

**BOULDER CITY COUNCIL MEETING
MUNICIPAL BUILDING, 1777 BROADWAY
Tuesday, November 10, 2015
5:30 PM**

I. MAYOR AND MAYOR PRO TEM FORUM

A. Opportunity for Council Members and Council Members Elect to voice interest in being nominated for the position of Mayor or Mayor Pro Tem.

Per Council Procedures in Section IX. – Nomination and Elections:

“On the second Tuesday in November, of every odd-numbered year...council members and council members elect shall gather in council chambers for the purpose of expressing interest in nomination for mayor and/or mayor pro tem for the new council. The mayor shall chair the meeting. Any council member with an unexpired term or council member elect may express his or her interest in serving as mayor or mayor pro tem. Any person expressing an interest shall make a speech regarding his or her qualifications for either or both positions. Each candidate shall make only one speech regardless of whether the council member is seeking either position or both positions. No speech shall exceed five minutes in length.”

AGENDA

1. CALL TO ORDER AND ROLL CALL

- A. Parting Comments from **Council Member Cowles**
- B. Parting Comments from **Council Member Karakehian**
- C. Parting Comments from **Council Member Plass**

2. OPEN COMMENT and COUNCIL/STAFF RESPONSE (limited to 45 min.)

Public may address any city business for which a public hearing is not scheduled later in the meeting (this includes the consent agenda and first readings). After all public hearings have taken place, any remaining speakers will be allowed to address Council. All speakers are limited to three minutes.

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

- A. Consideration of a motion to approve the **minutes** for the **October 20, 2015** City Council **Regular Meeting**
- B. Consideration of a motion to accept the **Study Session Summary** from **October 13, 2015** regarding **Boulder Junction**

- C. Consideration of a motion to accept the **Study Session Summary from October 13, 2015** regarding **Development-Related Impact Fees and Excise Tax Update Study**
- D. Consideration of a motion to authorize the City Manager to enter into an **Intergovernmental Agreement** between the **City of Boulder** and the **Colorado Department of Transportation** for the **Baseline Road Underpass Project**
- E. Consideration of a motion to call a **Special Meeting** of the **Boulder City Council on Thursday, November 19, 2015 at 6 PM** in the **City Council Chambers** located at 1777 Broadway for the purpose of an **Executive Session** regarding **Municipalization**
- F. Consideration of a Motion to **approve Resolution No. 1174 in Support of a Five - Year Extension** of the **Federal Solar Investment Tax Credit**
- G. Consideration of a motion to **approve two Resolutions No. 1175 & 1176 to provide fire protection services** to certain **annexed properties** previously served by the **Boulder Rural Fire Protection District** and the **Rocky Mountain Fire Protection District**
- H. Consideration of the following **items relating to the 2016 Budget**
 - 1. **Third reading** and consideration of a motion to order published by title only **Ordinance No. 8085** that **adopts a budget for the City of Boulder, Colorado**, for the **fiscal year** commencing on the **first day of January 2016** and ending on the **last day of December 2016**, and setting forth details in relation thereto; and
 - 2. **Third reading** and consideration of a motion to order published by title only **Ordinance No. 8086** that **establishes the 2015 City of Boulder property tax mill levies** which are to be collected by the County of Boulder, State of Colorado, within the City of Boulder in 2016 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado, and setting forth details in relation thereto; and
 - 3. **Third reading** and consideration of a motion to order published by title only **Ordinance No. 8087** that **appropriates money to defray expenses and liabilities** of the City of Boulder, Colorado, for the **2016 fiscal year** of the City of Boulder, commencing on the first day of January 2016, and ending on the last day of December 2016, and setting forth details in relation thereto
- I. Introduction, **first reading** and consideration of a motion to order published by title only and **adopt by emergency Ordinance No. 8091 amending Title 4**, "Licenses and Permits," by Amending Section 4-20-62, "Capital Facility Impact Fee," B.R.C. 1981 **adding** a column to Table 3, "**Impact Fee Rates For Nonresidential**," and setting forth related details
- J. **Third reading** and consideration of a motion to order published by title only, **Ordinance No. 8072 to improve occupancy enforcement** by amending Title 9, "Land Use Code," by amending Section 9-8-5, "Occupancy of Dwelling units," by

adding a disclosure requirement for non-conforming occupancy and a prohibition on misrepresenting occupancy, by amending Section 9-15-9, "Multiple Dwelling Units And Occupancy - Specific Defenses," eliminating a defense to over-occupancy based upon "active and diligent" management practices, amending Title 10, "Structures," amending Section 10-3-2, "Rental License Required Before Occupancy and License Exemptions," adding a prohibition of offering or advertising rental of a property without a valid rental license, adding a new Section 10-3-20, "Occupancy," **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," **by increasing the fines for first and second violations** and setting forth related details

K. Introduction, **first reading** and consideration of a motion to order published by title only, **Ordinance No. 8090 vacating** and authorizing the City Manager to **execute two deeds of vacation to vacate two public access easements at 901 Pearl Street** Applicant/Property Owner: 901 Eldridge, Inc.

4. POTENTIAL CALL-UP CHECK IN

Opportunity for Council to indicate possible interest in the call-up of an item listed under 8-A. No action will be taken on this item at this time.

8A .

1. 5555 Racquet Lane/Meadows Tennis Club Expansion Site & Use Review
2. 2751 30th Street Concept Plan Review (LUR2015-00053)

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 24.59 acres of land** with one house, associated outbuildings, water resources and appurtenant mineral rights at **4290 Eldorado Springs Dr.** from the Brett D. Trigg Heritage Trust for **\$1,600,000 for Open Space and Mountain Parks purposes;** an additional expenditure of up to **\$100,000** is being requested for immediate needs

B. **Third reading** and consideration of a motion to **amend, adopt** and order published by title only **Ordinance No. 8081** amending chapters 6-14, "**Medical Marijuana,**" and 6-16, "**Recreational Marijuana**"

C. Consideration of a motion to **accept the Boulder Civic Area, Phase I Park Development Plan, Community and Environmental Assessment Process (CEAP)**

6. MATTERS FROM THE CITY MANAGER

A. Acceptance of City of Boulder **Zero Waste Strategic Plan**

7. MATTERS FROM THE CITY ATTORNEY

8. MATTERS FROM MEMBERS OF COUNCIL

A. Potential Call-Ups

- 1. 5555 Racquet Lane/Meadows Tennis Club Expansion Site & Use Review**
- 2. 2751 30th Street Concept Plan Review (LUR2015-00053)**

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 -Opportunity for Council to discuss how the meeting was conducted-5 min

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.