

**CITY OF BOULDER  
CITY COUNCIL ACTION SUMMARY  
Tuesday, September 1, 2015**

1. CALL TO ORDER AND ROLL CALL 6:08 PM			
Matthew Appelbaum	Present	Tim Plass	Present
Macon Cowles	Present	Andrew Shoemaker	Present
Suzanne Jones	Present	Sam Weaver	Present
George Karakehian	Present	Mary Young	Absent
Lisa Morzel	Present		
1. Boulder Pollinator Appreciation Month Declaration read by Council Member Plass			
2. CML Declaration for Colorado Cities & Towns read by Council Member Jones			
2. OPEN COMMENT and COUNCIL/STAFF RESPONSE			
Comments: Council asked questions and discussed enforcement of trash issue with BPD and Code Enforcement as well as DOW regarding bears in town.			
3. CONSENT AGENDA			
A.		Consideration of a motion to approve the <b>minutes</b> for the <b>August 4, 2015 City Council Regular Meeting</b>	Approved
B.		Consideration of a motion to accept the <b>August 11, 2015 Form Based Code Pilot Study Session Summary</b>	Accepted
C.	Res. No. 1166	Consideration of a Motion to <b>Approve Resolution No. 1166 to Carry Forward</b> the City of Boulder's 2015 <b>Private Activity Bond Allocation</b> to support the creation or retention of <b>permanently affordable rental housing</b>	Approved
D.	Res 1167 Res 1168  Ord 8076 Ord 8077 Ord 8078 Ord 8079	<p>Consideration of the following items related to the <b>annexation and initial zoning of the properties</b> identified as <b>1548 Old Tale Rd., 1385 Cherryvale Rd. and 5955 Baseline Rd.:</b></p> <ol style="list-style-type: none"> <li>1. <b>Four resolutions finding the annexation petition for each property in compliance</b> with state statutes and establishing Oct. 6, 2015 as the date for a public hearing and</li> <li>2. Introduction, <b>first reading</b> and consideration of a motion to order published by title only, <b>four ordinances annexing the properties with an initial zoning as follows:</b> <ol style="list-style-type: none"> <li>a. <b>West Portion of 1385 Cherryvale Rd. (0.25 acre parcel) Proposed Zoning: Residential-Rural 1</b> Applicant/Owner: Mark and Tara Burkley</li> <li>b. <b>East Portion of 1385 Cherryvale Rd. (0.891 acre parcel)</b> <b>Proposed Zoning: Residential-Rural 1</b> Applicant/Owner: Mark and Tara Burkley</li> <li>c. <b>1548 Old Tale Rd</b> <b>Proposed Zoning: Residential-Rural 2</b> Applicant/Owner: Porsche Elaine Young Revocable</li> </ol> </li> </ol>	<p>Approved</p> <p>Choose an item.</p> <p>Intro - OPBTO</p>

		Trust d. <b>5955 Baseline Rd.</b> <b>Proposed Zoning: Residential-Rural 1</b> Applicant/Owner: Patton and Claire Lochridge	
<b>E.</b>	Ord. No. 8052	<b>Third reading</b> and consideration of a motion to <b>adopt Ordinance No. 8052</b> submitting to the registered electors of the City of Boulder, at the general municipal coordinated election to be held on November 3, 2015, an <b>amendment to the Boulder Charter regarding City Council compensation</b> , setting the ballot title and setting forth related details	Adopted
<b>F.</b>	Ord. No. 8055	<b>Third reading</b> and consideration of a motion to <b>adopt Ordinance No. 8055</b> setting the <b>ballot title for an initiated amendment</b> to the Boulder Charter, and setting forth related details ( <b>Library</b> )	Adopted
<b>G.</b>	Ord. No. 8056	<b>Second reading</b> and consideration of a motion to <b>adopt Ordinance No. 8056</b> 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 <b>extend the utility occupation tax on public utility companies that deliver energy to customers in the form of electricity and gas</b> 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	Adopted
<b>H.</b>	Ord. No. 8057	<b>Second reading</b> and consideration of a motion to <b>adopt an Ordinance No. 8057</b> 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 <b>Climate Action Plan tax</b> 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 <b>increase energy efficiency, increase renewable energy use, reduce emission from motor vehicles, and take other steps toward the goal</b>	Adopted

		<b>of reducing greenhouse gas emissions;</b> setting forth the ballot title; and setting forth related details	
<b>I.</b>	Ord. No. 8070	<b>Introduction, first reading</b> and consideration of a motion to order published by title only <b>Ordinance No. 8070</b> approving <b>supplemental appropriations for Open Space and Information Technology</b> to the <b>2015 Budget</b>	Intro - OPBTO
<b>J.</b>	Ord. No. 8071	<b>Introduction, first reading</b> and consideration of a motion to order published by title only <b>Ordinance No. 8071 amending Title 10, “Structures,” B.R.C. 1981</b> to add a new Chapter 10- 7.7 “Commercial and Industrial Energy Efficiency” and amending Section 10-1-1 “Definitions” by adding definitions and setting forth related details ( <b>Building Performance</b> )	Intro - OPBTO
<b>K.</b>	Ord. No. 8072	<b>Introduction, first reading</b> and consideration of a motion to order published by title only <b>Ordinance No. 8072 to improve occupancy enforcement by amending Title 9 “Land Use Code”</b> by amending Section 9-15-9, “Multiple Dwelling Units And Occupancy - Specific Defenses,” eliminating a defense to over-occupancy “active and diligent” management practices, <b>amending Title 10 “Structures”</b> amending Section 10-3-2, “Rental License Required Before Occupancy and License Exemptions” <b>adding a prohibition of offering or advertising rental of a property without a valid rental license,</b> adding a new Section 10-3-20 “Occupancy” <b>requiring that the maximum legal occupancy be posted on all rental properties, requiring all rental licenses to include a notation of maximum occupancy and requiring all rental advertisements to include the maximum legal occupancy; amending Section 10-3-16 “Administrative Remedy”</b> by <b>increasing the fines</b> for first and second violations and setting forth related details	Intro - OPBTO
<b>L.</b>	Ord. No. 8073	<b>Introduction, first reading</b> and consideration of a motion to order published, by title only, <b>Ordinance No. 8073</b> authorizing and directing the <b>acquisition of various property interests located along 28th Street between Canyon Boulevard and north of Glenwood Drive,</b> by purchase or eminent domain proceedings, <b>for the construction of the 28th Street Multimodal Transportation Improvements Project</b>	Intro - OPBTO
<b>M.</b>	Ord. No. 8074	<b>Introduction, first reading,</b> consideration of a motion to publish by title only, and adopt as an <b>emergency measure Ordinance No. 8074</b> authorizing the issuance by the City of Boulder, Colorado, of its <b>Water and Sewer Revenue Bonds, Series 2015,</b> in the aggregate principal amount of <b>\$10,210,000</b> for the <b>purpose of providing funds to water and sewer improvements</b>	Amended Adopted Emergency

		<p><b>by the Utility</b> and pay the costs of issuance of the Series 2015 Bonds; prescribing the form of said Series 2015 Bonds; providing for the sale of said Series 2015 Bonds; providing for the payment and redemption of said Series 2015 Bonds from and out of the revenues derived directly or indirectly by the City from the Water and Sewer Fee billed to customers of the City’s water and sewer systems; providing other details and approving other documents in connection with said Series 2015 Bonds; and declaring an emergency and providing the effective date hereof</p> <p>Amended amount was \$10,075,000.</p>	
N.		<p>Consideration of a motion to <b>call an Executive Session of the Boulder City Council on September 14, 2015 at 6 PM</b> for the purpose of Municipalization in the City Council Chambers at 1777 Broadway, Boulder</p>	Approved
		<p><b>Comments:</b> The City Clerk was asked to do a poll to see if another date was available to have a second meeting.</p>	
O.	Ord. No. 8065	<p><b>Second reading</b> and consideration of a motion to <b>adopt Ordinance No. 8065, submitting to the electors of the City of Boulder</b> at the General Municipal Coordinated Election to be held on Tuesday, November 3, 2015, <b>the question of, shall City of Boulder taxes be increased</b> by up to \$350 thousand annually (in the first full fiscal year) and by whatever amounts as may be collected annually thereafter by the <b>imposition of a tax on short-term rentals not already taxed as hotel, motel or other public accommodations</b>, to fund administration, enforcement and the creation of additional affordable housing and giving approval for the collection, retention and expenditure of the full tax proceeds and any earnings relating to this tax notwithstanding any state revenue or expenditure limitation; and setting forth related details</p>	Amended
			Emergency
			Adopted
<b>4. POTENTIAL CALL-UP CHECK IN</b>			
A. 2775 Valmont Road (Boulder Food Park) Use Review			
<b>5. PUBLIC HEARINGS</b>			
A.	Ord. No. 8029	<p><b>Two matters</b> related to a <b>property located at 747 12th Street:</b></p> <p><b>1.</b> Continuation of the <b>second reading</b> and consideration of a motion <b>amending and adopting Ordinance No. 8029 designating</b> the building and <b>property at 747 12th St.,</b> to be known as <b>the Cowgill Property,</b> as an <b>individual landmark</b> under the City’s Historic Preservation Ordinance</p> <p>Owner: 747 Twelfth Street, LLC Applicant: Landmarks Board *****</p>	Amended
			Approved

	Ord. No. 8075	<p>2. FINDINGS AND CONCLUSIONS</p> <p>The City Council finds, based upon the application and evidence presented, that the proposed designation application is consistent with the purposes and standards of the Historic Preservation Ordinance, in balance with the goals and policies of the Boulder Valley Comprehensive Plan, and:</p> <p>*****</p> <p><b>3. Introduction, first reading</b>, and consideration a motion publication by title only Ordinance No. <b>8075 granting authority to the approving authorities</b> under Title 9, "Land Use Code," B.R.C. 1981, <b>to approve the subdivision of one building site into two building sites for a property generally described as 747 12th Street</b> and as an amendment to Title 9, "Land Use Code," <b>to waive or modify certain land use regulations</b> including standards related to the minimum lot size, setbacks, and building separation in order to meet city historic preservation objectives, and setting forth related details</p>	Approved
		<b>Comments:</b> Quasi Judicial Hearing. All persons sworn in.	Intro - OPBTO
<b>B.</b>	Ord. No. 8068 & Ord. No. 8069	<p><b>Second reading</b> and consideration of a motion to adopt by <b>emergency Ordinance Nos. 8068 and 8069</b> setting the <b>ballot titles for two initiated amendments</b> to the Boulder Charter, and setting forth related details</p> <p><b>Comments:</b> Emergency ordinance 8068 substituting ordinance from Attachment G inserting language from Attachment E. Emergency ordinance 8069 with language from Attachment H.</p>	Amended Adopted Emergency
<b>6. MATTERS FROM THE CITY MANAGER</b>			
<b>A.</b>		Proposed <b>Housing Boulder Action Plan</b> for <b>2015</b> and <b>2016</b>	No Action
<b>7. MATTERS FROM THE CITY ATTORNEY</b>			
<b>A.</b>		Request for <b>Council Direction</b> regarding whether the <b>Chautauqua Leasehold Area</b> should be <b>Considered "Parks Land"</b> under the <b>Charter</b>	No Action
		Council consensus that Chautauqua was not a park and the lease did not require PRAB approval	
<b>B.</b>		<b>Use of HOTLINE</b> during <b>Election season</b>	No Action
		Council indicated that a bigger discussion around Hotline should be considered at the 2016 Council Retreat	
<b>8. MATTERS FROM MEMBERS OF COUNCIL</b>			
<b>A.</b>		Potential Call-Ups	
<b>1.</b>		<b>2775 Valmont Road (Boulder Food Park)</b> (LUR2015-00060)	No Action

		Request for <b>Use Review approval</b> to permit a new tavern with outdoor seating area over 300 square feet in size at 2775 Valmont Road (to be operated in conjunction with “Boulder Food Park” mobile food vehicle sales) within the Business Community One (BC-1) zone district. Proposal also includes a request for a 25 percent parking reduction	
<b>B.</b>		<p>Consideration of a motion to <b>approve the order of the ballot measures in the 2015 General Municipal Coordinated Election</b></p> <p>Council consensus was to order the ballot items as follows:</p> <p>2N- Tabor- Short Term Rental Tax; 2O- Occ Utility Tax Extension; 2P- CAP Tax Extension; 2Q-Charter Changes for Library; 2R- Council Compensation;, 300- Neighborhood Right to Vote; 301-Development Shall Pay Its Own Way</p>	Accepted
<b>C.</b>		<b>“Nod of Five” for the HEALS Cities &amp; Towns Campaign</b>	Accepted
<b>D.</b>		<p>Appointment of <b>Retreat Committee Members</b></p> <p>Appointed Council Member Tim Plass and Council Member Lisa Morzel</p>	Accepted
<b>9. PUBLIC COMMENT ON MATTERS</b>			
Comments:None			
<b>10. FINAL DECISIONS ON MATTERS</b>			
Comments:None			
<b>11. DEBRIEF</b>			
Comments: None			
<b>12. ADJOURNMENT: 10:52 PM</b>			