships
    - Restaurant donations or discounts
    - Parking vouchers – public transportation support
    - Budding partnership with the farmer's market in the revamped café
- Explore partnerships with overlapping missions and formal agreements
- Bring in potential maker space partners and funders
- Bring in facilitator
- External expert as resource?
- Add commission retreat update to next foundation meeting

Commissioners discussed e-resources at the library. O'Brien expressed concern over long holds on e-books and a lacking selection which may cause e-book users to disregard the library. Sutter urged moving patrons towards e-books and similar materials, and putting more money into those digital resources. Farnan explained that the price and cost per use for both print and electronic books requires a balance, considering patron interest against accessibility and utility. Commissioners suggested pursing new models for e-books from vendors such as self-publishing or smaller publishers.

Farnan introduced discussion on the Canyon Theater by suggesting that groups no longer be charged to use the theater. Farnan noticed that the theater is often empty and believes that waiving the rental fee or charging a

percentage of ticket sales may lead to increased programming. Sutter worried that increased and multipurpose use of the theater may confuse patrons and urged for clear messaging. Other points of discussion included:

- Vibrant community space
- Create distinction between library and non-library sponsored events
- Fee programs donate 10% of profit to library
- Stay flexible based on other civic initiatives
    - Cultural and arts programming
    - Keep regular updates of civic initiatives
    - Community-focused

Agenda Item 7: Wrap up and Next Steps **[Audio 4:12:52]**

Morris reviewed the commissioners' feedback on the benefits and opportunities for improvement of the retreat meeting structure and format.

Meeting adjourned 4:08 p.m.

APPROVED BY:

_____
Board Chair

_____
Date

ATTESTED:

_____
Staff Secretary

_____
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 September 24, 2014; and Carrie Mills attested to this approval on September 24, 2014.

CITY OF BOULDER
BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING
MINUTES

Name of Board/ Commission: Library Commission

Date of Meeting: August 6, 2014 at the Main Library, 1001 Arapahoe Blvd, Arapahoe Conference Room

Contact Information Preparing Summary: Carrie Mills, 303-441-3106

Commission Members Present: Anne Sawyer, Donna O'Brien, Paul Sutter, and Joni Teter
Commission Members Absent: Anna Lull

Library Staff Present:
David Farnan, Director of Library & Arts
Jennifer Miles, Deputy Library Director
Lisa Holmberg, Web Services Specialist
Aimee Schumm, eServices Manager
Carrie Mills, Administrative Specialist II

City Staff Present:
Glenn Magee, Facilities Design and Construction Manager

Public Present:
No members of the public attended the meeting.

Type of Meeting: Regular

Agenda Item 1: Call to Order and Approval of Agenda **[6:00 p.m., Audio 0:14 sec]**

The meeting was called to order at 6:00 p.m.

Agenda Item 2: Public Participation **[6:00 p.m., Audio 1:09 min]**

No members of the public were in attendance.

Agenda Item 3: Consent Agenda **[6:01 p.m., Audio 1:13 min]**

Item 3A, Approval of May 14, 2014 joint Arts Commission and Library Commission meeting minutes (p. 3-4)
Sawyer and O'Brien noted that the additions to the minutes better captured the discussion at the meeting. Teter motioned to approve the minutes. O'Brien seconded. Vote: 4-0, approved unanimously.

Item 3B, Approval of July 9, 2014 minutes (p. 9-12)
Sawyer submitted changes to commissioners prior to the meeting. Sutter moved to approve the minutes as amended. Teter seconded. Vote: 4-0, approved unanimously.

Item 3C, Approval of the Boulder Public Library Commission By-Laws revisions (p. 13-14)
Sawyer noted that the by-laws may need to be revised again, but approval would put current changes into place. Sawyer clarified that the changes were to fix duplication between the by-laws and the corresponding code in the city charter. Teter moved to approve the by-laws as presented. O'Brien seconded. Vote: 4-0, approved unanimously.

Agenda Item 4: Presentation: Update on the library website redesign **[6:03 p.m., Audio 3:29 min]**

Holmberg and Schumm presented on the current status of the website redesign. (Note: Slides can be accessed online: http://boulderlibrary.org/pdfs/commission/2014/packet/14AugLCPacket.pdf#page=15) The presentation included a slideshow outlining the timeline, project goals, and initial designs. Vision Internet produced the color set, new logo, and general page layout. Content, structure, and research options are the work of the redesign team. Staff ran tests on the initial designs using prescipted questions to gain feedback from patrons and have continued to improve the website based on this research.

Commission discussion, questions, and comments included:

- Teter appreciated the clean, streamlined look but questioned the minimization of downloadable/streamable materials on the front page, noting that the focus appears to have moved back towards books.
- Teter also expressed concern over the size of the slider, noting that this content takes up considerable realty. Holmberg responded that the slider was sized to match the resolution for the digital signage and to mimic the city's page.
- All commissioners agreed that "Online Premium Resources" suggested a cost associated with the materials. Sutter suggested renaming it to "Online Featured Resources."
- Sawyer pointed out the absence of the events list and recommended highlighting events and lesser known services, such as classes, on the website.
- Sawyer also inquired about the search bar, asking whether search terms are routed through the catalog or as a general website search. Holmberg stated that the redesign team had not yet made a decision.
- Sawyer encouraged Holmberg to avoid a static page by adopting methods which encourage users to scroll,

such as text columns of different lengths. Holmberg responded that the team has given consideration to the methodology.

- Commissioners hoped that the homepage would include a link to Spanish language resources or a parallel homepage and would incorporate the theme of the Library, "Reinventing the Place to Be."

Agenda Item 5: Commission Priority Discussion and Input **[6:43p.m., Audio 43:03 min]**

5A: Main Library renovation project update (p. 20-24)

Magee updated the Commission on the renovation project. Phase Two (Floor Two of South building) opened up last week. The crew has begun Phase Three on schedule, currently working to move all books and shelves out of the new children's area. Magee expects no more budget busts or big problems. Gradually, windows will be replaced by ICC as only four or five will be measured and cut at a time. There are still problems with the cooling system, but Magee expects improvements over the next few days.

Progress on the café has begun. The café will be spread along the hall to open up visibility between both ends of the bridge and to break up the long, linear space. There will be caulk drawings on the floor by next Wednesday. There should be different types of seating available, including soft seating. Farnan assured that the anticipated layout does not impede walkway traffic. Café will be done at the end of October at the latest.

Miles confirmed the anticipated date of completion for all renovations is the end of Dec. 2014. Farnan suggested a joint party with the Foundation to serve as the reopening party.

Commission discussion, questions, and comments included:

- Teter asked about any plans regarding the nearest patio to the café. Magee noted that he is still waiting on the civic area plan, though they have interviewed several consultant teams. Magee explained that the patio plans are not connected to the café yet, but may potentially be in the future.
- Sawyer asked about signage for the Spanish language collections, noting that there is signage on the spiral staircase, but nothing upon reaching the second floor. Miles stated that those signs have been ordered.
- Farnan and Sawyer explained that the "Pooh Garden" has been renamed to the "South Patio," but invited commissioners to suggest alternative names. Suggestions included Circular Patio, Circular Garden, and Creek Patio.

Agenda Item 6: Matters from the Department **[6:57 p.m., Audio 57:45 min]**

6A: Library and Arts Director's report

- Full report can be found here: http://www.boulderlibrary.org/pdfs/commission/2014/packet/14AugLCPacket.pdf#=22
- Farnan explained that the patio architect was hired with condition of the ballot initiative passing. The City Council approved last night to push forward with $8.7 million for civic area renovation and another $5 million for creek area and path.
- Teter asked for clarification on the related workgroup handout (found here: http://boulderlibrary.org/pdfs/commission/2014/handouts/14AugHandouts.pdf) and how this fits with the new architect. Farnan notes that they relate in answering how to finance these projects, but will continue to investigate their connectedness.
- Peter Kageyama, author of For The Love of Cities, will speak on concepts of relationships with cities in Canyon Theater on Aug. 26 at 6pm. This is first in the series of public events around art, with plans for panel discussions, films, speakers, and more running from late Aug. to Oct leading up to the Festival of Ideas.
- Small Business Development Center (SBDC) is included in the draft budget. He plans to pitch a program idea with SBDC to the Foundation for scholarships to business classes. Budget will be finalized Sept. 9. SBDC does charge for programs so the Commission will further discuss this topic at a future meeting.

6B: Proposed changes to the library rules of conduct

- Sawyer recommended that the purpose statement be more public-friendly. Teter inquired if the Library needed the regulatory language in order to function appropriately. O'Brien urged that if regulatory language was necessary, then we should couple it with a more public-friendly complement. Farnan noted that stating the intended use of the library with regulatory language secures the Library against a level of liability when a behavior is not listed in the rules.
- There were competing concerns over the bag size limit rule. Farnan explained that the staff strongly desires this rule so that there is something supporting the staff member when they confront this issue.
- The Commission asked for Farnan to take the rules to the attorneys to determine if the legalese was essential. If so, Sawyer recommends including a note at the bottom of the rules referring to a document that includes the legalese so that the list of rules are readable to a wider population.

- Farnan intends to reduce the number of places that rules will be posted to foster a friendlier environment.
- Some rules were removed, such as guidelines to required dress and proper use of bathroom, as they fall under the wording for the intended use of the library.

6C: Library update (from memo) (p. 33-35)

- Status of the 2015 City Manager's Recommended Budget update
- "The Foundry" tech lab user agreement
- Main Library South Patio Renovation
- Principal Librarian and Administrative Specialist II hiring update

Agenda Item 7: Matters from the Commission (p. 36-37) **[7:31 p.m., Audio 1:31:49 hr]**

7A: Update on the Foundation's anniversary celebration

O'Brien explained that the subcommittee of the Foundation met and agreed to go forward with the celebration. The idea for a joint celebration will be presented to the Foundation soon. Possible dates are Jan. 25 and Feb. 8.

7B: Update from the Civic Area Planning Subcommittee

Teter sent the minutes from the last meeting. The subcommittee is looking for 5 examples of experiential art, so please forward any suggestions to Teter. The charge for the subcommittee is continuing to develop, so Teter will continue updates in subsequent meetings.

7C: Library Commission update (from memo)

- Commissioner deadline to register for CalCon with Miles is Aug. 15. CalCon runs from Oct. 16-18.

7D: Follow up: July 26 Library Commission Retreat

- Sawyer will send out merged ideas regarding charter changes from the retreat in the next few days. Sawyer, Teter, and Farnan to meet to come up with set of proposals to discuss particular language.
- Agenda changes will be rolling out over the next few months.
- Minutes from the retreat are not necessary, instead Sawyer recommends filling out the notes a bit more.
- While the SBDC partnership is bigger than anticipated for a pilot partnership, Farnan assured that this is a major opportunity for the Commission to build partnerships as planned at the retreat. Commissioners were clear that they gave Farnan the green light to proceed with these partnerships following the retreat.
- Teter suggested presenting all items from the retreat to the Foundation which may affect them.
- Teter further suggested talking with the Arts Commission and SBDC to help artists attend business classes.

Agenda Item 8: Future Items/Scheduling **[7:55 p.m., Audio 1:55:35 hr]**

- Renovation Update
- Update on City addressing Civic Center Area behaviors
- Review Draft Meeting Room Usage Policy
- Update on City Manager's Recommend City Budget
- Rules of Conduct continued
- Charter Bylaws Recommendation continued – next generation of the bylaws
- Partner Pilotship discussions
- New head librarian visit

Agenda Item 9: Adjournment **[7:57 p.m., Audio 1:57:01 hr]**

There being no further business to come before the board at this time, the meeting was adjourned at 7:57 p.m.

Date, Time, and Location of Next Meeting:

The next Library Commission meeting will be at 6:00 p.m. on Wed., Sept. 3, 2014, at the Main Library in the Arapahoe Conference Room, 1001 Arapahoe Ave., Boulder, CO 80302.

Commissioner Sawyer approved these minutes on September 24, 2014; and Carrie Mills attested to this approval on September 24, 2014.

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

CITY OF BOULDER
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees
DATE OF MEETING: September 2, 2014
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Leah Case x2025
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT: MEMBERS: Tom Isaacson, Shelley Dunbar, Frances Hartogh, Molly Davis STAFF: Mike Patton, Dave Kuntz, Mike Orosel, Leah Case GUESTS: Bob Eichem, Chief Financial Officer, Cheryl Pattelli, Director of Fiscal Services, Ron Gilbert, Assistant Controller
TYPE OF MEETING: **REGULAR** CONTINUATION SPECIAL
SUMMATION: AGENDA ITEM 1- **Consideration of recommendations to City Council regarding Issuance of Open Space Acquisition Bonds Series 2014 in a principal amount of $10,000,000 to be used to continue acquisition of open space real property; and supplemental appropriation of the 2014 Open Space Bond proceeds in the Open Space Fund and the Open Space and Mountain Parks budget.*** Mike Orosel, Financial Services Manager, and Bob Eichem, Chief Financial Officer, presented the above bond information. This item spurred one motion: **Frances Hartogh moved the Open Space Board of Trustees recommend that the City Council; (1) approve an emergency ordinance to authorize the City of Boulder to issue Open Space Acquisition Bonds Series 2014 in a principal amount of $10,000,000 to be used to continue acquisition of open space real property within the context of the Open Space and Mountain Parks Acquisition Update 2013-2019 and to pay the necessary costs of issuance; (2) approve an ordinance making a supplemental appropriation of the Open Space Acquisition Bonds, Series 2014 proceeds to the 2014 Open Space and Mountain Parks budget in the Open Space Fund; and (3) approve the lowest bid which was received from Stifel Nicolaus & Company, Inc. as a successful bid. Tom Isaacson seconded. This motion passed unanimously.** ADJOURNMENT: The meeting adjourned at 5:25 p.m.

ATTACH BRIEF DETAILS OF ANY PUBLIC COMMENTS: None.
TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS: The next OSBT meeting will be September 10, 2014 at 6:00 p.m.

CITY OF BOULDER
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees
DATE OF MEETING: September 10, 2014
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Leah Case x2025
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT: MEMBERS: Tom Isaacson, Frances Hartogh, Molly Davis, Kevin Bracy Knight STAFF: Mike Patton, Jim Reeder, Dave Kuntz, Don D'Amico, Steve Armstead, John D'Amico, Mike Orosel, Mark Gershman, Leah Case GUESTS: Kurt Bauer, Environmental Project Manager; Jeff Arthur, Director of Public Works; Jeff Lipton, University of Colorado
TYPE OF MEETING: **REGULAR** CONTINUATION SPECIAL
SUMMATION: AGENDA ITEM 1- **Approval of the Minutes** Molly Davis moved to approve the minutes from August 20, 2014 as amended. Tom Isaacson seconded. This motion passed unanimously. Frances Hartogh moved to approve the minutes from September 2, 2014. Tom Isaacson seconded. This motion passed unanimously; Kevin Bracy Knight abstained as he was absent last meeting. AGENDA ITEM 2- **Public Participation** None. AGENDA ITEM 3- **Director's Updates** Steve Armstead, Environmental Planner, gave the Board an update on the Voice and Sight Tag Program. Dave Kuntz, Resource Systems Division Manager, gave an update to the Board on the new dog regulations at the Wittemyer Open Space. AGENDA ITEM 4- **Matters from the Board** Tom asked the Board to move the date of the October meeting. The new date has not been decided on yet.

AGENDA ITEM 5 **– Public hearing and consideration of a recommendation to City Council regarding the South Boulder Creek Major Drainageway Mitigation Plan. ***
Don D'Amico, Ecological Systems Supervisor, and Kurt Bauer, Engineering Project Manager – Utilities, gave a presentation to the Board.

This item spurred three motions:
Frances Hartogh moved the Open Space Board of Trustees recommend proceeding with the "West Valley Improvements" and "Arapahoe Detention" phases of the "Regional Detention at U.S. 36 with Downstream Improvements" flood mitigation alternative at this time. Molly Davis seconded. This motion passed unanimously; Shelley Dunbar was absent for this vote.

Frances Hartogh moved the Open Space Board of Trustees recommend investigating alternatives to the "Regional Detention at U.S. 36" component which may have lesser potential for environmental impacts. Molly Davis seconded. This motion passed unanimously; Shelley Dunbar was absent for this vote.

Frances Hartogh moved the Open Space Board of Trustees make a statement to City Council: The Board believes that constructing a regional detention at US 36 would require a significant disposal of Open Space lands, which would be subject to all applicable Open Space charter provisions. Molly Davis seconded. This motion passed unanimously; Shelley Dunbar was absent for this vote.

AGENDA ITEM 6 **– Consideration of a motion to approve the purchase of approximately 80 acres of land, the mineral estate, nine (9) shares of Left Hand Ditch Company water, 80 shares of Dry Creek-Davidson Ditch Company water, two houses and associated outbuildings located at 3285 and 3287 95th St. from the Martinson family for $3,000,000 for Open Space and Mountain Parks purposes. ***
John D'Amico, Property Agent, gave a presentation to the Board.

This item spurred one motion:
Frances Hartogh moved the Open Space Board of Trustees approve a motion recommending that the Boulder City Council approve the purchase of approximately 80 acres of land, mineral estate, nine shares of Left Hand Ditch Company water, 80 shares of Dry Creek-Davidson Ditch Company water, two houses and associated outbuildings located at 3285 and 3287 95th St. from the Martinson family for $3,000,000 for Open Space and Mountain Parks purposes. Kevin Bracy Knight seconded. This motion passed unanimously; Shelley Dunbar was absent for this vote.

AGENDA ITEM 7 **– Review the City Manager's 2015 proposed budget for the Open Space and Mountain Parks Department and recommend approval of the Operating and Capital Improvement Program Budgets and a portion of the Lottery Fund Capital Improvement Program Budget. ***
Mike Orosel, Financial Services Manager, gave a presentation to the Board.

This item spurred one motion:
Kevin Bracy Knight moved the Open Space Board of Trustees approve, and recommend that City Council approve the appropriation of $29,601,652 in 2015 from the Open Space Fund and the General Fund and $355,300 from the City's Lottery Fund CIP to cover the 2015 Open Space and Mountain Parks Department operating and CIP expenditures and transfers. Additionally, the OSBT would recommend adding one additional standard fixed term trail specialist, the trail crew, and associated expenses. Tom Isaacson seconded. This motion passed unanimously; Shelley Dunbar was absent for this vote.

ADJOURNMENT: The meeting adjourned at 10:40 p.m.

ATTACH BRIEF DETAILS OF ANY PUBLIC COMMENTS: Many members of the public spoke in regard to the South Boulder Creek flood mitigation plan. Most were in support of the staff recommendation. Many voiced their concern for a decision to be made quickly, so this process can move forward. Two members from the public spoke in favor of the Martinson acquisition.
TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS: The next OSBT meeting will be in October, the exact date is TBD.

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
August 7, 2014
1777 Broadway, Council Chambers

A permanent set of these minutes and a tape recording (maintained for a period of seven years) are retained in Central Records (telephone: 303-441-3043). Minutes and streaming audio are also available on the web at: http://www.bouldercolorado.gov/

PLANNING BOARD MEMBERS PRESENT:
Aaron Brockett
Crystal Gray
John Gerstle
Leonard May
Liz Payton
John Putnam

PLANNING BOARD MEMBERS ABSENT:
Bryan Bowen

STAFF PRESENT:
Susan Richstone, Deputy Director for CP&S
Hella Pannewig, Assistant City Attorney
Susan Meissner, Administrative Assistant III
Chandler Van Scahaack, Planner I
Karl Guiler, Senior Planner
Heidi Hansen, Civil Engineer II

1. CALL TO ORDER

Chair, **A. Brockett**, declared a quorum at 6:06 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

There were no minutes scheduled for approval

3. PUBLIC PARTICIPATION

No one from the public spoke.

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS/CONTINUATIONS

A. Call up: 28th St. Multi-Use Path, Iris Ave to Yarmouth Ave Floodplain Development Permit (LUR2014-00048). Expires: August 14, 2014.

B. Information Item: Floodplain mapping revisions for Lower Bear Creek and Upper Boulder Slough.

5. PUBLIC HEARING ITEMS

A. Public hearing and consideration of a Use Review application, no. LUR2014-00044, for expansion of the Escoffier Culinary School within the Table Mesa Shopping Center

at 693 Table Mesa Dr. The area of expansion is located within the Residential Medium-2 (RM-2) zone district. The applicant intends to pursue Vested Rights per section 9-2-19, B.R.C. 1981

Applicant: Vince Porreca
Owner: W.W. Reynolds Companies

Staff Presentation:
C. Van Schaack presented the item.

Board Questions:
C. Van Schaack answered questions from the board.

Applicant Questions:
Bill Reynolds, the applicant, answered questions from the board.
Kurt Bachman and **Bob Saiz** from the Cooking School, answered questions from the board.

Public Hearing:
1. David Willard, 3975 Dehesa Ct., did not feel that this was a good use for the neighborhood; students would likely be coming from other parts of town.

Board Discussion:
C. Gray thought that this was a good proposal. It will provide a good buffer to the residential neighborhood to the south and will be a good addition to the area. She liked that it provided Eco-Passes.

J. Putnam thought this was a good use and noted that the site is very accessible by transit.

Motion:
On a motion by **C. Gray**, seconded by **J. Putnam** the Planning Board voted 6-0 (**B. Bowen** absent) to approve Use Review application LUR2012-00101, adopting the staff memorandum as findings of fact and subject to the recommended conditions of approval with the addition of hours on Saturday from 8am to 7 pm.

1. The Applicant shall ensure that the **development shall be in compliance with all approved plans** and the Applicant's written statement dated June 12, 2014 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.

2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.

3. The Applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following: PUD# P-79-20 and Special Review #SR-79-22.

B. Rehearing to consider a recommendation to City Council on an ordinance implementing recommended actions of the Economic Sustainability Strategy (ESS) and achieve "early win" goals of the Comprehensive Housing Strategy (CHS) by amending Title 9, "Land Use Code," B.R.C. 1981, by 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.

Staff Presentation:
S. Richstone introduced the item
K. Guiler presented the item.

Board Questions:
K. Guiler answered questions from the board.

Public Hearing:

1. **Lois LaCroix, 2835 Elm Ave**, spoke in opposition to the proposed ordinance. She is not in favor of density in Boulder.
2. **David Williard, 3975 Dehesa Ct.**, asked the board to consider the neighbors and property values when allowing for high density developments. He encouraged the city to add more parks and playgrounds to the new developments to disperse noise and congestion.
3. **Richard Harris, 2645 Briarwood Dr.**, spoke in opposition to the proposed ordinance. He thought it was disingenuous and offensive to taxpaying citizens.
4. **Patrick Dillard, 835 33rd Street**, spoke in opposition to the proposed ordinance. He felt it would be important to build a Boulder County train system and invest in local transit, similar to Aspen.
5. **Amy Tremper, 1529 Easy Rider Lane**, spoke in support of the ordinance. She hoped it would create smaller affordable market rate units in Boulder. She thought that it would have been more widely supported by the public if it had been vetted during the North Boulder Subcommunity Plan update process.
6. **Steve Pomerance, 335 17th Street**, spoke in opposition to the proposed ordinance. He thought there were other ways to achieve the desired outcomes and that it would be bad practice to change rules mid stream. He will send ideas to the board via email.
7. **Sue Prant, 3172 29th Street**, the Director of Community Cycles, spoke in support of the proposed ordinance. She has seen many cases where developers are penalized by creating connections. The city should look for ways to make the connections possible. It would be a loss to miss the opportunity to break up super blocks.
8. **Zane Selvans, 744 Marine Street**, supported the proposal. He encouraged the creation of walkable nodes throughout the city and thought that this ordinance would provide opportunities to do so.
9. **Carolyn Hales, 3675 Aspen Ct.**, spoke in favor of more density and thought that this would only make a modest change. She noted that density is more sustainable than the alternatives; Boulder already has ample open space.

10. **Sally Eckert, 10005 Colb Hill Rd.**, spoke in support of the proposed ordinance and for providing places for people to gather.
11. **Gary Sprung, 3675 Aspen Court**, spoke in favor of density and the proposed ordinance.
12. **Will Toor, 3032 10th Street**, spoke in support of the ordinance on behalf of Better Boulder. This is a modest and reasonable fix. He noted that this would work with the city's goals and that the type of development within the vicinity of public transit stations would support the city's sustainability goals.
13. **Alan Boles, 525 College Avenue**, from Plan Boulder County, spoke in opposition to the proposed ordinance. He thought that Boulder is going through a development binge and thought that this change would benefit developers.
14. **Sandra Snyder, 3040 18th Street**, spoke in opposition to the proposed change. She did not think that this provided a clear quality of life improvement or that this was the right way to go about this issue.
15. **Jim Leach, 1680 Yellow Pine**, felt that north Boulder needed this ordinance. The west side of Broadway is currently adversely impacted by issues that this would mitigate. He thought that Boulder is moving away from a suburban culture; density has more to do with quality of life than profit.
16. **Cosima Krueger-Cunningham, 977 7th Street**, expressed a series of concerns pertaining to increased density and its repercussions on children, dogs and the urban forest.
17. **Adrian Sopher** (pooled time with **Elisabeth Patterson** and **Kenneth Hotard),** spoke in support of the proposed ordinance. He noted that 42% of his project area in the Transit Village that will incorporate affordable housing was required to be dedicated to roadways. Because it was the first project in the area, he was also required to accommodate all utilities and drainage. He did not think that it was clear that there was a difference between Net and Gross densities when the Transit Village was conceived.
18. **Steve Tremper, 1529 Easy Rider Lane**, spoke in support of the proposal. He did not think that this was a hoax to benefit developers. Density is an important for achieving sustainability.

Board Comments:

J. Putnam voted for this the last time and would vote for it again. He thought it was a small and reasoned extension of the Comp Plan and ESS. It makes basic planning sense and is tied into the established planning process. One of the critical goals of the Comp Plan is to make fine grained connections through public works as well as through private site development. This would allow for density in the planned and appropriate locations that have multi-modal corridors. It will marginally increase density to the designated areas but will not increase it over the zoning or other requirements. The public benefit is identified because it has been established through the TMP and Comp Plan. We need a certain intensity of development to support transit, Walkability and retail. He cited several sections of the code to support his views: 2.16 Mixed Use and High Density Development: The city will provide incentives and remove regulatory barriers. Section 2.22: Improve mobility grid- integrate land use and transportation planning. Other relevant sections included 4.04, 6.09, 7.01, 7.10. He thought the proposed ordinance change was acceptable given that all developments must go through Site Review. He did not think that this would create a windfall for developers and generally did not think that this should be the driving issue.

L. May agreed with much of what **J. Putnam** said, but would not support the ordinance. He did not think that a sufficient case was made that this would have a predictable outcome or would

target properties that are not redeveloping. He wanted to see a clear guiding policy goal and pathway to desired policy outcome. He thought that this was not an early win because it is more complex. The city has already incentivized redevelopment in these area plans via zoning changes and it has not worked. He did not see this as a density issue, but as a clear policy goal with specific outcomes.

A. Brockett supported the ordinance and agreed with many of **J. Putnam's** comments. He clarified that roads would not count as open space and building footprints would not change; this would simply allow for more, smaller units with the same amount of open space, and increase affordability thereby keeping families in town and providing housing for in-commuters who wish to live in Boulder. He thought that the connections piece was an important part of this as well. The current connection plans cannot function if all parcels do not redevelop. By removing the disincentives for redevelopment, it would be possible to achieve a finer street grid that would allow for pedestrian and cycling connectivity. He noted that there was a lot of citizen support and did not think it was a hallmark of a developer windfall. Projects would still be subject to Site Review, safeguarding against inappropriate development.

L. Payton supported walkabilty but did not think that this would achieve that end. Though the allowable FAR would increase, it would not ensure that developers would build more units. She cited a study by George Washington University that showed that units in walkable transit rich developments tend to sell for much more than comparable developments in less transit rich areas of town. She did not think that connections were an economic deterrent to developers because these areas of town are more marketable. She requested that this to be modified to have more teeth to get the desired outcomes.

C. Gray would not support this proposal as is. She thought this would be a big change and would benefit from more public input; the desired outcomes currently lack specificity and aspirations lack guidance. She thought that the Planning Board and public advocacy could do more to break up superblocks. She felt that Boulder was already seeing an influx of density and asked whether community benefits would be brought to the table in return for the increased densities. She thought that there were tools available via Council ordinance. Rather than applying this as a blanket solution, she would prefer to see specific area plan revisions to solve the specific problems.

J. Gerstle did not support this proposal. He did not think we should need to rely on this approach to achieve the stated density and transit goals. It is reasonable to expect developers to accommodate the stated goals of the transit network and should not be necessary for them to receive additional compensation.

A. Brockett noted that the board would not pass the ordinance given the straw poll. He asked if any modifications could be made to the proposal that would garner more support.

L. May saw the proposal as fundamentally flawed. He did not think that this was an easy win; it would benefit from a more in-depth study.

L. Payton agreed with **L. May**.

J. Putnam would not support changes because it would make things unduly complex. He did not want it to become so Byzantine that it would require special ordinances and rezoning.

Motion:
On a motion by **L. May**, seconded by **L. Payton** the Planning Board voted 4-2 (**J. Putnam** and **A. Brockett** opposed, **B. Bowen** absent), to deny the recommendation to City Council to adopt an ordinance implementing recommended actions of the Economic Sustainability Strategy (ESS) by amending Title 9, "Land Use Code," B.R.C. 1981, by 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.

L. May would like the board to be a part of developing the solutions over the course of the BVCP update and to lay out a path with Council to identify issues and establish a process to resolve the problems. Quantify where we are headed and where we are relative to where we want to be. This is not an early win.

J. Putnam preferred to focus on the Comp Plan update and other quick wins. He did not want to think that there was an easy way to do this right now.

A. Brockett noted that the Comp Housing Strategy update is coming up and the board will be involved in that process.

C. Gray reminded staff that the **L. May** sent an email with several items for discussion and would like to schedule a retreat to address them. She would also like to discuss means for engaging the public.

J. Putnam pointed out that the board has dedicated three meetings to this issue and still has not identified the issues. He recommended that staff and Council determine what to do from here. The Planning Board has many other items to tackle. He would only recommend dealing with this through the BVCP and Comp Housing Strategy updates.

L. Payton thought it would be difficult for the board to find consensus on this.

6. MATTERS
S. Richstone discussed the calendar. Given the full upcoming schedule, she did not recommend that additional meetings be added to the agenda.

L. May would like to add more meetings or retreats for the board to discuss these issues.

A. Brockett has limited time to add more meetings.

J. Putnam recommended that the board use the annual letter to Council as a forum to discuss these items.

C. Gray liked **J. Putnam's** idea; the board could beef up its annual letter to City Council to highlight these issues.

S. Richstone will modify the calendar to allow the board to prepare for the joint study session with Council Calendar and to discuss the annual letter to Council. In relation to the "mitigate and

minimize energy" clause in the code, she noted that Boulder's new building and energy codes are being touted as the most stringent in the country. The city is going to bring in consultants to see what this means and will report the findings to the board. She gave an update on the Hill Moratorium.

L. May asked that the Planning and other boards be included on the Comprehensive Housing Strategy work group lists.

6. DEBRIEF MEETING/CALENDAR CHECK

7. ADJOURNMENT

The Planning Board adjourned the meeting at 9:48 p.m.

APPROVED BY

Board Chair

9/18/14

Date

CITY OF BOULDER
PLANNING BOARD MEETING AGENDA
DATE: September 18, 2014
TIME: 6 p.m.
PLACE: Council Chambers, 1777 Broadway

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1. **CALL TO ORDER**

2. **APPROVAL OF MINUTES**
   The August 7, 2014 minutes are scheduled for approval.

   Approved

3. **PUBLIC PARTICIPATION**

4. **DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS/CONTINUATIONS**
   A. Call Up: 820 Lee Hill Subdivision Final Plat (TEC2014-00030). Expires: September 18, 2014

   B. Information Item: Access easement vacation for the vacation of a 14-foot public pedestrian and bicycle trail easement located on Naropa University property at 2130 Arapahoe Avenue. Case number LUR2014-00052.

   No items were called up

5. **PUBLIC HEARING ITEMS**
   A. Public hearing to consider a recommendation to City Council on an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, to (1) simplify various vehicular parking standards and reduce quantitative requirements for warehouses, storage facilities, and airports and (2) create new land use - based bicycle parking standards. The proposed changes were identified as part of the Access Management and Parking Strategy (AMPS) process relative to parking citywide.

   Approved 7-0

   On a motion by **J. Putnam** seconded by **L. May**, the Planning Board voted 7-0 to recommend approval to the City Council of an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, to (1) simplify various vehicular parking standards and reduce quantitative requirements for warehouses, storage facilities, and airports and (2) to create new land use-based bicycle parking standards, and of an ordinance amending the Design and Construction Standards related to bicycle parking design standards to eliminate the Cora-style bike parking rack style and codify the use of inverted U racks for all bike parking requirements as recommended by staff with the following exception: that the bicycle parking for commercial uses be increased by 25% across the board and that staff reach out to disability and senior advocacy groups prior to the City Council hearing and that Council consider the long term adequacy of the ADA Parking requirements.

   Friendly amendment by **J. Gerstle**, accepted by **J. Putnam** and **L. May**, to revise the motion recommending an increase of the proposed requirements for commercial uses to referring to nonresidential uses rather than commercial uses.

   On a motion by **C. Gray**, seconded by **L. May**, the Planning Board recommend that during the AMPS analysis, that the Neighborhood parking program be fully funded and made available to

lessen impacts that parking reductions for restaurants, taverns, and brewpubs could potentially cause to adjacent residential areas and that the MPP program have adequate enforcement.

B. Public hearing and consideration of a Site and Use Review (LUR2014-00042) for the redevelopment of the 45.5-acre Western Disposal Services site at 2655 N. 63rd St. in the IM zone district to include one 28.34-acre lot with a proposed 55' tall, 109,873 s.f. waste transfer station and 4 developable lots ranging from 2.55 to 3.19 acres in size for future light industrial and technology development uses.

Applicant: Nancy Blackwood
Owner: Western Disposal Services

Approved with Conditions 6-1 (J. Gerstle opposed)

Conditions:
Include the following Condition of Site Review Approval No. 7:

7. Pursuant to Subsection 9-2-12(a), "Three Year Rule," B.R.C. 1981, the following development/phasing plan is approved:

a. Phase I, to construct the public infrastructure improvements, shall commence at the date of this approval and shall be substantially completed within three years.
b. Phase II, to construct a waste transfer station and recycling collection and processing facility, shall commence upon the expiration of Phase I and expires three years thereafter.

Friendly amendment by **J. Putnam**, accepted by **C. Gray** to add a condition 3.h to the Conditions of Site Review Approval which shall read as follows:

Amended design guidelines that will provide:
(1) Consideration for access for bicycles to the public waste transfer drop-off area
(2) Consideration for alternatively fueled vehicle access such as charging stations, bio diesel or compressed natural gas,
(3) Consideration for minimization of mosquito habitat in storm water infrastructure and landscaping,
(4) Consideration for multiple uses of parking areas, such as recreation, events, and food trucks.

Friendly amendment by **J. Putnam** accepted by **C. Gray** to revise Condition of Site Review Approval No. 6 to read:

6. Prior to a building permit application for any of the proposed Lots 2-5 of Western Industrial Park Subdivision, the Applicant shall submit a Land Use Review application for a **Site Review Amendment pursuant to Subsection 9-2-14(m), "Amendments to Approved Site Plans," B.R.C. 1981.** Prior to a building permit application for any building on Lot 1 the Applicant shall submit a Land Use Review application for a **Site Review Amendment** pursuant to Subsection 9-2-14(m), "Amendments to Approved Site Plans," B.R.C. 1981 for approval of the architectural design. Even if the building on Lot 1 exceeds the permitted height for principal buildings set forth in section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, such proposed height, by itself, shall not require a referral of such Site Review Amendment to the Planning Board; however, the City Manager may, in her discretion, either refer such application to the Planning Board or make the decision subject to call-up by the Planning Board.

6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY

A. September 16, 2014 Council Study Session on Planning Issues

B. Prepare for October 14th Study Session with City Council: BVCP Scope and Resilience and other Items

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

A. The Planning Board adjourned the meeting at 11:28 p.m.

CITY OF BOULDER
BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING MINUTES

To listen to the Parks and Recreation Advisory Board meetings in their entirety, please go to the following link: www.boulderparks-rec.org

Name of Board/Commission: Parks and Recreation Advisory Board

Date of Meeting: August 25, 2014

Contact Information Preparing Summary: Sally Dieterich 303-413-7242

Board Members Present: Mike Conroy, Myriah Conroy, Kelly Wyatt, Mike Guzek, Marty Gorce, Tom Klenow
Board Members Absent: Michelle Estrella

Staff Present: Yvette Bowden, Sally Dieterich, Jeff Haley, Abbie Poniatowski, Alison Rhodes, Doug Godfrey, Dean Rummel, Nancy Utterback

Guests Present: Rella Abernathy, City of Boulder Integrated Pest Management Coordinator

Type of Meeting: Advisory/Regular

Agenda Item 1: Call to Order
The meeting was called to order at 6:00 p.m. and the agenda was approved.

Agenda Item 2: Future Board Items and Tours
Future city council meeting – Pay As You Go short term sales tax discussion
9/23/14 city council study session – smoking ban

Agenda Item 3: Public Participation
John Barkmeier, representing Boulder Rugby, spoke on a public/private partnership with the City of Boulder for practice field development at Tom Watson Park and a potential playing field in the future.

Paul Rohr, representing Boulder Rugby, spoke in support of the rugby club and the need for more multi-purpose fields.

Agenda Item 4: Consent Agenda
A. Approval of minutes from July 28, 2014
Minutes from July 28, 2014 were approved as written.

B. Park Development Update
Written updates were provided to the board as part of the packet materials. These are items that require no board action or discussion.

Agenda Item 5: Public hearing and consideration of a motion to approve a 3 year Studio Arts Boulder lease and services agreement for the City of Boulder Pottery Lab.

Executive summary from packet materials:
The purpose of this item is for the Parks and Recreation Advisory Board (PRAB) to review and consider approval of a lease and services agreement for the City of Boulder Pottery Lab. A Pottery Lab Working group (PLWG) comprised of 12 members (community, staff and PRAB), was established in 2012 to make consensus recommendations to the city on ways to ensure sustainability of the pottery program. The PLWG recommended exploration of a nonprofit or public/private partnership. A Request for Proposal (RFP) for the management and operations of the Pottery Lab was issued in July 2013. One responsive proposal was submitted by Studio Arts Boulder (SAB). The city reviewed and accepted the proposal and began contract negotiations in January 2014.

PRAB ACTION REQUESTED:
Staff requests the PRAB's consideration of this matter and action in the form of the following motion: Motion to approve the lease and services agreement for the City of Boulder Pottery lab and authorize the city manager to make minor amendments prior to or during the term of this agreement in order to ensure that the Pottery Lab is properly maintained and operated in a manner that is consistent with applicable laws and the policies and regulations of the City of Boulder.

Public comment:

- Lolita Higbe, Executive Director, Studio Arts Boulder, thanked staff for their contributions and said she looks forward to moving ahead with the public/private partnership with the City of Boulder for the next three years.
- Paul Heffron, representing Studio Arts Boulder, spoke in support of the agreement and said he looks forward to the partnership with the city.
- Ellen Hardman, spoke in favor of keeping the Pottery Lab at the firehouse because it enriches the lives of many.

Board discussion and comments:

- The contract was well done.
- Is this a realistic plan? What is the renewal? What are the renewal terms? We need clarification. What is the intention of the city? To subsidize?
- 20 hours of IT support per week is not enough.
- Why are glazing recipes included in the contract? They are not proprietary. They are public domain.
- I've been involved with this process for 4 years. What happens after 3 years? Is this like BMoCA?
- I see no contract issues and it looks like we're moving in the right direction with this.
- I won't vote for the contract as is. We need more discussion.

Motion:
Motion to approve the lease and services agreement for the City of Boulder Pottery Lab and authorize the city manager to make minor amendments prior to or during the term of this agreement in order to ensure that the Pottery Lab is properly maintained and operated in the manner that is consistent with applicable laws and the policies and regulations of the City of Boulder.
Motion by: Wyatt Seconded by: Gorce

Vote: 5-1 (Estrella absent)

Agenda Item 6: Valmont City Park Planning Information Item
Doug Godfrey presented this item.

Executive Summary from packet Materials:
The Parks and Recreation Department is in the process of updating the 2008 concept plan for undeveloped portions of Valmont City Park (VCP).
The update process includes:

- Industry trend analysis
- Athletic field study
- Stakeholders meetings
- Statistically valid community survey

- Outreach sessions, community meetings
- Regular updates to PRAB and city council

The goal is to develop an updated concept plan for the undeveloped portion of the park.

Board discussion and comments:

- The park will be loved, great job, process moving along well, process seems fairly thorough and to be moving in the right direction
- We're not hearing from all user groups, but for the most part the process, the data and the consultants results are good
- We need to include things we don't have – we already have playgrounds, fields and dog parks
- The process has been outstanding
- We need to determine what we can afford and what we are missing
- How do we prioritize? What does Boulder really need in a new park?
- We don't see ball parks very high in the plan, but Boulder needs more ball parks
- Keep youth in mind
- We need balance and to look at what we don't have in the parks
- You have to have multi use paths, we need multi-purpose fields and passive recreation, but the adventure/nature play is not authentic and is a fad – kids need to play in real nature
- I'm not sure going for the high end athlete is a winning strategy
- Has a recreation center service analysis been done on that neighborhood? How are they being served by a recreation or aquatics center?
- We need to be aware of history – disc golf
- Aquatics and baseball groups need to come to the table – we need to think about the possible retirement of Scott Carpenter pool
- What about a recreation center with an outdoor pool?
- This park seems like more of an active recreation park as opposed to a passive, artsy park
- Need more open houses to reach out to more groups

Agenda Item 7: Matters from the Department

A. IPM Program Update: Achievements, Emerging Issues and Next Steps

Rella Abernathy presented this verbal update.

- Consultant hired to survey products currently being used by the city
- Staff working to phase out use of questionable products
- Staff has prepared memo to DORA (Department of Regulatory Agencies) requesting the state of Colorado to amend the law to provide baseline protections for pollinators and children, asking for the ability to regulate the use of pesticides and asking that the advisory board have non-agency members such as species and health experts

B. Service Analysis Update

Alison Rhodes and Dean Rummel presented this brief update.

- Work on this began in January 2014
- Fee based training kickoff with all coordinators
- Completed matrix team training for RPI – outcomes, measurements, ground rules, how we do a day to day program
- Alignments - specific workgroups completed scoring
- Scoring broken into three services: Community, Recreation and Exclusive
- An additional update will be provided at the September 22 PRAB meeting

C. South Boulder Creek Flood Mitigation Planning Study

Jeff Haley presented this brief update.

- To keep PRAB members updated on impacts to the Boulder Parks and Recreation Department lands and properties, this memo was included as an information update.

Agenda Item 8: Matters from Board Members Myriah Conroy congratulated Mike Conroy and Mike Guzek for an awesome finish in the Ironman competition.
Next Board Meeting: September 22, 2014
Adjourn: There being no further business to come before the board at this time; the meeting was adjourned at 8:25 p.m.

Approved by:

_____

Mike Conroy
Board Chair

Date _____

Attested:

_____

Sally Dieterich
Board Secretary

Date _____

CITY OF BOULDER
BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING
MINUTES

Name of Board/ Commission: Transportation Advisory Board

Date of Meeting: 11 August 2014

Contact Information Preparing Summary: Kaaren Davis 303.441.3233

Board Members Present: Daniel Stellar, Zane Selvans, Jessica Yates, Dom Nozzi
Board Members Absent: Andria Bilich

Staff Present: Tracy Winfree, Director of Public Works for Transportation
Bill Cowern, Acting Principal Traffic Engineer
Kathleen Bracke, GO Boulder Manager
Noreen Walsh, Sr. Transportation Planner
Kaaren Davis, Board Secretary
Rene Lopez, Board Secretary

Consultants Present: None

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 July 2014 **[6:02p.m.]**

Motion to approve the meeting minutes from 14 July 2014 TAB meeting as presented: Motion by: Stellar, Seconded by: Selvans
Vote: 4:0

Agenda Item 3: Public Participation **[6:03 p.m.]**
None

Agenda Item 4: Public hearing and consideration of a recommendation to City Council on proposed project submittals for the Denver Regional Council of Government's 2012-2017 Transportation Improvements Program – Part III of III **[6:03 p.m.]**

Noreen Walsh presented this item.
No Power point presented for this item.

Executive Summary from Packet Materials:
The Transportation Improvements Program (TIP) process is the primary mechanism for local governments to receive federal transportation dollars. A new TIP is developed by the Denver Regional Council of Governments (DRCOG) every four years through a competitive submittal process. This memo provides an overview of the transportation projects that the city is considering as submittals for the 2016-2021 TIP. This agenda item is part three of a three-step process with TAB and seeks a recommendation from the board for a set of candidate projects for TIP submittals which will be due to DRCOG in mid to late September.

In preparation for the TIP submittal, city staff has developed a list of projects for consideration by the TAB. Each TIP cycle, DRCOG revises the criteria by which projects are scored. The final criteria were released in late July as part of the solicitation announcement. Staff will evaluate the criteria over the next several weeks and have more insight into how the projects will score and funding amounts by project category. A minimum of 20% local match for funding is also required. In this process, the city can submit up to 10 projects. Developing the final list of TIP projects is a balance between several factors: which projects will score the best to be competitive against other communities projects, which category they will compete in, how much money is available in each category, and which projects will best forward the goals of the community as laid out in the Transportation Master Plan.

To maximize the City's flexibility in packaging the most advantageous list of projects, **Table 1** presents 12 projects that staff supports for inclusion in the City's submittal to DRCOG for the 2016-2021 TIP. Staff proposes to submit the 10 projects which have the best chance of being selected for TIP funding. The other projects serve as "back-

ups" in case one of the top ten projects becomes unfeasible due to issues from a design or cost perspective, due to changes in the criteria or if a project doesn't score well enough to be competitive. There are three projects which were being considered for submittal but are not included in this list at this point and they are Arapahoe Avenue Reconstruction, US 36 Bikeway Underpass, and Skunk Creek Underpass at 30th Street. There are study efforts such as Envision East Arapahoe occurring that will clarify key components and priorities for these projects and they could be considered for future TIP submittals or other grant opportunities. Also, regarding the Arapahoe Avenue Reconstruction, the current pavement condition rating does not make that an eligible TIP project in the roadway reconstruction category. The city is also discussing potential transit projects with Boulder County and may be a supporting partner in any Boulder County proposals that also serve Boulder as well as possibly submit a project proposal for service in the City of Boulder.

Public Comment:
None

Board discussion and comments included: **[6:07 p.m.]**

- Discussion on Boulder Junction concerns about Arapahoe Corridor, and South Boulder Creek Flood Plain and city council shaping what the project is.
- Violet bike path changes due to fatalities, and asking for updates on those proposed changes and where funding is coming from.
- Cost effectiveness of projects (how many served per dollar, etc) must be an essential part of project prioritization.
- Discussion of evaluation criteria used to select projects.
- Underpasses and Overpasses are very expensive. Will the same need for grade separated crossings still exist 10 or 15 years down the road? If we go to road diets will grade separation still make sense? Could the $$ be spent better otherwise for projects with better long term benefits. Make crossings easier through road diets instead of grade separated crossings.
- Discussions that some grade separated crossings (underpasses) are flood control as well.
- Discussions on the best strategies for gaining maximum funding.
- Concerns were expressed regarding how "underpass heavy" the list is. Discussion as to why this is and whether other projects could work as well for encouraging more biking and walking.
- Questions around timing and where a project comes ripe for inclusion as a TIP project.
- Discussion around the absence of transit projects in the proposed project set and what impediments exist to the inclusion of transit projects.
- Delineation of other programs which may provide funding for other projects which are not appropriate for inclusion in the TIP proposal at this time.
- Concern about the large price tag of the main list, especially with regards to the Boulder Junction related projects. Are there smaller priced projects that could be submitted to increase the likelihood of receiving funding.
- Questions around how Bond Projects relate to the Boulder Junction projects.
- Nozzi wished to go on record: Given that CDOT designed and built car only highways that cannot be crossed by bikes and pedestrians, it seems a matter of fairness that CDOT should pay the entire cost of mitigating these issues through grade separated crossings.
- A desire to express to Council that there are other tools that could be used and that this list is not necessarily the end all – be all for projects.
- Requesting that staff give background to Council regarding the constraints, requirements and issues of timing that necessitated the current recommended project list as the best option at this time.

Motion: Move to recommend to City Council the staff endorsed set of projects for the 2016-2021 TIP.
Motion By: Yates Seconded By: Selvans
Vote: 4-0, Motion Passes

Agenda Item 5: Staff briefing and TAB input on Transportation Related Ordinance Changes [6:39 p.m.]

Bill Cowern presented the item.
Power point presented for this item.

Executive Summary from Packet Materials:
The purpose of this memorandum is to brief the Transportation Advisory Board (TAB) on several proposed transportation-related changes to the Boulder Revised Code (BRC) specifically associated with allowing bike lanes protected by parked vehicles, and to receive input on these proposed changes.

City staff is recommending several amendments to the BRC, which are transportation-related. Staff briefed the TAB on the majority of these proposed changes at the July 14, 2014 TAB meeting. Feedback from the Community Cycles group suggested that the proposed ordinance changes should include changes which would allow parking to protect bike lanes (instead of experimenting with them and returning at a later date for required ordinance changes). At that meeting, TAB requested that staff return in August with proposed changes which would allow this to occur. Staff is seeking input from the TAB on the proposed amendments and whether these proposed amendments should be included in the group being reviewed by City Council or whether staff should experiment with the concept first and consider advancing these proposed amendments after experimentation. City Council's consideration of the proposed amendments remains scheduled for September 2014.

The three draft BRC amendments which would allow parking to be placed so that it protects a bike lane are provided in **Attachment A.**

Board discussion and comments included: [6:42 p.m.]

- Questions about the options of making the "clean-up" changes now, or waiting and doing them as a body with the changes which will be proposed after the protected bike lane experiments are completed.

- **7-5-19. Pedestrian to Use Sidewalks on Main Street**
  - No comments
- **7-6-9. Parked Too Far From Curb**
  - No comments
- **7-6-10. Obedience to Angle Parking Rules**
  - No comments
- **7-1-1. Definitions of Bike Lane**
  - Discussion about specific effect of proposed language changes and whether proposed changes will address the perceived gap in the ordinance language. Also whether proposed changes would create a different problem (specifically, the elimination of a parking lane to the right of the bike lane).
  - Suggestion that the change in definitions is not necessary. Changes will be evaluated further.

No board action beyond input is requested at this time.

Agenda Item 6: Matters [6:53 p.m.]

A.) Matters from the Board Included:

- **Updates regarding collaboration with other city boards**
  - A new Joint Board Workshop is in the planning stages.
- **Yates brought up the following issues:**
  - Council passed the TMP update unanimously. There were common concerns with those expressed by the TAB. There is comfort to be found in the fact that it is a living document that can grow and change. Well done Board and Staff.
- **Selvans brought up the following issues:**
  - Implications of "net – vs – gross" right-of-way decision made by Planning Board for our connections plan.
- **Nozzi brought up the following issues:**
  - Echoes Selvans concern with the recent Right of Way dedication decision made by Planning Board.

B.) Matters from staff included: **[7:05 p.m.]**

- **TMP update after City Council meeting August 5, 2014:** Thanks to TAB and to Jessica for attending Council on the evening of passage. It is truly a community plan. There is a great deal of work to do in the future. Council asked for a six month update in February. Staff will continue to update TAB as well.
- **AMPS update after the July 29, 2014 City Council Study Session:** Additional Council Study Session on July 29th. Very helpful to get back in front of Council for additional dialogue. It was also useful to be able to demonstrate progress made after the first discussion. Great and positive feedback from Council. Community engagement is next. Next AMPS Study Session will be October 28th. Will come to TAB before.
- **Envision East Arapahoe Update:** More in depth update coming in September. Have had a public meeting with over 50 community members attending. Highly varied group of stakeholders which provided some great feedback. 15 minute neighborhood was a big topic. Currently developing different scenarios around integrating housing, Greenways, flood mitigation, transportation etc. Outreach meetings with partner/stakeholder organizations along the corridor. Boulder County is considering a HWY 7 BRT route as a potential TIP project and the City would like to partner with them on that.

Agenda Item 7: Future Schedule Discussion: **[7:22 p.m.]**
August 25th at West Boulder Senior Center

Agenda Item 8: Adjournment **[7:23 p.m.]**
There being no further business to come before the board at this time, by motion regularly adopted, the meeting was adjourned at 7:23 p.m.
Motion: moved to adjourn; Selvans, seconded by: Stellar
Motion passes 4:0

Date, Time, and Location of Next Meeting:
The next meeting will be a regular meeting on Monday, 8 September 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

9/8/14
Date

ATTESTED:

Board Secretary

9/8/14
Date

An audio recording of the full meeting for which these minutes are a summary is available on the Transportation Advisory Board web page.

CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING MINUTES

Name of Board / Commission: Water Resources Advisory Board

Date of Meeting: 18 August 2014

Contact Information of Person Preparing Minutes: Kaaren Davis 303.441.3203

Board Members Present: Vicki Scharnhorst, Dan Johnson, Mark Squillace, Lesley Smith, Ed Clancy
Board Members Absent: None

Staff Present: Jeff Arthur, Director of Public Works for Utilities
Bob Harberg, Principal Engineer - Utilities
Katie Knapp, Engineering Project Manager
Kurt Bauer, Engineering Project Manager - Utilities
Bret Linenfelser, Water Quality and Environmental Services Manager
Don D'Amico, Ecological Systems Supervisor - OSMP
Kaaren Davis, Board Secretary

Cooperating Agencies Present:
Ken McKenzie, Master Planning Manager for the Urban Drainage and Flood Control District
Alan Turner, CH2M Hill, Primary Consultant for Project

Meeting Type: Regular

Agenda Item 1 – Call to Order **[7:00 p.m.]**

Agenda Item 2 – Approval of the 21 July 2014 Meeting Minutes:
[7:01 pm]

21 July minutes: Motion to approve minutes from July 21st as presented. Moved by: **Johnson**
Seconded by: **Smith**
Vote: 4:1 (Clancy Opposed)

Agenda Item 3 – Public Participation and Comment **[7:02 p.m.]**

Public Comment:

- **Steve Pomerance**: Former Council member who was directly involved in the original flood work process during the 80's. Spent much time with staff. Suggests we go back to this culture so that board is fully aware of what is going on. Mapping process is getting frustrating. It is unclear how the analysis is going to occur, especially with regard to cost/benefit analysis around the specific neighborhoods. WRAB is the first line of defense, and it would be appreciated if the board would be active in the process.

Board follow up:

- None

Agenda Item 4 – **[7:05 p.m.]**

Public Hearing and Consideration of a Recommendation to City Council Regarding the South Boulder Creek Major Drainageway Plan and Mitigation

Presenters:
Jeff Arthur, Director of Public Works for Utilities
Bob Harberg, Principal Engineer - Utilities
Annie Noble, Flood and Greenways Engineering Coordinator
Don D'Amico, Ecological Systems Supervisor, Open Space and Mountain Parks
Kurt Bauer, Engineering Project Manager

Cooperating Agencies Present:
Ken McKenzie, Master Planning Manager for the Urban Drainage and Flood Control District
Alan Turner, CH2M Hill, Primary Consultant for Project

Executive Summary from the Packet Materials:

The purpose of this memorandum is to provide a summary of the South Boulder Creek major drainageway flood mitigation planning study including the study recommendation. This mitigation plan was initiated in 2010 after the floodplain mapping was updated in 2007. The focus of the study is on developing and evaluating alternatives designed to mitigate flood hazards affecting structures and areas along South Boulder Creek and the West Valley within the current incorporated city limits.

A Risk Assessment completed in 2009 estimates that a 100-year storm event would result in approximately $215 million in damages in the South Boulder Creek drainage basin. The September 2013 flood resulted in overtopping of US36 and corresponding flooding through the West Valley with reported damages of $38 million. The 2013 flood is estimated to have resulted in flows above a 50-year event but below the 100-year flow used in the Risk Assessment to estimate damages.

Since the major drainageway mitigation study was initiated, multiple flood mitigation alternatives have been evaluated to address flooding associated with South Boulder Creek. The alternatives were screened from fifteen concepts down to four via the planning process. Consultants for the study recommend an alternative that would eliminate the overtopping of US36 during a 100-year event and provide flood protection for 362 structures (893 dwelling units) at a cost of $46 million. The $46 million alternative would include a 560 acre-foot regional flood detention facility, three smaller stormwater detention features at various locations ranging from 9 to 58 acre feet and piping a segment of Dry Creek No. 2 Ditch. The alternative could be constructed in phases ranging from $12 to $23 million. Construction of the project would require numerous federal, state and local permits, agreements with the University of Colorado and Boulder Valley School District, and disposal of Open Space and Mountain Park land. The regional detention facility portion of the alternative would be regulated by the State as a high hazard dam. Construction of the regional detention facility at US36 would result in significant impacts to federal and city regulated wetlands, habitat for federally threatened plant and animal species, agricultural resources, the South Boulder Creek State Natural Area (SBCSNA) and other environmental and aesthetic resources.

Staff is recommending that the "West Valley Improvements" and "Arapahoe Detention" components of the "recommended alternative" proceed to the Community Environmental Assessment Process (CEAP) separate from the "Regional Detention at U.S. 36" component. While these measures are not as comprehensive as the full recommended alternative, it is anticipated that they could be designed, permitted, funded, and implemented in the relatively near future. Staff recommends seeking additional direction from City Council regarding the "Regional Detention at U.S. 36" component. If City Council determines that flood mitigation benefits outweigh associated environmental impacts after considering input from the WRAB, the Open Space Board of Trustees, city staff, and the public, the "Regional Detention at U.S. 36," the project could proceed on a separate time table.

Public Comment:

- **Rick Mahan:** 3rd generation in his house. Understands that there are environmental impacts involved with mapping process, but there are ways to mitigate the impact to wildlife to allow the options discussed. Frustrated that South Boulder area seems to have many great plans that are never followed through with. Lost irreplaceable family history during the flood.
- **Kathie Joyner:** Glad to see staff's recommendations for US 36 with downstream mitigation for removing many structures from the high hazard zones. Concerned about the option of removing the detention facility from the whole package as a separate phase. Delay could negatively impact about half of the structures in the flood hazard zone. Potential for significant environmental impacts is valid, but the degree of impact and ability to mitigate can't be known unless the Environmental Impact Statement (EIS) is conducted. South Boulder Creek sustained the most damage. Any delays in the analysis of impacts and multi-agency evaluations will further delay the removal of over 200 structures from the flood hazard zone. Encourage that impact analysis and multi-agency consultation move forward as fast as possible.
- **David McGuire:** Had about $70,000 in flood damages to his house and about 9' of water over two days. Aware that there are sensitive species in the area, but it is important to analyze the actual impacts of the flood to those species versus the impacts of the US 36 detention facility. Species impact mitigations are possible.

- **Liliane Stacishin:** Home was flooded. Have not heard how the future development of the area around the proposed projects will affect the plan as put forth. New structures are being built all the time.
- **Shannon Chinatti:** President of Pawnee Meadows HOA. Their neighborhood was ground zero. No sirens, no reverse 911, no notifications of highway closures. Contests the statement that the flooding last year was not flash flooding. Her neighborhood experienced very rapid flooding. Frazier Meadows facility severely damaged. A berm would be a welcomed sight to the affected neighbors. Flooding will happen again. Mitigation measures discussed should be put in place as soon as possible. Thanks for working on our behalf and dealing with FEMA, which is difficult. City is responsive to storm drain cleaning and this is appreciated.
- **Laura Tyler:** Shared a photo of her front yard after the flood event. Water rose very quickly during the event. Shared an account of the flood on her property. Read an article from the Daily Camera about CU Boulder that boasted how well the South Campus fared in comparison to other areas affected by the flood. The berm around that property is probably responsible for that protection but also the possible cause for some of the water being diverted into their neighborhood. Questions about cost/benefit analysis.
- **Jeff McWhirter:** President of SE Boulder Neighborhood Association. Neighborhoods are built on the old floodplains. Building continues in the area, which is not smart. That said, this is what we are stuck with and something must be done. If this event was not quite a 100-year event, what would a 200-year event look like? Don't know whether this plan is the best plan or not, but we need to be able to look at perhaps some other alternatives.
- **Ben Binder:** Presented handout to board. Board and city are being shortchanged because optimal alternative was never investigated — detention pond on south end of the CU property. No environmental impacts. Lower cost, but high effectiveness. The CU berm is illegal and built counter to city and county policies. Counter to FEMA requirements. The old gravel pit can be used to cut peak flows. CU says they have other intentions for the property, but that could be combined with athletic fields. CU is being callous if they will not cooperate with the city on creating this detention facility. Suggests that city reject current alternatives and work with CU instead.
- **Kathleen Motylenski:** First level of home flooded during the flood event. She carried her dog half a mile away to a neighbor who was dry. Neighbors doing all they can but are frightened of what an actual 100 year or greater flood event would look like.
- **Jeff Rifkin:** Benefit/cost ratio just looks at cost associated with flood events, but there are costs associated from flood impacts between events. Concerned about pipeline option and Manhattan Middle School detention facility. Also concerned about storing water at Manhattan Middle's fields and plans to put in three different ponds, but nothing is known about how high the water table is. What are the impacts and the alternative plans if the proposed area cannot be used as detention facilities?

WRAB Discussion Included:

- Cost/benefit study – reasons for discrepancy between the 2010 predicted cost of a flood event and the actual costs we are seeing after the 2013 flood event. Evaluation is being done using FEMA's HAZUS tool.
- Environmental values seem to get lost in the cost/benefit evaluation discussions. Would like to see it clearly included.
- Costs and Benefits of just going the first two steps and never pursuing the US 36 Detention structure option? Are the cost/benefits of the first two steps adequate to pursue without the detention structure? Phases do have positive benefit to cost ratios by themselves.
- Chances of building US 36 Detention Facility seem not very high, given likely impacts on threatened and endangered species in the area.
- Changes in calculating cost/benefit ratios since the 2010 evaluations of the original 15 alternatives?
- Community and Environmental Assessment Process Report (CEAP) - Will that be public input? CEAP is very much an extensive public process.
- Wetlands serve important functions (species habitat, flood mitigation). Would we need permission from Fish & Wildlife for endangered species, as well as Open Space? That would be a very drawn-out process. If we go ahead with the US36 Detention Facility, we could get bogged down for a long time.

- 2010 Bear Creek Canyon pipeline was eliminated. Back then there was no discussion of the wildlife and habitat impacts. Are there second thoughts about adding it back into the mix now that there is a better understanding of the eco-impacts? Staff response: have not yet looked at utility conflicts related to maintaining large, closed conduits that do not serve any ecological benefits, which does create concern. Large banks of inlets required. The amount of debris that could clog the inlets is huge. Confined space issues. Urban Drainage Flood Control District does not support large pipelines. Installation and maintenance costs are large.
- Any set of alternatives recommended will likely require preparation of an EIS and we will have to bring forward 4-5 alternatives anyway. How many options do we leave open? Consider adding the pipeline back in to open up one more alternative.
- Some of the options have a marginal cost/benefit ratio at this time. What happens if during the design phase we discover that something has a cost/benefit ratio of less than one, and is therefore a less readily fundable option? (Lower rating could affect grant possibilities.)
- If could use more CU land for detention, could the berm be less high, less impactful and less costly? Have not surveyed for endangered species on CU property.
- How big an impact would inundation cause as opposed to the berm impacts for the threatened species? Flooding would have less impact as this type of flooding is more normal to this type of area.
- Alternatives considered to minimize the footprint and impact of the proposed berm.
- Elevation fill to elevate property for the berm. Could that not come from putting a pond in the proposed area?
- Goats a possibility for weed control on the berm? Yes, reasonable success with some species of weeds. Size of the berm would require a lot of goats.
- Can eminent domain be used against CU? No - We do not have the authority to condemn a state or federal property.
- CU should be persuaded to give up control over some of its land if it opens up better options. There are political ways to deal with CU to compel cooperation, such as the Board of Regents. Each option should be studied regardless of apparent feasibility.
- If WRAB does not send staff forward with a recommendation on the current path, how long would it be before something new came back to the board?

Motion to recommend that City Council accept the "West Valley Improvements and Arapahoe Detention Phases" of the South Boulder Creek Major Drainageway Plan and the "Regional Detention at U.S. 36 with Downstream Improvements" as the recommended alternative to mitigate flood risks associated with South Boulder Creek.

The WRAB recommends proceeding with the "Regional Detention at US 36" component of the alternative only after looking at alternatives which may have lesser potential for environmental impacts, and which may provide faster and less costly opportunities for equivalent mitigation in that area, such as use of CU property detention, private property detention, and eminent domain options.

Motion by: Johnson; Seconded: Clancy
Vote: 5-0, Motion Passes

Agenda Item 5 – **[9:20 p.m.]**

Information Item - Skunk Creek, Bluebell Creek and King's Gulch Floodplain Mapping Update

Presenters:
Jeff Arthur, Director of Public Works for Utilities
Bob Harberg, Principal Engineer - Utilities
Katie Knapp, Engineering Project Manager

Executive Summary from the Packet Materials:
The purpose of this memorandum is to provide a general summary of the history and results of the Skunk Creek Floodplain Mapping Update.

Floodplain mapping provides the basis for flood management by identifying the areas subject to the greatest risk of flooding. This information is essential for determining areas where life safety is threatened and property damage is likely and is the basis for floodplain regulations and the National Flood Insurance Program (NFIP). The city's floodplain maps need to be periodically updated to reflect changes in the floodplain resulting from land development, flood mitigation improvements, new topographic mapping information and new mapping study technologies.

The Skunk Creek Floodplain Mapping Update includes the King's Gulch, Skunk and Bluebell Canyon Creek floodplains between the city limits to east of Foothills Parkway where Skunk Creek confluences into Bear Canyon Creek as shown in red below.

Engineering consultants provided hydraulic modeling to update the existing Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) and City of Boulder floodplains, water surface elevations, conveyance and high hazard zones.

The proposed mapping of the Skunk Creek Floodplain would result in a net:

- Increase of 49 structures identified in the 100-year floodplain;
- Decrease of 25 structures identified in the conveyance zone and;
- Decrease of 14 structures identified in the high hazard zone.

The WRAB review of the floodplain mapping update does not require board members to verify the analysis and calculations, but accepts the overall mapping study process and that results are reasonable and acceptable.

Following input from the August WRAB meeting, any information requested about the mapping study will be presented at the September WRAB meeting. A request for a motion will also be made at the September WRAB meeting.

WRAB Discussion Included:

- Reasons for the increased number of structures in the 100-year flood plain in spite of mitigation done in the area in recent years.
- What the 2013 event was rated at (between 50-100-year event). With LiDAR (Light Detection and Ranging), can individual properties be evaluated and perhaps be removed from the high hazard zone (HHZ)? There is no FEMA process by which property owners can get their properties removed from the HHZ.
- Did the flood models and LiDAR compare well to the mapping of the actual boundaries of the event?
- How much contact has staff had with those who have been added to the 100-year floodplain and what guidance have they been given? Many appear to be eligible for removal from the floodplain through the LOMA (Letter of Map Amendment) process.

No Board action was requested at this time.

Agenda Item 6 – Matters **[9:43 p.m.]**

From the Board:

Board member Johnson brought up the below matter(s):

- Impressed with city maintenance crews during the last rain storm. They were out looking at trash racks.
- Email from Council about recommendation with regard to proposed rate increases and City Council thought we might be light on sanitary sewer increase.
- People who were affected seemed pleased with rate increase, and wondering if looking at setting up a local district to put money into for upgrades might be a possibility.

Board Member Smith brought up the below matter(s):

- Had a conversation with Steve Pomerance. Should we push more to correct some of these major flooding problems? How do we decide which things get tackled now as opposed to later?

Board Member Clancy brought up the below matter(s):

- Raised concerns about the capacity of the WWTF and compliance with related design standards.

From Staff: **[9:47p.m.]**

- **CIP Outreach to Businesses:** Had a meeting with the Boulder Chamber to get their thoughts on how to proceed and on key people to target. Have been doing one-on-one meetings with some of the big users to discuss rate impacts. Generally, people have understood the need for rate increases.
- **CIP Agenda Item at Council Previous Week:** Most of the discussion was around the Utilities CIP and specifically the Wastewater section. Discussion went well. A majority of Council looked interested in an option to expedite the wastewater collection system improvements. Council asked about WRAB input. Study Session on September 9th. Board cannot take action before that due to meeting schedule, but if individual board members have input about parameters, comparisons to other communities, priorities for investments, etc., please let staff know on an individual basis.

Agenda Item 7 – Future Schedule **[10:15 p.m.]**

- Skunk Creek Floodplain Mapping
- Twomile Canyon Creek Floodplain Mapping

Adjournment **[10:18 p.m.]**

There being no further business to come before the Board at this time, by motion regularly adopted, the meeting was adjourned at 10:18 p.m.

Motion to adjourn by: Smith; Seconded by: Squillace

Motion Passes 5:0

Date, Time, and Location of Next Meeting:

The next WRAB meeting will be Monday, 15 September 2014 at 7:00 p.m., in the Council Chambers, 1777 Broadway, 80302.

APPROVED BY:

Board Chair

09-15-14

Date

ATTESTED BY:

Board Secretary

09-15-2014

Date

An audio recording of the full meeting for which these minutes are a summary, is available on the Water Resources Advisory Board web page.

Maria Mercedes Alvarez Day
August 19, 2014

WHEREAS, the cities of Boulder, Colorado and Jalapa, Nicaragua, have been sister cities since 1985 and Maria Mercedes Alvarez is a board member of the Boulder-Jalapa Friendship City Projects; and

WHEREAS, Maria Mercedes Alvarez, a native of Nicaragua, completed her citizenship requirements and, on August 19, 2014, was sworn in as a citizen of the United States of America; and

WHEREAS, Maria Mercedes Alvarez was trained as a chemical engineer with work on environmental issues with an emphasis on organic agriculture in Nicaragua; and

WHEREAS, Maria Mercedes Alvarez worked as Regional Coordinator from 2005 to 2012 for Sustainable Harvest International based in Surrey, Maine, with outreach programs in Panama, Honduras, Belize and Nicaragua; and

WHEREAS, Maria Mercedes was directly responsible for the supervision of an agricultural program providing extended health counseling and nutritional services to individual farmers and over 1,000 families throughout Central America; and

WHEREAS, Maria Mercedes Alvarez provided supervision and training for 25 field trainers with an emphasis on sustainable agriculture techniques and the goal to improve the quality of life for rural Latino families.

NOW, THEREFORE, BE IT DECLARED by the City Council of the city of Boulder, Colorado, that August 19 is

Maria Mercedes Alvarez Day

Matthew Appelbaum, Mayor

Colorado Cities & Towns Week
October 20-26, 2014

WHEREAS, municipal government is the government closest to most citizens and the one with the most direct daily impact upon its residents; and

WHEREAS, municipal government is administered for and by its citizens and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, municipal government officials and employees share the responsibility to pass along their understanding of public services and their benefits; and

WHEREAS, Colorado Cities & Towns Week is a very important time to recognize the important role played by municipal government in our lives; and

WHEREAS, the Colorado Municipal League's member cities and towns have joined together to teach students and other citizens about municipal government through a variety of different projects and information; and

WHEREAS, Colorado Cities & Towns Week offers an important opportunity to convey to all the citizens of Colorado that they can shape and influence government through their civic involvement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the city of Boulder, Colorado, that October 20-26, 2014 is recognized as

Colorado Cities & Towns Week

And encourages all citizens, municipal government elected officials and employees to recognize and celebrate accordingly.

Matthew Appelbaum, Mayor

City of Boulder Crosswalk Safety Weeks
October 5-18, 2014

WHEREAS, the Boulder community has a strong commitment to increase bicycling and walking. People walk and bike in Boulder at rates far exceeding national averages (20 times the national average for biking and three times the national average for walking) and the city has goals to increase this mode share further. Hence, understanding and enhancing the safety of these modes is an essential element of the city's work; and

WHEREAS, a primary goal of the Transportation Master Plan calls for continuous improvement in safety for all modes of travel (the *Toward Vision Zero* fatal and serious injury crashes) and action items to reduce crashes through the *Safe Streets Boulder* program; and

WHEREAS, the *Safe Streets Boulder* program identifies crosswalks as the most common location for collisions involving bicyclists or pedestrians and motor vehicles, and crosswalks at intersections are the most common collision location for both bike/vehicle collisions (39 percent) and pedestrian/vehicle collisions (36 percent); and

WHEREAS, *Safe Streets Boulder* outlines an integrated approach to collision reduction strategies, including crosswalk safety; and

WHEREAS, the City launched the *Heads Up Boulder*, a collaborative public outreach campaign funded by the City of Boulder and a *Safe Routes to School* grant in partnership with the Boulder Valley School District (BVSD). Boulder Police, University of Colorado officials, local businesses and nonprofits also helped to develop the campaign; and

WHEREAS, the Boulder Police Department is proactively enforcing the crosswalk safety ordinances and will implement a stepped up enforcement campaign in the crosswalks, focused in the last two weeks of September, to increase awareness about the role cyclists, drivers and pedestrians all play in keeping Boulder's crosswalks safe; and

WHEREAS, greater awareness will help all participants in the community's transportation system - pedestrians, bicyclists and drivers - practice safe travel behavior

NOW, THEREFORE, BE IT DECLARED by the City Council of the city of Boulder, Colorado, that the two weeks of October 5 to 18, 2014 are designated as the

City of Boulder Crosswalk Safety Weeks

to celebrate the environmental, economic and community value of bicycling and walking to the City of Boulder and its residents.

Matthew Appelbaum, Mayor

Escoffier Day in Boulder
October 9, 2014

WHEREAS, the city of Boulder is home to the world famous Auguste Escoffier School of Culinary Arts, offering accredited Culinary and Pastry Programs with Farm-To-Table Focus; and

WHEREAS, named after Auguste Escoffier, internationally recognized as perhaps the most famous chef in history, who is as influential and relevant today as he was a century ago. Escoffier not only taught many famous chefs, who themselves went on to train the likes of Julia Child and others, but his cooking methods and recipes continue to influence chefs today. Escoffier's famous book, *Le Guide Culinaire*, has been called the "bible that codified French cuisine;" and

WHEREAS, the brigade system Escoffier created is still the standard operating structure for commercial kitchens across the world. Indeed, the Escoffier name is synonymous with excellence, quality, skill and commitment in the culinary world; and

WHEREAS, the school offers professional culinary arts programs based on the methods, principles and systems of Auguste Escoffier. Students have the opportunity to learn history and context directly from the Escoffier family, as well as from expert chef instructors. The Schools' Culinary Arts and Pastry Arts certificate programs offer rigorous industry skills training, as well as grounding in the standards of professionalism and excellence; and

WHEREAS, the school celebrates its expansion plans and welcomes Michel Escoffier, the great-grandson of Master Chef Auguste Escoffier, current President of the Escoffier Museum and Foundation in Villeneuve-Loubet, France and school advisory board member to Boulder; and

WHEREAS, Michel Escoffier will induct select Boulder culinary professionals into the prestigious Disciples d'Escoffier – a premier International gastronomic society established in France to maintain the good name and traditions of French Cuisine. The goals of the Disciples Escoffier International are to honor the memory of Auguste Escoffier worldwide, promoting and preserving his work and maintaining the great culinary traditions; to promote culinary education and apprenticeship encouraging young people to discover the desire and motivation to work as a professional chef. **NOW, THEREFORE, BE IT DECLARED** by the City Council of the City of Boulder, Colorado, do declare October 9, 2014 as:

Escoffier Day in Boulder

and call upon the people of the City of Boulder to join their fellow citizens across the United States in recognizing and participating in this special observance.

Matthew Appelbaum, Mayor

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 the 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

Approved by Council: January 21, 2014

	Project	Council or Staff?	2014				2015			
			1st Quarter	***2nd Quarter***	***3rd Quarter***	***4th Quarter***	***1st Quarter***	***2nd Quarter***	***3rd Quarter***	***4th Quarter***
HOUSING/LAND USE/PLANNING	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 ad 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							

	Project	Council or Staff?	2014				2015			
			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***
LIVABILITY	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 njeighborhood 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						

	Project	Council or Staff?	2014				2015			
			1st Quarter	***2nd Quarter***	***3rd Quarter***	***4th Quarter***	***1st Quarter***	***2nd Quarter***	***3rd Quarter***	***4th Quarter***
LIVABILITY	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							
				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							
			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	Coodinate 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		

	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 partnerhip 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						
			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								

	Project	Council or Staff?	2014				2015			
			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 Finanical 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

Mary Ann Weideman	Assistant City Manager
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	Police Chief
Maureen Rait	Public Works - Executive Director
Cheryl Pattelli	Director of Fiscal Services
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 (1st alternate), Castillo (2nd 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/ 9th and Canyon	Karakehian, Morzel, Young
Council Retreat Committee	Jones, Morzel
Evaluation Committee	Morzel, Plass
Legislative Committee	Jones, Karakehian, Weaver
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