BOULDER CITY COUNCIL MEETING
MUNICIPAL BUILDING, 1777 BROADWAY
Tuesday, July 28, 2015
6 PM

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

   A. **Declaration** regarding **Modern Slavery and Climate Change- The Commitment of the Cities**

   B. **Declaration** regarding **Americans with Disabilities Act** Awareness Day

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) **(15 min)**

   A. Consideration of a motion to approve the **minutes** for the **March 3, 2015** City Council **Regular Meeting**

   B. Consideration of a motion to approve the **minutes** for the **June 1, 2015** City Council **Executive Session**

   C. Consideration of a motion to approve the **minutes** for the **June 2, 2015** City Council **Regular Meeting**

   D. Consideration of a motion to approve the **minutes** for the **June 9. 2015** City Council **Special Meeting**

   E. Consideration of a motion to approve the **minutes** for the **June 15, 2015** City Council **Special Meeting**

   F. Consideration of a motion to approve the **minutes** for the **July 14, 2015** City Council **Special Meeting**

   G. Consideration of a motion to accept the **April 28, 2015** City Council **Study Session Summary** regarding **the Access Management Parking Strategy (AMPS) Update**

   H. Consideration of a motion to accept the **June 9, 2015** City Council **Study Session Summary** regarding **Boulder Valley Comprehensive Plan (BVCP)/Resilience**

I. Consideration of a motion to accept the **June 9, 2015** City Council **Study Session Summary** regarding **Housing Boulder**

J. Consideration of a motion to **approve a twenty-year right-of-way** lease **for two encroachments** (awnings) **located at 1505 Pearl Street** (REV2014-00022)

K. Consideration of a motion to **authorize the City Manager** to enter into an **agreement** allowing the City of **Boulder Fire Rescue Department** and the **USDA Forest Service to exchange personnel** for mutual benefit of **Wildland Fire Management**

L. Consideration of a motion to call the following **Special Meetings** of the **Boulder City Council:**

1. **Thursday, August 6, 2015 at 6 PM** in the **City Council Chambers** located at 1777 Broadway, and
2. **Thursday, August 27, 2015 at 6:30 PM** in the **City Council Chambers** located at 1777 Broadway

M. Introduction**, first reading** and consideration of a motion to order published by title only **Ordinance No. 8055 setting the ballot title for an initiated amendment to the Boulder Charter,** and setting forth related details (Library)

N. Introduction, **first reading**, and consideration of a motion to order published by title only**, Ordinance No. 8056 submitting to the electors** of the City of Boulder at the regular municipal coordinated election to be held on Tuesday, November 3, 2015, the question of whether to **extend the utility occupation tax on public utility companies** that deliver energy to customers in the form of electricity and gas that was passed by the voters pursuant to Ordinance no. 7751 (as amended by Ordinance no. 7808) at the rate $4.1 million dollars, beginning January 1, 2011 be extended from December 31, 2017 December 31, 2022; setting forth the ballot title; making conforming changes to the Boulder Revised Code; and setting forth related details

O. Introduction, **first reading**, and consideration of a motion to order published by title only**, Ordinance No. 8057** submitting to the registered electors of the City of Boulder at the regular municipal coordinated election to be held on Tuesday, November 3, 2015, the **question of whether to extend the Climate Action Plan tax that was approved by the voters in November 2006** and implemented by the City Council in chapter 3-12, B.R.C. 1981, (as amended in 2012 by ordinance 7884) currently set to expire March 31, 2018, for the **purposes for implementing programs to increase renewable energy use, reduce emission from motor vehicles, and take other steps toward the goal of reducing greenhouse gas emissions**; setting forth the ballot title; making conforming changes to the Boulder Revised Code; and setting forth related details

P. Introduction, **first reading** and consideration of a motion to order published by title only, **Ordinance No. 8058 designating** the building and property at **2245 Pine St**.,

to be known as the Ravenscraft House, as an **individual landmark** under the city's Historic Preservation Ordinance

Q. Introduction, **first reading**, and consideration of a motion to order published by title only **Ordinance No. 8059** amending Chapter 11-1 "**Water Utility**," B.R.C 1981, and authorizing the City Manager to execute an agreement relating to the provision of **out-of-city water services** with the owner of **4400 Peach Court**

R. Introduction, **first reading** and consideration of a motion to order published by title only, **Ordinance No. 8060** vacating and authorizing the City Manager to execute a deed of vacation to **vacate a portion of a sidewalk easement at 2460 Iris Avenue**

S. Introduction, **first reading** and consideration of a motion to order published by title only **Ordinance No. 8061** approving a **supplemental appropriation for the Storm Water and Flood Management Revenue Bonds, Series 201**5, in the aggregate principal amount of **$23,317,855**, for the purpose of providing funds for storm water and flood management improvements and for the costs of issuance of the Series 2015 Bonds

4. POTENTIAL 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 approximately 12.5 acres of land, mineral estate, two houses and associated outbuildings from the Ernest J. Coleman Trust for $950,000, along with $50,000 for immediate property improvements, both for Open Space and Mountain Parks purposes** and the disposal of approximately 2.28 acres or less of that land including the two houses and associated outbuildings **located at 5678 and 5688 Baseline Road.** The disposal will include negotiation of an acceptable purchase price and appropriate encumbrances on the disposed property to protect the open space values of the remaining parcel. The disposal portion of this Agenda Item is pursuant to Section 177 of the Boulder City Charter

B. **Third reading** and consideration of a motion to **adopt Ordinance No. 8043** amending chapter 10-12 **"Mobile homes,"** adding a new section 10-12-25 "Limitation on Park Owner's Right to Prohibit Sales," amending section 10-12-2 to add definitions, amending section 10-12-3 to make section 10-12-25 applicable to all mobile home parks, amending section 10-12-4 to provide for administrative remedies and setting forth related details

C. **Boulder Valley Comprehensive Plan** – Direction on Service Area Expansion Assessment, Schedule, and Updates on Foundations Work

D. Consideration of a motion to **accept the Upper Goose and Twomile Canyon Creek Floodplain Mapping Study update, submit the study to FEMA, and direct staff** to consider and **use the results of the study** in the **regulation** of all **annexations and development proposals** during the interim period while FEMA is reviewing the results of the study

6. MATTERS FROM THE CITY MANAGER

7. MATTERS FROM THE CITY ATTORNEY

8. MATTERS FROM MEMBERS OF COUNCIL

A. **Potential Call-Ups**

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 mins) Opportunity for Council to discuss how the meeting was conducted.

12. ADJOURNMENT
This agenda and the meetings can be viewed at www.bouldercolorado.gov / City Council. Meetings are aired live on Municipal Channel 8 and the city's Web site and are re-cablecast at 6 p.m. Wednesdays and 11 a.m. Fridays in the two weeks following a regular council meeting. DVDs may be checked out from the Main Boulder Public Library.

Anyone requiring special packet preparation such as Braille, large print, or tape recorded versions may contact the City Clerk's Office at (303) 441-3002, 8 a.m. – 5 p.m. Monday through Friday. 48 hours notification prior to the meeting or preparation of special materials IS REQUIRED.

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 COUNCIL PROCEEDINGS
CITY OF BOULDER
March 3, 2015

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

Mayor Appelbaum called the March 3, 2015 Regular City Council meeting to order at 6:03 PM in Council Chambers.

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

Mayor Appelbaum announced that applications have been reopened for the two Boulder Junction boards and the Landmarks Board. If you want to apply there is an on line application on www.bouldercolorado.gov, deadline is Wednesday 5 PM.

2. **OPEN COMMENT** and **COUNCIL/STAFF RESPONSE**
   1) Anita Li, 2510 Taft Dr. – Urging vote against Fast-Track on the Trans-Pacific Partnership. Urged all to phone Representative Jared Polis requesting he vote against the TPP (Trans-Pacific Partnership).
   2) Derek Silver, 2900 Aurora Ave. – Also opposed to Trans-Pacific Partnership which is a one sided deal and benefits corporations. Encourages the movement against TPP.
   3) Joe McDonald, 1800 McIntyre – Also spoke in opposition to the TPP which was modeled after NAFTA which has not benefited Colorado or the US.
   4) Andrew Bryson, 2425 University Heights – also opposed to the TPP – trade agreements were negotiated behind closed doors and those impacted completely unaware which is not democratic. Urged everyone to call Jared Polis and tell him not to support TPP.
   5) Carolyn Bninski, – Representing Rocky Mountain Peace and Justice Center. Also in opposition to the TPP and Fast-Track, urging Polis to vote against Fast Tracks and TPP.
   6) Patrick Murphy, 1554 North Street – Spoke to financial impacts of the Boulder municipalization effort.
   7) Nancy Blackwood, 1065 9th Street – 38 year resident of the Hill, co-chair of Meet the Spirits from Columbia Cemetery donating check to the ongoing preservation fund for the cemetery from Historic Boulder. Mary Riley McMillan received the check.
   8) Mary Riley McMillan, 4633 Jameson Street– Extended deepest appreciation to the Historic Boulder for their support of Columbia Cemetery. Wants to inform Council of donation to the City of Boulder for Columbia Cemetery from book proceeds.
   9) Jerry Allen, 5000 Butte Street – Spoke to mobile home parks in Boulder and the need for affordable housing. Spoke to the unethical practices of the Vista Village mobile home park owners and urged the Council to pass an ordinance that protects mobile home owners.

10) Tom Moore, 2830 5th Street – Spoke in opposition to the TPP and agreed with earlier speakers. He urged to read more on this and to call Jared Polis.
11) Molly Davis, 5635 Quarry Court – On the Board of Trustee for Open Space, spoke to the NTSA that will be coming to Council this year. She wanted to stress that the timeline is ambitious and would like the time needed to develop it well with a lot of community involvement that will be key.
12) Andrew Bush, 2345 Bluff Street – Spoke about linkage fees. He supports them but wants to ask about imposing them over time and addressing impacts to some projects.
13) Jonathon Warner, 4400 Osage – Regarding 96 Arapahoe annexation and concept review. As developer would love to have input from the council for this project.

Staff Response –
City Attorney Carr spoke with Council Members Morzel and Young regarding the mobile home park issue indicating that he would bring back something in the next few weeks.

Council Member Morzel thanked City Attorney Carr and pointed out that the mobile home park issue is not just occurring in Vista Village but in many other mobile home parks.

Council Member Young asked about the possibility for the Council to take a position on TPP.

Mayor Appelbaum responded that a majority of Council would be needed and a subcommittee would need to be created in order to bring back a recommendation to Council. He suggested bringing it up at the end of the meeting to see if council was interested in taking action.

Council Member Morzel – Thanked Andrew Bush for coming two weeks in a row and noting that the linkage fees ordinance was on the agenda for first reading and there will be time for input at second reading as well.

Council Member Plass, as a spirit at the Meet the Spirits event, he thanked the organizers for the fund raising efforts to maintain the cemetery. He encouraged council to participate as spirits in future years.

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 ACCEPT THE FEBRUARY 10, 2015 STUDY SESSION SUMMARY REGARDING POTENTIAL REGULATION OF SHORT TERM RENTALS.**

   B. **CONSIDERATION OF A MOTION TO ACCEPT THE FEBRUARY 10, 2015 STUDY SESSION SUMMARY REGARDING THE CHAUTAUQUA LEASE.**

C. **CONSIDERATION OF A MOTION TO APPROVE THE DISPOSAL OF AN INTEREST IN OPEN SPACE LANDS PURSUANT TO BOULDER CITY CHARTER SECTION 177 THROUGH THE GRANT OF AN EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO FOR THREE POWER POLE SUPPORT BEAMS ON THE STANGER OPEN SPACE PROPERTY THAT WERE REQUIRED TO BE RELOCATED BY THE CONSTRUCTION OF THE BOULDER COUNTY/COLORADO DEPARTMENT OF TRANSPORTATION ROAD IMPROVEMENTS ON STATE HIGHWAY 93.**

D. **CONSIDERATION OF A MOTION TO AUTHORIZE AN INTERGOVERNMENTAL AGREEMENT WITH BOULDER COUNTY FOR DESIGN AND CONSTRUCTION OF THE EXTENSION OF THE BOULDER CREEK BIKE PATH.**

E. **CONSIDERATION OF A MOTION TO RENEW THE EMPLOYMENT AGREEMENT OF BOULDER MUNICIPAL COURT ASSOCIATE JUDGE JEFFREY CAHN AND TO AWARD A 2.5% MERIT INCREASE.**

F. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY ORDINANCE NO. 8032 GRANTING A 10-YEAR FRANCHISE TO COMCAST OF COLORADO IV, LLC; APPROVING A 10-YEAR CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE CITY OF BOULDER AND COMCAST OF COLORADO IV, LLC; AND AUTHORIZING THE CITY MANAGER TO SIGN ALL AGREEMENTS ATTENDANT THERETO.**

G. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY ORDINANCE NO. 8033 APPROVING SUPPLEMENTAL APPROPRIATIONS TO THE 2015 BUDGET.**

H. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO PUBLISH BY TITLE ONLY 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.**

I. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO PUBLISH BY TITLE ONLY EMERGENCY ORDINANCE NO. 8035 AMENDING SECTION 4-20-68, "FLOOD RELATED FEE WAIVER," B.R.C. 1981, TO EXTEND TEMPORARY AUTHORITY TO WAIVE CERTAIN FEES TO FACILITATE RECOVERY AND REPAIR WORK RESULTING FROM FLOOD IMPACTS AND AMENDING SECTION 9-10-2 "CONTINUATION OR RESTORATION OF NONCONFORMING USES AND NONSTANDARD BUILDINGS, STRUCTURES, AND LOTS," B.R.C., 1981, TO EXTEND THE TIME TO RESUME USES AND RESTORE BUILDINGS AFFECTED BY THE SEPTEMBER 2013 FLOOD.**

Council Member Weaver moved, seconded by Council Member Young, to approve Consent Agenda Items 3A – 3I. The motion carried 9:0 at 6:43 PM

4. **POTENTIAL CALL UP CHECK IN**
Opportunity for Council to indicate possible interest in the call-up of an item listed under agenda Item 8-A1.

Council Member Cowles expressed interest in calling up 8A-2.

5. PUBLIC HEARINGS – 6:45 PM

A. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 8029 DESIGNATING THE BUILDING AND PROPERTY AT 747 12TH ST., TO BE KNOWN AS THE COWGILL PROPERTY, AS AN INDIVIDUAL LANDMARK UNDER THE CITY'S HISTORIC PRESERVATION ORDINANCE.

OWNER: 747 TWELFTH STREET, LLC
APPLICANT: LANDMARKS BOARD

Council Member Cowles recused himself from the hearing since he had stated opinions about the landmarking of this property in the past.

All participants were sworn in by the City Clerk.

The presentation on this item was provided by Historic Preservation Planner Marcy Cameron and Senior Historic Preservation Planner James Hewat.

Council members were asked to disclose any *Exparte* communications:

Council Member Karakehain – Indicated that he voted against the ordinance on first reading but entered this hearing with an open mind. He also indicated that he had visited the site.

Council Member Young – Disclosed a site visit and a meeting she and Council Member Plass had met with Susan Richstone, Deputy Director of Community Planning and Sustainability about the property after receiving an email from the property owner.

Council Member Jones – Disclosed a site visit.

Mayor Appelbaum – Disclosed a site visit.

Council Member Shoemaker – Disclosed as site visit and noted that he did quite a bit of research which was all disclosed on Hotline.

Council Member Morzel - Disclosed four site visits and had communications with Lisa Johnson. She also disclosed on Hotline those communications. In addition she visited all properties that have been landmarked over owner's objections. She had also asked Council Member Plass about a home nearby that looked like a pop up

and he had confirmed that it was.

Council Member Weaver - Disclosed a site visit and that he read the editorial in the Camera but would not be considering that factor in his decision that evening.

Council Member Plass - Disclosed a site visit and that he met with staff last fall with Council Member Young and spoke with Council Member Morzel about another structure on the block.

Council Member Weaver - Also noted that all council members had received an email from Planning Board Member Crystal Gray.

Mayor Appelbaum asked City Attorney Carr to clarify the quasi-judicial process. City Attorney Carr stated that since this was adjudication of people's rights, they were entitled to due process. That due process allowed them to respond to any evidence that was in the record and that *exparte* disclosures allowed them to do that.

Marcy Cameron explained the procedure for landmark designation and gave a presentation on the property.

Presentation by Applicant:
Mark Gerwing, Chair of the Landmarks Board (applicant) testified to the reason for the landmarking application for the property. He reviewed the historic significance of the Cowgill family as well as the architectural significance of the house.

Council Member Plass asked if the tree could be preserved too. Marcy Cameron stated that there wasn't protection for the trees.

Council Member Jones was curious about subdividing lots.

Susan Richstone, Deputy Director of Community Planning and Sustainability spoke to zoning issues raised by Council.

City Attorney Carr addressed the question of subdividing landmarked lots which would involve ordinance limits and state law.

Council Member Shoemaker asked for clarification on the issue of the porch and its convalescence service. Marcy Cameron stated that articles were used to conclude that the porch was used for that. She stated that she thinks there is a way to do an addition without demolishing the building.

Council Member Karakehian asked if they were limited in time to make the decision. City Attorney Carr clarified the time frame.

Council Member Young asked if the interior could be changed. Ms. Cameron said that there were no restrictions on the interior unless owners wanted to take advantage on tax credits.

Council Member Weaver asked how many other examples of this bungalow type of design were in Boulder. Marcy Cameron doesn't have the number of this bungalow type but noted this particular property is unique because of how intact it is. Council Member Weaver also asked how many prior attempts at owner-objection landmarks had been turned down. Staff member Hewatt did not believe designation over owner objection has been denied in last 20 years.

Presentation from Owner:

1. Eric Johnson, 1300 Sumac, property owner who spoke to the challenges of renovating and expanding the home. Asked that Council vote no.

2. Kristen Lopez, 10790 N 49th Street, Longmont, also a member of the Johnson family, reviewed the history of the past year. She challenged the architectural, environmental and historical significance. If Council voted to impose to landmark the property they should compensate the family for loss of property value.

3. Adrian Sopher, architect for the home owners, spoke to the lack of significance of the house and the cost prohibitive nature of restoring the home if landmarked.

The public hearing was opened:

1) Dan Corson, 757 8th St. – 42 year resident and former resident of the 700 block of 12th Street. He supported the landmarking of the house at 747 12th Street.
2) Paul Levitt, 1610 Hillside Road – Lives in a Historic Home which was the first in what is now an entire historic district voted for unanimously by the home owners. Supported the landmarking.
3) Linda Wilson, 767 12th St. – Lives next door to 747 12th St. Spoke in support of the landmarking.
4) Jim Scarboro, 735 12th St. – Lives near 747 12th St. and spoke in support of landmarking it. He thought that the issue was really one of financial hardship.
5) Ann Scarboro, 735 12th St. - Noted that the Johnson's had never tried to sell the home. She too supported landmarking of 747 12th St.
6) Joyce Davies, 350 Ponca Place – Voiced support for the landmarking and addressed the historic significance.
7) Martha Campbell, 750 12th St. –Spoke in support of the landmarking of 747 12th St.
8) Don Reichert, 740 12th St. – Neighbor in support of the landmarking of 747 12th St.

9) Karl Anuta, 4840 Thunderbird Dr, Apt 89 – He was president of Historic Boulder when the Boulder Theatre was designated and they had consent. He was also chairman of the Landmark Board when the Arnett Fullen House was designated and they had consent by the time it reached Council. It was appropriate to consider the burden and the benefit that designation would have on the owners and the property. He believes the property would fetch a higher price now and might be more desirable to someone who recognizes the historical value.
10) Jancy Campbell, 1037 Maxwell Ave. – As a realtor in Boulder spoke to the trend that the value of landmarked homes is enhanced by that status. Selling price for landmarked homes is typically 3 times more than average homes.
11) Kathryn Barth, 2948 20th St., a preservation architect – Voiced support for the landmarking of 747 12th St.
12) Geneva Reichert,740 12th St. – Spoke in support of the landmarking of 747 12th St.
13) Jyotsna Raj, 863 14th St. – Expressed dismay at the lack of understanding regarding the value of historic designation. It is not just to preserve mansions and large properties but also to preserve smaller homes.
14) Abbey Daniels, 1123 Spruce St. – Historic Boulder supported the landmarking of 747 12th St. She had not heard a compelling argument for demolishing the structure. Historic preservation was for the greater good.
15) Fran Sheets, 520 Marine St. – A member of the Landmarks Board but spoke as an individual. Noted that had she been in town she would have voted for the landmarking when it came before the Landmarks Board.
16) Mark Gelband, 505 College – Did not agree that there was significant support by the neighborhood. He opposed landmarking of a property over the objections of the property owner.

There being no further speakers the public hearing was closed.

Council Member Plass moved, seconded by Council Member Morzel to adopt Ordinance No. 8029 designating the building and property at 747 12th St. to be known as the Cowgill Property, as an individual landmark under the City's Historic Preservation Ordinance and to approve the findings as outlined.

After further discussion Council Member Plass withdrew the motion and made a subsequent motion after there was consensus of council to ask staff to explore other options for a compromise that would work for both the applicant and the owner.

Council Member Plass moved, seconded by Council Member Weaver, to continue the hearing and to allow CAC to schedule a date for the issue to come back within the required 100 day time limit. The motion carried 8:0 at 9:53 PM.

B. COUNCIL DECISION AND DIRECTION ON ITEMS RELATED TO THE UNIVERSITY

HILL COMMERCIAL DISTRICT MORATORIUM PROJECT, INCLUDING:

1. **SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT EMERGENCY ORDINANCE NO. 8030 AMENDING TITLE 9, "LAND USE CODE," B.R.C. 1981, TO LIMIT RESIDENTIAL USES WITHIN THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT IN THE BMS (BUSINESS MAIN STREET) ZONING DISTRICT AND CORRECT BMS ZONE STANDARDS, AND SETTING FORTH RELATED DETAILS.**

2. **DIRECTION TO STAFF ABOUT STRATEGIES TO CONSIDER FURTHER AS PART OF THE ON-GOING HILL REINVESTMENT STRATEGY AND THE COMMUNITY PLANNING AND SUSTAINABILITY WORK PLAN.** – 9:57 PM

Presentation on this item was provided by University Hill Moratorium Project Manager Ruth McHeyser and Senior Planner Karl Guiler. Also presenting on University Hill parking issues was Director of Downtown/University Hill Management and Parking Services Division Molly Winter.

Council Member Jones had questions on affordable housing and senior housing.

Council Member Morzel had questions on housing component - the percentage of housing on the Hill compared to other areas in Boulder, what does expanding over time mean for existing housing, how are smart regs being addressed for existing properties, how is senior and affordable housing being addressed, has CU been asked what plans they have for more housing on their properties, would there be allowance for CU staff and faculty.

Mayor Appelbaum had questions about parking allocation.

Council Member Shoemaker asked if there is a realistic probability of affordable housing or if it's going to be more commercial on the Broadway side.

Council Member Young had questions about parking.

Council Member Karakehian expressed concern about landmarking the Hill and asked if staff would determine if there was consensus among property owners for the Hill being a Historic Landmarked District. He also asked if parking structures would change the appraisals in the tax district and would a vote be needed.

Mayor Appelbaum moved, seconded by Council Member Jones, to suspend the rules and continue the meeting. The motion carried 7:2, Karakehian and Plass opposed. Vote was taken at 10:40 PM.

The Public Hearing was opened:

1) John Pavelich, 540 Manorwood Lane, Louisville – Asked for additional time on this decision. Did not want good ideas to suffer because other ideas did not align with City vision.
2) Nancy Blackwood, 1065 9th St. – Supported the Planning staff recommendation.
3) Jyotsna Raj, 863 14th St. – University Hill resident and member of the UHGID Board voiced support for the ordinance.
4) Dakota Soifer – UHCAM – urged council to go the next step and limit all housing.
5) Michael Boyers – As large property owner on the Hill, did not believe there should be more student housing and supported diversity of users on the Hill. He also indicated that was starting to support the idea of additional offices on the Hill.

There being no further speakers the public hearing was closed.

Council Member Shoemaker moved, seconded by Council Member Morzel, to adopt Emergency Ordinance No. 8030 amending Title 9, "Land Use Code," B.R.C. 1981, to limit residential uses within the University Hill General Improvement District in the BMS (Business Main Street) zoning district and correct BMS zone standards, excluding Seniors as set forth in (j)(2). The motion carried 9:0 at 11:04 PM.

6. **MATTERS FROM CITY MANAGER - none**

7. **MATTERS FROM CITY ATTORNEY – none**

8. **MATTERS FROM MAYOR AND MEMBERS**

A. Call Ups

1. Vacation of a 79 square foot portion of a utility easement that is located at the southeast corner of the property at 2248 Nicholl Street. (ADR2015-00006)

2. Concept Plan Review for 96 Arapahoe (LUR2014-00100)

Council Member Cowles moved, seconded by Council Member Morzel, to review the concept plan review for 96 Arapahoe.

B. **DISCUSSION REGARDING TRANS-PACIFIC PARTNERSHIP**

City Attorney Carr pointed out that Council Procedures state "Council shall not act on a foreign policy or national policy issue on which no prior official city policy has been established by the council or the people, unless sufficient time and resources can be allocated to assure a full presentation of the issue."
Council Member Jones indicated that Congress was expected to vote on this matter in

less than three weeks. She also stated that several members of the council had already signed a letter, addressing the issue, as individuals. Council supported individually signing the letter rather than trying to add official action to its current work load.

C. **ISSUE OF CONCERN REGARDING PLANNING BOARD PROCESS**

Council Member Karakehian indicated that he had been contacted by members of the community that had concerns about the Planning Board process with respect to the height limitation ordinance. He expressed the importance of the community having confidence in the Planning Board process and requested that this matter be taken under advisement.

Council expressed that it did not have enough information to make an informed decision and asked that City Attorney Carr look into the matter and report back to council.

9. **PUBLIC COMMENT ON MATTERS** (15 min.) Public comment on any motions made under Matters. - NONE

10. **FINAL DECISIONS ON MATTERS** Action on motions made under Matters.

Vote was taken on the motion to review the concept plan review for 96 Arapahoe. The motion carried 9:0 at 11:31 PM

11. **DEBRIEF** (5 Min.) Opportunity for Council to discuss how the meeting was conducted. None

12. **ADJOURNMENT**
There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on March 3, 2015 at 11:31 PM.

Approved this 28th day of July, 2015.

APPROVED BY:

_____
Matthew Appelbaum
Mayor

ATTEST:

_____
Alisa D. Lewis,
City Clerk

THE CITY OF BOULDER
COUNCIL PROCEEDINGS
June 1, 2015

1. **CALL TO ORDER AND ROLL CALL**
Mayor Appelbaum called the June 1, 2015 Special City Council meeting to order at 6:01 PM in Council Chambers.

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

A. CONSIDERATION OF A MOTION TO GO INTO EXECUTIVE SESSION FOR LEGAL ADVICE AND DISCUSSION REGARDING MUNICIPALIZATION STRATEGY

Mayor Appelbaum moved, seconded by Council Member Jones, to adjourn to executive session for the purpose of receiving legal advice and discussion regarding Municipalization strategy. The motion carried 8:0. The vote was taken at 6:03 PM.

The Boulder City Council adjourned into executive session to the first floor Conference Room 401 in the New Britain Building.

At 8:30PM the council reconvened in the Council Chambers.

City Attorney Carr stated that the council was responsible for disclosing any conversation during an executive session if it was outside the scope of discussion allowed by the Charter amendment approved by the voters on November 4, 2014. He asked if there were any such disclosures to be made. There were none.

2. **ADJOURNMENT**

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on June 1, 2015 at 8:31 PM.

Approved this 28th day of July, 2015.

APPROVED BY:

_____
Matthew Appelbaum
Mayor

ATTEST:

_____
Alisa D. Lewis,
City Clerk

THE CITY OF BOULDER
CITY COUNCIL PROCDEEDINGS
June 2, 2015

1. CALL TO ORDER AND ROLL CALL

Mayor Appelbaum called the regular June 2, 2015 City Council meeting to order at 6:05 PM in Council Chambers.

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

City Manager Brautigam provided an update regarding concerns expressed about the bike shelter at Boulder Junction.

2. OPEN COMMENT and COUNCIL/STAFF RESPONSE

1. Matthew Schildt –requested call-up on plan review for a proposed mixed-use development (Alexan Flatirons) located at McKenzie Junction, 3600 Hwy 119
2. Rob Smith – spoke to Denver's approach to homeless and sleeping in public
3. Tanya Petty –spoke about a Vista Village eviction that she felt was illegal and should be challenged
4. Bob Ritzen – spoke about flood impacts experienced by those who live in Fraser Meadows
5. Kimberly DeGraff – spoke about affordable housing needs in the city and asked council to be mindful of the impacts
6. Jean Gehring – noted that the owner of Vista Village, to her knowledge, had never returned a deposit within 30 days with interest
7. Elizabeth Petty –spoke about issues at Vista Village
8. David Admanson – spoke regarding interested neighbors of the Boulder Community Hospital Site project
9. Brad Smith –spoke to the potential redevelopment of the Boulder Community Hospital site on Broadway and the excitement around the potential uses at that site
10. Kevin Cook – Spoke about the Mobile Home Park Act and the appreciation for the city funds allocated to assist residents negatively impacted
11. Sue Prant – Executive Director of Community Cycles, spoke to the Bike Shelter issues at Boulder Junction
12. Charlotte Hester – concerned about the ability to sell her home and that Vista Village will not accept her Section 8 housing voucher
13. Geoffrey Hernden – asked council to take action immediately regarding an ordinance relating to Mobile homes
14. Stephann Rohr – spoke about the issues at Vista Village

There being no further speakers public comment was closed.

Staff Response:

City Attorney, Tom Carr reported that the RFP for legal services went out and the new deadline was June 11th. He asked for council direction regarding the outreach to residents. He met with Housing staff and asked if it was the best use of resources to elicit the residents to help distribute 1000 flyers for a meeting on the Mobile Home ordinance.

Council Response:

Council Member Karakehian was concerned about the housing vouchers and asked if there was any ability by the city to influence that.

Council Member Weaver thought the city would use the rental inspection checklist as a template for the inspection of a mobile home.

Council Member Jones suggested the ordinance come back on the consent agenda.

Council Member Morzel spoke regarding the vouchers and supported passing the ordinance as an emergency situation.

Mayor Appelbaum maintained that unless the ordinance is ready and virtually no discussion needed for the item, it should be presented for the public to address. Council should be prepared to issue it as an emergency ordinance if necessary.

3. CONSENT AGENDA

A. CONSIDERATION OF A MOTION TO ACCEPT THE APRIL 14, 2015 CITY COUNCIL STUDY SESSION SUMMARY REGARDING FIRE DEPARTMENT OPERATIONS, SERVICE SUSTAINABILITY AND RESILIENCE

B. CONSIDERATION OF A MOTION TO ACCEPT THE APRIL 28, 2015 HUMAN SERVICES STRATEGY UPDATE STUDY SESSION SUMMARY

C. CONSIDERATION OF A MOTION TO APPROVE A TWENTY-YEAR RIGHT-OF-WAY LEASE FOR AN ENCROACHMENT (PORTION OF A HISTORIC GARAGE) LOCATED AT 1900 BLUEBELL AVENUE (REV2014-00023)

D. CONSIDERATION OF A MOTION TO APPROVE THE DISPOSAL OF AN INTEREST IN OPEN SPACE LANDS PURSUANT TO BOULDER CITY CHARTER SECTION 177 THROUGH THE CONVEYANCE OF UP TO FIVE (5) ACRES OF RIGHT OF WAY PLUS AN ADDITIONAL 7 ACRES FOR THE ASSOCIATED SLOPE EASEMENTS TO BOULDER COUNTY FOR THE REALIGNMENT AND REBUILDING OF LEFTHAND CANYON DRIVE BETWEEN BUCKINGHAM PARK AND JAMES CANYON ROAD AND A FURTHER RECOMMENDATION TO ACCEPT FEE OWNERSHIP TO ALL LANDS CURRENTLY OWNED BY BOULDER COUNTY BETWEEN THE BOUNDARY OF THE NEW RIGHT OF WAY AND LEFT HAND CREEK

E. CONSIDERATION OF A MOTION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF BOULDER AND BOULDER COUNTY FOR THE SUSTAINABILITY MATCHING GRANT FUNDING

F. CONSIDERATION OF A MOTION TO:

1. AS PART OF THE FLOOD MITIGATION OBJECTIVES OF THE WONDERLAND CREEK GREENWAYS IMPROVEMENT PROJECT, APPROVE THE DISPOSAL OF AN INTEREST IN CITY PARK LANDS (HOWARD HEUSTON PARK) THROUGH A GRANT OF A PERMANENT EASEMENT; AND TO

2. AUTHORIZE THE CITY MANAGER TO EXECUTE DOCUMENTS CONVEYING AN EASEMENT ACROSS A CITY PARK AND TWO CITY-OWNED EASEMENTS TO THE BOULDER AND WHITE ROCK DITCH AND RESERVOIR COMPANY ALLOWING THE DITCH COMPANY TO ACCESS, USE, MAINTAIN AND OPERATE THE RE-ALIGNED PORTION OF THE DITCH, INCLUDING:

A) A CONVEYANCE OF THE PERMANENT EASEMENT CROSSING CITY PARK PROPERTY (HOWARD HEUSTON PARK);

B) A CONVEYANCE OF A PORTION OF THE CITY'S PERMANENT EASEMENT CROSSING BURLINGTON NORTHERN RAILWAYS' PROPERTY; AND

C) A CONVEYANCE OF A PORTION OF THE CITY'S PERMANENT EASEMENT CROSSING HAYDEN PLACE OWNERS' ASSOCIATION COMMON PROPERTY

G. CONSIDERATION OF A MOTION TO APPROVE RESOLUTION NO. 1160 CONCERNING THE PROPOSED CITY OF BOULDER (ACTING THROUGH ITS STORM WATER AND FLOOD MANAGEMENT UTILITY ENTERPRISE) STORM WATER AND FLOOD MANAGEMENT REVENUE BONDS, SERIES 2015, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $23,235,000, AUTHORIZING THE NOTICE OF BOND SALE WITH RESPECT TO SAID SERIES 2015 BONDS; PRESCRIBING CERTAIN DETAILS CONCERNING SAID PROPOSED SALE AND SAID SERIES 2015 BONDS; APPROVING THE FORM OF A PRELIMINARY OFFICIAL STATEMENT; AND PROVIDING THE EFFECTIVE DATE OF THIS RESOLUTION.

Council Member Jones moved, seconded by Council Member Karakehian to approve the Consent Agenda- Items 3A-3G. The motion carried 8-0 with Council Member Plass absent. The vote was taken at 7:07 PM.

4. POTENTIAL 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

A. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 8045 AMENDING TITLE 6, "HEALTH SAFETY AND SANITATION, "B.R.C. 1981 TO ADD UNIVERSAL ZERO WASTE REQUIREMENTS – 7:15 PM

Council Member Jones recused herself from this item due to a conflict of interest as she is the Executive Director of Eco-Cycle.

Public hearing was opened:

1. Dan Matsch – voiced support for the composting portion of the ordinance
2. Bryce Issacson - Western Disposal supported the measure but had concerns regarding the composting. They supported the compromise language but remained concerned if all materials are directed to the recycle center.
3. Linda Kinnamon – urged Council to enact the ordinance as soon as possible
4. Louise Garrels – from McGuckin Hardware, supported the ordinance. It was easy and it was the right thing to do.
5. Steve Wilke –McGukin Hardware employee that supported the ordinance and urged taking composting to a new level in Boulder.
6. Darla Arians – supported the ordinance and spoke about the capital improvements that Recycle Boulder has planned to accommodate the ordinance
7. Dan Powers – Executive Director of Boulder Tomorrow; supported the ordinance and provided several suggestions regarding language of the ordinance
8. Elisabeth Patterson – from the Boulder Chamber of Commerce and supported community wide recycling while acknowledging the need for businesses to budget for implementation
9. Allyn Feinberg - Board Chair of Eco-Cycle –supported the ordinance; once approved, Boulder will become the third city in the country to require recycling and composting for everyone. One year is plenty of time to implement and move towards the 85% Waste Diversion goal.
10. Susie Strife – On behalf of the Boulder County Commissioners Office, applauded the efforts of the City and supported the ordinance.
11. Will Toor –supported the Zero Waste ordinance and noted it would take the city to a new level. He spoke about the importance of maintaining the viability of the recycling Center and thus urged further tweaking of the City Manger's Rule language.
12. Kathleen Gault - spoke about the enormous amount of construction debris and asked if that had been addressed related to recycling

There being no further speakers, the public hearing was closed at 8:05 PM

Council Member Cowles moved, seconded by Council Member Weaver, to approve Ordinance No. 8045 amending Title 6, "Health Safety and Sanitation, "B.R.C. 1981 to add Universal ZeroWaste Requirements as presented on the lime colored handout Attachment B alternate ordinance language, removing lines 20 through 22. The motion carried 8:0 with Council Member Plass absent. The vote was taken at 8:26 PM.

B. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT AND ORDER PUBLISHED BY TITLE ONLY, ORDINANCE NO. 8048 AMENDING SECTION 9-6-5, "TEMPORARY LODGING, DINING, ENTERTAINMENT, AND CULTURAL USES,

"B.R.C. 1981, BY PROVIDING THE CITY MANAGER WITH AUTHORITY TO WAIVE REQUIREMENT THAT MOBILE FOOD VEHICLES BE 150 FEET FROM RESTAURANTS IF THE RESTAURANTS APPROVE, WAIVING THE REQUIREMENT FOR PLANNING BOARD REVIEW OF THIS ORDINANCE AND SETTING FORTH RELATED DETAILS; 8:27 PM

OR IN THE ALTERNATIVE,

SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT AND ORDER PUBLISHED BY TITLE ONLY ORDINANCE NO. 8049 AMENDING SECTION 9-6-5, "TEMPORARY LODGING, DINING, ENTERTAINMENT, AND CULTURAL USES, "B.R.C. 1981, BY PROVIDING THE CITY MANAGER WITH AUTHORITY TO WAIVE REQUIREMENTS THAT MOBILE FOOD VEHICLES BE 150 FEET FROM RESTAURANTS IF THE RESTAURANTS APPROVE, ONLY IN THE BC-1 ZONE DISTRICT, WAIVING THE REQUIREMENT FOR PLANNING BOARD REVIEW OF THIS ORDINANCE AND SETTING FORTH RELATED DETAILS. 8:27 PM

The presentation on this item was provided by City Attorney Tom Carr.

The public hearing was opened:
1. Karen Aronson – a neighbor to the proposed park, expressed concern about impacts of noise.
2. Dave Honig - agreed with the previous speaker and asked council to require that the people remain indoors.
3. Hank Grant – thanked the neighbors for the input; and wanted to reassure the businesses that the food trucks were committed to creating an environment with positive impacts to the neighbors. There were plans to provide fencing and landscaping to mitigate any noise concerns. He also noted that they would be going through a Use review process and would be working with the neighbors to address concerns.
4. Andre Houssney –a local farmer voiced support for the ordinance.
5. Joshua Cook – a friend and an individual familiar with the work ethic of the proponents; supported the Food Truck Park noting that the individuals were committed to being good neighbors and would provide a wonderful service to the community.
6. Josh Dinar – a local restaurant owner and publisher of Dining Out Magazine met with the vendors and whole heartedly supported their project.
7. Lori DeBoer – spoke about the benefits of a food truck park as a community builder.
8. Vanee Houssney – owner of Jacobs Springs Farm – expressed support for this type of venue in Boulder.
9. John Sethney – owner of Verde restaurant was very excited to see this venue in Boulder; he felt they would be a great neighbor.

There being no further speakers, the public hearing was closed at: 9:01 PM.

Council Member Jones moved, seconded by Council Member Morzel to adopt Ordinance No. 8049 amending Section 9-6-5, "Temporary Lodging, Dining, Entertainment, and Cultural Uses, "B.R.C. 1981, by providing the city manager with authority to waive requirements that mobile food vehicles be 150 feet from restaurants if the restaurants approve, only in the BC-1 zone district, waiving the requirement for Planning Board review of this ordinance and setting forth related details. The motion carried 8:0, Council Member Plass absent. The vote was taken at 9:06 PM.

C. INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY, ORDINANCE NO. 8050 AMENDING TITLE 10 "STRUCTURES" FOR THE PURPOSE OF ALLOWING AND REGULATING SHORT-TERM RENTALS BY AMENDING SECTION 10-1-1 "DEFINITIONS" BY AMENDING THE DEFINITION OF "OPERATOR," AMENDING THE DEFINITION OF "RENTAL PROPERTY" ADDING A NEW DEFINITION OF "SHORT-TERM RENTAL" ADDING A NEW SECTION 10-3-19 "SHORT-TERM RENTALS" AND SETTING FORTH RELATED DETAILS; 9:07 PM

The presentation on this item was provided by City Attorney Tom Carr.

The public hearing was opened:

1. Jim Ferenc – opposed Short Term Rentals noting impacts to neighbors.
2. Vivienne Palmer- supported Short Term Rental properties.
3. Lonny Frye- supported Short Term Rentals.
4. Paul Alter- undecided about the Short Term Rentals indicating that more information was needed prior to making a decision.
5. Celia Macedo- supported Short Term Rental properties noting that it supported community tourism and affordability.
6. Amy Marquis- Also supported the Short Term Rental properties.
7. Marc Weiss- CU graduate/alumni; supported Short Term Rental properties.
8. Nina Reed- business owner that relied on Short Term Rental properties for housing professional artists she hired, noting they were so much better than hotel rooms.
9. Svein Groem- supported Short Term Rental properties.
10. Craig Ellsworth- supported Short Term Rental properties.
11. Hillary Griffith – supported Short Term Rental properties.
12. Dan Bowers –POOLING with Jennifer Weissmann, Oliver McBryan; long term rental owner; organized people in the audience to wear red to show approval of the ordinance; supported the Short Term Rental properties; ok with taxes and the idea of giving it to affordable housing
13. Whitney Sinclair- supported Vacation Rentals and the positive economic impact that data shows.
14. Leslie Lacy - spoke about the unique niche that short term rentals fill in Boulder.
    The proposed ordinance should allow for Short Term Rental properties as long as the owner resides in or immediately adjacent to the rental unit.

15. Eamonn Ryon – stressed that Short Term Rental properties are far better than the traditional rental homes in Boulder.
16. Roxanna Sears – supported Short Term Rental properties as a way for young people to visit and live here.
17. Jeff Recker – spoke about the economic benefits to the city from short term rentals; He supported the taxing of Short Term Rental properties but did not support limiting the space, location or residence of the owner.
18. Michael Miller – expressed concern that the drafted ordinance encouraged the owner to be absent during the rental period.

Mayor Appelbaum moved to suspend the rules and continue the meeting, seconded by Council Member Cowles. The motion carried 7:1 with Council Member Karakehian opposed and Council Member Plass absent. The vote was taken at 10:26 PM.

19. Rusty McCoy – supported Short Term Rental properties but felt council needed additional data.
20. Sean McCabe – homeowner and long term rental owner; supported Short Term Rental properties.
21. Ryan Wanger- supported Short Term Rental properties; noted it was a great benefit for traveling visitors.
22. SueAnn Vollmar- owner of Long term rentals; supported Short Term Rental properties because the quality of the renters was so much better. These types of renters wree more careful and deliberate in caring for the property.
23. Jan Raynak – spoke about the positive image of Boulder portrayed to visitors by Short Term Rental properties.
24. Suzanne Pope –property owner; supported Short Term Rental properties as they draws quality people to the community.
25. Robert Jeffrey – teacher; supported Short Term Rental properties because it offered a creative form of economic relief.
26. Michael Higuera – supported Short Term Rental properties without regulations; warned to watch out for unintended consequences.
    Dr. Roberta Gantz – small business owner; supported owner occupied Short Term Rental properties with reasonable regulations.
27. Brad Segal - supported long term rentals but also likes the idea of Short Term Rental properties.
28. Lisa Prassack – spoke about the rights of the neighbors and asked council to find a way to protect the neighbor's rights. She expressed that more feedback was needed.
29. Rowland Rincon – long term rental owner; supported Short Term Rental properties with as few regulations as possible.
30. Bruce Dragsvold- supported Short Term Rental properties with less regulations; felt that Short Term Rental properties deepened the social fabric of the community.
31. Sarah Larrabee- Air B&B member; supported Short Term Rental properties and applauded the greatness of Boulder as a safe community.

32. Carolanne McVirnan- supported Short Term Rental properties but did not want to be taxed on her hobby; let the system (Air B&B) keep her in check through its reviews and customer service experience.
33. Karey Christ-Janer- supported Short Term Rental properties with appropriate regulations .
34. Mike Finnesy – vacation rental owner for 4 years; supported Short Term Rental properties as they seem to work better for the owner than long term rentals.
35. Alyn Rockwood; supported Short Term Rental properties noting that the income from his was his retirement plan.
36. Kun Gao – supported Short Term Rental properties with some regulations.
37. Adria Ellis- supported Short Term Rental properties with some regulations; thought it helped solve some economic needs.
38. Aaron Ingalls – concerned about creating regulations that would be impossible to enforce. Tax it but allow it. This service was greatly needed.
39. Lynn Segal-supported Short Term Rental properties in Boulder
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There being no further comment the public hearing was closed at 11:50 PM.

Council Member Weaver clarified that council was trying to normalize something that was currently illegal. He suggested keeping the focus on the differentiation between owner occupied vs. investment. He liked the idea of funds going towards affordable housing.

Council Member Karakehin was in favor of Short Term Rental properties and remarked that the short term renter and the long term renter were very different. He felt there could be limits to the amount of Short Term Rental properties, possibly grandfathering in the licensees. Enforcement and inspections would have to be considered.

Council Member Cowles added that Short Term Rental properties were important to people here, but there were also concerned neighbors emailing council about the impacts to their property. He wanted to see a limit to the number of Short Term Rental properties in Boulder. He was concerned about the attractive nature of Short Term Rental properties and the potential impact on long term housing stock. He did not support Boulder becoming a resort community.

Council Member Shoemaker did not want to see residential homes converted into Short Term Rental properties. Boulder is a college town, not a resort community. He supported the "no more than 90 day per year" Short Term Rental concept.

Mayor Appelbaum was concerned about Short Term Rental properties affecting the housing stock in Boulder. He had concerns about the rental licenses and what would be necessary if renting for a limited number of days. He suggested outreach and feedback from the broader spectrum of the community.

Council Member Jones indicated she had learned a lot about the value of renting out homes to visitors. She approved of owner occupied short term rentals but still wanted to make the community affordable in the long term. She was concerned about investors coming in for the Short Term Rental properties market.

Council Member Morzel agreed with her colleagues. She supported regulations, taxes, and licensing so that it would be safe. She favored owner occupied short term rentals, as housing issues are a concern. Over 60,000 people commute per day to work in Boulder that cannot live here. She also noted that there had been incredible growth in rentals over the past 6 years. Short Term Rental properties would provide a small amount of affordability, but information was still needed from the part of the community that had a different view point.

Council was interested in allowing some form of short term rentals and regulating them. The Agenda committee was asked to work on the time line for bringing that forward.

Council Member Weaver moved, seconded by Council Member Cowles, to introduce and order published by title only Ordinance No. 8050 amending Title 10 "Structures" for the purpose of allowing and regulating short-term rentals by amending section 10-1-1 "Definitions" by amending the definition of "Operator," amending the definition of "Rental Property" adding a new definition of "Short-Term Rental" adding a new section 10-3-19 "Short-Term Rentals" and setting forth related details. The motion carried 7:1, Council Member Karakehian opposed and Council Member Plass was absent. Vote was taken at 12:00 AM.

6. MATTERS FROM THE CITY MANAGER- None

7. MATTERS FROM THE CITY ATTORNEY- None

8. MATTERS FROM MEMBERS OF COUNCIL

A. Potential Call-Ups

1. Potential Call-up for concept plan review for a proposed mixed-use development **(Alexan Flatirons) located at McKenzie Junction, 3600 Hwy 119**

   Mayor Appelbaum moved, seconded by Council Member Cowles to call up the concept plan review for a proposed mixed-use development (Alexan Flatirons) located at McKenzie Junction, 3600 Hwy 119 as a public hearing agenda item within the next 60-days at the August 4, 2015 City Council Meeting.

9. PUBLIC COMMENT ON MATTERS – none

10. FINAL DECISIONS ON MATTERS

Vote was taken on the motion to call up the concept plan review for a proposed mixed-use development (Alexan Flatirons) located at McKenzie Junction, 3600

Hwy 119 as a public hearing agenda item within the next 60-days at the August 4, 2015 City Council Meeting. The motion carried 8-0 with Council Member Plass absent. The vote was taken at 12:09 AM.

11. DEBRIEF – None

12. ADJOURNMENT

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on June 3, 2015 at 12:10 AM.

Approved this 28th day of July, 2015.

APPROVED BY:

Attest:

_____
Matthew Appelbaum
Mayor

_____
Alisa D. Lewis
City Clerk

THE CITY OF BOULDER
CITY COUNCIL PROCEEDINGS
SPECIAL MEETING
June 9, 2015

1. CALL TO ORDER AND ROLL CALL

Mayor Appelbaum called the June 9, 2015 Special City Council Meeting to order at 6:03 PM in the Council Chambers.

Those present were: Mayor Appelbaum, Council Members Cowles, Karakehian, Morzel, Plass, Young, Shoemaker and Weaver. Council Member Jones arrived at 6:25 PM**.**

2. MATTERS FROM MEMBERS OF COUNCIL

Mayor Appelbaum addressed the reasons to call the special meeting He explained that the discussion and public hearings on the June 16th agenda were too lengthy for a single meeting. Therefore, the following items would be moved to the June 15th agenda: City Manager Matters and Form Based Code pilot project and public hearing item Living Lab Phase II "rightsizing" item.

The 747 12th St., to be known as the Cowgill Property, as an individual landmark will be removed and heard at a later date. The Neighborhood Partnership Grant Program will be received as an Information item in the IP Packet for June 16th 2015 City Council meeting.

Mayor Appelbaum moved, seconded by Council Member Weaver, to call a special meeting of the Boulder City Council on June 15, 2015 at 6 PM. The motion carried 8-0 with Council Member Jones absent. The vote was taken at 6:13 PM.

3. ADJOURNMENT

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on June 9, 2015 at 6:17 PM.

Approved this 28th day of July, 2015.

APPROVED BY:

_____
Matthew Appelbaum
Mayor

ATTEST:

_____

Alisa D. Lewis,

City Clerk

THE CITY OF BOULDER
CITY COUNCIL PROCEEDINGS
SPECIAL MEETING
June 15, 2015

1. CALL TO ORDER AND ROLL CALL

Mayor Appelbaum called the June 15, 2015 City Council Special Meeting to order at 6:02 PM in the Council Chambers.

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

Mayor Appelbaum moved, seconded by Council Member Jones to approve the agenda presented at the meeting. The motion carried 8-0 with Council Member Morzel absent. The vote was taken at 6:03 PM.

Council Member Morzel arrived at 6:05 PM**.**

2. MATTERS FROM CITY MANAGER

A. REQUEST FOR CITY COUNCIL INPUT ON THE GUIDING PRINCIPLES FOR THE PILOT FORM-BASED CODE (FBC) AREA IN BOULDER JUNCTION (PREPARED BY CODAMETRICS) 6:15 PM

Senior Urban Designer Sam Assefa, Senior Planner/Code Amendment Specialist Karl Guiler and Leslie Oberholtzer consultant from CodaMetrics, provided the staff presentation.

Mr. Guiler presented the draft guiding principles for FBC at Boulder Junction. The content and structure of the Form Based Code (FBC) showed the guidelines, key dates and workshop/community input with the metrics. Staff was hoping to provide a draft in October with possible adoption in late October, 2015.

The presentation showed key aspects including walk ability, pedestrian access, building form, façade design, proportion, and public realm elements. General quality and construction included the change of materials and trim out of buildings that sit next to each other. FBC will use the golden mean and a human scale set of proportions that are pleasing to the eye and often used in historic buildings. The public realm elements define the face of the street, how the streets are constructed and elements such as the shade, sidewalks and landscape folded together.

Categories include: simple, honest, and human scaled
Simple: fewer material changes,
Honest: not changing materials, number of dwellings, no fake façade materials, natural stones,
Human Scaled: scaled to the human and not just an elevation, horizontal lines

Questions staff asked of Council.

1. Feedback on the FBC direction guiding principles?
2. Additional items that should be included?

Council Member Jones was concerned about street activation and retail uses.

Council Member Young wanted to include a listing of "uses not appropriate" such as a list of businesses that would not be well suited functioning beneath residential living quarters. Should FBC require performance criteria?

Council Member Morzel noted that often mechanical systems detract from the beauty of the building and asked how this could be addressed?

Council Member Cowles was in favor of proportion and the golden ratio. He reminded staff to include ideas such as; butterfly roofs, spires, cupolas, etc. that allow the roofs to go higher. He suggested that without the mechanicals on the roof, the space could be used as "joyful living space."

Council Member Young inquired about a requirement of code to determine the pattern of window design, consideration to experiment with the elevator-to-roof access and a list of acceptable exterior building materials.

Council Member Appelbaum was concerned about where the existing code might hamper the process? He suggested looking outside of the code if needed. He was interested in a downtown design guideline, not cookie cutter designs nor continuous design overuse. How would we make sure that doesn't happen and that individuality and personalization within a form based code model is encouraged?

Council Member Plass suggested a balance between reaching desired structures and being too prescriptive. He wanted to move away from "chaos into uniformity" while still maintaining an artistic approach.

Council Member Weaver agreed that "Honest" meant authentic thousand year old principles, at the highest level. The code should be effective and not just another layer of bureaucracy. He liked pg. 23 in the packet relating to the "honest and human" scale.

Council Member Karakehian indicated that a comparison of reviewing the site project against the site review guidelines and Codametrics would be helpful.

The Direction of Council was to continue to collect data on the 3 projects while including research on areas of height, materials, and creative license within the parameters of form based code. 7:15 PM

B. UPDATE ON COMMUNITY PLANNING & SUSTAINABILITY STRATEGIC PLAN - 7:16 PM

City Manager, Jane Brautigam discussed the CP&S assessment, needs of the department and the effectiveness of the Executive Director of Community Planning, David Driskoll.

Public Hearing:

3A. CONSIDERATION OF A MOTION TO APPROVE LIVING LAB PHASE II "RIGHTSIZING" TRANSPORTATION PILOT PROJECTS, AS PART OF THE IMPLEMENTATION OF THE TRANSPORTATION MASTER PLAN; 7:19 PM

Senior Transportation Planners, Marnie Ratzel and David Kemp provided the presentation for this item and noted that council should have received an email with a link to responses regarding community feedback.

If approved, staff would provide monthly briefings and installation would begin this summer with initial observations and an evaluation in 16 months. There would also be ongoing check-ins to help guide and refine the process. The primary focus would outline the 5 E's: Encouragement, Engineering, Evaluation, Enforcement and Education.

Acting Transportation Engineer, Bill Cowern answered questions for Council.

The public hearing was opened:

1. Cindy Torres; resident; supported wider lanes for bike safety
2. Charles Gray; resident and bike rider; opposed because of traffic congestion
3. Eleanor Needy; resident; supported the motion to promote good habits for kids
4. Anna Needy; resident; supported the motion to ride her bike. She is 6 years old.
5. Ann Haebig; resident; supported the motion for the safety of bikes
6. Alexey Davies; resident; supported the motion for bike safety
7. Julie McCabe; resident; provided a presentation with pictures; opposed the motion as ahe felt it was unsafe
8. Lisa Aweida-Ross; resident; opposed the motion because the congestion at the intersection of Iris would be unsafe. Spending tax dollars on this instead of repairing pot holes did not make sense.
9. Harry Ross; resident; opposed the motion. As a bike rider did not want to mix busy streets with bikes and congested traffic. These were two separate issues.
10. Adelaide Perr; resident; supported the motion for bike safety. Was the victim of a bad bicycle accident when hit by car.
11. AJ Grant; resident; opposed the motion due to traffic congestion. This would create longer commuting times and make driving unsafe.
12. Clif Harold; Member of the Boulder Chamber; opposed the motion. There are 10,000 employees in the area of the pilot and most are commuters. The city should have checked with business owners first.
13. Lynn Guissinger; resident; business owner and Transportation Advisory Board Member; supported the motion because it would encourages people to ride bikes

14. Adam Walker; resident; supported the motion. He uses abike for all transportation and liked the experimental idea.
15. David Ensign; resident; supported the motion; Felt that Boulder should join the enjoyable experience of European cities and liked improved the safety for bikes.
16. Dominik Schneider; resident; supported the motion. As a bike rider, has had many close calls and wanted improved safety for bikes.
17. Marcus Popetz; resident; supported the motion, wanted increased safety for bikes and better access
18. Fred Ecks; resident; supported the motion and would like to extend the pilot for bike safety
19. Pat Guilbeault; resident; supported the motion for improved bike safety
20. Will Toor; resident; supported the motion noting that it would encourage more cycling and provide improved safety for bikes
21. Jared Hall; supported the motion of; Wanted safety and reasonable use of the streets for all modes. This is a low cost investment and long term vision for the future.
22. Jordan Mann; resident; supported the motion for improved bike safety and informed council that there was data for right sizing all modes
23. Brian Graham; employee of Boulder County Transportation; supported the motion expressing that improved bike safety as a good exchange for a limited time delay. There was proof of success in other cities.
24. Carolyn Hales; resident; supported the motion for bike safety and a better environment for neighborhood/pedestrians
25. Gary Sprung; resident; supported the motion to provide increased safety for bikes
26. Joel Gilbert; resident; supported the motion for improved bike safety
27. Daniel Stellar; resident; Member of TAB but speaking only for himself; supported the motion. It encouraged greater bike riding.
28. Charles Brock (Pooling) Elaine Erb, Dawn Palmer; resident and scientist studying air quality; supported the motion
29. Neil DiMuccio; resident; supported the motion as he is a bike rider for maximizing the ways in which we get around
30. Alana Wilson; resident; supported the motion which would provide bike safety all year around
31. Brook Stableford; resident; supported the motion for bike safety
32. Ben Molk; resident; regarding the 55th corridor, opposed the motion. Felt it was unfair as many stakeholders were not able to attend the outreach meeting. Further outreach needed to be done.
33. Sally Schneider; resident; opposed the motion; within the period of June 4th and June 10th , 416 people responded total- 316 were opposed the motion; 100 supported. Needed to take this into consideration and use another method of experimenting.
34. Aaron Brockett; resident, Chair of Planning Board; supported the motion for improved bike safety
35. Artclif Sull; resident; supported the motion and wanted to experiment and gather the data
36. Emily Smith; resident; supported the motion for better bike safety

37. Cathy Burchett; resident; opposed the motion because of traffic congestion and weather. She was a bike rider and loved the beautiful bike paths that Boulder provides.
38. Sue Prant; POOLING (Glenn Lieberman, Dean Fogerty) resident; Executive Director of Community Cycles, a bicycle co-op; supported the motion and said they had a petition with 1000 names on it in favor of the motion
39. Alex Hyde-Wright; resident; supported the motion; He was a bike rider and bike experience needed to be available to everyone safely.
40. Lincoln Miller; resident and renter; supported the motion. He had a bike as his sole mode of transportation. He wanted greater bike safety especially in bad weather.
41. Alex Weaver; resident; opposed the motion due to poorly designed projects. He was a bike rider and was time-conscious regarding arriving to work. The data was not credible and the project did not meet an actual need.
42. Thomas Wells; resident; supported the motion as it would offer a reduction in crashes and safety for all modes
43. Tila Duhaim; resident; Indicated she had worked on this type of project before and supported the motion for the safety of bikes
44. Amaraja Jones; resident; opposed the motion as an accessible multi use system. This was a single use issue, just for the bikes.
45. Tim Royer; resident; Noted that staff did not show accommodations for the disabled. Nor was there outreach to this group. Please put the project on hold until there was outreach to this group. He opposed the motion due to the disenfranchisement of the disabled group and traffic congestion.
46. Brad Sutton; resident; handed out a copy of the exhibit he created. Said the data provided was not credible and staff had not considered the train traffic. The traffic study was not accurate and the outreach was not adequate. He opposed the motion due to problems with traffic and the potential impact on businesses.
47. Austin Agins; resident; supported the motion
48. Carolyn Usher; resident; opposed the motion. She was a bike rider and not convinced this project would provide additional safety.
49. Jennifer Whitehill; resident; opposed the motion as she felt that a large part of the population did not know about the project and did not believe the data. Traffic would be more congested.
50. Manson Root; resident; opposed the motion; He had technical issues and discrepancy in the modeling at 55th with no center turn lane. Needed accurate disclosure and accurate data.
51. Francoise Poinsette; resident; supported the motion for improved bike safety and environmental sustainability
52. Leonard May; Member of Planning Board; supported the motion as he was concerned about the rate of emissions
53. Debra Welsh; resident; opposed the motion because Boulder has extensive bike paths. She was a commuter and concerned about the traffic load increase and additional time.
54. Phil Day; resident; opposed the motion and did not think that the road should belong to any one group; He was concerned about the traffic time and congestion.
55. Becca Bracy Knight; resident; supported the motion, believed it would encourage greater bike commuting and safety for bikes

56. Angelina Korb; resident; supported the motion and wanted safety for bikes
57. Chad Timmer; resident; supported the motion for the sustainable future
58. Eric Budd; resident; supported the motion and believed it would go along with the Transportation Master Plan
59. Merritt Burnham; resident; supported the motion for the increased safety of bikes
60. Bogie Dumitreschu; resident; supported the motion; increased safety for bikes
61. Marcia Richy; resident; supported the motion for the safety of bikes
62. Tom Rebman; resident; undecided. He was a bike commuter and wanted accurate data.
63. Brian Crawford; resident; supported the motion because it offered benefits for bikes
64. Tom Wilke; resident; opposed the motion because it used taxpayer dollars to build roads to give to bicyclists and would slow down traffic. There were more cars than bikes. The simple solution would be to just build more bike paths.
65. Michelle Estrella; resident; supported the motion and the position statement
66. Marcia Kosar; resident; opposed the Iris project due to traffic congestion
67. Megan Tolbert; resident; Executive Director of Boulder Transportation; supported the motion and the benefits to the motorists
68. Ben Binder; resident; opposed the motion due to 23,000 vehicles a day on Iris He was concerned that cyclists did not use it regularly to justify the lane closures.
69. Robert Head; resident; opposed the motion especially at Iris. He was worried about traffic using the neighborhood side streets due to automobile congestion.
70. John Tayer; resident and representative of the Chamber of Commerce; opposed the motion because of the poor outreach to businesses and the lack of process

There being no further speakers the public hearing was closed.

Council Discussion:

Mayor Appelbaum wanted to see where each council member stood in order to arrive at a motion for council.

Council Member Weaver was supportive of this measure and would like the project work to begin with Folsom first and 55th last.

Council Member Plass was supportive of this measure but was concerned that 55th had a data gap regarding the railroad.

Council Member Young was supportive of this measure but wanted to table the project at 55th.

Council Member Jones was supportive of this measure but also concerned about the project at 55th.

Mayor Appelbaum was supportive of the project at Folsom and suggested trying one project first to see if it works with the community. He agreed that the project at 55th needed more alternatives and was concerned about the cost because it would

be hard to undo. He believed that in only three months the data impact could be measured.

Council Member Cowles was supportive of three projects, but not the project at 55th. He suggested continuing the project along Folsom all the way from Iris to Colorado and not preserving the two left turn lanes.

Council Member Karkehian was supportive of only one experimental project and that was the project at Folsom. He did not believe the City should spend the money.

Council Member Morzel was supportive of one experimental project and also advised against spending the money. She believed in taking one-step-at-a-time with the community. She indicated that incremental change was good and there was a lot going on already in Boulder.

Council Member Shoemaker was supportive of the three projects but not the project on 55th.

Council Member Weaver moved, seconded by Council Member Morzel to approve Complete Streets Living Lab pilot projects to test rightsizing design treatments for 12-18 months as recommended by staff in Attachment F, on the following arterial roadways: Iris Avenue (Broadway to Folsom Street); Folsom Street (Valmont Road to Colorado Avenue); and 63rd Street (Lookout Road to Gunbarrel Avenue/Nautilus Drive). Council excluded the 55th Street pilot project. The motion carried 7-2 with Council Members Karakehian and Appelbaum opposed. The vote was taken at 11:56 PM.

3. **ADJOURNMENT**

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE SPECIAL MEETING WAS ADJOURNED on June 15, 2015 at 11:58 PM.

Approved this 28th day of July, 2015.

APPROVED BY:

_____
Matthew Appelbaum
Mayor

ATTEST:

_____
Alisa D. Lewis
City Clerk

CITY OF BOULDER
CITY COUNCIL PROCEEDINGS
July 14, 2015

1. CALL TO ORDER AND ROLL CALL

Mayor Appelbaum called the regular July 14, 2015 City Council meeting to order at 6:05 PM in Council Chambers.

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

A. REQUEST FOR COUNCIL CONSIDERATION OF A MOTION APPROVING AN AGREEMENT IN PRINCIPLE FOR THE CITY TO PURCHASE THE BOULDER COMMUNITY HEALTH BROADWAY CAMPUS FOR $40 MILLION AND AUTHORIZING THE CITY MANAGER TO ENTER INTO NEGOTIATIONS FOR A PURCHASE AND SALE AGREEMENT FOR THAT PURCHASE

The presentation for this item was provided by City Manager Jane Brautigam and Chief Financial Officer Bob Eichem.

The public hearing was opened:

1. Bruce Thompson – Frasier Meadow Retirement community member raised concern that the purchase may delay flood mitigation work on South Boulder Creek.
2. Madeline Day – 908 Alpine – What will be done with the building. Please remember that the site is surrounded by a wonderful quite residential neighborhood.
3. Mary Hey – Spoke to the Mapleton warm water pool and urged the creation of a foundation to work on developing an independent wellness center with a state of the art warm water therapeutic pool.
4. David Adamson – spoke to the opportunity to work with the community to determine what will happen at the site.
5. Nolan Rosall –Supported the acquisition of the site in general but expressed concern that the primary location of city and county core government offices should remain downtown.

There being no further speakers the public hearing was closed.

Council Member Cowles moved, seconded by Council Member Jones, to approve the agreement in principle to purchase the Boulder Community Hospital Broadway campus for $40 million and further authorizes the city manager to negotiate and enter into a purchase and sale agreement that is subject to the general terms and conditions that are described in the letter of intent dated July 9, 2015, which includes the purchase of all properties deemed part of the BCH Broadway campus, including, but not limited to 1100 Balsam, 1155 Alpine, 2655 Broadway, 1136 Alpine, 1125 North and 1135 North, with an initial earnest money deposit of $3 million which is

non-refundable if the city does not close on the purchase after BCH meets all conditions of the agreement in principle, including

- An acceptable assessment of environmental conditions;
- Satisfactory negotiation of a purchase and sale agreement;
- An acceptable building condition inspection, to be completed within thirty day of acceptance;
- Acceptable title;
- Agreement by the seller to maintain, pay utilities, and insure any buildings during the seller's occupancy of up to 24 months after closing;

and a purchase price of $40 million subject to such terms and conditions as the city manager deems appropriate and further, the city council directs the city manager to prepare the documents necessary for the use of certificates of participation to finance such land acquisition and bring forward the necessary documents for consideration at a future council meeting. The motion carried 8:0, Council Member Karakehian absent. Vote was taken at 7:16 PM.

2. ADJOURNMENT

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED on July 14, 2015 at 7: 16 PM.

Approved this 28th day of July, 2015.

APPROVED BY:

_____

Matthew Appelbaum
Mayor

ATTEST:

_____

Alisa D. Lewis
City Clerk

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE: Consideration of a motion to accept the May 26, 2015 Study Session Summary on the Access Management and Parking Strategy.

PRESENTERS
Jane S. Brautigam, City Manager
Molly Winter, Director, Downtown and University Hill Management Division and Parking Services (DUHMD/PS)
Kathleen Bracke, GO Boulder Manager, Public Works Transportation
Chris Hagelin, Senior Transportation Planner, GO Boulder
Bill Cowern, Transportation Operations Engineer
Karl Guiler, Senior Planner, Community Planning and Sustainability

EXECUTIVE SUMMARY
This agenda item provides a summary of the May 26, 2015 study session on the Access Management and Parking Strategy.

The purpose of the study session was to share ongoing community engagement and work plan items related to AMPS and next steps. In addition, staff requested council input on draft recommendations for key priorities for 2015:

1. refined options and draft recommendations for Transportation Demand Management (TDM) policies for new developments;
2. potential modifications to long term on-street parking;
3. options for satellite parking;
4. a potential shared parking policy between districts and private developments; and
5. considerations for parking-related code changes.

STAFF RECOMMENDATION
Suggested Motion Language:
Staff recommends Council consideration of this summary and action in the form of the following motion:

Motion to accept the May 26, 2015 Study Session Summary on the Access Management and Parking Strategy.

May 26, 2015 Study Session Summary on the Access Management and Parking Strategy

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

Staff members: Director of Downtown and University Hill Management Division and Parking Services, Molly Winter; GO Boulder Manager, Kathleen Bracke; Senior Transportation Planner, Chris Hagelin; Transportation Operations Engineer, Bill Cowern; and Senior Planner Karl Guiler

OVERVIEW OF THE PRESENTATION
Chris Hagelin gave an overview of the AMPS process and highlighted two specific topics staff is seeking Council input: 1) refined options and draft recommendations for Transportation Demand Management (TDM) policies for new developments; and 2) potential modifications to long term on-street parking.

Staff also provided an update on current work plan items that include: 1) options for satellite parking; 2) a potential shared parking policy between districts and private developments; and 3) considerations for parking-related code changes.

Mr. Hagelin gave an overview of the AMPS purpose, goals, and guiding principles. Included in the presentation was a quick overview of the community engagement, including meetings with city boards and commissions.

TDM PLAN ORDINANCE FOR NEW DEVELOPMENT
Mr. Hagelin presented the staff recommendation for Council consideration. Based on previous feedback from City Council, boards, and the community, staff is proposing modifications to the TDM Plan process for new developments. The purpose of a TDM Plan is to mitigate the transportation impacts of new development by providing programs, amenities and services to the employees or residents. Based on feedback from the boards, council, public, local developers and transportation consultants, staff recommends changes related to the following topics:

- Using the Boulder Junction model in existing and future districts
- Measurable objective(s) to determine TDM Plan compliance and success;
- Triggers and thresholds for requiring TDM Plans;
- Timing and duration of TDM Plan monitoring and evaluation; and
- TDM Plan enforcement policies and process for noncompliant properties.

Council Discussion:

- How is this different than previous discussions? Mr. Hagelin responded that the previous discussion was focused on new development – and that shifted to a district focus to capture both both new and existing development within existing districts. The trip generation allowance would be in aggregate for the district, not individual businesses. That would allow the city to address existing development along with new development. The idea is to start with the existing districts and then there is a potential to expand into newly formed districts.
- Question about how the requirements would apply to a business where tenants come and go? Mr. Hagelin responded that future tenants would still be held to the same requirements.

- Question about the three year compliance period and how it is measured? Mr. Hagelin clarified that it is performance based – specific indicators would be measured to ensure they are making progress toward managing vehicle trips.
- Several Council members appreciated the long term strategy for existing businesses. There was discussion about ensuring the proper compliance target. It should depend on location (access to transit and services) and not be applied citywide. The next step is to develop trip generation tables with targets and then ratchet those targets down over time to achieve our goals.
- The issue of transit availability was discussed and the importance of working with RTD on area specific solutions (i.e. shuttle service for places like Gunbarrel where there is limited transit.
- Council discussed whether or not to include customers in trip generation targets. There was concern expressed that it could potentially penalize a successful business (e.g. restaurant or retailer) and that these businesses may not be able to influence customer behavior the same as an employee or tenant. There was a recognition that we need to include all trips if we are to make progress towards our goals and this may be a difficult conversation, but an important conversation.
- Although Boulder is progressive when it comes to parking and access, several council members feel we need to be more aggressive to meet our goals in the future. There was general agreement that we need a holistic approach.
- Similarly, there was general support for pursuing TDM programs at the district level as way of looking at it holistically. Consider creating new districts, but start with existing districts and then apply lessons learned.
- Concern was expressed that other areas (particularly east Boulder) have a big impact on trip generation numbers and we won't get very far by just focusing on existing districts. Consider focusing on employment centers and possibly a head tax as a funding mechanism.
- Some need for caution was expressed about rushing into something without understanding unintended consequences, but Council in general agreed that it makes sense to have a district goal as opposed to an individual building goal.
- Consider slowly phasing into requirements for everyone – it will be important to show benefits to encourage participation.
- Question about what happens if you don't meet targets in a district? Mr. Hagelin responded that you will need to look at individual properties influencing the results and deploy strategies to address those deficiencies as a whole – there is also the benefit of district funding to help the district as a whole.
- Council expressed a concern with potential free riders and asked about the tools for enforcement? Mr. Hagelin responded that this was a lesson learned in Boulder Junction – as there are no enforcement steps. Part of the reason for pursuing this topic is to design a system with "teeth".
- Council in general was supportive of TDM plan with a method of enforcement.
- Question about how new districts are created? Ms. Winter responded that this will be a future AMPS item and would include determining the criteria for creating new districts. In a nutshell, property owners request to be part of the taxing district (either parking or TDM programs).
- Boulder Junction – are there existing examples of enforcement mechanisms? Mr. Hagelin responded that they will always work with a willing property owner to help message the

TDM benefits to tenants, but there is no consequence for a property owner not engaging with the city and fulfilling the TDM plan.

- Question about what if RTD does not deliver expected transit service in Boulder Junction? Mr. Hagelin responded that Boulder Junction will evolve over time and Ms. Bracke stated that having high quality transit in Boulder Junction is a priority for the city and we will continually advocate for higher levels of service.
- Question about requiring existing development to have TDM requirements – must they join a district? Mr. Hagelin responded that districts are not necessary, but the benefit is to use the district as a way to provide ongoing sustainable funding to change behavior over a long period of time. It is also a way to focus resources where there are existing parking issues.
- It was mentioned that monetary incentives may not work as well with high wage workers. Mr. Hagelin responded that the district (not the city) could respond to design the program with the appropriate funding mechanism and the district would track progress and enforce TDM provisions.
- Question about feedback from developers saying we should have parking maximums and not minimums and whether or not that is true? Mr. Hagelin responded that developers are referring to the public backlash when a developer asks for a parking reduction when the minimums require too much parking. Developer feedback was simply asking for an appropriate amount of parking, not a minimum.
- Council members questioned the use of a floor area ratio (FAR) bonus as an incentive – because it would be difficult for any existing businesses within districts to take advantage of as the buildings already exist.
- Concern was expressed about using a national baseline for establishing the trips (ITE Manual) when Boulder has different local circumstances. Mr. Hagelin responded that the purpose was to determine a threshold and give an example of the type of development.

Next Steps: Council asked staff to work on two optional approaches as they design the TDM Plan ordinance. The first option would include using the Boulder Junction model in existing districts with a separate ordinance for significant developments outside of any existing districts. The second option would be a more general city-wide TDM Plan ordinance that would affect any new developments with a significant impact on the transportation system.

LONG TERM ON-STREET PARKING STORAGE

Bill Cowern gave an overview of the long term on street parking. The City of Boulder discourages the use of on-street parking spaces for long-term vehicle storage by limiting the time that a vehicle can be parked in one on-street location to 72 hours. Mr. Cowern discussed the community outreach that was conducted to inform the staff recommendation. Staff believes the considerations surrounding this issue remain the same as they did during prior discussions in 1999 and 2002, and it is staff's recommendation to make no changes at this time.

Council Discussion:

- If 40 percent of the survey respondents were not aware of the regulation, is it an issue?
- Is there a different way to get at the issue considering that few people know that this restriction is in place?
- There was not a strong interest among Council members to pursue this item at this time considering all the other issues the city is grappling with.

PARKING CODE CHANGES
Karl Guiler gave a status update on this effort and asked for any Council feedback on the best practices being considered and the approach to data collection. Mr. Guiler described the steps being taken related to the recent data collection meant to inform any potential changes to current parking requirements.

With the exception of the recently approved "fixes" and addition of new bike parking regulations to the parking code in 2014, the City of Boulder has not conducted a comprehensive review of its parking requirements or updated the standards for some time. The current parking requirements do not reflect the travel mode shift that has occurred in Boulder in recent years or the desired continued mode shift in the future. Boulder's current mode split (including higher than regional and national trends for walking, biking, and transit) is reflected in the high number of parking reductions that are requested and approved for new development projects and in data that shows an increasing use of transit and bike facilities.

As part of the AMPS process, the city is evaluating updates to the land use (zoning) code to ensure that parking is being provided according to contemporary and future travel needs, with higher percentages of people choosing to walk, bike and ride transit as alternatives to the automobile.

Council Discussion:

- Council was appreciative of staff's work on this issue and several believe it is long overdue.
- Question about having fewer site review projects with these potential changes? Mr. Guiler responded yes, particularly if we move towards parking maximums instead of minimums, there would be fewer or no parking reductions as a result. However, typically projects that having requested parking reductions have included other requests that would still require site review.
- Question about looking at peer communities for comparison? Mr. Guiler responded that yes, we are looking at a long list of comparable cities. Many of the proposed best practices are from other cities.
- Concern was expressed about spill over parking in surrounding areas if parking is reduced. It could require neighborhood parking programs everywhere, which has potential drawbacks. Mr. Guiler responded that we are looking at a district approach to parking requirements with the intent of avoiding spillover effects. Each district would be designed based on the issues in that district. Staff and consultants are still reviewing the data to see what direction it points us in.
- Consider the constant changing technologies (e.g. Uber, Lyft) and changing travel preferences. Although it is difficult to predict the future – removing minimums is a good start.

SATELLITE PARKING, OTHER EFFORTS AND NEXT STEPS
Molly Winter discussed satellite parking (or edge parking) and the current work effort with a focus on identifying specific locations to pilot this concept. Ms. Winter then discussed public-private shared parking opportunities and the importance of identifying opportunities for new sites through a volunteer process during the development review process. It would need to benefit both the district and the developer.

Ms. Winter also discussed several other "under the radar" efforts that are also part of the AMPS process, including changing parking pricing and increased meter fines.

Ms. Winter then discussed next steps that include a November study session to get feedback on the following issues:

Feedback on Draft Recommendations

- District shared parking policy
- District satellite parking strategy
- Parking code standards for new development

Initial Input on Policy/Program Direction

- Scoping criteria for the formation of new parking districts
- On-street car-share policy
- Parking pricing: parking fines, short-term parking, and NPP permit pricing

Staff will schedule a joint board workshop in preparation for a November council study session to provide an update on additional AMPS work items and seek board and council feedback on proposed policy recommendations and next steps. A final strategy would be created in mid 2016 and on-going work efforts would be incorporated into existing city work efforts.

Council Discussion:

- There was an interest in understanding issues associated with shared parking and changes in tenants over time at the next study session.
- Council generally agreed that all items are worth pursuing.
- Concern was expressed that edge parking in Europe intercepts commuters in logical locations – not sure if proposed edge locations in Boulder will serve a similar purpose.
- Questions were raised about where edge parking should go and how it gets funded. Also, does it compete with getting people out of their cars? Should we give preference to out-commuters rather than in-commuters? Are we setting up a competition? Ms. Winter stated that a focus is on the diagonal where there is lots of promise by intercepting the most people at the farther out places.
- Edge parking to address downtown parking issues (spillover into neighborhoods, lack of parking) – should be explored as part of the Community Hospital parking lot.
- Question about downtown employees plugging meters and competing with shoppers? Can we track this information? Ms. Winter responded that we do not track it currently, but that raising meter rates could help address that.
- Question about satellite parking in Martin Acres. Do people drive into Boulder and ride the bus the last half mile? Ms. Winter responded that yes, it happens, but we don't know the degree. It is usually a precursor or indicator to creating a Neighborhood Parking Program. One option is to review employee survey in more detail to see what we learn.
- The Chautauqua Lease discussions were mentioned and parking was one of the big issues. The group will want bring the content back to Council for an update.
- In general, there is Council support for satellite parking – many people don't have access to transit and it does reduce congestion downtown and help with other goals.
- General support for shared parking – should encourage this type of partnerships to make better use of our parking resources.

The general sentiment of Council is that we are making good progress on these issues. The Mayor then concluded the meeting by thanking staff and Council.

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE: Consideration of a motion to accept the study session summary from June 9th, 2015 regarding the Update on Boulder Valley Comprehensive Plan Foundations Work and Community Engagement Plan.

PRESENTERS
Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning & Sustainability (CP&S)
Susan Richstone, Deputy Director, CP&S
Lesli Ellis, Comprehensive Planning Division Manager, CP&S
Courtland Hyser, Senior Planner, CP&S
Jean Gatza, Sustainability Planner, CP&S

EXECUTIVE SUMMARY

The purpose of this item is approval of the June 9, 2015 Study Session Summary for the update to the Boulder Valley Comprehensive Plan.

STAFF RECOMMENDATION

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

Motion to accept the June 9th, 2015 City Council Study Session Summary on the Boulder Valley Comprehensive Plan Foundations Work and Community Engagement Plan.

ATTACHMENTS

Attachment A: June 9th, 2015 City Council Study Session Summary.

June 9th, 2015 City Council Study Session Summary-- Planning Update on the Boulder Valley Comprehensive Plan (BVCP) Foundations Work and Community Engagement Plan

PRESENT

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

Staff Members: Jane S. Brautigam, City Manager; David Driskell, Director of Community Planning and Sustainability (CP&S); Susan Richstone, Deputy Director of CP&S; Lesli Ellis, Comprehensive Planning Manager; Courtland Hyser, Senior Planner; Jean Gatza, Sustainability Planner

1. BOULDER VALLEY COMPREHENSIVE PLAN

Staff presented an update on the current foundations work and draft Community Engagement Plan. Staff requested feedback on the foundations work in progress including the Residential Growth Management System analysis, Trends Report and subcommunity fact sheets; focused topics for the update; and upcoming community engagement including the timeline, kickoff events, engagement tools, and statistical surveys.

Discussion Summary

A summary of council's discussion is provided below.

General

General comments included the following:

- Although the comprehensive plan is meant to be an aspirational document that informs and relies on master plans for implementation, its language and definitions could be sharpened.
- The BVCP does not need to answer every question, but it should provide a sufficient level of guidance on a broad range of topics.
- Because it is updated frequently, the BVCP is an opportunity to keep track of the city's progress in its goals and to answer questions such as where progress is or isn't being made and to focus on areas where improvement is needed.
- The consultant's (Clarion) report identified topics related to implementation and how we assess gaps in the current plan and identify goal areas where the community is doing well (e.g., for topics such as growth paying its way).
- Council members noted that the plan may need to have some metrics in it, such as jobs and housing. Staff explained work underway related to metrics, including a bottom up assessment of measures and metrics in master plans and coordination with the city manager's office on operational measures in preparation for later community conversation.

Focused Topics

Council members discussed the need for the BVCP to focus on a finite set of topics that are especially needed for this update.

- Focused topics related to core values, building form, and housing are especially relevant.
- Growth issues, including jobs and housing, will also be important.
- Certain topics, such as transportation, are covered in detail in other plans (e.g., Transportation Master Plan). Most of the 21st century topics identified in the memo are similarly covered elsewhere and need to be integrated or better implementation strategies (i.e., climate and energy, resilience, arts and culture, local food). In such cases, the BVCP may not need to create additional

policy; rather it needs to be brought into alignment with policy decisions that have been made or are ongoing.

- Consider a parallel process or events to address the "easier" integration topics, so those items can get added to the plan without getting tangled with the more complex topics.
- Council generally confirmed the list of focused topics presented in the staff report, with one key revision being that housing strategies should be listed under the topic of "growth/urban form" rather than in the list of "21st century" topics.
- Staff clarified that the set of focused topics presented in the memo is a framework for starting the discussion with the community. If the community identifies additional topics, staff will bring them back to council, BOCC and boards to consider.

Subcommunity Fact Sheets and Trends Report

Council discussed draft versions of two key BVCP foundations work products: the subcommunity fact sheets and the Trends Report.

- Overall, council members expressed support for the direction of the foundations work.
- Several council members identified the sample subcommunity Fact Sheet for Central Boulder as a highlight of the work produced thus far.
- Try to find a way to acknowledge the different subareas that are located within subcommunities.
- Staff should be cautious about how data is displayed in both the Trends Report and subcommunity fact sheets and present information that is relevant and useful. For example, calculating the average residential lot size for an entire subcommunity may not be a useful statistic.

Residential Growth Management System (RGMS)

Council members discussed the RGMS analysis presented in the memo.

- Several council members expressed the importance of the RGMS and the need to have more conversations about it.
- The analysis helps with understanding recent residential development in Boulder.
- Council suggested the need to re-evaluate the RGMS and its exemptions in particular.
- Several council members expressed interest in looking at the pace of commercial growth, which is not regulated by the RGMS.
- Later analysis should examine other factors, such as pace of growth and uniformity of styles.

Community Engagement Approach

Council discussed components of the BVCP community engagement plan.

- Council members indicated support for the diversity of outreach strategies articulated in the draft Community Engagement Plan and staff presentation, including the proposed "Planning 101" videos and a mix of traditional and online engagement.
- Several council members commented about the importance of targeted outreach (e.g., to seniors and people who do not speak English or for whom English is a second language).
- Several council members emphasized the importance of authentic Spanish translation of materials so they communicate effectively and intuitively.

Statistical Surveys

Council discussed the proposed use of a statistically-significant survey on growth and development issues as part of the BVCP community engagement process.

- Council members pointed out that while it is important to conduct a statistically significant survey, it is also important to reach out to everyone and give them an opportunity to be heard. This could be accomplished by having a parallel online survey to accompany the statistically significant survey. If this approach is used, the results must be kept separate.

- Having survey questions that are content-neutral was emphasized, along with including a mix of questions that address both high-level and policy-specific topics.
- The inclusion of a visual preference survey should be considered, with the caution that the images used in such surveys can sometimes be misinterpreted by respondents as literal examples of future development.
- Consider oversampling some populations to reduce the need to weight results later.
- Council members recommended preparing a draft of the survey questions for council and possibly planning board review in August.
- Council members suggested sending out the surveys in September or October when school is back in session and following the BVCP's public kickoff phase.

Next Steps:

July 15-	Planning Commission
July 16 -	Planning Board
July 28 -	City Council
Aug 4-	Board of County Commissioners
Aug 31-	Community kickoff event (final "Planning 101" videos, land use change request process in month of August, September)

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE: Consideration of a motion to accept the June 9, 2015 Study Session Summary on Housing Boulder.

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

EXECUTIVE SUMMARY

This agenda item provides a summary of the June 9, 2015 study session on Housing Boulder.

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

1. community input received to date and preliminary themes that have emerged;
2. whether to proceed with development of the draft strategy for community review;
3. working groups' suggested changes to the Housing Boulder goal statements; and
4. project timeline, next steps and integration with other planning efforts.

STAFF RECOMMENDATION

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

Motion to accept the June 9, 2015 Study Session Summary on Housing Boulder.

Housing Boulder Next Steps
On September 1, staff will return to City Council with an agenda item under Matters to discuss a draft Housing Boulder action plan for 2015/2016. The action plan will:

- Summarize the strategic directions defined through the Housing Boulder process to-date, building on the themes discussed on June 9 and Council's feedback;
- Outline the proposed work plan for the remainder of 2015 and 2016 to act on key areas of consensus, including development of a middle income housing strategy and program; articulating the city's housing preservation strategy and priorities; and housing topics to be further explored and analyzed through the BVCP update process (e.g. jobs/housing relationship and overall housing mix);
- Outline a potential process for additional analysis and community engagement to inform a potential neighborhood planning pilot around issues related to occupancy, cooperative housing and ADUs/OAUs; and
- Define a process for exploring governance options to guide ongoing work on the city's housing strategy.

In the meantime, staff has issued an informal request for proposals seeking consulting services to conduct additional analysis around key questions related to potential interventions to address the lack of middle-income housing.

Additional information
During the April 28 council meeting and the June 9 study session council members requested information on 2015 affordable housing income limits, new affordable unit production broken out by ownership and rental, and where Section 8 housing vouchers are used. That information is available in **Attachment A**.

June 9, 2015 Study Session Summary on Housing Boulder

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

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

OVERVIEW
City Manager Jane Brautigam opened the meeting to introduce both Housing Boulder and the Boulder Valley Comprehensive Plan Update. Council has accomplished significant work in the past year with several high-profile projects. In addition to important policy initiatives, the city is working to implement current policies and making significant progress toward meeting our goal of 10 percent permanently affordable housing units (we recently surpassed 8 percent).

Ms. Brautigam thanked everyone who has participated in the Housing Boulder process to date (working group members, process subcommittee members, and participants in the May neighborhood workshops).

Mr. Driskell gave an overview of the community engagement for Housing Boulder. He reminded Council of work that was done since 2013 to lay the foundations for the housing strategy such as the Housing Market Analysis and the Housing Choice Survey. Mr. Driskell described several of the traditional and innovative community engagement tools employed in recent months (e.g., working groups, community forums, Textizen, Periscope, and neighborhood workshops).

EMERGING THEMES

Mr. Driskell provided an overview of the themes that have emerged from the community discussions and emphasized that these are preliminary and, if Council agrees, define the general direction for development of a housing strategy.

Mr. Driskell recognized that it has not been an easy community discussion. While there is widespread agreement that the loss of affordability is a significant issue, with impacts for the kind of community we are and will be, there are differences of opinion on how best to respond, or even whether we should respond at all. However, despite points of contention, some shared themes have emerged that reflect areas of general consensus and start to give shape and direction for the development of a meaningful and effective comprehensive housing strategy.

The six themes outlined in the council memo and study session presentation were:

- **PRESERVE EXISTING AFFORDABLE HOUSING**
- **FACILITATE MORE DIVERSE HOUSING OPTIONS**
- **PARTNER WITH NEIGHBORHOODS on HOUSING SOLUTIONS**
- **IMPROVE the RELATIONSHIP BETWEEN JOBS and HOUSING**
- **ENGAGE IN REGIONAL PLANNING and ACTION**
- **PARTNER TO ADDRESS CHALLENGES and EXPAND OPTIONS**

Mr. Driskell provided an overview of each theme, and briefly described how the theme could be translated into housing policy and strategy.

Following is a summary of the Council discussion:

THEME: PRESERVE EXISTING AFFORDABLE HOUSING

- Council expressed overall support for this theme and belief that it should be core to the strategy and is worth exploring this theme further.
- The theme should include discouraging demolitions, as it ties into other city goals related to minimizing waste.
- There were questions about how it relates to historic preservation. Preserving smaller homes in the city core may not be realistic as many of the lots alone are worth over a million dollars.
- Older multi unit apartments that need updating may be an opportunity, but there were questions about the high costs and competing with investors.

- Boulder is losing opportunities to preserve existing affordable homes. The longer we wait – the more expensive and fewer the options.

THEME: FACILITATE MORE DIVERSE HOUSING OPTIONS

- Council expressed overall support for this theme. Several consider it just as important as the Preserve Existing Affordable Housing theme.
- Workforce housing is one of Boulder's biggest challenges. We are losing the middle income segment of our community.
- The strategy needs a big idea to provide middle-income housing (e.g. middle income deed restriction program, rezone commercial areas, etc.).
- There has been too much focus on changes to single-family neighborhood (ADUs, Co-operative Housing, Occupancy) as those are just nibbling around edges and generating negative neighborhood feedback.
- There was extensive discussion on how this theme, in particular, relates to the BVCP Update. There was agreement that the housing strategy will not determine the questions about where to put housing and how much – that is a comprehensive plan discussion.
- Several Council members believe that many housing tools hinge on the BVCP discussion and that a housing strategy should follow Comp Plan direction.
- Council discussed the 1999 Comprehensive Housing Strategy and how the outcomes of that process informed the 2000 BVCP Update (e.g. 28th Street Frontage land use map changes and subsequent rezoning for off campus student oriented housing).
- Specific tools discussed included density bonuses for affordable housing, zoning changes from industrial or commercial to residential, allowing a phased development in Area III, small homes and tiny homes.
- There was discussion of the efficacy of new housing types (i.e. small homes or tiny homes) and who those units would serve. Additionally, what land is available to provide those housing types – other than Area III? Council members discussed the importance of providing housing options in the form of tiny or small homes that could possibly help with homelessness, but also allow people to live more communally.
- Poplar was given as an example of a successful small home development built with affordable housing funds and sweat equity. This is an example of a very stable community and we should continue with this model. It was noted that when this development was proposed there was significant neighborhood opposition.
- Concern was expressed about new development being all high-end apartments and single-family homes. How does the city get different outcomes? With limited infill opportunities, stronger tools are needed. Need to raise the bar for all new development. Mr. Driskell provided the example of Solana. While perceived as high-end, information gathered last year showed that it is serving households in the range of 100 to 110% of Area Median Income. In other words, these are "market-rate affordable" for middle income households, although they do not serve families as the units are mostly one and two bedrooms.

THEME: PARTNER WITH NEIGHBORHOODS on HOUSING SOLUTIONS

- Council discussed the importance of partnering with neighborhoods and having the discussion on a smaller scale. Some strategies will work in one neighborhood and not in another.
- There was discussion about having any changes come from neighborhoods themselves and not top-down citywide rule changes.

- It was suggested that neighborhoods be allowed to experiment with different housing types if there is support of neighbors. Those changes don't need to be neighborhood wide either. For example, if a neighborhood wants a certain housing type, the city should make it easier to do.
- Pilots were discussed as a way to try new things, but concern was expressed about what is learned from a pilot. The pilot must be carefully designed to get meaningful information about how it could be applied elsewhere.
- Concern was expressed about leaving everything to the neighbors. For example, Poplar was very controversial at the time it was proposed but is now held up as an example. This is not unusual in Boulder. Council took action against neighborhood desires in response to the broader community goals. Council has done many things to protect neighborhoods over the years.

THEME: IMPROVE the RELATIONSHIP BETWEEN JOBS and HOUSING

- Some members of Council expressed a concern with jobs growing at a significantly higher rate than housing units. There was a desire to keep better track of what we are producing and if the City is serious about more housing, there is a need to look critically at jobs.
- Some members of Council also stated that simply adding more units is not the answer. Additional units need to be affordable to ensure a diversity of people and an emphasis on families.
- Council as a whole agreed that there is not a linear relationship between housing units and jobs. Several council members stated that the relationship is highly complex. For example, job growth is more cyclical than housing growth. In addition, there are a number of demographic influences (e.g. the influx of retired people, a high student population) and a regional jobs market that influences the number of people working and living in boulder. Finally, although jobs did not increase dramatically in the past decade, housing prices did grow dramatically – implying that job growth is not the only driver.
- There was general agreement that this is an important conversation and the BVCP is the place to have it. This needs a holistic approach where all costs are considered as part of overall affordability (transportation, childcare) and within the context of the larger region.
- Any consideration of rezoning needs to be carefully analyzed. Low-end commercial is important, but usually is the land that gets rezoned.

THEME: ENGAGE IN REGIONAL PLANNING and ACTION

- There is strong desire to collaborate regionally and advocate at the state level, as evidenced at the recent Consortium of Cities.
- Minimum wage is an important issue to pursue, but we need to be careful of staggering regional trends in population, income and jobs. Boulder is on a very different trend line and that must be understood and carefully considered.
- There is currently affordable housing in outlying cities – affordable by Boulder standards. Transportation solutions are an important part of regional planning.
- The regional housing market should be part of the overall strategy. Specifically, people will continue to choose to live outside Boulder to afford a larger home for their families or for a variety of other reasons (e.g., location of partner's work).

THEME: PARTNER TO ADDRESS CHALLENGES and EXPAND OPTIONS

- The University of Colorado is a big player with lots of students in the rental market.

GOALS

- Council generally agreed that the working group proposed edits to the goals were good and an improvement over the original goals adopted by council last fall. These had the benefit of community input. Staff will revise the Housing Boulder goals using the working groups edits, with the exception of the two goals discussed below.
- Specific discussion about the goals:
    - Goal #1 – STRENGTHEN OUR CURRENT COMMITMENTS ~~Reach or exceed Boulder's goals to serve very low-, low-, and moderate-income households, including people with disabilities, special needs, and the homeless.~~ Meet or exceed the city's 10 percent target for housing Boulder's low income residents.
        - While Council was appreciative of the working group's effort to simplify the goal, there was general agreement that it was over simplified and more detail was needed to convey the different income levels served in Boulder.
        - Staff will retain the current goal language moving forward.
    - Goal #4 – STRENGTHEN PARTNERSHIPS Strengthen, assess and potentially discontinue current partnerships; and explore and form creative and inclusive new public-private, public-public or other partnerships (e.g. neighborhood, regional, financial or transportation-related) to address our community's housing challenges and expand housing options (e.g. University of Colorado, private developers, financing entities, affordable housing providers, etc.).
        - A question was raised about specific partnerships the City should discontinue and whether that should be part of the goal.
        - Staff will remove the working group's suggested clause "…assess and potentially discontinue…"
- There was concern expressed that the Diverse Housing Choices goal is still inflammatory with the neighborhoods because it could be interpreted to mean increasing density in single-family neighborhoods.

PROJECT TIMING

- There was general agreement that it is good that the community is engaging and discussing the issues.
- However, three council members stated that they think work on the strategy should be discontinued until the Comprehensive Plan Update process is complete.
- The majority of Council believes that staff should continue the work on Housing Boulder and not postpone. There was a significant amount of work done with lots of community input. The process to date has helped move the topic from the abstract into potential concrete steps.
- The City needs to address affordable housing now as we are losing opportunities. All the appropriate pieces will feed directly into the Comprehensive Plan Update.
- Specifically, there was a desire expressed that Housing Boulder analyze and develop specific proposals for middle-income households and for housing preservation.
- Overall, many believe it is important to the community to move the conversation forward. The themes discussed at the study session will help to identify the next steps in addressing the community's housing challenges.

The Mayor concluded the meeting by stating that there is clearly disagreement on Council related to the timing of the housing strategy and the comprehensive plan process. We need to be clear about what we are doing and proceed with caution.

Mr. Driskell thanked Council and committed to work more on analyzing the scope of the next phase and how it relates to the Comprehensive Plan update.

ATTACHMENTS
A. Additional Information

ATTACHMENT A – ADDITIONAL INFORMATION

2015 Area Median Income and associated income limits

	1 Person	2 Person	3 Person	**4 Person**	5 Person	6 Person
Area Median Income	$69,600	$79,600	$89,500	**$99,400**	$107,400	$115,400
(HUD publishes the 4-person Median Family Income based on American Community Survey data - other sized households are calculated from this)						
Middle Income Limit (120% AMI)	$83,520	$95,520	$107,400	$119,280	$128,880	$138,480
(most commonly used definition for middle income)						
Moderate Income Limit	$53,040	$60,660	$68,200	$75,740	$81,840	$87,930
(set by Inclusionary Housing)						
Low Income Limit	$46,100	$52,650	$59,250	$65,800	$71,100	$76,350
(defined by HUD)						

Affordable Unit Production: Rental and Homeownership

Year	New Units	Home Ownership	Rental
2000	153	123	30
2001	232	135	97
2002	133	19	114
2003	190	107	83
2004	193	50	143
2005	81	39	42
2006	95	71	24
2007	140	26	114
2008	18	15	3
2009	84	46	38
2010	96	33	63
2011	22	10	12
2012	69	0	69
2013	267	28	239
2014	141	7	134
Total	**1,914**	709	1,205
		37%	63%

Section 8

Manufactured home space rental is an eligible use for a housing choice voucher by a low-income household. Within the city, residents are using Section 8 at the Boulder Meadows and Mapleton parks.

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE
Consideration of a motion to approve a twenty-year right-of-way lease for two encroachments (awnings) located at 1505 Pearl Street (REV2014-00022).

Applicant: 15 Pearl Condominium Association, Inc.

PRESENTER/S
Jane S. Brautigam, City Manager
Bob Eichem, Finance Director /Acting Executive Director of Administrative Services,
David Driskell, Executive Director of Community Planning and Sustainability
Charles Ferro, Land Use Review Manager
Sloane Walbert, Planner I

EXECUTIVE SUMMARY
Pursuant to Section 2-2-8, "Conveyance of City Real Property Interests", B.R.C. 1981, City Council approval is required for lease terms that exceed three years.

The purpose of this item is to obtain City Council approval to authorize a twenty-year air rights lease for a portion of two awnings located at 1505 Pearl Street and authorize the City Manager to execute the necessary documents to accomplish this transaction. The encroachments have existed since the building was constructed in 2008. One awning structure is located above the building entrance on the corner of 15th and Pearl Streets. The second awning is located above the first floor awning and serves as a cap feature at the top of the structure. Refer to **Figure 2** below. The areas of encroachment were previously leased from the city via a separate short-term lease. However, considering the permanency of the encroachments a long-term lease is appropriate. The proposed Right-of-Way Lease is attached (see **Attachment A**).

STAFF RECOMMENDATION

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

Motion to approve a twenty-year right-of-way lease for two awnings located at 1505 Pearl Street.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: The encroachments further economic sustainability by contributing to the design of the building and enhancing the commercial viability of the property.
- Environmental: None anticipated.
- Social: No social impacts are anticipated.

OTHER IMPACTS

- Fiscal: Annual rental rate of $1 per year. Encroachments that involve air space only have historically been charged an annual $1 fee. The intent of a revocable lease for air space, versus surface area, is to cover any liability the city may have. Allowing use of the air space does not prohibit public use of the sidewalk below. Therefore, the approved Downtown Management Commission (DMC) lease rate and Consumer Price Index (CPI) increase have not historically been applied.
- Staff time: The applicant has paid the required application fee to cover the staff review time of the proposed lease.

PUBLIC FEEDBACK

This item is being heard as part of the consent agenda and has been advertised in the Daily Camera.

BACKGROUND

Any term of three years or greater, up to twenty years, must be approved by the City Council. The City Manager is authorized to permit encroachments within the public right-of-way for a period of three years or less. See Section 2-2-8, "Conveyance of City Real Property Interest," B.R.C. 1981, and the City Charter Section 111, "Terms not longer than twenty years – compensation." The encroachments at 1505 Pearl Street are permanent in nature and can be leased for a period exceeding three years only upon approval of the City Council. Staff has determined that there will be no public need for the leased area during the lease period. A copy of the proposed Right-of-Way Lease is attached (see **Attachment A**).

The existing building located at 1505 Pearl Street was approved by Planning Board in 2006 as part of a Site Review for a mixed-use building at a maximum height of 51 feet (case number LUR2005-00064). The building was constructed in 2008 and a long-term lease was obtained for portions of a cornice located in the public right-of-way the same year. The subject awnings are located on the southwest elevation of the building within

the Pearl Street and 15th Street rights-of-way (see **Figure 1** below). The air space for the awnings was previously leased from the city via a separate short-term lease. However, considering the permanency of the encroachments a long-term lease is appropriate

***Figure 1**: Aerial View of Area of Encroachment*

***Figure 2**: The awning encroachments looking north on 15th Street.*

The building design and awnings were reviewed at the time of Site Review. In particular, the building's height, mass, scale, orientation and configuration were evaluated and compared to the existing character of the area. The majority of buildings in this area have decorative cornices and awnings. It was determined that the subject awnings contribute to the character of the building. The lower awning provides a sense of traditional human scale and emphasizes the entrance. The upper awning serves as an architectural cap feature for the vertical corner element.

The proposed Right-of-Way Lease would cover the 18 square feet of air space for the lower awning and 1 square foot of air space for the upper awning. Refer to **Attachment A** for more details regarding the exact areas of encroachment. If a revocable lease is denied the property owner must resolve the areas of encroachment. The encroachments may require removal at the owner's expense or purchase of enough right-of-way to accommodate the encroachments.

ANALYSIS

Since the encroachments are permanent in nature, a long-term lease may be approved, if the following criteria are met, pursuant to Section 8-6-6(f), B.R.C. 1981:

1. *The encroachment does not constitute a traffic or other hazard.*

   The awnings do not encroach onto the roadway and do not create a traffic hazard.

2. *The encroachment does not destroy or impair the public's use of the land for its intended purposes or serves a public purpose that cannot otherwise be accomplished without such minor impairment.*

   The encroachments do not impair the public use of Pearl Street and the leased area is not part of the street surface.

3. *Encroachment on a sidewalk in commercial areas maintains a minimum clearance of eight feet vertically and horizontally of unobstructed pedestrian way. The requirements of this paragraph may be modified by the City Manager if reasonable passage is provided on the sidewalk and the safety of pedestrians, bicyclists and motorists is not impaired.*

   Adequate space exists horizontally and vertically to safely accommodate pedestrian and vehicular traffic.

4. *A longer term use of the public property for the specific term approved will not be contrary to the public interest and ultimate use of the public right-of-way or public easement; and there will be no public need for the leased area during the lease period.*

A twenty-year lease to allow for the encroachments is not contrary to the public interest. There is no contemplated public need for the leased air space on Pearl or 15th Streets during the term of the lease.

5. *Adequate compensation is provided to the city throughout the lease term.*

   A lease rate of $1 per year has been established by the city. The intent of a revocable lease for air space, versus surface area, is to cover any liability the city may have. Allowing use of the air space does not prohibit public use of the sidewalk below. Therefore, the approved DMC lease rate and CPI increase have not historically been applied.

MATRIX OF OPTIONS

City Council may:

1. Approve the twenty-year lease as proposed.
2. Deny the twenty-year lease, but direct the City Manager to approve a three-year short-term lease. The applicant renews the lease in three years, as directed by the city.
3. Deny both the long- and short-term leases and require removal of the encroachments.

ATTACHMENTS

Attachment A: Right-of-Way Lease, Exhibits

CITY OF BOULDER
RIGHT-OF-WAY LEASE (REV2014-00022)

THIS Lease is entered into this 16th day of June, 2015, by and between the City of Boulder, a Colorado home rule City, hereinafter called "Lessor," and 15 Pearl Condominium Association, Inc., a Colorado nonprofit corporation, herein called "Lessee."

RECITALS

A. 15 Pearl Condominium Association, Inc., a Colorado nonprofit corporation, is the owner of the property and improvements located at the southwest corner of 1505 Pearl St. above the entrance to Commercial Unit 105 and above Unit 304, and more particularly described as a General Common Element of 15 Pearl Condominiums, according to the condominium map thereof, recorded June 20, 2008 as Reception No. 2938026 in the records of the office of the clerk and recorder of Boulder County, Colorado, and as defined and described in the Condominium Declaration for 15 Pearl Condominiums recorded June 20, 2008 as Reception No. 2938025 of said records, County of Boulder, State of Colorado; and

B. The Lessor is the owner of the public right-of-way adjacent to the property located at 1505 Pearl St.; and

C. The two awnings are located at the southwest corner of 1505 Pearl St.: the lower awning is located above the entrance to Commercial Unit 105 and encroaches 18 square feet into the aforementioned public right-of-way of the City of Boulder and the upper awning is above Unit 304 and encroaches approximate 1 square foot into the aforementioned public right-of-way of the City of Boulder; and

D. On _____, 20___, the City Council approved this Lease for a period to exceed three years pursuant to Section 2-2-8, B.R.C. 1981; and

E. The Lessor had determined that the said public right-of-way will not be required for a public purpose during the term of this Lease and that the use of the surface of said public right-of-way by the public or the Lessor for the benefit of the public will not be impaired.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Premises Leased. The Lessor hereby leases, demises, and sets off to the Lessee the following described right-of-way located in the County of Boulder, State of Colorado, to-wit:

As depicted on Exhibit A attached hereto ("Leased Premises").

The awnings are located on the southwest corner of the building: one above the entrance to Commercial Unit 105 and one above Unit 304. The lower awning encroaching 18 square feet into the City of Boulder right-of-way. The upper awning encroaching 1 square foot into the right-of-way. The lease covers a total of only the 19 square feet of property directly beneath the encroachments.

2. Lease Term: This lease term shall be for the lesser of twenty (20) years or the life of the aforementioned two awnings, whichever first occurs, said term commencing at noon on _____. During the Lease Term, Lessee shall have the right to repair said awnings.

3. Rent. Lessee hereby agrees to pay as and for an **annual** rental for use of the above described two awnings, the sum of $302.10 per year, which sum shall be escalated annually by increase in the "Consumer Price Index" for the Denver/Boulder Metropolitan area. This amount is due and payable without requirement of notice or billing by Lessor.

   Please remit payment to City of Boulder, Planning & Development Services, 1739 Broadway, 3rd Floor, Post Office Box 791, Boulder, CO 80306-0791.

4. Maintenance. The Lessee agrees to construct and maintain the two awnings in said public right-of-way with due caution and regard for the Lessor's and the public's right of use and access to the land adjoining 1505 Pearl St.

   The City shall not be responsible for any maintenance in the Leased Premises. However, the City reserves the right to access the Leased Premises to maintain any and all City utilities and other public improvements located in said public right-of-way. It is expressly understood that interruptions of utility services to Lessee's property or damage to Lessee's property by act of God or sabotage are beyond the control of the City and do not constitute breach of Lease agreement. The City agrees to endeavor to correct manifestations of the foregoing and to return the Leased Premises to normal operation as soon as possible. Loss or damage to property of any kind in the Leased Premises or loss suffered by the business or occupation by Lessee as a result of the foregoing events shall be at Lessee's risk.

5. Removal and Restoration. Lessee agrees that upon removal of any private improvements, Lessee will restore public improvements in the public right-of-way to their original condition. If the Lessor determines that all or portions of the public improvements have been damaged beyond reasonable repair, Lessee agrees to replace such improvements in accordance with standards for construction in the public right-of-way prescribed by the Public Works Department's most current City of Boulder Design and Construction Standard. Lessee agrees to notify the City within five working days of removal of any such private improvements so the Lessor may inspect the public right-of-way.

6. Indemnification. The Lessee agrees to indemnify and hold harmless the City from and against all claims, suits, losses, and expenses in any manner resulting from, arising out of, or connected with the construction, use, operation or maintenance of the Leased Premises.

7. Insurance. Prior to the execution of the Lease, the Lessee shall submit to the Lessor all insurance policies or Certificates of Insurance as evidence of compliance with the provisions of this paragraph and subject to approval by theLessor. Lessee shall, at Lessee's sole expense, procure and maintain or cause to be procured and maintained with insurers approved by Lessor a comprehensive general liability insurance policy with minimum limits of $1 million per occurrence and a $2 million aggregate. Subrogation shall be waived in favor of the Lessor. This policy shall name the City of Boulder and its elected officials and employees as additional insured. The Lessee agrees that the above stated policy limits shall be raised to meet any additional coverage necessitated by amendments to the Colorado Governmental Immunity Act that may expose Lessor to judgments greater than the insurance coverage required herein.

   This policy shall be written on a primary basis, non-contributory with any other insurance coverages and/or self-insurance carried by the City. This policy shall be maintained in full force and effect for the duration of the Lease. Lessee, or Lessee's insurance broker, shall notify the City of any cancellation or reduction in coverage or limits of any insurance policy within 7 (seven) days of receipt of insurers' notification to that effect. Lessee shall forthwith obtain and submit proof of substitute insurance in the event of expiration or cancellation of coverage and shall provide Lessor with an updated Certificate of Insurance annually.

8. Renewal. This Lease may be renewed for additional periods of time not greater than two (2) years, 364 days upon the mutual consent of the Lessee and Lessor. Any term greater than two (2) years, 364 days but less than 20 years in length requires the mutual consent of the Lessee and Lessor after appropriate action by the Boulder City Council.

9. Warranty of Authority. The Lessee warrants and agrees that Lessee has the good right, full power and lawful authority to execute this Lease.

10. Binding Provision. The provisions of the Lease shall be binding upon the parties hereto and upon their respective heirs, successors, and assigns.

DATE OF ISSUANCE:_____

DATE OF EXPIRATION:_____

IN WITNESS WHEREOF, we have set our hands on this date above mentioned.

LESSEE/BUILDING OWNER:
15 Pearl Condominium Association, Inc.,
a Colorado nonprofit corporation

Signature: _____
Printed Name: John Koval
Title: President

Attest:

_____
Secretary

State of Colorado)
) ss.
County of Boulder)

The foregoing instrument was acknowledged before me this 5th day of June, 2015, by John Koval as President of 15 Pearl Condominium Association, Inc., a Colorado nonprofit corporation.

Witness my Hand and Seal.
My Commission Expires: 10-11-15

[SEAL]

KAREN L HOFFSCHILDT-BORN
NOTARY
PUBLIC
STATE OF COLORADO

_____
Notary Public

CITY OF BOULDER

By: _____
City Manager/Public Works
Development Review Manager

Attest:

_____
City Clerk

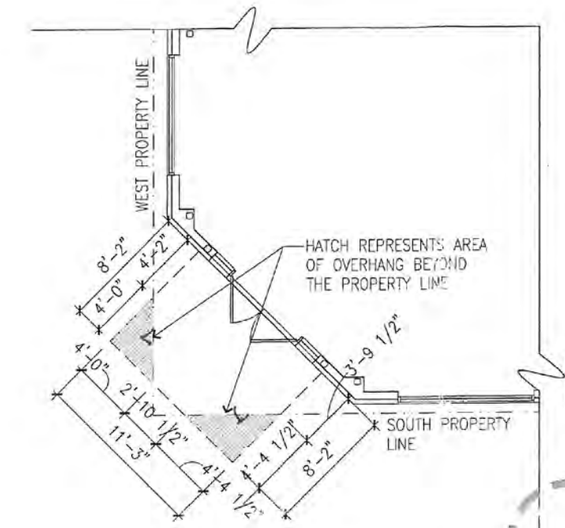
Approved As To Form:

_____
City Attorney's Office

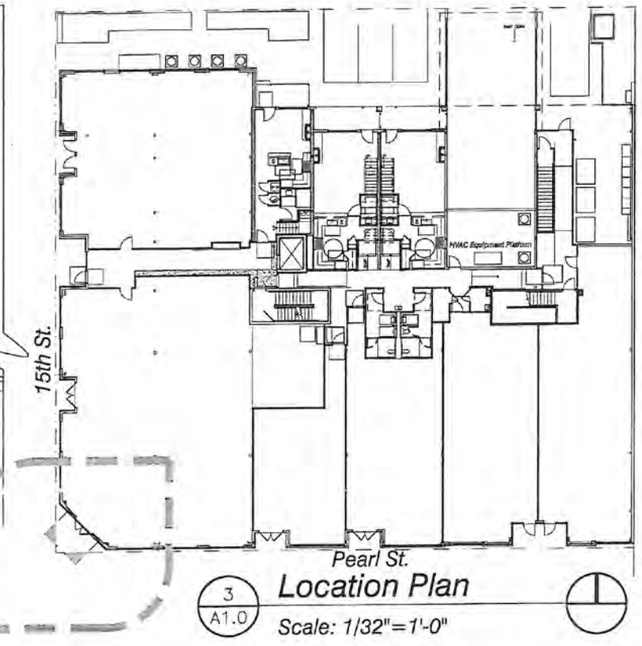
Date: 4-28-2015

Exhibits:
Exhibit A: Leased Premises
Exhibit B: Certificate of Insurance

Exhibit A
Page 1 of 3



4 A1.0 Awning Plan (1st Floor)
Scale: 1/8"=1'-0"

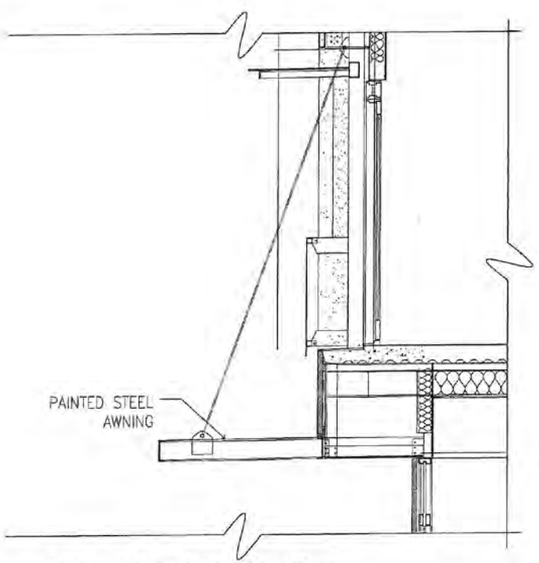


3 A1.0 Location Plan
Scale: 1/32"=1'-0"

COBURN
Planners · Designers · Builders
1811 Pearl Street
Boulder, Colorado
303-442-3351

1505 Pearl
Boulder, CO

Awning & Cornice Revocable Permit

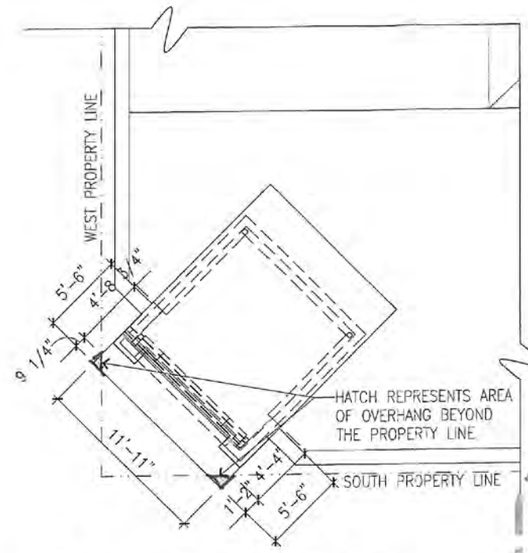


2 A1.0 Awning Section
Scale: 1/4"=1'-0"

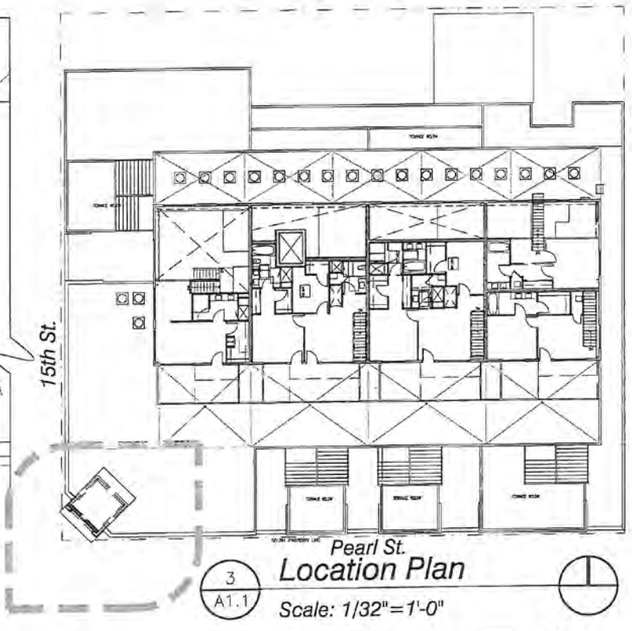
1 A1.0 West Elevation (15th Street)
Scale: 1/16"=1'-0"

A1.0
October 17, 2007

Exhibit A
Page 2 of 3



4 A1.1 Awning Plan (4th Floor)
Scale: 1/8"=1'-0"



3 A1.1 Location Plan
Scale: 1/32"=1'-0"

COBURN
Planners · Designers · Builders
1811 Pearl Street
Boulder, Colorado
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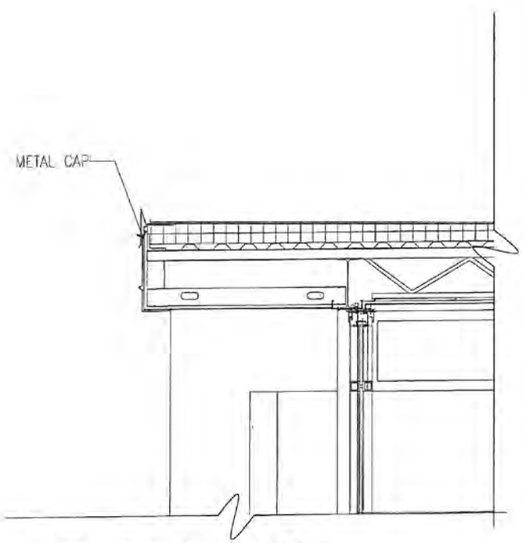
Boulder, CO

Awning & Cornice Revocable Permit



2 A1.1 Awning Section
Scale: 1/2"=1'-0"

1 A1.1 West Elevation (15th St.)
Scale: 1/16"=1'-0"

A1.1
October 17, 2007

Exhibit A
Page 3 of 3

LOWER AWNING A1.0				
DIMENSIONS	SQ. FT. OVER PROP LINE	STYLE	MATERIAL	COLOR
11'-3"X8'-2"	18	STEEL	PAINTED STEEL	BENJAMIN MOORE 2129-30

UPPER AWNING A1.1				
DIMENSIONS	SQ. FT. OVER PROP LINE	STYLE	MATERIAL	COLOR
11'-11"X5'-6"	1	METAL	METAL	CHARCOAL GRAY

EXHIBIT B

CERTIFICATE OF LIABILITY INSURANCE

American Family Insurance Company ☐
American Family Mutual Insurance Company if selection box is not checked.
6000 American Pky Madison, Wisconsin 53783-0001

Insured's Name and Address
15 Pearl Condominiums Assoc. Inc.
1539 Pearl St
Boulder, CO 80302

Agent's Name, Address and Phone Number (Agt./Dist.)
Michelle H Welsh
3002 Bluff St Ste 300
Boulder, CO 80301
(303) 444-0990 (013/311)

This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This certificate does not amend, extend or alter the coverage afforded by the policies listed below.

COVERAGES

This is to certify that policies of insurance listed below have been issued to the insured named above for the policy period indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE	POLICY NUMBER	POLICY DATE EFFECTIVE (Mo, Day, Yr)	POLICY DATE EXPIRATION (Mo, Day, Yr)	LIMITS OF LIABILITY		
Homeowners/ Mobilehomeowners Liability				Bodily Injury and Property Damage Each Occurrence	$	,000
Boatowners Liability				Bodily Injury and Property Damage Each Occurrence	$	,000
Personal Umbrella Liability				Bodily Injury and Property Damage Each Occurrence	$	,000
Farm/Ranch Liability				Farm Liability & Personal Liability Each Occurrence	$	,000
				Farm Employer's Liability Each Occurrence	$	,000
Workers Compensation and Employers Liability †				Statutory		
				Each Accident	$	,000
				Disease - Each Employee	$	,000
				Disease - Policy Limit	$	,000
General Liability ☒ Commercial General Liability (occurrence) ☐ ☐	05-XM8295-03	10/20/2014	10/20/2015	General Aggregate	$	4,000,000
				Products - Completed Operations Aggregate	$	,000
				Personal and Advertising Injury	$	,000
				Each Occurrence	$	2,000,000
				Damage to Premises Rented to You	$	,000
				Medical Expense (Any One Person)	$	,000
Businessowners Liability	05-XM8295-03	10/20/2014	10/20/2015	Each Occurrence††	$	2,000,000
				Aggregate††	$	4,000,000
Liquor Liability				Common Cause Limit	$	,000
				Aggregate Limit	$	,000
Automobile Liability ☐ Any Auto ☐ All Owned Autos ☐ Scheduled Autos ☐ Hired Auto ☐ Nonowned Autos ☐				Bodily Injury - Each Person	$	,000
				Bodily Injury - Each Accident	$	,000
				Property Damage	$	,000
				Bodily Injury and Property Damage Combined	$	,000
Excess Liability ☐ Commercial Blanket Excess ☐				Each Occurrence/Aggregate	$	,000

Other (Miscellaneous Coverages)

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / RESTRICTIONS / SPECIAL ITEMS

The Commercial business owners is endorsed to included the City of Boulder, elected officials and employees as additional insured. The Commercial business owners policy is endorsed to include the City of Boulder, elected officials and employees on the Waiver of Transfer of Rights of Recovery Against Other to Us Endorsement.

†The individual or partners shown as insured elected to be covered under this policy. ☐ Have ☐ Have not

††Products-Completed Operations aggregate is equal to each occurrence limit and is included in policy aggregate.

CERTIFICATE HOLDER'S NAME AND ADDRESS

City of Boulder
Planning and Development
1739 Broadway, Third Floor
PO Box 791
Boulder, CO 80306

CANCELLATION

☐ Should any of the above described policies be cancelled before the expiration date thereof, the company will endeavor to mail *(days) written notice to the Certificate Holder named, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives. *10 days unless different number of days shown.

☒ This certifies coverage on the date of issue only. The above described policies are subject to cancellation in conformity with their terms and by the laws of the state of issue.

DATE ISSUED	AUTHORIZED REPRESENTATIVE
12/01/2014	SIGNATURE ON FILE

U-201 Ed. 5/00

Stock No. 06668 Rev. 7/02

DocuSign Envelope ID: 09CD4794-154E-4705-8B46-FFC4AAEF3F05

15 PEARL CONDOMINIUM ASSOCIATION, INC.
a Colorado nonprofit corporation

Resolution Relating to a Right-of-way Lease

WHEREAS, the Board of Directors of 15 Pearl Condominium Association, Inc. (the "Association") desires to enter into a Right-of-Way Lease Agreement with the City of Boulder, a Colorado home rule City, for a term of twenty (20) years, concerning a public right-of-way located at 1505 Pearl Street, Boulder, Colorado (the "Lease Agreement"); and

WHEREAS, Article V, Section 1 of the Bylaws of the Association (the "Bylaws") grants the Association's Board of Directors the power to manage the affairs of the Association; and

WHEREAS, Article VI, Section 5 of the Bylaws authorizes the President of the Board of Directors to sign all leases which the Board of Directors has authorized to be executed; and

WHEREAS, at a special meeting of the Board of Directors of the Association, held on March 27th, 2015, a quorum was present and all of the Directors voted affirmatively for the Association to enter into the Lease Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors authorizes the Association to enter into the Lease Agreement and further authorizes the President to sign the Lease Agreement on behalf of the Association.

ATTEST: Certified to be the Resolution adopted by consent of the Directors of the 15 Pearl Condominium Association, Inc., a Colorado nonprofit corporation, effective this 30th day of March, 2015.

DocuSigned by:
Julie Meko 4/8/2015
9C27A9251CC4E4...
Julie Meko, Secretary

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

Motion to authorize the city manager to enter into an agreement allowing the City of Boulder Fire Rescue department and the USDA Forest Service to exchange personnel for mutual benefit of wildland fire management.

PRESENTER/S
Jane Brautigam, City Manager
Michael Calderazzo, Fire Chief
Greg Toll, Wildland Division Chief

EXECUTIVE SUMMARY

This is an agreement between the City of Boulder Fire Rescue Department and the USDA Forest Service. This agreement would formalize what has been an informal agreement to assist with the staffing of a wildland fire helicopter program. It is an interagency helicopter program that is funded by the Arapahoe Roosevelt National Forest. By assisting with the staffing, the benefits to the city are twofold: 1) it provides our wildland division personnel with fire aviation qualifications, an avenue to maintain the required experience to keep all of their certifications; and 2) it also provides personnel on the helicopter module that has detailed knowledge of the properties owned and managed by the city. This can provide an expedited response to city managed lands in the event of wildfire. The city owned and managed lands span across many jurisdictions, and having a crew member familiar with city and county protocols can assist in avoiding the potential confusion of responding to an interagency incident. This has proven valuable on past incidents and can assist in response to future fires on OSMP, Public Works or Parks and Recreation land. Personnel from the wildland division will send one member to staff the helicopter on a rotational basis. The helicopter is in service for the fire season from June through September and is based at Rocky Mountain Metropolitan Airport.

STAFF RECOMMENDATION

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

motion:

Motion to authorize the city manager to enter into an agreement allowing the fire department and the Forest service to exchange personnel for mutual benefit of wildland fire management.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic – The agreement could possibly reduce economic impact in two ways; the ability to have a cross jurisdictional resource staffed with fire department employees could limit the spread of wildfire on city owned and managed lands, thereby reducing the initial expenditure of large fire suppression costs. For example; overtime expenditures during a multi-day fire, or the costs associated with mobilizing resources from out of the local region. The second is the costs associated with natural resource damage and rehabilitation costs.
- Environmental - Overall impacts based on environmental concerns, such as: Reducing or eliminating large fires will have an impact on greenhouse gas emissions. Large fires produce enormous amounts of smoke (carbon, CO and CO2). Through utilization of rapid initial attack with the shared resource, those emissions can be greatly reduced. It will also reduce the loss of natural resources and wildlife habitat.
- Social - The agreement will solidify and strengthen an already robust relationship with our federal partners in dealing with fire management issues.

OTHER IMPACTS

- Fiscal - Budgetary impacts to the city organization will be minimal and will be absorbed by the operational budget of the fire department. No new funding is required and should be budget neutral. Any extraneous costs (overtime) will be reimbursed through our already existing cooperative partnerships.
- Staff time – In concert with our existing mutual aid and resource sharing agreements, this will fall within regular work plans. No additional staff resources will be needed.

BOARD AND COMMISSION FEEDBACK

Not applicable

PUBLIC FEEDBACK

Not applicable

BACKGROUND

The purpose of this agreement is to document the cooperation between the parties to staff, coordinate and utilize the Northern Colorado Helitack Program as supported by the Colorado Statewide Cooperative Wildland Fire Management and Stafford Act Response Agreement and U.S. Forest Service/County Annual Operating Plans. The Northern Colorado Helitack program began in 2013 when the Canyon Lakes Ranger District of the

Arapahoe National Forest was granted funding for an exclusive use helicopter contract. They were awarded enough for the initial contract but had difficulty securing funding for adequate staffing. They reached out to the Northern Front Range Wildfire Cooperator group for assistance (the fire dept. is a voting member of the NFRWC board of directors). Through informal agreements, the wildland division agreed to assist with staffing as needed. As it turned out, division staff had a lot of aviation experience and qualifications and greatly improved the capacity of the program. However, the informal agreement did not allow for the exchange of personnel to be an efficient process. Staffing was ordered through the interagency dispatch system requiring a great deal of time and effort on both ends. Once orders are placed, the ordered employee was committed for at least two weeks. Entering into the formal agreement will allow for our staffing to be determined on our timelines and ensure our local response staffing does not suffer. The agreement states that for regular staffing duty, no funds are exchanged. When ordered to a fire, all normal reimbursement procedures apply. A project or "P" code is issued and all costs from that point on are reimbursed through our cooperative resource rate agreement. That agreement is what allows resources from our organization to assist in the national firefighting efforts at no cost to the City.

ANALYSIS

Council should allow the City manager to enter into this agreement on behalf of the city and the USDA Forest Service. This agreement will formalize what has already been a great mutual benefit relationship between the two organizations.

MATRIX OF OPTIONS

This item does not affect policy and is simply a yes or no, so no option matrix is needed.

ATTACHMENTS

Agreement attached

Hi ~~Ron~~, Glenn

Please see the attached participating agreement (15-PA-11021000-010) with the City of Boulder. No funds are being exchanged through this agreement. This agreement outlines the City of Boulder's contribution of a (helicopter crew member) HECM to the Helitack Program. The USFS will be managing "all aspects of the helicopter contract", providing a helicopter manager, and manage mission priorities.

The Helitack program includes a HECM funded by the City of Boulder, County of Boulder, NPS, and USFWS and the helicopter/supervision managed by the USFS. The program will be outlined in a single agreement with each entity.

Please sign below if you approve of the project outlined in this agreement and return to me as soon as possible and feel free to ask me any questions you may have.

Thank you,
Martin Wester

For Sup
~~GL~~ Approval_____ Date 5-29-15

USDA, Forest Service	OMB 0596-0217 FS-1500-16

FS Agreement No. 15-PA-1102100-010
Cooperator Agreement No. _____

PARTICIPATING AGREEMENT
Between The
CITY OF BOULDER
And The
USDA, FOREST SERVICE
ARAPAHO AND ROOSEVELT NATIONAL FORESTS
AND PAWNEE NATIONAL GRASSLAND

This PARTICIPATING AGREEMENT is hereby entered into by and between the City of Boulder , hereinafter referred to as "the City of Boulder ," and the USDA, Forest Service, Arapaho and Roosevelt National Forest and Pawnee National Grassland, hereinafter referred to as the "U.S. Forest Service," under the authority: Wyden Amendment, Section 323(a) of the Department of Interior and Related Agencies Appropriations Act, 1999, as included in Pub.L. 105-277, Div. A., Section 101 (e), as amended by Pub.L. 109-54, Sec. 434, and the Omnibus Public Land Management Act, Pub.L. 111-11, Sec. 3001.

Title: Northern Colorado Helitack Program

I. PURPOSE:

The purpose of this agreement is to document the cooperation between the parties to staff, coordinate and utilize the Northern Colorado Helitack Program as supported by the Colorado Statewide Cooperative Wildland Fire Management and Stafford Act Response Agreement and U.S. Forest Service/County Annual Operating Plans in accordance with the following provisions and the hereby incorporated Northern Colorado Helicopter Program Operating and Financial Plan, attached as Exhibit A.

II. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:

To improve wildland fire response on lands of complicated intermixed jurisdictions. The jointly staffed helicopter will maximize efficiency by combining forces, training, and equipment, and minimize fire response time by utilizing a single resource from a centralized location, mobilized by the interagency Fire Dispatch Center.

In consideration of the above premises, the parties agree as follows:

III. THE CITY OF BOULDER SHALL:

A. LEGAL AUTHORITY. The City of Boulder shall have the legal authority to enter into this agreement, and the institutional, managerial, and financial capability to ensure proper planning, management, and completion of the project, which includes funds sufficient to pay the nonfederal share of project costs, when applicable.

B. Provide 1 HECM or HECM trainee for 5 duty days each week of the Helitack program.

C. Provide administration and support for the City of Boulder employees.

D. Fund base salary and benefits for all city of Boulder employees.

E. Perform duties as described in attached "program Roles and financial" Documents

IV. THE U.S. FOREST SERVICE SHALL:

A. Manage all aspects of the helicopter contract.

B. Provide an NWCG-qualified Helicopter Manager.

C. Determine staffing, as deemed appropriate by the Helicopter Manager.

D. Prioritize missions, as approved by the Forest Fire Duty Officer.

E. Provide helibase facilities, basic program support and supplies.

F. Provide daily supervision of all employees in accordance with the Interagency Helicopter Operating Guide and NWCG standards.

G. Perform duties as described in attached "program Roles and financial" Documents

V. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:

A. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this agreement.

Principal Cooperator Contacts:

Cooperator Project Contact	Cooperator Financial Contact
Name: Brian Oliver Address: 3065 Center Green City, State, Zip: Boulder, CO 80301 Telephone: 303-877-5412 FAX: 303-441-4350 Email: oliverb@bouldercolorado.gov	Name: Frank Young Address: 3065 Center Green Dr. City, State, Zip: Boulder, CO80301 Telephone: 303-441-3356 FAX: 303-441-4350 Email: youngf@bouldercolorado.gov

Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Name: Grant "Dave" Hamrick Address: 2150 Centre Ave., Bldg. E City, State, Zip: Ft. Collins, CO 80526 Telephone: 970-295-6631 FAX: 970-295-6801 Email: gdhamrick@fs.fed.us	Name: Marty Wester Address: 2150 Centre Ave., Bldg. E City, State, Zip: Ft. Collins, CO 80526 Telephone: 970-295-6687 FAX: 970-295-6696 Email: mwester@fs.fed.us

B. ASSURANCE REGARDING FELONY CONVICTION OR TAX DELINQUENCY STATUS FOR CORPORATE ENTITIES. This agreement is subject to the provisions contained in the Department of Interior, Environment, and Related Agencies Appropriations Act, 2012, P.L. No. 112-74, Division E, Section 433 and 434 regarding corporate felony convictions and corporate federal tax delinquencies. Accordingly, by entering into this agreement the City of Boulder acknowledges that it: 1) does not have a tax delinquency, meaning that it is not subject to any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, and (2) has not been convicted (or had an officer or agent acting on its behalf convicted) of a felony criminal violation under any Federal law within 24 months preceding the agreement, unless a suspending and debarring official of the United States Department of Agriculture has considered suspension or debarment is not necessary to protect the interests of the Government. If the City of Boulder fails to comply with these provisions, the U.S. Forest Service will annul this agreement and may recover any funds the City of Boulder has expended in violation of sections 433 and 434.

C. NOTICES. Any communications affecting the operations covered by this agreement given by the U.S. Forest Service or the City of Boulder are sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the U.S. Forest Service Program Manager, at the address specified in the agreement.

To the City of Boulder , at the City of Boulder 's address shown in the agreement or such other address designated within the agreement.

Notices are effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

D. PARTICIPATION IN SIMILAR ACTIVITIES. This agreement in no way restricts the U.S. Forest Service or the City of Boulder from participating in similar activities with other public or private agencies, organizations, and individuals.

E. ENDORSEMENT. Any of the City of Boulder 's contributions made under this agreement do not by direct reference or implication convey U.S. Forest Service endorsement of the City of Boulder 's products or activities.

F. USE OF U.S. FOREST SERVICE INSIGNIA. In order for the City of Boulder to use the U.S. Forest Service Insignia on any published media, such as a Web page, printed publication, or audiovisual production, permission must be granted from the U.S. Forest Service's Office of Communications. A written request must be submitted and approval granted in writing by the Office of Communications (Washington Office) prior to use of the insignia.

G. NON-FEDERAL STATUS FOR COOPERATOR PARTICIPANT LIABILITY. The City of Boulder agree(s) that any of their employees, volunteers, and program participants shall not be deemed to be Federal employees for any purposes including Chapter 171 of Title 28, United States Code (Federal Tort Claims Act) and Chapter 81 of Title 5, United States Code (OWCP), as the City of Boulder hereby willingly agree(s) to assume these responsibilities.

Further, the City of Boulder shall provide any necessary training to the City of Boulder 's employees, volunteers, and program participants to ensure that such personnel are capable of performing tasks to be completed. The City of Boulder shall also supervise and direct the work of its employees, volunteers, and participants performing under this agreement.

H. MEMBERS OF U.S. CONGRESS. Pursuant to 41 U.S.C. 22, no United States member of, or United States delegate to, Congress shall be admitted to any share or part of this agreement, or benefits that may arise therefrom, either directly or indirectly.

I. NONDISCRIMINATION. The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status,

parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

J. ELIGIBLE WORKERS. The City of Boulder shall ensure that all employees complete the I-9 form to certify that they are eligible for lawful employment under the Immigration and Nationality Act (8 USC 1324a). The City of Boulder shall comply with regulations regarding certification and retention of the completed forms. These requirements also apply to any contract awarded under this agreement.

K. STANDARDS FOR FINANCIAL MANAGEMENT.

1. Financial Reporting

The City of Boulder shall provide complete, accurate, and current financial disclosures of the project or program in accordance with any financial reporting requirements, as set forth in the financial provisions.

2. Accounting Records

The City of Boulder shall continuously maintain and update records identifying the source and use of funds. The records shall contain information pertaining to the agreement, authorizations, obligations, unobligated balances, assets, outlays, and income.

3. Internal Control

The City of Boulder shall maintain effective control over and accountability for all U.S. Forest Service funds, real property, and personal property assets. The City of Boulder shall keep effective internal controls to ensure that all United States Federal funds received are separately and properly allocated to the activities described in the agreement. The City of Boulder shall adequately safeguard all such property and shall ensure that it is used solely for authorized purposes.

4. Source Documentation

The City of Boulder shall support all accounting records with source documentation. These documentations include, but are not limited to, cancelled checks, paid bills, payrolls, contract and subgrant/contract documents, and so forth.

L. AGREEMENT CLOSEOUT. The City of Boulder shall close out the agreement within 90 days after expiration or notice of termination.

Any unobligated balance of cash advanced to the City of Boulder must be immediately refunded to the U.S. Forest Service, including any interest earned in accordance with 7 CFR 3016.21, 7 CFR 3019.22, or other relevant law or regulation.

Within a maximum of 90 days following the date of expiration or termination of this agreement, all financial performance and related reports required by the terms of the agreement must be submitted to the U.S. Forest Service by the City of Boulder .

If this agreement is closed out without audit, the U.S. Forest Service reserves the right to disallow and recover an appropriate amount after fully considering any recommended disallowances resulting from an audit which may be conducted later.

M. PROGRAM PERFORMANCE REPORTS. The City of Boulder shall monitor the performance of the agreement activities to ensure that performance goals are being achieved.

Performance reports must contain information on the following:

- A comparison of actual accomplishments to the goals established for the period. Where the output of the project can be readily expressed in numbers, a computation of the cost per unit of output may be required if that information is useful.

- Reason(s) for delay if established goals were not met.

- Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

The City of Boulder shall submit annual performance reports to the U.S. Forest Service Program Manager. These reports are due 90 days after the reporting period. The final performance report must be submitted either with the City of Boulder 's final payment request, or separately, but not later than 90 days from the expiration date of the agreement.

N. RETENTION AND ACCESS REQUIREMENTS FOR RECORDS. The City of Boulder shall retain all records pertinent to this agreement for a period of no less than 3 years from the expiration or termination date. As used in this provision, "records" includes books, documents, accounting procedures and practice, and other data, regardless of the type or format. The City of Boulder shall provide access and the right to examine all records related to this agreement to the U.S. Forest Service Inspector General, or Comptroller General or their authorized representative.

If any litigation, claim, negotiation, audit, or other action involving the records has been started before the end of the 3-year period, the records must be kept until all issues are resolved, or until the end of the regular 3-year period, whichever is later.

Records for nonexpendable property acquired in whole or in part, with Federal funds must be retained for 3 years after its final disposition.

The City of Boulder shall provide access to any project site(s) to the U.S. Forest Service or any of their authorized representatives. The rights of access in this section shall not be limited to the required retention period but shall last as long as the records are kept.

O. FREEDOM OF INFORMATION ACT (FOIA). Public access to grant or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552).

P. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All cooperators, their employees, volunteers, and contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.

Q. REMEDIES FOR COMPLIANCE RELATED ISSUES. If the City of Boulder materially fail(s) to comply with any term of the agreement, whether stated in a Federal statute or regulation, an assurance, or the agreement, the U.S. Forest Service may take one or more of the following actions:

1. Temporarily withhold cash payments pending correction of the deficiency by the City of Boulder or more severe enforcement action by the U.S. Forest Service;

2. Disallow (that is, deny both use of funds and matching credit for) all or part of the cost of the activity or action not in compliance;

3. Wholly or partly suspend or terminate the current agreement for the City of Boulder 's program;

4. Withhold further awards for the program, or

5. Take other remedies that may be legally available, including debarment procedures under 7 CFR part 3017.

R. TERMINATION BY MUTUAL AGREEMENT. This agreement may be terminated, in whole or part, as follows:

1. When the U.S. Forest Service and the City of Boulder agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated.

2. By 30 days written notification by the City of Boulder to the U.S. Forest Service setting forth the reasons for termination, effective date, and in the case of partial termination, the portion to be terminated.

If, in the case of a partial termination, the U.S. Forest Service determines that the remaining portion of the agreement will not accomplish the purposes for which the agreement was made, the U.S. Forest Service may terminate the agreement in its entirety.

Upon termination of an agreement, the City of Boulder shall not incur any new obligations for the terminated portion of the agreement after the effective date, and shall cancel as many outstanding obligations as possible. The U.S. Forest Service shall allow full credit to the City of Boulder for the United States Federal share of the non-cancelable obligations properly incurred by the City of Boulder up to the effective date of the termination. Excess funds must be refunded within 60 days after the effective date of termination.

S. ALTERNATE DISPUTE RESOLUTION – PARTNERSHIP AGREEMENT. In the event of any issue of controversy under this agreement, the parties may pursue Alternate Dispute Resolution procedures to voluntarily resolve those issues. These procedures may include, but are not limited to conciliation, facilitation, mediation, and fact finding.

T. DEBARMENT AND SUSPENSION. The City of Boulder shall immediately inform the U.S. Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should the City of Boulder or any of their principals receive a transmittal letter or other official Federal notice of debarment or suspension, then they shall notify the U.S. Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary.

U. MODIFICATIONS. Modifications within the scope of this agreement must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 30 days

prior to implementation of the requested change. The U.S. Forest Service is not obligated to fund any changes not properly approved in advance.

V. COMMENCEMENT/EXPIRATION DATE. This agreement is executed as of the date of the last signature and is effective through 12/31/2018 at which time it will expire, unless extended by an executed modification, signed and dated by all properly authorized, signatory officials.

W. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this agreement. In witness whereof, the parties hereto have executed this agreement as of the last date written below.

CITY OF BOULDER

City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney's Office

Date:

5-29-15

GLENN P. CASAMASSA, Forest Supervisor
U.S. Forest Service, Arapaho and Roosevelt National Forests and Pawnee National Grassland

Date

USDA, Forest Service	OMB 0596-0217 FS-1500-16

The authority and format of this agreement have been reviewed and approved for signature.

Rebecca Cuthbertson 5/27/15

REBECCA CUTHBERTSON Date

U.S. Forest Service Grants Management Specialist

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

U.S. Forest Service

OMB 0596-0217
FS-1500-17B

Attachment:

USFS Agreement No.: 15-PA-11021000-010

Cooperator Agreement No.:

Mod. No.:

Note: This Financial Plan may be used when:
(1) No program income is expected and
(2) The Cooperator is not giving cash to the FS and
(3) There is no other Federal funding

Agreements Financial Plan (Short Form)

Financial Plan Matrix: Note: All columns may not be used. Use depends on source and type of contribution(s).

	FOREST SERVICE CONTRIBUTIONS		COOPERATOR CONTRIBUTIONS		
	(a)	(b)	(c)	(d)	
COST ELEMENTS	Noncash	Cash to Cooperator	Noncash	In-Kind	(e) Total
Direct Costs					
Salaries/Labor	$175,000.00	$0.00	$16,000.00	$0.00	$191,000.00
Travel	$0.00	$0.00	$0.00	$0.00	$0.00
Equipment	$15,000.00	$0.00	$3,000.00	$0.00	$18,000.00
Supplies/Materials	$5,000.00	$0.00	$0.00	$0.00	$5,000.00
Printing	$0.00	$0.00	$0.00	$0.00	$0.00
Other	$325,000.00	$0.00	$0.00	$0.00	$325,000.00
Other					$0.00
Subtotal	$520,000.00	$0.00	$19,000.00	$0.00	$539,000.00
Coop Indirect Costs		$0.00	$0.00		$0.00
FS Overhead Costs	$41,600.00				$41,600.00
Total	$561,600.00	$0.00	$19,000.00	$0.00	
Total Project Value:					$580,600.00

Matching Costs Determination	
Total Forest Service Share = (a+b) ÷ (e) = (f)	(f) 96.73%
Total Cooperator Share (c+d) ÷ (e) = (g)	(g) 3.27%
Total (f+g) = (h)	(h) 100.00%

WORKSHEET FOR

FS Non-Cash Contribution Cost Analysis, Column (a)

Use this worksheet to perform the cost analysis that supports the lump sum figures provided in the matrix. NOTE: This worksheet auto populates the relevant and applicable matrix cells.

Cost element sections may be deleted or lines may be hidden, if not applicable. Line items may be added or deleted as needed. The Standard Calculation sections provide a standardized formula for determing a line item's cost, e.g. cost/day x # of days=total, where the total is calculated automatically. The Non-Standard Calculation sections provide a write-in area for line items that require a calculation formula that is other than the standardized formules, e.g. instead of salaries being calculated by cost/day x # of days, costs may be calculated simply by a contracted value that is not dependent on days worked, such as 1 employee x $1,200/contract= $1,200. Be sure to review your calculations when entering in a Non-Standard Calculation, and provide a brief explanation of units used to make calculation, e.g. '1 month contract,' on a line below the figures.

Salaries/Labor

Standard Calculation

Job Description		Cost/Day	# of Days		Total
GS-9, GS-8, GS-7, GS-4 (2)					$175,000.00
					$0.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation

Total Salaries/Labor					**$175,000.00**

Travel

Standard Calculation

Travel Expense	Employees	Cost/Trip	# of Trips		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation

Total Travel					**$0.00**

Equipment

Standard Calculation

Piece of Equipment	# of Units	Cost/Day	# of Days		Total
Helicopter cargo net, swivels, long lines, flight helmets, vehicles, radios, GPS					$15,000.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation

Total Equipment					**$15,000.00**

Supplies/Materials				
Standard Calculation				
Supplies/Materials		# of Items	Cost/Item	Total
PPE, Chainsaws, Fuel, Tools				$5,000.00
				$0.00
				$0.00
				$0.00
Non-Standard Calculation				
Total Supplies/Materials				**$5,000.00**

Printing					
Standard Calculation					
Paper Material		# of Units	Cost/Unit		Total
					$0.00
Non-Standard Calculation					
Total Printing					**$0.00**

Other Expenses					
Standard Calculation					
Item		# of Units	Cost/Unit		Total
Helicopter Contract					$325,000.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Other					**$325,000.00**

Subtotal Direct Costs	$520,000.00

Forest Service Overhead Costs

Current Overhead Rate	Subtotal Direct Costs			Total
8.00%	$520,000.00			$41,600.00
Total FS Overhead Costs				**$41,600.00**

TOTAL COST	**$561,600.00**

WORKSHEET FOR

FS Cash to the Cooperator Cost Analysis, Column (b)

Use this worksheet to perform the cost analysis that supports the lump sum figures provided in the matrix. NOTE: This worksheet auto populates the relevant and applicable matrix cells.

Cost element sections may be deleted or lines may be hidden, if not applicable. Line items may be added or deleted as needed. The Standard Calculation sections provide a standardized formula for determing a line item's cost, e.g. cost/day x # of days=total, where the total is calculated automatically. The Non-Standard Calculation sections provide a write-in area for line items that require a calculation formula that is other than the standardized formules, e.g. instead of salaries being calculated by cost/day x # of days, costs may be calculated simply by a contracted value that is not dependent on days worked, such as 1 employee x $1,200/contract= $1,200. Be sure to review your calculations when entering in a Non-Standard Calculation, and provide a brief explanation of units used to make calculation, e.g. '1 month contract,' on a line below the figures.

Salaries/Labor

Standard Calculation

Job Description		Cost/Day	# of Days		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation

Total Salaries/Labor	**$0.00**

Travel

Standard Calculation

Travel Expense	Employees	Cost/Trip	# of Trips		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation

Total Travel	**$0.00**

Equipment

Standard Calculation

Piece of Equipment	# of Units	Cost/Day	# of Days		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation					

Total Equipment					$0.00

Supplies/Materials					
Standard Calculation					
Supplies/Materials		# of Items	Cost/Item		Total
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Supplies/Materials					$0.00

Printing					
Standard Calculation					
Paper Material		# of Units	Cost/Unit		Total
					$0.00
Non-Standard Calculation					
					$0.00
Total Printing					$0.00

Other Expenses					
Standard Calculation					
Item		# of Units	Cost/Unit		Total
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Other					$0.00

Subtotal Direct Costs	$0.00

Cooperator Indirect Costs					
Current Overhead Rate	Subtotal Direct Costs				Total
	$0.00				$0.00
Total Coop. Indirect Costs					$0.00

TOTAL COST	$0.00

WORKSHEET FOR

Cooperator Non-Cash Contribution Cost Analysis, Column (c)

Use this worksheet to perform the cost analysis that supports the lump sum figures provided in the matrix.
NOTE: This worksheet auto populates the relevant and applicable matrix cells.

Cost element sections may be deleted or lines may be hidden, if not applicable. Line items may be added or deleted as needed. The Standard Calculation sections provide a standardized formula for determing a line item's cost, e.g. cost/day x # of days=total, where the total is calculated automatically. The Non-Standard Calculation sections provide a write-in area for line items that require a calculation formula that is other than the standardized formules, e.g. instead of salaries being calculated by cost/day x # of days, costs may be calculated simply by a contracted value that is not dependent on days worked, such as 1 employee x $1,200/contract= $1,200. Be sure to review your calculations when entering in a Non-Standard Calculation, and provide a brief explanation of units used to make calculation, e.g. '1 month contract,' on a line below the figures.

Salaries/Labor					
Standard Calculation					
Job Description		Cost/Day	# of Days		Total
Crew Member					$16,000.00
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Salaries/Labor					**$16,000.00**

Travel					
Standard Calculation					
Travel Expense	Employees	Cost/Trip	# of Trips		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Travel					**$0.00**

Equipment					
Standard Calculation					
Piece of Equipment	# of Units	Cost/Day	# of Days		Total
Radio, PPE, Tools					$3,000.00
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					

Total Equipment	**$3,000.00**

Supplies/Materials				
Standard Calculation				
Supplies/Materials		# of Items	Cost/Item	Total
				$0.00
				$0.00
				$0.00
				$0.00
Non-Standard Calculation				
Total Supplies/Materials				**$0.00**

Printing					
Standard Calculation					
Paper Material		# of Units	Cost/Unit		Total
					$0.00
Non-Standard Calculation					
					$0.00
Total Printing					**$0.00**

Other Expenses					
Standard Calculation					
Item		# of Units	Cost/Unit		Total
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Other					**$0.00**

Subtotal Direct Costs	$19,000.00

Cooperator Indirect Costs				
Current Overhead Rate	Subtotal Direct Costs			Total
	$19,000.00			$0.00
Total Coop. Indirect Costs				**$0.00**

TOTAL COST	**$19,000.00**

WORKSHEET FOR

Cooperator In-Kind Contribution Cost Analysis, Column (d)

Use this worksheet to perform the cost analysis that supports the lump sum figures provided in the matrix. NOTE: This worksheet auto populates the relevant and applicable matrix cells.

Cost element sections may be deleted or lines may be hidden, if not applicable. Line items may be added or deleted as needed. The Standard Calculation sections provide a standardized formula for determing a line item's cost, e.g. cost/day x # of days=total, where the total is calculated automatically. The Non-Standard Calculation sections provide a write-in area for line items that require a calculation formula that is other than the standardized formules, e.g. instead of salaries being calculated by cost/day x # of days, costs may be calculated simply by a contracted value that is not dependent on days worked, such as 1 employee x $1,200/contract= $1,200. Be sure to review your calculations when entering in a Non-Standard Calculation, and provide a brief explanation of units used to make calculation, e.g. '1 month contract,' on a line below the figures.

Salaries/Labor					
Standard Calculation					
Job Description		Cost/Day	# of Days		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Salaries/Labor					**$0.00**

Travel					
Standard Calculation					
Travel Expense	Employees	Cost/Trip	# of Trips		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Travel					**$0.00**

Equipment					
Standard Calculation					
Piece of Equipment	# of Units	Cost/Day	# of Days		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation					
Total Equipment					**$0.00**

Supplies/Materials					
Standard Calculation					
Supplies/Materials		# of Items	Cost/Item		Total
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Supplies/Materials					**$0.00**

Printing					
Standard Calculation					
Paper Material		# of Units	Cost/Unit		Total
					$0.00
Non-Standard Calculation					
Total Printing					**$0.00**

Other Expenses					
Standard Calculation					
Item		# of Units	Cost/Unit		Total
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Other					**$0.00**

Subtotal Direct Costs	$0.00

TOTAL COST	**$0.00**

2015 Northern Colorado Helicopter Program Roles

1. The fully staffed Helitack Program is planned for 6/7/2015 to 9/14/2015.
2. The Helicopter contract period is 6/7/2015 to 9/14/2015. The Helicopter Contract is funded by the U.S. Forest Service, Washington Office. Extensions are subject to fire activity, USFS funding and priorities.
3. Normal duty hours are 0900-1730.
4. The primary mission is fire initial attack within the Fort Collins Dispatch Zone.
5. During the contract period the helicopter and Helitack module will be based at the JeffCo Airtanker / Helitack Base at Rocky Mountain Metro Airport.
6. Subsequent or conflicting priorities will be determined by the Arapaho-Roosevelt National Forest (ARF) Duty Officer.
7. The helicopter will return to the JeffCo ATB/Helibase each night, unless committed to an incident with suitable facilities.
8. The Contracting Officer (CO) is in the USFS Aviation Contracting Office in Boise, ID.
9. The Contract Officer's Representative (COR) is the USFS R2 Helicopter Operations Specialist.
10. The Project Inspector (PI) is the HMGB, (who may become the COR).
11. The Helicopter manager (HMGB) works directly for the South Zone DFMO of the ARF.
12. The HMGB coordinates Crewmembers schedule to maximize staffing and qualifications.
13. The HMGB will provide daily supervision and evaluation of performance for all Crewmembers.
14. All resources orders for additional helitack personnel are submitted by HMGB through FTC dispatch.
15. All operations comply with the NWCG Interagency Helicopter Operations Guide (PMS 510, 2/2013).
16. All Helitack personnel are in NWCG-carded arduous positions, at a minimum HECM trainee.
17. Minimum daily staffing is 4 = 1 HMGB, and 3 HECM, (1 of which may be a trainee).
18. Boulder County Sheriff's Office & City of Boulder will each provide 1 HECM (or HECM trainee) Crewmember for 5 duty days each week of the Helitack program. Longer tours with limited Crewmember rotations are desirable, to optimize cohesion and minimize mobilizations while assigned to incidents.
19. ARF will provide 1 HMGB/ICT4, 1 Assistant (HMGB/ICT4), 1 Squad Leader, 3 HECMs.
20. When on the JeffCo Airtanker / helibase, the module performs work as assigned by HMGB.
21. At local Planning Level PL-2 or higher, the Helicopter and module are automatically dispatched to any fire reported on, or threatening lands of USFS, BLM, and NPS jurisdiction in the FTC Zone.
22. The Helicopter and module are considered a mutual aid resource in accordance with 7 County AOPs signed by the ARF Forest Supervisor and are subject to mutual aid provisions in Larimer, Boulder, Weld, Gilpin, Clear Creek, Grand and Jefferson Counties.
23. The Helicopter and module are available to other jurisdictions upon request through FTC.
24. Extended attack assignments are subject to approval by ARF Forest Duty Officer.
25. Assignments outside the FTC Zone are subject to approval by the ARF Forest Duty Officer.
26. Requests for all-hazard assignments are subject to approval by the ARF Forest Duty Officer.
27. Requests for all-hazard assignments in Rocky Mountain National Park (ROMO) will be filled immediately, if helicopter & module are available.
28. Requests for project work away from the JeffCo ATB/Helibase are subject to approval by the ARF Forest Duty Officer.

2015 Northern Colorado Helicopter Program Roles

29. Administration of Crewmembers is the responsibility of their employing Agency. This includes, but is not limited to: conditions of employment, pay and travel compensation, duration and term of employment, any applicable benefits, insurance, Workman's compensation, Unemployment Insurance, licenses, certification, NWCG qualification cards, qualification records, training documentation, etc.
30. Base pay for Crewmembers is paid by their employing Agency while on standby or assigned to fires.
31. Overtime pay for all crewmembers is paid by the incident (determined by HMGB).
32. Per Diem for all crewmembers is paid by the incident (determined by HMGB).
33. Housing is not provided by the ARF. Accommodations while on assignments or in travel status are determined by the incident (and coordinated by the HMGB).
34. Extended standby, flight time, service truck costs are paid by the incident (determined by HMGB).
35. Basic program support, equipment and supplies are provided by the ARF, but may be supplemented by the incident (determined by HMGB).
36. Support vehicles are provided by the ARF (USFS vehicle operation policies apply to all personnel).

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: JULY 28, 2015

AGENDA TITLE: Introduction, first reading and consideration of a motion to order published by title only Ordinance No. 8055 setting the ballot title for an initiated amendment to the Boulder Charter, and setting forth related details.

PRESENTERS
Jane S. Brautigam, City Manager
Tom Carr, City Attorney
Kathleen E. Haddock, Senior Assistant City Attorney
David Farnan, Library and Arts Director

EXECUTIVE SUMMARY:
The Library Commission established a priority to propose changes to the City Charter to more closely align with other boards and commissions in regard to its role. The Library Commission recommended charter language changes to councilmember Tim Plass, a member of the City Council Boards and Commissions Committee on Dec. 9, 2015, and to the City Council Charter Committee that met to discuss the proposed changes on March 17, 2015. The City Council Charter Committee issued a memo outlining the charter language changes in a memo to City Council for the April 14, 2015 study session packet. At the study session, council discussed the recommended changes to clarify the charter language to accurately describe the current practices of the Library Commission, and to make it consistent with other similar city boards or commissions. Staff has prepared the attached ordinance for council's consideration to set the ballot title (Attachment A).

STAFF RECOMMENDATION:

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

Motion to introduce on first reading and order published by title only an ordinance setting the ballot title for an initiated amendment to the Boulder Home Rule Charter.

BACKGROUND:

The Library Commission established a priority to propose changes to the City Charter regarding its role at the Aug. 9, 2012 meeting. This has remained a priority for the Library Commission for each subsequent year. Please see the Library Commission 2014 priorities memorandum to City Council dated Dec. 4, 2013 (Attachment B) and additional memorandum to Jane Brautigam, City Manager, dated Dec. 20, 2014 outlining the Library Commission 2015 goals (Attachment C).

At the July 26, 2014 Annual Library Commission retreat, a subcommittee of two commissioners, Anne Sawyer and Joni Teter, and Library and Arts Director David Farnan was formed to draft the proposed charter language changes. The proposed language changes from the subcommittee were reviewed, discussed, and agreed to by the Library Commission at the Jan. 7, 2015 and March 4, 2015 meetings. The final draft of the proposed changes were discussed with councilmember Tim Plass, a member of the City Council Boards and Commissions Committee on Dec. 9, 2015 and issued to the City Council Charter Committee for discussion on March 17, 2015. The Council Charter Committee issued a memo outlining the proposed charter language changes in a memo to City Council for the April 14, 2015 Study Session packet. At the study session, City Council discussed that the recommended language changes to clarify sections of the charter to accurately describe the current practices of the Library Commission and making it consistent with other similar boards or commissions.

ANALYSIS:

The following sections of the Charter contain changes proposed by the Library Commission and have been reviewed by the City Attorney's Office.

Sec. 88. - General powers and duties

A director of Library and Arts shall be appointed by the city manager. Subject to the supervision and control of the city manager in all matters, shall be the technical advisor of the library commission and shall have the administrative direction of the department of library and arts, and perform such duties pertaining to the department of library and arts as are in this charter, or may be required by ordinance or assigned by the city manager.

Library Commission

Sec. 89. - Library Commission established.

There shall be and is hereby established a library commission which shall have the primary responsibility as an advisory board with regard to the provision of library services to the Boulder community. The members of the commission shall be qualified to serve on an advisory commission pursuant to Section 130, shall not hold any other office in the city, and shall serve without pay.

The library director shall see that minutes are kept of all meetings and shall distribute copies of the minutes to all commission members within one month following the meeting; approved

minutes will be distributed to the city council within one month following approval by the commission.

Sec. 90. - Powers and duties of library commission.

The library commission shall recommend to the city council in matters concerning the library, and the commission shall have the following duties:

(a) Adopt bylaws, rules, and regulations for its guidance and governance;

(b) Work with the director to prepare and submit to city council a master plan for the development and maintenance of a modern library system within the city and from time to time revise and amend the plan;

(c) Review annually the library budget prepared by the library director prior to its submittal to city council and make recommendations regarding approval or modification of the same;

(d) Review periodically the director's operational service plans and make comments and recommendations;

(e) Make recommendations to the director and the city council on library facilities, including capital improvements, maintenance of existing facilities, and need for new facilities;

(f) Review the library director's annual report and make comments and recommendations;

(g) Represent the library to the community and the community to the library with the goal of building awareness, understanding, and support;

(h) Administer such gifts of money or property or endowments as may be granted to and accepted for library purposes and to take steps as the library commission may deem feasible to encourage grants or gifts in support of the library.

Sec. 91. - Library fund.

The city council shall make an annual appropriation, which shall amount to not less than the return of one-third of a mill tax levied upon each dollar of assessed valuation of all taxable property in the City of Boulder. All revenue from such tax, together with all other moneys collected by the library or that may be derived by gift, devise, bequest, or otherwise, for library purposes, shall be paid into the city treasury and be designated as the "Library Fund"; and be applied to the purposes herein authorized. If such payment into the treasury should be inconsistent with the conditions and terms of any such gift, devise, or bequest, the library commission shall provide for the safety of the same and the application thereof to the use of the library, branches thereof, and reading rooms, in accordance with the terms and conditions of such gift, devise, or bequest.

Sec. 92. - Library Support Fund
There shall be a library support fund. This fund shall consist of the following:

(a) Gifts, bequests, and donations to the fund.
(b) Proceeds of the sale of any library property or equipment whether real, personal, or mixed.

Expenditures from this fund shall be made only upon the favorable recommendation of the library commission. Said fund shall be used only for the benefit of the library.

Any portion of the fund remaining unexpended at the end of any fiscal year shall not in any event be converted into the general fund nor be subject to appropriation for general purposes. Money appropriated from the fund which is not expended in whole or in part shall be returned to the fund and shall not be subject to appropriation for general purposes.

The following sections of the Charter are recommended to be repealed as they are addressed by the proposed changes above.

Sec. 132. - General powers of library commission.
Sec. 133. - Title and custody of property.
Sec. 134. - Powers of the commission acting with the city manager.

ATTACHMENTS:

A. Proposed ordinance
B. Library Commission 2014 priorities memorandum to City Council dated Dec. 4, 2013
C. Library Commission 2015 goals memorandum to Jane Brautigam dated Dec. 20, 2014

ORDINANCE NO. 8055

AN ORDINANCE SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF BOULDER AT THE REGULAR MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015, THE QUESTION OF AMENDING THE CITY CHARTER REGARDING THE LIBRARY COMMISSION; SETTING FORTH THE BALLOT TITLE; AND SPECIFYING THE FORM OF THE BALLOT AND OTHER RELATED DETAILS.

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

Section 1. A regular municipal coordinated election will be held in the city of Boulder, county of Boulder and state of Colorado, on Tuesday, November 3, 2015.

Section 2. At that election, a question shall be submitted to the electors of the city of Boulder entitled by law to vote, that will allow voters to consider the following amendments to the city Charter pertaining to the library commission (in Sec. 65, the material to be added to the Charter is shown by underlining and material to be deleted is shown stricken through with solid lines; for Secs. 69 and 132 through 136 the existing sections are deleted in their entirety and replaced as provided below):

Sec. 65. - Administrative departments.

The following administrative departments are hereby created:

(a) Department of public works;

(b) Department of finance and licensing;

(c) Department of parks and recreation;

(d) Department of public safety; ~~and~~

(e) Department of planning~~.~~; and

(f) Department of library and arts.

Upon the recommendation of the city manager, the city council may by ordinance create additional administrative departments.

Department of Library and Arts

Sec. 69. - General powers and duties

There is hereby created a department of library and arts, the director of which will be subject to the supervision and control of the city manager in all matters, shall be the technical advisor of the library commission and shall have the administrative direction of the department of library and arts, and perform such duties pertaining to the department of library and arts as are in this charter, or may be required by ordinance or assigned by the city manager. The director may be designated as the secretary of the library commission and authorized to perform other necessary functions.

Library Commission

Sec. 132. - Library Commission established.

There shall be and is hereby established a library commission which shall have the primary responsibility as an advisory commission with regard to the provision of library services to the Boulder community. The members of the commission shall be qualified to serve on an advisory commission pursuant to Section 130, shall not hold any other office in the city, and shall serve without pay.

Sec. 133. - Powers and duties of library commission.

The library commission shall not perform any administrative functions unless expressly provided in this charter. The commission shall provide recommendations to the city council in matters concerning the library, and the commission shall have the following duties:

(a) Adopt bylaws, rules, and regulations for its guidance and governance;

(b) Provide advice to assist in preparation and revision of a master plan for the development and maintenance of a modern library system within the city;

(c) Review annually the library budget prepared by the library director prior to its submittal to the city manager and make recommendations regarding approval or modification of the same;

(d) Review periodically the director's operational service plans and make comments and recommendations;

(e) Make recommendations to the director and the city council on library facilities, including

capital improvements, maintenance of existing facilities, and need for new facilities;

(f) Review the library director's annual report and make comments and recommendations; and

(g) Represent the library to the community and the community to the library with the goal of building awareness, understanding, and support.

Sec. 134. - Library fund.

The city council shall make an annual appropriation, which shall amount to not less than the return of one-third of a mill tax levied upon each dollar of assessed valuation of all taxable property in the City of Boulder. All revenue from such tax, together with the moneys described below shall be paid into the city treasury and be designated as the "Library Fund";

(a) Gifts, bequests, and donations to the fund.

(b) Proceeds of the sale of any library property, or the pro rata portion of such property, purchased with funds from the property tax or gifts, bequests, and donations.

Expenditures from this fund shall be made only upon the favorable recommendation of the library commission. Said fund shall be used only for the benefit of the library.

Any portion of the fund remaining unexpended at the end of any fiscal year shall not in any event be converted into the general fund nor be subject to appropriation for general purposes. Money appropriated from the fund which is not expended in whole or in part shall be returned to the fund and shall not be subject to appropriation for general purposes.

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

Ballot Question No. ___

Amending Charter Provisions regarding Library Commission

Shall the Charter be amended to make changes so that the powers and governance of the Library Commission and the uses of the Library Fund are updated to be consistent with other advisory commissions as specified in Ordinance No. 8055?

For the Measure ____ Against the Measure ____

Section 4. If a majority of all the votes cast at the election on the measure submitted are for the measure, the measure shall be deemed to have passed and the charter shall be amended as provided in this ordinance.

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

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

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

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

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

INTRODUCED, READ ON FIRST READING, AMENDED, AND ORDERED PUBLISHED BY TITLE ONLY this 28th day of July, 2015.

_____
Mayor

Attest:

_____
City Clerk

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

_____
Mayor

Attest:

_____
City Clerk

To: Boulder City Council
Jane Brautigam, City Manager

From: Boulder Library Commission

Subject: Library Commission 2014 Priorities and Input for City Council Retreat

On Wednesday, December 4, 2013, the Library Commission agreed to recommend the following suggestions as input for the January 2014 City Council retreat.

• Library Operations Funding. As Boulder voters demonstrated a clear interest in reallocating tax revenues and further investing in core services, we ask that you keep in mind the many service reductions sustained by the library in the last decade - when the demands for library services including restored hours, technology diversity, educational and cultural services, and multi-formatted collections are continuing to increase.

• Civic Area Plan. The Library Commission is enthusiastic about many of the ideas and opportunities to improve the Civic Area space and are pleased that the main library will serve as an important cornerstone. As many of the proposed ideas will have significant impacts on the library and our patrons, we hope to be an integral part of this planning discussion. In particular, both in the short and long-terms, we encourage Council to focus on the complex issues of security. As a public space in the civic campus, the library struggles with the challenges of providing an open, safe, and comfortable environment for *all* our patrons. By addressing this topic for the larger encompassing area, Council can help increase the impacts of our efforts.

• Homelessness. The Library Commission would like to see the Council expand day services to the homeless population in accordance with its Homelessness priority. In particular, sufficient day services for the homeless population, including those who have drug and alcohol dependencies, could relieve pressure from the library and its environs, allowing more focus on mission critical services.

• Charter Amendments. The 1917 Charter of the City of Boulder defined duties and rules of the Library Commission that are outdated and not reflective of today's city governance. Appointed by City Council, the Library Commission then operates under the direction of the City Manager - unlike other City Boards and Commissions. Both of these issues contribute to significant confusion every year. We request that City Council consider proposing amendments to the City Charter, Article IX, Sections 132-136 to better align our prescribed duties and relationship with City Council.

Prior to receiving the City Clerk's request for input to your City Council Retreat, the Library Commission defined its 2014 priorities and identified ways that we require assistance from City Council in completing them. We hope these will be a part of our ongoing discussions with City Council in 2014.

• Hiring and Transition of a new Library Director. Working with Bradbury Associates, the City of Boulder is in the process of hiring a new library director, who is expected to be on board in late March 2014. As we hope to attract and hire a great new director, we want to make sure we do our part in making the transition to the BPL and Boulder successful.

★ *Help request for City Council*: <u>As we schedule BPL meetings and community events, we hope City Council members will join us in welcoming our Director and helping him/her get to know our community.</u>

• Main Library Renovations. After a busy 2013 working with studiotrope Design Collective (sDC) on the plans for renovating the Main Boulder Library, we're excited to start construction in January 2014 and look forward to completion in late 2014. Our groundbreaking ceremony is currently planned for mid-January and we'll invite you all to join us.

However, there's still significant work to be done. After our community input process and design iterations with the library's Design Advisory Group (DAG), the Studiotrope design presented to the community came back at a cost $869,370 over the total project budget of $3,454,287. We were obviously disappointed as the budget was a requirement of the project. As a result, the DAG worked with Studiotrope to scale back components to be included in the renovation and reduce finishes to fit the project within the budget. Unfortunately, this eliminated important elements of the renovation plan and diminishes the final outcome in significant ways that will impact our community and does not adequately reflect their input. While these items are being presented to contractors as "alternates" to the bid process, within the climate of the current construction climate, we have been advised not to expect a favorable outcome. The affected items include:

- Café /Bridge renovation – finishes, furniture, lighting and casework
- Technology lab adjacent to Teen space
- Energy efficient and improved lighting to main stairway, children's area, and fiction
- Audio-visual enhancements to meeting rooms, children's and teen areas
- Second children's restroom (empty room included)
- Furniture for patron seating (other than children's and teen areas)
- New meeting room casework
- Flexible, configurable shelving to improve access to collections

While staff and the commission are anticipating our December 13, 2013 bid opening date to understand the precise impact of the cost overages, we are starting to plan strategies to cover the cost of these important improvements. As our community is investing $3.4M in this renovation, we want to make sure the environment, comfort, services, and potential of our new library spaces, along with the promises we made to the public, can be realized now as a part of this renovation.

★ *Help request for City Council:* <u>We will need City Council's help in finding the monies required to finish this project in the way that Boulder deserves.</u>

• NoBo Corner Library. Thanks to the approval of additional 2014 budget by City Council, we look forward to opening the newest library branch in North Boulder in March 2014. The *NoBo Corner Library* will be a new library model for Boulder and we hope to work with the community to shape the library services offered in this 570 square foot space. We invite City Council to visit this library and communicate with commission any ideas and feedback you receive from the neighborhood.

• Virtual Library Branch. Current society demands a library which embraces and evolves with the best technologies and supports all patrons in their use of, education about, and access to these technologies. With increased budgetary demands for our collection to exist in multiple formats and on-demand, it is essential that we expand our concept of the library's website into a true virtual branch with its own collections, events, assets, community, services, and possible digital collection platform. We will continue to work with staff to define goals, opportunities, and costs associated with building our Virtual Library Branch.

• Library District Consideration. As the commission is completing a review of the goals outlined in our 2007 Library Master Plan, in preparation of a new Master Plan to be completed in 2015, we continue our evaluation of expenditures, revenues, and performance measures as well as options to stabilize funding. We will continue our exploration of alternative funding and governance options including creation of a library district.

- Library and Arts Divisions. As a result of the City's Arts and Cultural Assessment and critical positions remaining unfilled within the department for planning library and arts programming, many concerns arose from both the Library and Arts communities in Boulder (including the commissions) regarding the distinctions and shared management of these divisions. The Library and Arts Commissions have begun joint discussions and are planning a joint meeting/retreat in 2014 to clarify roles and discover opportunities for collaboration.

Sincerely,

Anne Sawyer
Chair, Boulder Library Commission

To: Boulder City Council
Cc: Jane Brautigam, Boulder City Manager

From: Boulder Library Commission

Date: Dec. 20, 2014

2014 has been a banner year for the Boulder Public Library and the Commission is proud of the part it has played in these accomplishments:

- Hiring David Farnan as the new director. David brings to this position not only a long and accomplished resume but also the enthusiasm and talents to bring about exciting things.
- Renovation of the main BPL branch. A new teen space…a new enclosed children's area with state of the art storytime space…new meeting rooms and presentation spaces…a bright and welcoming introductory space for the library and its collections…and a state of the art materials handling system including RFID. Congratulations are in order for going above and beyond the original ballot measure and doing so within the constraints of the budget. These changes will not only bring new brick and mortar but a whole new attitude and culture to the library, its staff and patrons.
- Included within that renovation is the exciting Foundry/Maker Space providing a destination for teens and their inherent creativity.
- Opening The NOBO Corner Library. Brought to fruition after much talk and preparation, this new and exciting addition to our library system and the NOBO neighborhood is providing much needed library services to this segment of our city and its population.
- Expansion of programs provided by the Library including those traditionally supported by the Library Foundation and creating new opportunities by building upon these and through other partnerships with local industries, the SBDC (Small Business Development Center), and The Boulder Farmers Market.

Looking ahead to 2015, BPL has set the following goals:

- Increase library focus on literacy to our underserved communities.
- Reinvent the *Place to Be* to create a Community Platform to provide the infrastructure for literate, cultural and business opportunities.
- Increase usage of meeting spaces by upgrading technology and updating and improving policies for public access.
- Attract the full community, with an emphasis on children and family, to invigorate the downtown civic area.
- Invest in an improved collection to meet changing and growing community needs.
- Implement new customer service model as a reflection of new space and culture.
- Restore hours at Reynolds and Meadows branches filling a community need without increased budget.

- Continue to expand opportunities with NOBO Corner Library serving as a template for future neighborhood growth and outreach.
- Serve as a cornerstone for Civic Area planning.
- Initiate the BPL Master Plan update.
- Update the sound system and screen in the Canyon Theater with the financial support of the Boulder Library Foundation and the Arts Department respectively.

Reinventing the Place to Be, both in a literal sense with the actual renovation, and in a philosophical and cultural shift, will continue to drive the Commission's priorities. Building upon past successes and considering the goals of the library itself, the Commission has set the following priorities for 2015:

- Support the creation of the library as a *Community Platform.* This support would include but not be limited to encouraging strategic partnerships, expanding programming, and increasing utilization of new library spaces and opportunities.
- Optimize the library's digital presence and capacities with an increased emphasis on expanding digital collections and improving the user experience with the library web site.
- Continue the work that has begun on modifying the city charter, the library commission bylaws, etc. to more accurately represent the advisory role of the Commission.
- Participate in city wide planning for the civic area while reflecting the cornerstone role that the library will represent in these plans.
- Support staff as they take on the challenges represented by the new "Place to Be." Required will be a positive approach to customer service and the necessity for professional development to master new space utilization and technological needs.
- Engage with staff to update the comprehensive Library Master Plan with specific measurable goals related to topics such as partnerships, literacy, digital branch, programming, and collections.

City Council's Questions for Boards and Commissions for 2015:

1. What are your top priorities within the framework of the current council work plan adopted at the last city council retreat?
   - We encourage the city council to continue to address the issue of the homeless and transients, particularly as it impacts the library and its facilities.

2. What would you like to see done that would further advance the Council Goals?

3. How can your board specifically help reach the current council goals?

4. Are there city policies that need to be addressed that would enable your board to function at a higher level?

- We support the creation of an ongoing committee representing various public stakeholders, including library commission representation, to work with the Civic Area Planning Group as they move forward in designing the downtown civic area.
- Understand that the website technology needs of the library do not always parallel those of the city site.

5. Are there other items that council should address in the upcoming year?
   - Provide additional funding to support collection development in response to the library's shortfall and reduced buying power coupled with expanding demand from the community for additional resources including:
     - traditional: books, magazines, movies, music, databases, etc.
     - non-traditional: digital collections of ebooks, audiobooks, emagazines, etc.
     - alternative resources: maker technologies, hands-on resources and materials, etc.

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE: Introduction, first reading, and consideration of a motion to order published by title only, Ordinance No. 8056 submitting to the electors of the City of Boulder at the regular municipal coordinated election to be held on Tuesday, November 3, 2015, the question of whether to extend the utility occupation tax on public utility companies that deliver energy to customers in the form of electricity and gas that was passed by the voters pursuant to Ordinance No. 7751 (as amended by Ordinance No. 7808) at the rate $4.1 million dollars, beginning January 1, 2011 be extended from December 31, 2017 to December 31, 2022; setting forth the ballot title; making conforming changes to the Boulder Revised Code; and setting forth related details.

PRESENTER/S
Jane S. Brautigam, City Manager
Tom A. Carr, City Attorney
David Gehr, Deputy City Attorney
Bob Eichem, CFO
Cheryl Pattelli, Director of Finance

EXECUTIVE SUMMARY

City Council members have discussed potential 2015 ballot items in two previous meetings during 2015. The first was on April 14 and the second was on July 14. At the April 14 meeting, council directed staff to move forward with the next steps to place a five-year extension of the General Fund's portion of the utility occupation tax on the ballot for the Nov. 3, 2015 election. The General Fund's portion of the utility occupation tax replaced Xcel's franchise fee and generates approximately $4.3 million/year. This money supports core city services, such as public safety, parks and libraries. The company passes this tax through to its customers, in the same exact manner as the franchise fee it would pay if Xcel had a renewed agreement with the City of Boulder. This means the economic impact to electric customers is the same whether the city has a franchise with Xcel or the utility occupation tax is in effect. The General Fund portion of the utility occupation tax is set to expire on Dec. 31, 2017. This ballot item proposes

extending it through December 31, 2022, or when the city creates a local electric utility and this fee becomes a part of its rates, whichever occurs sooner.

STAFF RECOMMENDATION

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

> Motion to introduce on first reading, and consideration of a motion to order published by title only, Ordinance No. 8056 submitting to the electors of the City of Boulder at the regular municipal coordinated election to be held on Tuesday, November 3, 2015, the question of whether to extend the utility occupation tax on public utility companies that deliver energy to customers in the form of electricity and gas that was passed by the voters pursuant to Ordinance no. 7751 (as amended by Ordinance no. 7808) at the rate $4.1 million dollars, beginning January 1, 2011 be extended from December 31, 2017 to December 31, 2022; setting forth the ballot title; making conforming changes to the Boulder Revised Code; and setting forth related details.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic – The General Fund's portion of the utility occupation tax helps fund several important general fund programs, such as police and fire, roads and parks, that are necessary core government services. These core services are essential to the economic vitality of the city.
- Environmental – The General Fund's portion of the utility occupation tax helps fund General Fund projects that are developed through the Facilities and Asset Management Department that are aimed at reducing greenhouse gas emissions.
- Social - The General Fund's portion of the utility occupation tax helps fund several General Fund departments and programs that have impact on the social sustainability of the community, including human services.

OTHER IMPACTS

- Fiscal – The General Fund's portion of the utility occupation tax totals approximately $4.3 million/year. The revenue generated from this portion of the tax is used to pay for general fund programs including police, fire, library, parks maintenance, planning and human services. The revenue generated from the utility occupation tax will allow the city to keep its budget whole, preventing significant program, staffing and service cuts.
- Staff time – The staff time needed to complete the background work for ballot items is included within departmental work plans.

BOARD AND COMMISSION FEEDBACK

This is the formative stage of the ballot process so no board or commission feedback has been solicited at this time. If council decides to move a ballot issue forward on this first reading, any needed board or commission input would be sought following that decision.

PUBLIC FEEDBACK
This potential ballot item is the formative stage of the ballot process so no formal process has been used to solicit specific feedback at this time. The public hearings that will be held will provide the initial formal public feedback.

BACKGROUND AND ANALYSIS

In 2010 council voted to let the city's 20-year franchise agreement with Xcel Energy expire on Dec. 31, 2010, choosing not to place a new agreement on the 2010 ballot. The reason for this was that a 20-year franchise commitment was considered too long given the rapid changes in the industry. In addition, the city was in the process of developing a clean energy plan that examines a variety of options for increasing clean energy sources, from wind, solar and other renewable sources, while also protecting Boulder ratepayers against rising costs associated with fossil fuels.

The absence of the franchise agreement meant that Xcel Energy no longer would collect a three percent franchise fee from its Boulder ratepayers and no longer remit that revenue to the city's General Fund. The fee, which was expected to generate $4.1 million in 2010, had been used by the city to fund core General Fund programs, including police, fire, library, park maintenance, planning and human services.

In order to replace the $4.1 million of lost revenue, council asked voters to approve an increase in taxes up to $4.1 million (in the first full fiscal year) annually by imposing a utility occupation tax on public utility companies that deliver energy to customers in the form of electricity and gas. Voters passed this new tax on Nov. 2, 2010. The tax began on Jan. 1, 2011 and was set to expire on Dec. 31, 2015. As anticipated, Xcel passed the cost of the tax onto Boulder ratepayers just as it did with the previous franchise fee.

In 2011, council asked voters to approve an extension of the existing General Fund occupation tax, along with an additional $1.9 million in new occupation taxes, through Dec. 31, 2017. The additional $1.9 million in occupation taxes would be used to fund preliminary costs associated exploring the creation of a municipal electric utility and acquisition of the electric distribution system. <u>This portion of the occupation tax used for exploring clean energy options is a separate tax from the General Fund portion of the utility occupation tax used to fund general programs of the city</u>.

As part of the annual budget and ballot processes, and to ensure prudent long-term fiscal planning, staff analyzes the budgetary impacts of any tax or revenue streams that are expiring in the near term and beyond. For planning purposes, staff considers near term to be the current year plus five additional years.

At the April 14 study session, staff recommended council consider placing a five-year renewal of the utility occupation tax on the ballot for the General Fund portion only. Staff suggested the portion of the occupation tax used for exploring clean energy not be considered as a ballot item in 2015. Within another year more will be known about the possibilities regarding a city electric utility and this component of the occupation tax can be considered at that time.

The General Fund portion of the utility occupation tax is expected to generate $4.3 million in revenue in 2015. If renewal of the tax was not approved by the voters, $4.3 million of services would need to be reduced or eliminated from the General Fund. Since such an outcome would be extremely disruptive for those who receive services funded by this revenue, staff believes it would be better to phase in any reductions during the annual budgets that would be considered in 2016 and 2017.

At the April 14 meeting, council directed staff to move forward with the next steps to place a five-year extension of the General Fund's portion of the utility occupation tax on the ballot for the Nov. 3, 2015 election.

NEXT STEPS

If council wishes to pursue placing a five-year extension of the General Fund's portion of the utility occupation tax on the November ballot, and passes the attached ordinance on the first reading, a second reading will occur on Aug 18. If needed, a third reading would occur on Sept. 1. All ballot items must be passed on final reading by council by the first meeting in September to meet county deadlines for ballot measures.

ATTACHMENTS

A: Proposed Ordinance

ORDINANCE NO. 8056

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF BOULDER AT THE REGULAR MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015, THE QUESTION OF WHETHER TO EXTEND THE UTILITY OCCUPATION TAX ON PUBLIC UTILITY COMPANIES THAT DELIVER ENERGY TO CUSTOMERS IN THE FORM OF ELECTRICITY AND GAS THAT WAS PASSED BY THE VOTERS PURSUANT TO ORDINANCE NO. 7751 (AS AMENDED BY ORDINANCE NO. 7808) AT THE RATE $4.1 MILLION DOLLARS, BEGINNING JANUARY 1, 2011 BE EXTENDED FROM DECEMBER 31, 2017 TO DECEMBER 31, 2022; SETTING FORTH THE BALLOT TITLE; MAKING CONFORMING CHANGES TO THE BOULDER REVISED CODE; AND SETTING FORTH RELATED DETAILS.

WHEREAS the City Council finds that:

A. The franchise agreement between the City of Boulder and Public Service Company of Colorado ("PSCo"), adopted pursuant to Ordinance No. 5569 and adopted by the electorate in November 1993 expired on August 4, 2010 (the "Franchise").

B. The City and PSCo extended the terms of the Franchise pursuant to a revocable permit granted pursuant to the authority granted under Ordinance No. 7729 and under City Charter Section 115.

C. The City does not have a franchise agreement with PSCo. The utility occupation tax is intended to replace revenue previously collected through the Franchise, including franchise fee payments to the City.

D. The voters approved a ballot measure (Ordinance No. 7751 (2010)) that authorized the utility occupation tax to be collected until December 31, 2015.

E. The voters approved a ballot measure (Ordinance No. 7808 (2011)) that extended that portion of the tax until December 31, 2017.

F. It is appropriate for voters to approve the extension, the tax proposed by the ballot issue described below.

G. The proposed measure title is a clear and concise statement, without argument or prejudice that is descriptive of the substance of the amendment and complies with the requirements of the City of Boulder Charter and the Boulder Revised Code, 1981.

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

Section 1. A regular municipal coordinated election will be held in the City of Boulder, county of Boulder and state of Colorado, on Tuesday, November 3, 2015.

Section 2. The official ballot shall contain the following ballot title, which shall also be the designation and submission clause for the issue:

BALLOT QUESTION NO. ____

UTILITY OCCUPATION TAX EXTENSION

WITHOUT RAISING ADDITIONAL TAXES, SHALL THAT PORTION OF THE CITY'S UTILITY OCCUPATION TAX ON PUBLIC UTILITY COMPANIES THAT DELIVER ELECTRICITY AND NATURAL GAS TO CUSTOMERS IN THE CITY THAT REPLACED THE FRANCHISE FEE PAID BY PUBLIC SERVICE COMPANY AND SUPPORTS GENERAL REVENUE NEEDS OF THE CITY BE EXTENDED FROM ITS CURRENT EXPIRATION DATE OF DECEMBER 31, 2017 AND EXPIRE ON DECEMBER 31, 2022 WITH THE REVENUES OF THE EXISTING TAX AS EXTENDED BEING USED TO CONTINUE TO SUPPORT LOCAL GOVERNMENT SERVICES, AND SHALL THE REVENUE FROM SUCH TAX EXTENSION AND ALL EARNINGS THEREON (REGARDLESS OF AMOUNT) CONSTITUTE A VOTER APPROVED REVENUE CHANGE, AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

FOR THE MEASURE ____ AGAINST THE MEASURE____

Section 3. If this ballot issue is approved by the voters, the City Council adopts the following amendments to Chapter 3-13 of the Boulder Revised Code to implement this utility occupation tax. Such amendments to the following sections of the occupation tax, to read:

3-13-1. - Legislative Purpose, Findings, and Intent.

(a) Purpose. It is the purpose of this chapter to implement the city's utility occupation tax.

(1) Passed by the voters on November 2, 2010, as a replacement for a fee paid under franchise agreement with a utility provider;

(2) Amended by the voters on November 1, 2011, to increase the amount of the tax and extend the tax to December 31, 2017.

(3) Further amended by the voters on November 3, 2015, to extend that portion of the tax that was initially approved by the voters in 2010 until December 31, 2022.

3-13-2. - Imposition of Occupation Tax.

(a) Payment of Tax Required. No utility delivering electricity and gas to residential, commercial, or industrial customers shall fail to pay to the city manager the utility occupation tax, prescribed by Subsection (c) of this section, unless such person is obligated to pay a comparable fee under a franchise agreement or other license or permit agreement with the city.

(b) Original Tax Effective Date and Expiration Date. The utility occupation tax of $4,100,000 was effective January 1, 2011. For that portion of the tax approved by the voters in 2010 for general fund purposes described Section 3-13-9(a), B.R.C. 1981, the tax shall expire on December 31, 2022. B.R.C. 1981.

(c) Extension and Increase Dates. The increase in the amount of the utility occupation tax approved by the voters in 2011 for funding the costs of further exploration of and planning for both the creation of a municipal electric utility and acquiring an existing electric distribution system described in Section 3-13-9(b), shall be effective January 1, 2012, and expire on the earlier of: (1) December 31, 2017; (2) when the city decides not to create a municipal utility; or (3) when the city commences delivery of municipal electric utility services.

(d) Tax Rate. The utility occupation tax effective January 1, 2014, shall be $6,180,000, and adjusted annually as provided in Section 3-13-3, "Adjustments," B.R.C. 1981.

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

shall be lawful for the City Council to provide for the amendment of its tax code in accordance with the issue approved.

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

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

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

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

Section 9. 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 28th day of July 2015.

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_____
Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this 18th day of August 2015.

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_____
Mayor

Attest:

_____
City Clerk

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE: Introduction, first reading and consideration of a motion to order published by title only Ordinance No. 8057 submitting to the registered electors of the City of Boulder at the municipal coordinated election to be held on Tuesday, November 3, 2015, the question of authorizing the City Council to continue the Climate Action Plan tax that was approved by the voters in November 2006 and implemented by the City Council in chapter 3-12, B.R.C. 1981, currently set to expire March 31, 2018, through March 31, 2023 for the purposes of implementing programs to increase energy efficiency, increase renewable energy use, reduce emissions from motor vehicles, and take other steps toward the goal of reducing greenhouse gas emissions; setting forth the ballot title; and setting forth related details.

PRESENTERS:
Jane S. Brautigam, City Manager
Tom Carr, City Attorney
David Gehr, Deputy City Attorney
Bob Eichem, Chief Financial Officer
David Driskell, Executive Director of Community Planning and Sustainability
Jonathan Koehn, Regional Sustainability Coordinator
Kendra Tupper, Energy Services Manager
Brett KenCairn, Senior Environmental Planner

EXECUTIVE SUMMARY

In 2002, City Council adopted Resolution 906, which established a goal for the Boulder community to reduce its greenhouse gas (GHG) emissions 7% below 1990 levels by 2012, consistent with the Kyoto Protocol. Central to the resolution were concerns about preserving environmental and air quality, addressing the risk climate change poses to local communities, and ensuring a high quality of life and economic vitality. In 2006, the city adopted a Climate Action Plan (CAP) to achieve the Kyoto goal, supported in 2007 by the nation's first voter-approved Climate Action Tax (the CAP tax) as a revenue source for implementing the actions outlined in the Climate Action Plan.

City residents and businesses are taxed based on the amount of electricity they consume. The CAP tax is levied by a charge per kilowatt hour (kWh) of electricity consumed, with differing rates by sector: residential, commercial, and industrial. City Council has the authority to set the rate for each user type within an approved range. Since July 2009, the rates have been set at the maximum allowable level. The CAP tax generates approximately $1.8 million annually, and is used to fund

programs and services to reduce greenhouse gas emissions. The original CAP tax was set to expire in March 2013, but Boulder voters approved a five-year extension on Nov. 6, 2012, with 82 percent of city voters electing to extend the tax.

The current tax expires in March 2018. Council has expressed interest in pursuing a ballot item in 2015 to continue funding energy efficiency and conservation programs and services. Recognizing City Council's stated goal for continuing emissions reductions, staff recommends extending the CAP tax at existing rates. Xcel Energy collects the tax for the city through its monthly customer utility billing. Currently, customers who subscribe to wind-generated power through Xcel Energy's Windsource program are not taxed for that portion of their electricity use.

This memo provides an ordinance for first reading with proposed language for a ballot question for the November 2015 election regarding extending the Climate Action Plan Tax in its existing form for the purposes described above. The draft Ordinance **Attachment A** extends the CAP tax for five years, through March 21, 2023.

STAFF RECOMMENDATION

Staff recommends that council move to order published by title only an ordinance submitting to the registered electors of the City of Boulder authorizing the City Council to continue the Climate Action Plan excise taxes as set forth in Section 3-12-2, B.R.C. 1981, and setting forth details in relation thereto.

Suggested Motion Language:

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

Motion to order published by title only an ordinance submitting to the registered electors of the City of Boulder at the municipal coordinated election to be held on Tuesday, November 3, 2015, the question of authorizing the City Council to continue the Climate Action Plan tax that was originally approved by the voters in November 2006 and implemented by the City Council in chapter 3-12, B.R.C. 1981, currently set to expire March 31, 2018, through March 31, 2023 for the purposes of implementing programs to increase energy efficiency, increase renewable energy use, reduce emissions from motor vehicles, and take other steps toward the goal of reducing greenhouse gas emissions; setting forth the ballot title; and setting forth related details.

BACKGROUND

The 2007 CAP tax marked the first time a community voted to tax itself to reduce GHG emissions. From the beginning, Boulder's Climate Action Plan pursued an aggressive set of strategies funded by the CAP tax. To ensure the tax dollars were invested as effectively as possible, the initial set of strategies was re-tooled in 2009 based on lessons learned in the first two years of action, and in 2010, revised programs and new regulations were developed in collaboration with community partners. The outcome of those efforts included "SmartRegs;" new EnergySmart services for homes, apartments and businesses; "Ten for Change" to drive energy efficiency efforts in the business community; and pilot programs to improve energy efficiency in commercial properties[1]. These

[1] A full discussion of specific program results can be found at www.bouldercolorado.gov/LEAD/ClimateAction in the Community Guide to Boulder's Climate Action Plan and its related progress reports.

efforts have significantly increased the number of property owners investing in energy efficiency in Boulder.

To gauge the effectiveness of the CAP tax, the City of Boulder hired Rocky Mountain Institute (RMI) to conduct an independent analysis of CAP programs in 2012. In short, RMI found that the city has used CAP tax dollars to invest in programs that are reducing emissions at a reasonable cost. The consultants urged continued support and funding for these programs and encouraged the community to make even more substantial efficiency improvements to address the climate change challenge.

Additionally, also in 2012, the City of Boulder hired The Brendle Group, an external consultant, to determine the best strategies for how future funding should be used. The goal was to evaluate gaps in existing CAP programs and to collect ideas from community stakeholders to enhance existing and create new programs to achieve the best possible results. The Brendle Group recommended a package of CAP tax-funded programs that would help Boulder reach its GHG reduction goals. Some components of this strategy built on programs that already existed and are yielding successful participation and results, like commercial and residential EnergySmart. Other components were new, such as reserving funds for an open request-for-proposal program that ultimately became the Boulder Energy Challenge.

The city incorporated the recommendations from RMI and the Brendle Group into its program development resulting in a number of highly effective new efforts. The details for the current CAP Tax-funded programs along with the full analysis of RMI and the Brendle Group can be found at: https://bouldercolorado.gov/climate/climate. In addition, a breakdown of allocated funds by program is included in the analysis section of this memo.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic -** Current economic conditions are a factor that should be considered in decisions about continuing taxes or fees. In addition, economic factors may limit the ability for building owners to invest in energy improvements. While the annual cost for individual residents and businesses is a small percentage of their annual energy costs, extending the tax will contribute to their financial burden. However, CAP programs help the community and individual utility customers reduce energy costs over time. Additionally, expanding programs with new revenue may generate more business for local companies that offer building improvement services and energy products. The percent of electricity costs paid as CAP tax by each sector are as follows:

  Residential: 1.8 to 3.9 percent
  Commercial: 0.4 to 1.0 percent
  Industrial: 0.3 to 0.5 percent

  The current tax structure allows flexibility about how the revenue from the tax is allocated across sectors through the city budget process as well as the goals, targets and specific strategies that can be funded through the tax, as long as the overall purpose of the tax (reducing GHG emissions) remains the same.

- **Environmental -** Reducing greenhouse gas emissions is a critical local and global priority. Strategies to this goal also contribute to the conservation of other natural resources. The CAP Tax is a critical funding mechanism for the strategies and targets associated with Boulder's Climate

Commitment. In fact, without this funding between now and the time that a local electric utility is created, if one is created, it will be challenging – of not, impossible – to achieve the community's carbon reduction goals.

- **Social -** Climate action activities involve a broad spectrum of residents, employees and businesses. Meeting the goal is a community-wide effort. Many services are free for low-to moderate-income households. Partnerships with Housing and Human Services, Boulder Housing Partners and other housing providers assist in the delivery of services to low- and moderate-income residents. Additionally, the city's SmartRegs program helps reduce energy costs for rental tenants.

OTHER IMPACTS/CONSIDERATIONS:

- **Fiscal:** There are other revenue ballot issues that City Council has or will be considering this year.

- **Staff time:** No additional staff is being requested at this time to supplement the current staff funded by the CAP tax. These costs are incorporated into the program costs.

- **Boulder County Sustainability Tax:** Boulder County has indicated a strong intention to place a sustainability (or otherwise named) tax on the November 2016 ballot. In the past, council has expressed concern over potential conflicts with the CAP Tax, and directed staff to coordinate closely with county staff to avoid overlap/ conflict. Going to the ballot in 2015 is intended to avoid any potential overlap with a county initiative.

ANALYSIS:

Staff has identified four options for City Council consideration: 1) Do not place the CAP tax on the ballot in 2015; 2) Extend the current CAP tax; 3) Modify the current CAP tax rates; and 4) Change the current CAP tax.

Extending the current tax would mean continuing the rates charged per sector and retaining the current collection mechanism. The amount collected is directly affected by usage by the residential, commercial and industrial sectors. When it was originally levied in 2007, approximately $875,000 was collected each year. In 2009, council increased the tax rates per sector to the maximum allowed by the 2006 ordinance. The increase generates approximately $1.8 million/year. **Table 1** below shows the current tax rates and the average annual tax by sector:

Table 1: Current CAP Tax Rates

Electricity User Type	Tax Rate	Average Annual Tax
Residential	$0.0049 /kWh	$21
Commercial	$0.0009 /kWh	$94
Industrial	$0.0003 /kWh	$9,600

As discussed with City Council previously, there are certain legal limitations to extending the tax. If any of these factors changed, the tax would be considered a new tax rather than an extension. These limitations include: 1) the maximum tax rate charged per sector must remain the same; hence the maximum amount collected would remain the same[2]; and 2) the purpose of collecting the tax must remain the same.

The draft ordinance in **Attachment A** extends the CAP tax for five years. It does not include any other form of sunset provision. If a new municipal electric utility begins operations, council may decide to have the new utility continue collecting the CAP tax to fund energy efficiency programs offered by the utility, or may opt to end collection of the tax and to fund demand side programs through municipal utility rates.. This allows for maximum flexibility for sun setting the tax within the five-year horizon. If, however, council would prefer to add sunset language within the ballot measure, an additional sunset provision could be added as part of the ordinance readings in August.

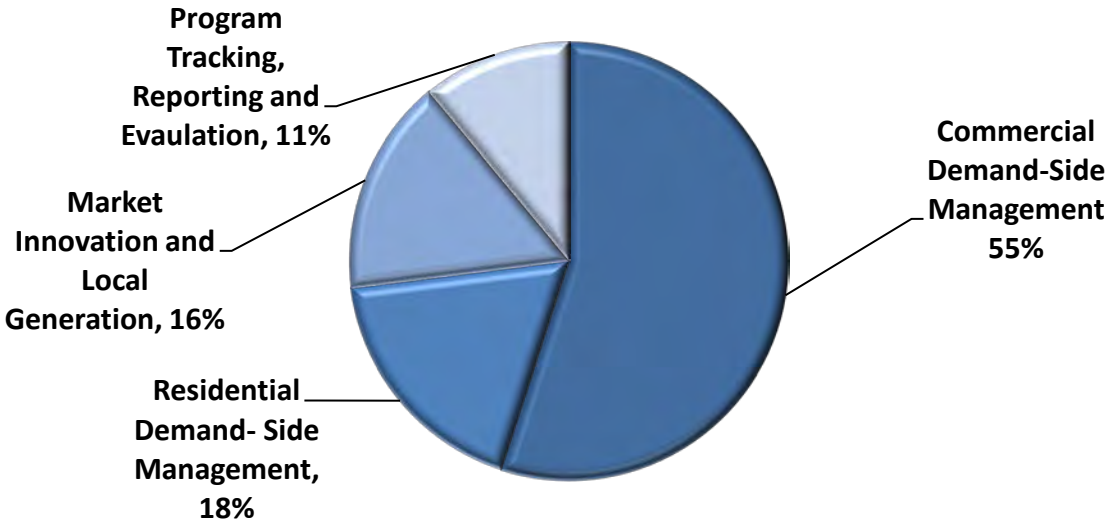
CAP TAX-FUNDED INITIATIVES

At the July 2013 study session on Boulder's Climate Commitment, council gave staff provisional guidance to evaluate the viability of a goal to reduce greenhouse gases by 80 percent by 2050. Since that time, the city has continued to implement a wide range of programs and initiatives designed to achieve significant greenhouse gas reductions. Staff also conducted a series of assessments to verify the reduction capacity of existing programs and assess the potential of several additional measures, similar to the 2012 program evaluation.

The programs and services funded by the CAP tax are aimed at involving the maximum number of Boulder residents and businesses in reducing energy consumption, thereby reducing carbon emissions, saving money on energy costs over time, and minimizing reliance on external energy sources. The current 2015 CAP tax revenue funds a variety of effective efforts and is currently allocated to the following efforts:

[2] In 2014, of the $1.84 million collected through the CAP tax, 61% was collected through the residential sector, 30% was collected through the commercial sector, and 9% was collected through the industrial sector.

8 TABOR is intended to reduce growth in government by requiring the refunding of excess revenues from new taxes, based on the tax amount in the ballot measures, or for taxes that pre-dated TABOR's adoption in 1992, based on a prescribed formula. See Colo. Constitution, Art X, Sec. 20(3) & (7).



These efforts are primarily funded by the CAP tax. If the tax is extended, staff recommends continuing the existing set of programs, given that many of these have performed well above expectations. In particular, the city's SmartRegs program recently surpassed a "stretch goal" by reaching 3,000 compliant rental units in a one-year contract period between February 2014 and March 2015. Existing CAP-funded programs, along with a short description and links to detailed information are included below:

Residential Demand Side Management

- Residential Energy Smart: Provides home owners energy advising services and rebates

- SmartRegs: Licensed rental housing energy efficiency requirement and energy advising services and rebates through EnergySmart

Commercial Demand Side Management (DSM)

- Commercial EnergySmart: Provides business and commercial building owners energy advising services and rebates

- Boulder Building Performance Ordinance (BPO): Proposed ordinance that would require owners of large commercial and industrial buildings to annually rate and report their buildings' energy use, and perform periodic energy efficiency

Market Innovation and Local Generation

- Boulder Energy Challenge – Grant program funding innovative solutions from the community to reduce emissions
- Boulder is recognized as a platinum-level Solar Friendly Community and is in the process of creating a Rooftop Solar Tool, which will assist residents, businesses and property owners in understanding their unique solar potential

Program Tracking, Reporting and Evaluation

- Greenhouse Gas (GhG) Inventories are updated every three years

- Development of an online dashboard to track and display energy and GHG emission reductions showing progress toward the climate goal

NEXT STEPS

Based on first reading questions and council feedback from the July 30 Study Session on Climate Commitment, staff will prepare any necessary changes to the proposed ordinance prior to the second reading scheduled for Aug. 18. Based on the results of the Nov. 3 election, staff will continue to implement the CAP-funded programs.

ATTACHMENTS:

A. Proposed ordinance to extend CAP tax

ORDINANCE NO. 8057

(Extension of Climate Action Plan Tax)

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE GENERAL MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015, THE QUESTION OF AUTHORIZING THE CITY COUNCIL TO EXTEND THE CLIMATE ACTION PLAN EXCISE TAX THAT WAS APPROVED BY THE VOTERS IN NOVEMBER 2006 FOR THE PURPOSE OF CONTINUING TO PROVIDE INCENTIVES, SERVICES, AND OTHER ASSISTANCE TO BOULDER RESIDENTS AND BUSINESSES TO IMPROVE ENERGY EFFICIENCY, EXPAND THE USE OF RENEWABLE ENERGY, AND TAKE OTHER NECESSARY STEPS TO REDUCE GREENHOUSE GAS EMISSIONS, CURRENTLY SET TO EXPIRE MARCH 31, 2018, AND EXTEND IT THROUGH MARCH 31, 2023; SETTING FORTH THE BALLOT TITLE; AND SETTING FORTH RELATED DETAILS

WHEREAS the city council finds that:

1. The Climate Action Plan Tax was approved by the voters in 2006 for the purpose of increasing energy efficiency, increasing renewable energy use and reducing greenhouse gas emissions pursuant to a measure that was placed on the ballot by Ordinance No. 7483.

2. The tax has been implemented by the Boulder city council through the adoption of Chapter 3-12, B.R.C. 1981.

3. In 2012, the voters approved to continue collecting the tax from its expiration date of March 31, 2013 until March 31, 2018 pursuant to a measure that was placed on the ballot by Ordinance No. 7848.

4. The electorate should consider authorizing the city council to continue collecting the tax from its present expiration date of March 31, 2018 until March 31, 2023 to continue to fund efforts to increase energy efficiency, increase the use of renewable energy and reduce greenhouse gas emissions.

5. It is appropriate for voters to approve of the continued collection, retention and expenditure of the full tax proceeds and any related earnings from the Climate Action Plan Tax.

6. The purposes that will be served by the continued collection of the tax are critical for the continued provision of city programs to increase energy efficiency, increase the use of renewable energy and reduce greenhouse gas emissions.

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

Section 1. A general municipal coordinated election will be held in the city of Boulder, county of Boulder and state of Colorado, on Tuesday, November 3, 2015.

Section 2. The official ballot shall contain the following ballot title, which shall also be the designation and submission clause for the issue:

Ballot Issue No. ___
Climate Action Plan Tax Extension

WITHOUT RAISING ADDITIONAL TAXES, SHALL THE EXISTING CLIMATE ACTION PLAN EXCISE TAX BE EXTENDED FOR FIVE YEARS FOR THE PURPOSE OF CONTINUING TO PROVIDE INCENTIVES, SERVICES, AND OTHER ASSISTANCE TO BOULDER RESIDENTS AND BUSINESSES TO IMPROVE ENERGY EFFICIENCY, EXPAND THE USE OF RENEWABLE ENERGY, AND TAKE OTHER NECESSARY STEPS TO REDUCE GREENHOUSE GAS EMISSIONS, AT THE CURRENT RATE OF $0.0049 PER KILOWATT HOUR (KWH) FOR RESIDENTIAL CUSTOMERS, $0.0009 PER KWH FOR COMMERCIAL CUSTOMERS, AND $0.0003 PER KWH FOR INDUSTRIAL CUSTOMERS ON ELECTRICITY CONSUMED, FROM ITS CURRENT EXPIRATION OF MARCH 31, 2018, THROUGH MARCH 31, 2023 AS A VOTER-APPROVED REVENUE CHANGE?

FOR THE MEASURE_____ AGAINST THE MEASURE _____

Section 3. If a majority of all the votes cast at the election on the measure submitted are for the measure, the measure shall be deemed to have passed, and the city council authorized to make amendments to the Boulder Revised Code, 1981, to implement this measure.

Section 4. The election shall be conducted under the provisions of the Colorado Constitution, the Charter and ordinances of the city, the Boulder Revised Code, 1981, and this ordinance.

Section 5. The officers of the city are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance and to contract with the county clerk to conduct the election for the city.

Section 6. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining provisions of this ordinance. The tax established by this measure is intended to be authorized under any lawful means of taxation, including license taxation pursuant to city of Boulder Charter Section 122.

Section 7. 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 8. 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 4th day of August, 2015.

_____
Mayor

Attest:

_____
City Clerk

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

_____
Mayor

Attest:

_____
City Clerk

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE:
Introduction, first reading and consideration of a motion to order published by title only, Ordinance No. 8058 designating the building and property at 2245 Pine St., to be known as the Ravenscraft House, as an individual landmark under the city's Historic Preservation Ordinance.

Owner/Applicant: Kegan and Suzanna Paisley

PRESENTERS:
Jane S. Brautigam, City Manager
Susan Richstone, Deputy Director of Community Planning & Sustainability
Debra Kalish, Senior Assistant City Attorney
Lesli Ellis, Comprehensive Planning Manager
James Hewat, Senior Historic Preservation Planner
Marcy Cameron, Historic Preservation Planner

EXECUTIVE SUMMARY:

The purpose of this item is for City Council to determine whether the proposed individual landmark designation of the building at 2245 Pine St. meets the purposes and standards of the Historic Preservation Ordinance *(Sections 9-11-1 and 9-11-2, B.R.C. 1981)*. The property owner is in support of the designation.

If approved, this ordinance (see **Attachment A**) would result in the designation of the building and property as an individual landmark. The findings are included in the ordinance. This landmark designation application was submitted by the property owner on August 19, 2013, and was heard by the Landmarks Board on June 3, 2015. The board voted 4-0 to recommend the designation to City Council. A second reading for this designation will be a quasi-judicial public hearing.

PROPERTY DESCRIPTION:

The house at 2245 Pine Street, constructed c. 1896, is located at the northwest corner of Pine and 23rd Streets on a 3,923 sq. ft. lot in the identified potential Whittier Historic District.

Figure 1. Location Map, 2245 Pine St.

Figure 2. South Elevation (façade), 2245 Pine St, 2015.

The gabled L-shaped house is one and one-half stories tall with a covered porch, a wood paneled front door, and a large, double-hung window on the facade that was a later alteration.

On the gable end portion of the facade, two double-hung windows are located on the first floor and one central double-hung window is on the second floor. All three windows have arched brick lintels. Each window has non-historic blue shutters, and the original porch base and trim have been removed.

Figure 3. East Elevation with 2013 addition, 2245 Pine St, 2015.

In 2013, the owners submitted a demolition permit application to remove a portion of a street-facing wall. The application was referred to the full Landmarks Board for the review, and the owners subsequently withdrew the demolition permit application and submitted a landmark designation application. Later that year, the owners received a Landmark Alteration Certificate (LAC) for the construction of a rear addition. The work required a minor modification to Planned Unit Development (PUD) that had occurred on the property a number of years ago, an approval that was supported by the historic preservation program. In 2015, the owners received an LAC for the reconstruction of a front and side yard fence in its historic location.

Figure 4. Charles Mann and his family in front of 2245 Pine St., 1897.

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, Ordinance No. 8058 designating the building and property at 2245 Pine St., to be known as the Ravenscraft House, as an individual landmark under the City of Boulder's Historic Preservation Ordinance.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

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

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

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

OTHER IMPACTS:

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

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

LANDMARKS BOARD ACTION:

On June 3, 2015 the Landmarks Board voted 4-0 to recommend to City Council that the building at 2245 Pine St. be designated as a local historic landmark, finding that it meets the standards for individual landmark designations in sections 9-11-1 and 9-11-2, B.R.C. 1981, and is consistent with the criteria specified in section 9-11-5(c), B.R.C. 1981.

ANALYSIS:

Criteria for Review

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

Historic, Architectural, and Environmental Significance

Staff finds that the proposed application to landmark 2245 Pine St. will protect, enhance, and perpetuate a property important in local history and preserve an important example of Boulder's historic architecture. Staff considers the application to meet the historic criteria for individual landmark designation as outlined below:

HISTORICAL SIGNIFICANCE:

Summary: The house at 2245 Pine St. meets historic significance criteria 1 and 3.

1. **Date of Construction:** c. 1896
   Elaboration: The address first appears in city directories in 1896.

2. **Association with Persons or Events**: Chester and Genevieve Ravenscraft
   Elaboration: Chester was born in Indiana in 1912 and moved to Boulder with his family in 1918. He married Genevieve O'Neil in 1935 and served in World War II as a combat infantryman in Europe. He was honorably discharged in 1945 and awarded the Bronze Star for bravery in battle. Chester worked following the war and went on to a long career in the County Assessor's Office. Genevieve, born in Nebraska in 1918, moved to Boulder around 1930. She worked for Colorado Iron and Steel during World War II, then worked as a bookkeeper at the J.C. Penney department store and later in accounting and finance at the University of Colorado. The Ravenscrafts owned the property from 1949-1975.

3. **Development of the Community:** The property is representative of masonry vernacular houses constructed for the middle class in east Boulder during the late nineteenth century.

4. **Recognition by Authorities:** Historic Building Inventory Form, 1987
   Elaboration: The 1987 Historic Building Inventory Form notes that the property is significant as a representative of a type period or method of construction, noting "this house is representative of the pre-1900 one-and-a-half story brick homes constructed for the middle class in Boulder. Typical elements include the cross-gabled design, inset porch, overhanging eaves and tall, narrow double-hung windows."

ARCHITECTURAL SIGNIFICANCE:

Summary: The house at 2245 Pine St. meets historic significance criteria 1.

1. **Recognized Period or Style:** Vernacular masonry, gabled L-shaped plan
   Elaboration: While relatively simple, the house is well-preserved representative example of vernacular masonry built during the late 1800s for working class families in east Boulder. Typical elements include the "L" shape plan, inset porch, and tall, narrow, double-hung windows.
2. **Architect or Builder of Prominence:** None observed.
3. **Artistic Merit:** None observed.
4. **Example of the Uncommon:** None observed.
5. **Indigenous Qualities:** None observed.

ENVIRONMENTAL SIGNIFICANCE:
Summary: The house at 2245 Pine St. has environmental significance under criteria 5.

1. **Site Characteristics:** Residential historic character
   Elaboration: The house is located on the corner of 23rd Street and Pine Street, within the boundaries of the identified potential Whittier Historic District, and is a familiar visual feature in that area. The house retains its historic residential character.
2. **Compatibility with Site:** Residential historic character
   Elaboration: The house is representative of those constructed in Whittier neighborhood in the late nineteenth century and contributes to the residential character of the neighborhood. The property's residential character was altered somewhat when the lot was subdivided in the 1980s.
3. **Geographic Importance:** Corner Lot
   Elaboration: The house is prominently located on the corner of 23rd Street and Pine Street in Boulder and is a familiar visual feature in the Whittier Neighborhood.
4. **Environmental Appropriateness:** None observed**.**
5. **Area Integrity:** Potential Whittier Historic District
   Elaboration: The house is located within the identified potential local historic and National Register eligible Whittier historic district. The area was first identified as a potential historic district in 1988 based on survey work, with the 1988 report by Front Range Research Associates citing that the neighborhood "represents a broad spectrum of early Boulder History, and includes both mansions and working-class vernacular homes."

   In 1987, a survey of approximately 350 pre-1937 buildings within the Whittier neighborhood was completed. That survey concluded that the area bounded by Bluff Street on the north, Spruce Street on the south, 28th Street on the east, and Broadway

on the west was eligible for designation as a local historic district.[1] The origins of the Whittier neighborhood date to the founding of the Boulder in 1859 when 4,044 lots were laid out in the city including those in the east Boulder addition (now known as Whittier) that ran east to 25th Street. Whittier is a large neighborhood and its properties represented a wide range of income levels and lifestyles. The western section of Pine Street, for instance, contains houses originally built for some of Boulder's wealthiest residents, while the eastern end of Pine Street was historically a working class area. 2245 Pine St. is located in the more modest part of the area which is characterized by small and medium vernacular buildings.

OPTIONS:

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

ATTACHMENTS:

A: Ordinance No. 8058
B: Sections 9-11-1 and 9-11-2, "*Purposes and Intent*," B.R.C., 1981
C: Significance Criteria for individual landmarks

[1] Front Range Research Associates. *Whittier Survey Report*, 1988.

ORDINANCE NO. 8058

AN ORDINANCE DESIGNATING THE BUILDING AND THE PROPERTY AT 2245 PINE ST., CITY OF BOULDER, COLORADO, ALSO KNOWN AS THE RAVENSCRAFT HOUSE, A LANDMARK UNDER CHAPTER 9-11, "HISTORIC PRESERVATION" B.R.C. 1981, AND SETTING FORTH DETAILS IN RELATION THERETO.

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

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

Section 2. The City Council finds that: 1) on or about August 19, 2013, property owner Suzanna and Kegan Paisley applied to the City of Boulder to designate the building and a portion of the property at said property as a landmark; 2) the Landmarks Board held a public hearing on the proposed designation on June 3, 2015; and 3) on June 3, 2015, the Board recommended that the City Council approve the proposed designation.

Section 3. The City Council also finds that upon public notice required by law, the council held a public hearing on the proposed designation on July 28, 2015 and upon the basis of the presentations at that hearing finds that the building and the property at 2245 Pine St. possesses a special character and special historic, architectural, or aesthetic interest or value warranting its designation as a landmark.

Section 4. The characteristics of the subject property that justify its designation as a landmark are: 1) its historic significance is relevant to its construction in the 1890s, as a well-preserved example of masonry vernacular architecture constructed for the middle class in Boulder during

the late nineteenth century; and 2) its architectural significance indicative of a vernacular gabled L-shaped plan house, and; 3) its environmental significance for its location within the potential Whittier Historic District, which retains its residential historic character.

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

Section 6. There is hereby created as a landmark the building and property located at 2245 Pine St., also known as the Ravenscraft House, whose legal landmark boundary encompasses a portion of the legal lots upon which it sits:

S 77.90 FT OF E 48 FT LOT 12 BLK 139 BOULDER EAST O T AKA PCL A
ACCENT MINOR SUB

as depicted in the proposed landmark boundary map, attached hereto as Exhibit A.

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

Section 8. The 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 28TH DAY OF JULY, 2015.

.

_____

Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY THIS 18TH DAY OF AUGUST, 2015.

.

_____
Mayor

Attest:

_____
City Clerk

Exhibit A – Landmark Boundary Map for 2245 Pine St.

S 77.90 FT OF E 48 FT LOT 12 BLK 139 BOULDER EAST O T AKA PCL A ACCENT MINOR SUB

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

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

(a) The purpose of this chapter is to promote the public health, safety, and welfare by protecting, enhancing, and perpetuating buildings, sites, and areas of the city reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past. It is also the purpose of this chapter to develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize neighborhoods, promote tourist trade and interest, and foster knowledge of the city's living heritage.

(b) The City Council does not intend by this chapter to preserve every old building in the city but instead to draw a reasonable balance between private property rights and the public interest in preserving the city's cultural, historic, and architectural heritage by ensuring that demolition of buildings and structures important to that heritage will be carefully weighed with other alternatives and that alterations to such buildings and structures and new construction will respect the character of each such setting, not by imitating surrounding structures, but by being compatible with them.

(c) The City Council intends that in reviewing applications for alterations to and new construction on landmarks or structures in a historic district, the Landmarks Board shall follow relevant city policies, including, without limitation, energy-efficient design, access for the disabled and creative approaches to renovation.

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

(a) Pursuant to the procedures in this chapter the City Council may by ordinance:

(1) Designate as a landmark an individual building or other feature or an integrated group of structures or features on a single lot or site having a special character and historical, architectural, or aesthetic interest or value and designate a landmark site for each landmark;

(2) Designate as a historic district a contiguous area containing a number of sites, buildings, structures or features having a special character and historical, architectural, or aesthetic interest or value and constituting a distinct section of the city;

(3) Designate as a discontiguous historic district a collection of sites, buildings, structures, or features which are contained in two or more geographically separate areas, having a special character and historical, architectural, or aesthetic interest or value that are united together by historical, architectural, or aesthetic characteristics; and

(4) Amend designations to add features or property to or from the site or district.

(b) Upon designation, the property included in any such designation is subject to all the requirements of this code and other ordinances of the city.

SIGNIFICANCE CRITERIA
Individual Landmark
September 1975

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

Historic Significance

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

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

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

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

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

Other, if applicable.

Architectural Significance

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

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

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

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

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

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

Other, if applicable.

Environmental Significance

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

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

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

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

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

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

C I T Y O F B O U L D E R
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE:
Introduction, first reading, and consideration of a motion to order published by title only, Ordinance No. 8059 amending Chapter 11-1 "Water Utility," B.R.C 1981, and authorizing the City Manager to execute an agreement relating to the provision of out-of-city water services with the owner of 4400 Peach Court.

PRESENTERS:
Jane S. Brautigam, City Manager
David Driskell, Executive Director of Community Planning & Sustainability (CP&S)
Susan Richstone, Deputy Director, CP&S
Charles Ferro, Development Review Manager, CP&S
Hella Pannewig, Assistant City Attorney
Lesli Ellis, Comprehensive Planning Manager
Julia Chase, Paralegal, City Attorney's Office
Edward Stafford, Development Review Manager, Public Works
Scott Kuhna, Development Review Supervisor
Jeff Hirt, Planner II

EXECUTIVE SUMMARY

This agenda item is a first reading of Ordinance No. 8059 (**Attachment A**) amending Chapter 11-1 "Water Utility" and City Manager authorization to execute an agreement to provide out of city water services to an approximately 6.5 acre single family property in Area III-Planning Reserve at 4400 Peach Court. Boulder County has approved an expansion of the existing house for a larger single family home.

The property owner requested water service through the Left Hand Water District (District) in 2013. Pursuant to the city's Intergovernmental Agreement (IGA) with the District (**Attachment C**), the city received this referral as the property is in the Boulder Valley Planning Area. The city objected to granting of the tap request through the District because it was inconsistent with the Boulder Valley Comprehensive Plan (BVCP) (**Attachment D**). Specifically, because the property is in Area III-Planning Reserve, there is the potential for future city service area expansion that may create overlapping service between the city and the District.

As a result, the property owner has requested city water service. The ordinance is required primarily because the property is in Area III, and BRC Sec. 11-1-15 (Out of City Water Service) only addresses properties in Area II.

STAFF RECOMMENDATION

Staff is recommending that council consider Ordinance No. 8059 (**Attachment A**) that would enable the subject property to obtain city water service through an agreement executed by the City Manager for the following reasons:

1. BVCP Sec. 1.20 states that the city and county intend to maintain the option of future service area expansion in Area III–Planning Reserve;
2. BVCP Sec. 1.36 (b) supports extending limited utility service in Area III when it furthers BVCP goals;
3. To avoid the potential of overlapping service between the city and District water supply within the City of Boulder Service Area; and
4. The request is limited to one approved single family dwelling unit and accessory structures directly related to the single family use. The request will not result in additional development potential.

Suggested Motion

Staff requests council consideration and action in the form of the following motion.

Suggested Motion Language:
Motion to introduce on first reading and order published by title only, Ordinance No. 8059 amending Chapter 11-1 "Water Utility," B.R.C 1981, and authorizing the City Manager to execute an agreement relating to the provision of out-of-city water services with the owner of 4400 Peach Court.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: None anticipated. Area III–Planning Reserve is an area where the city and county intend to maintain the option of future Service Area expansion. No city improvements are proposed at this time.
- Environmental: The water service will provide the property with safe potable water. The applicant will be able to cease, avoid or limit use of wells, ditch water or trucking in water for their potable water source.
- Social: The water service will help to ensure that basic health and safety needs of the residents and visitors to the property are met.

OTHER IMPACTS

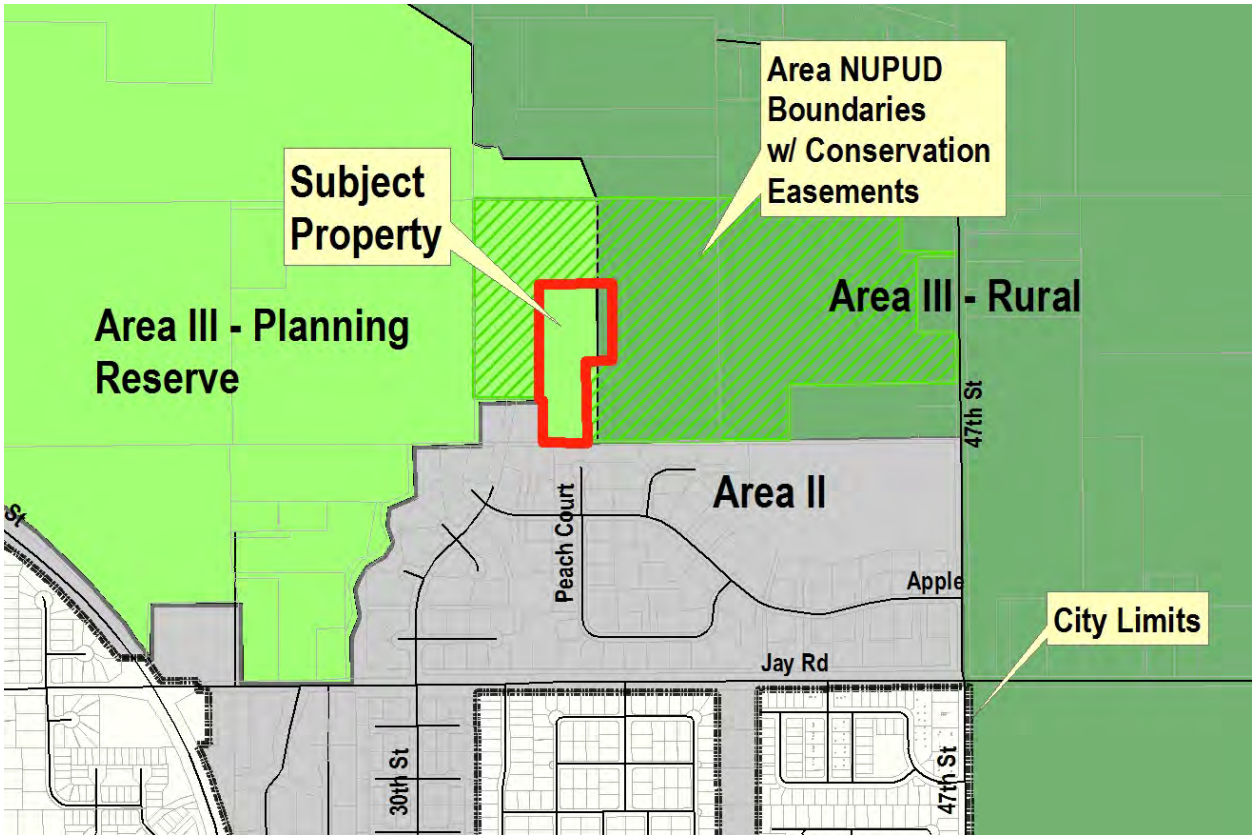
- Fiscal: None identified.
- Staff time: The proposed ordinance and agreement are within normal staff work plans.

BOARD AND COMMISSION FEEDBACK

Planning Board provided comments on this request at their July 16, 2015 meeting. The comments related to clarifications for the council memo and included:

- Show a map of public lands and conservation easements that surround this parcel (addressed in the Vicinity Map and Existing Conditions and Boulder County Approvals section below); and
- Address if this approval sets any kind of precedence for similar future requests (addressed in the Select Components of Ordinance and Agreement section below).

Vicinity Map



BACKGROUND

The Left Hand Water District is a special district that provides treated water to about 6,500 homes in Boulder and Weld Counties. The City of Boulder and the District entered into the 1995 Amended and Restated Agreement (IGA, see **Attachment C**) that provides a process for the city to comment on requests for new service or changes in service to existing District water customers in the Boulder Valley Comprehensive Plan (BVCP) area. The city's review of the requests focuses on whether the District has the capacity to serve the new customers and whether the request is consistent with the BVCP.

The city and the district have a long history of coordinating utility services within the BVCP area. Special districts like Left Hand are quasi-municipal corporations and political subdivisions under state law. While there are a number of special districts that provide various services within the Boulder Valley, the city and Boulder County have discouraged expansion of such districts, to discourage urban development outside of the urban municipalities. Since the early 1970s, the city and the District have

worked to prevent conflicts and overlaps between the city and District water service and to ensure that any utility service within the Boulder Valley is done in a manner consistent with the BVCP.

Within the past few years, the District has replaced a 2-inch water line with an 8-inch water line to service an area generally located north of Independence Road, east of North 55th Street, south of Jay Road, and west of 63rd Street. The District has also replaced an undersized 2 ½ inch waterline with a 6-inch water line between the intersection of 47th Street and Apple Way, extending 2,685 feet north along 47th Street to the intersection with Pleasant Ridge Road.

Application History

The chronology below summarizes the city's involvement in this application since 2013:

- March 2013 – City received referral from Left Hand Water District for single family water service at 4400 Peach Court.
- June 2013 – City informed District of objection to District's referral due to inconsistency with BVCP policies (**Attachment D**). The Left Hand Water District subsequently removed this request from their board hearing schedule.
- May 2014 – City received request for out of city utility permit from 4400 Peach Court property owner for water service.
- June 2014 – City provided comments on application that include the need to join the Northern Colorado Water Conservancy District and the requirement for a special ordinance and agreement due to the property's Area III-Planning Reserve status.
- July 2014 to present – City and applicant discussions and finalization of components of special ordinance and agreement.

Existing Conditions and Boulder County Approvals

The subject property contains a single family house and accessory buildings (see **Attachment B**). The property is also known as the Poor Homestead, a historic farming complex first settled in the 1880s. Boulder County Land Use reviewed and approved expansion of the existing house in 2013 (Case No. SPR-13-0013). This approval was for expansion of the existing house for a 2,693 sq. ft. residence. The approved house stays under the maximum permissible size of a residence on the property of 2,706 sq. ft. per Boulder County regulations. The property has several existing accessory buildings totaling 4,715 sq. ft.

The subject property is also part of the Poor Non Urban Planned Unit Development (NUPUD). The Vicinity Map above identifies the surrounding properties within this NUPUD, and an adjacent NUPUD to the east extending to 47th Street.

These NUPUD's are conservation easements, according to Boulder County Parks and Open Space (i.e., the NUPUD is the mechanism for establishing the conservation easement). These conservation easements carry their own stipulations, including a limitation on new development. Within these NUPUD's, only accessory buildings that are for agricultural use are allowed. No new principal structures are allowed in these NUPUDs.

Select Components of Ordinance and Agreement

The proposed ordinance and agreement contain the following provisions that would allow city water service to the property, as BRC Sec. 11-1-15 currently does not allow city water to the property:

- City Manager authorization to execute an Out of City Utility Agreement and Revocable Permit for 4400 Peach Court.
- City Manager authorization to approve changes to the Agreement provided those changes meet the standards of BRC Sec. 11-1-15 "Out of City Water Service".
- Clarification in both the ordinance and agreement that city water service is limited to one dwelling unit and accessory structures only directly related to the single family use and a 1-inch water meter.
- A statement that the property owner must connect to city water service within six months of City Manager approval.
- That the owner is fully responsible for the costs of the connection and obtaining required approvals for easements and any affected ditch companies for city water service.

Any future requests for out of city water service to properties in Area III-Planning Reserve would have to follow a similar process to this application, unless BRC Sec. 11-1-15 is amended from only currently allowing out of city water to Area II properties to also allowing water service to Area III-Planning Reserve properties.

ANALYSIS

This section provides further analysis of the application relative to the out of city utility permit provisions in BRC Sec. 11-1-15 (b).

(1) The property is located within Area II of the Boulder Valley Comprehensive Plan, unless the facility to be served is a publicly owned facility that because of its nature is most appropriately located outside Area II and because of the general public interest should be served by water service

The property is in Area III – Planning Reserve and contains an existing single family residential structure and several accessory buildings. BRC Sec. 11-1-15 does not regulate water service to Area III properties. In order for the property to receive city water service, the city must approve the ordinance set forth in **Attachment A**. Staff supports extension of city water to the property because it is consistent with BVCP Policies 1.20 & 2.07(b) – "the city and county intend to maintain the option of limited future Service Area expansion" and 1.36 – "the city and county agree that it is appropriate for the city to extend limited utility service in Area III and Area II in circumstances that further Boulder Valley Comprehensive Plan goals". In this case, the goal is to maintain the option of future Service Area expansion and avoid potentially overlapping service boundaries with the Left Hand Water District in that area. IGA Recital #2 also states that the city and District seek to "insure development consistent with good planning and the Boulder Valley Comprehensive Plan".

(2) There is no main extension involved for such service beyond one hundred feet or in violation of the main extension limit, whichever is less

There is no main extension involved with this request.

(3) The city planning department has determined that the proposal does not constitute new urban development and is consistent with the comprehensive plan

The water service requested is for an approved single family residential home and accessory buildings subordinate to the single family use and will not result in any new urban development.

(4) The City has referred the application to the Boulder County Planning Department under the referral provisions of the comprehensive plan

The city referred the application to the Boulder County Land Use Department. The county indicated they had approved expansion of the single family home and has no conflicts with this out of city water service request.

(5) The service is to be extended to a structure, which contains a legal use, that existed on the effective date of this chapter or to a platted single-family lot existing on the effective date of this chapter

The service is to be extended to a Boulder County-recognized single family residential structure and outbuildings built in 1880 and 1960, respectively. The ordinance also allows future water service to accessory buildings directly related to the single family use within 1-inch water tap limitations.

(6) The property is located below the "Blue Line"

The property is located below the Blue Line.

(7) The property owner agrees in an agreement running with the land to annex to the City as soon as the property is eligible for annexation

The property owner has signed an Out of City Utility Agreement (**Attachment A**) that indicates this in Sec. 4.h.

(8) The property has an existing permitted out of city sewer connection or has applied for such permit in accordance with the requirements of section 11-2-10, "Out of City Sewer Service," B.R.C. 1981, and agreed to connect to sanitary sewer when eligible.

The property has a county-approved septic system and it not eligible to connect to city sewer service at this time.

NEXT STEPS

Once the ordinance is final, the City Manager will be asked to sign the Out of City Utility Agreement and Revocable Permit in **Attachment A**. The applicant will then be required to obtain all necessary approvals to connect to city water that may include an easement and right of way permit. The agreement stipulates that the applicant must connect to city water within 6 months of City Manager approval.

ATTACHMENTS:

A. Ordinance No. 8059 and Agreement for Out of City Utility Service
B. Site Plan
C. 1995 City and Left Hand Water District IGA
D. City Letter to Left Hand Water District (June 2013)

ORDINANCE NO. 8059

AN EMERGENCY ORDINANCE AMENDING CHAPTER 11-1, "WATER UTILITY," B.R.C. 1981, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT RELATING TO THE PROVISION OF OUT-OF-CITY WATER SERVICES WITH THE OWNER OF 4400 PEACH COURT AND SETTING FORTH RELATED DETAILS.

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

A. The property generally described as 4400 Peach Court (the "Property") and more particularly described as Lot 1, POOR NUPUD, County of Boulder, State of Colorado, is located in Area III-Planning Reserve Area of the Boulder Valley Comprehensive Plan.

B. It is in the interest of the public's health, safety, and welfare to extend limited water utility service to the Property.

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

Section 1. The city council authorizes the city manager to execute on behalf of the City of Boulder, Colorado, an Out-of-City Utility Agreement and Revocable Permit for the Property, generally in the form attached to this ordinance as Exhibit A. The city manager is authorized to sign an Out-of-City Utility Agreement and Revocable Permit after the property owner has completed the appropriate technical reviews and satisfied the conditions contained herein that are required pursuant to Chapter 11-1, "Water Utility," B.R.C. 1981, for outside of the City utility services except as those may be modified herein. The city manager is authorized to approve changes to the Out-of-City Utility Agreement and Revocable Permit provided those changes

meet the standards of this ordinance and of Section 11-1-15, "Out-of-City Water Service," B.R.C. 1981, except as modified by this ordinance.

Section 2. The city council of the City of Boulder finds that: 1) making water available to the Property is fair and equitable; 2) it is in the interest of the public's health, safety, and welfare to extend limited water utility service to the Property; 3) providing water service to the Property is consistent with the Boulder Valley Comprehensive Plan's policy 1.20 that states that the City and County intend to maintain the option of future Service Area expansion in Area III-Planning Reserve Area; and 4) making water available to the Property is consistent with Boulder Valley Comprehensive Plan Policy 1.36 "Out-of-City Utility Service," which supports extending utility service to Area III in circumstances that further Boulder Valley Comprehensive Plan goals. Extension of the City water service to the Property would be limited to one existing dwelling unit and accessory structures that are located on the same lot as the single family dwelling unit, are subordinate to and customarily found with the single family dwelling unit, and are operated and maintained for the benefit or convenience of the occupants of or visitors to the single family dwelling unit. There is no additional development potential beyond one dwelling unit.

Section 3. To the extent that this ordinance conflicts with any previously adopted ordinance of the City, including Subsections 11-1-15(b)(1), 11-1-15(b)(5), and 11-1-15(b)(8), B.R.C. 1981, such ordinances are suspended for the limited purpose of implementing this ordinance. This ordinance shall be considered an amendment to Chapter 11-1, "Water Utility," B.R.C. 1981.

Section 4. The owner of the Property shall apply for out-of-city water service to the dwelling unit and its accessory structures on the Property within six months after the effective

date of this ordinance and shall actively seek approval of such application in a manner that is consistent with Subsection 9-2-6(e), B.R.C. 1981. If the applicant fails to keep the application active, then it shall be considered withdrawn and this ordinance shall be of no further force or effect. If the owner of the Property does not connect to the out-of-city water service within six months after the Out-of-City Utility Agreement and Revocable Permit is approved, then the permit shall expire and this ordinance shall be of no further force or effect.

Section 5. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the City, and covers matters of local concern.

Section 6. The council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

Section 7. The City Council finds that public health, peace and safety justify the adoption of this ordinance as an emergency measure.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY THIS 28th DAY OF JULY, 2015.

_____
Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, AND ADOPTED AS AN EMERGENCY MEASURE BY TWO-THIRDS OF COUNCIL MEMBERS PRESENT, AND ORDERED PUBLISHED BY TITLE ONLY THIS 6th DAY OF AUGUST, 2015.

_____
Mayor

Attest:

_____
City Clerk

EXHIBIT A TO ORDINANCE

For Administrative Purposes Only
Address: 4400 Peach Court
Owner: Idle Acre Land Company LLC
Case No. LUR2014-00039

OUT-OF-CITY UTILITY AGREEMENT AND REVOCABLE PERMIT

This Agreement and Permit ("Agreement"), issued this _____ day of _____, 201_, by and between Idle Acre Land Company LLC, a Colorado limited liability company ("Owner"), the owner of certain property, generally located at 4400 Peach Court and more particularly described as Lot 1, POOR NUPUD, County of Boulder, State of Colorado ("Property") and the City of Boulder, a Colorado municipal corporation ("City").

RECITALS

A. The Owner has applied to the City for water service for a proposed residential use on the Property.

B. The Property is located in Area III-Planning Reserve Area of the Boulder Valley Comprehensive Plan.

C. The Property is already located within the Northern Colorado Water Conservancy District.

D. The Property has been included in the Municipal Subdistrict of the Northern Colorado Water Conservancy District by the Weld County District Court's order dated October 6, 2014 in Case No. 1937CV9454-S1.

E. The City Council of the City of Boulder (the "City Council") concludes the following: 1) making water available to the Property is fair and equitable; 2) it is in the interest of the public's health, safety, and welfare to extend limited water utility service to the Property; and 3) making water available to the Property is consistent with Boulder Valley Comprehensive Plan policies that support extending city utility service to Area III in circumstances that further Comprehensive Plan goals, including policy 1.20 that states that the city and county intend to maintain the option of future Service Area expansion in Area III-Planning Reserve.

F. The City Council passed Ordinance No. _____ which authorizes the City of Boulder to provide municipal water utility service to the Property which is located outside the City limits of the City of Boulder for such uses under such terms and conditions as set forth by the said ordinance and the B.R.C. 1981.

G. The City Council has determined that said service should be granted subject to the terms and conditions set forth herein.

Agreement

NOW, THEREFORE, in consideration of the recitals, promises, covenants herein set forth, and other good and valuable consideration herein receipted for the parties agree as follows:

1. That the City will make available to the Owner, City of Boulder water service conditioned upon the Owner meeting and keeping the terms and conditions hereinafter contained. Such service is to be made available for use on that portion of the Property, outside the City limits of the City of

Boulder, which is not now eligible for annexation to the City of Boulder under the laws of the State of Colorado.

2. The water service herein authorized is to be restricted exclusively to the Property and to a 1-inch water meter for a single family dwelling unit and accessory structures that are located on the same lot as said single family dwelling unit, are subordinate to and customarily found with the single family dwelling use, and are operated and maintained for the benefit or convenience of the occupants of or visitors to said single family dwelling unit. No enlargement, increase, or modification of said service shall be made without prior written approval of the City through the appropriate official. The Owner agrees that it shall be a violation of this Agreement if the Owner uses any City water service for any use that is not the single family use of the Property or that is not subordinate to and customarily found with the single family dwelling use and operated and maintained for the benefit or convenience of the occupants of or visitors to the single family use of this Property.

3. Both parties agree that the water service is provided under an Out-of-City Utility and Revocable Permit, that rates for the said service may be increased and if they are, the Owner will pay them, and that the service may be discontinued if the Owner fails to perform as required or if the needs of the City residents require.

4. Owner agrees to fulfill all of the following conditions:

   a. To use the service only for the qualifying use as a single family dwelling unit. Water service shall be limited to a 1-inch water meter for a single family dwelling unit and accessory structures that are located on the same lot as said single family dwelling unit, are subordinate to and customarily found with the single family dwelling use, and are operated and maintained for the benefit or convenience of the occupants of or visitors to said single family dwelling unit;

   b. At Owner's sole cost, to make the connection at such point or points and obtain any necessary easements or ditch company approvals as the City Manager prescribes;

   c. Prior to connection to the City water service, the Owner shall pay all fees prescribed in Section 11-1-15, "Out-of-City Water Service," B.R.C. 1981;

   d. To pay the outside City rates until such time as the Property is annexed;

   e. At Owner's sole cost, to install and maintain the devices necessary to measure the use of the services for the purposes of assessing the charges therefor, if the City Manager finds it is necessary;

   f. To apply to the City for a new Out-of-City Utility Agreement and Revocable Permit and any other necessary approvals before enlarging the service authorized herein or before altering, changing, enlarging or extending in any manner whatsoever the type of use for which water service is authorized herein;

   g. To furnish a current title memorandum showing that title to the Property is vested in the Owner's name or to reimburse the City for obtaining such title memorandum and to pay any recording costs incurred;

h. At any time after the Property becomes eligible for annexation to the City and upon request by the City, the Owner shall file with the City a valid annexation petition for the Property or, if requested, shall do all things necessary to further the annexation of said Property to the City, and shall agree to annex subject to the terms and conditions normally imposed upon annexations under the same or similar circumstances to include at least the following:

(1) payment of the applicable development fees and taxes;
(2) participation in a public improvement assessment program; and
(3) dedicate to the City public improvement and right-of-way easements normally required of properties under same or similar circumstances.

5. Under no circumstances may existing wells be used for domestic water purposes for the single family use. No person shall make any cross connections to the City's municipal water supply system.

6. Owner agrees to comply with all laws and regulations applicable to the Property and its development.

7. This Agreement will become effective thirty days after the date of its issuance unless the city council schedules a hearing thereon.

8. The City is of the opinion that it has the legal authority to enter into the within contract and the powers and authority to perform all obligations herein imposed upon it. However, the City cannot anticipate what challenges, if any, might be made by any persons. Therefore, in the event this Agreement, or any step or steps taken by the City to perform any of its obligations hereunder, is challenged in a lawsuit or lawsuits, the City shall have no obligation to perform further, and the City shall have the option to rescind the within.

9. The covenants contained herein shall run with the land and be binding upon Owner, its successors and assigns, and all owners now or hereafter of the land hereby served by the City Water Utility.

10. Owner has read the above and understands its terms and conditions, and now by its representative's signature below does evidence its desire and intent to accept said service subject to the terms and conditions set forth herein.

11. If this Agreement creates an interest in land, that interest shall vest, if at all, within the lives of the undersigned, plus twenty years and three hundred sixty-four days. However, if Owner does not connect to water utility system within six months of the date of this permit, this permit shall expire and this Agreement will be null and void.

Executed on the day and year first above written.

IDLE ACRE LAND COMPANY LLC,
a Colorado limited liability company

By:_____
Finnius Ingalls, Managing Member

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this _____ day of _____, 201_ by Finnius Ingalls as Managing Member of Idle Acre Land Company LLC, a Colorado limited liability company.

Witness my hand and official seal.
My commission expires:_____

(seal)

_____
Notary Public

CITY OF BOULDER, COLORADO

By: _____
Planning Director

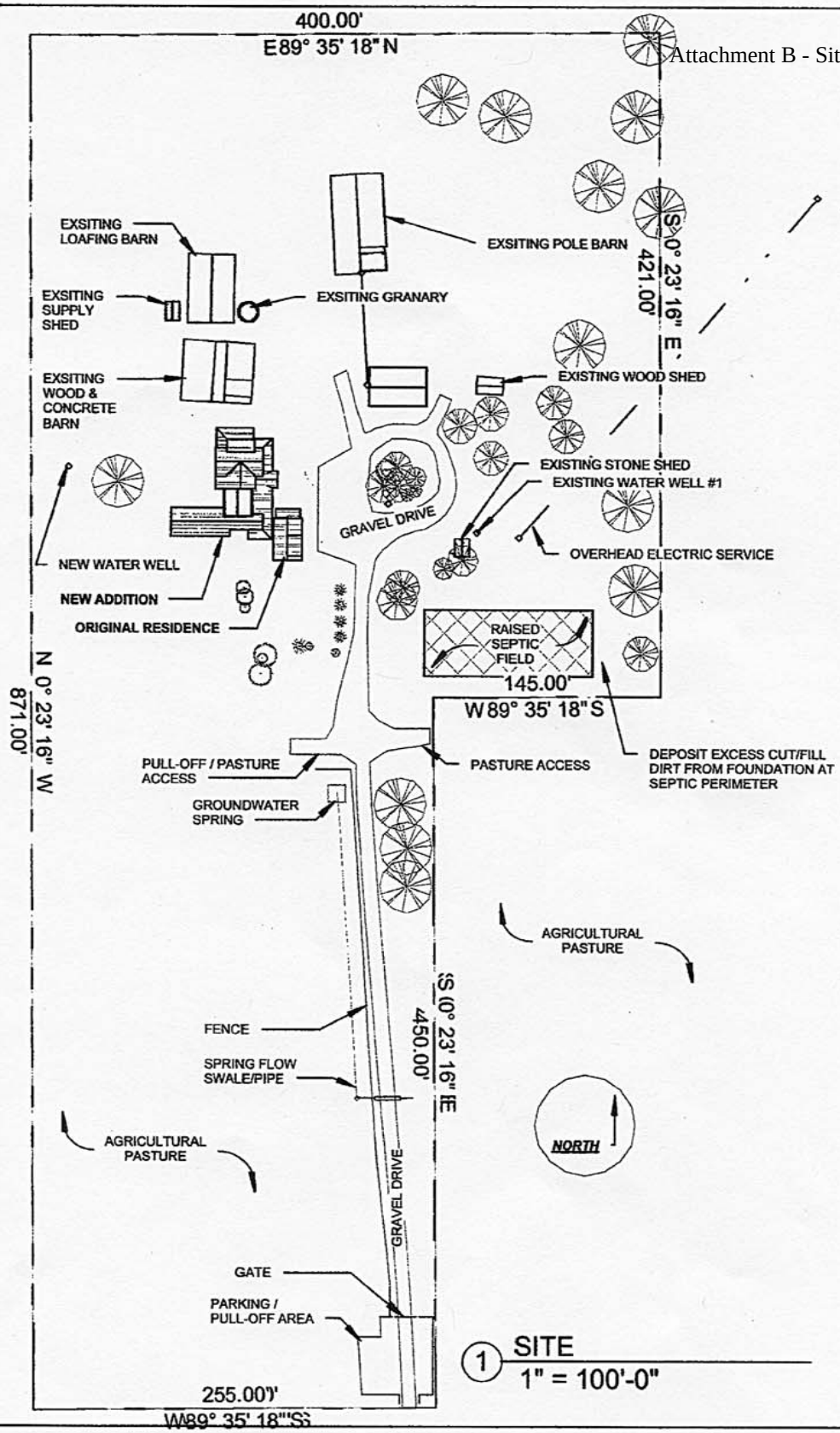
ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney's Office

_____
Date



IDLE ACRE LAND CO	4400 Peach Ct, Boulder, CO	SITE PLAN		
		Project number	0001	AA1
		Date	2/26/13	
		Drawn by	FFI	
		Checked by	Checker	Scale 1" = 100'-0"

2/27/2013 9:29:56 PM

#01513796 05/02/95 01:18 PM REAL ESTATE RECORDS
F2049 CHARLOTTE HOUSTON BOULDER CNTY CO RECORDER

AMENDED AND RESTATED AGREEMENT

4C

THIS AGREEMENT, made this 11th day of April, 1995, by and between the City of Boulder, Colorado ("City"), and Left Hand Water District ("District"),

RECITALS:

WHEREAS, the Boulder Valley as defined in the Boulder Valley Comprehensive Plan jointly adopted by the City and the County, as amended to the date of this agreement ("Boulder Valley"), overlaps with areas now served by the District; and

WHEREAS, the City and the Left Hand Water Supply Company ("Company"), predecessor to the district, entered into an agreement, as of May 24, 1972, which sought (1) to eliminate overlapping service between the City's and the Company's water supply utilities and thereby eliminate potential conflicts generated by such overlapping, and (2) to insure development consistent with good planning and the Boulder Valley Comprehensive Plan; and

WHEREAS, the Company had filed a service plan with the County preliminary to the filing of a petition for the formation of a proposed special water district, pursuant to Section 32-1-201, et seq., C.R.S. 1973, as amended; and

WHEREAS, on March 24, 1980, the County conducted a public hearing, at which time the County recessed the hearing for a period of time in order to provide the Company with an opportunity to enter into negotiations with any municipalities which would be affected by the service plan; and

WHEREAS, the Boulder Valley Comprehensive Plan, as revised and updated, had been approved by the County Planning Commission and Board of County Commissioners and by the City Planning Board and the City Council; and

WHEREAS, the provision of water service as described in the proposed service plan submitted by the Company impacted upon the concerns addressed in the Boulder Valley Comprehensive Plan and the parties agreed that such provisions should be coordinated in accordance with that Plan; and

WHEREAS, the City and the Company entered into an agreement on July 18, 1984 to restate the general principles of the May 24, 1972 agreement and to amend it to recognize the effect of the proposed formation of the District; and

WHEREAS, that July 18, 1984 agreement was ratified by the City and the Company shortly after the formation of the District; and

WHEREAS, the City and the Company had previously entered into a water supply agreement on December 4, 1979, in order to provide for a cross connection between the parties water systems in order to provide peak use service to the Company's customers located within a small portion of the Boulder Valley along N. 51st Street; and

WHEREAS, in their 1984 agreement, the parties provided for the provisions of the 1979 agreement remaining in effect; and

WHEREAS, the City and the District now desire to change the provisions of their 1979 agreement; and

WHEREAS, the cross connection provided for in the 1979 agreement is no longer necessary as adequate pressure now exists in the looped mains in 51st Street and the parties deem it desirable to create a cross connection on 47th Street north of Jay Road in order to provide adequate pressure to existing District customers and developed properties within the District; and

WHEREAS, the City and the District as political subdivisions of the state, are encouraged and authorized to cooperate and contract with each other and other units of government pursuant to Part 2 of Article 1 of Title 29, C.R.S. 1973, for the purpose of making the most efficient and effective use of their respective powers including but not limited to the provision of any function, service, or facility lawfully authorized to each;

COVENANTS

NOW THEREFORE, in consideration of the recitals above and for other good and valuable consideration, the City and the District hereby agree as follows:

1. The District and the City shall exert their best efforts to eliminate all water supply utility service being provided by the Company within that portion of the Boulder Valley (as that term is defined in the Boulder Valley Comprehensive Plan as amended to the date of this Agreement) designated as Area I under the Boulder Valley Comprehensive Plan, as amended (with the exception of those subdivisions known as Valhalla and Gunbarrel Estates), as soon as practicable.

2. Water service may be provided by the District until an area is designated as Area I. Upon such designation, the City shall have the sole and absolute discretion to incorporate the area within the City's domestic water system.

3. The District shall not expand its water supply utility and in particular shall not grant any water supply tap, enlarge or extend any water main, or exercise the power of eminent domain within the Boulder Valley (as depicted on the attached "Exhibit A" incorporated herein by reference) , without first requesting, receiving, and giving due consideration to the City's comments, including a full hearing before the District's Board of Directors upon request by the City. any replacement, enlargement, or extension of the company's water supply utility within the Boulder Valley shall be designed and constructed to meet or exceed the then applicable requirements of the City. This paragraph specifically includes and is applicable to properties currently serviced by the District as well as those which may be included in the District. In the event the District decides to provide a water tap to an existing use or parcel, the District agrees to provide such tap solely by means of a service contract with the District, not by an expansion of the District. Also, the District will require such owners to covenant that additional requests for service for new taps or units will not be made during the term of the service contract.

a. The District and the City will follow the process described in Exhibit B hereto, when requesting and reviewing service expansions under Paragraph 3, above.

4. The parties shall exert their best efforts to insure that all areas served by the District shall be developed in a manner consistent with good planning and the Boulder County Comprehensive Plan, as amended, and the Boulder Valley Comprehensive Plan, as amended.

5. In the event of a transfer of water services from the District to the City, the

District shall approve a petition for exclusion of the property from the District's service area in accordance with the then applicable laws concerning such exclusions, and the District shall pay to the City the plant investment fee assessed by the City at that time on the customer, up to the value of one unit of Northern Colorado Water Conservancy District ("Big Thompson") water per dwelling unit (as defined as of the date of this Agreement) at that time. Upon conversion, exclusion from the District's service area, and payment of the plant investment fee to the city, the District shall retain all raw water equipment, and funds theretofore conveyed by the customer to the District or the Company.

6. Upon conversion, the District may retain whatever easements it may reasonably require, if any, for the continued operation of its remaining water supply system.

7. Upon conversion, each customer converting to service by the City: (a) shall also pay the additional fees required by the City, including, without limitation, applicable front foot assessments; (b) shall petition for inclusion in the Northern Colorado Water Conservancy District, and/or the Municipal Subdistrict, if required by the City; (c) shall sell any and all water and ditch rights used on or appurtenant to the customer's land to the City at the fair market value thereof, as provided in the Boulder Revised Code, as amended; and (d) shall provide and dedicate to the City a meter and meter pit conforming to then current City specifications.

8. The District and the City shall exercise their best efforts to develop and maintain a standard meter installation acceptable to both parties.

9. The District shall refer any proposals for inclusion or exclusion in its service plan for any lands within the Boulder Valley as shown on "Exhibit A" hereto to the County for review and approval pursuant to the service plan and this agreement incorporated therein. In conjunction with such review, the County shall refer any such proposal to the City for review. Proposals for inclusion of land shall not be granted by the District in the absence of permission from the County, provided that neither the City nor the County shall be able to obligate the District to provide water service outside of the areas expressly included in its service plan.

10. The District shall include the provisions of this agreement as a replacement for the July 18, 1984 and the April 7, 1990 agreements as a part of the district formation and amendment documents and shall file such documents of record in the office of the Clerk of the County of Boulder.

11. The City and the District specifically revoke the provisions of the water supply agreement dated December 4, 1979, except as such provisions are restated herein and replace said agreement with the following provisions:

a. The parties shall disconnect the existing crosstie at 51st and Jay by closing valves and/or removing the meter and install a new crosstie at 47th and Apple Way.

b. Upon notice to the City, Lefthand may provide new taps, up to the maximum line capacity of 26 taps[1], in the following order of priority:

i. Existing houses within district
ii. Existing vacant lots and parcels within the district (at the rate of one tap per existing parcel or per existing lot)
iii. Existing houses built prior to May 1972 not in the district
iv. Existing houses built between May 1972 and March 1978 not in the district
v. Existing houses built between March 1978 and June 1982 not in district
vi. Existing houses built between June 1982 and the date of district formation, not in the district
vii. Existing houses not in the district built after the date of district formation
viii. Existing vacant lots and parcels not in the district (at the rate of one tap per parcel or lot)

In the case of categories iii through vii (all existing houses not in the district), the date of tap request will take precedence over the date of house construction in determining the order of priority.

In the case of categories iii through viii, if insufficient taps exist to serve all requests in any individual category, priority would be given to those existing houses with a demonstrated health risk from a contaminated water supply.

c. Over some period of time to be agreed upon by the parties, the City would take over the Left Hand/Pleasant Ridge line and provide service directly to customers on that line consistent with the terms of paragraphs 5, 6 and 7, above.

---

1 The maximum number of taps is based upon the line capacity with the crosstie to provide 30 psi pressure at ground elevation (which is 10 psi lower than City service standards) at the end of the line on the western edge of the Pleasant Ridge subdivision. The agreement would reflect that if after two years of testing during peak usage periods it is demonstrated that there is additional line capacity for several additional taps, the number would be increased from 26. It is anticipated that maintaining a water pressure of thirty pounds per square inch will increase reliability and service for the existing twelve taps as well as the additional taps.

12. This agreement integrates all understandings between the City and the DISTRICT as of its date, and no prior, contemporaneous or subsequent agreement, amendment, or novation shall have any effect unless embodied in an express written agreement executed by the parties to be bound thereby.

13. This agreement shall be binding upon the successors and assigns of the parties hereto, and shall be subject to amendment only upon the written mutual agreement of all parties authorized by the governing body of each.

14. The parties agree that the objectives of this agreement can be obtained only if all parties substantially perform their obligations and that damages are an inadequate remedy for breach. The parties therefore agree that if there is a substantial failure of performance by any party, any other party may seek specific performance.

15. If a court of competent jurisdiction at any time holds that a portion of this agreement is invalid or unenforceable, the remainder shall not be affected thereby and shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have duly executed this agreement this 11th day of April, 1995.

ATTEST:

Director of Finance and Record
Ex-Officio City Clerk

CITY OF BOULDER

Mayor

ATTEST:

Secretary

LEFT HAND WATER DISTRICT

President

pwwaaee
a-lfthn3

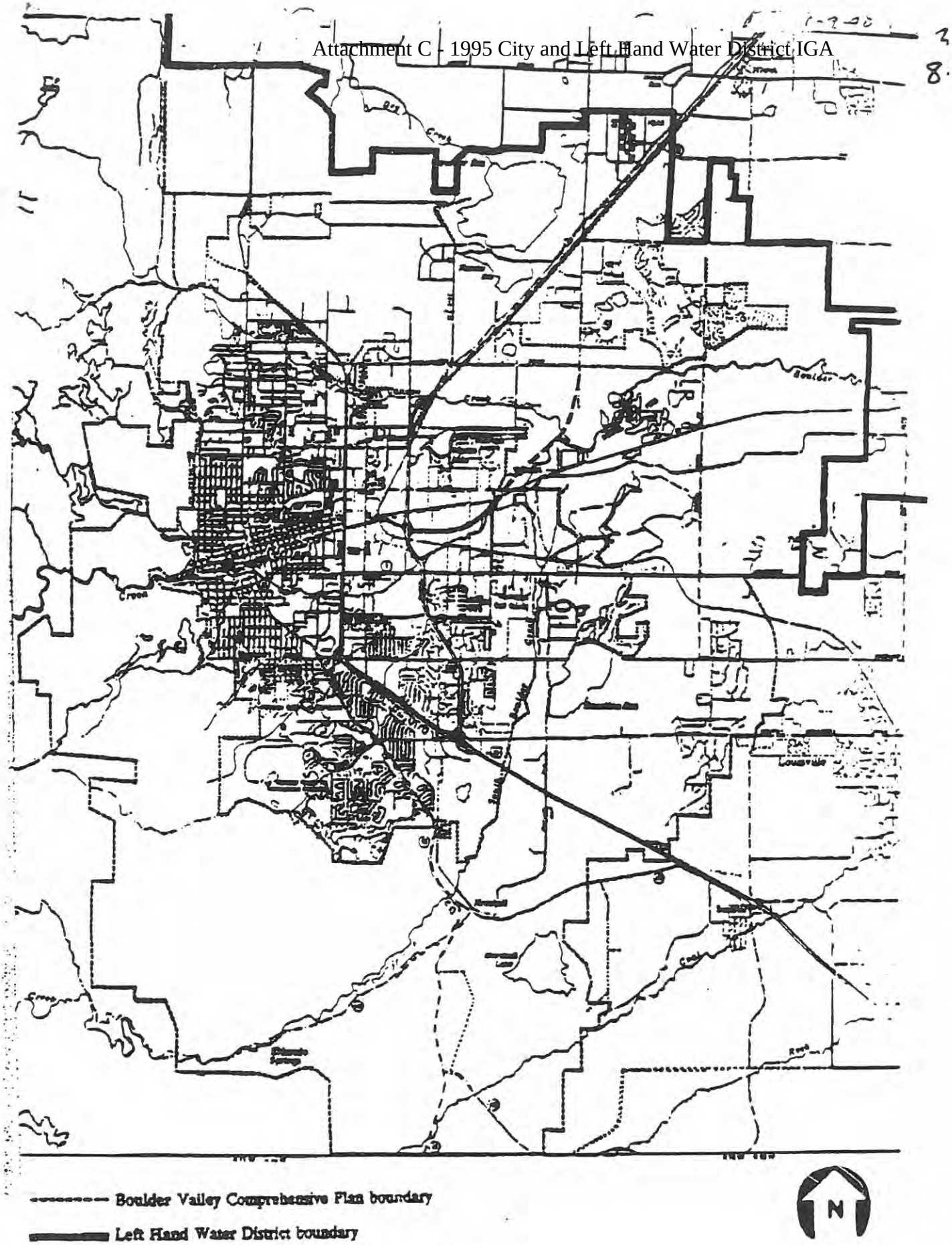

Boulder Valley Comprehensive Plan boundary
Left Hand Water District boundary
N

EXHIBIT A

EXHIBIT B

REFERRAL PROCESS/LEFTHAND WATER DISTRICT

Under the Lefthand Agreement with the City of Boulder, the District agrees not to expand its water supply utility into the Boulder Valley without first requesting, receiving, and giving due consideration to the City's comments, including a full hearing before the District's board upon request by the City. The following referral process was agreed upon in the fall of 1991 by the Lefthand District representatives, the City staff, and the City Manager's Office.

1. The District General Manager should submit a letter request to the City Manager requesting the City's comments. The District's letter should specifically describe the property to be served either by inclusion of a map or a legal description of the area. The proposed service extension should also indicate the number of new taps to be provided, as well as whether or not the taps will be provided to existing or proposed development. The District's letter should be copied to the City's Planning Director and Public Works Director, who will then refer it to the appropriate persons in their departments for processing. A copy should also be provided to the City Attorney's Office.

2. The City Manager will provide a copy of the letter requesting service to City Council members in their non-agenda material to assure that they are aware of the request in the event they wish to raise any questions or voice any concerns about the proposal, which would trigger a request by the City for a formal hearing before the District board.

3. The Planning Director will appoint a project manager for these Lefthand requests, which project manager will take the request through the DRC review process. Planning Department will schedule these requests on a two-week rather than a three-week DRC review.

4. After all DRC comments are received, and prior to a response to the Lefthand District, the item will be scheduled for a Policy Resolution Group meeting to ensure that all possible policy issues have been addressed. Policy Resolution Group will determine if the matter should be referred to the City Manager prior to responding to the Lefthand District. In evaluating Left Hand's requests, the City will not oppose Left Hand providing a water tap to a residence which was in existence prior to June 11, 1982 which has requested water service as a result of the residence's existing well having been determined to be unpotable by the Boulder County Health Department.

5. The City Attorney's Office will prepare a response to the Lefthand District for the City Manager's signature, which response shall incorporate the DRC comments as may be modified by the Policy Resolution Group, any City Manager comments, and any Council member comments.

6. The City Manager signs and sends the response to Lefthand and copies all City Council members in non-agenda material.

PW WA AEE

CITY OF BOULDER
Planning and Development Services

1739 Broadway, Third Floor • P.O. Box 791, Boulder, Colorado 80306-0791
phone 303-441-1880 • fax 303-441-3241 • email plandevelop@ci.boulder.co.us
www.ci.boulder.co.us/pwplan/

June 10, 2013

Chris Smith, P.E.
General Manager
Left Hand Water District
P.O. Box 210
Niwot, CO 80544-0210

RE: Request for 60 day delay in hearing for service to property at 4400 Peach Court.

Mr. Smith:

The city has received a referral for a tap request within the Boulder Valley planning area, for the property at 4400 Peach Ct. The property contains a single family house and out-buildings. The property recently received approval by the County land use department to demolish the original pre-1900 farmhouse and construct a slightly larger single family home similar in character to the historic farmhouse.

The Left Hand Water District (District) is prepared to serve the single property. City staff determined that this request is not consistent with both the BVCP and the city's Agreement with the District.

The District has provided water service in proximity to the proposed property for many years, which is located at the western edge of the Left Hand distribution system. The proposed property to be served is located in the Area III – Planning Reserve of the BVCP, directly north of the Palo Park and Orange Orchard subdivisions, which are located in Area II of the BVCP and are served by city water.

Because this property is located in the Area III – Planning Reserve, there is the potential for future city service. The city requests a 60 day delay in the District hearing for service to the property at 4400 Peach Court for the city to explore the provision of city water service. City water service to the property would be through special ordinance and will require additional time.

Sincerely,

Scott Kuhna, P.E.
Public Works Development Review Supervisor
City of Boulder - Planning & Development Services

1739 Broadway, 3rd Floor
P.O. Box 791
Boulder, Colorado 80306
303-441-4071 (tel)
303-441-4241 (fax)
kuhnas@bouldercolorado.gov

CC: Maureen Rait, Executive Director of Public Works
David Driskell, Executive Director of Community Planning & Sustainability
Susan Richstone, Deputy Director of Community Planning & Sustainability
Lesli Ellis, Comprehensive Planning Manager
Chris Meschuk, Planner II, Comprehensive Planning
Scott Kuhna, Public Works Development Review Supervisor

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE
Introduction, first reading and consideration of a motion to order published by title only, Ordinance No. 8060 vacating and authorizing the City Manager to execute a deed of vacation to vacate a portion of a sidewalk easement at 2460 Iris Avenue.

Applicant/Property Owner: Thomas A. O'Banion

PRESENTER/S
Jane S. Brautigam, City Manager
Bob Eichem, Finance Director /Acting Executive Director of Administrative Services,
David Driskell, Executive Director of Community Planning and Sustainability
Charles Ferro, Development Review Manager
Sloane Walbert, Planner I

EXECUTIVE SUMMARY
The applicant and property owner requests vacation of a 10,735 square foot portion of an existing sidewalk easement at 2460 Iris Avenue. The easement was originally dedicated to the public by means of a grant of easement recorded November 6, 1980. The easement was intended to allow for the construction and use of a public sidewalk along the north property line. This sidewalk has since been installed and is in use today. The property owner recently attempted to submit a building permit for a new deck and discovered that the sidewalk easement encumbers the entire property. It appears that the legal description for the dedication was incorrect and the subject easement was inadvertently dedicated across the entire property. The subject easement has carried pedestrian traffic and must be vacated by ordinance, with City Council approval. A 17-foot wide portion of the easement will remain in the location of the existing sidewalk. Therefore, no public need exists for the portion of the easement to be vacated.

STAFF RECOMMENDATION
Staff finds that the criteria of section 8-6-9, "Vacation of Public Rights-of-Way and Public

Access Easements," B.R.C. 1981 can be met and recommends that the City Council take the following action:

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

Motion to:
Introduce on first reading and order published by title only, Ordinance No. 8060 vacating and authorizing the City Manager to execute a deed of vacation to vacate a portion of a sidewalk easement at 2460 Iris Avenue.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: None identified.
- Environmental: None identified.
- Social: None identified.

OTHER IMPACTS

- Fiscal: No impact.
- Staff time: The vacation application has been processed through the provisions of a standard vacation process and is within normal staff work plans.

BOARD AND COMMISSION FEEDBACK

Notification was sent to the Planning Board on July 17, 2015 in conformance with Section 79 of the Boulder City Charter.

PUBLIC FEEDBACK

All notice requirements of section 9-4-3, "Public Notice Requirements," B.R.C. 1981 have been met. Public notice of this proposed vacation was sent to property owners within 600 feet of the project on February 21, 2015. Staff has received no comments from the public.

BACKGROUND

The subject property is located in North Boulder, south of and adjacent to Iris Avenue, west of 25th Street in a Residential – Estate (RE) zoning district (a vicinity map with zone districts is provided in ***Attachment A***). The subject 130-foot wide sidewalk easement covers the entire property (refer to ***Figure 1*** on the following page). The easement was dedicated to the public by means of a grant of easement recorded November 6, 1980. Original dedication of the sidewalk easement was intended to allow for the construction and maintenance of a public sidewalk along Iris Avenue. The public sidewalk has since been installed and is in use today.

Figure 1: Subject Easement

Figure 2: Portion of Easement to Remain

The property owner recently attempted to submit a building permit for a new deck and discovered that the sidewalk easement encumbers the entire property. It appears that the legal description was incorrect when the grant of easement was recorded and that the legal description was for the entire property, rather than the area necessary for the sidewalk. The proposed vacation would reduce the extent of the existing access easement to 17 feet, which has been determined to be a width large enough to allow for the maintenance and use of the sidewalk. The subject easement has carried pedestrian traffic and must be vacated by ordinance, with City Council approval.

ANALYSIS

The subject easement was declared open to the public when it was dedicated and thus must be vacated by ordinance passed by City Council. In order for the existing easement to be vacated, the council would have to conclude that the criteria under subsection 8-6-9(c), B.R.C. 1981 are met. Staff has reviewed this vacation request and has concluded that the criteria can be met as discussed as follows.

(1) The applicant must demonstrate that the public purpose for which an easement or right-of-way was originally acquired or dedicated is no longer valid or necessary for public use;

The subject 130-foot wide sidewalk easement was originally dedicated to the public by means of a grant of easement recorded November 6, 1980. The purpose of the easement was to accommodate a public sidewalk along the south side of Iris Avenue. The proposed vacation will maintain a 17-foot wide easement for the sidewalk, which will fulfill the intended purpose of the easement. The easement was intended for a specific and limited purpose, which will continue to be met with the proposed vacation.

(2) All agencies and departments having a conceivable interest in the easement or right-of-way must indicate that no need exists, either at present or conceivable in the future, to retain the property as an easement or right-of-way, either for its original purpose or for some other public purpose unless the vacation ordinance retains the needed utility or right-of-way easement;

The proposed vacation has been evaluated by the Planning, Public Works and Transportation Departments and it has been collectively concluded that the public entities would have no conceivable future interest in the portion of the easement to be vacated since the necessary 17-foot wide portion of the easement will remain to accommodate the sidewalk. CenturyLink, Comcast, and Xcel have also approved the request.

(3) The applicant must demonstrate, consistent with the Boulder Valley Comprehensive Plan and the City's land use regulations, either:

(A) That failure to vacate an existing right-of-way or easement on the property would cause a substantial hardship to the use of the property consistent with the Boulder Valley Comprehensive Plan and the City's land use regulations; or

The sidewalk easement currently encumbers the entire property. It appears that the dedication was done in error since the intent of the easement was for the construction and maintenance of a sidewalk along the north property line. Failure to vacate the proposed portion of the easement would cause a substantial hardship since the easement precludes the construction of any

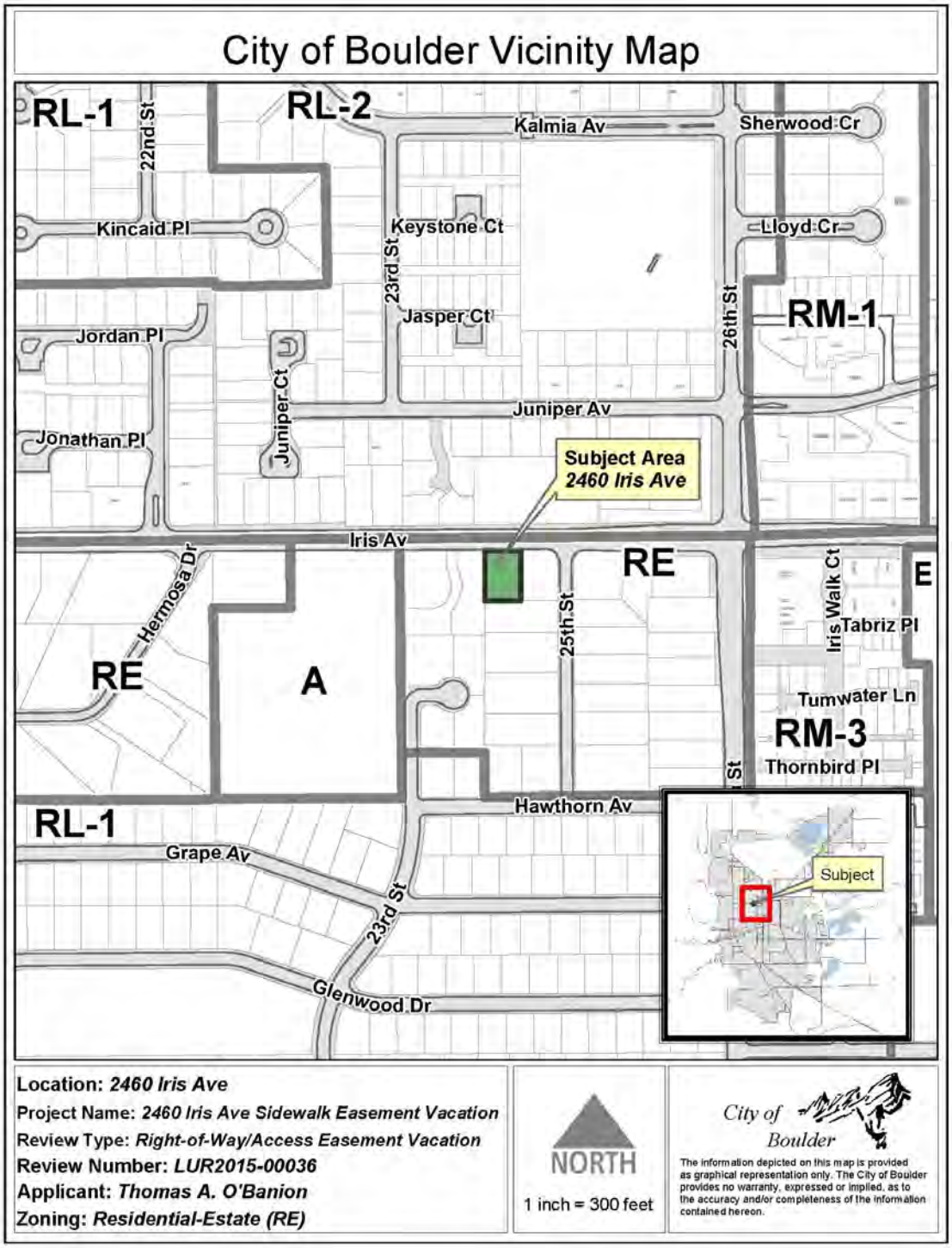
permanent structures or improvements on the property The easement currently unnecessarily affects the use and value of the property.

(B) That vacation of the easement or right-of-way would actually provide a greater public benefit than retaining the property in its present status.

Not Applicable.

ATTACHMENTS

Attachment A: Vicinity Map
Attachment B: Draft Ordinance No. 8060
Attachment C: Draft Deed of Vacation


City of Boulder Vicinity Map
RL-1
RL-2
22nd St
Kalmia Av
Sherwood Cr
Kincaid Pl
Keystone Ct
Lloyd Cr
23rd St
Jasper Ct
26th St
RM-1
Jordan Pl
Juniper Ct
Juniper Av
Jonathan Pl
Subject Area
2460 Iris Ave
Iris Av
RE
Hermosa Dr
25th St
Iris Walk Ct
E
Tabriz Pl
RE
A
Tumwater Ln
RM-3
Thornbird Pl
Hawthorn Av
RL-1
Grape Av
23rd St
Glenwood Dr
Subject
Location: 2460 Iris Ave
Project Name: 2460 Iris Ave Sidewalk Easement Vacation
Review Type: Right-of-Way/Access Easement Vacation
Review Number: LUR2015-00036
Applicant: Thomas A. O'Banion
Zoning: Residential-Estate (RE)
NORTH
1 inch = 300 feet
City of Boulder
The information depicted on this map is provided as graphical representation only. The City of Boulder provides no warranty, expressed or implied, as to the accuracy and/or completeness of the information contained hereon.

ORDINANCE NO. 8060

AN ORDINANCE VACATING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED OF VACATION FOR A PORTION OF A SIDEWALK EASEMENT GENERALLY LOCATED AT 2460 IRIS AVENUE AND SETTING FORTH RELATED DETAILS.

THE CITY COUNCIL OF THE CITY OF BOULDER FINDS AND RECITES THAT:

A. Thomas A. Obanion, the owner of the property located at 2460 Iris Avenue, Boulder, CO, has requested that the city vacate a portion of a Sidewalk Easement located within the Broadacres Subdivision; and

B. The City Council is of the opinion that the requested vacation is in the public interest and that said right-of-way is not necessary for the public use.

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

Section 1. The City Council vacates and authorizes the city manager to execute a deed of vacation for a portion of the sidewalk easement as dedicated to the City of Boulder on the Grant of Easement dated October 21, 1980 and recorded in the records of the Boulder County Clerk and Recorder at Film No. 1141, Reception No. 421014 on the 6th day of November, 1980 and as more particularly described in **Exhibit A**.

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

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

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY this _____ day of_____, _____.

.

_____
Mayor

Attest:

_____
City Clerk

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

.

_____
Mayor

Attest:

_____
City Clerk

Exhibit A

Flagstaff Surveying, Inc.

Sidewalk Easement Vacation Description

Lot 3, less the North 130 feet of the East 95 feet and, less the South 80 feet of the East 130 feet of said Lot 3, BROADACRES SUBDIVISION. The plat of which is recorded in Plat Book 5 at Page 43-C, Except the South 80 feet of the west 60 feet of said Lot 3,

Excepting therefrom the North seventeen (17) feet, said easement lying in the Southeast quarter of Section 19, Township 1 North, Range 70 West of the 6th P.M., being more particularly described as follows:

Commencing at the Northwest corner of Lot 3, BROADACRES SUBDIVISION; thence South along the West line of Lot 3, a distance of seventeen (17) feet to the **Point of Beginning**;

Thence East along a line parallel with and seventeen (17) feet distant from the North line of Lot 3, a distance of 95 feet; thence South, a distance of 113 feet; thence West, a distance of 95 feet to a point on the West line of Lot 3; thence North, 113 feet along the West line of Lot 3 to the **Point of Beginning**.

Said easement contains 10,735 square feet.

March 23, 2015

Steven J. Sellars 17152-1.doc

Colorado PLS #27615

COLORADO REGISTERED STEVEN J. SELLARS 27615 PROFESSIONAL LAND SURVEYOR

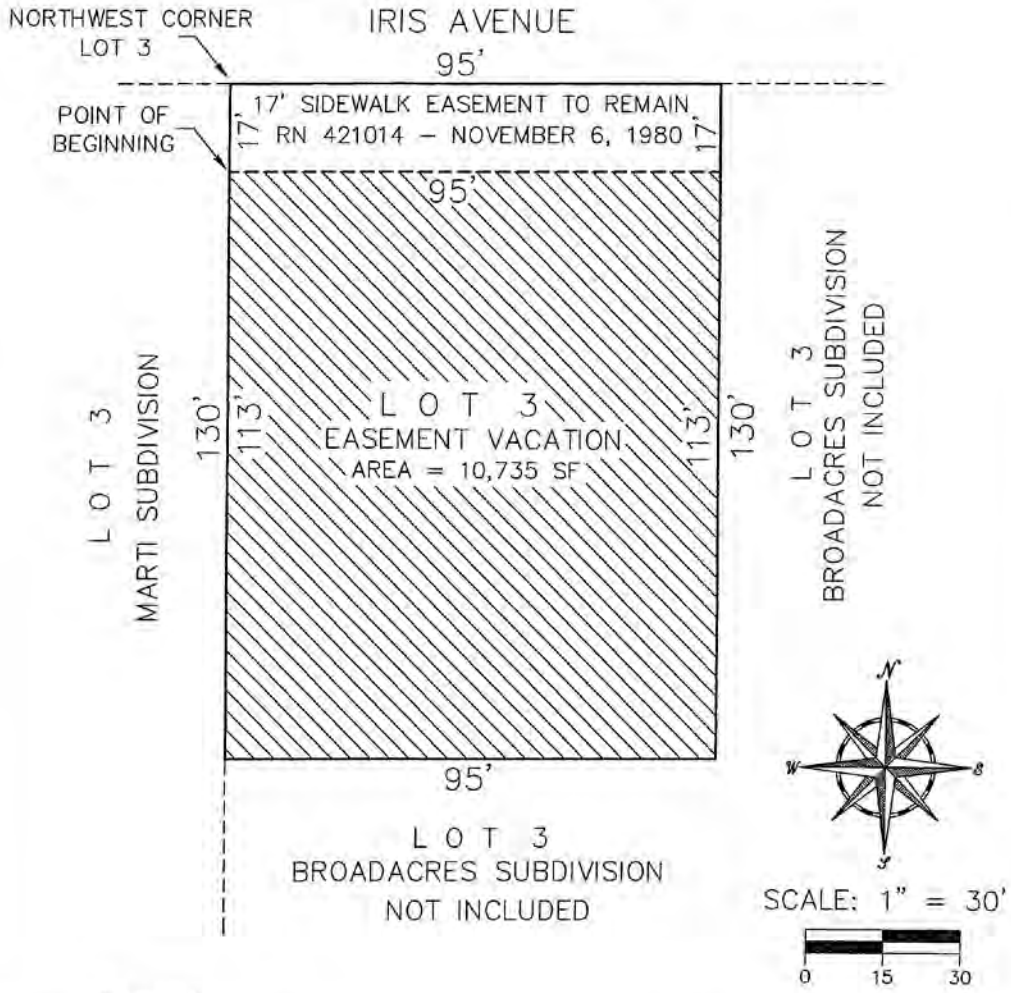
Table Mesa Shopping Center 637 South Broadway, Suite C Boulder, Colorado 80305
Phone: 303-499-9737 Fax: 303-499-9770
StevenSellars@FlagstaffSurveying.com

EXHIBIT A

PAGE 2 OF 2

SIDEWALK EASEMENT VACATION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19,
TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M.,
COUNTY OF BOULDER, STATE OF COLORADO



Legend

PORTION OF SIDEWALK
EASEMENT TO BE VACATED
AREA = 10,735 SF

PREPARED BY STEVEN SELLARS
COLORADO PLS 27615

Flagstaff Surveying Inc.

Table Mesa Shopping Center
637 South Broadway, Suite C
Boulder, Colorado 80305
303–499–9737

17152A–1.DWG MARCH 23, 2015

For Administrative Purposes Only
Address: 2460 Iris Ave.
Case No. LUR2015-00036

DEED OF VACATION

The City of Boulder, Colorado, does hereby vacate and release to the present owner of the subservient land, in the manner prescribed by Section 43-2-302, C.R.S., the following portion of a sidewalk easement previously dedicated to the City of Boulder and recorded in the records of the Boulder County Clerk and Recorder at Film 1141, Reception No. 421014 on the 6th day of November, 1980, located at 2460 Iris Avenue and as more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The above easement vacation and release of said easement at 2460 Iris Avenue shall extend only to the portion and the type of easements specifically vacated. The within vacation is not to be construed as vacating any rights-of-way, easements or cross-easements lying within the description of the vacated portion of the easement.

Executed this _____ day of _____, 20__, by the City Manager after having received authorization from the City Council of the City of Boulder, Colorado, pursuant to Ordinance No. _____, adopted by the City Council of the City of Boulder, Colorado.

CITY OF BOULDER, COLORADO

By:_____
Jane S. Brautigam, City Manager

Attest:

_____
City Clerk

Approved as to form:

_____
City Attorney's Office

5-19-2015
Date

Exhibit A

Flagstaff Surveying, Inc.

Sidewalk Easement Vacation Description

Lot 3, less the North 130 feet of the East 95 feet and, less the South 80 feet of the East 130 feet of said Lot 3, BROADACRES SUBDIVISION. The plat of which is recorded in Plat Book 5 at Page 43-C, Except the South 80 feet of the west 60 feet of said Lot 3,

Excepting therefrom the North seventeen (17) feet, said easement lying in the Southeast quarter of Section 19, Township 1 North, Range 70 West of the 6th P.M., being more particularly described as follows:

Commencing at the Northwest corner of Lot 3, BROADACRES SUBDIVISION; thence South along the West line of Lot 3, a distance of seventeen (17) feet to the **Point of Beginning**;

Thence East along a line parallel with and seventeen (17) feet distant from the North line of Lot 3, a distance of 95 feet; thence South, a distance of 113 feet; thence West, a distance of 95 feet to a point on the West line of Lot 3; thence North, 113 feet along the West line of Lot 3 to the **Point of Beginning**.

Said easement contains 10,735 square feet.

March 23, 2015
17152-1.doc

Steven J. Sellars
Colorado PLS #27615

COLORADO REGISTERED STEVEN J. SELLARS 27615 PROFESSIONAL LAND SURVEYOR

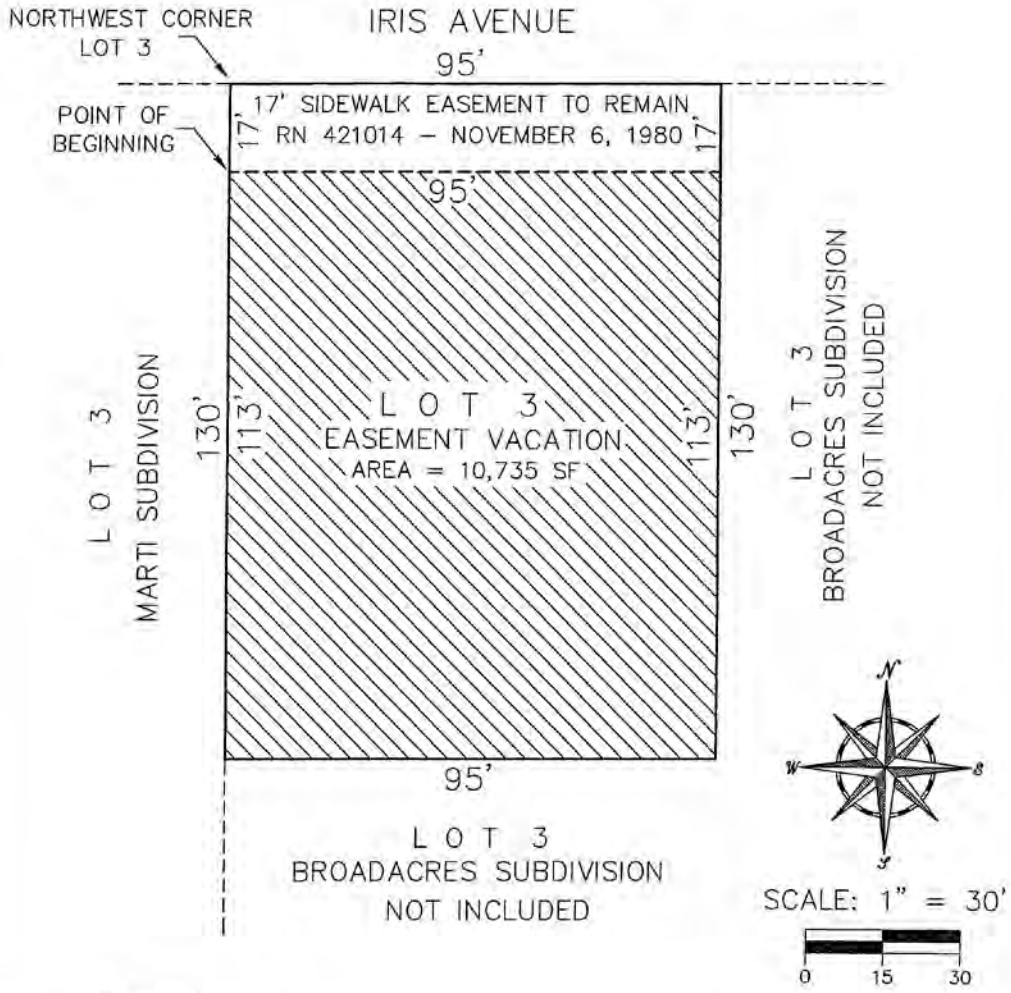
Table Mesa Shopping Center 637 South Broadway, Suite C Boulder, Colorado 80305
Phone: 303-499-9737 Fax: 303-499-9770
StevenSellars@FlagstaffSurveying.com

EXHIBIT A

PAGE 2 OF 2

SIDEWALK EASEMENT VACATION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19,
TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M.,
COUNTY OF BOULDER, STATE OF COLORADO



Legend

PORTION OF SIDEWALK
EASEMENT TO BE VACATED
AREA = 10,735 SF

PREPARED BY STEVEN SELLARS
COLORADO PLS 27615

Flagstaff Surveying Inc.

Table Mesa Shopping Center
637 South Broadway, Suite C
Boulder, Colorado 80305
303–499–9737

17152A–1.DWG MARCH 23, 2015

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE:
Introduction, first reading and consideration of a motion to order published by title only Ordinance No. 8061 approving a supplemental appropriation for the Storm Water and Flood Management Revenue Bonds, Series 2015, in the aggregate principal amount of $23,317,855, for the purpose of providing funds for storm water and flood management improvements and for the costs of issuance of the Series 2015 Bonds.

PRESENTERS:
Jane S. Brautigam, City Manager
Jeffrey Arthur, Director of Public Works for Utilities
Bob Eichem, Chief Financial Officer
Cheryl Pattelli, Director of Finance

EXECUTIVE SUMMARY
At the closing on July 20, 2015 of the sale of the $22,845,000 in City of Boulder, Colorado, Storm Water and Flood Management Revenue Bonds, Series 2015, the bond proceeds along with $472,855 in bond premium will be received. Funds requested to pay for storm water improvements will total $23,000,000 and the costs of issuance will total $317,855. These funds will be deposited into the Storm Water Fund. This ordinance is being proposed in order to make funds available shortly after bond revenue receipt.

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 Ordinance No. 8061 approving a supplemental appropriation for the Storm Water and Flood Management Revenue Bonds, Series 2015, in the aggregate principal amount of $23,317,855, for the purpose of providing funds for storm water improvements and the costs of issuance of the Series 2015 Bonds.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: Property damage and transportation and utilities disruption from flooding can cause substantial economic costs. The project associated with these bond proceeds will provide flood mitigation along Wonderland Creek from Foothills Parkway to Winding Trail Drive and also along Fourmile Canyon Creek from 22nd Street to 19th Street, reducing the risk to life and property and disruptions to business.

- Environmental: The flood mitigation measures include water quality and habitat improvement components. In addition, the project creates a path connection between Foothills Highway and the Diagonal Highway which will help reduce greenhouse gas emissions by promoting non motorized transportation. Reducing vehicle miles traveled helps meet the goals of the Transportation Master Plan and Climate Action Plan.

- Social: The flood mitigation measures will reduce the risk to life and damage to property along a portion of Wonderland Creek including an at-risk population facility. The proposed multi-use path will improve health and safety by providing a trail connection that includes a safe crossing of the railroad to the city's multi-use trail system that can be used by all members of the community.

OTHER IMPACTS

- Staff time - Preparing for the issuance of the bonds is considered part of the normal work plan.

ATTACHMENTS:

A: Proposed Ordinance

ORDINANCE NO. 8061

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:

Section 1. Storm Water and Flood Management Utility Fund

Appropriation from Additional Revenue	$23,317,855

Section 2. The City Council finds that this ordinance is necessary to protect the public health, safety, and welfare of the residents of the City and covers matters of local concern.

Section 3. If any part or parts hereof are for any reason held to be invalid, such shall not affect the remaining portion of this ordinance.

Section 4. The Council deems it appropriate that this ordinance be published by title only and order that copies of this ordinance be made available in the Office of the City Clerk for public inspection and acquisition.

INTRODUCED, READ, ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY this 28th day of July, 2015.

_____
Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE this 18th day of August, 2015.

_____
Mayor

Attest:

_____
City Clerk

CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE: Consideration of a motion to approve the purchase of approximately 12.5 acres of land, mineral estate, two houses and associated outbuildings from the Ernest J. Coleman Trust for $950,000, along with $50,000 for immediate property improvements, both for Open Space and Mountain Parks purposes and the disposal of approximately 2.28 acres or less of that land including the two houses and associated outbuildings located at 5678 and 5688 Baseline Road. The disposal will include negotiation of an acceptable purchase price and appropriate encumbrances on the disposed property to protect the open space values of the remaining parcel. The disposal portion of this Agenda Item is pursuant to Section 177 of the Boulder City Charter.

PRESENTER/S
Jane S. Brautigam, City Manager
Tracy Winfree, Director, Open Space and Mountain Parks
John P. D'Amico, Property Agent

EXECUTIVE SUMMARY
The Coleman property is a 12.5-acre parcel along the south side of Baseline Road, west of Cherryvale Road. The parcel is adjacent to the Opal and Granite city open space parcels. (See Attachments A and B.) The purchase price is $950,000 payable at the time of closing. Along with the land, the city is acquiring the mineral estate, two houses and a number of outbuildings totaling nearly 4,000 square feet of improvements. The two houses and outbuildings are valued at $325,000. The adjusted cost for the 12.5-acre building site is $625,000.

Initially, the property will remain closed to the public until an inventory report is completed and management recommendations are developed—a process anticipated taking no more than one year. In the interim, the land will be managed according to best practices to conserve its resource values. Staff believes the improvements most likely will be sold separately from the main acreage pending staff's completion of a management plan and pending approval from Boulder County Commissioners of a Community Facility Lot Split Subdivision Exemption.

The acquisition of this property satisfies the following city of Boulder Charter purposes:

- *Preservation of natural areas characterized by flora or fauna that are unusual, spectacular, scientifically valuable, unique, or that represent outstanding or rare examples of native species.* The conservation values of the South Boulder Creek floodplain and adjacent grasslands include habitat for two federally threatened species: the Preble's meadow jumping mouse and the Ute ladies'-tresses orchid. Other attributes include habitat for declining grassland and riparian bird species and habitat for declining amphibians such as the northern leopard frog. The property also includes relicts of the tallgrass prairie ecosystem and remnants of the plains cottonwood riparian ecosystem.
- This acquisition enhances the South Boulder Creek riparian area and surrounding uplands by providing a buffer to further protect these resources.
- *Utilization of land for shaping the development of the city, limiting urban sprawl and disciplining growth*. Open Space and Mountain Parks' (OSMP) proposals for acquisition and disposal are consistent with the Boulder Valley Comprehensive Plan's land use designations.
- *Utilization of land to prevent encroachment on floodplains*. This property is within the 100-year floodplain. Remnants of old meander scars from where the South Boulder Creek channel historically occurred are evident on historical photos.
- *Preservation of land for its aesthetic value and its contribution to the quality of life of the community.*

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 approximately 12.5 acres of land, mineral estate, two houses and associated outbuildings from the Ernest J. Coleman Trust for $950,000, along with $50,000 for immediate property improvements, both for Open Space and Mountain Parks purposes and the disposal of approximately 2.28 acres or less of that land including the two houses and associated outbuildings located at 5678 and 5688 Baseline Road. The disposal will include negotiation of an acceptable purchase price and appropriate encumbrances on the disposed property to protect the open space values of the remaining parcel. The disposal portion of this Agenda Item is pursuant to Section 177 of the Boulder City Charter.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- 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.

- Environmental: OSMP is a significant community-supported program that is recognized worldwide 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.
- 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 Coleman property is $950,000 payable at the time of closing. There are sufficient funds in the Open Space Fund for this acquisition; a Cash Flow Projection is included as Attachment C. The potential sale and revenue from the 2.28-acre portion of the purchase will be reimbursed to the acquisition CIP.
- Staff time - This acquisition is part of the normal 2015 work plan for the OSMP real estate property agents.

BOARD AND COMMISSION FEEDBACK

At its July 8, 2015 meeting, the Open Space Board of Trustees unanimously approved and recommended City Council approve the purchase of the Coleman property, the additional funding for immediate needs, as well as the disposal of a portion of that property. The Board added language to the motion to include negotiation of an acceptable purchase price and appropriate encumbrances on the disposed property to protect the open space values.

PUBLIC COMMENT AND PROCESS

This item was heard at the July 8, 2015 Open Space Board of Trustees public meeting advertised in the *Daily Camera* on July 5, 2015. A Notice of Disposal of Open Space Lands was published in the *Daily Camera* on June 26 and 27, 2015 pursuant to Section 177 of the City Charter.

ANALYSIS

The 12.5-acre Coleman property is located in the South Boulder Creek floodplain west of the creek. Remnants of an old meander scar from the creek bisect the property. The type of wetland habitat created from this meandering scar is unique in today's landscape due to the widespread development of floodplains.

The location of the property makes it important as a buffer to the South Boulder Creek riparian area and its highly visited trail system. The adjacent undeveloped properties provide habitat for the federally threatened Preble's meadow jumping mouse and Ute ladies'-tresses orchid as well as wetland species like the northern leopard frog and

common snipe. While on a site visit, two pairs of bobolinks (a conservation focus for OSMP) were observed along with savannah sparrows and red-winged blackbirds. This property is also adjacent to the Granite OSMP property. The Granite property was recently purchased by CDOT from a private owner and used to mitigate impacts to Preble's meadow jumping mouse and Ute ladies'-tresses orchid from the US 36 Improvement Project. The Granite property was then deeded to OSMP by CDOT to manage for its important habitat values. The management direction for the Coleman property will take into consideration the functions of these adjacent properties.

Because of the high resource values present on this property and adjacent OSMP properties, the purchase of this parcel will provide additional protection for these resources. Limiting development will provide a valuable buffer adjacent to South Boulder Creek, the associated habitat and the newly restored Granite property. Additional or new development on this property would compromise its ecological and scenic value as well as the existing OSMP property along South Boulder Creek.

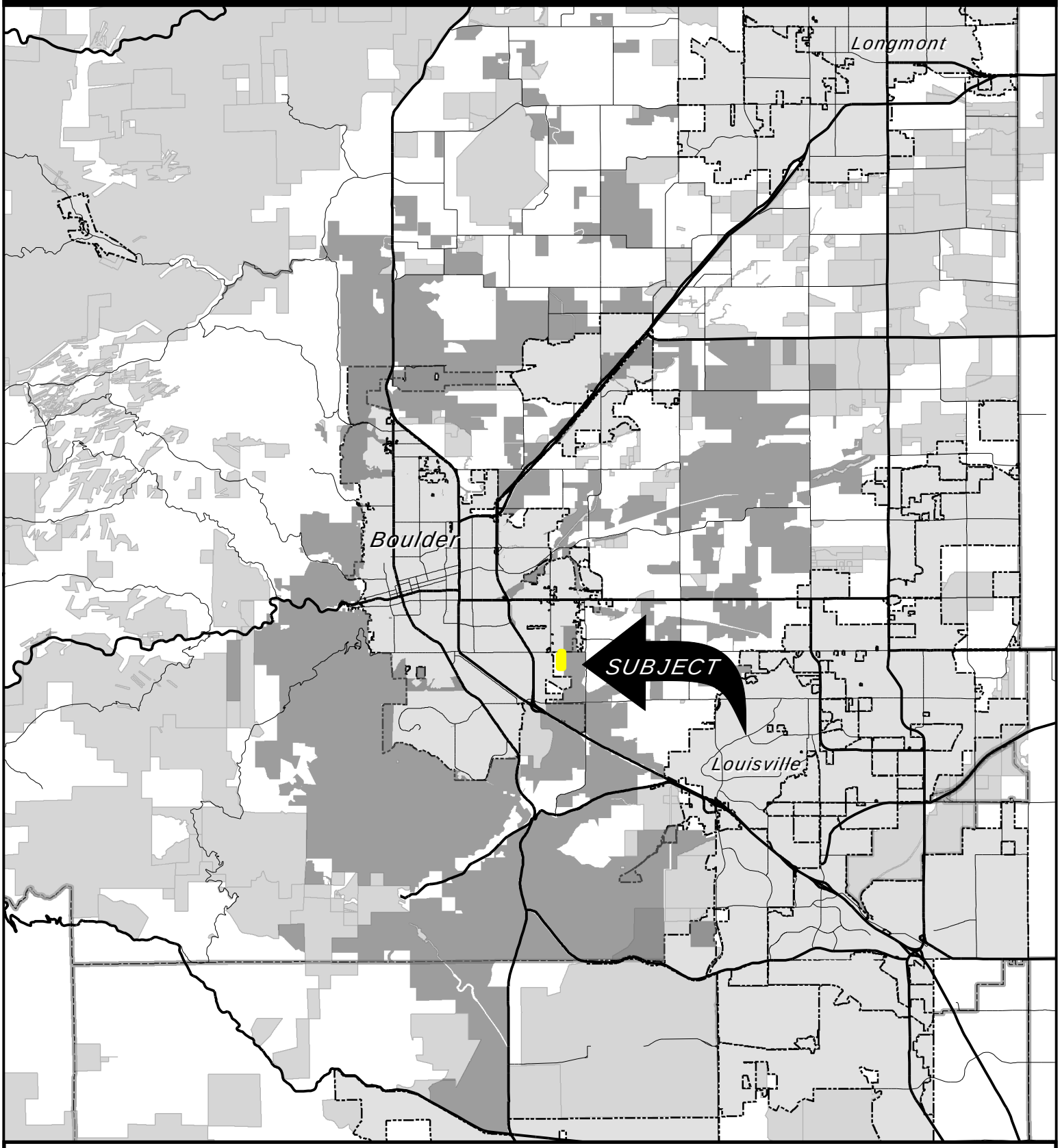
Two small brick homes are located on the property approximately 200 feet from Baseline Road. These houses do not provide support to an agricultural operation on the property. The property is not considered suitable for local food production, and is especially ill-suited to diversified vegetable production because of the nature of the soils and the lack of irrigation water. The property's management direction will consider its high-value natural resources, and the way that agriculture could enhance them. The two homes are clustered at the front of the property with little impact to the majority of the acreage located to the south. Because of the clustering of the two houses along Baseline Road and their limited value to support local agriculture, staff recommends the disposal of the houses on approximately 2.28 acres or less of land.

ATTACHMENTS:

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

ATTACHMENT A - City of Boulder Open Space & Mountain Parks

VICINITY MAP - Coleman



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Subject Property

City of Boulder OSMP

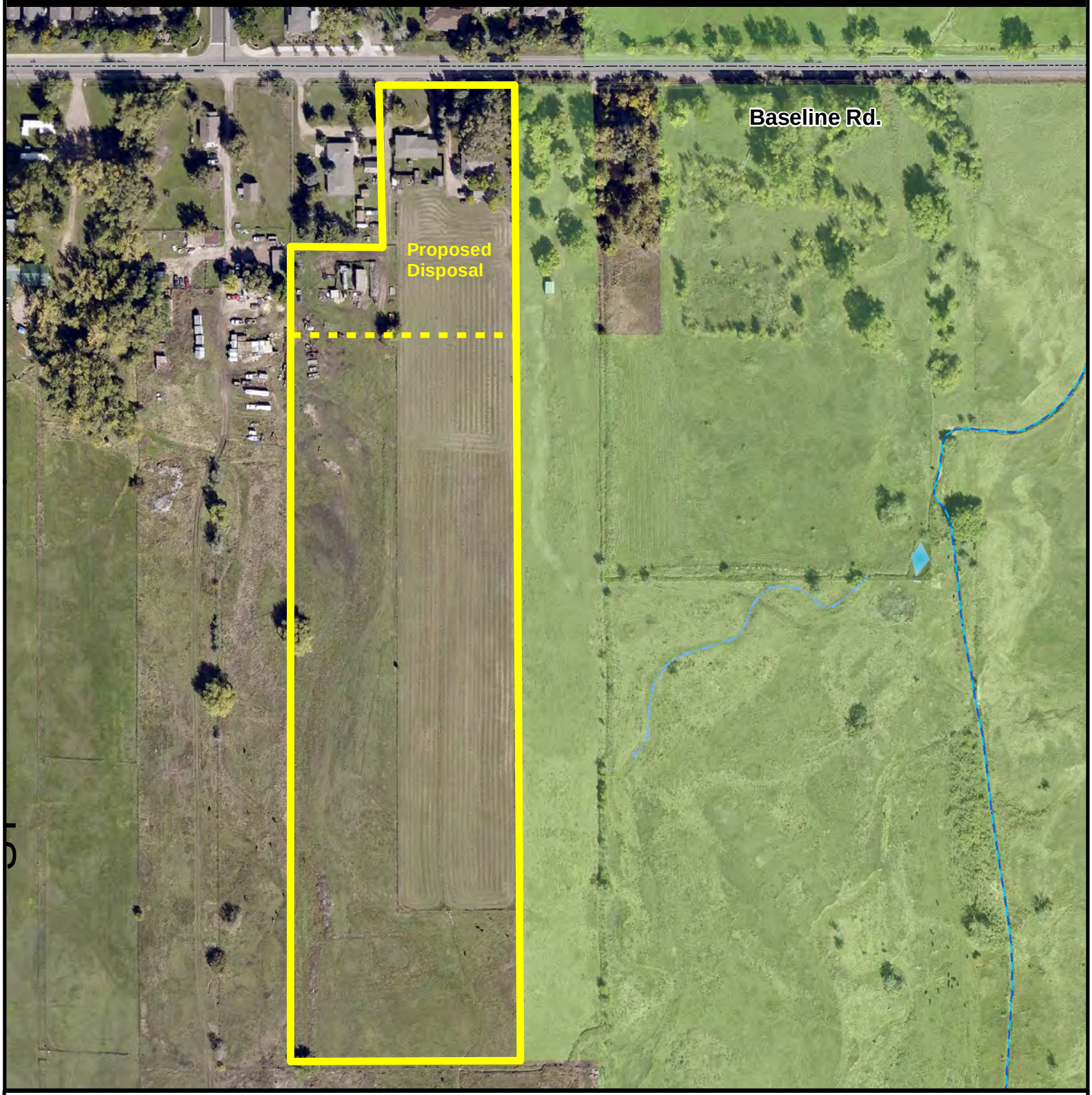
Other Public Lands

0 0.5 1 2 3 4 5 Miles

Approximate property boundaries from Boulder County Assessor's Data.

Path: E:\MapFiles\Property\Coleman\VICINITY-Coleman.mxd

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



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Colerman Parcel
OSMP Fee Property
OSMP Conservation Easement

0 0.075 0.15 Miles

Document Path: E:\MapFiles\Property\Coleman\ColemanLocationMap.mxd

ATTACHMENT C
Projected Open Space Cashflow 2014-2020
Coleman
6/29/2015

		2014 Actual	2015 Adopted	2016 Projected	2017 Projected	2018 Projected	2019 Projected	2020 Projected
	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:	$39,070,361	$30,784,380	$31,821,746	$32,805,698	$33,895,555	$30,955,961	$24,923,315
17	Total Sources of Funds Available:	**$56,180,524**	**$59,585,811**	**$54,558,191**	**$56,637,851**	**$62,269,174**	**$64,595,397**	**$62,383,121**
	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		$1,400,000					
24	**Coleman**		**$950,000**					
	Colemen Immediate Improvements (Acquisition CIP)		**$50,000**					
25	Remaining Land Acquisition Capital Available:	$10,349,138	$9,892,413	$5,400,000	$5,400,000	$5,400,000	$5,400,000	$5,400,000
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 Acquistion:	$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:	$6,495,109	$14,856,413	$9,365,300	$7,065,300	$7,125,300	$6,975,300	$6,985,300
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:	$13,570,374	$16,493,753	$15,983,315	$16,418,809	$16,938,073	$17,474,373	$18,028,293
45	Total Uses of Funds:	**$27,379,093**	**$36,849,365**	**$30,726,038**	**$28,264,233**	**$28,629,738**	**$27,135,590**	**$25,674,279**
	ENDING CASH BALANCE:	$28,801,431	$22,736,445	$23,832,153	$28,373,618	$33,639,435	$37,459,806	$36,708,842
46	Less Reserves:	$3,500,000	$2,500,000	$2,400,000	$2,000,000	$2,000,000	$1,100,000	$100,000
47	Less Reserve for 27th Pay Period	$45,000	$95,000	$145,000	$195,000			
48	Sick/Vacation/Bonus Reserve	$490,000	$490,000	$490,000	$490,000	$490,000	$490,000	490000
49	Property and Casualty Reserve	$400,000	$400,000	$400,000	$400,000	$400,000	$400,000	400000
50	South Boulder Creek Flow Reserve	$1,750,000	$2,000,000					
51	IBM Connector Trail		$200,000					
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:**	**$22,366,431**	**$16,551,445**	**$20,097,153**	**$24,888,618**	**$30,249,435**	**$34,869,806**	**$36,608,842**

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE: Third reading and consideration of a motion to adopt Ordinance No. 8043 amending chapter 10-12 "Mobile homes," adding a new section 10-12-25 "Limitation on Park Owner's Right to Prohibit Sales," amending section 10-12-2 to add definitions, amending section 10-12-3 to make section 10-12-25 applicable to all mobile home parks, amending section 10-12-4 to provide for administrative remedies and setting forth related details.

PRESENTERS
Jane S. Brautigam, City Manager
Thomas A. Carr, City Attorney
Bob Eichem, Chief Financial Officer
David Driskell, Executive Director, Community Planning and Sustainability
Jeff Yegian, Acting Housing Division Manager

EXECUTIVE SUMMARY

The purpose of this agenda item is for Council to consider final passage of an ordinance limiting the restrictions on the sale of mobile homes. At the April 7, 2015 council meeting, Council considered several options to address concerns raised by mobile home owners. Council directed the city attorney to draft an ordinance based upon a Connecticut statute that would limit the ability of a park owner to prohibit the sale of a safe and sanitary home. At the April 21, 2015 council meeting, Council amended and adopted on first reading the proposed ordinance. At that same meeting, an attorney for the owner of the Vista Village mobile home park provided Council with a letter stating the owner's intent to allow the sale of pre-1976 mobile homes. Council directed staff to meet with mobile home residents and work on a more refined version of the ordinance passed on first reading. In the interim, park residents have come to council meetings and reported continued concern regarding their ability to sell pre-1976 homes. At the June 2, 2015 council meeting, Council directed the city attorney to arrange for second reading at the June 16, 2015 council meeting. Council also directed that the city attorney prepare a version that could be passed on emergency. At the June 16, 2015 council meeting,

Council amended and passed the proposed ordinance on second reading. Council decided not to pass the ordinance as an emergency measure. Council directed that a third reading be held on July 28, 2015.

STAFF RECOMMENDATION

Staff recommends the following motion:

Third reading and consideration of a motion to adopt Ordinance No. 8043 amending chapter 10-12 "Mobile homes," adding a new section 10-12-25 "Limitation on Park Owner's Right to Prohibit Sales," amending section 10-12-2 to add definitions, amending section 10-12-3 to make section 10-12-25 applicable to all mobile home parks, amending section 10-12-4 to provide for administrative remedies and setting forth related details.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: Mobile homes provide a relatively low cost option for affordable housing in Boulder.
- Environmental: Mobile homes provide lower income workers with local housing options, which may reduce the environmental impact associated with commuting.
- Social: The ability for lower income individuals to reside in Boulder provides important economic diversity.

OTHER IMPACTS

- Fiscal-Budgetary: There will be no budget impact from the adoption of the proposed ordinance. If the ordinance results in an increase in administrative hearings, there will be additional budget impacts.
- Staff work necessary will fall mostly on the city attorney's office and the Office of Housing.

PUBLIC INPUT

At the March 3, 2015, March 17, 2015, April 7, 2015, April 21, 2015, May 5, 2015, May 19, 2015, June 2, 2015 and June 16, 2015 council meetings, several residents spoke about issues related to mobile homes. In addition, Council has received numerous emails from mobile home residents in Boulder.

BOARD AND COMMISSION INPUT

None.

BACKGROUND

There are five mobile home parks in the City of Boulder. These parks provide an affordable housing option for individuals and families of moderate means.

Several homeowners have alleged that the Vista Village park owner has refused to allow owners to sell their mobile homes, because of the age of the homes. Effective June 15, 1976, the United States Department of Housing and Urban Development adopted standards for manufacturing mobile homes. There has long been an issue over the sale of pre June 15, 1976 homes. This issue appears to be driven in part by the strong economy. There is a significant demand for mobile home park spaces. A park owner can easily fill a spot with a brand new home. Substituting a new home for one over 40 years old improves the appearance of and ultimately the value of a mobile home park.

The park owner has written to Council to state that since April 21, 2015, three pre-1976 mobile homes have been sold in Vista Village. Of these, two were sold in place and one was removed by the homeowner.

The proposed ordinance is based on Connecticut General Statute § 21-79, which prohibits a park owner from restricting a home owner's right to sell. Chapter 10-12 of the Boulder Revised Code addresses mobile home issues. The proposed ordinance would add a new section, 10-12-25 that would limit the restrictions on sales of mobile homes. The new section would include the following provisions:

- Subsection A would prohibit a park owner from requiring a home owner to move a home at time of sale if the home is safe and sanitary as long as the seller agrees to be bound by the lease and park rules.
- Subsection B establishes that a home is safe and sanitary if it met a nationally recognized building or construction code or standard in effect at the time of construction.
- Subsection C provides that a home that passed the equivalent of a rental housing inspection within six months would be considered safe and sanitary.
- Subsection D limits the ability of a park owner to refuse a purchaser.
- Subsection E allows a home owner to get a written statement of whether the park owner intends to allow the owner to sell a home.

At the April 21, 2015 council meeting, the Council amended the proposed ordinance to add a new section 10-12-26 "Limitation on the Required Upgrades to Existing Mobile Homes." This section was intended to limit park owners' ability to force residents to upgrade their homes for reasons other than health and safety. At the June 16, 2016 council meeting, Council deleted section 10-12-26.

The proposed ordinance also would amend section 10-12-4 to provide for an administrative remedy. The proposed administrative process would include a maximum fine of $2000 and provide the city manager with the authority to issue an order. There is a provision for the city attorney to bring an action to enforce an order, or, for the home owner to do so.

A council member expressed concern regarding the use of the City's Baseline Inspection Checklist for mobile homes. Accordingly, on June 16, 2015, Council amended the ordinance to allow the city manager to alter the checklist to be more appropriate for mobile homes.

On Friday, July 17, 2015, Council Member Lisa Morzel submitted a revised version of the ordinance. She expressed her intent to propose this version as an alternative to the version passed on second reading. A copy of this proposal is Attachment B. Council Member Morzel's proposed changes are highlighted in yellow.

ATTACHMENTS

Attachment A – Proposed Ordinance as Passed on Second Reading
Attachment B – Proposed Ordinance as Revised by Council Member Morzel

ORDINANCE NO. 8043

AN ORDINANCE AMENDING CHAPTER 10-12 "MOBILE HOMES," ADDING A NEW SECTION 10-12-25 "LIMITATION ON THE PROHIBITION OF SALES," AMENDING SECTION 10-12-2 TO ADD DEFINITIONS, AMENDING SECTION 10-12-3 TO MAKE SECTION 10-12-25 APPLICABLE TO ALL MOBILE HOME PARKS, AMENDING SECTION 10-12-4 TO PROVIDE FOR ADMINISTRATIVE REMEDIES AND SETTING FORTH RELATED DETAILS.

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

Section 1. A new section 10-12-25 is added as follows:

10-12-25. – Limitation on the Prohibition Sales of Mobile Homes

(a) No person, including without limitation a park owner, shall require a resident to remove a safe and sanitary mobile home from a mobile home park at the time such mobile home is sold or a loan on such a home is foreclosed provided that the purchaser or lender shall assume and be bound by the rental agreement of the seller or borrower and shall be bound by the rules and regulations of the park.

(b) A mobile home shall be presumed to be safe and sanitary if the mobile home was constructed in accordance with any industry or nationally recognized building or construction code or standard in effect at the time of construction. Failure to meet any such standard or the provisions of any such code shall not automatically raise a presumption that the mobile manufactured home is unsafe or unsanitary. Such failure shall not be used as a reason for withholding approval of an on-site sale unless such failure renders the mobile home unsafe or unsanitary.

(c) A mobile home shall be presumed to be safe and sanitary if within six months prior to the proposed sale the home passed an inspection conducted by an appropriately licensed inspector using the City of Boulder Baseline Inspection Checklist (as modified) or substantially similar inspection protocol. The city manager shall publish a modified City of Boulder Baseline Checklist suitable for mobile home inspection.

(d) Any purchaser of a mobile home sold by a resident may become a resident of the mobile home park provided the purchaser meets the entry requirements for the mobile home park that are applied by the park owner equally to all purchasers and prospective residents as reasonably determined by the park owner. If the park owner denies approval to a purchaser, the park owner shall, in writing, state any reason for such disapproval (no personal, financial or other information about the purchaser shall be provided to the resident, but only the reason for the denial).

(e) Any resident wishing to sell a mobile home shall request a written statement of the park owner's intentions regarding the condition of the home. Within twenty days after receipt of such a request, the park owner shall approve the home's condition for resale or deliver a written statement to the resident specifying the reasons why the home is not safe or sanitary. Failure of the park owner to respond within twenty days shall be deemed to be an approval of the mobile home's sale. If the resident disputes the park owner's response, the resident may attempt to correct defects identified by the owner and may again request the owner's approval of the home's condition for resale. The resident may also arrange for an inspection by an appropriately licensed inspector using the City of Boulder Baseline Inspection Checklist or substantially similar inspection protocol. Any mobile home that passes such an inspection shall be presumed to be safe and sanitary.

Section 2. Section 10-12-2 B.R.C. 1981 is amended to read:

10-12-2. - Definitions.

The following words used in this chapter have the following meanings unless the context clearly indicates otherwise:

Accessory structure means any structural addition to a mobile home or a mobile home space, including without limitation, awnings, carports, porches, storage cabinets and similar appurtenant structures.

Camper means a unit containing cooking or sleeping facilities that is designed to be loaded onto or affixed to the bed or chassis of a truck to provide temporary living quarters for recreational camping or travel use.

Mobile home means a transportable, single-family dwelling unit, suitable for year-round occupancy that contains the same water supply, waste disposal and electrical conveniences as immobile housing, that has no foundation other than wheels or removable jacks for conveyance on highways, and that may be transported to a site as one or more modules, but the term does not include "travel trailers," "campers," "camper buses," or "motor homes," or modular homes designed to be placed on a foundation.

Mobile home park means any lot or tract of land designed, used, or intended to provide a location or accommodation for one or more mobile homes and upon which any mobile home or homes are parked or located, whether or not the lot or tract or any part thereof is held or operated for profit, but the term excludes automobile or mobile homes sales lots on which mobile homes are parked only for inspection and sale.

Mobile home space means a plot of ground within a mobile home park designed for the accommodation of one mobile home and its accessory structures.

Motor home means a motor vehicle containing cooking or sleeping facilities and designed as temporary living quarters for recreational camping or travel use and includes, without limitation, vehicles designated as "camper buses" and those that may have been originally designed for use as vans or buses but that have been converted to use as living quarters.

Park owner means the owner of a mobile home park, or any agent, representative or employee of an owner of a mobile home park.

Resident means the owner of a mobile home in a mobile home park.

Section 3. Section 10-12-3 B.R.C. 1981 is amended to read:

10-12-3. - Application of Chapter to Existing Mobile Homes and Mobile Home Parks.

(a) Any mobile home park in existence in the city on July 5, 1973, or annexed to the city after such date that complies with all applicable legal requirements then in effect is deemed to be legally nonconforming and is not subject to the provisions of this chapter except those concerning blocking and tying down of mobile homes (Section 10-12-8, "Blocking and Tie-Down Required," B.R.C. 1981), use of gas fuel, ~~and~~ fire protection (paragraphs 10-12-21(a)(7), (a)(8) and (a)(10), B.R.C. 1981) and limitation on park owner's right to prohibit sales (Section 10-12-25). But any person who alters or extends such a legally nonconforming mobile home park shall conform to all applicable provisions of this chapter for such alterations and extensions.

(b) An individual mobile home may be replaced or relocated within a legally nonconforming mobile home park if such mobile home is blocked and tied down in compliance with the requirements of Section 10-12-8, "Blocking and Tie-Down Required," B.R.C. 1981, and if gas connections are made in compliance with the requirements of paragraphs 10-12-21(a)(7) and (a)(8), B.R.C. 1981.

(c) Any mobile home in existence in the city on July 5, 1973 or annexed to the city after such date that complied with all applicable legal requirements then in effect is considered to be legally nonconforming and is not subject to the provisions of this chapter except the requirements relating to blocking and tying down of mobile homes (Section 10-12-8, "Blocking and Tie-Down Required," B.R.C. 1981).

(d) If any such legally nonconforming mobile home is removed from its location, whether within a mobile home park or elsewhere, the mobile home may not be replaced or relocated except in conformity with all applicable requirements of this chapter. If the use of such a legally nonconforming mobile home is discontinued for a period of twelve consecutive months or more, no person shall occupy the mobile home until it conforms with all requirements of this chapter.

(e) No person may replace an existing mobile home located on a mobile home space that is not large enough to provide the minimum requirements of Section 9-7-13, "Mobile Home Park Form and Bulk Standards," B.R.C. 1981, by a larger mobile home, but such person may replace such existing mobile home with a mobile home of the same or smaller length and width dimensions.

(f) No person shall replace an existing mobile home located on a lot outside a mobile home park with a larger mobile home, but such person may replace such mobile home with a

mobile home of the same or smaller length and width, if the replacement is made within thirty days after the removal of the existing mobile home.

Section 4. Section 10-12-4 B.R.C. 1981 is amended to read:

10-12-4. - Enforcement.

(a) The city manager may enter any mobile home park in the city to inspect and investigate conditions relating to the enforcement of this chapter at all reasonable times.

(b) For alleged violations of the provisions of this chapter, other than Section 10-12-25, "Limitation on Prohibition of Sales," B.R.C. 1981, ~~W~~whenever, after inspection of any mobile home or mobile home park, the city manager finds any violation of this chapter, the manager shall give to the owner of the mobile home or the mobile home park a notice that specifies:

(1) The provisions of this chapter that are alleged to be violated;

(2) A reasonable period of time in which to correct the alleged violation; and

(3) The right to appeal the violation notice within thirty days from the date of its issuance to the board of zoning adjustment or board of building appeals under the procedures prescribed by Section 10-12-24, "Appeals and Variances," and Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.

(c) The city manager shall reinspect the mobile home or the mobile home park for which a notice of violation was issued upon expiration of the period of time stated in the violation notice for correction of the alleged violation.

(d) For alleged violations of Section 10-12-25 "Limitation on Park Owner's Right to Prohibit Sales," B.R.C. 1981:

(1) If the city manager finds that a violation of any provision of Section 10-12-25, the manager shall issue a notice of violation and provide an opportunity for hearing under the procedures prescribed by Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981,

(2) At any such hearing the mobile home owner shall bear the burden of proving the violation, provided however that the park owner shall bear the burden of proving that mobile home is unsafe or unsanitary.

(3) If after hearing all of the evidence, the city manager finds a violation, the city manager may take any one or more of the following action to remedy the violation:

(A) Impose a civil penalty of not more than $2,000 per violation; or

(B) Issue an order reasonably calculated to ensure compliance with the provisions of Section 10-12-25.

(4) No person shall fail to comply with any action taken by the manager under this section.

(5) The city attorney is authorized to bring a civil action to enforce any order issued by the city manager under this section. If the city is the prevailing party in such civil action, the defendant shall be responsible for the city's costs and attorneys' fees.

(6) Criminal Penalties. Violations of Section 10-12-25 also are punishable as provided in Section 5-2-4, "General Penalties," B.R.C. 1981.

(7) Any person injured by a violation of any provision of Section 10-12-25 may maintain an action for damages, declaratory relief, specific performance, injunction or any other appropriate relief in the District Court in and for the County of Boulder against the person causing the violation. If plaintiff prevails, plaintiff shall be entitled to an award of attorney's fees. Upon filing such an action, plaintiff shall send notice thereof to the city, but nothing in this title authorizes the city or its employees or agents to be named as a defendant in such litigation.

Section 5. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 6. The City Council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY this 21st day of April, 2015.

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Mayor

Attest:

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City Clerk

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READ ON SECOND READING, AMENDED, AND ORDERED PUBLISHED BY TITLE ONLY this 16th day of June, 2015.

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Mayor

Attest:

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City Clerk

READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this 28th day of July, 2015.

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Mayor

Attest:

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City Clerk

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ORDINANCE NO. 8043

AN ORDINANCE AMENDING CHAPTER 10-12 "MOBILE HOMES," ADDING A NEW SECTION 10-12-25 "LIMITATION ON THE PROHIBITION OF SALES," ADDING A NEW SECTION 10-12-26 "LIMITATION ON THE REQUIRED UPGRADES TO EXISTING MOBILE HOMES," AMENDING SECTION 10-12-2 TO ADD DEFINITIONS, AMENDING SECTION 10-12-3 TO MAKE SECTION 10-12-25 APPLICABLE TO ALL MOBILE HOME PARKS, AMENDING SECTION 10-12-4 TO PROVIDE FOR ADMINISTRATIVE REMEDIES AND SETTING FORTH RELATED DETAILS.

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

Section 1. A new section 10-12-25 is added as follows:

10-12-25. – Limitation on the Prohibition Sales of Mobile Homes

(a) No person, including without limitation a park owner, shall require a resident to remove a safe and sanitary mobile home from a mobile home park at the time such mobile home is sold or a loan on such a home is foreclosed provided that the purchaser or lender shall assume and be bound by the rental agreement of the seller or borrower and shall be bound by § 38-12-200, C.R.S.

(b) A mobile home shall be presumed to be safe and sanitary if the mobile home was constructed in accordance with any industry or nationally recognized building or construction code or standard in effect at the time of construction. Failure to meet any such standard or the provisions of any such code shall not automatically raise a presumption that the mobile manufactured home is unsafe or unsanitary. Such failure shall not be used as a reason for withholding approval of an on-site sale unless such failure renders the mobile home unsafe or unsanitary.

(c) A mobile home shall be presumed to be safe and sanitary if within six months prior to the proposed sale the home passed an inspection conducted by an appropriately licensed inspector using the City of Boulder Baseline Inspection Checklist (as modified) or substantially similar inspection protocol. The city manager shall publish a modified City of Boulder Baseline Checklist suitable for mobile home inspection.

(d) Any purchaser of a mobile home sold by a resident may become a resident of the mobile home park provided the purchaser meets the entry requirements for the mobile home park that are applied equally to all purchasers and prospective residents. The park owner also must approve the entry of the new resident. Such approval may not be withheld except for good cause. For the purposes of this section, good cause means a responsible basis for the park owner to believe (1) that the purchaser intends to use the purchased mobile home for an illegal or immoral purpose or for any purpose that would disturb the quiet

enjoyment of the other residents of the mobile park or (2) that the purchaser is or will be financially unable to pay the rent for the lot upon which the purchased mobile home is located. If the park owner denies approval to a purchaser, the park owner shall, in writing, state any reason for such disapproval. Such statement shall be delivered to the resident and the purchaser within ten days after the park owner receives the completed application of the purchaser or prospective resident. Failure to deliver such notification within fifteen days shall be deemed to be approval.

(e) Any resident wishing to sell a mobile home shall have a valid independent third-party inspection of said home. Once that home has successfully passed inspection, the resident shall submit in writing to park owner the intent of the resident to sell his home. Inspection by an appropriately licensed inspector using the City of Boulder Baseline Inspection Checklist or substantially similar inspection protocol will be considered a valid independent third-party inspection. Any mobile home that passes such an inspection shall be presumed to be safe and sanitary and eligible for resale.

Section 2. A new section 10-12-26 is added as follows:

10-12-26. – Limitation on the Required Upgrades to Existing Mobile Homes

No person, including without limitation a park owner, shall require a resident to make improvements to mobile home if the mobile home is demonstrated to be safe and sanitary under the provisions of section 10-12-25 B.R.C. 1981 ("Limitation on the Prohibition Sales of Mobile Homes")

Section 3. Section 10-12-2 B.R.C. 1981 is amended to read:

10-12-2. - Definitions.

The following words used in this chapter have the following meanings unless the context clearly indicates otherwise:

Accessory structure means any structural addition to a mobile home or a mobile home space, including without limitation, awnings, carports, porches, storage cabinets and similar appurtenant structures.

Camper means a unit containing cooking or sleeping facilities that is designed to be loaded onto or affixed to the bed or chassis of a truck to provide temporary living quarters for recreational camping or travel use.

Mobile home means a transportable, single-family dwelling unit, suitable for year-round occupancy that contains the same water supply, waste disposal and electrical conveniences as immobile housing, that has no foundation other than wheels or removable jacks for conveyance on highways, and that may be transported to a site as one or more modules, but the term does not include "travel trailers," "campers," "camper buses," or "motor homes," or modular homes designed to be placed on a foundation.

Mobile home park means any lot or tract of land designed, used, or intended to provide a location or accommodation for one or more mobile homes and upon which any mobile home or homes are parked or located, whether or not the lot or tract or any part thereof is held or operated for profit, but the term excludes automobile or mobile homes sales lots on which mobile homes are parked only for inspection and sale.

Mobile home space means a plot of ground within a mobile home park designed for the accommodation of one mobile home and its accessory structures.

Motor home means a motor vehicle containing cooking or sleeping facilities and designed as temporary living quarters for recreational camping or travel use and includes, without limitation, vehicles designated as "camper buses" and those that may have been originally designed for use as vans or buses but that have been converted to use as living quarters.

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(a) Any mobile home park in existence in the city on July 5, 1973, or annexed to the city after such date that complies with all applicable legal requirements then in effect is deemed to be legally nonconforming and is not subject to the provisions of this chapter except those concerning blocking and tying down of mobile homes (Section 10-12-8, "Blocking and Tie-Down Required," B.R.C. 1981), use of gas fuel, ~~and~~ fire protection (paragraphs 10-12-21(a)(7), (a)(8) and (a)(10), B.R.C. 1981), limitation on park owner's right to prohibit sales (Section 10-12-25) and limitations on required upgrades to existing mobile homes (Section 10-12-26). But any person who alters or extends such a legally nonconforming mobile home park shall conform to all applicable provisions of this chapter for such alterations and extensions.

(b) An individual mobile home may be replaced or relocated within a legally nonconforming mobile home park if such mobile home is blocked and tied down in compliance with the requirements of Section 10-12-8, "Blocking and Tie-Down Required," B.R.C. 1981, and if gas connections are made in compliance with the requirements of paragraphs 10-12-21(a)(7) and (a)(8), B.R.C. 1981.

(c) Any mobile home in existence in the city on July 5, 1973 or annexed to the city after such date that complied with all applicable legal requirements then in effect is considered to be legally nonconforming and is not subject to the provisions of this chapter except the requirements relating to blocking and tying down of mobile homes (Section 10-12-8, "Blocking and Tie-Down Required," B.R.C. 1981).

(d) If any such legally nonconforming mobile home is removed from its location, whether within a mobile home park or elsewhere, the mobile home may not be replaced or relocated except in conformity with all applicable requirements of this chapter. If the use of such a legally nonconforming mobile home is discontinued for a period of twelve consecutive months or more, no person shall occupy the mobile home until it conforms with all requirements of this chapter.

(e) No person may replace an existing mobile home located on a mobile home space that is not large enough to provide the minimum requirements of Section 9-7-13, "Mobile Home Park Form and Bulk Standards," B.R.C. 1981, by a larger mobile home, but such person may replace such existing mobile home with a mobile home of the same or smaller length and width dimensions.

(f) No person shall replace an existing mobile home located on a lot outside a mobile home park with a larger mobile home, but such person may replace such mobile home with a mobile home of the same or smaller length and width, if the replacement is made within thirty days after the removal of the existing mobile home.

Section 4. Section 10-12-4 B.R.C. 1981 is amended to read:

10-12-4. - Enforcement.

(a) The city manager may enter any mobile home park in the city to inspect and investigate conditions relating to the enforcement of this chapter at all reasonable times.

(b) For alleged violations of the provisions of this chapter, other than Section 10-12-25, "Limitation on Prohibition of Sales," B.R.C. 1981 and Section 10-12-26, "Limitation on Required Upgrades to Existing Mobile Homes," B.R.C. 1981, ~~W~~whenever, after inspection of any mobile home or mobile home park, the city manager finds any violation of this chapter, the manager shall give to the owner of the mobile home or the mobile home park a notice that specifies:

(1) The provisions of this chapter that are alleged to be violated;

(2) A reasonable period of time in which to correct the alleged violation; and

(3) The right to appeal the violation notice within thirty days from the date of its issuance to the board of zoning adjustment or board of building appeals under the procedures prescribed by Section 10-12-24, "Appeals and Variances," and Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.

(c) The city manager shall reinspect the mobile home or the mobile home park for which a notice of violation was issued upon expiration of the period of time stated in the violation notice for correction of the alleged violation.

(d) For alleged violations of Section 10-12-25 "Limitation on Park Owner's Right to Prohibit Sales," B.R.C. 1981 and Section 10-12-26 "Limitation on Required Upgrades to Existing Mobile Homes," B.R.C. 1981:

(1) If the city manager finds that a violation of any provision of Section 10-12-25 or Section 10-12-26, the manager shall issue a notice of violation and provide an opportunity for hearing under the procedures prescribed by Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981,

(2) If after hearing all of the evidence, the city manager finds a violation, the city manager may take any one or more of the following action to remedy the violation:

(A) Impose a civil penalty of not more than $2,000 per violation; or

(B) Issue an order reasonably calculated to ensure compliance with the provisions of Section 10-12-25 or Section 10-12-2.

(3) No person shall fail to comply with any action taken by the manager under this section.

(4) The city attorney is authorized to bring a civil action to enforce any order issued by the city manager under this section. If the city is the prevailing party in such civil action, the defendant shall be responsible for the city's costs and attorneys' fees.

(5) Criminal Penalties. Violations of Section 10-12-25 or Section 10-12-26 also are punishable as provided in Section 5-2-4, "General Penalties," B.R.C. 1981.

(6) Any person injured by a violation of any provision of Section 10-12-25 or Section 10-12-26 may maintain an action for damages, declaratory relief, specific performance, injunction or any other appropriate relief in the District Court in and for the County of Boulder against the person causing the violation. If plaintiff prevails, plaintiff shall be entitled to an award of attorney's fees. Upon filing such an action, plaintiff shall send notice thereof to the city, but nothing in this title authorizes the city or its employees or agents to be named as a defendant in such litigation.

Section 5. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 6. The City Council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

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INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY this 21st day of April, 2015.

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Mayor

Attest:

_____
City Clerk

READ ON SECOND READING, AMENDED, AND ORDERED PUBLISHED BY TITLE ONLY this 16th day of June, 2015.

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Mayor

Attest:

_____
City Clerk

READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this 28th day of July, 2015.

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Mayor

Attest:

_____
City Clerk

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CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: July 28, 2015

AGENDA TITLE
Boulder Valley Comprehensive Plan – Direction on Service Area Expansion Assessment, Schedule, and Updates on Foundations Work

PRESENTER/S
Jane S. Brautigam, City Manager
David Driskell, Executive Director, Community Planning & Sustainability (CP&S)
Susan Richstone, Deputy Director, CP&S
Lesli Ellis, Comprehensive Planning Manager, CP&S
Courtland Hyser, Senior Planner, CP&S
Jean Gatza, Sustainability Planner, CP&S

EXECUTIVE SUMMARY
The purpose of this agenda item is to hold a public hearing on the question about whether or not to begin a Service Area Expansion Assessment (i.e., study of sufficient merit as a first step toward authorizing an Expansion Plan) and get direction from City Council on the overall work plan schedule including the land use change request process. Staff will also provide a general update to council on other foundations work items for the Boulder Valley Comprehensive Plan (BVCP) update. At a Study Session on June 9, council provided feedback on the work plan, focused topics, foundations work and community engagement, as described in that summary.

In past updates, some of the BVCP approval bodies and others have expressed frustration with the Service Area Expansion process. Specifically, requests have been solicited from Area III-Planning Reserve property owners as part of the public request process, leading property owners to invest time, effort, and energy in creating proposals. Such requests also have taken significant staff and four body review time in analyzing and reviewing proposals, only then for at least one of the four approval bodies to discuss the lack of interest in considering expansion of the Service Area.

Staff is therefore suggesting instead calling the question first about whether to initiate a study to determine if sufficient merit or unmet needs exist in the Service Area. **Attachment C** (Service Area Expansion Process) explains the process in more detail. On July 28, a public hearing will enable property owners and the public to speak to whether the city and county should proceed

with consideration of a Service Area Expansion Assessment as part of the 2015 update. In previous updates, property owners have submitted requests in the Area III-Planning Reserve, but since 1993 the BVCP city and county approval bodies have never authorized a study of the Service Area Expansion or Expansion Plan.

Changing the sequence of consideration about the Service Area Expansion Assessment in no way affects the four body review process as articulated in the BVCP. Staff is not recommending changes to that process.

STAFF RECOMMENDATION

Staff recommends that City Council accept the general schedule for the BVCP process, as noted in the first part of the motion below. Additionally, staff recommends that the city and county not begin a Service Area Expansion Assessment (study of sufficient merit) because (1) the community has not identified unmet priority needs within the service area, nor has initial analysis; (2) there are other priorities for the 2015 plan update and the study would take significant resources; and (3) the city and county have never before authorized the study as the first step toward preparing an Expansion Plan. This means that requests for Service Area Expansion would not be accepted as part of the public request process. Alternatively, the four review bodies would consider the question of Service Area Expansion at the time of screening other land use parcels (tentatively Nov. 19, 2015 for City Council and Planning Board) as done in previous BVCP updates. Staff would then accept requests from property owners for service area expansions in the Planning Reserve. (Staff will accept land use change requests, policy requests, and service area contractions regardless of the direction given on the Service Area Expansion question).

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

Motion to:

(1) Accept the general schedule for the Boulder Valley Comprehensive Plan process, as shown in **Attachment A** (including the schedule for land use and policy requests), acknowledging that detailed times will be adjusted periodically as the project progresses; and
(2) Direct staff to not begin a Service Area Expansion Assessment (study of sufficient merit/unmet need in the service area) as part of the 2015 BVCP update, and therefore not process request for service area expansions as part of the update.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

Community Sustainability

Staff will prepare an assessment of Community Sustainability, including addressing economic, environmental, and social benefits and impacts when potential changes to the Boulder Valley Comprehensive Plan are proposed. This memo is narrowly focused on the questions about the schedule and Service Area Expansion Assessment, as well as updates on work in progress.

Other Impacts

Overall, the BVCP 2015 update has been budgeted and staffed, and is a significant undertaking already including several important analyses such as land use requests and changes for former Boulder Community Hospital area, CU South, and the Hogan Pancost site. Staff anticipates the Service Area Expansion Assessment, if it were to be undertaken, would require additional resources and staff time to complete over four months to one year – possibly necessitating reprioritizing priorities in the work plan.

BOARD FEEDBACK REGARDING SCHEDULE AND SERVICE AREA

County Planning Commission on July 15

- **Schedule:** One Planning Commission member emphasized the importance of starting the IGA renewal soon – not waiting until after the plan adoption.
- **Service Area Expansion Question:** Three of the seven Planning Commission members in attendance saw no need to pursue a Service Area Expansion Assessment for a variety of reasons; a fourth was undecided; and the remaining three are new to a BVCP Update with limited or no experience in the Area III discussions and therefore had no comments.
- Additional detailed comments are summarized in **Attachment E**.

Planning Board on July 16

- **Schedule:** Planning Board members stated that the schedule looked good or had no comment.
- **Service Area Expansion Question:** All five members present stated that they are not currently interested in directing staff to do the do the Service Area Expansion Assessment (study of sufficient merit) and do not see a compelling reason to expand into the Planning Reserve. The board wanted to give property owners the opportunity to share their concepts with City Council on July 28 so it did not make a formal recommendation.
- Additional detailed comments are summarized in **Attachment E**.

CITY COUNCIL STUDY SESSION ON JUNE 9

At a June 9, 2015 Study Session, City Council provided feedback and guidance on the BVCP. The summary of that discussion is scheduled for approval at the July 28, 2015 council meeting.

PUBLIC FEEDBACK

Staff has heard from several property owners that they would like to submit requests for changes to the Area III-Planning Reserve and begin the Service Area Expansion process. July 28 provides an opportunity for a public hearing for property owners to speak to the question of whether or not to consider a Service Area Expansion Assessment. The week of July 13, the city notified all property owners by mail about the public hearing. Additionally, the city provided general notice to the community about the public hearing; sent emails to all planning email and BVCP subscribers about the hearing; and notified via emails the two property owners who have recently indicated interest.

BACKGROUND

As shared with council at previous study sessions, Phase 1 of the four phased 2015 BVCP update is nearing completion. Most of the foundations (technical) work products will be complete by late July/early August, as previously shared with council. Regular check-ins with boards and

elected officials have helped to shape the work thus far. Preparations for Phase 2 (identify focus topics) and Phase 3 (analyze/update land use & integrate other topics) are in-process. A major kickoff event will be held at Chautauqua on August 31 along with other pop up events, speakers, videos, and online engagement in the months of August and September.

ANALYSIS

Work Plan and Schedule for Change Requests

Overall Work Plan

Input and guidance received to-date from elected officials, boards and commissions, and the public has resulted in continual refinements to the process and approach for the 2015 BVCP update. A revised timeline summarizing the BVCP work plan and schedule is provided as **Attachment A**. The new timeline reflects additional detail in Phases 2 and 3 related to the BVCP survey, service area expansion and land use request processes, areas of focus, the Intergovernmental Agreement (IGA), and other plan products and timing.

The BVCP process subcommittee reviewed the schedule at their meeting on July 15. Additionally, the Planning Commission and Planning Board reviewed the schedule and provided a few comments which are now reflected in the schedule.

General Change Request Process – Opportunity for Landowners and General Public

The Amendment Procedures chapter of the BVCP explains the process for updating the land use map or plan polices during the five-year update. It states:

> The process "will include an opportunity for landowners and the general public to submit requests for changes to the plan. All submittals for proposed changes will be reviewed at initial public hearings. Staff will provide recommendations and the approval bodies will provide direction on which proposals should go forward and which proposals should receive no further consideration."

Typically during an update, there may be a few dozen community-initiated requests for changes to the land use map or policies. For the 2015 BVCP update, staff expects the land use request process to be a significant area of work, as interest is running high for several properties including the Boulder Community Health Broadway site and others. Service Area Contractions would also be considered as part of this track.

During this five year update (for the purpose of all requests that are not Service Area Expansion requests), staff proposes the following schedule:

(1) Accepting requests (August through mid October).
(2) Initial review of requests (October into early November).
(3) Joint screening hearing of the Planning Board and City Council (Nov. 19, tent.) and action by Planning Board. The joint hearing will also provide an opportunity for the board and council to review the results of the BVCP survey and identify other areas of focus for the land use map and policies.
(4) City Council determination following joint hearing.
(5) Joint hearing at the city will be followed by hearing(s) at the county.

(6) Continued analysis of changes and other focused area changes to develop a proposed land use map (into early 2016).

According to the BVCP, when a draft land use map is developed with the proposed changes, property owners will be notified about such proposed changes. The city will publish a map indicating where the proposed changes are located and a description of each change when that map is ready.

Other Possible Areas of Focus and Changes to Land Uses

The city and county may also identify other possible changes to the land use map in focused areas to accomplish other community goals such as housing or growth management (e.g. change some areas from future commercial to future residential, or from higher density residential to medium density residential) or to adjust the jobs and housing mix. The trends information and forecasts will help inform possible areas of study. Such ideas for focused areas of study are proposed to be discussed at the joint hearings in November and December.

The work plan has been designed to accommodate anticipated focused topics of the plan, which are outlined in **Attachment B** and also noted on the work plan in **Attachment A**.

Staff Recommendation

Staff recommends that council approve the general schedule, recognizing that details may change and that focused topics may get refined depending on input from the public in August. Additionally, the detailed timing and approach to Phases 3 and 4 will continually be refined throughout the planning process.

Service Area Expansion Assessment Question and Requests

During each five year review, the city and county must assess whether or not the Service Area should be expanded if sufficient merit (unmet need in the service area) exists to develop an expansion plan. The process is described in detail in **Attachment C**. For this update, staff is requesting direction from City Council and the three other BVCP review bodies on whether or not a Service Area Expansion assessment should begin as part of the 2015 update, and to further define the process and schedule and accept requests from property owners for the purpose of requesting service area expansions.

Attachment C provides more detailed explanation about the Service Area expansion process, but a brief description is provided here. The Service Area concept and the creation of Areas I, II, and III are a keystone of the BVCP, and in combination with joint city/county decision-making are a distinguishing feature of the plan. In 1977, Area III was designated as the rural preservation/protection area – the area outside the city that would not accommodate future urban development.

In 1993, after extensive evaluation, the 680 acre Area III-Planning Reserve on the north side of Boulder was designated as the only location for potential urban expansion. At that time, the plan's amendment procedures were modified to define a process and criteria for Service Area expansions that would be initiated by the city and county and provide for comprehensive planning of the Area III-Planning Reserve. Service Area expansion, if and when it occurs, should provide a broad range of community benefits and because there are desired community needs that cannot be met within the existing service area.

In 2005 additional text was added to the plan to strengthen the intent of the expansion process and define "sufficient merit" as a precursor to authorizing the development of a Service Area Expansion Plan. A new criterion for approval of such plan was added requiring that a Service Area Expansion would provide for a "priority need that cannot be met within the existing service area." The threshold question of whether or not to begin the Service Area Expansion process requires all four bodies to determine that "sufficient merit exists to authorize a Service Area expansion plan." Such a study can take four months to a year to complete.

In past updates, some of the BVCP approval bodies have expressed frustration with the Service Area Expansion process because requests have been solicited from Area III property owners as part of the public request process leading owners to invest time, effort, and energy in creating proposals. After extensive evaluation and deliberation, one or more of the approval bodies have then not been interested in authorizing an expansion of the Service Area.

The amendment procedures section of the BVCP guides the city and county to notify property owners who would be affected (in the Planning Reserve) if a Service Area Expansion plan is to be developed. At the July 28 City Council meeting, a public hearing will enable property owners and the public to speak to whether the city and county should proceed with consideration of a Service Area Expansion Assessment (study of merit) as part of the 2015 update. Depending on council's direction or on July 28, the next steps of the process could vary as follows:

- **Yes to Study -** If City Council directs staff to move forward with the study, staff will ask the Board of County Commissioners (BOCC) the same threshold question. If the county also says yes, staff would further define the multi-month process to study the range of community needs and how they may or may not be currently met within the existing Service Area. Staff would also invite property owners to participate.
- **No to Study -** If City Council or BOCC directs staff to not move forward, the next opportunity to consider a Service Area expansion will be during the next five year review.

Since 1993, the city and county have never proceeded to do a Service Area Expansion Assessment even though applicants have submitted requests earlier in the planning process.

Staff Recommendation

Staff recommends that council not direct staff to move forward with the Service Area Assessment (study of sufficient merit) because the city and community have not identified an unmet priority need in the service area; initial analysis suggests the service area has capacity for infill and redevelopment; the study would be a large scope of work, and the staff team at the city and county anticipate important analysis on other projects as part of the BVCP; and, the city and county have never proceeded to the Service Area Expansion study of sufficient merit even though applicants have submitted requests in past updates. The BVCP intends that the planning process should be proactive and comprehensive rather than reactive to proposals.

Community Engagement

Staff has continued to refine the community engagement plan after input from the community, Planning Board, City Council, County Planning Commission, Board of County Commissioners, and Process Subcommittee. The latest Community Engagement Plan can be downloaded from the BVCP project webpage here. Recent refinements to the community engagement approach include:

- **Postcard Mailing** - The BVCP Process Subcommittee recommended moving ahead with a postcard to all Boulder Valley addresses announcing the kickoff for the update and providing information on how to get involved. Staff will work with Boulder County to ensure that the announcement is mailed to addresses in Areas II and III as well as within city limits.
- **Kickoff Event** - A communitywide "Boulder 2030" kickoff event will be held on Monday, August 31, from 4 to 8 p.m. at Chautauqua, with a presentation at 6:30. The event will include videos and presentations about the plan and its importance in the community, information about current conditions and trends, interactive ways of capturing community input, and family activities.
- **Targeted Outreach to Groups** - Staff is in the process of reaching out to civic and neighborhood organizations and offering to have a city staff member join them to talk about the update process and get input. These meetings will be scheduled from July through September.
- **Pop-Up Meetings** - Staff will be setting up "pop-up" meetings in conjunction with community events and at gathering places around town in August and possibly September. The purpose of these meetings is to provide information, increase awareness about the plan process, invite people to engage, and ask initial questions about what people love about Boulder and their ideas and concerns for the future.
- **BVCP Videos** – To produce the first few videos in the series, the city has hired Boulder-based Balcony Nine Media to produce two videos that will be shared throughout the update process. The "Our Legacy: Boulder Past and Present" video will help educate community members about important planning decisions that have shaped Boulder today. The "Our Future: Boulder 2030" video will serve as a call to action to encourage Boulder community members to participate in the update.
- **BVCP Survey** - After a competitive bid process, the Boulder-based firm RRC Associates has been selected to conduct a statistically valid survey on planning-related topics to inform the BVCP update. Their proposed approach is to conduct a mailed survey supplemented by follow-up focus groups to delve into the "why" regarding responses given. The process for topic selection and question development is underway. Draft questions will be shared with boards and elected officials in August, with the goal of distributing the survey to the public in September. It is expected that results from the survey and focus group will be available in late November.

Preliminary 2040 Projections

Twenty-five year growth projections are produced as part of the foundations work for each major update to the Boulder Valley Comprehensive Plan. The projections help frame the context of the update and provide an important reference for the policy decisions and conversations about land use, zoning, and growth that are integral to the BVCP. The 2015 projections, once finalized, may be revised following changes to the plan based on policy considerations such as future housing mix, location for future mixed use, and balance of jobs and housing.

A high-level summary of existing numbers and future employment results is presented in Table 1 below. Staff presented current estimates and projected residential and non-residential capacity for subcommunity and service area geographies to Planning Board in July but determined that the model was overestimating residential numbers because it was assigning capacity to parcels smaller than the minimum lot size. Therefore the model is undergoing an additional round of processing and verification. Projections will be available in early August.

Table 1: Preliminary 2040 Projections – Subject to Refinement

	Dwellings		Population		Employment	
	2015	**2040**	**2015**	**2040**	**2015**	**2040**
City Limits	44,270	*TBD*	103,840	*TBD*	98,510	117,280
Area II	5,710	*TBD*	12,030	*TBD*	2,920	3,480

Since 2002, each BVCP update has incorporated methodology refinements from previous years and introduced new improvements. In 2015, the city slightly refined its methodology and has begun to use CommunityViz software to enhance the capacity calculations. The refinements include a more accurate estimate of current employment using refined source data and calculations coordinated with the University of Colorado, Boulder Economic Council and other organizations that provide employment numbers. It also entails a more accurate estimate of future residential zoning growth capacity and future growth of mixed use zones due to the modeling capability of CommunityViz and ability to factor in constraints such as floodplains.

Updates on Other Foundations Technical Work Products

Work on technical foundations tasks is on-going, with several work products nearing completion, and others underway and scheduled for completion prior to the public kickoff event in August. Planning Board will have an opportunity to review completed versions at the Aug. 20 meeting. Specific updates on individual work products are provided below.

- **Community Profile-** The 2015 community profile, partially updated in April, provides a snapshot of the Boulder community. The April update of the community profile can be downloaded from the project website. The community profile is being updated in July to incorporate new information from the 2040 BVCP forecasts. Other updates planned for July include refined information regarding non-residential square footage, data sources, relationship to State Department of Local Affairs demographic information, and other information as requested by city council. An updated draft of the Community Profile will be posted to the project website and shared with council upon its completion.
- **Subcommunity and Regional Fact Sheets-** As part of the map inventory updates, a series of ten fact sheets are being prepared: for each of the nine Boulder subcommunities, and one for Area III (located outside of the city but within the BVCP planning area). The fact sheets share historic information and document existing conditions at the local/neighborhood level. An updated community fact sheet for Central boulder is included in **Attachment D** as a sample work product. Draft versions of the remaining fact sheets will be posted to the project website prior to the meeting.
- **Trends Report-** The Trends Report highlights Boulder's trends of today and the recent past and presents this information at the city, county, and regional scales. Work is underway to complete the report, as well as to incorporate input received from elected officials, boards, commissions, and city and county staff. Work on the Trends Report will be completed prior to the community kickoff event in August. A draft version will be posted on the website prior to the meeting.

NEXT STEPS

Aug 4, 2015	Board of County Commissioners Briefing and Discussion of Service Area Expansion question
Aug 19, 2015	BVCP Process Subcommittee
Aug 20, 2015	City Planning Board Update
Aug 25, 2015	City Council Briefing and State Demographer Presentation (tentative)
Aug 31, 2015	Public Kickoff Event at Chautauqua
Sept/Oct, 2015	Joint Planning Commission/Planning Board Briefing and updates to other boards and commissions (dates to be determined)
Nov. 19 (tent.)	Joint Meeting of the City Council and Planning Board to consider initial screening of parcels, survey results, areas of focus, possible policy changes

ATTACHMENTS

A. BVCP Work Plan Timeline
B. Outline of Focused Topics
C. Service Area Expansion Process Summary
D. Sample Updated Subcommunity Fact Sheet for Central Boulder
E. Summary of Planning Commission (July 15) and Planning Board (July 16) discussions

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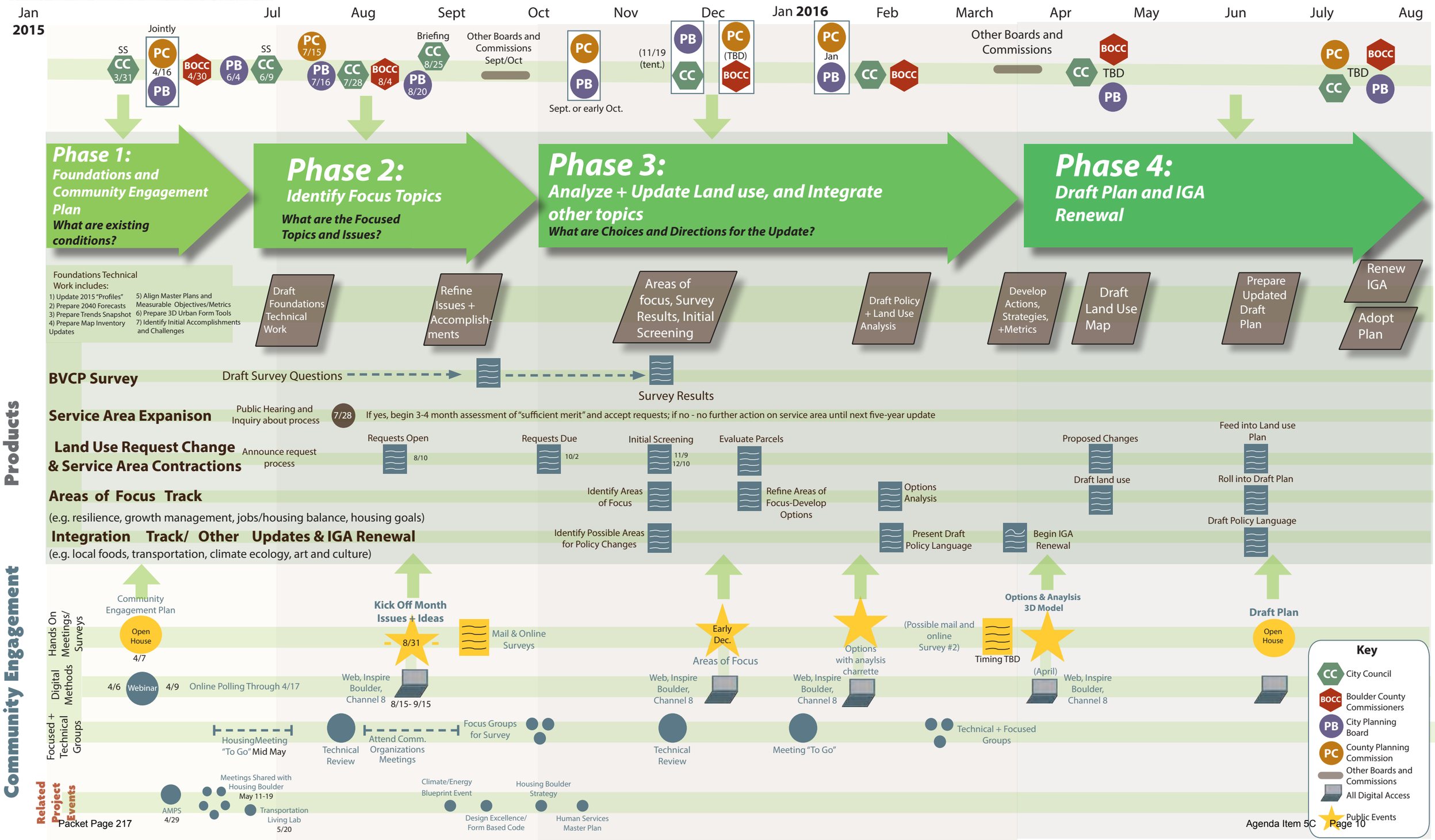
BOULDER VALLEY COMPREHENSIVE PLAN

2015 Update: Work Plan

Updated 7/20/2015

Attachment A - BVCP Work Plan Timeline



Attachment B: Outline of Focused Topics for BVCP

At the June 9 study session, City Council confirmed and refined the following list of focused topics for the 2015 Plan update which have evolved from findings of the consultant report from late 2014/early 2015 (available online here) and recent discussions at boards, commissions, BOCC, and City Council. Planning Commission and Planning Board also provided guidance on these topics in July.

- Substantive New Topics to be Addressed in the Plan:
    - Growth Management and Urban Form
        - Jobs/Housing Balance
        - Future housing mix
        - Urban design and character
    - Neighborhoods / Neighborhood Character
    - "21st Century" Opportunities and Challenges, including:
        - Climate Commitment and Energy
        - Resilience / Regional issues
        - Arts and Culture
        - Local Food
- Process Improvements:
    - Improve Community Engagement
    - Make the Plan's Vision and Values More Compelling
    - Add Stronger Links between Policies and Actions and Implementation
    - Add Metrics
    - Address City/County Intergovernmental Agreement Early

Area III-Planning Reserve and the Service Area Expansion Process

1. Background on the Area III-Planning Reserve

The Service Area concept and the creation of Areas I, II, and III is one of the keystones of the Boulder Valley Comprehensive Plan (BVCP), and in combination with joint city/county decision-making, distinguishes the plan from many others in the state and country. Area I (the city) and Area II (the area planned for annexation and service provision) form the city's service area. Area III was defined in 1977 to not accommodate urban development and that the rural character should be preserved and protected.

The Planning Areas remained as originally defined until 1993, at the conclusion of the Area III Planning Project. The Area III Planning Project was a three-year joint effort of the city and county planning departments. The city and the county had been receiving incremental requests for Area III to Area II changes, particularly along the Jay Road corridor and East Arapahoe, and the plan did not provide guidance as to where such a change would be appropriate. The goal was to determine where and when urban growth might and might not be acceptable in the future, prior to considering Service Area expansions.

The following studies were completed as part of the project:

(1) Land Use Suitability Analysis;
(2) Urban Services Feasibility Analysis;
(3) Vacant, Redevelopable and Underdeveloped Land Inventories in the existing Service Area;
(4) Potential Service Area Expansion/BVCP Policy Compatibility Analysis; and
(5) Gunbarrel Policy Analysis.

At the conclusion of the project, city and county decision-makers determined that only a small amount of Area III should be contemplated for future urban expansion, and then only if detailed planning for the area indicates community benefits exceed potential negative impacts. The final report states:

> "Service Area expansion is not desirable simply to provide additional land supply for future development; it must provide a broad range of community benefits…conceptual planning should provide an analysis of cumulative impacts and whether the carrying capacity of the Boulder Valley can absorb this additional growth…and should also provide an evaluation of trade-offs in meeting conflicting community goals."

After a series of public hearings the four approval bodies agreed in the fall of 1993 to:

- Designate 680 acres in the "West Portion-Northcentral Area" site as Area III-Planning Reserve because it presented very limited environmental constraints, was proximate to urban services, and was of sufficient overall size to potentially accommodate the conclusions of the future vacant land needs analysis.
- Designate the remainder of Area III as "Area III- Rural Preservation Area."

The procedures for amending the plan were changed following the project to set in place a process for service area expansions that would be initiated by the city and county, and provide for comprehensive planning of the Planning Reserve as opposed to incremental changes.

The policy direction for determining the procedures for amending the Area III/II change process was described in 1993 as the following:

1. Consider limited Service Area expansion to include land in the Planning Reserve Area if the benefits to the community outweigh costs and negative impacts.
2. Revise the Area III to II change process to change it from an incremental, reactive, applicant driven process to a process based on comprehensive planning of growth areas and city-initiated Area III/II changes. The revised Area II/II change process and criteria must establish greater community control over the location, type, acreage, and timing of development.
3. Service Area expansion is not desirable simply to provide additional land for future development—it must provide a broad range of community benefits.
4. Area II to II changes should be large enough areas to cohesively plan and annex by neighborhoods (which should have a diversity of land uses) and to build logical increments for infrastructure.
5. In order to achieve community goals and policies, the city should be more directive in determining what actually gets built both for development in the existing Service Area and for any new growth areas (in Area III).
6. Require that new growth (in Area II and Area III) provide needed land uses that are complimentary to existing subcommunities and that implement a broad range of community goals. Development of land in new growth areas should be phased over many years in order to enhance growth management, encourage appropriate infill and redevelopment in the existing Service Area, and preserve development options for the future.

The procedures and text that developed out of this policy direction is still found in the plan today, including:

1. Area II to II changes only apply to lands in the Area III-Planning Reserve, not the Area III-Rural Preservation Area, unless the change can qualify as a minor amendment to the boundary.
2. A process for expanding the Service Area boundary was established
3. A Service Area Expansion Plan process was created, with a list of what the plan must contain, and the criteria that the plan must meet.
4. The role of property owners in the Service Area expansion process is established.

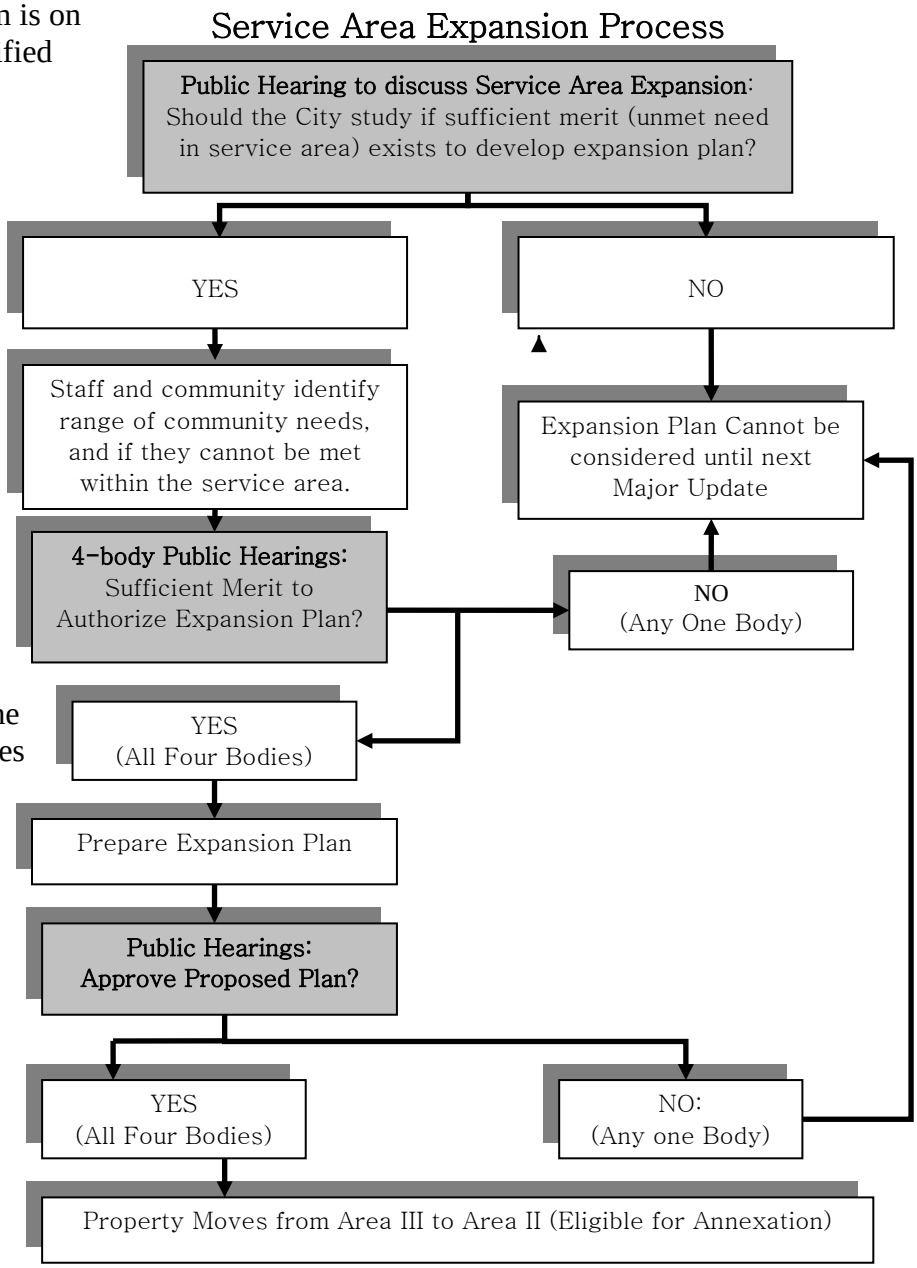
Since the original procedures were adopted into the plan, several minor revisions and re-organizations have occurred, however the key elements of the process remain intact.

Of most significance was the change that occurred in 2005, when additional text was added to define “sufficient merit” to authorize the development of a service area expansion plan, and a new criterion for approval of a service area expansion plan was added requiring that the change provides for a “priority need that cannot be met within

the existing service area." This was added to strengthen the intent of the service area expansion process as a comprehensive, city initiated process. The result of these two changes was the addition of an initial community process to identify a list of unmet needs prior to considering whether to authorize a service area expansion plan. This process is further explained in the following section.

In researching other communities, many utilize an urban service area or growth boundaries, and some have vacant lands designated for specific land uses while others have no future use identified. Of the communities researched, none had a provision for future land reserved for the future needs of the community, such as described in the BVCP.

The closest example of a system similar to that of the Area III-Planning Reserve in the BVCP is the Urban Reserves program recently established by the Oregon Metro Regional Government. Metro's program is on a regional scale, and has identified lands in Clackamas, Multnomah and Washington counties that are appropriate for future urban development, and lands for rural preservation. The time horizon of the urban reserves is 50 years. The system was established to eliminate the incremental, site-specific decision making that was required as part of urban growth boundary changes as required by Oregon state law. The guidelines and policies for how an urban reserve can be moved inside the urban growth boundary includes a comprehensive planning process, much like the Service Area Expansion Plan process in the BVCP.



The current process to develop land in the Planning Reserve

The process to develop land in the Area III-Planning Reserve has very distinct steps, and joint decision-

making points. The process is outlined in the flow chart above.

The threshold question to begin the service area expansion process requires all four bodies to determine that "sufficient merit exists to authorize a service area expansion plan."

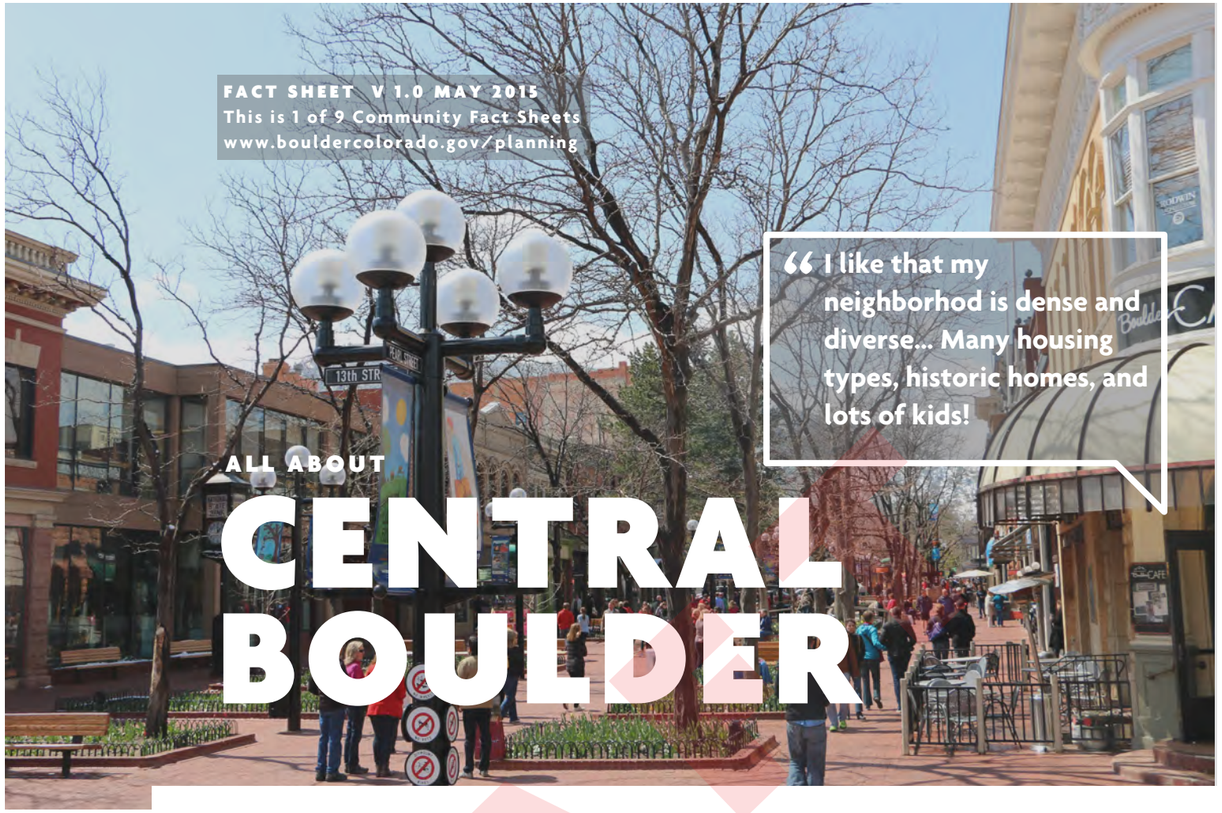
In order to find that "sufficient merit exists", there must be a process where a list of desired community needs is compiled and analyzed to find if there are any community needs that are currently nor being met within the existing service area. The scope and detail of this study could vary, and take anywhere from 4 months to a year to complete.

If all four bodies authorize the development of a service area expansion plan, it is a significant joint city-county planning effort, similar in scope to a subcommunity planning effort. The BVCP outlines what the expansion plan must include, and is estimated to take 1-3 years to develop.

After the expansion plan is completed, all four bodies must review and consider whether to approve the plan, based on criteria listed in the BVCP. If approved, the area included in the plan is moved from Area III-Planning Reserve to Area II. Property owners may then begin the annexation and development process according to the phasing identified in the expansion plan and the extension of city infrastructure. The period of development for the area within the expansion plan is described in the BVCP to occur within 15 years.

BVCP Plan language	**BVCP Process and Steps**
1. Considering a service area expansion may only occur at the five-year update.	A. Discussions regarding service area expansion only occur during the five-year update.
2. The city and county may assess whether or not sufficient merit exists to authorize a service area expansion, defined by a demonstration that a desired community need cannot be met within the existing service area.	C. The City considers whether to direct staff to identify a desired range of community needs that may not be met within the existing service area. If city **directs staff to identify a range of community needs**, the process continues. **(The city and county have never proceeded beyond this step)** D. The city conducts a public process to identify a range of community needs and how they may or may not be currently met within the existing service area. E. The Planning Board, City Council, Planning Commission, and County Commissioners hold public hearings to review the identified range of community needs, and determine if sufficient merit exists to authorize a service area expansion plan to be developed. If all four bodies **find that sufficient merit exists**, the process continues.
3. The City and County authorize a planning effort to develop a service area expansion plan	F. The city and county conduct a public process to develop a service area expansion plan for the area identified to be

for the area proposed to be brought into the service area in consultation with the Area III property owners and the public. The plan must address the types of development, key requirements to ensure compliance with community goals and policies, conceptual land use and infrastructure plans, requirements for development impact mitigation and offsets, and the phasing of development.	brought into the service area.
4. Following preparation of the plan, the city and county must determine that the proposed change from Area III-Planning Reserve to Area II meets the following criteria: a) Provision of a community need b) Minimum size of 40 acres c) Minimum contiguity to existing service area of 1/6 d) logical extension of service area e) Compatibility with the surrounding area and comprehensive plan f) No major negative impacts g) Appropriate timing for annexation within the next 15 years.	G. The Planning Board, City Council, Planning Commission, and County Commissioners hold public hearings to review the service area expansion plan, and **determine if the area proposed to change from Area III-Planning Reserve to Area II meets the criteria in the plan**. If approved, the area is moved to Area II.
	H. Annexation and Development occurs in the next 15 years according to the service area expansion plan.



FACT SHEET V 1.0 MAY 2015
This is 1 of 9 Community Fact Sheets
www.bouldercolorado.gov/planning

> "I like that my neighborhod is dense and diverse... Many housing types, historic homes, and lots of kids!

ALL ABOUT

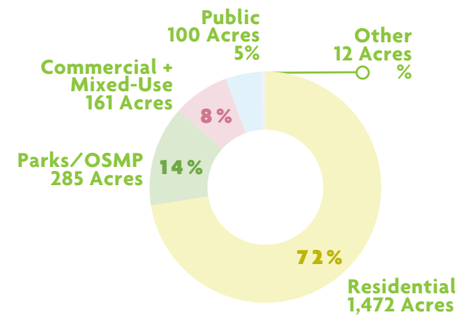
CENTRAL BOULDER

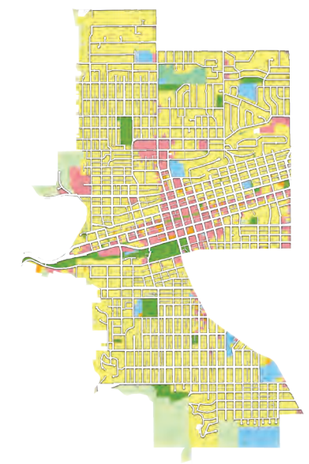
Located in the heart of the city, Central Boulder is a dynamic and diverse place. The area is rich with iconic Boulder locations, including Downtown and the Pearl Street Mall, University Hill, Boulder Creek, and Chautauqua. As such, Central Boulder offers some of the best shopping, restaurants, services, entertainment and recreation opportunities in the state. It is a hub of civic activity and a central gathering place for the community and the region, and a variety of iconic events such as the Farmers' Market, Boulder Creek Festival, and many others, are hosted here. Central Boulder is also one of the oldest and most historic parts of the city. Nearly all of Boulder's designated historic districts are located in this area, and many more neighborhoods and districts are potentially eligible for designation. Well-connected to the rest of the city and with a diverse collection of places to explore and things to do, Central Boulder stands out as the civic and cultural core of the community.

OUR LEGACY.
OUR FUTURE.
BOULDER VALLEY COMPREHENSIVE PLAN

LIFESTYLE

EXISTING LAND USE





PARKS & OPEN SPACE

17 parks
1 pedestrian mall (Pearl St.)
1 recreation center
1 community center
1 senior center
1 outdoor pool
1 pottery lab
1 studio
4 trailheads

BVSD SCHOOLS

Foothills Elementary
Columbine Elementary
Whittier Elementary
Flatirons Elementary
University Hill Elementary

Casey Middle

New Vista High

GETTING AROUND

BIKE LANES & TRAILS

32.69 miles
203.81 miles in Boulder Valley

28% % of subcommunity within 1/4 mile of a trailhead

NEIGHBORHOOD ACCESS

To be included in next draft

SIDEWALK GAPS

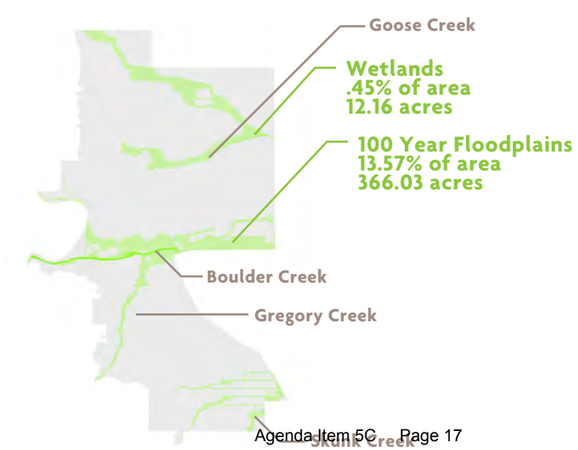
1.48% of missing sidewalk links
5% (city average)

TRANSIT

84 % of subcommunity within 1/4 mile of transit

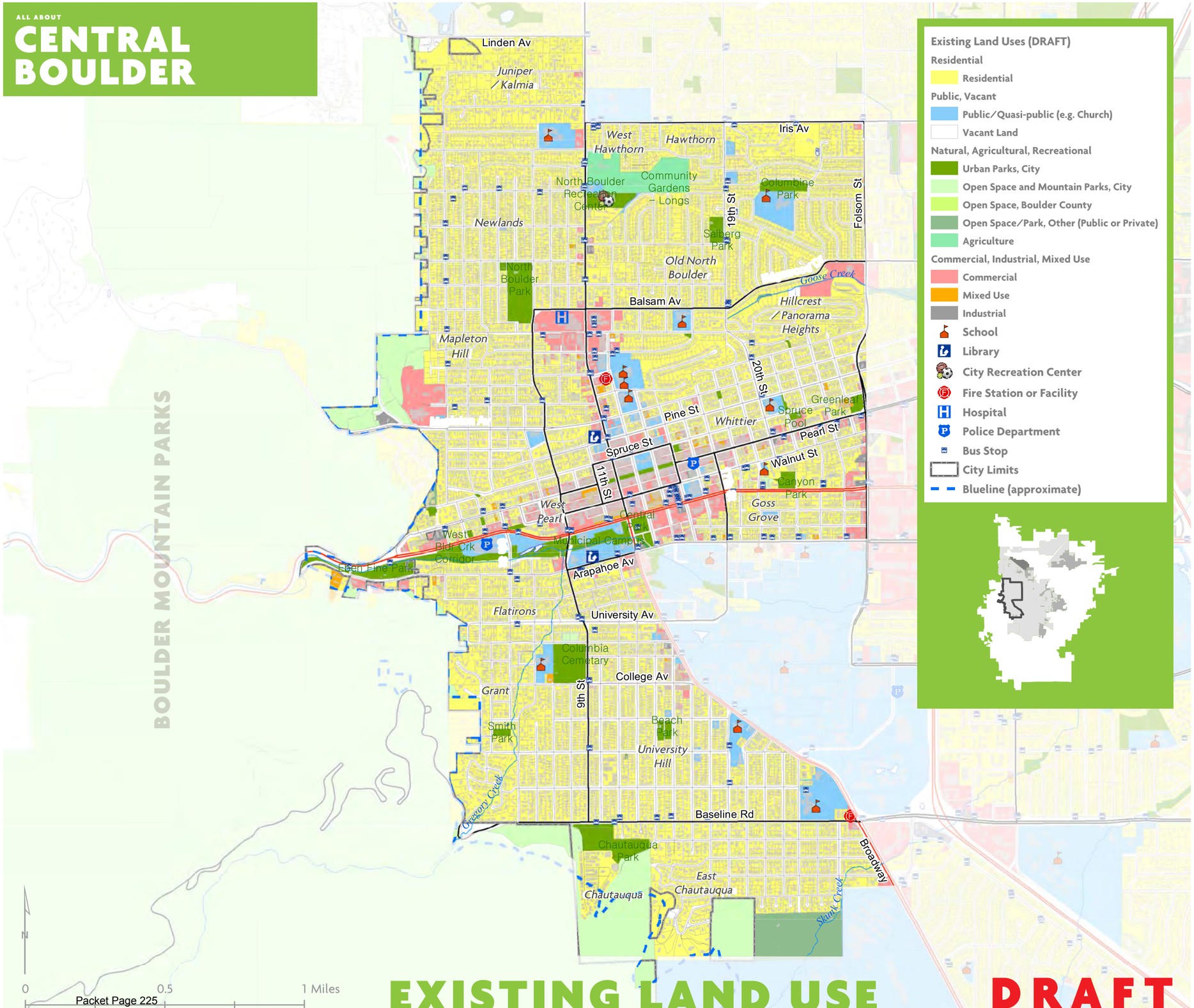
NATURE & CLIMATE

WATER FEATURES



ALL ABOUT

CENTRAL BOULDER



EXISTING LAND USE

DRAFT

PEOPLE & HOUSING

POPULATION

29,515 (2015 estimate)

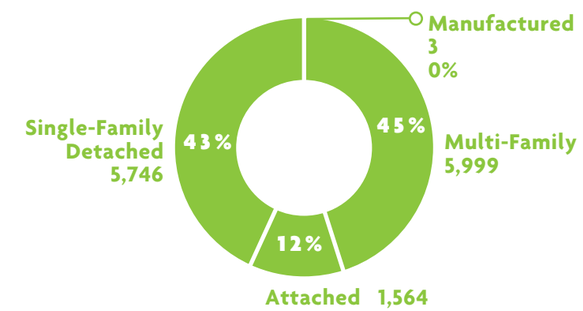
34,045 (2040 projection)

TOTAL DWELLING UNITS

13,321 (2015)

15,470 (2040 projection)

HOUSING UNIT MIX

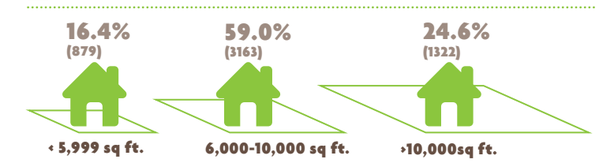


DENSITY (DWELLING UNITS/RESIDENTIAL ACRE)

8.87 units/acre

7.3 units/acre (city average)

RANGE OF SINGLE FAMILY LOT SIZE



TOTAL JOBS

23,582 (2015)

27,448 (2040)

OUR LEGACY. OUR FUTURE.

BOULDER VALLEY COMPREHENSIVE PLAN

A majority of the historic districts, and much of the city's history, exists within Central Boulder.

1860
Abner Brown builds the first schoolhouse in what would become the state of Colorado.

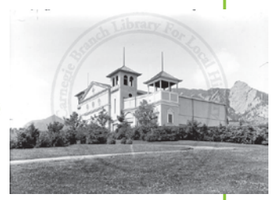
1865
Boulder's first County Courthouse is built.

1876
Central School graduates its first high school class, the same year that CU is established.

1882
Whittier School opens. It is the longest continually operating school in Colorado.

1894
The Boulder-Colorado Sanitarium is established.

1898
Construction begins on the Texas-Colorado Chautauqua. The park's most prominent building, the auditorium, is constructed in less than eight weeks.



1909
1. The Hotel Boulderado opens and the first liquor license is issued. constructed in less than eight weeks.
2. The Post Office at 15th and Walnut Streets is constructed.

1.

2.

1918
CDr. O.M. Gilbert establishes the Mesa Vista Sanatorium.

1921
1. The Boulder Community Hospital opens in the former Ben Hagman House at 2705 Broadway.
2. Boulder's first auto park opens on what is presently known as Eben G. Fine Park.

1.

2.

1937
Boulder High School on Arapahoe Ave. is designed by Glen Huntington.

1938
The Boulder Lions Club erects a Bandshell in Central Park. Architect Glen Huntington designs the structure & Saco DeBoer is the landscape architect.

1850 | 1860 | 1870 | 1880 | 1890 | 1900 | 1910 | 1920 | 1930 | 1940 | 1950 | 1960

1859
1. The Boulder City-Town Company is established.
2. The First Methodist Church is founded as Boulder's first faith community.

1.

2.

1870
The first burial at Columbia Cemetery takes place.

1880s
Goss Grove, Whittier, and Mapleton Hill, Boulder's earliest neighborhoods, begin to develop.

1892
Mount St. Gertrude Academy is established.

1897
Crystal Springs Brewing and Ice Company takes over Boulder City Brewery near 9th St. and Arapahoe Ave.

1906
Boulder builds the Carnegie Library, the city's first public library.

1910
1. Nearly 280 homes are already constructed in the Mapleton Hill neighborhood with a couple hundred more to come in the following decades.
2. Frederick Law Olmsted, Jr. writes "The Improvement of Boulder Colorado," which helped to create a plan for Boulder's future.

1.

2.

1919
The Switzerland Trail train ends its service from Boulder to Ward.

1931
Boulder's electric streetcars stop running as automobiles take over.

1932
The first Boulder County Courthouse burns down.

1952
The tanks belonging to the Federal Gas Company building that opened in 1904 are demolished at 13th and Canyon Blvd.

LOOKING BACK AT THE LEGACY OF CENTRAL BOULDER

DRAFT

1954
The Boulder Junior Academy has a school built on 4th Street.

1959
PLAN-Boulder implements the "Blue-line" to stop development in Boulder's foothills.

1967
Midland Federal and Savings Company announces plans to build a branch office designed by modernist architect Hobart Wagener at 13th St. & Canyon Blvd.

1971
Boulder enacts a building height limitation.

1972
Central School is demolished.

1976
1. The pedestrian mall on Pearl Street is established and soon becomes a national example of successful outdoor malls.
2. On February 2nd, Boulder designates its first three landmarks: the Squires-Tourtellot House, the First Congregational Church, and the Armory Building.

1982
The Mapleton Hill Historic District is designated.

1987
Boulder History Museum opens its new location "on the Hill" at the Harbeck House on Euclid Ave.

1998
Assembly of the Boulder Dushanbe Teahouse is completed.

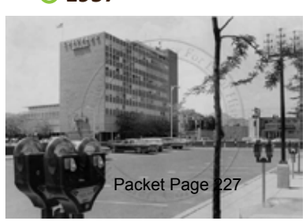
Downtown is designated as an historic district.

2010

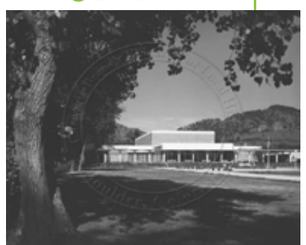
The Hannah Barker House is donated to Historic Boulder, Inc. The organization intends to rehabilitate the house.

1955 1960 1970 1980 1990 2000 2010

1957
Construction on the nine-story Colorado building at Walnut and 14th is complete.



1961
James Hunter designs a new public library for Boulder at 9th St. and Canyon Blvd.



1969
Boulder's first liquor license is issued to the Hotel Boulderado.

1974
City Council adopts a historic preservation ordinance.

1978
1. Chautauqua is designated a local historic district and placed on the National Register of Historic Places. With support from the State Historic Fund, the Chautauqua buildings are restored.
2. Floral Park is designated as Boulder' first historic district.
3. A House near 6th Pine St. becomes the television home for the popular "Mork and Mindy" series.

1.

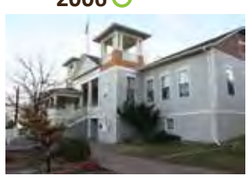
2.

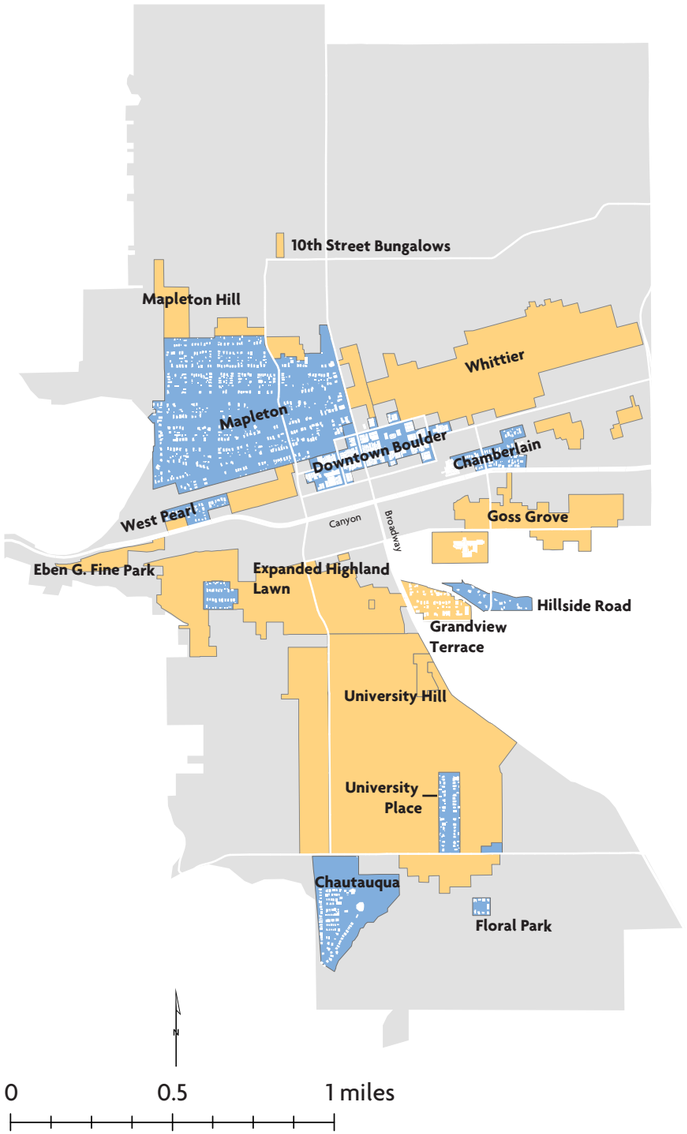
3.

1980
Mt. Saint Gertrude Academy reopens as The Academy, a retirement community.

1992
Boulder Public Library expands across Boulder creek to 10th St. and Arapahoe Ave.

2006
The Boulder Chautauqua is designated as a National Historic Landmark District, one of only 24 in Colorado.





Historic Districts
- Designated Local Historic Districts
- Potential Local Historic Districts

Subcommunities
- Central Boulder

Photographs and historic facts courtesy of the Boulder Carnegie Branch Library, City of Boulder, Denver Public Library Western History & Genealogy Department Digital Collections, and Stephen H. Hart Library and Research Center Collections.

Attachment E:

Summary of Planning Commission and Planning Board feedback in July

A - BVCP – BOULDER COUNTY PLANNING COMMISSION UPDATE

WEDNESDAY, JULY 15, 2015
3:00 PM – 5:00 P.M.
1325 PEARL STREET (COURTHOUSE)

Attendance
Michael Baker, Ben Blaugrund, Lieschen Gargano, Daniel Hilton, W.C. Pat Shanks, Doug Young, and Daniel Hilton

Study session purpose
To provide an update to the Boulder County Planning Commission on the community kick off, trends report, proposed survey, other foundations work, and upcoming events related to this Five Year Update.

** Notes below on Planning Commission feedback are grouped by topics corresponding to the presentation given by staff.*

Work plan & Focused Topics

- *(no comments)*

Service Area Expansion

- Three of the seven PC members in attendance saw no need to pursue a service area expansion assessment for a variety of reasons *(a fourth was on the fence, and the remaining three are new to a BVCP Update and have had no experience in the Area III discussions, therefore had no comment):*
    - Boulder is unique in comparison to any other city in Colorado and perhaps elsewhere – Area III performs an important role in that. The process for moving Area III lands into the service area is fine; the status quo is fine; there is no need for the city/county to be proactive in an expansion.
    - The Area III PRA text makes it clear that urbanization is an option, not a mandate. Rural preservation is equally important absent any compelling, demonstrable, “no other alternative” scenario to do otherwise.
    - A general service area expansion assessment absent a specific plan, proposal, or context does not yield much because of infrastructure needs and adjacent lands. Impact and compatibility analyses will vary dependent on what is being considered.

- Some visioning of what Area III might be/ought to be could be useful rather than reacting to proposals every five years.
- Issues like providing more affordable housing can be addressed within the existing service area by looking at underdeveloped and underutilized land capacities if the political will is there.
- A future need that truly is a community-wide need, like municipalization of energy, and has unique land use needs may merit looking at a service area expansion/Planning Reserve analysis.

Preliminary 2040 Projections

- Difficulty in reading the heat maps that illustrate additional potential based on zoning capacity for 1) employment and 2) additional dwelling units. Can they be enhanced or improved?

Other updates

(Regarding subcommunity & Area III fact sheets and additional work continuing through July, including: 2015 Community and Affordable Housing Profiles, updates to maps, Trends Report, a 3-D tool, master plan alignment and metrics initial assessment, and a draft on accomplishments and challenges)

- Area III maps and data are a great addition and show the importance of Area III as a major component adding to the quality of life and distinct character of the Boulder Valley.
- An Area III population of 7,500 and its area of 44,000 acres (nearly three times as much land area as the city of Boulder) of rural preservation designation under county jurisdiction reinforces the need and "urgency" to keep the BVCP a city/county collaboration and to renew the IGA sooner rather than later in the 2015 Update process, as it expires in 2017.
- Information presented as trends, metrics, patterns, graphics are more effective ways to engage people than just presenting data

Community Engagement

- The planned depth and breadth of community outreach is impressive

B - BVCP – CITY OF BOULDER PLANNING BOARD UPDATE

THURSDAY, JULY 16, 2015

Attending

Planning Board

Aaron Brockett (chair), Crystal Gray, Leonard May, Elizabeth Payton, John Putnam. Absent: Bryan Bowen and John Gerstle.

Staff

Susan Richstone, Lesli Ellis, Courtland Hyser, Jean Gatza, Caitlin Zacharias

Overview

Staff presented an update on the work plan, focused topics, land use categories, community engagement and foundations work products.

Questions

- Will the postcard differentiate this project from others such as the housing project? Could put something on the website.
- Community engagement, is there a message about "why it matters?" Will have more in other documents. It is a big theme of this update - people to be informed and motivated to participate. Hope to achieve this with videos and speakers. Do as much as we can to inform and motivate – focus on the positive and acknowledge the good work of past.
- Are the original consultants still involved? How much of their recommendations will make it into the new plan? No, they are not under contract for future pieces of work, but so far quite a few of their recommendations are reflected in the focus areas, engagement suggestions, more visual materials, metrics, 3D mapping.
- How does the Residential Growth Management System align with the forecasts? Not limiting growth due to exemptions; annual growth less than 1%.
- The projections will be an ideal topic to introduce in the 3D modeling. Show urban form of the projected growth.
- Love the subcommunity fact sheets. Will you include the heat maps in these under existing code - where will there be more infill? Need to check information and ensure accuracy. The idea is to inform people, but we need to determine the best ways to do that given that accuracy is not at the parcel level.
- Can 3D presentation be at subcommunity level with ability to zoom in? Intent is to get clear about where there is potential change and areas with less significant change.
- On the "heat map" approach for the forecasts, have you considered paired maps –showing existing and future (e.g., inverse of what is potential for development as the more intense color)
- For the fact sheets, how did you pick the quotes? Can we add more about what people like about the area? More quotes will emerge as we go through the process. Consider a variety of quotes. By putting just one quote on the cover it appears to be more defining of the area - have at least three to complement each other. Quotes add human touch. Quotes are helpful and prompt people to think about things. Just portray several perspectives if possible. Might get cluttered. Maybe "fun facts" or something else, e.g. rankings. Don't want them to be a distraction.

- Why does Central Boulder have the largest number of people and housing units compared to the other subcommunities? The subcommunities were pre-defined and approved in the BVCP many years ago.

Survey – RRC has been retained for initial mail survey and focus groups. A first survey will address higher level questions associated with trends and key topics – growth management, neighborhoods. We are considering a second follow up survey early next spring to ask about specific items and proposed changes to the plan.

Feedback

Work Plan

- Is anything changing from past updates? More emphasis on growth management issues - slightly larger bundle of topics.
- Service area process? First asking the threshold question before opening request process. Trying to make process less frustrating, more efficient while still ensuring due process.
- Planning Board would like to receive meeting notes (or a link) from the process subcommittee.

Focused Topics

- Maybe housing strategies should be its own topic.
- Under stronger links between policies and actions - when we get all the way through all this - will there be some process to link BVCP and land use code? BVCP policy document - can work toward clearer guidance to code and decision-making process. Also there will be processes that come from this that will direct regulatory changes to be consistent with the policy document.
- Traditionally - there is a next step to initiate a comprehensive rezoning, changes to the policies, code. Revision to site review criteria to get better outcomes. Will these feed into the work plan? That discussion will come up in design excellence and form-based code discussions - consider using in other areas of the community. Following the pilot - changes to code will likely come up. Think this will be more than a handful of changes.

Service Area Expansion Question

Does Planning Board agree with approach to pose the threshold question prior to initiating a merit study, and does the board think 2015 is the right time?

- Glad staff is taking this tiered approach with the idea of heading off a long process. We have not yet identified a need that expanding into the Planning Reserve area would serve. Would like to keep it as a planning reserve for at least another five years. There could be something really remarkable to expand into the service area for (e.g. NCAR type of use - aligned with traditions of Boulder - intellectual resource – but we haven't seen anything like that proposed yet)
- Reserve has to be a truly unique and compelling need to expand. Don't see anything on the immediate horizon that would justify that. There is significant potential for growth within the existing city limits - even with needs for affordable housing and desire to increase.
- Like the clarity of this process. Possible ideas out there could play into the consideration of this, so we don’t want to close the door now. If there were a truly unique and compelling proposal, maybe we would be willing to consider it. Or more likely a community partner - e.g. Naropa - willing to look. Don't see a burning need to expand at this time.
- Agree with comments. Have a process to hear and/or entertain ideas. Clarify - we are inviting property owners to come and speak to council as part of the consideration. We want to

circumvent long processes - find a middle ground - hear initial ideas and make a determination whether to move forward. Any one body can present a ”veto".

- Confirm that Land Use map requests for Area I will continue forward regardless of the discussion of the service area. Yes. Build more discipline into the process to avoid rabbit holes of analysis for proposals that generally are not supported. Provide opportunity for boards to suggest other changes.
- Don't see a compelling need to open the planning reserve, but don't want to shut the door without any public input. Let’s see what happens at the public hearing - raise that question under matters at a future meeting but generally not interested.
- How do you loop back with community engagement? Each stage will have a series of community events - transparent and lots of opportunities to listen and revise to have a more refined draft plan proposal. Need to ensure there is adequate notification.

Approach to Updating Land Use Categories

Staff asked whether Planning Board agreed with the approach to reorganizing the definitions in the land use chapter. Specific content changes would come later. Planning Board responded:

- Like the approach. Two things: identify topics that we have stumbled over (e.g. “Open Space – Other”). Others where there are evolving notions about mixed use. Why certain categories are not allowed. Help triage.
- How the BVCP translates to zoning is the hardest thing to understand. Would like to see it explained in a way that is more transparent and explain intended land uses. Would like to see description of the purpose of land use categories and how it relates to zoning uses. Also listing of the allowed zoning districts for the different land uses. Not always a 1:1 relationship - might be a guide and not accepted in the plan. Even if there are difficulties they are worth overcoming. They should map to each other even if it requires a bunch of footnotes.
- Like the proposed new simplified structure. Consider a new category similar to environmental preservation: a "Historic preservation" land use designation - overlap with historic districts.

Projection Methods

- Is there value in indicating what can be changed by right vs. by discretionary review in the assumptions? Approach seems sound.
- Agree the gradients of the heat map are misleading and imply more potential - at least eliminate one category at the bottom of the scale. Have the growth projections. Can we add a growth per year rate?
- Methods - nature of employment is changing - tech firms rapidly expanding and numbers are always in flux. Factored into methodology - generated data of number of employees that are mapped. Clarified process; use info to craft assumptions for sq ft per employee.
- Important to look at number of employees and type of employment – impacts, range of types of jobs, understanding of how that is changing is important. Issue of people who live in Boulder - do new jobs satisfy the needs of existing residents? That could be heat-mapped- how employment patterns are changing and how we might approach economic policies. Some of that will be seen in trends report. Can have a baseline to assess in next update.

Other Suggestions

- Subcommunity fact sheets are great. Add to Central Boulder something about mining history. Also add irrigation / agricultural history if there is room.

- It will surprise people that Boulder HS is not in Central Boulder according to the subcommunity boundary. Reference it as being just across the line. Add the Mapleton early childhood center to the list of schools.
- Other suggestions: Where do you put "1st city to tax self for open space" – 1967; Like the photo of the old Victorian court house.
- Handouts are on the web. On engagement - inspire boulder / inquire boulder / insight boulder are confusing terms.
- Ricky Weiser - attended practically every city and county meeting. She always pointed to the Boulder Valley land use designation map as one of the most important implementation tools of the comp plan.

CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

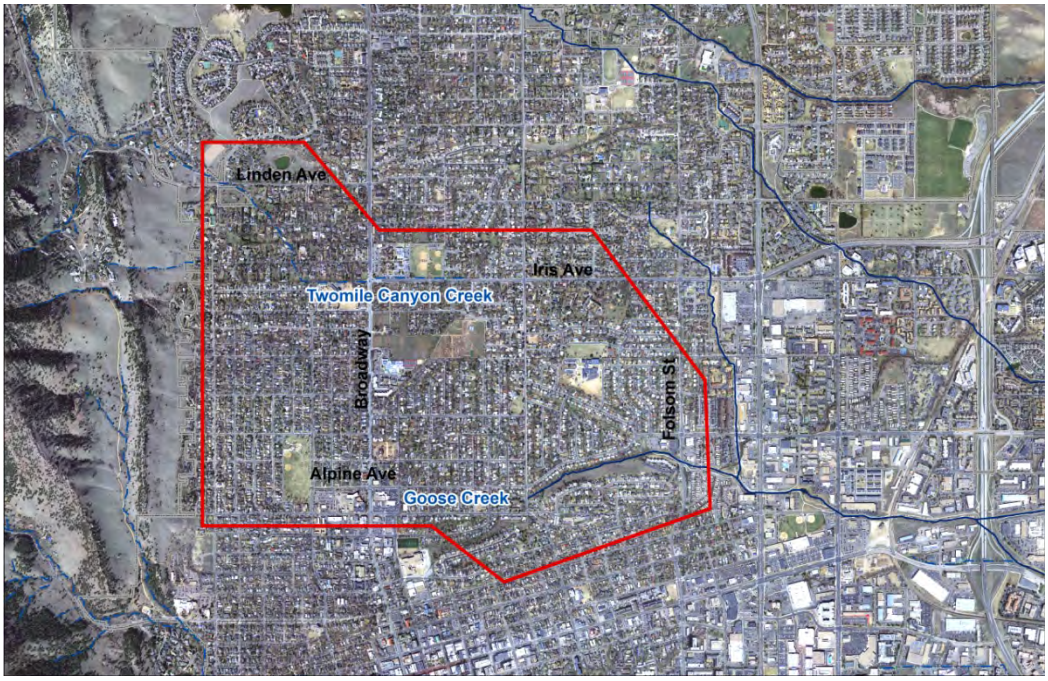
MEETING DATE: July 28, 2015

AGENDA TITLE
Consideration of a motion to accept the Upper Goose and Twomile Canyon Creek Floodplain Mapping Study update, submit the study to FEMA, and direct staff to consider and use the results of the study in the regulation of all annexations and development proposals during the interim period while FEMA is reviewing the results of the study.

PRESENTERS
Jane S. Brautigam, City Manager
Maureen Rait, Executive Director of Public Works
Jeff Arthur, Director of Public Works for Utilities
Annie Noble, Acting Principal Engineer for Flood and Greenways
Kurt Bauer, Engineering Project Manager
Kristin Dean, Utilities Planner II

EXECUTIVE SUMMARY
The city has a comprehensive floodplain management program designed to identify flood risks, mitigate the risks of flooding, minimize loss of life and property damage, and support community recovery following a major flood. Floodplain mapping provides the basis for the city's floodplain management program by identifying the areas at the highest risk for flooding. Changes in land use, updated topographic mapping, and upgrades to hydrologic and hydraulic models warrant periodic mapping updates.
These maps provide the foundation for prioritizing flood mitigation projects which benefit the entire community by protecting city infrastructure and reducing the overall life safety risks associated with flooding.

This memorandum provides information about the proposed floodplain mapping revisions for Upper Goose Creek and Twomile Canyon Creek in the area located west of Folsom Street to the city limits, as shown in red below.



This floodplain mapping study will update the hydraulic models and flood hazard mapping for the western portions of these two drainageways. **Attachment A** presents figures showing a comparison between the existing and proposed floodplain mapping for the study area. Since the study was first initiated in 2011, it has gone through an extensive public process and has been refined multiple times in response to public feedback and the incorporation of the city's Light Detection and Ranging (LiDAR) topographic data, which was obtained in 2012. Previous mapping studies had been developed using one-dimensional hydraulic modeling, whereas this study has incorporated two-dimensional hydraulic modeling to better inform the accuracy of the one-dimensional modeling.

The Twomile Canyon Creek watershed is an alluvial floodplain, with sections where no channel exists. During major storm events, the creek overtops its banks and spills south and east along many flow paths through the watershed. While the proposed mapping is based on criteria established by FEMA for a design storm, FEMA does not prescribe the level of detail required to model spill flows. The level of modeling detail in the proposed revisions to the draft floodplain mapping along Twomile Canyon Creek differ from what has been done in the past for city floodplain remapping studies. Typically, only large spill flows are modeled within a watershed. The inclusion of the LiDAR topographic mapping and two-dimensional modeling has allowed for definition of smaller spill flows (as low as 50 cubic feet per second) within the Twomile Canyon Creek watershed. The revised Twomile Canyon Creek floodplain remapping study also differs from previous studies in the method used to define the high-hazard zone. Typically, the high-hazard zone is delineated from the one-dimensional model only. The high-hazard zone for this revision was delineated in areas only where it was identified in both the one- and two-dimensional models.

These changes in the city's modeling approach have resulted in narrower flood zone delineations and correspondingly fewer structures identified in the flood zones. While these changes result in fewer properties being subject to regulatory restrictions and flood insurance requirements, this more detailed modeling approach also has other potential implications. The narrower delineation of flood zones may lead some residents, businesses and visitors to believe there is a more limited flood risk. No two storms are alike, and an individual storm will likely not manifest itself in exactly the way depicted by the flood zones defined by FEMA's theoretical design storm. Human intervention and sediment and debris flows can also greatly impact the paths of floodwaters and result in flooding outside of mapped zones. In addition, floodplain mapping provides the basis for the city's flood mitigation studies. As a result, this narrower mapping approach might affect future flood mitigation planning alternatives and priorities. Acknowledging these potential implications, staff still recommends the revised floodplain mapping approach due to the more detailed topographic mapping using LiDAR and the more thorough evaluation using both the one- and two-dimensional modeling. Ultimately, FEMA will be reviewing the mapping and may not concur with this narrower modeling approach.

If adopted by the city and FEMA, the floodplain mapping study will provide the regulatory basis for land use applications, building permit applications, and flood insurance requirements for properties located in the 100-year floodplain of Upper Goose Creek and Twomile Canyon Creek.

STAFF RECOMMENDATION

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

1. Motion to accept the Upper Goose Creek and Twomile Canyon Creek Floodplain Mapping Study update, submit the study to FEMA, and direct staff to use the more restrictive of the existing and proposed mapping for regulatory purposes during the interim period while FEMA is reviewing the study results.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic:** Flood insurance is required for all properties located in the 100-year floodplain that are financed by a federally-backed mortgage. Flood insurance rates are set by FEMA based on the flood risk shown on the flood insurance rate maps, so accurate floodplain mapping helps facilitate accurate flood insurance rates. In 2014, the average annual rate for the 3,830 flood insurance policies within the City of Boulder was $760, including "preferred risk" policies for structures outside of the 100-year floodplain. Flood insurance and land use regulations provide property owners with some protection from potential losses due to floods. Flood protection land use regulations also add costs for property owners in the form of permit fees, increased costs of remodeling, and restrictions on development. Effective floodplain management benefits the entire community by reducing impacts from flooding on

transportation and utility infrastructure, residences and businesses, and therefore increasing the overall resiliency of the community.

- **Environmental:** Floods can result in damage to buildings and corresponding release of manmade contaminants. Floodwaters can also cause erosion and damage to areas of the natural environment that are not capable of conveying high-velocity stormwaters. Updated floodplain mapping more accurately identifies the areas with the greatest flooding risks and informs potential opportunities for flood mitigation.
- **Social:** Floodplain mapping provides the basis for flood management by identifying the areas subject to flooding. This information is essential for determining areas where life safety is threatened and property damage is likely. Land use regulations help reduce risks to people and property in areas with a high risk of flooding. Accurate mapping of flood risks also helps the city implement effective flood preparedness and response programs, thereby increasing the safety of people living, working or visiting in Boulder.

OTHER IMPACTS

- **Fiscal:** Funding for this study is included in the Utilities Division's 2015 budget.
- **Staff Time:** Staff time for completing this study is included in existing work plans.

BOARD AND COMMISSION FEEDBACK

This floodplain mapping study was presented to the Water Resources Advisory Board (WRAB) on May 20, 2013, November 17, 2014, and on March 16, 2015. In 2013, the WRAB motioned to table a recommendation until further analysis was conducted using the city's new LiDAR topographic mapping. The 2014 WRAB meeting was an informational update and no motion was requested. At the March 16, 2015 meeting, the WRAB unanimously recommended that the City Council adopt the Upper Goose Creek and Twomile Canyon Creek Floodplain Mapping Study update.

PUBLIC FEEDBACK

The Utilities Division mailed postcard notifications to all property owners and residents in the project area and also mailed letters to all affected property owners to inform them about the mapping study, upcoming public meetings, and where to find information about the study on the city website. The division also held open house meetings to inform the community about the proposed mapping revisions prior to the WRAB's consideration of the study. The public meetings are all documented in the timelines for the mapping study (**Attachment B**). Staff has actively engaged with individual property owners to address their questions and concerns. This outreach has been ongoing since the mapping process began in 2011.

The community weighed in significantly after the first iteration of the mapping was presented, and then again after the 2013 flood. Residents in areas identified as at-risk for flooding wanted to ensure that the mapping was truly accurate and in several cases, property owners submitted surveys that were incorporated into the modeling. As described in more detail under the analysis section below, the study was refined several times based on community feedback, the incorporation of the new LiDAR data, and the utilization of more sophisticated two-dimensional modeling to supplement the one-

dimensional modeling results. The proposed mapping results in a net decrease of 130 structures in the 100-year floodplain, a net decrease of 98 structures in the conveyance zone, and there are no longer any structures located within the high-hazard zone. At the March 2015WRAB meeting, the public that spoke all expressed their support of the revised mapping.

BACKGROUND

The risk of flash flooding is an important issue for the city, primarily due to its location at the mouth of Boulder Canyon and other canyon creeks. Approximately 13 percent of the city is located within the 100-year floodplains of Boulder Creek and its 14 tributaries, which includes the drainage area in this study. Nearly 2,600 individual structures are located within this flood zone. Read the Flood Management Overview for additional information about the city's floodplain management program, floodplain regulations, and flood insurance. While this mapping study focuses on Upper Goose and Twomile Canyon Creeks, as we saw in 2013, flood events can impact the entire community. Impacts from flooding create a health and safety risk for the entire community, as well as cause damage to public infrastructure.

The city delineates four flood zones, as described below.

- **500-year floodplain:** The 500-year floodplain delineates the flood limits resulting from a storm that has a 0.2 percent chance of occurring in any given year. Shallow flooding areas (one-foot deep or less) are included in the 500-year floodplain.
- **100-year floodplain:** The 100-year floodplain delineates the flood limits resulting from a storm that has a 1 percent chance of occurring in any given year (a 26 percent chance of occurring during a 30-year mortgage).
- **Conveyance zone:** The conveyance zone is the area of the floodplain that is specifically reserved for the passage of floodwaters. This zone is delineated to allow development to occur in some areas of the floodplain while still accommodating the passage of 100-year flood flows.
- **High-hazard zone:** The high-hazard zone defines the area of the floodplain where water depth and velocity pose a threat to life and safety. This area is delineated for areas in the floodplain where water depths are four feet or greater, or where the water velocity multiplied by the water depth equals or exceeds the number four.

All structures within the 100-year floodplain with federally backed financing are required to purchase flood insurance. The city's floodplain regulations also apply to all properties located within the 100-year floodplain.

The city has recently updated the floodplain mapping for most of Boulder's major drainageways. This floodplain mapping study currently under consideration is one of the last of a group of floodplain mapping updates that the City of Boulder has undertaken in the last few years. The Skunk Creek, Bluebell Canyon Creek and King's Gulch mapping study is currently undergoing revisions based on peer review comments, and staff anticipates that this study will be brought before council within the next few months.

Sunshine Canyon Creek and areas undergoing improvements, such as the Boulder Slough downstream of 30th Street, are slated for remapping in the near future. It is important to update floodplain maps on a periodic basis to refine the accuracy using current technology, account for changes in the topography or other geographic features, and to include changes to the built environment.

On Sept. 30, 2014, a Flood Management Study Session was held with council. Staff communicated that several floodplain mapping studies were under review and scheduled to be brought to council. City Council members supported the concept of mapping studies being reviewed as consent items, provided that there are no significant issues of concern. While this mapping study does not necessarily pose any significant issues for concern, it is quite extensive, from a geographic perspective, and also incorporates new modeling techniques. The July 28, 2015 council public hearing is being held to ensure that the community has the opportunity to provide comments prior to council acceptance.

This floodplain mapping study has undergone an extensive analysis and public process. A timeline for the study is included as **Attachment B.** Links to each staff memo, with details for each stage of the mapping process, are included in this timeline. Additional background information for this study can also be accessed on the project website: Upper Goose Creek and Twomile Canyon Creek Floodplain Mapping Update.

ANALYSIS

The Upper Goose Creek and Twomile Canyon Creek study area is located west of Folsom Street to the city limits. The city hired ICON Engineering in 2011 to conduct an updated study. The study, co-funded by the Urban Drainage and Flood Control District (UDFCD), was conducted in the following three phases:

1. Hydrologic analysis;
2. Field survey and investigation; and
3. Hydraulic analysis.

The Twomile Canyon Creek watershed is an alluvial floodplain with sections where no channel exists. The existing floodplain map, adopted in 1987, shows one major flow path along Twomile Canyon Creek. Findings from the field survey and documentation of historic floods; however, indicate that even relatively minor storms would cause Twomile Canyon Creek to overtop, with floodwaters flowing downstream along several paths. This was confirmed from the documentation of flooding collected after the 2013 flood.

The proposed floodplain mapping area is much more extensive than the currently effective mapping, as it includes the additional spill flow paths. The proposed 100-year mapping includes both AE and AO zones. AE Zones are areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods using Base Flood Elevations (BFEs). AO Zones are areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. The AO flood zone was identified in the vicinity of Foothill

Elementary School to better define the flood risk in an area that is not a major flow path, but where risk was identified using the two-dimensional model.

This mapping study updated the hydraulic models and flood hazard mapping for the 500-year floodplain, 100-year floodplain, conveyance zones, and high-hazard zone for the stream reaches within the designated study areas. FEMA regulates the 100-year floodplain and the conveyance zone (FEMA floodway). The high-hazard zone is a designated and regulated by the City of Boulder.

In 2012, the city initiated collection of new topographic mapping using LiDAR to provide more accurate citywide base mapping. This state-of-the-art Light Detection and Ranging collected a minimum of 16 elevation points per square meter, with a vertical accuracy of +/- 0.3 feet. The Upper Goose Creek and Twomile Canyon Creek Floodplain Mapping Study was put on hold in 2012 in order to incorporate the new LiDAR data. Previous floodplain mapping updates used either one-foot or two-foot contour base mapping, which is much less accurate than the LiDAR data.

As noted above, the alluvial nature of the floodplains in the study area results in multiple split flows where floodwaters spill out of the creek channels. In order to define and map the different flow paths, newer two-dimensional (2-D) floodplain modeling techniques were used. The 2-D models are used to identify major flow paths, which are then simulated with a one-dimensional (1-D) model. Previous mapping studies were developed only using 1-D modeling technology. The 2-D modeling can help identify split flow paths to better inform and confirm the results from the 1-D model, which is developed for the final regulatory model. After the September 2013 flood, high-water marks, photographs and personal accounts from the flood were used to estimate the flooding extents. This information was reviewed to further assess flow paths and check assumptions.

The 2-D modeling was also used to help define high-hazard zone (HHZ) areas. The HHZ was initially delineated based solely on the 1-D model results, which was the standard approach used in previous study. For this study, the HHZ areas were re-evaluated by reviewing the 2-D model results. The proposed mapping was revised to delineate HHZ only in areas where results from both the 2-D and 1-D models indicate HHZ areas. As a result, several of the HHZ delineations were reduced and some isolated pockets were eliminated from the mapping and there are now zero structures identified in the HHZ. The WRAB indicated their concurrence with this methodology for determining the HHZ.

Over the course of the study, the floodplain mapping was revisited and revised several times based on issues raised during the public process concerning some of the draft HHZ, conveyance zone, shallow flooding, and 100-year delineations. The proposed revisions to the draft floodplain mapping along Twomile Canyon Creek differ in the level of modeling detail from what has been done in the past for city floodplain remapping studies. Typically, only large spill flows are modeled within a watershed. The inclusion of the LiDAR topographic mapping and two-dimensional modeling has allowed for

smaller spill flows (as low as 50 cubic feet per second) to be defined within the Twomile Canyon Creek watershed.

These changes in the city's modeling approach have resulted in narrower flood zone delineations and correspondingly fewer structures identified within the flood zones. While these changes result in fewer properties being subject to regulatory restrictions and flood insurance requirements, this more detailed modeling approach also has other potential implications. The narrower delineation of flood zones may lead some residents, businesses, and visitors to believe there is a more limited flood risk. Although the proposed floodplain mapping resembles the flood extent limits from September 2013, no two storms are alike and an individual storm will likely not manifest itself in exactly the way depicted by the flood zones defined by the FEMA theoretical design storm. Human intervention and sediment and debris flows can also greatly impact the path of floodwaters and result in flooding outside of mapped zones. In addition, floodplain mapping provides the basis for the city's flood mitigation studies.

As a result, this narrower mapping approach might affect future flood mitigation planning alternatives and priorities. Acknowledging these potential implications, staff still recommends the revised mapping approach due to the more detailed topographic mapping using LiDAR and the more thorough evaluation using both the one- and two-dimensional modeling. Ultimately, FEMA will be reviewing the mapping and may not concur with this narrower modeling approach. Through the public process, the WRAB and the public were informed of the potential risks associated with this narrower approach and indicated their support to move forward under this more refined analysis. This approach has also been incorporated into the Skunk Creek, Bluebell Canyon Creek and King's Gulch floodplain mapping study and, if community support continuess, then the approach will be applied to all future floodplain mapping studies.

Attachment A includes figures showing a comparison between existing and proposed floodplain mapping and how the mapping impacts existing structures. A summary of the number of structures affected by this study is provided below.

Upper Goose Creek and Twomile Canyon Creek Structures Affected by Floodplain Mapping Changes						
	Existing	**Proposed**	**Net Change**	**Remaining**	**Removed**	**Added**
100-year	408	278	-130	133	275	145
Conveyance	149	51	-98	42	107	9
High-hazard zone	65	0	-65	0	65	0

MATRIX OF OPTIONS

City Council options for review and consideration of this floodplain mapping study include:

1. Accept the staff and WRAB recommendation to accept the updated floodplain mapping study, which would then be submitted to FEMA. Staff would then consider

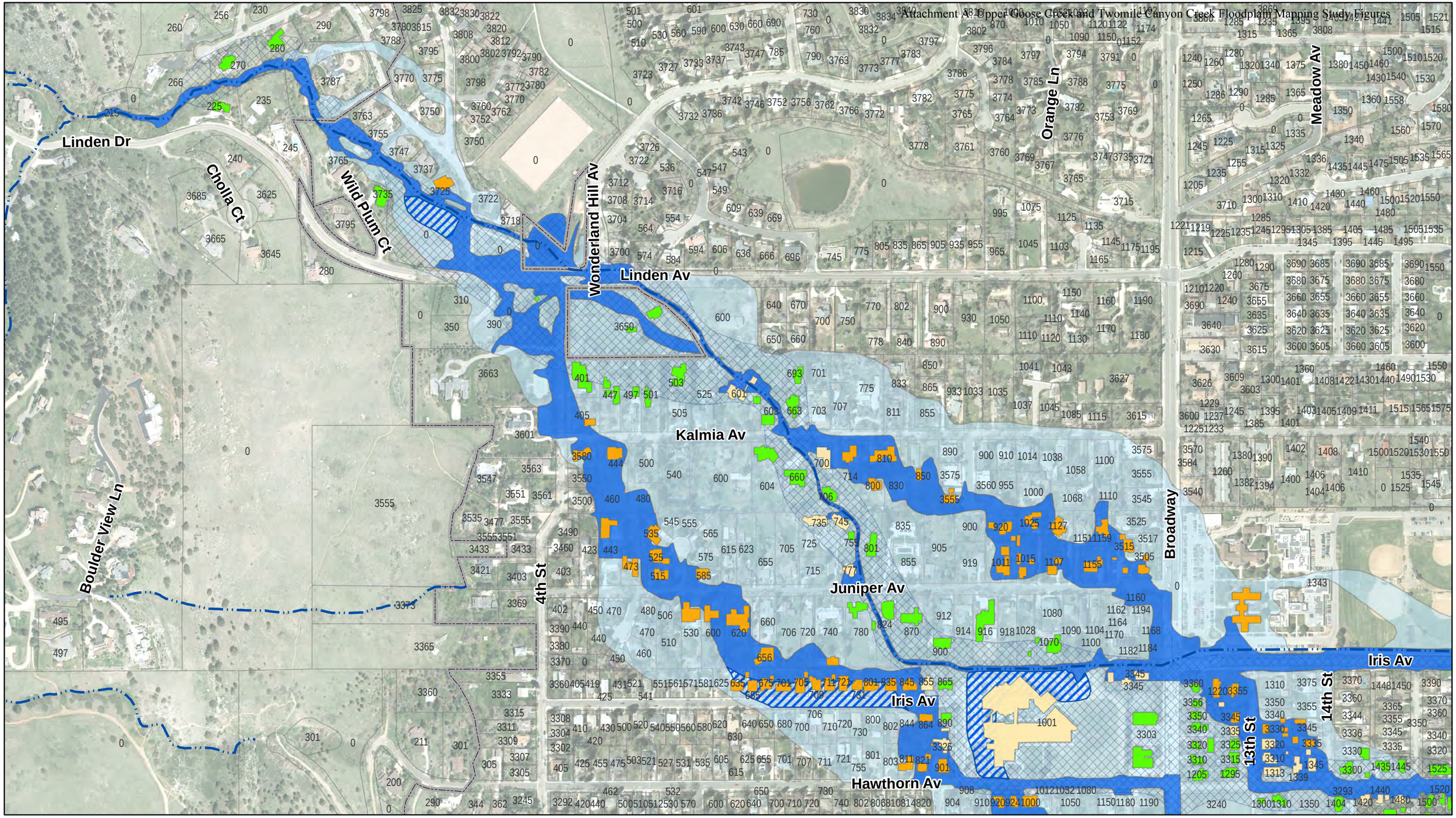
and use the study results in the regulation of all annexations and development proposals during the interim period while FEMA reviews the study results (staff recommendation); or

2. Recommend changes or conditions before accepting the updated floodplain mapping study, submitting it to FEMA, and directing city staff to use the results for regulation; or

3. Reject the updated flood study and continue to use the current floodplain maps for city regulatory purposes.

NEXT STEPS:
If City Council approves the floodplain map revisions, staff will submit the request to FEMA for review. During the FEMA review and approval process (estimated to last two to four years), it is recommended that the new mapping be used for regulatory purposes by regulating to the more restrictive of the existing and proposed mapping. This would mean that new developments within the newly identified flood zones would be subject to the proposed floodplain regulations. In order to comply with FEMA requirements, development within the areas that are being removed from the floodplain would still be subject to the city's floodplain regulations until FEMA officially adopts the new floodplain mapping. Therefore, the more restrictive of the existing and proposed mapping would apply. Following formal adoption by FEMA, the city would regulate solely based on the new mapping.

ATTACHMENTS:
A. Upper Goose Creek and Twomile Canyon Creek Floodplain Mapping Study Figures
   - Existing and Proposed 100-year Floodplain
   - Existing and Proposed 500-year Floodplain
   - Existing and Proposed Conveyance Zone
   - Existing and Proposed High-hazard Zone
B. Timeline for the Upper Goose Creek and Twomile Canyon Creek Floodplain Mapping Study



Legend

- Proposed (2015) 100 Year Floodplain
- Proposed (2015) 100 Year Floodplain (Zone AO) Flood Depth 1' to 2'
- Proposed (2015) Shallow Flooding (unregulated)
- FEMA Effective 100 Year Floodplain
- City Limits
- Buildings Added to the 100 Year Floodplain (145)
- Buildings Remaining in the 100 Year Floodplain (133)
- Buildings Removed from the 100 Year Floodplain (275)

N

0 250 500 1,000 Feet

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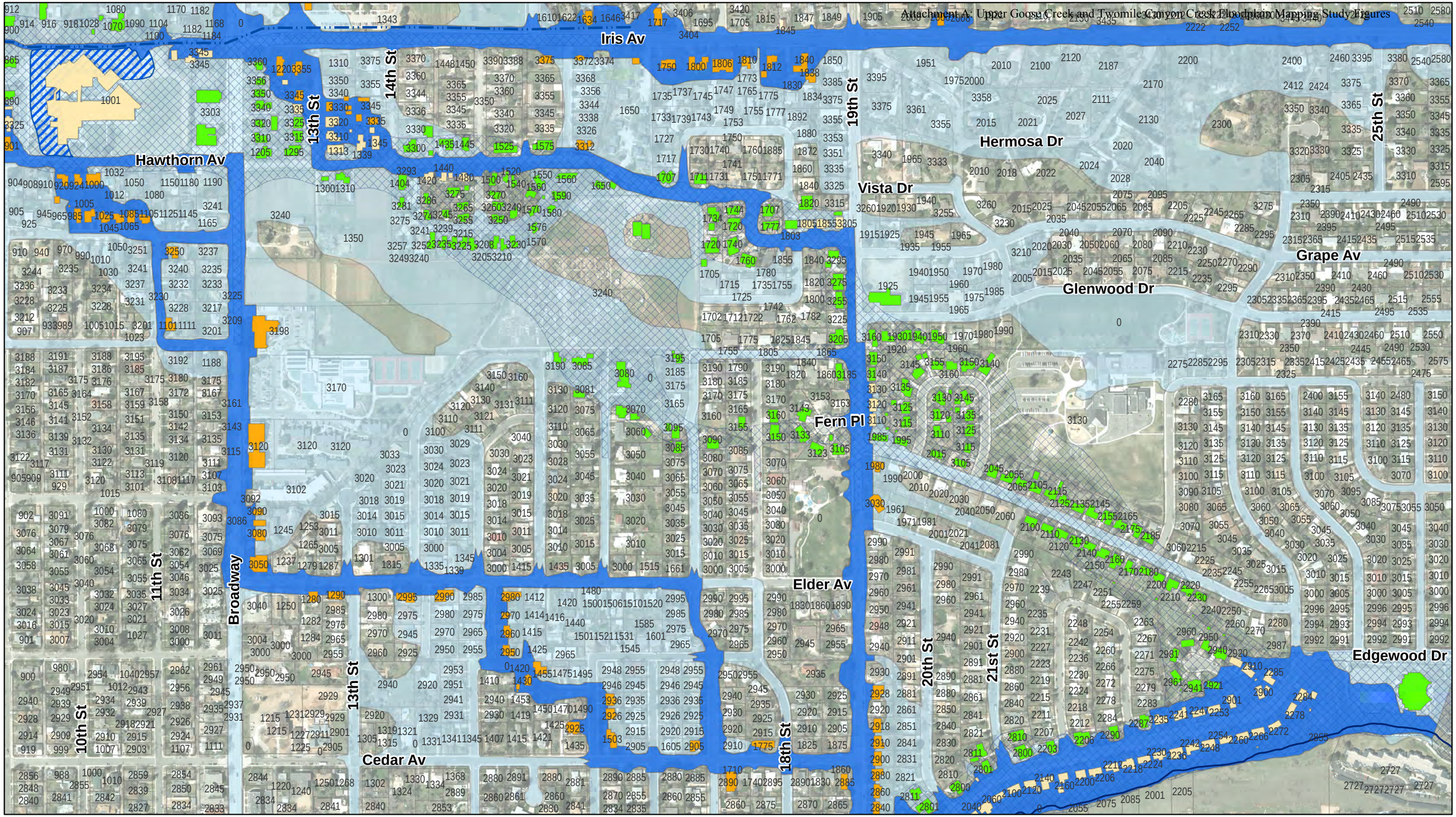
Twomile Canyon & Upper Goose Creek

Structures Affected by Proposed Mapping Compared to Existing FEMA 100-Year Floodplain

Rev: 6/2/2015

MAP 1 OF 3



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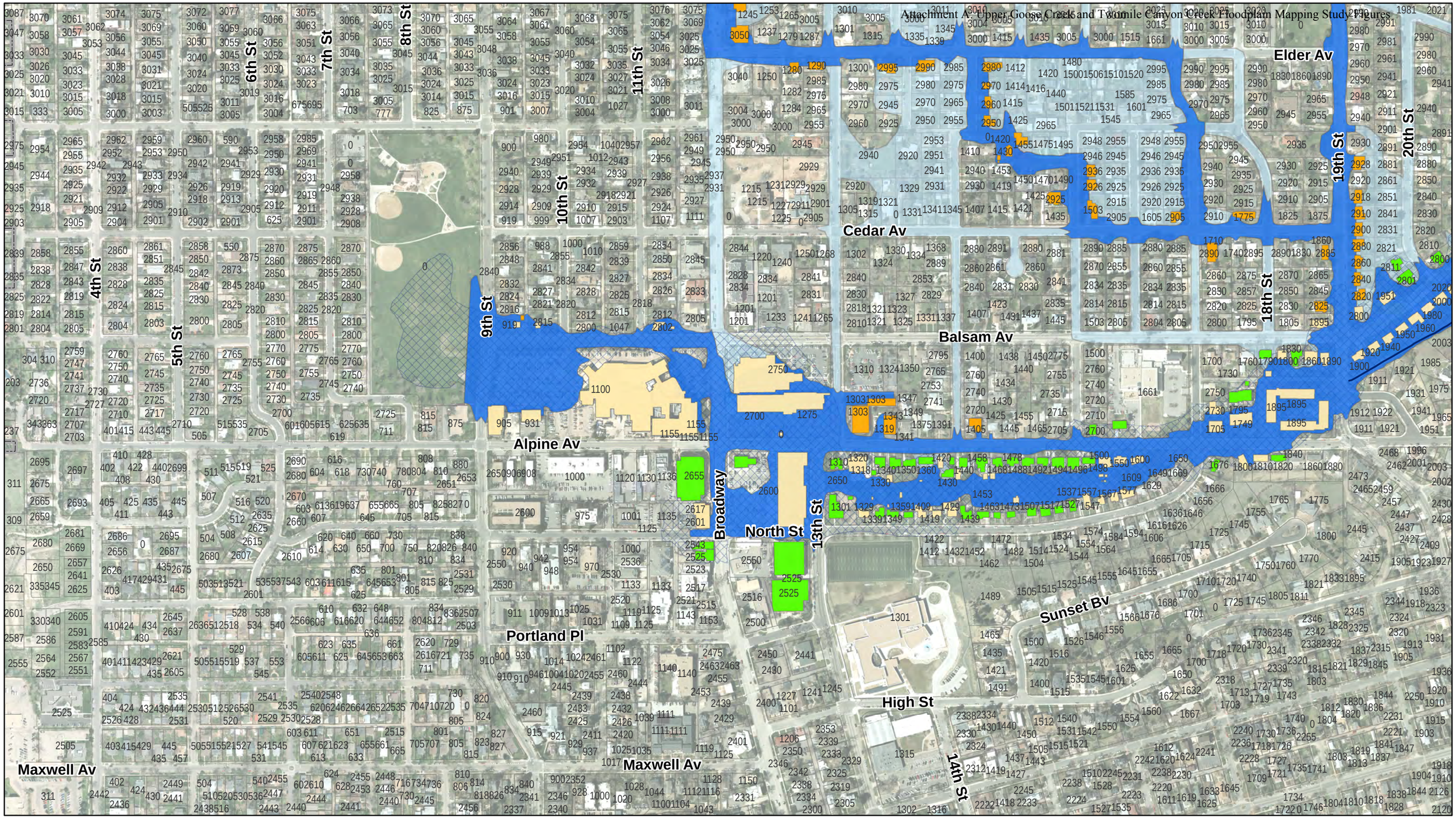
Twomile Canyon & Upper Goose Creek

Structures Affected by Proposed Mapping Compared to Existing FEMA 100-Year Floodplain

Rev: 6/2/2015

MAP 2 OF 3



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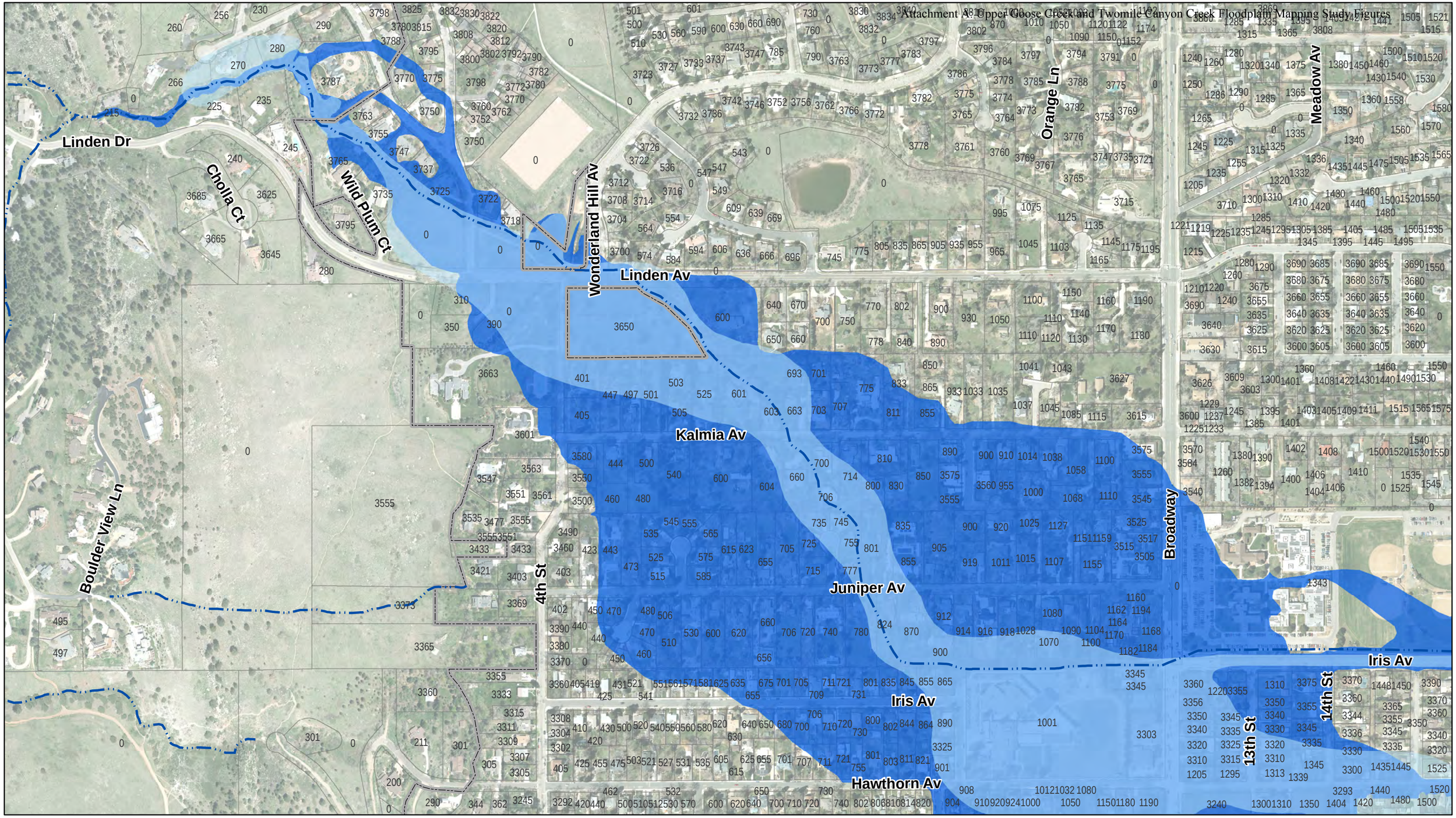
Twomile Canyon & Upper Goose Creek

Structures Affected by Proposed Mapping Compared to Existing FEMA 100-Year Floodplain

Rev: 6/2/2015

MAP 3 OF 3



Legend

- Proposed (2015) 500 Year Floodplain
- FEMA Effective 500 Year Floodplain
- City Limits
- Creek
- Int. Creek

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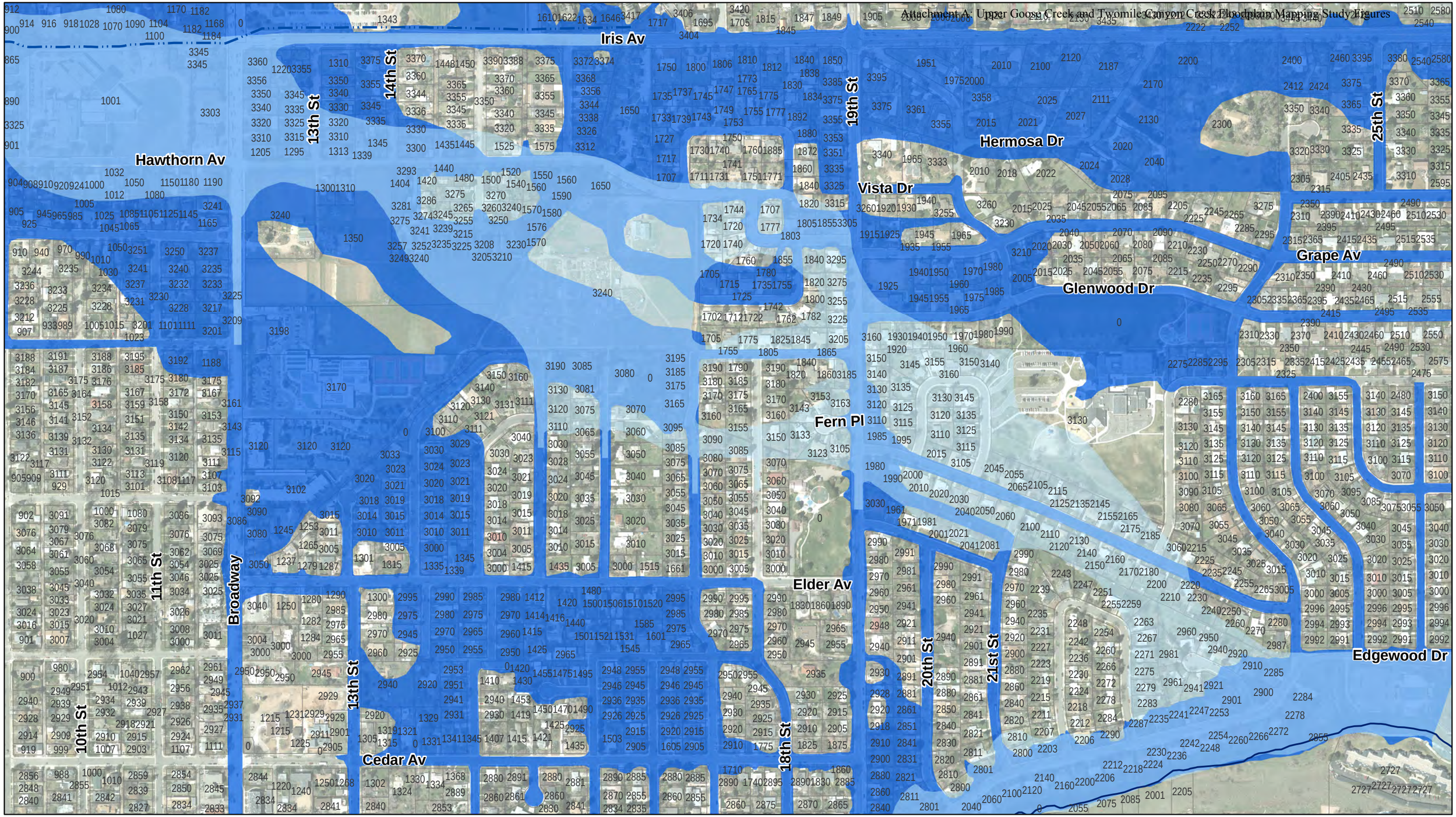
Twomile Canyon & Upper Goose Creek

Proposed Mapping Compared to Existing FEMA 500-Year Floodplain

Rev: 2/25/2015

MAP 1 OF 3



Legend

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- City Limits
- Creek
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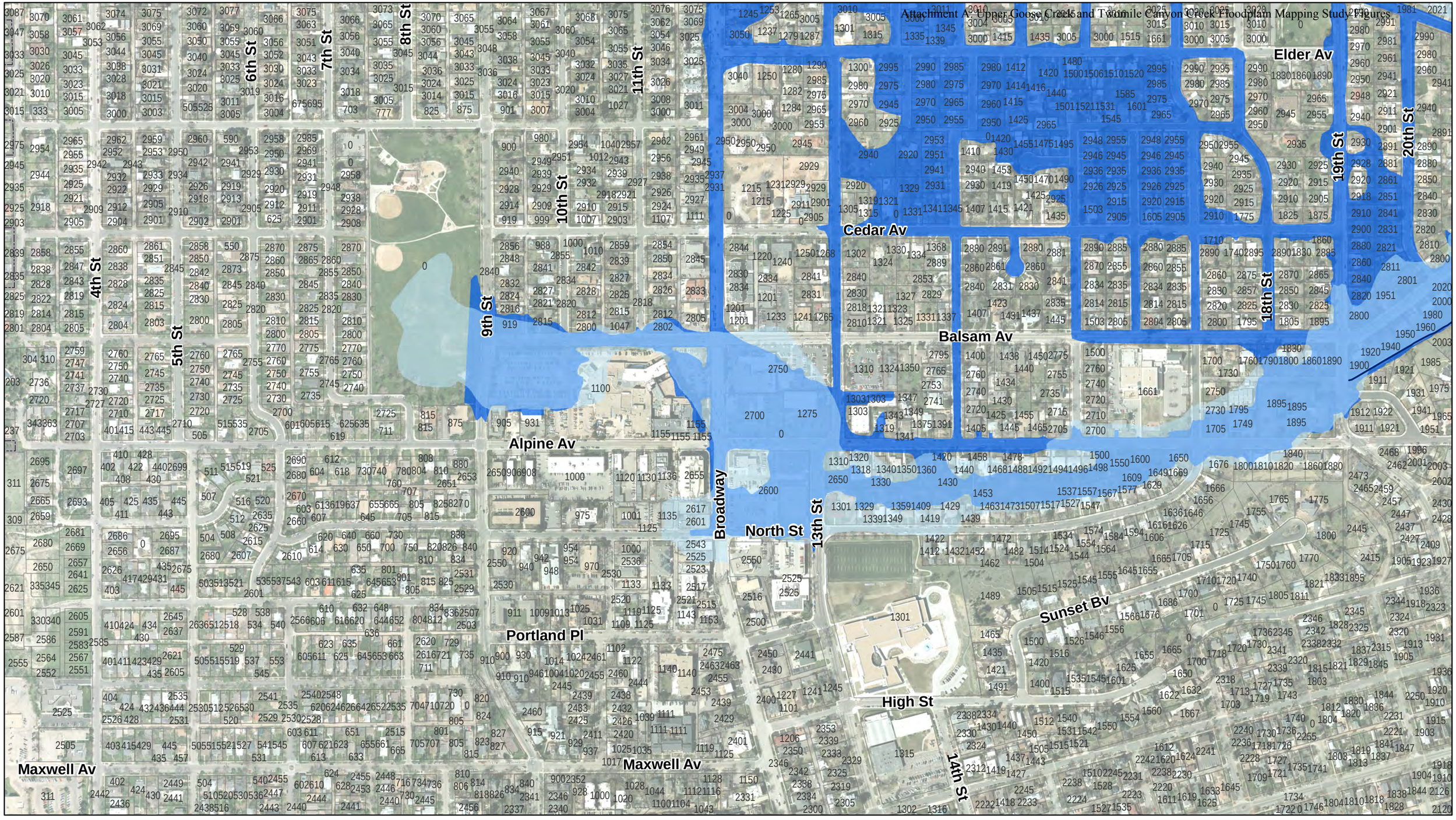
Twomile Canyon & Upper Goose Creek

Proposed Mapping Compared to Existing FEMA 500-Year Floodplain

Rev: 2/25/2015

MAP 2 OF 3



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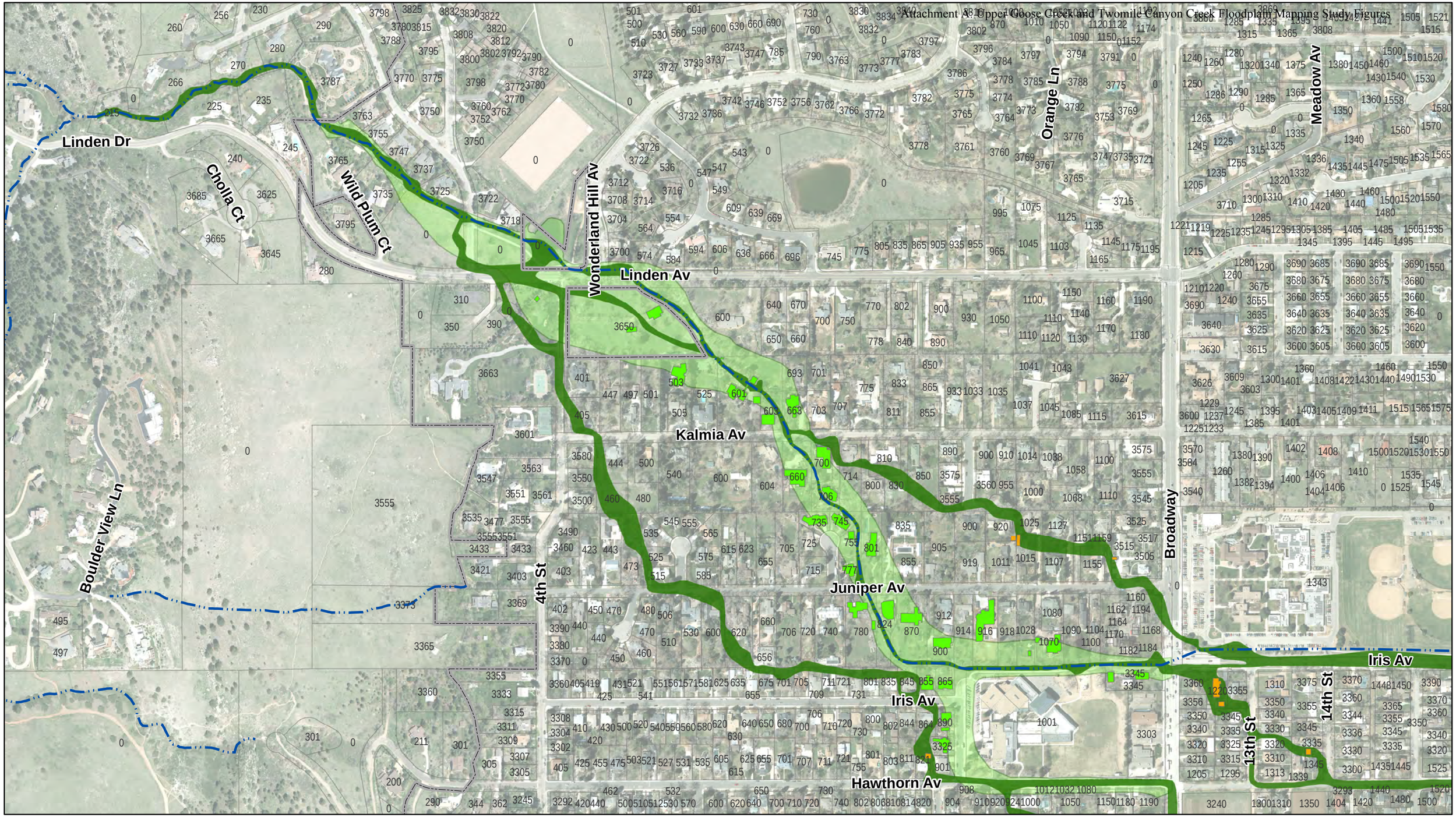
Twomile Canyon & Upper Goose Creek

Proposed Mapping Compared to Existing FEMA 500-Year Floodplain

Rev: 2/25/2015

MAP 3 OF 3



Legend

- Proposed (2015) Conveyance Zone
- FEMA Effective Conveyance Zone
- City Limits
- Buildings Added to the Conveyance Zone (9)
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- Buildings Removed from the Conveyance Zone (107)

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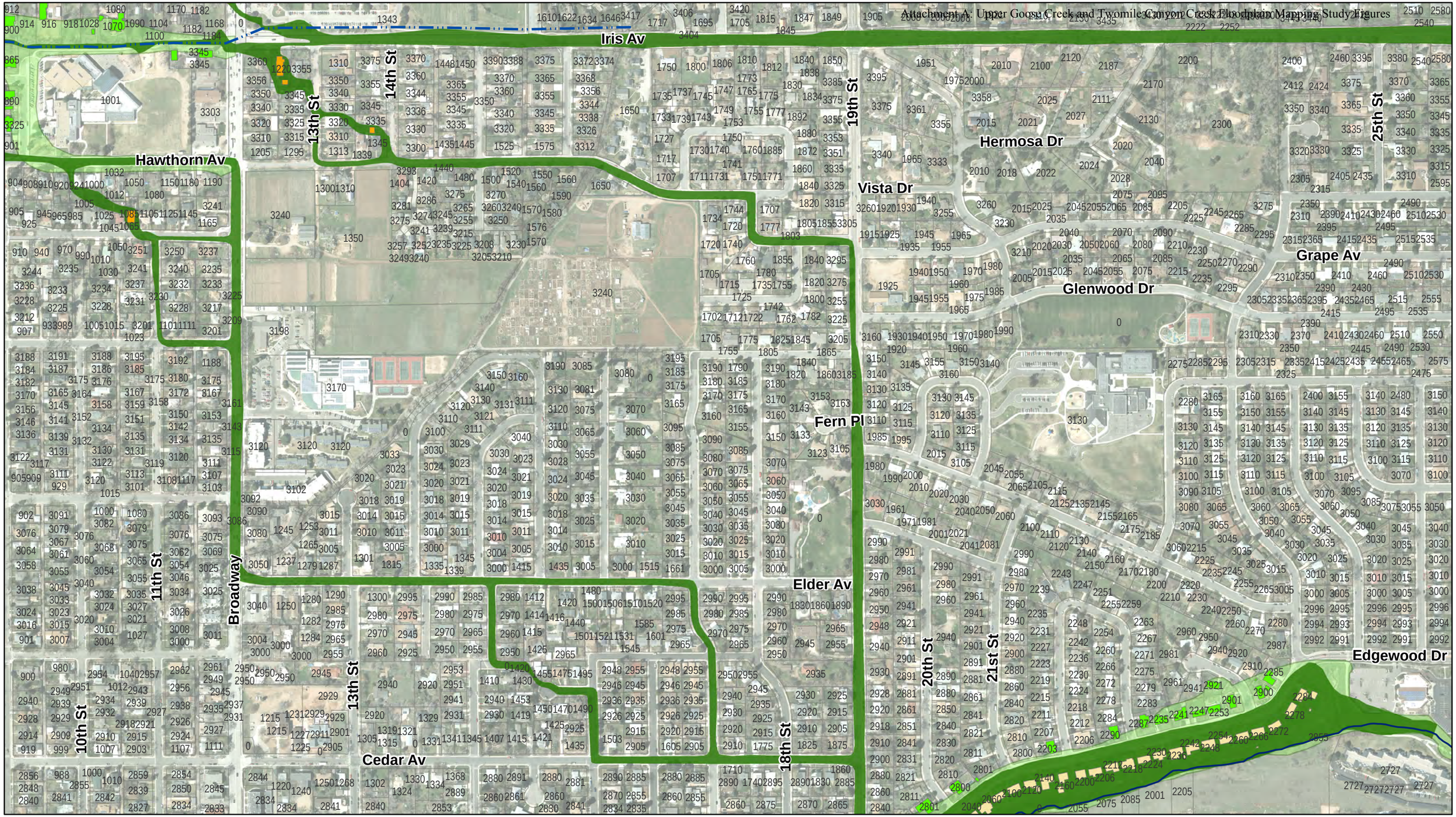
Twomile Canyon & Upper Goose Creek

Structures Affected by Proposed Mapping Compared to Existing FEMA Conveyance Zone

Rev: 6/2/2015

MAP 1 OF 3



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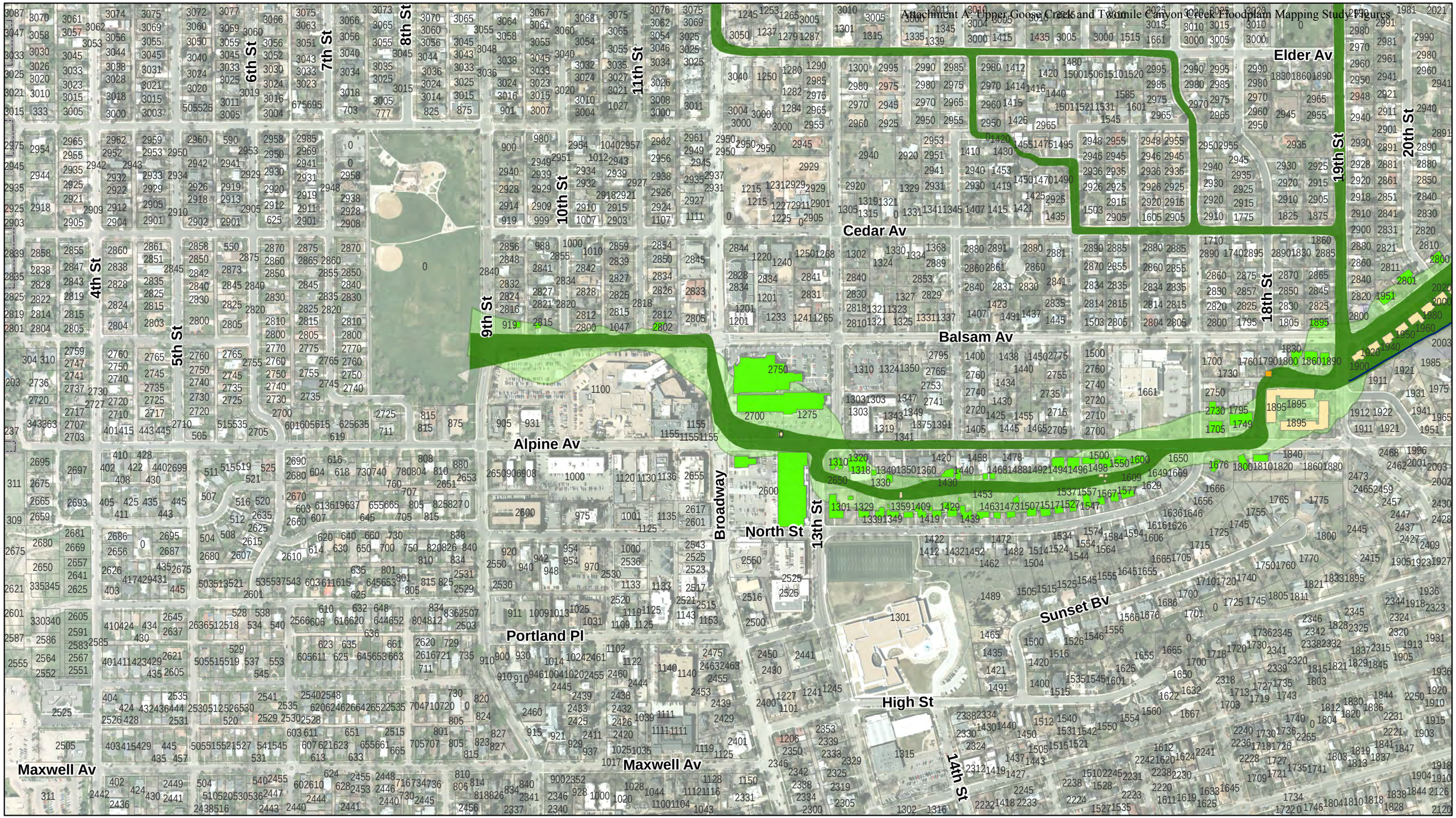
Twomile Canyon & Upper Goose Creek

Structures Affected by Proposed Mapping Compared to Existing FEMA Conveyance Zone

Rev: 6/2/2015

MAP 2 OF 3



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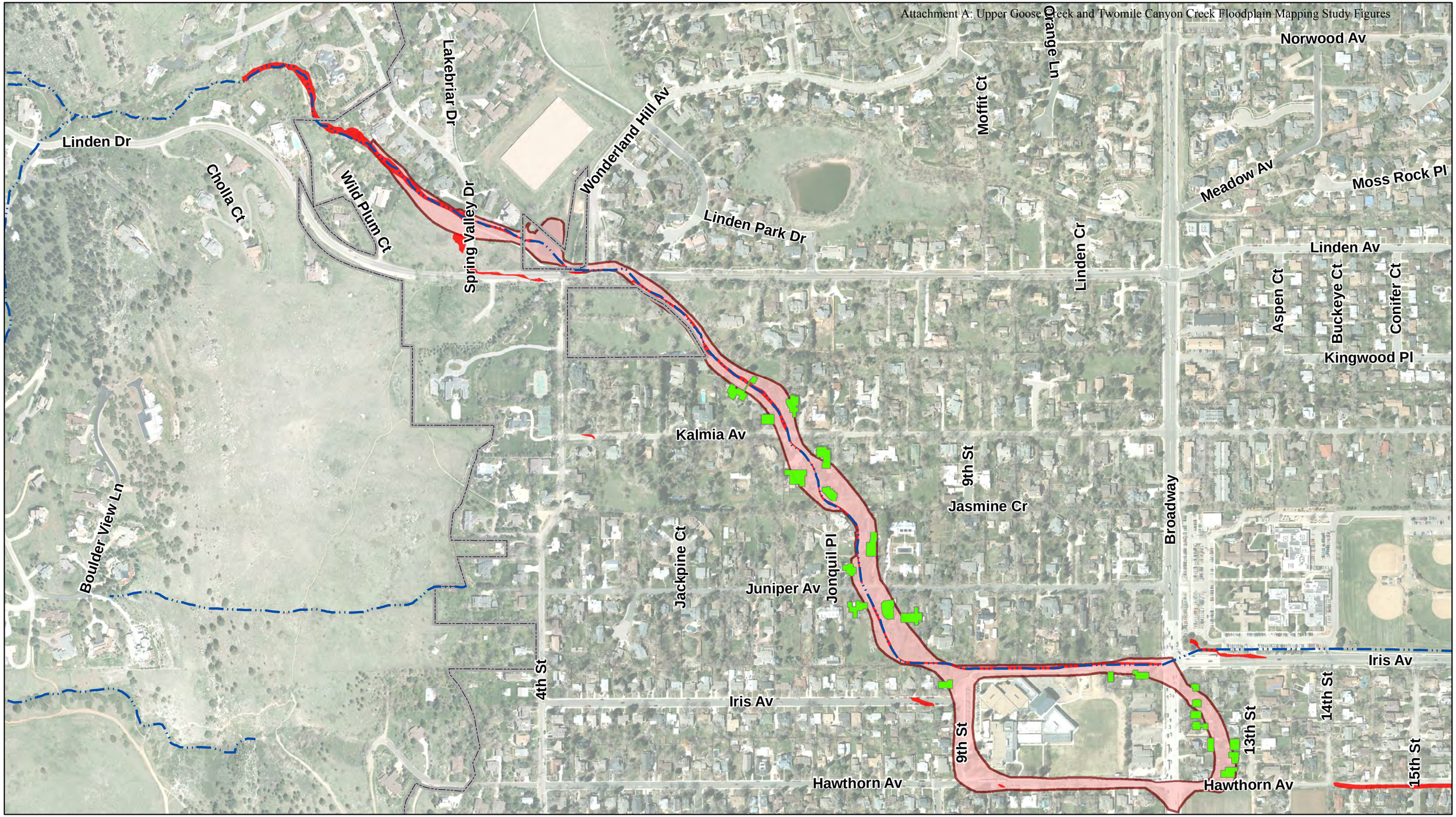
Twomile Canyon & Upper Goose Creek

Structures Affected by Proposed Mapping Compared to Existing FEMA Conveyance Zone

Rev: 6/2/2015

MAP 3 OF 3



Legend

- Proposed (2015) High Hazard Zone
- Effective High Hazard Zone
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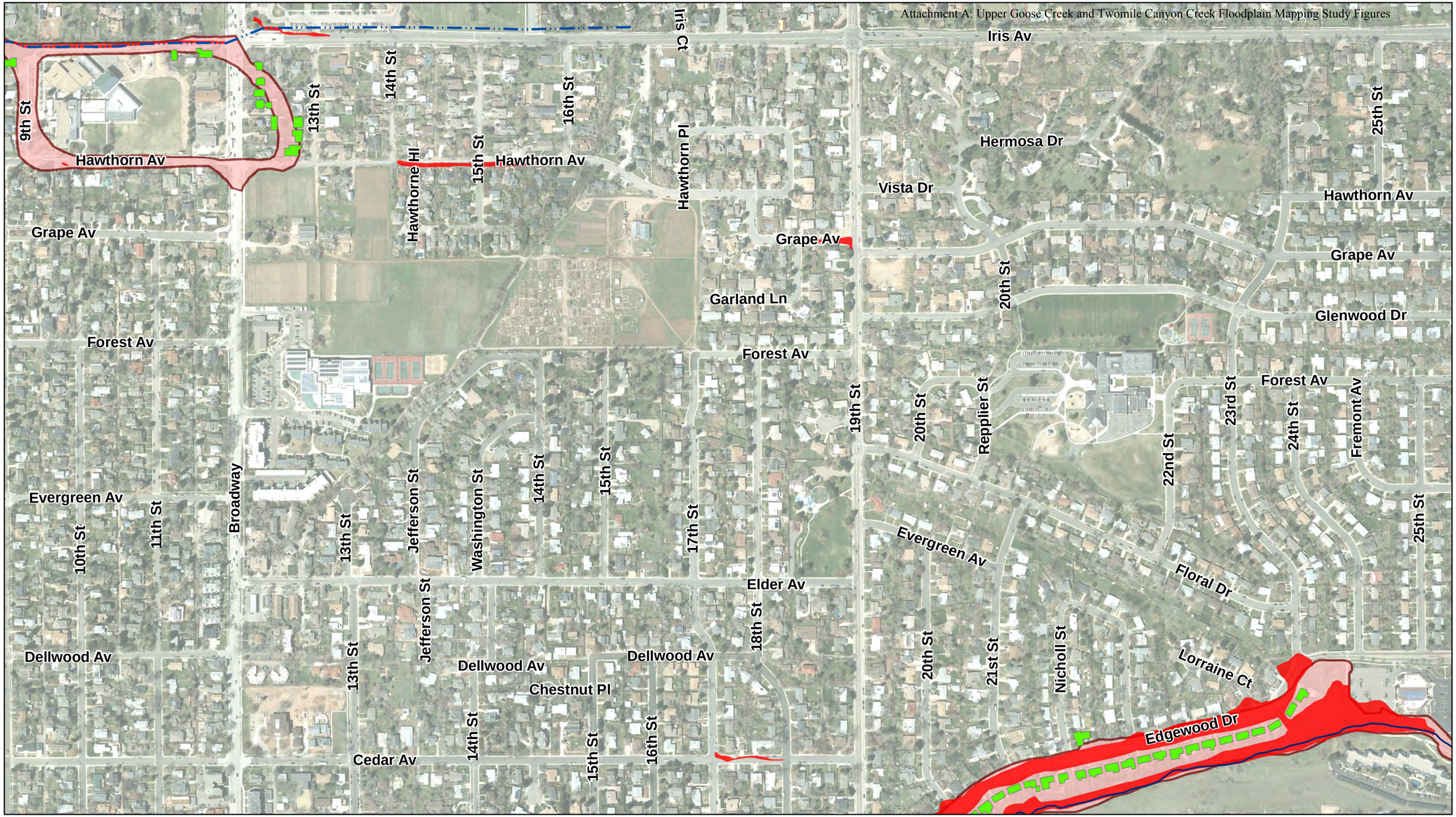
Twomile Canyon & Upper Goose Creek

Structures Affected by Proposed Mapping Compared to Existing High Hazard Zone

Rev: 3/3/2015

MAP 1 OF 3



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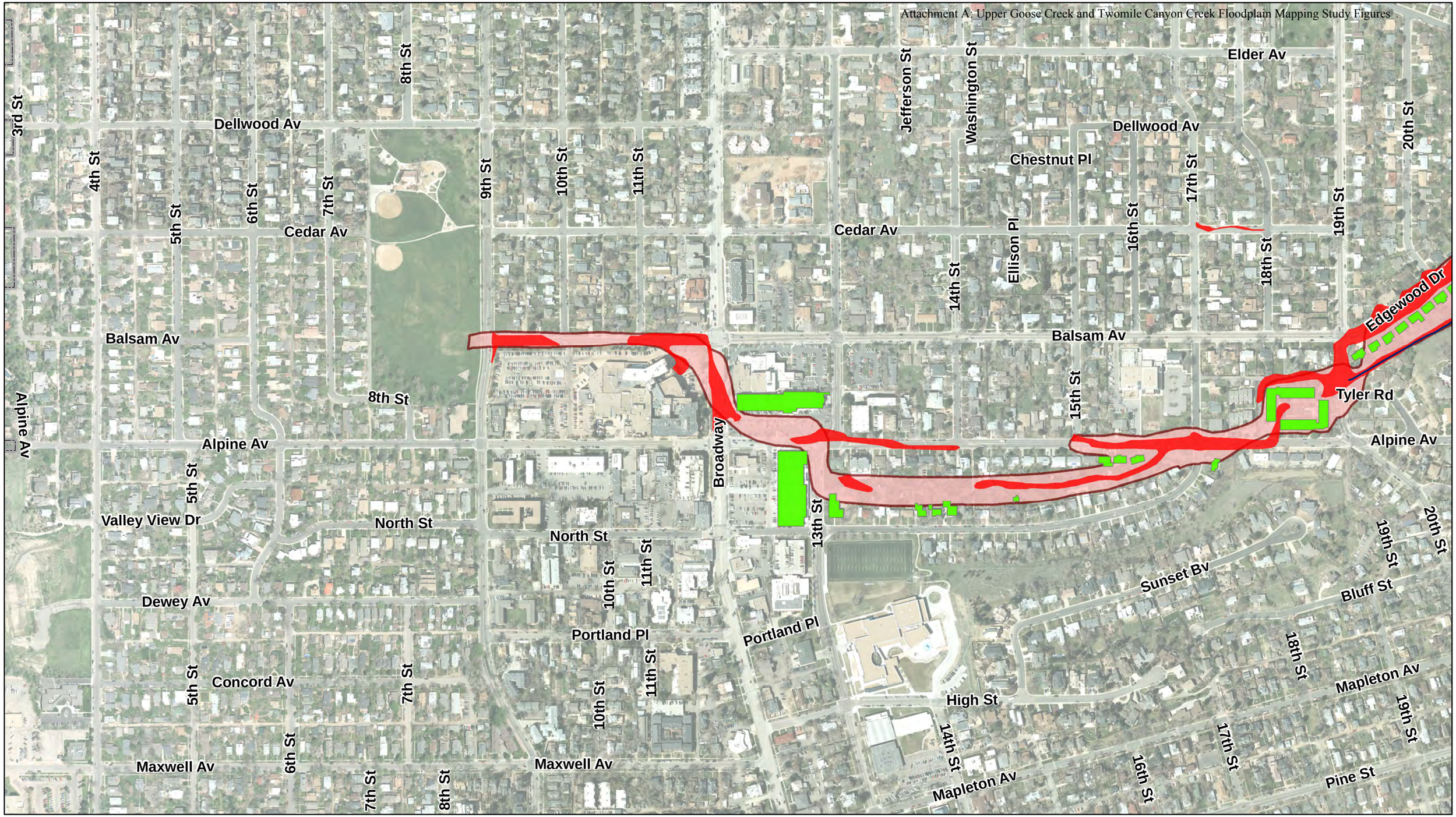
Twomile Canyon & Upper Goose Creek

Structures Affected by Proposed Mapping Compared to Existing High Hazard Zone

Rev: 3/3/2015

MAP 2 OF 3



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Twomile Canyon & Upper Goose Creek

Structures Affected by Proposed Mapping Compared to Existing High Hazard Zone

Rev: 3/3/2015

MAP 3 OF 3

Upper Goose Creek and Twomile Canyon Creek Floodplain Mapping Studies Timeline

1987: The effective FEMA mapping for the study area was adopted in 1987.

1989: The study area mapping was updated in 1989 to include Conveyance Zone and High Hazard Zone delineations.

2011: Revised floodplain remapping study initiated and co-founded by the Urban Drainage and Flood Control District with ICON Engineering hired as the consultant. The study was conducted in three phases; a.) Hydrologic Analysis; b.) Field Survey and Investigation; and c.) Hydraulic Analysis.

2013: City collects topographic mapping using LiDAR to provide more accurate city-wide base mapping.

March 20, 2013: Open House to present the initial remapping results.

May 20, 2013: WRAB public hearing- The board motioned to table this item until the new LiDAR topographic data was available in order to verify or update the flood study hydraulic models.

September 9-12, 2013: Historical record flooding occurs in the City of Boulder.

Fall 2013: City and consultant staff conducted an extensive field investigation of the project area following the flood to document flow paths, flood limits and collect information from residents. Post-flood open houses were held to gather public input regarding the impact of the flood.

October 17, 2013: Post flood Open House conducted.

September 30, 2014: City Council flood study session conducted.

November 13, 2014: Open House to present the revised mapping using LiDAR conducted.

November 17, 2014: WRAB information item to present the revised mapping using LiDAR.

March 16, 2015: WRAB public hearing - The board voted unanimously to recommend that City Council adopt the mapping update.

TO: Members of Council
FROM: Danielle Sears, City Clerk's Office
DATE: July 28, 2015
SUBJECT: Information Packet

---

1. CALL UPS

None.

2. INFORMATION ITEMS

A. 2014 Neighborhood Permit Parking Program Annual Update
B. Boulder Convention and Visitors' Bureau Updates (External)
C. Boulder County Age Well Plan Update
D. Mid-Year Update to 2015 Council Work Plan and Council Action Guide

3. BOARDS AND COMMISSIONS

A. Boulder Design Advisory Board—April 8, 2015
B. Boulder Design Advisory Board— April 15, 2015
C. Boulder Design Advisory Board—May 6, 2015
D. Boulder Design Advisory Board—June 10, 2015
E. Environmental Advisory Board—May 6, 2015
F. Environmental Advisory Board—June 3, 2015
G. Human Relations Commission—June 15, 2015
H. Open Space Board of Trustees—June 15, 2015
I. Open Space Board of Trustees—July 8, 2015
J. Transportation Advisory Board—May 11, 2015
K. Water Resource Advisory Board—May 18, 2015

4. DECLARATIONS

A. 2015 Americans with Disabilities Awareness Day
B. Boulder Cares for Nepal Day
C. Modern Slavery and Climate Change

INFORMATION PACKET
MEMORANDUM

To: Mayor and Members of Council

From: Jane S. Brautigam, City Manager
Molly Winter, Director, Downtown and University Hill Management Division/Parking Services

Date: July 28, 2015

Subject: Information Item: 2014 Neighborhood Permit Parking Program Annual Update

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EXECUTIVE SUMMARY

The purpose of this information packet is to provide the 2014 Annual Update of the Neighborhood Permit Parking (NPP).

The NPP program goals include improving the balance between preserving neighborhood character and providing public access to community facilities.

Expansions to the Mapleton Hill, Whittier and East Ridge NPP were initiated in early 2013. Specific to the Mapleton Hill NPP was the remodel of the Mapleton Early Childhood Center, which impacted the parking in the adjoining neighborhood. Acknowledging the needs of the community and the Boulder Valley School District, it was vital to get a true sense of the parking impact during construction and again, once the school was open. The Mapleton Hill and Whittier expansions were approved in 2014.

In the Fairview NPP, a request to remove three block faces caused the neighborhood members to re-evaluate the purpose and the need of the NPP. After several months, those who initiated the petition requested that the Fairview NPP remain as it was established in 2002.

FINANCIAL

Since 2006, the Resident Permits have remained at $17 annually. Each resident within a NPP may receive two free visitor permits with the purchase of a resident permit; along with guest permits, which are also free and available upon request. The cost of commuter permits rose to $82 quarterly or $328 per year in 2014, while the cost of business permits remains $75 annually.

In 2014, residential permits made up 28% of total NPP revenue and 88% of the total number of permits sold; business permits made up two percent of the total NPP revenue and one percent of total number of permits sold; commuter permits account for 70% of the total NPP revenue and 11% of the total number of permits sold.

Revenue from the sale of NPP permits is expected to cover the program costs with the goal of being revenue neutral. Expenses vary year to year based on whether there are citizen requests for new zones or expansions requiring surveys and start up costs.

2014 Revenue from Resident/Business/Visitor permits sales	$ 43,472
2014 Revenue from Commuter permit sales	$103,079
	$146,551

2014 NPP Program Direct Expenses*	$ 73,740
2014 Administrative Program Expenses	$ 23,726
	$ 97,466

*The NPP revenue and expenses do not include enforcement.

2014 Annual Permit Revenue by Zone

Location	Resident	Business	Commuter	Total
Columbine	$ 3,570	$ -	$ 286	$ 3,856
Fairview	$ 629	$ -	$ -	$ 629
Goss/Grove	$ 5,780	$ 975	$ 10,771	$ 17,526
High/Sunset	$ 1,003	$ -	$ 3,852	$ 4,855
Mapleton Hill	$ 7,276	$ -	$ 25,732	$ 33,008
University Hill	$ 11,645	$ 225	$ 16,706	$ 28,576
Whittier	$ 7,905	$ 900	$ 32,925	$ 41,730
West Pearl	$ 1,836	$ 300	$ 12,691	$ 14,827
East Ridge	$ 952	$ -	$ 115	$ 1,067
University Heights	$ 476	$ -	$ -	$ 476
Totals:	$ 41,072	$ 2,400	$ 103,079	$146,551

Commuter permits averaged about 155 commuters per year from 2003-2012. Commuter permits rose 43% (276 commuters) in 2013 and an additional 14% (314 commuters) in 2014. This increase in demand can also be seen in the growth of the garage and lot wait lists.

Commuter Permit Sales by Year				
Year	**Fee**	**Revenue**	**Permits Sold**	**Per Quarter**
2004	$ 78	$ 47,637	611	152
2005	$ 78	$ 43,418	557	139
2006	$ 78	$ 44,053	565	141
2007	$ 78	$ 48,413	621	155
2008	$ 78	$ 49,186	631	158
2009	$ 78	$ 46,592	597	149
2010	$ 78	$ 47,174	605	151
2011	$ 78	$ 48,689	624	156
2012	$ 78	$ 60,427	775	194
2013	$ 78	$86,112	1,104	276
2014	$ 82	$103,079	1,257	314

EXPANSIONS

There were two NPP expansions that began in 2013 and were finalized in 2014, these include:

- Mapleton Hill NPP
  East & West sides of the 2300 block of 7th St.
  North & South sides of the 600 block of Mapleton St.
  North & South sides of the 700 block of Mapleton St.
  North & South sides of the 600 block of Highland St.

- Whittier NPP
  East side of the 2000 block of 18th St.

There was one NPP expansion that was not approved:

- East Ridge NPP
  North side of the 2800 block of Pennsylvania Ave.

There was one NPP expansion that was withdrawn:

- Fairview NPP
  A petition was submitted to remove the South side of 3600 to the 3700 block of Longwood Ave. but the residents of this NPP reconsidered and this proposed removal was withdrawn.

UTILIZATION

In the ten NPP zones operated in 2014, there were approximately 775 commuter spaces available, of which 314 annual (1,267 quarterly) commuter permits were sold.

Relationship between NPP Program & Adjacent Parking Supply/Demand					
Location	**Inventory**	**Sold**	**Cost Per Year**		**Wait List**
CAGID Structures	2209	2154**	$	1,140	715
CAGID Surface Lots	203	253	$	700	137
UHGID Surface Lot	54	65	$	660	23
Total NPP Commuter	777	314	$	328	N/A
Columbine	260	1			
Fairview	20	0			
Goss/Grove	34	33			
High/Sunset	43	12			
Mapleton Hill	78	78			
University Hill	147	51			
Whittier	157	100			
West Pearl	38	39			
East Ridge	0	0			
University Heights	0	0			
NPP Residential	N/A	2416	$	17	N/A

* Data as of Feb 2014
** Balance maintained for short-term parking.

THE STATUS OF ALTERNATIVE MODE STRATEGIES

Overall, 2014 local ridership was unchanged compared to 2013 local ridership totals. According to RTD's fare box data, average weekday passengers served on the CTN for 2014 was as follows:

2014 Average Daily Passengers Served CTN		
SKIP	5,158	1% increase from 2013
JUMP	1,830	1% increase from 2013
BOUND	1,515	5% increase from 2013
DASH	2,307	1% decline from 2013
HOP	2,758	4% decline from 2013
STAMPEDE	1,161	2% decline from 2013
BOLT	1,688	0% increase from 2013
TOTAL	16,417	

NPP ENFORCEMENT

Revenues from NPP tickets make up approximately 15% of the City's total ticket revenues, while accounting for 50%-60% of the total enforcement resources. The remaining 86% of ticket revenues comes from all other types of enforcement using the remaining 40%-50% of the enforcement resources.

Citations Issued in NPP Zones for Time Restriction		
Year	**Days of Enforcement**	**Number of Citation Issued**
2004	620	10,462
2005	635	11,629
2006	587	9,819
2007	588	8,613
2008	599	11,529
2009	485	9,125
2010	477	11,913
2011	688	12,810
2012	740	15,296
2013	793	12,723
2014	398	11,975

There was a 6% decrease in the number of citations issued from 2013 to 2014.

2014 Enforcement by Zone			
Locations	**# of Days**	**Citations**	**Daily Average**
University Hill/Uni Heights	109	5,148	47
Mapleton/West Pearl	74	1,730	23
Whittier/High Sunset	72	2,125	29
Columbine/Fairview/East Ridge *	57	588	10
Whittier Nights	22	1,027	47
Goss/Grove*	64	1,357	21
Total	398	11,975	29.5
* Enforcement varies depending on staffing levels			

In 2014, Parking Services wrote 78,531 revenue tickets of which 11,975 (15%) were issued for NPP violations. A total of $1,763,959 in parking violations revenue was collected in 2014. If all tickets for NPP violations were collected at the ticket rate of $20, the total revenue would be $239,540. In addition, 955 tickets were voided or warnings were issued in an attempt to educate customers about the rules of the NPP zones. All ticket revenue and enforcement costs are allocated to the General Fund and are not reflected in the NPP program revenue or expenses.

Fine:	Violation:
$15.00	Expired Meter, Parking where sign prohibits
$20.00	Parking beyond the posted time restriction without a permit (NPP)
$25.00	Parking in a Loading Zone or alley
$112.00	Parking in a Handicap Space

2015 WORK PLAN

The NPP 2015 Work Plan includes:

- Maintain the current NPP Program service levels in 2014.
- 2015 Annual Update
- As part of the Access and Parking Management Strategy (AMPS), the cost of permits will be reviewed as well as the process for zone expansions
- Review additional requests were received to expand existing NPP's:
  Mapleton: 500 block of Highland, 500 block of Pine; 2200 block of 6th; 2400 block 7th; 2400 block of 8th; 2300 block of 9th; and West Pearl: 300 block of Pearl.
- The homeowners' association of the Steelyards neighborhood has expressed interest in creating an NPP within their neighborhood. Staff is in discussion with representatives regarding the zone design and process.

The 2015 NPP Program allocated $15,000 for implementation of the possible expansion of existing zones and for the establishment of new zones.

Cc: Transportation Advisory Board

INFORMATION PACKET
MEMORANDUM

To: Mayor and Members of Council

From: Jane S. Brautigam, City Manager
David Driskell, Executive Director, Community Planning and Sustainability
Molly Winter, Director, Downtown and University Hill Management Division/Parking Services

Date: July 28, 2015

Subject: Information Item: Boulder Convention and Visitors' Bureau Updates

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EXECUTIVE SUMMARY

Please find attached two reports from the Boulder Convention and Visitors' Bureau (BCVB): 2014 annual report and the 2015 1st Quarter report for your review.

If you would like more information please contact Molly Winter at winterm@bouldercolorado.gov or Mary Ann Mahoney, Executive Director, BCVB, maryann@bouldercvb.com.

Thank you.

BOULDER
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BOULDER CONVENTION AND VISITORS BUREAU

April 30, 2015

To: Mayor Matt Appelbaum
Boulder City Council members
City Manager, Jane Brautigam
City Liaison, Molly Winter

From: Mary Ann Mahoney, Executive Director Boulder Convention and Visitors Bureau

RE: Boulder Convention and Visitors Bureau 2015 First Quarter Report

Once again it is our pleasure to submit the Boulder Convention and Visitors Bureau (CVB) 2015 First Quarter Report. As you will read, there are some anomalies and the CVB is continuing to review the data.

The CVB is studying the monthly lodging reports for the first quarter. Boulder had fewer rooms available (closed hotels January and March of 2014) and sold fewer rooms compared to the first quarter of 2014. Other communities along the Front Range are similarly selling fewer rooms, despite the fact that there are an increased number of hotel rooms along US 36, selling more rooms. This makes the Boulder hotel business climate very competitive.

Highlights of current programs:
Group Sales Department:

- Meetings and Sports and Events group nights increased by 13%.
- Tradeshow and contacts at shows are down slightly in the first quarter. The upcoming tradeshows are expected to be highly productive as appointments are key components. in a format provides one on one appointments which are very productive.
- Requests for Proposals: The meetings segment is up while the Sports/Events segment is down. This is one of the anomalies. Typically, during a strong economy, meetings are more difficult to book into hotels due to the lack of availability.
- Meeting Planner visits on the website decreased slightly. The Meeting Planners electronic newsletter engagement is doing well, reflected in a high newsletter open-rate, and is a good indicator that meeting planners' interest in Boulder remains strong.

Visitor and Conference Services Department:

- Conference Services: In 2014, the CVB launched an enhanced conference services program. It provides hotel sales managers and meeting planners more services to ease the planning process. The CVB is a 'go to source' for the hotel sales managers and referrals have increased. The CVB's goal is to save the planner's time, match specific needs with services and ultimately increase the number of meeting attendees.
- The visitor kiosk at the scenic overlook at Davidson Mesa will be open before Memorial Day Weekend and the BolderBoulder. The CVB worked with the Colorado Department of Transportation and Boulder County to obtain all necessary permits to rebuild the visitor kiosk.

- Website and mobile visits showed a decline of 16% during the 2014 first quarter. The analytic report shows that last year's website numbers were especially high due to a special event (2014 National Cyclo-cross) not having its own website. Participants and spectators of the event visited the CVB's website in the absence of the event's own website; there was a great deal of traffic on the Cyclo-cross webpage. The analytic report also shows that the number of mailed Vacation Guide requests is down but the number of virtual guides is up.

Communications Department:

- Digital Advertising Campaigns: Geo-targeted ads ran on TripAdvisor, the number one travel website, in January, February and March.
  Through a partnership with the Colorado Tourism Office, the CVB purchased ads in national travel newsletters. The data from these two marketing programs will be reported in the mid-year report.
- The CVB e-newsletter subscribers continue to increase month over month by 250-300 per week. During one specific week there was a spike of 1,000 new subscribers. Marketing research shows that email subscribers are the most engaged audience to speak to.
- ThePartner e-newsletter has now been distributed for a full year. The list is growing and the information provided is helpful to the business operators. The content intends to inform the partners on what events effect their business operations as well as recent travel trends.
  The open-rate of these e-newsletters is higher than the national trend.
- The CVB created five new one-minute videos and are now our home page. These are quick glimpses of Boulder including Pearl Street, hiking and Celestial Seasonings to inspire people to visit Boulder. Video content continues to be an important web tool for visitor engagement.
- All of the CVB printed Boulder brochures have been revised and will be delivered by mid-May ready for the influx of summer and fall visitors.

Community Programs:

- Boulder Ski Escape partnership with Eldora Mountain Resort finished its 10th year. A new strategy was created by Eldora and we will report the final outcome in the mid-year report.
- The partnership with B-cycle continues for another year. The increased bike stations and bikes make the system more accessible for out of town visitors.
- For the second year, the CVB was a major sponsor of Boulder Arts Week. The CVB was pleased to see more marketing and events during Arts Week. The CVB event committee will review the final report from Boulder Arts Week in the upcoming weeks.
- Once again the Tourism Collaborative Partnership forum had great attendance from many cultural arts organizations. With 60 attendees, many relationships were formed and enhanced and consumer package ideas were launched. Because of this forum, six more organizations are being marketed through the CVB 's Attractions Booking engine. This engine gives travelers a way to book hotel rooms, ticketed events and restaurant reservations from the CVB's website.

There are many more programs not covered here and you will read more about those in the mid-year report.

March year to date	**Average Hotel Occupancy**		**Average Room Rate**	
Denver (includes Boulder and Hwy 36)	70%	Flat	$122.86	up 8 %
Highway 36 Corridor	62.9%	down 1.3%	$111.70	up 5.5%%
*Boulder	65.8%	up 5%	$135.66	up 12.9%
Source Rocky Mountain Lodging Report				
Boulder City Accommodations Tax February, Year to Date:			**$717,010**	**Up 6.32%**

As always, if you have any questions or suggestions regarding the programs for the Boulder Convention and Visitors Bureau, please feel free to contact me at 303-442-2911.

Encl: Exhibit C, 2015 First Quarter Matrix

Boulder Convention and Visitors Bureau
2440 Pearl Street • Boulder, CO 80302

EXHIBIT C

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BOULDER CONVENTION AND VISITORS BUREAU

BOULDER CONVENTION AND VISITORS BUREAU

PERFORMANCE INDICATORS

Reporting Period:		2015 1st Quarter	Increase / Decrease over last year's quarter	2015 Total
Meetings and Conferences				
	Tradeshows attended / Personal contacts	2 / 143	-33% / -17%	2 / 143
	Prospecting communications	662	2%	662
	Site visits	5	0%	5
	Request for Proposals / Groups booked	77 / 15	28% / -12%	77 / 15
	Meeting web page unique visitors	2,481	-6%	2,481
	Group room nights booked	**2,331**	**14%**	**2,331**
Sports and Events				
	Prospecting communications	92	-5%	92
	Request for Proposals / Groups booked	6 / 4	-45% / -33%	6 / 4
	Group room nights booked	**715**	**7%**	**715**
	Total Group Sales room nights booked	**3,046**	**13%**	**3,046**
Visitors Services				
	Number of Visitor Guides Mailed - 3rd Party Leads	*2612	-31%	2,612
	Number of Visitor Guides Mailed - Website Requests	**1758	-9%	1,758
	Virtual Guide Views	**820	118%	820
	Main + Mobile Website Sessions	122,367	-14%	122,367
	Main + Mobile Website Page views	346,008	-16%	346,008
	Main + Mobile Average Time on Site	0:01:94	-3%	0:01:94

*Print Co. Vacation Guide leads are down 14%, Travel Guides are up 4%

**Mailed and virtual guide went up by (38%)

Other anomalies outlined in the written document.

	Through Feb 2015	Change over 2014
Accommodation tax collection figures	**$ 717,010**	**up 6.32%**
Hotel / Motel Association Occupancy	**65.8%**	***up 5%**
Restaurant tax collection figures	**$ 94,700**	**up 6.75%**
Downtown Boulder tax collection figures	**$ 1,651,806**	**up 33.7%**
Twenty Ninth Street tax collection figures	**$ 1,222,176**	**down 9.78%**

*Fewer rooms available and sold in the first quarter. The written report reflects the anomalies.

Services/programs provided to the cultural arts in Boulder:

Boulder Arts Week one of the major cash sponsors

TripAdvisor Boulder destination page features 25 events

Tourism Collaborative Partnership forum for organizations to develop consumer packages

Attractions added more cultural events to the Booking Engine

BOULDER
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BOULDER CONVENTION AND VISITORS BUREAU

February 26, 2015

To: Mayor Matt Appelbaum
Boulder City Council members
City Manager, Jane Brautigam
City Liaison, Molly Winter

From: Mary Ann Mahoney, Executive Director Boulder Convention and Visitors Bureau

RE: Boulder Convention and Visitors Bureau 2014 Year End Report

Once again it is our pleasure to submit the Boulder Convention and Visitors Bureau (CVB) Year End Report. By evaluating each of our programs, we are able to review the successes, discover how our efforts match national trends and adjust areas that need improvement.

Highlights of current programs:
Group Sales Department:

- Group Sales Department booked the highest volume of hotel rooms in the history of the CVB (a 4.25% increase) generating $6,917,083 to businesses and $314,059 in taxes.
- Group Meetings room nights booked reflected in the reports are now all under sports as a few tournaments were under the meetings division in 2012-13.
- Prospecting calls decreased during the third and fourth quarter due to staff turnover. We are now on track with a full time Sales Coordinator.
- Groups website unique visits increased 24% as reader content has been the focus this year.
- Group Housing was used for the 2014 IRONMAN Boulder and initiating hotel contracts for 2015. The 2015 Independence Day Softball tournament hotel partnerships continued during the fourth quarter. As this is a new program, we will evaluate the staff time involved to manage the tournament bookings.
- A community sports facility audit was initiated and completed. The findings were presented to the CVB Board and facility stakeholders. Staff will develop the first stage of recommendations in the 2015 work plan.
- The USA Pro Challenge Boulder stage 7 took place in late August. Due to a technical problem there was no national television coverage of the race start. The Boulder CVB 30 second commercial spot was reworked and aired a total of four times on NBC & NBCSN during October and November 2014.

Visitor Services Department:

- Website + mobile visits increased 11.3% year over year, with significant increases in mobile usage.
    - A website content audit was conducted and, because of that, new content was added to drive search traffic.
    - Research is showing mobile users are continuing to plan and book travel on their devices.
- Leads from third-party sources continue to be very strong especially from the Colorado Tourism Office's site, Colorado.com. This site is usually one of the top five referring websites to the CVB.

- The hotel room booking engine on the CVB site had a decline in lodging referrals due to lower priced hotels closing. However the dollars generated is higher, there were 5,144 estimated room nights booked at $564,756 in hotel room revenue. The hotel conversion rate was higher year over year on fewer referrals referenced from a tracking tool. This may be an anomaly.

Communications Department:

- The CVB continues to reach the leisure visitor via an electronic newsletter reaching 43,000 subscribers with a strong 24% open rate. The message is more inspirational about Boulder's lifestyle, attractions, arts and cultural offerings. Now we are measuring the intent to travel indicators.
- Electronic ads were created for both the groups' market and leisure visitors. These ads are on meeting planner websites and on Colorado.com. The team has started the creative for the summer messaging for various print and electronic ads. The CVB measures relevant data from the electronic ads to be flexible to change if they are not performing as expected.
- The Colorado Vacation Guide is produced by the Colorado Tourism Office and distributed to 550,000 potential visitors annually. The 2015 Boulder three page spread was created and delivered. Also, there are two seasonal subscription magazines the Colorado Tourism Office produces in which the CVB produces a full page ad in each.

Community Support:

- The CVB continued the B-Cycle program with basket advertising as well as support with the print map identifing the bike stations for visitors.
- Launched the 10th year of the Boulder Ski Escape with Eldora Mountain Resort.
- The 'Boulder Arts & Culture Guide' program continued to add various components to build awareness as an arts destination.

One of the indicators of Boulder's strong economy continues to be reflected in the hotel room occupancies, Accommodations and Food Services taxes. This increase is due to the commercial traveler, the families on vacation as well as group business. Boulder is not alone in reaping the benefits of a strong economy, the Metro Denver area is benefitting from this climate.

December Year End 2014	**Average Hotel Occupancy**		**Average Room Rate**	
Denver (includes Boulder and Hwy 36)	70.8%	up 7.0%	$124.37	up 8.0%
Highway 36 Corridor	74.5%	up 5.25%	$114.86	up 2.5%
*Boulder	73.1%	up 4.5%	$146.36	up 13.7%
Sold fewer rooms Sep-Dec 2014 over 2013				
US – STR total USA	64.4%	up 3.6%	$115.32	up 4.6%
YTD 2014 December Tax Collections				
City of Boulder Accommodations Tax		up 20.21%		
City of Boulder Food Service		up 13.34%		

*Does not include the St Julien Hotel, which would understate average room rate but not the average occupancy. Source: Rocky Mountain Lodging Report and Smith Travel Research STR articles.

As always, if you have any questions or suggestions regarding the programs for the Boulder Convention and Visitors Bureau, please feel free to contact me at MaryAnn.Mahoney@BoulderCVB.com, or 303-442-2911.

Boulder Convention and Visitors Bureau
2440 Pearl Street • Boulder, CO 80302

EXHIBIT C

BOULDER colorado • usa
BOULDER CONVENTION AND VISITORS BUREAU

BOULDER CONVENTION AND VISITORS BUREAU Mid Year Report

2014 PERFORMANCE INDICATORS

Reporting Period: 2014 Fourth Quarter		2014 Fourth Quarter	Increase / Decrease over last year's Quarter	2014 Total
Meetings and Conferences				
	Tradeshows attended / Personal contacts	4 / 164	33% / 18%	14 / 606
	Prospecting Communications	502	-14%	2,473
	Site Visits	4	33%	15
	Request for Proposals generated / Groups booked	38 / 16	-3% / -16%	225 / 69
	Meeting web page Unique Visitors	2,126	15%	10,138
	Meeting emails distributed / Open rate	NA	NA	5 / 25%
	Group room nights booked	**2,532**	**-5%**	***9004**
Sports and Events				
	New client prospecting	42	-9%	262
	Request for Proposals generated / Groups booked	12 / 3	100% / 50%	32 / 14
	Group room nights booked	**916**	**-6%**	**5,175**
Total Group Sales room nights booked		**3,448**	**-5%**	**14,179**
Visitor Services				
	Number of responses mailed to inquiries	2,670	27%	19,827
	Number of responses to phone and email inquiries**	705	-12%	6,054
	Number of unique website users sessions**	77,553	1%	391,206
	Web page view visits**	224,870	-8%	1,293,792
	Average time: minutes on bouldercoloradousa.com**	0:02:22	-5%	0:03:01
	CVB Mobile, Tablet, or iPad Site Visits	27,591	12%	133,654
Total Main + Mobile Visits		**105,144**	**3%**	**524,860**

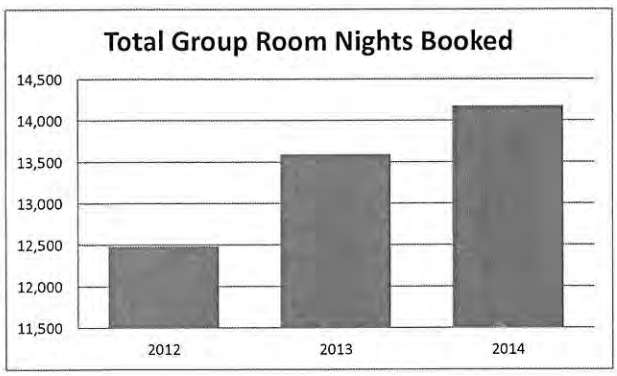
***In previous years a large tournament was in the Meeting category now reported under Sports**
****Average time on our website is down due to the significant increase in traffic to our mobile site. Visitors are accessing the website through tablets and mobile devices. This is an increase of 28.5% over 2013.**

	Through Dec-14	Change over 2013
Accommodation tax collection figures	$5,897,602	up 20.21%
Hotel / Motel Association Occupancy	73.1%	up 4.5%
Restaurant tax collection figures	$631,701	up 13.34%
Downtown Boulder tax collection figures	$1,656,962	up 15.2%
Twenty Ninth Street tax collection figures	$8,274,732	down 0.01%

Services/programs provided to the cultural arts in Boulder:
The CVB features cultural events on TripAdvisor on the Boulder destination page, which had 80,439 page views
The CVB Board granted the 2015 Boulder Arts Week $20,000
The CVB matches all of the arts groups ad dollars for a larger Boulder presents in the Art Scapes publication of 50,000 guide books distributed through out the Denver Metro region.
Boulder Arts and Culture Guide was produced featuring 100 organizations, attraction and events. A virtual guide was reproduced for the website.

Group Sales

Year-End Measurements	2014	2013	2012
Meetings and Conferences			
Group Room Nights Booked	9,004	10,791	11,861
Estimated Group Revenue Generated	$4,392,511	$5,217,664	$5,665,288
Estimated Tax Revenue Generated	$199,435	$235,521	$253,643
Request for Proposals	225	222	215
Booked Groups	69	76	81
Lost Groups	95	84	103
Number of Tradeshows Attended	14	13	14
Prospecting Communications	2,473	2,882	2,117
Site Visits	15	13	7
Meeting Web Page Unique Visitors	10,138	7,724	7,214
Meeting E-Newsletter Average Open Rate	25%	32%	15%
Sports and Events			
Group Room Nights Booked	5,175	2,805	624
Request for Proposals	32	11	8
Estimated Group Revenue Generated	$2,524,572	$1,356,274	$298,047
Estimated Tax Revenue Generated	$114,624	$61,221	$13,344
Total Group Sales Department			
Total Group Room Nights Booked	14,179	13,596	12,485
Estimated Group Revenue Generated	$6,917,083	$6,573,938	$5,963,335
Estimated Tax Revenue Generated	$314,059	$296,742	$266,987



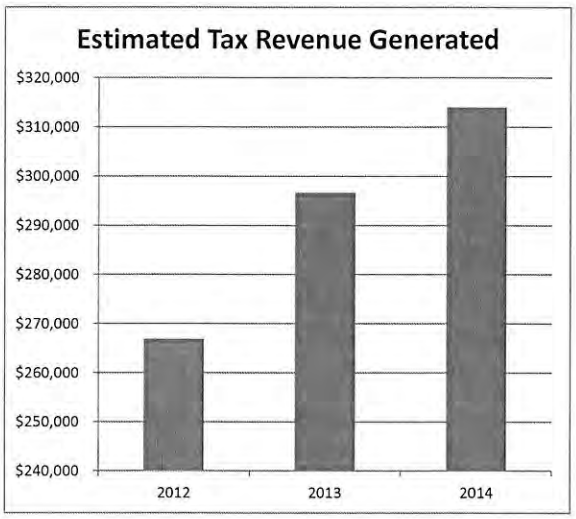
2014 Year-end Group Sales Highlights

Total Group Sales Department room nights in 2014 for meetings, conferences, sports and events were the highest ever recorded by the CVB at 14,179.

Total estimated tax revenue also resulted in the highest return ever seen to date at $314,059.

Completed a **professional sports venue facility** audit by an industry consultant, resulting in suggested action steps to grow the lucrative sports market for Boulder.

Group Sales



2014 Year-end Group Sales Highlights (cont.)

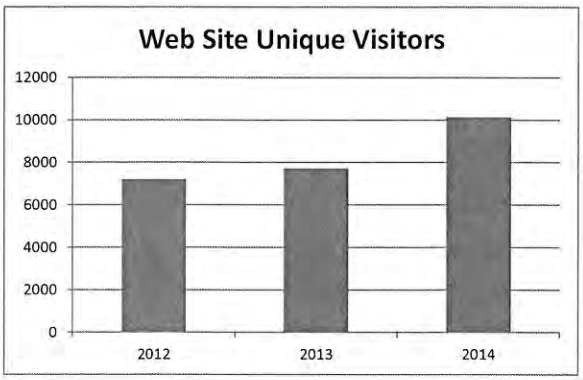
Conversion rate from RFP to a definite booking is currently 31%, a positive sign with the health of occupancy and rates among our lodging partners.

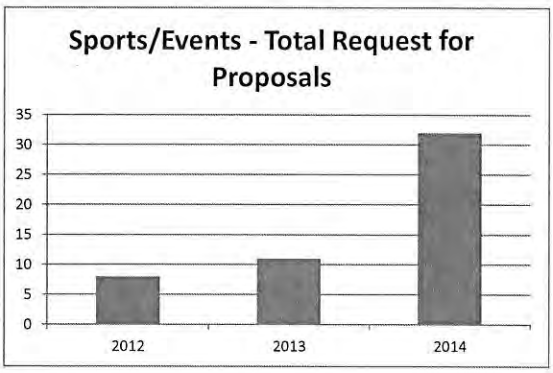
Unique Visitors to our group specific web pages were up 31%. **Prospecting and communication** efforts to potential customers increased by 36%.

Staff worked in conjunction with a consultant to prepare the new comprehensive **CVB Event Partnership Program** for request of CVB event funds.

CVB secured the **lodging management for the Independence Day Softball tournament,** a long standing successful Boulder event. This allowed the CVB to eliminate third party fees that some lodging partners had to pay previously.

Staff worked closely with the Race Director on the inaugural **Boulder IRONMAN** event, which attracted over 2,000 competitors.





Visitor & Conference Services

Mid-Year Measurements:	2014	2013	2012
Downtown Boulder Visitor Center Traffic	12,533	12,113	13,797
Website Unique Visits	391,206	379,236	406,182
Website Pageviews	1,293,792	1,409,612	1,613,445
Website Average Pageviews per Visit	3 pages	3 pages	3 pages
Website Average Time per Visit	0:03:01	0:03:35	0:03:12
Mobile Website Unique Visits	133,654	92,159	14,309
Mobile Website Pageviews	419,191	360,543	79,681
BookDirect Website Referrals	23,226	30,027	NA
BookDirect Estimated Room Night Total	5,144	3,903	NA
BookDirect Estimated Hotel Room Revenue	$564,756	$424,982	NA
BookDirect Referrals by Activites/Events	224	NA	NA
BookDirect Referrals by Restaurant	358	NA	NA
Information Requests (Website)	6,054	6,607	7,937
Information Requests (Leads)	19,827	17,070	18,890
Total Conferences Serviced	14	28	34
Brochures Provided to Conferences	1,625	6,675	9,072

Year-End Visitor & Conference Services Highlights

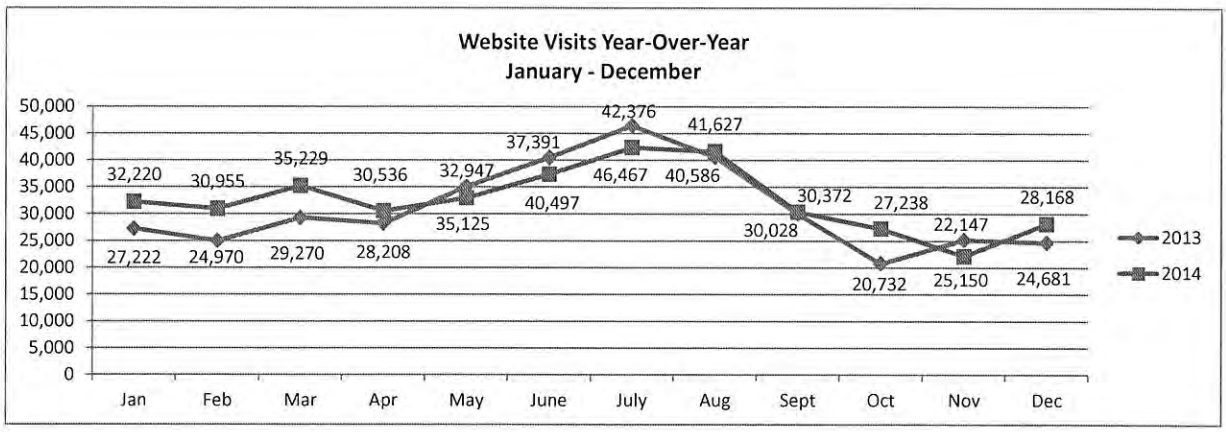
Organic sessions to the mobile site have increased 26% year over year. The large increase indicates that visitors are using multi-device platforms (iPad, tablet, smart phone) to search for information.

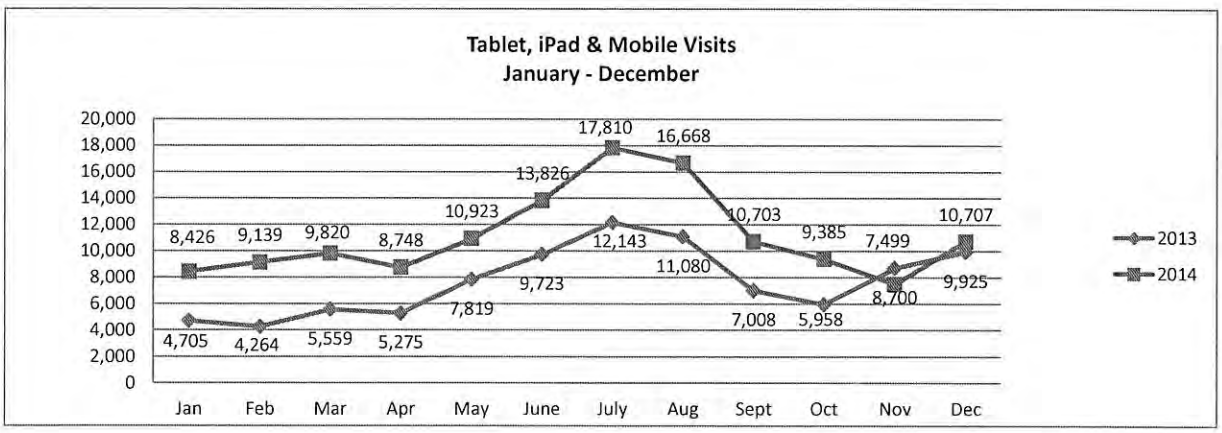
In February, the CVB hosted the Boulder Packaging Forum. This annual forum brings together tourism partners to collaborate and create destination packaged for visitors. Due to the popularity of this event, the CVB plans to host two in 2015.

In June, the CVB hosted the annual Boulder Familiarization Tour for new front-line and guest-service employees. This provides a first hand experience for these employees.

In September, the CVB hosted the Dinosaur Welcome Center as part of ther Welcome Center Efforts. This provides the volunteers who work at the Welcome Center to visit

Visitor & Conference Services



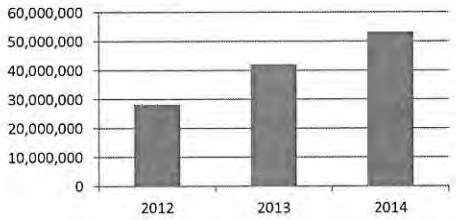


Communications

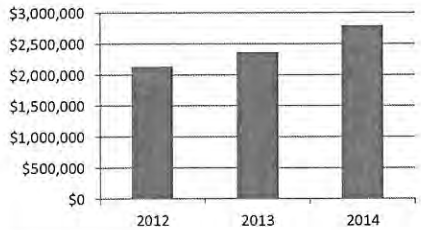
Year-End Measurements:	2014	2013	2012
Number of Published Articles	240	121	140
Ad Value	$2,799,814	$2,369,177	$2,136,471
Circulation	53,273,779	42,178,596	28,247,213
Press Visits - In Boulder	47	29	31
Press Visits - Outside of Boulder	25	12	13
Photography Requests	45	34	47
Newsletter Subscribers	43,281	36,826	42,779
Newsletter Open Rate - Average (Tourism Industry Avg=16.38%)	24%	23.7%	21.6%
Newsletter Open Rate - New Subscriptions	33%	31.4%	37.6%
Newsletter Open Rate - Old Subscriptions	14.63%	15.5%	37.6%

Circulation

The circulation numbers for 2014 are on track. Boulder was mentioned in publications such as *Successful Meetings, Food & Wine, Western Association News* and *USA Today*.



Ad Value of Printed Articles



The CVB monitors the placement of editorial travel content placed in printed publications. This dollar amount is determined based on the advertising equivalency value for the publication and the size of the mention of Boulder.

2014 YEAR END HIGHLIGHTS

The Boulder Arts & Culture Guide was created. It is a 24-page guide that highlights more than 100 arts organizations, attractions and festivals. It was integrated into the website with a landing page and a virtual guide. In addition to appealing to travelers, the brochure aids with Boulder residents' desire of positioning Boulder as an arts town.

A two-minute video was created to inspire travelers to visit Boulder. It significantly increased traffic on the website and helped the effectiveness of the website's search engine optimization.

Hosted 47 travel writers (up from 31 last year) and worked with an AP writer who named Boulder as one of the best bike-friendly cities – the article was picked up by 31 newspapers and was worth $87,000.

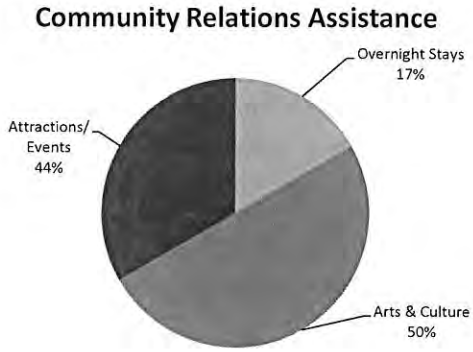
The e-newsletter is very effective. Subscriptions grow by 250 every week and the Open Rate is double the industry standard.

A marketing program, for both leisure and meetings markets, was deployed in 2014. More than 30 ads and 20 landing pages were created.

Our social media efforts remain successful with an addition of an Instagram account in 2014. Instagram visually inspires travel and allows us to "play along" with our partner instagram accounts.

Communications

The articles in the CVB email communications are classified into categories that represent Boulder's tourism messages. The CVB strives to have well balanced content that is representative of Boulder.



The CVB provides photos along with media relations and marketing assitance to Boulder's tourism partners.

2014 Year End Social Media Measurements:	2014	2013	2012
Facebook Fans:	4,911	4,316	3,400
Twitter Followers	5,434	4,297	2626
Pinterest Follwers	908	637	326
Instagram Followers	814	n/a	n/a
YouTube Views	2,336	3,590	6,437
Boulder Ski Escape/Eldora Podcast	593	698	1,839
Boulder Video	20,043	2,456	4,188

BOULDER CONVENTION AND VISITORS BUREAU
Mission and Program of Work
2014 Year-End Report

The mission of the Boulder Convention and Visitors Bureau (CVB) is to advocate and provide leadership to develop and promote the natural environment, art/culture, historic, and visitor potential for the express purpose of aiding the Boulder economy.

GROUP SALES DEPARTMENT

The Group Sales department developed and executed a strategic sales and marketing plan based on in-house data, hotel feedback and market research. Based on this known data within the meetings and conference market, the CVB sales team is able to target specific geographic regions, market segments and industry sectors with the highest potential for group business for Boulder. The CVB staff is implementing newly developed action steps to develop sales and marketing activities to attract the sports and special events market.

Booking Report and Economic Impact: The CVB develops relationships with meeting planners to educate them on the value of bringing meetings to Boulder. The CVB tracks the results of Request for Proposals (RFPs) provided by meeting planners, which in turn are sent directly to Boulder lodging partners.

Year-End RFP Results: Meetings, Sports and Events	**2014**	**2013**	**2012**
Total Room Nights Booked:	14,179	13,596	12,485
Total Estimated Economic Impact:	$6,917,083	$6,573,938	$5,963,335
Total Estimated Tax: Combined Accommodations, Restaurant and Retail Revenues	$314,059	$296,742	$266,742
Total Request for Proposals:	225	222	215

Trade Shows: The CVB regularly promotes Boulder as a vibrant meeting and event destination at regional and national industry trade shows. In 2014 the CVB exhibited in Washington DC, Texas, Chicago, New York, Florida, Las Vegas and multiple Colorado locations. The CVB focused on more appointment-based shows where more time was spent talking with planners who have the potential to meet in Boulder.

Year-End Trade Show Results: Meetings, Sports and Events	**2014**	**2013**	**2012**
Number of Trade Shows:	17	15	14
Contacts made at Shows:	691	641	536

Prospecting Communications / Lead Generation: Phone calls, emails, LinkedIn communication and e-marketing efforts focus on reaching specific and qualified meeting, sports and event planners to generate quality Request for Proposals for Boulder.

Year-End Prospecting Results: Meetings, Sports and Events	**2014**	**2013**	**2012**
Prospecting Communication Efforts:	2,735	3,029	2,117

Individual Meeting Planner Familiarization Trips: These trips allow planners to experience Boulder first-hand and learn how their program might work in one or more Boulder properties, venues and restaurants.

Year-End Site Visit Results: Meetings, Sports and Events	2014	2013	2012
Planner Visits:	15	13	7

Sales Missions: CVB Group Sales staff completed two sales missions in 2014. In the meetings and conference market, the CVB executed sales calls and client lunch events in Washington DC and Arlington, Virginia. Accompanied by a lodging partner, the team met with over 65 qualified meeting planners in this top feeder market. Within the sports market, the CVB visited several National Governing Bodies in Colorado Springs, home to many of these organizations with potential sporting events for Boulder.

Sports Facility Audit: In 2014, the CVB worked closely with a professional sports marketing consultant to conduct a comprehensive facility audit in and around Boulder. The study provided the CVB with suggested action steps to engage the community and move forward with the sports sales and marketing program. The ultimate goal is to continue to attract lucrative events for the city and tourism stakeholders.

Meeting, Sports and Events Incentive Program: The CVB allocated specific incentive funds to attract and support conferences, sporting events and special events. Meetings and conferences are evaluated based on total lodging room nights, which helps to project the estimated visitor spend and tax dollars generated. Within the sports and events incentives, the CVB worked with a consultant to complete a formal process to evaluate appropriate funding for each applicant.

2014 Incentive Funding examples:

- **Covidien Global Legal Conference** – March 2014 program which produced 652 room nights within Boulder.
- **Chefs Collaborative National Summit** – September 2014 event which produced over 300 room nights within Boulder .
- **USA Pro Challenge Boulder start, Stage 7:** Television Coverage - Boulder was the start of Stage 7 of the USA Pro Cycling Challenge. Due to a number of circumstances, Boulder did not receive television coverage during the race. But, thanks to the persistence of the Local Organizing Committee, the Boulder CVB's 30 second TV ad aired a total of four times on NBC & NBCSN during October and November 2014.
- **USA Track and Field Cross Country Nationals:** The event took place in February 2014 at Flatirons Golf Course. The event hosted approximately 590 athletes with roughly 2000 spectators.
- **Boulder Arts Week:** Boulder's first ever weeklong celebration of the robust arts scene in the community took place in March/April 2014. The event had approximately 115 presenters/arts organizations and an estimated 750 artist participation.
- **Boulder IRONMAN:** This inaugural event took place in August 2014 utilizing The Boulder Reservoir along with many city venues. The event hosted approximately 2300 athletes, considered the largest in North America.
- **ROI Study:** Due to the potential multi-year agreement to host the Boulder IRONMAN each August, the CVB conducted a survey of the participants. The purpose of the study was to verify data provided to the CVB and City as to the impact of the event. Beyond the average group stay and travel party, the CVB verified the additional incremental training trips before the August event. Although, these trips were during the high-travel season, the study provided great information which will lead to building more training nights in the upcoming years.

VISITOR & CONFERENCE SERVICES

Visitor Information Centers: The CVB is responsible for stocking materials and maintaining kiosks at Davidson Mesa, Boulder Chamber Center, Gateway Fun Park, Pearl Street Mall and the Downtown Boulder Visitor Center. Downtown Boulder, Inc. manages and staffs the Visitor Information Center and is the only

location that tracks visitor numbers. Due to a car accident in May of 2013 and construction on US 36 in 2014, the kiosk at Davidson Mesa was closed for all of 2014. The Kiosk will reopen in spring 2015.

Downtown Boulder Visitor Center Traffic	2014	2013	2012
Total:	12,533	12,112	13,797

Website: Total organic traffic across main & mobile sites has increased 11.3% over 2013. Organic sessions to the mobile and main sites have increased 28.5%. New visitors comprise 82% of site traffic.

Year-End Website Measurements – Main	2014	2013	2012
Requests for Information – Mailed:	6,054*	6,607	7,937
Web Unique Visits:	391,206	379,236	406,182
Web Pageviews:	1,293,792	1,409,612	1,613,445
Web Average Pageviews per Visit:	3 pages	3 pages	3 pages
Web Average Time per Visit:	0:03:01	0:03:35	0:03:12
Year-End Website Measurements – Mobile			
Mobile Unique Visits:	133,654	92,159	14,309
Mobile Site Pageviews:	419,191	360,543	79,681
Mobile Time on Site:	0:02:00	0:02:03	0:02:40
Total Main + Mobile Visits	524,860	471,395	420,491

*Mailed visitor requests are declining. The CVB will check in with our peer cities for point of reference.

Website Booking Engine: A website booking engine, BookDirect, is a transactional tool that gives visitors a way to book hotels, attractions and restaurants directly from the CVB website. In 2014, it was updated to make navigation more user-friendly and additional attractions and restaurants were added. This resource offers a convenient option for visitors during their trip planning process to review the availability of hotels without leaving the CVB website. Visitors may use this resource, but typically the consumer goes to a more traditional booking engine such as, Travelocity or Expedia, to book their reservation. In late 2013, OpenTable, a restaurant reservation system, was added to our site. There is no charge to the consumer or the Boulder tourism business partners for this program.

Website Hotel Booking Engine	2014	2013	2012
BookDirect Lodging Referrals:	23,226*	30,027	NA
BookDirect Estimated Room Night Total:	5,144**	3,903	NA
BookDirect Estimated Hotel Room Revenue:	$564,756	$424,982	NA
Attractions and OpenTable Booking Engine:			
Activities & Attractions Referrals:	224	NA	NA
Restaurant Referrals:	358	NA	NA

*Decrease is partially due to the closure of America's Best Value Inn (March 2014) & Best Western Golden Buff (October 2013).** The booking room conversion rate was higher year over year due to a tracking tool.

Brochure Requests/Conferences: The CVB provides brochures to groups staying in the Boulder area. The following list is a sample of some of the organizations requesting brochures. The CVB offers professional tour-guides to staff information tables at conferences who provide suggestions for restaurants, shopping and activities to fit their free time. The CVB monitors these requests to ensure the use is to increase visibility to visit Boulder. The CVB offered Visitor Information Tables onsite as part of the Conference Services program which has helped to reduce the number of brochures wasted.

Year-Year Conference Services	2014	2013	2012
Groups Serviced:	14*	28	34
Total Attendees:	1,625*	2,587	3,195

Year-End Brochure Distribution Results	2014	2013	2012
University of Colorado:	5,100	5,035	6,498
Federal Labs:	410	1,490	1,430
Corporations:	2,945	3,500	4,428
Welcome and Visitor Centers (AAA):	18,400	39,075	25,495
Weddings, Reunions and Leisure:	3,163	1,625	5,943
Misc. organizations:	9,816	12,480	16,691
Total Brochures	**39,834***	**63,205**	**60,485**

*The decrease is due to staff turnover and requests were not recorded for several months. We typically distribute around 60,000 brochures and service 25-35 conferences each year. We have staff in place recording all of these requests moving forward.

Visitor Information Leads: The CVB mails specific Boulder information to leads generated by listings in magazines with reader service cards and specific websites. Also included in the mailings is a flyer promoting vacation packages created by Boulder hotels and tourism partners. From the CVB Visitors Survey, data shows that 65% of people requesting information actually visit Boulder. This study assists us in measuring the return on investment.

Year-End Visitor Information Requests	2014	2013	2012
Travel Guides Free: 24/7:	9,080	9,026	7,805
Colorado Vacation Guide:	3,271	1,527	1,493

Regional Efforts: Boulder is one of the nine cities representing the Front Range Region (FRR) that received a matching grant from the Colorado Tourism Office. The goal of this cooperative group is to attract and maintain visitors to our area in Colorado.

Year-End FRR Information Requests	2014	2013	2012
FRR Visitor Information Requests:	7,476	6,517	9,592

Community Familiarization Tour: The CVB and the Boulder Hotel & Motel Association (BHMA) hosted the annual three-hour Boulder Familiarization Tour for new front-line and guest-services employees in June. The CVB continues its partnership with Banjo Billy Bus Tours who provides transportation. The attendance was sold out with 25 people. This provides new employees a first-hand experience of what Boulder has to offer to share with visitors.

Welcome Center Efforts: Each year the CVB hosts an overnight stay for one of the Colorado Welcome Center's staff. This year, the Dinosaur Welcome Center visited in September. The 2 day tour of Boulder included visits to Celestial Seasonings, Leanin' Tree Museum of Western Art, Banjo Billy's Bus Tours, Chautauqua Dining Hall, Dushanbe Teahouse and Redstone Meadery.

COMMUNICATIONS

The Communications department integrates marketing, social media and media relations to monitor and shape Boulder's brand and reputation thereby achieving the CVB's economic objectives.

Marketing: The marketing program, for both the leisure and meetings segments, is integrated with print, online, social and email, and developed in concert with dedicated content on the CVB's website.

2014 MEETINGS AUDIENCE

PUBLICATION:	Recipients	Click Thru Rate
Colorado Meetings + Events		
Website Banner Ads	8,442	1.67%
Print Ads – 4 per year	40,000	N/A

Enewsletter Ads - monthly	38,605	0.039%
Mountain Meetings		
Print Ads – 2 per year	100,000	N/A
Enewsletter Ads – 4 months/year	53,571	0.01%
Plan Your Meetings		
Weekly Web Ads – 4 months/year	157,096	0.22%
Splash Ad	293	9.21%
Leaderboard Ad	82,084	0.47%
Business Directory Page	106,918	0.08%
MPI		
Colorado Meeting Guide - Print Ad	50,000	N/A
Website Bottom Banner Ad – March	N/A	0.179%
CVENT		
Enewsletter - August	18,284	14.13%
Website Banner Ad	*	*
Display Ad	*	*
Visit Denver Group Destination Guide		
Print Ad	25,000	N/A
CU Alumni		
Homepage Rotator Ad	*	2 clicks
Enewsletter (Forever Buffs Insider)	22,104	0.28%
E-blast	77,719	0.58%
Successful Meetings		
Colorado Supplement – Print Ad	50,015	N/A
Colorado Society of Association Executives		
CSAE Directory – Print Ad	2,000	N/A

*Information from publishers is not available.

2014 LEISURE AUDIENCE

PUBLICATION:	Recipients	Clicks	Click Thru Rate	Industry Average
Colorado Official State Vacation Guide (CTO)				
3 Page Print Ad	550,000	n/a	n/a	n/a
ALIVE (CTO)				
Print Ad– Summer	50,000	n/a	n/a	n/a
Print Ad - Winter	50,000	n/a	n/a	n/a
TripAdvisor				
Geo Targeted Ads – Jan-March	660,569	884	.13%	.10%
Colorado.com				
Formatted Ads – April-Dec	1,720,416	4,396	.26%	.33%
Custom Eblasts (3)	116,177	6,041	7.03%	9.28%
Top Travel Newsletters (co-op with Colorado Tourism Office)				
Co-op Newsletter (Sherman's Travel)	250,000	192	.077%	*
Co-op Newsletter (Dunhill)	1,400,000	324	.023%	*
Google Ad Network				
Web Ads – Dec	2,083,116	9,948	.48%	.07%
ArtScape				

Print Ad	50,000	n/a	n/a	n/a
Radio Kansas (NPR station)				
Sponsorship	1,000,000	n/a	n/a	n/a

*Information from publishers is not available.

Video: Five 30-second videos were created to give the visitor information about Boulder through the voices of locals. Topics included the Pearl Street Mall, Celestial Seasonings tours, hiking, history, and top must sees. Besides being viewed on YouTube, the videos can be found on the CVB's website on the corresponding webpages, for instance, the history video is on the history webpage. The videos were launched in January 2015.

Brochure updates: Print pieces still remain relevant and the Boulder CVB continuously updates brochures. In 2014, the Boulder Visitor's Guide and the Front Range Region Brewery brochures were updated. From recent reports, printed brochures are not obsolete, as they are the third highest influencer behind the Internet and word of mouth recommendations. Also, a recent study showed seven out of 10 visitors pick up at least one brochure while on a trip. Of these, 42% plan on purchasing goods or services as a result of picking up the brochure. This study indicated a print brochure is still in the top three pieces of research a consumer uses when planning a trip.

Boulder Partner E-Newsletter: An E-Newsletter is sent monthly to local tourism businesses. It aims to let partners know how their businesses can be served by the CVB, offers educational articles, and information about how upcoming special events may impact their businesses. The open rate is more than double the industry average.

Year-End Partner Newsletter Subscribers	2014	2013 (Dec only)
Subscribers:	521	446
Open Rate-Avg (Tourism Industry Avg = 16.38%):	35.33%	40.00%

Agritourism Program Launched: Agritourism (tourism with an agricultural component) is a hot topic in visitor experiences for meeting planners, travel writers and leisure travelers. Because of Boulder's farm-to-table strength, a nationally recognized farmers' market, and its surrounding agricultural land, Boulder is one of Colorado's top destinations for agritourism. Working with the Colorado Tourism Office, the Boulder CVB has developed an inventory, survey and landing page and will ultimately create a map-based brochure.

Social Network Channels: The CVB has seen continued growth in its social media numbers. This year, the CVB initiated a "Visit Boulder" Instagram account gaining more than 800 followers in just one year. This channel is important not only for the people now viewing the images, but for engagement with the Colorado Tourism Office Instagram and partner Instagrams. Images are so important for inspiration to visit a destination and the image database being creating is invaluable. The CVB continues to work with the Colorado Tourism Office by providing Boulder specific content to be used across their social media platforms.

Year-End Social Media Measurements	2014	2013	2012
Facebook Fans:	4,911	4,316	3,400
Twitter Followers:	5,434	4,297	2,626
Pinterest Followers	908	637	326
Instagram Followers:	814	n/a	n/a
YouTube Views:	2,336	3,590	6,437
Boulder Video (Vimeo):	20,043	n/a	n/a
Boulder Ski Escape/Eldora Video:	593	698	1,839

Electronic Communications: The CVB distributes electronic newsletters weekly to new subscribers and monthly to established subscribers. The CVB receives qualified subscribers from Colorado.com as well as those subscribing directly from the CVB's website. Messages tend to be inspirational, rather than transactional, and highlight outdoor recreation, attractions, arts & culture, restaurants and over night stays.

The open rate for the "old" subscribers continues to fall as expected; the average life span of an email is 3 years and there are subscribers going back to 2009. The older emails are dramatically dropping off as they become invalid.

Year-End Electronic Newsletter Subscribers	2014	2013	2012
Boulder Newsletter Subscribers:	43,281	36,826	42,779
Open Rate-Avg Tourism Industry =16.38%	24%	23.7%	21.67%
Open Rate – New Subscriptions:	33%	31.37%	37.59%
Open Rate – Old Subscriptions:	14.63%	15.54%	13.7%

Year End Welcome Leads	2014	2013	2012
Colorado.com Welcome Leads – Boulder:	12,232*	17,738	11,007
Colorado.com Welcome Leads – Front Range Region:	12,237*	16,602	11,714

*There were a few months early in 2014 when leads were not captured

Every quarter, the CVB distributes electronic newsletters to meeting and event planners as well. The messages are brief and educational with large photos.

Year End Electronic Meeting Sales Newsletter Subscribers	2014	2013	2012 (June-Dec)
Meeting Newsletter Subscribers:	8,995	7,613	5,903
Open Rate-Avg: (Tourism Industry Avg = 16.38%)	25%	21%	16%

Landing Pages

Landing pages support an ad campaign, e-newsletter, or brochure. They also allow for fresh content on the website and increase search engine optimization. Measuring the number of readers shows the effectiveness of the campaign, popularity of the topic, and most importantly, provides information as to the consumers' intent to travel. Examples of the 'intent to travel' indicators can be ordering a Visitor Guides or reviewing the 'Things To Do' or Hotel pages.

Year-End Landing Page Performance	Entrances to site
The Boulder Video	10,544
Boulder's Foodie Checklist	7,072
Must See Vacation Checklist	6,617
Fall Things to Do in Boulder	4,154
Must Shop Checklist	749
Boulder Arts & Culture	535
5 Top Picnic Spots	293
Explore More Boulder – 4 Ways to Tour	263
Toast the Season	213
Celebrate Spring	183
Kids Arts Classes & Workshops	132
Summer Fun	123
Bike to Breweries Sample Tour	115

Free Factory Tours	114
Free Things to Do	78
Tea Tasting	69
CU Homecoming Hotel Deals	582
Bring Your Meeting to Boulder - CU	471
5 Tips for Unboring Meetings	41

Media Relations: The Boulder CVB hosted more travel writers in 2014 than any year in its history. Media relations efforts focus on reaching out to the media as well as responding to media requests. This includes story ideas, interview suggestions, background information, fact checking and photography.

Year End Media Relations	2014	2013	2012
Photography Requests:	45	34	47
Published Article Results:	240	121	140
Published Article Circulation:	53,273,779	42,178,596	28,247,213
Published Article Ad Value:	$2,799,814	$2,369,177	$2,136,471
Unsolicited Pitches "Cold Calls":	4	5	10
Press Visits in Boulder:	47	29	31
Press Visits Outside of Boulder:	25	12	13

Media-Community Relations: The CVB has solid relationships with local tourism partners and assists with their media efforts. Expertise is offered on media relations and marketing strategies as well as connections to travel writers. During the year, assistance was given to The Adventure Film Fest, IRONMAN, Three Leaf Farm, and Firefly Market.

INTERNATIONAL PROGRAMS

Media Relations: More than half of the media trips in 2014 were for publications outside the US. The Boulder CVB hosted journalists from France, Germany, Brazil and Japan. Brazil is an especially valuable tourism market because of the new direct flights in and out of Panama to DIA. Topics for the media trips ranged from craft breweries to bouldering to Boulder's healthy, active lifestyle.

Website: Continuous updates are made to pages on the CVB website that are written for visitors from Germany, France, UK, Canada, Japan and Mexico.

Brand USA: Brand USA, the national marketing agency for the US, is a marketing opportunity made possible through the Colorado Tourism Office's contribution to buy down the cost of the program. The CVB chose to produce all content in Japanese to correlate with other Japanese market efforts. The program includes a Boulder video with a voice-over in Japanese, a full length feature article written in Japanese (and 6 other languages) and 20 photographs that can be used for any CVB purpose. The Boulder page on the Brand USA website was deployed in March 2014.

Year End Brand USA Website Measurements – Boulder Pages	2014
Web Page Views:	168
Average Time per Visit:	2.22
Japanese Video Views:	685

Additionally, Boulder was included in a very successful media trip coordinated by Brand USA. Markets reached were Germany, Brazil, UK, Mexico, Canada, Australia, and Japan.

COMMUNITY/CULTURAL RELATIONS:

Community Relations:

B-Cycle: The CVB is a community partner in the B-Cycle program, as 50% of the trips are taken from riders outside Boulder County and outside Colorado. The CVB sponsorship includes CVB branded baskets and an ad in the printed maps.

BolderBoulder: The CVB provides professional staff at the visitor information table to distribute maps, give directions, restaurant recommendations, etc. to the participants of the BolderBoulder. The information table is setup during the BolderBoulder Sports Expo on the Pearl Street Mall.

Boulder Ski Escape: The Boulder Ski Escape package is a cooperative marketing program with Eldora Mountain Resort. The program's objective is to increase tourism, room nights and lift ticket sales during the winter months. This year the program changed in December and requires that hotels pre-pay for lift tickets. The CVB assists in promoting the program by sending out flyers (847 in December) in every visitor information packet throughout the winter season and by running a promotion with a Kansas NPR station.

Year-End Ski Escape Results	2014/2015	2013/2014	2012/2013
Ski Tickets Redeemed:	189 YTD	1,857	1,887
Estimated hotel rooms sold:	TBD	1,003	943
Hotels Participating:	13	18	19
Estimated Revenue to Hotels, Restaurants and Retail spending:	TBD	$389,665	$271,584

*2014/215 stats will be reported in the 2015 mid-year report.

Welcome/ Visitors' flyers: The CVB prints and distributes Welcome Flyers to downtown and 29th Street businesses as well as restaurants and hotel partners. A total of 750 flyers are distributed for each of the seven CU home football games, the July softball tournament, and IRONMAN. The intent of the Welcome Flyers, especially the flyers for the CU football games is to encourage locals to be mindful of a positive fan experience.

Cultural Programs and Marketing:

ArtScape: For the second year, Boulder's visual arts were significantly more represented in this publication. In past years, the Boulder CVB has matched the community's advertising dollars. In 2104, the CVB increased its advertising spend significantly to ensure more coverage – editorial and advertising – on Boulder's visual arts scene. The annual, full color, free-guide is distributed along the Front Range to approximately 50,000 art aficionados. It features art district profiles, maps, an art locator index, artist directory, calendar of events, web sites and hundreds of full-color images. There are 50,000 brochures distributed in the metro Denver region.

Art Brochure: Boulder's creative culture is highlighted in the 24-page "Boulder Arts & Culture Guide." More than 100 arts organizations, galleries and events are included in the guide that aims to inspire a potential visitor to discover the town's creative side. It was distributed in April in advance of Boulder Arts Week 2014. It was integrated into the website with a landing page and a virtual guide; both of these increased the CVB's search engine optimization. In addition to appealing to travelers, the brochure aids with Boulder residents' desire of positioning Boulder as an arts destination.

TripAdvisor Sponsored Page: The CVB has a destination sponsored page on TripAdvisor. Having direct access to change and update content on this page allows us to highlight the visitor experience in Boulder through events, photos and videos. The CVB tracks the performance of the content on the page as well as monitor traffic to the CVB website. This site is one of the top five referring websites to the CVB. Events are the most popular and effective links on the page and the CVB updates them monthly.

Year-End TripAdvisor Sponsorship Page	2014	2013	2012 (June-Dec)
Page Views:	80,439	55,552	22,695
Photo Views:	2,003	2,290	374
Event Clicks:	*544	2,031	449
Click Thru Rate:	*2.26%	5.49%	2.96%

TripAdvisor changed this program in May and the performance dropped, however, the Boulder page performance is on par to other destinations. TripAdvisor is working to rectify it.
*During staff turnover it was discovered our event exposure no longer existing and got back on track in August.

Film Commission: Having the Boulder County Film Commission (BCFC) office in the CVB offices integrates tourism and film and gives production companies a streamlined application process plus a broader view of Boulder. Economic benefits are generated for restaurants, hotels, retailers, government agencies, and residents through the film commission's success in assisting magazine, film and video companies with the production of commercials, documentaries and television programming.
Despite the number of inquiries being lower than projected, the number of hours of assistance remained the same, due to larger film projects demanding more assistance than smaller projects. Additionally, the number of leads from the state film office has significantly decreased (for example, in the fall and early winter the BCFC assisted the film crew to shoot a feature length film *Christmastime*, about Boulder. The crew shot for a full week in Boulder on the Pearl Street Mall, and in storefronts and a restaurant. The film will air in during the holiday season in 2015, which should shine a very positive image of Boulder.
Furthermore, the number of inquiries is not representative of the number of film projects. Typically the Film Commission is assisting production companies that are new to the county; returning companies will often bypass the Film Commission to work directly with the permitting agencies.

Year-End Film Project Results	2014	2013	2012
Total Number of Film Inquiries:	49	79	93

SUPPLEMENTAL FUNDS PROGRAMS

The CVB has applied for Supplemental Funds in 2012 and 2013. These funds were available due to the over performance of the two taxes related to the CVB funding, the Accommodations Tax and the Food Service Tax.

2012 Requests:
Video (completed) – A two-minute video was created to inspire leisure and business travelers to visit Boulder. The CVB staff wrote the script and worked closely with a Boulder County videographer to find the unique inspirational tone. It was completed in February and has received more than 20,000 views on the website. At the same time, a 30 second spot was edited in for shorter promotions or in the event that the CVB purchases television air time.
This video has been featured on Channel 8, during presentations to out-of-state meeting planners, and at the July 4th Ralphie's Independence Day Blast.

Touch Screen Kiosk – The Kiosk went live in late January, however, the first few months were spent trouble-shooting problems with the server, as well as system shutdowns. In late June, the Kiosk was up and running and data is being collected.
The results of the touch screen kiosk have been very disappointing; the CVB has contacted the vendor and software provider to review solutions.

Touch Screen Kiosk – Pearl Street	City of Boulder	Downtown Boulder	CVB
Total Clicks July – December	357	361	1,529

2013 Supplemental Requests in progress:
Additional Touch Screen Kiosks – Funds were used to trouble-shoot the operations as well as to purchase an extended warranty.

Portable Visitor Center – The CVB purchased a 10'X10' pop-up tent, branded with Boulder photo images and logos. The Tent made its debut in June at the 2014 Louisville Slugger Independence Day Softball Tournament, with 160 softball teams and coaches checking in.
The visitor tent was great for the two day athletes' check-in at the 2014 IRONMAN sports expo, with over 2,300 athletes and families visiting.
Because of the popularity of the pop-up tent, side-walls and a propane heater were purchased as it will be used during the winter months.

There were no Supplemental Funds available in 2014.

In conclusion, in the fast paced electronic messaging world, the consumer has many opportunities to research and book travel, find reliable information sources as well as listening to friends and family about where to visit. The attractiveness of Boulder as a destination is very strong. The CVB must remain diligent with our messaging as well as learn from our experts as to how to get in front of as many people, remain fiscally responsible and continue to measure everything.

BOULDER
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BOULDER CONVENTION AND VISITORS BUREAU

January 16, 2015
November December Financials 2014

*Revenue: The City of Boulder's third installment was received. The contracted third installment was reduced by $32,221.66. This was due to the City of Boulder's 2013 Food Service Taxes estimate being higher than collected.
*Salaries and Benefits: Salaries ran under budget as contracted services were budgeted verses being in Admin Expense.

Administrative Expense:

1. Staff Professional Development is running slightly under budget and by year end there will be a savings. Due to staff turnover, funds were not necessary.
2. Office Expense: Business mailing envelopes were ordered for the busy season. This line item ran over budget.
3. Computer, Software: CVB replaced computers with Windows XP machines are vulnerable and unsupportable.
4. Auto Expense: A budgeted item was shifted into Admin Benefits early in 2014.
5. Dues and Subscriptions: This was under budgeted for and ran over.
6. Professional Services: There are fees anticipated and the timing and cost was unknown.
7. Contract Labor: The contractor time is split between specific programs and general Marketing Services under PR & Media which is running over budget. We will monitor both spending areas. Depreciation: BBA's note as to the Audit completed the 2013 external audit this month: During the review of fixed assets it was noted by Neal that many assets are no longer at the Chamber and they were removed from the fixed asset schedule. We also recorded actual depreciation expense as calculated by the auditors. Consequently, all CVB fixed assets are fully depreciated. You will not see estimated charges for depreciation any longer.

Program Expenses:
Meetings Function:

8. Lead Generation: Expenses came in slightly under budget.
9. Tradeshows: Expenses were monitored closely.
10. Individual Meeting Planners Fam: This fund is contingency to host planners while in town.
11. Destination Planning and Sports Facility Guides: The sports guide was planned however it was an oversight that funds did not make the budget. A portion of the guide has stared in 2014 with only staff time. Some funds reflected under #29 Photo will be transferred to this line item as they were purchased for the Sports Facility Guide.
12. Sales Mission: The Washington DC Sales Mission took place. Another trade show was added to continue to build qualified contacts for other destination Sales Missions.
13. Trade Show Booth: A few anticipated expenses for the Sports banner did not come in and will be expensed in 2015. This did run under budget.
14. Meetings-New Program: The CVB contracted the Huddle Up Group to conduct a sports facilities audit. This has been completed and will assist with the ongoing work plan.

15. Website: Improvements to the website loading the Destination Planning Guide and Event Partnership Application took place and additional hours were not needed.
16. Incentive Sports-Events: Funds are still being committed for this year and next. A few invoices are yet to be received and will be paid in 2015.
17. Incentive Meetings: There are a few meeting groups in 2014 that will receive incentive funds. There will be carryover funds for more groups in 2015.
18. Promotional items: This ran over budget as items are transferred within to another program line item.
19. ROI Analysis and New Programing: These two items should show a savings for 2015 as both came in under budget.

Visitor Services:

20. Information Centers: The rebuilding of the Davidson Mesa Visitor Center will be scheduled in 2015.
21. Merchandise: Funds were not reflected in the 2014 annual budget as intended. There are adequate funds available to cover these costs.
22. Internet/Web: There are ongoing projects that are taking place. During the September Board meeting there was a decision to start the web redesign with 2014 unspent funds. This item will run over budget as this process was stared in October and will be complete mid-2015.
23. Visitor Research: One expected research project we anticipated did not happen.
24. Donations: $1500 was a miscoded expense and belongs to Digital Advertising.
25. Hotel – Restaurant Booking Engine: There was an anticipated invoice that was not received.

PR & Media:

26. Public Relations: This is being monitored as expenses are coming in higher due to the new clipping service.
27. Press Trips: This ran over budget due to an extraordinary opportunities for 2015.
28. Advertising: The partners on the2014 coop page in the Colorado Vacation Guide were paid in Jan 2014 which reflected as under budgeted funds.
29. Photography/Video: Some funds were miscoded and will be coded to #13 Destination Planning Guide
6. Mktg. Contract Services: Is running over budget as the Administrative: Contract Services is running under budget. We will monitor both spending areas.

International & New Markets:

30. International Assistance: During the March Board meeting there was a decision to contribute $10,000 per year to the fund to host the 2018 Pow Wow International Trade Show. Denver needs to raise $2-3m to be the host city. These funds were taken out of the 2013 carry over funds.

    Also, in the fall the CVB Board agreed to participate in the Colorado Tourism Office Brand USA – Japanese coop program ($4500). The total of $14,500 was to be allocated from the 2013 carryover funds.

Community/Cultural function:

31. Supplemental Funds: These funds were initial expenses for the portable Visitor Information Center from the 2013. Supplemental Fund request. Funds spend earlier in the year were for the Promotional Video, initial expenses for the portable Visitor Center, and extended warranty for the touch screen Kiosk.

At the end of 2013 the CVB appears to have significant funds of $410,961 however there is only $175,663 available for additional programing or develop a stronger cash reserve. With $162,661 Restricted funds (current Reserve, Supplemental Funds Programs and the Insurance check to replace the Davidson Mesa Kiosk)

2013 Year End Cash		$410,961
Restricted funds:		
Reserve Fund	$ 40,000	
Supplemental Funds Programs	$100,361	
Insurance check to replace kiosk	$ 22,300	
Restricted Total		$162,661
2013 invoices outstanding		$ 72,617
Balance for 2013 Programs		$175,663

*Specific programs granted from the City of Boulder General Fund, Accommodations and Food Service Taxes came in over estimated amount in annual contract.

Convention & Visitors Bureau
Statement of Assets, Liabilities & Equity - Modified Cash Basis
As of December 31, 2014

ASSETS	
Current Assets	
Checking/Savings	
10030 · CVB Checking WellsFargo (1895)	$ 55,357
10031 · CVB Savings Wells Fargo (6762)	195,716
Total Checking/Savings	251,072
Total Current Assets	251,072
Fixed Assets	
18000 · Fixed Assets (>$1,000)	
18200 · Furniture, Fixtures, Computers	16,026
Total 18000 · Fixed Assets (>$1,000)	16,026
18900 · Less-Accum. Depr.	(16,026)
TOTAL ASSETS	**251,072**
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
22060 · CVB WellsFargo - Andrew (5229)	431
22070 · CVB AmEx - Parent (71003)	3,654
22110 · CVB Wells Fargo - Margee (2905)	256
22120 · CVB WellsFargo - Kim (5203)	524
22140 · CVB WellsFargo -MaryAnn (5195)	7
22150 · CVB WellsFargo - Abbie (2121)	690
Total Credit Cards	5,562
22400 · CVB Due To/(From)	
22410 · BCC	11,163
Total 22400 · CVB Due To/(From)	11,163
Total Other Current Liabilities	11,163
Total Current Liabilities	16,725
Total Liabilities	16,725
Equity	
30000 · Unrestricted Net Assets	358,192
31000 · Temporarily Restricted Assets	1,719
Net Income	(125,564)
Total Equity	234,347
TOTAL LIABILITIES & EQUITY	**$ 251,072**

Convention & Visitors Bureau
Statement of Revenues & Expenses-Budget vs. Actual
January through December 2014

	December				December YTD					
	Actual	Budget	$ Over Budget	% Of Budget		Actual	Budget	$ Over Budget	% Of Budget	Annual Budget
Income										
42000 · Government Grant Revenue	0	0	0	100%		1,526,778	1,559,000	(32,222)	97.9%	1,559,000
43000 · Other Revenue										
43300 · Misc. Revenue	0	0	280	100.0%		1,038	450	380	184.5%	450
43500 · Merchandise	52	0	0	0.0%		195	1,000	(857)	14.3%	1,000
43800 · Interest	5	100	5	100.0%		59	100	49	100.0%	100
Total 43000 · Other Revenue	57	100	285	100.0%		1,292	1,550	(428)	70.5%	1,550
Total Income	**57**	**100**	**285**	**57.0%**		**1,528,070**	**1,560,550**	**(32,650)**	**97.9%**	**1,560,550**
Gross Profit	57	100	(43)	57.0%		1,528,070	1,560,550	(32,480)	97.9%	1,560,550
Expense										
60000 · Program Expense	141,209	113,770	27,438	124.1%		788,372	920,951	(132,579)	85.6%	920,951
61000 · Personnel										
61050 · Salaries	36,698	51,330	(14,632)	71.5%		471,917	509,115	(37,198)	92.7%	509,115
61200 · Payroll Taxes & Benefits	9,459	7,738	1,721	122.2%		103,341	102,900	441	100.4%	102,900
Total 61000 · Personnel	46,156	59,068	(12,912)	78.1%		575,258	612,015	(36,757)	94.0%	612,015
62000 · Administration										
62005 · Staff Professional Dev	6	2,104	(2,098)	0.3%	#1	23,077	36,500	(13,423)	63.2%	36,500
62010 · Office Expense	1,967	1,154	813	170.4%	#2	22,520	15,000	7,520	150.1%	15,000
62040 · Computer, Database & IT	2,312	2,900	(588)	79.7%	#3	30,860	41,000	(10,140)	75.3%	41,000
62080 · Auto Expenses	308	40	268	770.5%	#4	1,607	3,000	(1,393)	53.6%	3,000
62090 · Bank & Credit Card Fees	0	0	0	100%		310	48	262	645.8%	48
62200 · Subscriptions & Dues	994	600	394	165.7%	#5	17,564	15,000	2,564	117.1%	15,000
62300 · Utilities	545	701	(156)	77.7%		6,090	6,416	(326)	94.9%	6,416
62350 · Professional Services	3,640	0	3,640	100%	#6	13,961	1,500	12,461	930.7%	1,500
62400 · Printing	62	0	62	100%		61	0	61	100%	0
62440 · Postage & Delivery	2,223	1,972	251	112.7%		35,592	35,000	592	101.7%	35,000
62450 · Contract Labor	2,728	800	1,928	340.9%	#7	12,224	6,000	6,224	203.7%	6,000
62460 · Meetings	1,507	1,100	407	137.0%		7,084	9,000	(1,916)	78.7%	9,000
62500 · Travel	0	0	0	100%		196	0	196	100%	0
62600 · Web & Communications	0	0	0	100%		0	0	0	100%	0
62610 · Advertising, Mktg, Promotion	0	0	0	100%		235	1,000	(765)	23.5%	1,000
62630 · Overhead Allocation-CVB	10,952	9,120	1,832	120.1%		103,154	99,995	3,159	103.2%	99,995
62700 · Food & Catering	8	0	8	100%		8	0	8	100%	0
Total 62000 · Administration	27,251	20,491	6,760	133.0%		274,543	269,459	5,084	101.9%	269,459
63000 · Occupancy										
63050 · Building Maintenance & Services	60	60	0	100.0%		720	300	420	240.0%	300
63200 · Office Lease	1,185	1,414	(230)	83.8%		14,214	14,814	(600)	95.9%	14,814
63600 · Depreciation	0	0	0	100%		32	0	32	100%	0
Total 63000 · Occupancy	1,245	1,474	(230)	84.4%		14,966	15,114	(148)	99.0%	15,114

NO ASSURANCE IS PROVIDED ON THESE FINANCIAL STATEMENTS

Modified Cash Basis

Convention & Visitors Bureau
Statement of Revenues & Expenses-Budget vs. Actual
January through December 2014

	December				December YTD				
	Actual	Budget	$ Over Budget	% Of Budget	Actual	Budget	$ Over Budget	% Of Budget	Annual Budget
Total Expense	215,860	194,803	21,057	110.8%	1,653,139	1,817,539	(164,400)	91.0%	1,817,539
Net Income	$ (215,803)	$ (194,703)	$ (21,100)	110.8%	$ (125,069)	$ (256,989)	$ 131,920	48.7%	$ (256,989)

NO ASSURANCE IS PROVIDED ON THESE FINANCIAL STATEMENTS

Convention & Visitors Bureau
Program Revenue & Expense Budget vs. Actual - Modified Cash Basis
January through December 2014

	December				December YTD				
	Actual	Budget	$ Over Budget	% Of Budget	Actual	Budget	$ Over Budget	% Of Budget	Annual Budget
1-Meetings Market Function									
CVB 3101 Lead Gen	$ 5,663	$ 2,000	$ 3,663	283.1% #8	74,438	$ 78,500	$ (4,062)	94.8%	$ 78,500
CVB 3103 Tradeshow	2,096	2,121	(25)	98.8% #9	61,321	60,500	821	101.4%	60,500
CVB 3106 Ind Meeting Plan Fam	531	900	(369)	59.0% #10	4,036	11,000	(6,964)	36.7%	11,000
CVB 3108 Dest Plan/Sports Guide	448	0	448	100% #11-29	4,035	0	4,035	100%	0
CVB 3107 Sales Missions	2,115	4,000	(1,885)	52.9% #12	8,787	16,000	(7,213)	54.9%	16,000
CVB 3109 Tradeshow Booth	158	167	(9)	94.8% #13	283	2,000	(1,717)	14.1%	2,000
CVB 3113 Mtgs New Prog/Other	0	0	0	100% #14-17	14,695	12,000	2,695	122.5%	12,000
CVB 3114 Website	(1,094)	900	(1,994)	-121.6% #15	2,306	20,000	(17,695)	11.5%	20,000
CVB 3117 Incentive-Sports	20,000	12,700	7,300	157.5% #16	145,518	175,500	(29,982)	82.9%	175,500
CVB 3118 Incentive-Meetings	225	4,000	(3,775)	5.6% #17	5,808	20,000	(14,192)	29.0%	20,000
CVB 3120 DOS Meetings	0	50	(50)	0.0%	279	500	(221)	55.9%	500
CVB 3121 Promotion Items	1,331	0	1,331	100% #18	10,418	4,500	5,918	231.5%	4,500
CVB 3122 ROI Analysis	3,750	0	3,750	100% #19-24	14,051	20,000	(5,949)	70.3%	20,000
Total 1-Meetings Market Function	35,224	26,838	8,386	131.2%	345,974	420,500	(74,526)	82.3%	420,500
2-Visitor Services Function									
CVB 3105 Conference Services	81	0	81	100%	2,785	3,500	(715)	79.6%	3,500
CVB 3201 Information Centers	950	30,000	(29,050)	3.2% #20	12,471	53,900	(41,429)	23.1%	53,900
CVB 3202 Collateral Materials	0	0	0	100%	0	0	0	100%	0
CVB 3203 Merchandise	712	0	712	100% #21	2,037	0	2,037	100%	0
CVB 3205 Welcome Centers	392	0	392	100%	3,287	5,000	(1,713)	65.7%	5,000
CVB 3206 Internet/Web	2,989	3,879	(890)	77.1% #22	82,998	62,858	20,140	132.0%	62,858
CVB 3207 Community Fam Trip	0	0	0	100%	1,444	1,500	(56)	96.3%	1,500
CVB 3208 Regional Efforts	0	0	0	100%	3,000	3,000	0	100.0%	3,000
CVB 3210 Visitor Research	25,000	0	25,000	100% #23	37,625	59,350	(21,725)	63.4%	59,350
CVB 3214 Donations	1,500	0	1,500	100% #24	1,600	0	1,600	100%	0
CVB 3212 Hotels/Restaurants	0	15,950	(15,950)	0.0%	4,100	15,950	(11,850)	25.7%	15,950
CVB 3215 Digital Adv Messaging	14,353	2,000	12,353	717.6% #25	52,865	52,021	844	101.6%	52,021
Total 2-Visitor Services Function	45,977	51,829	(5,852)	88.7%	204,212	257,079	(52,867)	79.4%	257,079
3-PR & Media Relations									
CVB 3301 Public Relations	576	0	576	100% #26	12,180	9,500	2,680	128.2%	9,500
CVB 3304 Press Trips	1,116	823	293	135.6% #27	16,651	11,000	5,651	151.4%	11,000
CVB 3307 Brochures	65	0	65	100%	43,269	42,359	910	102.1%	42,359

NO ASSURANCE IS PROVIDED ON THESE FINANCIAL STATEMENTS

Convention & Visitors Bureau
Program Revenue & Expense Budget vs. Actual - Modified Cash Basis
January through December 2014

	December				December YTD				
	Actual	Budget	$ Over Budget	% Of Budget	Actual	Budget	$ Over Budget	% Of Budget	Annual Budget
CVB 3308 Adv-CO Vac Guide	30,617	22,406	8,211	136.6%	#28 36,319	42,000	(5,682)	86.5%	42,000
CVB 3309 Photography/Video	20,392	8,500	11,892	239.9%	#29-11 28,037	19,500	8,537	143.8%	19,500
CVB 3314 Film Commission	3,000	0	3,000	100%	783	0	783	100%	0
CVB 3315 Mktg Contract Services	1,622	375	1,247	432.5%	#6 12,392	4,500	7,892	275.4%	4,500
Total 3-PR & Media Relations	57,388	32,104	25,284	178.8%	149,629	128,859	20,770	116.1%	128,859
4-International & New Markets									
CVB 3401 International Assist.	0	0	0	100%	#30 14,563	4,500	10,063	323.6%	4,500
CVB 3405 Int'l Rep	0	0	0	100%	0	0	0	100%	0
CVB 3404 New Progamming	0	0	0	100%	0	2,000	(2,000)	0.0%	2,000
CVB 3406 Tour OP Fam Trip	1,007	0	1,007	100%	4,214	1,000	3,214	421.4%	1,000
Total 4-International & New Markets	1,007	0	1,007	100%	18,776	7,500	11,276	250.4%	7,500
5-Comm. Cultural Marketing									
CVB 3501 Community Spo	0	0	0	100%	16,266	17,000	(734)	95.7%	17,000
CVB 3502 Cultural Programming	2,108	3,000	(892)	70.3%	17,172	19,000	(1,828)	90.4%	19,000
CVB 3506 Packaging Forum	0	0	0	100%	410	600	(190)	68.4%	600
CVB 3508 Supplemental Prog	0	0	0	100%	#31 36,427	70,413	(33,986)	51.7%	70,413
Total 5-Comm. Cultural Marketing	2,108	3,000	(892)	70.3%	70,275	107,013	(36,738)	65.7%	107,013
TOTAL	**$ 141,704**	**$ 113,770**	**$ 27,933**	**124.6%**	**$ 788,867**	**$ 920,951**	**$ (132,084)**	**85.7%**	**$ 920,951**

NO ASSURANCE IS PROVIDED ON THESE FINANCIAL STATEMENTS

INFORMATION PACKET
MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
Karen Rahn, Director of Human Services
Betty Kilsdonk, Deputy Director of Human Services/Acting Senior Services Mgr.

Date: July 28, 2015

Subject: Information Item: Boulder County Age Well Plan Update

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EXECUTIVE SUMMARY

The purpose of this memo is to update council on the completed Age Well Boulder County Plan plan and how the city is moving forward to address goals and strategies in partnership with Boulder County and other entities and within the context of the Human Services Strategy update.

The nation, the county and the city are undergoing an unprecedented shift in the number of older adults. By 2029, it is anticipated that more than 20 percent of the total U.S. population will be over the age of 65. By 2040, the population age 60 and over is expected to account for about 26 percent of Boulder County's population, and is forecasted to increase by from 13.6 percent in 2013 to 24 percent. In planning for service needs, this demographic shift presents new challenges and opportunities for creating and sustaining vibrant, healthy communities committed to the well-being of older people.

Age Well Boulder County is a coordinated strategic plan representing all communities in the county. The plan's purpose is to chart a course for viewing aging in a new and positive way, and to identify needs and strengths in the aging community. First published in 2006, there have been periodic progress reports and updates to reflect changing community needs and conditions.

Rather than simply a reaction to change, Age Well Boulder County is an attempt to plan strategically and to anticipate the opportunities and challenges which engage active older adults while supporting those who are more frail, vulnerable or isolated. It is intended to be a blueprint for a shared, interactive, community-driven process. The approach is multi-pronged,

collaborative and strengths-based in which older adults are active participants in making decisions about their own goals and services.

Age Well Boulder County was developed by the Boulder County Area Agency on Aging (BCAAA) in partnership with the Age Well Committee, a leadership team consisting of municipal senior services managers from Boulder, Longmont, Louisville, Erie and Lafayette. The current update (2015) is based on qualitative and quantitative data using research and public engagement throughout the county. The research instruments included a Community Assessment Survey for Older Adults (CASOA™) survey, Community Conversations, Quadrant Work Group meetings, an online survey of service providers and other tools. The plan represents input from over 200 older adults, community members, service providers, organizations and leaders.

Council was briefed on Jan. 13, 2015, on the Age Well Boulder County plan development and provided feedback and questions for further inquiry. The plan has since been completed and was presented on May 1, 2015 to the Boulder County Commissioners and the BCAAA Aging Advisory Council.

FISCAL IMPACT

Age Well Boulder County does not mandate a budgetary impact to the city organization, and there is no specific Human Services funding allocation for its implementation. Funding for specific City of Boulder Age Well-related initiatives will be addressed through the Human Services Strategy update.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: Age Well Boulder County promotes a diverse and sustainable economy that supports needs of all older adult segments of the community and their caregivers and identifies the strengths of older adults, including economic contributons to the community.
- Environmental: The plan supports the creation of communities, neighborhoods and public places with age-friendly design principles in mind, including walkable communities and public transportation options, reducing environmental impacts.
- Social: The plan provides a blueprint for supporting healthy aging into the future, contributing to the social and health well-being and vibrancy of the community. It also identifies strategies for addressing the needs of more vulnerable and under-represented communities.

BACKGROUND

The first countywide strategic plan for aging well was published in 2006. With the 2008 economic downturn, shifting priorities and community resources, the plan was updated to reflect what older adults were experiencing. In addition to getting feedback from older adults and other community members, the BCAAA contracted with the National Research Center to conduct a CASOA™ survey to provide statistically valid data based on a random sample of the county's 60+ population. the 2010 effort.

The BCAAA is responsible for conducting regional research and leading long-range planning efforts to address the needs of the county's aging population. The data gathered to inform Age Well Boulder County, in addition to the information used to create the BCAAA's required four-year area

plan for aging ("Region 3B Area Plan Title III and Title VII, July 2015-June 2019") is used to identify current strengths and needs of our aging population, in order to better prepare for the future.

Boulder Senior Services Overview

The mission of Boulder Senior Services is to foster the engagement and well-being of older adults and promote a positive image of aging through community collaboration and services which advance the health and well-being of the older community. Service delivery is provided through five programmatic areas:

- Operation of two senior centers: Centers provide social and educational programs, classes and events and houses Meals on Wheels of Boulder congregate and home-delivered meals and offices at the West Senior Center;
- Senior Resources: Personal consultations, information and referrals; caregiver education and support; and volunteer referrals such as for paying bills and organizing paperwork;
- Senior Health and Wellness: SilverSneakers fitness program and other health and mind/body classes; brain fitness, falls prevention and other clinics; lectures on wellness topics;
- Senior Enrichment/Social Activity: Lecture series, trips, social activities such as bridge and mah jongg, clubs and organization meetings, support groups, AARP Tax-Aide, etc.; and
- Food Tax Rebate Program for low-income families, seniors and disabled.

Demographic Profile

Boulder County

- In 2012 there were 45,194 older adults (age 60+) living in Boulder County, or about 19 percent of the total county population.

City of Boulder

- In 2013, about 13.6 percent of the population was age 60+.

Selected 2013 City of Boulder Socioeconomic Data

	Boulder
Total Population	100,363
60+ Percent of Total Population	13.6%
60+ Population	**13,649**
65+ Population with Disability	2,769
65+ Population Below Poverty	570
65+ Population Below Poverty (Latino)	56
65+ Male Living Alone	782
65+ Female Living Alone	2,161
Households Receiving SNAP (food stamps) with at least one person 60+ in Household	349
Source: 2013 US Census American Community Survey	

ANALYSIS

Overall, the CASOA™ survey indicated a number of strengths for Boulder, for example:

- 96 percent of respondents gave high ratings to the community as a place to live.
- 76 percent consider the services offered to older adults to be "excellent" or "good."

- 81 percent reported they would recommend the community to others.
- 89 percent rated the overall feeling of safety in the community as “excellent” or “good.”
- 27 percent reported using a senior center in the past 12 months.
- 41 percent participated in some kind of volunteer work.

Challenges included:

- 22 percent reported having enough money to meet daily expenses was at least a minor problem.
- 27 percent indicated that having adequate information or dealing with public programs such as Social Security, Medicare and Medicaid was at least a minor problem.
- 33 percent indicated that maintaining their home was at least a minor problem.
- 57 percent reported that their physical health had presented at least a minor problem in the past year.
- 34 percent reported feeling depressed was at least a minor problem.
- 16 percent reported getting needed oral health care was at least a minor problem.
- 59 percent indicated that feeling like their voice is heard in the community is at least a minor problem.
- 17 percent indicated that having safe and affordable transportation was at least a minor problem.
- 47 percent indicated that not knowing what services are available to older adults in the community was at least a minor problem.

In addition to the Boulder-specific quantitative data obtained through the survey, four of the focus groups were held in Boulder, resulting in qualitative data. From these conversations we learned that older adults in Boulder want more transportation and parking options, better parking at the West Senior Center, and more information about available community resources. In addition, rather than stand-alone senior centers, we found that most people prefer a combination center, in which they could get a variety of services, but which also contained a separate space for older adult services.

NEXT STEPS

- Facilities assessment including West Senior Center, in conjunction with Parks and Recreation (Summer 2015)
- Human Services Strategy update public engagement process (Summer/Fall 2015)
- Human Services Strategy and Homelessness Strategy updates Study Session – Oct. 27, 2015
- Human Services Strategy update approval – first quarter, 2016

ATTACHMENT

Attachment A: Boulder County Age Well Plan Update Briefing Jan. 13, 2015 Follow Up

BOULDER COUNTY AGE WELL PLAN UPDATE BRIEFING JAN. 23, 2015 FOLLOW-UP

The following are responses to City Council questions and requests for further information from the Jan. 13, 2015 Boulder County Age Well Plan update briefing. Responses are grouped by topic.

I. TRANSPORTATION

- What are the needs and gaps in older adult transportation?
- Are older adults addressed in the City of Boulder Transportation Master Plan (TMP)?
- How are transportation needs for the elderly disabled addressed?
- How can we improve accommodations at bus shelters, RTD stops, etc.?

Older adult transportation needs and gaps
During the Age Well Boulder County community engagement process, transportation emerged as a linchpin issue that impacts the older adult population's ability to take advantage of the programs and services offered to them. It also has significant bearing on the ability to remain in one's own home as one ages. Yet, the Community Assessment Survey for Older Adults (CASOA™) report indicated that 51 percent of Boulder County older adults rated the ease in arranging transportation in Boulder County as "fair" to "poor." Participants in the Community Conversations across the county indicated that improved transportation, including more options, more accommodating schedules, and greater affordability is key to accessing essential services. One of the Age Well Plan's priorities is to ensure that older adult voices are part of regional transportation strategy efforts.

The Boulder County Area Agency on Aging (BCAAA) Area Plan outlines three strategies to ensure older adults have transportation available to access health care, maintain social interaction, and reach community and social services:

1. Initiating/expanding volunteer transportation services (in conjunction with Medical Mobility, Via, and others);
2. Continuing to provide rides to consumers beyond nutrition and medical; and
3. Requiring providers receiving transportation funds to be active in regional transportation coordinating councils such as the Boulder County Local Coordinating Council (BCLCC).

The BCAAA and the Age Well Committee will work closely with the BCLCC, an alliance of community organizations, individuals and interest groups, to address transportation issues as they relate to older adults. BCLCC will conduct a needs assessment this year and prepare a mobility action plan for Boulder County for implementation beginning in 2016. The project will focus on older adults, persons with disabilities, and low-income individuals and families.

City of Boulder Transportation Master Plan (TMP)
One of the goals of the TMP is to "expand fiscally viable transportation options for all Boulder residents and employees, including older adults and people with disabilities." The Human Services' Senior Community Advisory Committee (SCAC) participated in the plan's community engagement process.

The plan calls for maintaining and supporting the current Community Transit Network and incrementally expanding the bus system. The bus system will be supported by strategic investment

in mobility options for older adults and those with disabilities; the targeted expansion of transit pass programs; land use changes and pedestrian oriented design; seamless connections to other forms of travel; and high-quality transit stops and stations.

Transportation needs for the elderly disabled
The TMP supports Via's efforts to provide needed transportation services for the growing population of older adults and persons with disabilities, and to increase efficiencies and service enhancements. The city has supported numerous grant applications for buses, facilities and travel training by Via. Via provides this service directly and through the Medical Mobility program with Boulder County CareConnect. Via has been a partner in TMP updates since 2003, and the TMP specifically addresses expanding service to their target populations.

Profile of 2014 Boulder Paratransit Users

- 1,159: Boulder residents served in paratransit, travel training and mobility options programs. This group represents 38 percent of all people Via served in 2014 and is a 12.5 percent increase over 2013.
- 73 percent : Age 60+ and reported a disability or chronic disease (822 individuals)
- 38 percent: Over age 80
- 80 percent Over age 60
- 89 percent: Of all Via users, including those under 60, lived with a disability or chronic disease
- 34 percent: Lived on annual incomes at or below $11,750

Bus shelter and stops accommodations
The city, in partnership with RTD, continues to maintain and improve transit passenger facilities throughout the community. The TMP set forth a "Renewed Vision for Transit," calling for an integrated approach of service, capital and policies and programs to increase transit ridership. It includes a hierarchy of transit facilities and amenities levels, as well as the concept of mobility hubs. The TMP action plan calls for developing transit stop and facility standards and design guidelines in the near term and for stop and station improvements throughout the life of the plan. City staff is currently inventorying the existing passenger facilities and passenger improvements needed to support the US 36 Bus Rapid Transit (BRT) service starting in January 2016.

II. PLANNING

- The current younger generation will have different aging needs than the current older generation. How are we planning for and gathering information related to those needs rather than planning for the future using feedback from current older generations?
- How will we disseminate information about the Strategy?

As the Baby Boom generation enters older adulthood, they are anticipated to have a transformative impact on retirement, health, housing, transportation, education, community and family life. Trends include expanded life spans due to medical advances and healthier lifestyles; longer time in the workforce; more racial and ethnic diversity in the older adult population; wealthier and better educated older adults than in past generations; a shift in the epicenter of economic and political power from the young to the old; and a desire by Baby Boom retirees to make contributions beyond traditional retirement. As a group they embrace social media and user-generated content, and tend to be more receptive to narrative-styled presentations of information over traditional lecture style.

Boomers could be starting a new family, caring for elderly parents, working or retired, going back to school, or paying for kids to go to college.

Anticipating their habits and preferences will help Human Services develop specific communications efforts that speak to these generations. The Human Services Strategy update engagement process, set to occur in the third quarter of 2015, will include information dissemination for a number of issue areas, including seniors and aging, and will draw from the Age Well plan for some of its data. Tools to be used for dissemination and engagement include: surveys, community focus groups, informational meetings, on-line tools such as Mind Mixer, social media, and web-based communication. Outreach strategies will include a variety of times and locations during day and evening hours, along with interpreters and child care.

III. HOUSING

- What is the housing gap for seniors? What is the need?
- There is a universal housing design for seniors. Is anything being done in the county with that?

Housing gap and need

Per the City of Boulder's 2014 Housing Choice Survey and Analysis:

- There are currently about 550 Boulder seniors (4 percent of all seniors) receiving rental assistance through Boulder Housing Partners, and over 100 more on waitlists for assistance. Assuming 4 percent of seniors continue to require public rental assistance, the demand for assistance will increase to 1,045 (excluding waitlists) over the next ten years.
- About one-quarter of Boulder homeowners over the age of 65 are cost-burdened, meaning they pay more than 30 percent of their household income for housing. That figure includes seniors who own their homes outright but are cost-burdened by property taxes, HOA fees and/or insurance costs, as well as those with a mortgage obligation that exceeds 30 percent of their total income. In the housing survey, 7 percent of homeowners said they had to reduce/go without basic needs to afford housing costs in the past year. There is not a one-size-fits-all assistance program to address the wide-ranging needs of these homeowners but property tax alleviation programs as well as foreclosure prevention programs help meet the needs of struggling homeowners.
- Overall, there are 4,435 (about 32 percent) low-income senior households (income less than 50 percent Area Median Income or AMI) in Boulder. Assuming senior households increase at the same rate as the senior population, that figure could be 9,508 by 2028. Those households—both renters and owners—are the most likely to require public assistance in future years.
- Of senior survey respondents, 4 percent said they have applied for public assistance in the past year to help with housing costs.

Additional information

About one-third of seniors surveyed had either major or minor damage to their home as a result of the 2013 flood, and 3 percent of those who had experienced damage had to move out of their homes permanently. Among seniors who still need to complete repairs to their home, 18 percent said they cannot afford it and 13 percent said they cannot find a contractor to make repairs.

Nearly one in five seniors said they plan to move in the next five to 15 years in order to find a home with different features.

Participants in Age Well Community Conversations expressed the need for two levels of housing assistance: systemic community support through the provision of a variety of housing options for the aging population and personal assistance with specific housing needs.

Universal housing design
As people get older, they want to stay living in their own homes and as part of the community they know for as long as possible. Universal housing design refers to homes that are practical and flexible, and which meet the needs of people of different ages and abilities over time. Universal housing is designed to be useable by most people over their lifetime without the need for major adaptation or specialized design.

The BCAAA's Aging Advisory Committee has an active Housing Committee which has devoted time to issues of accessibility, including universal design. The committee works with local housing authorities and advocates in the community for older adult housing issues.

The Boulder Valley Comprehensive Plan Housing Policy 7.09 Housing for a Full Range of Households states that the city and county will encourage preservation and development of housing attractive to persons at all stages of life; singles, couples, families with children and other dependents, extended families, non-traditional households and seniors.

The City's *Housing Boulder: Enable Aging in Place* workgroup is currently addressing how the city might advance the goal of providing housing options for seniors of all abilities and incomes to remain in the community.

IV. SPECIFIC POPULATIONS

- What are the LGBT elder issues?
- What are the neighborhood/community issues?
- Need for yard assistance: opportunity for younger people to assist; opportunities for gardens.

LGBT elder issues
The BCAAA currently provides LGBT outreach, Project Visibility training and the Rainbow Elders program. Rainbow Elders conducted a survey in mid-2013 to people who have self-identified as LGBT. Nearly all respondents were 55 years or older at the time of the survey. The top challenge was "financial concerns" and a top concern was lack of needed health care coverage.

When asked what the BCAAA could do to help them be less concerned about aging, respondents listed information and education on aging, health, services and affordable senior housing. Maintaining independence was rated as "extremely important" by 73 percent of respondents. Social engagement, LGBT groups, and sensitive service providers were cited as either extremely or somewhat important by 70 percent or more respondents.

National data identifies top issues as social support and community engagement disparities, legal barriers to taking care of loved ones, physical and mental health disparities, reduced access to health care, and safety net disparities for LGBT older adults.

In addition:

- Although 80 percent of long-term care in the US is provided by family members, LGBT elders are twice as likely to be single and three to four times more likely to be without children than their heterosexual counterparts.
- Nationally, poverty rates for senior lesbian couples (9.1 percent) are much higher than senior heterosexual couples (4.6 percent) or senior gay male couples (4.9 percent).
- Despite paying into Social Security in the same manner as their heterosexual peers, LGBT elders are not equally eligible for Social Security benefits. The biggest difference in treatment: committed same-sex couples are denied the substantial spousal and survivor benefits provided to married couples.

Neighborhood/community-related issues

Age Well research suggests that the two most important influences in one's ability to age well are support from others, and involvement with others. Therefore, one goal of the Age Well Plan is for everyone in the community to feel connected to others. However, 59 percent of CASOA™ respondents reported that feeling like their voice is heard in the community is at least a minor problem, and 31 percent listed this as a moderate or major problem.

One Age Well objective to address this disparity is to identify individuals who have either voiced or experienced a lack of connection (such as veterans, people who are homeless, people with disabilities, Latinos, LGBTs, and nursing home and assisted living residents), and develop comprehensive outreach and engagement plans which reflect their unique strengths and needs.

Age Well Boulder County addresses this issue in its emphasis on aging in community. Specifically, this aspect of the plan highlights the important role of the built environment in allowing older adults to remain in their communities. One of the plan's goals for aging in community is for neighborhoods and communities to have an age-friendly design. This includes public infrastructure and transportation options.

Need for yard work assistance; opportunities for younger people to assist; opportunities for gardens

The CASOA™ survey revealed that 41 percent of older adults in Boulder County consider maintaining their yard to be at least a minor problem, and participants in the Community Conversations repeatedly cited the need for yard work, snow removal and other home maintenance assistance. Access to these services is essential for adults to be able to age in place.

Boulder County CareConnect provides a Safety Net Services program partially funded by the City of Boulder Human Services Fund and by BCAAA. The program provides volunteer-escorted medical rides, grocery shopping and delivery, minor home repairs, yard maintenance (Yard Busters) and snow removal (Ice Busters) and resources and referrals to vulnerable seniors and older adults with disabilities in the City of Boulder.

During 2014-15, 78 Boulder senior residents were served through the Yard Busters program by 87 volunteers contributing 954 hours. There are currently 58 Boulder County senior clients on the wait list needing yard assistance. The program's main objective is to help seniors avoid falls and fines; some minor gardening is also provided. The BCAAA will be increasing funding for chore services aimed at year-round yard maintenance: Yard Busters and Ice Busters. The Human Services Department is currently exploring intergenerational volunteer programs which could include youth/senior gardening.

V. HEALTH CARE SERVICES

- How can medical access for low-income clients be improved? (Example: Clinica Campensina has a three-month wait list for appointments to assign a Primary Care Physician for Medicaid clients)

Neither BCAAA nor Boulder Senior Services work in the area of direct health care services. BCAAA offers a series of evidence-based wellness classes that help consumers take control of their health, including classes in Boulder. BCAAA also provides Medicare counseling with special outreach to people who have both Medicare and Medicaid, to ensure that older adults have access to the plans and prescription benefits that best meet their needs. Boulder Senior Services partners with the county on these efforts by providing senior center space for programs. There are a number of collaborative efforts across the community, as part of the Affordable Care Act, that promote easier access to medical services.

VI. AGE WELL PLAN FINANCING

- What are the financing strategies and shortfalls for the Age Well Plan?

As reported in the April 28, 2015 Human Services Strategy update, the department will be evaluating financing approaches to advance the city's strategies, engagement and implementation for older adults in conjunction with its efforts to support the well-being and quality of life for all residents. The Human Services Department is currently assessing partnership roles and programs with Boulder County related to aging services. Central to the finance strategy will be decision-making around the current West Senior Center or other facility which would be a co-location of the city's human services to provide one-stop access to a variety of family and community programs and services. The models and themes driving the Human Services Strategy update—Collective Impact; Pathways; Coordinated Funding; Data-driven Planning; Cross-sector and Regional Partnerships; and Service Integration—will drive the Age Well Plan's financing strategies as they apply to the City of Boulder Human Services.

For Boulder County, core services of the Older Americans Act (transportation, information and assistance, benefits counseling, legal services, in-home services, mental health counseling, congregate and home-delivered meals, nutrition counseling, evidence-based health promotion, caregiver support, elder rights, and long-term care ombudsman) will remain funding priorities.

In addition, concerns heard in the conversations and surveys will be addressed through coordinated follow up discussion and planning efforts between the county, the City of Boulder, other

municipalities, and other partners. The county will be looking at new methods of service delivery that will foster consumer choice and be more responsive to the needs of the population. These include:

- Pilot projects using vouchers; and
- Discussion and planning efforts around more flexible transportation options, availability and affordability of housing, raising awareness about where to access information, and the use of technology - especially in communication.

The county will also respond to state and federal network initiatives to be more effective in reaching the target audience and preparing for long-term sustainability in terms of outreach to un-served and underserved clients. Another county priority is building business acumen; that is, identifying alternative funding sources and strategies in order to better serve the growing population of older adults.

INFORMATION PACKET
MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
Mary Ann Weideman, Assistant City Manager
Casey Earp, Assistant City Manager

Date: July 28, 2015

Subject: Information Item: 2015 Council Action Guide Mid-year Update

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EXECUTIVE SUMMARY

Through the first half of 2015, city council and staff have made significant progress on the work plan outlined in the 2015 Council Action Guide (CAG). The CAG can be found on the City of Boulder's website: https://bouldercolorado.gov/city-council/2015-council-action-guide. This information packet is intended to update Council on the progress of the major projects that supported the 2014-2015 Council Vision (Attachment A).

Projects completed in the first two quarters of 2015 include:

- Complete initial Boulder Junction redevelopment projects,
- University Hill Moratorium,
- Expansion of Boulder's Smoke-free Area,
- Launch of free Wi-Fi service in the Civic Area, and
- Substantial completion of all Capital Bond projects.

In addition to work plan items completed in the first two quarters, Council addressed several pressing issues including:

- Housing Boulder work groups, process team and draft strategy,
- Cottage Foods ordinance,
- Height Moratorium,
- Interim commercial linkage fee,
- Ordinance to address landlord tenant issues in mobile home communities,
- Adopted a non-neonicotinoid resolution,
- Began negotiations on Boulder Community Hospital, and
- Created a neighborhood partnership grant program

Below are highlights from work plan projects in progress:

- **Boulder Valley Comprehensive Plan - 2015 Major Update**
  - Completed foundations work, including trends and projections.

- **Capital Project Activity**
  - Initiated work on several projects funded by 2A including Boulder Creek Path improvements and lighting on University Hill.

- **Climate Commitment**
  - Achieved compliance with SmartRegs standards for approximately 7,000 rental units, including 1,650 affordable units.

- **Community Broadband**
  - Created community working group to explore broadband options.

- **Community Cultural Plan**
  - Completed work on the research and community engagement phase.

- **Comprehensive Housing Strategy**
  - Identified tools to develop strategic direction to reach identified housing goals.

- **Energy Future**
  - Application filed with the Public Utilities Commission to transfer the electric system assets necessary to operate a municipal electric utility.

- **Flood Recovery & Mitigation** in 2015
  - Recovered $1.8M from FEMA and other sources to support on-going flood recovery work.

- **Homeless Strategy and Human Services Strategy**
  - Issued 2014 food tax rebates to low-income families, seniors and persons with disabilities.
  - Continued to expand regional partnerships for addressing homelessness (regional coordinated entry and assessment; Metro Mayors Caucus IBM Smart Cities project; landlord engagement project; High Utilizer Project with Municipal Court; Consortium of Cities Permanent Supportive Housing Study)
  - Property acquired for Bridge House transitional bed program.

- **Resilience**
  - Identified focus areas for the resilience initiatives as follows:
    - Develop community preparedness program,
    - Conduct economic risk assessment,
    - Develop post disaster recovery strategy for community and businesses,
    - Synchronize the City's climate change projection model, and
    - Integrate resilience framework with BVCP and organizational sustainability framework.

- **Short Term Rentals**
  - Initiated development of short term rental regulations.

- **Sustainable Agriculture & Local Foods**
    - Identified data on local food trends.
    - Began the conversion of the north library garden into an edible educational demonstration garden complete with berries, veggies and plants for pollinators.

- **Transportation Master Plan Implementation**
    - Implementation of Complete Streets Living Lab corridors.

Additional updated information on all of the major projects as well as the work plan for the remainder of 2015 is located at: https://bouldercolorado.gov/city-council/2015-council-action-guide.

The Channel 8 team has also put together a short video highlighting much of the work that has taken place this year. This video is located on the City's Vimeo page: https://vimeo.com/132752676.

Staff hopes that this mid-year update is a useful tool for Council. We welcome any feedback on how to improve this information in the future. As progress continues in the 3rd and 4th quarter of 2015 the work-plan webpage will be updated.

Attachment A – Vision and Tasks and Outcomes Graphics

CITY OF BOULDER

CITY COUNCIL RETREAT

2-YEAR DESIRED Outcomes & Tasks

Climate Change

- Develop clear expectations & timelines for energy efficiency in commercial/industrial buildings within 2 years.
- Zero Waste Management Update
  - + Ways to significantly increase comm'l ♻
  - + Explore anaerobic digester, C&D, higher landfill tipping fees.
- Clarify what a muni utility can do (goals, regs)
  - Investigate efficient streetlights
- Ordinance: allow only electric vehicles to park at charging stations.

Climate Action Plan

- + Improve climate metrics so they're relative to results with other alternatives & region
- + Set timeline for achieving milestones for 80% reduction in emissions by 2050
- Greater leadership role in effecting statewide & national change (Staff & Council)

Open Space

- Resolve charter interpretations - e.g., passive/active recreation vis-a-vis Flagstaff, E bikes on multi-use paths.
- Building regional trails
- Overarching policy issues: Carrying capacity; night time use; on/off road trail use; temporal restrictions*
- Enforcement: homeless camping, user-group conflicts*

* Pending Staff report

Local Food

- Develop local Food Policy
- Establish cross-department team
- Appoint staff person to address:
  - + Locations + Scale
  - + Charter implications + Partnerships
  - + City procurement + Infrastructure required
  - + Farmers' markets, incl. satellites + Food justice/access
  - + Housing farmers on land + Edible landscapes
  - + Keep doing the good things we're doing

Economy & Budget

- Economic Vitality
  - + Explore ways to partner w/ Chamber
    - Innovation Blueprint
    - Consider rejoining Chamber if non-political & appropriate
- Budget
  - + Consider capital bond for food & civic center projects
  - + Consider how to close funding gap, to include new tax revenue sources
  - + Council role in budget process
    - Better understand funding of ext. groups
    - Availability of discretionary funding

Livability

- Code enforcement
  - + Increase enforcement immediately, to address
    - Trash on Hill (bear issue)
    - Transient issue on municipal campus
  - + Study session w/ Staff about other areas of code enforcement & how to better support - e.g. over-occupancy on Hill
- Other
  - + Smoking ban
  - + Chautauqua lease - Council input on competing demands
  - + Make it easier to hold block parties/events in parks

Transportation

- Proceed with Transportation Master Plan, with deadlines
  - + Finish feasibility study for community-wide EcoPass (or similar)
- Continue Parking Management Study
  - + Include parking as tool to achieve multi-modal and other transportation goals while maintaining economic vitality
- Continue to be regional leaders in identifying State & regional transportation funding, especially regarding equitable funding for Hwy 36 corridor & NW Region
- Continue to be creative in pilot projects to increase bike safety (e.g., more dedicated bike lanes)

Housing / Land Use Planning

- As part of Comp Plan Update, map potential job & residential development, get data on trends for commercial/industrial SF, take broader look at past updates
- Broad-minded opportunity-site inventory aimed at housing - evaluate suitability of current zoning
- Better direct residential & commercial development to relate to transportation & climate goals
  - Pattern books, "Area Plan Lite"
  - Anticipate redevelopment in key areas
- Integrate housing into everything we do
  - Permanent affordability at all levels
  - Goal: Boulder workers can afford to live in Boulder
  - Lots of public engagement a la CivicCenter Plan
  - Look at smaller units to increase density, w/o bulk
  - Engage University early on in process
- Revise ordinances for OAU/ADU/increased occupancy limitations/co-ops & consider pilot programs in specific neighborhoods, as needed. Include VRBOs.
- Annexations in targeted areas of city
- Residential tree replacement
- Engage BDAB in revising land use guidelines

University Hill

- Consider short-term professional leader w/ experience in economic development, to coordinate approach
- Explore:
  - Tools City has to promote innovative businesses on Hill
  - Appropriate mix of parking and alternative modes
  - Encouraging arts & beautification, including programming 15th St.
  - Ensuring we have appropriate transition & gateway zones to the Hill
  - Including economic vitality assessment, if needed
- Emphasize code enforcement:
  - Beginning year of enforcement
  - Bears & trash; litter
  - Expanding licensing to capture patients
  - Rentals & licensing

Homelessness/Human Services

- Human Services
  - + Review/refine how we fund programs - review redundancy, effectiveness, types of services, what incentives our services create
    - Review how Shelter is operated, get more transitional housing
    - Consider additional support for Ready to Work
  - + Get on agenda for Consortium of Cities
- Transients
  - + Focus on enforcement to address bad behaviors in municipal campus
  - + Get on agenda for Consortium of Cities

The Arts

- Develop options to invest 1% in art
- Support for & designation of viable arts districts (NoBo, Uni Hill, 15th St)
- Support & encourage new leadership of department: completion of Cultural Arts Plan
- Library: Meet w/ new Director, support him/her in Library remodel & trouble-shooting, as well as how system is evolving

General

- Make sure public process on flood recovery occurs as part of Resiliency effort
- Make better use of Boards & Commissions

Alchemy
www.link2alchemy.com

CITY OF BOULDER
BOULDER DESIGN ADVISORY BOARD MINUTES
April 8, 2015
West Conference Room, 1777 Broadway

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/

BDAB MEMBERS PRESENT:
Jamison Brown, Chair
Jeff Dawson
David McInerney
Jim Baily
Michelle Lee

PLANNING BOARD EX-OFFICIO MEMBER PRESENT:
Bryan Bowen

STAFF PRESENT:
Sam Assefa, Senior Urban Designer
Elaine McLaughlin, Senior Planner for Planning & Development Services

1. **Board Matters:**
   James Baily and **David McInerney** took their Oaths of Office as new BDAB members.

   The board elected **Jamison Brown** as the new board Chair and **Jeff Dawson** as the Vice Chair.

2. **S'PARK Project Review**

   BOARD COMMENTS:

   Overall Plan
   J. Brown noted that symmetrical streets are important for creating an attractive public space and that the streetscape treatment and ground floor program/use should be similar on both sides of a street.

   - The sidewalk layout varies from block to block and often does not align at intersections. He encouraged the applicant to consider revising to create better uniformity and connection.

   - He recommended expanding the woonerf to include the cul-de-sac and the service drive to better link to the plaza at Maarket Building.

   - The use of the arcade on several buildings seems forced and unnecessary especially on the North/East oriented facades.

   - All of the buildings use CMU block as a primary building material. It may not meet the guideline of using "pedestrian scale" materials.

J. Baily was less concerned about the CMU. If done with some warm colors and variation in texture he thought it could work.

J. Dawson had one major concern with the architectural approach where a lot of the materials are held up from the ground with pilasters. He asked the applicant to look for opportunities to bring materials down to the ground in some locations.

J. Baily had some concerns with the building materials and thought that the pallet could be simplified. He shared the concern with other board members regarding the durability of the materials such as the untreated wood.

D. McInerney, with reference to the General Guidelines compliance matrix, noted that the "Useable Open Space" subtopic calls for incorporating access to sunlight. He thought that access to sunlight will be particularly important at the S'PARK Place woonerf and requested that the applicant expand the shade analysis to include diagrams for 8 AM, noon, and 4 PM for the summer solstice, winter solstice, and an equinox.

- He also inquired about the life expectancy of the Maarket and the Timber buildings. Based on the applicant's response that the estimated life cycle of the buildings is 30 years, he expressed concern about the durability of the wood included in the design of the building exteriors.

M. Lee thought that the community benefit S'PARK can bring is to create safe, easy, green connections for bikes and pedestrians, with particular attention to the multi-use path on the east side. Pedestrians and cyclists will probably cut through between the Maarket and Railyards to get to 34th Street if they see activity happening, even though it is planned as a loading dock. The drawings should show the train, multi-use path with cyclists and pedestrians in their drawing sections so there is also a reference to scale and proximity.

- She noted that the 2 PM solar analysis does not show any shadows cast from Ciclo which does not seem accurate. It brings up a concern about how much of the day the plaza will be in shadow. If there is no sun getting to the plaza, it will be dead zone with no activity.

- She also suggested including a community pool similar to the Spruce Pool rather than an exclusive amenity.

Maarket Building

J. Brown - Although the building is essentially still in concept design, he liked the direction very much and supported the idea of a signature building on that corner. There is great programming for this space and it could be a common place for this and surrounding developments.

- He had concerns that the applicant stated the lifespan of the building was only 20 years.

- The applicant should consider the use of sliding or overhead doors to increase the connectivity between the large plaza and the food court type use on the first floor.

J. Dawson commented that detailing is very important on this building given the thin and somewhat temporary nature of the proposed materials.

M. Lee - As currently shown, she noticed that the rendering looks dark under the arcade and not particularly inviting. The wood looks really thin and is not convincing as a durable material for our climate for shedding moisture. With a little more detail at the cap at top, soffit below, transition of materials, and window placement, it might help gain confidence that the design details and their feasibility/execution are being considered at an early stage, particularly since the style is not traditional or predictable.

- She also noted that the main entrance faces 34th Street and that the Maarket does a good job of not turning its back on Valmont by providing a lot of transparency and a raised outdoor seating deck at the corner.

- Despite intending to be simple, this building is very complicated. There is a lot going on at the roof level and she believed that there should be more emphasis at the street level. This project needs to attract restaurant and retail tenants at the ground level. These tenants tend to need bigger mechanical units so the roof may need to be simpler to accommodate these future uses.

- She thought that the rendering might be more convincing, in terms of building quality, if the perspective were zoomed in closer at a pedestrian eye level. Without having to detail the entire building, perhaps the applicant can zoom in and crop to a portion of the building (the Meredith Building had a good example of the level of detail desired)

Timber Lofts

J. Brown recommended the applicant consider a live/work program for the townhouses that front the woonerf.

- Simplify the façade of the flats buildings by using less materials.

- Wrap the facade of the townhouses to hold the corner better and to more harmoniously relate to the building across the street. Avoid large blank side elevations that don't address the street.

- Consider moving the transformer so that the façade along Junction Place is less choppy.

- As designed, the elevated interior park is not inviting to pedestrians on the street and is unlikely to be used as a "cut through" or "short cut."

M. Lee recommended that more attention be given to how materials wrap corners and how materials transition from one to another. She specifically noticed the townhouse on the northwest corner where a little rhythm was lost and she hoped that the applicant simplifies the elevation.

The Meredith

J. Brown thought that the ground floor of the central "building" should be programmed space that is open to the street. Strengthen the connection between the parklet and the community room. **J. Baily** agreed.

There will be a continuation of this project review on Wednesday, April 15, from 4 – 6 PM.

Attached: April 8, 2015 notes from Kevin Knapp of Element Properties (included due to the failed recording)

APPROVED BY

Board Chair

6·10·15

DATE

ELEMENT PROPERTIES

April 8, 2015
Boulder Design Advisory Board (BDAB) Notes
4:00-6:00

5:15 – Bryan Bowen (Planning Board rep on BDAB) had to leave early for the PB Retreat and offered general comments before the applicant presentation was completed.

- Overall the design is great so I'm not going to pick that apart.
- Having the brewpub on the north side of the Markt building is great for activation. Make it as permeable as possible.
- Ciclo is great and working so no further comments there.
- Make sure ground floor timber residential units have access to the street. Will help activate and make the place.
- Bowen encouraged the project to open up the courtyard space at Timber Lofts to the public.

Jim Bailey - Units west of 34th St., where's the parking? Adrian answered.

5:40 Jamison Brown(chair) – Let's start with the Board's general comments.

Jeff Dawson – Asked Adrian to discuss transit parking comments from staff. Elaine discusses the image of the pearl street section included in the staff comments.

Jeff Dawson – Asked if the applicant is willing to make ground floor space residential units.

Jamison – From a massing and scale standpoint you have been sensitive to the streetscapes. Nervous about the front of some townhomes looking to the sides of others. Loves the Woonerf and would like to see it expand. Recommended that Roundabout become part of the Woonerf. Has an overall recommendation to look at the pedestrian circulation throughout. Make sure it works.

Jeff Dawson – Recommends that there's no commercial space on the ground floor of Meredith Lofts.

Jamison – Or pull the office of Timber around to the north elevation.

5:53 Dawson - Gets a feeling that all the commercial buildings on the east side are afraid of the ground. Rarely does the building come down to embrace the ground.

ELEMENT PROPERTIES

Dawson suggests that all of the Railyards building be brick. He's struggling with the inter-lacing of materials.

Jamison – Has the exact same comment as Dawson. Worries about arcades and CMU. He likes the pattern language among the buildings and the use of different architects.

Jamison – Like the Community Cycles Indoor/outdoor workspace.

Dawson – There's a first floor and then a dramatic change everything above first floor.

Jamison – Big fan of the Markt Building. That architecture works in contrast to Simplicity of Meredith House that he really likes for setting the tone of the background. Timber veering away from background and is exciting which isn't necessarily bad. Timber could be a little quieter and have Markt be the marquee building.

Dawson – All of the building are very nice and exciting individually. Can there be a common theme among the buildings like University Hill, Mapleton Hill, CU.

Michelle Lee – All first floors set back which is a common theme. The good sunny areas of the plaza is after 2:00 pm. She lives in Steelyards and it's dead and quiet at night and so encourages as many restaurants as possible. Activate the uses down below.

Michelle - On the Ciclo buildings the ends need more work. She saw angular roof forms and immediately thought of Solana. SE corner there's a lot of different roof forms diving in.

6:06 Michelle - Meredith House did a great job with simplicity. Bring excitement of the buildings down to the street level. Build a people place with the deck on Railyards. Wouldn't it be great if Spruce pool were in S'PARK.

Michelle would love to see the bike path streetscape developed. It's not in any of the renderings. Bike path is a great aspect of the plan.

Jim Bailey - Building to the south is similar to the proposed building to the south. Don't turn your back to the path.

ELEMENT PROPERTIES

The project is FULL of creativity. SO nice to see compared to what else we've seen in this area. Concerned materials become so diverse that they become arbitrary. Look at material palate and keep the excitement but avoid the arbitrary part (?).

David McInerny – Are we willing to expand the shade analysis so they can have an idea of what's happening to sun and shade throughout the year?

Jim Bailey – Turnaround at the end of Bluff Street. Doesn't appear like there's much excitement there. Could there be a public sculpture or art piece. An activity area would be nice. Diagrammatically it's not there.

Scott – mentioned emergency vehicle access and not wanting to attract kids. Solution is the urban forest.

Adrian – we intentionally left out landscaping.

6:15 Dawson – Time check.

Sam – Board could hold a special meeting or the other option is two special meetings to allow 4 hours for comments.

Dawson - if we do a special meeting it should be done within a week.

Jamison – We could be efficient in a follow-up meeting now that we're introduced to the project.

Decision made to continue meeting.

6:38 – Jamison begins the continuance and wants to start with a discussion of Markt.

Jamison – How does the brewery space wrap to address Valmont. Matt responds.
Jamison – Is the Valmont side all glass? Matt responds.
Elaine clarifies that it's a brewpub and not a brewery.

Jeff D – Points to upper right image of the Markt page of the packet that's disconcerting. (picture taken from the west bound lane of Valmont just east of the tracks)

Jamison – Has similar concerns about eastern gateway to project. Maybe the back is a smarter place to include the lime green. It's a modern building and the modern materials are consistent and well done.

ELEMENT PROPERTIES

Jim Bailey – How is service handled on Markt? Matt responds.

Michelle – What's the transition from the bike path to the brew plaza? Windows are too close to the roof. Provide more warmth.

Jamison – It would be a shame if you couldn't cut your bike over to the plaza.

Jim Baily – Will the BNSF fencing remain?
Adrian responds that the rail issues will be left to the city and Elaine agrees.

Jeff Dawson – I think the Markt building will be spectacular, but the windows aren't considered pedestrian scale. So important for the storefront system to work. Can't be a regular storefront system, needs to have something else there. Matt highlights some other elements of the plaza, including the lighting and programming of the space. Jeff responds that Matt is talking about all the right things. Encourages team to think about how the entry will work, as there's a large element hanging over the entrance.

Jamison wanted to clarify the raised platform in the brewpub plaza. Was relieved that it was only for the patio and that there's steps/ramp down.

Jim Bailey – I like the building!

Jeff – The plaza can frame the view of the Flatirons.

Sam Assefa – Reminds the Board to comment on the materials. He says that buildings that look great in renderings hardly ever result in great buildings.

Jamison – This is the most complete materials boards that we've seen since I've been on the Board.

Sam – We received the same for 3100 Pearl.

7:00-7:25 – Sidetracked conversation on what makes a good contemporary building based on Sam's comments to focus on the detailing.

Jeff Dawson – The Markt building will be a lightning rod. You have to nail it with the materials and the detailing. Needs fantastic detailing to be successful and need the team to take that seriously if they want the Planning Board to support it.

ELEMENT PROPERTIES

Jim Bailey – This is coming to us at a conceptual SD phase so he sides with Matt's point. Can't have all the details at this point.

Jamison - can we see the building again at the DD level to give additional design guidance at that point?

7:30 – Let's Continue with the Timber Lofts building.

Jeff Dawson – I really like this building a lot. On the Woonerf side can we bring the materials down to the street more? North elevation is very compelling to Jeff, really likes it and wouldn't change much there.

Jamison – Very skillfully done building and like the definition of the townhomes and other structures. He adds that it's a big misstep to have 4 residential units on the Woonerf. Very vibrant pedestrian experience and then 4 people have to live on that space and he can't envision it. Possibly add a live/work component for a better transition. He wants to go to the Woonerf but doesn't want to live in this unit.

Scott responds with the Planning Board comments about people spilling out onto woonerf and agrees with Jamison about the live/work solution.

Board supports the location of the parking entrance.

Michelle – Don't keep separate materials that mesh on a flat surface.

8:00 Discussion by all members and Leslie Ewy(civil engineer) regarding transformer placement.

Discussion by Jamison and others about the use of the CMU around the site. It could be pulled off or look bad if not done well.

Dawson cautions about the use of metal panel. If not detailed and constructed well it will look shed-like.

David McInerny - How long do you expect this building to last? How does the use of wood relate to the life expectancy?

Jeff – There's a misconception here that the only durable material is stone or masonry.

8:20 – Move on to Meredith House

ELEMENT PROPERTIES

Jeff D – Would like to see a residential use/units brought down to the ground floor. Does not want to see the ground floor go dark, needs to be active. Live/work?

Michelle – Could you include operable windows facing the park? Community room looks closed off and shaded.

Jim – Remember that the roll-up door is facing west and will be very hot in the summer months.

Jamison - Loves the combination of the natural wood and blue.

Jamison – Consider attached sidewalk leading to Meredith Park. Grass not needed.

Jeff – This is an impressive amount of material you've provided for us. You've set the bar high for other projects coming after you.

8:50 – Meeting adjourned. Continuance will occur next Wednesday the 15th.

CITY OF BOULDER
BOULDER DESIGN ADVISORY BOARD MINUTES
April 15, 2015
1720 13th Street Conference Room
(Continuation meeting from the April 8, 2015 BDAB meeting)

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/

BDAB MEMBERS PRESENT:
Jamison Brown, Chair
Jeff Dawson
David McInerney
Jim Baily
Michelle Lee

PLANNING BOARD EX-OFFICIO MEMBER PRESENT:
Bryan Bowen

STAFF PRESENT:
Sam Assefa, Senior Urban Designer
Elaine McLaughlin, Senior Planner for Planning & Development Services

BOARD DISCUSSION:

1. **Summarize notes from April 8, 2015 BDAB meeting**
   Board members shared their notes from the previous BDAB meeting due to the failed audio recording.

2. **Continuation of S'PARK Project Review**

   BOARD COMMENTS:

Rail Yards building

J. Brown noted that all of the board's comments are with the Design Guidelines in mind even if they do not agree with them. He stated that the applicant not be required to have some sort of graffiti art or other intervention at the back of the building. It is not fair to ask this project to create more of a streetscape presence along the bike path when two other new buildings have blank walls along the railway. The backside of the Railyards building is a good compromise and has an attractive façade including the service corridor. This rendering satisfies the Design Guidelines.

- **J. Dawson** agreed. He also suggested bringing the glass further around on the South side just up to the first bay. This could provide a future opportunity to wrap the Plaza around the building to connect to the platform. It would set the applicant up for success if that space is ever a restaurant or retail space.

- **J. Baily** recalled that the overall master plan for this area calls for a plaza at the south end of the building. He suggested wrapping the glass around the South side, even to the

service core. A different location for the transformer would be smart. This is a great solar elevation.

M. Lee liked the service quarter on the east elevation. She recommended that the applicant not bother with removable panels, but create interest with little moves, like creating a dimensional pattern with the CMU (Ideal Market CMU pattern example). The long blank walls are a great way to leave placeholders for functional art.

- **D. McInerney** pointed out that in the TVAP guidelines there is a specific reference to providing art. He encouraged the applicants to explore the idea of making space available for community art. There is also a statement that the plaza should be a third of an acre but the proposed plaza looks smaller on the plans.

J. Dawson had a concern with the proposed angles in the plaza area. One is not quite north/south the other is not quite east/west. He thought it may be more effective to relate them to the geometry of Bluff St. A modification that recognizes the change in geometry could be a way of announcing the plaza and making that corner special.

J. Brown: As it is in the plan now, the cul-de-sac terminus is a lost opportunity. You could embrace the town square and create something other than a curbed asphalt roundabout. Set yourself up to have a gracious connection to the future rail plaza or to the south by taking the woonerf concept and bring it all the way down.

Landscaping

J. Brown recommended bringing the material change further down Bluff Street with a pedestrian quality to the paving. There is a lot of potential with the roundabout space that is not being taken advantage of. The trees in the hard plaza look conservative. Be really bold with that aspect and perhaps plant faster growing trees.

D. McInerney was intrigued by the contrast between ginkgos planted in formal rows near Valmont and in a cluster at the plaza. He is in favor of ginkgos on the site because they survive under difficult conditions.

The board and staff had a discussion about the roundabout space.

- **S. Assefa**: Staff has had concerns about the roundabout disrupting the public space. The space should be a continuation of the material that is on the woonerf. If this area is closed off it is only going to be used at certain times of the day.

- **B. Bowen** informed the applicant and the board that Planning Board had a lot of discussion about pulling the kiss-and-ride back to the west rather than pulling it in further.

- The applicant will adjust the way it is graphically displayed and resubmit.

The applicant asked **J. Brown** and **S. Assefa** if they would recommend removing the five trees within the roundabout.

- **J. Brown** answered that if they think about the space as a complete plaza contiguous with the woonerf that will direct them where to plant. They will need to have the circulation path open within this new multi-use space.

The board unanimously supported the extension of the woonerf concept.

J. Brown pointed out an opportunity at the top of the woonerf at the bend in the road to still allow traffic to go through that space, but perhaps put in a raised table intersection at that corner. The sidewalk could be an expression of the extension of the woonerf.

Eastern end of Bluff Street

J. Dawson: The pelote and arcade make the most sense on this building but am concerned with its pervasive use throughout the project.

- The elevation with the lighter materials could be simpler with less cross hatch pattern and a simpler background. He liked the window patterns but wondered if a more consistent color would be more dramatic in its simplicity. In general he recommended bringing more materials and building forms down to the ground on the S'PARK buildings rather than having them terminate and hover above the first floor.

- **J. Brown** voiced a concern about the storefront treatment being exactly the same for every retailer which moves away from the precedent images that were shown. He encouraged that applicant to choose a unique system with the façade being taken on by the tenant with material changes with each store. He used Twenty Ninth Street Mall as an example. The architecture team should have a system that is flexible enough to change if needed.

E. McLaughlin directed a question to **B. Bowen** regarding a Planning Board comment: Planning Board was concerned about the length of the building of the commons and questioned the permeability of the building and possibly breaking it up.

- **M. Lee** responded: Because of the 1:1 ratio people will only be looking at the first 14 feet of the building. She agreed that that building can be that long. She agreed with the thought of encouraging trendy variety on the lower level that could potentially attract more retail tenants. She recommended that the CMU become the demising, regular architecture between the opportunities for retailers to express their storefronts so there is not a need to rely so heavily on signage. Signage guidelines are still important to have.

- In relating to the materiality and the wood, the upper level feels good but the wood located below the steel window on the second and third levels seems awkward and too light of a material in these locations. The weathered wood, in the locations below the windows, looks like a décor decision, whereas metal or trespa below steel windows seems more appropriate.

- **J. Brown** agreed and suggested losing the wood in that section and carrying one of the other materials around.

- **J. Dawson** pointed out that the materials are very similar in tone. Having them be closer to the same color value makes more sense and the wood or one of the other materials can be removed. He recommended that the windows stay the same but that they simplify the materials around the windows in the horizontal element.
- **J. Brown** recommended removing the ghost wood portion and bringing the red metal underneath the windows which would bring it in line with the parti.

The applicant asked **B. Bowen** and the board about the Planning Board comments regarding the concept plan review for the commons.

- **B. Bowen** responded that there will most likely not be an interest from Planning Board in creating a pedestrian penetration through this building in this area.

- **J. Dawson** agreed and suggested encouraging people to stay within the woonerf. He supports a long, simple, and well-composed building that has plenty of energy at the ground floor. Continue to wrap pedestrian-oriented uses around the ends as far as possible.

- **J. Baily** supports a long building with a service corridor and loading dock on one end.

- **D. McInerney** noted that the long, continuous building also serves as a noise barrier and encouraged the applicants to keep the materials as simple as possible.

Ciclo/Valmont &34th

J. Dawson struggled with the square combinations and proportions of the windows and suggested letting this building be influenced by the Railyard building. He questioned whether or not the portions of the buildings that are floating above the sidewalk would dilute the power of the arcade and make 34th Street feel overwhelming. The use of wood does not feel like a permanent material and the structure needs work in materiality and the rhythm of the façade. He liked the Meredith and 44th Street corner in terms of the composition and recommended reproducing that corner onto the Valmont corner. The east corner of 34th Street should be an extension of the space with more public architecture to draw you in.

- **M. Lee** agreed with the statements regarding Valmont and 34th Street and asked if there would be a way to tie that corner together with Meredith and 34th Street.

The board and applicants discussed ideas for the north side of the building such as outdoor space, a display case that establishes a theme for the project (more of a marquee), etc.

There needs to be some way to slow down traffic in this area on Valmont. Create a feeling of entering into a neighborhood and people will naturally slow down.

J. Baily agreed with the concerns on corner and had some other concerns with this building. He thought the context of the building was difficult with the mobile home park across the street on Valmont and the strip of service industrial 1-story buildings which will allow the north and west elevations to be very visible. The north elevation feels like a storefront and he would like to see the building materials wrap around more. It seems that the cheaper materials have been selected for the west side which will still be very visible. He also had a concern with the building height on north side which seemed to abrupt. He agreed with keeping the corner open and using more landscaping and less hardscaping. The eye should be drawn to the signature building on east side of 34th Street. The butterfly roof is also presents challenges especially with the mechanical equipment.

J. Brown inquired about where the retail component and front of house business of Community Cycles will happen. He encouraged the applicants to work with Community Cycles for how to organize the retail space.

- There is an opportunity on the 34th Street frontage or the corner of Valmont to have a retail component expressed more. The façade seems like the back of a building. Putting in larger windows in the bedrooms would help with this.

- He also noted that 34th Street, the main commercial area, is not being treated from a landscape standpoint. He suggested bringing some of the woonerf area over from the other side to the frontage of the building would help it look more commercial.

M. Lee thought the building was too abrupt on 30th and suggested adding a seatable planter at the base to help ground the building.

- She liked the height of the building but shared some concerns with the angle of the roof as it appears that it is draining back into another structure. She recommended they provide more space around the butterfly roof and making that central circulation be negative space.

- The corner of Meredith and 30th Street gets a little complicated with all of the different volumes coming together on that corner.

- She noted that there is nothing to capture the bottom of the wood material. There could be some weatherproofing material like a steel beam at the bottom and the slats should be powder-coated metal slats.

- She felt that the long, slender windows on the street face did not have a human quality to them. There is a lot going on with the variety of sizes and proportions of the windows.

J. Dawson liked the change in the wood and the warmer color pallet. He asked if it was possible to bring the wood down onto the colonnade.

The applicant asked board members to confirm feedback regarding the tree-lawn/sidewalk relationship. They confirmed that it should be an urban streetscape

Overall, the board felt hesitation with this building.

There was a brief discussion about parking in which on-street parking and removing the left turn lane were discussed. **B. Bowen** shared that Planning Board supported narrow streets and removing the left turn lane, making it more about people than cars.

J. Dawson suggested getting rid of the arcade and pulling the second and third floors back to the first floor.

D. McInerney inquired if the Community Cycle space includes any sound insulation between the residential and commercial spaces as well as an architectural barrier to protect residential areas from industrial odors from the parts cleaning solvent bath at Community Cycles. **J. Brown** and the applicant addressed this question.

<u>S'PARK West</u>

J. Brown brought up some urban design concerns with the townhomes whose fronts and backs face each other. That is going to create a very confusing defensible space that will not feel like a community space. There needs to be a comfortable barrier between your front porch and the

people walking on the sidewalk. He suggested moving the sidewalk further away from the stoops while still keeping the tree yard. He liked the simple pallet and materials of the townhomes.

M. Lee commented on a survey she read of families who are in need of housing. They asked for spaces to grow food and gardens. She challenged the applicant to question the programming and put in spaces for community gardens/garden space.

J. Brown noted that the north and west side of the affordable housing block had no street parking.

- **S. Assefa** noted that BDAB generally does not have purview around streets unless it is tied to the quality of the public place.

J. Dawson liked the doors along the street but there is a lot of movement in these elevations with different materials and volumes. He encouraged them to simplify this area as well as the window patterns.

- He brought up an opportunity to flip the western bank, create a street on the west side and a common alley down the middle. This may help in finding more open/park space or broader front yards on the site. He was concerned about how walls were terminating. There may be interesting ways to create interest at the top of these buildings which will be important.

- **J. Baily** agreed. He also thought that the market rate units work well and have a nice, simple pallet of materials and colors. The affordable housing could benefit from taking the color pallet from the market rate units and tie the two color pallets together between the two. This would simplify the whole neighborhood.

  - He encouraged the applicant to fight to keep the street trees and maintain the design quality from a landscape point of view.

M. Lee thought that the massing could be simpler which would lead to the selection and transition of materials. She agreed with **J. Dawson** in trying out a beefier roof line. The buildings need to have a visible roof. Currently the stucco is uncapped at the tops of the buildings. It makes them look cheap and unprotected from the elements. This is a major Design Excellence point.

- She noted that on the market rate units there are a lot of balconies and private spaces that are usually not both used. She recommended programming less private, multiple outdoor spaces to create a high quality public realm. She suggested simplifying the elevation on the ends of the buildings as they get a little busy in terms of massing and overhangs.

A discussion will take place at the next BDAB meeting about the board's purview on landscaping recommendations.

APPROVED BY

W.B

Board Chair

6.10.15

DATE

CITY OF BOULDER
BOULDER DESIGN ADVISORY BOARD MINUTES
May 6, 2015
1777 Broadway, 1777 West Conference Room

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/

BDAB MEMBERS PRESENT:
Jamison Brown, Chair
Jeff Dawson
Michelle Lee
Jim Baily
David McInerney

BDAB MEMBERS ABSENT:

PLANNING BOARD EX-OFFICIO MEMBER PRESENT:
Bryan Bowen

STAFF PRESENT:
Sam Assefa, Senior Urban Designer
Chandler Van Schaack, Planner I

1. Board Matters

Meeting minutes and meeting efficiency:
The board discussed the efficiency of the BDAB minutes taking process and the structure of the meetings. They looked at examples of minutes from the Board of Zoning Adjustment, Environmental Advisory Board, Landmarks Board and Planning Board. **S. Assefa** gave a brief overview of how the minutes taking process has worked in the past for BDAB.

J. Brown suggested following some sort of standard operating procedures to help the board be more concise as well as having the board create a final summary of recommendations for each design guideline at the end of each meeting. He liked the idea of voting, in a format that follows the Design Guidelines, to make sure the board's view is clear. He also noted that projects have been coming to them at different stages of design and that consistency in this would help the board review at the appropriate level.

J. Dawson shared what BDAB has done in past meetings. He thought it would be helpful to inquire of past applicants as to when they felt they received a good review, how that review process worked and what stage of the process they were in at the time. He recommended polling a few people to find out what they found to be effective and also asking other local jurisdictions how they handle their design review process.

The board requested that Planning Board give direction to BDAB, if they review the projects before them, as to what aspects of the project they would like BDAB to focus.

B. Bowen suggested scheduling a matters item with Planning Board to discuss BDAB's role in conjunction with Planning Board.

S. Assefa stated that the BDAB retreat would be in mid-August and the agenda will be sent out closer to time.

2. **Armory project review**
   C. Van Schaack gave a brief overview of the project followed by a presentation by the applicant.

BOARD COMMENTS:

Big picture

J. Dawson thought the south side of Zamia could be a little more sedate. Rather than breaking it into three pieces on the south side perhaps make it one building which would flow nicely into the intersection.

- In reference to the two ice cubes (the corner elements framing the entry to Zamia off Broadway), he thought the applicant did a good job at breaking down the blocks so that they do not feel like superblocks. He liked the SW corner of Block 1 but felt that it should only be done once and that the Block 2 ice cube should be different. Having that one subtle difference on the corner would help to break down the scale of the southern block. **J. Brown** agreed. There was also agreement among several board members on **J. Dawson's** comment that the Broadway frontage on Block 2 needs to be simplified, preferably by adding more brick in place of some of the lap siding.

- He was concerned about the pedestrian ways. He encouraged the applicant to focus on those spaces and make them more effective (he used the pedestrian walkway from Pearl to Walnut as a positive example). He felt that the elevation of the bridges was very important and would like to see them in more detail. In reference to the pedestrian connection, he recommended using materials that would help the look of the bridge structure rather than glass boxes. He emphasized the importance of the Block 1 alley entrance off Zamia.

J. Brown thought the applicant did a great job of separating the warehouse building from the townhouse development. The detached sidewalk made sense particularly on the retail component with the additional plaza space and he thought they did a good job at handling the grade separation. He encouraged that applicant to be as bold as possible with how they attract people into the common interior spaces and suggested they look at other recent developments as examples of what works and what does not (in particular, he suggested visiting the Twenty Ninth Street residences to see an example of what does not work). He liked the uses and layout of the community plaza but cautioned that the heavy use of steps, sitting walls and raised planters could give the space a sort of maze feel and suggested simplifying the design.

- He pointed out that the Design Guidelines call for narrow streets in the north area. He did not support the angled parking spaces on the 13th Street on block 1. He suggested leaving the street's center line and curb where it is and putting in fewer parallel parking spaces or reverse angle parking to be more pedestrian and bike friendly.

J. Baily noted that the Broadway side of the southern block did not have much brick and thought that it needed a greater sense of permanence.

J. Dawson agreed and suggested they pull in the CMU that is used on the warehouse elevation and also look at a more permanent treatment of the two floors with the corrugated material on top.

M. Lee wondered if pools actually worked well as community building features since they can be dead space in the colder months. She recommended putting in flexible programming space here.

J. Brown recommended they make sure the patio spaces of the units directly on the pool deck are comfortable for the residents.

Arts market corner building (Building B)

J. Baily suggested the applicants think about how the glass works with the ground plane.

J. Brown suggested repeating the southern plaza elevation along the northern elevation on Lee Hill on the arts building, rather than the current elevation, for a more sophisticated, well-composed urban approach. Regarding the Broadway frontage of Building C, south of the Arts Building, he also recommended anchoring the brick element by bringing it down to the ground rather than floating above the glass. He struggled with the shed roof facing Lee Hill. He liked the gabled pitch on the residential building on the south block and suggested they pull that into this building to make the Broadway elevation more attractive. He also thought that the stairwell would not have the desired impact. This should be a prominent face for the building. He suggested having the retail embrace the whole corner.

J. Dawson noted that the geometries and materials on the corner did not meld well.

The ground floor experience for the pedestrian has to be done smartly.

The north façade could be a lot quieter, similar to the south façade.

J. Baily thought the applicant handled the grade very nicely on the site. He thought the stairs and accessible ramps would be a challenge on the different plazas and entries. He recommended mainstreaming the handicap and non-handicap access points to be more welcome to everyone. He also suggested putting in more seating in place of some of the planters.

The overall consensus of the board seemed to be that Building B should be simplified and should incorporate more wood and less stucco and lap siding.

Building C

J. Brown recommended bringing the 3rd floor forward on the Broadway façade as well as bringing the building down to the ground – similar to the warehouse building, but with brick. He thought the idea of a slender metal column in the open retail area worked well.

J. Dawson agreed that this elevation would benefit from simplifying and pulling the brick down.

There was discussion about the south elevation of Building C along Zamia. Several board members felt that the CMU should be continued all the way up the building. There was also unanimous consensus that the yellow blade wall should be removed.

M. Lee encouraged the applicant to think of a way to simplify the full glass entry and put more money into a higher quality material on the "cube" at the corner, such as metal panels rather than stucco. She encouraged the applicant to eliminate or simplify the reveals on the 3rd floor. She was hesitant towards fabric awnings being located on an upper level residential building.

J. Baily noted that there was a lot of glazing on the two top floors and he had a hard time picturing that being successful for a residential function. Regarding the ice cubes, he encouraged the applicant to pay attention to the tinting of the glass and the railing and balcony system. He envisioned the ice cube material as zinc or as a smooth material instead of stucco.

J. Brown thought that an opaque glass panel might be nice on the ice cubes and encouraged the applicant to make it special if it was only going to be done once in the development.

There was discussion regarding the materials used on the ice cubes, with general consensus that stucco was unacceptable and that the more symmetrical, cruciform fenestration pattern shown on the rendering was preferable to the design shown on the elevations. **J. Dawson** suggested using composite metal paneling and tinting the bottom bay of recessed glass.

Building D

J. Brown did not recommend using orange, red and yellow on this building. He recommended using more subtlety that would contribute to a clean façade. He also recommended pulling the greenhouse back from the parapet and having it go across from the metal roof to the greenhouse. He felt like they had not gone all the way with the move.

J. Dawson thought this building was elegantly done with the dutch gable, the simplicity of the brick up to the 2nd floor, and the metal material. He would like to see same simplicity on the north building. He noticed the greenhouse break but did not like where the brick breaks away from the balcony on the right side. He suggested continuing the glass through parapet.

Regarding the greenhouse, the consensus was that the applicant should make up their mind and stick with one design or the other (more glazing or less), as long as it is simplified.

There was also discussion about the blade wall, with several board members agreeing that it should be removed.

Building E

J. Dawson disagreed with changing the building material from brick to stucco. He thought the brick made it consistent with the rest of the block.

J. Brown encouraged the applicant to be thinking about the exterior treatment of the buildings around the pool area to ensure it does not make the space feel smaller.

The applicant inquired about the use of stucco as a primary material.

J. Brown stated that it depends on the type of stucco and how it is applied. he has no issue with hard coat stucco. The most important factor is that the building tie into Building D architecturally but also transition to the existing neighborhood to the south. If stucco were to be used there would have to be lots of details and assurances that it would be of the highest quality.

J. Baily thought the light colored CMU on the base of the east elevation drew too much attention to the parking garage. He also encouraged them to keep the elevations simple in terms of number of materials - especially on the residential buildings.

The applicant asked what to do if they were to eliminate the southern ice cube building.

J. Dawson suggested having a break in the glass where the stairwell is and having the building on the right wrap around to the left of the stairwell, but keeping the vertical glass break. He also encouraged the applicant not to fall into the trap of trying to break the buildings down into smaller pieces to create visual interest.

J. Brown noted that it is not as important to create a gateway into the neighborhood as it is to create a cohesive neighborhood. One idea for the ice cube is to leave it on the right hand side and allow the left building to come around.

3. **Continuation of board matters**
   The BDAB 2015 Retreat was set for August 12. **B. Bowen** suggested holding it at the Wild Sage Common House.

APPROVED BY:

W. B

Board Chair

6.10.15

DATE

CITY OF BOULDER
BOULDER DESIGN ADVISORY BOARD MINUTES
June 10, 2015
1777 Broadway, 1777 West Conference Room

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/

BDAB MEMBERS PRESENT:
Jamison Brown, Chair
Jeff Dawson
Michelle Lee
Jim Baily
David McInerney

BDAB MEMBERS ABSENT:

PLANNING BOARD EX-OFFICIO MEMBER PRESENT:
Bryan Bowen

STAFF PRESENT:
Sam Assefa, Senior Urban Designer
Charles Ferro, Development Review Manager
Elaine McLaughlin, Senior Planner
Karl Guiler, Senior Planner

BOARD DISCUSSION:

1. **Approval of Minutes**
   BDAB approved the April 8, April 15 and May 6, 2015 BDAB minutes.

2. **Pearl Place Project Update**
   The applicant gave a brief update of the project.

   BOARD COMMENTS:

   J. Baily liked the canopy better in their previous plans which had a softening effect. He thought it stood out in a negative way in the updated plans.

   M. Lee and **J. Brown** agreed.

   J. Brown thought that the shadow line would soften the transition and help to improve the impact of the large stone wall.

   J. Brown liked the brick change.

   J. Dawson also liked it. He pointed out that in larger renderings the applicant shows differentiation between the pattern in between the windows versus the planned spaces. He liked the uniformity of the brick color but was concerned that it might be too monolithic with the continual horizontal pattern. He suggested thinking about breaking it

up.

D. McInerney thought that the additional shadowing would be very effective. He did not mind the linearity of it since it will mainly be viewed by people travelling along a linear path.

J. Dawson liked the previous brick pattern better, but supported the new pattern as well. He felt the previous pattern was more in keeping with the original design. He encouraged the applicant to keep exploring the detail in the brick masonry.

J. Brown noted that people will experience the building depending on where they are viewing it from. The brick would lose the raked shadow effect if seen from far away but nearby pedestrians would appreciate it.

J. Dawson thought that sandstone panels would have been nice on the block facing the loading dock and suggested using a larger panel of sandstone to express that there is a different function there.

M. Lee had no issue with it since it is such a deep corner that's not highly visible.

J. Brown discussed having the corner brick volume recede in a little bit to break that plane.

The board approved of the brick changes but with a minority opinion preferring the previous pattern.

3. The Reve Project Review

J. Dawson recused.
J. Brown left the meeting at 6:30 p.m.

E. McLaughlin gave a brief overview of the project followed by a presentation by the applicant.

J. Baily asked **E. McLaughlin** to provide clarity on what areas were included in the Boulder Valley Regional Center Design Guidelines (BVRC) versus the Transit Village Area Plan (TVAP). He thought the BVRC guidelines were critical to the corner of Pearl Street and 30th Street if it was identified as a gateway in BVRC.

E. McLaughlin responded that the TVAP was adopted after the BVRC so it supersedes it but, at the same time, these are guidelines and the board should draw from both of them in their review. She agreed with **J. Baily's** point that addressing gateway areas is critical and that there is a lot of overlap in the two guidelines.

BOARD COMMENTS:

J. Brown thought the 2nd option/view was much more in line with what BDAB has been asking for in terms of the simplicity. He liked how the metal panel and the grey came down and separated the corner piece. It allowed the brick to stand out and have some prominence.

S. Assefa noted that it is much better to have balconies integrated into the building as it is in the applicant's plans.

J. Brown, in reference to the courtyard, stated that in the Form-Based Code workshops there were discussions about corner treatments and special courtyard interjections along streetscapes. He noted that the courtyard needs to be thought of holistically within the whole neighborhood. Not every building has to have some sort of intervention and building to the street is not a bad thing. He doesn't think the courtyard is needed on the building at the corner of Pearl and 30th Street.

J. Brown inquired as to why there could not be one street instead of two half streets at the south end of the building.

> A discussion followed and the applicant stated that they would prefer it be one shared street. They have tried to solve this but, since that has not been possible, their direction was to build their own road per the TVAP.
>
> **C. Ferro** stated that a meeting between Solana & Reve will be convened to discuss what some options are and how it would impact both of their buildings.

J. Brown suggested strongly expressing the public component of the live/work units and making sure that they do not look too residential.

M. Lee thought the changes on the north corner of Pearl Street and 30th Street was huge improvement. She encouraged the applicant to keep pushing for this corner to be a signature corner of the development and to think about tying in more of the culture of that area (such as sports, tech, etc.).

> **J. Baily** agreed with M. Lee's comment and also noted that this is a designated gateway corner in the BVRC so it is important to create something special on the corner. He thought the building was going in the right direction and showed a huge improvement from previous plans. He noted that the north facing courtyard was in permanent shadow and did not think it was as nice as the other spaces in the development.
> On the east elevation he suggested having the balconies partially inset as they are on the west elevation. It would improve the whole space to have that third dimension here.

M. Lee had an issue with the amount of glass used on the lower level office space of building 2. It is okay on the corner, but overall it does not provide the best pedestrian experience.

> **J. Brown** felt that permeability was important on this building. He liked the natural feel of the chamfered corner and how it related to the current ditch opening. From an urban design standpoint he pointed out that there is a believable pedestrian promenade that happens along 30th to Walnut Street. He encouraged the applicant to not ignore this building as a pedestrian way and think about what the ground floor activity should be. Maybe it should be more about the programming on the interior (i.e. not just lines of cubicles).

M. Lee thought that the north corner in the first drawing was more dynamic and interesting than in the second drawing.

> **J. Baily** agreed with **M. Lee's** comment. In the first drawing, he did not like the awkwardness between the punched windows portion to the south and the giant curtain wall. The punched windows on north portion were not inviting to the open space area to the south and he preferred the first drawing which better engaged with the open space.

S. Assefa liked the hybrid between the first and second drawings.

J. Brown liked the terra cotta material. It has the warmth of brick without being brick and it has variation in its tone which speaks to the things that Boulder has asked for without doing brick again.

The applicant inquired of the board if it would be better to have the lobby shifted more towards the center and have a setback entry courtyard into that permeability back to the mixed use courtyard.

> **M. Lee** liked that idea for the second drawing. It does not need to be regular, rhythmic blocks but it needs to happen more organically where functionally appropriate.

J. Brown felt that if the applicant was going to create a recess or offset when the materials change that having the halo continue around may not be the right way. He also felt that the space between the two buildings could be an issue. He suggested having a tree canopy running down the center could help soften the interchange between the two uses.

D. McInerney noted to the applicant that in describing both the west and east facades they mentioned their distaste for floating panels of fake masonry. He asked if they had looked at bringing the terra cotta down to the ground and putting in smaller windows.

J. Brown thought that the residential buildings could use similar calming that the applicant treated the corner building with. There was more movement than needed. **D. McInerney** agreed.

> **J. Baily** agreed that they should not get too busy with the materials. He also inquired as to why they changed the residential building from one over three to three over one. He noted that they had established some rhythm from 30th Street with the one over three and he did not see a compelling reason to change it.
>
> The board members present agreed that simpler articulation would be better.

M. Lee liked the idea of getting more sun in between the buildings. There is a lot of shade going on with the height of the buildings. She thought perhaps that softening the buildings at the corners would help let more sun in.

J. Baily brought up that in the overall housing surveys for Boulder, many people said that these types of developments are not providing a sizeable private open space. He told the applicant that they have the opportunity to create spaces for those people who want a significant outdoor terrace. It would work well here since it is looking into a shared open space. He also stressed the importance of keeping the street trees in place when dealing with such a dense environment.

The board concluded that the revised plans for the building north of the ditch were a significant improvement over the plans originally distributed to the board. The applicant presented some worthwhile ideas for the buildings south of the ditch, but additional work will be needed to resolve these ideas.

The applicant plans to check in with BDAB again after their second site review submittal this year.

APPROVED BY:

Board Chair

7.15.15

DATE

CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING SUMMARY

NAME OF BOARD/COMMISSION: Environmental Advisory Board

DATE OF MEETING: May 6, 2015

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Susan Meissner, 303-441-4464

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:
Environmental Advisory Board Members Present: Steve Morgan, Tim Hillman, Brad Queen and Karen Crofton.
Staff Members Present: Brett KenCairn, Kara Mertz, Elyse Hottel and Susan Meissner

MEETING SUMMARY:

☐ The board made the following recommendations regarding the Greenhouse Gas Inventory:

- The board cautioned against setting actionable city policies based on this data set due to the shift in basis. With different data sources, it is not possible to be completely confident in the accuracy of the findings.
- Differences in weather from year to year can play a large role in data and findings. Consider tracking to other communities in the Denver metro area as a comparison.
- Identify areas of the data set with the most impact; focus attention to firm those areas.
- Use round numbers as much as possible and put numbers in terms that people understand i.e. translate kilowatt hours into dollars and explain what that means in terms of fossil fuels and renewable resources.
- Implement an intensity target as opposed to an absolute emissions reduction. Absolute numbers are antithetical to a growing city.
- Separate commercial from industrial sectors if possible; the building stock and actions that can be taken for each are quite different.
- For the residential sector, consider calculating energy use at intensity per square foot as opposed to per home. This would highlight the impact difference between large and small homes.
- Look at some of RMI's strategies for messaging and methods for engaging communities through competitions, etc…
- Ensure solar is properly accounted for and that it is not doubly counted.
- Be cognizant of significant digits and model accuracy.

☐ The board supported the proposed Zero Waste Ordinance and recommended that it be implemented within a two-year timeframe. They agreed to write a letter of endorsement to City Council to that effect.

- Extending the timeframe to two years would be preferable because it would avoid bottlenecking issues and would garner more community support.
- Include an educational component to provide clear guidance on the waste streams to residents and the tourism industry.
- Encourage compliance as opposed to punishing landlords and business owners.

1. CALL TO ORDER
The Environmental Advisory Board Chair **S. Morgan** declared a quorum and the meeting was called to order at 6:11 p.m.

2. APPROVAL OF MINUTES
On a motion by **K. Crofton,** seconded by **B. Queen**, the Environmental Advisory Board approved (4-0, **M. Lommele** absent) the May 1, 2015 meeting minutes.

4. PUBLIC PARTICIPATION
Randy Moorman, Eco-Cycle's Director of Community Campaigns, spoke about the Zero Waste Ordinance. Boulder would be the third city in the country to have full access to composting and recycling after Seattle and San Francisco. He asked that the board endorse Option A to require that the regulations go into effect immediately. He felt that it would be easier for everyone to go online at once.

5. PUBLIC HEARING ITEMS

6. DISCUSSION ITEMS
A. Greenhouse Gas Inventory Update (Elyse Hottel, Local Environmental Action Division)

E. Hottel provided an update to the board on the city's Greenhouse Gas Inventory and asked for input. She explained how the data was derived and discussed some challenges with non-conforming data sets.

7. OLD BUSINESS/UPDATES
A. Proposed Zero Waste Ordinance Update and request for letter of support from the board (Kara Mertz, Local Environmental Action Division)
K. Mertz provided the board with an update on the Zero Waste Ordinance that will go to Council for a second reading at the end of May. She requested the board's feedback on different timeline options and asked the board to provide a letter of endorsement for inclusion in the City Council packet.

B. Board Protocol for Responses to Public Emails
The board felt comfortable with the proposed protocol.

8. MATTERS FROM THE ENVIRONMENTAL ADVISORY BOARD, CITY MANAGER, AND CITY ATTORNEY
A. Information Item: 2016 – 2021 Greenways Capital Improvement Program
M. Lommele will represent the EAB on the Greenways Committee.

9. DEBRIEF MEETING/CALENDAR CHECK

10. ADJOURNMENT
Environmental Advisory Board adjourned at 8:43 p.m.

Approved:

7/1/15

Chair Date

CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING SUMMARY

NAME OF BOARD/COMMISSION: Environmental Advisory Board

DATE OF MEETING: June 3, 2015

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

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:
Environmental Advisory Board Members Present: Tim Hillman (Acting Chair), Brad Queen, Karen Crofton and Morgan Lommele.
Environmental Advisory Board Members Absent: Steve Morgan
Staff Members Present: Brett KenCairn, Greg Guibert, Sarah Huntley, Colette Crouse and Sandy Briggs.

MEETING SUMMARY:

- Resilient Boulder - Phase I summary and Phase II preliminary focus areas
  - The board discussed the early stages of the resilience program in terms of available resources, learning from history, building strategy, identifying focus areas and engaging the community.
  - **B. Queen** suggested that staff conduct an up-front cost-benefit analysis of spending on resilient infrastructure in the effort to reduce impacts of natural disasters and to allow the city to rebound more quickly. A quantitative approach to investing in the program would be useful for justifying the front-end expense. The example of the Creek Path underpasses was illustrative of his point that the money spent to build them likely reduced the amount needed to rebuild after the flooding in 2013.
  - The board discussed the benefits of "piggybacking" or otherwise leveraging work that staff is doing and has already done.
  - The board requested guidance as to how they could help and what would be the most effective and useful way to share information. Updates will be provided as necessary per the progress of the program to shed light on how the board can assist moving forward.
- Climate Commitment
  - **T. Hillman** commented that since each household can expect to spend $60,000-80,000 to transition its energy assets, the capital expenditure would be greater than net property value increases.
  - **B. Queen** stressed the importance of delineating between capital costs and energy costs.
- Engagement Strategies regarding Municipalization and Climate
  - Some members articulated concerns that the level of detail offered in the informational municipalization flyer could lose the attention of the average Boulderite. Other members felt that the level of detail was appropriate.
  - There was general consensus that the flyer succeeded in its intent to inform, if not sway, the average person.
  - **K. Crofton** suggested a more targeted approach that would allow people to get the information they want in whatever quantity they want it. This could be accomplished as tailored messages from touch screen kiosks. She also suggested bus ads as a great way to get community attention.
  - **M. Lommele** expressed concerns that the objectives, goals and tactics of the communications plan make assumptions about what people already know and suggested more public education on

a personal level and FAQs. The board discussed costs and how people would engage on individual and personal levels.

- **T. Hillman** asked about the rebranding of Climate Commitment, which is planned for after the framework is rolled out. It might become part of the "Boulder Up" branding, but this is open for ideas and suggestions.

1. CALL TO ORDER
Environmental Advisory Board Acting Chair **T. Hillman** declared a quorum and the meeting was called to order at 6:08 p.m.

2. APPROVAL OF MINUTES
On a motion by **T. Hillman**, seconded by **K. Crofton**, the Environmental Advisory Board voted 3-0 (**M. Lommele** abstained and **S. Morgan** absent) to revise the May 6, 2015 meeting minutes as amended.

4. PUBLIC PARTICIPATION
None.

5. PUBLIC HEARING ITEMS
None.

6. DISCUSSION ITEMS

A. Resilient Boulder - Phase I summary and Phase II preliminary focus areas (Guibert)

G. Guibert provided an update and requested feedback regarding Phase I and Phase II of the 100 Resilient Cities program. He stressed the preliminary nature of the assessment thus far and spoke in terms of common themes, community perceptions, focus areas and actionable items within the next 6 months. He identified three areas that are seen as most manageable early in the process: creating a Safe Haven network, ensuring businesses have economic resilience and managing ecological concerns. He also reminded the board that the purpose of the Chief Resilience Officer is to champion the cause, act as a catalyst and marshal resources, and that existing frameworks would be utilized wherever & whenever logical to accomplish this. Further, time and the realignment of staff resources to include more focus on 100 Resilient Cities and Climate Commitment goals will become necessary going forward.

B. Climate Commitment (KenCairn)

B. KenCairn updated the board on an emerging approach for communicating climate commitment goals to City Council, to city staff internally and the community at large. He proposed a plan to write separate documents that are individually relevant to their respective audiences. He also stressed the need to engage the community to such a degree that people will transform their household energy systems voluntarily. He also pointed out that transitioning to a clean energy economy is now more of a financial than technological issue and that every home and business needs an energy assets transition plan. He further recognized that the city cannot lead or direct the movement by itself and engagement strategies and assistance from neighborhood liaisons will be crucial.

C. Engagement Strategies regarding Municipalization and Climate (Huntley)

S. Huntley detailed three main focus areas for both climate commitment and engagement strategy: assuring our clean energy future by changing our energy sources, using resources wisely and creating restorative ecosystems. Accomplishing broader engagement will include a two phase approach of vetting the engagement framework itself with the community then translating it into a "call for action" that will allow people to take ownership of the larger plan. She also stressed the importance of increasing community understanding about how the various climate commitment, zero waste, municipalization and other plans fit together towards one, larger goal.

Our community understands that climate change is a reality and we intend to leverage this motivation towards the vision of a fossil fuel-free future. The initial effort planned to accomplish this includes creating a video in which kids aged 6-16 tell the story of why climate matters to them and publishing a simplified version of **B. KenCairn's** climate commitment document. Regarding municipalization, the board was informed that many people don't know where we are in the process and many even think the effort is over. To inform and remind people of what the city is doing and why, an extensive and targeted digital marketing campaign and a bilingual mailer will be sent to all City of Boulder residents explaining municipalization at a high level.

7. OLD BUSINESS/UPDATES
None.

8. MATTERS FROM THE ENVIRONMENTAL ADVISORY BOARD, CITY MANAGER AND CITY ATTORNEY
K. Crofton requested guidance regarding board procedures pertaining to emailed communications requiring full board input.
B. Queen suggested she review her new board member packet and possibly attend training to clarify these procedures.
B. KenCairn suggested a more structured approach to discussion and comments during board meetings to better adhere to time constraints.

9. DEBRIEF MEETING/CALENDAR CHECK

10. ADJOURNMENT
Environmental Advisory Board adjourned at 8:19 p.m.

Approved:

Chair Date

City of Boulder
BOARDS AND COMMISSIONS MEETING SUMMARY FORM

NAME OF BOARD/COMMISSION: Human Relations Commission
DATE OF MEETING: June 15, 2015
NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Robin Pennington 303-441-1912
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT: **Commissioners –** Amy Zuckerman, Shirly White, Nikhil Mankekar, Emilia Pollauf, José Beteta **Staff –** Carmen Atilano, Robin Pennington, Karen Rahn, Wendy Schwartz **Commissioners absent** – None
WHAT TYPE OF MEETING (CIRCLE ONE) [REGULAR] [SPECIAL] [QUASI-JUDICIAL]
AGENDA ITEM 1 – CALL TO ORDER – The June 15, 2015 HRC meeting was called to order at 6:06 p.m. by **A. Zuckerman.**
AGENDA ITEM 2 – AGENDA ADJUSTMENTS – Add 2016 Martin Luther King, Jr. Day RFP subcommittee selection as Discussion/Informational Item 6. C.
AGENDA ITEM 3 – APPROVAL OF MINUTES – E. Pollauf moved to approve the May 18, 2015 minutes with corrections**. S. White seconded. Motion carries 4-0. J. Beteta abstained.**
AGENDA ITEM 4 – COMMUNITY PARTICIPATION (non-agenda action items) – Community member Darren O'Connor addressed the commission regarding alternative avenues available for filing complaints against the police.
AGENDA ITEM 5 – ACTION ITEMS A. Election of Chair and Deputy Chair 1. Chair Nomination: Amy Zuckerman – Nominee **A. Zuckerman** was elected Chair by a vote of 4-0. **A. Zuckerman abstained.** 2. Deputy Chair Nominations: Shirly White and Nikhil Mankekar – **J. Beteta moved** to hear from each nominee. **E. Pollauf seconded. Motion carries 5-0.** Following nominee comments, **S. White** was elected Deputy Chair by a vote of 4-1. Nominee **N. Mankekar** received one vote in a vote of 1-4. B. Community Impact Fund – Out Boulder – **S. White moved** to approve the Out Boulder CIF application in the amount of $1,575. **J. Beteta seconded. Motion carries 5-0.** C. Community Impact Fund – BMoCA – **E. Pollauf moved** to table the decision on the BMoCA CIF application to July, and have BMoCA provide additional information at that time. **J. Beteta seconded. Motion carries 5-0.**
AGENDA ITEM 6 – DISCUSSION/INFORMATIONAL ITEMS A. Update on Homelessness – K. Rahn and W. Schwartz provided the commissioners with an update on homelessness, including background, the 10-Year Plan, the City Homelessness Strategy and Homeless Action Plan (HAP), homelessness in Boulder and city support, successes in addressing homelessness and next steps. B. 2015 Celebration of Immigrant Heritage RFP – C. Atilano informed the commissioners that the 2015 CoIH RFP had been released. C. 2016 Martin Luther King, Jr. Day RFP – Commissioners **E. Pollauf** and **J. Beteta** agreed to be part of a subcommittee of HRC and YOAB members to review MLK RFPs before they are taken forward to YOAB and the HRC. D. Inclusive and Welcoming Community Work Plan – Staff and commissioners discussed the timing of the community survey and the HRC Work Plan item on this topic and agreed to discuss in more detail at the July HRC meeting. E. Remaining 2015 Community Event Fund Grantee Event Dates – C. Atilano reviewed upcoming

event dates and the commissioners agreed on representation at the events.

F. Living Wage Update – C. Atilano gave an update on work of the city staff committee on Living Wage.

G. Code Enforcement Report
   1. Human Rights Ordinance – C. Atilano reviewed the 2014 data for commissioners.
   2. Failure to Pay Wages – C. Atilano reviewed the 2014 data for commissioners.

H. Event Reports – **N. Mankekar** and **A. Zuckerman** spoke at the Boulder Jewish Festival on June 7. **J. Beteta** gave an update on activities of the Boulder Latino Chamber.

I. Follow Up Items – Revise the May minutes, open the CIF contract with Out Boulder, add BMoCA CIF application to the July agenda, advise YOP that **E. Pollauf** and **J. Beteta** will serve on the MLK subcommittee, include Inclusive and Welcoming Community Work Plan on the July agenda and update the City Manager's office that the subcommittee for consultant selection for the Community Survey will consist of **S. White** and **E. Pollauf.**

AGENDA ITEM 7 – IMMEDIATE ACTION ITEMS – None.

AGENDA ITEM 8 – Adjournment – **J. Beteta moved** to adjourn the June 15, 2015 meeting. **E. Pollauf seconded**. **Motion carries 5-0.** The meeting was adjourned at 9:35 p.m.

TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS: The next regular meeting of the HRC will be July 20, 2015 in City Council Chambers, Municipal Building, 1777 Broadway.

CITY OF BOULDER
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees
DATE OF MEETING: June 15, 2015
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Alycia Knutson x2047
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT: MEMBERS: Shelley Dunbar, Frances Hartogh, Molly Davis, Kevin Bracy Knight, Tom Isaacson STAFF: Tracy Winfree, Steve Armstead, Mark Gershman, Kelly Wasserbach, Steve Armstead, Annie McFarland, Julie Johnson, Juanita Echeverri, Lisa Dierauf, Katy Waechter, Alyssa Frideres, Leah Case, Alycia Knutson, Megan Bowes, Deonne VanderWoude, Lynn Riedel, Cecil Fenio, Phil Yates
TYPE OF MEETING: **REGULAR** CONTINUATION SPECIAL
SUMMATION: AGENDA ITEM 1**- Approval of the Minutes** Tom Isaacson moved the Open Space Board of Trustees to approve the minutes from May 13, 2015 as amended. Kevin Bracy Knight seconded. This motion passed unanimously. AGENDA ITEM 2**- Public Participation** Several people spoke in regard to the staff update on the National Institute of Science and Technology (NIST) trail area changes. They expressed their concern that they have not been included enough in this process, and they wish to regain access to the trail as well as the foot bridge. One member of the public suggested that staff be consistent with their management of muddy trail closures. AGENDA ITEM 3**- Matters from Staff** Annie McFarland, Visitor Access Coordinator, gave an update on the NIST trail area changes. Juanita Echeverri, Education and Community Outreach Coordinator, gave an update on the Open Space and Mountain Parks (OSMP) Art Program. Julie Johnson, Cultural Resources Coordinator, and Katy Waechter, Cultural Resources Technician, presented on the various cultural resource projects. Megan Bowes, Restoration Plant Ecologist, gave an update on the undesignated trail closure effectiveness study.

Kelly Wasserbach, Engineering Manager, presented on the safety concerns of the White Rocks bridge due to the weather.

AGENDA ITEM 4**- Matters from the Board**
Kevin requested that the Hogback Trail be closed due to poor/muddy conditions.

AGENDA ITEM 5**- Consideration of a motion regarding North Trail Study Area Plan Sideboards**
Steve Armstead, Environmental Planner, presented on North TSA Sideboards.

Frances Hartogh expressed her concern that she cannot vote confidently on this agenda item until she has read the North TSA Inventory Report.

This item spurred one motion:
Tom Isaacson moved the Open Space Board of Trustees approve the sideboards for the North Trail Study Area Plan as attached to the staff memorandum presented to the OSBT at its June 15, 2015 meeting. Kevin Bracy Knight seconded. This motion passed four to one; Frances Hartogh dissented.

AGENDA ITEM 6 **– Review of and recommendation regarding the 2016 Open Space and Mountain Parks Department Capital Improvement Program Budget and a portion of the Lottery Fund Capital Improvement Program Budget.**
Tracy Winfree, Director, presented the 2016 Open Space and Mountain Parks Department Capital Improvement Program Budget and a portion of the Lottery Fund Capital Improvement Program Budget.

This item spurred one motion:
Molly Davis moved the Open Space Board of Trustees approve, and recommend that Planning Board approve, an appropriation of $11,490,300 in 2016 from the Open Space Fund CIP as outlined in this memorandum and related attachments; and recommend that $355,300 be appropriated from the city's Lottery Fund CIP in 2016 as outlined in this memorandum and related attachments. Shelley Dunbar seconded. This motion passed unanimously.

ADJOURNMENT: The meeting adjourned at 8:27 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 Wed. July 8th at 6 p.m. at 1777 Broadway in the Council Chambers

CITY OF BOULDER
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees
DATE OF MEETING: July 8, 2015
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Alycia Knutson x2047
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT: MEMBERS: Shelley Dunbar, Frances Hartogh, Molly Davis, Tom Isaacson STAFF: Tracy Winfree, Jim Reeder, Steve Armstead, Mark Gershman, Kelly Wasserbach, Don D'Amico, Laurie Deiter, Eric Fairlee, Deryn Wagner, Juliet Bonnell, John D'Amico, Jim Schmidt, Bethany Collins, Brian Anacker, Alyssa Frideres**,** Alycia Knutson, Phil Yates, Cecil Fenio, Deonne VanderWoude
TYPE OF MEETING: **REGULAR** CONTINUATION SPECIAL

SUMMATION:

AGENDA ITEM 1**- Approval of the Minutes**
Tom Isaacson moved the Open Space Board of Trustees to approve the minutes from June 15, 2015 as amended. Frances Hartogh seconded. This motion passed four to zero; Kevin Bracy Knight was absent for this meeting.

AGENDA ITEM 2**- Public Participation**
Several people spoke in regard to the North Trail Study Area (TSA) inventory report that was released in June. They expressed their concern that due to the report being large, they need more time to get through it and would like the public input deadline extended.

One member of the public expressed the issues that he had come across with the NTSA inventory report and how he would like staff to address those issues.

AGENDA ITEM 3**- Matters from Staff**
Kelly Wasserbach, Engineering Manager, gave an update on Open Space and Mountain Parks' Dog Waste Composting Pilot Program.

Jim Reeder, Land and Visitor Services Division Manager, highlighted the ongoing staff projects.

Laurie Deiter and Eric Fairlee, Natural Resource Specialists, gave a presentation on the IPM Annual Report.

Deryn Wagner and Steve Armstead, Environmental Planners, gave a presentation reviewing the progress and next steps on the youth engagement strategy for the North TSA.

Deonne VanderWoude, Human Dimensions Program Coordinator, gave an update on the baseline condition results from the dog regulation study conducted in 2014.

AGENDA ITEM 4**- Matters from the Board**
Frances said she would like to know about the status of Ranger staffing. Shelley asked about the press release on the bull that died and if the bull was there from the grazing project that had been occurring.

AGENDA ITEM 5**- Consideration of a motion to approve the purchase of approximately 12.5 acres of land, mineral estate, two houses and associated outbuildings along with the disposal of approximately 2.28 acres or less of land including two houses and associated outbuildings located at 5678 Baseline Road from the Ernest J. Coleman Trust for Open Space and Mountain Parks purposes in the amount of $950,000. An additional $50,000 is being requested for site improvements. The disposal portion of this Agenda Item is pursuant to Section 177 of the Boulder City Charter.**
John D'Amico, Property Agent, gave a presentation on a possible acquisition and disposal along Baseline Road.

This item spurred one motion:
Tom Isaacson moved the Open Space Board of Trustees approve a motion recommending that the Boulder City Council approve the purchase of approximately 12.5 acres of land, mineral estate, two houses and associated outbuildings from the Ernest J. Coleman Trust for $950,000, along with $50,000 for immediate property improvements, both for Open Space and Mountain Parks purposes and the disposal of approximately 2.28 acres or less of that land including the two houses and associated outbuildings located at 5678 and 5688 Baseline Road. The disposal will include negotiation of an acceptable purchase price and appropriate encumbrances on the disposed property to protect the open space values of the remaining parcel. The disposal portion of this Agenda Item is pursuant to Section 177 of the Boulder City Charter. Molly Davis seconded. This motion passed four to zero; Kevin Bracy Knight was absent for this meeting.

AGENDA ITEM 6 **– Discussion of proposed revisions and update to the Open Space Board of Trustees Easement Request Policy.**
Jim Schmidt, Property Agent, presented the current easement request policy and suggestions for possible changes.

This Agenda Item is a discussion item only. After obtaining the Board's input on the proposed update to the Easement Request Policy, this matter will be brought back to the Board as an action item at a future OSBT meeting.

ADJOURNMENT: The meeting adjourned at 9:28 p.m.

ATTACH BRIEF DETAILS OF ANY PUBLIC COMMENTS:
Karen Hollweg, Boulder, said it appears from the map of the Coleman property along Baseline Road that it is a hayfield and wants to know how staff will consider that with the acquisition and disposal of this area. She also commented on the proposed easement request application fee and said if her homeowners association ever needed an easement they could never afford the proposed fee.

TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS:
The next OSBT meeting will be Wed. August 12 at 6 p.m. at 1777 Broadway in the Council Chambers

CITY OF BOULDER
BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING
MINUTES

Name of Board/ Commission: Transportation Advisory Board

Date of Meeting: 11 May 2015

Contact Information Preparing Summary: Kaaren Davis 303.441.3233

Board Members Present: Zane Selvans, Daniel Stellar, Dom Nozzi, Bill Rigler
Board Members Absent: Andria Bilich, (Bill Rigler departed at 7:53)

Staff Present: Michael Gardner-Sweeney, Acting Director of Public Works for Transportation
Marni Ratzel, Sr. Transportation Planner
David "DK" Kemp, Sr. Transportation Planner
Chris Hagelin, Sr. Transportation Planner
Kaaren Davis, Board Secretary

Type of Meeting: Advisory/ Regular

Agenda Item 1: Call to Order **[6:01 p.m.]**
The meeting was called to order at 6:01 p.m.

Agenda Item 2: Approval of minutes from 13 April 2015 **[6:02 p.m.]**
Motion to approve the meeting minutes from 13 April 2015 TAB meeting as presented:
Motion by: Selvans, Seconded by: Nozzi
Vote: 4:0

Agenda Item 3: Public Participation **[6:03 p.m.]**

- None. Public participation closed.

Agenda Item 4: Staff briefing and TAB input regarding the Complete Streets Phase II Living Labs Project **[6:03 p.m.]**

Marni Ratzel and DK Kemp presented the item to the board.

Executive Summary from Packet Materials:
This item provides a status report, check in and opportunity for the Transportation Advisory Board (TAB) to provide input on the Complete Streets Living Laboratory Phase II program. Candidate corridors for the Phase II pilot projects include Iris, Folsom, 55th, and 63rd streets. The public engagement process launches in May to gather community feedback on the design options for street repurposing (rightsizing) pilot projects under consideration for each corridor. At the May 11 TAB meeting staff will brief the Board on design options and provide an update on the community engagement process and public feedback received to date. Public input along with the technical analysis and financial considerations will guide a staff recommendation regarding the installation of potential pilot projects along these corridors in summer 2015.

TAB ACTION REQUESTED
Review and provide feedback on the Complete Streets Living Laboratory or "Living Lab" Phase II design options, the technical analysis, and community engagement opportunities for pilot projects along candidate corridors.

Board discussion and comments included: **[6:15 p.m.]**

- Suggestions to find better ways to articulate the benefits of right-sizing to all users, not just bicyclists. Suggestions to include more data regarding benefits such as: decreased accidents, increased bicycle safety, improved access to transit, fewer lanes for pedestrians to cross, reduced need for mid-block crossings (pedestrian actuated crossings).
- Questions about how social media has been and will be used in the campaign to engage stakeholders on a larger scale. Suggestions to utilize reciprocal social media (post on the websites of partner entities such as those hosting the pop-up events). Observations that the City is not always astute or effective in its use of social media and should spend more effort on this method of communication and information dissemination.
- Questions regarding whether analysis has been done to predict right-sizing's effects on the City's carbon footprint.
- Request to see in the materials information regarding how little loss of car carrying capacity lane loss/right sizing produces. Interest in seeing data that reflects that slower speeds equals greater carrying volume because vehicles can travel closer together.

- Opinion that Peak volumes should not be a huge problem as it should be expected that trips will be more spread out throughout the day.
- Desire expressed that the modeling show that excessive capacity in the current system induces more car trips. Right-sizing should discourage more car trips.
- Suggestion that since there appears to be a plateau of VMT's on a national level for the first time, there should be less concern about negative reactions to right-sizing.
- Questions as to whether Folsom can be incrementally right-sized.
- Suggestion that peak volumes be addressed by persuading employers to allow employees to use flex time options to allow for off-peak travel times.
- Suggestion to include right-sizing success stories from around the country.
- Cannot make it better for everyone and also have tradeoffs. There will be tradeoffs. Important to clearly acknowledge exactly what the relative effects on the various mode types will be.
- Questions regarding how transit will interact with the new bike facilities.
- Questions about the reasoning behind each of the options presented for Folsom.
- Request for the before and after data of other communities set next to Boulder's "before" to help promote the program.
- Suggestion to use attractive pictures of treatments in other communities
- Concerns about the difficulties of addressing the many issues on Folsom in the experimental phase. But the other corridors may provide good data on many options that might be useful. Intersections must work for everyone. A long term view of what the proposed treatments may do in this regard would be very helpful.
- Questions regarding what can be done to smooth out the afternoon peaks.
- Suggestions to frontload the benefits in the materials to showcase the good things before people get to the potential tradeoffs.

Agenda Item 5: Staff briefing and TAB input regarding the May 26, 2015 City Council AMPS Study Session [7:04 p.m.]

Executive Summary from Packet Materials:
The purpose of this item is to provide the Transportation Advisory Board (TAB) with an update on the city's Access Management and Parking Strategy in advance of the May 26 City Council Study Session, with a particular focus on:

1. Seek input on:
    a. refined options and draft recommendations for Transportation Demand Management (TDM) policies for new development;
    b. potential modifications to the existing 72-hour on-street parking restriction;
    c. options for satellite parking;
    d. a potential shared parking policy between districts and private development; and
    e. considerations for parking related code changes.
2. Share ongoing community engagement and work plan items related to AMPS and next steps.

The purpose of AMPS is to review and update the current access and parking management policies and programs and develop a new, overarching citywide strategy in alignment with city goals. The project goal is to evolve and continuously improve Boulder's citywide access and parking management policies, strategies and programs tailored to address the unique character and needs of the different parts of the city.

Staff has gathered input from the community, boards and commissions to help identify priorities for further research and community discussion. Outreach to the city advisory boards and the public is essential, with the dual purpose of educating the community about the multimodal access system and seeking input and ideas about future opportunities for enhancements. The community and Board members attended a joint Civic Area and AMPS open house in January. Community and board input is summarized in the attached draft memo.

TAB ACTION REQUESTED
Review and provide feedback on the following questions:

1. What is TAB's input on the AMPS 2015 priority work program items, including the options and draft recommendations for Transportation Demand Management (TDM) policies for new development; modifications to the existing 72-hour on-street parking regulations; options for satellite parking; a potential shared parking policy between districts and private development; and considerations for parking related code changes?

Board discussion and comments included: **[7:25 p.m.]**

- General agreement with the staff recommendation of leaving the ordinance as it is currently.

2. Does TAB have any feedback regarding the ongoing AMPS community engagement and related work plan items and next steps?

Board discussion and comments included: **[7:25 p.m.]**

- Clarifications on the shared parking proposals for "Mandatory meeting (development review process), voluntary compliance". Questions as to whether this approach is adequate and what the incentives are versus potential legal property taking issues.
- Clarifications regarding satellite parking and its proposed deployment.
- Suggestions that enforcement and disincentives be stronger and implemented sooner.
- Interest in knowing the current quantity of parking downtown, what it has been over time and what the occupancy rates have been over time.
- Questions about the feasibility and timing of a parking cash-out initiative.
- Suggestion to encourage employers discourage car trips by taxing parking spaces. Great revenue, effective disincentive for employee car commutes.
- Questions regarding whether occupancy rates drive pricing of parking.
- Questions regarding the feasibility of real-time parking pricing.
- Questions regarding the "elevator" (10 second) pitch for AMPS.
- Questions regarding anticipated public reaction to AMPS.
- Clarifications on how binding TDM plans and partnerships might tie into the strategy for mandatory trip reductions.
- Suggestion for a few simple standard contracts for TDM plans to make things easier for smaller developments.
- Questions as to whether there are ways to completely unbundle the parking transaction from the employment development or housing transaction.
- Suggestion that adding parking resources downtown will not help the traffic capacity issues downtown. Removal of those resources should be explored.

Agenda Item 6: Staff briefing and TAB input regarding the 2016-2021 Transportation Capital Improvements Program (CIP) – Part II of III **[7:52 p.m.]**

Mike Sweeney presented item to the board.

Board member Rigler departs at 7:53 p.m.

Executive Summary from Packet Materials:

Every year the city goes through a budget process that creates a six-year planning budget, this year for the time period of 2016 through 2021. Within this process, funds are appropriated for the first year, 2016. The Transportation Advisory Board's (TAB) role in this process is defined in the Boulder Revised Code (BRC) TITLE 2 GOVERNMENT ORGANIZATION, Chapter 3 Boards and Commissions, Section 14 - Transportation Advisory Board; ". . . to review all city transportation environmental assessments and capital improvements." It is within this context that the board is asked to hold a public hearing and provide a recommendation on the Capital Improvements Program (CIP) to Planning Board and City Council.

Fiscal Impacts: Fiscal impact to be determined through the budget development process.
Other Impacts: N/A
Board feedback: Staff asks that the TAB review the recommended draft 2016-2021 Transportation and Transportation Development Funds CIPs and provide feedback.

Board discussion and comments included: **[7:59 p.m.]**

- General Board agreement that this process is difficult to interface with in a meaningful way. By the time it gets to TAB, the Board cannot discuss the merits of the various projects. Some assistance in understanding how the board should usefully interface with the CIP process would be helpful.
- Questions and clarifications on specific projects.

Agenda Item 7: Matters **[8:00 p.m.]**

A.) Matters from the Board Included:

Board member Selvans brought up the below matter(s)

- Input to GAC on the Greenways CIP
- Zane would like to pass on his position as the Greenways Advisory Committee (GAC) representative to another member of the TAB. Daniel will take this on for the time being. Board Secretary will let the staff coordinator for the GAC know there is a new rep.

Board member Stellar brought up the below matter(s)

- A bit frustrated with how the CIP tour was re-scheduled. Would like to be able to take the tour.

Board member Nozzi brought up the below matter(s)

- The new bike corral outside the trident is not good. Unattractive and very difficult to use. Staff is following up. Inverted U is the clear best design out there.

B.) Matters from staff/Non Agenda: **[8:15 p.m.]**

- Neighborhood Permit Parking (NPP) Annual Report (packet materials only)
- CU/City East side transit TIGER application update.
  - Working to create an East Boulder circulator. Have decided not to submit this year (proposal not really ready). But will continue to work on it for submission next year.
- Other Matters:
  - AMPS open house 29 April 5:30-7:30 at the main library.

Agenda Item 7: Future Schedule Discussion: **[8:19 p.m.]**

Board members are attending a number of functions. GAC – form based code. Joint Board workshop on Form Based Codes. Two public meetings on same.

Agenda Item 8: Adjournment **[8:21 p.m.]**

There being no further business to come before the board at this time, by motion regularly adopted, the meeting was adjourned at 8:21 p.m.

Motion: moved to adjourn; Stellar, seconded by: Nozzi

Motion passes 3:0

Date, Time, and Location of Next Meeting:

The next meeting will be a regular meeting on Monday, 8 June, 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

6/8/2015

Date

ATTESTED:

Karen Davis

Board Secretary

6/8/2015

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: 18 May 2015

Contact Information of Person Preparing Minutes: Andrea Flanagan 303.413.7372

Board Members Present: Vicki Scharnhorst, Dan Johnson, Lesley Smith
Board Members Absent: Ed Clancy, Mark Squillace

Staff Present: Jeff Arthur, Director of Public Works for Utilities
Joe Taddeucci, Water Resources Manager
Bob Harberg, Principal Engineer
Douglas Sullivan, Acting Principal Engineer for Water, Wastewater and Stormwater
Russ Sands, Watershed Sustainability & Outreach Supervisor
Kurt Bauer, Engineering Project Manager
Annie Noble, Flood and Greenways Engineering Program Coordinator
Katie Knapp, Engineering Project Manager
Kristin Dean, Utilities Planner
Ken Baird, Utilities Financial Manager
Andrea Flanagan, Board Secretary

Cooperating Agencies Present:
Craig Jacobson, Consultant with ICON Engineering, Inc.
Alan Turner, Senior Project Manager, CH2M HILL
Shea Thomas, Urban Drainage and Flood Control District

Meeting Type: Regular

Agenda Item 1 – Call to Order **[7:00 p.m.]**

Agenda Item 2 – Approval of the 27 April 2015 Meeting Minutes **[7:01 p.m.]**
Motion to approve minutes from April 27 as presented.
Vote: Tabled until a quorum is met (Ed Clancy & Mark Squillace absent; Leslie Smith absent at April 27 meeting.)

Agenda Item 3 – Public Participation and Comment **[7:02 p.m.]**
Public Comment: None

Agenda Item 4 – **[7:04 p.m.]**

Public Hearing and Consideration of a Recommendation to City Council Regarding the Skunk Creek, Bluebell Canyon Creek and King's Gulch Floodplain Mapping Update
Katie Knapp and Utilities staff presented the item to the board.

Executive Summary from the Packet Materials:
Agenda Item 4 – **[7:04 p.m.]**

Public Hearing and Consideration of a Recommendation to City Council Regarding the Skunk Creek, Bluebell Canyon Creek and King's Gulch Floodplain Mapping Update
Katie Knapp and Utilities staff presented the item to the board.

Executive Summary from the Packet Materials:
Floodplain mapping provides the basis for flood management by identifying the areas at the highest risk of flooding. This information is essential for determining areas where life safety is threatened and property damage is likely and is the basis for floodplain regulations and the National Flood Insurance Program (NFIP). The city's floodplain maps need to be periodically updated to reflect changes in the floodplain resulting from land development, flood mitigation improvements, new topographic mapping information and new mapping study technologies.

The Skunk Creek Floodplain Mapping Update includes the King's Gulch, Skunk and Bluebell Canyon Creek floodplains between the city limits to east of Foothills Parkway where Skunk Creek confluences into Bear Canyon Creek.

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Engineering consultants provided hydraulic modeling to update the existing Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) and City of Boulder floodplains, water surface elevations, conveyance and high hazard zones.

Engineering consultants provided hydraulic modeling to update the existing Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) and City of Boulder floodplains, water surface elevations, conveyance and high hazard zones.

The proposed mapping of the Skunk Creek Floodplain would result in a net:

- Increase of 38 structures identified in the 100-year floodplain;
- Decrease of 22 structures identified in the conveyance zone and;
- Decrease of 19 structures identified in the high hazard zone.

WRAB Discussion Included:

- Question about ICON report. Stated there seems that there were a lot of comments about inconsistencies in the report.
- Request for further clarification regarding Anderson report, not quite understood what "approximate studies" means in the peer review summary of this report.
- Question regarding additional hydraulic modeling regarding software for culvert analysis program.
- Question regarding the difference in the number of structures that were in the floodplain.
- Question regarding adjustments done by ICON and if there were differences in the information after the peer review.
- Question about grade changes on Mariposa and how they didn't quite fit with comments about how much the flood event actually moved.
- Question about whether the peer-reviewed comments made by ICON have been reviewed by Anderson in order to help answer questions proposed by community?

Public Comment:

Christina Jurgens
Concerned that too much of the water from Bluebell Canyon Creek is mapped that it flowed down Columbine, rather than where it was actually observed during flood. Concern that there are errors in proposed flood map that misrepresent the risk to her property and possibly other properties. Regarding item 53, which points out in the peer review that flood maps need to follow topography, question of syntheses of two kinds of mapping and worried about errors in representation of potential risk. Worried that proposed map represents inaccuracies that present risk. Residents have not heard of any structures that were flooded in this particular section. Asks why the proposed floods from Bluebell Canyon Creek to Mariposa, from 16th to 17th smaller than the northward flows at 18th and 19th? Seems by looking at it, they should be more similar to each other. Feels this is a mistake. What method was used to determine the split at 20th and Columbine?

Beth Robinson
Noticed big difference this time in the conveyance zone on her block. Several people are constructing drainage pipes from the back conveyance zones to the front of the street from the easement at the back of the property. This will impact at least one property owner on the block, who is not able to rebuild without extensive regrading.

Kris Miller
Home has been in 100-year flood zone since moved in 2006 and has contacted the city multiple times to state that they should not be. Was told by city that all studies were approximate at that time and no official mapping was done. Was told in 2012 that a "real study" would be conducted and in April 2013, was informed by city that they were going to be taken out of the flood zone with this study, but it is a long process. She and neighbor were not flooded during the 2013 event. Lives on the corner and the flood jumped the banks and flooded south on Mariposa instead and flood didn't even go near her property. When she called again, she was told that she was still in the floodplain. Concerned about the study. The flood actually occurred south of her property. Would like to know what happened and why she is still in the flood zone when the flood didn't affect her property?

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R. Chris Roark
Asked whether it was taken into account that there is a bridge at lower McClintock that significantly diverted water during the flood event, which washed out and ended up on his property. Bridge is no longer there and is not going to be replaced. Will this be considered in the flood mapping?

Ali Yager
Lives at the corner of 20th and Mariposa. All the water at 15th came down Mariposa and wants to know what the city can or should do to deal with the water that jumps onto Mariposa? Maintenance of Bluebell Creek between Mariposa and Columbine, which theoretically is where the water should go. Question is about maintenance of the systems that should be carrying water, which are not working properly.

Motion by: Scharnhorst; **Seconded by**: Johnson
Vote: 3:0 (Ed Clancy, Mark Squillace absent)
Motion Passes as amended

Staff requests Water Resources Advisory Board consideration of this matter and action in the form of the following motion:

Based upon concurrence from Anderson regarding ICON's responses to the peer review, we move to recommend that City Council adopt the Skunk Creek, Bluebell Canyon Creek and King's Gulch floodplain mapping update.

Agenda Item 5 - [7:42 p.m.]

Public Hearing and Consideration of a Recommendation to City Council Regarding the South Boulder Creek Floodplain Mitigation Plan

Kristin Dean, Kurt Bauer and Utilities staff presented the item to the board.

Executive Summary from the Packet Materials:
A Recommended Plan for flood mitigation along South Boulder Creek was presented to the public, Water Resources Advisory Board (WRAB), Open Space Board of Trustees (OSBT) and City Council at a Study Session in 2014. The Recommended Plan was comprised of three phases:

Phase I: Regional detention facility at US 36;
Phase II: West Valley improvements; and,
Phase III: Arapahoe Avenue detention.

In 2014, the WRAB and City Council were generally supportive of the mitigation proposed under Phases II and III. The OSBT also indicated their support for Phases II and III as it was not seen to have effects on city open space properties. However, significant concern was voiced by both boards and by City Council regarding potential environmental impacts, including those to Open Space and Mountain Parks (OSMP) lands from the proposed US 36 regional stormwater detention facility (Phase I). As a result, staff was directed to evaluate other options, including potential use of a larger portion of the University of Colorado's CU South property to shift impacts away from environmentally sensitive areas.

Since then, six additional options were developed for US 36 detention, all designed to prevent the overtopping of US 36 during a 100-year design storm and reduce flooding impacts downstream and each with fewer impacts to OSMP than the original proposal. This memorandum presents the US 36 regional detention options, a comparison of potential impacts to OSMP and CU lands and a summary of potential next steps. Staff is recommending that the Phases II and III concepts remain unchanged in the mitigation master plan and that Phase I be accomplished using Colorado Department of Transportation (CDOT) Right of Way (ROW) and CU Campus South (Option D) for construction of a regional stormwater detention facility at US 36. In this alternative, the berm would be located within the existing CDOT right of way, and, with the exception of potential temporary impacts from construction of the berm, OSMP lands would only be affected when stormwaters are retained. Each of the additional options have a greater impact on CU's land than the plan that was presented in 2014. However, while CU prefers the 2014 plan, they have also indicated they are willing to discuss use of their land to facilitate the implementation of Option D for regional detention.

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WRAB Discussion Included:

- Question about cost estimates of property acquisition and property access rights and if they are included in the study?
- Statement that this seems to be a lot of embankment, which probably makes for significant cost relative to storage.
- Questioned how many acre feet is the storage for the proposed alternative and what are differences between the options?
- Stated that most of the concerns were about open space and possibly may hit a brick wall. Stated that pleased with the many options that came forward and that the resources were protected.
- Questioned if counts were taken of population of prebble mice in open space?
- Questioned how option D compares to the flood event in 2013?
- Commented that pleased with the engagement between CU and the city to discuss this topic.
- Stated that option D will require working with CU and CDOT. Asks what next steps are after voting on this item.
- Asked about timeline for CEAP projects?
- Asked for more information about liability concerns presented by public comment.
- Questioned level of confidence by staff that option D can be successful in the environmental planning process.

Public Comment:

Pete Palmer

Retired professor of geology and has lived in Boulder for almost 35 years. As an earth scientist, he recognizes global warming and the associated increase in the frequency of extreme weather events. As global temperatures rise, so does probability of these extreme weather events. Entering El Nino period, where warming is a known consequence. Likelihood of repeat of 2013 flood event is significantly higher than the 100-year to 500-year events anticipated in earlier planning. Supports South Boulder Creek Action Group and urges that we speed up Highway 36 flood mitigation efforts.

Karl Anuta

Map is disarming, appears that Cherryvale area is really bad, but what is really bad is Foothills Parkway. Represents Frasier Meadows residents and again asks that Board support some kind of flood retention system south of US 36. Option D appears to be really good. Lives must be considered. Very concerned about the process taking 5 years, which will worry residents for another 5 years. Urges that we move ahead as fast as possible and please ask City Council to do the same.

Dick Leupold

President of Resident Council for Frasier Meadows Retirement Community. Supports efforts to add berm to south side of US 36 to keep flood waters out of neighborhood. Wife was pushed through 2 feet of mud in her wheelchair during flood event. If it weren't for a series of miraculous events that night, there might not have been such positive outcome. People would have drowned in parking garage. Fortunate that no fatalities occurred. Encourages Board to approve the South Boulder Creek Action Group's motion to build a structure to prevent this from occurring in the future. Asks residents of Frasier Meadows to stand in support of his message (which they did).

Bob Ritzen

Director of Care at Frasier Meadows. Series of miraculous events happened that day. Flooding happened in the afternoon and staff stayed to assist. Evacuated skilled nursing area, which housed memory care residents, many of whom have low beds. Water rose quickly in this area and residents were evacuated very quickly. Staff and others pulled together to move residents to safety, without injuries. Residents move there thinking they are secure. Recent visitor from disaster relief visited and asked how many residents died after the event. Encourages as much haste as possible from the Board to make a decision for flood mitigation. Does not want to worry about the safety of residents every time it rains.

Peter Baston

Company runs programs for large insurance companies that insure projects like this. Spoke with CDOT and asked what mitigation upgrades are being proposed for US 36, without which Boulder cannot be a resilient city? Was told that it was going to be left up to the City of Boulder on the South Boulder Creek

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Project, which means that CDOT has dumped liability on the city. If anything happens with any flood mitigation, the city will be held liable. Encourages as part of due diligence to understand the liabilities involved in what is being accepted and how this effects the city's resiliency.

Jeff McWhirter
President of Southeast Boulder Neighborhood Association. Ironic that his community did not get hit as badly as Frasier Meadows. Lucky in that respect. South Boulder Creek did not overtop, just many sewage back-up issues. Should be noted that this is not even the big 100-year flood. This was unique because there were 36 hours of notice. Also concerned with long-term impacts. Supports overall mitigation efforts. Continues to bring up questions about west valley improvements. What is going to happen with the piping of dry creek ditch and detention pond? Under impression that specific details of the plan will be considered during this EAP. Wants to make sure that everyone is on the same plan as we move into the future.

Tim Johnson
CEO at Frasier meadows. Can't speak to how many Prebble (mice) lives were lost. Can speak to lives that were not lost at Frasier. Speaks to importance of human life, which he would love for the Board to talk about, along with the mice and plant life. Appreciates the Board listening to this community. Makes an emotional plea that any consideration be made be done so on an expedited time frame. Residents are living in fear of a repeat flood. Residents are concerned with recent rain events. Staff have been checking around the clock and have begun planning for evacuation, should the need arise. The thought of doing this for the next five years is beyond comprehension. For the sake and safety of Frasier and nearby residents, please act with dispatch.

Rick Mahon
Represents South Boulder Creek Action Group. Thanks staff for responding to 99% of these issues. States that the berm height is a non-issue. Life-safety factor is beyond measurable. CU is interested in alternatives. Please speed this along.

Kathie Joyner
With South Boulder Creek Action Group. Weather makes everyone very, very nervous. Everyone is on edge and worried that a future rain events are going to overtop US 36. Needs to know that the city is responsible for providing relief. Encourages Board to recommend to Council that we move forward as quickly as possible to ensure safety of all residents in the South Boulder Creek floodplain. Asks for a show of hands from all people in audience who concur with this type of reccomendation.

Steve Karakitsios
The plan has been studied for so long and asks that a recommendation be made. "Analysis paralysis" is over and need to just move forward with a reccomendation. Option D looks like the best resolution with CU and CDOT. Encourages Board to expedite as much as possible.

David McGuire
Impact potential for construction, encourages staff to compare scope and duration of impacts with some of the other impacts on Open Space. Not a very big difference. No one bought into the area knowing they were going to be flooded when homes were bought 30 years ago. Home wasn't mapped in until 2012. Water goes over US 36 and we need to figure out how to stop it as quickly as possible.

Peter Ornstein
Everyone on street experienced sanitary sewer backups. System was overcharged, mostly from water that was building up because of so much rain. The new proposal does deal with stormwater overflow predictions and does address the floodplain issues, but does not know if it addresses sanitary sewer system back-up issues that residents actually experienced. All systems were overcharged. Recommends that we move forward and take a hard look at sanitary system.

Bob Matthias
Echoes all comments from tonight. Based on meeting attended four years ago, he understood that the reason for flooding is due to the overtopping of US 36, which is caused by the fact that the cross section of the bridge is too small to retain flood waters. In the process of rebuilding US 36, why was the cross section of that bridge not increased? If they had done this, a lot of the damages could have been avoided during

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this event.

Kathleen Motylenski
Speaks on behalf of South Boulder Creek Action Group. Videos and photos are available to show the level of damages. On September 13th, it went from a lot of rain to about 4 feet of water in 20 minutes. Flood sirens couldn't even be heard. Absolutely miraculous that no lives were lost. We can't let this happen twice. Appreciates all the studies and alternatives, but timing is critical. This can happen again in the coming months. Residents are scared. Encourages Board to forge ahead as soon as possible.

Terri Walters
Thanks Board and staff for working really hard with all the competing issues. This situation is terrifying. Lives with family in a home that is dead in the way of the flood path. Lost everything in 2013. River of rock went through home and ruined antique furniture. This was a 50-year event. Could only afford to rebuild a structure about half the size. Please hurry.

Motion by: Smith; **Seconded by**: Scharnhorst
Vote: 3:0 (Ed Clancy, Mark Squillace absent**)**
Motion Passes as presented

Staff requests Water Resources Advisory Board consideration of this matter and recommends action in the form of the following motion:

Motion to recommend that City Council accept the South Boulder Creek Major Drainageway Flood Mitigation Plan including Option D (single berm using Colorado Department of Transportation (CDOT) Right of Way) for 'Regional Detention at US 36' along with the Downstream Improvements as the recommended comprehensive alternative to mitigate flood risks associated with South Boulder Creek.

Agenda Item 6 – [9:00 p.m.]

Information Item – Preliminary Capital Improvements Program
Ken Baird, Joe Taddeucci, Douglas Sullivan and other Utilities staff presented the information item to the board.

As part of the city's annual budget process, Utilities develops a six-year planning budget, this year for the time period of 2016 through 2021. The Water Resources Advisory Board (WRAB) role in this process is defined in the Boulder Revised Code: ". . . to review all environmental assessments and capital improvements conducted or proposed by the utilities division." Utilities staff has formulated initial revenue and expenditure projections for each of the three utility funds through the year 2021. Within the budget process, City Council approves and appropriates funds only for the first year, 2016.

WRAB will be asked to make a recommendation to City Council regarding the 2016-2021 CIP at its June meeting. The Planning Board will review the complete city CIP, including utilities, in July. City Council will discuss the CIP in August at a study session, and the overall budget is scheduled to be adopted by City Council in October.

WRAB Discussion Included:

- Requested that presentation slides be sent to Board for further review.
- Asked about areas that are underserved and if there is a way to add a storm drainage system there, which would require ripping up streets?
- Asked if feedback was provided from open houses regarding rate study increases?
- Asked about potential to save revenue based on the fact that we pay $300 an acre foot whether it is used or not?
- Asked for clarification on outcome goal of the rate study and whether or not it would be revenue neutral, positive, or negative?
- Asked if there would be some benefit to having a revenue generating rate structure change?
- Requested additional information about financial reserves and how it is programmed.
- Asked if staff have received an increased volume of calls by residents since the rate increase

DRAFT

proposal?

Agenda Item 8 – Matters from the Board: **[9:54 p.m.]**

Board Member Smith brought up the below matter(s):

- Acknowledges that residents are traumatized by the 2013 flood event.
- Asks if there is anything further the city can do to reduce the level of anxiety that residents feel with future weather events?

Board Member Scharnhorst brought up the below matter(s):

- Asked if there are any plans for the next few days' impending storms.

Board Member Johnson brought up the below matter(s):

- Asked what we are doing as of result of the 2013 flood event? Concerned with rising creeks during recent rain events.
- Requested confirmation about length of interceptor pipe.

Agenda Item 8 – Matters from Staff: **[10:00 p.m.]**

- Boulder Civic Area Update
- Boulder Creek Mitigation Plan
- GAC (Greenways) CIP
- Bob Harberg presented a history book to the Board about Boulder's Wastewater, written by Silvia Pettem.

Agenda Item 9 – Future Schedule **[10:15 p.m.]**

- Recommendation on 2016 Capital Improvements Program (CIP)
- Recommendation on Rate Study Guiding Principles

Adjournment **[10:16 p.m.]**

There being no further business to come before the Board at this time, by motion regularly adopted, the meeting was adjourned at **10:16** p.m.

Motion to adjourn by: Smith**; Seconded by:** Johnson

Motion Passes 3:0 (Ed Clancy & Mark Squillace absent)

Date, Time, and Location of Next Meeting:

The next WRAB meeting will be **Monday, 22 June 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

DRAFT

Americans with Disabilities Act Awareness Day
July 26, 2015

WHEREAS, the Americans with Disabilities Act (ADA) was passed on July 26, 1990 to ensure the civil rights of citizens with disabilities; and

WHEREAS, the City of Boulder affirms the principals of equality and inclusion for persons with disabilities as set forth for the State of Colorado and as embodied in the ADA, the laws of the State of Colorado and ordinances of the City of Boulder; and

WHEREAS, numerous organizations in the City of Boulder and Colorado work with constituents and communities to bring forth the promise of hope and freedom that is envisioned by the passage of the ADA; and

WHEREAS, July 26, 2014, celebrates the 25th Anniversary of the Americans with Disabilities Act;

NOW THEREFORE, BE IT DECLARED by the City Council of the City of Boulder, Colorado, do extend greetings and best wishes to all observing July 26, 2014 as

Americans with Disabilities Act Awareness Day

Matthew Appelbaum

Matthew Appelbaum, Mayor

BOULDER CARES FOR NEPAL DAY
July 25, 2015

WHEREAS, the 2015 earthquakes in Nepal on April 25 and May 12 and all the persistent aftershocks have devastated the country; and

WHEREAS, the country and people of Nepal are faced with the enormous task of rebuilding, which will require years of work and millions of dollars of aid; and

WHEREAS, there has been a large and impactful community of Nepalese in Boulder for many years, representing the second largest minority population in Boulder County; and

WHEREAS, there has been a substantial and vibrant cultural connection between Boulder and Nepal in the form of student and citizen exchanges, community service, tourism, commerce, and significant contributions of dollars, time, and energy into the building of hospitals and schools in Nepal; and

WHEREAS, Kathmandu has been a popular destination for Boulderites for many years as both the beginning point for treks through the country, as well as climbing expeditions to Mt. Everest; and

WHEREAS, "Boulder Cares for Nepal Day" is an opportunity for Boulder to show support for the Nepalese people and the country of Nepal.

NOW, THEREFORE, BE IT DECLARED by the City Council of the City of Boulder, Colorado, that the City of Boulder designated July 25 as

BOULDER CARES FOR NEPAL DAY

Matthew Appelbaum

Matthew Appelbaum, Mayor

Modern Slavery and Climate Change
The Commitment of the Cities
July 21, 2015 at Vatican City

WHEREAS, the Vatican invited the Mayor of the City of Boulder to Rome in recognition of the city's efforts to reduce our greenhouse gas emissions; and

WHEREAS, Mayor Appelbaum was honored to attend the conference entitled "Modern Slavery and Climate Change - The Commitment of the Cities," on July 21, 2015 at Vatican City; and

WHEREAS, the Pontifical Academy of Science and Social Science recognizes that the active contribution of local governments is crucial in the fight against the two emergencies of modern slavery and climate change; and

WHEREAS, the City of Boulder has long prioritized environmental stewardship and sustainability through partnerships with our federal labs, the University of Colorado, local businesses, non-profits, and our very supportive citizens; and

WHEREAS, Boulder continues to strive for effective policies and technical solutions to mitigate and adapt to climate change; and

WHEREAS, Mayors and local authorities were called upon to play their role in ending slave trades as a crime against humanity and taking measures to stop the environmental, social, and economic damage caused by climate change; and

WHEREAS, 50 Mayors of the most important cities of the world shared this commitment in the presence of Pope Francis; and

NOW, THEREFORE, BE IT DECLARED that the City Council of the City of Boulder, Colorado, urges the United Nations (UN) to ensure that the new Sustainable Development Goals (SDG) that will be approved by the UN in September 2015 and the international agreements on climate action that will be ratified at COP-21 in Paris in December 2015 have the measures and commitments necessary to address these two tragic emergencies of global and immediate importance.

Matthew Appelbaum

Matthew Appelbaum, Mayor

Council Working Agreements

Council Process:

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

Council Communication:

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

Council Committees:

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

Selection of Mayor and Mayor Pro Tem:

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

Agreed: Members of the Boulder City Council

Approved by Council: January 21, 2014

City of Boulder
2015 Work Plan

(Tentative as of December 16, 2014)

	Project		1st Quarter	2nd Quarter	3rd Quarter	4th 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
			Budget update	Budget update	Budget update	Budget update
		Staff Activities	Municipalization Transition Plan	Municipalization Transition Plan	Municipalization Transition Plan	Municipalization Transition Plan
	Climate Commitment	Council		SS: Review interim goals, targets and strategies		
		Staff Activities	Launch action plan	Energy system transformation; blue print convening	Implementation based on action plan	Implementation based on action plan
Housing/Land Use Planning	Comprehensive Housing Strategy (Housing Boulder)	Council	Briefing	SS (2)		
		Staff Activities	Housing Matters launch event, engagement activities	Draft strategy development	Implementation based on adopted strategy	Implementation based on adopted strategy
	Sustainable Streets and Centers/ East Arapahoe	Council	SS: Direction of preferred scenario	SS : Draft plan and action plan		
				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		1st Quarter	2nd Quarter	3rd Quarter	4th 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 14th 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
				Integration of strategy recommendations from Moratorium	Research options for sustainable governance & funding	Develop options for sustainable governance & funding
			14th Street Lot public/private partnership redevelopment options re: work force affordable housing	14th Street Lot public/private partnership redevelopment options re: work force affordable housing		
			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		1st Quarter	2nd Quarter	3rd Quarter	4th 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	Municipal Court Administrator
Tracy Winfree	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 (1st alternate), Castillo (2nd alternate)
University of Colorado (CU)/City Oversight	Cowles, Shoemaker, Weaver
US36 Mayors and Commission Coalition	Appelbaum
US36 Commuting Solutions	Karakehian, Morzel (alternate)
Urban Drainage and Flood Control District	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/ 9th 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
Llasa, Tibet	Shoemaker
Dushanbe, Tajikistan	Weaver
Yamagata, Japan	Plass
Mante, Mexico	Young
Yateras, Cuba	Karakehian, Cowles (alternate)
Sister City Sub-Committee	Morzel, , Karakehian

	A	B	C	D	E	F	G	H	I
1	**Date**	**Status**	**Topic**		**Location**	**Contacts**	**Materials Due**	**Draft Summary Due**	**Final Summary Due**
47									
48	07/14/15	Approved	Ballot Measures	6-7:30 PM	Chambers	Elena Lazarevska/Bob Eichem	07/02/15	07/23/15	07/29/15
49		Approved	Discussion on Potential Head Tax	7:30-9 PM	Chambers	Elena Lazarevska/Bob Eichem			
50									
51	07/30/15	Approved	**Briefing:** Civic Area Park Site Plan Update	5:30-6 PM	Chambers	Jeff Haley/Melinda Melton	N/A	N/A	N/A
52		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
53		Approved	West Fourmile area (Ponderosa MHP) planning grant	7:30-9 PM	Chambers	Chris Meschuk/Melinda Melton	07/16/15	08/06/15	08/12/15
54									
55	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
56		Approved	Form-Based Code Pilot	7:30-9 PM	Chambers	Sam Assefa/Melinda Melton	07/30/15	08/20/15	08/26/15
57									
58	08/25/15	Approved	**Briefing:** BVCP Update	5:30-6 PM	Chambers	Lesli Ellis/Melinda Melton	N/A	N/A	N/A
59		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
60		Approved	Demographic Trends Presentation: Elizabeth Garner	7:30-9 PM	Chambers				09/09/15
61									
62	09/08/15	Approved	Mid-Year Recruitment Interviews for Boards and Commissions	5;15-6 PM	1777 West	Heidi Leatherwood/Dianne Marshall	09/02/15	N/A	N/A
63		Approved	2016 Budget Study Session	6-7:30 PM	Chambers	Elena Lazarevska/Bob Eichem	08/27/15	09/17/15	09/23/15
64		Approved	Emerald Ash Borer	7:30-9 PM	Chambers	Kathleen Alexander/Sally Dieterich	08/27/15	09/17/15	09/23/15
65									
66	09/17/15	OPEN	**Briefing:**	5:30-6 PM	Chambers		N/A	N/A	N/A
67		Approved	2016 Budget Study Session	6-7:30 PM	Chambers	Elena Lazarevska/Bob Eichem	09/10/15	10/01/15	10/07/15
68		Approved	Mobile Home Parks	7:30-9 PM	Chambers		09/10/15	10/01/15	10/07/15
69									
70	09/29/15		No Meeting	6-7:30 PM	Chambers		09/17/15	10/08/15	10/14/15
71				7:30-9 PM	Chambers				
72									
73	10/13/15	Approved	**Briefing:** Environ E Arapahoe Trans Analysis and Med Office Use	5:30-6 PM	Chambers	Randall Rutsch/Rene Lopez	N/A	N/A	N/A
74		Approved	Resilience Strategy Study Session	6-7:30 PM	Chambers	Greg Guibert/Melinda Melton	10/01/15	10/22/15	10/28/15
75		Approved	Boulder Junction Update	7:30-9 PM	Chambers	David Driskell/Melinda Melton	10/01/15	10/22/15	10/28/15
76									
77	10/27/15	Approved	**Briefing:** Boulder Energy Future	5:30-6 PM	Chambers	Heather Bailey/Heidi Joyce	N/A	N/A	N/A
78			Human Services Strategy Update	6-7:30 PM	chambers	Karen Rahn	10/15/15	11/05/15	11/11/15
79			Homelessness	7:30-9 PM	Chambers	Karen Rahn	10/15/15	11/05/15	11/11/15
80									
81	11/10/15		AMPS Update	6-7:30 PM	Chambers	Molly Winter/Ruth Weiss	10/29/15	11/19/15	11/25/15
82			Broadband Working Group Status Update	7:30-9 PM	Chambers	Don Ingle			
83									
84	11/24/15	Thanksgiving Holiday Week							
85									
86	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
87			Hill Reinvestment Strategy Update	7:30-9 PM	Chambers	Molly Winters/Ruth Weiss	11/25/15	12/17/15	12/23/15
88									
89	12/22/15	Christmas Holiday Week							
90	12/29/15	New Years Holiday Week							

2015 INFORMATION PACKETS				
Date of Agenda Packet	Due to Clerk's Office by NOON	Item Type	Topic	Contacts
07/28/15	07/22/15			
		Information Item	Boulder County Age Well Plan Update	Betty Kilsdonk/Linda Gelhaar
		Information Item	2014 Neighborhood Permit Parking Program Annual Update	Molly Winter/Ruth Weiss
		Information Item	Mid year Update to 2015 Council work Plan and Council Action Guide	Tammye Burnette/Dianne Marshall
		Information Item	Boulder Convention and Visitors' Bureau Updates	Molly Winter/Ruth Weiss
08/04/15	07/29/15			
		Information Item	Update on the Affordable Housing and Community Development application received through 2016 Fund rounds	Kristin Hyser/Edy Urken
08/18/15	08/12/15			
		Information Item	2015-2016 Youth Opportunities Program Annual Grant Allocations	Allilson Bayley/Linda Gelhaar
		Information Item	Key Questions and Guiding Principles for Utility Rate Structure Analysis	Eric Ameigh/Rene Lopez
09/01/15	08/26/15			
		Information Item	Snow and Ice Control Program update	Greg Izzo/Erin Raney
		Information Item	Update on Homelessness	Wendy Schwartz/Linda Gelhaar
		Information Item	Stormwater Master Plan Update	Douglas Sullivan/Rene Lopez
		Information Item	Wastewater Collection System Master Plan Update	Douglas Sullivan/Rene Lopez
09/15/15	09/09/15			
		Information Item		
10/06/15	09/30/15			
			2015 Food Tax Rebate program	Bettty Kilsdonk/Linda Gelhaar
10/20/15	10/14/15			
		Information Item		
11/03/15	10/28/15			

July 28, 2015 Start Time: 6:00 PM Business Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 7/16 :: Final 7/22
Agenda Section	**Item Name**	**Time**	**Minutes**			
SPECIAL PRESENTATIONS	Declaration re Modern Slavery and Climate Change	10	Minutes			Alisa Lewis/Dianne Marshall
OPEN COMMENT		45	Minutes			
CONSENT	Study Session Summary for 6/9 BVCP/Resilience item	15	Minutes	**no**		Lesli Ellis/Melinda Melton
	Study Session summary for 4/28 AMPS Update					Jay Sugnet/Ruth Weiss
	1st rdg ord/agr for City water service 4400 Peach Court					Jeff Hirt/Melinda Melton
	1st rdg Landmark Designation ord 2245 Pine					James Hewatt/Melinda Melton
	Study Session Summary for 6/9 Housing Boulder item					Jay Sugnet/Edy Urken
	1st rdg appropriation ord for 2015 Stormwater bonds					Bob Eichem/Elena Lazarevska
	Minutes					CCO
	1st rdg Ord 20 yr lease 1505 Pearl					
	1st Rdg Ordinance vacating a sidewalk easement 2460 Iris Avenue					Sloane Walbert/Melinda Melton
	1st rdg Ord Climate Action Plan Tax ext			Yes		
	1st rdg Ord #8055 re Charter Revisions for the Library- Ballot Item			yes		Jennifer Miles/Carrie Mills
	1st Rdg Ord re Occupation Extension Tax- Ballot Item			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	75	Minutes	no	yes	Lesli Ellis/Melinda Melton
	OSMP purchase of Coleman property	10	Minutes	no	yes	John D'Amico/Cecil Fenio
	Flood Mapping Studies for Upper Goose and Twomile Canyon Creek	50	Minutes	no	yes	Kristin Dean/Rene Lopez
	3rd Rdg Ordinance regarding Mobile Homes	120	Minutes	yes	yes	Tom Carr/Heather Hayward
MATTERS FROM CITY MANAGER						
MATTERS FROM CITY ATTORNEY			Minutes			
MATTERS FROM MEMBERS OF COUNCIL			Minutes			
CALL-UPS			Minutes			
	Total Estimated Meeting Time (Hours:Minutes)	**5:25**				

August 4, 2015 Start Time: 6:00 PM Business Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 7/23 :: Final 7/29
Agenda Section	**Item Name**	**Time**	**Minutes**			
SPECIAL PRESENTATIONS		15	Minutes			Carl Castillo/Dianne Marshall
OPEN COMMENT	Frazier Meadows and Boulder Creek Action presentation (15 min)	45	Minutes			
CONSENT	1st Rdg of the Building Performance Ordinance	15	Minutes	yes	no	Elizabeth Vasatka/Melinda Melton
	2015 Private Activity Bond Allocation to facilitate devel of multi- family Affordable rental housing- resolution					Krisin Hyser/ Edy Urken
	Edward Byrne Memorial Justice Asst Grant(JAG) Program Award			no	no	Bridget Pankow/Laurie Ogden
	Authorization by the City of Boulder for the Issuance of Statewide Private Activity Bonds to Boulder Housing Partners For the Purpose of Financing the Project Renovate Program					Kristin Hyser/Edy Urken
	1st Rdg. Ord. Area Plannng					
	1st rdg Ord Short Term Rental Tax					Tom Carr /Heather Hayward
	1st rdg Ord Minimum Insurance Requirements for licensees			yes	no	Tom Carr /Heather Hayward
	1st Rdg Ordinance re Acquisition of prop 28th st fm Pearl to Glenwood for Transportation Improvement projects			yes		Noreen Walsh/Renee Lopez
	1st rdg ord of BCH supplemental appropriation					Bob Eichem/Elena Lazarevska
	Accept COB 2014 Comprehensive Annual Financial Report					Ron Gilbert/Elena Lazarevska
	Consideration of a motion to approve the updated Boulder City/County Office of Emergency Management Intergovernmental Agreement			no	no	Mike Calderazzo
PUBLIC HEARINGS	South Boulder Creek Mitigation Plan	120	Minutes	no	yes	Annie Noble/Erin Raney
	1st Rdg Ord. Head tax	90	Minutes			
			Minutes	yes		
MATTERS FROM CITY MANAGER			Minutes			
MATTERS FROM CITY ATTORNEY			Minutes			
MATTERS FROM MEMBERS OF COUNCIL	Certification of Charter Amendmant Petitions	15	Minutes			Alisa Lewis
CALL-UPS			Minutes			
	Total Estimated Meeting Time (Hours:Minutes)	**5:00**				

August 6 , 2015- Special Meeting Start Time: 6 PM Business Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 8/6 :: Final 8/12
Agenda Section	**Item Name**	**Time**	**Minutes**			
SPECIAL PRESENTATIONS			Minutes			
PUBLIC HEARINGS	2nd rdg ord for City water for 4400 Peach Ct	45	Minutes	yes	yes	Jeff Hirt/Melinda melton
	Concept review plan for a proposed mixed-use development (Alexan Flatirons) located at McKenzie Junction, 3600 Hwy 119	90	Minutes			Elain McLaughlin/Melinda Melton
	Total Estimated Meeting Time (Hours:Minutes)	**2:15**				

August 18, 2015 Start Time: 6:00 PM Business Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 8/6 :: Final 8/12
Agenda Section	**Item Name**	**Time**	**Minutes**			
SPECIAL PRESENTATIONS			Minutes			
OPEN COMMENT		45	Minutes			
CONSENT	Water and Sewer Bonds Notice of Sale	15	Minutes			Bob Eichem/Elena Lazarevska
	2nd rdg Stormwater fund 2015 bonds- appropriation ordinance					Bob Eichem/Elena Lazarevska
	Study Session Summary for July 28 Climate Commitment					Brett KenCairn/Melinda Melton
	Motion to approve 20 yr water lease to CU's Mountain research station			na	na	Joe Taddeucci/Laurel Olsen-Horen
	BRC Supplement 124- emergency 1st reading			yes		Tom Carr/Mary Wallace
	2nd rdg ordinance vacating sidwalk easement at 2460 Iris avenue			yes	no	Sloane Walbert/Melinda Melton
	Res for Reimbursement relatin to BCH COP issuance			no		Bob E/Elena Lazarevska
	2nd rdg BCH Supplemental Appropriation			no		Bob E/Elena Lazarevska
	1st Rdg. Ordinances for Carter Amendment Initiative petition measures			yes		
PUBLIC HEARINGS	2nd Rdg ballot Measures place holder - CAP tax and Utitlity Occ. Tax and Charter Revisions - Library and Council Compensation	60	Minutes	**yes**		Bob E/Elena Lazarevska
	2nd Rdg. Head Tax	90	Minutes			
	2nd Rdg. Area Planning ballot measure	60	Minutes	yes		Bob E/Elena Lazarevska
	2nd rdg Landmark designation ord 2245 Pine	10	minutes	yes	yes	James Hewat/Melinda Melton
	2nd rdg Ord Minimum Insurance Requirements for licensees	15	Minutes	yes	yes	Tom Carr/Heather Hayward
MATTERS FROM CITY MANAGER						
MATTERS FROM CITY ATTORNEY			Minutes			
MATTERS FROM MEMBERS OF COUNCIL	Update from Council Employee Evaluation Committee	30	Minutes	no	no	Aimee Kane
CALL-UPS			Minutes			
	Total Estimated Meeting Time (Hours:Minutes)	**5:25**				

August 27 , 2015- Special Meeting Start Time: 6:30 PM Business Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 8/6 :: Final 8/12
Agenda Section	**Item Name**	**Time**	**Minutes**			
PUBLIC HEARINGS	2nd rdg ord for short term rental regulations ordinance and Short term Rentals tax measure ordinance	180	Minutes			Tom Carr/Heather Hayward
CALL-UPS	**Total Estimated Meeting Time (Hours:Minutes)**	**3:00**				

September 1, 2015 Start Time: 6:00 PM Business Meeting Location: Council Chambers, 1777 Broadway				CAO to Prepare Ord.?	Power Point	Contact Preliminary: 8/20 :: Final 8/26
Agenda Section	**Item Name**	**Time**	**Minutes**			
	Declaration as Boulder Pollinator Appreciation Month	5	Minutes			Rella Abernathy/Melinda Melton
SPECIAL PRESENTATIONS	Declaration recognizing Colorado Cities & Towns		Minutes			CMO - Dianne Marshall
OPEN COMMENT		45	Minutes			
CONSENT	Bond Ordinance for Sale of the Bonds - Water and Sewer Bonds	15	Minutes		no	Bob Eichem/Elena Lazarevska
	supplemental appropriations to the 2015 budget -1st reading					Bob Eichem/ Maria Diaz
	1st rdg annexation ordinance for 6 properties			yes		Beverly Johnson/Melinda Melton
	Study Session Summary for 8/11: Form-Based Code Pilot					Sam Assefa/Melinda Melton
	2nd Rdg Ordinance re: Property acquisition on 28th from Pearl to Glenwood for Transportation Improvement Project					Noreen Walsh/Erin Raney
	3 Rdg of ballot measures (place holder)			yes		
PUBLIC HEARINGS						
	2nd Readng of Charter Amendment initiatives	90	Minutes	Yes		CAO/Alisa Lewis
MATTERS FROM CITY MANAGER			Minutes			
MATTERS FROM CITY ATTORNEY			Minutes			
MATTERS FROM MEMBERS OF COUNCIL			Minutes			
CALL-UPS			Minutes			
	Total Estimated Meeting Time (Hours:Minutes)	**2:30**				

September 2-3, 2015
Salt Lake Council Visiting Boulder
Days and Evenings

September 15, 2015 -
Start Time: 6:00 PM Business Meeting
Location: Council Chambers, 1777 Broadway