

**BOULDER CITY COUNCIL MEETING
MUNICIPAL BUILDING, 1777 BROADWAY
Tuesday, May 5, 2015
6:00 PM**

AGENDA

- 1. CALL TO ORDER AND ROLL CALL**
 - A. 2015 Declaration of Boulder Historic Preservation Month
 - B. 2015 Declaration in Support of US Transportation Mayor's Challenge for Safer Streets, People

- 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 adopt Resolution No. 1159** concerning the use of **Neonicotinoid Pesticides** in the City of Boulder.
 - B. Second reading and consideration of a motion to **adopt Ordinance No. 8044** approving supplemental appropriations to the 2015 Budget.
 - C. Introduction, first reading and consideration of a motion to order published by title only **Ordinance No. 8046 approving annual carryover** and supplemental appropriations to the 2015 Budget.
 - D. Introduction, first reading and consideration of a motion to order published by title only **Ordinance 8045 amending** Title 6, "Health Safety and Sanitation," B.R.C. 1981 to add Universal Zero Waste Requirements.

- 4. CALL-UP CHECK IN** Opportunity for Council to indicate possible interest in the call-up of an item listed under 8-A.

ORDER OF BUSINESS

- 5. PUBLIC HEARINGS** *Note: Any items removed from the Consent Agenda will be considered after any City scheduled Public Hearings.*
 - A. Consideration of a motion to **approve** the purchase of the **Robert Oliver**

parcel consisting of 11.61 acres of land, all mineral rights and one share of Howard Ditch water located at 5893 Baseline Rd. from James C. Bish III for \$1,000,000 for **Open Space and Mountain Parks purposes** and an additional \$22,000 is recommended to be authorized from the acquisition budget for immediate needs for fencing, ditch culverts and irrigation infrastructure improvements.

B. Second reading and consideration of a motion to **adopt Ordinance No. 8041** to rezone the property located at **1900 Folsom Street**, from Business Transitional – 2 to Business Regional – 1, consistent with the **Boulder Valley Comprehensive Plan land use designation** of General Business.

C. Second reading and consideration of a motion to **adopt Ordinance No. 8034** amending the **capital facilities impact fee** in Section 4-20-62, “and Chapter 8–9, B.R.C. 1981 by the **addition of a new affordable housing linkage fee** on non-residential development, and setting forth related details.

6. MATTERS FROM THE CITY MANAGER

None.

7. MATTERS FROM THE CITY ATTORNEY

None.

8. MATTERS FROM MEMBERS OF COUNCIL

A. Call-Up

Potential call-up of Site Review for Height Modification at 2030 Vassar Street

B. Subcommittee on Housing Process Transition to BVCP

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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following a regular council meeting. DVDs may be checked out from the Main Boulder Public Library.

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If you need Spanish interpretation or other language-related assistance for this meeting, please call (303) 441-1905 at least three business days prior to the meeting. *Si usted necesita interpretación o cualquier otra ayuda con relación al idioma para esta junta, por favor comuníquese al (303) 441-1905 por lo menos 3 negocios días antes de la junta.*

Electronic presentations to the city council must be pre-loaded by staff at the time of sign up and will NOT be accepted after 3:30 p.m. at regularly scheduled meetings. Electronic media must come on a prepared USB jump (flash/thumb) drive and no technical support is provided by staff.



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 5, 2015

AGENDA TITLE: Consideration of a motion to adopt Resolution No. 1159 concerning the use of Neonicotinoid Pesticides in the City of Boulder

PRESENTER/S

Jane S. Brautigam, City Manager
David Driskell, Director of Community Planning and Sustainability (CP&S)
Susan Richstone, Deputy Director, CP&S
Yvette Bowden, Director of Parks and Recreation
Lesli Ellis, Comprehensive Planning Manager
Rella Abernathy, Integrated Pest Management Coordinator
Kathleen Alexander, City Forester
Lisa Martin, Urban Parks Manager

EXECUTIVE SUMMARY

The purpose of this item is to request City Council adoption of the resolution entitled, “A Resolution Concerning the Use of Neonicotinoid Pesticides in the City of Boulder (see **Attachment A**).

The resolution requires that the city:

1. Does not apply neonicotinoid products on city properties;
2. Urges all levels of government to suspend the use of neonicotinoid insecticides unless they have been thoroughly reviewed and been demonstrated to be safe;
3. Urges all businesses, homeowners and HOAs to take steps to ensure that plants and seeds that are sold and used in the city do not contain neonicotinoids and that products that do contain or are treated with neonicotinoids should be clearly and accurately labeled; and
4. Supports and actively engages in education efforts and encourages others to adopt similar policies.

Staff provided an analysis and preliminary options for the resolution originally brought to council on January 20, 2015 by [Bee Safe Boulder](#) in a [memo](#) in the April 7, 2015 council

packet. City staff and Bee Safe Boulder collaborated on the resolution language to ensure that it retains the objectives of Bee Safe Boulder while complying with city policies and practices.

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. 1159 concerning the use of Neonicotinoid Pesticides in the City of Boulder

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** - Pollinators provide essential services for agriculture, provide fruit and vegetables in urban gardens and produce seeds and fruits in natural areas that support native wildlife that attract tourists. Aquatic invertebrates provide ecosystem services by filtering and cleaning surface waters and providing food for fish and birds. Trees and green spaces increase residential and business property values and the tax base, attract visitors, businesses and new residents to an area and increase occupancy and rental rates of apartments and offices. Shading from trees can defer maintenance longer for materials that are degraded by heat and lower utility bills.
- **Environmental** - Hundreds of peer-reviewed studies have implicated neonicotinoid insecticides as one of the factors contributing to the decline of honeybees, native bees, soil organisms, birds and other animals. Studies are beginning to emerge suggesting that neonic exposure to humans may be associated with health issues. At the same time, trees and other plant material provide many environmental benefits to the community. Urban trees and green spaces help to reduce carbon dioxide and other pollutants, improve water quality, reduce storm water runoff and save energy.
- **Social** - Social scientists have shown that trees and green spaces within cities provide social and psychological benefits and improve the quality of life for residents. Connection to both trees and wildlife, such as birds and butterflies, affects moods, activities and emotional health. It can reduce stress, enhance health and increase recreational opportunities. The urban forest is usually the first impression a community projects to its visitors. The city also provides a healthy environment for people and animals from the reduction or elimination of pesticides on public properties that puts people at ease when their children or pets visit city parks and facilities.

OTHER IMPACTS

- **Fiscal** - Sources of plant materials, seeds and trees that have not been treated with neonicotinoid pesticides are limited and may cost significantly more than materials that have been treated or where the treatment history of the materials is known.
- **Staff time** – Additional staff time will be required to ensure bee safe plant material is used. Education of vendors, interviewing vendors to determine pest control practices of nursery stock, searching for new vendors and developing new procurement procedures all take significant staff time, which could require reprioritization of other work program items.

BOARD AND COMMISSION FEEDBACK

Parks and Recreation Advisory Board: At the March 23, 2015 meeting, the Parks and Recreation Advisory Board (PRAB) unanimously supported adoption of the staff recommendation for the resolution with revisions to incorporate a transparent exemption process for research projects involving neonicotinoids and for application of neonicotinoids when the life or health of a significant or valuable tree is at risk. PRAB members also encouraged the city to seek opportunities to plant more native vegetation and pollinator gardens on city properties and to use signage and other educational approaches to engage the public in understanding the importance of pollinator health issues.

Environmental Advisory Board: At the April 1, 2015 meeting, the Environmental Advisory Board (EAB) unanimously supported the resolution, including the tree and research exemption process. EAB members encouraged the city to provide more public education on this issue by partnering with local nonprofit organizations. EAB also encouraged the city to hold pollinator or bee events to engage and educate children and other members of the community.

PUBLIC FEEDBACK

Approximately 20 people provided comments during the January 20, 2015 city council meeting in support of the resolution presented by Bee Safe Boulder. City Council has received emails from 26 people supporting the resolution and emails from four individuals who have criticized the resolution and the city's approach to pesticide reduction. One person who is against the resolution sent multiple emails. Another person who opposes the resolution is from outside the U.S.

The city held a well-attended [open house](#) at McGuckin Hardware on April 13, 2015 to solicit public feedback. Thirty-seven people filled out comment forms and the majority, 95 percent, were in favor of the resolution. Feedback was also requested on [Inspire Boulder](#), beginning on April 9, 2015. By April 27, 37 people had responded. Of those, 34 (89 percent) supported the resolution with two people unsure and two opposing it. Many residents asked for the city to take more action to formally ban other pesticides on city properties beyond the neonicotinoid family of insecticides. Several spoke of the need to provide more forage for pollinators by eliminating grass and replacing it with native plants. Many people stated their enthusiasm for the resolution.

RATIONALE FOR NEONICOTINOID BAN

Background information about pollinator health, including the role of neonicotinoids in the decline of pollinators and recent scientific studies, can be found on the city's web site at BoulderColorado.gov/bees.

The city bans nearly all pesticides on city-owned properties. Cosmetic, or non-essential uses of pesticides, are rare and the vast majority of city properties are maintained without pesticides. Local governments across the country are adopting neonicotinoid restrictions, some states are beginning to take steps to protect pollinators by limiting certain uses or requiring labeling and the European Union (EU) has a moratorium in place for the use of

neonicotinoids on flowering crops. Some European countries have additional restrictions in place beyond the EU-wide moratorium. Although pesticides other than neonicotinoids can adversely impact pollinators and multiple factors are contributing to the decline of pollinators and other organisms, neonicotinoids have specific properties that are particularly detrimental to pollinators and other wildlife. Most concerning, neonicotinoids are applied broadly and indiscriminately in both the urban and agricultural environments and contamination of surface waters and soils is widespread. Urban uses are particularly problematic, since many consumer neonicotinoid products are available for turf, flowers, shrubs and trees. Residential labeled rates of application can be much greater than agricultural uses. Yet, native pollinators are often found in higher numbers in urban environments than agricultural lands. Very little sampling of streams and rivers has occurred across the country. In one USGS study in the Midwest, nearly all surface waters were contaminated. Recent creek sampling by the City of Santa Barbara, California found alarming levels of neonicotinoid contamination in all city creeks. The City of Boulder's resolution formalizes the actions that are already occurring through the city's Integrated Pest Management (IPM) policy and staff practices. However, adoption of the resolution provides an opportunity to bring attention in the community to the issues associated with pesticide use and its impacts on non-target organisms.

NEXT STEPS

- 1. Exemption Process:** Staff presented council with a summary of the exemption process for tree applications at the April 7, 2015 council meeting. IPM and Urban Forestry staff are currently having the exemption process assessed through external review by research scientists and national nonprofit organizations who are leaders in pollinator protection efforts.
- 2. Education and Outreach:** Staff is participating in a number of events including panel discussions, plant exchanges and other education and outreach events and is exploring opportunities for more collaboration with nonprofit partners such as [Bee Safe Boulder](#), [Sierra Club Indian Peaks Group](#), [People and Pollinators Action Network](#), [Growing Gardens](#), [Fairview High School's Net Zero Club](#), [Colorado State Beekeeper's Association](#) and others.
- 3. Improving Pollinator Habitat:** Staff is exploring approaches for incorporating more pollinator forage onto city properties and sourcing neonic-free landscaping materials.
- 4. Research and Sampling**
 - Staff is working with Colorado State University to design research studies to determine the non-target impacts and efficacy of neonicotinoid tree treatments.
 - Staff is planning to sample Boulder Creek during the summer of 2015 to test for neonicotinoids.
- 5. Related Events in Boulder**
 - September is National Honey Month and the [Colorado State Beekeepers' Association](#) is working with local restaurants, farms and breweries to create drinks and foods made with honey to educate the public about bee health.

- The [Western Apiculture Society](#) is holding their annual conference in Boulder during October 1-3, 2015. The slogan for the conference is “Puttin’ the Bee in Boulder!” and they are inviting world-renowned scientists to speak and are scheduling entertainment and events for the public, including “Kids and Bees” by the [American Beekeeping Federation](#). The city is exploring opportunities to collaborate with the Western Apiculture Society to potentially hold related events to celebrate the Bee Safe Resolution.

ATTACHMENT

Attachment A: Resolution No. 1159 concerning the use of Neonicotinoid Pesticides in the City of Boulder

1 RESOLUTION NO. 1159

2 A RESOLUTION CONCERNING THE USE OF
3 NEONICOTINOID PESTICIDES IN THE CITY OF BOULDER

4 WHEREAS, neonicotinoids, one of the most widely used classes of insecticides, are
5 systemic, persistent neurotoxins that translocate throughout all parts of plants, including leaves,
6 guttation fluids pollen and nectar; and

7 WHEREAS, a large and growing body of independent, peer-reviewed scientific studies
8 demonstrate that neonicotinoids adversely impact beneficial soil invertebrates, avian and aquatic
9 organisms, contaminate water resources and soils, and contaminate the pollen and nectar that is
10 gathered by pollinators; and

11 WHEREAS, studies have shown that neonicotinoids are endangering pollinators through
12 acute poisonings as well as through chronic sublethal exposures, which can weaken immune
13 defenses, causing increased susceptibility to natural stressors such as parasites, pathogens
14 (bacterial, viral and fungal diseases), and poor nutrition due to habitat loss and industrial
15 agricultural systems, and studies have shown other adverse effects associated with
16 neonicotinoids, including delays in larval development, decreases in queen survival and negative
17 effects on feeding, navigational and reproductive behaviors; and

18 WHEREAS, the loss of pollinators is alarmingly high, with commercial honeybee
19 colonies experiencing as much as 50 percent over-winter losses each year since 2006, and with a
20 dramatic decline in populations of wild bees, butterflies, birds and other pollinators, as well as
21 invertebrates in soil and water systems; and

22 WHEREAS, threats to pollinators concern the entire food system, where pollination
23 services provided by honeybees and other essential pollinators account for one in every three
24 bites of food and are valued at \$20 to \$30 billion in agricultural production annually in the
25 United States; and

WHEREAS, municipal, residential and commercial use of neonicotinoid and other
systemic pesticides on home gardens, public parks, school grounds and other local and municipal
areas pose unacceptable risks to bees, other pollinators and aquatic invertebrates, and
furthermore their introduction into the environment is often unintentional and/or inadvertent,
since labeling is not required for treated nursery materials; and

WHEREAS, this same municipal, residential and commercial use of neonicotinoid and
other systemic pesticides on home gardens, public parks, school grounds and other local and
municipal areas may pose health risks to human residents; and

WHEREAS, the use of hazardous and persistent pesticides, including systemic
neonicotinoids, is not necessary to create and maintain green lawns and landscapes, home and
public gardens and open spaces, given the availability of viable alternative practices and
products; and

1 WHEREAS, responding to scientific studies and finding that neonicotinoids pose
2 unacceptable hazards to pollinators, the European Union in 2013 instituted a two-year moratorium on
3 some uses of neonicotinoids, while US cities and counties, including Eugene, OR, Thurston County,
4 Spokane and Seattle, WA, Shorewood and St. Louis Park, MN and Portland, OR have instituted
5 resolutions and/or bans against municipal use of neonicotinoids, while the US Fish and Wildlife
6 Service has banned the use of neonicotinoids on all 150 million acres of its National Wildlife Refuge
7 System; and

8 WHEREAS, two neighborhoods, two churches and over 500 households in the City of
9 Boulder and Boulder County have already demonstrated the feasibility of neighbors coming
10 together to improve the habitat of bees and other pollinators; and

11 WHEREAS, in response to local citizen lobbying, nineteen retailers in both the City of
12 Boulder and Boulder County have already pledged to offer and label Bee Safe garden products,
13 ranging from organic pesticides and fertilizers to neonic-free plants and landscaping materials,
14 and eleven lawn care and landscaping companies have already pledged to provide Bee Safe lawn
15 care and landscaping services;

16 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
17 OF BOULDER, COLORADO, THAT:

18 1. That the city will not apply neonicotinoid-active ingredients for any purpose on its
19 city-managed parks, playing fields, rights of way, along watersheds and ditches, open space
20 lands, public trees and landscapes or in its buildings or other areas under its ownership and
21 jurisdiction, with exceptions only being allowed under a rigorous and transparent exemption
22 process for the application of neonicotinoids for the purposes of (1) a well-defined research
23 study; or (2) when the life or health of a valuable or significant tree is threatened and
24 neonicotinoid application is the least environmentally impactful option.

25 2. That the city hereby urges all related parties, both public and private, at the
county, state and federal levels to suspend neonicotinoids for use in seed treatment, soil
application or foliar treatment on bee attractive plants, trees and cereals in urban and agricultural
settings, unless a thorough scientific, legal and regulatory review of their impacts on honeybees,
other pollinators, natural enemies and non-target organisms, which includes the full body of
peer-reviewed literature, is completed and a public health and environmental assessment can
prove their safety.

3. That the city will seek to purchase landscaping materials, including plants and
seeds, that have not been treated with neonicotinoids and hereby urges all businesses,
homeowners and HOAs operating within the city to take steps to ensure no plants, seeds or
products containing neonicotinoids are purchased, sold or used within the city to clearly and
accurately label any plants or materials that contain neonicotinoids, or that have been treated
with neonicotinoids.

4. That the city recognizes the importance of pollinators and their services, and will

1 support and actively engage in efforts to educate the broader community about the actions it is
2 taking; and, furthermore, the city will encourage other entities, businesses, schools,
3 neighborhoods and households, and also the county, state and the federal governments to adopt
4 similar policies.

5 APPROVED this 5th day of May, 2015

6
7 _____
8 Mayor

9 Attest:

10 _____
11 City Clerk



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 5, 2015

AGENDA TITLE:

Second reading and consideration of a motion to adopt Ordinance No. 8044 approving supplemental appropriations to the 2015 Budget.

PRESENTERS:

Jane S. Brautigam, City Manager
Bob Eichen, Chief Financial Officer
Cheryl Pattelli, Director of Finance
Peggy Bunzli, Budget Officer
Elena Lazarevska, Senior Financial Analyst

EXECUTIVE SUMMARY

This proposed supplemental appropriation ordinance (**Attachment A**) allocates funding for expenditures from new taxes approved by the voters in November 2013 for non-medical marijuana (NMJ), and in November 2014 for the 2A ballot measure for Community, Culture and Safety projects. No questions were raised from City Council or the Public on the April 21, 2015 meeting.

In November 2013, voters approved specific taxes for the sale of NMJ. This was a new revenue source for the city. Due to continuing uncertainties surrounding this new tax, mainly how the federal government will treat this source of revenue in the future, the revenue is considered as “one-time” in nature. Not all NMJ businesses were open for the full year of 2014. Therefore, collections did not provide a complete year of data.

In addition, as with all sales and use tax collections, the December collections are received by the end of February of the following year and reported on in March. If the supplemental appropriations from this revenue source had been made during the regular 2015 budget process there would have only been two months of incomplete data and it

would have been of little help in making projections. In future years, staff proposes to continue to treat NMJ as one-time revenue until more is known about the federal treatment of NMJ sales, but include the expenditures and revenue projections in the regular budget process after this 2015 supplemental appropriation. By using this method of budgeting, it segregates expenditures due to NMJ and, if the revenue source were to be eliminated by federal action the expenditures would also be eliminated and would not jeopardize current ongoing city programs. A listing of specific proposed appropriation requests for 2015 is provided in **Attachment B**.

While this agenda memo was being prepared several questions were asked by the downtown business association regarding the impact on police enforcement due to non-medical marijuana in the downtown area. Staff responses are provided in **Attachment C**.

In November 2014 voters approved a .3 percent, 3-year sales and use tax increase that will be used to fund Community, Culture, and Safety capital investments. The focus of this tax is on high priority and new projects as opposed to ongoing maintenance backlogs. Projects funded through this tax will provide a significant impact to the community in a short amount of time by offering opportunities for everyone to enjoy the uniqueness and quality of life in Boulder. When a new tax is on the ballot in November it has been the city's practice to use a supplemental appropriation in the following year to appropriate the new source of revenue and the associated expenditures. A listing of specific projects is provided at the end of the memo.

Council will be updated on implementation of the Community, Culture and Safety projects through Information Packet items or Heads Up, as appropriate, based on specific milestones. In addition, future Capital Improvement Program (CIP) documents will include a special section on the Community, Culture and Safety projects until they are completed.

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. 8044 approving supplemental appropriations to the 2015 Budget.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

This supplemental ordinance appropriates funding for a variety of citywide projects and services that positively affect economic, environmental or social sustainability in the community. These impacts were explained in detail when the taxes were originally proposed. The documents from the August 5th, 2014 meeting can be found at this website: <https://bouldercolorado.gov/central-records/document-archive>

OTHER IMPACTS

- Fiscal: In the **General Fund**, this ordinance will appropriate \$1,500,000 from additional revenue for NMJ. In the Capital Improvement Fund for Community, Culture, and Safety, this ordinance will appropriate the first year amount of projected revenue (\$8,899,147) from additional revenue generated by the new .3 percent sales and use tax.
- Staff time: While some of the costs will be absorbed in the normal staff workload, the proposed supplemental appropriation ordinance will appropriate funding for the increased staff and other resources needed to administer the construction contracts, and implement the new programs and services related to NMJ.

BACKGROUND AND ANALYSIS

Non-Medical Marijuana

Non-Medical Marijuana Revenues

Non-medical marijuana revenue collection started in 2014. In 2014, there were four components of the non-medical marijuana revenues.

1. The base sales and use tax rate of 3.56 percent
2. An additional tax of 3.5 percent on top of the 3.56 percent for retail sales (total of 7.06 percent).
3. A 5.0 percent excise tax on all cultivation facilities.
4. A state share back of a portion of the statewide sales based on City of Boulder amount of marijuana sales to total marijuana sales in the state.

At the beginning of 2014, \$2.0 million in new marijuana taxes was projected for collection in 2014. This included the base amount, because the collection of the tax had not been approved by the voters when the 2014 budget was passed. The table below provides the actual revenues that were collected for each tax component.

Non-Medical Marijuana Revenue Components	2014 Rate	2014 Revenue (Unaudited)
Base Sales/Use Tax	3.56%	<u>\$691,292</u>
*Subtotal Base Sales Tax		<u>\$691,292</u>
Additional Retail Sales Tax	3.50%	\$618,602
Excise Tax on Cultivation Facilities	5%	\$430,243
Statewide Sales Share back (10% tax , with 15% Boulder share)	10%	<u>\$294,944</u>
**Subtotal Incremental Tax		<u>\$1,343,789</u>
TOTAL		<u>\$2,035,081</u>

*The base sales and use tax rate is required by previously approved ballot items to be allocated to the designated fund (such as, open space, parks and recreations, transportation and the general fund).

**The incremental taxes are considered one-time in nature and are used to cover additional costs incurred by the city for this new business segment. The entire incremental amount is deposited in the general fund and all NMJ related expenditures, no matter which fund the expense occurs in, are paid for from the general fund. When the NMJ supplemental appropriation was made, Council appropriated for expenditure an amount of \$1,163,470 which included an amount of \$400,000 in a city manager's contingency to cover costs that were unknown at the time of the first ever appropriation of NMJ.

Due to the staggered starts for licensing, the collection of taxes for the sale of NMJ in 2014 did not occur for the full year. There are currently discussions being held at the state level which could eliminate the share back. If this were to occur nearly \$300,000 of the incremental amount collected in 2014 would be eliminated in the future. Due to these new uncertainties, staff proposes that the revenue projection for the incremental taxes only be set at \$1.5 million in 2015. The base projections for the now 3.86 percent that go to individual funds has already been accounted for in the 2015 projections and was approved by council when the 2015 budget was adopted.

As in 2014, it is proposed that the "Additional Incremental Tax" revenues over the base tax rate continue to be deposited in the General Fund and be used for NMJ related expenses for all funds. Any "Additional Tax" revenue received that is over the NMJ known expenses will continue to be treated as "one-time revenue". Key indicators of when these types of revenues will become ongoing revenues include: when a significant number of additional states (or several large states) legalize the use of marijuana for other than medical purposes, or the laws are changed at the federal level to legalize the sale of NMJ.

Non-Medical Marijuana Expenditures from New Taxes

In 2014, City Council appropriated \$1,163,470, of new costs for NMJ related expenditures. These appropriations included: \$250,000 for educational programs; \$513,470 for operating costs; and \$400,000 for a city manager's contingency to cover unexpected or unknown costs that may arise during 2014. If any amounts above the total amount of expenditures was collected and was needed for additional expenditures related to NMJ it would be available for use from the contingency .

Actual expenditures for 2014 were lower than projected. This was due mainly to the staggered start of NMJ businesses. Therefore, many of the expenses did not fully occur in 2014. City staff is in the process of developing the educational programs and services, and these are expected to commence in 2015. The sales tax audit for recreational marijuana establishments is currently under development and will commence in 2015. However, much was accomplished in 2014: staffing has been put in place and the

licensing operations are fully functional. Inspections and enforcements in the Fire and Police Departments are on-going. The funds not expended will either be rolled over in the normal adjustments to base that occur in May and December of each year or will be proposed to be re-allocated during the 2016 budget process.

As expected, it was very evident that this is a unique business segment. It was a new sector with no empirical evidence regarding revenues and expenditures that the city would incur. Since 2014 was not a full year of operations for these new businesses, flexibility in budgeting remains a key factor to deal with any new costs that will arise in 2015. Since only the incremental taxes will be budgeted separately in the general fund in 2015 staff proposes the revenue projection to be \$1.5 million.

A listing of the full budget requests for 2015 NMJ costs are presented in Attachment C. These requests include: \$250,000 for educational programs, \$291,918 for operating costs, and \$958,082 for a City Manager’s contingency.

2A Ballot – Temporary Tax Increase for Community, Culture, and Safety

Revenues from new taxes

In November 2014, voters approved a temporary three-year 0.3 percent sales and use tax increase. The revenue from this tax increase is to be used for capital improvements for specific Community, Culture and Safety projects. The ballot language projected that the new tax will yield \$27,600,000 for these projects. As was explained in the executive summary, there are timing issues that need to be dealt with to ensure the maximum benefit from this new tax. The table below provides the revenue estimates from this new temporary tax:

2015 Amount Projected for Community Culture and Safety	2016 Amount Projected for Community Culture and Safety	2017 Amount Projected for Community Culture and Safety	Total
\$8,899,147	\$9,179,078	\$9,521,775	\$27,600,000

Expenditures from new taxes

The new tax revenue will be collected from January of 2015 through December of 2017. There will be multiple projects going on during the three year period and beyond. A listing of the projects and estimated costs can be found at the end of the memo. Inflation cost increases are always a major concern when using this pay-as-you-go (PAYG) financing methodology. The longer projects extend into the future the higher the risk of inflation costs eroding the scope and results of the projects. Therefore, it is beneficial to lock in contract prices as soon as the appropriate amount of work is completed to prepare final accurate bid documents.

To mitigate this impact, it is best to begin all projects as soon as possible so contract costs can be locked in and buying power is not eroded. The City of Boulder Charter provides a unique challenge for PAYG financing. It requires that before a contract can be entered into all funds for the full contract have to be appropriated. Since the actual tax amounts will be collected over a three year period, all funds for all phases of all projects will not be available in 2015. Based on cashflow information for the projects it is proposed that the large city projects for the Civic Area, University Hill lighting and Chautauqua be phased. That is, for these projects all work up to the letting of the actual construction contract can be entered into in 2015. The actual construction contracts will be ready to go and signed early in 2016. Based on discussions with the project managers this should not significantly delay any of these projects. Based on cashflow modeling all other projects can proceed along their projected timelines.

When the 2016 budget is brought forward for council consideration, the Charter issue will be addressed for 2016 and 2017. The method being considered at this time is to pledge fund balance from the general fund of the city for the part of the construction contract that would occur in 2016. Based on current cashflow projections it is not expected that any of the general fund reserves would actually be spent in 2016 or 2017. The actual payments on the construction contracts would be paid in full with the new tax money as the taxes are collected in 2016 and 2017. However, since the Charter requires that all funds be appropriated in the year the contract is entered into there has to be a funding source if the amounts were actually needed (though there appears to be a very minimal chance that would ever happen in this situation).

While the same pledging could theoretically be done in this 2015 supplemental appropriation, staff feels the pledging of two year of future revenues versus one in the 2016 budget is too much risk for the city to absorb. Roughly, the pledge would be for \$9.5 million if included in the 2016 budget, and \$18.7 million if included in this 2015 supplemental budget. This will be more fully explained as the 2016 budget is considered by council.

Approved 2A Community, Culture, and Safety Projects

Hill Investments

Hill Residential Pedestrian Lighting	\$2,000,000
Hill Commercial District Event Street	\$750,000
Hill Commercial District Irrigation and Street Trees	\$520,000
Hill Investments Subtotal	\$3,270,000

Civic Area \$8,700,000

Boulder Creek (BC)

BC Path Lighting	\$1,040,000
BC Path Improvements	\$885,000
BC Arapahoe 13th Underpass	\$2,500,000
BC Eben Fine Park Stream Bank Restoration	\$700,000
Boulder Creek Subtotal	\$5,125,000

Public Art	\$600,000
Chautauqua Pedestrian Safety, Access, and Lighting	\$1,500,000
Dairy Center	\$3,850,000
Museum of Boulder	\$4,000,000
Contingency	\$555,000

Grand Total \$27,600,000

Communication

Community, Culture and Safety tax project information will be hosted on a centralized website with links to project-specific pages that display descriptions, engagement opportunities, budget and, related details and documents. To continue the enthusiasm and energy created by the ‘Yes for 2A’ campaign, the city reached out to ‘Yes for 2A’ organizers for potential use of campaign branding. The organizers graciously agreed to let the city utilize campaign branding for implementation activities. Much like the ‘construction hard hat’ used for the Capital Bond project, the 2A branding will be a recognizable identity that will signify Community, Culture and Safety tax dollars at work.

On Tuesday, May 19, from 4 to 6 p.m., the city is planning a Community, Culture and Safety tax celebration to thank voters and mark the various improvements that will be made throughout the community in the next three to five years. More event details will follow and will be available in the coming weeks.

Council will be updated on implementation of the Community, Culture and Safety projects through Information Packet items or Heads Up, as appropriate, based on specific milestones. In addition, future Capital Improvement Program (CIP) documents will include a special section on the Community, Culture and Safety projects until they are completed.

ATTACHMENTS

- A. Proposed Ordinance for Supplemental Appropriations to the 2015 Budget
- B. Listing of Non-medical Marijuana Appropriations
- C. Answers to questions regarding the impact on police enforcement of non-medical marijuana in the downtown area

ORDINANCE NO. 8044

AN ORDINANCE RELATING TO THE FINANCIAL AFFAIRS OF THE CITY OF BOULDER, COLORADO, MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015 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 2015 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 from additional projected revenues to the listed funds:

Section 1. General Fund

Appropriation from Additional Revenue	\$1,500,000
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Section 2. Capital Improvement Fund for Community, Culture, and Safety

Appropriation from Additional Revenue	\$8,899,147
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Section 3. 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 4. 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 5. 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 21th day of April, 2015.

Mayor

Attest:

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this 5th day of May, 2015.

Mayor

Attest:

City Clerk

Dept Name	Request	Request	Description
Finance	Audit of RMJ sales tax revenues	\$ 100,000	Funds will be used to provide sales tax audit services for this segment.
Finance	Two ongoing licensing positions	\$ 134,018	Staffing related to marijuana licensing and reviews.
Police	Training and Equipment	\$ 7,900	These funds will be used for training and needed equipment for enforcement.
Police	Overtime	\$ 50,000	Overtime of police officers related to inspections on grow facilities, enforcement of illegal grow operations and illegal sale of marijuana products in retail establishments.
Human Services	Educational program development and implementation	\$ 250,000	Develop and implement community-wide educational programs for children, youth and families, related to the impacts of recreational marijuana use on young people in concert with community partners, including Boulder County Public Health, BVSD, Mental Health Partners and non-profits. Scope, develop and implement messaging and support existing best practice community education and support programs. Could include additional fixed term .5 FTE and NPE funding.
City Manager Office	Contingency	\$ 958,082	
	Total	\$1,500,000	

BID Area Police Statistics

Civic campus had a combined arrests and citations of 600 from the fall 2013 to early 2015. For the same time period, the BID had 724 arrests and 3602 citations.

BID Arrests:

Month	Number
October 2013	43
November 2013	31
December 2013	35
January 2014	37
February 2014	32
March 2014	57
April 2014	37
May 2014	41
June 2014	42
July 2014	59
August 2014	41
September 2014	57
October 2014	44
November 2014	38
December 2014	49
January 2015	60
February 2015	21

BID Citations:

Month	Number
October 2013	181
November 2013	144
December 2013	136
January 2014	190
February 2014	165
March 2014	166
April 2014	170
May 2014	252
June 2014	213
July 2014	214
August 2014	198
September 2014	174
October 2014	153
November 2014	114
December 2014	121
January 2015	173
February 2015	114

There are currently four core officers assigned to the Mall and two open spots due to current staffing levels.



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 5, 2015

AGENDA TITLE: Introduction, first reading and consideration of a motion to order published by title only, Ordinance No. 8046 approving annual carryover and supplemental appropriations to the 2015 Budget.

PRESENTERS:

Jane S. Brautigam, City Manager
Bob Eichen, Chief Financial Officer
Cheryl Pattelli, Director Finance
Peggy Bunzli, Budget Officer
Maria Diaz, Budget Analyst

EXECUTIVE SUMMARY

As described in the *Budget Philosophy and Process* section of the annual budget document, each year at least two supplemental ordinances (known as Adjustments to Base (ATB), where the “base” is the original annual budget) are presented to City Council for review and approval. In years where new initiatives are launched and other unique circumstances become apparent after annual budget approval, additional adjustments to base may be brought forward for council consideration. This carryover and supplemental request is the third ATB that has been brought before council in 2015. The first two were:

- A supplemental for high priority Community Planning and Open Space and Mountain Parks work items, approved by council on March 17
- A supplemental to appropriate new, one time revenues from Recreational Marijuana and the three year community, culture and safety tax (ballot item 2A), before council on second reading.

This third supplemental request of 2015 is the **Carryover and Budget Supplemental** that council sees every year in April/May. Once the prior budget year is closed out, it is necessary to determine what ongoing projects, grants and work items, budgeted for in the prior year, have remaining appropriation that will need to be carried over into the current budget year, in order to continue and complete work already approved and begun, such as

large capital projects. An estimation of this carryover was included in the annual budget process and this request backs out the estimates, and replaces those with the final remaining appropriation balances needing to be carried over. This is also the time when appropriation is requested for the use of various new revenues, such as grants, generally in line with existing work plan items, and for other, smaller, operating budget needs identified as critical to complete the existing work plan. As always, existing budget will be used to cover even increasing costs, and regular operating tradeoffs will be made and savings sought in order to complete work plans within existing budget. Supplemental budget is only requested at this time for clearly identified, 2015 priority work items for which additional budget is needed and one-time funds are available, after all reserves have been met. As in past years, a final supplemental request will come before council later in the year to adjust for new revenues, such as grants, and other evolving budget needs identified as the year progresses.

This supplemental ordinance will adjust only the current year budget and the adjustments included are considered “one-time” only. As a result, they have no direct or immediate impact on the following year’s budget.

In summary, this packet includes the following:

- Negative appropriations removing carryover estimates included in Ordinance No. 8003 appropriating the 2015 budget
- Carryover of 2014 budgeted amounts, not fully expended
- New budgeted amounts for 2015.

A proposed ordinance is provided as **Attachment A** to this packet. Detailed narrative information on each new budget supplemental request is included in **Attachment B**.

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 approving annual carryover and supplemental appropriations to the 2015 Budget.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

This supplemental ordinance appropriates funding for a variety of citywide projects and services that positively affect economic, environmental or social sustainability in the community.

OTHER IMPACTS

- Fiscal: In the **General Fund** this ordinance will appropriate \$558,596 from additional revenue and \$6,639,601 from fund balance. The ordinance also includes encumbrance carryover of \$741,227 from fund balance.

In **restricted funds**, this ordinance will appropriate \$20,795,849 from additional revenue and \$70,594,713 from fund balance. It also includes encumbrance carryover of \$721,347 from additional revenue and encumbrance carryover of \$17,961,077 from fund balance, as well as an increase in revenue only of \$2,733,281.

- Staff time for this process is allocated in the Budget Division's regular annual work plan.

ANALYSIS

This section will provide details of how carryover and new budget requests, the two categories of requests contained in the supplemental ordinances, function in the city annual budget cycle.

Carryover Requests

Carryover requests are typically for projects or grant-funded programs where funding was appropriated in a previous year and then carried forward until the project or the grant-funded program is completed. Occasionally, departments request to carryover budget savings from the previous year in order to accumulate an adequate amount of funding for a large, one-time project.

Revenue to fund the unspent projects, or for large, one-time projects, will have fallen to fund balance at the end of the year. Due to accounting requirements, expenditures and revenues for a grant must equal each other within the same fiscal year. Any prior year grant revenue received above expenditure amounts has been deferred to the current year and is considered "additional revenue" in the current year.

Encumbrance carryover is simply appropriation for a project or grant that has been encumbered through a purchase order.

The following requests provide typical examples of General Fund carryover requests:

- Economic Vitality - 2014 Flexible Rebate Program
- Family Resource Schools (FRS) Program
- Spark Grant

The following requests provide typical examples of restricted fund carryover requests:

- Comprehensive Housing Strategy
- Open Space & Mountain Parks Acquisition Area (2014 Bond)

- Greenways Capital Improvement Program

New Budget Requests

Requests for new budget appropriation are typically based on a department’s Master Plan or have gone through a separate City Council review process. Funding may come from fund balance, for example if savings have been built up for large projects or revenues received in advance of the expenditure being needed. Or, appropriation may be requested for initiatives associated with new sources of revenues, such as grant or bond funding.

The following requests provide typical examples of supplemental appropriations from fund balance:

- Boulder Convention and Visitors Bureau (General Fund)
- Raptor Program Bequest - Principal & Interest (Open Space Fund)
- Overlay (Road Resurfacing) Program (Transportation Fund)

The following requests provide typical examples of supplemental appropriations from additional revenue:

- VALE 2015 Grant (General Fund)
- YSI Get Fit Grant (Recreation Activity Fund)
- CDOT Safety grants (Transportation Fund)

Additional Information on Selected Adjustment to Base Requests

Affordable Housing

Included in this packet is an adjustment to base to appropriate supplemental funding in the amount of \$10,850,482 from available fund balance in the Affordable Housing Fund. Revenues deposited in this fund over the last few years have significantly exceeded projections. The funding is requested during this adjustment to base in order to allow the Division of Housing the opportunity to seek and participate in acquisition and preservation of affordable housing units or land for developing affordable units. Consistent with the ordinance establishing the Affordable Housing Fund, the funds will be utilized solely for the construction, purchase, and maintenance of affordable housing and for the costs of administering programs. Affordable housing continues to be a priority for the City of Boulder. Current market conditions require the ability to fund acquisitions of apartments or developable land quickly and nimbly. City partners are currently working on several acquisition opportunities with the potential for adding hundreds of existing or new units to the city’s affordable housing stock. This adjustment to base will provide flexibility for the City to participate in these opportunities as they arise. Any funding decisions will be made in accordance with the current policies and practices for providing funding to community partners. This process includes review of funding applications by staff and the City Manager-appointed Affordable Housing Technical Review Group with recommendations sent to the City Manager for approval and to council for information. Any funds not committed to projects through the opportunity funding or the annual competitive fund round will be carried over in to 2016.

LandLink Software Replacement

A supplemental for \$1,500,000 is being requested for the replacement of the Landlink System. The LandLink System is used to deliver essential services, manage data and operations, and track and collect revenue related to development, code enforcement and licensing activity. The city selected a vendor in 2014 and has a signed contract for Phase I, which covers GIS integration configuration, programming eight business processes, and writing the technical specifications to integrate EnerGov with Tyler Munis (the city's newly implemented financial and human resource software), Government Outreach and Planning & Development Services (P&DS) Timekeeping. Phase II starts in October 2015 with a planned implementation the first quarter of 2017. In Phase II the integrations and remaining business processes and reports will be programmed, the LandLink data migrated to EnerGov and user acceptance testing will be completed. The total estimated cost of this project is approximately \$4.0 million of which \$2.5 million has currently been appropriated. Funding for this project has been saved for over time and in advance of the project. This request will appropriate those saved funds.

HVAC Controls Upgrade for Main Library

This packet includes a request is to appropriate \$400,000 to fund upgrades of the current HVAC Controls for the Main Library. The current system is pneumatic with equipment reliability issues. The pneumatic control system is 24 years old. The plan is to replace the antiquated pneumatic system with a modern Direct Digital Control (DDC) system. The bulk of the \$400,000 will go towards removing the tubing and actuators for the pneumatic system and installing power and control wiring to the new DDC actuators. The software that controls the HVAC system will also be upgraded to be commensurate with the control systems installed during the Energy Performance Contract (EPC) work. The need for this upgrade was brought to light during the EPC work.

Chautauqua Restrooms Project

During the public outreach process related to the 2011 Capital Bond funded project to add ADA accessible restrooms at Chautauqua, it was determined that the number of toilets at the facility should be increased. Additionally, utility issues discovered during the review process, and weather delays, due to the snow storms in the area in the beginning of 2015, have increased the scope and costs of the project. In order to meet this high community priority, beyond the scope of the original plan, an additional \$210,000 is needed. Funding in the Facility Renovation and Replacement fund has been identified to supplement the original bond funding and to complete the project at the needed level. This project will provide ADA accessible restrooms with running water to a popular recreation site in the city.

Overview of Total Requests

A summary table of the carryover and supplemental requests by fund can be found in **Attachment C**.

In total, the city recommends \$118,012,411 in appropriations, of which \$22,075,792 come from new revenues and \$95,936,618 from fund balance. Most of the appropriations

(\$110,072,986 or 93% of the total) are in the city's restricted funds, such as the Water, Wastewater and Stormwater Utility funds, Affordable Housing Fund, Permanent Parks Fund, and Transportation Fund. These funds often have multi-year large capital projects that, depending on the timing of the project work, are likely to have capital budget carryover. For example, almost \$24 million is being carried over in the Transportation Fund. Most of the Transportation projects are partially funded from Colorado Department of Transportation (CDOT) grants and are well underway. Another example is the nearly \$11 million being carried over for Water, Wastewater and Stormwater and Flood Management capital projects.

Attachment D is a schedule reflecting the impact of the supplemental appropriations for 2015 on the projected fund balance for each fund.

The second reading of this item is scheduled for the May 19 City Council meeting.

ATTACHMENTS

- A. Proposed Ordinance containing carryover and supplemental appropriations to the 2015 Budget
- B. Narrative descriptions of all supplemental appropriations to the 2015 Budget by fund
- C. Table of all carryovers and supplemental appropriations to the 2015 Budget by fund
- D. 2015 Fund Activity Summary

ORDINANCE NO. 8046

AN ORDINANCE RELATING TO THE FINANCIAL AFFAIRS OF THE CITY OF BOULDER, COLORADO, MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015 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 2015 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 from additional projected revenues and from unused fund balances to the listed funds:

Section 1. General Fund

Appropriation from Fund Balance – Encumbrance	\$ 741,227
Appropriation from Fund Balance	\$ 6,639,601
Appropriation from Additional Revenue	\$ 558,596
Negative Appropriation - Ordinance #8003	(\$5,000,000)

Section 2. Community Housing Assistance Program Fund

Appropriation from Fund Balance	\$ 3,447,675
Negative Appropriation - Ordinance #8003	(\$3,000,000)

Section 3. Library Fund

Appropriation from Fund Balance – Encumbrance	\$ 151,804
Appropriation from Fund Balance	\$ 817,500
Appropriation from Additional Revenue	\$ 30,651

Section 4. Capital Development Fund

Negative Appropriation - Ordinance #8003	(\$400,000)
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Section 5. Lottery Fund

Appropriation from Fund Balance – Encumbrance	\$ 129,904
Appropriation from Fund Balance	\$ 1,219,451
Negative Appropriation - Ordinance #8003	(\$970,000)

Section 6. Planning & Development Services Fund

Appropriation from Fund Balance – Encumbrance	\$ 167,748
Appropriation from Fund Balance	\$ 1,885,087
Appropriation from Additional Revenue	\$ 76,000
Negative Appropriation - Ordinance #8003	(\$1,500,000)

Section 7. Affordable Housing Fund

Appropriation from Fund Balance	\$ 15,014,590
Negative Appropriation - Ordinance #8003	(\$6,000,000)

Section 8. .25 Cent Sales Tax Fund

Appropriation from Fund Balance – Encumbrance	\$ 722,753
Appropriation from Fund Balance	\$ 1,011,315
Appropriation from Additional Revenue	\$ 106,000
Negative Appropriation - Ordinance #8003	(\$1,200,000)

Section 9. Recreation Activity Fund

Appropriation from Fund Balance - Encumbrance	\$ 6,550
Appropriation from Additional Revenue	\$ 99,820

Section 10. Climate Action Plan Fund

Appropriation from Fund Balance - Encumbrance	\$ 583,199
Appropriation from Fund Balance	\$ 417,651
Negative Appropriation - Ordinance #8003	(\$1,200,000)

Section 11. Open Space Fund

Appropriation from Fund Balance - Encumbrance	\$ 1,365,724
Appropriation from Fund Balance	\$ 13,472,666
Negative Appropriation - Ordinance #8003	(\$9,830,000)

Section 12. Airport Fund

Appropriation from Fund Balance - Encumbrance	\$ 275,694
Appropriation from Fund Balance	\$ 27,103
Increase in Revenue Only	\$ 45,284
Negative Appropriation - Ordinance #8003	(\$1,000,000)

Section 13. Transportation Fund

Appropriation from Fund Balance – Encumbrance	\$ 3,656,175
Appropriation from Additional Revenue – Encumbrance	\$ 721,347
Appropriation from Fund Balance	\$ 8,115,112
Appropriation from Additional Revenue	\$ 17,770,725
Increase in Revenue Only	\$ 114,431
Negative Appropriation - Ordinance #8003	(\$25,000,000)

Section 14. Transportation Development Fund

Appropriation from Fund Balance - Encumbrance	\$ 191,836
Appropriation from Fund Balance	\$ 1,764,263
Negative Appropriation - Ordinance #8003	(\$1,800,000)

Section 15. Community Development Block Grant Fund

Appropriation from Additional Revenue	\$ 759,130
Negative Appropriation - Ordinance #8003	(\$1,000,000)

Section 16. HOME Fund

Appropriation from Additional Revenue	\$ 1,218,488
Negative Appropriation - Ordinance #8003	(\$1,000,000)

Section 17. Permanent Parks and Recreation Fund

Appropriation from Fund Balance – Encumbrance	\$ 75,442
Appropriation from Fund Balance	\$ 751,182
Appropriation from Additional Revenue	\$ 30,000
Negative Appropriation - Ordinance #8003	(\$2,300,000)

Section 18. Boulder Junction Improvement Fund

Appropriation from Fund Balance – Encumbrance	\$ 449,879
Appropriation from Fund Balance	\$ 2,272,707
Negative Appropriation - Ordinance #8003	(\$3,000,000)

Section 19. 2011 Capital Improvement Fund

Appropriation from Fund Balance – Encumbrance	\$ 4,582,175
Appropriation from Fund Balance	\$ 6,603,346
Negative Appropriation - Ordinance #8003	(\$9,528,240)

Section 20. Water Utility Fund

Appropriation from Fund Balance – Encumbrance	\$ 2,197,248
Appropriation from Fund Balance	\$ 2,147,851
Negative Appropriation - Ordinance #8003	(\$3,100,000)

Section 21. Wastewater Utility Fund

Appropriation from Fund Balance – Encumbrance	\$ 616,730
Appropriation from Fund Balance	\$ 1,854,498
Appropriation from Additional Revenue	\$ 608,035
Negative Appropriation - Ordinance #8003	(\$1,900,000)

Section 22. Stormwater/Flood Management Utility Fund

Appropriation from Fund Balance – Encumbrance	\$ 1,384,005
Appropriation from Fund Balance	\$ 7,357,119
Increase in Revenue Only	\$ 2,573,566
Negative Appropriation - Ordinance #8003	(\$8,000,000)

Section 23. Telecommunications Fund

Appropriation from Additional Revenue	\$ 97,000
Negative Appropriation - Ordinance #8003	(\$80,000)

Section 24. Workers Compensation Insurance Fund

Appropriation from Fund Balance	\$ 53,877
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Section 25. Fleet Replacement Fund

Appropriation from Fund Balance – Encumbrance	\$ 401,911
Negative Appropriation - Ordinance #8003	(\$2,000,000)

Section 26. Computer Replacement Fund

Appropriation from Fund Balance – Encumbrance	\$ 47,308
Negative Appropriation - Ordinance #8003	(\$300,000)

Section 27. Equipment Replacement Fund

Appropriation from Fund Balance – Encumbrance	\$ 14,892
Negative Appropriation - Ordinance #8003	(\$250,000)

Section 28. Facility Renovation and Replacement Fund

Appropriation from Fund Balance – Encumbrance	\$ 940,100
Appropriation from Fund Balance	\$ 2,361,721
Negative Appropriation - Ordinance #8003	(\$4,250,000)

Section 29. 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 30. 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 31. 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 5th day of May, 2015.

Mayor

Attest:

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED

PUBLISHED BY TITLE this 19th day of May, 2015.

Mayor

Attest:

City Clerk

DEFINITIONS AND REQUEST NARRATIVE CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015

DEFINITIONS

Budget Carryovers

Encumbrance Carryover from Additional Revenue or Fund Balance

Encumbrances carryovers are appropriations committed by contract for goods or services in the prior year that will not be paid for until the current year. Both the encumbrance (balance in the purchase order), and the budget to cover the encumbrance roll automatically into the current year. It is necessary, however, to “re-appropriate” these dollars by ordinance. If an encumbrance is tied to a grant, the appropriation will come from additional revenue because of an accounting requirement that expenditures and revenues in grants be equal within the same fiscal year. If the encumbrance is not tied to a grant, the appropriation will come from fund balance.

Capital Project Carryover from Additional Revenue or Fund Balance

This action appropriates remaining balances in capital project budgets from the previous year, to enable the completion of multi-year projects that involve the purchase or construction of capital assets.

Grant Carryover from Additional Revenue

This action appropriates remaining balances in grants from the previous year. This appropriation comes from additional revenue because of an accounting requirement that expenditures and revenues in grants be equal within the same fiscal year.

Operating Carryover from Fund Balance

These appropriations are requested to be carried over from a department’s operating budget and occur less frequently since each department receives a new operating budget each year. When they are requested, however, they are typically tied to operating programs or projects that are multi-year in nature (e.g., updating of a department’s master plan). Occasionally, departments request to carryover budget savings from the previous year in order to accumulate an adequate amount of funding for a large, one-time project.

Operating Carryover from Fund Balance Reserve

Similarly to Operating Carryover from Fund Balance, these requests are tied to unexpended fund balances that have been previously set aside for specific purposes.

Budget Supplementals

Budget Supplemental from Fund Balance

Adjustments for new appropriation from a specific fund's available fund balance.

Budget Supplemental from Fund Balance Reserve

Adjustments for new appropriation from a specific fund's available fund balance where use is limited for specific purposes, typically due to legal restrictions or management assignment.

Budget Supplemental from Additional Revenue

Grants – Budget supplementals from grant revenues are required throughout the year since either the grant was not anticipated and was therefore not incorporated into the original budget, or because the grant amount actually received was more than the amount specified in the original budget.

Miscellaneous – This category includes annual unanticipated funds received for city programs and services, including items such as donations, fundraisers, wildland fire costs or cooperative agreements between municipalities. In addition, beginning in 2007, reimbursements for some services (e.g. insurance proceeds, off-duty police officer services, city-sponsored training programs) are now officially recognized as miscellaneous revenues instead of reducing expenditures. Best practices accounting and reporting standards require these revenues to be reflected through the formal appropriation process.

Transfers to/from Other Funds

Transfers between funds requiring City Council approval.

Budget Adjustments Necessitated by Accounting Requirements

Adjustments required based on generally accepted accounting and reporting requirements that occur during the final adjustments to base.

Negative Appropriations

Adjustments reducing approved appropriations based on identified reductions in revenue sources (e.g. grant funding reductions).

BUDGET SUPPLEMENTAL DETAILS BY FUND**GENERAL FUND****Budget Supplemental(s) from Fund Balance**Communications Division – Administrative Support – \$24,265

This is a request from the Communication Division to fund a temporary administrative position to assist the department with budgets, invoices, expense reports, and other administrative support necessitated by the relocation of all communication staff to the Ch. 8 Studio vs. previously being part of and housed in the City Manager's Office. The department intends to bring this position forward as a standard position for the 2016 budget consideration.

Communications Division – Leadership Training – \$4,500

This request is to fund Leadership Education and Development (LEAD) program training at University of Virginia in 2015 for Communications staff. The City supports sending employees to LEAD as part of its citywide leadership training and development initiative.

Gen Governance-Contracts – Boulder Convention and Visitors Bureau \$68,802

This is a request to appropriate \$68,802 for additional payments to the Boulder Convention and Visitors Bureau (CVB). The city shares its accommodations tax revenues with the CVB, and this payment adjusts the amount shared according to actual revenue collections.

Gen Governance- Contingency – Mobile Home Legal Services \$20,000

This request is for staff to develop a plan to provide funding for legal services to assist mobile home owners in enforcing their rights under the Mobile Home Park Act. The intent is for the city to retain and pay an attorney who would address concerns relating to harassment and other alleged violations of the Mobile Home Park Act, as approved by council at the April 21, 2015 council meeting.

Municipal Court – Municipal Court Organizational Assessment \$15,000

This request appropriates funds for expenditures associated with the department's organizational assessment. The assessment will provide an organizational structure review of the Municipal Court and offer options to meet the City's service needs for the next five to ten years.

Finance – Chautauqua Lease Facilitation \$10,020

This request will fund a public process facilitation used to update the Chautauqua lease with the City of Boulder.

Finance – Risk Management Division Assessment \$22,500

This request is for funds to conduct an assessment of the Risk Management Division of the Finance department, with the goal of identifying ways to improve efficiency and effectiveness, as new federal and state requirements are introduced.

Finance – Pension Plan reporting requirements \$12,000

This request is to assess the liability impact on the old hire Fire and Police pension plans when using different rates to comply with new GASB financial reporting requirements.

Finance – Audit and Flood Reporting Compliance \$200,000

This request will fund increased costs being incurred for staff to meet federal and state reporting and documentation requirements related to the flood and to other rule setting bodies such as the Governmental Accounting Standards Board (GASB).

Police – Alcohol Enforcement \$50,000

This request is to fund \$50,000 for overtime in alcohol enforcement and to include DUI enforcement of underage drinking laws. The request will be funded by previously received revenues from DUI fines.

Police – Library/Municipal Campus Overtime \$70,000

This is a request to fund overtime for police officers to continue municipal campus security and for security at the library. The department received and used \$50,000 for overtime in 2014 to police the municipal campus. The department is requesting \$70,000 for 2015 to provide overtime to maintain their presence on the campus and at the library.

CP&S – Renewable Energy Program – 2014 Rebates \$12,225

This is a request to appropriate the 2014 revenues that were received from a portion of the sales and use tax collected on solar permits, solar equipment, and solar installations completed in the City of Boulder. Staff uses this funding to rebate a portion of the sales and use tax back to the customer.

CP&S – Renewable Energy Program–Grants \$148,014

This is a request to appropriate the 2014 sales and use tax revenues that have not yet been distributed in Solar Grants (\$24,902.72), carryover 2014 unused grant money (\$105,250.93) and unused 2012 Solar Rebates (\$17,859.85) which are awarded to low income housing residents and non-profit organizations located in Boulder. The revenues for this fund come from a portion of the sales and use tax collected on solar permits, solar equipment, and solar installations completed in the City of Boulder.

CP&S – Waste Reduction Services \$369,896

This is a request to appropriate additional revenue for communications, assistance and rebates, and tracking for the universal zero waste ordinance implementation, including bins in city offices and public spaces.

Human Services – 2015 Flood Recovery Case Management \$50,000

This is a request to appropriate funds for the second and final contract with Foothills United Way to provide support for flood recovery case management to the city of Boulder residents impacted by the flood of 2013. This request will fund the 2015 contract to continue this work alongside Boulder County and the City of Longmont, who are also providing funding for case management for their respective areas.

Human Services –Senior Resources Bilingual Support \$25,000

This funding request is for a half time position through mid-year of 2015 to provide resource assistance to low income seniors in Spanish. This position has been active since mid-year of 2014, after staffing changes resulted in none of the senior resources specialists being bilingual in Spanish. The recent hire of a bilingual resource specialist will fill this need on an on-going basis. This position is to bridge the gap in the meantime.

Human Services –Double SNAP Program \$15,000

This request is to fund the Double SNAP program, a collaboration between the City of Boulder, Boulder County and Boulder County Farmers' Market (BCFM) that seeks to expand access to fresh, local fruits and vegetables for Boulder's low-income residents and promote local food production and distribution. The program doubles the value of food assistance dollars when they are spent at the Farmer's Market on fresh fruits and vegetables. This funding will continue Boulder's participation in 2015.

Human Services –Youth Employment Program \$15,000

This funding request will be used to pilot a summer youth employment program in partnership with Workforce Boulder County, matching county funds to subsidize youth wages at various employers.

Human Services –Permanently Supportive Housing \$20,000

This funding request is for the City of Boulder's portion of the Consortium of Cities county-wide permanently supportive housing study, approved by City Council at the April 7, 2015 meeting.

Information Technology – Constituent Relationship Management System (CRM) \$32,444

This request is to fund enhancements to the constituent relationship management system (CRM).

Information Technology – City Website/Laserfiche improvements/upgrades \$40,000

This request will fund planned work which includes consulting for improvements to the city's web search capability and upgrade to the city's Laserfiche online document management system.

Information Technology – IT PC/App Interns \$50,000

This request funds interns for the Device Support Team to assist in device replacement and rollout. The use of interns provides effective means for individual project support without the need to increase staffing, while providing development and learning opportunities for individuals hired as interns.

DUHMD – Departmental Assessment \$7,200

This is to request funds to conduct a departmental assessment of the Downtown University Hill Management Division/Parking Services department. The total cost of the assessment is \$30,000, which will be distributed among three of DUHMD/PS funds. The purpose of this project is to create the best organizational structure and resources to support the success of DUHMD/PS and to ensure the best organizational service delivery to our customers. This includes a comprehensive evaluation of DUHMD/PS's current organizational structure, assessing this alignment in relation to overall City organizational structure, reaffirming the best organizational structure to meet city goals and customer needs, and coordinating effectively with other city departments to ensure an optimal service delivery platform that supports the future. The assessment is to be completed by the end of the second quarter of 2015.

Citywide – Police/Fire Pensions – Fire Pension Contribution Adjustment (\$93,108)

This request adjusts the required city contribution to the Old Hire Fire pension plan, as per actuarial assessment.

Citywide – Police/Fire Pensions – Police Pension Contribution Adjustment \$84,840

This request adjusts the required city contribution to the Old Hire Police pension plan, as per actuarial assessment.

Budget Supplemental(s) from Additional Revenue

Gen Governance–Contingency – Code for America Project \$50,000

This request is for the private partnership funding the city will receive toward this project. This request is to support the partnership with Code for America to develop approaches and tools to support deep and broad community engagement that can be used in multiple city projects. The total of \$150,000 is to be funded as follows: City Manager's Contingency (\$40,000), Planning & Development Services (\$60,000) and private partnership (\$50,000).

Police – VALE 2015 Grant \$48,262

This request is to appropriate \$48,262 of anticipated revenue from the Boulder County Twentieth Judicial District for the Victims Assistance and Law Enforcement (VALE) Grant. This will be used to pay 50% of the salary of the departments Victims Advocate Team Coordinator, the Police Department will provide the remaining 50% of the Victim Advocate Team Coordinators salary.

Fire – EMS Response \$2,250

This request appropriates funds received from our ambulance provider, AMR Ambulance. The city's contract with AMR Ambulance includes a provision in which AMR must pay if they do not meet the established response time criteria. Appropriation of these funds is requested to be applied toward emergency response costs.

Fire – Standby Coverage \$4,118

This request appropriates funds received for standby coverage provided by the Fire Department to local businesses. The revenue is collected from coverage and is used to offset the costs incurred to provide the services.

Fire – AMR Computer Software Use \$4,894

This is a supplemental appropriation request from additional revenue. Payments are received from American Medical Response (AMR), the City's ambulance transport provider, for use of Fire Department owned software during training sessions conducted by AMR personnel for Fire Department personnel per the contract between the City and AMR.

Fire – Hazardous Materials County \$29,899

This is an annual payment from the Boulder County Sheriff's Office per a memorandum of understanding between the City of Boulder and Boulder County for support of the City of Boulder hazardous materials response capabilities.

Human Services – Silver Sneakers \$65,000

This request will appropriate funds from anticipated revenue from the Silver Sneakers® program, which is free to eligible participants. The program enhances the fitness and wellness of Medicare eligible seniors and disabled people. Appropriation will be used to cover the costs of the program.

Human Services – Encore \$10,000

This request is to appropriate funds from anticipated revenue from Boulder Encore Program that is an optional membership program for Senior Services. The program offers discounts for classes and services in exchange for an annual membership fee. The revenue will be received from sale of memberships. Appropriation will be used to cover costs of the program.

Human Services – CCRT Fees for Service \$4,000

This is a request to appropriate program revenue and expense for delivery of child care provider training services.

Human Services – FRS Afterschool Fees \$25,000

This is a request to appropriate additional revenue received from afterschool classes and donations to support the Family Resource Schools (FRS) program.

Human Services – 2015 City of Longmont subsidy/referral- \$5,000

This request appropriates funds from the Longmont Child Care Subsidy and Referral Grant. The pass through funds will support program management and provide GAP payments to families in Longmont.

Transfer Out and Appropriation – Fund Balance

Citywide – Civic Park Wi-Fi \$97,000

This is a request to transfer funds to the Telecommunications Fund from the General Fund for expenses related to the public wireless project in civic center park. This transfer is to reimburse the Telecommunications Fund for the expenses paid from that fund directly related to the project.

Citywide – Photo Radar subsidy pay back \$135,719

This request transfers from the General Fund to the Transportation Fund the remaining balance due of \$135,719 of 2014 photo enforcement surplus revenues. From 1998 to 2003, the Transportation Fund subsidized the Photo Radar Enforcement Program in the amount of \$846,687. An agreement was established that this subsidy would be paid back from future photo radar enforcement revenue. From 2004–2013, the Transportation Fund received transfers of \$710,968. After this requested transfer of \$135,719, the subsidy will be paid in full.

Transfer In and Appropriation – Additional Revenue

City Attorney’s Office – Project Balance \$24,421

This is a request to transfer and appropriate unused funds previously transferred to the Facility Repair & Renovation (FR&R) Fund for department remodel projects. Funds will be used for hardware and software upgrades and other needed department equipment upgrades.

LIBRARY FUND

Budget Supplemental (s) – Fund BalanceLibrary – Library Collection \$75,000

This request is to expand the collection of electronic books to ensure adequate availability. The Library has experienced a marked increase in demand from patrons for electronic materials and resources.

Library – Library patron survey and Master Plan \$140,000

This request is to conduct a Library Patron Survey and update the Library Master Plan. The last Master Plan update occurred in 2007.

PLANNING AND DEVELOPMENT SERVICES FUND

Budget Supplemental(s) from Fund BalanceCP&S & PW – Development – LandLink Replacement \$1,500,000

This is a request to appropriate funds for the replacement of the Landlink System. The LandLink System is used to deliver essential services, manage data and operations and track and collect revenue related to development, code enforcement and licensing activity. The city selected a vendor in 2014 and has a signed contract for Phase I. This funding will be used for Phase II implementation which will start later this year.

CP&S – Planning Projects \$70,000

This request supports planning projects identified as part of the city council retreat in January such as design excellence, development related fee study updates and update to the BVCP.

CP&S – Code for America Project \$60,000

This request is to support the partnership with Code for America to develop approaches and tools to support deep and broad community engagement that can be used in multiple city projects. The total of \$150,000 is funded by the City Manager’s Office, Planning and Development Services and private partnerships.

CP&S – Growing Up Boulder \$20,000

This is a request to appropriate funds to further support *Growing Up Boulder* in 2015. Growing up Boulder is a partnership between the city, BVSD, and CU that seeks to promote youth participation in community planning, decision making and action. The program has engaged young people in the Civic Area planning process, Burke Park planning, other community planning issues, and action teams focused on youth employment and youth friendly businesses, youth art and safe nightlife opportunities.

CP&S – State Historic Tax Credit \$10,950

This is a request to appropriate monies from the state historic tax credit fund to support various historic preservation projects in 2015. The State Historic Preservation Tax Credit Program encourages the rehabilitation and re-use of historic buildings. For properties designated as local landmarks or as contributing buildings within an historic district, available credit is 20 percent of rehabilitation costs up to \$50,000 per qualified property. Credit directly reduces (dollar for dollar) income taxes owed the state, and can be carried forward 10 years. Prior approval is required. The Secretary of the Interior's Standards for Rehabilitation are applied. The City of Boulder is a Certified Local Government and administers the State Tax Credit through the Historic Preservation Program.

Budget Supplemental(s) from Additional Revenue

CP&S – Urban Sustainability Directors Network (USDN) – Innovation Fund Grant \$76,000

This is a request to appropriate grant funding from the Urban Sustainability Directors Network (USDN) Innovation Fund Grant to support energy system transformation strategies. Boulder is participating with five other cities in this effort to accelerate their energy system transformation strategies.

AFFORDABLE HOUSING

Budget Supplemental(s) from Fund Balance

Housing – Opportunity Funds for development of affordable housing units \$10,850,482

The requested amount will be used as an opportunity fund for the city to enter into funding agreements with community partners for the development of affordable housing units.

.25 CENT SALES TAX

Budget Supplemental(s) from Fund Balance

Parks and Recreation – Forestry Tree Mitigation \$72,867

This request will provide funds for the Tree Protection and Mitigation Program. The program ensures that restitution is provided for the public trees removed or damaged through vehicular accidents, vandalism or construction projects. Funds are used primarily for tree planting, to enhance the forestry work plan, and to provide public education.

Budget Supplemental(s) from Additional Revenue

Parks and Recreation – Columbia Cemetery Donations \$6,000

This request appropriates donations that were received in 2014. The funds will be utilized for the upkeep of and maintenance at the Columbia Cemetery.

Parks and Recreation – University Hills Grant \$100,000

This is a request to appropriate an awarded amount of \$100,000, to improve the playground and play space in a high density housing area. Boulder Parks and Recreation partnered with University Hill Elementary School for the 2014 GOCO School Play Yard Initiative. The school play yard is also often used by the community when school is not in session.

RECREATION ACTIVITY FUND

Budget Supplemental(s) from Additional Revenue

Parks and Recreation – Scholl Grant \$40,000

This is a request to appropriate grant funds received from the Dr. Scholl Foundation to be used for the EXPAND program. EXPAND program will use the proceeds to fund the Outdoor Adventure Camp Program, Youth Services Initiative, and other EXPAND programs and services.

Parks and Recreation – YSI Get Fit Grant \$19,500

This request is to appropriate grant funds received from the Youth Opportunity Advisory Board (YOAB) "Get Fit Grant." The grant helps the YSI program facilitate positive development of youth by empowering them to make positive choices for healthy lifestyle and leisure pursuits. The YSI program coordinates after-school and summer camp programs for children that reside in low-income sites throughout the community.

OPEN SPACE AND MOUNTAIN PARKS FUND

Budget Supplemental(s) from Fund Balance

OSMP – Ditch Assessment Charges \$50,000

This is a request to fund increases in ditch assessments and fees. The Open Space & Mountain Parks Department pays fees assessed by the ditch companies where OSMP owns water rights. In 2014, assessment costs were \$150,000, exceeding the budget by \$50,000. This is a one time request to properly budget for 2015; adequate funding will be requested in the 2016 OSMP operating budget.

OSMP – Gregory Canyon Access Road \$125,380

This is a request to appropriate funds for the Gregory Canyon Access Road Repair project, to repair the damage to the hard surfaced road caused by the 2013 September flood. This road provides public access the OSMP Gregory Canyon Trailhead. The project includes removing the damaged asphalt, re-grading the road surface and surfacing with asphalt.

OSMP – Raptor Program Bequest – Principal & Interest \$32,707

This request is to appropriate funds for the Raptor Program. These funds represent principal & interest earned on the previously received bequest for the Raptor Monitoring Program. Because the bequest was exclusively for the Raptor Monitoring Program, OSMP directs any interest earned on the principal towards this purpose as well. It is the long term goal of the department to utilize interest earned on the bequest in support of the Raptor Monitoring Program.

OSMP – Restoration of South Boulder Creek flood damage \$125,000

This is a request to reinstate considerable habitat improvements previously completed prior to the flood in September 2013. The flood destroyed much of the improvements. Funds were appropriated for this purpose in 2014; however, due to other projects taking priority, the funds remained unspent. An additional \$125,000 was approved in the February supplemental request for this project thereby providing a total of \$250,000 for the entire project.

OSMP – Sanitas Valley Road – Flood Damage Repair \$315,810

This is a request to appropriate funds for the Sanitas Valley Road – Flood Damage Repair project; to repair the damage to the soft surfaced road caused by the September flood of 2013. The road serves as a pedestrian and equestrian trail for OSMP users, as a maintenance road for OSMP, and as emergency access to the area. The project includes establishing adequate drainage ditches and culverts, re-grading the road surface, and re-surfacing with road base to bring the use and function of the road back to pre-flood use and function.

TRANSPORTATION FUND

Budget Supplemental(s) from Fund Balance

PW – Transportation – Overlay (Road Resurfacing) Program \$200,000

This budget supplemental requests an additional \$200,000 of funding for the Overlay program. Asphalt resurfacing or overlays are used on higher volume roads or lower volume streets that have deteriorated to a point that a chip seal or other pavement preservation treatments are no longer effective. The overlay process at times may

include a phase to remove and patch some areas of the street that have extensive wear or damage beyond the surface of the pavement.

Budget Supplemental(s) from Additional Revenue

PW – Transportation – 30th St and Colorado Ave Bike/Ped Underpass \$400,000

This budget supplemental request is for the DRCOG TIP funded project 30th St and Colorado Av. Bik/Ped Underpass. This project involves design and construction of a new underpass crossing beneath 30th Street and Colorado Avenue. The underpass is planned to be aligned diagonally beneath the intersection between the southwest and northeast corners and will eliminate the barrier that the intersection of 30th/Colorado currently presents. The underpass will be equipped with ADA/AASHTO compliant path connections to/from it, and the project will provide lighting in and around the underpass, signage/wayfinding treatments, and 20 bicycle parking spaces. Total budget for four-year project (2015–2019) will be \$8,000,000. Of this amount, \$6,225,000 will be funded by CDOT.

PW – Transportation – Boulder Slough Multiuse Path: 30th to 3100 Pearl\$ 96,000

This budget supplemental request is for the DRCOG TIP funded project Boulder Slough Multiuse Path: 30th to 3100 Pearl. The project as currently scoped, includes a new multi-use path extension from the existing pedestrian/bike underpass at 30th Street, extending east along the south side of the Boulder Slough, a major drainageway in the City of Boulder, and crossing the Boulder Slough via a pedestrian/bike bridge to connect to an existing multi-use path constructed along the south side of the Solana 3100 Pearl Apartments project. The project also includes wayfinding signage and bicycle parking. The total budget for this three-year project (2015–2018) will be \$600,000. Of this amount, \$480,000 will be funded through the DRCOG Transportation Improvement Program.

PW – Transportation – Broadway Reconstruction: Violet to US 36 \$1,000,000

This budget supplemental request is to appropriate Denver Regional Council of Governments (DRCOG) Transportation Improvement Program (TIP) funds for the Broadway Reconstruction: Violet to US 36 project that reconstructs the existing roadway including pedestrian center refuges, bike lanes, storm sewer improvements, traffic signal improvements, transit stop amenities and landscaping. Total budget for the four-year project (2015–2019) will be \$8,300,000. Of this amount, \$6,225,000 will be funded by the Colorado Department of Transportation (CDOT).

PW – Transportation – CDOT Safety Grant \$47,500

This budget supplemental request appropriates awarded funds to the City of Boulder from a federal safety grant in support of the Boulder Safe Streets Program to reduce the number of serious injuries in traffic accidents. The project will expand the Heads Up

Boulder crosswalk safety campaign and employ a collaborative approach among the City Transportation and Police Departments, CU-Boulder Transportation and Police Departments, and the cycling community.

PW – Transportation – Foothills Improvement: Diagonal to Valmont \$80,000

This budget supplemental request is to account for additional funding from CDOT for the Foothills/Valmont Operational Improvements. The new contract amendment has been signed by the City Manager and forwarded to CDOT for final execution.

Transfer In and Appropriation – Additional Revenue

Citywide – Photo Radar subsidy pay back \$135,719

This request transfers from the General Fund to the Transportation Fund the remaining balance due of \$135,719 of 2014 photo enforcement surplus revenues. From 1998 to 2003, the Transportation Fund subsidized the Photo Radar Enforcement Program in the amount of \$846,687. An agreement was established that this subsidy would be paid back from future photo radar enforcement revenue. From 2004–2013, the Transportation Fund received transfers of \$710,968. After this requested transfer of \$135,719, the subsidy will be paid in full.

COMMUNITY DEVELOPMENT BLOCK GRANT

Budget Supplemental(s) from Additional Revenue

Housing – CDBG Grant Adjustment – \$ 47,814

This request adjusts the appropriation levels to the 2015 CDBG award level.

Human Services – Community Development Block Grant – \$ 8,438

This request adjusts the appropriation levels to the 2015 CDBG award level.

HOME FUND

Budget Supplemental(s) from Additional Revenue

Housing – Longmont Home Program Income \$28,163

This request will adjust the Home fund program income generated by Longmont as part of the Home Consortium partners. The funding will be allocated back to the consortium partners.

Housing - Home Grant Adjustment \$20,040

This request adjusts the appropriation levels to the 2015 HOME award level.

PERMANENT PARKS AND RECREATION FUND

Budget Supplemental(s) from Additional Revenue

Parks and Recreation - Grant for Knollwood Repair \$30,000

This is a request to appropriate funds from the USTA family (USTA National, Intermountain Tennis Foundation, and the Colorado Tennis Association), providing disaster relief grants to help offset the cost of repair not covered by FEMA or insurance. During the September 2013 flood event the Knollwood Tennis Courts received substantial damage for which these funds will help complete the rebuild process.

2011 CAPITAL IMPROVEMENT BOND

Budget Supplemental(s) from Fund Balance

Citywide - Capital Improvement Bond Interest \$255,000

This request appropriates accumulated interest in the 2011 Capital Improvement Bond to fund project scope changes and enhancements to the Library Renovation Project.

WATER UTILITY FUND

Budget Supplemental(s) from Fund Balance

PW- Utilities - Betasso Water Treatment Plant filter rehab \$200,000

This request appropriates \$200,000 from Fund Balance for a filter rehab project at the Betasso Water Treatment Plant. Performance issues were identified in filter #6 and problems with the filter underdrain system were discovered. Plant capacity is currently reduced by 15% with Filter 6 unavailable and failure of any of the other filters could strain the overall system ability to meet water demands during peak periods.

WASTEWATER UTILITY FUND

Budget Supplemental(s) from Additional Revenue

PW- Utilities - State Grant for 61st Street Interceptor \$595,000

This request appropriates \$595,000 from grant revenue for re-routing of the 61st Street 42 inch wastewater pipe. The September 2013 flood exposed a vulnerable section of this pipe, and the City was awarded grant funds from the Colorado Department of Public

Health and Environment for design and construction of re-routing. The project is expected to be completed in 2015.

PW- Utilities – Water Quality Analysis \$13,035

This request is to appropriate an additional \$13,035 in additional revenue for a water quality modeling on Boulder Creek. The City of Boulder is part of a cost sharing effort to conduct this work to support the renewal of the city's 75th Street Wastewater Treatment Facility discharge permit. Cost will be shared with the Cities of Longmont, Louisville and Lafayette, the Towns of Erie and Superior, and the Saint Vrain Sanitation District. The city's share of the cost is \$26,465 and the remaining \$13,035 will be split between the rest of the project participants. Since the city has the largest share of project cost the city has contracted directly with CU Boulder and Western Environmental Analysis for the total project cost of \$39,500 and will request reimbursement from the rest of the project participants at the end of the project. The project completion date is estimated to be September 2015.

STORMWATER UTILITY FUND

Increase in Revenue Only

PW- Utilities – Watershed Grant Revenue \$44,979

This revenue request is for \$44,979 in Federal grant funding. This grant will provide funding for the development of a watershed plan for the Boulder Creek watershed. This project is anticipated to be completed in 2015. A corresponding adjustment to base appropriates the expense carryover.

PW- Utilities – Wonderland at 28th \$826,360

This revenue request is for \$826,360 in Federal grant funding. This project includes the construction of multi-use path and flood mitigation improvements along Wonderland Creek from the Diagonal Highway to Winding Trail Drive, including two bicycle and pedestrian underpasses. This project is expected to be completed in 2018. A corresponding adjustment to base appropriates expense carryover.

PW- Utilities – Wonderland Foothills to 30th Revenue \$1,702,227

This revenue request is for \$1,702,227 in Federal grant funding. This project includes the construction of a multi-use path and flood mitigation improvements along Wonderland Creek from Foothills Highway to the Diagonal Highway, including an underpass at the railroad crossing near Foothills. This project is expected to be completed in 2018. A corresponding adjustment to base appropriates the expense carryover.

TELECOMMUNICATIONS FUND

Transfer In and Appropriation – Additional RevenueCitywide – Civic Park Wi-Fi \$97,000

This is a request to appropriate funds transferred from the General Fund to the Telecommunications Fund for expenses related to the public wireless project in civic center park. This transfer is to reimburse the Telecommunications Fund for the expenses paid from that fund directly related to the project.

FACILITY RENOVATION AND REPLACEMENT FUND

Budget Supplemental(s) from Fund BalancePW – Support Services – Main Library – Environmental Remediation \$6,300

This request is to fund a project to remediate mold discovered in an unoccupied mechanical room in the Main Library.

PW – Support Services – Fire Department Space Analysis \$20,000

This request is to assess space needs and provide information for the city, and strategically plan for current and future facility needs of the Fire department.

PW – Support Services – Main Library – Additional Café Infrastructure \$25,000

This request is to fund the Main Library's additional café infrastructure. There are areas requiring additional plumbing, electrical, and ventilation work to accommodate appliances.

PW – Support Services – HVAC Controls Upgrade for Main Library \$400,000

This request is to fund upgrades of the current HVAC systems which are on multiple controls that do not communicate with one another and are outdated. The project will also replace obsolete pneumatic controls and improve equipment reliability. Upgrading the controls will allow the HVAC system to be centrally controlled and improve the energy efficiency of the facility.

PW – Support Services – Municipal Service Center (MSC) Master Plan \$185,000

This request is to fund the Facility Asset Management's (FAM) portion of the next phase of the MSC Master Plan. Now that Eco Cycle operation has relocated and Pollards has acquired their parcel, the future function of the MSC property needs to be planned. The plan will include facilities, drainage, and infrastructure. This project is funded by FAM, Utilities, and Transportation.

PW – Support Services – Chautauqua Restrooms \$210,000

This request will fund project costs for the ADA restrooms at Chautauqua Park of approximately \$568,000, with \$358,000 funded from the 2011 Bond and \$210,000 funded from this request. The project includes site work, utility installations, and the construction of an approximate 500 square foot facility with three fixture units (toilets and/or urinals) for each sex, and storage and mechanical spaces.

Transfer Out and Appropriation – Fund Balance

PW – Support Services – Project Balance \$24,421

This is a request to transfer and appropriate unused funds previously transferred to the Facility Repair & Renovation Fund for City Attorney department remodel projects. Funds will be used for hardware and software upgrades and other department equipment upgrades.

REQUEST BY FUND AND DEPT
CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015

Fund	Dept	Type / Item	Encumb Carryover		Type				Source		Increase (Decrease) in Revenue
			From Additional Revenue	From Fund Balance	Capital Carryover	Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	Fund Balance	
GENERAL FUND											
		Encumbered Funds from Fund Balance									
		City Manager		22,650							
		Information Technology		116,129							
		Police		9,090							
		Fire		4,822							
		Public Works		66,896							
		Energy Strategy & Development		420,551							
		Arts		77,089							
		Community Planning & Sustain.		24,000							
		Grant Carryover(s) from Fund Balance									
Comnty Planning & Sustainability		CDBG-DR Planning Grant (GF)				75,625				75,625	
	Human Services	United Way 14-15 GMS Partnership				3,574				3,574	
	Human Services	Boulder County 14-15 GMS Partnership				3,574				3,574	
	Human Services	Child Care Tax Credit-Bldr Cert				5,046				5,046	
	Human Services	14/15 United Way Grant				1,709				1,709	
	Human Services	14/15 CCSR Qualistar grant				10,255				10,255	
	Human Services	14/15 CCRT Qualistar grant				2,724				2,724	
	Human Services	13/14 BVSD FRS grant				52,693				52,693	
	Human Services	14/15 BVSD FRS grant				40,519				40,519	
	Human Services	13/14 BVSD Prevention & Intervention				86,490				86,490	
	Human Services	Senior Foundation Grant				3,544				3,544	
		Operating Carryover(s) from Fund Balance									
Gen Governance - Contingency		Neighborhood Grant Program						50,000			50,000
Gen Governance - Contingency		Legal Contingency						149,143			149,143
Gen Governance - Contingency		Well-Being Project						40,000			40,000
Gen Governance - Contingency		Goal Setting Project						32,500			32,500
Gen Governance - Contingency		Code for America Project						40,000			40,000
Gen Governance - Contingency		Customer Experience Strategy						200,000			200,000
Gen Governance - Contingency		Teaming & Customer Service Initiative						20,000			20,000
Gen Governance - Contracts		Education Access (PEG)						574,676			574,676
Gen Governance - Contracts		Boulder Museum Study						25,000			25,000
Gen Governance - Programs		Community Survey						11,456			11,456
Gen Governance - Programs		EET Funds						172,954			172,954
City Attorney's Office		Employee Expenses/Backfill/Outside Counsel						90,232			90,232
Energy Strategy/Elect Util Dev		Energy Future transition plan and acquisition						441,361			441,361
Human Resources		Citywide Compliance Training						15,000			15,000
Human Resources		FLSA Legal Consultation						30,000			30,000
Human Resources		TALX Compliance Center						30,000			30,000
Police		Beth Haynes Award						1,000			1,000
Police		Remodel of old Fire space						15,000			15,000
Police		Records Management System (RMS) Project Manager						52,000			52,000
Public Works - Support Svcs		Downtown Staff Relocations						261,000			261,000
Public Works - Support Svcs		Flood Mitigation Projects						344,719			344,719
Public Works - Support Svcs		BMOCA - Roof Safety Railing						6,000			6,000
Comnty Planning & Sustainability		Boulder Civic Area						12,941			12,941
Comnty Planning & Sustainability		Renewable Energy Program - 2013 Rebates						17,134			17,134
Comnty Planning & Sustainability		Neonicotinoid-Related Monitoring and Education						26,447			26,447
Comnty Planning & Sustainability		Economic Vitality - 2008 Flexible Rebate Program						38,345			38,345
Comnty Planning & Sustainability		Bear & Trash Implementation						39,469			39,469
Comnty Planning & Sustainability		Redevelopment -Civic Area						46,613			46,613
Comnty Planning & Sustainability		Economic Vitality - Microloan						50,000			50,000
Comnty Planning & Sustainability		Economic Vitality - 2013 Flexible Rebate Program						59,708			59,708
Comnty Planning & Sustainability		Resiliency Grant						119,278			119,278
Comnty Planning & Sustainability		Economic Vitality Incentive-Flexible Rebate Program						135,557			135,557
Comnty Planning & Sustainability		Economic Vitality - 2012 Flexible Rebate Program						138,144			138,144
Comnty Planning & Sustainability		Economic Vitality - 2014 Flexible Rebate Program						291,959			291,959
Human Services		Homeless Work Plan Projects						90,000			90,000

REQUEST BY FUND AND DEPT
CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015

Fund	Dept	Type / Item	Encumb Carryover		Type			Source		Increase (Decrease) in Revenue
			From Additional Revenue	From Fund Balance	Capital Carryover	Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	
	Human Services	Human Services Strategy					125,000			125,000
	Human Services	2014 Flood Recovery Case Management					3,544			3,544
	Human Services	Human Services Opportunity Fund					50,000			50,000
	Human Services	FRS Mental Health Partner contract funding					24,885			24,885
	Human Services	FRS Afterschool Fees					11,237			11,237
	Human Services	West Senior Center remodel project					125,000			125,000
	Information Technology	Furnish shared IT spaces at Center Green					15,000			15,000
	Information Technology	IT Organizational Development					82,480			82,480
	Information Technology	IT Department Strategic Initiatives					69,883			69,883
	Information Technology	Service Desk Software (Cherwell) update					25,980			25,980
	Information Technology	Vista Support					4,307			4,307
	Information Technology	Applications Support/Upgrade/Consulting					215,946			215,946
	Information Technology	IT GF Capital: Technology					327,036			327,036
	Information Technology	Agenda Management System					28,955			28,955
	Information Technology	Mobility Projects					73,531			73,531
	Information Technology	Internet Redundancy					18,726			18,726
	Information Technology	Video Server					3,585			3,585
	Information Technology	Security review and device assessment					35,000			35,000
	Arts	Art Scholarships Grant					4,276			4,276
	Arts	Arts in Education Grant					6,807			6,807
	Arts	Spark Grant Carryover					14,916			14,916
	Arts	ABC Grants					17,916			17,916
	Arts	Theater Rental Grants					20,414			20,414
	Arts	Public Art					154,034			154,034
	Parks and Recreation	Flood Projects					7,190			7,190
		Budget Supplemental(s) from Fund Balance								
	Communications	Administrative Support						24,265		24,265
	Communications	Training and Development						4,500		4,500
	Gen Governance - Contracts	Boulder Convention and Visitors Bureau						68,802		68,802
	Gen Governance - Contingency	Mobile Home Legal Services						20,000		20,000
	Municipal Court	Municipal Court Organizational Assessment						15,000		15,000
	Finance	Chautauqua Lease Facilitation						10,020		10,020
	Finance	Risk Division Assessment						22,500		22,500
	Finance	Pension Plan Reporting requirements						12,000		12,000
	Finance	Finance Operating Supplemental						200,000		200,000
	Police	Alcohol Enforcement						50,000		50,000
	Police	Library/Municipal Campus Overtime						70,000		70,000
	Comnty Planning & Sustainability	Renewable Energy Program - 2014 Rebates						12,225		12,225
	Comnty Planning & Sustainability	Renewable Energy Program-Grants						148,014		148,014
	Comnty Planning & Sustainability	Waste Reduction Services						369,896		369,896
	Human Services	2015 Flood Recovery Case Management						50,000		50,000
	Human Services	Senior Resources Bilingual Support						25,000		25,000
	Human Services	Double SNAP Program						15,000		15,000
	Human Services	Youth Employment Program						15,000		15,000
	Human Services	Permanently Supportive Housing						20,000		20,000
	Information Technology	Constituent Relationship Management (CRM) System						32,444		32,444
	Information Technology	City Website/LaserFishe improvements/upgrades						40,000		40,000
	Information Technology	IT PC/App Interns						50,000		50,000
	District Management/Parking	Departmental Assessment						7,200		7,200
	Fundwide / Citywide	Fire Pension Contribution Adjustment						(93,108)		(93,108)
	Fundwide / Citywide	Police Pension Contribution Adjustment						84,840		84,840
		Budget Supplemental(s) from Additional Revenue								
	Gen Governance - Contingency	Code for America Project						50,000	50,000	
	Police	VALE 2015 Grant						48,262	48,262	
	Fire	EMS Response						2,250	2,250	
	Fire	Standby Coverage						4,118	4,118	
	Fire	AMR Computer Software Use						4,894	4,894	
	Fire	Hazardous Materials County						29,899	29,899	

REQUEST BY FUND AND DEPT
CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015

Fund	Dept	Type / Item	Encumb Carryover		Type				Source		Increase (Decrease) in Revenue
			From Additional Revenue	From Fund Balance	Capital Carryover	Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	Fund Balance	
	Human Services	Silver Sneakers							65,000	65,000	
	Human Services	Encore							10,000	10,000	
	Human Services	CCRT Fees for Service							4,000	4,000	
	Human Services	FRS Afterschool Fees							25,000	25,000	
	Human Services	2015 City of Longmont subsidy/referral							5,000	5,000	
		Transfer(s) to Other Funds									
	Fundwide / Citywide	Transfer to Transportation Fund- Photo Radar subsidy final pay back							135,719		135,719
	Fundwide / Citywide	Transfer to Telecommunication Fund - Civic Park Wi-Fi							97,000		97,000
		Transfer(s) from Other Funds									
	City Attorneys Office	Transfer from Facilities Renovation and Replacement - Project Balance							24,421	24,421	
		Subtotal	-	741,227	-	285,752	5,133,285	1,779,160	558,596	6,639,601	-
COMMUNITY HOUSING ASSISTANCE PROGRAM (CHAP) FUND											
		Project Carryover									
	Housing	Local Option or Unallocated			369,107						369,107
	Housing	Risk Pool			115,636						115,636
	Housing	Boulder Housing Coalition BoHoCo			112,250						112,250
	Housing	BoHoCo Crystals			430,533						430,533
	Housing	BoHoCo Rehab Masala/Chrysalis			90,000						90,000
	Housing	Thistle Rehabilitation			58,418						58,418
	Housing	Thistle Sage Court			756,115						756,115
	Housing	Elements Trinity Senior Housing			1,120,000						1,120,000
		Operating Carryover									
	Housing	Opportunity Funds						395,616			395,616
		Subtotal	-	-	3,052,059	-		395,616	-	-	3,447,675
LIBRARY FUND											
		Encumbered Funds from Fund Balance									
		Library		151,804							
		Grant Carryover									
	Library	BoulderReads County Grant					8,759			8,759	
	Library	2014 State Grant					21,892			21,892	
		Project Carryover									
	Library	Automated Materials Handling RFID Project			524,000						524,000
		Operating Carryover from Fund Balance									
	Library	Library program promotion/marketing plan						15,000			15,000
	Library	Meadows Branch Library Renovation: Furniture						37,000			37,000
	Library	Technology upgrades for Internet filtering and meeting room reservation						26,500			26,500
		Budget Supplemental(s) from Fund Balance									
	Library	Library Collection							75,000		75,000
	Library	Library patron survey and Master Plan							140,000		140,000
		Subtotal	-	151,804	524,000	30,651	78,500	215,000	30,651	817,500	-
LOTTERY FUND											
		Encumbered Funds from Fund Balance									
		Parks and Recreation		8,555							
		Open Space & Mountain Parks		121,349							

ATTACHMENT C

REQUEST BY FUND AND DEPT
CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015

Fund	Dept	Type / Item	Encumb Carryover		Type				Source		Increase (Decrease) in Revenue
			From Additional Revenue	From Fund Balance	Capital Carryover	Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	Fund Balance	
		Operating Carryover									
	Parks and Recreation	Urban Resources Management						26,750			26,750
		Project Carryover									
	Parks and Recreation	Tributary Greenways			731,810						731,810
	Parks and Recreation	Elks Parks			42,559						42,559
	Parks and Recreation	Unallocated Conservation Trust Funds			20,559						20,559
Open Space and Mountain Parks		Lottery Historical Structures and Sites			397,773						397,773
		Subtotal	-	129,904	1,192,701	-	-	26,750	-	-	1,219,451
PLANNING AND DEVELOPMENT SERVICES FUND											
		Encumbered Funds from Fund Balance									
		Planning & Development Svcs		88,438							
		Community Planning & Sustain.		79,310							
		Operating Carryover									
	PW-Development	Design Construction Standards						60,000			60,000
	PW-Development	Floodplain						58,000			58,000
Comnty Planning & Sustainability		Boulder Civic Area						65,807			65,807
Comnty Planning & Sustainability		Comprehensive Housing Strategy						30,000			30,000
Comnty Planning & Sustainability		Design Excellence						10,330			10,330
		Budget Supplemental(s) from Fund Balance									
	PW-Development	LandLink Replacement						990,000			990,000
Comnty Planning & Sustainability		Planning Projects						70,000			70,000
Comnty Planning & Sustainability		Code for America						60,000			60,000
Comnty Planning & Sustainability		Growing Up Boulder						20,000			20,000
Comnty Planning & Sustainability		LandLink Replacement						510,000			510,000
Comnty Planning & Sustainability		State Historic Tax Credit						10,950			10,950
		Budget Supplemental(s) from Additional Revenue									
Comnty Planning & Sustainability		Urban Sustainability Directors Network (USDN) - Innovation Fund Grant						76,000	76,000		
		Subtotal	-	167,748	-	-	-	224,137	1,736,950	76,000	1,885,087
AFFORDABLE HOUSING FUND											
		Encumbered Funds from Fund Balance									
		Housing									
		Project Carryover									
	Housing	Local Option or Unallocated			10,937						10,937
	Housing	Opportunity Funds			2,146,667						2,146,667
	Housing	Middle Income Opportunity Funds			82,800						82,800
	Housing	First Home			3,066						3,066
	Housing	First Home			4,946						4,946
	Housing	Habitat Critical Food Repair			89,644						89,644
	Housing	Depot Square (Off Site for 3100 Pearl)			1,178,789						1,178,789
	Housing	BCHA - Home Ownership Counseling			14,862						14,862
	Housing	Foothills United Way IDA			4,000						4,000
	Housing	Foothills United Way IDA			12,000						12,000
	Housing	Foothills United Way IDA			24,000						24,000
	Housing	Thistle Pinewood			166,475						166,475
	Housing	Emergency Family Assistance Echo House			100,000						100,000
	Housing	Boulder Transit Village			3,074						3,074
		Operating Carryover									

REQUEST BY FUND AND DEPT
CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015

Fund	Dept	Type / Item	Encumb Carryover		Capital Carryover	Type			Source		Increase (Decrease) in Revenue
			From Additional Revenue	From Fund Balance		Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	Fund Balance	
	Housing	Opportunity Funds					322,849			322,849	
		Budget Supplemental(s) from Fund Balance									
	Housing	Opportunity Funds for development of affordable housing units						10,850,482		10,850,482	
		Subtotal	-	-	3,841,259	-	322,849	10,850,482	-	15,014,590	-
.25 CENT SALES TAX FUND											
		Encumbered Funds from Fund Balance									
		Public Works		9,600							
		Parks and Recreation		713,153							
		Operating Carryover									
	Parks and Rec	Valmont Bike Park Donations						14,843		14,843	
		Project Carryover									
	Parks and Rec	Locomotive #30 Complete Restoration			14,940					14,940	
	Parks and Rec	Flatirons Event Center			286,386					286,386	
	Parks and Rec	Unallocated Capital Needs			57,495					57,495	
	Parks and Rec	Aquatics Facility Plan			100,000					100,000	
	Parks and Rec	Urban Parks R&R			24,400					24,400	
	Parks and Rec	Burke Park Partnership Project			100,378					100,378	
	Parks and Rec	Columbia Cemetery Repairs			32,199					32,199	
	Parks and Rec	Forestry R&R			31,890					31,890	
	Parks and Rec	Recreation Fac R&R			74,351					74,351	
	Parks and Rec	Hist & Cult Harbeck House			46,265					46,265	
	Parks and Rec	Hist & Cult Columbia Cemetery			560					560	
	Parks and Rec	Hist & Cult Locomotive Restoration			23,648					23,648	
	Parks and Rec	Civic Park Complex			11,187					11,187	
	Parks and Rec	Multiple Park Sites: 2013 Flood			119,905					119,905	
		Budget Supplemental(s) from Fund Balance									
	Parks and Recreation	Forestry Tree Mitigation						72,867		72,867	
		Budget Supplemental(s) from Additional Revenue									
	Parks and Recreation	Cemetery Grant						6,000	6,000		
	Parks and Recreation	University Hills Grant						100,000	100,000		
		Subtotal	-	722,753	923,605	-	14,843	178,867	106,000	1,011,315	-
RECREATION ACTIVITY FUND											
		Encumbered Funds from Fund Balance									
		Parks and Recreation		6,550							
		Grant Carryover									
	Parks and Recreation	Expand Scholarships Grant					15,093		15,093		
	Parks and Recreation	US Paralympic Grant					8,807		8,807		
	Parks and Recreation	Iron Man Foundation Grant					978		978		
	Parks and Recreation	Expand Grant US Assoc of Blind Athletes					154		154		
	Parks and Recreation	YSI Get Fit Grant					6,111		6,111		
	Parks and Recreation	YSI Scholarship Grants					1,703		1,703		
	Parks and Recreation	YSI GRUB donation					7,475		7,475		
		Budget Supplemental(s) from Additional revenue									
	Parks and Recreation	Scholl Grant						40,000	40,000		
	Parks and Recreation	YSI Get Fit Grant						19,500	19,500		
		Subtotal	-	6,550	-	40,320	-	59,500	99,820	-	-

ATTACHMENT C

REQUEST BY FUND AND DEPT CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015											
Fund	Dept	Type / Item	Encumb Carryover		Type				Source		Increase (Decrease) in Revenue
			From Additional Revenue	From Fund Balance	Capital Carryover	Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	Fund Balance	
CLIMATE ACTION PLAN FUND											
		Encumbered Funds from Fund Balance									
		Community Planning and Sustainability		583,199							
		Operating Carryover(s) from Fund Balance									
	Comnty Planning & Sustainability	CAP Tax Programs and Initiatives						417,651			417,651
		Subtotal	-	583,199	-	-	-	417,651	-	-	-
OPEN SPACE FUND											
		Encumbered Funds from Fund Balance									
		OSMP		1,365,724							
		Project Carryover									
	Open Space and Mountain Parks	Acquisition Area (Capital Improvement Program)			3,444,322						3,444,322
	Open Space and Mountain Parks	Acquisition Area (2014 Bond)			6,888,000						6,888,000
	Open Space and Mountain Parks	Open Space & Mt Parks Trails Projects			600,000						600,000
	Open Space and Mountain Parks	South Boulder Creek Instream Flow			246,177						246,177
	Open Space and Mountain Parks	OSMP West Trail Study Area			494,971						494,971
	Open Space and Mountain Parks	ReRoute Flagstaff Tr bt CRock/Baseline			120,000						120,000
	Open Space and Mountain Parks	ReRoute Saddle Rock Trail			65,000						65,000
	Open Space and Mountain Parks	ReRoute Ute + Range View Trails			65,000						65,000
	Open Space and Mountain Parks	ReRoute Green MT West Ridge			60,000						60,000
	Open Space and Mountain Parks	OSMP North Trail Study Area			50,000						50,000
	Open Space and Mountain Parks	Water Rights Acquisition			329,115						329,115
	Open Space and Mountain Parks	Mineral Rights Acquisition			461,184						461,184
		Budget Supplemental(s) from Fund Balance									
	Open Space & Mountain Parks	Ditch Assessment Charges							50,000		50,000
	Open Space & Mountain Parks	Gregory Canyon Access Road Repair							125,380		125,380
	Open Space & Mountain Parks	Raptor Program Bequest -Principal & Interest							32,707		32,707
	Open Space & Mountain Parks	Restoration of South Boulder Creek flood damaged habitat improvement structures.							125,000		125,000
	Open Space & Mountain Parks	Restoration of South Boulder Creek flood damage							315,810		315,810
		Subtotal	-	1,365,724	12,823,769	-	-	-	648,897	-	13,472,666
AIRPORT FUND											
		Encumbered Funds from Fund Balance									
		Transportation		275,694							
		Project Carryover(s) from Fund Balance									
	PW - Transportation	Airport Ramp 2014 (City Match)			27,103						27,103
		Subtotal	-	275,694	27,103	-	-	-	-	-	45,284
TRANSPORTATION FUND											
		Encumbered Funds from Add'l Revenue/Fund Balance									
		Public Works	721,347	3,656,175							
		Project Carryover									
	PW - Transportation	Ped Facilities - Enhancements			1,662						1,662
	PW - Transportation	Municiple Service Center Site Prep - Pollard Relocate			141,752						141,752
	PW - Transportation	Broadway - Euclid Multimodal Improvement			31,686						31,686
	PW - Transportation	TIP Local Match			729,701						729,701
	PW - Transportation	Pearl Pkwy M-Use Path: 30th to Foothills			3,184						3,184
	PW - Transportation	14th & Walnut			19,769						19,769
	PW - Transportation	Path Relocation-57th Street			34,668						34,668

ATTACHMENT C

REQUEST BY FUND AND DEPT
CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015

Fund	Dept	Type / Item	Encumb Carryover			Type			Source		
			From Additional Revenue	From Fund Balance	Capital Carryover	Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	Fund Balance	Increase (Decrease) in Revenue
	PW - Transportation	Gregory Lane Retaining Wall			79,433					79,433	
	PW - Transportation	TMP Update			79,375					79,375	
	PW - Transportation	Canyon Blvd. Transpo Corridor Study			81,897					81,897	
	PW - Transportation	East Arapahoe Transpo Corridor Study			42,497					42,497	
	PW - Transportation	Bikeway Facilities - Enhancements			5,792					5,792	
	PW - Transportation	28th St - Baseline to Iris			1,637,931					1,637,931	
	PW - Transportation	Pedestrian Facilities			29,924					29,924	
	PW - Transportation	Operating Retainage			94,857					94,857	
	PW - Transportation	Yards Master Plan			327,458					327,458	
	PW - Transportation	CU Bike/Ped Bridge Replacement			200,000					200,000	
	PW - Transportation	Capital Project Position			71,530					71,530	
	PW - Transportation	Boulder Transit Village			63,019					63,019	
	PW - Transportation	Tributary Greenways Program			320,702					320,702	
	PW - Transportation	SRTS - S Boulder Rd/Manhattan			70,257					70,257	
	PW - Transportation	Diagonal Hwy Recon: 28th to 30th			9,206,471				7,131,635	2,074,836	
	PW - Transportation	Foothills Impr.: Diagonal to Valmont			797,773				590,434	207,339	
	PW - Transportation	Baseline Underpass: Broadway to 28th			4,744,989				4,421,038	323,952	
	PW - Transportation	28th St. Path Impr.: Iris to Yarmouth			1,823,503				920,826	902,678	
	PW - Transportation	Bike Share Stations			3,343				2,674	669	
	PW - Transportation	SRTS-Hanover MUP			316,590				270,276	46,314	
	PW - Transportation	Valmont & 29th/Hazard Elimination			2,724,870				2,432,639	292,231	
	PW - Transportation	30th St Access Impr BTV: Bluff-Walnut			3,284				3,284		114,212
	PW - Transportation	Transit Stop Improvements			238,701				238,701		219
		Budget Supplemental(s) from Fund Balance									
	Public Works - Transportation	Overlay (Road Resurface) Program						200,000		200,000	
		Budget Supplemental(s) from Additional Revenue									
	Public Works - Transportation	30th St and Colorado Ave Bike/Ped Underpass						400,000	400,000		
	Public Works - Transportation	Boulder Slough Multiuse Path: 30th to 3100 Pearl						96,000	96,000		
	Public Works - Transportation	Broadway Reconstruction: Violet to US 36						1,000,000	1,000,000		
	Public Works - Transportation	CDOT Safety Grant						47,500	47,500		
	Public Works - Transportation	Foothills Impro: Diagonal to Valmont						80,000	80,000		
		Transfer(s) from Other Funds									
	Fundwide / Citywide	Photo Radar subsidy final pay back						135,719	135,719		
		Subtotal	721,347	3,656,175	23,926,618	-	-	1,959,219	17,770,725	8,115,112	114,431
		TRANSPORTATION DEVELOPMENT FUND									
		Encumbered Funds from Fund Balance									
		Public Works		191,836							
		Project Carryover									
	Public Works	Misc Development Coordination			96,506					96,506	
	Public Works	Yarmouth Ave.(Brdwy to US 36)			7,461					7,461	
	Public Works	63rd St/Diagonal Hwy			138					138	
	Public Works	28th Street-Valmont to Iris			1,418,853					1,418,853	
	Public Works	30th St Bikelanes: Arapahoe to Pearl			41,306					41,306	
	Public Works	Signal Maintenance and Upgrade			200,000					200,000	
		Subtotal	-	191,836	1,764,263	-	-	-	-	1,764,263	-
		COMMUNITY DEVELOPMENT BLOCK GRANT FUND									
		Grants Carryover									
	Housing	Local Option or Unallocated					9,210			9,210	
	Housing	Housing Opportunity Funds					32,898			32,898	

REQUEST BY FUND AND DEPT
CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015

Fund	Dept	Type / Item	Encumb Carryover		Type			Source		Increase (Decrease) in Revenue
			From Additional Revenue	From Fund Balance	Capital Carryover	Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	
	Housing	Housing Opportunity Funds				123,082			123,082	
	Housing	Long's Peak Mobile Home Rehabilitation				61,561			61,561	
	Housing	BCHA Architectural Barrier Removal				18,721			18,721	
	Housing	Thistle Correll Apts				69,422			69,422	
	Housing	Thistle Pinewood				259,175			259,175	
	Housing	Family Learning Center				261			261	
	Housing	Growing Gardens				28,860			28,860	
	Human Services	CBDG - Family Resource Schools				99,686			99,686	
		Budget Supplemental(s) from Additional Revenue								
	Housing	Comm. Develop Blk Grant Adjustment						47,814	47,814	
	Human Services	Comm. Develop Blk Grant Adjustment						8,438	8,438	
		Subtotal	-	-	-	702,878	-	56,252	759,130	-
HOME FUND										
		Grant Carryover								
	Housing	Local Option or Unallocated				189,570			189,570	
	Housing	Local Option or Unallocated				443,302			443,302	
	Housing	Opportunity Funds				68,297			68,297	
	Housing	BCHA Sunnyside				169,215			169,215	
	Housing	Habitat Longmont HOME Consortium				17,547			17,547	
	Housing	LHDC Acquisition HOME Consortium				27,097			27,097	
	Housing	Lngmt Christian Housing HOME Consortium				16,360			16,360	
	Housing	Longmont TBRA HOME Consortium				148,824			148,824	
	Housing	Broomfield TBRA HOME Consortium				80,892			80,892	
	Housing	Grant Operating Carryover				9,182			9,182	
		Budget Supplemental(s) from Additional Revenue								
	Housing	Longmont Home Program Income						28,163	28,163	
	Housing	HOME grant adjustment						20,040	20,040	
		Subtotal	-	-	-	1,170,285	-	48,203	1,218,488	-
PERMANENT PARKS AND RECREATION FUND										
		Encumbered Funds from Fund Balance								
		Parks and Recreation		75,442						
		Project Carryover								
	Parks and Rec	Flatiron Golf Improvements			15,015				15,015	
	Parks and Rec	Flatiron Golf Irrigation			9,824				9,824	
	Parks and Rec	Flatirons Event Center			126,181				126,181	
	Parks and Rec	Reservoir Site Plan			83,779				83,779	
	Parks and Rec	Unallocated Capital Needs			329,370				329,370	
	Parks and Rec	Mesa Memorial Park Development			51,104				51,104	
	Parks and Rec	Valmont City Park Development			3,535				3,535	
	Parks and Rec	Urban Parks R&R			61,157				61,157	
	Parks and Rec	Computerized Irrigation Replacement			56,336				56,336	
	Parks and Rec	Reservoir Improvements			14,881				14,881	
		Budget Supplemental(s) from Additional Revenue								
	Parks and Recreation	Grant for Knollwood Repair						30,000	30,000	
		Subtotal	-	75,442	751,182	-	-	30,000	30,000	751,182
BOULDER JUNCTION IMPROVEMENT FUND										
		Encumbered Funds from Fund Balance								
		Public Works		230,365						
		Parks and Recreation		219,514						

REQUEST BY FUND AND DEPT
CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015

Fund	Dept	Type / Item	Encumb Carryover		Type			Source		Increase (Decrease) in Revenue
			From Additional Revenue	From Fund Balance	Capital Carryover	Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	
		Project Carryover								
	Parks and Recreation	Boulder Junction Pocket Park			281,539					281,539
	Parks and Recreation	Boulder Junction - Train Depot Land Acq			787,405					787,405
	Public Works	Misc Development Coordination			11,017					11,017
	Public Works	Junction Place Bridge at Boulder Slough			170,000					170,000
	Public Works	Junction Place Bridge at Goose Creek			52,521					52,521
	Public Works	Junction Place - Pearl to Goose Creek			970,224					970,224
		Subtotal	-	449,879	2,272,707	-	-	-	-	2,272,707
2011 CAPITAL IMPROVEMENT FUND										
		Encumbered Funds from Fund Balance								
		City Manager		335,947						
		Information Technology		1,427,766						
		Police		16,500						
		Fire		833,387						
		Public Works		1,424,606						
		Parks and Recreation		250,648						
		Library		293,321						
		Operating Carryover from Fund Balance								
	Fundwide / Citywide	Capital Improvement Bond Operating Carryover					6,348,346			6,348,346
		Budget Supplemental from Fund Balance								
	Fundwide / Citywide	Capital Improvement Bond Interest Appropriation						255,000		255,000
		Subtotal	-	4,582,175	-	-	6,348,346	255,000	-	6,603,346
WATER UTILITY FUND										
		Encumbered Funds from Fund Balance								
		Public Works		2,197,248						
		Project Carryover								
	Public Works	Sunshine Transmission Pipeline			136,780					136,780
	Public Works	Boulder Res High Svce Pump Station			84,289					84,289
	Public Works	Yards Master Plan - Water			63,604					63,604
	Public Works	Barker Gravity Pipeline Repair			59,608					59,608
	Public Works	Barker Dam Resurface			116,614					116,614
	Public Works	Barker Instream Flow Release			6,052					6,052
	Public Works	Kossler Storage Tank			110,220					110,220
	Public Works	Barker Residence			214,799					214,799
	Public Works	Maxwell Hydro PRV Station Imp			50,000					50,000
	Public Works	Kohler Hydro PRV Station Imp			50,000					50,000
	Public Works	Corroded Waterline Rehabilitation			20,626					20,626
	Public Works	Boulder Feeder Canal - NCWCD Conveyance			39,902					39,902
	Public Works	Instream Flow Structures			48,428					48,428
	Public Works	Green Lake 2 Dam Rehab			24,719					24,719
	Public Works	Albion Dam			80,000					80,000
	Public Works	Watershed Improvements			66,357					66,357
	Public Works	Source Water Transmission Pipe Inspection			73,653					73,653
	Public Works	Lakewood Pipe			260,000					260,000
	Public Works	2013 Flood - Water CIP			151,720					151,720
	Public Works	Betasso WTP Improvements			237,039					237,039
	Public Works	Boulder Canyon Hydro			33,641					33,641
		Operating Carryover from Fund Balance								
	Public Works - Utilities	Operating Carryover					19,800			19,800

REQUEST BY FUND AND DEPT
CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015

Fund	Dept	Type / Item	Encumb Carryover		Type				Source		Increase (Decrease) in Revenue
			From Additional Revenue	From Fund Balance	Capital Carryover	Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	Fund Balance	
		Budget Supplemental(s) from Fund Balance									
	Public Works - Utilities	Betasso Water Treatment Plant filter rehab							200,000		200,000
		Subtotal	-	2,197,248	1,928,051	-	19,800	200,000	-	2,147,851	-
WASTEWATER UTILITY FUND											
		Encumbered Funds from Fund Balance									
		Public Works		616,730							
		Grant Carryover									
		Public Works									
		Project Carryover									
	Public Works	Yards Master Plan - Wastewater			24,687						24,687
	Public Works	WWTP Cogeneration			39,995						39,995
	Public Works	WWTP Instrument/Control Imp			586,677						586,677
	Public Works	IBM Pump Station Improvements			689,457						689,457
	Public Works	2013 Flood - Wastewater CIP			498,532						498,532
		Operating Carryover from Fund Balance									
	Public Works - Utilities	Operating Carryover						15,150			15,150
		Budget Supplemental(s) from Additional Revenue									
	Public Works - Utilities	State Grant for 61st Street Interceptor							595,000	595,000	
	Public Works - Utilities	Water Quality Analysis							13,035	13,035	
		Subtotal	-	616,730	1,839,348	-	15,150	608,035	608,035	1,854,498	-
STORMWATER/FLOOD MANAGEMENT UTILITY FUND											
		Encumbered Funds from Fund Balance									
		Public Works		1,384,005							
		Project Carryover									
	Public Works	Wonderland Foothills to 30th St.			1,426,713						1,426,713
	Public Works	Wonderland at 28th St			478,937						478,937
	Public Works	Boulder Creek			100,000						100,000
	Public Works	Yards Master Plan Implementation			31,864						31,864
	Public Works	CU Bike/Ped Bridge Replacement -UTIL			200,000						200,000
	Public Works	South Boulder Creek			200,428						200,428
	Public Works	Preflood Acquisition			2,855,520						2,855,520
	Public Works	Greenways Program			612,782						612,782
	Public Works	Fourmile 19th to 22nd St.			1,215,762						1,215,762
	Public Works	Storm Sewer Rehabilitation			61,946						61,946
	Public Works	Stormwater Quality Improvements			104,000						104,000
	Public Works	Transportation Coordination			54,017						54,017
		Operating Carryover from Fund Balance									
	Public Works - Utilities	Operating Carryover						15,150			15,150
		Increase in Revenue									
	Public Works - Utilities	Watershed Grant Revenue Carryover									44,979
		Wonderland at 28th									826,360
		Wonderland Foothills to 30th Revenue carryover									1,702,227
		Subtotal	-	1,384,005	7,341,969	-	15,150	-	-	7,357,119	2,573,566
TELECOMMUNICATIONS FUND											
		Transfer(s) from Other Funds									

REQUEST BY FUND AND DEPT
CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015

Fund	Dept	Type / Item	Encumb Carryover		Type				Source		Increase (Decrease) in Revenue
			From Additional Revenue	From Fund Balance	Capital Carryover	Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	Fund Balance	
	Fundwide / Citywide	Transfer from General Fund - Civic Park Wi-Fi							97,000	97,000	
		Subtotal	-	-	-	-	-	-	97,000	97,000	-
WORKERS COMPENSATION INSURANCE FUND											
		Operating Carryover from Fund Balance									
	Finance	Operating Carryover related to the Wellness program						53,877			53,877
		Subtotal	-	-	-	-	-	53,877	-	-	53,877
FLEET REPLACEMENT FUND											
		Encumbered Funds from Fund Balance									
		Public Works		401,911							
		Subtotal	-	401,911	-	-	-	-	-	-	-
COMPUTER REPLACEMENT FUND											
		Encumbered Funds from Fund Balance									
		IT		47,308							
		Subtotal	-	47,308	-	-	-	-	-	-	-
EQUIPMENT REPLACEMENT FUND											
		Encumbered Funds from Fund Balance									
		Public Works		14,892							
		Subtotal	-	14,892	-	-	-	-	-	-	-
FACILITY RENOVATION AND REPLACEMENT FUND											
		Encumbered Funds from Fund Balance									
		Public Works		940,100							
		Operating Carryover from Fund Balance									
	Public Works - Support Svcs	New Britain 1st Floor Renovation						50,000			50,000
	Public Works - Support Svcs	East Boulder Community Generator						20,000			20,000
	Public Works - Support Svcs	Teahouse Exterior Painting						130,000			130,000
	Public Works - Support Svcs	Boiler Pump Replacement						35,000			35,000
	Public Works - Support Svcs	2013 - Access Improvements						275,000			275,000
	Public Works - Support Svcs	2014 - Main Library - Additional Flood Protection						70,000			70,000
	Public Works - Support Svcs	2013 and 2014 Facility Assessments						100,000			100,000
	Public Works - Support Svcs	2013 - Muni Bldg Flood Gates						100,000			100,000
	Public Works - Support Svcs	2014 - Main Library - Reconstruction North Plaza						147,000			147,000
	Public Works - Support Svcs	MSC Security and Renovation						114,000			114,000
	Public Works - Support Svcs	Valmont Butte						200,000			200,000
	Public Works - Support Svcs	13th Street Plaza						250,000			250,000
		Budget Supplemental from Fund Balance									
	Public Works - Support Svcs	Main Library - Environmental Remediation							6,300		6,300
	Public Works - Support Svcs	Fire Department Space Needs Analysis							20,000		20,000
	Public Works - Support Svcs	Main Library - Additional Café Infrastructure							25,000		25,000
	Public Works - Support Svcs	HVAC Controls Upgrade for Main Library							400,000		400,000
	Public Works - Support Svcs	Municipal Service Center (MSC) Master Plan							185,000		185,000
	Public Works - Support Svcs	Chautauqua Restrooms							210,000		210,000
		Transfer(s) to Other Funds									
	Public Works - Support Svcs	Transfer to General Fund- City Attorney - Project Balance							24,421		24,421
		Subtotal	-	940,100	-	-	-	1,491,000	870,721	-	2,361,721

ATTACHMENT C

REQUEST BY FUND AND DEPT CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015											
Fund	Dept	Type / Item	Encumb Carryover		Type				Source		
			From Additional Revenue	From Fund Balance	Capital Carryover	Grant Carryover	Operating Carryover	Budget Supplemental	Additional Revenue	Fund Balance	Increase (Decrease) in Revenue
		Total General Fund	-	741,227	-	285,752	5,133,285	1,779,160	558,596	6,639,601	-
		Total Restricted Funds	721,347	17,961,077	62,208,632	1,944,134	9,423,670	17,814,126	20,795,849	70,594,713	2,733,281
		Total All Funds	721,347	18,702,304	62,208,632	2,229,886	14,556,955	19,593,286	21,354,445	77,234,314	2,733,281

**2015 FUND ACTIVITY SUMMARY
CARRYOVER AND 1ST BUDGET SUPPLEMENTAL OF 2015**

FUND	At January 1, 2015		Appropriation Ordinance March 17, 2015		Carryover & 1st Budget Supplemental		Projected Dec 31, 2015	
	Projected Fund Balance	Original Estimated Revenues (Including Xfers In)	Original Appropriations (Including Xfers Out)	Increase in Estimated Revenues	Increase in Estimated Revenues	Appropriations (Including Xfers Out)	Fund Balance	
General	44,187,708	120,574,919	128,483,338	0	142,000	558,596	7,939,424	28,756,461
Community Housing Assistance Program	5,260,461	2,365,771	2,386,102			0	3,447,675	1,792,456
Library	2,100,376	7,648,063	7,648,063			30,651	999,955	1,131,072
Capital Development	6,330,713	1,453,825	180,553			0	0	7,603,985
Lottery	1,790,846	839,760	836,000			0	1,349,355	445,251
Planning and Development Services	8,170,989	9,815,479	11,209,244			76,000	2,128,835	4,724,389
Affordable Housing	15,947,022	1,264,214	1,220,670	0	59,000	0	15,014,590	916,976
.25 Cent Sales Tax	3,598,950	8,228,522	8,407,683			106,000	1,840,068	1,685,721
Recreation Activity	1,840,706	9,802,497	10,179,576			99,820	106,370	1,457,077
Climate Action Plan	1,222,759	1,858,572	1,900,180			0	1,000,850	180,300
Open Space and Mountain Parks	30,075,317	30,280,191	29,719,596	0	4,212,375	0	14,838,390	11,585,147
Airport	36,443	1,062,054	431,995			45,284	302,797	408,989
Transportation	16,679,677	30,757,166	30,661,226			18,606,503	29,542,012	5,840,108
Transportation Development	3,110,456	674,204	711,674			0	1,956,099	1,116,888
Community Development Block Grant (CDBG)	0	648,740	648,740			759,130	759,130	0
HOME Investment Partnership Grant	0	846,075	846,075			1,218,488	1,218,488	0
Permanent Parks and Recreation	1,277,285	2,367,745	2,328,757			30,000	856,624	489,649
Boulder Junction Improvement	2,967,643	1,037,845	652,000			0	2,722,586	630,903
Capital Improvement Fund	11,283,569	0	0			0	11,185,521	98,048
Water Utility	30,523,417	33,017,099	32,674,594			0	4,345,099	26,520,822
Wastewater Utility	10,647,660	31,782,422	32,483,090			608,035	3,079,263	7,475,764
Stormwater/Flood Management Utility	15,068,431	31,349,913	25,941,537			2,573,566	8,741,124	14,309,250
Telecommunications	1,587,752	745,582	811,879			97,000	97,000	1,521,455
Property and Casualty Insurance	5,672,583	1,691,702	1,965,525			0	0	5,398,760
Worker's Compensation Insurance	1,726,618	1,569,228	1,926,015			0	53,877	1,315,954
Compensated Absences	1,536,468	772,750	833,885			0	0	1,475,334
Fleet Operations	5,448,485	4,253,986	3,762,727			0	0	5,939,743
Fleet Replacement	8,172,727	6,791,415	7,542,542			0	401,911	7,019,689
Computer Replacement	7,515,942	1,972,873	2,676,824			0	47,308	6,764,683
Equipment Replacement	4,875,377	995,129	542,370			0	14,892	5,313,244
Facility Renovation and Replacement	9,227,370	2,862,165	3,582,490			0	3,301,821	5,205,224



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 5, 2015

AGENDA TITLE: Introduction, first reading and consideration of a motion to order published by title only Ordinance No. 8045 amending Title 6, “Health Safety and Sanitation,” B.R.C. 1981 to add Universal Zero Waste Requirements.

PRESENTERS

Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning and Sustainability
Susan Richstone, Deputy Director of Community Planning and Sustainability
Kara Mertz, Environmental Project Manager
Jamie Harkins, Sustainability Specialist II
Kelle Boumansour, Sustainability Specialist I

I. EXECUTIVE SUMMARY

The purpose of this item is the first reading of a “Universal Zero Waste” ordinance (**Attachment A**) that would require all property owners and businesses in Boulder to provide adequate collection services and proper education for sorting trash, recyclable and compostable materials. This agenda item follows the [July 29, 2014](#) study session and [February 17, 2015](#) City Council meeting. At these meetings, council affirmed the goals and framework for the Zero Waste Strategic Plan and reviewed a proposed regulatory framework for universal provision of recycling and composting services in Boulder; paving the way toward “zero waste;” and re-establishing Boulder as a leader among U.S. communities striving toward zero waste.

The proposed Universal Zero Waste ordinance is based on the direction provided by council in February. The proposed ordinance requires the following:

- All property owners provide adequate trash, recycling and composting service to their tenants and occupants;
- All businesses separate recyclables and compostables from the trash; providing properly placed containers and signage to facilitate the collection of recyclables and compostables;
- All special events in Boulder provide both recycling and composting collection;

- The “six-day review” special trash collection period for student move-in be expanded to include twice per week recycling collection; and
- All recyclable materials be directed to the Boulder County Recycling Center.

Council is being presented with two options for phasing in compliance with the proposed ordinance, and council direction will be sought at the second reading, currently scheduled for May 19. The compliance date will be preceded by an implementation period that includes a shift of existing rebates and incentives targeted to encourage early compliance, as well as technical assistance to help businesses and multi-family property owners minimize landfilled waste. Ultimately, the adopted ordinance will be managed in a way to encourage compliance, rather than target non-compliance.

A City Manager Rule will be published for comment following final ordinance adoption, and it will include the final compliance schedule. An outline of the City Manager Rule is included in **Attachment B**. Two compliance schedule options for council to consider at second reading are included in **Attachment C** as follows:

- OPTION A: Within one year of ordinance adoption, all property managers add recyclables and compostables collection service and within three months after this, businesses must add recyclables and compostables containers and signage; and begin using the service provided by the property owners.
- OPTION B: All Boulder property owners provide recycling (and, where applicable, compostables) collection within one year of ordinance adoption; all businesses add recycling within three months after this; all landscaping businesses as well as those that serve, sell or prepare food must add compostables containers and signage at this time as well. Further, the rest of Boulder businesses must add compostables collection no later than three years from ordinance adoption.

Staff is recommending compliance schedule A as it is more straightforward for the community; less resource intensive to interpret, implement and enforce; and more equitable among affected parties. Staff will be seeking council direction at the second reading of the proposed ordinance as to which compliance schedule is preferred, and council may choose to adjust the compliance schedule to either require fewer than three years for all businesses to add composting service (in option B) or to allow a longer compliance schedule (in option A). Staff will draft the City Manager’s Rule accordingly.

II. 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 6, “Health Safety and Sanitation,” B.R.C. 1981 to add Universal Zero Waste Requirements.

III. COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic – Universal Zero Waste requirements level the playing field between various businesses in the Boulder community, ensuring a consistent level of service is provided to employees and customers throughout the community. While the cost to some businesses may increase by requiring additional compostables and recyclables be collected separately from trash, many businesses will find their efforts toward zero waste allow them to decrease the frequency of trash collection from the business. The economic sustainability is addressed in more depth in the Analysis section of this memo.
- Environmental – Based on the goals and criteria for analysis included in the draft Zero Waste Strategic Plan, the Universal Zero Waste ordinance moves the Boulder community closer to its zero waste and greenhouse gas emissions reduction goals. A comparison of the relative environmental impacts of the alternative compliance schedules is contained in the Analysis section of this memo.
- Social – The intent of the Universal Zero Waste ordinance requirements is to level the playing field between sectors of the population in Boulder. The multi-family property owner requirements assure that whether you are renting or own your home; whether you live in a single-family or multi-family residence; you will have equal access to recycling and composting collection services. Furthermore, wherever you work in Boulder or where your children attend school, the “rules” will all be the same. This helps minimize confusion and facilitate standardized and understandable guidelines for everyone in the community.

IV. OTHER IMPACTS

- Fiscal – Implementation support for this ordinance is covered by 2015 trash tax revenues and fund balance from 2014.¹ The estimated expenses for ordinance implementation are \$738,000, detailed in the Budget section of this memo. Future enforcement and compliance tracking expenses are also anticipated to be covered by existing trash tax revenues.
- Staff time – Ordinance implementation and assistance represent significant work plan items over the coming two years, and have been incorporated into the existing work plans of city staff, contractors, interns and volunteers.

V. BOARD AND COMMISSION FEEDBACK

The Environmental Advisory Board (EAB) reviewed the regulatory framework presented to Council in February and was fully supportive. The EAB is scheduled to review the final ordinance and alternative implementation schedules on May 6. Input will be summarized and presented to council in the second reading materials for the May 19 council meeting.

VI. PUBLIC FEEDBACK

In advance of the February 17 council meeting, a survey was sent out to business leaders and residents, which garnered 160 responses. Respondents included homeowners, renters,

¹ A request for an adjustment to base for Trash Tax fund balance is included in the budget supplemental request, also scheduled for first reading May 5, 2015.

business owners, property owners and managers, employees, and business tenants. In general, a large majority of business and residential respondents supported the proposed regulations, indicating that they “strongly agreed” with many aspects of the proposal. In addition, nineteen community members and business leaders spoke at the Feb. 17 City Council meeting and many more attended. Staff developed a new survey to gather feedback on the proposed ordinance language and compliance schedule options and will compile the results in advance of the second reading on May 19. There will also be a public hearing at the May 19 council meeting.

VII. BACKGROUND

At its July 29, 2014 study session, council requested staff work with the community to develop ordinance language that would significantly increase waste diversion from Boulder’s multi-family and commercial sectors. With a foundation of best practices from around the country, staff convened a working group of stakeholders and industry representatives to help craft a regulatory proposal for community and council consideration. In the course of the community conversation around business and multi-family requirements, it became apparent that a universal requirement would be more equitable and would stem the tide of illegal dumping. Based on council feedback, this agenda item includes a draft proposed ordinance for council consideration.

VIII. ANALYSIS

At its Feb. 17 meeting, council reviewed a [Draft Zero Waste Strategic Plan](#) (ZWSP) which acts as a guiding document that provides an overarching framework to prioritize future zero waste investment options; and assists council and staff in decision-making. In the fall, once the companion web-based portal for the ZWSP is complete, staff will return to Council for acceptance of the final plan and its associated Action Plan, as well as the action plans of the city’s community zero waste partners. These action plans describe the next two to three years of significant work plan items and initiatives throughout the Boulder community. As the first action item under the auspices of the city’s draft Zero Waste Strategic Plan, council is being asked to consider an ordinance requiring universal provision of recycling and composting services throughout Boulder. Boulder’s community partners are also implementing action plan items to support this significant move toward zero waste: Boulder County is investing in upgrades to the Boulder County Recycling Center to accommodate the new recyclable materials; Eco-Cycle is stepping up its outreach to businesses and multi-family complexes to minimize the waste created and educate tenants on the new requirements; the CU Environmental Center is working to educate students living on and off-campus; and the City is working with *all* its community partners to ensure that consistent, clear and understandable guidelines are pushed out to all community members.

i. Proposed Ordinance Language

The proposed Universal Zero Waste ordinance will re-establish Boulder as a zero waste leader throughout the country. It addresses the significant gap between where we are today as a community and where we want to be in terms of minimizing trash and conserving our natural resources.

The proposed Universal Zero Waste ordinance addresses the many sectors of the community to ensure equal access to recycling and composting services. It essentially ensures that wherever a resident, employee or visitor goes in Boulder, if there is a trash can, they will also find a recycling and composting container close by. The signage and guidelines for sorting trash will be standardized and simplified, and will accompany all containers. The proposed ordinance includes language to ensure that:

- *All property owners provide adequate trash, recycling and composting service to their tenants and occupants.*
- *All businesses separate their recyclables and compostables from the trash; providing properly placed containers and signage to facilitate the collection of recyclables and compostables.*
- *All special events in Boulder provide both recycling and composting.*
- *The “six-day review” special trash collection period for student move-in be expanded to include twice per week recycling collection.*
- *All recyclable materials be directed to the Boulder County Recycling Center*

Property Owner and Business Requirements

Based on the fact that an estimated 75 percent of Boulder businesses operate in leased space, the proposed ordinance has two parts. First, property owners are required to subscribe to trash, recycling and compost collection services adequate to accommodate the regular accumulation of these materials on site. Secondly, businesses themselves are required to actually use the service and educate their employees about how to properly sort trash.

Special Events Requirements

The proposed ordinance requires all special events in Boulder to be “zero waste” which expands on the current requirement that only those special events held on City property are required to provide both recycling and composting service.

Six-day Review Requirement

Since its inception, the city has paid for semi-weekly recycling collection service as part of the six-day-review special trash collection period. The proposed ordinance language shifts the cost of this to the property owners. For reference, it has cost the city approximately \$10,000 per year to provide this additional service to approximately 650 properties in the affected area.

BCRC Processing Requirement

Following the lead from when the city first required trash haulers to provide recyclables collection to Boulder residents, the proposed ordinance language directs commercial recyclable materials to the Boulder County Recycling Center as well.

In 2014, Boulder County commissioned a study to assess the financial and operational efficiency and cost effectiveness of the Boulder County Recycling Center (BCRC). The study concluded that the BCRC operations would be more cost-effective if additional commercial recyclables could be delivered to the facility. In addition, the study concluded that the efficiency of the BCRC could be improved significantly by investing

in an optical sorter to allow it to accept more recyclables as well as a wider range of recyclables. The City's 2014 Zero Waste Program Evaluation Study reached the same conclusion. In February, the Board of County Commissioners voted to make this investment in the BCRC, which will allow the facility to operate more cost effectively and to be able to accept and efficiently process the increased quantity of recyclables that will be generated as a result of Boulder's proposed ordinance. In order to protect the investment of public funds and to increase the efficiency of the programs predicated on the city's zero waste goals, both options for the ordinance contain language that directs the recyclable materials to the BCRC. Further, the City Manager's Rule will contain a definition for Recyclable Materials that will include all the materials that will be acceptable at the BCRC with the new optical sorting equipment, including plastic "clamshell" take-out containers.

ii. Implementation Period

Based on the ordinance implementation experience of peer communities and to encourage early compliance, staff is crafting its multi-year work plan to be heavily weighted toward technical assistance and incentives prior to adopted compliance deadlines. Once the compliance deadlines have passed, the incentives will go away, but technical assistance will continue and will be focused on exemption requests and any complaints or warnings issued, in order to bring those properties into compliance as quickly as is practical. Other communities that have similar ordinances have conveyed that while it is important for businesses to know there is a process in which they will get a fine for a violation, most communities are not actually levying fines –

- Seattle has had a business recycling requirement in place for 7 years and has never issued a fine. Instead, it works with businesses where most just need a little assistance to get on the right track.
- In Mecklenburg County, NC, over 1000 inspections have been conducted with only a few violation letters, and no eventual fines. Each business corrected the violation with extra technical assistance.
- Most communities do not dig into trash to measure compliance; the enforcement efforts are directed toward obvious contamination – focusing on large amounts of cardboard sticking out of a dumpster or no recycling bins around; they do not police every little thing.
- Cities take different approaches to initial inspections, sometimes walking in the streets, sometimes asking the haulers to report, sometimes relying on voluntary community reporting. Other communities have found that it's relatively easy to see who does or does not have bins and who is using them properly.

In mid-2015, staff is rolling out new rebates and a tiered service model for both businesses and multi-family complexes that will be affected by the ordinance. Property owners and businesses will be able to access rebates and cost-sharing arrangements for the one-time costs associated with collection containers or trash enclosures. Staff will also be providing assistance in collaboration with area haulers and under contract with the Partners for a Clean Environment (PACE) advisors, to help businesses minimize the total trash generated while maximizing the proportion of trash that can be separated into compostables and recyclables collection containers. Technical assistance will be offered in the form of a "do-it-yourself toolkit," a "light touch" or a "deeper dive" assistance

service to help encourage early compliance. In 2015, staff will also be developing and testing an online reporting form to determine whether it could be useful for self-reporting compliance with the ordinance. The anticipated timeline for ordinance adoption and assistance is as follows:

<u>Timeline</u>	<u>Action Items</u>
2 nd Quarter 2015	Ordinance adoption
2015 through mid-2016 (property owner compliance deadline; may be extended depending on compliance schedule contained in final City Manager’s Rule)	Technical assistance, zero waste advising services and incentives to encourage early compliance. Research and targeted implementation assistance for space-constrained business districts (e.g., Pearl Street Mall, University Hill)
3 rd Quarter 2016, ongoing	Exemption applications will be reviewed and properties will be provided with technical assistance in order to assess whether property could be brought into compliance rather than be granted an exemption.
	Technical assistance, free signage and educational support for any properties issued warnings ²

iii. Compliance Timeline Options

Council is being asked to consider two different schedules for compliance:

- Option A would require that all non-exempt Boulder businesses (estimated at approximately 3,000) establish collection programs for recyclables and compostables *within fifteen months* of ordinance adoption.
- Option B phases in the composting service requirement by requiring landscapers and businesses that prepare, serve or sell food to compost *within fifteen months* of ordinance adoption and all other businesses to add compost collection service *within three years*. Staff estimates that approximately 525 businesses of the total 3,000 fall into the category of landscapers or businesses that prepare, serve or sell food (428 eating and drinking places, 54 groceries, 18 florists, landscaping and garden stores; 28 food and beverage manufacturers).

The following analysis compares each option’s ability to achieve the community’s zero waste goals as outlined in the draft Zero Waste Strategic Plan (ZWSP), as well as describing the economic impacts of each option. Inherent in these analyses are policy considerations relating to the facilities currently available to process the community’s compostable materials. Council may want to consider whether in the short term, compostable materials should be processed in Boulder at a higher cost or transferred from Boulder to an in-vessel composting system outside of the city for a much lower cost. In the longer term staff will be working with the city’s zero waste partners to identify and contract for low-cost, local compost transfer and processing options.

² Three written warnings, delivered in person will be issued prior to any fines being assessed. 2017 Budget will include trash tax contribution to any additional required resources for enforcement and exemption tracking .

Staff Recommendation

Staff is recommending compliance Schedule A as it would be more straightforward to define, understand and implement (i.e., “everyone has to add composting and recycling services” as opposed to “all businesses have to add recycling services; and if your business prepares, serves or sells food, it must add compost now, but if it does not, then you have three years before you have to add that service”); would lend itself to fewer businesses falling through a regulatory loophole (defining a business that serves, sells or prepares food” as well as a “landscaper or other business that generates a significant amount of vegetative waste” can be confusing and may require a significant amount of staff and community time to interpret); and would present a situation whereby the city and its partners could more easily provide recycling and composting assistance to everyone at once. Furthermore, compliance Schedule A would be more equitable as everyone in Boulder would have access to the same services on the same timeline, and one specific business type would not be unfairly burdened as compared to another business type.

As an alternative, council may choose to request a two-year compliance timeframe for either schedule option A (i.e., all businesses must add recycling and compost within two years); or schedule option B (i.e., all businesses must add recycling now; food generating businesses must add composting now; and other businesses must add composting within two years). Shifting the compliance date sooner or later would simply result in a shift to the timing of the impacts.

How do the compliance options compare from an environmental perspective?

The following matrix compares the compliance schedule options and their estimated ability to achieve the quantitative and qualitative criteria as outlined in ZWSP.

Ordinance	Quantitative Criteria			Qualitative Criteria	
	Estimated Average Waste Diversion Potential (tons/year)	Estimated GHG Emissions Reduction Potential (tons/year)	Community Engagement (# of affected employees; does not include customers)	Upstream Conservation	Ease of Implementation
Schedule A	12,000	17,640	94,000	low	medium
Schedule B	8,575	12,605	11,500	low	low

As is shown, the annual waste diversion potential and resultant greenhouse gas emissions reductions are greater with compliance schedule A, as more businesses are composting. This analysis only applies for years one through three; presumably, under compliance schedule B, the annual diversion and GHG emissions reductions would “catch up” once all the businesses were required to add composting. Schedule A also performs better in the area of “community engagement” as measured by the number of employees affected by the change. It should be noted that this underestimates the total impact as it does not include the number of customers that would presumably be involved in the new zero waste requirements when they patronize these businesses. With respect to the qualitative

criteria, there seems to be no difference between the two options in the area of upstream conservation – a business would be no more likely (under one compliance schedule as compared with the other) to look at its purchasing practices or manufacturing processes in order to minimize the total waste generated in the first place. For the reasons described above, schedule A would be easier to implement than schedule B.

How do the compliance options compare from an economic perspective?

Costs to the City

There is not a significant difference between the compliance options with respect to the costs to the city.

Costs to the businesses

The total cost to a business for adding recycling and composting collection can be made up of one or more of the following cost components:

1. One-time initial investment in collection bins
2. One-time initial investment in trash enclosure upgrades to accommodate collection containers
3. Ongoing costs to collect recyclables and/or compostables which includes in it a cost factor for a gate fee at a composting or recycling processing facility

With respect to the costs to businesses, both compliance options present the possibility that a business' costs will increase by requiring the provision of recycling and/or compost services. However, many businesses also find their ongoing costs decrease by decreasing the amount of trash that must be collected while increasing the recyclables and/or compostables collection service. This is particularly true for restaurants and supermarkets whose trash is comprised primarily of compostable materials. The trash tax portion of a business' collection bill will also decrease (though it is typically a small percentage of the total bill) as trash service levels decrease, based as it is on trash quantities, not the quantity of recyclables or compostables that are separately collected.

Hauling and processing costs

There are several local options for haulers with whom Boulder businesses can contract for composting collection services. Colorado law prevents the city from being able to control the costs for this service and it is difficult to obtain standardized cost estimates from haulers for these collection services. However, in an effort to compare the costs to the community for schedule A vs. schedule B, city and county staff have compiled the following facility and representative transportation costs for processing the compostable materials. Since the costs to a business for collecting compostable materials includes within it a cost for gate fees at the composting site, these costs should be an indication of the comparative costs for collection.

Compostables Processing

There are currently three primary options in the front range for processing of compostables from Boulder: A-1 Organics' Denver Transfer Site, A-1 Organics/EDF Heartland BioGas facility and Western Disposal's Boulder Compost site. As is shown in the tables below, higher processing costs are often offset by lower transportation costs.

Comparative current costs for hauling compostables to area facilities

	Facility Gate Fee (\$/ton)	Approximate Transfer and Transportation Costs From Boulder (\$/ton)	Estimated Total Costs (\$/ton)
Heartland BioGas Facility	\$32	\$18	\$50.00
A-1 Organics Denver Transfer	\$26.50	\$37	\$63.50
Western Disposal	\$67.55	minimal	\$67.55

As part of the analysis to inform council’s decision on whether to move forward with compliance timeline A or B, staff has been meeting with Western Disposal and A-1 Organics to understand the composting process at each facility as well as future cost projections for the three compost processing sites.

A-1 Organics/EDF Heartland Compost Digester and BioGas Facility

Attachment D includes a letter from A-1 Organics explaining its Heartland BioGas in-vessel compost facility. Located in LaSalle, Colorado, this facility is scheduled to be fully operational this month. Developed as a joint venture between A-1 Organics, the largest and longest-running composting company in Colorado and Électricité de France (EDF), the facility is able to accept a wide range of commercial compostable food waste (but not woody yard waste) and sort out a wide range of both recyclables and trash that may accidentally be mixed in with the commercial compostable materials. Once the material is sorted, the food waste is processed by being composted in a vessel to produce a peat moss substitute and natural gas. The Heartland facility has a 20-year contract to sell the natural gas to the Sacramento Municipal Utility District in California.

Western Disposal Composting Site

Located in Boulder along 63rd Street, this facility currently accepts all the material from the residential curbside composting program in Boulder as well as compostable food waste from Western Disposal’s commercial customers that subscribe to compost collection services. As is reflected in the table above, the current gate fee at Western’s compost site is \$67.55/ton for source separated food waste. **Attachment E** includes a letter from Western Disposal description of the components of this cost to deliver materials to Western. Western has conducted analyses that indicate that more compostable materials coming in to its compost site could cause the gate fees to increase to approximately \$77/ton as more materials come into the composting site in the future. Discussions with Western Disposal have indicated the following general breakdown of these gate fees:

Compost site operations:	75%
Route administration & capital overhead:	4%
Sales, customer service and marketing of end product:	4%
IT department:	3%
General Overhead (legal, audit, Mgmt, etc.):	14%

A-1 Organics' Stapleton transfer station

A-1 Organics currently operates a transfer station in Denver. The material is currently transferred to a compost site in Keenesburg, CO. Once the Heartland site opens, all commercial food waste will be brought there from the Denver transfer site and all woody yard waste will continue to be processed in Keenesburg. Gate fees at the Stapleton transfer station are expected to increase from the current rate of \$26.50 to approximately \$30 or \$35/ton in the future.

Future facility options

The City of Louisville has been investigating the possibility of developing a new compost or transfer site at its municipal public works yards. If this is developed in coming years, it could present a cost-effective alternative to the existing compost facilities.

In addition, the Erie landfill has indicated it is willing to provide a transfer site for compostable materials heading to the Heartland BioGas facility. The landfill operators estimate a \$50/ton gate fee to transfer food waste to the Heartland site.

Staff Recommendation

As is stated above, staff is recommending compliance Schedule A for ease of implementation, equity and to minimize confusion in the community.

In order to keep potential costs down to Boulder businesses, staff also recommends entering into a one- to three-year contract with Western Disposal to transfer commercial compostables to the Heartland BioGas facility. This option would provide Boulder businesses flexibility for higher levels of contamination in the compostable materials as everyone gets used to properly sorting their waste as we ramp up compliance with the new regulations. A contract would allow all haulers to use a local drop off center minimizing the GHG emissions associated with individual rear load vehicles driving materials to Erie or LaSalle directly; it would set an equitable gate fee for all haulers; and it would control the gate fee portion of the hauler's collection costs, thus offering a lowest cost option for businesses who are adding compost collection. The one- to three-year contract term would allow for staff to pursue alternative transfer sites and lower cost compost facilities in the medium to long-term.

iv. Post-compliance period

In order to track compliance with the new requirements and exemptions issued, an internal tracking system will be developed in 2015. There is not an existing trigger or business process with the city that affects all businesses once they receive their business license, so compliance will need to be enforced through other mechanisms and will likely be a combination of proactive enforcement and complaint-based processes. Code enforcement personnel can check for adequate collection systems outside of properties as well as any egregious contamination issues. Staff from the city's environmental team and community partners can collect information about bins inside businesses, proper signage and education. Taken together, a cooperative compliance process may be developed to implement and enforce this regulation. This is the common enforcement approach taken by peer cities with similar ordinances. Once the implementation period is over, trash tax incentive funds can be transitioned to cover exemption processing and enforcement costs.

An internal tracking system will also create a workflow for providing appropriate education and assistance services to businesses and multifamily housing complexes that need help complying with the requirements.

BUDGET

The 2015 proposed budget for implementation of this ordinance is as follows:

Personnel	\$164,000
Interns and volunteers	\$12,000
Ordinance outreach and compliance tracking system	\$50,000
Business and MFU Rebates	\$200,000
“Toolkits” for businesses and MFUs	\$90,000
PACE Zero Waste Advisors	\$107,000
MFU advising program	\$70,000
Recycling/composting collection containers for city facilities and public places	\$45,000
TOTAL	\$738,000

NEXT STEPS:

Once this draft ordinance is posted for publishing by title only, staff will return to council with a second reading of the ordinance language; a public hearing will be held; and council can provide direction for its desired compliance schedule to be included in the City Manager Rules. Staff will return to council with a final Zero Waste Strategic Plan and associated Action Plan in the fall of 2015.

ATTACHMENTS

- A: Draft Ordinance Language
- B: City Manager’s Rule outline
- C: Compliance schedule options A and B
- D: Feb. 5, 2015 letter from A-1 Organics
- E: April 27, 2015 letter from Western Disposal

ORDINANCE NO. 8045

1
2
3 AN ORDINANCE AMENDING SECTIONS 6-3-2,
4 "DEFINITIONS," 6-3-3, "ACCUMULATION OF TRASH,
5 RECYCLABLES, AND COMPOSTABLES PROHIBITED," 6-3-
6 9, "SPECIAL TRASH SERVICE REQUIREMENTS ON
7 CERTAIN RESIDENTIAL RENTAL PROPERTIES AT
8 CERTAIN TIMES," AND 6-12-6, "DISPOSITION OF
9 RECYCLABLE OR COMPOSTABLE MATERIALS," B.R.C.
10 1981, AND ADDING NEW SECTIONS 6-3-13, PROPERTY
11 OWNER REQUIREMENTS FOR RECYCLABLES AND
12 COMPOSTABLES COLLECTION," 6-3-14, "BUSINESS
13 OWNER REQUIREMENTS FOR RECYCLABLES AND
14 COMPOSTABLES COLLECTION," 6-3-15, SPECIAL EVENTS
15 REQUIREMENTS FOR RECYCLABLES AND
16 COMPOSTABLES COLLECTIONS," 6-3-16,
17 "APPLICABILITY," 6-3-17, "EXEMPTIONS," 6-3-18,
18 "VIOLATIONS," B.R.C. 1981, AND SETTING FORTH
19 RELATED DETAILS.

20 WHEREAS, THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO,
21 FINDS AND RECITES THE FOLLOWING:

22 A. The city, through its policies, programs, and laws, supports efforts to reduce the
23 amount of waste that must be disposed of in landfills and pursues "zero waste" as a long-term
24 goal by emphasizing waste prevention efforts;

25 B. The City of Boulder has been managing recycling and composting programs since
1981 when the Trash Tax, Chapter 3-10, B.R.C. 1981, was first instituted;

C. The City has found the most effective way to ensure maximum recovery of
recyclable and compostable materials from trash is to require they be separated from trash;

D. City Council encourages businesses that prepare, serve or sell food to investigate
donating edible food waste prior to composting it;

1 E. No entity currently exists in Boulder County that will accept mixed trash and
2 separate it into recyclable and compostable materials offsite. Such post-collection processing of
3 mixed trash and recyclable materials is not an environmentally effective or efficient method of
4 managing trash;

5 F. The Boulder County Recycling Center is a publicly owned facility that can bolster
6 the City’s goals of increasing both the amount of recyclables being processed and the efficiency
7 of implementing the City’s Zero Waste Strategic and Action plans;

8 G. Therefore, the purpose of this Ordinance is to ensure every person within the City
9 of Boulder is able to separate recyclables and compostables from trash and that the materials
10 designated by the City Manager to be recyclable and compostable are recycled and composted
11 properly.
12

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

15 Section 1. 6-3-2, B.R.C. 1981, is amended to read:

16 **6-3-2. - Definitions.**

17 The definitions in Chapter 1-2, "Definitions," B.R.C. 1981, shall apply to this chapter,
18 including, without limitation, the definitions of compostables, hauler, recyclable materials, trash,
19 trash container, visible to the public, and wildlife-resistant container.

20 The following terms used in this chapter have the following meanings unless the context
21 clearly indicates otherwise:

22 *Bear-resistant container* shall mean a container that meets the requirements for such a
23 container established by the city manager in a rule adopted pursuant to Section 6-3-11, "City
24 Manager Authorized to Issue Rules," B.R.C. 1981.

25 *Bear-resistant dumpster* shall mean a dumpster that meets the requirements for such a
26 container established by the city manager in a rule adopted pursuant to Section 6-3-11, "City
27 Manager Authorized to Issue Rules," B.R.C. 1981.

1 *Bear-resistant enclosure* shall mean a fully enclosed structure that meets the
2 requirements for such a container established by the city manager in a rule adopted pursuant to
3 Section 6-3-11, "City Manager Authorized to Issue Rules," B.R.C. 1981.

4 *Business* shall have the meaning set forth in Chapter 1-2, "Definitions," B.R.C. 1981, and
5 as used in this section shall also include, without limitation, educational institutions, and
6 charitable or nonprofit organizations.

7 *Owner* shall have the meaning set forth in Chapter 1-2, "Definitions," B.R.C. 1981, and
8 as used in this section, shall include a business operator or business manager. With respect to
9 requirements relating to the provision of recyclable and compostable materials collection for a
10 condominium or cooperatively owned development, "owner shall include the owners'
11 association or its equivalent.

12 *Person* shall have the meaning set forth in Chapter 1-2, "Definitions," B.R.C. 1981, and
13 shall also include, without limitation, owner of any property or vacant land; occupant, owner,
14 operator, or manager of any single-unit dwelling, multi-unit dwelling, mobile home, mobile
15 home park, private club, or other similar property; or owner, operator, manager, or employee of
16 any business or business property.

17 *Property Manager* shall mean any person who is an owner's representative, has charge
18 of, or controls any property of an owner appointed to manage on-site property operations
19 including trash collection services for the property.

20 *Refuse attractant* shall mean any trash or other substance which could reasonably be
21 expected to attract wildlife or does attract wildlife, including, but not limited to, soiled diapers,
22 sanitary pads, food products, pet food, feed, kitchen organic waste, food, food packaging,
23 toothpaste, deodorant, cosmetics, spices, seasonings, or grease. Attractants do not include
24 recyclable materials properly enclosed in a recycling container, or materials that do not meet the
25 definition of trash in Section 1-2-1, "Definitions," B.R.C. 1981, and is fruit associated with a
fruit tree or bush, produce associated with a garden, or a bird feeder.

Self-haul when used in reference to trash, recyclable and/or compostable materials
generated by a business or person, shall mean the collection and transportation of such materials
from a property where an owner, employee or agent of the property or business hauls the
material rather than a hauler or to perform this function

Venue facility means any structure used for temporary events.

Section 2. 6-3-3(b), B.R.C. 1981, is amended to read:

6-3-3. - Accumulation of Trash, Recyclables, and Compostables Prohibited.

...

1 (b) No owner of any property ~~containing one or more rental dwelling units~~ shall fail to
2 maintain in effect a current and valid contract with ~~a one or more haulers~~ providing for
3 the removal of accumulated trash, recyclables and compostables from the property, which
4 contract shall provide for sufficient trash, recyclables and compostable materials hauling
5 to accommodate the regular accumulation of trash, recyclables and compostables from
6 the property no less frequently than on a biweekly basis.

5 ...

6 Section 3. 6-3-9(c), B.R.C. 1981, is amended to read:

7 **6-3-9. - Special Trash Service Requirements on Certain Residential Rental Properties at**
8 **Certain Times.**

- 9 (c) Within the special trash service zone and during a designated period, no owner of
10 property required to be licensed by Section 10-3-2, "Rental License Required Before
11 Occupancy and License Exemptions," B.R.C. 1981, shall fail to maintain in effect a
12 current and valid contract with a commercial trash hauler providing for the removal of
13 accumulated trash from the property, which contract provides for trash hauling:
14 (1) The hauler will check the regular trash containers for the property every day,
15 excluding Sundays and holidays.
16 ~~(1)(2)~~ (2) The recyclables hauler will check the regular recycling containers for the property
17 at least two times per week
18 ~~(2)(3)~~ (3) Any trash container which is full Monday through Friday will be emptied by the
19 hauler. On Saturdays, containers will be emptied if more than half full.
20 ~~(4)~~ (4) Any trash which is on the ground or otherwise near the container is picked up by the
21 hauler.
22 ~~(3)(5)~~ (5) Any recycling container which is more than half full when checked will be
23 emptied by the recyclables hauler.

18 Section 4. Chapter 6-3, "Trash, Recyclables, and Compostables," B.R.C. 1981, is
19 amended by the addition of a new section to read:

20 **6-3-13. - Property Owner Requirements for Recyclables and Compostables Collection.**

- 21 (a) For all services that meet the requirements of this section, the property owner or property
22 manager must establish on-site collection areas for recyclable and compostable materials
23 that are convenient to occupants and tenants. The recycling and compost collection
24 containers shall be placed in a location or locations within reasonable and convenient
25 proximity to all buildings and other uses on site and be at least as convenient to occupants
and tenants as trash containers.

1 (b) When a property owner or property manager provides janitorial services to its tenants,
2 employees or occupants, the contract for janitorial services shall include recyclables and
3 compostables collection service that meets the requirements of this section.

4 (c) At least once per year, the property owner or property manager shall conduct training and
5 distribute to all tenants information about how to use the on-site system established for
6 collection of recyclables and compostables pursuant to this section. Property owners and
7 managers shall provide new tenants with this information within 30 days of tenant move-
8 in and no later than the thirtieth day after a substantive change in the recycling or
9 composting location or service offered at the property.

10 (d) Property owners or managers must maintain and make available upon request, to the city
11 manager for inspection and copying during normal business hours, any contracts and
12 invoices for collection and disposition of recyclable and/or compostable materials for a
13 period covering the most recent three years.

14 Section 5. Chapter 6-3, "Trash, Recyclables, and Compostables," B.R.C. 1981, is
15 amended by the addition of a new section to read:

16 **6-3-14. - Business Owner Requirements for Recyclables and Compostables Collection.**

17 (a) All business owners must separate recyclable and compostable material from the trash
18 and wherever business owners provide trash containers to employees or customers, they
19 must also provide recyclables and compostables containers for employees and customers'
20 use. Containers must be at least as conveniently located as trash and be of adequate size
21 and number to prevent recyclables and compostables from being mixed with trash.

22 (b) At least once per year, business owners must conduct training that instructs all employees
23 how to use the containers established for collection of recyclables and compostables
24 pursuant to this section. Business owners shall provide new employees with this
25 information within 30 days of when the employee begins work and no later than the
thirtieth day after a substantive change in the recycling or composting service offered at
the business.

(c) All business owners must provide Spanish and English or picture-only signs at each
recyclables and compostables container, clearly indicating the appropriate materials to be
placed inside the container in accordance with rules issued by the city manager.

(d) Business owners or managers must maintain and make available upon request, to the city
manager for inspection and copying during normal business hours, any contracts and

1 invoices for collection and disposition of recyclable and/or compostable materials for a
2 period covering the most recent three years.

3
4 Section 6. Chapter 6-3, “Trash, Recyclables, and Compostables,” B.R.C. 1981, is
5 amended by the addition of a new section to read:

6 **6-3-15. - Special Events Requirements for Recyclables and Compostables Collection.**

7 All special events and temporary events at a venue facility in the City of Boulder must
8 provide recyclables and compostables collection in compliance with the city’s Special Event
9 Permit requirements.

10 Section 7. Chapter 6-3, “Trash, Recyclables, and Compostables,” B.R.C. 1981, is
11 amended by the addition of a new section to read:

12
13 **6-3-16. – Applicability.**

14 (a) The requirements of section 6-3-13, “Property Owner Requirements for Recyclables and
15 Compostables Collection” shall apply to all property owners within the City of Boulder
beginning one year from the date this Ordinance is adopted by city council.

16 (b) The requirements of section 6-3-14, “Business Owner Requirements for Recyclables and
17 Compostables Collection,” shall apply to all businesses existing within the City of
18 Boulder by the date established in a rule adopted by the city manager in accordance with
Chapter 1-4, “Rulemaking,” B.R.C. 1981.

19 (c) The requirements of section 6-3-15, “Special Events Requirements for Recyclables and
20 Compostables Collection” shall apply to all special events and temporary events at venue
facilities beginning on January 1, 2016.

21
22 Section 8. Chapter 6-3, “Trash, Recyclables, and Compostables,” B.R.C. 1981, is
23 amended by the addition of a new section to read:

1 **6-3-17. - Exemptions.**

2 (a) Applications for exemptions from complying with the requirements of sections 6-3-13,
3 “Property Owner Requirements for Recyclables and Compostables Collection,” or 6-3-
4 14, “Business Owner Requirements, must be made by the owner of the property or
5 business. Any exemption shall be for a period of one year. Property or business owners
6 may re-apply for one additional exemption at the expiration of the initial exemption
7 period. City staff will review exemption applications and work with the applicants to
8 bring the property owner or business owner into compliance. Applications must be
9 received within sixty days of the start of the compliance period established in section 6-3-
10 17, “Applicability.” The city manager may issue additional rules that govern the
11 conditions under which an application for an exemption may be submitted and granted. In
12 order to be granted an exemption, applicants must demonstrate they have considered all
13 reasonable options that would bring their business or property into compliance and must
14 explain to the satisfaction of the city manager why none of these options are viable. The
15 city manager shall determine whether an exemption will be granted. Applications for an
16 exemption may require submission of an application processing fee.

17 (b) The following persons are exempt from the provisions of this chapter:

- 18 (1) The owner of a business that occupies less than fifty percent of the floor area of a
19 residence.
- 20 (2) A business or property owner or manager that can demonstrate extreme economic
21 hardship as defined by the city manager.
- 22 (3) Businesses that generate a de minimis volume of trash, recyclables or compostables
23 as defined by the city manager.
- 24 (4) Any business owner or manager who can demonstrate that compliance would require
25 the business to violate other municipal codes or regulations.
- (5) A businesses or property owner that hauls its own trash, recyclables or compostables
as certified by a self-hauling certification, the contents and format of which is defined
by the city manager, may be granted an exemption from section 6-3-3(b).
- (6) A property or business owner that composts on-site in compliance with all applicable
laws pertaining to Title 6, Chapter 3, Section 6-3-6, “Compost piles permitted if not a
nuisance.”
- (7) Property owners that share collection service as certified by a shared service
certification, the contents and format of which is defined by the city manager, may be
granted an exemption from section 6-3-3(b).
- (8) A business or property owner that can demonstrate to the satisfaction of the city
manager that the property is sufficiently space constrained so as to preclude
compliance with the provisions of these sections.
- (9) Innovation exemption - business or property owner may apply for an exemption if
they are reusing or repurposing a significant portion of their waste stream.

1 Section 9. Chapter 6-3, "Trash, Recyclables, and Compostables," B.R.C. 1981, is
 2 amended by the addition of a new section to read:

3
 4 **6-3-18. - Violations.**

5 If the city manager finds a violation of any provision of this chapter, the manager, after
 6 notice and an opportunity for hearing under the procedures prescribed by Chapter 1-3, "Quasi-
 7 Judicial Hearings," B.R.C. 1981, may impose a civil penalty according to the following
 8 schedule:

- 9 (a) For the first violation of the provision, \$500;
 10 (b) For the second violation of the same provision, \$1,000;
 11 (c) For the third and subsequent violations of the same provision, \$2,000; and
 12 (d) The city manager's authority under this section is in addition to any other authority the
 13 manager has to enforce this chapter, and election of one remedy by the manager shall
 14 not preclude resorting to any other remedy as well.
 15 (e) Violations of this chapter are also punishable as provided in Section 5-2-4, "General
 16 Penalties," B.R.C. 1981.

17 Section 10. 6-12-6, B.R.C. 1981, is amended to read:

18 **6-12-6. - Disposition of Recyclable or Compostable Materials.**

- 19 (a) No person other than the person placing the recyclables or compostables for collection or
 20 that person's designated hauler shall take physical possession of any recyclables or
 21 compostables separated from trash, set out in the vicinity of the curb or alleys, and
 22 plainly marked for recyclables or compostables collection.
 23 (b) Each property owner, property manager, residential customer, commercial customer, or
 24 multifamily customer shall relinquish recyclable materials to a hauler only on the
 25 condition that the hauler deliver the recyclable materials only to a recyclables processing
 center as set forth in subparagraph (c) below.
 (c) In the absence of an express written designation to the contrary initiated by the customer,
 it shall be presumed that each property owner, property manager, residential customer,
commercial customer or multifamily customer has designated recyclable materials to be
 hauled to the recyclables processing center owned by Boulder County or its successor in
 interest. However, each customer may designate another recyclables processing center by
 notifying the hauler of that designation in writing. This written notification must be given

1 at the initiative of the customer, not the hauler, and may not be written on a form
2 furnished by the hauler.

- 3 (d) Haulers shall take all compostable materials collected to a state permitted compost
4 facility that can certify that the material is processed into a compost product. Haulers
5 shall maintain receipts and records for a period of five years. Upon request by any
6 customer or the city manager, haulers shall produce receipts from the facility utilized.

7 Section 11. This ordinance is necessary to protect the public health, safety, and welfare
8 of the residents of the city, and covers matters of local concern.

9 Section 12. The city council deems it appropriate that this ordinance be published by title
10 only and orders that copies of this ordinance be made available in the office of the city clerk for
11 public inspection and acquisition.

12 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
13 TITLE ONLY this 5th day of May, 2015.

14
15
16 _____
Mayor

17 Attest:

18 _____
City Clerk

1 READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED
2 PUBLISHED BY TITLE ONLY this ____ day of _____, 2015.

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Mayor

Attest:

City Clerk

**Universal Zero Waste Ordinance
City Manager's Rules
Outline**

- I. Compliance Schedule**
- II. Definition of Recyclable Materials**
- III. Definition of Compostable Materials**
- IV. Exemption Application Process and fees, if applicable**
- V. Violation Process**
 - a. Three written warnings, delivered in person will be issued prior to any fines being assessed.
- VI. Reporting Requirements**
 - a. May require a Zero Waste Report in an electronic format provided by the City.
- VII. Guidelines for signage**
- VIII. Definition of Extreme Economic Hardship**
- IX. Self-Hauling Certification**
Shared Service Certification

**UNIVERSAL ZERO WASTE ORDINANCE
COMPLIANCE SCHEDULE OPTIONS**

Implementation Schedule Option A:

Applicability:

The **Property Owner Requirements** apply to all property owners within the City of Boulder beginning <one year from ordinance adoption>. The **Business Owner Requirements for Recyclables and Compostables Collection** apply to all businesses within the City of Boulder <fifteen months from ordinance adoption>. The **Special Events Requirements** apply to all special events and temporary events at venue facilities beginning on January 1, 2016. All new businesses and property owners must comply with these sections within 30 days of operating within the City of Boulder.

Implementation Schedule Option B:

Applicability:

The **Property Owner Requirements** apply to all property owners within the City of Boulder beginning <one year from ordinance adoption>. The **Special Events Requirements** apply to all special events and temporary events at venue facilities beginning on January 1, 2016. All new businesses and property owners must comply with these sections within 30 days of operating within the City of Boulder.

With respect to the requirements included in the section entitled, **Business Owner Requirements for Recyclables and Compostables Collection**, the following compliance schedule applies:

Business Owner Requirements for Recyclables Collection

<Within fifteen months of ordinance adoption>, all business owners must separate recyclable material from the trash and wherever business owners provide trash containers to employees or customers, they must also provide recyclables containers for employees and customers' use. Containers must be at least as conveniently located as trash and be of adequate size and number to prevent recyclables from being mixed with trash.

At least once per year, business owners must conduct training for all employees about how to use the containers established for collection of recyclables pursuant to this section. Business owners shall provide new employees with this information within 30 days of when the employee begins work and no later than the thirtieth day after a substantive change in the recycling service offered at the business.

All business owners must provide Spanish and English or picture-only signs at each recyclables container, clearly indicating the appropriate materials to be placed inside the container in accordance with rules issued by the City Manager.

Business Owner Requirements for Compostables Collection

<Within fifteen months of ordinance adoption>, all businesses that provide landscaping services or generate significant vegetative waste on a regular basis must separate compostable material from the trash.

<Within fifteen months of ordinance adoption>, all owners of businesses that prepare, serve or sell food must separate compostable material from the trash and if these businesses provide trash containers for employees' use, business owners must also provide compostables containers for employees' use. Owners of businesses that prepare, serve or sell food and that provide trash containers for customers' use, must also provide compostable materials containers for customers' use inside the business and in outside eating areas. Containers must be at least as conveniently located as trash and be of adequate size and number to prevent compostables from being mixed with the trash.

At least once per year, owners of businesses that prepare, serve or sell food must conduct training for all employees about how to use the containers established for collection of compostables pursuant to this section. Business owners shall provide new employees with this information within 30 days of when the employee begins work and no later than the thirtieth day after a substantive change in the composting service offered at the business.

All owners of businesses that prepare, serve or sell food must provide Spanish and English or picture-only signs at each compostables container, clearly indicating the appropriate materials to be placed inside the container in accordance with rules issued by the City Manager.

No sooner than <3 years after ordinance adoption>, the City Manager may issue rules to require all business owners to separate compostable materials from the trash and wherever business owners provide trash containers to employees or customers to also provide compostables containers for employees' and customers' use. Containers must be at least as conveniently located as trash and be of adequate size and number to prevent compostables from being mixed with trash. Said rules will also contain requirements for training and proper signage for the compostables collection service.



Colorado's Leader in Organic Recycling

February 5, 2015

Hillary Collins
Kara Mertz
Boulder, Colorado.

Re: Foodwaste Transfer Site – Renewable Natural Gas Cost Estimates

Dear Hillary and Kara,

Over the past few weeks, there has been much discussion around the foodwaste transfer option that I have been speaking about for several months. During these past months we have also been able to narrow down the nature of our operations and cost options related to foodwaste SSO (Source Separated Organics) as well as composting of foodwaste bearing greenwaste streams. I have also been asked my opinion related to true sustainability and viability aspects of composting (that of course produces compost) versus anaerobic digestion that produces renewable natural gas (RNG) and digested solids (DS). I know I have connected with the two of you during this time as well as others.

In an effort to provide clarity to the estimated costs, benefits, risks, and rewards associated with foodwaste SSO recycling and what my opinions are I felt it would be beneficial to write you as well as others addressing these items. You may want to sit back...this could be a rather lengthy letter.

My strong opinion is that the most beneficial, viable, and low risk option for SSO is via Anaerobic Digestion (AD) to produce renewable energy, be that through the creation of RNG and its option of CNG, or electricity. The challenges, risks to site operations, potential environmental impacts, and back end options (marketing of compost) with composting the SSO are considerable and are growing. I speak from 25 years in this industry and from the prospective of one of the original pioneers in foodwaste composting operations in the country.

Composting is a viable option of course for SSO, but it is most viable when dealing with lower volumes of SSO combined with little time pressure to deal with them. As the volumes are growing, and as the time available to deal with them is decreasing, the challenges and risks have responded in their own way. Even without the SSO stream, composting of the mixed greenwaste and foodwaste stream (residential) will need to expand as more and more of that stream presents itself.

The challenges and risks associated with debris management, removal of non-compostable materials as well as compostable materials, odor issues, dust issues, fire risk management, neighbor relations,



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escalating concerns over air emissions (be they viable or not...another debatable item), increasing regulatory burden and cost, escalating costs of equipment and labor needed to compost these materials, marketability of finished compost produced from SSO, siting challenges and costs, and finally simply being able to collect enough revenue to cover the related costs and produce a profit have become monumental.

We also see considerable pressure on the bulking agent (greenwaste stream) that is necessary to compost SSO. These pressures will result in increased costs to obtain the bulking agent needed to compost the SSO and once again put pressure on tipping fees. The AD option does not require bulking agents, it reduces the volumes of total materials hauled and handled.

Additionally we feel a significant responsibility to our front end clients that have invested in compostable packaging and containers for us to actually compost these materials and limit the risk that they end up in a landfill. AD provides that opportunity, composting diminishes it due to cross contamination, composting in windy dry conditions, having to expose these materials to the outside versus the inside of a windrow, and on and off site litter collection.

Composting of foodwaste is receiving ever increasing publicity and pressure to expand and grow on a national level. While we desire the same goals of diversion and zero waste, we also have seen the major negative impact of composting SSO on the composting entities and industry itself. Many operations across the country have been forced to close or have incurred significant penalties. Especially those that receive large volumes of SSO on tight schedules. Where composting of large volumes of foodwaste has been successful it has required major investment in very expensive systems and processes and as such requires significant increases in tipping fees for the SSO. Those entities only exist in areas with high landfill tipping fees, and they require materials be transported a large number of miles...sometimes in the hundreds of miles one way.

Those are some of the reasons I feel the best sustainability option for SSO is AD. It provides a much more controlled environment, reduces volumes of materials that have to be handled. Simplifies the material management process, still provides compost out the back side of the plant after removing the VOC's and producing RNG and can not only provide an option to reduce the tipping fees for SSO versus composting, but it can also provide stability in pricing through long term RNG offtake and product procurement agreements.

DPS – in the discussion below related to costs you will see reference to the “DPS”. This is an acronym for Digester Processing System. This digester project is designed to succeed. In order help insure its success, A1 has taken on the challenge of constructing an estimated \$3,000,000 DPS system to be located on the digester site itself.



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The DPS is being designed and built to insure that we can remove packaging from incoming substrates (including SSO), blend materials, hydrate them properly for the digester, and deliver them to the digester. It will include multiple storage and processing options, redundant systems to remove the packaging, compostable containers, and yes non-compostable items that WILL be present. These as well as other recyclable items such as cans, jugs, cardboard, etc. can be segregated so that they can find their final recycling or composting home.

The systems we have invested in will also significantly increase the diversion and recycling opportunities for streams that without this option could not even be composted and would have to be landfilled (out of date packaged products, liquids in jugs, chips in bags, catsup packets, spoiled meat in packages, etc.)

The transfer site system is an important part to the success as well. To hold down our costs at the DPS, we are requiring the transfer site itself to be responsible for pre-screening incoming SSO. It will be responsible to detect reject loads, separate them, and landfill them. We are asking the transfer site to also remove larger identifiable non-compostable items in the smaller loads they receive prior to loading on the transfer trailer destined for the DPS. The transfer site cannot be a "low budget" operation. It will need to maintain good housekeeping, efficient material management, provide necessary containment and loading options, plus the normal administration options, overhead requirements etc.

OK, having said all that, I am sure additional questions may be out there and I will do my best to respond promptly to them. Meanwhile, below is a summary of costs and conditions for the options identified. They are to be presented as estimated at this time until we are sure of the demands and conditions that may be presented in the coming weeks from the Boulder County area.

One other point of clarification. As all are aware, for years we provided a transfer option at our Stapleton Site where we had installed our DODA system. That site was scheduled for redevelopment and we have been in the process of vacating it for several months now. The replacement site has been located and after many months of developmental planning and the approval process we are now moving dirt on it. It will be located near the intersection of I76 and 88th in Commerce City. The major change with the new site will be that we cannot receive and transfer SSO foodwaste at it. It is not designed as a transfer site, it will be a greenwaste and wood waste recycling site. The DODA will be located at the DPS. We cannot stockpile and ship mixed greenwaste and SSO foodwaste from that site. That is another reason why locating local transfer sites in Boulder is the right move.

Costs and conditions associated with the SSO transfer option, as well as some costs associated with other woody and or mixed stream materials:

Option 1: Commercial foodwaste SSO Transfer. SSO (i.e. restaurants, grocery stores, food production facilities, etc.) may contain compostable items such as BPI or ASTM 6400 certified packaging, paper towels, etc. This is a range estimate until final inputs are considered. This cost loaded on our trailer would be **\$30-\$35 per TON**. This represents ONLY the cost of transportation and processing via DPS and digestion. It does not include the cost of operations at the transfer site. The transfer site would receive, inspect, reject and dispose as needed, and remove light contaminants before loading on A1 transfer trailer. The transfer site would be responsible for proper permitting, compliant operations, and disposal costs.



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A1 would provide special transfer trailers (24-25 ton material capacity) for switch-out process. A1 would switch-out trailers and transport to the DPS system at Heartland Biogas Digester

Estimated minimum volume is 1 load per day, 5-6 days per week.

This material can also contain containerized or packaged products like out of date plastic jugs of milk, cartons of cereal, yogurt and fruit cups, wrapped cheese, canned products, potato chips in boxes, etc. NO GLASS OR CERAMICS. The process would require transfer site assistance in separating highly containerized products from standard SSO to allow for separation at the DPS of compostables, which will be composted at one of our compost sites separately. If loads are co-mingled with standard SSO all packaging removed will be landfilled. Organics will be digested to create RNG (Renewable Natural Gas) and digested solids for beneficial reuse.

Option 2: Direct Delivery to DPS – SSO or packaged product delivered directly to DPS located on the HBG Digester site at which is at Weld County Road 49 and 40. **\$30-\$32 per TON FOB DPS site.**

This material will require pre-screening at the DPS site by A1 and the subsequent culling and disposal of rejected materials which will need to be transported to a landfill. This option will also entail handling of numerous smaller loads and reduced efficiency at the DPS.

I hope this information is helpful. There is still much more I can say that I have not included in this letter. If you need me to do a Q&A with anyone please feel free to request that and to of course call me as needed. In full disclosure I am copying Bryce Isaacson here as well. I will also provide these quotes to others who desire to consider the transfer site option. Our desire is to work with Boulder and Boulder County on options to efficiently and effectively pursue their zero waste goal.

Sincerely



Bob Yost
Vice President, CTO

Cc: Bryce Isaacson, Western Disposal



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US Composting Council
Seal of Testing Assurance



April 27, 2015

RE: Compost processing options for commercial compost service requirement

To Mayor Applebaum and City Council:

As the City of Boulder contemplates meeting the objectives of the Zero Waste Strategic Plan (ZWSP) with options including requiring commercial sector recycling and composting, Western Disposal wanted to provide Council with this memo to specifically address issues related to the processing of commercially collected organic material.

Western Disposal is an engaged partner with the City of Boulder, indeed the entire local area, in helping to achieve ambitious zero waste goals through numerous service offerings including organics collection and composting service. Western's compost processing operation, located on 14 acres in east Boulder, was originally built in 2003 to manage the increasing volume of yard waste from Boulder's organics spring cleanup and material from the City and County sponsored yard waste drop-off. It was expanded in 2008 to include food waste processing to serve as a critical underpinning to the City of Boulder's curbside organics collection policy initiative. Today, Western provides compost service to nearly 31,000 residential customers and more than 400 businesses and HOAs in the City and County, processing over 8,000 tons of yard and wood waste into mulch and producing over 20,000 cubic yards of compost. Through investment of private resources, we have kept the material local and paved the way for the County as a whole to increase diversion to levels that far exceed other Colorado communities.

Western would like to assist the City in meeting the goals in the ZWSP by offering cost effective solutions for businesses to comply with any composting collection requirement. In order to assist the City Council with the decision making process regarding this requirement, Western is offering two options for the handling of the organics collected from City of Boulder businesses at our compost facility. These two options contain both costs and environmental considerations that must be weighed by stakeholders to determine the best option. These options include fully composting all materials on our site or serving as a transfer facility for the materials and hauling them to the Heartland Biogas Facility and are discussed below.

Option #1 - Compost On Site

The first option is for Western Disposal to compost all the commercial organics from the new requirement. Western's compost facility is currently open to residential subscription haulers and we will open our facility to all commercial haulers if/when the City passes business composting requirements. The key benefits for this option are that these organics would be composted in the City of Boulder and it would require the fewest number of miles driven. This would not only reduce greenhouse gas emissions



associated with transportation, but would also promote a local solution for this material. However, this option will be more expensive for Western and other haulers due to the costs of composting the material. Western estimates that our tipping fee for organics would be \$77.00 per ton.

We recognize that this tipping fee is notably higher than that of A1 Organics composting site located in Keenesburg, CO. A1 Organics' tipping fee has recently been used as a comparison to Western's fee during recent meetings of the Boulder County Resource Conservation Advisory Board. We appreciate the opportunity to address this issue and illuminate the factors behind the differences of our relative fee structures and transportation costs:

1. Location: Western's convenient location comes at a cost. Our compost yard is sited on municipal, industrial land valued at approximately \$500,000 per acre as contrasted to agricultural Keenesburg with an average value of \$10,000 per acre. Our taxes are significantly higher, as is the carrying cost of the land. This cost difference must be accounted for in the pricing per ton of material Western processes.
2. Economies of Scale: Western processes approximately 17,000 to 20,000 cubic yards of compost per year. A1 Organics Keenesburg facility processes over 200,000 cubic yards of compost per year. With 10 times the volume, they spread operational and equipment costs over far greater volume output, keeping their processing cost per ton lower.
3. Capital Investment: As per the compost capacity analysis authored by Matthew Cotton of Integrated Waste Management Consulting, LLC, Western would need to expand our pad in order to handle the expected additional volume. In addition, we will need to make key investments including purchasing & installing a scale and upgrading/replacing equipment. We also anticipate adding an FTE to manage the additional volume.

Option #2 - Transport to Heartland Biogas

The second option involves Western serving as a transfer site for organics collected from commercial establishments within the City. All haulers would unload these organics at our compost yard. Rather than compost these materials on site, however, this material would be hauled to the Heartland Biogas facility located in Weld County, Colorado. At this site, this material would be placed in an anaerobic digestion system producing methane for use by the Sacramento Municipal Utility District as an alternative to coal. In addition, the composted material by-product which is a high-value peat-moss type material that would be sold as a soil amendment.

The tipping fee for this option at our yard is estimated at \$50 per ton, which is the same as proposed by the Front Range Landfill for a second transfer site. This is a less expensive option for haulers and ultimately for businesses, however as the material is shipped approximately 1 hour away, the transportation produces greenhouse gas emissions and the soil amendment materials would not be locally produced.

Western has long prided itself on being a true community partner with local governments. For almost 45 years, this partnership has involved assisting residents and businesses in complying with a variety of policy initiatives ranging from increased diversion to protection of urban wildlife. Western's capital

investment in our three-cart collection system helped to increase diversion by providing larger containers for recycling and paved the way for the change to single stream recycling and embedded compostable collection. Our capital investment in a composting facility allowed the City of Boulder, unincorporated Boulder County and the City of Louisville to increase their diversion rate by 20% or more and allowed residents to have compostables collection in 2009; years ahead of other communities in the State. And our capital investment in our retrofit designs for the bear-resistant cart and container regulations helped to bring a lower cost alternative to City residents and businesses.

Western is supportive of the City's new ZWSP and remains committed to working with the City to ensure any new policies seeking to increase diversion are successful. Thank you for the opportunity to provide this additional information regarding the processing of commercially collected organic material.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryce Isaacson", with a long horizontal flourish extending to the right.

Bryce Isaacson
Vice President of Sales and Marketing
Western Disposal Services



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 5, 2015

AGENDA TITLE Consideration of a motion to approve the purchase of the Robert Oliver parcel consisting of 11.61 acres of land, all mineral rights and one share of Howard Ditch water located at 5893 Baseline Rd. from James C. Bish III for \$1,000,000 for Open Space and Mountain Parks purposes and an additional \$22,000 is recommended to be authorized from the acquisition budget for immediate needs for fencing, ditch culverts and irrigation infrastructure improvements.

PRESENTER/S

Jane S. Brautigam, City Manager
Tracy Winfree, Interim Director, Open Space and Mountain Parks
Jim Schmidt, Property Agent

EXECUTIVE SUMMARY

The Oliver parcel lies just north of Baseline Road and west of South Boulder Creek and contains a small older house, and various small outbuildings used as equipment and animal shelters. This 11.61-acre parcel is contiguous to the Burke II Open Space property (see Attachments A and B) and supports similar vegetation to the adjacent pastures found there including mesic tallgrass prairie and wet meadows. The property also contains high-quality cottonwood/willow riparian woodlands and riparian wetlands along South Boulder Creek. The property provides a protective buffer from the urban edge and an extension of these important natural values. Included in the purchase is one full share of the highly sought-after Howard Ditch, the senior water right in this area, which yields approximately 31 acre-feet of water per year.

The property falls within the Boulder Valley Comprehensive Plan (BVCP) Acquisition Area in the 2013-2019 Open Space and Mountain Parks (OSMP) Acquisition Plan. The property is contiguous to the Burke II Open Space and across Baseline Road from the Burke I and Kentucky OSMP properties and the recently-acquired Opal and Granite parcels.

The property is designated as Area II in the BVCP with an Open Space designation on its easterly side and Very Low Density Residential designation on its westerly portion. This parcel is within both the 100-year floodplain and conveyance zone while a portion of it is also within the high hazard zone. The city of Boulder has recently annexed land along Gapter Road to the east and is also contemplating additional annexations in this immediate area to provide city water and sewer services to residences near Cherryvale and Baseline roads. The subject property is currently served by a well and septic system; however, the septic system needs to be totally re-engineered and reconstructed at a cost of around \$50,000. Given that such a system is neither environmentally responsible nor sustainable in a floodplain and high hazard zone area, OSMP will most likely initiate an application to have this parcel included in that next bundle of annexations, should that proceed as contemplated, in order to supply the property with city water and sewer and forego the expenses associated with a new septic system.

OSMP staff will fully evaluate the property to determine the best usage of this land and its water rights; however it is contemplated that this property be used for a local sustainable agriculture operation.

STAFF RECOMMENDATION

Suggested Motion Language:

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

Motion to approve the purchase of the Robert Oliver parcel consisting of 11.61 acres, all mineral rights and one share of Howard Ditch water located at 5893 Baseline Rd. for \$1,000,000 for Open Space and Mountain Parks purposes and an additional \$22,000 is recommended to be authorized from the acquisition budget for immediate needs for fencing, ditch culverts and irrigation infrastructure improvements.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Environmental:** OSMP is a significant community-supported program that is recognized as a leader in preservation of open space lands contributing 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 lands.
- **Economic:** OSMP 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 and help businesses to recruit and retain quality employees.
- **Social:** Because OSMP 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

- Fiscal – The purchase price for the Robert Oliver parcel being acquired is \$1,000,000 payable at the time of closing. There are sufficient monies in the Open Space Fund for this acquisition; a Cash Flow Projection is included as Attachment C.
- Staff time - This acquisition is part of the normal work plan for the OSMP real estate property agent.

BOARD AND COMMISSION FEEDBACK

At its March 11, 2015 meeting, the Open Space Board of Trustees (OSBT) unanimously approved and recommended City Council approve the purchase of the Oliver property and the additional funding for immediate needs.

PUBLIC FEEDBACK

This item was heard as part of the March 11, 2015 OSBT public meeting advertised in the *Daily Camera* on March 8, 2015. There was no public feedback regarding this item.

ANALYSIS

The Oliver parcel lies just north of Baseline Road and west of South Boulder Creek and contains a small older house, and various small outbuildings used as equipment and animal shelters. This 11.61-acre parcel is contiguous to the Burke II Open Space property and supports similar vegetation to the adjacent pastures found there including mesic tallgrass prairie and wet meadows. The mesic tallgrass prairie patches are dominated by prairie cordgrass and are considered rare and imperiled according to state and national levels. The property also contains high-quality cottonwood/willow riparian woodlands and riparian wetlands along South Boulder Creek. These areas provide habitat for the federally-protected Preble's meadow jumping mouse as well as riparian- and grassland-dependent birds. The federally-protected Ute ladies'-tresses orchid is found nearby on the Burke II property which is maintained by carefully-timed irrigation and cattle grazing. The property provides a protective buffer from the urban edge and an extension of these important natural values. Included in the purchase is one full share of the very desirable Howard Ditch, the senior water right in the area, which yields approximately 31 acre-feet of water per year.

The property falls within the BVCP Acquisition Area in the 2013-2019 Open Space and Mountain Parks Acquisition Plan. The city of Boulder has annexed land on the west side of this parcel and recently annexed land along Gapter Road to the east. The property is across Baseline Road from the Burke I and Kentucky OSMP properties and the recently-acquired Opal and Granite parcels.

The subject property is in the South Boulder Creek floodplain and is currently served by a well and septic system; however, the septic system is so dated that Boulder County will require an entirely new system to be engineered and constructed at a cost of around \$50,000. Even an entirely new septic system, given that this parcel is within the South Boulder Creek floodplain and high hazard zone, is neither an environmentally responsible

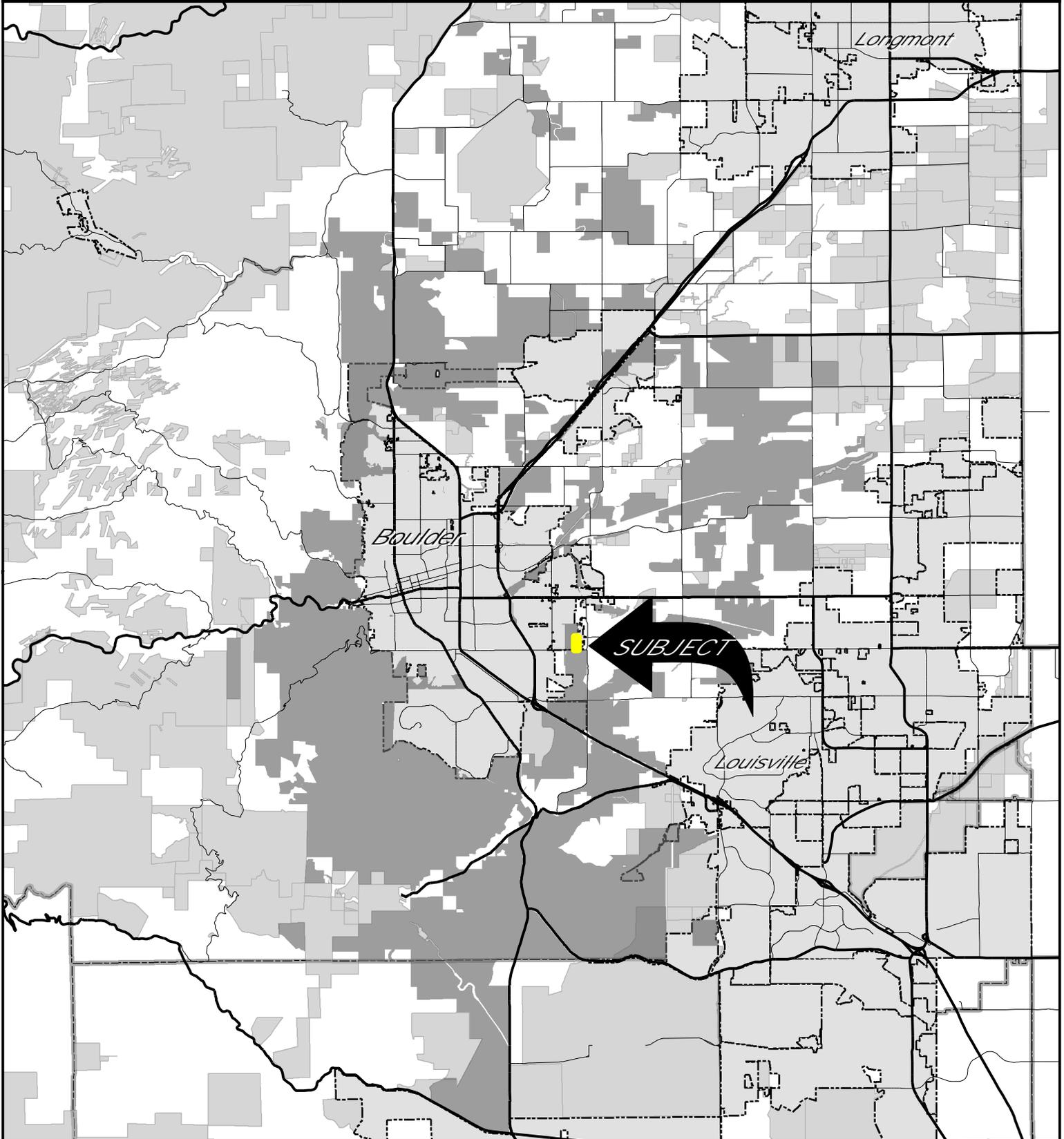
nor sustainable solution in staff's opinion. The city of Boulder has recently annexed land along Gapter Road to the east. The city is also contemplating additional annexations in this immediate area to provide city water and sewer services to residences near Cherryvale and Baseline roads. OSMP will most likely initiate an application to have this parcel included in that next bundle of annexations, should that proceed as contemplated, in order to supply the property with city water and sewer. The zoning and land use designation of the parcel will be fully addressed at the time of any future annexation, but it is currently contemplated that the property will be zoned Agriculture if/when it is annexed into the city.

OSMP staff will fully evaluate the parcel to determine whether this is an appropriate site for: 1) a local, sustainable agricultural operation, with possibly renting the house and grounds to a tenant interested in undertaking such an operation; 2) combining the western most pasture area of the property with the Burke II agricultural fields; 3) improving habitat conditions in the wetlands and riparian forest areas and, where necessary, restoring these habitats; 4) returning to the Open Space Board and City Council with a recommendation to dispose of the house together with a small portion of the property containing the outbuildings; or 5) some combination of the above.

ATTACHMENTS

- A. Vicinity Map**
- B. Location Map**
- C. Cash Flow Projection**

ATTACHMENT A - City of Boulder Open Space & Mountain Parks VICINITY MAP - Oliver



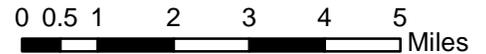
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Packet Page 103

-  Subject Property
-  City of Boulder OSMP
-  Other Public Lands



Approximate property boundaries from Boulder County Assessor's data.

ATTACHMENT B - City of Boulder Open Space & Mountain Parks LOCATION MAP - Oliver Property

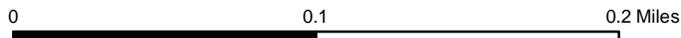


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- Proposed Purchase
- OSMP Fee Property
- OSMP Conservation Easement



Projected Open Space Cashflow 2014-2020
Robert Oliver
3/11/2015

	<u>2014 Actual</u>	<u>2015 Adopted</u>	<u>2016 Projected</u>	<u>2017 Projected</u>	<u>2018 Projected</u>	<u>2019 Projected</u>	<u>2020 Projected</u>
PROJECTED SALES TAX GROWTH							
1 2011-2018 Sales Tax forecast 05/08/2012	3.48%	3.28%	3.29%	3.20%	3.15%	3.15%	
2 2013-2019 Sales Tax forecast 04/05/2013	-1.78%	8.26%	3.02%	3.73%	3.41%	-9.52%	
3 2014-2019	3.50%	3.35%	3.35%	3.25%	3.20%	3.20%	
4 2015-2020		3.13%	3.02%	3.73%	3.41%	3.41%	3.41%
5 BEGINNING CASH BALANCE	\$17,110,163	\$28,801,431	\$22,736,445	\$23,832,153	\$28,373,618	\$33,639,435	\$37,459,806
SOURCES OF FUNDS							
6 OS Sales Tax Revenue (for 2014 budget used as not all 2014 sales tax received)	\$26,295,672	\$28,467,600	\$29,327,322	\$30,421,231	\$31,458,595	\$28,464,917	\$23,701,368
7 OS Fund - Investments/Leases/Misc.	\$831,242	\$671,856	\$817,193	\$669,163	\$682,428	\$696,090	\$710,163
8 Proceeds from RE sale	\$6,791						
9 Proceeds from 2014 Bond Sale	\$10,123,341						
10 Funds from CDOT for Granite acquisition							
11 General Fund Transfer for Mountain Parks:	\$1,103,384	\$1,140,735	\$1,171,553	\$1,208,122	\$1,245,832	\$1,284,720	
12 General Fund Appropriation for Real Estate Services:	\$152,642	\$148,889	\$150,378	\$151,882	\$153,400	\$154,934	\$156,484
13 Lottery Fund Appropriation for CIP Purposes:	\$343,000	\$355,300	\$355,300	\$355,300	\$355,300	\$355,300	\$355,300
14 Unexpended Lottery Funds Carried Over from Previous Year	\$141,764						
15 Grants	\$72,525						
16 Total Annual Sources of Funds:	<u>\$39,070,361</u>	<u>\$30,784,380</u>	<u>\$31,821,746</u>	<u>\$32,805,698</u>	<u>\$33,895,555</u>	<u>\$30,955,961</u>	<u>\$24,923,315</u>
17 Total Sources of Funds Available:	<u>\$56,180,524</u>	<u>\$59,585,811</u>	<u>\$54,558,191</u>	<u>\$56,637,851</u>	<u>\$62,269,174</u>	<u>\$64,595,397</u>	<u>\$62,383,121</u>
USES OF FUNDS							
18 Total Debt Service for Bonds & Notes:	\$7,313,610	\$5,499,199	\$5,377,423	\$4,780,124	\$4,566,365	\$2,685,917	\$660,686
19 Capital Available for Land Acquisitions & Preservation	\$5,400,000	\$5,400,000	\$5,400,000	\$5,400,000	\$5,400,000	\$5,400,000	\$5,400,000
20 2014 Bond Proceeds	\$10,123,341	\$6,892,413					
21 Total Capital Available for Land Acquisitions & Preservation:	\$15,523,341	\$12,292,413	\$5,400,000	\$5,400,000	\$5,400,000	\$5,400,000	\$5,400,000
22 RE Acquisition 2014	\$5,174,203						
23 Less Other 2015 Land Acquisition/Commitments YTD		\$400,000					
24 Robert Oliver		\$1,000,000					
25 Remaining Land Acquisition Capital Available:	<u>\$10,349,138</u>	<u>\$10,892,413</u>	<u>\$5,400,000</u>	<u>\$5,400,000</u>	<u>\$5,400,000</u>	<u>\$5,400,000</u>	<u>\$5,400,000</u>
26 Capital for Visitor Infrastructure:	\$1,005,257	\$1,758,700	\$1,010,000	\$1,010,000	\$1,070,000	\$920,000	\$930,000
27 Unexpended Visitor Infrastructure Funds Carried Over from Previous Year							
28 Supplemental Visitor Infrastructure Appropriation							
29 Vehicle Acquisition			\$300,000				
30 Highway 93 Underpass							
31 Capital for Water Rights Acquisition:	\$89,511	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
32 Unexpended Water Rights Funds Carried Over from Previous Year							
33 South Boulder Creek Flow In Stream Flow:	\$1,912	\$150,000	\$2,000,000				
34 South Boulder Creek Flow In Stream Flow Carried Over from Previous Year							
35 Capital for Mineral Rights Acquisition:	\$0	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
36 Unexpended Mineral Rights Funds Carried Over from Previous Year							
37 Lottery Capital for MP Restoration	\$224,226	\$355,300	\$355,300	\$355,300	\$355,300	\$355,300	\$355,300
38 Unexpended Lottery Funds Carried Over from Previous Year							
39 Total CIP Expenditures:	<u>\$6,495,109</u>	<u>\$14,856,413</u>	<u>\$9,365,300</u>	<u>\$7,065,300</u>	<u>\$7,125,300</u>	<u>\$6,975,300</u>	<u>\$6,985,300</u>
40 Management Operating Expenditures - OSMP Program:	\$12,309,332	\$14,996,163	\$14,416,801	\$14,779,984	\$15,223,383	\$15,680,085	\$16,150,487
41 Operating Supplemental and Carryover							
42 Management Operating Expenditures - RE Services:	\$152,642	\$148,889	\$150,378	\$151,882	\$153,400	\$154,934	\$156,484
43 Cost Allocation:	\$1,108,400	\$1,348,701	\$1,416,136	\$1,486,943	\$1,561,290	\$1,639,354	\$1,721,322
44 Total Management Operating Expenditures:	<u>\$13,570,374</u>	<u>\$16,493,753</u>	<u>\$15,983,315</u>	<u>\$16,418,809</u>	<u>\$16,938,073</u>	<u>\$17,474,373</u>	<u>\$18,028,293</u>
45 Total Uses of Funds:	<u>\$27,379,093</u>	<u>\$36,849,365</u>	<u>\$30,726,038</u>	<u>\$28,264,233</u>	<u>\$28,629,738</u>	<u>\$27,135,590</u>	<u>\$25,674,279</u>
ENDING CASH BALANCE:							
46 Less Reserves:	\$28,801,431	\$22,736,445	\$23,832,153	\$28,373,618	\$33,639,435	\$37,459,806	\$36,708,842
47 Less Reserve for 27th Pay Period	\$3,500,000	\$2,500,000	\$2,400,000	\$2,000,000	\$2,000,000	\$1,100,000	\$100,000
48 Sick/Vacation/Bonus Reserve	\$45,000	\$95,000	\$145,000	\$195,000			
49 Property and Casualty Reserve	\$490,000	\$490,000	\$490,000	\$490,000	\$490,000	\$490,000	490000
50 South Boulder Creek Flow Reserve	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000	400000
51 IBM Connector Trail	\$1,750,000	\$2,000,000					
52 Vehicle Acquisition Reserve	\$150,000	\$300,000					
53 Facility Maintenance Reserve	\$100,000	\$200,000	\$300,000	\$400,000	\$500,000	\$600,000	
54 UNRESTRICTED CASH BALANCE AFTER RESERVES:	<u>\$22,366,431</u>	<u>\$16,551,445</u>	<u>\$20,097,153</u>	<u>\$24,888,618</u>	<u>\$30,249,435</u>	<u>\$34,869,806</u>	<u>\$36,608,842</u>



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 5, 2015

AGENDA TITLE: Second reading and consideration of a motion to adopt Ordinance No. 8041 to rezone the property located at 1900 Folsom Street, from Business Transitional – 2 to Business Regional – 1, consistent with the Boulder Valley Comprehensive Plan land use designation of General Business.

PRESENTER/S

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

EXECUTIVE SUMMARY

The proposed ordinance (*Attachment A*) rezones the property located at 1900 Folsom Street from BT-2 (Business Transitional – 2) to BR-1 (Business Regional – 1). The rezoning is consistent with the Boulder Valley Comprehensive Plan (BVCP) land use designation for the site of General Business and is consistent with the description of the Boulder Valley Regional Center (BVRC) in the BVCP as one of the city's three regional centers with the highest level of intensity.

On March 5, 2015 the Planning Board unanimously recommended that City Council approve the ordinance . On April 7, 2015, City Council approved first reading of Ordinance 8041. There were no questions for staff.

This rezoning request was submitted concurrent with a Concept Plan review, both of which were heard by the Planning Board at their March 5, 2015 meeting (meeting packet materials and minutes available [here](#); go to 2015 → 03 Mar). City Council may vote to call-up the Concept Plan to review and discuss within 30 days of the Planning Board hearing. City Council did not vote to call up the Concept Plan review at the March 17, 2015 meeting, and the call up period expired on April 6, 2015.

STAFF RECOMMENDATION

Suggested Motion Language:

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

Motion to approve Ordinance No. 8041 rezoning the property located at 1900 Folsom Street from Business Transitional – 2 to Business Regional – 1, consistent with the Boulder Valley Comprehensive Plan land use designation of General Business, and adopting the staff memorandum including its attachments as findings of fact.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic – The site lies within the Boulder Valley Regional Center (BVRC), which is described in the Boulder Valley Comprehensive Plan (BVCP) as one of the city’s three regional centers with the highest level of intensity. The current BT-2 zoning designation is intended primarily to buffer residential areas from major streets, and allows for residential and less intensive commercial uses. The proposed rezoning would allow for a number of more intensive sales tax producing uses on the site.
- Environmental – The proposed rezoning would allow for a higher Floor Area Ratio (FAR) than the existing zoning, which would allow for the site to be redeveloped as a more intense mixed-use building with both residential and commercial uses located in close proximity to transit and other multi-modal transportation facilities.
- Social – The rezoning will help to implement the goals of the BVRC Design Guidelines and Boulder Plaza Subarea Plan, which guide redevelopment and evolution of the area into a more attractive, pedestrian-, bicycle- and transit-friendly place in accordance with the goals and policies of the BVCP.

OTHER IMPACTS

- Fiscal – City services are existing and available to this site.
- Staff time: The applicant has submitted the required rezoning application fee to cover staff review time of this application for a rezoning.

BOARD AND COMMISSION FEEDBACK

Planning Board reviewed the Rezoning request at a public hearing on March 5, 2015, and on a motion by J. Putnam, seconded by B. Bowen, the Planning Board voted 7-0 to recommend approval of rezoning request number LUR2014-00084 to City Council incorporating the staff memorandum as findings of fact.

PUBLIC FEEDBACK

Required public notice was given in the form of written notification mailed to all property owners within 600 feet of the subject site including the Horizon West HOA, and a sign

posted on the property for at least 10 days. All notice requirements of section 9-4-3, B.R.C. 1981 have been met.

Staff initially received comments from several residents of the nearby Horizons West development expressing opposition to the proposed Rezoning and Concept Plan proposal. Specifically, residents expressed concerns about a proposed height modification to allow for a 48 foot building height as originally included in the Concept Plan review. However, following City Council's approval on Feb. 26, 2015 of second reading of a building height modification ordinance that would not include the BVRC outside of the Twenty Ninth Street Shopping District in the exempted area for which height modifications could be considered through the Site Review process, the project site would no longer be eligible for a height modification. City Council approved the fourth and final reading of the height modification ordinance on April 7, 2015.

No further public comments on the proposal were received after the second reading of the height modification ordinance, and there were no neighborhood comments at the March 5, 2015 Planning Board public hearing, at which the applicant presented new Concept Plan materials showing a building that did not exceed the 35 foot by-right height limit. While the revised Concept Plan proposal is within the height limitations for both the existing BT-2 and proposed BR-1 zoning, the proposed Floor Area Ratio (FAR) for the project is still roughly 1.47, which exceeds the 0.5 FAR for the BT-2 zone and would thus require a rezoning to BR-1.

BACKGROUND

Please see **Attachment B** for detailed background information, including existing site conditions, historic land use and zoning information for the site and surrounding area and a comparative analysis of the existing and proposed zoning designations.

ANALYSIS

Rezoning criteria of Land Use Code section 9-2-18(e)(1), B.R.C. 1981 states:

The city council shall grant a rezoning application only if the proposed rezoning is consistent with the policies and goals of the Boulder Valley Comprehensive Plan, and, for an application not incidental to a general revision of the zoning map, meets one of the following criteria (applicable criterion below):

The applicant demonstrates by clear and convincing evidence that the proposed rezoning is necessary to come into compliance with the Boulder Valley Comprehensive Plan map;

Staff finds the requested rezoning to be consistent with the goals and policies of the Boulder Valley Comprehensive Plan (BVCP). Specifically, as discussed in further detail below, the proposed rezoning would make the property more consistent with the BVCP General Business land use designation for the site as well as the description of the Boulder Valley Regional Center in the BVCP as one of the city's three regional centers with the highest level of intensity. The BVCP further describes the Boulder Valley

Regional Center as primarily a regional commercial area, providing retail at a range of scales, restaurants, offices, and hotels, in the geographic center of Boulder, but also some high-density housing. The proposed rezoning would be consistent with these goals for this area by applying a zoning district intended specifically for the BVRC and other business centers of the Boulder Valley containing a wide range of retail and commercial operations, including the largest regional-scale businesses.

Rezoning of the property located at 1900 Folsom is necessary to come into compliance with the Boulder Valley Comprehensive Plan (BVCP) land use map, as the intent of the current zoning on the site does not conform to the current BVCP land use designation of General Business. As described above, the existing BT-2 zone is intended primarily to buffer residential areas from a major street. The General Business land use designation, however, is not intended to buffer residential areas but to allow for the continuation of intensive commercial uses near junctions of major arterials. The intent of the BR-1 zone to allow for a wide range of retail and commercial operations is more consistent with the intent of the General Business land use designation to allow for the continuation of intensive commercial uses near junctions of major arterials. Therefore, given the project site's location within the BVRC, the absence of directly adjacent residential areas, and the historic precedent of applying BR-1 zoning to properties within the BVRC with a General Business land use designation, staff recommends approval of the proposed rezoning application. It should be noted that the west side of Folsom maintains BT-2 zoning to buffer the immediately adjacent residential uses in the Whittier neighborhood.

ATTACHMENTS

Attachment A: Ordinance No. 8041

Attachment B: Detailed Background Materials

ORDINANCE NO. 8041

AN ORDINANCE REZONING 1.28 ACRES OF LAND LOCATED AT 1900 FOLSOM STREET FROM BUSINESS TRANSITIONAL – 2 (BT-2) TO BUSINESS REGIONAL – 1 (BR-1) ZONING CLASSIFICATION AS DESCRIBED IN CHAPTER 9-5, “MODULAR ZONE SYSTEM,” B.R.C. 1981, AND SETTING FORTH RELATED DETAILS.

WHEREAS THE CITY COUNCIL FINDS AND RECITES THE FOLLOWING:

A. A public hearing before the Planning Board of the City of Boulder was duly held on March 5, 2015, in consideration of rezoning approximately 1.28 acres of land from Business Transitional – 2 (BT-2) to Business Regional – 1 (BR-1), that is a parcel of land generally located at 1900 Folsom Street, and more particularly described as Lot 1, Folsom Subdivision, City of Boulder, County of Boulder, State of Colorado (the “Property”);

B. The Planning Board found that the rezoning of the Property from Business Transitional – 2 (BT-2) to Business Regional – 1 (BR-1) is consistent with the policies and goals of the Boulder Valley Comprehensive Plan; is necessary to bring the Property into compliance with the Boulder Valley Comprehensive Plan; and meets the criteria for rezoning as provided in Chapter 9-2, “Review Processes,” B.R.C. 1981;

C. The Planning Board recommended that the City Council amend the zoning district map to include the Property in the Business Regional – 1 (BR-1) zoning district as provided in Chapter 9-5, “Modular Zone System,” B.R.C. 1981;

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

1 Section 1. Chapter 9-5, “Modular Zone System,” B.R.C. 1981, and the zoning
2 district map forming a part thereof are amended to include the Property within the
3 Business Regional – 1 (BR-1) zoning district.

4 Section 2. The City Council finds that the rezoning of the Property from Business
5 Transitional – 2 (BT-2) to Business Regional – 1 (BR-1) is consistent with the policies
6 and goals of the Boulder Valley Comprehensive Plan, is necessary to bring the Property
7 into compliance with the Boulder Valley Comprehensive Plan, and meets the criteria for
8 rezoning as provided in Chapter 9-2, “Review Processes,” B.R.C. 1981. The City
9 Council adopts the recitals as a part of this ordinance.

10 Section 3. The City Council has jurisdiction and legal authority to rezone the
11 Property.

12 Section 4. This ordinance is necessary to protect the public health, safety, and
13 welfare of the residents of the city and covers matters of local concern. The rezoning of
14 the Property bears a substantial relation to, and will enhance the general welfare of, the
15 Property and of the residents of the City of Boulder.

16 Section 5. The City Council deems it appropriate that this ordinance be published
17 by title only and orders that copies of this ordinance be made available in the office of the
18 city clerk for public inspection and acquisition.
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INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED

BY TITLE ONLY this 7th day of April, 2015.

Mayor

Attest:

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED

PUBLISHED BY TITLE ONLY this 5th day of May, 2015.

Mayor

Attest:

City Clerk

BACKGROUND.

The 1.28-acre project site is located in Central Boulder at the northeast intersection of Folsom Street and Walnut Street, immediately south of and sharing an access with the existing Mike’s Camera site. The site is occupied by an existing two-story, 22,353 square foot office building constructed in 1973. There is a large surface parking lot surrounding the building on its north and east sides with 71 existing parking spaces, two bike parking spaces, and several existing, mature trees along Walnut Street and on the north side of the site. Refer to **Figures 1 and 2** below for existing site conditions. The property is located within the regulatory 100-year floodplain of the Boulder Slough Restudy, adopted by City Council in November 2014, so the site must be developed in compliance with Section 9-3-3 of the Boulder Revised Code, 1981.

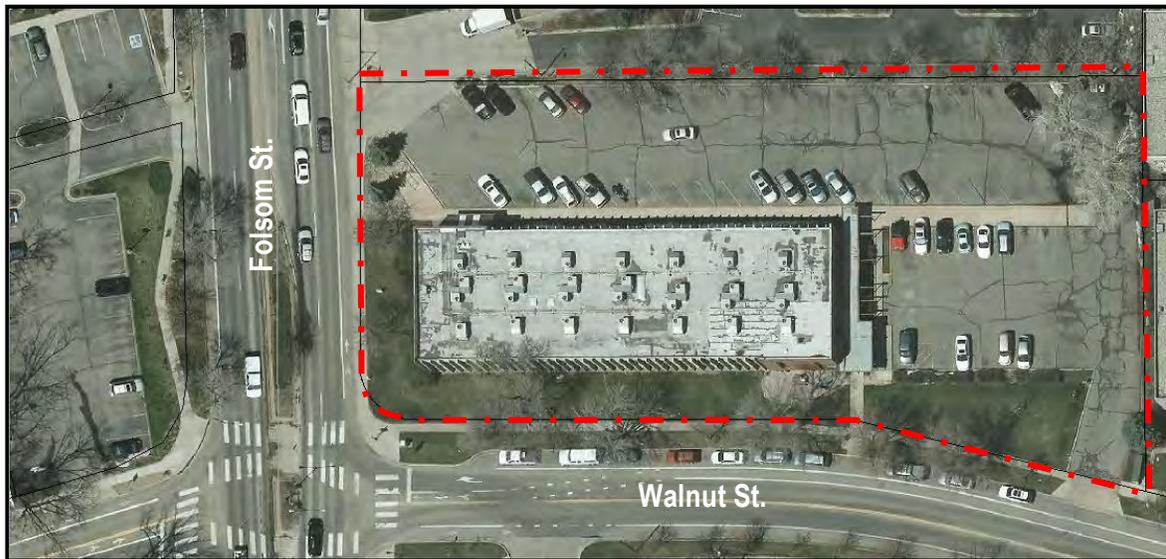


Figure 1: Aerial of Existing Site



Figure 2: View of Existing Office Building from SW Corner of Site

The project site lies within the Boulder Valley Regional Center (BVRC), and as such is subject to the BVRC Design Guidelines (the Guidelines). The Guidelines were originally created by the Boulder Urban Renewal Authority (BURA) in 1987, and later revised in 1991 and 1998. The Guidelines were created “to bring predictability to the development objectives in the BVRC” and allow BURA to better fulfill its mission to “maintain and enhance a high-quality regional commercial center in the Crossroads area.”

The project site is also located within a subarea of the greater BVRC known as the Boulder Plaza Subarea, which is the area between 28th Street to the east and Folsom Street to the west, and Pearl Street and Canyon Boulevard to the north and south, and as such is subject to the guidelines contained within the 1992 Boulder Plaza Subarea Plan (the Subarea Plan) as well as the BVRC Guidelines. The Boulder Valley Comprehensive Plan (BVCP) land use designation for the site is General Business. The BVCP Land Use Map description for General Business areas is as follows:

The General Business areas are located, for the most part, at junctions of major arterials of the city where intensive commercial uses exist. The plan proposes that these areas continue to be used without expanding the strip character already established.

The western portion of the Boulder Plaza Subarea in which the project site lies has had a land use designation of General Business since the original Boulder Valley Comprehensive Plan was adopted in 1977, with the remainder of the Subarea having a land use designation of Regional Business (see **Figure 3** above).

Within the Subarea, the area north of Walnut and South of Pearl between Folsom and 26th and including the properties fronting Folsom Street on the west was originally zoned Transitional Business (now BT-2), and the area

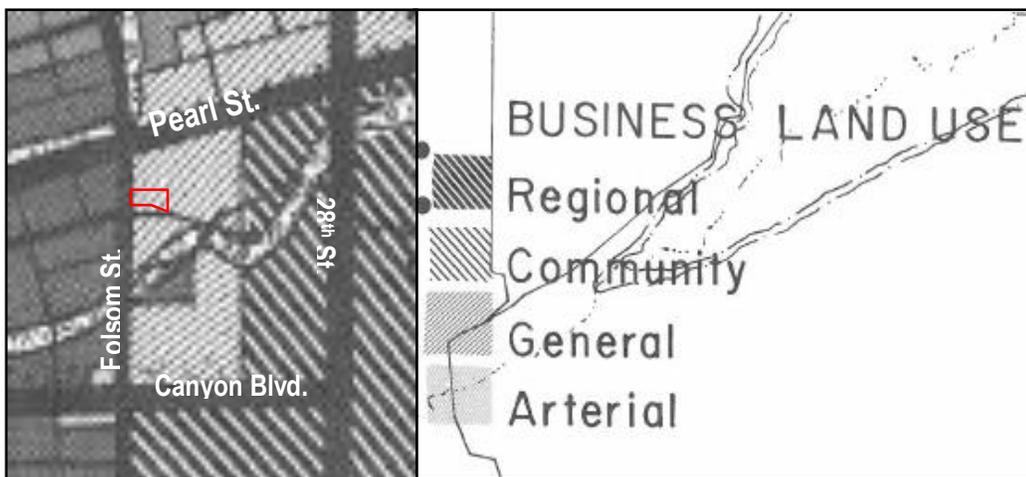


Figure 3: 1977 Land Use Map - General Business

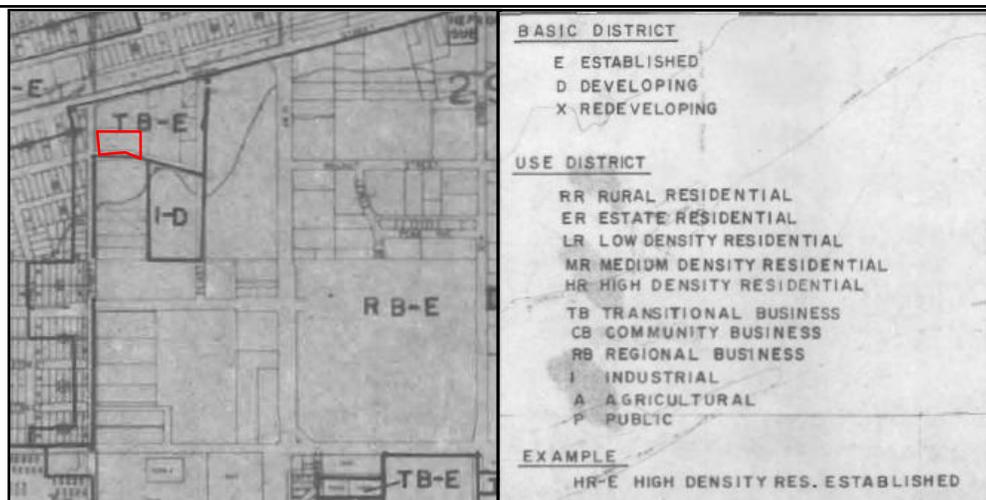
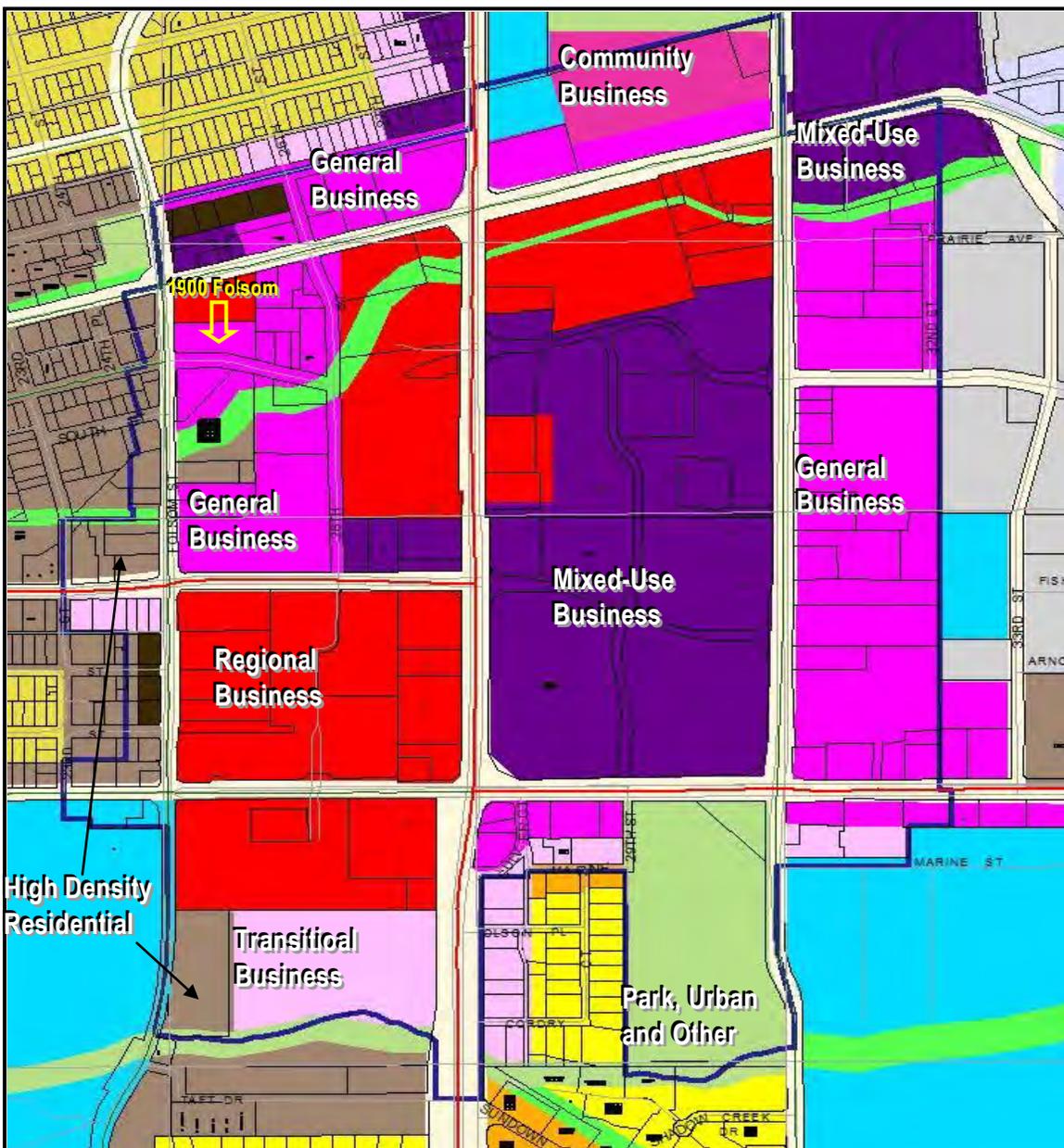


Figure 4: 1977 Zoning Map – TB-E

south of Walnut and north of Canyon along 26th was originally zoned Industrial Developing, with the remainder of the Subarea zoned Regional Business (now BR-1). Refer to **Figure 4** for the 1977 Zoning Map of the Subarea.

In 1981, the zoning for the area south of Walnut and north of Canyon along the west side of 26th was changed from Industrial Developing to Regional Business. In 1984, the properties at the corner of 26th and Pearl were rezoned from Transitional Business to Regional Business. The most recent rezoning that has occurred within the Subarea is the Mike’s Camera site at the corner of Pearl and Folsom, which was rezoned from Transitional Business to Regional Business in 1991, along with a land use designation change from General Business to Regional Business. Currently, the properties along the west side of Folsom are zoned Transitional Business (BT-2) along with the six properties fronting on the north side of Walnut (including the project site); however, all of the other parcels within the Subarea with a land use designation of General Business have been rezoned to Regional Business (BR-1). Please refer to **Figures 5 and 6** for current land use and zoning maps (BVRC Boundary shown in blue).



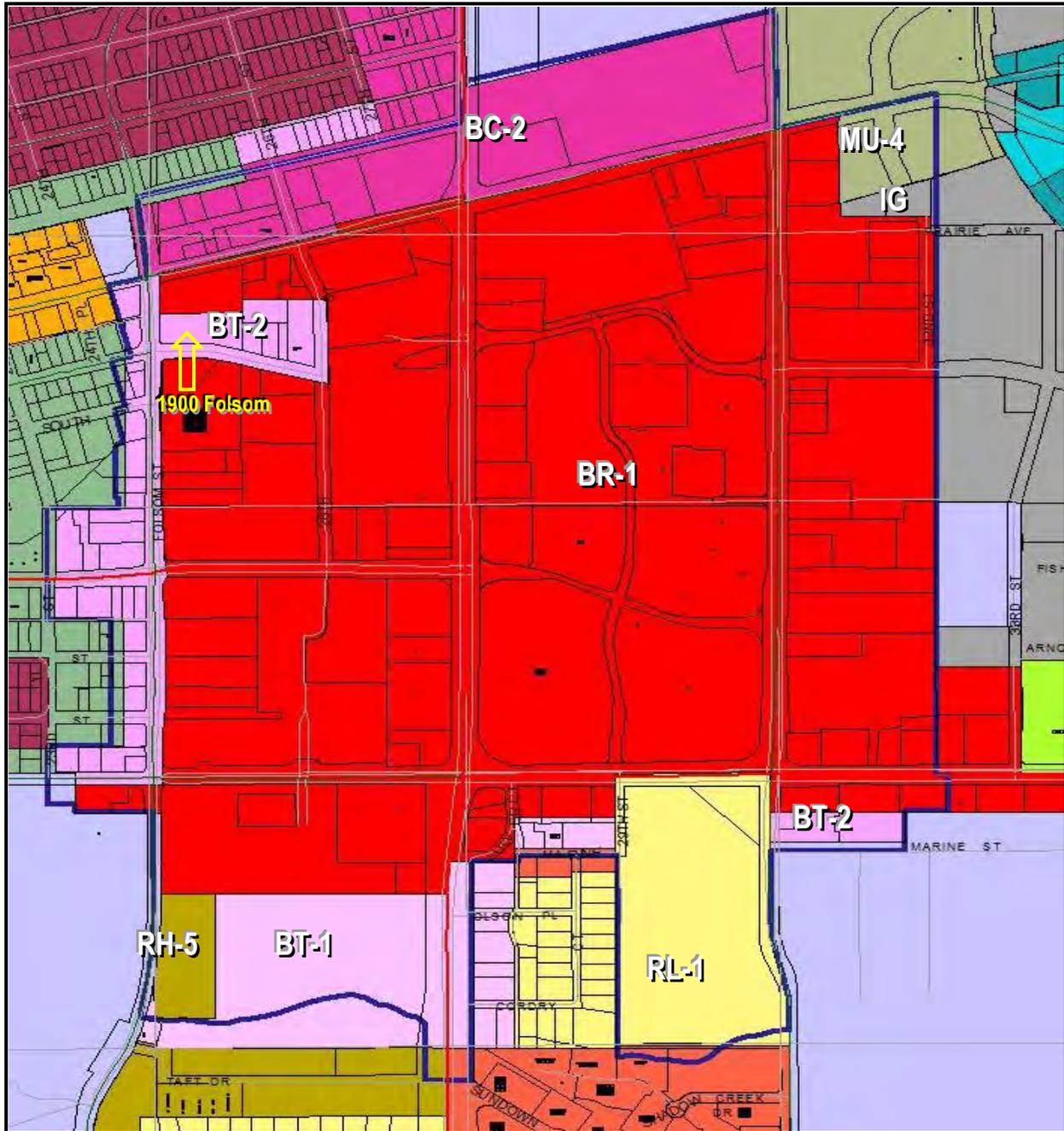


Figure 4: BVRZ Zoning Map

The Applicant is requesting to rezone the property from Business – Transitional 2 (BT-2) to Business – Regional 1 (BR-1) to come into compliance with the Boulder Valley Comprehensive Plan (BVCP) land use map. BR-1 is a more intense zone district that supports a number of commercial and residential uses including regional scale businesses. The definition of the BT-2 zone district as set forth in section 9-5-2(c)(2)(E), B.R.C. 1981 is as follows:

Transitional business areas which generally buffer a residential area from a major street and are primarily used for commercial and complementary residential uses, including without limitation, temporary lodging and office uses.

As the definition indicates, most residential uses including duplexes and attached housing are allowed by-right in the BT-2 zone, and a variety of less intensive commercial and office uses are permitted by-right as well. However, all restaurant uses require a Use Review to operate. In addition, small-scale retail uses such as “convenience retail” require a Use Review to operate, and any retail use over 5,000 square feet in floor area is prohibited. Intensity in the BT-2 zone district is regulated by a minimum lot size per dwelling unit of 1,600 square feet, a minimum open space per dwelling unit requirement of 600 square feet and a minimum open space requirement for nonresidential uses of 10-20%. In addition, the BT-2 zone district allows for a maximum Floor Area Ratio (FAR) of 0.5:1. The threshold for mandatory Site Review under the existing BT-2 zoning is two acre lot size or 30,000 square feet of floor area. Refer to Figure 4 above for the existing zoning.

The applicant is proposing to rezone the property to Business – Regional 1 (BR-1), which is defined in section 9-5-2(c)(2)(I), B.R.C. 1981 as follows:

Business centers of the Boulder Valley, containing a wide range of retail and commercial operations, including the largest regional-scale businesses, which serve outlying residential development; and where the goals of the Boulder Urban Renewal Plan are implemented.

By definition, the BR-1 zone allows a variety of retail and commercial uses by-right, and includes all of the uses allowed in the BT-2 zone as well most restaurants, brewpubs and taverns and retail uses from over 5,000 to over 20,000 square feet. Building material sales, which are prohibited in BT-2, are allowed through Use Review. Similarly, a variety of automobile-oriented uses such as car washes, fuel service stations, auto dealerships and auto repair shops are prohibited in BT-2 and allowed through Use Review in BR-1. Intensity in the BR-1 zone district is regulated by a minimum lot size per dwelling unit of 1,600 square feet and a minimum open space requirement for nonresidential uses of 10-20%. The allowable FAR for the BR-1 zone is 2.0, with an additional 2.0 bonus for a total FAR of 4.0 possible through the Site Review process for projects that meet certain criteria pertaining to site design, open space, architecture, use, historic preservation and parking. As discussed under “Public Feedback” in the staff memorandum, the FAR proposed for the site through the concurrent Concept Plan review submitted with the Rezoning request is roughly 1.47, which requires a rezoning from BT-2 to BR-1 to obtain.



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 5, 2015

AGENDA TITLE: Second reading and consideration of a motion to adopt Ordinance No. 8034 amending the capital facilities impact fee in Section 4-20-62, “and Chapter 8–9, B.R.C. 1981 by the addition of a new affordable housing linkage fee on non-residential development, and setting forth related details.

PRESENTER/S

Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning and Sustainability
Susan Richstone, Deputy Director of Community Planning and Sustainability
Tom Carr, City Attorney
David Gehr, Deputy City Attorney
Jeff Yegian, Division of Housing Manager
Chris Hagelin, Senior Transportation Planner
Kristin Hyser, Community Investment Program Manager

EXECUTIVE SUMMARY

The purpose of this item is continuation of the second reading of an ordinance (**Attachment A**) that would put in place a citywide housing linkage fee based upon the analysis in the [2009 TischlerBise Development Excise Tax Study](#) (pp. 16-20). The proposed ordinance includes a proposed effective date of July 6, 2015 and provides for the linkage fee to be assessed at time of building permit application and paid at time of final inspection consistent with current city practice. City Council approved first reading of the ordinance on March 3. On March 17, City Council held a public hearing, discussed the proposed ordinance, and continued second reading of the ordinance. Please see the [March 17 memo](#) for background and additional information.

At the March 17 meeting, a number of members of the public spoke, some expressing concern for the impact the proposed fee might have on projects currently in various stages of design and approval. City Council requested that staff develop options to address:

- Phasing in the linkage fee over time.
- Not applying the fee to applicants that are in the technical document review process prior to the effective date of the ordinance.

Staff has provided two options for council consideration as potential amendments to the proposed ordinance:

1. Phase in based on building permits – this option would defer the effective date of the ordinance to September 7, 2015, providing a longer window for projects currently in the planning phases to complete technical document review and apply for building permits and would also provide for a phase in of the fee, starting with 25%, and increasing to 50% on December 7, 2015, 75% on March 7, and 100% on June 6, 2016. (Council could also choose to keep the existing proposed effective date of July 6 and phase in as suggested in this option).
2. Phase in based on the submittal of technical documents (this would apply in addition to Option 1 for projects that go through technical document review) - this option would allow applicants in technical document review prior to September 7 (or the effective date as set by council) to not have the fee assessed provided they meet certain deadlines, including application for a building permit within 30 days of approval of the technical documents.

The city also charges a housing excise tax of \$0.51 per square foot on non-residential development. The staff has also prepared an amendment that allows the housing excise tax that is charged to commercial development to be credited toward the linkage fee payment. The funds from both sources are intended for the same purposes. Staff will consider longer term recommendations related to the housing excise tax as a part of the next impact fee study.

A housing linkage fee is charged on new non-residential uses to mitigate impacts on the demand for affordable housing created by those uses. The 2009 study is the basis for the existing linkage fee in the DT-5 zoning district, currently only applied to the commercial floor area resulting from the downtown floor area ratio (FAR) bonus for office space. This fee is anticipated to be in place for an interim period until a new comprehensive housing linkage fee study is completed. The impact fee is based on the Boulder Valley Comprehensive Plan (BVCP) goal of ten percent permanently affordable housing. See BVCP, § 7.02, p. 49 (2010).

In addition to action on the housing linkage fee, staff is requesting council feedback on the proposed scopes for the new studies. Following the May 5 meeting, staff is planning to move forward to issue RFPs for the studies (see “Next Steps” section of this memo).

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. 8034 amending the capital facilities impact fee in Section 4-20-62, “and Chapter 8–9, B.R.C. 1981 by the addition of a new affordable housing linkage fee on non-residential development, and setting forth related details.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic – The proposed fee would increase the costs of constructing non-residential square footage in the city. It would increase the city’s ability to address workforce housing needs.
- Environmental – The fee would not have a direct impact on environmental issues.
- Social – The fee will provide additional funding to the city’s affordable housing program, helping to mitigate impacts on the housing needs of lower income persons in the community. It will help non residential development mitigate the impacts that it has on Boulder’s permanently affordable housing stock.

OTHER IMPACTS

- Fiscal - This fee would provide more funding for the city’s affordable housing program.
- Staff time – Implementation of the fee would be possible within the city’s current work plan.

ANALYSIS

Implementation of a Housing Linkage Fee Citywide based on the 2009 TischlerBise Study

The following chart shows the rates included in the proposed ordinance, which are based on the 2009 study adjusted for cost increases. The table below includes all of the categories of uses that would be included based on the 2009 study. Please note that for certain uses the fee would be based on demand indicators such as number of rooms, beds or students as opposed to square footage. This would be an interim measure until a new linkage fee study is prepared.

Nonresidential (Floor Area)

	<i>Fee per sq. ft.</i>
Retail/Restaurant	\$6.96
Business Park	\$7.70
Office	\$9.53
Hospital	\$8.23
School	\$2.24
Mini-Warehouse	\$0.09
Warehousing	\$3.11
Light Industrial	\$5.62

Other Nonresidential

	<i>Fee per Demand Indicator</i>
Nursing Home (per bed)	\$877.64
Day Care (per student)	\$389.60
Lodging (per room)	\$1,072.44

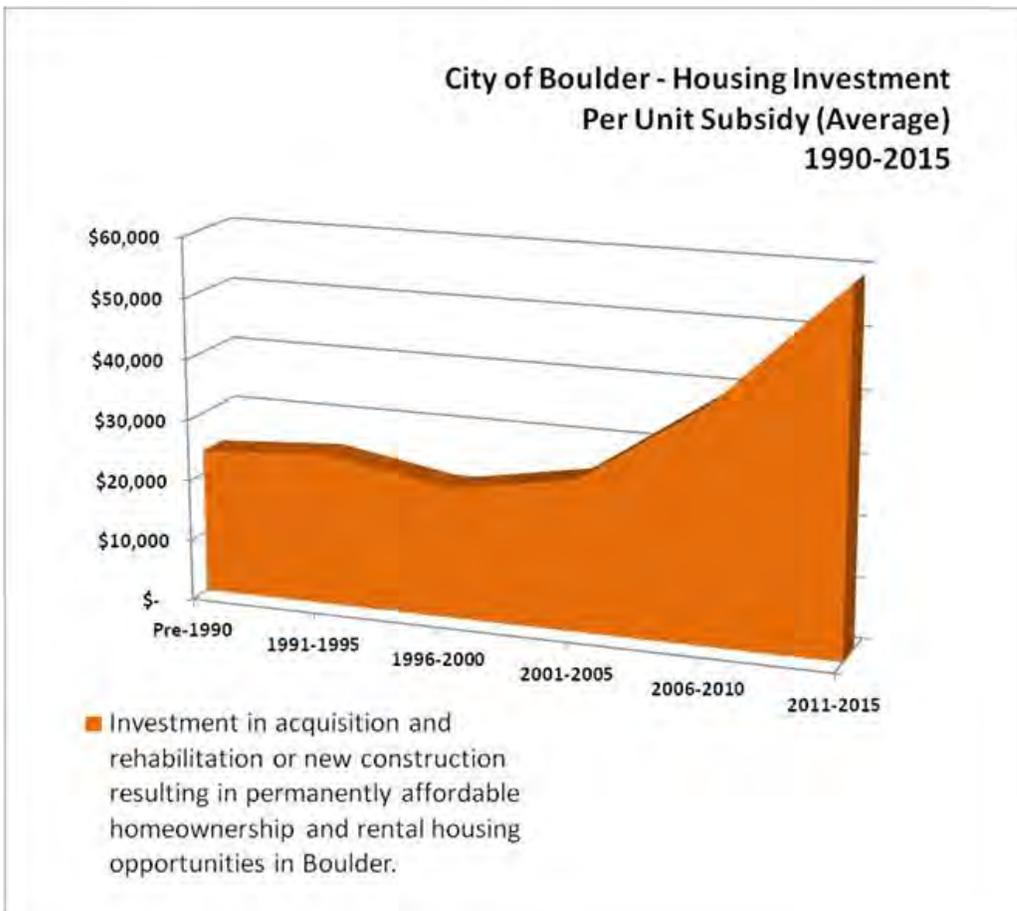
The fees collected would be placed in a dedicated fund and used to create additional permanently affordable housing that contributes to achieving the city’s goal of increasing the proportion of permanently affordable housing units to an overall goal of at least ten percent of the total housing stock.

Linkage fees collected to date downtown

At the March 17 meeting, a council member asked how many units we have gotten from the linkage fees collected to date on the downtown FAR bonus.

A total of \$874,720 has been collected to date from the downtown affordable housing linkage fee. In 2014 the city invested \$2.5M from the city's Affordable Housing Fund, including the downtown linkage fee in the acquisition of 36 permanently affordable rental units to be rehabilitated. With a per unit subsidy of approximately \$69,500, the linkage fee revenue enabled the addition of 13 (rounded up) units.

A council member also asked what the approximate subsidy per unit is. The city's average per unit subsidy has escalated over time as demonstrated below. The current average per unit subsidy required to provide and preserve permanently affordable housing options in Boulder is approximately \$68,000.



AMENDMENTS

The council requested that staff draft and bring back options for phasing the linkage fee in over time in order to allow projects in the later stages of approval to not be assessed the fee. The first option is phasing the linkage fee over a year, 25 percent phase in for each three month period. In the proposed amendment, it would begin in September of 2015.

The second amendment is one that the council could consider if it wants to provide an option for projects that are almost ready for technical document review, but not for building permit. It would apply to technical document review applications that are made by early September and diligently pursued thereafter. There are standards in place to ensure such applications are processed and moving towards building permit submittals.

Phase in option based on percentage increases over time

1. Phase in based on building permits.

Section 5. The fees described in this ordinance shall be applied to all building permit applications that are made to the city according to the following.

- a. After September 7, 2015 and before December 7, 2015, the fee charged shall be assessed at 25 % of the rate established in subsection 4-20-62(a), "Capital Facility Impact Fee," B.R.C. 1981.
 - b. Between the dates of December 7, 2015 and before March 7, 2016, the fee charged shall be assessed at 50 % of the rate established in subsection 4-20-62(a), "Capital Facility Impact Fee," B.R.C. 1981.
 - c. Between the dates of March 7, 2016 and before June 6, 2016, the fee charged shall be assessed at 75% of the rate established in subsection 4-20-62(a), "Capital Facility Impact Fee," B.R.C. 1981.
 - d. Beginning on June 6, 2016, the entire rate established in subsection 4-20-62(a), "Capital Facility Impact Fee," B.R.C. 1981 shall be charged.
2. Add this section if you want to add Technical Document review as another approach to avoid the fee as a phase in.

Section 6. The fees described in this ordinance shall not be applied to a building permit application submitted in conjunction with a technical document review applications that is submitted before September 7, 2015 and meeting all of the requirements of this section. If an applicant fails to comply with any provision of this section, the applicant shall be required to pay the fees adopted by this ordinance.

For the purposes of this ordinance, "technical document review application" means an application that is made to the city prior to a building permit application that will result in the construction of or addition to a building pursuant Chapter 10-5, "Building Code," B.R.C. 1981.

- a. The technical document review application shall include all of the information necessary to submit prior to a building permit application,

including without limitation all necessary civil engineering associated with public improvements and connections to any infrastructure system, landscape plans, site plans, architectural plans, and any submittal required as a condition of approval in an associated site review or use review approval.

- b. After the technical document is submitted, the applicant shall diligently pursue demonstrating that the proposed project is in compliance with all city development standards including without limitation the Boulder Revised Code, the Design and Construction Standards and any associated site or use review approval. If such approvals are not received within 180 days after the initial submittal, there shall be a presumption that the application was not diligently pursued and the fees described by this ordinance will be applied to subsequent building permit applications. The technical document review applicant will be entitled one extension of 90 days, if it is requested in writing before the end of the 180 day time period. The city manager will grant the extension request if the applicant can demonstrate that it used reasonable diligence in completing the technical document review process within the 180 day review process and good cause as to why the request for extension should be granted.
- c. Within 30 days after the technical document review application approval, the applicant shall apply for and diligently pursue a building permit application for the construction of a building the meets all of the requirements of Chapter 10-5, "Building Code," B.R.C. 1981.

3. If Council wants to provide a credit for Housing Excise Tax paid.

The city also charges a housing excise tax. The staff has prepared an amendment that allows housing excise tax that is charged to commercial development to be credited toward the linkage fee payment. The funds from both sources are intended for the same purposes. Staff will consider longer term recommendations related to the housing excise tax as a part of the next impact fee study.

Section *. Section 8-9-3, "General Regulatory Requirements." B.R.C. 1981, is amended by the addition of a new subsection (h), to read:

- (h) Housing Excise Tax Credit: The tax required to be paid as required by Chapter 3-9, "Housing Excise Tax," B.R.C. 1981 for a building permit shall be applied as a credit of the payment of that portion of the capital facilities impact fee that is described in Subsection 4-20-62(a) B.R.C. 1981 for affordable housing when assessed on the building permit application.

NEXT STEPS

Preparation of New Studies

A high priority work plan item for 2015 is to contract with firms to prepare the studies necessary to update the city's development-related impact fees and excise taxes. Based on discussions with City Council and the suggestions from Carson Bise of TischlerBise, staff is recommending moving forward to issue an RFP that would contain the four main

components below, with firms having the ability to bid on all or one or more of the components:

1. An update of the 2009 Impact Fee study for all of the components of the Capital Facility Impact Fee and an update to the Park land component of the Excise Tax Study.
2. A study of both the capital and operating impacts to multimodal transportation facilities and services of new development. The purpose of the study would be to provide the nexus and include the calculations of a multimodal transportation impact fee and/ or excise tax as well as other mechanisms to provide capital improvements and possibly on-going operations and maintenance funding associated with new development. This study would go beyond impact fees and into operational funding tools including some level of consideration of both the needed capital facilities created by new growth as well as identifying revenue sources for both capital facility deficiencies and associated revenues to fund programs, operations, and maintenance. A scope of work would contain the following general elements:
 - Review of current impact fees, excise taxes and other finance mechanisms to identify best practices for new developments to pay for the capital improvements. This would include a review of the effectiveness of existing fees, taxes and other mechanisms currently in place in other communities to identify potential options.
 - The focus would be on mechanisms used for infill development and re-development as opposed to greenfield development. The review would identify the mechanisms used, their legal rationale and context, what they are used to pay for and what they are restricted from paying for. The review would also provide information on the rates used and the methodology used to determine those rates, as well as the timing of payment and the criteria or triggers used to determine which new developments pay.
 - Analysis of the purpose of any proposed fees and or taxes as it relates to the city's transportation goals and objectives, and/ or service levels.
 - Review of the potential strategies and funding mechanisms to pay for on-going transportation operations and maintenance associated with new developments.
 - Identify how to fund on-going transportation operations, such as TDM programs, and maintenance related to new developments. The city currently uses a variety of mechanisms to pay for on-going transportation operations and maintenance for new developments and existing commercial and residential properties. For example, in the downtown, parking revenue pays for Eco Passes for all downtown employees. At Boulder Junction, the TDM Access District collects property taxes to pay for Eco Passes and bike- and car-share memberships for employees and residents. For this scope of work, the city would ask consultants to identify other strategies and mechanisms for on-going transportation operations and maintenance associated with new developments.
3. Affordable Housing Linkage Fee on Non-Residential Development - Preparation of a nexus study for an affordable housing linkage fee on new non-residential

development that would mitigate the need for affordable and workforce housing created by the development. The goal of the study is to demonstrate the nexus between the purpose of the linkage fee, the fee amount, and the impacts of the non-residential development that the proposed use of the fee proceeds is intended to address. A study was prepared for the city in 2009; the new study would provide a more comprehensive and updated nexus study. The study should:

- Analyze the purpose of a linkage fee as it relates to the city's housing goals and objectives, other city funding sources and programs for affordable housing, and the need for mitigating impacts to middle income housing.
- Proposals should detail the proposed project approach and methodology, the firm's qualifications and previous experience in preparing similar studies, the firm's knowledge of Boulder and its housing market, and include a proposed process for involving stakeholders.

The city is currently working on Housing Boulder, a new Comprehensive Housing Strategy anticipated to be completed in the next few months that will likely result in new housing goals and policies. In particular, the new strategy includes a focus on concerns relating to loss of middle income households in the city. Respondents should provide a recommendation on the appropriate timing of the study and implementation of an affordable housing linkage fee relative to the city's current Housing Boulder initiative. Depending on the timing, the selected consultant may be asked to provide advice to the city as the Housing Strategy is finalized.

The city currently has an inclusionary housing ordinance that applies to new residential development and is in the process of implementing a citywide affordable housing linkage fee on non-residential development based on a nexus study prepared in 2009. The funds collected from the linkage fee currently in the approval process will be placed in a dedicated fund and will be used to create additional permanently affordable housing that contributes to achieving the city's goal of increasing the proportion of permanently affordable housing units to an overall goal of at least ten percent of the total housing stock. The city's current goal targets low- and moderate-income households and primarily supports the creation and preservation of affordable housing units. . This linkage fee is viewed as an interim measure pending completion of a new comprehensive nexus study.

4. Preparation of a study to create a public art program for new development – The City Council will soon be considering a recommendation in the Community Cultural Plan to establish a public art program, which will require a sustainable and sufficient source of funding to implement. The purpose of this study would be to identify best practices across the country including both regulatory and fee based approaches, and recommend options for the city to develop a program. The study should provide the nexus for charging a fee and/ or tax, if that is the preferred option. The use of the funds would be governed by a final public art policy (due for completion in December 2015) and a series of public art strategy documents which would be renewed every few years to guide specific projects funded by the fee.

The RFP will also request:

- In concert with the City Attorney's Office, a review of Colorado law to determine legal opportunities and limitations at the city, county and state level.
- A proposed process for stakeholder involvement.
- An analysis of the cumulative impact of potential fees including a comparative study of Boulder relative to other jurisdictions.
- Analysis of the financial and other possible impacts of the proposed fees and/ or excise taxes including but not limited to the potential increase in development costs, escalation of rents, financial impact on nonprofit entities and small business and explore possible application of fee reductions or exemptions as appropriate.

Among the issues that will need to be considered as the studies are developed and reviewed will be whether to implement all of the components as impact fees or to retain some of them as excise taxes and ask voters to approve changes to the existing excise taxes. Depending on the responses received (whether there is one lead consultant for all of the studies, for example), the city will consider how to assure shared assumptions among the studies as well as coordination in study timing.

ATTACHMENTS

A: Ordinance No. 8034

ORDINANCE NO. 8034

AN ORDINANCE AMENDING THE CAPITAL FACILITIES IMPACT FEE IN CHAPTER 4-20-62, AND CHAPTER 8-9, B.R.C. 1981 BY THE ADDITION OF A NEW AFFORDABLE HOUSING LINKAGE FEE ON NON-RESIDENTIAL DEVELOPMENT, AND SETTING FORTH RELATED DETAILS.

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

Section 1. Table 3 in Subsection 4-20-62(a), B.R.C. 1981, is amended to read:

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 3: Impact Fee Rates for Nonresidential

Nonresidential Uses	Impact Fee Rates Per Square Foot of Nonresidential Floor Area				
	Municipal Facilities	Police	Fire	<u>Affordable Housing</u>	Total
Retail/Restaurant	\$0.14	\$0.50	\$0.40	<u>\$6.96</u>	\$1.04 <u>8.00</u>
Business Park	\$0.17	\$0.11	\$0.10	<u>\$7.70</u>	\$0.38 <u>8.08</u>
Office	\$0.21	\$0.17	\$0.59	<u>\$9.53</u>	\$0.97 <u>10.50</u>
Hospital	\$0.18	\$0.15	\$0.51	<u>\$8.23</u>	\$0.84 <u>9.07</u>
School	\$0.04	\$0.08	\$0.13	<u>\$2.24</u>	\$0.25 <u>2.49</u>
Mini-Warehouse	\$0.00	\$0.02	\$0.00	<u>\$0.09</u>	\$0.02 <u>0.11</u>
Warehousing	\$0.07	\$0.04	\$0.04	<u>\$3.11</u>	\$0.15 <u>3.26</u>
Light Industrial	\$0.12	\$0.06	\$0.08	<u>\$5.62</u>	\$0.26 <u>5.88</u>

Other Nonresidential Uses	Impact Fee Rates for Other Nonresidential Uses Based on Unique Demand Indicators				
	Municipal Facilities	Police	Fire	<u>Affordable Housing</u>	Total
Nursing Home (per bed)	\$19.80	\$22.00	\$53.89	<u>\$877.64</u>	\$95.69 <u>973.33</u>
Day Care (per student)	\$7.70	\$19.80	\$24.19	<u>\$389.60</u>	\$51.69 <u>441.29</u>
Lodging (per room)	\$24.19	\$52.80	\$67.10	<u>\$1072.44</u>	\$144.09 <u>1216.53</u>

(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.

Section 2. Section 8-9-1, B.R.C. 1981, is amended to read:

8-9-1. Purpose and legislative intent.

(a) Purpose: The purpose of this chapter is to charge an impact fee to applicants for nonresidential and residential development in the City to fund capital improvements needed to address demand attributable to new development for police, fire, library, human services, general municipal facilities and parks and recreation. The purpose of this section is to also charge an impact fee to applicants for nonresidential development in the city attributable to new development for affordable housing.

(b) Legislative Intent: The city council recites the following legislative findings and statements of intent that were taken into consideration in the adoption of this chapter:

- (1) The fees collected pursuant to this chapter are not intended to fund operation, maintenance or replacement costs or otherwise fund the general costs of government.
- (2) The capital facility impact fee applies regardless of the value of the property developed. The capital facility impact fee shall be imposed in addition to the development excise taxes imposed by chapters 3-8 and 3-9 and water, sanitary sewer and storm water and flood management plant investment fees imposed by sections 11-1-52, "Water Plant Investment Fee," 11-2-33, "Wastewater Plant

Investment Fee," and 11-5-11, "Storm Water and Flood Management Utility Plant Investment Fee," B.R.C. 1981, or other fees, taxes or charges of the City.

(3) The capital facility impact fee established in this chapter and section 4-20-62, "Capital Facility Impact Fee," B.R.C. 1981, is based in part on the methodology in the "Development Impact Fee Study" prepared by Tischler-Bise, Fiscal, Economic & Planning Consultants, dated January 8, 2009.

(4) The portion of the capital facility impact fee for affordable housing established in this chapter and section 4-20-62, "Capital Facility Impact Fee," B.R.C. 1981, is based in part on the methodology in the "Development Excise Tax" prepared by Tischler-Bise, Fiscal, Economic & Planning Consultants, dated January 9, 2009. The methodology used in that study is an approach based on the Boulder Valley Comprehensive Plan goal of at least ten percent of the total existing housing stock as permanently affordable housing. The fee is intended to defray the costs of providing permanently affordable housing that is associated with non-residential development.

(45) The city council finds that the development impact fee study and this chapter define classifications that are generally applicable to broad classes of property; quantifies the reasonable impacts of proposed development on capital facilities; and establishes charges at a level no greater than necessary to defray such impacts directly related to proposed development.

(56) The city council intends that the impact fees collected pursuant to this chapter are to be used to fund expenditures for capital facilities attributable to new development.

Section 3. The definition of "capital facility classification" in Section 8-9-2, B.R.C.

1981, is amended to read:

8-9-2. - Definitions.

Capital facility classification means each separate municipal capital facility area for which the capital facility impact fee is charged, including library, parks and recreation, human services, affordable housing, municipal facilities, police and fire.

Section 4. Section 8-9-5, B.R.C. 1981, is amended to read:

8-9-5. - Capital Facility Impact Fee to be Earmarked.

- (a) The city shall establish and maintain an impact fee account for each category of public facility for which an impact fee is imposed. Each such account must be clearly identified as to the category of public facility for which the impact fee has been imposed.
- (b) The city shall reflect the historical allocation of the impact fee in each annual budget. The funds collected will be allocated according to the following public facility categories; library, parks and recreation, human services, affordable housing, municipal facilities, police and fire and shall be used exclusively for the purpose of capital improvements related to each particular category.

Section 5. The increase in fees described in this ordinance shall be applied to all building permit applications that are made to the city on or after July 6, 2015.

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 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 3rd day of March, 2015.

Mayor

Attest:

City Clerk

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READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this __ day of _____, 2015.

Mayor

Attest:

City Clerk

Council Working Agreements

Council Process:

- The council will work on general discipline in being prepared to ask questions and make comments.
- The council asks the mayor to intervene if discussion on agenda items extends beyond a reasonable time frame.
- The council will engage in the practice of colloquy to fully explore the different sides of a specific point.
- The mayor will ask the city clerk to set the timer lights for council members if discussions begin to exceed efficient debate. Members should respect the lights as a time reminder, but will not be bound by them as absolute limits.
- Rather than restating a point, council members should simply say "I agree."
- The council agenda committee may, with advance notice, adjust each public speaker's time to two rather than three minutes during public hearings for items on which many speakers want to address the council.
- Council members will grant each other permission to mentor and support each other on how each person contributes to the goal of being accountable for demonstrating community leadership.
- In order to hear each other respectfully and honor the public, council will avoid body language that could convey disrespect, side conversations, talking to staff, whispering to neighboring council members, passing notes, and leaving the council chambers.
- Regarding not revisiting past discussions, the council should check-in with fellow members periodically to ensure that this is not an issue.
- During a council meeting, any form of electronic messages, including emails and texts, that relate to matters being considered and which arrived at any time during that meeting shall not be read by council members, nor shall any messages on matters under consideration be sent by council members.

Council Communication:

- Council members agree to keep quasi-judicial roles scrupulously separate between members of boards and members of council, avoid expressing ideas to board members on things coming before the board, and carefully disclose or recuse themselves when there is involvement with board members on a topic.
- Council agrees to e-mail the city manager about issues that they run into that staff or boards may be working on so that the manager can be actively involved in managing issues and keeping the full council informed well in advance of items coming before council for action.
- Members will keep the full council informed on issues from committees, public groups or other agencies that they are following, through hot line e-mails, brief verbal reports at the end of council meetings or other means.
- The council will find ways to support majority council decisions and adequately inform the public, through responsive letters that explain how divergent points of view were heard and honored in decisions, via standard e-mail responses for hot issues, by occasional council Letters to the Editor to clarify the facts, or by seeking out reporters after meetings to explain controversial decisions.

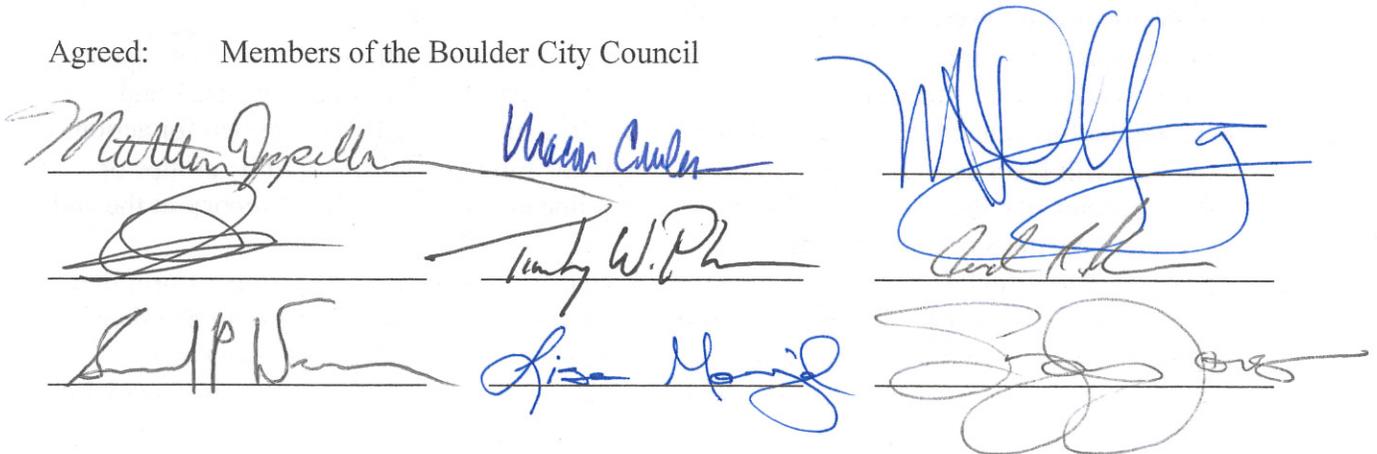
Council Committees:

- Council committee meetings will be scheduled to accommodate the council members on the committee.
- Notice of the times and places for each committee meeting will be noticed once per month in the Daily Camera.
- The council agenda will include time for reports from committees under Matters from Members of Council, noting that written communications from the committees are appropriate as well.

Selection of Mayor and Mayor Pro Tem:

- Council members will make a good faith effort to select the mayor and mayor pro tem in an open and transparent process.
- After the council election, members seeking election as mayor or mayor pro tem should:
 - make their interest in the positions known to their fellow members as soon as possible;
 - focus their communication with other council members on the positive attributes the member brings to the positions; and
 - refrain from any negative remarks about any person seeking election as mayor or mayor pro tem.
- Nominated individuals' presentations may include, but need not be limited to the following:
 - the skills and attributes the member would bring to the mayoral position;
 - the member's ability to efficiently run council meetings, respect the views of the minority while allowing the majority to rule, and perform other mayoral duties;
 - how the member would represent the city and city council and mayor position at gatherings outside of city council meetings
 - how the member would serve on and appoint other council members to regional and national boards and commissions; and
 - how the member would promote trust of the community and other council members.
- Council members should work to avoid divisiveness by being inclusive during the mayoral selection process.

Agreed: Members of the Boulder City Council



The image shows nine handwritten signatures in blue ink, arranged in three rows and three columns. Each signature is written over a horizontal line. The signatures are: Row 1: Matthew Appella, Warren Cullen, [unclear]; Row 2: [unclear], [unclear], [unclear]; Row 3: [unclear], Lisa Meryl, [unclear].

City of Boulder 2015 Work Plan

(Tentative as of December 16, 2014)

	Project		1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Climate and Energy	Energy Future and Associated Projects	Council	CC: Open Access Transmission Tariff			
			SS: Power Supply	SS (2): Rates, Energy Services, Power Supply	Project update	Project update
		Staff Activities	Budget update	Budget update	Budget update	Budget update
	Climate Commitment	Council	Municipalization Transition Plan	Municipalization Transition Plan	Municipalization Transition Plan	Municipalization Transition Plan
			Staff Activities	Launch action plan	SS: Review interim goals, targets and strategies Energy system transformation; blue print convening	Implementation based on action plan
		Staff Activities	Briefing	SS (2)		
Housing/Land Use Planning	Comprehensive Housing Strategy (Housing Boulder)	Council	Housing Matters launch event, engagement activities	Draft strategy development	Implementation based on adopted strategy	Implementation based on adopted strategy
		Staff Activities	SS: Direction of preferred scenario	SS : Draft plan and action plan		
	Sustainable Streets and Centers/ East Arapahoe	Council		Next Corridor - 30th St or Colorado		
		Staff Activities	Develop East Arapahoe action plan			
	Resilience	Council	SS	Direction or IP	Direction or IP	Direction or IP
		Staff Activities	Develop scoping plan	Strategy analysis and development	Strategy analysis and development	Strategy analysis and development
	Boulder Valley Comprehensive Plan	Council		SS	Direction or IP	Direction or IP
		Staff Activities	Issues identification	Strategy analysis and development	Strategy analysis and development	Strategy analysis and development
Transportation	Transportation Master Plan Implementation	Council	Update and coordinate with BVCP		Update and coordinate with BVCP	
		Staff Activities				
	Regional Travel	Council		Briefing		Briefing
		Staff Activities	Staff and elected official activities ongoing			
	Access Management and Parking Strategy (AMPS)	Council		SS : Review options & Update; including recommendations for TDM tool kit for new development	Council action on TDM Tool Kit for new development	Recommendations including planning code changes
						SS: Review options and update
		Staff Activities	Ongoing work plan in 7 focus areas	Ongoing work plan	Ongoing work plan	Ongoing work plan
			Alternatives analysis and specific option development		Specific option development/refinements	
	Joint Board workshop & public engagement		Joint Board workshop & public engagement			

City of Boulder 2015 Work Plan

(Tentative as of December 16, 2014)

	Project		1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	
Civic Area	Civic Area Implementation	Council	SS: Parkland Concepts Plan	CC: Approval of Concept Plan			
		Staff Activities	Outreach to community & partners; create delivery plan for spring, summer, fall events	Deliver spring events	Deliver summer activities and events	Review 2015 activation; compare lessons from 2014 and revise for 2016	
			Draft of parkland concept plan options for public workshop, Boards, Council review	Board/Commission input on Concept Plan	Begin detailed design work on park improvements	Complete detailed design work for bidding	
			Develop overall site master plan concepts, begin to formulate major capital projects	Initial feasibility planning on major capital projects	Continue to develop capital projects, identify potential partners, explore financing options	Continue to develop capital projects, identify potential partners, explore financing options	
Local Food	Sustainable Agriculture and Local Foods	Council	IP and local meals for Council Pilot		Council consideration of Local Food Procurement Policy; Review and acceptance of Ag Resources Management Plan	Council consideration of Local Food Procurement Policy; Review and acceptance of Ag Resources Management Plan	
		Staff Activities					
Livability	University Hill Moratorium	Council	SS: Review options		IP		
			CC: Public Hearing and Decision				
		Staff Activities	Recommendation & development of ordinances, changes and recommend other strategies to address Moratorium goals	Follow up on other strategies & coordination with Hill Reinvestment Strategy; incorporate strategies into other work plan			
			Board review & public engagement		Board review & public engagement		
	University Hill Reinvestment Strategy	Council			Direction on 14 th Street redevelopment proposal		SS
					SS: Update on strategy		
		Staff Activities	Residential service district (RSD) pilot program	RSD pilot program	RSD pilot program	RSD pilot program	
			Work plan implementation	Work plan implementation	Work plan implementation	On-going work plan implementation	
			Establish benchmarks and evaluation criteria	Commercial district: Eco Pass Study & Commercial bear dumpsters	Implement volunteer program for clean up	Evaluate existing programs	
			14 th Street Lot public/private partnership redevelopment options re: work force affordable housing	14 th Street Lot public/private partnership redevelopment options re: work force affordable housing	Research options for sustainable governance & funding	Develop options for sustainable governance & funding	
	Stakeholder engagement	Stakeholder engagement	Stakeholder engagement	Stakeholder engagement			
Homeless Action Plan	Council	IP: 2014 Accomplishments	SS: As part of Human Services strategy update		IP - Services and Regional coordination update		
	Staff Activities						
Community Cultural Plan	Council	Council update and input on testing phase	Briefing	SS: Adoption of Community Cultural Plan			
	Staff Activities	Research phase complete. Drafting phase complete. Testing phase begins	Testing phase complete. Certification phase begins	Implementation begins. New public art policy drafting	Public Art Policy drafting		

City of Boulder 2015 Work Plan

(Tentative as of December 16, 2014)

	Projects		1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Other	Boulder Junction	Council				
		Staff Activities	Ongoing redevelopment coordination	North Side of Pearl and Goose Creek bridge landscaping install. Bridge opens		Depot Square opens
	Capital Projects Activity	Council	Ongoing and Wastewater Collection System Rehabilitation program begins	Ongoing	SS: 2016-2021 CIP	Ongoing
		Staff Activities				
	CityWide Special Events	Council	Report on 2015 City Events			Summary of 2015 City Events
		Staff Activities	Implement new events application and internal review process	Refine systems as needed	Refine systems as needed	Improve events application for new online Landlinks System in 2016
	Community Broadband	Council	SS			SS
		Staff Activities	Broadband Action Group formation and consultant assessment	Consultant assessment continued	Consultant assessment continued	Present findings and recommendations
	Design Excellence	Council	SS: Staff Recommendations design tools/process changes	IP	CC: Draft recommendations/Adopt strategy	
		Staff Activities	Issues identification/ preliminary work on design tools/ process changes	Technical analysis /develop options	Draft recommendations	
			Public engagement	Boards/public engagement	Boards/public engagement	
	Flood-related Annexations	Council				
		Staff Activities	Flood Annexations - Individual	Flood Annexations - Old Tale Rd	Ongoing	Ongoing
	Human Services Strategy	Council		SS		Public Hearing
		Staff Activities				
	Flood Management	Council			IP: Stormwater Master Plan and Wastewater Collection System Master Plan consideration	
		Staff	Stormwater Master Plan and Wastewater Collection System Master Plan updates continue	Stormwater Master Plan and Wastewater Collection System Master Plan updates continue		
	Smoking Ban - Implementation	Council	CC: Second reading			
		Staff Activities	Education campaign	Enforcement begins	Monitor Outcomes	Monitor Outcomes
	Vacation Rental by Owner (VRBO)	Council	SS			
Staff Activities		Research regulations and possible fees or taxes				

COUNCIL MEMBERS

Matthew Appelbaum	Mayor
Suzanne Jones	Mayor Pro Tem
Macon Cowles	Council Member
George Karakehian	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	Executive Director of Energy Strategy and Electric Utility Development
Michael Calderazzo	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
James Cho	Acting Municipal Court Administrator
Tracy Winfree	Acting Open Space and Mountain Parks Director
Yvette Bowden	Parks and Recreation Director
Greg Testa	Police Chief
Maureen Rait	Executive Director of Public Works
Cheryl Pattelli	Director of Fiscal Services
Mike Sweeney	Acting Transportation Director
Jeff Arthur	Utilities Director

2015 City Council Committee Assignments

INTERGOVERNMENTAL ORGANIZATIONS

Beyond the Fences Coalition	Morzel, Plass (Castillo – staff alternate)
Boulder County Consortium of Cities	Young, Morzel (alternate)
Colorado Municipal League (CML) – Policy Committee	Jones, Cowles (Castillo – staff alternate)
Denver Regional Council of Governments (DRCOG)	Jones, Plass
Housing Authority (Boulder Housing Partners)	Shoemaker
Metro Mayors Caucus	Appelbaum
National League of Cities (NLC)	Appelbaum, Cowles
Resource Conservation Advisory Board	Morzel (at large seat), Plass
Rocky Flats Stewardship	Morzel, Plass (1 st alternate), Castillo (2 nd alternate)
University of Colorado (CU)/City Oversight	Cowles, Shoemaker, Weaver
US36 Mayors and Commission Coalition	Appelbaum
US36 Commuting Solutions	Karakehian, Morzel (alternate)
Urban Drainage and Flood Control District	Jones

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	Weaver, Young

INTERNAL CITY COMMITTEES

Audit Committee	Cowles, Morzel, Shoemaker
Boards and Commissions Committee	Plass, Shoemaker
Boulder Urban Renewal Authority (BURA) Mayoral Appointment	Karakehian
Charter Committee	Karakehian, Morzel, Weaver
Civic Use Pad/ 9 th and Canyon	Karakehian, Morzel, Young
Council Employees Salary Review	Cowles, Shoemaker
Council Retreat Committee	Jones, Morzel
Evaluation Committee	Morzel, Plass
Housing Strategy Process Sub-Committee	Morzel, Shoemaker, Young
Legislative Committee	Jones, Karakehian, Weaver
School Issues Committee	Morzel, Plass, Shoemaker

SISTER CITY REPRESENTATIVES

Jalapa, Nicaragua	Jones
Kisumu, Kenya	Morzel
Llaza, Tibet	Shoemaker
Dushanbe, Tajikistan	Weaver
Yamagata, Japan	Plass
Mante, Mexico	Young
Yateras, Cuba	Karakehian, Cowles (alternate)
Sister City Sub-Committee	Morzel, , Karakehian

2015 Study Session Calendar

	A	B	C	D	E	F	G	H	I
1	Date	Status	Topic		Location	Contacts	Materials Due	Draft Summary Due	Final Summary Due
33	05/12/15	Approved	Boulder's Energy Future	6-6:45 PM	Chambers	Heidi Joyce/Heather Bailey	04/30/15	05/21/15	05/27/15
34		Approved	Commercial and Industrial Energy Efficiency Ordinance Options	6:45-8:15 PM	Chambers	Kendra Tupper/Melinda Melton	04/30/15	05/21/15	05/27/15
35		Approved	Resilience	8:15-9 PM	Chambers	Greg Guibert/Melinda Melton	04/30/15	05/21/15	05/27/15
36									
37	05/26/15	Approved	Briefing: Form Based Code	5:30-6:30 PM	Chambers	Sam Assefa/Melinda Melton			
38		Approved	Update on the Community Cultural Plan	6:30-7:30	Chambers	Matt Chasansky/Carrie Mills	05/14/15	06/04/15	06/10/15
39		Approved	AMPS Update	7:30-9PM	Chambers	Molly Winter/Ruth Weiss	05/14/15	06/04/15	06/10/15
40									
41	06/09/15	Approved	Housing Boulder	6-7:30 PM	Chambers	Jay Sugnet/Melinda Melton	05/28/15	06/18/15	06/24/15
42		Approved	BVCP/Resilience	7:30-9 PM	Chambers	Lesli Ellis/Melinda Melton			
43									
44	06/23/15	Council Recess June 17-July 12							
45	06/30/15	Council Recess June 17-July 12							
46									
47	07/14/15	Approved	Ballot Measures	6-7:30 PM	Chambers	Elena Lazarevska/Bob Eichem	07/02/15	07/23/15	07/29/15
48		Approved	Discussion on Potential Head Tax	7:30-9 PM	Chambers	Elena Lazarevska/Bob Eichem			
49									
50	07/28/15	Approved	Briefing: West Fourmile area (Ponderosa MHP) planning grant	5:30-6 PM	Chambers	Chris Meschuk/Melinda Melton	N/A	N/A	N/A
51		Approved	Climate Commitment Goal and Strategy Proposal	6-7:30 PM	Chambers	Brett KenCairn/Melinda Melton	07/16/15	08/06/15	08/12/15
52		OPEN		7:30-9 PM	Chambers		07/16/15	08/06/15	08/12/15
53									
54	08/11/15	Approved	2016 CIP Study Session	6-7:30 PM	Chambers	Elena Lazarevska/Bob Eichem	07/30/15	08/20/15	08/26/15
55		Approved	Form-Based Code Pilot	7:30-9 PM	Chambers	Sam Assefa/Melinda Melton	07/30/15	08/20/15	08/26/15
56									
57	08/25/15	OPEN	Briefing:	5:30-6 PM	Chambers		N/A	N/A	N/A
58		Approved	TMP Implementation Follow Up (pending first check-in on 2/24)	6-7:30 PM	Chambers	Randall Rutsch/Rene Lopez	08/13/15	09/03/15	09/09/15
59		Approved	Envision East Arapahoe Transportation Analysis and Medical Office Use	7:30-9 PM	Chambers	Randall Rutsch/Rene Lopez	08/13/15	09/03/15	09/09/15
60									
61	09/08/15	Approved	2016 Budget Study Session	6-7:30 PM	Chambers	Elena Lazarevska/Bob Eichem	08/27/15	09/17/15	09/23/15
62		Approved	Emerald Ash Borer	7:30-9 PM	Chambers	Kathleen Alexander/Sally Dieterich	08/27/15	09/17/15	09/23/15
63									
64	9/17/2015 (tentative)	OPEN	Briefing:	5:30-6 PM	Chambers		N/A	N/A	N/A
65		Approved	2016 Budget Study Session	6-7:30 PM	Chambers	Elena Lazarevska/Bob Eichem	09/10/15	10/01/15	10/07/15
66		Approved	Mobile Home Parks	7:30-9 PM	Chambers		09/10/15	10/01/15	10/07/15
67									
68	09/29/15	Tentative	30th and Pearl City-owned Site Options (moved from 7/28)	6-7:30 PM	Chambers	David Driskell/Melinda Melton	09/17/15	10/08/15	10/14/15
69		OPEN		7:30-9 PM	Chambers				
70									
71	10/13/15	Approved	Resilience Strategy Study Session	6-7:30 PM	Chambers	Greg Guibert/Melinda Melton	10/01/15	10/22/15	10/28/15
72		OPEN		7:30-9 PM	Chambers				
73									
74	10/27/15	OPEN	Briefing:	5:30-6 PM	Chambers		N/A	N/A	N/A
75		Approved	Broadband Working Group Status Update	6-7 PM	Chambers	Don Ingle	10/15/15	11/05/15	11/11/15
76		OPEN		7-9 PM	Chambers				
77									
78	11/10/15	Approved	AMPS Update	6-7 PM	Chambers	Molly Winter/Ruth Weiss	10/29/15	11/19/15	11/25/15
79		OPEN		7-9 PM	Chambers				
80									
81	11/24/15	Thanksgiving Holiday Week							
82									
83	12/08/15	Approved	Utility Rate Study: Preliminary Findings	6-7:30 PM	Chambers	Eric Ameigh/Jeff Arthur/Rene Lopez	11/25/15	12/17/15	12/23/15
84		OPEN		7:30-9 PM	Chambers				
85									
86	12/22/15	Christmas Holiday Week							
87	12/29/15	New Years Holiday Week							

May 5, 2015 Start Time: 6:00 PM Business Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 4/23 :: Final 4/29
Agenda Section	Item Name	Time	Minutes			
SPECIAL PRESENTATIONS	2015 Declaration of Boulder Historic Preservation Month					
	2015 Declaration in support of US Transportation Mayor's Challenge for Safer Streets, Safer People	10			yes	David Kemp/Erin Raney
OPEN COMMENT		45	Minutes			
CONSENT	First Adjustment to Base - First Reading	15	Minutes	No		Elena Lazarevska/Bob Eiche
	Bee Safe Boulder Resolution			no		Rella Abernathy/Melinda Melton
	First Reading Ordinance for Zero Waste Requirements			yes		Kara Mertz/Melinda Melton
	Proposed Appropriations for Ballot Item 2A Capital Projects and Appropriations for Recreational Marijuana (2nd reading) - moved from 4/21					Bob Eiche/Elena Lazarevska
PUBLIC HEARINGS	Oliver acquisition	20	Minutes	no	yes	Jim Schmidt/Cecil Fenio
	2nd reading ordinance rezoning 1900 Folsom	30	Minutes	no	yes	Chandler Van Schaack/Melinda Melton
	2nd reading Affordable Housing Linkage Fee	90	Minutes	yes	yes	Susan Richstone/Melinda Melton
MATTERS FROM CITY MANAGER			Minutes			
MATTERS FROM CITY ATTORNEY			Minutes			
MATTERS FROM MEMBERS OF COUNCIL	Appointment to BVCP Working Group	15	Minutes	no	no	Heidi Leatherwood/Dianne Marshall
CALL-UPS	Potential call-up of site review for height modification at 2030 Vassar Street					Chandler Van Schaack/Melinda Melton
Total Estimated Meeting Time (Hours:Minutes)		3:45				

May 19, 2015 Start Time: 6:00 PM Business Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 5/7 :: Final 5/13
Agenda Section	Item Name	Time	Minutes			
SPECIAL PRESENTATIONS	Declaration for the Gamm's Donation to the Dairy Center for the Arts	10	Minutes			
OPEN COMMENT		45	Minutes			
CONSENT	First Adjustment to Base - Second Reading	15	Minutes			Elena Lazarevska/Bob Eiche
	Proposed cooperative transit TIGER grant application with CU Boulder					Randall Rutsch/Erin Raney
	Motion to approve Letter of Intent with CAGID and St. Julien regarding development of the civic use pad					Molly Winter/Ruth Weiss
	BRC Supplement 123 Emergency Ordinance					Mary Wallace
	Motion to approve a twenty-year lease for two right-of-way encroachments for the benefit of the property located at 1060 5th Street					Sloane Walbert/Melinda Melton
	Consideration of a motion to approve a twenty-year lease for a right-of-way encroachment for the benefit of the property located at 1900 Bluebell Avenue					Sloane Walbert/Melinda Melton
PUBLIC HEARINGS	Second Reading Ordinance for Zero Waste Requirements	90	Minutes	yes	yes	Kara Mertz/Melinda Melton
	96 Arapahoe Concept Plan	90	Minutes	no		Elaine McLaughlin/Melinda Melton
	2nd Reading Ordinance Amending the 9th & Canyon Urban Renewal Plan	30	Minutes	yes	yes	Molly Winter/Ruth Weiss
MATTERS FROM CITY MANAGER			Minutes			
MATTERS FROM CITY ATTORNEY			Minutes			
MATTERS FROM MEMBERS OF COUNCIL	Update from Council Employee Evaluation Committee	10	Minutes	no	no	Aimee Kane
CALL-UPS			Minutes			
Total Estimated Meeting Time (Hours:Minutes)		4:50				

May 28, 2015 Start Time: 6:00 PM Special Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 5/14 :: Final 5/21
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Agenda Section	Item Name	Time	Minutes			
PUBLIC HEARINGS	Council Decision on proposed landmarking of 747 12th St. (public hearing was closed on 4/14)	60	Minutes			
	2nd Reading and Consideration of Approval of Amendments to Title 9 for Medical Office	60	Minutes	no	yes	Jeff Hirt/Melinda Melton
	Total Estimated Meeting Time (Hours:Minutes)	2:00				

June 2, 2015 Start Time: 6:00 PM Business Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 5/21 :: Final 5/27
Agenda Section	Item Name	Time	Minutes			
SPECIAL PRESENTATIONS			Minutes			
OPEN COMMENT		45	Minutes			
CONSENT	Notice of Sale for Stormwater/Flood Bonds	15	Minutes		no	Bob Eichem/Elena Lazarevska
	Study Session Summary for 5/12 Commercial and Industrial Energy Efficiency Ordinance Options					Kendra Tupper/Melinda Melton
	Study Session Summary 4/28: Human Services Strategy			no		Todd Jorgensen/Linda Gelhaar
	Ordinance Regulating Short Term Rentals			yes		Tom Carr/Heather Hayward
PUBLIC HEARINGS			Minutes			
			Minutes			
MATTERS FROM CITY MANAGER	Motion to accept the Boulder County Age Well Plan Update	30	Minutes	no	yes	Betty Kilsdonk/Linda Gelhaar
	Request for Direction on Occupancy	60	Minutes	no	yes	Tom Carr/Heather Hayward
MATTERS FROM CITY ATTORNEY						
MATTERS FROM MEMBERS OF COUNCIL			Minutes			
CALL-UPS			Minutes			
		Total Estimated Meeting Time (Hours:Minutes)		2:30		

June 16, 2015 Start Time: 6:00 PM Business Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 6/4 :: Final 6/10
Agenda Section	Item Name	Time	Minutes			
SPECIAL PRESENTATIONS			Minutes			
OPEN COMMENT		45	Minutes			
CONSENT	Bond Ordinance - Sale of the Stormwater/Flood Bonds	15	Minutes		no	Bob Eichem/Elena Lazarevska
	Disposal of a Utility Easement					Jim Schmidt/Cecil Fenio
	Lefthand Canyon property disposal and construction easement					Jim Schmidt/Cecil Fenio
	Ordinance re Council Pay Ballot Measure			yes		Tom Carr/Heather Hayward
	Ordinance re Charter Revisions for the Library			yes		Tom Carr/Heather Hayward
PUBLIC HEARINGS	Public Hearing and Acceptance of Updated Civic Area Master Plan	60	Minutes		yes	Joanna Crean/Melinda Melton
	Living Laboratory Phase II Complete Streets pilot projects	45	Minutes	no	yes	Marni Ratzel/Erin Raney
MATTERS FROM CITY MANAGER	Consideration of Guiding Principles for the Form Based Code (FBC)	45	Minutes	no	yes	Karl Guiler/Melinda Melton
MATTERS FROM CITY ATTORNEY			Minutes			
MATTERS FROM MEMBERS OF COUNCIL			Minutes			
CALL-UPS			Minutes			
		Total Estimated Meeting Time (Hours:Minutes)		3:30		

Council Recess - June 17 to July 12

July 21, 2015 Start Time: 6:00 PM Business Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 7/9 :: Final 7/15
Agenda Section	Item Name	Time	Minutes			
SPECIAL PRESENTATIONS			Minutes			
OPEN COMMENT		45	Minutes			
CONSENT	Study Session Summary for 6/9 BVCP/Resilience item	15	Minutes			Lesli Ellis/Melinda Melton
	Study Session Summary for 6/9 Housing Boulder item					Jay Sugnet/Melinda Melton
	Ordinance re Short Term Rental Tax			yes		Tom Carr/Heather Hayward
	Ordinance re Occupancy Extension Tax			yes		Tom Carr/Heather Hayward
PUBLIC HEARINGS	BVCP schedule, work plan, and process for landowners and the general public to submit requests for changes to the plan	45	Minutes	no	yes	Lesli Ellis/Melinda Melton
	Flood Mapping Studies for Upper Goose and Twomile Canyon Creek and Skunk, King's Gulch and Bluebell Creeks	50	Minutes	no	yes	Annie Noble/Erin Raney
	Community Cultural Plan Final Review	90	Minutes	no	yes	Matt Chasansky/Carrie Mills
MATTERS FROM CITY MANAGER						
MATTERS FROM CITY ATTORNEY			Minutes			
MATTERS FROM MEMBERS OF COUNCIL			Minutes			
CALL-UPS			Minutes			
	Total Estimated Meeting Time (Hours:Minutes)	4:05				



TO: Members of Council
FROM: Mary Moline, City Clerk's Office
DATE: May 5, 2015
SUBJECT: Information Packet

1. CALL UPS

- A. Planning Board denial of a Site Review for a Height Modification only, application LUR2014-00090, to construct a 1,146 square foot addition to an existing single family home at 2030 Vassar St. in the RL-1 zone district at a height of 39'5" where 35' is the maximum principal building height allowed by the zone district standards.

2. INFORMATION ITEMS

None

3. BOARDS AND COMMISSIONS

- A. Human Relations Commission, April 20, 2015
- B. Open Space Board of Trustees, April 8, 2015
- C. Parks and Recreation Advisory Board, March 23, 2015
- D. Parks and Recreation Advisory Board, February 23, 2015
- E. Transportation Advisory Board, March 9, 2015
- F. Water Resources Advisory Board, February 23, 2015

4. DECLARATIONS

- A. Gamm's Donation and Support of the Arts
- B. Historic Preservation Month
- C. Mayor's Challenge for Safer People, Safer Streets



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: May 5, 2015

Subject: Call-Up Item: Planning Board denial of a Site Review for a Height Modification only, application LUR2014-00090, to construct a 1,146 square foot addition to an existing single family home at 2030 Vassar St. in the RL-1 zone district at a height of 39'5" where 35' is the maximum principal building height allowed by the zone district standards.

EXECUTIVE SUMMARY:

On April 2, 2015, the Planning Board held a quasi-judicial hearing to review the proposed Site Review application for 2030 Vassar Drive described above. On a motion by **C. Gray**, seconded by **L. May**, the Planning Board voted 5-2 (**B. Bowen** and **J. Putnam** opposed) to deny the Site Review application and to continue the hearing to its next meeting for preparation and consideration of draft findings of fact. The hearing was continued at the April 16, 2015, Planning Board meeting, at which the board adopted the staff memorandum as findings of fact and conclusions of law (see **Attachment A**) and voted 5-2 (**B. Bowen** and **J. Putnam** opposed) to deny the subject application. The Planning Board's denial is subject to a 30-day call-up period by City Council which expires on **May 18, 2015**.

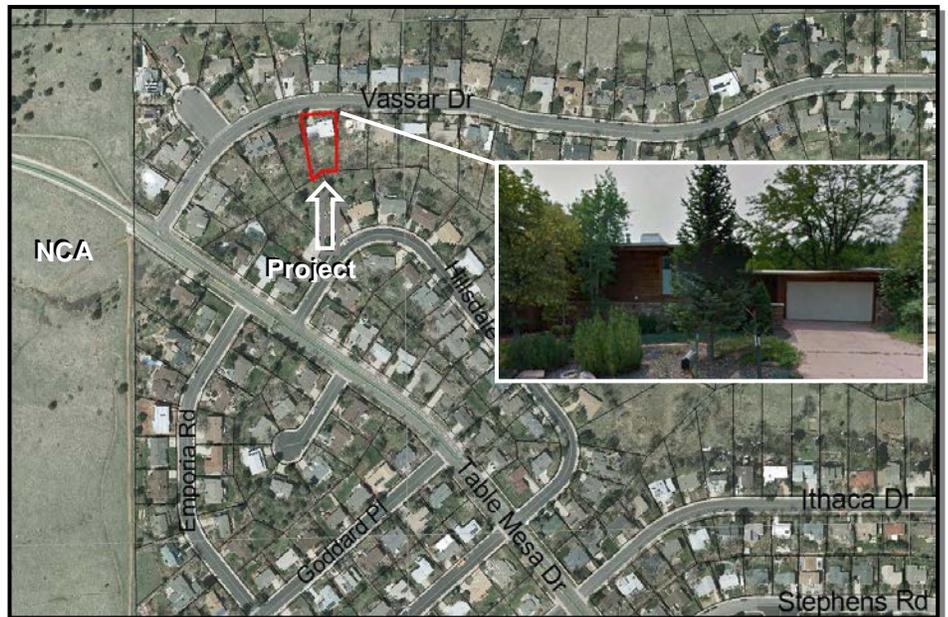


Figure 1: Vicinity Map

The intent of this proposal is to request a height modification to allow for a 1,146 square foot addition to an existing single family home to exceed the 35' maximum principal building height by 4'5" to reach a total measured height of 39'5". The applicant is also proposing to add a 60 square foot covered front porch on the north side of the home, as well as a 79 square foot open deck to the second floor that would be situated between the finished floor additions on the south side of the home. The proposed design would utilize the existing materials palette of stone and lap siding while incorporating stucco siding onto the proposed upper level dormers. The proposal also adds a sloped roof design with wood roof beams at the entry and incorporates ample new fenestration into all elevations. The existing building footprint would remain unchanged aside from an extension of the garage by 5 feet to the north, with the proposed addition incorporating low-sloped, hip-configured roof lines that extend inward from the existing main floor exterior walls. Aside from the requested height modification, no other modifications to the land use regulations are proposed, and the applicant has demonstrated that the home would meet all other development standards for the RL-1 zone, including compatible development and solar access standards, following the proposed addition.

As shown in the application materials (please see **Attachment B**), the applicant is proposing to reconfigure and build upon the existing split-level design in order to add two new levels to the interior of the home (for a total of three stories on the east side of the home and two stories on the west side) while increasing the building height by 10 feet and restricting the portion of the addition which exceeds the 35' height limit to a roughly 641 square foot portion of the upper level roof. The proposed addition includes the removal of the existing deck on the south elevation, from which the low point within 25 feet is currently measured, which will raise the elevation of the low point by roughly 5 feet. Therefore, the addition of 10 feet in building height as currently proposed will only result in an increase in the measured height of roughly 5 feet – from 34 feet existing to 39'5" proposed. Following the proposed addition, the low point within 25 feet of the structure from which height is measured would still be 11 feet lower in elevation than the low point on the tallest side of the structure and almost 12 feet lower in elevation than the lowest visible point from the street. Thus, while the proposed height of the structure as determined by the land use code is 39'5", the perceived building height as seen from street-level would be roughly 27'8". Please refer to **Attachment B** for the Applicant's Proposed Plans and Written Statement.

The Planning Board's denial is subject to a 30-day call-up period by City Council which expires on **May 18, 2015**. City Council is scheduled to consider this application for call-up at its **May 5, 2015** public meeting.

The staff memorandum to Planning Board, minutes, meeting audio, and other related background materials are on the city website for Planning Board, available [here](#) (Follow the links: 2015 → 04 APR → go to 04.02.2015 PB Packet for the April 2, 2015 Planning Board meeting materials and to 04.16.2015 PB Packet for the April 16, 2015 meeting materials).

BACKGROUND:

Site Context.

The 11,966 square foot project site is located in south Boulder, just north of the intersection of Vassar Drive and Table Mesa Drive near the boundary of the National Center for Atmospheric Research (NCAR) property, within the Residential- Low 1 (RL-1) zoning district. Per section 9-5-

2(c)(1)(A) of the land use code, the RL – 1 zone district is defined as “*Single-family detached residential dwelling units at low to very low residential densities.*” The surrounding area north of Table Mesa is also zoned RL-1, and is characterized by low density, suburban style development comprised of large lot, single family residential lots laid out along curvilinear streets, loop roads and cul-de-sacs. Please see **Figure 1** for a vicinity map.

The context of the area immediately surrounding the subject site is characterized by large (11,000 to 17,000 sq. ft.), steeply sloped lots with a variety of split-level home configurations. Many of the existing structures along Vassar Dr. near the project site were constructed in the 1960’s, and represent a variety of architectural styles including ranch, modern craftsman and other styles. The context along Vassar Dr. is unique in that in addition to the significant slope of the street as it runs from west to east, most of the lots on both sides of the street slope steeply downward away from the street, creating a situation where many homes appear as a 1- or 2-story home from the street but have a split-level configuration with a walk-out basement or some other partially below-grade story.

Currently, the project site contains an existing 2,860 square foot split-level home with an attached garage. An at-grade entry on the north side of the house leads to a lower walk-out story containing a recreation room, home office, mechanical equipment, storage, two bedrooms and a shared bath; and an upper level containing the kitchen, dining room, family room, master bedroom, and 1 1/2 baths. The lot is situated on a steeply sloped site - the highest grade elevation is approximately 5,651', and the low elevation is approximately 5,614', which is a change in elevation of approximately 37' over the 165' diagonal distance across the lot, for an average grade of about 22%. Due to the steep slope of the project site and the location of the existing building, the low point elevation from which height is currently measured is 5,626 feet, whereas the existing roof elevation is 5660 feet. Thus, while the existing home has a perceived height of roughly 17’8” from street-level (see **Sheet A3.1** in the Application materials, included as **Attachment B**), the height as measured by the land use code is roughly 34 feet.

ANALYSIS:

The Planning Board discussed the proposed height modification at their April 2, 2015 meeting. The board heard a presentation by staff recommending approval of the subject application, and also heard presentations by the homeowner and architect for the project. Three neighbors spoke at the meeting in opposition to the proposal and expressed concerns that the addition would block existing views from their properties. On a motion by **C. Gray**, seconded by **L. May**, the Planning Board voted 5-2 (**B. Bowen** and **J. Putnam** opposed) to deny the Site Review application LUR2014-00090 and that the Planning Board continue the hearing and that the item return to the Planning Board at its next meeting with the findings of fact.

Planning Board members had differing opinions regarding the compatibility of the proposed project with the surrounding neighborhood. **J. Putnam** and **B. Bowen** felt that it met the Site Review criteria and BVCP goals while the remaining members did not. Specifically, the remaining members felt that the project would not be compatible with the surrounding area, and that the proposed height would not be in proportion to the heights of other existing buildings nearby. Please see **Attachment C** for the draft meeting minutes from the April 2 Planning Board meeting and **Attachment A** for the final adopted findings of fact.

Summary of Findings.

Based on a consideration of the entire evidentiary record, the Planning Board makes the

following findings of fact. The Applicant failed to demonstrate, based upon a preponderance of evidence, that:

1. Site Design: The project preserves and enhances the community's unique sense of place through creative design that respects historic character, relationship to the natural environment, and its physical setting, and that the project utilizes site design techniques which enhance the quality of the project (§9-2-14(h)(2), B.R.C. 1981).
2. Boulder Valley Comprehensive Plan. The proposed plan is consistent with the purposes and policies of the Boulder Valley Comprehensive Plan. §9-2-14(h)(1)(A), B.R.C. 1981.

Findings of Fact and Conclusions of Law.

In evaluating the credibility and weight to be given to the evidence, the Planning Board considered the entire record (which included materials provided by the Applicant, Planning staff, and testimony and information produced at the public hearing), and weighed a number of specific factors, the collective and corroborative weights of which were considered as follows:

1. Site Design: §9-2-14(h)(2), B.R.C. 1981. The Applicant failed to demonstrate, based on a preponderance of evidence, that the project preserves and enhances the community's unique sense of place through creative design that respects historic character, relationship to the natural environment, and its physical setting, and that the project utilizes site design techniques which enhance the quality of the project. Further,

The building height, mass, scale, orientation, and configuration are not compatible with the existing character of the area or the character established by adopted design guidelines or plans for the area (§9-2-14(h)(2)(F)(i), B.R.C. 1981); and,

The height of the building is not in general proportion to the height of existing buildings and the proposed or projected heights of approved buildings or approved plans or design guidelines for the immediate area (§9-2-14(h)(2)(F)(ii), B.R.C. 1981).

2. Boulder Valley Comprehensive Plan: §9-2-14(h)(1)(A), B.R.C. 1981. In order to be approved, a project must demonstrate that it is consistent with the purposes and policies of the Boulder Valley Comprehensive Plan. The Boulder Valley Comprehensive Plan has specific policies related to neighborhood compatibility. The Planning Board finds the following Comprehensive Plan policies are relevant to this application:

2.09 Neighborhoods as Building Blocks. The Planning Board finds that the Applicant failed to demonstrate that the project would be compatible with the existing neighborhood character and identity.

2.10 Preservation and Support for Residential Neighborhoods. The Planning Board finds that the Applicant failed to demonstrate that the project would be

of an appropriate scale and would be compatible with the existing neighborhood character.

2.30 *Sensitive Infill and Redevelopment.* The Planning Board finds that the Applicant failed to demonstrate that the project would avoid negative impacts and enhance the benefits of redevelopment to the neighborhood.

2.37 *Enhanced Design for Private Sector Projects, Section (a), The Context.* The Planning Board finds that the Applicant failed to demonstrate that the project would become a coherent part of the neighborhood in which it would be placed, and would preserve and enhance the existing character of the area.

The Planning Board's denial is subject to a 30-day call-up period by City Council which expires on **May 18, 2015**. City Council is scheduled to consider this application for call-up at its **May 5, 2015** public meeting.

ATTACHMENTS:

- A. Notice of Disposition and Findings of Fact dated April 16, 2015
- B. Applicant's Proposed Plan
- C. Draft Meeting Minutes from April 2, 2015 Planning Board Hearing



CITY OF BOULDER
Community Planning & Sustainability

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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 **April 16, 2015** 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: **DENIED**
PROJECT NAME: **MCCLELLAND RESIDENCE**
DESCRIPTION: **SITE REVIEW to construct a 1,146 square foot addition to an existing single family home at a height of 39'5" where 35' is the maximum principal building height allowed by the zone district standards.**

LOCATION: **2030 VASSAR DR**
COOR: **S03W05**
LEGAL DESCRIPTION: **Lot 6, Block 4, Table Mesa First Addition, City of Boulder, County of Boulder, State of Colorado**

APPLICANT: **KYLE CALLAHAN**
OWNER: **Donald McClelland, II**
APPLICATION: **Site Review, LUR2014-00090**
ZONING: **RL-1**
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.**

At its public hearing on April 16, 2015, continued from April 2, 2015, the Planning Board denied the request (below) per the following motion:

C. Gray, moved that the Planning Board finds that application no. LUR2014-00090 fails to meet the requirements of the Boulder Revised Code, denies the application, and adopts the staff memorandum dated for the April 16, 2015 Planning Board meeting as findings of fact and conclusions of law. L. Payton seconded the motion. Motion passed 5:2 (B. Bowen and J. Putnam opposed).

Summary.

On April 2, 2015, the Planning Board held a quasi-judicial hearing to review the proposed Site Review application for 2030 Vassar Drive described above. On a motion by **C. Gray**, seconded by **L. May**, the Planning Board voted 5-2 (**B. Bowen** and **J. Putnam** opposed) to deny the Site Review application and to continue the hearing to its next meeting for preparation and consideration of draft findings of fact . The Planning Board is required to make findings within 30 days of the hearing. Staff has prepared the following draft findings of denial.

Introduction.

In accordance with the requirements of Chapter 9-2-14, B.R.C. 1981, the City of Boulder Planning Board (the "Planning Board"), on April 2, 2015, held a public hearing after giving notice as required by law on the application for the above captioned Site Review.

Kyle Callahan, as the proponent (The "Applicant") of the application for a Site Review Height Modification, is seeking approval for the construction of a 1,146 square foot addition to an existing single family home at 2030 Vassar St. in the

Address: 2030 Vassar Dr.

RL-1 zone district at a height of 39'5" where 35' is the maximum principal building height allowed by the zone district standards (Site Review Application # LUR2014-00090) (the "Project"). The Applicant has the burden of proof to demonstrate that the application meets the requirements of the Boulder Revised Code. Subsection 1-3-5(h). B.R.C. 1981.

Summary of Findings.

Based on a consideration of the entire evidentiary record, the Planning Board makes the following findings of fact. The Applicant failed to demonstrate, based upon a preponderance of evidence, that:

1. Site Design: The project preserves and enhances 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, and that the project utilizes site design techniques which are consistent with the purpose of site review in subsection (a) of §9-2-14, B.R.C. 1981, and enhance the quality of the project. §9-2-14(h)(2), B.R.C. 1981.
2. Boulder Valley Comprehensive Plan. The proposed plan is, on balance, consistent with the policies of the Boulder Valley Comprehensive Plan. §9-2-14(h)(1)(A), B.R.C. 1981.

Findings of Fact and Conclusions of Law.

In evaluating the credibility and weight to be given to the evidence, the Planning Board considered the entire record (which included materials provided by the Applicant, Planning staff, and the public and testimony and information produced at the public hearing), and weighed a number of specific factors, the collective and corroborative weights of which were considered as follows:

1. Site Design: §9-2-14(h)(2), B.R.C. 1981. The Applicant failed to demonstrate, based on a preponderance of evidence, that the project preserves and enhances the community's unique sense of place through creative design that respects historic character, relationship to the natural environment, and its physical setting, and that the project utilizes site design techniques which are consistent with the purpose of site review in subsection (a) of §9-2-14, B.R.C. 1981, and enhance the quality of the project. Further,

The building height, mass, scale, orientation, architecture and configuration are not compatible with the existing character of the area or the character established by adopted design guidelines or plans for the area (§9-2-14(h)(2)(F)(i), B.R.C. 1981); and,

The height of the building is not in general proportion to the height of existing buildings and the proposed or projected heights of approved buildings or approved plans or design guidelines for the immediate area (§9-2-14(h)(2)(F)(ii), B.R.C. 1981).

2. Boulder Valley Comprehensive Plan: §9-2-14(h)(1)(A), B.R.C. 1981. In order to be approved, a project must demonstrate that it is consistent, on balance, with the policies of the Boulder Valley Comprehensive Plan. The Boulder Valley Comprehensive Plan has specific policies related to neighborhood compatibility. The Planning Board finds the following Comprehensive Plan policies are relevant to this application:

2.09 Neighborhoods as Building Blocks. The Planning Board finds that the Applicant failed to demonstrate that the project would be compatible with the existing neighborhood character and identity.

2.10 Preservation and Support for Residential Neighborhoods. The Planning Board finds that the Applicant failed to demonstrate that the project would be of an appropriate building scale and would be compatible with the existing neighborhood character.

2.30 Sensitive Infill and Redevelopment. The Planning Board finds that the Applicant failed to demonstrate that the project would avoid or adequately mitigate negative impacts and enhance the benefits of redevelopment to the neighborhood.

2.37 Enhanced Design for Private Sector Projects, Section (a), The Context. The Planning Board finds that the Applicant failed to demonstrate that the project would become a coherent part of the neighborhood in which it would be placed, and would preserve and enhance the existing character of the area.

On balance, the Project is not consistent with the policies of the Boulder Valley Comprehensive Plan.

Discussion.

The Project is located in the RL-1, Residential-Low 1 zoning district. The area is subject to steep slopes which set the character of the neighborhood and affect design and height of its buildings.¹ The context along Vassar Drive is unique in that in addition to the significant slope of the street as it runs from west to east, most of the lots on both sides of the street slope steeply downward away from the street. From the street, the character of Vassar Drive is that of modest 1- or 2-story homes; some of those homes have a split-level configuration with a walk-out basement or some other partially below-grade story. The perceived height of the existing buildings in the immediate area from the street is generally low -- that of 1- to 2- story homes. Many of the existing structures near the Project were constructed in the 1960's.

The Applicant is proposing to add a 1,146 square foot addition to an existing 2,860 square foot split-level home with an attached garage. The current height of the structure as measured by the land use code is roughly 34 feet. The Project would be 4,006 square feet and 39'5" in height, where 35 feet of height are allowed by right. The Project would add two new levels to the interior of the home for a total of three stories on the east side of the home and two stories on the west side of the home, with an appearance on the street of a 2 ½ story home. Due to the steep slope of the lot, the perceived height of the existing building from the street is 17' 8", while the perceived height of the Project would be 27' 8" and of a 2 ½ story home. The size of the building as perceived from the street would be larger than the building mass of most or all of the buildings in the immediate area.

The proposed height of the project is the sole reason this Project is in the site review process, rendering the site review criteria and Boulder Valley Comprehensive Plan policies relating to compatibility of the Project with the existing neighborhood character and proportionality of height of the Project to the height of existing buildings in the immediate area the most important considerations in this review. The Project's height and 2 ½ story appearance at the street are not in general proportion to the height of existing buildings in the immediate area which are less than the proposed Project and are those of 1- to 2-story homes. The Applicant did not demonstrate that the Project, with its proposed height and proposed number of stories at the street would be compatible or consistent with its immediate area and with the existing character of the area.

Denied on: 4/16/2015
Date

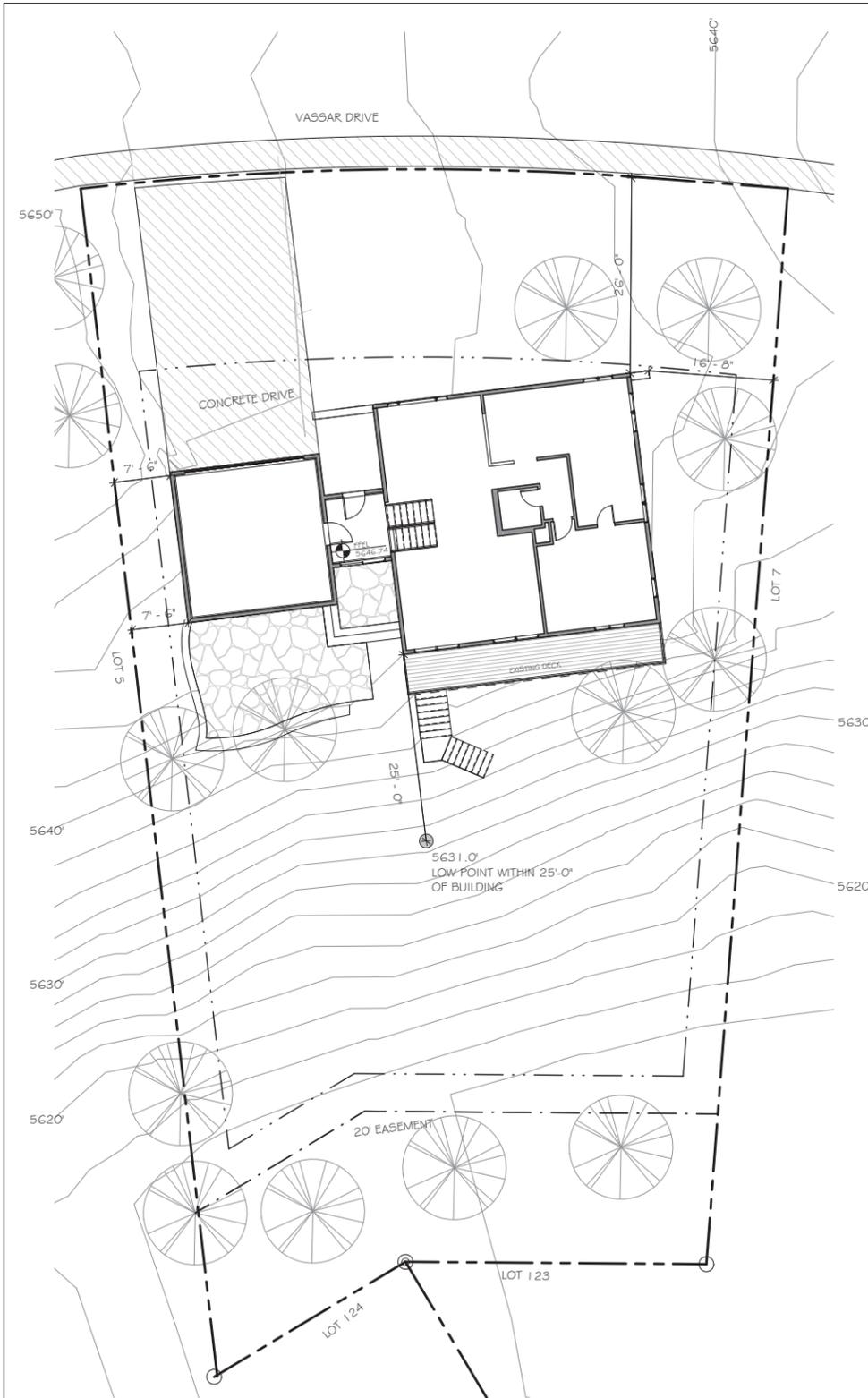
By: [Signature]
David Driskell, Secretary of the Planning Board

¹ The height measurement under the land use code considers sloped properties and, measures height as the vertical distance from the lowest point within twenty-five feet of the tallest side of the structure to the uppermost point of the roof. The lowest point shall be calculated using the natural grade. The tallest side shall be that side whose lowest exposed exterior point is lower in elevation than the lowest exposed exterior point of any other side of the building. See Section 9-1-16, Definitions, B.R.C. 1981.



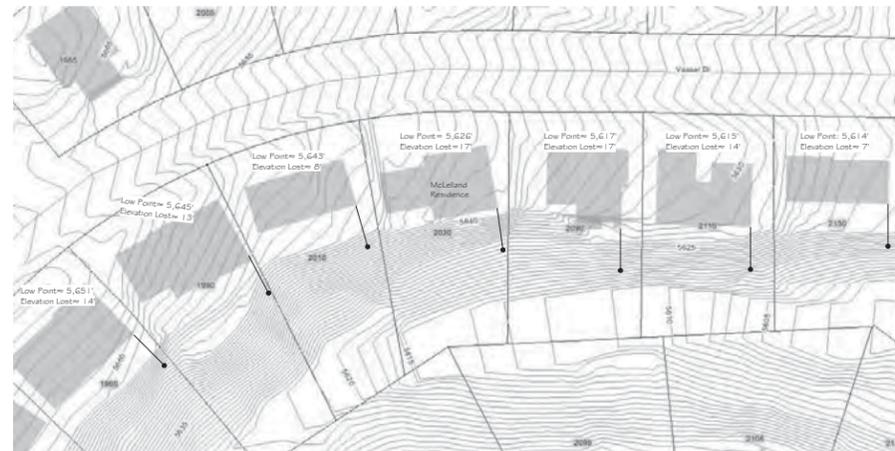
2121 30th Street, Suite 102
Boulder, Colorado 80501
Telephone: 303-442-2007
Email: kyle@kylecallahan.com

McClelland Residence
Single Family Home Renovation
2030 Vassar Drive
Lot 6, Block 4, Table Mesa Filing 1
Boulder, Colorado



1 Site Plan
1" = 10'-0"

2 Neighboring Topography
1" = 20'-0"



Planning Information

PROJECT LOCATION: McClelland Residence
2030 Vassar Drive
Boulder, CO 80501

LEGAL DESCRIPTION: Lot 6, Block 4 of Table Mesa First Addition
Boulder, Colorado

ZONING CLASSIFICATION: RL-1

LOT AREA: 11,966 SQ. FT. / 0.27 ACRE

HEIGHT DETERMINATION

LOW POINT	5631'
EXISTING FFEL	5646.74' at Mudroom / foyer

MAXIMUM HEIGHT - 5666'

MAXIMUM ALLOWABLE	PROVIDED
35'-0" ABOVE LOW PT.	39'-5"

PROPERTY LINE SETBACKS

REQUIRED	PROVIDED
NORTH (front)	26'-0"
SOUTH (rear)	81'-0"
WEST (side)	5'-0"
EAST (side)	16'-8"

FLOOR AREA

BASEMENT / FOYER	UNFIN.	FIN.	TOTAL
0 SF	1,151 SF	1,151 SF	1,151 SF
EXT'D MAIN FLOOR	0 SF	488 SF	488 SF
UPPER FLOORS (ADDN)	0 SF	1,151 SF	1,151 SF
TOTAL	0 SF	2,790 SF	2,790 SF

Building Codes

REGULATORY CODES
Currently adopted City of Boulder Revised Code, 1981

- 2012 International Building Code
- 2012 International Plumbing Code
- 2012 International Fire Code
- 2012 International Fuel Gas Code
- 2012 International Residential Code
- 2012 International Mechanical Code
- 2012 International Energy Conservation Code
- 2014 National Electric Code (NEC)

FLOOR AREA RATIO (FAR)

PER TABLE 8.3 OF THE BRC, AND LOT SIZE = 11,966 SF, THE MAXIMUM FLOOR AREA IN SQUARE FEET IS CALCULATED BY LOT SIZE X 0.122 = 2,880. ALLOWABLE FLOOR AREA = 4,339.9 SF

FLOOR AREA FOR DETERMINATION OF ALLOWABLE FAR

ADDITION	EXISTING	NEW	TOTAL
THIRD FLOOR	0 SF	356 SF	356 SF
FOURTH FLOOR	0 SF	593 SF	593 SF
TOTAL FLOOR AREA COUNTED		949 SF	949 SF

EXISTING RESIDENCE

EXISTING	NEW	TOTAL
BASEMENT	1,151 SF	0 SF
FIRST FLOOR	488 SF	158 SF
SECOND FLOOR	1,151 SF	0 SF
TOTAL FLOOR AREA COUNTED	2,790 SF	158 SF

COMBINED TOTAL - 3,917 SF

MAXIMUM BUILDING COVERAGE
PER TABLE 7.2 OF THE BRC, AND LOT SIZE = 11,966 SF, THE MAXIMUM BUILDING COVERAGE IN SQUARE FEET IS CALCULATED BY (LOT SIZE X 0.116) = 1,890. ALLOWABLE BUILDING COVERAGE = 3,278.1 SF

COVERAGE ELEMENT	AREA	NOTES
PRIMARY RESIDENCE	1,808 SF	
COVERED FRONT PORCH	59 SF	
COVERED BACK PORCH	51 SF	
OPEN DECK - 30'	51 SF	
OPEN DECK - 30'	0 SF	
SHEDS	0 SF	
SUBTOTAL AREA COUNTED	1,969 SF	
COVERAGE ELEMENT NOT CONSIDERED (DEDUCT FROM SUBTOTAL)		
OPEN DECK - 30'	0 SF	
COVERED FRONT PORCH	59 SF	
COVERED OTHER PORCH	51 SF	
SHED	0 SF	
TOTAL BUILDING COVERAGE	1,869 SF	

UTILITY PROVIDERS

ELECTRIC	XCEL ENERGY
NATURAL GAS	XCEL ENERGY
WATER	BOULDER CITY
SANITARY	BOULDER CITY

Symbol Legend

- DOOR MARK
- WINDOW MARK
- KEY NOTE
- EQUIP. SPEC (RE-SPEC.)
- FINISH CALLOUT
- FIN NAME & CEILING HEIGHT FLOOR FIN.
- FINISH HEIGHT
- SPOT ELEVATION
- FINISH MATERIAL TRANSITION
- BUILDING EXTERIOR ELEVATION DETAIL NUMBER SHEET NUMBER
- BUILDING MAJOR SECTION DETAIL NUMBER SHEET NUMBER
- BUILDING MINOR (WALL) SECTION DETAIL NUMBER SHEET NUMBER
- CONSTRUCTION DETAIL PLAN DETAIL NUMBER SHEET NUMBER
- CONSTRUCTION DETAIL SECTION DETAIL NUMBER SHEET NUMBER
- INTERIOR ELEVATION DETAIL NUMBER SHEET NUMBER

General Symbol Legend

- CONCRETE FOUNDATION WALL
- VOID FORM (RE-STRUCT)
- AREA DRAIN
- FLOOR DRAIN
- EXTERIOR LIGHT FIXTURE
- UNDERSLAB DRAIN (RE-SOILS) - CONNECT TO PERIMETER DRAIN
- FOUNDATION PERIMETER DRAIN (RE-SOILS) - RUN TO DAYLIGHT
- HIDDEN BELOW
- SOFFIT / OR CEILING DETAIL ABOVE
- CLOSET ACCESSORIES OR HIDDEN MILLWORK
- BLOWN CELLULOSE INSULATION (WET-WALLS & DRY-CLG)
- EXPANDED POLYSTYRENE INSULATION (EPS)
- FIBERGLASS THERMAL BATT INSULATION
- CLEAN WASHED GRAVEL FOR DRAIN EMBED
- CONCRETE
- COMPACTED BACKFILL
- UNDISTURBED SOIL
- SYNTHETIC STONE VENEER
- ASPHALT SHINGLE ROOF

Site Plan Symbol Legend

- DRIVEWAY
- PROPERTY LINE
- SETBACK (MIN.)
- EASEMENT
- UNDERGROUND ELECTRIC LINE
- SANITARY SEWER
- DOMESTIC WATER SUPPLY
- NATURAL GAS LINE

Sheet Index

ARCHITECTURAL PLAN SHEETS
A1.1 SITE PLAN, ZONING INFORMATION, GENERAL NOTES, SYMBOLS, SHEET INDEX
A2.1 MAIN FLOOR PLAN, ADDITION FLOOR PLAN
A2.2 ROOF PLAN
A3.1 EXTERIOR ELEVATIONS
A3.2 EXTERIOR ELEVATIONS
A4.1 BUILDING SECTION

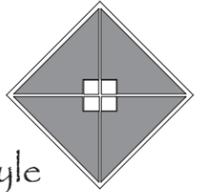
- ### Project General Notes
- ALL WORK SHALL COMPLY WITH THE GOVERNING LAWS, CODES AND ORDINANCES OF THE CITY OF BOULDER.
 - THESE DRAWINGS DO NOT INDICATE ANY STAGING OR PHASING.
 - IT IS IN THE INTENT OF THESE DRAWINGS AND INCLUDED SPECIFICATIONS THAT THE GENERAL CONTRACTOR AND EACH OF HIS SUBCONTRACTORS PROVIDE ALL LABOR, MATERIALS, TRANSPORTATION, SUPPLIES, AND EQUIPMENT TO COMPLETE THEIR RESPECTIVE WORK WITHIN THE RECOGNIZED STANDARDS OF WORKMANSHIP OF THE INDUSTRY.
 - CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS IN THE FIELD AND NOTIFY ARCHITECT WHERE ANY CONFLICTS EXIST.
 - ALL GENERAL AND SUB- CONTRACTORS SHALL VISIT SITE, THOROUGHLY EXAMINE AND VERIFY EXISTING CONDITIONS AND DIMENSIONS RESPECTIVE TO THEIR AREA OF WORK PRIOR TO SUBMITTING COSTS AND BIDS. ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY ADDITIONAL WORK NOT SHOWN OR IN CONFLICT WITH THE BALANCE OF THE CONTRACT DOCUMENTS.
 - WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
 - THESE NOTES AND DRAWINGS SHALL BE USED IN CONJUNCTION WITH THE INCLUDED SPECIFICATIONS.
 - THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY INJURIES TO PERSON OR DAMAGE TO BUILDING DUE TO ACCIDENTS OF ANY NATURE OR CAUSE DURING CONSTRUCTION.
 - COORDINATE ALL ARCHITECTURAL DETAILS WITH HVAC, PLUMBING, ELECTRICAL AND SITE CONTRACT DOCUMENTS PRIOR TO ORDERING OF OR INSTALLATION OF ALL ITEMS AND WORK.
 - ELECTRICAL SYSTEM IS DESIGN - BUILD. ELECTRICAL CONTRACTOR TO PROVIDE THE NECESSARY DESIGN AND OBTAIN THE NECESSARY PERMITS FOR ALL WORK PROPOSED. REFER TO E1 - ELECTRICAL PERFORMANCE PLAN. ELECTRICAL CONTRACTOR TO INSTALL TAPE MARKERS ON STUDS AND CEILING FRAMING INDICATING THE LOCATION FOR FIXTURES, OUTLETS, AND SWITCHES PRIOR TO INSTALLATION FOR WALK-THROUGH AND APPROVAL BY ARCHITECT AND OWNER'S REPRESENTATIVE PRIOR TO ROUGH INSTALLATION.
 - MECHANICAL SYSTEM IS DESIGN - BUILD. MECHANICAL CONTRACTOR TO PROVIDE THE NECESSARY DESIGN AND OBTAIN THE NECESSARY PERMITS FOR ALL WORK PROPOSED.
 - PLUMBING WORK IS DESIGN - BUILD. PLUMBING CONTRACTOR IS RESPONSIBLE FOR ALL DESIGN, INSTALLATION, TESTING, AND FOR OBTAINING ALL APPROVALS.
 - CONFIRM SOIL CONDITIONS MEET OR EXCEED STRUCTURAL ENGINEERING ASSUMPTIONS. FOUNDATION DRAINAGE REQUIREMENTS AND RETAINING STRUCTURE RECOMMENDATIONS PER GEOTECHNICAL ENGINEER'S REPORT PREPARED EXCLUSIVELY FOR THIS SITE.
 - ALL UTILITIES PASSING THROUGH STRUCTURAL ELEMENTS WHICH ARE GROUND SUPPORTED (RETAINING WALLS, SLABS ON GRADE, ETC) ARE TO BE DESIGNED WITH FLEXIBLE CONNECTIONS TO ACCOMMODATE SOIL MOVEMENT.
 - GENERAL CONTRACTOR IS RESPONSIBLE FOR SATISFACTORY REPAIR OR RESTORATION TO HOMEOWNER'S ASSOCIATION STANDARDS OF ANY PUBLIC INFRASTRUCTURE CHANGED OR DAMAGED BY CONSTRUCTION ACTIVITIES RELATED TO THIS PROJECT.
 - GENERAL CONTRACTOR IS TO ENSURE THAT THE PUBLIC ROW ADJACENT TO THIS SITE IS KEPT FREE AND CLEAR OF MUD AND DEBRIS THAT RESULT FROM CONSTRUCTION ACTIVITIES RELATED TO THIS PROJECT.
 - GENERAL CONTRACTOR IS TO ENSURE THAT NO DIRECT STORMWATER RUNOFF FROM THE BUILDING IS DIRECTLY DEPOSITED ON ANY SIDEWALK, STREET, OR GUTTER, NOR DISCHARGED INTO ANY SANITARY SEWER.
 - THE GENERAL NOTES, SYMBOLS AND LEGENDS CONTAIN INFORMATION THAT MAY OR MAY NOT PERTAIN TO THIS PARTICULAR PROJECT.
 - GENERAL CONTRACTOR IS TO PROVIDE A SURVEY VERIFICATION INDICATING THE LOW POINT WITHIN 25' OF THE TALLEST WALL AS SHOWN ON THE SITE PLAN. SURVEY TO BE PROVIDED TO ARCHITECT AT TIME OF CONSTRUCTION TO VERIFY THAT ALL MAXIMUM HEIGHT ASSUMPTIONS ARE CORRECT.
 - GENERAL CONTRACTOR IS TO VERIFY HEIGHT FOR SOLAR SHADING AT TIME OF ROUGH FRAMING INSPECTION. HEIGHT OF CONSTRUCTION AS SHOWN ON THE SOLAR SHADING PLAN, ARE RELATIVE TO THE EXISTING FLOOR ELEVATION + 100" VERTICAL MEASUREMENTS TO BE VERIFIED UPON FRAMING TO CONFIRM CONFORMANCE TO SOLAR ACCESS REGULATIONS.
 - IMPROVEMENT SURVEY PLAN AND TOPOGRAPHY (POINT ELEVATIONS) EXECUTED BY FLATIRONS INC., DATED JUNE 12, 2014.
 - GENERAL CONTRACTOR AND SUBCONTRACTORS ARE TO SALVAGE, RECYCLE 100% SCRAP WOOD WASTE, CARDBOARD, AND RECYCLABLE METALS.
 - PLUMBING FIXTURES TO BE LOW FLOW - TOILET TO BE EQUAL TO OR LESS THAN 1.28 GALLONS PER FLUSH. LAVATORY FAUCET TO FLOW LESS THAN OR EQUAL TO 1.5 GPM.
 - GO TO VERIFY THAT ALL JOINTS IN SHEATHING MATERIALS ARE TAPED TO SEAL AGAINST INFILTRATION AND AIR LEAKAGE.

NOTICE OF COOPERATION
The architect shall cooperate with the contractor in the field to verify the accuracy of the information provided in the site plan and to ensure that the construction is in accordance with the approved plans. The contractor shall provide the architect with access to the site at all times during construction. The architect shall not be responsible for any delays or costs incurred by the contractor due to the architect's failure to provide the necessary information or to cooperate with the contractor in the field. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable laws and regulations. The contractor shall be responsible for the safety of all workers and for the protection of the site and the surrounding area. The contractor shall be responsible for the removal and disposal of all debris and waste materials. The contractor shall be responsible for the maintenance of the site and for the protection of the surrounding area. The contractor shall be responsible for the completion of the project within the agreed-upon schedule and budget. The contractor shall be responsible for the payment of all bills and for the resolution of any disputes. The contractor shall be responsible for the overall success of the project.

Issue Date	Purpose
07 / 18 / 2014	Owner Review
10 / 17 / 2014	Site Review with Height Mod
1 / 22 / 2014	Site Review with Height Mod Revised

Prepared by: **CE**
Checked by: **KC**
Sheet Content
Site Plan





Kyle
Callahan &
Associates
Architecture

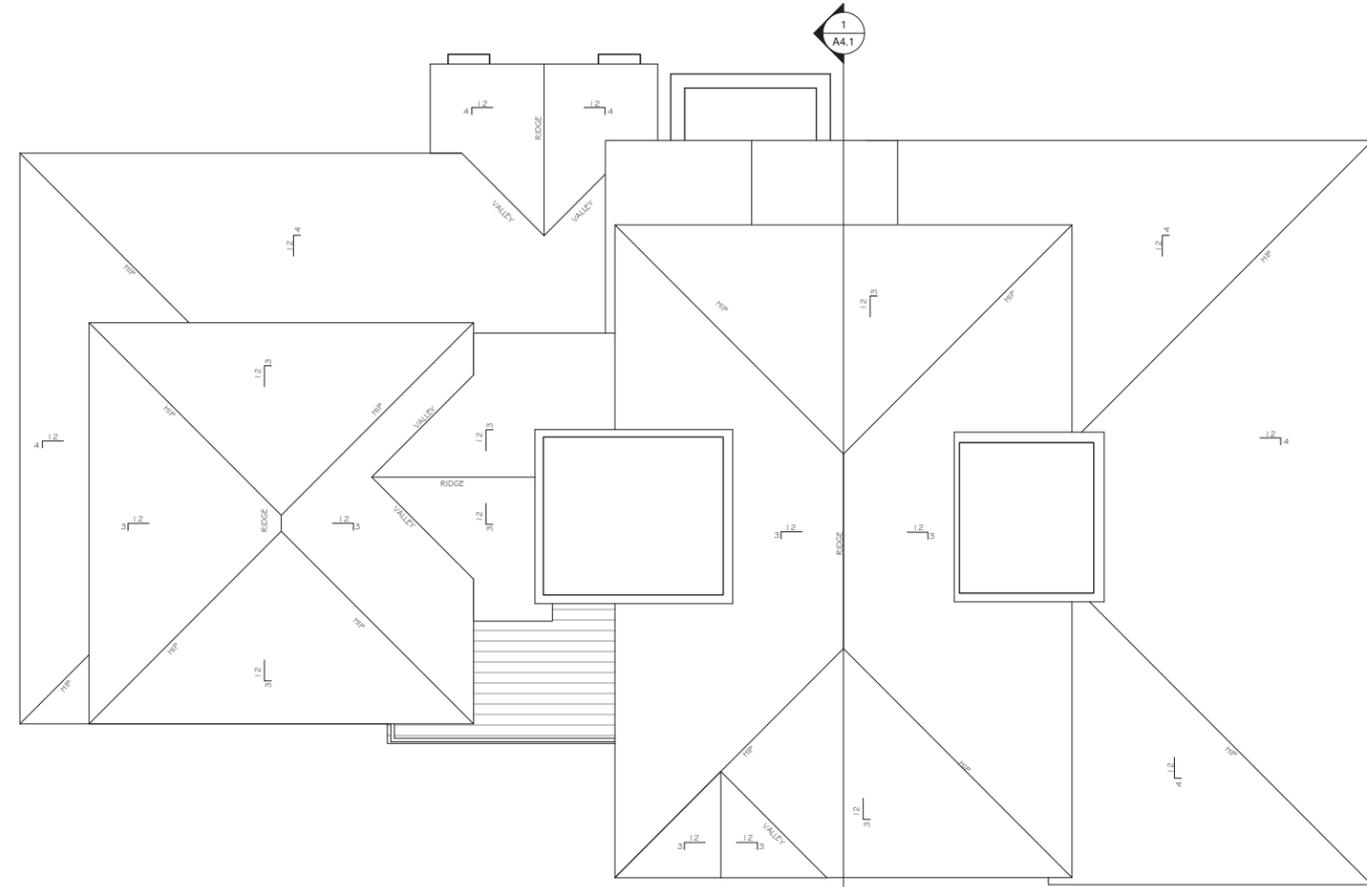
2121 30th Street, Suite 102
Boulder, Colorado 80501
Telephone- 303-543-2007
E-mail- kyle@kylecallahan.com

McClelland Residence
Single Family Home Renovation
2030 Vassar Drive
Lot 6, Block 4, Table Mesa Filing 1
Boulder, Colorado

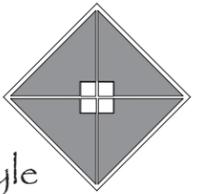
NOTICE OF COOPERATION
The Architect and the Contractor shall cooperate in the performance of the design and construction of the project. The Architect shall provide the Contractor with all necessary information and documents to complete the project. The Contractor shall provide the Architect with all necessary information and documents to complete the project. The Architect shall not be responsible for any errors or omissions in the drawings or specifications. The Contractor shall not be responsible for any errors or omissions in the construction of the project. The Architect shall not be responsible for any errors or omissions in the construction of the project. The Contractor shall not be responsible for any errors or omissions in the construction of the project.

Issue Date	Purpose
07/18/2014	Owner Review
10/17/2014	Site Review with Height Mod
1/22/2014	Site Review with Height Mod Revised

Prepared by: **CE**
Checked by: **KC**
Sheet Content
Roof Plan



1 Roof Plan
1/4" = 1'-0"



Kyle
Callahan &
Associates
Architecture

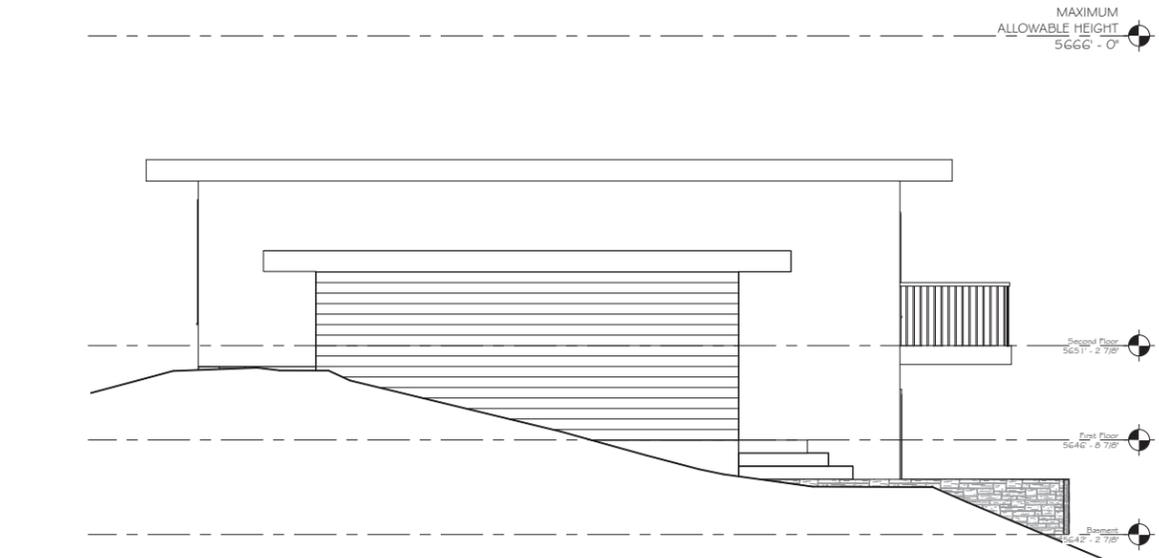
2121 30th Street, Suite 102
Boulder, Colorado 80501
Telephone- 303-443-2007
E-mail- kyle@kylecallahan.com

McClelland Residence
Single Family Home Renovation
2030 Vassar Drive
Lot 6, Block 4, Table Mesa Filing 1
Boulder, Colorado

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Issue Date	Purpose
07 / 18 / 2014	Owner Review
10 / 17 / 2014	Site Review with Height Mod
1 / 22 / 2014	Site Review with Height Mod Revised

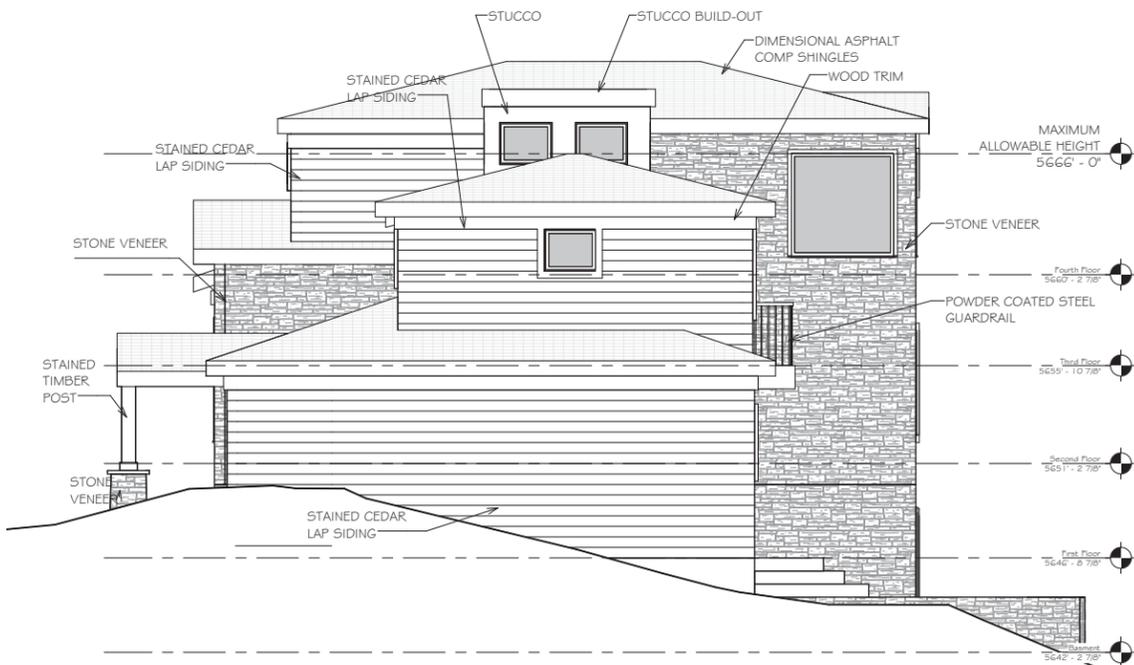
Prepared by: **CE**
Checked by: **KC**
Sheet Content
Elevations



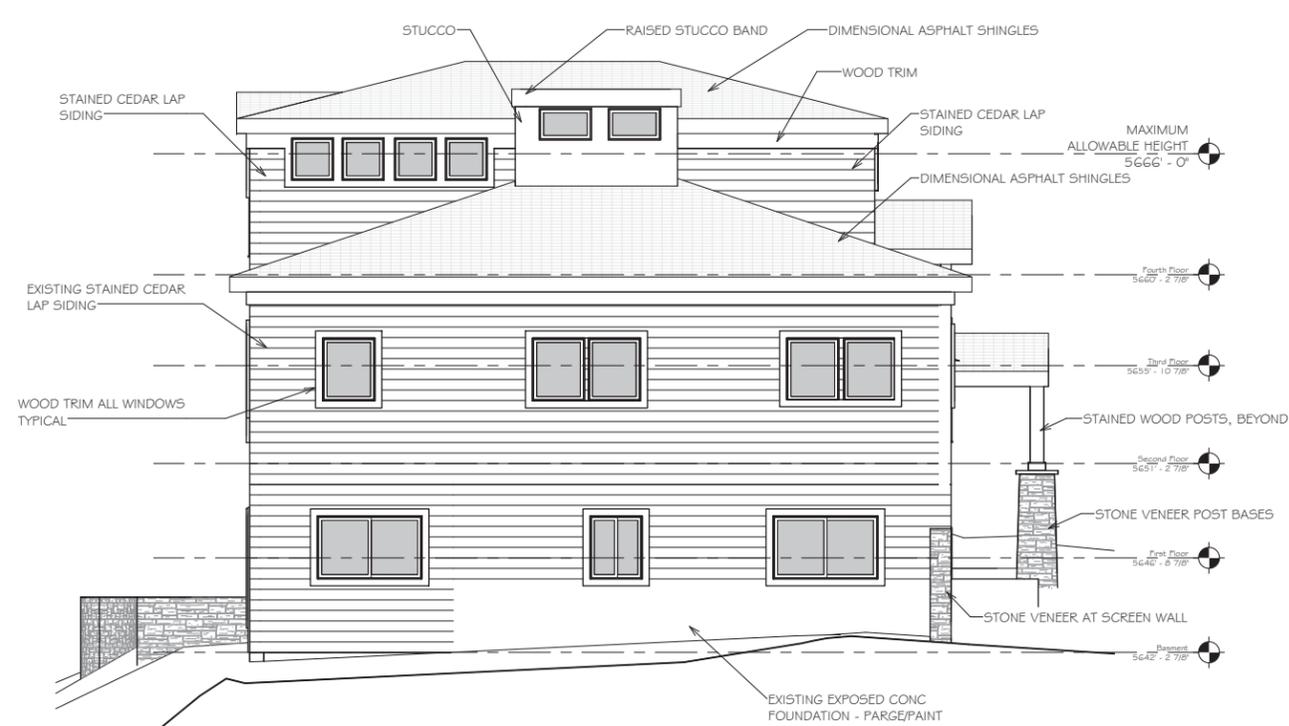
1 West Exterior Elevation
(Existing)
1/4" = 1'-0"



2 East Exterior Elevation
(Existing)
1/4" = 1'-0"



3 West Exterior Elevation
1/4" = 1'-0"



4 East Exterior Elevation
1/4" = 1'-0"

Call Up
2030 Vassar Street



March 16, 2015

Architecture

Planning

Interiors

Environmental
Design

Written Statement for Site Review, including Site Review Response Form – General Criteria, for the following subject property:

**2030 Vassar Drive
Lot 6, Block 4 of Table Mesa First Addition
Boulder, Colorado**

Building Owners: Donald McClelland and Colleen Wheeler

Architect: Kyle Callahan



A. Current ownership statement

The home at 2030 Vassar Drive was constructed in 1967. The current owner – **Donald McClelland** – purchased the home in early summer of 2014. The McClelland family lives in the home.

Donald and Colleen Wheeler are bringing their families together in this home, and as such, additional floor area will be required for their three children and home-based businesses to be accommodated. The small home is set at the crest of the ridge that lies south of Vassar Drive in the Table Mesa section of Boulder. The topography of the site along with the position of the

Kyle Callahan & Associates, Architecture
2975 Valmont Road, Suite 100
Boulder Colorado 80301 303.545.2007

home create difficulties in adding the space that the family requires, due to setback constraints and the steepness of the grades south of the home. The site topography results in a loss of nearly **11'** of elevation within the 25' offset required by Boulder for maximum height consideration (basement slab = 5642, low point = 5631). That's a **44% grade** for the existing topography near the home. In our opinion, this is a hardship born by the owners due to unique conditions presented by this site. The family seeks relief from the City of Boulder height regulations to construct an addition to their home in order to accommodate their needs for additional space. We propose to exceed the 35' height limit by **4'-5"** for a total height of **39'-5"**. However, the perceptual height for the home is only **27'-8"** as shown on page 6 of this statement. All other planning and zoning criteria are met by the proposed design, including solar shading, maximum coverage, maximum floor area and other regulations / limitations.

B. Physical Site and Building Attributes

Lot attributes:

The existing home is built on a large lot - 11,966 +/- square feet. The lot is situated on a steeply sloped site - the highest grade elevation is approximately 5,651', and the low elevation is approximately 5,614', which is a change in elevation of approximately 37' over the 165' diagonal horizontal distance across the lot, for an average grade of about 22%. Most of this grade change happens in a short horizontal span directly south of the existing residence, where the topography descends sharply at nearly 45 degree pitch.

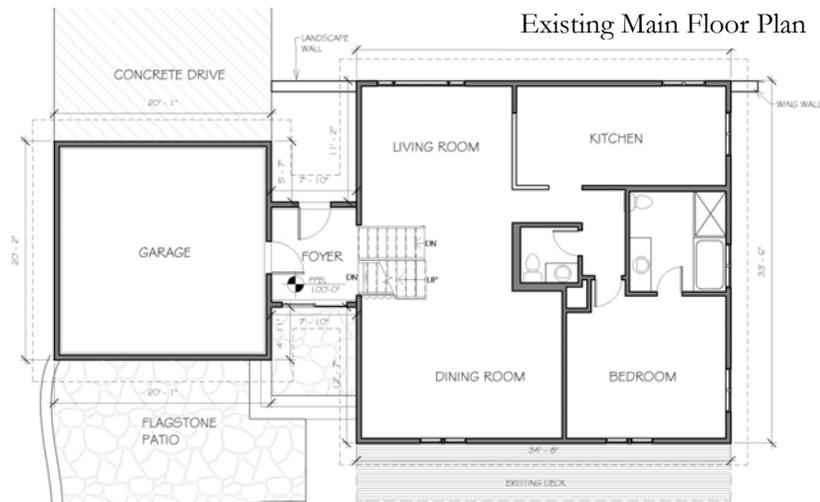
The aerial image at the right shows the building and site, along with topography at 1' intervals (City of Boulder GIS image).

The lot was surveyed in June of 2014 by Flatirons surveying. The low point was identified at that time, and found to be 5631' at a point 25' south of the face of the existing residence from the existing deck posts (worst case scenario) – note that we are proceeding assuming that the existing structured deck would be removed, and thus use 5,631 as the low topo elevation, which is taken from the lowest point along the tallest wall. By comparison, the finished floor elevation of the existing walk-out floor is 5642.



Existing Home attributes:

The existing home has a split level arrangement. The entry level, which is situated approximately at the grade elevation on the north side of the home, contains the foyer and garage (shown below, left side of plan). One-half story below is the lower walk-out level, containing a recreation room, home office, mechanical equipment, storage, two bedrooms and a shared bath. One half story above the entry level is the upper level, containing the kitchen, dining room, family room, master bedroom, and 1 1/2 baths (shown below, right side of plan). The total floor area for the existing residence is 2,860 gross square feet.



C. Objectives

The blended family needs to increase the number of bedrooms in the home in order to provide suitable sleeping arrangements for the children, for guests, and for the adults. The adults in the household both work out of the home and require additional space to contain their business resources. The home has a small and crowded garage, and as such a small addition will be needed to provide storage for vehicles and other gear (bicycles, etc.). Our proposal is to add approximately 1,146 square feet of enclosed floor area to accommodate these additional space requirements.

We propose to add a covered front porch to both provide weather protection at the front door and to create a visually pleasing architectural element on the north side of the home. We propose to add an open deck to the second floor that will be situated between the finished floor additions on the south side of the home, which will double to provide weather protection to the backyard access door on the south side of the existing foyer. The covered front porch will add 60 SF of coverage, and the south side open deck will add 79 SF of coverage by covered decks. It is important to recognize that these covered decks do not increase the building coverage as they are well within the covered porch allowances specified in the Boulder Revised Code.

D. Discussion of the requested height modification

We are seeking relief from the maximum height limit of 35' as defined in the Boulder Revised Code, Section 9.7.5. It is our opinion, based on many years of work in Boulder, that the topography at this site presents a unique set of conditions that is certainly a significant limiting

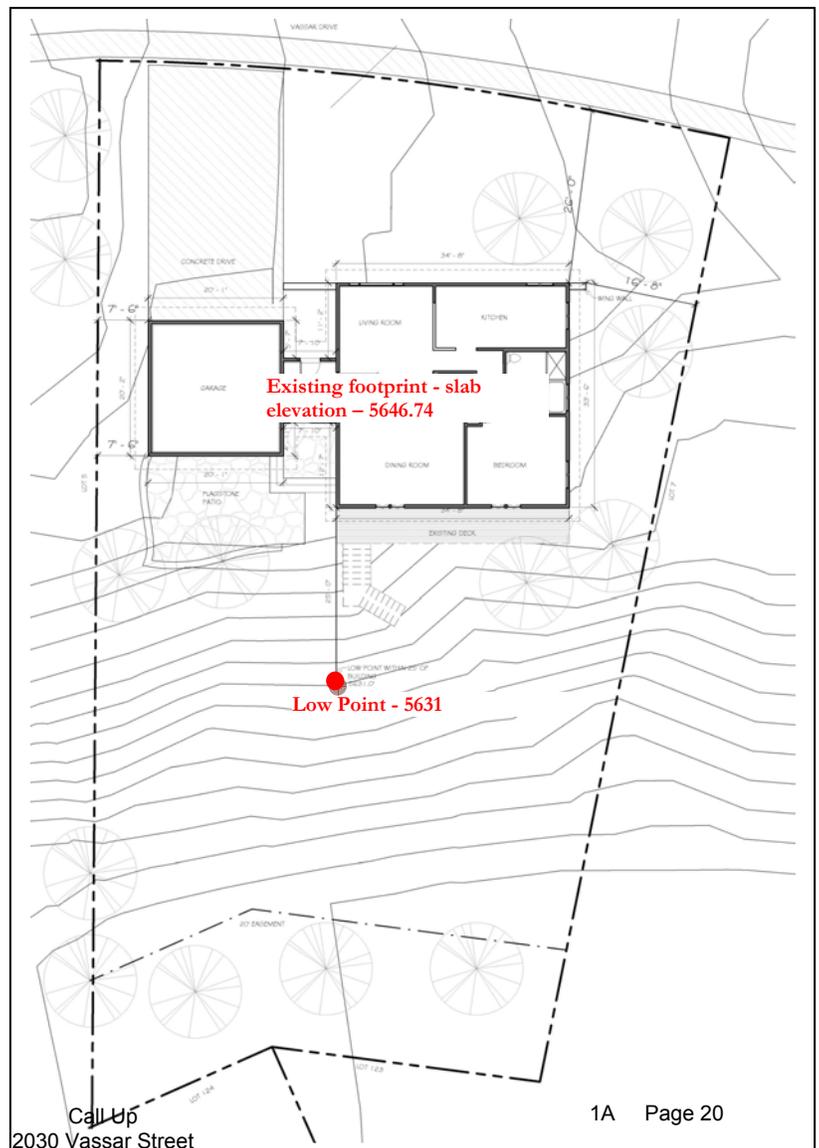
factor to the redevelopment of this site in a manner not inconsistent with other homes in the neighborhood.

We have investigated two general concepts to increase the floor area - Building Out and Building Up. Building Out is only possible south of the existing home. Doing so would involve construction over the steepest portion of the lot, which would also push the low point as defined by the BRC further south and downhill, ultimately causing the existing home as built to no longer conform to the height limits. Further, engineer Ed Glassgow of Scott, Cox and Associates has recommended strongly against building to the south over the steep slope (**See Attachment 1**). Building up is not without difficulty. The very low pitched roof plane of the existing residence is positioned approximately 5' below the maximum height per the BRC. 5' does not allow adequate space for an additional story.

Both potential expansion opportunities result in the need for a height modification. The best solution in our opinion is to Build Up, as this preserves much of the existing footprint of the home and does not significantly increase the building coverage. Building up retains the most landscaped open space possible for vegetation and animal habitat preservation. It is also the safest means to add floor area per our geotechnical engineer's recommendations.

The difficulty caused by the site conditions and existing topography

To the right is an image of the existing footprint of the house, the property lines shown in bold dashes, and the orientation of the home to the site. The contours, which are based on City of Boulder GIS information supplemented by in-the-field survey work, are at 2' intervals. Projecting off the back of the home is a dimension line indicating the low point within 25' of the house as determined by the project surveyor. The surveyed elevation of that point is 5631.0'. By comparison, the garden level floor is 5642.25'. This amounts to a greater than 11' loss in elevation from the lowest floor of the residence to the point that is used for



consideration of maximum allowable height. The sloping topography in the backyard results in what amounts to a loss of the opportunity to add an entire story and then some. This steep topographic landform also occurs at other residences in the nearby neighborhood. We have evaluated the difference in topography based upon City of Boulder GIS for this home and the six neighboring homes (3 east and 3 west of 2030 Vassar). For consistency and comparison purposes, we have used the north east corner of all homes, which is generally the low point for the perceptual height for all structures built on this south side of Vassar Drive in this neighborhood. A map is provided as detail 2 on sheet A1.1 of the attached drawing set, and the following is a listing by address of the McClelland Home and the six adjacent residences:

Address	Grade at NE corner	Grade at Low point	Elevation lost within 25' of home from NE corner	
1960 Vassar	5665'	5651'	14'	
1990 Vassar	5658'	5645'	13'	
2010 Vassar	5651'	5643'	8'	Neighboring home
2030 Vassar	5643'	5626'	17'	Subject Property
2090 Vassar	5634'	5617'	17'	Neighboring home
2110 Vassar	5629'	5615'	14'	
2130 Vassar	5621'	5614'	7'	

Averaging the grade elevation loss within 25' from the perceptual low point of these 7 homes in a row yields approximately 12'-10" average grade loss. The home at 2030 Vassar has a grade elevation loss of 17' – a little more than 4' greater elevation loss than the average of the 7 homes. Note that this calculation is based on Existing Conditions for 2030 Vassar and includes the existing

D1 - Building Coverage

Planning and Zoning regulations in the City of Boulder, limit the amount of coverage of a building relative to the size of the lot. This we understand is an effort to reduce massive building footprints and to maximize the amount of open space and landscape afforded to all residents of the City. The calculation for building coverage, per the BRC chapter 9-7-11, is as follows:

$$(\text{Lot size} * 0.116) + 1,890 = \text{allowable coverage in square feet}$$

Based on the lot size of 11,966 square feet, the allowable coverage will be **3,278 square feet**. Our proposal for this project includes adding a second floor that is entirely above the existing footprint which will not affect coverage. We also propose to add 5' to the north side of the garage and foyer, which will increase the building coverage by 158 SF, for a total of **1,969 square feet**. This figure is **1,309 square feet less** than the amount of lot coverage allowed by code. That is the amount of available coverage upon which the McClelland family chooses *NOT* to build, but will be preserved as landscaped open space.

D2 - Building Floor Area

The City of Boulder also limits the floor area that can be constructed on a lot, also relative to the lot size. The calculation for building floor area, per the BRC chapter 9-8-1 (table 8-3), is as follows:

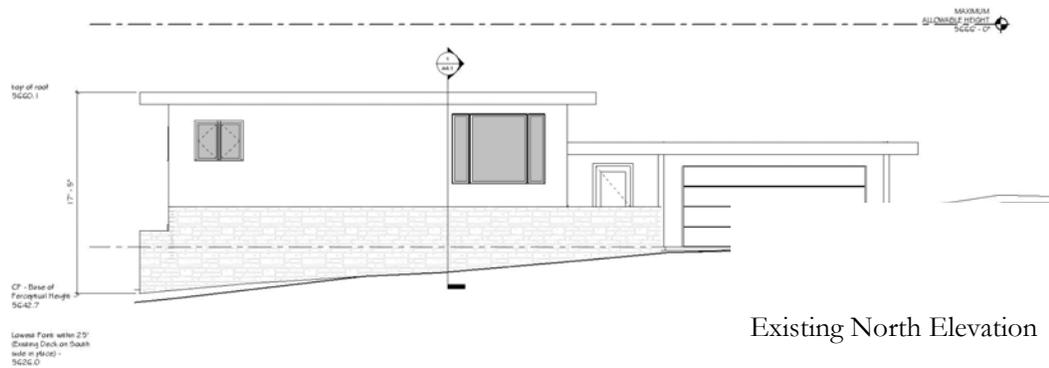
$$(\text{Lot size} * 0.122) + 2,880 = \text{allowable floor area in square feet}$$

Based upon the lot size of 11,966 square feet, the allowable floor area would be **4,340 square feet**. Our proposal for this project includes adding a floor above the existing building, adding a portion of garage and a portion of foyer and reconfiguring the interior to match the requirements of the owner's program. The current floor area is **2,810 gross square feet**, on top of which we propose to add approximately **1,107 square feet**, for a total of **3,917 square feet**. This figure is **423 square feet less** than the maximum floor area allowed by code. That is the amount of floor area which the McClelland family chooses not to build to prevent the appearance of mass due to an overabundance of floor area.

D3 - The Perceptual Height of the existing home and the proposed addition

The extraordinary limitation imposed by the topography as discussed previously on page 4 provides very little room for an upper floor expansion. The maximum height limit per City of Boulder regulations is a little more than 5' above the top of the existing roof IF the south side deck is removed as planned. The following elevations shows the exterior north elevation of the existing home. The maximum height is indicated by the heavy dashed line above the structure, and assumes the removal of the south side deck. This information is repeated on drawing sheet A3.1. The USGS Elevations are as follows:

Low point = 5626.0 (with south deck, 5631.0 without south deck)
CP - Base of Perceptual Height 5642.7'
Top of Roof = 5660.1



It would not be possible to create an occupiable upper level addition that was within the restrictive confines of the limits imposed by the maximum height ordinance. We have endeavored to design an addition that minimizes the mass of the structure by providing offsets from the current exterior walls. Doing so pushes the mass inward, away from the street and neighboring residences, and creates opportunities to soften the appearance by incorporating lower roof planes that embrace the second story addition. The following is a north exterior elevation of the proposed design



In the above image, one can see the form and exterior walls of the existing residence and garage below the proposed addition. The flat roof has been removed in favor of sloping hip-configured roof that extends from the existing main floor exterior walls at a low slope up to the proposed second floor exterior walls, embracing the upper level addition and softening the overall appearance.

The north elevation above shows the “Perceptual” height of the home. The dimension on the left side of the elevation shows that the ridge height of the home with the proposed addition is only **27'-8"** above the adjacent grade at the front northeast corner of the home. The grade elevations for comparison with the existing home are as follows:

Low point = 5631.0 (assumes the south deck has been removed)

CP – Base of Perceptual Height 5642.7

Top of Roof = 5670.4

The portion of the second floor addition that extends through the 35' height limit is shown above the heavy dashed line in the elevation above. The floor area of that portion of the home that extends past the maximum height is 641 square feet. The portion of the addition on the right (west) side, situated above the existing garage, is entirely below the maximum allowable height.

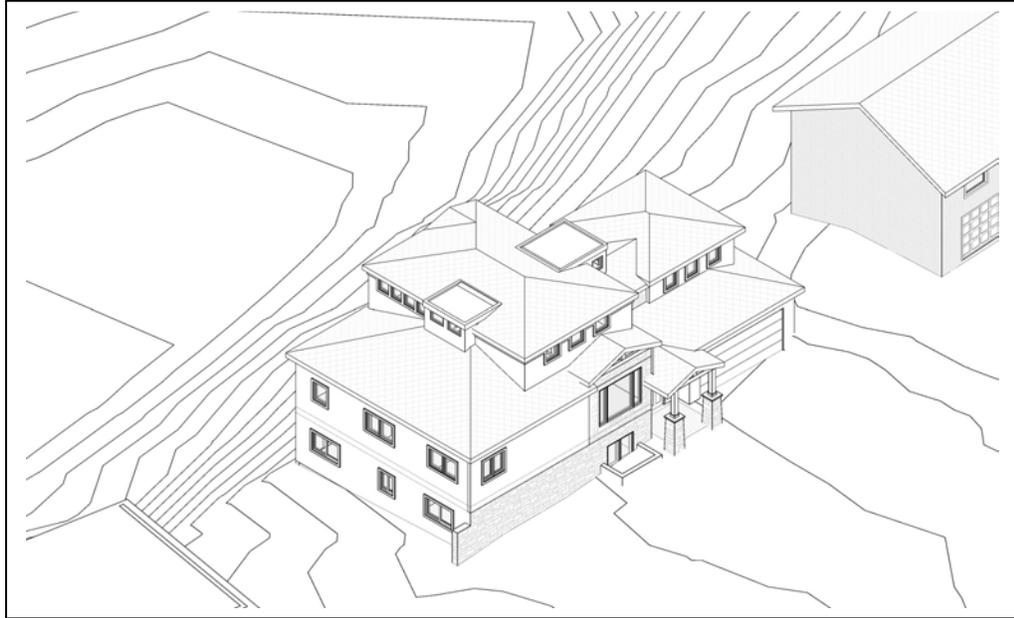
D4 - The proposed floor plans, relative to the existing footprint and lot lines

The following two images show the footprint of the existing residence (left), and the corresponding image of the footprint for the addition is shown on the right. Both images are set up relative to the property lines.

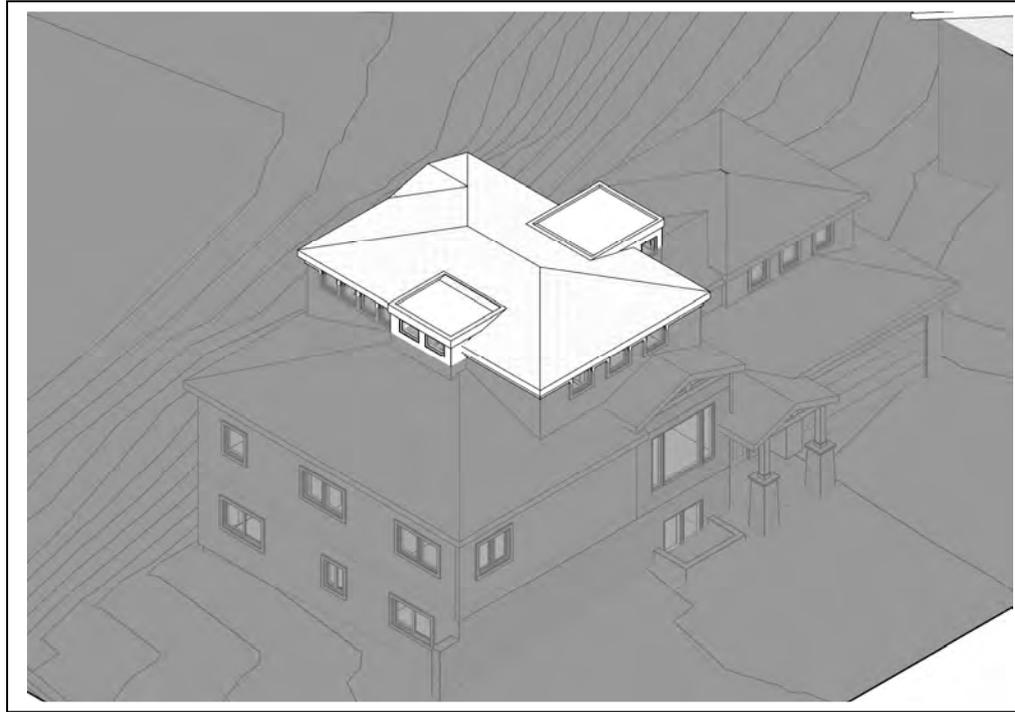


From the preceding two images, one can see the relatively small size of the proposed upper level addition on the right, relative to the existing footprint shown on the left. On the left, the existing footprint extends in an east to west direction, approaching the building setbacks. The image on the right shows the footprint of the proposed second floor plan. A deliberate effort has been made to offset the exterior walls of the second floor inward towards the middle of the home. Doing so eliminates two story wall on the north, east and west sides of the home (the visible sides of the home), offsetting the mass of the building away from the existing facades. This scales down the image of the building and eliminates that adverse effect referred to as “looming”. The roof that we propose to install above the existing first floor serves to “embrace” the exterior walls of the proposed second floor, securely connecting the two and reducing the overall perception of mass by softening the appearance with interceding sloped rooflines. Simple devices such as upper story setbacks reduce the overall mass of a structure, and eliminate the tendency for the home to loom over the adjacent properties or the street.

Below we present the image of the home taken in isometric perspective to further describe the massing of the building, and to highlight the effect of the architectural devices employed to prevent the addition from becoming too massive:



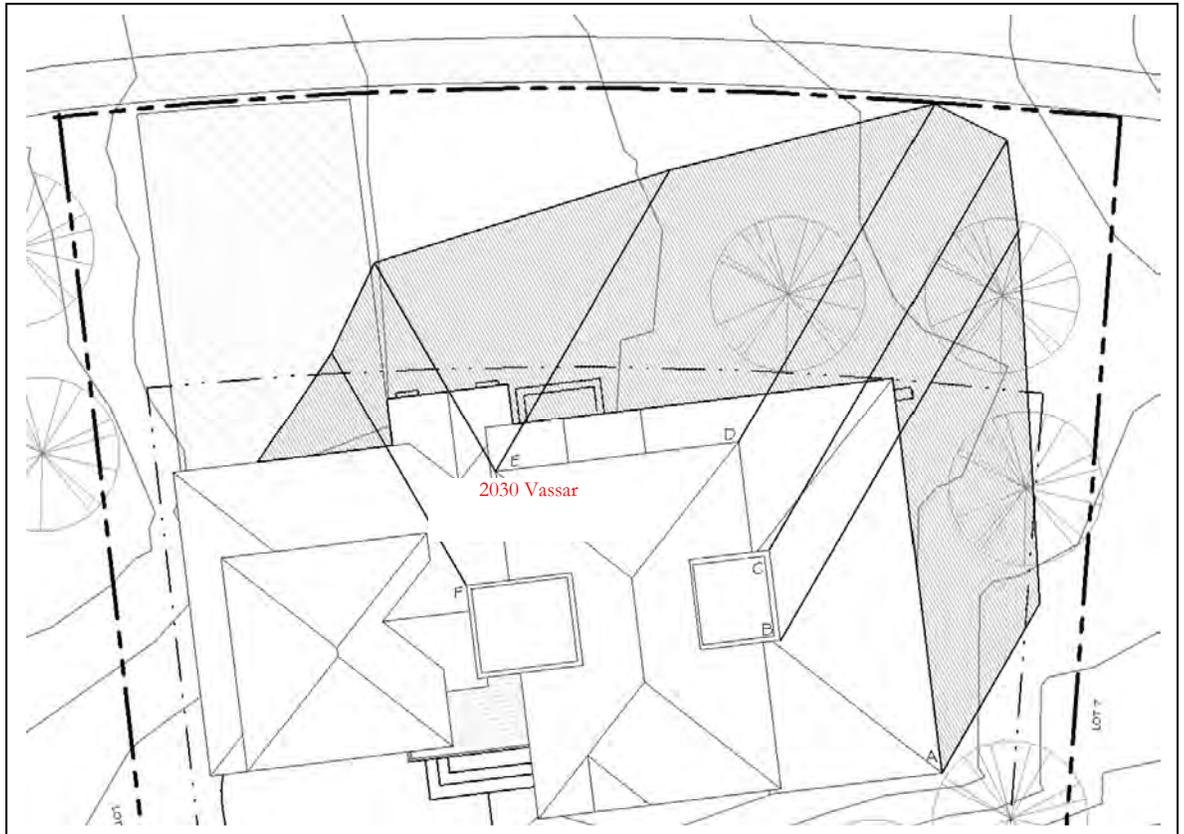
Using the same vantage point, the image below shows that portion of the roof that extends through the maximum height. The grey shaded region establishes the maximum height limit, and everything below the gray plane is also below the maximum height. Only 641 square feet extend through the maximum height limit.



D5 - Solar shadow

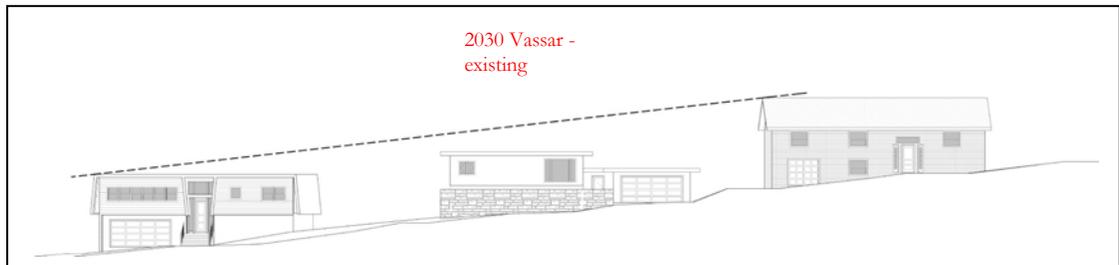
We understand that we need to conform to the City's solar shadow regulations. We've spent some time studying the impact of the shadow on December 21, and modeled that using Revit and further calculated the solar shadow using the City of Boulder standards for demonstrating compliance. From our study, we understand the importance to offset the second floor as we have done in the design. Further, roof pitches are kept low (3 in 12 pitch), not only to prevent the ridges from creating longer shadows, but also to more closely tie in with some of the good examples of later mid-century modern roof designs. The overhangs for the upper floor are kept at 8", reducing the length of the shadow as well. The image below shows the worst case scenario of solar shading – 10 AM and 2 PM on December 21.

From the image below, one can see that the shadow tucks right up against the property line on the northeastern edge. It does not extend into the neighboring properties and thus complies.



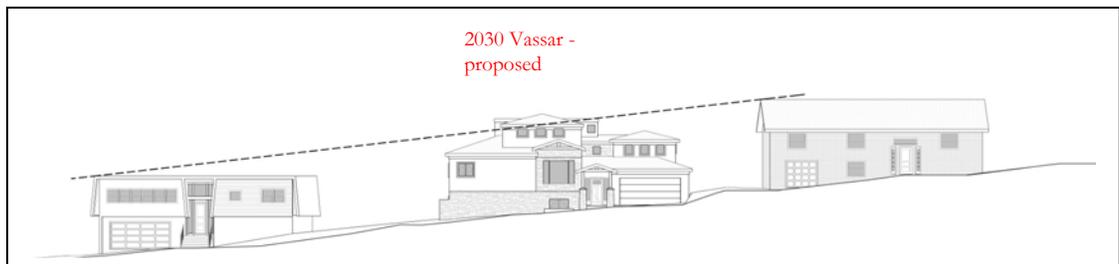
D6 - Neighborhood context

We recognize the importance of maintaining consistency with the adjacent homes and the neighborhood in general, not only from a massing perspective, but also in terms of the image of the architecture. As such, we've considered at length the adjacent homes and the massing and forms that they present. Two images are provided below.



The above image shows the McClelland's home as it currently exists with the two neighboring homes as well. A dashed line spans between the two adjacent homes, indicating an envelope of space that is created through the mass of the homes on the dramatically sloping topography. It is striking how demure the McClelland home is when taken in context with the existing neighboring homes.

The image below is taken from the same vantage point, but shows the addition to the McClelland's home. In my opinion, this image is far more pleasing, as the massing of the structures is more consistent, resulting in less of a gap-toothed appearance.



**CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
April 2, 2015
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, Chair
Bryan Bowen
Crystal Gray
John Gerstle
Leonard May
Liz Payton
John Putnam

PLANNING BOARD MEMBERS ABSENT:

None

STAFF PRESENT:

Hella Pannewig, Assistant City Attorney
Susan Meissner, Administrative Assistant III
Chandler Van Schaack, Planner I
Charles Ferro, Development Review Manager
David Thompson, Civil Engineer II, Transportation
Molly Winter, DUHMD Executive Director
Chris Haglin, Senior Transportation Planner

PUBLIC HEARING ITEM 5A:

A. Public hearing and consideration of a Site Review for a Height Modification only, application no. LUR2014-00090, to construct a 1,146 square foot addition to an existing single family home at 2030 Vassar St. in the RL-1 zone district at a height of 39'5" where 35' is the maximum principal building height allowed by the zone district standards.

**Applicant: Kyle Callahan
Owner: The McLelland Family**

Staff Presentation:

C. Van Schaack presented the item to the board.

Board Questions:

H. Pannewig and **C. Van Schaack** answered questions from the board.

Applicant Presentation:

Diek McLelland and **Kyle Callahan** presented the item to the board.

Board Questions:

Diek McLelland answered questions from the board.

Public Hearing:

1. **Nancy Kinne, 2090 Vassar Drive**, lives next door to the applicant. She is concerned that the addition will block her views to the sky.
2. **Zygmunt Frayzynger, 2010 Vassar Drive**, lives next door to the applicant. He is also concerned that his view to the east will be blocked.
3. **Linda Moore, 637B South Broadway**, strongly opposed the proposal. She thought a legal addition over the garage would be preferable.

Board Comments:

Planning Board members had differing opinions regarding the compatibility of the proposed project with the surrounding neighborhood. **J. Putnam** and **B. Bowen** felt that it met the Site Review criteria and BVCP goals while the remaining members did not.

J. Putnam thought the perceived height was compatible with the area as many near-by homes are of a similar height to the proposal. He felt that Council excluded sloping sites from the height moratorium for this reason. He expressed some concern about blocking views, but thought it was okay because of the orientation. He felt there was little to no impact on the Hillsdale and none of the Hillsdale neighbors expressed any concern. He appreciated that the applicant would keep the existing home, but would have liked to have seen it less altered from its original design.

L. May noted that the city's method for measuring height twenty-five feet from the structure accounted for sloping sites. He thought the exception to the height limit in a residential area would have a significant impact; it was not compatible with the neighborhood. He cited the BVCP 2.0 regarding the protection of neighborhood character and compatible building scale.

B. Bowen agreed with **J. Putnam**. He was sympathetic to the neighbors but thought the applicant did best job possible by narrowing the building profile and keeping massing in the middle. The by-right option to expand over the garage could be okay from the streetscape, but would have more impact on the adjacent neighbors. He appreciated that the solar access works; the only impact is downhill on the applicant's property and in a vacant and relatively inaccessible area. While the height ordinance intended to capture impacts on sloped sites, he thought it had more to do with buildings in a natural setting as opposed to a neighborhood. He thought it was compatible enough with the neighborhood to be approved.

A. Brockett sympathized with the applicant given the constraints on the site; if it were flat, the proposal would be acceptable. He opposed the project because he did not think it complied with criteria F-2 regarding height in proportion with other existing buildings. The proportion on the street is one and a half to two stories while he proposal appears to be two and a half stories. He didn't see anything else on the street that presented this large.

C. Gray agreed with **A. Brockett** and with **L. May's** assessment of criteria. She appreciated the design concept but noted that compatibility with the existing area is set by the topography of the area. The existing buildings are a result of the topography. She would not support the request for a height modification.

J. Gerstle did not think the proposal was consistent with the neighborhood character. The height calculation requirement takes sloping lots into consideration and this proposal still did not meet it. The perception of height differs from depending on the angle.

L. Payton appreciated that the applicant wanted to keep the existing house. She cited concerns about altering the height, proportion and lack of compatibility with the neighborhood character. She felt the neighbors' testimony is part of the definition of the existing character and this proposal was not compatible. Though this will not officially set a precedent, she felt that it would have an impact on the character of the neighborhood which sets a built-in precedent. She would not support the application.

Motion:

On a motion by **C. Gray**, seconded by **L. May**, the Planning Board voted 5-2 (**B. Bowen** and **J. Putnam** opposed) to deny the Site Review application LUR2014-00090 and that the Planning Board continue the hearing and that the item return to the Planning Board at its next meeting with the findings of fact.

City of Boulder
BOARDS AND COMMISSIONS MEETING SUMMARY FORM

NAME OF BOARD/COMMISSION: Human Relations Commission
DATE OF MEETING: April 20, 2015
NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Robin Pennington 303-441-1912
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT: Commissioners – Amy Zuckerman, José Beteta, Emilia Pollauf, Nikhil Mankekar Staff – Karen Rahn, Carmen Atilano, Robin Pennington Commissioners absent – Shirly White
WHAT TYPE OF MEETING (CIRCLE ONE) [REGULAR] [SPECIAL] [QUASI-JUDICIAL]
AGENDA ITEM 1 - CALL TO ORDER – The April 20, 2015 HRC meeting was called to order at 6:15 p.m. by A. Zuckerman .
AGENDA ITEM 2 – OATH OF OFFICE: Nikhil Mankekar
AGENDA ITEM 3 – AGENDA ADJUSTMENTS – E. Pollauf moved to add the Colorado Right to Rest Act as Action Item VI. A. N. Mankekar seconded. Motion carries 4-0.
AGENDA ITEM 4 – APPROVAL OF MINUTES – E. Pollauf moved to accept the March 16, 2015 minutes with corrections. N. Mankekar seconded the motion. J. Beteta abstained. Motion carries 3-0.
AGENDA ITEM 5 – COMMUNITY PARTICIPATION (non-agenda action items) – Darren O’Connor and Rob Smoke of Boulder addressed the commission to request that they recommend to City Council that a community dialogue take place regarding the Colorado Right to Rest Act. Bob Norris of Longmont spoke about the Cities for Citizenship initiative and requested support from the HRC.
AGENDA ITEM 6 – ACTION ITEMS A. Colorado Right to Rest Act – Commissioners discussed the options and timeline to respond to the request for a community dialogue regarding the Right to Rest Act. N. Mankekar moved that members of the HRC attend the City Council meeting on April 21, 2015 to make a statement about city representation at the state legislature. J. Beteta seconded. Motion carries 4-0. Three commissioners will attend the City Council meeting. B. 2015 HRC Work Plan <ol style="list-style-type: none"> 1. 2016 MLK Day RFP – J. Beteta moved to approve the RFP with changes. E. Pollauf seconded. Motion carries 4-0. 2. Cesar Chavez Municipal Holiday – N. Mankekar moved that the HRC move forward with analysis to consider a recommendation to council. E. Pollauf seconded. Motion carries 4-0.
AGENDA ITEM 7 – DISCUSSION/INFORMATIONAL ITEMS A. Safe Community – Staff and commissioners discussed potential activities as first steps of a work plan item to address the city’s goal of being a safe and welcoming community for all. A subcommittee was formed to draft the HRC next step(s) to include a draft problem statement, activities, objectives, potential timeline and costs. B. Circles Poverty Simulation Update – C. Atilano gave an update on the upcoming Circles Poverty Simulation. C. Living Wage Update – C. Atilano gave an update on work of the city staff committee on Living Wage. D. Event Reports – A. Zuckerman attended the 2015 Open Door Fund Gala on April 11. N.

Mankekar attended speeches and workshops at Naropa University on April 1 and at CU with Valarie Kaur, CU Conference on World Affairs keynote speech by Leonard Pitts on April 6 and a CWA speech by Valerie Wilson, the RTD Public Hearing on April 6 and several City Council meetings.

- E. Follow Up Tasks** – Submit the amended March minutes, contact city Policy Advisor Carlos Castillo and Attorney Tom Carr on the Colorado Right to Rest Act, public notice that commissioners will attend the April 21 City Council meeting, release the 2016 MLK Day RFP as amended, proceed with analysis on Cesar Chavez Municipal Holiday, convene subcommittee of **Commissioners Zuckerman and Mankekar** to develop a draft work plan for HRC consideration regarding Safe Community.

AGENDA ITEM 8 – IMMEDIATE ACTION ITEMS – None.

AGENDA ITEM 9 – Adjournment – **N. Mankekar moved** to adjourn the April 20, 2015 meeting.

E. Pollauf seconded the motion. **Motion carries 4-0.** The meeting was adjourned at 8:42 p.m.

TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS: Three HRC members will attend the City Council meeting on April 21, 2015. The next regular meeting of the HRC will be May 18, 2015 at 6 p.m. at City Council Chambers, 1777 Broadway St.



CITY OF BOULDER
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees			
DATE OF MEETING: April 8, 2015			
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Leah Case x3440			
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:			
MEMBERS: Shelley Dunbar, Frances Hartogh, Molly Davis, Kevin Bracy Knight, Tom Isaacson			
STAFF: Tracy Winfree, Jim Reeder, Mark Gershman, Kelly Wasserbach, Steve Armstead, Greg Seabloom, Megan Bowes, Lynn Reidel, Chad Brotherton, Annie McFarland, Mo Valenta, Don D'Amico, Katy Waechter, Deryn Wagner, Alyssa Frideres, Cecil Fenio, Frances Boulding, Leah Case			
TYPE OF MEETING:	<u>REGULAR</u>	CONTINUATION	SPECIAL
SUMMATION:			
AGENDA ITEM I – Call to Order			
The newest Open Space Board of Trustees member, Tom Isaacson, read and signed the Oath of Office.			
Frances Hartogh moved to appoint Shelley Dunbar as the chairperson for the Open Space Board of Trustees. Shelley Dunbar moved to appoint Frances Hartogh as the Vice Chair. Tom Isaacson moved to elect Leah Case as the Board Secretary. All motions passed unanimously by acclamation.			
AGENDA ITEM 2- Approval of the Minutes			
Frances Hartogh moved the Open Space Board of Trustees to approve the minutes from Mar. 11, 2015 as amended. Tom Isaacson seconded. This motion passed unanimously.			
AGENDA ITEM 3- Public Participation			
Pete Palmer, Boulder, read a statement from the Resident Council at the Frasier Meadows Retirement Community. They expressed their support for the South Boulder Creek Action Group recommendation.			
Raymond Bridge, on behalf of Friends of Boulder Open Space (FOBOS), urged staff and the Board to commit to a timeline for the North Trail Study Area (TSA) process as well as to make sure sideboards are used.			
AGENDA ITEM 4- South Boulder Creek Action Group Presentation			
David McGuire, on behalf of the South Boulder Creek Action Group, gave a presentation to the Board			

stating the importance of implementing a flood mitigation process.

AGENDA ITEM 5- Matters from Staff

Mark Gershman, Environmental Planning Supervisor, gave a presentation on the management area designation process.

Annie McFarland, Visitor Access Coordinator; Don D’Amico, Ecological Systems Supervisor; and Jim Reeder, Land and Visitor Services Division Manager, gave several project updates, as well as a status update for the North TSA inventory report.

Tracy Winfree, Interim Director, gave the Board an update on the budget.

Tracy Winfree and Mo Valenta, Resource Information Supervisor, showed a preview of the Google “Trailview” project.

Steve Armstead, Environmental Planner, gave an update on the North TSA progress.

AGENDA ITEM 6- Matters from the Board

The Board reviewed an editorial that will be sent out in regard to the North TSA. Tom and Frances will finalize and submit this document.

AGENDA ITEM 7 – West Trail Study Area Implementation: Towhee/Homestead Trail Reroute Due to 2013 Flood

Annie McFarland gave a presentation on the reroute of the Towhee and Homestead trail in response to the 2013 flood.

This spurred one motion:

Kevin Bracy Knight moved the Open Space Board of Trustees recommend that staff: 1) implement the staff recommendation as shown on Attachment Map B: Towhee/Homestead Trails – Staff Recommendation and 2) install an interpretive sign highlighting birding opportunities of the area. Molly Davis seconded. This motion passed unanimously.

ADJOURNMENT: The meeting adjourned at 8:45 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 May 13th at 6 p.m. at 1777 Broadway in the Council Chambers

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: March 23, 2015
Contact Information Preparing Summary: Sally Dieterich 303-413-7242
Board Members Present: Mike Conroy, Myriah Conroy, Kelly Wyatt, Mike Guzek, Marty Gorce, Tom Klenow, Michelle Estrella Board Members Absent: None
Staff Present: Jeff Dillon, Yvette Bowden, Jeff Haley, Alison Rhodes, Lisa Martin, Kathleen Alexander
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 <ul style="list-style-type: none"> • 4/27/15 PRAB meeting – New PRAB appointees first meeting • 4/27/15 PRAB meeting – Election of officers • 4/27/15 PRAB meeting – Emerald Ash Borer Update • 4/27/15 PRAB meeting – Proposal for July 4 • 4/27/15 PRAB meeting – Aquatics Feasibility Plan Final • New PRAB member orientation has been scheduled
Agenda Item 3: Public Participation Bill Cohen, resident, spoke of the imminent closing of the Mapleton warm water therapy pool. He said there is no mention of a warm water therapy pool in the CIP and he urged PRAB to take the matter seriously and urge staff to implement a long term solution.
Agenda Item 4: Consent Agenda A. Approval of minutes from February 23, 2015 Minutes from February 23, 2015 were approved as written. B. Parks and Recreation Development Update C. Parks and Recreation Operations 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 Motions Approving the 2016 Expenditures from the Permanent Parks and Recreation Fund and 2016-2021 Parks and Recreation Department Capital Improvement Program (CIP). PRAB ACTION REQUESTED: Staff recommends that PRAB approve the recommended 2016 expenditures planned from the Permanent Parks and Recreation Fund and approve the recommended 2016-2021 Parks and Recreation Department CIP. Public comment: No one spoke.

Motion 1:

Motion to approve the 2016 recommended expenditures from the Permanent Parks and Recreation Fund.

Motion by: Guzek Seconded by: Gorce

Vote: 7-0 The motion passed unanimously.

Motion 2:

Motion to approve the recommended 2016-2021 Parks and Recreation Department Capital Improvement Program (CIP).

Motion by: Guzek Seconded by: Gorce

Vote: 7-0 The motion passed unanimously.

Agenda Item 6: Items for Discussion/Information

There were no Items for Discussion/Information.

Agenda Item 7: Matters from the Department

A. Bee Safe Boulder Resolution: Analysis and Options

Rella Abernathy presented this item. Bee Safe Boulder presented a resolution to city council on 2/20/15 that would declare Boulder a Bee Safe city. Staff supports the resolution with some minor adjustments.

The following PRAB input is requested:

- Does PRAB support the resolution?
- Does PRAB support the amended resolution with recommended changes by staff?
- Does PRAB have suggestions for engaging the community in such discussion?

PRAB agreed to support the amended version of the Bee Safe resolution.

Agenda Item 8: Matters from Board Members

Conroy (Mike) asked if the May meeting will be moved to May 18. Dillon answered that staff will look into this and respond to Mike. Conroy (Mike) also thanked Conroy (Myriah) and Estrella for their five years of service (each) to PRAB.

Next Board Meeting: April 27, 2015

Adjourn: There being no further business to come before the board at this time; the meeting was adjourned at 7:07 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

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: February 23, 2015
Contact Information Preparing Summary: Sally Dieterich 303-413-7242
Board Members Present: Mike Conroy, Myriah Conroy, Kelly Wyatt, Marty Gorce, Tom Klenow, Mike Guzek Board Members Absent: Michelle Estrella
Staff Present: Jeff Dillon, Yvette Bowden, Alison Rhodes, Jeff Haley, Doug Godfrey, Kady Doelling
Type of Meeting: Advisory/Regular
Agenda Item 1: Call to Order The meeting was called to order at 6:00 p.m. Chair Conroy requested agenda item 6 (Items for Discussion/Information) swap 6-A and 6-B. The agenda was approved.
Agenda Item 2: Future Board Items and Tours Future items: <ul style="list-style-type: none">3/23/15 PRAB meeting – 2016 Capital Improvement Program (CIP) recommendation and acceptance of the six year CIP program• 3/23/15 PRAB meeting – Final PRAB meeting for outgoing PRAB members (new members begin with the April 27 meeting)• 3/23/15 PRAB meeting – Bee Safe Neonicotinoid pesticides discussion with Integrated Pest Management (IPM) coordinator• 3/23/15 PRAB meeting – May have aquatics facilities study as a public hearing
Agenda Item 3: Public Participation <ul style="list-style-type: none">• <u>Boris Visnjic</u>, non-resident, representing Boulder Water Polo Club, spoke about the importance of having an aquatics center with a deep water pool that will support children and their love of playing water polo.• <u>Cece Bloomfield</u>, resident, representing Boulder Water Polo Club, spoke of the need to fast track a partnership to modify existing pools to accommodate high school water polo players. She said the two best options for partnerships are the Elks pool and the LaMont Does Park pool in Lafayette, CO.• <u>Maki Iatridis</u>, resident, representing Ocean First Divers, Ocean Classrooms and Ocean First Institute, spoke in support of Option 4 in the Aquatics Feasibility Plan.• <u>Veronica Casebolt</u>, resident, would like to see more youth swimming in Boulder and urges the City of Boulder to build a competitive aquatics center in Boulder. She said she also supports Option 4 in the Aquatics Feasibility Plan.• <u>Bob Smart</u>, non-resident, Fairview High School girls swim team head coach, spoke of the need for a 50 meter aquatics facility in Boulder. He said competitions are moving to other venues out of Boulder due to the lack of facilities large enough to accommodate these groups.• <u>Michelle Perkins</u>, non- resident, asked staff to go with Option 4.
<ul style="list-style-type: none">• <u>Diane Curlette</u>, resident, asked that the City of Boulder place more focus on seniors and those who benefit from warm water pool therapy. She added that none of the options mention warm water pool therapy or seniors.

Agenda Item 4: Consent Agenda

A. Approval of minutes from January 26, 2015

Minutes from January 26, 2015 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: Items for Action

Public Hearing and Consideration of a Motion to Approve the 2015 Final Concept Plan for Valmont City Park as an Update to the 2008 Concept Plan

Haley and Godfrey provided this update. Haley said the past year's planning for the undeveloped south portion of the park is coming to conclusion, adding that the process has been both collaborative and consensus building.

Godfrey explained that the purpose of the public hearing is to review the process and methodology undertaken during the past year culminating with PRAB's approval. Acceptance of the final concept plan permits the department to move forward with a more detailed design, exploration of funding options and movement to a final plan.

The public hearing was opened.

John Bird, non-resident, representing Colorado PDGA, shared two concerns. The allotted space for the disc golf course is not large enough to permit scheduling of high level tournaments and the designated playground area is a favorite area for disc golfers.

Jim Haswell, resident, said two acres of course space will be lost due to the proposed location of the multi use path, adding that overlapping uses is difficult. He said more acreage is needed.

Andrew Davies, non-resident, representing Boulder Valley Lacrosse, thanked staff and PRAB for all their efforts in this planning process. He said more practice fields are a necessity and asked if the process could move more quickly.

Sarah Rebick, resident representing Flatirons Running said running is growing in Boulder with both adults and children participating. She added that the concept plan has created much excitement in the running community and wanted to thank staff.

Ruth Janjic, non-resident, representing RicRojas Running, thanked staff for including a running track in the concept plan. She added that multiple uses within the track does not work well.

Peter Richards, resident, asked for a cross country running course for recreation purposes.

PRAB Discussion:

Gore – Spoke of the need to embrace volunteer and fund raising opportunities offered by numerous groups and decide how to move forward.

Guzek – Questioned why so much space has been allocated to the disc golf course?

Godfrey responded that it's about providing enough acreage – approximately one acre per hole. This will also aid in making the course more available for multi use in the future.

Conroy – Indicated that while he was skeptical about the size of the disc golf course in the beginning, with the number of people wanting it, it he feels that is a pretty good use of space.

Conroy (Myriah) – Stated that the proposed disc golf area represents a huge portion of the park and asked if the board was comfortable with that.

Guzek – Suggested that this plan not be promoted as a simple update of the 2008 plan since much has changed in seven years.

Guzek – Asked about phasing of the plan?

Godfrey responded that the phasing is conceptual.

Wyatt – Asked if the track could be built around a rectangular field.

Klenow – Stated that staff has done a great job on the concept plan and it reflects a nice balance.

Conway (Myriah) – Indicated she supported the public process and that she is excited for the community.

Gorce made the following motion:

Motion to approve the 2015 final concept plan for Valmont City Park as an update to the 2008 concept.

Conway (Myriah) seconded the motion.

The motion passed 6-0 with Estrella absent.

Agenda Item 6: Items for Discussion/Information

A. 2016-21 Capital Improvement Program (CIP)

Dillon provided the update on the status of the Capital Improvement Program (CIP).

- Capital funding is identified with five funds: Permanent Parks & Recreation Fund, Lottery Fund, .25 cent Sales Tax Fund, Capital Development Fund and Boulder Junction Improvement Fund
- Have \$2.2 million in the .25 cent Sales Tax Fund due to expiration of bond debt
- 2/23/15 PRAB meeting (2nd touch) – CIP draft projects identified and prioritized
- 3/23/15 PRAB meeting (3rd touch) – CIP public hearing and recommendation
- Late May 2015 – Proposed operating budget and CIP budget due to executive budget team
- July 2015 – Proposed CIP due to City of Boulder Planning Department
- Late July 2015 – CIP citywide tour
- Early August 2015 – Planning board CIP public hearing
- Mid August 2015 – City council CIP study session
- September 2015 – City council budget consideration

B. Aquatics Feasibility Plan Discussion

Rhodes presented a timeline update on the aquatics feasibility plan report.

- 11/14 – Consultants conducted facility assessments of city pools
- 11/14 and 12/14 workshops , an online survey and open houses were held to gather input on aquatics facilities/programs
- Consultants identified division strengths/weaknesses/opportunities/threats
- Options for consideration:
 - Option 1 - New 50 meter pool and bathhouse
 - Option 2 – New 50 meter pool, new outdoor aquatic center, new bathhouse
 - Option 3 – Replace 50 meter pool with 3,000-6,000 sq. ft. enclosed sprayground, replace bathhouse w/restrooms, build 50 meter indoor aquatic training center at Valmont City Park with outdoor component
 - Option 4 - Replace 50 meter pool with 3,000-6,000 sq. ft. enclosed sprayground, replace bathhouse w/restrooms, build 50 meter indoor aquatic training center at Valmont City Park with outdoor component to include deck space and team locker rooms
 - Option 5 – Replace 50 meter pool/bathhouse with family aquatic center and new bathhouse, build 50 meter indoor aquatic center at Valmont City park with outdoor aquatic

Agenda Item 7: Matters from the Department

There were no Matters from the Department

Agenda Item 8: Matters from Board Members

Guzek asked the status of board recruitment and the timing of the appointment of new members.

Dillon commented that there are four applicants for the two open Board positions.

Conroy (Mike) asked where and when the Civic Area Joint Board meeting would be held.

Haley responded March 11 at Boulder Museum of Contemporary Art (BMoCA) on 13th Street.

Next Board Meeting: March 23, 2015

Adjourn: There being no further business to come before the board at this time; the meeting was adjourned at 9:28 p.m.

Approved by:

Attested:

Mike Conroy
Board Chair

Sally Dieterich
Board Secretary

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

Name of Board/ Commission: Transportation Advisory Board	
Date of Meeting: 9 March 2015	
Contact Information Preparing Summary: Laurel Olsen-Horen 303.441.3203	
Board Members Present: Daniel Stellar, Jessica Yates, Dom Nozzi, Andria Bilich, Zane Selvans Board Members Absent: None	
Staff Present: Michael Gardner-Sweeney, Acting Director of Public Works for Transportation Kathleen Bracke, GO Boulder Manager Chris Hagelin, Sr. Trans Planner, GO Boulder Laurel Olsen-Horen, Board Secretary	
Type of Meeting: Advisory/ Regular	
Agenda Item 1: Call to Order	[6:03 p.m.]
The meeting was called to order at 6:03 p.m.	
Agenda Item 2: Approval of minutes from 9 February 2015	[6:03p.m.]
Motion to approve the meeting minutes from 9 February 2015 TAB meeting as presented: Motion by: Bilich, Seconded by: Stellar Vote: 5:0	
Agenda Item 3: Public Participation	[6:03 p.m.]
Andy Jacobson: Broadway bike path between Dartmouth and Hanover: It's extremely dangerous compared to other bike paths around the city.	
<ul style="list-style-type: none"> • Advisory bike lanes on Harvard Land do not address main dangers. There is ambiguity between cars and bikes coming in and going out of Harvard Lane. • It needs to be clear what the role of bikes and motorists is in this area. • Chronic conflicts with vehicles leaving Table Mesa Shopping Center need to be addressed. 	
Agenda Item 4: Resolution to Celebrate Jessica Yates five-year term TAB contribution	[6:06 p.m.]
A resolution was read aloud and a gift presented to board member Yates in recognition of her service on the Transportation Advisory Board.	
Agenda Item 5: Staff briefing and TAB input regarding the TDM Toolkit	[6:14 p.m.]
Chris Hagelin presented item to the board.	
Executive Summary from Packet Materials: No packet materials provided for this item.	
Board discussion and comments included:	[6:30 p.m.]
<ul style="list-style-type: none"> • What is the spectrum of responses from developers thus far? Negative perspective from developers. It's another city hoop to jump through which will cost more money. • Understanding the common themes from developers regarding enforcement thus far in the process. • Unless the ordinance is enforceable, TDM will not hold much weight with developers. Move away from the 'good faith' methodology. • Need to offer developers a list of tactics which would be useful to expand the toolbox. • Non-compliance should result in denied future redevelopment. • Why make compliance permanent? The question is rather, how the city should continue to monitor compliance once a property has met the three-year compliance timeframe. One option could be random, periodic evaluations. • Perhaps offering interim evaluations as an option to help developers check to see if they are on the right track rather than waiting until the third year. • TDM design could be implemented in two phases: <ul style="list-style-type: none"> ○ 1. Physical Phase – conditions must be set up for success otherwise there is not adequate support for the management side. ○ 2. Programmatic Phase – management side implementation 	

- Incentives versus enforcement – leverage to make an impact to these programs. If the tenant is the responsible, compliant party, than the developer must be provided with incentives to not pass along the fines to the tenants.
- The use of TMOs is vital to the success of achieving TDM.
- Non-compliance could trigger required tactics.
- Is there a best practice for enforcement in peer cities? Backend review is not practiced.

Agenda Item 6: Matters

[6:56 p.m.]

A.) Matters from the Board Included:

Board member Selvans brought up the below matter(s)

- FORM Base Code – two firms interviewed, planning staff is working on a decision.

Board member Bilich brought up the below matter(s)

- Snow removal at bus stops and cross walk paths – transportation staff is working with maintenance staff and the city’s contractor to include heavily used transit stops including their access points.

Board member Nozzi brought up the below matter(s)

- Has the city dropped pursuing the Idaho law for cyclists at stop signs? The state is not allowing any local ordinances to change enforcement along state roads. The city concluded having different rules at different intersections would be problematic throughout the city and not enable the behavioral changes being sought after. The next step would be to pursue it at the state level.
- When did the bike parking ordinances go into effect? They went into effect last November.

B.) Matters from staff/Non Agenda:

[7:07 p.m.]

- City Council February 24, 2015 Study Session report out – materials were well received. Council believed staff is on the right track with community-wide Eco Pass and AMPS.
 - Council provided guidance to staff to move forward with focused and enhanced approach for community engagement for the 2015 Living Lab Complete Streets Project.
- Regional Studies update (handout given) – US36 MCC working on RTD’s operating plan and fare study recommendations.
- University Ave. protected bike lane update: the city is planning on installing flexible bollards to help delineate the parking areas along University Ave.
 - This topic must be a solved topic in other communities throughout the world.
- Other Matters:
 - Civic Area public meeting tomorrow night.
 - Joint board meeting at BMoCA on Wednesday evening.

Agenda Item 7: Future Schedule Discussion:

[7:35 p.m.]

None

Agenda Item 8: Adjournment

[7:35 p.m.]

There being no further business to come before the board at this time, by motion regularly adopted, the meeting was adjourned at 7:35 p.m.

Motion: moved to adjourn; Bilich, seconded by: Yates

Motion passes 5:0

Date, Time, and Location of Next Meeting:

The next meeting will be a regular meeting on Monday, 13 April 2015 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

4/13/2015
Date

ATTESTED:


Board Secretary

13 April 2015
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: 23 February 2015	
Contact Information of Person Preparing Minutes: Andrea Flanagan 303.413.7372	
Board Members Present: Vicki Scharnhorst, Mark Squillace, Dan Johnson, Lesley Smith, Ed Clancy Board Members Absent: None	
Staff Present: Jeff Arthur, Director of Public Works for Utilities Bob Harberg, Principal Engineer-Utilities Annie Nobel, Flood and Greenways Engineering Program Coordinator Bret Linenfelter, Water Quality and Environmental Services Manager Kurt Bauer, Engineering Project Manager Russ Sands, Watershed Sustainability and Outreach Supervisor MaryAnn Nason, Water Conservation Outreach Coordinator Heidi Hansen, Floodplain and Wetlands Administrator/ Civil Engineer Edward Stafford, Development Review Manager Andrea Flanagan, Board Secretary	
Cooperating Agencies Present: Monica Bortolini, Consultant with Leonard Rice Engineers, Inc.	
Meeting Type: Regular	
Agenda Item 1 – Call to Order	[7:05 p.m.]
Agenda Item 2 – Approval of the 26 January 2015 Meeting Minutes: [7:06 p.m.] Motion to approve minutes as amended from January 26 as presented. Moved by: Johnson; Seconded by: Squillace Vote: 4:0 (Ed Clancy abstaining)	
Agenda Item 3 – Public Participation and Comment	[7:10 p.m.]
Public Comment:	
Patrick McAteer Chief Financial Officer at Frasier Meadows Retirement Community. Campus severely impacted by 2013 floods, lost about 40% of operating capacity, only half-way returned to normalcy. Requesting advocacy for Frasier Meadows, which is in its 55 th year assisting seniors in Boulder. Lost entire bottom level of skilled nursing and entire assisted living wing, and much more infrastructure, including independent living structures, approximately \$7.5 to 10 million in loss. Here for long-term needs for seniors in Boulder community. They are coming out of the flood and recreating what the organization will provide in the long run. Would appreciate continued advocacy of the Board.	
Chuck Howe Emphasized how severe the effects of the flood were on Frasier Meadows and is here to ask Board to promote maximum flood control off Highway 36 and any other alternatives. Qualla Drive area was badly impacted with 100 damaged homes, as well as Frasier Meadows. On the basis of FEMA’s first ruling, Frasier Meadows would be out of the floodplain if they built a retaining wall around its campus. FEMA recently reversed their decision, saying that they would still fall in the floodplain due to two structures being out of compliance with construction regulations. All residents would then be subject to flood insurance, with current rates quoted, causing a tremendous impact to residents. Feels that adequate storage around Hwy. 36 would protect the Qualla Drive area and would give grounds for appealing FEMA ruling, which has severe implications for Frasier. Hopes Board will consider the alternative, which would provide a legitimate argument to FEMA to have them reconsider their decision. Final recommendation is to consider other alternatives on the other side of Highway 36.	
Tom LeMire President HOA of 100-unit, 5 building complex, which is about 15 years old, north of Frasier Meadows Manner. As with Frasier, their building was under water during flood, small fraction of loss compared to what Frasier endured. \$42,000 worth of electrical damage to meters, with biggest issue being with settlement with insurance company. In their 80-page umbrella insurance document, they didn’t see exemption that insurance company found, which stated that they should not be covered for upgrading electric meters even though City of Boulder says that meters should be upgraded, per the 2011 code. The	

insurance company does not cover upgrading, which is a catch-22.

There were so much mechanical repairs and now years of frustrating efforts that require very expensive insurance policy. Experienced 3 feet of water that probably came from Bear Creek/ NCAR area. Asks that Board please work with CU to open South Campus for natural retention in large low-lying areas around CU.

Rick Mahan

Member South Boulder Creek Action Group. Wants to reemphasize that the group’s main priority is to stop the overtopping of US36 during floods.

Agenda Item 4 - Matters From Staff: [7:21 p.m.]

- a) Update on South Boulder Creek Mitigation Study
- b) Update on National Flood Insurance Program – Community Rating System
- c) 2015 Flood Outreach Program
- d) Water Conservation Program

Agenda Item 5 – Matters from the Board: [8:55 p.m.]

Board Member Smith brought up the below matter(s):

- Attended Watershed Forum, which was fantastic and thought-provoking.
- Feels that the more our public can be educated about water use and average per-capita consumption, and the more information people have, the more they may realize that it is a critical resource.

Board Member Johnson brought up the below matter(s):

- Thanked Board Secretary for receiving the meeting packet in one succinct package this month, as opposed to separate documents and attachments.
- Stated that he will miss April meeting and questioned whether date could be changed?
- Questioned status of snowpack in the watershed?

Board Member Clancy brought up the below matter(s):

- Questioned whether the city’s water supply lines’ range of leakage falls between 7% and 14%.
- Discussed email that was sent to Board about study regarding “submarines” that were sent through collection systems and that it would be nice to see this subject revisited by city staff.
- Questioned if we are going to be doubling our existing collection system rehabilitation efforts.
- Questions about flow meters that were put in sewage lines and what current infiltration rate is?
- Questioned if Frasier Meadows is an area that would be metered to determine flows?
- Questioned conditioning monitors and the status of the “big pipes” in the city’s sewer mains.
- Questioned if the problem with Casey Middle School is related to sewer main issues?

Agenda Item 6 – Future Schedule [9:05 p.m.]

Several board members expressed interest in rescheduling future meetings due to conflicts. Staff will follow up.

Adjournment [9:07 p.m.]

There being no further business to come before the Board at this time, by motion regularly adopted, the meeting was adjourned at 9:07 p.m.

Motion to adjourn by: Johnson; **Seconded by:** Squillace

Motion Passes 5:0

Date, Time, and Location of Next Meeting:

The next WRAB meeting will be **Monday, 16 March 2015 at 7:00 p.m.**, at the **City's Municipal Services Center, 5050 Pearl St., Boulder, CO 80301**

APPROVED BY:

Board Chair

Date

ATTESTED BY:

Board Secretary

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.

<https://bouldercolorado.gov/boards-commissions/water-resources-advisory-board-next-meeting-agenda-and-packet>

**IN APPRECIATION FOR
GORDON AND GRACE GAMM'S
DONATION AND SUPPORT OF THE ARTS**

WHEREAS, on December 12, 2014, it was announced that Gordon and Grace Gamm are supporting the arts in Boulder with a \$1 million gift to The Dairy Center for the Arts; and

WHEREAS, Gordon and Grace believe the arts play a critical role in the quality of life in our community; and

WHEREAS, both have been major supporters of a variety of arts organizations in Boulder and believe that Boulder can become as significant as an arts destination as it is an outdoors and health-conscious community; and

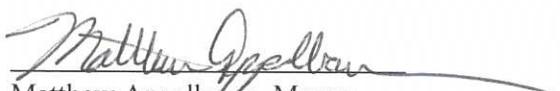
WHEREAS, both hope that The Dairy will become the coordinating hub for the arts in Boulder in order to maximize the quality of arts entertainment and education available here; and

WHEREAS, The Dairy already is home to over 200,000 arts experiences every year and provides music and dance studios for over 2,000 students; and

WHEREAS, Gordon and Grace believe exposure to the arts enhances the quality of our lives and contributes to the desirability of making Boulder home; enriches children's lives through exposure to excellent art and performance; fosters creative expression that results in new opportunities for understanding ourselves and our world; and benefits commercial enterprise by attracting employees who are seeking enriching communities for their families; and

WHEREAS their \$1 million gift to The Dairy confirms their belief in the vitality of the arts in Boulder and the opportunity Boulder has to become a model city for an excellent quality of life;

NOW, THEREFORE, BE IT DECLARED by the City Council of the City of Boulder, Colorado, that the City of Boulder expresses its sincere appreciation to Gordon and Grace Gamm for their generous donation and support of the arts.


Matthew Appelbaum, Mayor

**BOULDER HISTORIC PRESERVATION MONTH
MAY 2015**

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character; and

WHEREAS, it is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life, and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping preserve the tangible aspects of our heritage that have shaped us as people; and

WHEREAS, "*History in the Making: Celebrating Youth in Preservation*" is the theme for Archaeology and Historic Preservation Month in Colorado for 2015, co-sponsored by the Boulder Heritage Roundtable;

NOW, THEREFORE, BE IT DECLARED by the City Council of the City of Boulder, Colorado, that May 2015 is

Historic Preservation Month

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

**U.S. Department of Transportation
Mayor's Challenge for Safer People, Safer Streets**

WHEREAS, U.S. Secretary of Transportation Anthony Foxx launched the department's Safer People, Safer Streets initiative to increase walking and biking, to reduce pedestrian and bicyclist fatalities by addressing non-motorized safety issues, and to help communities create safer, better connected bicycling and walking networks; and

WHEREAS, the City of Boulder joined over 200 cities in the U.S. Department of Transportation's Mayor's Challenge and attended the Mayor's Summit for Safer People, Safer Streets held in Washington, D.C. in March 2015; and

WHEREAS, the 2014 Transportation Master Plan (TMP) outlines the City of Boulder's efforts to make Boulder's transportation system more accessible and sustainable for generations to come; and

WHEREAS, the *Safe Streets Boulder* program is a TMP action item that includes tracking, analyzing, and identifying a three-pronged approach of engineering, education, and enforcement countermeasures to address the most common motor vehicle collisions involving a bicyclist or pedestrian; and

WHEREAS, a primary goal of the TMP, *Toward Vision Zero*, calls for continuous improvement in safety for all modes of travel and action items to reduce fatal and serious injury crashes through the *Safe Streets Boulder* program; and

WHEREAS, the Boulder community continues to demonstrate its commitment to increase bicycling and walking, as people in Boulder bike 17 times the national average and walk three times the national average. 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, greater awareness will help all participants in the community's transportation system - pedestrians, bicyclists and drivers - practice safe travel behavior; and

WHEREAS, the city launched the Living Laboratory program to introduce new transportation designs that take a *Complete Streets* approach in an effort to increase comfort and safety of all roadway users and guide enhancements to create a connected network of low-stress routes for people walking and biking.

NOW, THEREFORE, BE IT DECLARED by the City Council of the City of Boulder, Colorado, that the City of Boulder supports the

**U.S. Department of Transportation
Mayor's Challenge for Safer People, Safer Streets**

to take significant action to improve safety for bicyclists and pedestrians of all ages and abilities over the next year.


Matthew Appelbaum, Mayor