

**CITY OF BOULDER**  
**CITY COUNCIL MEETING**  
MUNICIPAL BUILDING, 1777 BROADWAY  
Boulder, Colorado 80302  
**Tuesday, October 18, 2016**  
**6 p.m.**

**AGENDA**

- 1. CALL TO ORDER AND ROLL CALL**
  - A. Community Foundation Report from Josie Heath**
  
  - B. Update on Department of Commerce- Boulder Campus**
  
- 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.
  - A. Consideration of a motion to call Special Meetings for the following dates:**
    - 1. November 10, 2016**, to hold a **Joint public hearing with Planning Board** to address **public requests for changes to BVCP land use map** or area designations for **two unincorporated properties (Area II/III)**
    - 2. December 13, 2016**, to **continue the public hearing for deliberation** regarding consideration of a motion to **approve BVCP land use changes** initiated by public requests for **Area II/III-** (no new testimony taken) **AND a public hearing for the Nablus Sister City Application**
  
  - B. Consideration of a motion to approve the proposed 2017 Budget Operating Plan and Board Reappointments for the Downtown Boulder Business Improvement District**
  
  - C. Consideration of a motion authorizing the City Manager to enter into a settlement agreement in excess of \$10,000 arising out of an August 3, 2016 water main break on Gillaspie Drive**
  
  - D. Consideration of a motion to approve Resolution 1196 declaring the City of Boulder's official intent to participate in a future issuance of certificates of participation and to reimburse itself for capital expenditures undertaken in advance of such financing in connection with the construction of a public parking garage, and related uses associated with a development located on Boulder's University Hill**

- E. Consideration of motions to **adopt Resolution 1194 in support of Boulder County’s 1B and Resolution No. 1195 in support of 1C**, both measures certified to appear on the **November 2016 county ballot**
  
- F. **Introduction, first reading** and consideration of a motion to order published by title only, **Ordinance 8151 to rezone 1.12 acres of land located at 3200 Bluff Street** (the AirGas site) **from Industrial Mixed Services (IMS) to Mixed Use - 4 (MU-4)**
  
- G. Consideration of the following items related to **Boulder Community Health (BCH) properties located at 4801, 4855, 4865 and 4885 Riverbend Road** and **BCH requests to redevelop the sites** with a new medical facility and parking structure within the Riverbend Office Park:
  - 1. Request to **change the underlying Boulder Valley Comprehensive Plan (BVCP) Land Use Designation on the Riverbend Road site from Transitional Business to Public** (to be considered at the time of second reading of the ordinances below);
  - 2. **Introduction, first reading** and consideration of a motion to order published by title only **Ordinance 8149 amending Title 9, “Land Use Code,” B.R.C. 1981, to rezone the properties from BT-2 (Business Transitional – 2) to P (Public);** and
  - 3. **Introduction, first reading** and consideration of a motion to order published by title only, **Ordinance 8150 amending Title 9, “Land Use Code,” B.R.C. 1981, and Ordinance 8028 by amending Appendix J of Title 9 adding additional BCH properties to areas where height modifications may be considered**

**4. POTENTIAL CALL-UP CHECK IN**

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

**8A. Potential Call-Ups**

- 1. **2440 Junction Place- Vacation of a drainage easement**
- 2. **541 Marine St.- Landmark Alteration Certificate**
- 3. **4780 Valmont Rd.- Vacation of a waterline easement**

**ORDER OF BUSINESS**

**5. PUBLIC HEARINGS**

Note: Any items removed from the Consent Agenda will be considered after any City scheduled Public Hearings

**The following items 5A-5G will be heard as a single public hearing**

**A. Consideration of the following items relating to the 2017 Budget;**

- 1. **Second reading**, and consideration of a motion to adopt **Ordinance 8144 that adopts a budget for the City of Boulder, Colorado, for the fiscal year commencing on the first day of January 2017 and ending on the last day of December 2017**, and setting forth details in relating thereto; and
- 2. **Second reading and consideration of a motion to adopt Ordinance 8145 that establishes the 2016 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 2017 **for payment of expenditures by the City of Boulder**, County of Boulder, State of Colorado, and setting forth details in relation thereto; and

3. **Second reading and consideration of a motion to adopt Ordinance 8146 that appropriates money to defray expenses and liabilities of the City of Boulder**, Colorado, for the **2017 fiscal year of the City of Boulder**, commencing on the **first day of January 2017, and ending on the last day of December 2017**, and setting forth details in relation thereto; and
4. **Second reading and consideration of a motion to adopt Ordinance 8147 that amends Section 3-8-3 and Chapter 4-20 of the B.R.C. 1981 changing certain fees**, and setting forth details in relation thereto

Consideration of a motion to **adjourn from the Boulder City Council and convene as the Central Area General Improvement District Board of Directors**

- B. Consideration of a motion to **adopt three resolutions pertaining to the 2017 Budget of the City of Boulder Downtown Commercial District Fund** (formerly known as the Central Area General Improvement District Fund):
  1. **Resolution 278 concerning the City of Boulder Downtown Commercial District Fund** (formerly known as the Central Area General Improvement District Fund), **adopting a budget** for the fiscal year beginning January 1, 2017; and
  2. **Resolution 279 establishing the 2016 City of Boulder Central Area General Improvement District Property Tax Mill Levy** for payment of expenditures in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
  3. **Resolution 280 appropriating money to defray the expenses and liabilities of the City of Boulder Downtown Commercial District Fund** (formerly known as the Central Area General Improvement District Fund) for the 2017 fiscal year and setting forth details in relation thereto; and

Consideration of a motion to **adjourn from the CAGID Board of Directors and convene as the University Hill General Improvement District (UHGID) Board of Directors**

- C. Consideration of a motion to **adopt three resolutions pertaining to the 2017 Budget of the City of Boulder University Hill Commercial District Fund** (formerly known as the University Hill General Improvement District Fund):
  1. **Resolution 200 concerning the City of Boulder University Hill Commercial District Fund** (formerly known as the University Hill General Improvement District Fund), **adopting a budget for the fiscal year beginning** January 1, 2017; and
  2. **Resolution 201 establishing the 2016 City of Boulder University Hill General Improvement District Property Tax Mill Levy** for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
  3. **Resolution 202 appropriating money to defray the expenses and liabilities of the City of Boulder University Hill Commercial District Fund** (formerly

known as the University Hill General Improvement District Fund) for the 2017 fiscal year and setting forth details in relation thereto; and

Consideration of a motion to **adjourn** from the **UHGID Board of Directors and convene** as the **Boulder Municipal Property Authority Board of Directors**

- D.** Consideration of a motion to **adopt Resolution 144 formally adopting the 2017 Budget for the Boulder Municipal Property Authority; and**

Consideration of a motion to **adjourn** from the **Boulder Municipal Property Authority (BPMA) Board of Directors and convene** as the **Forest Glen Transit Pass General Improvement District Board of Directors**

- E.** Consideration of motion to **adopt three resolutions pertaining to the 2017 Budget of the City of Boulder Forest Glen Transit Pass General Improvement District Fund:**
  - 1. Resolution 53 concerning the City of Boulder Forest Glen Transit Pass General Improvement District, adopting a budget for the fiscal year beginning January 1, 2017; and**
  - 2. Resolution 54 establishing the 2016 City of Boulder Forest Glen Transit Pass General Improvement District Property Tax Mill Levy for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and**
  - 3. Resolution 55 appropriating money to defray the expenses and liabilities of the City of Boulder Forest Glen Transit Pass General Improvement District for the 2017 fiscal year and setting forth details in relation thereto; and**

Consideration of a motion to **adjourn** from the **City of Boulder Forest Glen Transit Pass General Improvement District Board of Directors, and convene** as the **Boulder Junction Access Commission General Improvement District - Parking Board of Directors**

- F.** Consideration of a motion to **adopt three resolutions pertaining to the 2017 Budget of the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Fund:**
  - 1. Resolution 18 concerning the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Fund, adopting a budget for the fiscal year beginning January 1, 2017; and**
  - 2. Resolution 19 establishing the 2016 City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Property Tax Mill Levy for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and**
  - 3. Resolution 20 appropriating money to defray the expenses and liabilities of the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Fund for the 2017 fiscal year and setting forth details in relation thereto; and**

Consideration of a motion to **adjourn** from the **Boulder Junction Access Commission General Improvement District - Parking Board of Directors and convene** as the **Board of Directors of**

**the Boulder Junction Access Commission General Improvement District Travel Demand Management**

- G. Consideration of a motion to adopt three resolutions pertaining to the 2017 budget of the City of Boulder, Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund:**
  - 1. Resolution 19** concerning the City of Boulder, **Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund, adopting a budget** for the fiscal year beginning January 1, 2017; and
  - 2. Resolution 20** establishing the 2016 City of Boulder, **Boulder Junction Access Commission General Improvement District – Travel Demand Management Property Tax Mill Levy** for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
  - 3. Resolution 21** appropriating money to defray the expenses and liabilities of the City of Boulder, **Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund** for the 2017 fiscal year and setting forth details in relation thereto; and

Consideration of a motion to adjourn from the **Boulder Junction Access Commission General Improvement District – Travel Demand Management Board of Directors** and reconvene as the **Boulder City Council**

- H. Continued second reading** and consideration of a motion to **amend the following:**
  - 1. Ordinance 8139** related to the **annexation and initial zoning** of enclaves in the vicinity of **55th and Arapahoe**; and
  - 2. Ordinance 8140** related to an amendment to Subsection 11-5-11(a). B.R.C. 1981 regarding **stormwater and flood control utility plant investment fees**

**6. MATTERS FROM THE CITY MANAGER**

- A. Update** on progress regarding **Hillard Heintze recommendations** concerning police practices
- B. Request** for a “**Nod of Five**” to direct staff to begin an **exploratory community engagement process** to obtain input on a **potential Head Tax ballot issue** for **2017**

**7. MATTERS FROM THE CITY ATTORNEY**

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

- A. Potential Call-ups**
  - 1. 2440 Junction Place- Vacation** of a **drainage easement**
  - 2. 541 Marine St.- Landmark Alteration Certificate**
  - 3. 4780 Valmont Rd.- Vacation** of a **waterline easement**

**9. PUBLIC COMMENT ON MATTERS**

Public comment on any motions made under Matters

**10. DECISION ON MOTIONS**

Action on motions made under Matters

**11. DEBRIEF**

Opportunity for Council to discuss how the meeting was conducted

**12. ADJOURNMENT**

This agenda and the meeting can be viewed at [www.bouldercolorado.gov](http://www.bouldercolorado.gov) /City Council. Meetings are aired live on Municipal Channel 8 and the city's website and are re-cablecast at 6 p.m. Wednesdays and 11 a.m. Fridays in the two weeks following a regular council meeting.

Boulder 8 TV (Comcast channels 8 and 880) is now providing Closed Captioning for all live meetings that are aired on the channels. The closed captioning service operates in the same manner as similar services offered by broadcast channels, allowing viewers to turn the closed captioning on or off with the television remote control. Closed captioning also is available on the live HD stream on BoulderChannel8.com. In order to activate the captioning service for the live stream, the "CC" button (which is located at the bottom of the video player) will be illuminated and available whenever the channel is providing captioning services.

Anyone requiring special packet preparation such as Braille, large print, or tape recorded versions may contact the City Clerk's Office at 303-441-4222, 8 a.m. – 5 p.m. Monday through Friday. The Council Chambers is equipped with a T-Coil assisted listening loop and portable assisted listening devices. Individuals with hearing or speech loss may contact us using Relay Colorado 711 (711) or 1-(800)-659-3656. Please request special packet preparation no later than 48 hours prior to the meeting.

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.

Send electronic presentations to email address: [CityClerkStaff@bouldercolorado.gov](mailto:CityClerkStaff@bouldercolorado.gov) no later than 2 p.m. the day of the meeting.



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE: Consideration of a motion approving the proposed 2017 budget, operating plan and board reappointments for the Downtown Boulder Business Improvement District.**

**PRESENTER/S**

Sean Maher, CEO, Downtown Boulder Business Improvement District

**EXECUTIVE SUMMARY**

The purpose of this item is to approve the 2017 budget and operating plan of the Downtown Boulder Business Improvement District (BID) as per state statute, and to approve reappointments for three board positions as per city ordinance.

Budget Process: The budget process for the BID began in September 2016. Staff consulted with committees to review 2016 programming and submit proposed 2017 budgets by Sept. 2, 2016. On Sept. 15, a proposed budget was distributed to the BID board for review along with a staff recommendation.

The total City of Boulder allocation to the 2017 BID budget is \$68,257.

A final draft, along with the nominations report, was approved at the BID board meeting on Oct. 13, 2016. There was no public comment regarding the budget. The 2017 budget was approved at 3.795 mills by a majority vote, and board reappointments were approved and accepted unanimously.

Reappointment of Board of Directors: There are three, 3-year expiring terms. At the September 15, 2016 board meeting, CEO, Sean Maher reported that three current board members terms are expiring. The board members are: Will Frischkorn, Kent Nuzum and Kiva Stram. All three board members indicated that they would like to be considered for an additional term. BID legal counsel confirmed there is no requirement for a nomination process when sitting board members wish to serve a second term. Board member David

Workman made a motion that the three incumbent board members be reappointed for an additional three year term, seconded by board member Stephen Sparn, and approved unanimously.

### **STAFF RECOMMENDATION**

Staff recommends approval of the 2017 Downtown Boulder Business Improvement District budget and operating plan, and the reappointment of Will Frischkorn, Cured; Kent Nuzum, Great Western Bank and Kiva Stram, Wells Fargo Bank for the Downtown Boulder Business Improvement District Board of Directors.

#### **Suggested Motion Language:**

Staff requests council consideration of this matter and action in the form of the following motion: motion to approve the proposed 2017 budget, operating plan and board reappointments for the Downtown Boulder Business Improvement District.

### **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

- **Economic**: The Downtown Boulder Business Improvement District has a direct impact on the economy of Boulder. The BID organizes and funds promotions designed to increase sales and to raise awareness of downtown as a shopping, dining and office destination. So far in 2016 downtown accounts for roughly 12.4 percent of sales taxes collected in Boulder. However, in the dining category, downtown restaurants collect over 35 percent of taxes. For apparel, downtown retailers bring in nearly 26 percent of the City's sales tax revenue. In addition, the BID staff works with property owners, brokers and tenants to increase occupancy rates for both office and retail space. This will be a priority in 2017 as 250,000 SF of new office space is coming online in late 2016. This influx of new space has resulted in a vacancy rate of 12.8% which exceeds the generally accepted "healthy" rate of 10%. This is the first time that vacancy rates have exceeded 10% since the recession in 2009.
- **Environmental**: Downtown Boulder has been a leader in converting all of our events and festivals to zero waste. This includes partnerships with Eco Products, Boulder County, the City of Boulder and Western Disposal. Each major downtown event includes dedicated staff to manage the zero waste program. The BID partners with the City of Boulder Community Vitality Division on promoting the Employee EcoPass program. We also promote 10 for Change, PACE and the Energy Smart programs to our downtown businesses.
- **Social**: Since downtown is the primary central gathering place of Boulder, the entire community benefits from a cleaner, safer, vibrant downtown environment. Community events supported by the BID take place every month and target a wide variety of community segments from athletes to art lovers. Family and kid focused events take place in all four seasons of the year.

## **OTHER IMPACTS**

- Fiscal: The City contribution is fee for service allocations from the Community Vitality Division for visitor center usage, collateral (maps), ambassador services, maintenance and marketing services.

## **BOARD AND COMMISSION FEEDBACK**

At its monthly board meeting on Oct. 13, 2016 the Downtown Boulder Business Improvement District Board of Directors voted to adopt the 2017 budget, operating plan and board reappointments.

## **PUBLIC FEEDBACK**

As required by law, a public hearing will be held on November 10, 2016 prior to the regular Board of Directors Meeting for the Business Improvement District. The public hearing will be noticed ahead of time as required.

## **BACKGROUND**

The Downtown Boulder Business Improvement District was created pursuant to the “Business Improvement District Act” part 12 of article 25 of title 31, Colorado Revised Statutes. Sponsored by a coalition of property owners and business owners and Downtown Boulder, Inc., in cooperation with the City of Boulder, the Downtown Boulder Business Improvement District (BID) was created to provide enhanced or otherwise unavailable services, facilities and improvements to commercial properties located in downtown Boulder. Operational since January 2000, the BID provides services above and beyond those provided by the city, including, but not limited to, marketing, communications, events, maintenance, business assistance and downtown ambassadors. More background info is available in Attachment A.

## **ANALYSIS**

The operating plan in **Attachment A** outlines both the service plan for 2017 and the accomplishments for 2016. The reappointment of board members is part of the operating plan.

The City Council is requested to approve the 2017 Operating Plan, Budget and Reappointment of Board Members submitted by the board of directors of the Downtown Boulder Business Improvement District. It is representative of the issues and priorities of the rate payers and stakeholders it affects.

## **ATTACHMENTS**

- A. Operating plan including Reappointment of Board of Directors
- B. Budget for 2017
- C. Map of the Downtown Boulder Business Improvement District boundaries

## **Attachment A**

### **DOWNTOWN BOULDER BUSINESS IMPROVEMENT DISTRICT DISTRICT OPERATING PLAN 2017**

#### **SECTION 1: GENERAL SUMMARY**

##### **Creation:**

The Downtown Boulder Business Improvement District was created pursuant to the “Business Improvement District Act,” part 12 of article 25 of title 31, Colorado Revised Statutes.

##### **Non-duplication of Services, Facilities and Improvements:**

The services, facilities and improvements to be provided by the Downtown Boulder Business Improvement District are not intended to duplicate the services, facilities and improvements provided by the City of Boulder within the boundaries of the district. The Downtown Boulder Business Improvement District (BID) was created to provide enhanced or otherwise unavailable services and resources for owners of real and personal property (excluding agricultural and residential) located in downtown Boulder.

##### **Service Area:**

Approximately 34 blocks contiguous with the Central Area General Improvement District (CAGID) plus additional blocks to the east and west, bounded roughly by 8<sup>th</sup> Street to the west, Spruce Street to the north, 21<sup>st</sup> Street to the east and Arapahoe Avenue to the south. The BID may be expanded in the future upon the request of the property owners. Pursuant to statute, the district shall contain only that taxable real and personal property within said boundaries, which is NOT classified as either agricultural or residential. A map of the district service area is attached to this operating plan.

##### **Powers, Functions and Duties:**

The Downtown Boulder BID will have the authority through its board of directors to exercise all the powers, functions and duties specified in this Business Improvement District Act except as expressly stated in this operating plan.

##### **Board of Directors:**

The Board of Directors of the BID consists of nine electors of the district appointed by the City Council of the City of Boulder. Members appointed to the board represent specific geographic areas and a cross section of interests in the district, including large and small property and business owners. Each director serves a three-year term. Terms are staggered with three expiring every year. Four representatives from the City of Boulder serve as ex-officio members and liaisons to the board, including the City Manager, two City Council members and the Executive Director of Community Vitality Division.

**Services:**

The Downtown Boulder BID provides services in three major areas: marketing and promotion, service and maintenance, and economic vitality. The service plan for FY2017 includes the continuation of these services as well as development of close partnerships with Downtown Boulder, Inc. and Community Vitality Division to provide a strong identity for downtown. These partners also work together to communicate with downtown constituents, plan and administer programs and encourage economic vitality and community involvement.

**Method of Funding:**

The Downtown Boulder BID has three sources of revenue:

- Levy of ad valorem tax on taxable real and personal property, estimated to be between 3.5 and 4.8 mills (to be finalized in December 2016),
- Fee for service from the City’s general fund and meter revenue budget and
- Contract with Downtown Boulder, Incorporated (DBI) for staffing, administration and event production.

**Budget:**

Total proposed district budgeted revenue for FY2017 is \$1,407,472. Approximately \$1,296,854 in revenue is generated by BID property taxes and specific ownership taxes; \$68,257 is fee for service from the City of Boulder, and \$42,361 is generated from earned income and other miscellaneous sources.

**Legal Restrictions:**

BID assessments are subject to state constitutional limitations – a vote by ratepayers is required to increase revenue over allowed limits.

**Term:**

The district will terminate 20 years from January 1, 2010, unless a petition is filed to continue it before that date.

**Existing City Services:**

The City of Boulder will continue to document existing city services to ensure that service levels currently provided by the city do not decrease.

## SECTION 2: SERVICE PLAN

### Marketing and Promotion

The Downtown Boulder Business Improvement District (BID) is responsible for the marketing & promotion of the district to both consumer and investor markets. This includes, but is not limited to promotions, advertising, image campaign, branding, banners, brochures, printed collateral materials, newsletters, public relations and market research.

#### **2016 Accomplishments**

- Created a stronger emphasis on “LOCAL” businesses and people:
  - Sidewalk Sale collateral was updated to focus on ‘shop local’ theme for both the Mid-Winter and Summer Sidewalk Sales.
  - Second iteration of the ‘I am Downtown Boulder’ banner campaign was implemented for the summer months, feature 87 downtown local businesses.
  - Launched a new branding campaign – MY BOULDER. The campaign focuses on well-known Boulder entrepreneurs, chefs and athletes giving personal recommendation of their favorite places to shop/dine downtown.
- Marketing dollars were shifted from TV to a more robust radio schedule (including traffic sponsorships), online efforts (DenverPost.com & Pandora), ads in (on) the Daily Camera (DailyCamera.com) and Boulder Weekly as well as 5280 Magazine and Boulder Magazine.
- Designed and printed 2<sup>nd</sup> annual 16 page Downtown Insert that was delivered to all 5280 subscribers in July and 5,000 Daily Camera to subscribers in the 80302 & 80304 zip codes.
- Created, printed and distributed 50,000 copies of Downtown Boulder’s Official Guide Book. Demand for the guide remained strong this year with distribution points at over 45 hotels (Boulder, Denver, Highway 36 corridor), as well as the DIA, Downtown Denver Visitor Center, Welcome Centers maintained through the Colorado Tourism Office and the Colorado Convention Center.
- In partnership with Visit Denver, the Downtown Boulder Guide Book will generate nearly 10,000 specific leads in 2016. Of those receiving the electronic version of the guide book via “welcome email”, the open rate is 47% with a click thru rate of 34% well above the industry standard for travel/tourism emails of 18%.
- Bi-Weekly e-newsletter was sent to an average of 6,514 emails with a 32% open rate. The open rate improved 3% after a thorough database cleanup in Constant Contact.
- Downtown Boulder’s social media presence remained strong and growing. Numbers through August are as follows: FaceBook - 21,115 likes, Twitter – 25,363 followers, Instagram – 8,079 followers.

- Downtown Boulder Gift Card sales were approximately \$173,000 from January-July, 2016. This is up 12% from the same time period in 2015.
- Installed larger screen for digital signage at Visitor Information Center. Revamped and redesigned all signage to maximize impact of the larger format.
- Designed and rolled out new artwork for the Downtown Boulder Gift Card and gift card collateral.
- Launched a new initiative for promoting restaurant events, announcements and specials called "Foodie Friday". Foodie Friday is a weekly blog post published and promoted on BoulderDowntown.com and publicized through Downtown Boulder's social media accounts.
- Created "How-Tos" for key elements of the website following the 2015 redesign. "How-Tos" include: adding a new page to the website; creating an itinerary; adding new Love the Local spotlights; basic HTML coding for creating tables and more.
- Maintained and monitored free Pearl Street Wifi. Analyzed monthly usage reports, trouble shot outages and other issues. (On average, 2846 visitors access the free wifi monthly. Roughly 140 visitors access per day.)
- Intensifying holiday marketing to include a big promotional marketing blitz. Promotion will be called 'Find Freezie' with the goal of the promotion to drive foot traffic into participating retailers via a giveaway campaign through social media, print and radio campaign.

### **Plan for 2017**

- Launch new branding for the Downtown Boulder Partnership which includes all three downtown Boulder organizations: (c)(3), (c)(6) and the BID.
- Introduce a refreshed Downtown Boulder logo in association with the launch of the Downtown Boulder Partnership and update all marketing materials.
- Revamp website to incorporate new Partnership resources available to businesses.
- Monitor Google Analytics, Constant Contact and other research tools that provide insights to the Downtown Boulder audience. Make necessary adjustments to website pages and newsletters through messaging to encourage engagement and increase page views per visit.
- Convert Love The Local spotlights to itineraries based on the 'My Boulder' branding campaign on BoulderDowntown.com.
- Create comprehensive Snapchat content strategy to increase Downtown Boulder's presence. Content strategy will include contests with giveaways to encourage people to follow and a content calendar guideline. Plan will also explore the option of purchasing geofilters for signature Downtown Boulder events.

- Design and distribute a survey for feedback on the website. Implement improvements and adjustments as needed.
- Develop a plan for optimizing images on the website in order to improve page load times and overall SEO.
- Create a comprehensive social media content calendar for all Downtown Boulder accounts to help streamline the promotion of events, announcements and more using quantitative data from Google Analytics and other resources.
- Expand/improve coverage of free Pearl Street wifi upgraded hardware and service monitoring.

### **Operations Service and Maintenance**

One of the BID's primary missions is to work closely with Boulder Police, Parks staff and the Parking Services staff to keep downtown clean, safe and inviting for residents, tourists and employees.

### **2016 Accomplishments**

- Dave Adams moved into a part-time ambassador role and transitioned responsibility for operations to Chris Zachariasse, BID Operations Manager.
- Adopted new biodegradable cleaning process for graffiti removal. Removed 1203 tags to date in 2016 vs. 954 during all of 2015.
- Switched from motorized to bicycle patrols for spotting graffiti and other downtown maintenance issues.
- Operated and maintained the Tebo Train children's attraction daily from Memorial through Labor Day. Train service will resume as the Snowflake Express during the holiday season.
- Installed, maintained and stored 475 seasonal and event banners for the BID, CU, Boulder Boulder and DBI.
- Installed 66 new, redesigned banners on Pearl from 8<sup>th</sup> to 11<sup>th</sup> and 15<sup>th</sup> to 21<sup>st</sup> Streets.
- Provided over 15,000 petunias and marigolds to 86 downtown businesses with our Spring Green Beautification Program.
- Laid 75 bags of mulch in tree wells and abandoned planters. Discontinued use of herbicides and switched to manual weeding practices.
- Logged 2100 hours of sidewalk and street sweeping.

- Performed 204 individual power wash projects on sidewalks, public rights of way and private buildings for graffiti removal.
- Removed 55,000 lbs. of trash and recycling from downtown containers.
- Assumed weeding and landscape maintenance responsibility for new planters on West Pearl.
- Installed new sound system in mall public restrooms to increase ambience and discourage congregating and illegal behavior.
- Provided logistical support for partner events including Bands on Bricks, Fall Festival and CU Pearl Street Stampedes.
- Expanded seasonal lighting an additional 25%. (50,750 lights)
- Operations Manager attended International Downtown Association Conference, gaining valuable insight of other BIDs and best practices.

### **Plan for 2017**

- Expand seasonal lighting to Broadway between Spruce and Walnut.
- Facilitate Visitor Center renovations at 13<sup>th</sup> and Pearl.
- Partner with Code Enforcement staff and property owners on grant application for security cameras to monitor and deter graffiti.
- Maintain 100% track record on graffiti removal within 72 hours.
- Improve street cleaning program by partnering with the City on equipment sharing and explore potential purchase of new sweeper.
- Research conversion of Tebo Train engine from gas to electric power.
- Implement water reclamation systems to allow more frequent power washing.
- Explore partnerships with property owners to further expand seasonal lighting.

### **Economic Vitality**

CEO, Sean Maher works closely with City staff, Council, property owners and employers to maintain a vibrant business sector downtown. Major goals include:

1. Maintaining a vibrant and unique retail/restaurant tenant mix so downtown remains a favorite destination for locals, visitors and employers.
2. Supporting entrepreneurial tech and creative class companies to maintain the “entrepreneurial density” that is critical to downtown’s continued vitality.

3. Working closely with the City staff and consulting teams on creative new uses that activate and energize the Civic Area in a way that complements the existing downtown uses.

### **2016 Accomplishments**

- Partnered on business outreach with the City's Economic Vitality team and the BEC.
- Worked with Community Vitality Department and Rocky Mountain Institute on researching Mobility as a Service and designing pilot project for MaaS program downtown.
- Worked with the development teams at PearlWest and Wencel Building on tenant recruitment efforts for new office and retail space.
- Updated downtown property ownership database.
- Organized meeting of key downtown property owners to prioritize BID recruitment assistance options.
- Met with tech entrepreneurs and CEOs monthly to assist in searching out and securing space for growing firms.
- Worked closely with CVB to support the 3rd annual IRONMAN Boulder event.
- Presented to multiple Inter City Visit delegations visiting Boulder, including Chapel Hill and Broken Arrow, OK.
- Partnered with the City of Boulder and the Chamber on the inaugural Inter City Visit to Portland Oregon.
- Led Inter City Visit planning and logistics for community leaders to visit Portland in April.

### **Plan for 2017**

- Launch new MaaS pilot program in partnership with City of Boulder and downtown employers and property owners.
- Partner with CU and City staff to ensure strong transit connections between downtown and University Hill to capitalize on new hotel developments on the Hill.
- Work closely with Parks Department, Planning staff and City Council on planning best and highest uses for the redesigned Civic Area.
- Maintain business outreach partnership with BEC and City staff.
- Explore and finalize program of support for small/local retail/restaurant businesses.

**SECTION 3: BOARD & REAPPOINTMENT OF BOARD MEMBERS**

The current board members, terms and the geographic areas they represent are:

**Term expires December 31, 2016**

Will Frischkorn, Cured, East End  
Kent Nuzum, Great Western Bank, West End  
Kiva Stram, Wells Fargo Bank, Pearl Street Mall

**Term expires December 31, 2017**

Jay Elowsky, Pasta Jay's, At Large  
Marc Ginsberg, Flatirons Technology Group, West End  
Stephen Sparn, Sopher Sparn Architects, PC, At-Large

**Term expires December 31, 2018**

Liza Getches, Shoemaker Ghiselli + Schwartz LLC, At-Large  
Gannon Hartnett, Patagonia, Pearl Street Mall  
David Workman, Unico Properties, East End

**Ex-Officio Liaisons**

Jane Brautigam, City Manager  
Sam Weaver, City Council  
Molly Winter, DUHMD  
Bob Yates, City Council

There are three, 3-year expiring terms. At the September 15, 2016 board meeting, CEO, Sean Maher reported that three current board members terms are expiring. The board members are: Will Frischkorn, Kent Nuzum and Kiva Stram. All three board members indicated that they would like to be considered for an additional term. BID legal counsel confirmed there is no requirement for a nomination process when sitting board members wish to serve a second term. Board member David Workman made a motion that the three incumbent board members be reappointed for an additional three year term, seconded by board member Stephen Sparn, and approved unanimously.

**Reappoint to fill three-year terms beginning January 2017 and ending December 31, 2019:**

Will Frischkorn, East End  
Cured  
2019 10<sup>th</sup> Street  
Boulder, CO 80302

Kent Nuzum, West End  
Great Western Bank  
1900 9<sup>th</sup> Street  
Boulder, CO 80302

Kiva Stram, Pearl Street Mall  
Wells Fargo Bank  
1242 Pearl Street  
Boulder, CO 80302

Attachment B  
Downtown Boulder Business Improvement District  
2015 Budget (Actuals) & 2016 Budget & 2017 Proposed Income & Expense Budget

INCOME	Actual Prior Year (2015)			Estimated Current Year (2016)			Proposed Budget Year (2017)		
	Enterprise	Regular	Total	Enterprise	Regular	Total	Enterprise	Regular	Total
City of Boulder	63,944.00	0.00	63,944.00	88,840.00	0.00	88,840.00	68,257.00	0.00	68,257.00
Downtown Boulder, Inc.	148,000.00	0.00	148,000.00	172,000.00	0.00	172,000.00	0.00	0.00	0.00
BID Assessment	0.00	1,097,061.41	1,097,061.41	0.00	1,200,940.00	1,200,940.00	0.00	1,246,854.00	1,246,854.00
Specific Ownership Tax	0.00	61,713.62	61,713.62	0.00	52,782.94	52,782.94	0.00	50,000.00	50,000.00
Other	0.00	23,356.48	23,356.48	0.00	30,700.00	30,700.00	21,200.00	21,161.00	42,361.00
<b>TOTAL INCOME</b>	<b>211,944.00</b>	<b>1,182,131.51</b>	<b>1,394,075.51</b>	<b>260,840.00</b>	<b>1,284,422.94</b>	<b>1,545,262.94</b>	<b>89,457.00</b>	<b>1,318,015.00</b>	<b>1,407,472.00</b>

EXPENSE	Actual Prior Year (2015)			Estimated Current Year (2016)			Proposed Budget Year (2017)		
	Enterprise	Regular	Total	Enterprise	Regular	Total	Enterprise	Regular	Total
<b>PERSONNEL</b>									
Salaries	85,000.00	387,714.67	472,714.67	107,000.00	392,000.00	499,000.00	0.00	430,000.00	430,000.00
Benefits	0.00	130,797.31	130,797.31	0.00	136,800.00	136,800.00	0.00	108,000.00	108,000.00
Professional Development	0.00	7,915.69	7,915.69	0.00	11,500.00	11,500.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>85,000.00</b>	<b>526,427.67</b>	<b>611,427.67</b>	<b>107,000.00</b>	<b>540,300.00</b>	<b>647,300.00</b>	<b>0.00</b>	<b>538,000.00</b>	<b>538,000.00</b>

ADMINISTRATION	Actual Prior Year (2015)			Estimated Current Year (2016)			Proposed Budget Year (2017)		
	Enterprise	Regular	Total	Enterprise	Regular	Total	Enterprise	Regular	Total
Rent	18,000.00	50,712.72	68,712.72	20,000.00	61,900.00	81,900.00	0.00	75,000.00	75,000.00
Kiosk Rent	7,943.00	44,045.34	51,988.34	8,339.00	46,661.00	55,000.00	8,756.00	42,244.00	51,000.00
Insurance	0.00	4,864.00	4,864.00	0.00	6,910.00	6,910.00	0.00	5,400.00	5,400.00
Services	0.00	9,396.14	9,396.14	0.00	11,400.00	11,400.00	0.00	18,750.00	9,000.00
Furn/Equip	0.00	11,264.30	11,264.30	0.00	14,700.00	14,700.00	0.00	0.00	0.00
General Admin	0.00	16,877.34	16,877.34	0.00	20,090.00	20,090.00	0.00	0.00	9,750.00
Assessment Expenses	0.00	16,407.42	16,407.42	0.00	20,000.00	20,000.00	0.00	21,000.00	21,000.00
<b>TOTAL</b>	<b>25,943.00</b>	<b>153,567.26</b>	<b>179,510.26</b>	<b>28,339.00</b>	<b>181,661.00</b>	<b>210,000.00</b>	<b>8,756.00</b>	<b>162,394.00</b>	<b>171,150.00</b>

SERVICE/MAINTENANCE	Actual Prior Year (2015)			Estimated Current Year (2016)			Proposed Budget Year (2017)		
	Enterprise	Regular	Total	Enterprise	Regular	Total	Enterprise	Regular	Total
Security	0.00	14,355.42	14,355.42	0.00	40,256.00	40,256.00	0.00	30,000.00	30,000.00
Contract Services	7,068.00	33,682.16	40,750.16	8,268.00	36,700.00	44,968.00	8,268.00	41,432.00	49,700.00
Banner/Décor	0.00	60,504.46	60,504.46	15,000.00	60,000.00	75,000.00	0.00	70,000.00	70,000.00
Operations Admin	0.00	12,167.88	12,167.88	0.00	11,000.00	11,000.00	0.00	11,000.00	11,000.00
Other Labor	10,874.00	55,678.89	66,552.89	10,874.00	52,126.00	63,000.00	10,874.00	59,500.00	70,374.00
<b>TOTAL</b>	<b>17,942.00</b>	<b>176,388.81</b>	<b>194,330.81</b>	<b>34,142.00</b>	<b>200,082.00</b>	<b>234,224.00</b>	<b>19,142.00</b>	<b>211,932.00</b>	<b>231,074.00</b>

MARKETING	Actual Prior Year (2015)			Estimated Current Year (2016)			Proposed Budget Year (2017)		
	Enterprise	Regular	Total	Enterprise	Regular	Total	Enterprise	Regular	Total
Marketing Services	0.00	34,043.81	34,043.81	0.00	43,800.00	43,800.00	0.00	88,000.00	88,000.00
Special Projects	0.00	15,356.14	15,356.14	0.00	17,500.00	17,500.00	0.00	30,000.00	30,000.00
Communication	16,311.00	12,727.65	29,038.65	16,311.00	13,689.00	30,000.00	16,311.00	20,689.00	37,000.00
Visitor Marketing	0.00	21,421.17	21,421.17	0.00	26,500.00	26,500.00	0.00	29,000.00	29,000.00
Special Events	66,748.00	54,910.00	121,658.00	70,248.00	60,500.00	130,748.00	25,248.00	41,500.00	66,748.00
Local/Regional	0.00	155,552.34	155,552.34	0.00	173,600.00	173,600.00	0.00	193,000.00	193,000.00
<b>TOTAL</b>	<b>83,059.00</b>	<b>294,011.11</b>	<b>377,070.11</b>	<b>86,559.00</b>	<b>335,589.00</b>	<b>422,148.00</b>	<b>41,559.00</b>	<b>402,189.00</b>	<b>443,748.00</b>

ECONOMIC VITALITY	Actual Prior Year (2015)			Estimated Current Year (2016)			Proposed Budget Year (2017)		
	Enterprise	Regular	Total	Enterprise	Regular	Total	Enterprise	Regular	Total
Database Update	0.00	950.00	950.00	0.00	1,500.00	1,500.00	0.00	2,500.00	2,500.00
Business Consulting	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Small Business Programs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Civic Area Planning	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Special Projects	0.00	200.00	200.00	12,000.00	11,000.00	23,000.00	0.00	16,000.00	16,000.00
ED Materials/Collateral	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
B-Cycle to DBF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,000.00	5,000.00
<b>TOTAL</b>	<b>0.00</b>	<b>1,150.00</b>	<b>1,150.00</b>	<b>12,000.00</b>	<b>12,500.00</b>	<b>24,500.00</b>	<b>0.00</b>	<b>23,500.00</b>	<b>23,500.00</b>

DISCRETIONARY DEVELOPMENT FUND	Actual Prior Year (2015)			Estimated Current Year (2016)			Proposed Budget Year (2017)		
	Enterprise	Regular	Total	Enterprise	Regular	Total	Enterprise	Regular	Total
	0.00	26,801.40	26,801.40	0.00	5,000.00	5,000.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>0.00</b>	<b>26,801.40</b>	<b>26,801.40</b>	<b>0.00</b>	<b>5,000.00</b>	<b>5,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

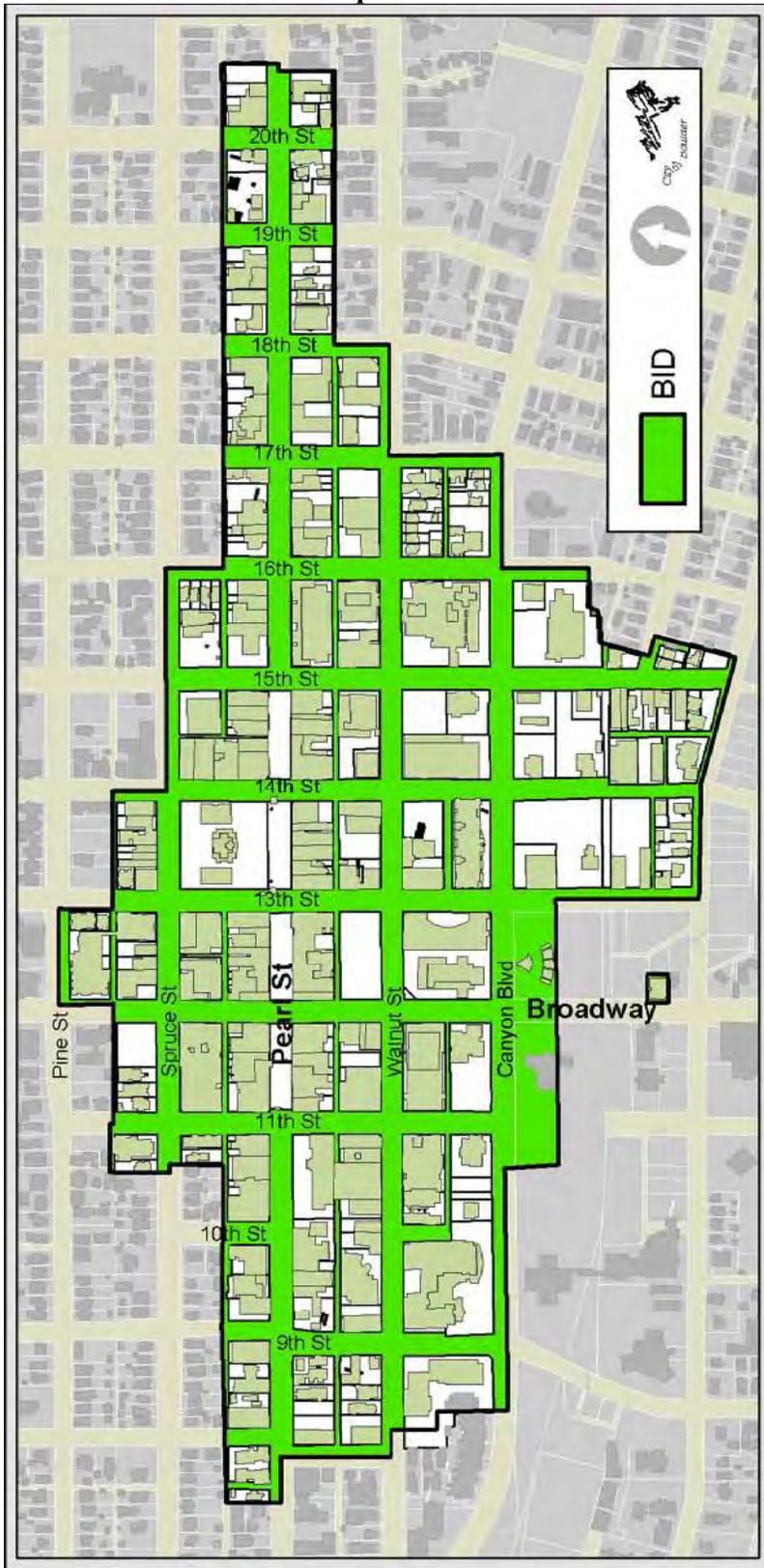
CONTINGENCY	Actual Prior Year (2015)			Estimated Current Year (2016)			Proposed Budget Year (2017)		
	Enterprise	Regular	Total	Enterprise	Regular	Total	Enterprise	Regular	Total
	0.00	3,785.00	3,785.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>0.00</b>	<b>3,785.00</b>	<b>3,785.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

CAPITAL RESERVE ALLOCATION	Actual Prior Year (2015)			Estimated Current Year (2016)			Proposed Budget Year (2017)		
	Enterprise	Regular	Total	Enterprise	Regular	Total	Enterprise	Regular	Total
	0.00	0.00	0.00	0.00	2,090.94	2,090.94	0.00	0.00	0.00
<b>TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,090.94</b>	<b>2,090.94</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Total Expense</b>	<b>211,944</b>	<b>1,182,131</b>	<b>1,394,075</b>	<b>268,040</b>	<b>1,270,132</b>	<b>1,545,263</b>	<b>69,457</b>	<b>1,338,015</b>	<b>1,407,472</b>

Net Income 0 0 0

Notes:  
Enterprise-restricted funds from City of Boulder or DBI that have to be used in accordance to agreements between entities.  
Regular-BID funds from assessment and any additional revenue sources.  
BID Assessment-the BID will certify its mill levy to collect an estimated \$1,246,854.00 in revenue.

Attachment C – District Map





**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE:** Consideration of a motion authorizing the city manager to enter into a settlement agreement in excess of \$10,000 arising out of an August 3, 2016 water main break on Gillaspie Drive.

**PRESENTER/S**

Jane S. Brautigam, City Manager  
Tom Carr, City Attorney  
Maureen Rait, Executive Director, Public Works  
Jeff Arthur, Director of Public Works for Utilities  
Dave Bannon, Acting Risk Manager

**EXECUTIVE SUMMARY**

At the March 15, 2016 council meeting, the city council directed staff to study the possibility of paying claims for damages caused by water main breaks, in situations where the city would not be legally obligated to pay for such damages. Council's interest in making these payments was the result of an incident on February 15, 2016, which resulted in damage to several homes in North Boulder. A second incident occurred on March 25, 2016 on Hartford Drive in South Boulder. Council considered a proposed ordinance at the May 3, 2016 council meeting. At the August 2, 2016 council meeting, council decided not to adopt the ordinance, but instead to rely upon a city manager discretion to address water main break claims. The purpose of this agenda item is to seek council approval of a claim in excess of \$10,000 arising from an August 3, 2016 Gillaspie Drive water main break.

The city received two claims arising out of the Gillaspie Drive water main break. The proposed settlement amount for one of the claims is less than \$10,000 and does not require council approval. The proposed settlement amount for the other claim arises out of a claim filed against the city filed by Adam and Ellen Tschida, arising out of damages caused by a water main break to their vehicle and solar panels on their home. The Tschida claims exceed \$10,000, and therefore, staff requests that council approve a motion authorizing the city attorney to settle that claim for an amount in excess of \$10,000. Under this proposal, the total payments for settlement of the claims arising out of the Gillaspie Drive water main break will be \$33,416.

The city manager and city attorney recommend approval of the settlement of the Gillaspie Drive water main claims.

Because the amount of the proposed settlement exceeds \$10,000, City Council approval of the proposed settlement is necessary pursuant to 2-2-14 (c) B.R.C., 1981.

**STAFF RECOMMENDATION**

**Suggested Motion Language:**  
Staff requests council consideration of this matter and action in the form of the following motion:  
Motion to authorize the city manager to enter into an agreement to settle property damage claims filed by Adam and Ellen Tschida in an amount in excess of \$10,000.

**COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

- Economic: Not applicable.
- Environmental: Not applicable.
- Social: The resolution of disputes is generally of social benefit and the resolution of this dispute will free up city attorney time to work on other projects.

**OTHER IMPACTS**

- Fiscal-Budgetary: Payment for the proposed settlement will be made from the city’s Water Utility Fund.
  
- Staff Time: No additional staff time will be necessary for these settlements.

**BOARD AND COMMISSION FEEDBACK:**

None

**PUBLIC FEEDBACK:**

None

**BACKGROUND:**

In their claim, Adam and Ellen Tschida seek compensation for damages to their vehicle and their home arising out of a water main break.

Under Colorado law, a city is only liable for damages caused by water main breaks if the damage was the result of the city’s negligence. City staff’s research found no evidence of any city negligence either before or after the break. From a legal standpoint, the city has no liability.

Nevertheless, given council’s prior direction concerning payment of claims arising out of water main breaks, staff proposes that the claims for these damages be paid as well.

**OPTIONS:**

Council has the option of approving or rejecting the proposed settlement.



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE: Consideration of a motion to approve Resolution 1196 declaring the City of Boulder's official intent to participate in a future issuance of certificates of participation and to reimburse itself for capital expenditures undertaken in advance of such financing in connection with the construction of a public parking garage, and related uses associated with a development located on Boulder's University Hill.**

**PRESENTER/S**

Jane S. Brautigam, City Manager  
Bob Eichen, Chief Financial Advisor  
Cheryl Pattelli, Director of Finance

**EXECUTIVE SUMMARY**

The passage of this resolution will allow the City to use some of their fund balance to fund expenditures prior to receiving proceeds from the sale of Certificates of Participation (COP) anticipated in late 2017 or early 2018. This memo does not appropriate the amount. If any expenditures are made they formally occur in one of the adjustments to base that normally occur in May or June of each year. The reimbursement resolution can cover funds expended up to sixty days prior to the date of passage of the resolution. The use of a reimbursement resolution is commonly used when issuing COPs or bonds. The City has used the methodology with previous issues to provide for effective and efficient use of resources.

The passage of this resolution is a formality required by federal tax law to allow the City to reimburse itself from proceeds for capital improvements prior to the financing proceeds arriving. This resolution does not authorize the COP sale.

On [September 6, 2016](#) the City Council authorized the city manager to execute a Letter of Intent to pursue agreements related to the construction of a public parking garage, hotel, and related uses associated with a development located on Boulder's University Hill. This agreement specifies that the city will pay to construct a public parking garage consisting of approximately 250 spaces at an estimated cost of \$20,000,000. This reimbursement resolution will be used to

reimburse the city for certain pre-development and COP issuance costs incurred prior to the closing of the COPs (in an amount equal to or less than \$5,000,000).

## **STAFF RECOMMENDATION**

### **Suggested Motion Language:**

Move to adopt Resolution 1196 authorizing up to \$5,000,000 of reimbursement from COP proceeds that could be expended between now and the actual closing date of the COPs.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

The passage of a reimbursement resolution has no economic, environmental or social impact on residents of the City of Boulder.

## **OTHER IMPACTS**

- There are no fiscal or other impacts that occur due to the actual passage of a reimbursement resolution. A fiscal impact would occur if funds are expended and no COPs are issued within three years from the date for the payment for soft costs (architectural, engineering, etc.) or eighteen months for construction expenditures. These requirements are set by the Internal Revenue Service. Staff feels the appropriate timelines will be met and all costs paid for by the city prior to the COPs issuance will be eligible for reimbursement.

## **BACKGROUND AND ANALYSIS**

On some occasions, the receipt of proceeds cannot be timed to coincide with when the first monies will be needed to pay for preliminary up front costs. In addition, it is also not fiscally responsible to borrow significant sums of money until it is needed. If entities have reserves that can help bridge this timing gap it is financially prudent to up front the initial costs until the COPs are issued and the proceeds are received. By passing a reimbursement resolution, fund balances may be used to fund the preliminary costs of the capital improvement project and the COPs can be issued when it is feasible and fiscally prudent to do so. The funds will then be reimbursed from the COP proceeds when they are received. The amount of funds expended will be carefully monitored by city staff. Funds will not be expended until there is a solid commitment to move forward with each aspect of the work that will be involved.

The resolution is required by federal law to comply with COP requirements. The following items must be included in the resolution:

- An announcement and acknowledgement of the municipality's expectation to issue COPs.
- An announcement and acknowledgement that the municipality will reimburse itself from COP proceeds for capital expenditures.

If this action is not approved, the city cannot reimburse itself from COP proceeds if there is an unforeseen delay in the issuance.

## **ATTACHMENT**

Reimbursement Resolution No. 1196



1 Section 6. *Effective Date of Resolution.* This Resolution shall take effect immediately upon its  
2 passage.

3 PASSED AND ADOPTED at a regular meeting this 18<sup>th</sup> day of October, 2016.

4 CITY OF BOULDER, COLORADO

5  
6 \_\_\_\_\_  
Mayor

7 Attest:

8  
9 \_\_\_\_\_  
Clerk

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE:** Consideration of motions to adopt Resolution 1194 in support of Boulder County's 1B and Resolution 1195 in support of 1C, both measures certified to appear on the November 2016 county ballot

**PRESENTERS**

Jane Brautigam, City Manager  
Carl Castillo, Policy Advisor

**EXECUTIVE SUMMARY**

On October 3, 2016, Council's Agenda Committee directed staff to prepare two resolutions for City Council's subsequent consideration: support of Boulder County's Measure 1B, concerning funding for county open space purchase and management, and; support of Measure 1C, concerning funding for sustainability infrastructure and programs. Both measures are certified to appear on the November 2016 countywide ballot and both are tied to proposed uses for an otherwise expiring 0.25 percent countywide sales and use tax, which until 2020 is dedicated solely to the acquisition, improvement, management and maintenance of open space lands and other open space property interests.

Resolution No. 1194 for 1B is included as **Attachment A** and Resolution No. 1195 for 1C is included as **Attachment B**. The official ballot language and the referenced county resolutions pertaining to each are available by clicking [here](#).

**STAFF RECOMMENDATION**

**Suggested Motion Language:**

Motion to adopt Resolution No. 1194 in support of Boulder County's 2016 ballot

measure designated as 1B, concerning countywide open space sales and use tax bond authorization and tax extension

**Suggested Motion Language:**

Motion to adopt Resolution No. 1195 in support of Boulder County's 2016 ballot measure designated as 1C, concerning a tax extension to fund sustainability infrastructure and programs

**ATTACHMENTS**

**Attachment A** – Resolution No. 1194, in support of 1B

**Attachment B** – Resolution No. 1195, in support of 1C

**RESOLUTION No. 1194 SUPPORTING BOULDER COUNTY'S 2016 BALLOT  
MEASURE 1B, CONCERNING COUNTYWIDE OPEN SPACE SALES AND USE TAX  
BOND AUTHORIZATION AND TAX EXTENSION**

**FINDINGS**

1. On November 2, 1993, the voters of Boulder County approved a 0.25 percent countywide sales and use tax and issuance of revenue bonds for the acquisition, improvement, management and maintenance of open space lands and other open space property interests.
2. On November 2, 1999, the voters of the county approved a proposal for the extension of the 0.25 percent countywide open space sales and use tax for an additional period of ten years to and including December 31, 2019, and issuance of additional open space sales and use tax revenue bonds.
3. The goals of the county open space program have not as yet been fully realized in that there are lands and areas for which property interests should be acquired in order to create trails and open space buffers for communities, protect wildlife habitat and preserve important agricultural lands; and these lands need to be managed and in some cases, restored.
4. Due to the accomplishments of the county's open space program in the years since its inception, its remaining open space acquisition and conservation goals and the ongoing management and maintenance of open space lands may be achieved through continued funding from the extension of one-half (0.125%) of the existing 0.25% countywide open space sales and use tax.
5. Due to the immediacy of the need, open space capital improvement trust fund bonds should be issued to allow acquisitions and improvements to take place as soon as possible, with these revenue bonds being repaid through a multiple-fiscal year commitment of revenues received from such extension of 0.125% countywide sales and use tax, and from other sources as necessary.
6. Preserved open space is a fundamental shared value of the residents and businesses of the City of Boulder, where open space lands can be used to preserve community identity, natural areas, wildlife habitat and wetlands, allow continuation of existing visual corridors and offer passive recreational use through the development of a recreational trail system.

**RESOLUTION**

NOW, THEREFORE, BE IT RESOLVED that the Boulder City Council endorses Boulder County Ballot Measure 1B which would extend one-half (0.125%) of the existing 0.25%

countywide open space sales and use tax for the purpose of continuing to fund the county's open space program for a period of fifteen additional years from its current expiration and for the issuance of open space capital improvement trust fund bonds through a multiple-fiscal year commitment of revenues from such tax and from other open space sales and use tax revenues, general fund moneys and other legally available funds.

Resolved this 18<sup>th</sup> day of October, 2016

---

Mayor

Attest

---

City Clerk

**RESOLUTION No. 1195 SUPPORTING BOULDER COUNTY'S 2016 BALLOT  
MEASURE 1C, CONCERNING A TAX EXTENSION TO FUND SUSTAINABILITY  
INFRASTRUCTURE AND PROGRAMS**

**FINDINGS**

1. Boulder County has determined that ongoing management and maintenance of open space lands may be achieved through continued funding from the extension of only one-half of the existing 0.25 percent countywide open space sales and use tax. It has therefore placed Measure 1C on the 2016 county ballot to extend the other one-half of the existing tax for an additional period of fifteen years to be effective through December 31, 2034, for the new purpose of funding sustainability facilities and programs.
  
2. These facilities and programs would build on the work of the Boulder County Sustainability Initiative and the county's Sustainability Plan and expand upon current successful programs and implement new countywide projects and services to reduce greenhouse gas emissions, conserve natural resources, support the local economy, protect the health of residents and ecosystems, and serve as environmental stewardship leaders by:
  - Promoting energy efficiency by conserving the energy needed to operate and power our buildings through deep energy efficiency upgrades, expanding "net zero" energy codes, and helping replace fossil fuel power and heating sources with clean, renewable energy;
  - Striving to become a "zero waste" community through waste reduction and diversion initiatives and infrastructure, and develop and promote effective reuse, recycling and composting options;
  - Supporting new and improved vehicle technologies, electric vehicles, strategies to reduce the number of vehicle miles traveled, increased transit services and other transportation Demand Management strategies;
  - Providing for the wise use, conservation and protection of water and other natural resources; and
  - Supporting local and organic food production and sustainable agricultural practices.
  
3. City of Boulder residents and businesses have long held a commitment to stewardship of our land, environment and community. By prioritizing natural resource conservation and environmental sustainability, we can achieve greater economic vitality in our communities; ensure cleaner air, land and water for the well-being and health of residents; and combat major environmental issues, such as climate change, resource

depletion, ecosystem degradation, pollution, waste management, and access to healthy and sustainable food sources.

**RESOLUTION**

NOW, THEREFORE, BE IT RESOLVED that the Boulder City Council endorses Boulder County Ballot Measure 1C which would extend one-half (0.125 percent) of the existing 0.25 percent countywide open space sales and use tax for the purpose of funding sustainability infrastructure and programs.

Resolved this 18<sup>th</sup> day of October, 2016

---

Mayor

Attest

---

City Clerk



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE:** October 18, 2016

**AGENDA TITLE:** Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8151 to rezone 1.12 acres of land located at 3200 Bluff Street (the AirGas site) from Industrial Mixed Services (IMS) to Mixed Use - 4 (MU-4).

**PRESENTER/S**

Jane S. Brautigam, City Manager

Tom Carr, City Attorney

David Driskell, Executive Director of Planning, Housing and Sustainability

Susan Richstone, Deputy Director of Planning, Housing and Sustainability

Charles Ferro, Development Review Manager

Karl Guiler, Senior Planner/Code Amendment Specialist

**EXECUTIVE SUMMARY**

The applicant is requesting approval to rezone 3200 Bluff Street, the AirGas site at the corner of Junction Place and Bluff Street in Boulder Junction, from Industrial Mixed Services (IMS) to Mixed Use – 4 (MU-4) to bring the site into conformance with the Boulder Valley Comprehensive Plan (BVCP) land use designation of Mixed Use Business and to allow a new mixed-use development on the site.

Requests to rezone properties require compliance with the criteria of Section 9-2-19, “Rezoning,” B.R.C. 1981 and review and recommendation by Planning Board and approval by City Council. Pursuant to Section 9-2-19, B.R.C. 1981, *“The planning board shall hear a request for rezoning at a public hearing and shall make a recommendation for approval or denial to the city council. After considering the planning board’s recommendation, the city council shall make the final determination on a request for rezoning at a public hearing held in accordance with the adopted Council Procedure of Title 2, “Government Organization,” (Appendix) B.R.C. 1981.”*

The draft ordinance to rezone can be found in **Attachment A**.

## STAFF RECOMMENDATION

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

*Suggested Motion Language:*

*Motion to introduce on first reading and order published by title only an ordinance to rezone 1.12 acres of land located at 3200 Bluff Street (the AirGas site) from Industrial Mixed Services (IMS) to Mixed Use - 4 (MU-4).*

## COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: None identified.
- Environmental: The level of development resulting from the proposed Mixed Use -4 (MU-4) zone has already been evaluated and anticipated as part of the Transit Village Area Plan (TVAP) process which set the land use for the site as Mixed Use Business. MU-4 would be more consistent with the underlying land use designation than the current Industrial Mixed Services zoning.
- Social: None identified.

## OTHER IMPACTS

- Fiscal: None identified.
- Staff time: The proposed requests are within normal staff work plans.

## BOARD AND COMMISSION FEEDBACK

### Planning Board

On Sept. 1, 2016, Planning Board reviewed the proposed rezoning request. The board unanimously approved the rezoning to bring the property into compliance with the Mixed Use Business Boulder Valley Comprehensive Plan (BVCP) Land Use Map Designation and the Transit Village Area Plan (TVAP) land use goals. The board agreed with staff's analysis of the applicable review criteria.

On a motion by J. Putnam seconded by L. Payton the Planning Board recommended approval (7-0) of the rezoning of the property from IMS to MU-4 having met the criteria for rezoning under Section 9-2-19 (e) and (f).

## PUBLIC COMMENT

No public comments were received on the proposal to rezone.

## BACKGROUND

As **Figure 1** shows, the site is roughly one acre in size and is at the southeast corner of Junction Place and Bluff Street. It is generally level and is mostly open with the exception of some deciduous trees. The site has historically been used for industrial uses and is currently occupied by the AirGas company within a one story building on the north side of the site. The other parts of the site are used for parking and storage.

The existing Steelyards development abuts the property to the west and the recently approved S'park development is to the north and east of the site. The Burlington Northern Santa Fe (BNSF) railway is east of the site, but does not abut the site.

The Steelyards is a gridded, mixed-use neighborhood with generally two and three-story buildings. Areas along the rail corridor to the south and as approved within S\*park, reflect more urban development with three to five story buildings. Development of the greater neighborhood, Boulder Junction, is informed by the [Transit Village Area Plan \(TVAP\)](#), which is discussed further below.

**BVCP Land Use Designation**

The [Boulder Valley Comprehensive Plan \(BVCP\)](#) designates the site as Mixed Use Business (see **Figure 2**). Per the BVCP Land Use Map description: *“Mixed Use-Business development may be deemed appropriate and will be encouraged in some business areas. These areas may be designated Mixed Use-Business where business or residential character will predominate. Housing and public uses supporting housing will be encouraged and may be required. Specific zoning and other regulations will be adopted which define the desired intensity, mix, location and design characteristics of these uses.”*

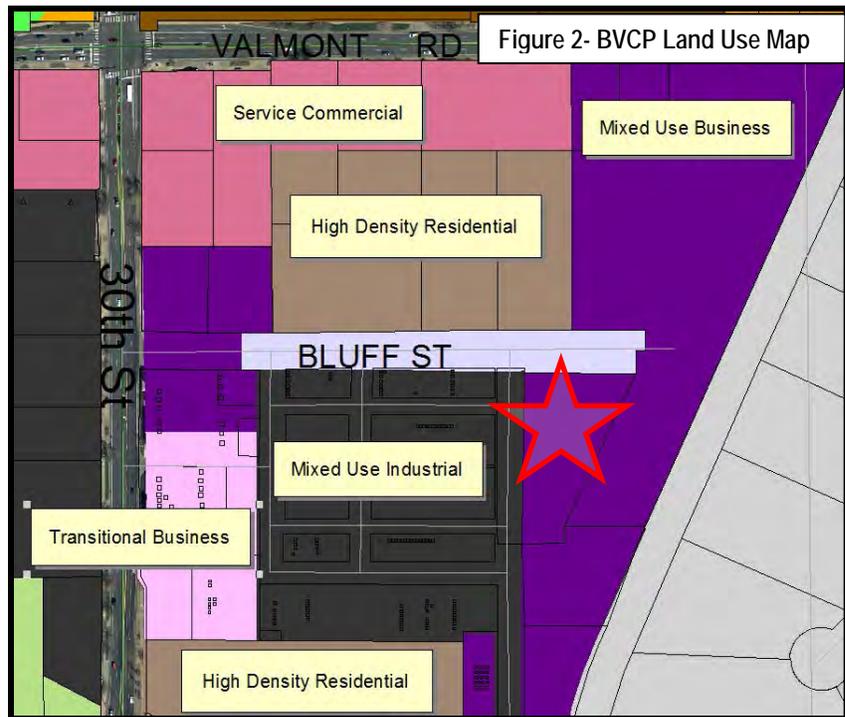


Figure 2- BVCP Land Use Map

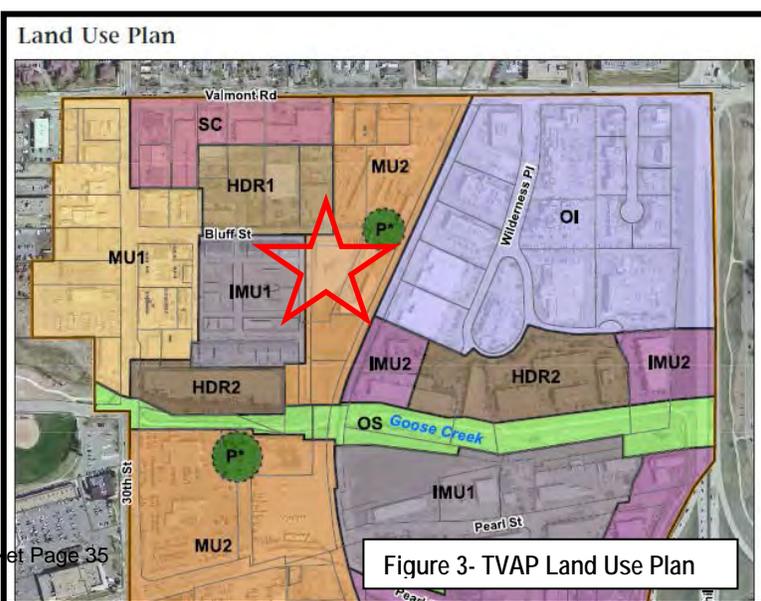


Figure 3- TVAP Land Use Plan

**Transit Village Area Plan (TVAP)**

The project site is within the [Transit Village Area Plan \(TVAP\)](#) area. In accordance with the Mixed Use Business land use designation in the BVCP, the specific TVAP designation for the site is Mixed Use 2 where the predominant uses in mixed-

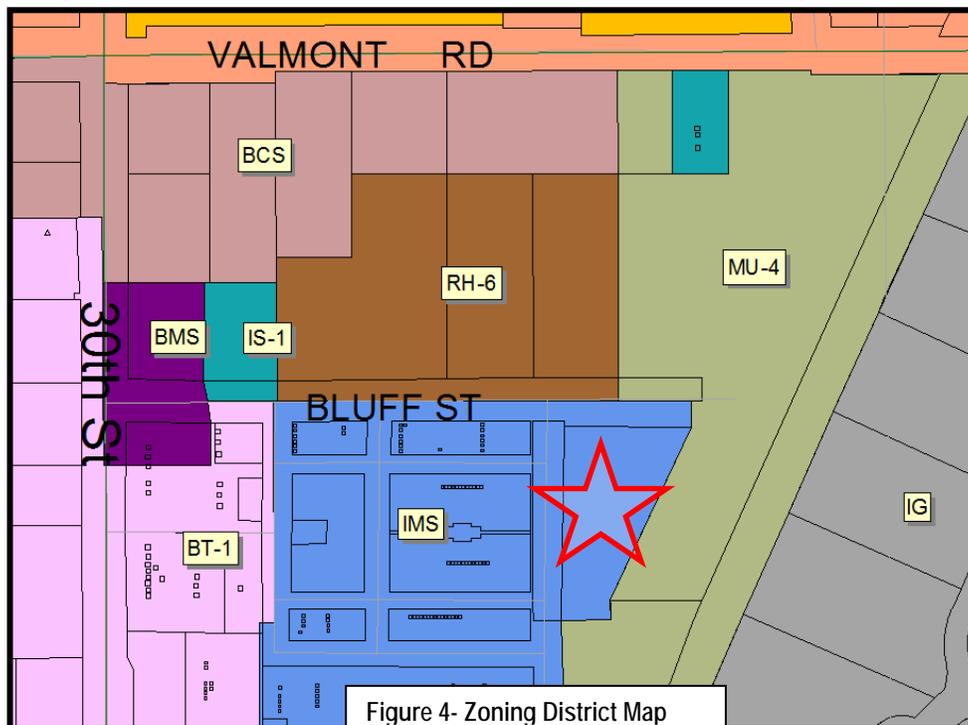
use areas could be business or residential, with homes mixed vertically (above businesses) or horizontally (residential buildings next to commercial buildings.) Page 17 of TVAP notes that areas with a Mixed Use 2 land use allow “three- to four-story mixed use buildings around a floor area ratio (FAR) of 1.5 to 2.0. Predominant use may be business or residential....parking would be “mostly structure or first floor parking; may have some surface parking.” More specifically, the site is within a sub district of TVAP entitled the “Rail Plaza.” The Rail Plaza district is described as an area that will “evolve into a high-density, commercial and residential mixed-use area, with three- to five-story buildings.”

### Zoning

The project site is currently zoned IMS, Industrial Mixed Service.

The applicant is proposing to rezone the site to MU-4, Mixed Use – 4, which as can be seen in the **Figure 4** below, is immediately adjacent to the site. MU-4 areas are described as mixed use residential areas generally intended for residential uses with neighborhood-serving retail and office uses; and where complementary uses may be allowed. It is anticipated that development will occur in a pedestrian-oriented pattern, with buildings built up to the street.

Rezoning to MU-4 was anticipated for the site by the TVAP plan in order to be consistent with the established land use designation of Mixed Use 2, as specified in the Transit Village Area Plan (TVAP).



## Concept Plan

Recently the applicant submitted a Concept Plan application to consider a proposal for two buildings totaling 98,000 square feet in size comprised of 43,000 square feet of residential space with 36 rental units, 55,000 square feet of commercial space, and a 102 space underground parking garage. Preliminary consideration of a rezoning from Industrial Mixed Service (IMS) to Mixed-Use - 4 (MU-4) was also included.

Planning Board reviewed the Concept Plan proposal at its May 26, 2016 public hearing. The board was generally supportive of the uses and design of the project and found it consistent with the Transit Village Area Plan (TVAP). Some board members had concerns about the massing of the buildings along the streetscapes. Other site design comments related to opportunities for pedestrian connections through the site and the proposed number of garage entries and their locations. The staff memorandum, minutes and audio of the meeting can be accessed at this [link](#).

## Form-Based Code (FBC) Review

In June 2016, City Council approved the new Form-Based Code (FBC). The applicant has recently submitted a FBC Review application. The project is currently undergoing review by city staff and the Design Advisory Board (DAB) for compliance with the FBC. The project will be subject to call-up by the Planning Board or the public.

## ANALYSIS

Staff finds that the rezoning criteria of Section 9-2-19, "Rezoning," B.R.C. 1981 are met – predominantly because the proposed zoning of MU-4 (Mixed Use – 4) is necessary to come into compliance with the BVCP Land Use Map designation of Mixed Use Business and the TVAP designation of Mixed Use 2 (MU2).

Responses to all the criteria are below:

### 9-2-19. - Rezoning.

**(e) Criteria: The city's zoning is the result of a detailed and comprehensive appraisal of the city's present and future land use allocation needs. In order to establish and maintain sound, stable and desirable development within the city, rezoning of land is to be discouraged and allowed only under the limited circumstances herein described. Therefore, the city council shall grant a rezoning application only if the proposed rezoning is consistent with the policies and goals of the Boulder Valley Comprehensive Plan, and, for an application not incidental to a general revision of the zoning map, meets one of the following criteria:**

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

The proposed rezoning to MU-4 is consistent with the policies and goals of the Boulder Valley Comprehensive Plan, because the proposed zoning will bring site

into consistency with the underlying BVCP land use designation, which is Mixed Use Business. Per the BVCP Land Use Map description: *“Mixed Use-Business development may be deemed appropriate and will be encouraged in some business areas. These areas may be designated Mixed Use-Business where business or residential character will predominate. Housing and public uses supporting housing will be encouraged and may be required. Specific zoning and other regulations will be adopted which define the desired intensity, mix, location and design characteristics of these uses.”*

Further, the project site is within the Transit Village Area Plan (TVAP) area. The area plan implements the broad policies of the BVCP by establishing the vision and goals for the area. Per TVAP, the site is designated Mixed Use 2 where the predominant uses in mixed-use areas could be business or residential, with homes mixed vertically (above businesses) or horizontally (residential buildings next to commercial buildings.) Page 17 of TVAP notes that Mixed Use 2 areas allow *“three- to four-story mixed use buildings around a floor area ratio (FAR) of 1.5 to 2.0. Predominant use may be business or residential.....parking would be “mostly structure or first floor parking; may have some surface parking.”*

The proposed MU-4 (Mixed Use - 4) zoning would render the zoning of the property consistent with the land use map designation discussed above as well as with TVAP. The current zoning of IMS (Industrial Mixed Use) is currently inconsistent with Mixed Use Business designation. TVAP already specifies the expected intensity of the area around an eventual rail stop in the vicinity and the proposed MU-4 would enable the site to better meet this intent. Surrounding properties to the north, east and south are designated Mixed Use Business and have already been rezoned to MU-4. Therefore, there is clear and convincing evidence that the proposed rezoning is necessary to come into compliance with the BVCP map.

**(2) The existing zoning of the land was the result of a clerical error;**

Not applicable.

**(3) The existing zoning of the land was based on a mistake of fact;**

Not applicable.

**(4)The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils and inadequate drainage;**

Not applicable.

**(5)The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area; or**

Not applicable.

**(6) The proposed rezoning is necessary in order to provide land for a community need that was not anticipated at the time of adoption of the Boulder Valley Comprehensive Plan.**

Not applicable.

**(f) Additional Criteria for the MU-4, RH-3, RH-6 and RH-7 zoning districts. In the MU-4, RH-3, RH-6 and RH-7 zoning districts, for an application not incidental to a general revision of the zoning map, the city council shall also find that the rezoning meets the following criteria, in addition to subsection (e) above:**

**(1) Transportation. The land proposed for rezoning is:**

**(A) Subject to a right of way plan for the immediate area;**

The proposed property is located within the Transit Village Area Plan Transportation Connections Plan area.

**(B) The right of way plan is capable of being implemented to the extent necessary to serve the property and to connect to the arterial street network through collector and local streets, alleys, multi-use paths and sidewalks concurrent with redevelopment; and**

The property is already served by existing public rights-of-way including Junction Place to the west and Bluff Street to the north consistent with TVAP's Transportation Connections Plan.

**(C) The public infrastructure can be paid for by way of redevelopment under the provisions of section 9-9-8, "Reservations, Dedication and Improvement of Rights-of-Way," B.R.C. 1981, without contribution of funds by the City, or that there is a plan for financing and construction that has been approved by city council through the capital improvement program and the city council anticipates appropriating such funds within two years of the rezoning.**

The site is expected to redevelop in the near future. Public infrastructure can be paid for by way of redevelopment under the provisions of section 9-9-8, "Reservations, Dedication and Improvement of Rights-of-Way," B.R.C. 1981, without contribution of funds by the City.

**(2) Water, Wastewater and Stormwater Management and Flood Control. The city council shall determine whether there are adequate public facilities available for the rezoning area. The city council shall determine whether there are adequate water, wastewater and stormwater management and flood control facilities by considering the following:**

**(A) Whether the infrastructure meets the requirements of the City of Boulder Design and Construction Standards, adopted City master plans, the Boulder Valley Comprehensive Plan, subcommunity plans and area plans.**

The infrastructure around the site meets the requirements of the City of Boulder Design and Construction Standards, adopted City master plans, the Boulder Valley Comprehensive Plan, subcommunity plans and area plans.

**(B) Whether the land proposed to be rezoned has adequate water, wastewater and stormwater management and flood control public facilities that are:**

**(i) In place at the time of the rezoning request;**

The property is in a location that is adequately served by existing adequate water, wastewater and stormwater management and flood control public facilities.

**(ii) Under construction and will be available at the time that the impacts of the proposed development will occur; or**

**(iii) Guaranteed by an enforceable development agreement ensuring that the public facilities will be in place at the time that the impacts of the proposed development will occur.**

**(C) Whether the property owner has, or will in the future, paid its fair share of the infrastructure needs of the surrounding area, as described in City master plans, subcommunity plans or area plans.**

At the time of redevelopment of the 3200 Bluff site, the applicant will be responsible to pay the applicable development fees as well as constructing all of the necessary infrastructural improvements to serve the site.

**(3) Travel Demand Management Services. In the MU-4, RH-6 and RH-7 zoning districts, the property subject to the rezoning is located within an area that has parking and transportation related service provided by a general improvement district or an equivalent organization or otherwise meets the trip generation requirements of section 9-9-22, "Trip Generation Requirements for the MU-4, RH-6 and RH-7 Zoning Districts," B.R.C. 1981.**

The property is in an area eligible for inclusion within the Boulder Junction Parking and Access District. The applicant has indicated their intent to join the district. If admitted, parking and transportation related services will be provided. If not admitted, project on the site in the future would be subject to section 9-9-22, "Trip Generation Requirements for the MU-4, RH-6 and RH-7 Zoning Districts," B.R.C. 1981.

## **ATTACHMENTS**

**A. Draft Ordinance 8151 to rezone property from IMS to MU-4**

ORDINANCE 8151

AN ORDINANCE REZONING 1.12 ACRES OF LAND LOCATED AT 3200 BLUFF STREET FROM THE INDUSTRIAL - MIXED SERVICES (IMS) TO MIXED USE 4 (MU-4) ZONING DISTRICT AS DESCRIBED IN CHAPTER 9-5, "MODULAR ZONE SYSTEM," B.R.C. 1981, AND SETTING FORTH RELATED DETAILS.

THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO FINDS:

A. A public hearing before the Planning Board of the City of Boulder was duly held on September 1, 2016, in consideration of rezoning approximately 1.12 acres of land from the Industrial – Mixed Services (IMS) to the Mixed Use 4 (MU-4) zoning district generally located at 3200 Bluff Street, City of Boulder, as more particularly described on Exhibit A attached to this ordinance (the "Property").

B. The Planning Board found that the rezoning of the Property from the Industrial – Mixed Services (IMS) to the Mixed Use 4 (MU-4) zoning district is consistent with the policies and goals of the Boulder Valley Comprehensive Plan; is necessary to bring the Property into compliance with the Boulder Valley Comprehensive Plan map; and meets the criteria for rezoning as provided in Chapter 9-2, "Review Processes," B.R.C. 1981.

C. The Planning Board recommended that the City Council amend the zoning district map to include the Property in the Mixed Use 4 (MU-4) zoning district as provided in Chapter 9-5, "Modular Zone System," B.R.C. 1981.

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

Section 1. Chapter 9-5, “Modular Zone System,” B.R.C. 1981, and the zoning Mixed Use 4 (MU-4) district map forming a part thereof are amended to include the Property within the zoning district.

Section 2. The City Council finds that the rezoning of the Property from the Industrial – Mixed Services (IMS) to the Mixed Use 4 (MU-4) zoning district is consistent with the policies and goals of the Boulder Valley Comprehensive Plan, is necessary to bring the Property into compliance with the Boulder Valley Comprehensive Plan map, and meets the criteria for rezoning as provided in Chapter 9-2, “Review Processes,” B.R.C. 1981. The City Council adopts the recitals as a part of this ordinance.

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

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

Section 5. 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 18<sup>th</sup> day of October, 2016.

---

Suzanne Jones  
Mayor

Attest:

---

Lynnette Beck  
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED  
PUBLISHED BY TITLE ONLY this 1<sup>st</sup> day of November, 2016

---

Suzanne Jones  
Mayor

Attest:

---

Lynnette Beck  
City Clerk

EXHIBIT A

LEGAL DESCRIPTION

LOT 20, EXCEPT THE WEST 55 FEET THEREOF, AND LOT 21, WALKER'S SUBDIVISION; EXCEPT A PORTION THEREOF DECREED TO THE COLORADO AND SOUTHERN RAILWAY COMPANY, A CORPORATION, BY VIRTUE OF CONDEMNATION PROCEEDINGS RECORDED MARCH 11, 1958 IN BOOK 1069 AT PAGE 378;

TOGETHER WITH THE SOUTH 10 FEET OF VACATED BLUFF STREET ABUTTING THE NORTH LOT LINES OF SAID LOT 20, EXCEPT THE WEST 55 FEET THEREOF, AND LOT 21, AS VACATED BY VACATION RESOLUTION RECORDED JUNE 28, 1962 IN BOOK 1235 AT PAGE 324; AND

TOGETHER WITH THAT PORTION OF THE NORTH ONE-HALF OF VACATED HILL STREET ABUTTING THE SOUTH LOT LINE OF SAID PORTION OF LOT 20, EXCEPT THE WEST 55 FEET THEREOF, AS VACATED BY ORDINANCE NO. 4151 OF THE CITY OF BOULDER, RECORDED DECEMBER 9, 1976 ON FILM 947 AS RECEPTION NO. 202633;

COUNTY OF BOULDER, STATE OF COLORADO.



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE:** October 18, 2016

**AGENDA TITLE:** Consideration of the following items related to Boulder Community Health (BCH) properties located at 4801, 4855, 4865 and 4885 Riverbend Road which are associated with BCH requests to redevelop the sites with a new medical facility and parking structure within the Riverbend Office Park:

1. Request to change the underlying Boulder Valley Comprehensive Plan (BVCP) Land Use Designation on the Riverbend Road site from Transitional Business to Public (to be considered to time of second reading of the ordinances below);
2. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8149 amending Title 9, "Land Use Code," B.R.C. 1981, to rezone the properties from BT-2 (Business - Transitional 2) to P (Public); and
3. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8150 by amending Title 9, "Land Use Code," B.R.C. 1981, and Ordinance 8028 by amending Appendix J of Title 9 adding additional BCH properties to areas where height modifications may be considered.

**PRESENTER/S**

Jane S. Brautigam, City Manager

Tom Carr, City Attorney

David Driskell, Executive Director of Planning, Housing and Sustainability

Susan Richstone, Deputy Director of Planning, Housing and Sustainability

Charles Ferro, Development Review Manager

Karl Guiler, Senior Planner/Code Amendment Specialist

**EXECUTIVE SUMMARY**

Boulder Community Health (BCH) has submitted a Site and Use Review application to redevelop four of its properties at 4801, 4855, 4865 and 4885 Riverbend Road with a new medical building and parking structure adjacent to the BCH Foothills Hospital at 4747 Arapahoe Avenue. The purpose of this memorandum is to consider first reading of two ordinances relevant to the BCH plans.

The plans are to construct a new three-story, 55-foot tall, 70,342 square foot medical office building to house inpatient rehabilitation and neurology facilities as part of the BCH functions at the corner of Arapahoe Ave. and 48th Street. Additionally, the proposal will allow inpatient behavioral health services to be relocated from the North Broadway campus to be closer to BHP's main emergency room as well as other hospital services regularly needed by behavioral health patients. A map is provided below showing the relevant sites at 4801, 4855, 4865 and 4885 Riverbend Road.



The medical building is proposed on the west portion of the site nearest to the existing Boulder Community Health Foothills Hospital at 4747 Arapahoe Avenue. Further, a new parking garage, including 406 parking spaces on six levels, up to 55-feet in height is also proposed on the east portion of the site. The parking is intended to serve the on-site medical building use and accessory retail as well as for overflow parking for the Boulder Community Health Foothills facility across 48<sup>th</sup> Street. To alleviate some of the parking issues experienced on the hospital site, the applicant intends to provide employee parking (up to 160 parking spaces) within the garage to free up more parking for patients and visitors. A majority of the spaces (250 spaces) would be for visitors to the on-site facility. The proposal requires a Site Review application for the new buildings and a Use Review application to allow the 160 spaces that would serve the off-site hospital at 4747 Arapahoe Avenue.

The proposal required Planning Board action on the BVCP Land Use Map change and the Site and Use Review application as well as recommendations from Planning Board to City Council on the ordinance to rezone to P, Public, and the ordinance to amend Ordinance No. 8028 relative to allowing adding the site to areas where height modifications may be considered.

Planning Board reviewed the proposed requests on Oct. 6, 2016 and unanimously approved the BVCP Land Use Map change, and unanimously recommended approval to City Council of the rezoning and amendment to Ordinance No. 8028. These requests are discussed in detail below and are the subject of this memorandum. These changes are necessary to allow the proposed expansion.

The board also approved the Site and Use Review applications with conditions, which will be subject to City Council call-up consideration on Nov. 1, 2016 within the required 30-day call-up period.

The following requests require City Council decision. After each is an explanation of the required process and applicable criteria:

- BVCP Land Use Map change: A land use designation change from Transitional Business to Public is necessary to permit the hospital/medical uses on the property and to allow for collocation of existing and new hospital facilities. Land Use Map changes require approval from both Planning Board and City Council and are subject to procedures and criteria within the [BVCP](#) (see page 58). Land Use Map change requests requires approval from both Planning Board and City Council. *This will be considered by City Council on Nov. 1, 2016.*
- Rezoning: A rezoning from BT-2 (Transitional Business – 2) to P (Public) is necessary to permit the hospital and medical uses on the site and, if the proposed land use map change is approved, to bring the bring the zoning into compliance with the BVCP. Rezoning requests require Planning Board review and recommendation to City Council and require final approval by council. Rezoning requests are subject to the criteria within [Section 9-2-19, “Rezoning,” B.R.C. 1981 within the Land Use Code](#). The draft ordinance considered for first reading can be found in **Attachment A**.
- Amendment to Ordinance No. 8028: Ordinance No. 8028 was passed by City Council on April 7, 2015 and restricted areas within the city where height modifications could be considered. Ordinance No. 8028 may be reviewed [here](#). With a nod of five, City Council had indicated initial support of the proposed change to allow the BCH properties to be added. The draft ordinance considered for first reading to allow for a height modification can be found in **Attachment B** and would allow for consideration of a height modification on the BCH properties at 4801, 4855, 4865 and 4885 Riverbend Road.

Background on the subject properties and the project can be found in **Attachment C**.

## STAFF RECOMMENDATION

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

Suggested Motion Language:

1. *Motion to introduce on first reading and order published by title only an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, to rezone the properties from BT-2 (Business - Transitional 2) to P (Public); and*
2. *Motion to introduce on first reading and order published by title only an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, and Ordinance 8028 to allow consideration of a height modification to up to 55 feet for the properties at 4801, 4855, 4865 and 4885 Riverbend Road.*

## COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: Boulder Community Hospital not only provides necessary health services to the broader community, it is a major center of employment in Boulder and is important to the city's economic well-being.
- Environmental: The proposed expansion would occur on four sites that are already developed.
- Social: Boulder Community Hospital provides a critical and important service to the community. The expansion would enable the hospital to improve and modernize its services and relocate critical functions to the foothills location from its current location on Broadway.

## OTHER IMPACTS

- Fiscal: None identified.
- Staff time: The proposed requests are within normal staff work plans.

## BOARD AND COMMISSION FEEDBACK

### Planning Board

Planning Board unanimously approved the BVCP Land Use Map change to Public and recommended approval of the rezoning and modifications to Ordinance No. 8028 relative to height. The relevant motions are below:

On a motion by **B. Bowen**, seconded by **C. Gray**, the Planning Board voted 7-0 to approve the BVCP Land Use Map change (LUR2016-00038).

On a motion by **B. Bowen**, seconded by **J. Putnam**, the Planning Board voted 7-0 to recommend to City Council approval of Rezoning (LUR2016-00039).

On a motion by **H. Zuckerman**, seconded by **B. Bowen**, the Planning Board voted 7-0 to recommend to City Council the adoption of the proposed ordinance to add the Riverbend project site.

## ANALYSIS

### **BVCP Land Use Map Change from Transitional Business to Public**

Notice is hereby provided to City Council on the proposed change which is relevant to the other requests which are within this memorandum. The BVCP Land Use Map change will be considered by council on Nov. 1, 2016.

Staff finds that the proposal to change the Boulder Valley Comprehensive Plan (BVCP) land use designation on site meets the criteria within the BVCP. Staff responses to the applicable criteria are provided below.

#### **BVCP Land Use Map Change criteria**

**The Land Use Map is not intended to be a zoning map. It is intended to provide policy direction and definition for future land uses in the Boulder Valley. Thus, a change to the land use designations may be considered at any time if it is related to a proposed change in zoning or proposed annexation and meets all of the following criteria:**

**(a) The proposed change is consistent with the policies and overall intent of the comprehensive plan.**

The proposal to change the BVCP Land Use Map designation is consistent with the intent of the comprehensive plan to promote the physical health and well-being of residents of the Boulder Valley. Allowing collocation of the existing and new facilities next to the hospital will result in more efficient operations and better services to residents consistent with the policies discussed below.

The BVCP strives to “*maintain a high quality of life for all of its residents*” by “*providing facilities and services, among are human service programs and a focus on promoting cultural, social and economic equity.*” More specifically, the following policies on economic and social sustainability are relevant:

*BVCP Policy 1.03 Principles of Economic Sustainability The city and county will strive to develop and maintain a healthy, adaptable economy that is vital to the community’s quality of life and high level of services and amenities by:*

- a) Promoting a diverse economy that supports the needs of all community members;*
- b) Promoting a qualified and diversified work force that meets employers’ needs and supports a range of jobs; and*

- c) *Providing for and investing in a quality of life, unique amenities, and infrastructure that attracts, sustains, and retains businesses and entrepreneurs.*

*BVCP Policy 1.04 Principles of Social Sustainability The city and county will strive to promote a healthy community and address social and cultural inequities by:*

- a) *Respecting and valuing cultural and social diversity;*
- b) *Ensuring the basic health and safety needs of all residents are met; and*
- c) *Providing infrastructure and services that will encourage culturally and socially diverse communities to both prosper within and connect to the larger community.*

The Public Land Use Designation is described as follows:

*Public/Semi-Public land use designations encompass a wide range of public and private nonprofit uses that provide a community service. This category includes municipal and public utility services such as the municipal airport, water reservoirs, and water and wastewater treatment plants. Public/Semi-Public also includes: educational facilities, including public and private schools and the university; government offices such as city and county buildings, libraries, and the jail; government laboratories; and nonprofit facilities such as cemeteries, churches, hospitals, retirement complexes and may include other uses as allowed by zoning.*

The requested Public land use designation would allow for the expansion of the Boulder Community Health facility consistent with the following BVCP policies:

- BVCP Policy 2.17 Variety of Activity Centers
- BVCP Policy 8.01 Provide for a Broad Spectrum of Human Needs
- BVCP Policy 8.07 Physical Health
- BVCP Policy 8.10 Support for Community Facilities

**(b) The proposed change would not have significant cross-jurisdictional impacts that may affect residents, properties or facilities outside the city.**

The proposed change is meant to facilitate the expansion of health services in a single location for the Boulder Valley. The change would allow for more efficient provision of services and enhance access to services for residents of the area. There would be no significant cross-jurisdictional impacts to residents, properties or facilities outside the city.

**(c) The proposed change would not materially affect the land use and growth projections that were the basis of the comprehensive plan.**

The proposed land use designation change is necessary to facilitate collocation of hospital facilities and will not materially affect the land use and growth projections that were the basis of the comprehensive plan.

**(d) The proposed change does not materially affect the adequacy or availability of urban facilities and services to the immediate area or to the overall service area of the City of Boulder.**

The proposed land use designation change is necessary to facilitate collocation of hospital facilities and will not materially affect the adequacy or availability of urban facilities and services to the immediate area or to the overall service area of the City of Boulder. Infrastructural upgrades necessary to serve the redevelopment will be evaluated and required as part of the Site Review process.

**(e) The proposed change would not materially affect the adopted Capital Improvements Program of the City of Boulder.**

The proposed land use designation change is necessary to facilitate a new hospital facility on the site and will not materially affect the adopted Capital Improvements Program of the City of Boulder.

**(f) The proposed change would not affect the Area II/Area III boundaries in the comprehensive plan.**

The proposed change is within Area I and would have no impact on the Area II/Area III boundaries in the comprehensive plan.

In summary, allowing for the expansion of the hospital facilities in the subject location is consistent with BVCP policies and logical considering the proximity and connection to the existing Boulder Community Health facility and enabling an important human resource to better serve the Boulder Valley region.

**Rezoning from BT-2 to P**

See **Attachment A** for the draft ordinance to rezone. The proposed rezoning is intrinsically connected to the policy decision to change the BVCP land use map to Public (discussed above) to allow the hospital and medical uses of the Boulder Community Health to better serve Boulder and the surrounding area by collocation of its services. If the BVCP land use map changes is supported, it is necessary to change the zoning to Public to allow the hospital use. Rezoning would, therefore, follow a land use map change and would be consistent with the following criterion below:

**(1) Is the proposed rezoning consistent with the policies and goals of the Boulder Valley Comprehensive Plan?**

The proposal to change the BVCP Land Use Map designation and the city's zoning map is consistent with the intent of the comprehensive plan to promote the physical health and well-being of residents of the Boulder Valley. The BVCP strives to "maintain a high quality of life for all of its residents" by "providing facilities and services, among are human service programs and a focus on promoting cultural, social and economic equity." More specifically, the following policies on economic and social sustainability are relevant:

***BVCP Policy 1.03 Principles of Economic Sustainability*** *The city and county will strive to develop and maintain a healthy, adaptable economy that is vital to the community's quality of life and high level of services and amenities by:*

- a) Promoting a diverse economy that supports the needs of all community members;*
- b) Promoting a qualified and diversified work force that meets employers' needs and supports a range of jobs; and*
- c) Providing for and investing in a quality of life, unique amenities, and infrastructure that attracts, sustains, and retains businesses and entrepreneurs.*

***BVCP Policy 1.04 Principles of Social Sustainability*** *The city and county will strive to promote a healthy community and address social and cultural inequities by:*

- a) Respecting and valuing cultural and social diversity;*
- b) Ensuring the basic health and safety needs of all residents are met; and*
- c) Providing infrastructure and services that will encourage culturally and socially diverse communities to both prosper within and connect to the larger community.*

The Public Land Use Designation is described as follows:

*Public/Semi-Public land use designations encompass a wide range of public and private nonprofit uses that provide a community service. This category includes municipal and public utility services such as the municipal airport, water reservoirs, and water and wastewater treatment plants. Public/Semi-Public also includes: educational facilities, including public and private schools and the university; government offices such as city and county buildings, libraries, and the jail; government laboratories; and nonprofit facilities such as cemeteries, churches, hospitals, retirement complexes and may include other uses as allowed by zoning.*

The requested Public land use designation would allow for the expansion of the Boulder Community Health facility consistent with the following BVCP policies:

- BVCP Policy 2.17 Variety of Activity Centers
- BVCP Policy 8.01 Provide for a Broad Spectrum of Human Needs
- BVCP Policy 8.07 Physical Health
- BVCP Policy 8.10 Support for Community Facilities

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

Based on the staff recommendation to amend land use map designation to advance BVCP policies and goals and consistent with the criteria the BVCP included in the analysis above, and assuming the land use map is amended to reflect this analysis, the rezoning becomes necessary to come into compliance with the Boulder Valley Comprehensive Plan map. The existing zoning of BT-2 is inconsistent with a Public land use map designation. The Public land use map designation and P zoning would match. (See Background in **Attachment C**) for descriptions of land use map designations and zoning districts.

**Draft Ordinance to modify Ordinance No. 8028 relative to Height Modifications**

**Attachment B** contains the proposed ordinance and changes to Appendix J that would add the subject properties to the areas where height modifications may be requested.

The hospital site was already included in the ordinance as area where a height modification can be considered and that inclusion of these properties being added to the hospital campus would, just like the existing hospital site, implement important community values. Considering the community benefits of the use and the context with other buildings at or greater than 55 feet in the vicinity, staff finds that the ordinance would be appropriate and thus, recommends City Council approval of the change. The height modification is being considered as part of the current Site Review application for the project. The Site Review approval is conditioned on approval of this ordinance. Both staff and Planning Board found the height of the proposed buildings and their designs compatible with its context in the area with other buildings at or greater than 55 feet in the vicinity.

**ATTACHMENTS**

- A. Draft Ordinance 8149 to rezone properties from BT-2 to P
- B. Draft Ordinance 8150 to modify Ordinance 8028
- C. Background on properties and project

ORDINANCE 8149

AN ORDINANCE REZONING 2.31 ACRES OF LAND LOCATED AT 4801, 4855, 4865, AND 4855 RIVERBEND ROAD FROM THE BUSINESS - TRANSITIONAL 2 (BT-2) TO PUBLIC (P) ZONING DISTRICT AS DESCRIBED IN CHAPTER 9-5, "MODULAR ZONE SYSTEM," B.R.C. 1981, AND SETTING FORTH RELATED DETAILS.

THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO FINDS:

A. A public hearing before the Planning Board of the City of Boulder was duly held on October 6, 2016, in consideration of rezoning approximately 2.31 acres of land from the Business – Transitional 2 (BT-2) to the Public (P) zoning district generally located at 4801 Riverbend Road, Boulder, CO as more particularly described as Lot 1, Riverbend First Replat, County of Boulder, State of Colorado; 4855 Riverbend Road, Boulder, CO as more particularly described as Lot 1, Riverbend Second Replat, County of Boulder, State of Colorado; 4865 Riverbend Road, Boulder, CO as more particularly described as Lot 2, Riverbend Second Replat, County of Boulder, State of Colorado; and 4885 Riverbend Road, Boulder, CO as more particularly described as Lot 9, Riverbend, County of Boulder, State of Colorado (collectively hereafter referred to as the "Property") and as shown on Exhibit A attached hereto and incorporated herein.

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

1 C. The Planning Board recommended that the City Council amend the zoning  
2 district map to include the Property in the Public (P) zoning district as provided in Chapter  
3 9-5, “Modular Zone System,” B.R.C. 1981.

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

6 Section 1. Chapter 9-5, “Modular Zone System,” B.R.C. 1981, and the zoning  
7 Public (P) district map forming a part thereof are amended to include the Property within  
8 the zoning district.

9 Section 2. The City Council finds that the rezoning of the Property from the  
10 Business – Transitional 2 (BT-2) to the Public (P) zoning district is consistent with the  
11 policies and goals of the Boulder Valley Comprehensive Plan, is necessary to bring the  
12 Property into compliance with the Boulder Valley Comprehensive Plan map, and meets the  
13 criteria for rezoning as provided in Chapter 9-2, “Review Processes,” B.R.C. 1981. The  
14 City Council adopts the recitals as a part of this ordinance.

15 Section 3. The City Council has jurisdiction and legal authority to rezone the  
16 Property.

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

21 Section 5. The City Council deems it appropriate that this ordinance be published  
22 by title only and orders that copies of this ordinance be made available in the office of the  
23 city clerk for public inspection and acquisition.  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED

BY TITLE ONLY this 18th day of October, 2016.

\_\_\_\_\_  
Suzanne Jones  
Mayor

Attest:

\_\_\_\_\_  
Lynnette Beck  
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED

PUBLISHED BY TITLE ONLY this 1st day of November, 2016.

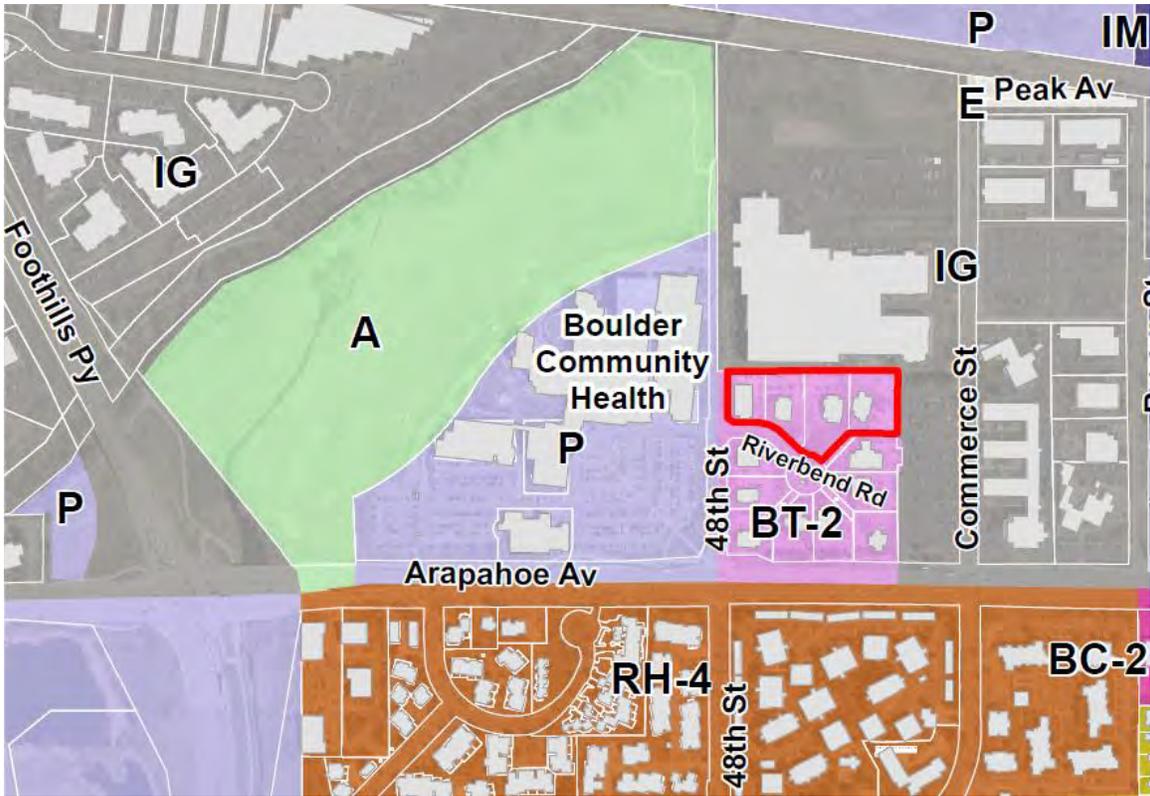
\_\_\_\_\_  
Suzanne Jones  
Mayor

Attest:

\_\_\_\_\_  
Lynnette Beck  
City Clerk

EXHIBIT A

MAP OF AREAS TO BE REZONED



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ORDINANCE 8150

AN ORDINANCE AMENDING TITLE 9, "LAND USE CODE" B.R.C. 1981, AND ORDINANCE 8028 BY AMENDING APPENDIX J TO TITLE 9 ADDING ADDITIONAL BOULDER COMMUNITY HEALTH PROPERTIES TO THE AREAS WHERE HEIGHT MODIFICATIONS MAY BE CONSIDERED, AND SETTING FORTH RELATED DETAILS.

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

Section 1. The city council finds and recites the following facts leading to the adoption of this ordinance amending interim development regulations related to the height of buildings.

a. On April 7, 2015, the city council adopted Ordinance 8028 amending Title 9, "Land Use Code," B.R.C. 1981, by adopting interim development regulations related to the height of buildings.

b. With Ordinance 8028 the council intended to limit the areas where buildings can be up to fifty-five feet in height to those areas where previous planning efforts have resulted in the adoption of a plan or clear policy intent that supports more intensive forms of development or in instances where important community values are implemented or site topography may result in height-compliance hardship.

c. The provisions of Ordinance 8028 remain in effect until April 19, 2017.

d. The Boulder Community Health has sold its campus near Broadway and Balsam Avenue in an effort to move and centralize its services at and near the location of its hospital campus at 4747 Arapahoe Avenue. As part of this effort, Boulder Community Health is expanding its services to the properties located at 4801, 4855, 4865, and 4885 Riverbend. Co-location of the emergency room with other health services to be located at the Riverbend Office Park, including inpatient behavioral health, would improve the quality and access to health care services provided within the community.

e. The Boulder Community Health hospital and its related services provide important services for the health and wellbeing of the community and thereby implements important community values consistent with the goals and policies of the Boulder Valley Comprehensive Plan.

Section 2. The council repeals "Appendix J to Title 9 - Areas Where Height Modifications May Be Considered," and hereby adopts Attachment A to this ordinance, titled, "Appendix J to

1 Title 9 - Areas Where Height Modifications May Be Considered,” as an amendment to Title 9,  
2 “Land Use Code,” B.R.C. 1981.

3 Section 3. The provisions of this ordinance shall amend Ordinance 8028 and shall along  
4 with Ordinance 8028 expire on April 19, 2017. The council intends that this ordinance will expire,  
5 be amended, or replaced with subsequent legislation after further study of appropriate building  
6 heights in the city.

7 Section 4. This ordinance shall apply to building permits or land use approvals for which  
8 an application is made following the effective date of this ordinance and building permits and land  
9 use applications pending at the time of the adoption or effective date of this ordinance.

10 Section 5. If any section, paragraph, clause, or provision of this ordinance shall for any  
11 reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining  
12 provisions of this ordinance.

13 Section 6. This ordinance is necessary to protect the public health, safety, and welfare of  
14 the residents of the city, and covers matters of local concern.

15 Section 7. The council deems it appropriate that this ordinance be published by title only  
16 and orders that copies of this ordinance be made available in the office of the city clerk for public  
17 inspection and acquisition.  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
TITLE ONLY this 18<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
Suzanne Jones  
Mayor

Attest:

\_\_\_\_\_  
Lynnette Beck  
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED  
PUBLISHED BY TITLE ONLY this 1st day of November, 2016.

\_\_\_\_\_  
Suzanne Jones  
Mayor

Attest:

\_\_\_\_\_  
Lynnette Beck  
City Clerk



**BACKGROUND**

BCH plans to move all services from its Broadway location by December 2017. This will include the relocation of its inpatient behavioral health, inpatient rehab and neurology department. BCH has selected the Riverbend Office Park as the new location for the relocated inpatient behavioral health facilities due to its proximity to the existing BCH Foothills hospital and medical center facility at the corner of Arapahoe and Foothills Parkway (i.e., 4747 Arapahoe). Per the applicant, co-location of the emergency room with inpatient behavioral health is a significant benefit for the treatment of patients. The BCH Foothills hospital was approved in 2001 to construct up to 420,000 square feet of floor area in six phases for a period up to 10 years.

Site Review application #LUR2011-00043 was approved by Planning Board on Dec. 1, 2011 to expand the existing 308,255 square foot hospital by over 100,000 square feet of new floor area (totaling up to 440,000 square feet) within new three-story wings and upper floors on the existing hospital building. A height modification was also approved to build the new additions up to 52 feet (similar to existing height). Use Review application #LUR2011-00061 was also approved to permit the heliport. A rezoning was also approved to properly align the zoning with the underlying BVCP land use map designations of Public and Open Space. The BCH Foothills campus provides a total 1,166 parking spaces on the 4747 Arapahoe site.



Figure 1- Vicinity Map (subject site is 4801, 4855, 4865 and 4885 Riverbend Road)

As depicted in **Figure 1**, the 2.55-acre (gross) project site is located off of Arapahoe Ave. immediately to the east of the Boulder Community Hospital Foothills campus. The site is currently the location of the Riverbend Office Park (see addresses here right), which was originally annexed and approved as a PUD with an initial zoning designation of Industrial – Developing (“IG” under current code standards). The original approval also included a Special Review (now called Use Review) approval for an office use. Over the years, several additional Use Reviews were approved for additional office uses on specific sites within the PUD, and several other office uses were established or converted without the benefit of City review. In 2000, the Riverbend Office Park was rezoned from Industrial to Transitional Business in acknowledgment of the fact that the proliferation of office uses within the development, many of which were nonconforming or prohibited, had resulted in the development no longer being consistent with the Industrial zoning designation. Currently, the 12 existing one and two-story buildings within the Riverbend Office Park contain a mix of medical/dental, professional and technical offices and personal service uses, all of which are allowed uses in the BT-2 zone district.

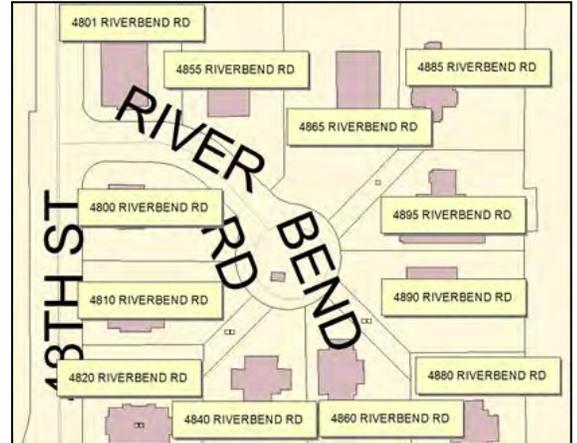


Figure 2: BCH Foothills Campus from corner of 48<sup>th</sup> & Arapahoe

The project site is located in East Boulder near the intersection of 48<sup>th</sup> Street and Arapahoe Avenue, just east of the Boulder Community Health Foothills Campus (shown in **Figure 2**). The Boulder Community Health Foothills Campus site is the location of the Boulder Community Foothills Hospital, which was constructed as a branch hospital providing medical services to an expanded area and to take pressure off the main hospital on Broadway, which has recently been sold to the City of Boulder. Eventually, all operations from the Broadway campus will be relocated to the Foothills campus. The existing Foothill campus is nearly 50 acres in size and contains large areas designated for environmental preservation with wetlands and open space areas around Boulder Creek,

which runs on the north side of the site and adjacent to the Ball Aerospace property to the north and east.

Currently, the project site is the location of the Riverbend office park, which consists of twelve individual properties containing a variety of professional and medical office uses. The park is arranged as a series of two-story office buildings arranged around a cul-de-sac with surface parking provided on each lot. The site is surrounded by large, mature trees, which gives it a somewhat secluded feel. The character of the area surrounding the site is somewhat eclectic, with the hospital facilities immediately to the west and the large, industrial buildings of the Ball Aerospace campus immediately to the north and east. The site is bordered on its east side by a large surface parking lot serving Ball Aerospace. The area across Arapahoe to the south consists of high density residential development characterized by 2 to 3-story buildings setback from the street with detached parking garages along the major frontages. The project site as seen from within Riverbend Office Park at the existing roundabout is shown in **Figure 3**, with the Ball Aerospace building in the background. **Figure 4** shows the project site as seen from Commerce St. across the Ball Aerospace parking lot to the east of the site.



Figure 3: Project Site from within Riverbend Office Park



Figure 4: project site as seen from Commerce St. across the Ball Aerospace parking lot to the east

A variety of BVCP land use designations surround the site and reflect the diversity of land uses in the area. Most land east and north of the site are designated light industrial, whereas uses south of Arapahoe are predominantly designated medium to high density residential with low density residential neighborhoods further from Arapahoe. As mentioned above, the project site is located immediately to the east of the existing BCH Foothills campus at the corner of Arapahoe and Foothills, which has a BVCP land use designation of Public. The lands southwest of Foothills and Arapahoe owned by the University of Colorado have a Public land use designation as well. **Figure 5** depicts the surrounding BVCP land use designations.

### **BVCP Land Use Designation**

As shown below in **Figure 5**, the project site has a BVCP land use designation of Transitional Business, which is defined in the [2010 BVCP](#) as follows:

*The Transitional Business designation is shown along certain major streets. These are areas usually zoned for less intensive business uses than in the General Business areas, and they often provide a transition to residential areas.*

The change in the site's land use designation from Industrial to Transitional Business in 2000 was largely to acknowledge the change in character that had resulted from the proliferation of medical and professional office uses on the site. Under the current proposal, the land use designation would need to be changed from Transitional Business to Public, which is defined in the 2010 BVCP as follows:

*Public/Semi-Public land use designations encompass a wide range of public and private non-profit uses that provide a community service. This category includes municipal and public utility services such as the municipal airport, water reservoirs, and water and wastewater treatment plants. Public/Semi-Public also includes: educational facilities, including public and private schools and the university; government offices such as city and county buildings, libraries, and the jail; government laboratories; and nonprofit facilities such as cemeteries, churches, hospitals, retirement complexes and may include other uses as allowed by zoning.*

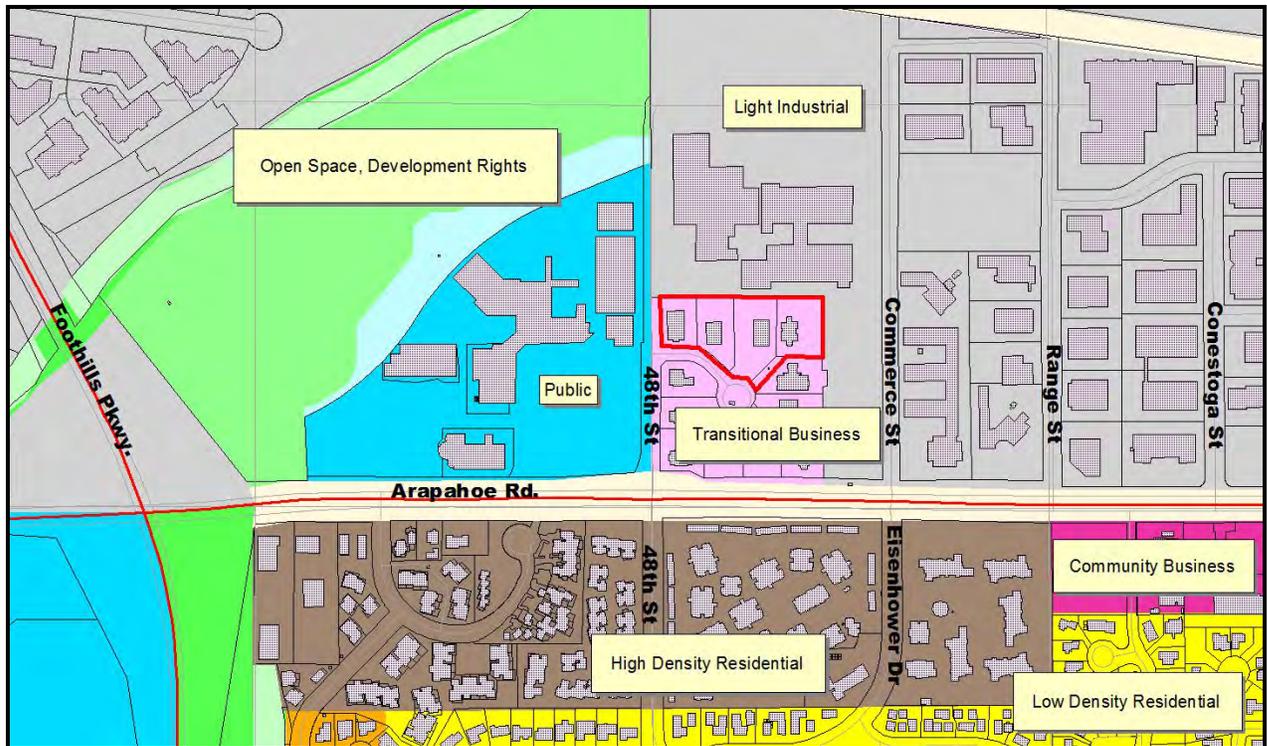


Figure 5: BVCP Land Use Map

The current proposal presents an opportunity to evaluate whether the existing land use designation for the project site should be changed to become consistent with the adjacent BCH site.

### Zoning

The project site is zoned BT-2 (Business – Transitional 2). The BT-2 zone district is defined as “*Transitional business areas which generally buffer a residential area from a major street and are primarily used for commercial and complementary residential uses, including without limitation, temporary lodging and office uses*” (section 9-5-2(c), B.R.C. 1981). Please see **Figure 6** below for a zoning map of the site and surrounding area. As part of this project, the applicant would request a rezoning of the project site from BT-2 to P (Public) in order to allow for the proposed hospital use, which is prohibited in the BT-2 zone district but allowed by right within the P zone district per section 9-6-1, B.R.C. 1981. As discussed above, this would also require a change to the underlying BVCP land use designation.

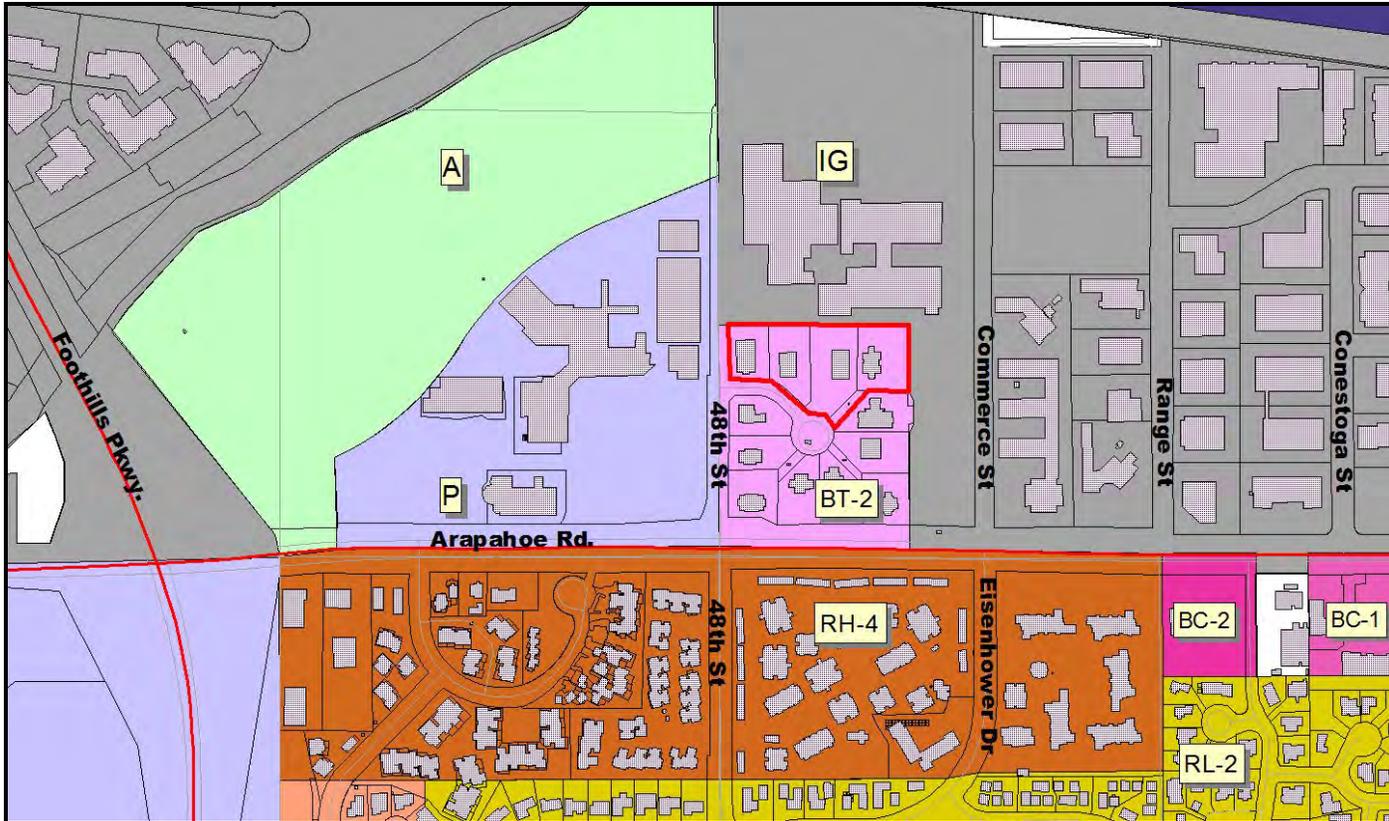


Figure 6: BVCP Land Use Map

### Additional Site Characteristics

The project site has a number of unique characteristics that will need to be taken into consideration during the Site Review process. As shown in Figure 7, the site is impacted by the 100-year floodplain and as such any new development will require a floodplain development permit. In addition, because the proposed facility is considered a critical facility per section 9-16, B.R.C. 1981, an Emergency Management Plan would be required. The property is impacted by both the existing FEMA 100-year floodplain and the new mapping study 100-year floodplain. The flood elevations from the new study are generally consistent with the existing FEMA study in this area; therefore, there are no deviations that could impact the site from any changes are anticipated. The new floodplain mapping is anticipated to be effective in the fall of 2017. For additional information please visit: <https://bouldercolorado.gov/flood/boulder-creek-floodplain-mapping-update>.

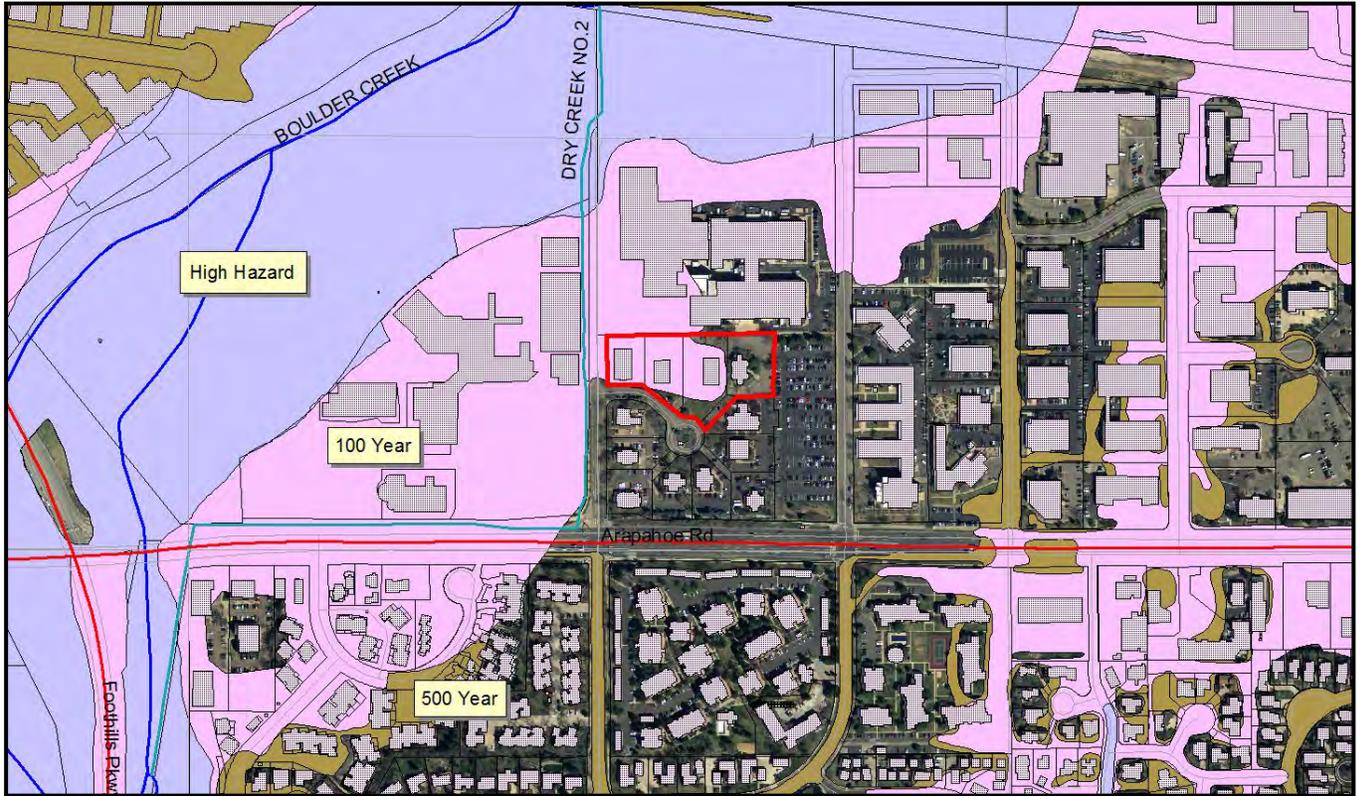


Figure 7: Floodplain Map



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE** Consideration of the following items relating to the 2017 Budget:

1. Second reading and consideration of a motion to adopt Ordinance 8144 that adopts a budget for the City of Boulder, Colorado, for the fiscal year commencing on the first day of January 2017 and ending on the last day of December 2017 and setting forth details in relation thereto; and
2. Second reading and consideration of a motion to adopt Ordinance 8145 that establishes the 2016 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 2017 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado, and setting forth details in relation thereto; and
3. Second reading and consideration of a motion to adopt Ordinance 8146 that appropriates money to defray expenses and liabilities of the City of Boulder, Colorado, for the 2017 fiscal year of the City of Boulder, commencing on the first day of January 2017, and ending on the last day of December 2017, and setting forth details in relation thereto;
4. Second reading and consideration of a motion to adopt Ordinance 8147 that amends Section 3-8-3 and Chapter 4-20 of the B.R.C. 1981 changing certain fees, and setting forth details in relation thereto; and

Consideration of a motion to adjourn from the Boulder City Council and convene as the Central Area General Improvement District Board of Directors.

**PRESENTERS**

Jane S. Brautigam, City Manager  
Mary Ann Weideman, Deputy City Manager  
Bob Eiche, Chief Financial Advisor  
Cheryl Pattelli, Director of Finance and Risk Management  
Peggy Bunzli, Executive Budget Officer

**EXECUTIVE SUMMARY**

The purpose of this item is the adoption of the 2017 budget and other related ordinances (see **Attachments C-F**) to appropriate city funds as presented in the 2017 Recommended Budget, for the 2017 fiscal year. This includes adoption of the ordinance that establishes the 2016 mill levy for the city and the ordinance that changes certain codified fees.

[Agenda item 5A](#), including attachments, for the Oct. 4, 2016 City Council meeting provides additional background information on the development and review of the 2017 Recommended Budget. [Video coverage](#) of the Oct. 4 meeting, including the staff presentation, also provides additional information.

To facilitate council review of the 2017 Recommended Budget, staff has also prepared a list of each change proposed for the budget that occurred after council received the [2017 Recommended Budget document](#), on Aug. 31, 2016 (see **Attachment A**).

Given the emphasis noted by council on transportation safety, homelessness initiatives and code enforcement, as well as concern over the timing of efforts related to the potential creation of a municipal electric utility, staff has prepared an amended budget recommendation to address these needs and concerns.

The table below summarizes the changes proposed and included in the amended budget and appropriation ordinances for council consideration. Details related to each change are included below.

**Recommended Changes to 2017 Budget  
(as reflected in amended ordinances 8144 and 8146)**

	Costs		FTE		Budget Impact	
	one-time	ongoing	fixed-term	ongoing	dollars	FTE
	Budget Addition					
Transportation Safety	\$150,000				\$150,000	
NTMP	\$100,000		1.00		\$100,000	1.00
Homelessness-Working Group	\$250,000				\$250,000	
Homelessness-Coordination, Planning and Analysis		\$250,000		2.00	\$250,000	2.00
Code Enforcement Officer	\$34,000	\$75,000		1.00	\$109,000	1.00
	Budget Adjustment					
City Manager Energy Contingency (removed anticipated spending of \$694,071, including carryover)	\$239,476		-2.00		(\$208,163)	-2.00
					\$650,837	2.00

**Attachment G** provides additional information on the following items discussed at the Oct. 4 City Council meeting:

- Planning, Housing and Sustainability (various topics)
- Citywide consulting costs
- Living Wage - janitorial and landscape services
- Public restrooms along the creek

- Potential ombudsman position
- Fees
- Efficiency and effectiveness

### STAFF RECOMMENDATION

Staff recommends amendment of the following two ordinances:

- **Budget Adoption Ordinance (Attachment C)**  
The Charter of the City of Boulder requires that, before the city establishes the property tax mill levy, the annual budget that summarizes sources and uses must be approved. The ordinance included in this attachment incorporates the 2017 Recommended Budget.
- **Appropriation Ordinance (Attachment E)**  
This ordinance appropriates funds as stated in the budget ordinance for 2017.

Staff recommends adoption of the following ordinance:

- **Fees Ordinance (Attachment F)**  
City fees are adjusted based on costs of providing city services and depend on calculations of inflation, pricing guidelines, or service-specific cost analysis. The annual budget process also provides an opportunity to review and clarify the Boulder Revised Code language related to fees and rates.

In order to establish the 2016 City of Boulder mill levy, council first must review anticipated revenues and expenditures and adopt the 2017 City of Boulder budget. As staff is recommending that council amend the 2017 budget ordinance passed by council on first reading, and the recommended mill levy is unchanged, the adoption of the Mill Levy ordinance would need to take place after adoption of the 2017 budget ordinance (presumably at the third reading of the budget ordinances, on Nov. 1) and therefore should not be voted on at this reading of the budget.

- **Mill Levy Ordinance (Attachment D)**  
In order to prevent any ratcheting down of the city’s mill levies per the Taxpayer Bill of Rights (TABOR), a temporary mill levy credit was used whenever the calculated revenue forecast exceeded the calculated TABOR revenue limitation by more than 0.10 mill. As a result of the passage of Ballot Issue 201, “Retention of Property Tax Funds” approved by voters on Nov. 4, 2008, the remaining restrictions on property tax collected by the City of Boulder have been eliminated.

Ballot Issue 201 had the effect of reducing the mill levy credit by 0.50 mill each year until the credit was completely eliminated. The mill levy credit was completely eliminated in the 2011 mill levy calculation (for 2012 property tax collections).

Given the most current assessed valuation information received from Boulder County and the passage of Ballot Issue 201, the following is the net mill levy for 2016 (this is unchanged from 2015):

Mill Levy

11.981

**Suggested Motion Language:**

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

- Motion to amend Ordinance No. 8144, adopting the 2017 City of Boulder budget;
- Motion to amend Ordinance No. 8146, appropriating the 2017 City of Boulder budget;
- Motion to adopt Ordinance No. 8147 changing certain fees; and

Consideration of a motion to adjourn from the Boulder City Council and convene as the Central Area General Improvement District Board of Directors.

**OTHER IMPACTS**

- **Fiscal** - This item will appropriate funds to implement the City of Boulder’s 2017 budget. This budget is based on the City Manager’s 2017 Recommended Budget and in accordance with City Council’s feedback provided during the Sep. 13 Study Session and the Oct. 4 first reading of the budget ordinances, as well as Transportation Advisory Board input at their Oct. 10 meeting. In addition to the budget ordinances, the property tax mill levy and fees ordinance are also included. These ordinances are necessary to fund the annual budget in full.
- **Staff time** - Staff time for this process is allocated in the Budget Division’s regular annual work plan and in the work plans of all city departments.

**BACKGROUND AND ADDITIONAL INFORMATION**

A City Council study session on the 2017 Recommended Budget was held on Sept. 13, 2016, and the First Reading of the Budget ordinances, including a public hearing, was held on Oct. 4, 2016. The following provides additional information in response to council questions and feedback at the Oct. 4 meeting and the Oct. 11 meeting, with regard to transportation safety, the Neighborhood Traffic Mitigation Program, homelessness initiatives, energy strategy, code enforcement and living wage.

**Transportation Safety and the Neighborhood Traffic Mitigation Program (NTMP)**

In response to feedback and questions received at the Sept. 13 council study session and the Oct. 4 first reading of the budget, staff compiled information and proposed budget options for consideration by the Transportation Advisory Board (TAB). The additional information and TAB’s recommendation are provided below.

**Transportation and NTMP**

The staff recommendation presented at the Sept. 13 study session was to continue the existing education and enforcement element of the NTMP (\$610,000 annually) and not restore funding for the engineering treatment element of the program, which was eliminated from the program in 2003 due to service reductions required by decreased revenue. Staff recommended not funding engineering treatments because it would require

reallocation of the budget from higher priorities. City Council asked staff to return at first reading of the 2017 Budget with options to address concerns that have been raised.

The three options staff brought forward on Oct. 4 are:

*Option #1 – enhanced education/enforcement*

When engineer treatments were eliminated in 2003, the associated supporting staff position was also eliminated. One option would be to reinstitute a 0.5 Full Time Equivalent (FTE) position to enhance access to the education and enforcement elements of the program. This position would help neighborhoods with data collection, education (enhanced neighborhood speed kit, additional radar speed trailers) and enforcement. The estimated ongoing cost to do this would be \$75,000 (personnel (PE) costs of \$50,000 and non-personnel costs (NPE) of \$25,000).

*Option #2 – restore prior program*

Another option would be to reinstate the engineering treatment element of the program, based on adopted NTMP guidelines in place in 2003 that were created by the Transportation Advisory Board (TAB) and adopted by City Council. This would require adding an ongoing position (1.0 FTE) to implement/coordinate the program and an estimated \$150,000 in NPE ongoing to fund public processes, evaluations and to construct the engineering treatments. There are several considerations associated with this option. Existing NTMP guidelines will provide an immediate framework for evaluation and will allow staff to respond quickly to neighborhoods seeking engineering treatments. However, the current NTMP guidelines limit engineering treatments to roadways which meet speeding thresholds (an 85th Percentile speed of greater than 5 mph over the speed limit). Many residential streets would not meet these criteria and would not be eligible for engineering treatments. Based on speed data recently obtained, this would include streets like Grape Avenue and Palo Parkway which have recently been active in seeking such treatments. Other concerns raised by the public previously when engineering treatments were being constructed as part of the NTMP include the bureaucracy of administering the current program; the balance of engineering treatment impacts to emergency response on critical emergency response routes versus neighborhood speed reduction benefit; and the decision-making process that the city uses to assess support from neighbors living near the new engineering treatments. It is anticipated that members of council and TAB would see these issues arise in the community again, should this program resume construction of engineering treatments on neighborhood streets. The estimated ongoing cost to restore the full program would be \$250,000 (PE costs of \$100,000 and NPE costs of \$150,000).

*Option #3 –update program*

A third option is to initiate a public engagement process to develop new NTMP guidelines which would include consideration of the appropriate use of engineering treatments. Staff would work with TAB to engage the public and develop a program which is responsive to the current community. This option would require adding a fixed-term position (1.0 FTE) to coordinate the program development. It is anticipated that the majority of work in 2017 would be the development of the new program and the beginning of public engagement with high priority neighborhoods. In this option, engineering treatments would be constructed no sooner than 2018. Required associated

support resources would be determined through the program development process and incorporated into the 2018 budget. This option would result in a slower response to existing concerns in the community about speeding on neighborhood streets. It would allow the development of a program which considered issues identified in the prior program such as an appropriate speeding threshold for mitigation; an appropriate balance between speed reduction on neighborhood streets and emergency response impacts on critical emergency response routes; the overall bureaucracy and timeliness of program implementation; and the assessment of neighborhood support for specific mitigation. The estimated starting cost to update the program would be \$100,000 (one-time PE costs of \$100,000 and ongoing costs to be determined).

#### Transportation Advisory Board (TAB) Recommendation on Options 1-3

At their Oct. 10 meeting the Transportation Advisory Board (TAB) recommended Option #3, the development of an updated NTMP. In addition, the TAB expressed the need to convey to City Council the public sentiment that safety and quality of life in neighborhoods is important and the need to implement appropriate measures in a timely fashion. The estimated cost, as noted above, is \$100,000 one-time in 2017. Required, associated ongoing support resources would be determined through the program development process and incorporated into 2018 budget recommendations.

#### Staff Recommendation

Staff recommends Option #3, the development of an updated NTMP. This option will allow the community to craft a program that is tailored to current community and weigh the current tradeoffs and implications. The cost impacts will be one-time in 2017, with the ongoing impacts reconciled through the program development and the 2018 budget process. Staff also recommends one-time funding of \$150,000 to accelerate implementation of the Toward Vision Zero efforts in key areas.

#### Transportation - Additional Information

At the Oct. 4 first reading of the budget, council asked for additional information on a number of items related to the NTMP and transportation safety. That information is provided below.

#### *Tradeoffs for ongoing funding for the NTMP*

The potential impacts/tradeoffs of restoring ongoing funding for engineering treatments would vary depending on the level of funding. Examples of specific projects that would not have been built in 2016 if engineering treatments were funded at a \$250,000 level are provided below. Each project listed below as examples cost approximately \$250,000, so only one of the listed projects would have been eliminated. The specific projects for 2017 that would be considered in tradeoff analysis are currently under scoping and design development. Based on the funding priorities articulated in the Transportation Master Plan lower priority projects (enhancement to the system – priority 2) would be reduced or eliminated.

- 10 Blocks of Street Overlay (Priority 1)
- Three (3) Pedestrian/Bicycle Bridge Reconstructed/Decking replaced (Priority 1)
- Frontier Avenue Bridge reconstruction (Priority 1)
- Yarmouth Avenue (16th to 19th Street) sidewalk missing link (Priority 2)

- Boulder Creek/South Boulder Creek Confluence/Gunbarrel multi-use path (Priority 2)
- Note: Priority 1 – safety/operation/maintenance, Priority 2 – complete streets/multimodal enhancement

*Cost estimates for specific engineering items*

The following are estimated costs related to traffic control devices and sidewalk installation:

- 4-way stop signs  
Installation costs are \$420 one-time and \$20 ongoing annually. It is important to recognize within the context of neighborhood traffic mitigation that placement of stop signs doesn't slow traffic speeds except in direct proximity of the sign. Improper placement reduces compliance thus decreasing safety, and creates negative air pollution impacts and liability exposure for application inconsistent with adopted national standards.
- Signed and marked crosswalks  
Costs are \$1,830 one-time and \$400 ongoing annually. The city has specific criteria for installing signed and marked crosswalks as well as other pedestrian crossing treatments. These are included in our City of Boulder Pedestrian Crossing Treatment Installation Guidelines (PCTIG). These guidelines encourage crossing treatments at locations with high volumes of pedestrian crossing along with high volumes of conflicting motor vehicle traffic. When used appropriately, these treatments are effective at generating gaps in traffic for pedestrians to cross the street, by getting drivers to stop/yield for them at the crosswalks. However, they have no impact upon the speed of traffic on the roadway and consequently do not make effective speed mitigation treatments.
- 5-foot Sidewalk (linear foot)  
Costs range from \$33/linear foot to \$200/linear foot for initial installation and \$2/linear foot ongoing annually. For simple sidewalk with no extra excavation or road-base required, costs are \$33-\$40/lf. For a more complex sidewalk (curb/walk) with some over-excavation, barrier curb, backfill, patching and landscape restoration, costs are \$150-\$200/lf.

*Timing of the traffic signal installation at the Broadway/Yarmouth intersection*

The installation of a traffic signal at this intersection is in the capital improvement program as part of the Broadway (Violet Avenue to U.S. 36) reconstruction project. The design for this project is scheduled to begin in 2016, with most of the construction funding becoming available in 2019. Transportation staff is working with the Colorado Department of Transportation (CDOT) to determine if sufficient funding can be advanced to allow the signal to be installed earlier, in 2018.

*Addressing community identified priorities of reducing traffic congestion and improving snow/ice control practices*

The Boulder Valley Comprehensive Plan (BVCP) BVCP Survey (2015) asked respondents what values they believed were in the greatest need of increased attention in the coming years. The second highest response was: "an all-mode transportation system to make getting around (with or without a car) easily accessible to everyone." In addition, respondents were asked if any additional values were not included in the list, which they

thought should be emphasized by the BVCP Plan. The second highest response was transportation (e.g. congestion, transit, biking, etc.).

In the last Boulder Community Survey (2015), of the 53 city services evaluated, 28 could be compared to a national benchmark. Of these, seven were significantly higher than the benchmark comparison, 12 were significantly lower and the remaining services were similar to the benchmark.

Services significantly lower than benchmark included:

- Managing congestion and traffic flow -- 34% (very good/good), 30% (neutral), 35% (bad/very bad)
- Snow and ice control on major streets -- 47% (very good/good), 23% (neutral), 29% (bad/very bad)

The Transportation Master Plan (TMP), the city of Boulder's community transportation blueprint, recognizes the need to reconcile two seemingly conflicting goals: first to provide mobility and access in the Boulder Valley in a way that is safe and convenient; and second, to preserve what makes Boulder a great place to live by minimizing auto congestion, air pollution, and noise. The TMP policy direction reconciles these goals by increasing travel choices to accommodate increased person trips in non-automotive modes while limiting the increase in single-occupant auto travel. Based on this policy direction the TMP investment plan is to sustainably invest in enhancing the transportation infrastructure for all modes of travel, pedestrian, bicycle, transit, and automobiles. The 2017 budget includes \$12.6million (of the total \$37.6 million Transportation budget) for investing in enhancing our transportation system in this way.

There are ongoing efforts to improve the city's overall snow and ice control operations; making them more efficient through review of city operations, benchmarking comparisons to other Colorado cities, analysis of field data collected after each storm, and use of lessons learned to inform continuous improvement of operations. For specific detail a link is provided to the [2016/2017 Snow and Ice Control Information Packet Item](#).

### **Homelessness Initiatives**

In response to feedback and questions from council at the Oct. 4 budget hearing, staff has provided the following additional information.

*Information on criteria used to determine who should receive emergency sheltering and services.*

#### **Emergency Adult Services Funding (\$150,000 from the Human Services Fund Reserve)**

These funds are to maintain existing day services and night overflow services through this winter shelter season and would maintain existing criteria:

- Day shelter – sign and abide by code of conduct and complete Resource Center Welcome Meeting within 14 days of accessing services.
- Night overflow –abide by behavior standards

#### **EFAA Family Homelessness Prevention (\$150,000 from the Human Services Fund Reserve)**

These funds would serve families with children already housed in the City of Boulder who are at risk for an eviction which can be prevented with a few months of financial

assistance. The second payment, or any additional payments, would be conditional on a set of accountability measures aimed at ensuring that a priority set of children’s outcomes are achieved (e.g., medical and dental check-up in the last year, enrollment in food assistance and other programs if eligible, school attendance, etc.). EFAA would provide its initial holistic assessment of family circumstances and needs and link families to additional resources (EFAA’s own, County programs, other non-profit services) through its integrated portal.

Working Group Funds (\$250,000 from the General Fund)

The Working Group will be evaluating and recommending the array of services and program criteria as part of their work between now and April 30. While the working group has not yet determined the criteria, important considerations based on best practices and previous council feedback include:

- Coordinated entry – Entry through a common or standardized entry point with standardized data collection and protocols for service referral.
- Populations – The working group will develop recommendations on the appropriate level of service for different populations, including people that are local, those interested in service-engagement and people just “passing through” town.

*Costs to enhance EFAA Family Homelessness Prevention Program beyond proposed one-time Human Services Fund Reserve amount of \$150,000.*

The chart below displays costs and numbers of families served for different options in enhancing EFAA’s Family Homelessness Prevention Program. The Homelessness Prevention pilot as proposed at the budget hearing on Oct. 4 was \$150,000. Expanded options for this program are identified in the chart below.

**Options for EFAA Family Homelessness Prevention Expansion Pilot**

	<i>Current EFAA Program</i>	<i>Proposed Pilot</i>	<i>Pilot with up to 3 Months Rental Assistance</i>
<b>EFAA Current Program Budget</b>	\$105,000	\$105,000	\$105,000
<b>Additional City Funding</b>		\$150,000	\$263,000
<b>Total Funding:</b>	<b>\$105,000</b>	<b>\$255,000</b>	<b>\$368,000</b>
<b>1 month rental assistance – families served</b>	200	90	100
<b>2 months rental assistance – families served</b>		195	
<b>Up to 3 months rental assistance – families served</b>			200
<b>Total families served:</b>	<b>200</b>	<b>285</b>	<b>300</b>

*Total homelessness funding, including housing, from the county and from other entities*  
Citywide investments to address homelessness are included in the table below, broken out by programs addressing homelessness and programs mitigating impact of homelessness.

2016 CITYWIDE BUDGETED EXPENDITURES ON HOMELESS SERVICES OR PROGRAMS			
Department	Estimated Expenditure in 2016	Estimated Hours for Homeless Services	Method of Estimate
<b>Programs Addressing Homelessness</b>			
Human Services - Community Funding	\$ 660,000		Funding to agencies whose purpose is to directly serve the homeless population. This includes one time funding for the Homelessness Collaborative pilot project of \$100,000 and additional summer sheltering services of \$60,000. Does not include additional funding to community agencies that may also serve the homeless
Human Services - Human Services Planning	\$ 196,156	3,328	Approximately 1.60 FTE devoted to Homelessness across four positions
Municipal Court - Homeless Navigator	\$ 93,629	2,080	This includes the position of Homeless Navigator that assists homeless individuals with finding the necessary services in the community
Community Vitality - Ready to Work Labor Services <sup>1</sup>	\$ 35,000		Bridge House's Ready-To-Work Labor Services - Amount estimated based on expenditures to date
OSMP - Ready to Work Labor Services <sup>1</sup>	\$ 50,000		This amount represents the contractual agreement with Bridge House to provide labor services to OSMP. The Ready to Work individuals perform weed removal, irrigation ditch maintenance, trash pickup, trail repair and maintenance, and other duties consistent with the needs of OSMP
Parks & Recreation - Ready to Work Labor Services	\$ 97,490	400	Bridge House's Ready-To-Work Labor Services - Amount estimated by including actual Costs in 2015 multiplied by two, as we added another contracted crew for 2016. Then an additional \$20,000 was added to account for the 400 staff hours managing program at a rate of \$50/hr. (Rate includes avg. staff wage, benefits, and equipment costs). This program provides the department additional labor hours performing ground maintenance work
Parks & Recreation <sup>2</sup> - Bridge House Community Table Kitchen Program <sup>1</sup>	\$ 3,246		Bridge House's Community Table Kitchen Program - Invoices from 2016 for catering Volunteer appreciation Dinner and Knight Foundation Grant Award Kickoff
Planning, Housing and Sustainability - Attention Homes Chase Court - rehabilitation of transitional housing group home	\$ 50,173		PH&S grants to the community awarded in 2016. Grant awards can vary every year based on community needs and annual RFP responses
Planning, Housing and Sustainability - Boulder Shelter Transitional Housing - rehabilitation of units	\$ 70,000		PH&S grants to the community awarded in 2016. Grant awards vary every year based on community needs and annual RFP responses
Planning, Housing and Sustainability - EFAA North Boulder Transitional Housing - development of 5 transitional housing units	\$ 150,000		PH&S grants to the community awarded in 2016. Grant awards vary every year based on community needs and annual RFP responses
<b>Programs Addressing Homelessness - Subtotal</b>	<b>1,405,694</b>	<b>5,808</b>	

2016 CITYWIDE BUDGETED EXPENDITURES ON HOMELESS SERVICES OR PROGRAMS			
Department	Estimated Expenditure in 2016	Estimated Hours for Homeless Services	Method of Estimate
<i>Services Mitigating Impacts from Homeless Individuals</i>			
Fire	17,000	115	EMS calls to Bandshell, Shelter, and Eben Fine Park multiplied by a per call estimate of staff and equipment.
Police	1,490,924	29,299	Hours assigned to homeless/transient calls, meetings by shift and staff activity multiplied by a per hour staff cost
Library - Access Services	12,741	319	Portion of active library card holders with a homeless facility address applied to Access Services Budget, eServices Budget and Facilities and Asset Management Budget.
Library - Facility and Asset Maintenance	1,076	18	
Library - eServices and Public Computing	5,456	97	
Municipal Court- Adjudication	114,212	3,120	Estimate of Judges time spent on cases where defendant is homeless
Municipal Court - Case Management	34,374	781	Percentage of general cases where defendant is homeless
Municipal Court - Probation Services	140,444	3,120	Estimation of PO caseload that is homeless
Public Works - Homeless Camp Cleanup	80,000		Cleanup work is contracted out due to the hazardous nature of the camps; thus, staff time is negligible
Public Works - Campus Security (Brenton Building and BCH garage)	4,464		Contract out
Public Works - Fencing enclosures for Trash and HVAC units at the FAM Building, Atrium Building and Main Library	34,560		One time expenditure and is not projected to continue in the future
Public Works - Emergency cleaning to public areas (i.e. restroom, entry ways, etc.) at Muni Building and Main Library.	3,420		Contract out
Public Works - Electrical outlet repair work (Main Library, BMOCA, Teahouse)	7,438	48	Estimate of staff time plus direct cost of repair
Parks & Recreation - Park Operations and Maintenance	45,000		Projected costs to contract the removal and clean up of hazardous waste/transients camps
Parks & Recreation - Park Operations and Maintenance	18,000		Projected costs to contract vegetation removal to deter camping
Parks & Recreation <sup>3</sup> -Park Operations and Maintenance	145,750	2,915	Projected labor hours spent cleaning, repairing areas, removing camps, managing impacts - multiplied by a rate of \$50/hr. (Rate includes avg. staff wage, benefits, and equipment costs). Estimates include 140 hours by Natural Lands staff
Open Space and Mountain Parks - Ranger Services	61,196	1,456	Estimate of ranger hours addressing homeless issues multiplied by the average ranger salary and benefits
<i>Services Mitigating Impacts from Homeless Individu</i>	<i>2,216,054</i>	<i>41,287</i>	
	<b>\$ 3,621,748</b>	<b>47,095</b>	

Notes:

<sup>1</sup>Ready to Work expenditures are for city services which would be provided by other vendors if not performed by Ready to Work crews.

<sup>2</sup>The department is also supporting a new project with the Bridge House called "Tree Debris to Opportunities" in which members of the Ready to Work Crew will have an opportunity to learn new skills relating to woodworking and like trades. A \$200,000 grant was received by the department to pay for this program.

<sup>3</sup>This figure does not include any additional hours spent by volunteers. One of the most popular volunteer programs we have is our Adopt a Creek program in which participants clean up along creeks, at times encountering impacts of camps. To date these groups have reported over 800 hours.

The chart below shows 2016 operating funding to services agencies by Boulder County and the Cities of Boulder and Longmont. Note that Boulder County and the City of Longmont also invest in homeless services agencies outside of the City of Boulder which are not included in this list, such as Agape and Our Center in Longmont and Sister Carmen in Lafayette.

### 2016 Boulder Homeless Service Agency Local Government Operating Funding

2016	Total Agency Budget	Total COB Funding	COB % of Budget	Total City Longmont	Total County Funding	County % of Budget	Total Local Gov't	Local Gov't % of Budget
<b>Attention Homes</b>	\$1,635,262	\$40,000	2%	\$10,000	\$45,000	3%	\$95,000	6%
<b>BOHO</b>	\$531,000	\$131,000	25%	\$0	\$130,000	24%	\$261,000	49%
<b>BSH</b>	\$2,116,083	\$165,000	8%	\$55,000	\$355,000	17%	\$575,000	27%
<b>Bridge House</b>	\$2,400,000	\$94,000	4%	\$0	\$50,000	2%	\$144,000	6%
<b>EFAA</b>	\$3,895,643	\$125,000	3%	\$15,000	\$230,000	6%	\$370,000	9%
<b>SPAN</b>	\$1,664,025	\$95,000	6%	\$0	\$239,500	14%	\$334,500	20%
<b>Total</b>	\$12,242,013	\$650,000	5%	\$80,000	\$1,049,500	9%	\$1,779,500	15%

In addition, Boulder County and the Cities of Boulder and Longmont have invested significant resources in increasing local housing resources for people who are homeless. Capital investments are best examined over multiple years because they occur on a project basis.

Capital Homeless Housing Investments: 2008-2016

- City of Boulder: \$ 4,022,146 (examples: 1175 Lee Hill, Ready To Work House, EFAA Yarmouth St. Transitional Housing)
- Boulder County: \$13,721,409 (examples: Aspinwall in Lafayette, EFAA Yarmouth Transitional Housing, SPAN Transitional Housing, 1175 Lee Hill, Inn Between in Longmont)
- City of Longmont: \$ 1,797,171 (examples: The Suites and Inn Between)

*Information on coordination of services with Longmont, and Longmont day and night sheltering*

Day Shelter and Services – Day services in Longmont are provided by Outreach United Resource Center (OUR Center), which has just completed a \$4.7 million capital project to consolidate services in a new building. The OUR Center offers programs ranging from emergency assistance with rent, utilities, food, clothing, shelter, and transportation, to longer term programs that help clients solve underlying problems such as financial difficulties and unemployment. Staff of OUR Center and Bridge House make referrals to each other and other service providers as appropriate. Both are also on the Boulder County Ten-Year Plan to Address Homelessness Board (Ten-Year Plan Board), which acts as the county-wide coordination body.

Night Shelter - Boulder Shelter for the Homeless (BSH) is the countywide shelter for Boulder County, and the City of Longmont provides \$55,000 in funding to BSH. During winter sheltering, ten beds are reserved for Longmont residents and Longmont residents can also sign up for the BSH lottery. In addition, seasonal night overflow sheltering is provided in Longmont through partnerships of non-profits and faith locations. BSH and

Longmont service providers also coordinate case management and benefit services at OUR Center and for Housing First clients.

Day services are also provided in Lafayette at Sister Carmen Community Center, which also serves on the Ten-Year Plan Board.

*Information on potential shelter/services gap after April 30 and how this will be funded for the rest of 2017 and ongoing.*

The Working Group will identify the gaps and develop recommendations for the 2016/17 sheltering season and beyond. To implement recommendations past April 30, the \$250,000 contingency fund will be used. Ongoing funding requests will come forward in the 2018 budget development process.

*Information on what the \$250,000 contingency for the working group could be used for and what would be available after the gap coverage in 2017.*

Gap funding for Jan. 1 – April 30 will come from the Human Services Fund Reserve. The Working Group contingency funding will be used for facilitation and other non-personnel expenses associated with the group developing recommendations for the future system of services. This is estimated to be about \$30,000 for facilitation. In addition, there may be non-personnel expenses associated with determining housing targets, such as additional analysis to determine these metrics. It is anticipated that expenses associated with the working group developing recommendations will be approximately \$40,000. The remainder of funding will be used for operating expenses for Oct.1 – Dec 31. sheltering and services, as determined by the Working Group and approved by City Council.

*Homeless Services Manager role in development of coordinated entry system.*

Although Boulder homeless service providers have worked to improve system coordination in recent years, the system still has significant gaps in furthering a fully integrated and coordinated system. The overall role of the Homeless Services Manager in coordinated entry would be supporting partners in development and implementation of the system and would not involve direct services to clients. The Homeless Services Manager would help develop the coordinated entry, intake and assessment model through partnership with Boulder County and the homeless services providers to advance best practice models and city goals identified in the Homelessness Strategy Framework. This includes:

- Identify best practices and models with service providers and partners to find the best fit for Boulder;
- Work with county-wide service providers and Boulder County to assess gaps and needs to determine what organizations are best positioned to provide which services;
- Align coordinated entry criteria and services with these models;
- Identify existing or new facilities needed to accomplish goals;
- Identify funding to accomplish system of services;
- Be point of contact to link local system with regional coordinated entry including 25 Cities MDHI and others;
- Develop system outcome metrics, data collection and analysis with service providers, regional partners and the County; produce progress and outcomes reports;

- Assist with site acquisition and planning for potential day service/coordinated entry center;
- Facilitate linkage to services center and/or other service locations with other city partners including PD HOT Team, Municipal Court Navigator, and Housing; and
- Support communications with community of local efforts.

Other duties previously identified for the Homeless Services Manager and Analyst positions are:

Homeless Services Manager – 1.0 FTE

This dedicated position would manage and coordinate city homelessness strategy and projects and would allow better community coordination and communication, currently covered by portions of four different positions, none of which is dedicated full-time to homeless programs and projects. This position would not be providing direct services or duplicating the work of service providers.

Key responsibilities and work plan include:

- Serve as the city's primary point of contact for homelessness issues. Provide public and community information related to homelessness. Represent the City of Boulder on homelessness issues in the community, with the media, and partners and stakeholders
- Partner with local service providers and stakeholders in planning for services and responding to community needs and issues
- Implement the City of Boulder Homelessness Strategy and Action Plan; update and report progress on the plan.
- Coordinate, with service providers and community partners, ongoing work to develop an integrated, coordinated services delivery system, improve the system of services, and identify and develop resources and partnerships
- Coordinate Working Group and lead implementation of city initiatives resulting from recommendations
- Develop and implement community education and outreach related to homelessness; set city targets for the community dashboard and track progress for addressing homelessness
- Coordinate work plan with the County Ten Year Plan Board; serve on the Board as a city representative, including county-wide planning for housing and Consortium of Cities PSH study implementation
- Work with other city departments (Police Department, Municipal Court, Housing Division) to coordinate city efforts (High Utilizer Project, HOT team, enforcement, Housing funding and projects)
- Coordinate regional partnerships to address services and housing, including regional coordinated entry with the Metro Denver Homeless Initiative (MDHI) and the annual Point in Time Survey, Consortium of Cities, and Metro Mayors Caucus landlord recruitment initiative.

Department Analyst – 1.0 FTE

This position will coordinate and develop data analytics, metrics, outcomes development and reporting department-wide.

Key responsibilities and work plan include:

- Develop indicators, metrics, and data collection methods related to the homelessness work plan; develop community homelessness dashboard; report on progress
- Coordinate data collection and analytics with the Boulder County and homeless service agencies
- Develop community funding outcomes and indicators, city dashboard metrics and grant analytics to report on community funding investments and outcomes (Human Services Fund and Youth Opportunities Fund)
- Coordinate community measures and outcomes with funding partners and service providers
- Develop Human Services Strategy metrics and outcomes and analyze and report on progress in Strategy goals
- Provide research and analytics on a wide range of human services, social welfare and community issues, including trend analysis for future planning
- Provide data and analytic support for the Human Relations Commission work plan
- Develop reports to the community on social welfare, community relations and human services issues.

Total proposed PE costs are \$214,762. Proposed associated NPE includes \$7,500 per FTE. Additional NPE funding of \$20,000 to support the work program is also requested, bringing the total amount of NPE for work program support to \$35,000.

Staffing in the Human Services department has decreased over time. During the 2015 budget study session, departments were asked to provide information on FTE changes from 2008 to present. In 2008, there were 43.27 FTE budgeted in Human Services. In 2017, there are 33.05 FTE budgeted, representing a decrease of 24 percent. Most of this reduction is due to programs which have been transferred from the department to other community providers. During this same time, other areas of work have expanded including a significant homelessness work plan. If the two positions requested are included in the 2017 budget, total FTE in Human Services for 2017 will be 35.05, a 19 percent decrease from the 2008 budget. The table below shows FTE levels in the human Services Department from 2008 to 2017 (recommended). Work plan trade-offs would need to be considered without additional staffing resources.

**Human Services Department FTE 2008-2017**

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	% change from 2008
Total	43.27	43.45	42.36	40.42	33.88	35.49	37.41	37.19	37.15	33.05	-24%

**Energy Strategy**

At the Sept. 13 budget study session and the Oct. 4 City Council first reading of the 2017 budget, council asked for additional information related to the timing of anticipated spending from the General Fund City Manager energy contingency budget.

To date, the contingency budget has funded the following key positions: Energy Strategy Coordinator (1.0 FTE), Energy Sustainability Coordinator (0.5 FTE) and an Electrical

Engineer (1.0 FTE). The Energy Strategy Coordinator and Energy Sustainability Coordinator positions (1.5 FTE) were previously funded through the Climate Action Plan (CAP) tax and were not anticipated, nor planned for, in the Utility Occupation Tax funded work plan. These positions have provided key support in the following areas: technical assistance and analysis on complex modeling to support the city's energy strategy, including financial and energy resource feasibility modeling and the development of the financial forecast; engineering research on existing electric utility infrastructure; engineering research on electric utility related plans, policies, procedures, codes, standards and systems; electric vehicle (EV) strategy; solar/EV discount program; energy services and PUC support. At the Oct. 4 meeting, council indicated continued support of these positions and associated funding of \$239,476 for 2017.

All of the remaining general fund contingency expenditures of \$694,071 tied to litigation (PUC transition plan filing and FERC), transition plan consultants and the proposed 2.0 new FTE positions, will not be spent until after a positive PUC decision on the transfer of assets case. Given that, staff is recommending that funding for this be brought forward as an adjustment to the budget in 2017, rather than be included in the recommended budget.

Staff is therefore recommending that the 2017 City Manager's energy contingency budget be reduced to \$239,467 at this time.

### **Code Enforcement**

In response to the City Council deliberations on Oct. 11 and the proposed structure of the co-operative housing regulations, the Recommended Budget for 2017 has been amended to include funding for an additional (standard) code enforcement position. Staff propose to move forward with the hiring process and post the position at this time in order to support the implementation of the proposed regulations. Work priorities also include developing and implementing code changes in response to the feedback provided by the City Council at the Sept. 20 City Council meeting relative to short-term rentals. A vacant code enforcement supervisor position is also expected to be filled during the next two months.

As noted during the discussion the 2017 Budget on Oct. 4, currently, 8.6 FTE from the Planning, Housing & Sustainability and Public Works Departments work as one team to support code enforcement functions related to Rental Housing Licensing Enforcement, including Short Term Rentals, as well as Zoning (including over-occupancy), Marijuana and Building Safety Enforcement. 5.0 FTE perform field enforcement duties, with one of these positions being a working supervisor. 3.6 FTE are administrative positions primarily focused on licensing and administrative support. Two of these positions (1 field position and 1 administrative position) were added by the City Council in January 2016 in response to the implementation of Ordinance 8050 regulating short-term rentals. Two other positions (1 field position and 1 administrative position) were added by the City Council during the 2015 Budget process in order to provide additional resources for Rental Housing Licensing Enforcement. In summary, 4.0 of the 8.6 FTE in this area have been added since 2015.

It is important to note that there are other Code Enforcement resources in Public Works including 7 building inspectors (including a supervisor) and 4 right-of-way inspectors

(including a supervisor). Additionally, the Code Enforcement Unit in the Boulder Police Department and the Parking Services Unit in the Community Vitality Department provide focused enforcement in their respective areas. All these city work units closely collaborate and coordinate efforts.

### **Living Wage**

The 2017 Recommended Budget includes increased funding for an expanded living wage for city employees, janitorial and landscape contractors, and emergency medical services (EMS) ambulance providers. The expansion will increase the minimum rate of pay to \$15.67 per hour for all standard and temporary city employees. The 2017 Recommended Budget also includes funding for the increase in contract costs for current janitorial and landscaping service providers, as well as an EMS ambulance service provider, to implement a minimum rate of pay of \$15.67 per hour for workers providing services under these contracts with the city. Finally, the proposed 2017 budget includes funding for a compliance specialist who will monitor and enforce contractor compliance. Staff will report regularly to council on Living Wage compliance and will provide additional information, as appropriate, on benefits offered by the contractor to its employees performing services for the City of Boulder.

The Purchasing Division in Finance and the City Attorney's Office (CAO) will work together on the contracting issues required to implement the living wage provision for janitorial, landscape, and ambulance services.

Staff is prepared to move forward with a comprehensive Request for Proposal (RFP) for janitorial services. We expect this RFP to be posted in October, 2016 and will include janitorial services for Parks and Recreation, Senior Services, Open Space and Mountain Parks (OSMP), Public Works, and buildings directly managed by Facilities and Asset Management (FAM). The objective of the RFP is to tie together janitorial service contracts with a single, competitive solicitation and require janitorial contractors to comply with the living wage provision. Purchasing will work with the City Attorney's Office to include language in the RFP to require the living wage and associated compliance activity be reflected in their proposal cost. Companies that are unable or unwilling to comply with the living wage provision will not be considered for award. We are expecting new awards to be made by end of year with contracts to be in place for the first quarter of 2017. Earlier in 2016, janitorial vendors were contacted and indicated they were willing and able to comply with a living wage rate of \$15.67 per hour.

Existing city landscape contracts have reached the limit for annual renewal and new proposals must be solicited for these services in 2017 and beyond. The living wage requirement will be incorporated into Request for Proposals (RFPs) and the resulting contracts for landscape services. Purchasing will work with the City Attorney's Office to incorporate language mandating compliance with the living wage provision into these documents. Earlier in 2016, landscape vendors were contacted and advised they are willing and able to pay an hourly pay rate of \$15.67 to comply with the living wage initiative. Landscape vendors indicated they have experience with similar requirements on other contracts and their payroll systems should be able to provide reports to aid in the verification of compliance.

Earlier in 2016, a Request for Proposal (RFP) was issued which solicited proposals for Emergency Medical Services (ambulance service). This RFP contained a requirement to pay a living wage of \$15.67 per hour to ambulance employees directly assigned to teams that serve the City of Boulder. Boulder Fire and Rescue received proposals and is engaged in negotiations with the vendor selected by the evaluation process. This vendor has confirmed they will comply with the living wage provision. Boulder Fire and Rescue will work directly with the City Attorney's Office to finalize the contract and include appropriate living wage compliance language. The living wage provision will apply only to contracts that are directly managed by Boulder Fire and Rescue. The living wage provision will not apply to other emergency medical services such as patient transfers and other private activities that are not under the purview of the city.

The city has considered avenues to advance the availability of benefits to contracted workers in addition to a living wage pay rate of \$15.67 per hour. While the city would not be able to dictate specific benefits offered to employees of another organization, in the award of contracts, the city can consider more favorably vendors that offer health and other benefits to employees.

This could potentially be addressed by awarding janitorial, landscape, and ambulance service contracts only to vendors with fifty (50) or greater employees who must offer an affordable health care plan under the Affordable Care Act (ACA), or, as an alternative, the city may choose to award janitorial, landscape, and ambulance contracts to smaller companies not bound to the Affordable Care Act but who offer health care plans to their employees on their own initiative and separate of the requirements of the ACA. This award strategy may have an impact on the number and types of vendors that are eligible to receive an award from the City of Boulder, potentially limiting our options for award of contracts.

The Finance Department will have responsibility to ensure contractor compliance with the living wage provision. The proposed 2017 budget includes funding for a compliance specialist who will monitor and enforce contractor compliance. We anticipate the primary compliance methodology will require vendors to regularly submit certified payroll records for review and verification. Vendor contracts will also include a requirement that vendor payroll records are subject to audit by City of Boulder staff in an effort to ensure compliance. Finally, the compliance specialist will also be tasked with collecting data, as allowable and in aggregate, to determine benefits offered to employees and benefits provided to employees.

As the city moves forward with implementation of the living wage provision as described above, staff will provide periodic updates on vendor compliance with the wage rate and aggregate data on benefits as appropriate. Further, staff will begin an analysis on the feasibility of applying the living wage provision to contracts awarded to non-profits and other governmental agencies. Additionally, staff will refine and recommend a methodology to determine potential adjustments to the living wage, as well as the applicability of the living wage provision to seasonal employees. Staff is planning to return to council in late spring 2017 with a recommendation on these items.

## QUESTIONS

Council members may contact [Peggy Bunzli](#) (303-441-1848) in the Budget Division for any questions they have on the contents of this agenda item, including clarification of any budget program or fund status.

## BUDGET MATERIALS ONLINE

Budget materials can be found at the following links:

[2017 Recommended Budget](#);

[2017-2022 Draft Capital Improvements Program](#);

[Sept. 13 Budget study session memo](#);

[Additional materials relating to homelessness initiatives for the Sept. 13 Budget study session](#);

[Additional materials relating to items not recommended for funding in the 2017 Budget](#)

[Video of Sept. 13 Budget study session](#) (choose date from list);

[Sept. 13 study session summary](#);

[Agenda item 5A, including attachments, for the Oct. 4, 2016 City Council meeting](#);

[Video of Oct. 4 Council Meeting – First Reading of the Budget](#) (choose date from list);

[2016 Budget \(current year\)](#);

[Past budgets](#)

## PUBLIC FEEDBACK

At the Oct. 4 Public Hearing, three members of the public spoke. One spoke in favor of the proposed funding to EFAA for expansion of short-term emergency rental assistance for families. One spoke in favor of the Living Wage proposal and expressed support for both a higher minimum rate of pay rate than included in the 2017 recommended budget and in support of bringing janitorial and landscape services in-house. The third member of the public spoke in favor of potential future collaboration between members of the public and council with regard to budget considerations.

There will be a public hearing at the Second Reading of these ordinances.

## NEXT STEPS

- Tuesday, Nov. 1 - Third reading of the 2017 City of Boulder budget.

## ATTACHMENTS

- Attachment A** Budget Changes document, logging changes proposed to the 2017 Recommended Budget and Draft 2017-2022 CIP since publication
- Attachment B** Fund Activity Summary that reflects the impact of 2017 estimated revenues and appropriations on the fund balance for each city fund
- Attachment C** Ordinance No. 8144 **amended** adopting a Budget for the City of Boulder for 2017
- Attachment D** Ordinance No. 8145 establishing the 2016 City of Boulder property tax mill levies
- Attachment E** Ordinance No. 8146 **amended** appropriating the City of Boulder budget for 2017
- Attachment F** Ordinance No. 8147 adopting Section 3-8-3 and Chapter 4-20 of the B.R.C. 1981, changing certain fees
- Attachment G** Additional Information on the 2017 Recommended Budget

## Attachment A: Changes to 2017 Recommended Budget since Publication

Item	Recommended Budget Document Change Description	Document	Section(s)	Page(s)
1	Correct FTE change for Energy Code Specialist Position from P&DS Fund from 0.50 to 0.75 in tables (correct numbers are already included in total FTE and Department FTE count)	2017 Recommended Budget	Attachment A and B; Department Overviews	Pages xxxv, xlili, 212
2	Remove first sentence of note under Library Fund Financial that implied that 2015 Charter changes created the new Library Fund. The creation of the fund was administrative in nature to reflect changes to the Library Commission's roles and responsibilities in the charter.	2017 Recommended Budget	Fund Financials	258
3	Library and Arts Department Detail Page – shift of <i>Main Library: Programming and Library Branch Programming</i> and <i>Library Branch Programming: Meadows, George Reynolds, North Boulder</i> line items from <i>Arts and Culture</i> Section to <i>Community Engagement and Enrichment and Public Services</i> Sections. Consolidation of <i>Support: Boulder Museum of Contemporary Art (BMoCA)</i> and <i>Support: Dairy Center for the Arts</i> line items into the <i>Arts Grants Programming</i> line item.	2017 Recommended Budget	Department Overviews	167
4	Incorporation of \$800,000 for homelessness initiatives, \$300,000 funded out of Human Service Reserves; \$500,000 out of the general Fund.	2017 Recommended Budget	Attachment A and B; Sources and Uses; Department Overviews; Fund Financials	xxxii, xxxix, 53, 55, 71, 72, 75, 76, 150, 152, 153, 234, 235
5	Break out City Clerk from Communications and give it its own department section.	2017 Recommended Budget	Department Overviews	111–116
6	Movement of 1.0 FTE Chief Financial Advisor position from Finance Department to City Manager's Office	2017 Recommended Budget	Sources and Uses, Department Overviews, Fund Financials	74, 76, 104, 108, 109, 129, 130, 131, 132, 233, 234
7	Addition of \$74,413 in 2017 grant revenue in the Library Fund (this is an adjustment to revenue only)	2017 Recommended Budget	Sources and Uses, Fund Financials	57, 58, 67, 258
8	Addition of \$200,000 in 2016 Revised Revenues in 0.25 Cent Sales Tax Fund for Tree Debris to Opportunity Grant (this is an adjustment to revenue only – revenue inadvertently omitted in 2016 figures)	2017 Recommended Budget	Sources and Uses, Fund Financials	65, 238
9	Correct Transproation Fund Emergency/Stabilization Policy language to reflect 5 percent operating reserve rather than a flat \$475,000.	2017 Recommended Budget	Budget Policies	50
10	Correct transposition of budgeted amounts(\$210,900 and \$213,900) for Central Boulder Long-Term Planning – Civic Area East Bookend Planning and Central Boulder Long-Term Planning – Alpine Balsam Site Planning.	2017 Recommended Budget	Attachment A and B; Department Overviews.	xxxiv, 197

## Attachment A: Changes to 2017 Recommended Budget since Publication

Item	Recommended Budget Document Change Description	Document	Section(s)	Page(s)
11	Inclusion of additional \$100,000 for enhanced Neighborhood Traffic Mitigation Program elements and \$150,000 for additional transportation safety programming.	2017 Recommended Budget	Attachment A and B; Sources and Uses, Department Overviews; Fund Financials	xxxvi, xli, 71, 72, 75, 76, 80, 205-208, 215-221, 235
12	Reduce funding for the replenishment of City Manager Contingency related to Energy from \$447,239 to \$239,476.	2017 Recommended Budget	Attachment A and B; Sources and Uses; Energy Strategy and Electric Utility Development Project Highlight Section; Fund Financials	90, 71, 72, 75, 76, 80, 234-235
13	Addition of 1.0 FTE Code Enforcement Position (\$109,000) related to co-ops.	2018 Recommended Budget	Attachment A and B; Sources and Uses, Department Overviews; Fund Financials	xxxv, xli, 71, 72-76, 79, 80, 205-214, 235, 263

Item	Draft CIP Change Description	Document	Section(s)	Page(s)
1	DET/Impact Fees – Table 7-1: The total amount for all departments in 2017 should be \$2,730,000	Draft 2017-2022 CIP	Special Highlight: Development Excise Tax and Impact Fees	81

**ACTIVITY BY FUND (in thousands)**

<b>Fund Title</b>	<b>Projected Fund Balance 1/1/2017</b>	<b>Estimated Revenues Including Transfers In</b>	<b>Appropriations Including Transfers Out</b>	<b>Projected Fund Balance 12/31/2017</b>	<b>Projected Changes in Fund Balance</b>
1100 General	36,325	138,076	139,680	34,721	-1,604
2180 .25 Cent Sales Tax	2,743	8,955	8,432	3,267	524
2140 Affordable Housing	623	1,910	1,738	795	172
2700 Airport	1,444	604	432	1,616	172
2830 Boulder Junction Access GID TDM	58	311	188	181	123
6800 Boulder Junction GID Parking	406	212	466	152	-254
3500 Boulder Junction Improvement	535	644	959	220	-315
2100 Capital Development	11,630	2,595	2,207	12,018	388
2400 Climate Action Plan	74	1,839	1,829	83	10
2910 Community Development Block Grant (CDBG)	0	650	650	0	0
1150 Community Housing Assistance Program	506	2,652	3,126	32	-474
7190 Compensated Absences	1,771	858	983	1,646	-125
7300 Computer Replacement	7,854	2,231	2,315	7,771	-83
6400 Downtown Commercial District	4,362	8,977	7,333	6,006	1,644
7400 Equipment Replacement	6,244	1,179	520	6,903	660
7500 Facility Renovation and Replacement	5,743	3,279	4,123	4,899	-844
7210 Fleet Operations and Replacement	15,310	10,034	7,693	17,651	2,341
2920 HOME Investment Partnership Grant	0	825	825	0	0
2200 Library	992	1,362	1,411	943	-49
2110 Lottery	2,404	1,007	1,557	1,854	-550
2500 Open Space and Mountain Parks	10,643	36,386	34,949	12,081	1,437
3300 Permanent Parks and Recreation	888	2,844	3,231	500	-388
2120 Planning and Development Services	5,619	11,057	12,378	4,298	-1,321
7110 Property and Casualty Insurance	5,192	1,895	2,394	4,693	-499
2300 Recreation Activity	2,093	10,737	10,919	1,911	-181
6300 Stormwater/Flood Management Utility	11,606	11,689	13,245	10,050	-1,556
7100 Telecommunications	1,634	722	549	1,808	173
2820 Transit Pass GID	16	16	16	15	-1
2800 Transportation	4,733	35,396	36,101	4,029	-705
2810 Transportation Development	2,544	861	1,545	1,860	-684
6500 University Hill Commercial District	770	601	656	715	-55
6200 Wastewater Utility	8,170	21,419	23,443	6,146	-2,024
6100 Water Utility	29,030	32,424	34,565	26,889	-2,141
7120 Worker's Compensation Insurance	2,352	1,763	1,748	2,367	15
<b>Totals</b>	<b>184,314</b>	<b>356,010</b>	<b>362,205</b>	<b>178,120</b>	<b>-6,195</b>

**Note:**

The table above reflects the impact of the 2017 budget, including estimated revenues (with transfers in) and appropriations (with transfers out), on projected unreserved fund balance.



1	HOME Investment Partnership Grant Fund	825,194
2	Library Fund	1,411,278
3	Lottery Fund	1,557,342
4	Open Space Fund	34,948,528
5	Permanent Parks and Recreation Fund	3,231,303
6	Planning and Development Services Fund	12,378,488
7	Property and Casualty Insurance Fund	2,394,170
8	Recreation Activity Fund	10,918,674
9	Stormwater/Flood Management Utility Fund	13,245,203
10	Telecommunications Fund	548,780
11	Transportation Fund	36,101,318
12	Transportation Development Fund	1,545,109
13	Wastewater Utility Fund	23,443,164
14	Water Utility Fund	34,564,584
15	Worker's Compensation Insurance Fund	1,748,192
16	Less: Interfund Transfers	(12,676,833)
17	Less: Internal Service Fund Charges	(19,847,250)
18	<b>TOTAL (Including Debt Service)</b>	<b>\$ 321,021,799</b>

Section 2. That estimated carryover funds from fiscal year 2016 are as follows

(excludes General Improvement Districts):

19	General Operating Fund	\$ 7,000,000
20	.25 Cent Sales Tax Fund	1,800,000
21	2011 Capital Improvement Bond Fund	292,000
22	Affordable Housing Fund	7,500,000
23	Airport Fund	10,000
24	Boulder Junction Improvement Fund	2,500,000
25	Capital Development Fund	500,000
26	Climate Action Plan Fund	400,000
27	Community Development Block Grant (CDBG) Fund	1,300,000
28	Community Housing Assistance Program Fund	4,500,000
29	Equipment Replacement Fund	250,000

1	Facility Renovation and Replacement Fund	5,500,000
2	Fleet Operations and Replacement Fund	850,000
3	HOME Investment Partnership Grant Fund	1,500,000
4	Lottery Fund	1,103,073
5	Open Space Fund	25,766,943
6	Permanent Parks and Recreation Fund	400,000
7	Planning and Development Services Fund	1,500,000
8	Stormwater/Flood Management Utility Fund	12,000,000
9	Transportation Fund	27,000,000
10	Transportation Development Fund	2,800,000
11	Wastewater Utility Fund	9,000,000
12	Water Utility Fund	14,000,000
13	<b>TOTAL</b>	<b>\$ 127,472,016</b>

Section 3. That estimated revenues and fund balances available for fiscal year 2017

to fund the above expenditures are as follows (excludes carryover and General Improvement Districts):

14	Taxes	\$ 190,329,926
15	Charges for Services	74,124,783
16	License Fees and Fines	20,936,681
17	Internal Service Fund Charges	20,374,694
18	Intergovernmental and Grants	14,780,916
19	Transfers-In	8,234,160
20	Interest/Lease/Rent	4,714,078
21	Other Revenue	2,103,243
22	Sale of Goods and Capital Assets	583,384
23	Plus: Fund Balance	13,448,788
24	Less: Transfers-In	(8,234,160)
25	Less: Internal Service Fund Charges	(20,374,694)
26	<b>TOTAL</b>	<b>\$ 321,021,799</b>



**ORDINANCE 8145**

**AN ORDINANCE ESTABLISHING THE 2016 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 2017 FOR PAYMENT OF EXPENDITURES BY THE CITY OF BOULDER DURING THE FISCAL YEAR 2017 PROVIDING THAT SAID LEVY BE CERTIFIED TO THE COUNTY ASSESSOR OF THE COUNTY OF BOULDER, STATE OF COLORADO, SETTING FORTH DETAILS IN RELATION THERETO.**

WHEREAS, Section 94 of the Charter of the City of Boulder, Colorado requires the City Council to make by ordinance the proper levy in mills on each dollar of the assessed valuation of all taxable property within the City, such levy representing the amount of taxes for City purposes necessary to provide for payment during the ensuing fiscal year of the properly authorized demands upon the Treasury, and to cause said total levy to be certified to the County Assessor of the County of Boulder, State of Colorado; and

WHEREAS, after reviewing the requirements for anticipated expenditures as well as anticipated revenues from other sources for 2017, the City Council has determined that for the year of 2016, the proper mill levy, which shall be collected in 2017 by the Treasurer of the County of Boulder, State of Colorado, upon each dollar of the assessed valuation of all taxable property within the city, shall be 11.981 mills; and

WHEREAS, Boulder residents approved Ballot Issue 201 on November 4, 2008, which has the effect of allowing the retention of property tax monies collected above the limits imposed by Article X, Section 20, of the Colorado Constitution, commonly referred to as "TABOR," and reducing the mill levy credit by 0.50 mill each year until the credit is completely eliminated; and

1 WHEREAS, in line with those guidelines, no mill levy credit remains, and a total of  
 2 11.981 mills is to be assessed upon each dollar of assessed valuation of all taxable  
 3 property with the City.

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

6 Section 1. For the purpose of maintaining funds to defray the general expenses of  
 7 the City of Boulder, Colorado, during the fiscal year of the City commencing at 12:00  
 8 Midnight at the end of December 31, 2016, and ending at 12:00 Midnight at the end of  
 9 December 31, 2017, there is hereby levied for the year of 2016 to be collected in 2017 a  
 10 tax of 11.981 mills upon each dollar of the total assessed valuation of all taxable property  
 11 within the City of Boulder, Colorado. The levy includes the following components:  
 12

13	GENERAL CITY OPERATIONS	8.748
14	PERMANENT PARKS FUND (Charter Sec. 161)	.900
15	LIBRARY FUND (Charter Sec. 165)	<u>.333</u>
16	TOTAL	9.981
17	GENERAL CITY OPERATIONS (PUBLIC SAFETY)	<u>2.000</u>
18	NET MILL LEVY	11.981

19 Section 2. This ordinance is necessary to protect the public health, safety, and  
 20 welfare of the residents of the city, and covers matters of local concern.

21 Section 3. The council deems it appropriate that this ordinance be published by title  
 22 only and orders that copies of this ordinance be made available in the office of the city  
 23 clerk for public inspection and acquisition.

24 Section 4. Pursuant to Section 18 of the Charter of the City of Boulder, this  
 25 ordinance shall take effect immediately upon publication after final passage.  
 26  
 27

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED

BY TITLE ONLY this 4th day of October, 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED

PUBLISHED BY TITLE ONLY this 18th day of October, 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**ORDINANCE 8146**

**AN ORDINANCE APPROPRIATING MONEY TO DEFRAID EXPENSES AND LIABILITIES OF THE CITY OF BOULDER, COLORADO, FOR THE 2017 FISCAL YEAR OF THE CITY OF BOULDER, COMMENCING ON THE FIRST DAY OF JANUARY 2017, AND ENDING ON THE LAST DAY OF DECEMBER 2017, AND SETTING FORTH DETAILS IN RELATION THERETO.**

WHEREAS, the City Council has approved a motion to adopt the budget for 2017; and,

WHEREAS, the City Council has by ordinance made the property tax levy in mills upon each dollar of the total assessed valuation of all taxable property within the City, such levy representing the amount of taxes for City purposes necessary to provide for payment in part during the City's said fiscal year of the properly authorized demands upon the Treasury; and,

WHEREAS, the City Council is now desirous of making appropriations for the ensuing fiscal year as required by Section 95 of the Charter of the City of Boulder;

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

Section 1. The following appropriations are hereby made for the City of Boulder's fiscal year commencing at 12:00 Midnight at the end of December 31, 2016 and ending at 12:00 Midnight at the end of December 31, 2017, for payment of 2017 City operating expenses, capital improvements, and general obligation and interest payments:

General Operating Fund	\$ 139,679,481
.25 Cent Sales Tax Fund	8,431,714
Affordable Housing Fund	1,737,774
Airport Fund	432,040
Boulder Junction Improvement Fund	958,724

1	Capital Development Fund	2,206,700
2	Climate Action Plan Fund	1,828,900
3	Community Development Block Grant (CDBG) Fund	650,324
4	Community Housing Assistance Program Fund	3,125,866
5	Compensated Absences Fund	982,875
6	Computer Replacement Fund	2,314,707
7	Equipment Replacement Fund	519,582
8	Facility Renovation and Replacement Fund	4,122,522
9	Fleet Operations and Replacement Fund	7,693,346
10	HOME Investment Partnership Grant Fund	825,194
11	Library Fund	1,411,278
12	Lottery Fund	1,557,342
13	Open Space Fund	34,948,528
14	Permanent Parks and Recreation Fund	3,231,303
15	Planning and Development Services Fund	12,378,488
16	Property and Casualty Insurance Fund	2,394,170
17	Recreation Activity Fund	10,918,674
18	Stormwater/Flood Management Utility Fund	13,245,203
19	Telecommunications Fund	548,780
20	Transportation Fund	36,101,318
21	Transportation Development Fund	1,545,109
22	Wastewater Utility Fund	23,443,164
23	Water Utility Fund	34,564,584
24	Worker's Compensation Insurance Fund	1,748,192
25	Less: Interfund Transfers	(12,676,833)
26	Less: Internal Service Fund Charges	(19,847,250)
27	<b>TOTAL (Including Debt Service)</b>	<b>\$ 321,021,799</b>

Section 2. The following appropriations are hereby made for the City of Boulder's fiscal year commencing January 1, 2017 and ending December 31, 2017 for estimated carryover expenditures:

27	General Operating Fund	\$ 7,000,000
----	------------------------	--------------

1	.25 Cent Sales Tax Fund	1,800,000
2	2011 Capital Improvement Bond Fund	292,000
3	Affordable Housing Fund	7,500,000
4	Airport Fund	10,000
5	Boulder Junction Improvement Fund	2,500,000
6	Capital Development Fund	500,000
7	Climate Action Plan Fund	400,000
8	Community Development Block Grant (CDBG) Fund	1,300,000
9	Community Housing Assistance Program Fund	4,500,000
10	Equipment Replacement Fund	250,000
11	Facility Renovation and Replacement Fund	5,500,000
12	Fleet Operations and Replacement Fund	850,000
13	HOME Investment Partnership Grant Fund	1,500,000
14	Lottery Fund	1,103,073
15	Open Space Fund	25,766,943
16	Permanent Parks and Recreation Fund	400,000
17	Planning and Development Services Fund	1,500,000
18	Stormwater/Flood Management Utility Fund	12,000,000
19	Transportation Fund	27,000,000
20	Transportation Development Fund	2,800,000
21	Wastewater Utility Fund	9,000,000
22	Water Utility Fund	14,000,000
23	<b>TOTAL</b>	<b>\$ 127,472,016</b>

Section 3. The following appropriations are hereby made for the City of Boulder's fiscal year commencing January 1, 2017, and ending December 31, 2017, for Fund Balances:

24	General Operating Fund	\$ 34,721,413
25	.25 Cent Sales Tax Fund	3,266,613
26	Affordable Housing Fund	795,427
27	Airport Fund	1,616,245
28	Boulder Junction Improvement Fund	220,106

1	Capital Development Fund	12,017,761
2	Climate Action Plan Fund	83,412
3	Community Housing Assistance Program Fund	31,692
4	Compensated Absences Fund	1,645,573
5	Computer Replacement Fund	7,770,788
6	Equipment Replacement Fund	6,903,287
7	Facility Renovation and Replacement Fund	4,899,430
8	Fleet Operations and Replacement Fund	17,651,288
9	Library Fund	942,648
10	Lottery Fund	1,853,710
11	Open Space Fund	12,080,821
12	Permanent Parks and Recreation Fund	500,289
13	Planning and Development Services Fund	4,297,706
14	Property and Casualty Insurance Fund	4,692,719
15	Recreation Activity Fund	1,911,399
16	Stormwater/Flood Management Utility Fund	10,049,719
17	Telecommunications Fund	1,807,730
18	Transportation Fund	4,028,623
19	Transportation Development Fund	1,859,617
20	Wastewater Utility Fund	6,146,365
21	Water Utility Fund	26,888,876
22	Worker's Compensation Insurance Fund	2,366,703
23	<b>TOTAL FUND BALANCES AS OF 12/31/2017</b>	<b>\$ 171,049,960</b>

24 Section 4. The City Council hereby appropriates as revenues all 2016 year-end  
 25 cash balances not previously reserved for insurance or bond purposes for all purposes not  
 26 designated as "emergencies", including without limitation subsequent years' expenditures,  
 27 capital improvements, adverse economic conditions and revenue shortfalls, pursuant to  
 Article X, Section 20 to the Colorado Constitution, approved by the electorate on  
 November 3, 1992; and

1           Section 5. The sums of money as appropriated for the purposes defined in this  
2 ordinance shall not be over expended, and that transfers between the various  
3 appropriations defined in this ordinance shall not be made except upon supplemental  
4 appropriations by ordinance authorizing such transfer duly adopted by City Council of  
5 the City of Boulder, Colorado. It is expressly provided hereby that at any time after the  
6 passage of this ordinance and after at least one week's public notice, the Council may  
7 transfer unused balances appropriated for one purpose to another purpose, and may  
8 appropriate available revenues not included in the annual budget and appropriations  
9 ordinance.

10           Section 6. The City Council is of the opinion that the provisions of the within  
11 ordinance are necessary for the protection of the public peace, property, and welfare of  
12 the residents of the city, and covers matters of local concern.

13           Section 7. Pursuant to Section 95 of the Boulder City Charter, the annual  
14 appropriation ordinance must be adopted by December 1 and to Section 18 of the  
15 Charter, this ordinance shall take effect immediately upon publication after final passage.  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED

BY TITLE ONLY this 4th day of October, 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

READ ON SECOND READING, PASSED, AND ORDERED PUBLISHED BY

TITLE ONLY this 18th day of October, 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

ORDINANCE NO. 8147

AN ORDINANCE AMENDING SECTION 3-8-3 AND CHAPTER 4-20, B.R.C. 1981, CHANGING CERTAIN FEES, AND SETTING FORTH RELATED DETAILS.

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

Section 1. Section 3-8-3, B.R.C. 1981, is amended to read:

**3-8-3. - Tax Imposed on Nonresidential and Residential Development.**

(a) Tax Rate: No person engaged in nonresidential or residential development in the city shall fail to pay a development excise tax thereon according to the following rates:

(1) For new or additional floor area for nonresidential development per square foot of floor area:

Transportation	\$2.48
Total:	\$2.48

(2) For new detached dwelling unit:

Park land	<del>\$1,194.60</del> 1,170.03
Transportation	<del>\$2,323.71</del> 2,275.92
Total:	<del>\$3,518.31</del> 3,445.95

(3) For new attached dwelling unit or mobile home:

Park land	<del>\$ 830.57</del> 813.49
Transportation	<del>\$1,722.02</del> 1,686.60
Total:	<del>\$2,552.59</del> 2,500.09

(b) Waiver of Tax Imposed on Annexation of Developed Residential Land: For property annexed with existing residential development, the tax imposed by this chapter is prorated in accordance with the following formula: one twenty-sixth of the applicable tax is waived for each full year the residence existed prior to July 17, 1988. The date on which residential development existed for determination of the waiver is the date of the issuance by Boulder County of a certificate of occupancy for the structure.

Section 2. Chapter 4-20, B.R.C. 1981, is amended to read:

....

**4-20-3. - Auctioneer License Fees.**

An applicant for an auctioneer license shall pay an annual fee of ~~\$83~~ \$4 and \$7 per person submitted for background check review.

**4-20-4. - Building Contractor License, Building Permit Fees, and Payment of Estimated Use Tax.**

....

(d) The value of the work covered by the permit shall be determined by either the City of Boulder Valuation Table or the estimated value of the work covered by the permit provided by the applicant at time of application. The higher of the two valuations shall be used to calculate the building permit fees and the estimated pre-payment of construction use tax if the applicant chooses to pay use taxes pursuant to Subsection 3-2-14(a), "Methods of Paying Sales and Use Tax," B.R.C. 1981.

(1) *City of Boulder Valuation Table* means a table of per square foot construction values based on type of construction and use. The city has adopted the August ~~2015~~ 2016 version of the cost data as published by the International Code Council. The table rates are for new construction which includes additions. All other scopes of work are expressed as a percentage of the new rates as follows:

Core and Shell	75%
Basement Finish	50%
All Others	50%

....

**4-20-5. - Circus, Carnival, and Menagerie License Fees.**

An applicant for a circus, carnival, and menagerie license shall pay ~~\$435~~ \$425 per day of operation.

....

**4-20-10. - Itinerant Merchant License Fee.**

An applicant for an itinerant merchant license shall pay \$57 ~~56~~ per year plus \$7 per person submitted for background check review.

**4-20-11. - Mall License and Permit Fees.**

The following fees shall be paid before issuance of a revocable permit or lease, kiosk, mobile vending cart, ambulatory vendor, entertainment vending, personal services vending, or animal permit, and rental of advertising space on informational kiosks:

- (a) For revocable permit or leases issued in accordance with Section 8-6-6, "Requirements for Revocable Permits, Short-Term Leases and Long-Term Leases," B.R.C. 1981, an annual fee of \$16.60 ~~16.25~~ per square foot of occupied space;
- (b) For kiosk permits, an annual fee to be negotiated by contract with the city manager;
- (c) For mobile vending carts, \$2,225 ~~2,172~~ per year, payable in two equal payments by April 1 and August 1, or, for substitution or other permits which begin later in the year and are prorated, within thirty days of permit approval;
- (d) For ambulatory vendor permits, \$111 ~~108~~ per month from May through September, and \$55.50 ~~54~~ per month from October through April;
- (e) For any permits requiring use of utilities to be provided by the city, up to a maximum of \$19.50 ~~19~~ per day;
- (f) For rental of advertising space on informational kiosks, \$975 per quarter section per year;
- (g) For animal permits, \$0 per permit;
- (h) For entertainment vending permits, \$15.50 ~~15.00~~ per month;
- (i) For personal services vending permits, \$111 ~~108~~ per month from May through September, and \$55.50 ~~54~~ from October through April; and
- (j) For a newspaper vending machine permit, \$66.50 per year.

....

**4-20-17. - Secondhand Dealer and Pawnbroker License Fee.**

- (a) An applicant for a secondhand dealer license shall pay \$116 ~~113~~ per year plus \$7 per person submitted for background check review.
- (b) An applicant for a pawnbroker license shall pay \$2,181 ~~2,128~~ per year plus \$7 per person submitted for background check review.
- (c) The fees for a new license prescribed in subsections (a) and (b) of this section shall be prorated on a monthly basis.

**4-20-18. - Rental License Fee.**

The following fees shall be paid before the city manager may issue a rental license or renew a rental license:

1 (a) Dwelling and Rooming Units: \$105 per building.

2 (b) Accessory Units: \$105 per unit.

3 (c) For any rental license or renewal of a rental license that has not passed an inspection  
4 demonstrating compliance with Chapter 10-2, "Property Maintenance Code" Energy  
5 Efficiency Requirements as of December 31, 2016: \$50 per rental license.

6 (de) To cover the cost of investigative inspections, the city manager will assess to operators a  
7 \$250 fee per inspection, where the city manager has performed an investigative inspection  
8 to ascertain compliance with or violations of this chapter.

9 ....

10 **4-20-20. - Revocable Right of Way Permit/Lease Application Fee.**

11 (a) An applicant for a revocable right of way permit shall pay:

12 (1) Initial application: ~~\$650.00~~.

13 (2) Resubmittal within four weeks of initial application: ~~\$325.00~~.

14 (3) Renewal: ~~\$113.00~~.

15 (b) An applicant for a revocable right of way lease shall pay:

16 (1) Initial application: ~~\$750.00~~.

17 (2) Resubmittal within four weeks of initial application: ~~\$375.00~~.

18 (3) Renewal: ~~\$150.00~~.

19 (c) An applicant for an encroachment investigation shall pay the following fees:

20 (1) Residential encroachment: ~~\$708.00~~.

21 (2) Commercial encroachment: ~~\$1,415.00~~.

22 (d) An applicant for an encroachment off the Pearl Street Mall shall pay an annual fee of  
23 ~~\$11.62~~~~11.38~~ per square foot of leased area.

24 (e) An applicant for a monitoring well encroachment shall pay ~~\$530.00~~ per well per year.

25 (f) An applicant for a residential encroachment shall pay an annual fee of \$100.

(gf) Applications for any other encroachments not covered by this section will be reviewed and  
assessed a fee designed to recover city costs associated with the review and inspection.

....

**4-20-23. - Water Permit Fees.**

An applicant for a water permit under Sections 11-1-14, "Permit to Make Water Main  
Connections," 11-1-15, "Out of City Water Service," or 11-1-16, "Permit to Sell Water," B.R.C.  
1981, or for water meter installation under Section 11-1-36, "Location and Installation of Meters;  
Maintenance of Access to Meters," B.R.C. 1981, or for testing or inspection of backflow  
prevention assemblies under Section 11-1-25, "Duty to Maintain Backflow Prevention Assembly  
and Prevent Cross-Connection," B.R.C. 1981, and for inspection for cross-connections under

1 Section 11-1-25, "Duty to Maintain Backflow Prevention Assembly and Prevent Cross-  
 2 Connection," B.R.C. 1981, shall pay the following fees:

3 ....

(d) Water meter installation fee:

- 4 (1) ¾" meter .....~~\$666 616.00~~  
 5 (2) 1" meter .....~~929 868.00~~  
 6 (3) 1½" meter (domestic) .....~~2,679 2,670.00~~  
 7 (4) 1½" meter (sprinkler) .....~~2,885 2,909.00~~  
 8 (5) 2" meter (domestic) .....~~3,282 3,264.00~~  
 9 (6) 2" meter (sprinkler) .....~~3,128 3,178.00~~  
 10 (7) 3" meter .....~~3,878 3,895.00~~  
 11 (8) 4" meter .....~~5,032 5,049.00~~  
 12 (9) Install ¾" meter transponder .....~~282 265.00~~  
 13 (10) Install 1" meter transponder .....~~328 311.00~~  
 14 (11) Install 1½" meter transponder .....~~406 378.00~~  
 15 (12) Install 2" meter transponder (domestic) .....~~429 400.00~~  
 16 (13) 3" to 8" meter transponder (domestic) .....~~1,033 986.00~~  
 17 (14) 2" to 8" meter transponder (sprinkler) .....~~1,033 986.00~~  
 18 (15) Call back for ¾" and 1" .....~~65 55.00~~  
 19 (16) Call back for 1½" and 2" .....~~120 100.00~~

20 Sales tax is due on materials portion of installation.

21 (e) Tap fee:

- 22 (1) ¾" in DIP or CIP .....~~\$270 117.00~~  
 23 (2) ¾" in AC or PVC .....~~270 214.00~~  
 24 (3) 1" in DIP or CIP .....~~288 127.00~~  
 25 (4) 1" in AC or PVC .....~~288 222.00~~  
 (5) 1½" .....~~538 406.00~~  
 (6) 2" .....~~706 591.00~~  
 (7) 4" .....~~462 357.00~~  
 (8) 6" .....~~519 413.00~~  
 (9) 8" .....~~601 495.00~~  
 (10) 12" .....~~757 651.00~~  
 (11) Call back for installing a water tap .....~~194 110.00~~

Sales tax is due on materials portion of installation.

- (f) The emergency water conservation special permit fee is .....\$75.00
- (g) Tests and inspections for backflow prevention assemblies:
  - (1) To test or inspect first backflow prevention assembly .....\$115.00
  - (2) Each additional assembly at same location .....75.00
  - (3) For cross-connection inspection first hour .....115.00
  - (4) For each additional hour at same location .....75.00

**4-20-24. - Water Service Fees.**

A person shall pay the following charges for water services:

- (a) To terminate water service .....\$37 ~~33.00~~
- (b) To deliver water service termination notice .....14.00
- (c) To remove water meter .....78 ~~63.00~~
- (d) To reset water meter .....64 ~~55.00~~
- (e) To resume water service .....39 ~~31.00~~
- (f) To resume water service after 3 p.m. or on weekends or holidays .....76 ~~61.00~~
- (g) Special meter read .....36 ~~39.00~~
- (h) To test meter and meter tests accurate .....50.00
- (i) ~~Water monitors .....110.00~~

**4-20-25. - Monthly Water User Charges.**

(a) Treated water monthly service charges:

<i>Meter Size</i>	<i>Inside City</i>	<i>Outside City</i>
¾"	\$ <u>11.28</u> <del>10.44</del>	\$ <u>16.91</u> <del>15.67</del>
1"	<u>18.98</u> <del>17.57</del>	<u>28.46</u> <del>26.36</del>
1½"	<u>40.87</u> <del>37.84</del>	<u>61.30</u> <del>56.76</del>
2"	<u>71.59</u> <del>66.29</del>	<u>107.39</u> <del>99.44</del>
3"	<u>159.26</u> <del>147.46</del>	<u>238.89</u> <del>221.19</del>
4"	<u>281.99</u> <del>261.10</del>	<u>422.98</u> <del>391.65</del>
6"	<u>632.79</u> <del>585.92</del>	<u>949.19</u> <del>878.88</del>

8"	<u>1,123.89</u> 1,040.64	<u>1,685.84</u> 1,560.97
----	-----------------------------	-----------------------------

(b) Treated water quantity charges:

(1) Block Rate Structure:

	<b><i>Block Rates (per thousand gallons of water)</i></b>	<b><i>Block Size (% of monthly water budget)</i></b>
Block 1	\$ <u>2.99</u> <del>2.76</del>	0—60%
Block 2	<u>3.98</u> <del>3.68</del>	61—100%
Block 3	<u>7.96</u> <del>7.36</del>	101—150%
Block 4	<u>11.94</u> <del>11.04</del>	151—200%
Block 5	<u>19.90</u> <del>18.40</del>	Greater than 200%

(2) Definitions:

(A) Block Rate Structure is the water budget rate structure which includes Blocks 1—5. These blocks represent an increasing block rate structure such that the price of water increases as more water is used, particularly when the amount of water used exceeds the customer's water budget. This rate structure is intended to:

- promote water conservation and the efficient use of water;
- support community goals;
- reflect the value of water;
- send a price signal to customers who waste water;
- recover needed revenues for administration, operations, maintenance, capital projects, debt payments, and reserves for the water utility;
- avoid additional costs of new water development; and
- avoid additional costs of new and expanded water treatment.

The rate structure provides an individualized water budget to each customer that is expected to meet the customer's specific water needs. The revenues generated from the block rate structure will be used to satisfy the quantity charge portion of the basic revenue requirements of the water utility.

(B) Monthly water budget means the amount of water allocated to the water utility customers to meet their anticipated watering needs for the month. The monthly water budget shall be the indoor and/or outdoor allocation for each water utility customer. The allocation shall be based on reasonable and necessary indoor and/or outdoor use, water

conservation, and other relevant factors associated with water use in the city. The allocations shall be defined by rules and guidelines issued by the city manager.

- (c) Bulk water and metered hydrant rate: \$8-00 per thousand gallons of water used. (Service charges do not apply.)
- (d) Water leased on an annual basis: Colorado Big Thompson \$35 per acre foot; all other based on cost of assessment plus ten percent administrative fee or \$40-35 per acre foot, whichever is greater.

**4-20-26. - Water Plant Investment Fees.**

- (a) Water utility customers shall pay the following plant investment fees:

The number of bedrooms, type of units, number of units, irrigated area, and AWC Usage\*\* are used to determine water budgets as well as calculate the Plant Investment Fee. Any changes to these characteristics may require payment of an additional Plant Investment Fee before any water budget adjustments are made.

Customer Description    PIF Amount

- (1) Single Unit Dwelling:

<i>Type</i>	<i>Amount of Square Feet of Irrigable Area</i>	<i>Application Rate</i>	
Outdoor [per S.F. of irrigated area (2,000 S.F. minimum)]	First 5,000 square feet of irrigable area	15 gallons per square foot (gpsf)	\$ <del>2.90</del> 2.84
	Next 9,000 square feet of irrigable area	12 gpsf	<del>2.43</del> 2.38
	Irrigable area in excess of 14,000 square feet	10 gpsf	<del>1.94</del> 1.90
Indoor			<del>12,432</del> 12,188.00

Customer Description    PIF Amount

- (2) Multi Unit Dwelling:

Outdoor (Separate irrigation service under Paragraph (4) of this section).

<i>Indoor</i>	
1 or 2 bedroom unit (per unit)	\$ <del>7,105</del> 6,966
3 bedroom unit (per unit)	<del>8,881</del> 8,707
4 bedroom unit (per unit)	<del>10,657</del> 10,448

5 or more bedroom unit (per unit)	<u>12,432</u> 12,188
-----------------------------------	-------------------------

(3) Nonresidential:

Outdoor (Separate irrigation service under Paragraph (4) of this section).

Indoor:

Meter size *	<i>AWC Usage (Gallons) **</i>		
	25%	50%	85%
¾"	N/A	30,000	165,000
1"	42,000	108,000	503,000
1½"	99,000	228,000	924,000
2"	183,000	483,000	1,941,000

Meter size *	<i>PIF Amount</i>		
	25%	50%	85%
¾"	N/A	\$ <u>4,441</u> 4,354	\$ <u>24,420</u> 23,941
1"	\$ <u>6,216</u> 6,094	<u>15,984</u> 15,671	<u>74,447</u> 72,987
1½"	<u>14,652</u> 14,365	<u>33,745</u> 33,083	<u>136,758</u> 134,076
2"	<u>27,085</u> 26,554	<u>71,488</u> 70,086	<u>287,278</u> 281,645

Water usage other than that listed above may be evaluated and assessed a proportional PIF on a case by case basis.

\* Nonresidential meters larger than 2 inches require a special agreement described under Paragraph (5) of this section. The efficiency standard option with a corresponding special agreement is available to all nonresidential customers.

\*\* Average Winter Consumption Usage (AWC Usage), is based on a usage distribution of all nonresidential accounts with a given meter size.

"N/A" means this option is not available for purchase.

(4) Irrigation service:

<i>Usage</i>	<i>Application Rate</i>	<i>PIF Amount</i>
Per S.F. of irrigated area (2,000 S.F. minimum)	15 gallons per square feet (gpsf)	\$ <u>2.90</u> 2.84

(5) The PIF for a customer whose total water demand exceeds the water use demand described in Subsection 11-1-52(j), B.R.C. 1981, is as follows:

(A) Raw Water: [(AYWA/30,650 acre feet) x A] plus

(B) Water Delivery Infrastructure: [(PDWD/53,000,000 gallons per day) x B] = Total PIF

Where:

AYWA = customer's average year water demand in acre feet

30,650 acre feet = city's usable water rights capacity

A = value of city's raw water

PDWD = customer's peak day water demand in million gallons per day

53,000,000 gallons per day = city's current treated water delivery capacity

B = value of city's water delivery infrastructure

	<b><i>Water Asset Valuations</i></b>
A	\$418,072,046
B	<u>904,617,399</u> 886,879,803

**4-20-27. - Wastewater Permit Fees.**

An applicant for a wastewater tap or permit under Section 11-2-8, "When Connections With Sanitary Sewer Mains Required," or 11-2-9, "Permit to Make Sanitary Sewer Connection," B.R.C. 1981, shall pay the following fees:

(a) Permit fee (stub, connection, enlargement, renewal, abandonment):

- (1) Wastewater residential .....~~\$127.00~~
- (2) Wastewater nonresidential .....~~169.00~~
- (3) Wastewater private property repair .....~~42.00~~
- (4) Sewer main extension permit .....~~326.00~~

(b) Inspection fee (stub, connection, enlargement, abandonment):

- (1) Wastewater residential (first two inspections inclusive) .....~~\$169.00~~
- (2) Wastewater nonresidential (first two inspections inclusive) .....~~211.00~~
- (3) Each inspection after the first two inspections .....~~94.00~~

(c) Sewer tap fee:

- (1) 4" PVC and VCP .....~~\$185~~ 125.00
- (2) 4" RCP .....334 ~~190.00~~

- (3) 6" PVC and VCP .....~~201~~ 156.00
- (4) 6" RCP .....~~349~~ 218.00
- (5) Manhole tap .....~~676~~ 540.00
- (6) Call back for installing a sewer tap .....~~159~~ 78.00

Sales tax is due on materials portion of installation.

**4-20-28. - Monthly Wastewater User Charges.**

(a) Monthly service charge:

<i>Meter Size</i>	<i>Inside City</i>	<i>Outside City</i>
3/4"	\$ <del>1.58</del> <u>1.50</u>	\$ <del>2.36</del> <u>2.25</u>
1"	<del>2.77</del> <u>2.64</u>	<del>4.16</del> <u>3.95</u>
1 1/2"	<del>6.32</del> <u>6.02</u>	<del>9.48</del> <u>9.02</u>
2"	<del>11.14</del> <u>10.61</u>	<del>16.71</del> <u>15.91</u>
3"	<del>25.04</del> <u>23.85</u>	<del>37.56</del> <u>35.77</u>
4"	<del>44.56</del> <u>42.44</u>	<del>66.84</del> <u>63.66</u>
6"	<del>100.26</del> <u>95.49</u>	<del>150.40</del> <u>143.23</u>
8"	<del>178.24</del> <u>169.75</u>	<del>267.36</del> <u>254.63</u>

(b) Quantity charge:

- (1) Average strength sewage (up to and including two hundred twenty mg/l TSS, twenty-five mg/l NH<sub>3</sub>-N, or two hundred thirty mg/l BOD):

<i>Quantity</i>	<i>Inside City</i>	<i>Outside City</i>
Per 1,000 gallons of billable usage	<del>\$6.35</del> <u>6.05</u>	<del>\$9.53</del> <u>9.07</u>

- (2) Excess Strength Sewage Charge. In addition to the quantity charge for average strength sewage, fees will be charged for excess strength sewage based on the following:

	<i>Strength Exceeding (mg/l)</i>	<i>Fee per 1000 lbs. of discharge</i>
TSS (Total Suspended Solids)	220	\$ <del>384</del> <u>376</u>
BOD (Biological Oxygen Demand)	230	<del>576</del> <u>565</u>
NH <sub>3</sub> -N (Ammonia as Nitrogen)	25	<del>2,723</del> <u>2,670</u>

....

**4-20-29. - Wastewater Plant Investment Fees.**

(a) Sanitary sewer utility customers shall pay the following plant investment fees:

Customer Description

(1) Single Unit Dwelling:

<b><i>PIF Amount</i></b>
<u>\$4,849</u> 4,754

(2) Multi Unit Dwelling:

<b><i>Description</i></b>	<b><i>PIF Amount</i></b>
1 or 2 bedroom unit (per unit)	<u>\$2,770</u> 2,716
3 bedroom unit (per unit)	<u>3,464</u> 3,396
4 bedroom unit (per unit)	<u>4,157</u> 4,075
5 or more bedroom unit (per unit)	<u>4,849</u> 4,754

(3) Nonresidential:

	<b><i>AWC Usage (Gallons)**</i></b>		
<b>Meter size *</b>	25%	50%	85%
¾"	N/A	\$-30,000	\$-165,000
1"	\$-42,000	108,000	503,000
1½"	99,000	228,000	924,000
2"	183,000	483,000	1,941,000

	<b><i>PIF Amount (\$)</i></b>		
<b>Meter size *</b>	25%	50%	85%
¾"	N/A	\$ <u>1,732</u> 1,698	\$ <u>9,525</u> 9,338
1"	\$ <u>2,425</u> 2,377	<u>6,256</u> 6,113	<u>29,038</u> 28,469
1½"	<u>5,716</u> 5,604	<u>13,163</u> 12,905	<u>53,344</u> 52,298
2"	<u>10,565</u> 10,358	<u>27,884</u> 27,337	<u>112,055</u> 109,858

\* Nonresidential meters larger than 2 inches require a special agreement described under Paragraph (4) of this section. The efficiency standard option with a corresponding special agreement is available to all nonresidential customers.

\*\* Average Winter Consumption Usage (AWC Usage) is based on a usage distribution of all nonresidential accounts with a given meter size.

"N/A" means this option is not available for purchase.

(4) The PIF for a customer who exceeds the wastewater discharge described in Subsection 11-2-33(j), B.R.C. 1981, is calculated as follows:

$$[(PDH/25,000,000 \text{ gallons per day}) \times A] \text{ plus}$$

$$[(ABOD/36,000 \text{ lbs. per day}) \times B] \text{ plus}$$

$$[(ATSS/39,000 \text{ lbs. per day}) \times C] \text{ plus}$$

$$[(ANH_3/4,060 \text{ lbs. per day}) \times D] = \text{Total PIF}$$

Where:

PDH = customer's peak day hydraulic loading in million gallons per day

25,000,000 gallons per day = city's current hydraulic and collection capacity

A = value of city's hydraulic and collection capacity

ABOD = thirty-day average BOD5 loading removal in lbs. per day where BOD5 is the amount of dissolved oxygen consumed in five days by biological processes breaking down organic matter

36,000 lbs. per day = city's current BOD5 removal capacity

B = value of city's BOD5 removal capacity

ATSS = customer's thirty-day average total suspended solids (TSS) loading requiring removal in lbs. per day

39,000 lbs. per day = city's current TSS removal capacity

C = value of city's TSS removal capacity

ANH<sub>3</sub> = customer's thirty-day average ammonia nitrogen as N (NH<sub>3</sub>-N) loading requiring removal in lbs. per day

4,060 lbs. per day = city's current NH<sub>3</sub>-N removal capacity

D = value of city's NH<sub>3</sub>-N removal capacity

	<i>Wastewater Asset Valuations</i>
A	<u>\$278,630,912</u> <del>273,167,561</del>
B	<u>30,684,979</u> <del>30,083,313</del>
C	<u>5,401,682</u> <del>5,295,767</del>

D	<u>12,377,060</u> <del>12,134,373</del>
---	--

....

**4-20-39. - Animal Impoundment Fee.**

The animal impoundment fee prescribed by Subsection 6-1-25(b), B.R.C. 1981, is \$55 per animal with a license; board fee for bite animal quarantine (dangerous animals) is ~~\$20~~25 per day. There is also a ~~\$15~~20 per day fee for feeding and keeping the animal by the city.

**4-20-45. - Storm Water and Flood Management Fees.**

(a) Owners of detached residences and attached single unit metered residences in the city shall pay the following monthly storm water and flood management fees:

Size of Parcel

- (1) Up to 15,000 sq. ft. ....~~\$15.12~~ 14.00
- (2) 15,000—30,000 sq. ft. ....~~18.89~~ 17.49
- (3) 30,001 sq. ft. and over ....~~22.69~~ 21.01

(b) The owners of all other parcels of land in the city on which any improvement has been constructed shall pay a storm water and flood management fee based on the monthly rate in Paragraph (a)(1) of this section (for up to a fifteen thousand square foot parcel) multiplied by the ratio of the runoff coefficient of the parcel to a coefficient of 0.43 and by the ratio of the area of the parcel in square feet to a seven thousand square foot parcel. If the calculation results in a fee less than the monthly rate in Paragraph (a)(1) of this section, then the fee specified in Paragraph (a)(1) of this section will be assessed.

**4-20-46. - Storm Water and Flood Management Utility Plant Investment Fee.**

Owners of all parcels of land in the city submitting building permit applications shall pay a storm water and flood management plant investment fee based on the square feet of added impervious area. However, if new storm water detention facilities are built by the owner according to the most current City of Boulder Design and Construction Standards in effect at the time the building permit application is submitted, on or after April 2, 2009, the applicable fee shall be reduced by fifty percent.

	<i><b>PIF Amount</b></i>
(Per Square Foot of Impervious Area)	<del>\$2.23</del> <u>2.19</u>

....

**4-20-49. - Neighborhood Parking Permit Fee.**

- (a) A zone resident applying for a neighborhood parking permit shall pay \$17 for each permit or renewal thereof.
- (b) A business applying for a neighborhood parking permit for employees shall pay \$75 for each permit or renewal thereof.
- (c) An individual who does not reside within the zone applying for a neighborhood parking permit, if permitted in the zone, shall pay ~~\$100~~ \$90 for each quarterly permit or renewal thereof.

....

**4-20-62. - Capital Facility Impact Fee.**

- (a) Impact Fee Rate: No person engaged in nonresidential or residential development in the city shall fail to pay a development impact fee. Fees shall be assessed and collected according to the standards of Chapter 8-9, "Capital Facility Impact Fee," B.R.C. 1981, and the following rates:

**Table 1: Impact Fee Rates for Single Family Residential per Dwelling Unit**

<u>Size Range (SF)</u>	<u>IMPACT FEE RATE</u>						<u>TOTAL</u>
	<u>Library</u>	<u>Parks &amp; Recreation</u>	<u>Human Services</u>	<u>Municipal Facilities</u>	<u>Police</u>	<u>Fire</u>	
<u>900 or less</u>	<u>\$226</u>	<u>\$1,549</u>	<u>\$72</u>	<u>\$139</u>	<u>\$145</u>	<u>\$103</u>	<u>\$2,234</u>
<u>901-1000</u>	<u>\$262</u>	<u>\$1,798</u>	<u>\$84</u>	<u>\$160</u>	<u>\$168</u>	<u>\$119</u>	<u>\$2,591</u>
<u>1001-1100</u>	<u>\$294</u>	<u>\$2,013</u>	<u>\$95</u>	<u>\$179</u>	<u>\$190</u>	<u>\$133</u>	<u>\$2,904</u>
<u>1101-1200</u>	<u>\$322</u>	<u>\$2,212</u>	<u>\$104</u>	<u>\$197</u>	<u>\$207</u>	<u>\$146</u>	<u>\$3,188</u>
<u>1201-1300</u>	<u>\$349</u>	<u>\$2,394</u>	<u>\$113</u>	<u>\$213</u>	<u>\$224</u>	<u>\$160</u>	<u>\$3,453</u>
<u>1301-1400</u>	<u>\$373</u>	<u>\$2,562</u>	<u>\$120</u>	<u>\$227</u>	<u>\$241</u>	<u>\$169</u>	<u>\$3,692</u>
<u>1401-1500</u>	<u>\$398</u>	<u>\$2,721</u>	<u>\$128</u>	<u>\$242</u>	<u>\$254</u>	<u>\$180</u>	<u>\$3,923</u>
<u>1501-1600</u>	<u>\$418</u>	<u>\$2,869</u>	<u>\$136</u>	<u>\$257</u>	<u>\$268</u>	<u>\$191</u>	<u>\$4,139</u>
<u>1601-1700</u>	<u>\$438</u>	<u>\$3,010</u>	<u>\$142</u>	<u>\$267</u>	<u>\$282</u>	<u>\$199</u>	<u>\$4,338</u>
<u>1701-1800</u>	<u>\$460</u>	<u>\$3,139</u>	<u>\$147</u>	<u>\$278</u>	<u>\$294</u>	<u>\$208</u>	<u>\$4,526</u>
<u>1801-1900</u>	<u>\$476</u>	<u>\$3,262</u>	<u>\$154</u>	<u>\$291</u>	<u>\$306</u>	<u>\$217</u>	<u>\$4,706</u>
<u>1901-2000</u>	<u>\$493</u>	<u>\$3,379</u>	<u>\$160</u>	<u>\$301</u>	<u>\$316</u>	<u>\$224</u>	<u>\$4,873</u>
<u>2001-2100</u>	<u>\$509</u>	<u>\$3,489</u>	<u>\$164</u>	<u>\$310</u>	<u>\$325</u>	<u>\$231</u>	<u>\$5,028</u>
<u>2101-2200</u>	<u>\$525</u>	<u>\$3,597</u>	<u>\$169</u>	<u>\$320</u>	<u>\$339</u>	<u>\$239</u>	<u>\$5,189</u>
<u>2201-2300</u>	<u>\$540</u>	<u>\$3,698</u>	<u>\$173</u>	<u>\$327</u>	<u>\$347</u>	<u>\$245</u>	<u>\$5,330</u>
<u>2301-2400</u>	<u>\$555</u>	<u>\$3,796</u>	<u>\$179</u>	<u>\$340</u>	<u>\$357</u>	<u>\$251</u>	<u>\$5,478</u>
<u>2401-2500</u>	<u>\$567</u>	<u>\$3,889</u>	<u>\$184</u>	<u>\$347</u>	<u>\$364</u>	<u>\$259</u>	<u>\$5,610</u>
<u>2501-2600</u>	<u>\$581</u>	<u>\$3,978</u>	<u>\$189</u>	<u>\$355</u>	<u>\$371</u>	<u>\$264</u>	<u>\$5,738</u>
<u>2601-2700</u>	<u>\$593</u>	<u>\$4,064</u>	<u>\$193</u>	<u>\$362</u>	<u>\$380</u>	<u>\$269</u>	<u>\$5,861</u>

1	<u>2701-2800</u>	<u>\$606</u>	<u>\$4,147</u>	<u>\$196</u>	<u>\$368</u>	<u>\$389</u>	<u>\$275</u>	<u>\$5,981</u>
2	<u>2801-2900</u>	<u>\$617</u>	<u>\$4,228</u>	<u>\$199</u>	<u>\$375</u>	<u>\$397</u>	<u>\$281</u>	<u>\$6,097</u>
3	<u>2901-3000</u>	<u>\$628</u>	<u>\$4,305</u>	<u>\$202</u>	<u>\$383</u>	<u>\$404</u>	<u>\$287</u>	<u>\$6,209</u>
4	<u>3001-3100</u>	<u>\$639</u>	<u>\$4,378</u>	<u>\$205</u>	<u>\$391</u>	<u>\$410</u>	<u>\$292</u>	<u>\$6,315</u>
5	<u>3101-3200</u>	<u>\$651</u>	<u>\$4,452</u>	<u>\$209</u>	<u>\$397</u>	<u>\$417</u>	<u>\$297</u>	<u>\$6,423</u>
6	<u>3201-3300</u>	<u>\$661</u>	<u>\$4,522</u>	<u>\$213</u>	<u>\$404</u>	<u>\$424</u>	<u>\$301</u>	<u>\$6,525</u>
7	<u>3301-3400</u>	<u>\$671</u>	<u>\$4,591</u>	<u>\$217</u>	<u>\$409</u>	<u>\$430</u>	<u>\$306</u>	<u>\$6,624</u>
8	<u>3401-3500</u>	<u>\$679</u>	<u>\$4,657</u>	<u>\$220</u>	<u>\$415</u>	<u>\$436</u>	<u>\$309</u>	<u>\$6,716</u>
9	<u>3501-3600</u>	<u>\$690</u>	<u>\$4,722</u>	<u>\$223</u>	<u>\$421</u>	<u>\$441</u>	<u>\$313</u>	<u>\$6,810</u>
10	<u>3601-3700</u>	<u>\$700</u>	<u>\$4,784</u>	<u>\$225</u>	<u>\$425</u>	<u>\$447</u>	<u>\$316</u>	<u>\$6,897</u>

**Table 2: Impact Fee Rates for Multifamily Family Residential per Dwelling Unit**

<b>IMPACT FEE RATE</b>								
<u>Size Range (SF)</u>	<u>Library</u>	<u>Parks &amp; Recreation</u>	<u>Human Services</u>	<u>Municipal Facilities</u>	<u>Police</u>	<u>Fire</u>	<u>TOTAL</u>	
11	<u>600 or less</u>	<u>\$239</u>	<u>\$1,636</u>	<u>\$75</u>	<u>\$145</u>	<u>\$154</u>	<u>\$177</u>	<u>\$2,426</u>
12	<u>601-700</u>	<u>\$290</u>	<u>\$1,981</u>	<u>\$94</u>	<u>\$174</u>	<u>\$187</u>	<u>\$215</u>	<u>\$2,941</u>
13	<u>701-800</u>	<u>\$332</u>	<u>\$2,281</u>	<u>\$107</u>	<u>\$202</u>	<u>\$213</u>	<u>\$248</u>	<u>\$3,383</u>
14	<u>801-900</u>	<u>\$370</u>	<u>\$2,544</u>	<u>\$120</u>	<u>\$226</u>	<u>\$239</u>	<u>\$277</u>	<u>\$3,776</u>
15	<u>901-1000</u>	<u>\$406</u>	<u>\$2,778</u>	<u>\$131</u>	<u>\$247</u>	<u>\$261</u>	<u>\$303</u>	<u>\$4,126</u>
16	<u>1001-1100</u>	<u>\$436</u>	<u>\$2,992</u>	<u>\$142</u>	<u>\$266</u>	<u>\$281</u>	<u>\$325</u>	<u>\$4,442</u>
17	<u>1101-1200</u>	<u>\$466</u>	<u>\$3,185</u>	<u>\$149</u>	<u>\$284</u>	<u>\$299</u>	<u>\$348</u>	<u>\$4,731</u>
18	<u>1201-1300</u>	<u>\$492</u>	<u>\$3,365</u>	<u>\$158</u>	<u>\$300</u>	<u>\$314</u>	<u>\$367</u>	<u>\$4,996</u>
19	<u>1301-1400</u>	<u>\$514</u>	<u>\$3,531</u>	<u>\$166</u>	<u>\$314</u>	<u>\$330</u>	<u>\$385</u>	<u>\$5,240</u>
20	<u>1401-1500</u>	<u>\$538</u>	<u>\$3,686</u>	<u>\$172</u>	<u>\$326</u>	<u>\$346</u>	<u>\$404</u>	<u>\$5,472</u>
21	<u>1501-1600</u>	<u>\$559</u>	<u>\$3,829</u>	<u>\$180</u>	<u>\$342</u>	<u>\$359</u>	<u>\$418</u>	<u>\$5,687</u>

**Table 3: Impact Fee Rates for Nonresidential**

<b>Impact Fee Rates Per Square Foot of Nonresidential Floor</b>						
<u>Nonresidential Uses</u>	<u>Municipal Facilities</u>	<u>Police</u>	<u>Fire</u>	<u>Affordable Housing</u>	<u>TOTAL</u>	
22	<u>Retail/ Restaurant</u>	<u>\$0.15</u>	<u>\$0.51</u>	<u>\$0.41</u>	<u>\$7.10</u>	<u>\$8.17</u>
23	<u>Business Park</u>	<u>\$0.17</u>	<u>\$0.12</u>	<u>\$0.10</u>	<u>\$7.85</u>	<u>\$8.24</u>
24	<u>Office</u>	<u>\$0.22</u>	<u>\$0.17</u>	<u>\$0.62</u>	<u>\$9.72</u>	<u>\$10.73</u>
25	<u>Hospital</u>	<u>\$0.18</u>	<u>\$0.16</u>	<u>\$0.53</u>	<u>\$8.39</u>	<u>\$9.26</u>
26	<u>School</u>	<u>\$0.05</u>	<u>\$0.08</u>	<u>\$0.14</u>	<u>\$2.28</u>	<u>\$2.55</u>
27	<u>Mini-Warehouse</u>	<u>\$0.00</u>	<u>\$0.02</u>	<u>\$0.00</u>	<u>\$0.09</u>	<u>\$0.11</u>
28	<u>Warehousing</u>	<u>\$0.07</u>	<u>\$0.05</u>	<u>\$0.05</u>	<u>\$3.16</u>	<u>\$3.33</u>
29	<u>Light Industrial</u>	<u>\$0.13</u>	<u>\$0.06</u>	<u>\$0.08</u>	<u>\$5.73</u>	<u>\$6.00</u>

<u>Other Nonresidential Uses</u>	<u>Impact Fee Rates for Other Nonresidential Uses Based on Unique Demand Indicators</u>				
	<u>Municipal Facilities</u>	<u>Police</u>	<u>Fire</u>	<u>Affordable Housing</u>	<u>TOTAL</u>
<u>Nursing Home (per bed)</u>	\$20.60	\$22.89	\$56.07	\$895.19	\$994.75
<u>Day Care (per student)</u>	\$8.01	\$20.60	\$25.18	\$397.39	\$451.18
<u>Lodging (per room)</u>	\$25.17	\$54.93	\$69.81	\$1,093.89	\$1,243.80

**Table 1: Impact Fee Rates for Single Family Residential per Dwelling Unit**

<i>Size Range (SF)</i>	<i>IMPACT FEE RATE</i>						
	<i>Library</i>	<i>Parks &amp; Recreation</i>	<i>Human Services</i>	<i>Municipal Facilities</i>	<i>Police</i>	<i>Fire</i>	<i>Total</i>
900 or less	\$222	\$1,519	\$71	\$136	\$142	\$101	\$2,191
901—1000	\$257	\$1,763	\$82	\$157	\$165	\$117	\$2,541
1001—1100	\$288	\$1,974	\$93	\$175	\$186	\$130	\$2,846
1101—1200	\$316	\$2,169	\$102	\$193	\$203	\$143	\$3,126
1201—1300	\$342	\$2,347	\$111	\$209	\$220	\$157	\$3,386
1301—1400	\$366	\$2,512	\$118	\$223	\$236	\$166	\$3,621
1401—1500	\$390	\$2,668	\$125	\$237	\$249	\$176	\$3,845
1501—1600	\$410	\$2,813	\$133	\$252	\$263	\$187	\$4,058
1601—1700	\$429	\$2,951	\$139	\$262	\$276	\$195	\$4,252
1701—1800	\$451	\$3,077	\$144	\$273	\$288	\$204	\$4,437
1801—1900	\$467	\$3,198	\$151	\$285	\$300	\$213	\$4,614
1901—2000	\$483	\$3,313	\$157	\$295	\$310	\$220	\$4,778
2001—2100	\$499	\$3,421	\$161	\$304	\$319	\$226	\$4,930
2101—2200	\$515	\$3,526	\$166	\$314	\$332	\$234	\$5,087
2201—2300	\$529	\$3,625	\$170	\$321	\$340	\$240	\$5,225
2301—2400	\$544	\$3,722	\$175	\$333	\$350	\$246	\$5,370
2401—2500	\$556	\$3,813	\$180	\$340	\$357	\$254	\$5,500
2501—2600	\$570	\$3,900	\$185	\$348	\$364	\$259	\$5,626
2601—2700	\$581	\$3,984	\$189	\$355	\$373	\$264	\$5,746
2701—2800	\$594	\$4,066	\$192	\$361	\$381	\$270	\$5,864
2801—2900	\$605	\$4,145	\$195	\$368	\$389	\$275	\$5,977
2901—3000	\$616	\$4,221	\$198	\$375	\$396	\$281	\$6,087
3001—3100	\$626	\$4,292	\$201	\$383	\$402	\$286	\$6,190
3101—3200	\$638	\$4,365	\$205	\$389	\$409	\$291	\$6,297
3201—3300	\$648	\$4,433	\$209	\$396	\$416	\$295	\$6,397
3301—3400	\$658	\$4,501	\$213	\$401	\$422	\$300	\$6,495
3401—3500	\$666	\$4,566	\$216	\$407	\$427	\$303	\$6,585
3501—3600	\$676	\$4,629	\$219	\$413	\$432	\$307	\$6,676
3601—3700	\$686	\$4,690	\$221	\$417	\$438	\$310	\$6,762

**Table 2: Impact Fee Rates for Multifamily Family Residential per Dwelling Unit**

<i>Size Range (SF)</i>	<i>IMPACT FEE RATE</i>						
	<i>Library</i>	<i>Parks &amp; Recreation</i>	<i>Human Services</i>	<i>Municipal Facilities</i>	<i>Police</i>	<i>Fire</i>	<i>Total</i>
600 or less	\$234	\$1,604	\$74	\$142	\$151	\$174	\$2,379
601—700	\$284	\$1,942	\$92	\$171	\$183	\$211	\$2,883
701—800	\$325	\$2,236	\$105	\$198	\$209	\$243	\$3,316
801—900	\$363	\$2,494	\$118	\$222	\$234	\$272	\$3,703
901—1000	\$398	\$2,724	\$128	\$242	\$256	\$297	\$4,045
1001—1100	\$427	\$2,933	\$139	\$261	\$275	\$319	\$4,354
1101—1200	\$457	\$3,123	\$146	\$278	\$293	\$341	\$4,638
1201—1300	\$482	\$3,299	\$155	\$294	\$308	\$360	\$4,898
1301—1400	\$504	\$3,462	\$163	\$308	\$324	\$377	\$5,138
1401—1500	\$527	\$3,614	\$169	\$320	\$339	\$396	\$5,365
1501—1600	\$548	\$3,754	\$176	\$335	\$352	\$410	\$5,575

**Table 3: Impact Fee Rates for Nonresidential**

<i>Nonresidential Uses</i>	<i>Impact Fee Rates Per Square Foot of Nonresidential Floor Area</i>				
	<i>Municipal Facilities</i>	<i>Police</i>	<i>Fire</i>	<i>Affordable Housing</i>	<i>Total</i>
Retail/Restaurant	\$0.15	\$0.50	\$0.40	\$6.96	\$8.01
Business Park	\$0.17	\$0.11	\$0.10	\$7.70	\$8.08
Office	\$0.21	\$0.17	\$0.61	\$9.53	\$10.52
Hospital	\$0.18	\$0.16	\$0.52	\$8.23	\$9.09
School	\$0.04	\$0.08	\$0.13	\$2.24	\$2.49
Mini Warehouse	\$0.00	\$0.02	\$0.00	\$0.09	\$0.11
Warehousing	\$0.07	\$0.04	\$0.04	\$3.11	\$3.26
Light Industrial	\$0.12	\$0.06	\$0.08	\$5.62	\$5.88
<i>Other Nonresidential Uses</i>	<i>Impact Fee Rates for Other Nonresidential Uses Based on Unique Demand Indicators</i>				
	<i>Municipal Facilities</i>	<i>Police</i>	<i>Fire</i>	<i>Affordable Housing</i>	<i>Total</i>
Nursing Home (per bed)	\$20.19	\$22.44	\$54.98	\$877.64	\$975.25
Day Care (per student)	\$7.85	\$20.20	\$24.68	\$389.60	\$442.33
Lodging (per room)	\$24.68	\$53.85	\$68.44	\$1,072.44	\$1,219.41

(b) Additional Floor Area—Affordable Housing Linkage Fee. Section 9-8-2, "Floor Area Ratio Requirements," B.R.C. 1981, permits floor area components above the base floor area in the DT-5 zoning district. No person engaged in nonresidential development that is associated with constructing additional floor area components permitted under the requirements of Section 9-8-2, "Floor Area Ratio Requirements," B.R.C. 1981, shall fail to pay a housing linkage fee of \$9.53 per sq. ft. for such floor area.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

....

**4-20-66. - Mobile Food Vehicle Sales.**

An applicant for a mobile food vehicle permit shall pay a ~~\$242~~ \$236 application fee and a ~~\$242~~ \$236 renewal fee per year.

Section 3. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 4. 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 October, 2016.

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

**Additional Information Related to Specific Topics Discussed, and Council Questions and Feedback Related to the Oct. 4 First Reading of the 2017 Recommended Budget**

**Planning, Housing and Sustainability (PH+S)**

*Impact of increased staffing levels in PH+S on customer service and review times*

Planning, Housing and Sustainability (PH+S) staffing levels have grown over the last six years in response to increased development activity, an expanded work plan, the addition of new services, and departmental reorganizations.

Since 2011, the city has experienced a high volume of development review applications, building permit applications and customers in the Development Services Center. The portions of PH+S that support these functions have added fee-funded positions in response to increased activity as well as back-fill for staff resources dedicated to the update of the city's "Landlink" system (the foundational software that supports parcel-base information across the city, which has not been updated for over 15 years). Several other positions in this area reflect internal reorganization (movement of zoning enforcement) as well as requests from Council for new or improved services, such as a site review approval enforcement resource (added in 2016) and an assistant urban designer to support the city's Design Excellence initiative (added in 2015), both of which are aimed at improving the quality of built outcomes. Earlier in 2016, a resource was also added to support implementation of the council-adopted Short Term Rentals Ordinance (as part of the Rental Licensing group), and most recently a resource was added to complete the labor-intensive work of locating and digitizing the hundreds of "Planned Unit Development" (PUD) approvals from the 1970s and 1980s (lack of access to this information is a significant impediment for customers who live in these developments when they want to make improvements to their properties).

Together, these additional FTEs have not only helped deliver new areas of service and support Council work priorities, but have also helped improve customer service, including implementation of a Services Center process improvement initiative (with Public Works) in 2015 to cut in half previous review times and implement improved review time tracking. In their latest internal report, the Services Center team reported being 91% on-time for all review types (including 100% on-time for 5-7 day reviews). While the team continues to strive for 100% in all categories, and to achieve additional process improvements, this represents a significant improvement over previous years despite continued high levels of activity. A current initiative about to launch is aimed at improving the customer experience for those visiting the Services Center, which will feature an electronic queuing system to provide customers with better information and reduce wait times.

*Consulting costs*

With regard to consultant support: the city looks to supplement staff resources with consultant support in three different ways:

- 1) To provide expertise on a time-limited basis to complete analyses or work efforts where it does not make financial sense to hire an in-house resource (examples include the recent highly specialized work on development-related fees and excise taxes, development and

- administration of the BVCP community survey, and assistance on development of the Form Based Code pilot for Boulder Junction);
- 2) To supplement staff resources when work load expectations exceed capacity (a recent example is the engagement of a planning and design firm to do substantial work on Phase 1 of the Alpine-Balsam planning effort so that initiative can move forward even as most comprehensive planning staff are focused on the BVCP update); and
  - 3) To lead efforts where having a city staff resource in the lead might be problematic (such as in the facilitation of the Twin Lakes land use change request process with the County and community representatives, or in sharing the cost of a third-party consultant to complete the comparative site analysis for CU's hotel and conference center).

With regard to the major consultant support items requested in the proposed 2017 budget, the three largest items include a comprehensive review of the city's land use code (which will require consultant support for all three of the reasons listed above) and next steps in planning and implementation for both the Civic Area (east bookend, including the public market) and Alpine-Balsam, both of which require consultant support for the first two reasons.

Importantly, with regard to the Civic Area and Alpine-Balsam: while the city's staff team have expertise in land planning, urban design, community engagement and creative problem-solving, the city team does not have in-house expertise related to redevelopment. In both the Civic Area and Alpine-Balsam, the city is not only the planning agency, but is also the property owner. As was done this year in exploring options for development of the city-owned property at 30th and Pearl, both the Civic Area and Alpine-Balsam will require substantial analysis and due diligence both prior and subsequent to deciding on a development scenario for both sites, which will likely include substantial investment (in the tens of millions) in new community facilities and infrastructure. The dollar amounts proposed for consultant support for these projects in the 2017 budget reflect that reality.

The table below shows PH+S consulting costs for major work plan areas from 2015 through the proposed 2017 budget.

	2015 Expenditures	2016 Expenditures	Remaining Encumbrance Balance	2017 Budget	Total Project Cost
<b>Boulder Valley Comprehensive Plan</b>					
CU South Suitability/Access Study	0	18,445	10,555	0	29,000
Surveys	52,005	2,143	20,000	0	74,148
Twin Lakes Stakeholder Group Meetings	0	5,000	0	0	5,000
Scenario Development, Technical Analysis, Housing Prototypes, 3D Visualization & Mapping	86,950	76,366	42,611	0	205,927
<b>TOTAL</b>	<b>138,955</b>	<b>101,953</b>	<b>73,166</b>	<b>0</b>	<b>314,075</b>
<b>Development Fee Studies*</b>					
Capital Facility Impact Fees	22,888	45,936	336	0	69,160
Transportation	19,630	61,058	3,472	0	84,160
Affordable Housing Linkage Fee	32,806	59,057	10,037	0	101,900
Public Art	11,595	6,005	0	0	17,600
Economic Impact Analysis	0	26,036	3,284	0	29,320
<b>TOTAL</b>	<b>86,919</b>	<b>198,092</b>	<b>17,129</b>	<b>0</b>	<b>302,140</b>

Attachment G: Additional Information - 2017 Recommended Budget

	2015 Expenditures	2016 Expenditures	Remaining Encumbrance Balance	2017 Budget	Total Project Cost
<b>Land Use Code</b>					
Parking Code Update	33,218	13,657	35,039	0	81,915
Design Excellence/Form-Based Code Pilot Project	120,048	14,538	40,130	0	174,716
Land Use Code Assessment	0	0	0	150,000	150,000
<b>TOTAL</b>	<b>153,266</b>	<b>28,195</b>	<b>75,169</b>	<b>150,000</b>	<b>406,631</b>
<b>Civic Area**</b>					
CU Conference Center/Hotel	18,243	0	946	133,000	152,189
East Bookend Planning	0	0	0	130,900	130,900
Design Development, Parking Strategies, Facilitation, Outreach	23,505	22,644	25,696	0	71,845
<b>TOTAL</b>	<b>41,748</b>	<b>22,644</b>	<b>26,642</b>	<b>263,900</b>	<b>354,934</b>
<b>Alpine Balsam</b>					
Guiding Principles and Framework Plan	0	91,918	22,980	0	114,898
Outreach & Recorded Histories	0	11,316	297	0	11,614
Site Planning & Development	0	0	0	210,900	210,900
<b>TOTAL</b>	<b>0</b>	<b>103,235</b>	<b>23,277</b>	<b>210,900</b>	<b>337,412</b>
<b>Comprehensive Housing Strategy</b>					
Comprehensive Housing Strategy	72,488	0	0	40,000	112,488
Middle Market Analysis	38,833	6,889	6,976	0	52,698
<b>TOTAL</b>	<b>111,320</b>	<b>6,889</b>	<b>6,976</b>	<b>40,000</b>	<b>165,185</b>
<b>University Hill</b>					
Economic Analysis	24,035	0	0	0	24,035
<b>TOTAL</b>	<b>24,035</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>24,035</b>
<b>Flood Annexations</b>					
Surveying	13,475	1,850	0	0	15,325
<b>TOTAL</b>	<b>13,475</b>	<b>1,850</b>	<b>0</b>	<b>0</b>	<b>15,325</b>
<b>Envision East Arapahoe</b>					
Scenario Development	14,000	0	0	0	14,000
3D SketchUp Model	7,144	0	0	0	7,144
Medical Office Analysis	999	0	0	0	999
<b>TOTAL</b>	<b>22,143</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>22,143</b>
<b>30th &amp; Pearl Redevelopment</b>					
Redevelopment Strategy	0	27,673	21,327	0	49,000
<b>TOTAL</b>	<b>0</b>	<b>27,673</b>	<b>21,327</b>	<b>0</b>	<b>49,000</b>
<b>GRAND TOTAL</b>	<b>591,861</b>	<b>490,531</b>	<b>243,686</b>	<b>664,800</b>	<b>1,990,879</b>

Notes:

Housing was added to the Planning Department in late 2015. Expenses above reflect both Departments.

\* Development fee studies are funded through excise taxes and impact fees. Some of the expenses reflected above fall in other department budgets (Public Works and Library).

\*\*There is approximately an additional \$9.5 million allocated to the civic area project. \$8.7 million is from the 2a tax initiative and the remaining \$800,000 is primarily funded from Parks and Recreation and Public Works.

Lastly, while consultants help to achieve the work plan, for all the reasons outlined above, it is important to note that hiring a consultant does not eliminate the need for staff support on a project. On the contrary, hiring outside expertise and ensuring proper coordination with internal resources and Boulder’s public process expectations can be very time consuming for city staff. The need and appropriateness of hiring a consultant are considered in this light for each project prior to developing or issuing Requests for Proposals from potential consultants.

### **Citywide Consulting Costs**

The City of Boulder hires consultants for a variety of reasons. One primary reason is to obtain technical expertise on specific and distinct projects that is needed only for a defined period of time, and for which it would be extremely costly and difficult to maintain the broad array of specific expertise in-house. In 2015, the city spent \$15.7 million on consulting costs.

Most often, this relates to capital projects, such as engineering and architectural expertise. For example, \$9 million, or 57 percent of the city's total consulting expenses in 2015 related to capital projects. The costs of that technical expertise would have been included in estimates of the capital project total cost, and saved up and planned for through the capital improvement program process.

Another example of consultants being used for technical expertise is in the case of implementing a new technology or enterprise system. Short-term support, education and training provide existing staff the knowledge and skills needed to implement and continue operating the new technology or system. Legal expertise or other specific subject area expertise may also be needed for very narrow areas of focus, discrete analysis or projects that are time limited and where it is more effective and/or efficient to use consultants rather than try to maintain the broad array of in-house expertise that would be needed. In 2015, consulting for non-capital technical expertise accounted for \$4.7 million or 30 percent of the city's total spending on consulting. Some specific examples from 2015 include:

- Legal work related to source water rights - \$629,211
- Radio Frequency ID (RFID) implementation in the Library - \$30,500
- Acquisition research, surveys and valuation for OSMP - \$49,964
- Information Technology (IT) systems support - \$488,541

Another kind of consulting used is the mandated technical review by an external party, such as the annual review of the city's financials by external auditors, and actuarial analysis required in relation to insurance and pensions. In 2015, these costs (\$141 thousand) made up less than one percent of the city's spending for consultants.

Likewise, the city spent less than one percent (\$82 thousand) of its total consulting costs on State and Federal lobbyists, who work to promote the values and priorities of the Boulder community in the state and federal arena.

As noted above, there are occasions when use of an external, third party is most appropriate and beneficial to the public process, allowing for complete objectivity and neutrality. In 2015, costs related to this kind of consulting and facilitation (\$645 thousand) made up 4 percent of the city's total spending on consultants. Some specific examples from 2015 include:

- Chautauqua Lease Committee facilitation - \$16,973
- Customer experience and community goal outreach - \$48,508
- Human Services Strategy community engagement - \$15,795

Finally, additional consulting services are used for numerous other reasons, relating to management needs. In 2015 city spending on all other types of consulting, not specified above,

was \$1.2 million or 7 percent of the city’s total spending on consultants. Some specific examples from 2015 include:

- Community Vitality Department assessment - \$37,037
- Open Space and Mountain Parks organizational assessment - \$94,262
- Fire Department Deputy Chief recruitment - \$21,831
- Hillard Heintze independent analysis of Police Department - \$94,600

The table below summarizes the city’s consulting costs from 2015 (last full fiscal year) and gives a brief description of the types of services provided in each of the categories identified.

2015 City of Boulder Consulting Expenses

Category	Description	Amount
Technical Expertise for Capital Projects	Architectural, engineering, design and legal work related to capital projects	8,975,776
Technical Expertise (non capital)	Strategic analysis, data collection, IT technical support, legal technical expertise, other technical expertise	4,737,335
Lobbyists	Federal and State lobby support	81,690
Facilitation and Public Engagement	Facilitation of public meetings and public engagement work	644,604
Financial Consultants	Required audits and actuarial analysis	141,449
Management Consultants	Organizational assessments, labor relations, leadership development, change management, coaching	1,162,809
<b>Total:</b>		<b>15,743,663</b>

**Living Wage**

At the [Feb. 16, 2016 City Council Meeting](#), as part of an ongoing effort to encourage fair wages in the City of Boulder, City Council considered further options to expand the City of Boulder Living Wage Resolution 926. City Council discussed the identified options and provided direction for staff follow up through three motions. On June 14, 2016, a study session was held to follow up on the information requested and determine next steps. The [June 14 study session materials](#) provided detailed analysis and options for council consideration. A summary can be found [here](#).

The 2017 Recommended Budget includes increased funding for an expanded living wage for city employees, janitorial and landscape contractors, and emergency medical services (EMS) ambulance providers. The expansion will increase the minimum rate of pay to \$15.67 per hour for all standard and temporary city employees. The 2017 Recommended Budget also includes funding for the increase in contract costs for current janitorial and landscaping service providers, as well as an EMS ambulance service provider, to implement a minimum rate of pay of \$15.67 per hour for workers providing services under these contracts with the city. Finally, the proposed 2017 budget includes funding for a compliance specialist who will monitor and enforce contractor compliance.

As requested by council, staff provided information on an analysis to potentially provide janitorial and landscape services in-house. The purpose of the analysis was to determine the feasibility of providing these services through an in-house approach. The Novak Consulting Group was contracted to analyze the cost and provide a draft implementation plan.

In-house janitorial services were analyzed for the recreation and senior centers, libraries, administrative buildings, utility plants and service centers. A total of 51 facilities including 536,091 square feet were considered. Staffing was determined from department interviews on service needs, scheduling, asset inventories, facility tours, existing contracts and industry standards. Two models were analyzed for janitorial services.

For a full-time model, the cost increase was estimated to range from \$981,000 to \$1.3 million annually over current contract costs (no minimum pay rate). At a \$15.67 per hour minimum pay rate, this would be \$760,000 more per year for the full-time, in-house model than for contracted services, with a negotiated \$15.67 minimum pay rate for workers providing services under these contracts with the city. Additionally, the full-time, in-house model would require one-time start-up costs of \$195,000.

For a part-time model, the cost increase was estimated to range from \$2 million to \$2.4 million annually over current costs, due to a higher rate of personnel turnover. At a \$15.67 per hour minimum pay rate, this would be \$1,821,000 more per year for the part-time in-house model than for contracted services, with a negotiated \$15.67 minimum pay rate for workers providing services under these contracts with the city. Additionally, the part-time, in-house model would require one-time start up costs of \$183,000.

For landscape services, the only recurring landscape service being contracted out was for maintaining the right-of-way. This included 53 areas with 85 acres. The increased cost to bring this service in-house was estimated to range from \$317,000 to \$380,000 annually, over current contract costs (no minimum pay rate). At a \$15.67 per hour minimum pay rate, this would be \$231,000 more per year than for contracted services, with a negotiated \$15.67 minimum pay rate for workers providing services under these contracts with the city.

The table below summarizes these estimated costs under the different models and shows the difference between the ongoing costs of contracting the services as compared to bringing the services in-house.

	\$15.67	One-Time Cost		\$15.67	One-Time Cost	Ongoing Difference
<b>Janitorial</b>						
In-House Full-Time Centralized Model	\$1.121 M	\$195 K	Contracted	\$361 K	\$39 K	\$ 760 K
In-House Part-Time Decentralized Model	\$2.182 M	\$183 K				\$1.821 M
<b>Landscape</b>						
In-House Model	\$ 343 K	\$473 K	Contracted	\$112 K	\$38 K	\$ 231 K

Following the presentation of the information at the June 14, 2016 study session, council generally indicated an interest in implementing a living wage of \$15.67 per hour while considering \$17.97 per hour in the future. Subsequent to the study session, the analysis of bringing janitorial and landscape services in-house was further explored. Given the estimated cost and inefficiency, staff continues to recommend that these services remain outsourced while providing for a living wage of \$15.67 per hour through the contracts with the city.

As noted in the main body of this memo, as the city moves forward with implementation of the living wage provision, staff will provide periodic updates on vendor compliance with the wage rate and aggregate data on benefits as appropriate. Further, staff will begin an analysis on the feasibility of applying the living wage provision to contracts awarded to non-profits and other governmental agencies. Additionally, staff will refine and recommend a methodology to determine potential adjustments to the living wage, as well as the applicability of the living wage provision to seasonal employees. Staff is planning to return to council in late spring 2017 with a recommendation on these items.

### **Public Restrooms Along the Creek**

At the October 4, 2016 first reading of the 2017 budget, council commented about the recent influx of concerns related to human waste along Boulder Creek and inquired about the possibility for more public restrooms along the creek.

Currently, community members visiting Boulder Creek can utilize public restrooms at Eben G. Fine Park (everyday, dawn to dusk) and in the areas adjacent to the Civic Area, at the Boulder Main Library (M-Th 9AM-8PM, F-S 10AM-6PM and S 12PM-6PM), and in the Municipal Building (M-F 8AM-5PM).

In addition, temporary restrooms are often utilized to support special events and the weekly Farmers Market. Portable bathrooms are required for all events with over 100 people expected. For the farmer's market the bathrooms are placed on the 13th Street Plaza. There are three units that are placed for the season (April-November). These are serviced twice a week. When they are not in use for the market they are locked in order to discourage unpermitted behavior and limit city liability.

Restrictions of floodplain development significantly impact opportunities for building any new structures near the creek. Phase I of the Civic Area construction is focused on the "Park at the Core" concept and does not include additional public restrooms. Such amenities will continue be considered as future phases of the Civic Area project are designed. The potential for permanent restrooms in future facilities such as a public market will also be explored.

Temporary restrooms along the creek also pose several challenges, including lack of suitable terrain, access to utilities, and inaccessibility for service vehicles. Council should also be aware that each temporary facility would amount to an ongoing cost of \$4,500/year for routine service. Previous temporary facilities at Eben G. Fine Park and the library were frequently vandalized, posing water quality risk and increased expense to the city and were removed.

With recent City Council direction to adjust the city's response on camping, staff anticipate that cyclical encampment behavior may decrease and as such, does not recommend including this in the budget at this time.

### **Potential Ombudsman Position**

As noted at the Oct. 4 first reading of the budget, service excellence is a part of the city's vision and a value that all city employees are held to and strive for at all times. Customer service is our number one priority. As such, all city staff are in some ways ombudsmen, and the objective of

helping our customers navigate what can be a complex environment is a responsibility we all share. Additionally, funding for an ombudsman is not recommended at this time as two key positions have been added to the City Manager's Office in recent years to further facilitate and support the resolution of customer questions and concerns. Those positions are a Community Liaison (City/CU) and a Neighborhood Liaison.

### **Fees**

At the first reading of the 2017 budget questions were asked about how utility service charges are calculated and what the overall impact of all development fee changes are to a new single family home. The Utilities fees mentioned in the meeting are displayed in the "Fees, Rates, and Charges" section of the recommended budget document, on page 288, Table 9-05. The charges for the utility-specific service charges are calculated to recover utility costs for providing the specific service, and include personnel, vehicle cost and materials. The proposed fee for installing a ¾" water meter increased by 8 percent, primarily due to increases in the cost for the city to purchase associated materials. The proposed fee for a ¾" water tap has an increase of 131% (from \$117 to \$270) primarily due to a change in the materials used. The fee to tap a ductile iron pipe will now be the same as the fee to tap a PVC pipe.

Fees can vary based on the type of project, so development scenarios are used to help demonstrate the impacts of the proposed fee changes to a customer. For a new 3,000 sq. ft. single family residential scenario, fees are estimated to be around \$59,000 in 2016. With the recommended fee increases generally based on an inflationary factor of 2 percent, this same single family residential scenario would cost around \$60,200 in 2017.

On Sept. 29 city staff hosted an open house to obtain feedback on proposed 2017 fee changes, which included information on utility fees, development-related fees, and Rental Housing Licensing/SmartRegs fees. Approximately 25 members of the public attended.

Staff provided information related to the development impact fees and a few of the attendees were interested in the utility fees and how they are calculated. Staff also provided information about SmartRegs compliance requirements and who would be impacted by the proposed new fee. Relative to SmartRegs, some attendees expressed concern about additional fees being assessed prior to the 2019 compliance date and about the high cost of compliance. Staff explained that the current four year licensing fee of \$105 is not changing and the proposed fee of \$50 is a one-time fee to cover SmartRegs services for those properties who are not SmartRegs compliant by December 31, 2016. These attendees indicated that for some owners it is costing thousands of dollars to become compliant and they expressed concern that this new \$50 fee is another cost on top of that. The Boulder Area Rental Housing Association (BARHA) will be providing the City Council with a written position about its concerns with the proposed \$50 fee. Staff will prepare a response to those concerns and will distribute that information to City Council prior to the meeting on Oct. 18.

The Fees, Rates and Charges section of the 2017 Recommended Budget provides a summary of fee changes proposed for 2017 across the city, an explanation as to the methodology for calculating the proposed changes and a summary of the estimated impact of the fees.

### **Efficiency and Effectiveness**

In 2006, after a period of frequently declining revenues, the Boulder City Council appointed a Blue Ribbon Commission (BRC One) to study revenue policy issues confronting the city. In their 2008 report to Council, BRC One identified a significant gap between long term revenues and expenditures, and recommended a strategy of revenue stabilization to address this gap. BRC One also recommended study of expenditures, recognizing that sustained fiscal health would only be achieved through a balance of revenue stabilization and appropriate expenditure control. The Boulder City Council then appointed a second Blue Ribbon Committee (BRC Two) in 2008. The BRC Two report to Council in 2010 identified strategies to address rising costs, and provide efficient and effective use of public funds.

BRC Two looked at city expenditures and recommended the following:

- Review management policies in the areas of compensation and asset management
- Eliminate duplication of services
- Adopt a budget process based on prioritization of services
- Use meaningful performance measures to determine attainment of city goals
- Fully cost city services and programs
- Reduce General Fund subsidies to restricted funds, as appropriate

The city has made progress in several of the areas identified. Beginning in 2011 the city has undergone significant review of its compensation policies and strategies. In 2012 a new, market based, compensation structure was implemented for the Management/non-union work group and 2013 marks the fourth year in strategic benefits plan redesign, with an increased emphasis on employee wellness and employee cost sharing. The city adopted Priority Based Budgeting (PBB) in 2010, and more information on PBB's results can be found in the Strategic Planning/Priority Based budgeting section of the [2017 Recommended Budget document](#).

Through the budget process each year, departments are asked to review programs and services and to identify possible reallocation of funding from lower to higher priority programs and services, as well as to consider eliminating programs or services that do not achieve community priorities. This iterative process also includes review of potential duplication of services and identifies areas for improved effectiveness through collaboration.

In a next step toward ensuring greater transparency and a budget that supports community priorities as identified through council and public input and defined in the Sustainability Framework Outcomes and Priority Based Budgeting results, a Community Dashboard will soon be on-line, showing goals, targets, and progress in these outcome areas. The first phase of this effort will focus on a few key goals in each area and will show performance data currently known. Future phases will include ongoing measurement collection and benchmarking, as well as more detailed drill down functionality on specific performance measures, and a tie in to amounts budgeted in support of the outcomes.

An Innovations and Analytics Officer was added in the City Manager's Office as a part of the 2016 Budget. As the Innovation and Analytics Officer work plan moves forward, it will evolve from a data analytics to a predictive analytics focus. Connecting data and the organization's ongoing commitment to innovation will further continuous improvement opportunities.



**CENTRAL AREA GENERAL IMPROVEMENT DISTRICT (CAGID)  
BOARD OF DIRECTORS AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE:** Consideration of a motion to adopt three resolutions pertaining to the 2017 budget of the City of Boulder Downtown Commercial District Fund (formerly known as the Central Area General Improvement District Fund):

1. A resolution concerning the City of Boulder Downtown Commercial District Fund (formerly known as the Central Area General Improvement District Fund), adopting a budget for the fiscal year beginning January 1, 2017; and
2. A resolution establishing the 2016 City of Boulder Central Area General Improvement District Property Tax Mill Levy for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
3. A resolution appropriating money to defray the expenses and liabilities of the City of Boulder Downtown Commercial District Fund (formerly known as the Central Area General Improvement District Fund) for the 2017 fiscal year and setting forth details in relation thereto; and

Consideration of a motion to adjourn from the CAGID Board of Directors and to convene as the University Hill General Improvement District (UHGID) Board of Directors.

**PRESENTERS**

Jane S. Brautigam, City Manager  
Bob Eichen, Chief Financial Advisor  
Cheryl Pattelli, Director of Finance and Risk Management  
Peggy Bunzli, Executive Budget Officer  
Rachel Deckert, Budget Analyst

**EXECUTIVE SUMMARY**

A few years ago, the name of the Central Area General Improvement District (CAGID) Fund was changed to the Downtown Commercial District (DCD) Fund to better reflect that there are multiple sources of revenues within the fund. Though DCD is now common terminology for the fund, budget appropriations and adoptions must be done under CAGID, to ensure that bondholders holding CAGID bonds know that CAGID is still in existence and that the CAGID board has appropriated funds to make the debt service payments. The State of Colorado also defines the entity as CAGID and budget transactions must indicate the CAGID name.

The purpose of this item is to adopt and appropriate the 2017 budget for the Downtown Commercial District Fund as well as set the 2016 Central Area General Improvement District property tax mill levy.

To comply with Article X, Section 20 of the Colorado Constitution in establishing the Central Area General Improvement District property tax mill levy, a mill levy credit of 6.116 mills is necessary. Staff is recommending the following mill levy:

Base Mill Levy	9.990
Less: Mill Levy Credit	<u>(6.116)</u>
Net Mill Levy	3.874

**STAFF RECOMMENDATION**

**Suggested Motion Language:**

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

- Motion to adopt Downtown Commercial District (DCD) Resolution 278 adopting the 2017 budget for the DCD Fund;
- Motion to adopt Downtown Commercial District (DCD) Resolution 279 establishing the 2016 Boulder Central Area General Improvement District Property Tax mill levy;
- Motion to adopt Downtown Commercial District (DCD) Resolution 280 appropriating the 2017 budget for the DCD Fund; and

Consideration of a motion to adjourn from the CAGID Board of Directors and to convene as the University Hill General Improvement District (UHGID) Board of Directors.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

These resolutions (**Attachments A-C**) adopt the 2017 budget, establish the 2016 property tax mill levy and appropriate funding presented to council in the City Manager's 2017 Recommended Budget for the Downtown Commercial District Fund, and were reviewed by council during the 2017 budget process. **Attachment D** shows the impact of the 2017 revenues and expenditures on the DCD fund balance.

The budget supports a variety of projects and services within the Central Area General Improvement District that include social, environmental and economic issues.

## **OTHER IMPACTS**

- Fiscal - The 2017 budget for the Downtown Commercial District Fund is \$7,333,111.
- Staff time - Staff time for this process is allocated in the Budget Division's annual work plan and in the Community Vitality Department's annual work plan.

## **ADDITIONAL INFORMATION ON REVENUE LIMITS**

In past years, council has asked for additional information related to CAGID revenue limitations.

There are two State laws limiting revenue collections in Colorado. They include state statute 29-1-301, C.R.S., known as the "5.5%" revenue limit and Article X, Section 20 of the Colorado Constitution, commonly known as the "Taxpayer Bill of Rights" or TABOR. Voters in local municipalities and districts can remove these limits, by majority approval of a ballot issue in a November election. Entities doing so can remove both limits with a single ballot measure.

CAGID is subject to both limitations. In 1997 a ballot measure asking voters to remove TABOR limitations was struck down on a vote of 14 to 34. No further ballot measures have been introduced to remove either limitation.

TABOR includes two limitations on the amount of property taxes that CAGID can collect. The first sets a cap on the amount of mills levied at the prior year amount unless increased by voter approval. The second limits revenues to prior year revenue collection levels plus inflation and growth. Each entity (including GIDs separately from the city) must meet both requirements (the "nesting" effect of TABOR). When assessed values increase so that the revenues CAGID collects exceed the combination of growth and inflation in the district, the mill levy must be adjusted downward to ensure revenue collections stay within TABOR limits. In so doing, the new mill levy cannot be increased to the previous number without voter approval (this is called the "ratchet down" effect of TABOR). To avoid this, a mill levy credit, rather than a permanent reduction, may be applied. The credit is considered temporary so has the effect of reducing revenue collections by applying a lower mill levy for the next year, without permanently reducing the cap on the amount of mills levied. As shown above, this credit is calculated annually when setting the mill levy for CAGID, in order to ensure compliance with TABOR.

The table below shows the impact of TABOR and the 5.5% revenue limit for CAGID in 2017.

**CAGID**

<b>Preliminary Assessed Valuation from Boulder County</b>	<b>317,831,767</b>
---	--------------------

<b>TABOR Limit</b>
--------------------

	<b>Mill Levy (2016)</b>	<b>Collections (2017)</b>
General Operating Expenses Levy and Revenue (at full mill levy) with no limit	9.990	3,175,139
<Minus> Temporary Mill Levy Credit to be TABOR Compliant	(6.116)	(1,943,859)
<b>Total Adjusted Mill Levy and Allowable Revenue under TABOR Limitation</b>	<b>3.874</b>	<b>1,231,280</b>

<b>5.5% Limit</b>
-------------------

	<b>Mill Levy</b>	<b>Collections</b>
General Operating Expenses Levy and Revenue (at full mill levy) with no limit	9.990	3,175,139
<b>Total 2016 Allowable Revenue under "5.5%" Limitation</b>		<b>1,432,642</b>

**BOARD AND COMMISSION FEEDBACK**

The 2017 budget was also reviewed and approved by the Downtown Management Commission at its September 12, 2016 meeting.

**PUBLIC FEEDBACK**

A public hearing will be held on the 2017 budget, appropriations, and mill levy.

**ATTACHMENTS**

- A. Proposed resolution adopting a budget for the DCD Fund for 2017
- B. Proposed resolution establishing the Central Area General Improvement District Property Tax Mill Levy for 2016 to be collected in 2017
- C. Proposed resolution appropriating money to defray expenses and liabilities for the DCD Fund for 2017
- D. Impact of the 2017 Budget on the DCD Fund

**RESOLUTION 278**

**A RESOLUTION CONCERNING THE CITY OF BOULDER DOWNTOWN COMMERCIAL DISTRICT FUND (FORMERLY KNOWN AS THE CENTRAL AREA GENERAL IMPROVEMENT DISTRICT FUND), ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017.**

WHEREAS, Chapter 8-4 of the Revised Code of the City of Boulder requires that the Board annually determine the amount of money necessary to be raised for the District by an ad valorem tax levy on the taxable property in the District; and

WHEREAS, said chapter provides that prior to the start of proceedings for said levy of taxes, the Board shall prepare and adopt a budget, and

WHEREAS, all requirements of said chapter pertaining to the giving of public notice have been accomplished; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, ACTING AS THE BOARD OF DIRECTORS OF THE CENTRAL AREA GENERAL IMPROVEMENT DISTRICT, that:

Section 1. Estimated expenditures for fiscal year 2017 are as follows:

Operations	\$5,495,051
Debt Service	<u>1,838,060</u>
TOTAL	\$7,333,111

Section 2. Estimated revenues available in fiscal year 2017 to fund the above expenditures are as follows:

Property Taxes	\$1,208,334
Parking Fees	7,347,645
Transfer in for 1000 Walnut	82,500
Other Revenues	<u>338,696</u>
TOTAL	\$8,977,175



**RESOLUTION 279**

**A RESOLUTION ESTABLISHING THE 2016 CITY OF BOULDER CENTRAL AREA GENERAL IMPROVEMENT DISTRICT PROPERTY TAX MILL LEVY FOR PAYMENT OF EXPENDITURES, IN PART, OF THE DISTRICT DURING THE FISCAL YEAR 2017, AND SETTING FORTH DETAILS IN RELATION THERETO.**

WHEREAS, the Board has prepared and adopted a budget for the District for the 2017 fiscal year; and

WHEREAS, the Board has reviewed the projected expenditures of the District for 2017; and

WHEREAS, the Board has considered all sources of revenue of the District; and

WHEREAS, the Board has determined that there will not be sufficient revenues produced by the facilities operated by the District along with income from investment to cover expenses of operation and debt service and that a tax levy of 3.874 mills should therefore be imposed; and

WHEREAS, the preliminary assessed valuation information received from the County under Article X, Section 20 of the Colorado Constitution indicates that the growth limit in the Central Area General Improvement District for 2016 property taxes is 5.31% and

WHEREAS, in order to conform with the County information, a mill levy credit of 6.116 mills is necessary for a total of 3.874 mills to be assessed upon each dollar of assessed valuation of all taxable property with the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, ACTING AS THE BOARD OF DIRECTORS OF THE CITY OF BOULDER CENTRAL AREA GENERAL IMPROVEMENT DISTRICT that:

Section 1. Effective at 12:00 Midnight at the end of December 31, 2016 there is hereby levied for the year of 2016 to be collected in 2017, a tax of 3.874 mills upon each dollar of the total assessed valuation of all taxable property within the area of the City of

1 Boulder Central Area General Improvement District. The levy includes the following  
2 components:

3		
4	General Operations and Debt	9.990
5	Less: Mill Levy Credit	<u>(6.116)</u>
6	Net Mill Levy	3.874

7 Section 2. The secretary of the District is directed to certify the within levy to the  
8 County Assessor, Boulder County, Colorado.

9 ADOPTED this 18<sup>th</sup> day of October, 2016.

10 \_\_\_\_\_  
11 Chair

12 Attest:

13  
14 \_\_\_\_\_  
15 Secretary

**RESOLUTION 280**

**A RESOLUTION APPROPRIATING MONEY TO DEFRAID THE EXPENSES AND LIABILITIES OF THE CITY OF BOULDER DOWNTOWN COMMERCIAL DISTRICT FUND (FORMERLY KNOWN AS THE CENTRAL AREA GENERAL IMPROVEMENT DISTRICT FUND) FOR THE 2017 FISCAL YEAR AND SETTING FORTH DETAILS IN RELATION THERETO.**

WHEREAS, the City Council, acting as the Board of Directors of the Central Area General Improvement District, has taken final action approving the revenues and expenditures of the budget for 2017; and

WHEREAS, the Board desires to make appropriations for the ensuing fiscal year;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, ACTING AS THE BOARD OF DIRECTORS OF THE CENTRAL AREA GENERAL IMPROVEMENT DISTRICT, that:

Section 1. The following appropriations are hereby made for the City of Boulder Downtown Commercial District Fund's fiscal year commencing January 1, 2017, and ending December 31, 2017, from the funds of the District for the payment of the District's Operating Expenses, and Debt Service payments:

Operations	\$5,495,051
Debt Service	<u>1,838,060</u>
TOTAL	\$7,333,111

Section 2. The following appropriation is hereby made for the City of Boulder Downtown Commercial District Fund's fiscal year commencing January 1, 2017 and ending December 31, 2017, for fund balance:

Fund Balance (12/31/2017)	\$6,006,102
---------------------------	-------------



**ACTIVITY BY FUND, in thousands**

<b>Fund Title</b>	<b>Projected Fund Balance 1/1/2017</b>	<b>Estimated Revenues Including Transfer In</b>	<b>Appropriations Including Transfers Out</b>	<b>Projected Fund Balance 12/31/2017</b>	<b>Projected Changes in Fund Balance</b>
Downtown Commercial District Fund	\$ 4,362	\$ 8,977	\$ 7,333	\$ 6,006	\$ 1,644
<b>Totals</b>	<b>\$ 4,362</b>	<b>\$ 8,977</b>	<b>\$ 7,333</b>	<b>\$ 6,006</b>	<b>\$ 1,644</b>



**UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT (UHGID)  
BOARD OF DIRECTORS AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE:** Consideration of a motion to adopt three resolutions pertaining to the 2017 budget of the City of Boulder University Hill Commercial District Fund (formerly known as the University Hill General Improvement District Fund):

1. A resolution concerning the City of Boulder University Hill Commercial District Fund (formerly known as the University Hill General Improvement District Fund), adopting a budget for the fiscal year beginning January 1, 2017; and
2. A resolution establishing the 2016 City of Boulder University Hill General Improvement District Property Tax Mill Levy for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
3. A resolution appropriating money to defray the expenses and liabilities of the City of Boulder University Hill Commercial District Fund (formerly known as the University Hill General Improvement District Fund) for the 2017 fiscal year and setting forth details in relation thereto; and

Consideration of a motion to adjourn from the UHGID Board of Directors and convene as the Boulder Municipal Property Authority Board of Directors.

**PRESENTERS**

Jane S. Brautigam, City Manager  
Bob Eichen, Chief Financial Advisor  
Cheryl Pattelli, Director of Finance and Risk Management  
Peggy Bunzli, Executive Budget Officer  
Rachel Deckert, Budget Analyst

**EXECUTIVE SUMMARY**

A few years ago, the name of the University Hill General Improvement District (UHGID) Fund was changed to the University Hill Commercial District (UHCD) Fund to better reflect that there are multiple sources of revenues within the fund. Though UHGID is now common terminology for the fund, budget appropriations and adoptions must be done under UHGID. The State of Colorado also defines the entity as UHGID and budget transactions must indicate the UHGID name.

The purpose of this item is to adopt and appropriate the 2017 budget for the University Hill Commercial District Fund as well as set the 2016 University Hill General Improvement District property tax mill levy.

To comply with Article X, Section 20 of the Colorado Constitution, a mill levy credit of 3.168 mills is necessary. Staff is recommending the following mill levy:

Base Mill Levy	4.984
Less: Mill Levy Credit	(3.168)
Net Mill Levy	1.816

**STAFF RECOMMENDATION**

**Suggested Motion Language**

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

- Motion to adopt University Hill Commercial District (UHCD) Resolution 200 adopting the 2017 budget for the UHCD Fund;
- Motion to adopt University Hill Commercial District (UHCD) Resolution 201 establishing the 2016 University Hill General Improvement District Property Tax mill levy;
- Motion to adopt University Hill Commercial District (UHCD) Resolution 202 appropriating the 2017 budget for the UHCD Fund; and

Consideration of a motion to adjourn from the UHGID Board of Directors and convene as the Boulder Municipal Property Authority Board of Directors.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

These resolutions (**Attachments A-C**) adopt the 2017 budget, establish the 2016 property tax mill levy and appropriate funding as presented to council in the City Manager's 2017 Recommended Budget for the University Hill Commercial District Fund, and were reviewed by council during the 2017 budget process. **Attachment D** shows the impact of the 2017 revenues and expenditures on the UHCD fund balance.

The budget supports a variety of projects and services within the University Hill General Improvement District that include social, environmental and economic issues.

## **OTHER IMPACTS**

- Fiscal - The 2017 budget for the University Hill Commercial District Fund is \$655,812
- Staff time - Staff time for this process is allocated in the Budget Division's annual work plan and in the Community Vitality Department's annual work plan.

## **ADDITIONAL INFORMATION ON REVENUE LIMITS**

In past years, council has asked for additional information related to UHGID revenue limitations.

There are two State laws limiting revenue collections in Colorado. They include state statute 29-1-301, C.R.S., known as the "5.5%" revenue limit and Article X, Section 20 of the Colorado Constitution, commonly known as the "Taxpayer Bill of Rights" or TABOR. Voters in local municipalities and districts can remove these limits, by majority approval of a ballot issue in a November election. Entities doing so can remove both limits with a single ballot measure.

UHGID is subject to both limitations. No ballot measures have been introduced to remove either limitation.

TABOR includes two limitations on the amount of property taxes that UHGID can collect. The first sets a cap on the amount of mills levied at the prior year amount unless increased by voter approval. The second limits revenues to prior year revenue collection levels plus inflation and growth. Each entity (including GIDs separately from the city) must meet both requirements (the "nesting" effect of TABOR). When assessed values increase so that the revenues UHGID collects exceed the combination of growth and inflation in the district, the mill levy must be adjusted downward to ensure revenue collections stay within TABOR limits. In so doing, the new mill levy cannot be increased to the previous number without voter approval (this is called the "ratchet down" effect of TABOR). To avoid this, a mill levy credit, rather than a permanent reduction, may be applied. The credit is considered temporary so has the effect of reducing revenue collections by applying a lower mill levy for the next year, without permanently reducing the cap on the amount of mills levied. As shown above, this credit is calculated annually when setting the mill levy for UHGID, in order to ensure compliance with TABOR.

The table below shows the impact of TABOR and the 5.5% revenue limit for UHGID in 2017.

**UHGID**

<b>Preliminary Assessed Valuation from Boulder County</b>	<b>\$</b>	<b>18,952,107</b>
---	-----------	-------------------

<b>TABOR Limit</b>
--------------------

	<b>Mill Levy (2016)</b>	<b>Collections (2017)</b>
General Operating Expenses Levy and Revenue (at full mill levy) with no limit	4.984 \$	94,457
<Minus> Temporary Mill Levy Credit to be TABOR Compliant	(3.168) \$	(60,040)
<b>Total Adjusted Mill Levy and Allowable Revenue under TABOR Limitation</b>	<b>1.816 \$</b>	<b>34,417</b>

<b>5.5% Limit</b>
-------------------

	<b>Mill Levy</b>	<b>Collections</b>
General Operating Expenses Levy and Revenue (at full mill levy) with no limit	4.984 \$	94,457
<b>Total 2016 Allowable Revenue under "5.5%" Limitation</b>		<b>76,500</b>

**BOARD AND COMMISSION FEEDBACK**

The 2017 budget for the University Hill Commercial District (UHCD) Fund was reviewed and approved by the University Hill Commercial Area Management Commission at its September 15, 2016 meeting.

**PUBLIC FEEDBACK**

A public hearing will be held on the 2017 budget appropriations and mill levy.

**ATTACHMENTS**

- A. Proposed resolution adopting a budget for the UHCD Fund for 2017
- B. Proposed resolution establishing the UHGID Property Tax Mill Levy for 2016
- C. Proposed resolution appropriating money to defray expenses and liabilities for the UHCD Fund for 2017
- D. Impact of the 2017 Budget on the UHCD Fund

**RESOLUTION 200**

**A RESOLUTION CONCERNING THE CITY OF BOULDER UNIVERSITY HILL COMMERCIAL DISTRICT FUND (FORMERLY KNOWN AS THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT FUND), ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017**

WHEREAS, Chapter 8-4 of the Revised Code of the City of Boulder requires that the Board annually determine the amount of money necessary to be raised for the District by an ad valorem tax levy on the taxable property in the District; and

WHEREAS, said chapter provides that prior to the start of proceedings for said levy of taxes, the Board shall prepare and adopt a budget, and

WHEREAS, all requirements of said chapter pertaining to the giving of public notice have been accomplished; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, ACTING AS THE BOARD OF DIRECTORS OF THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT, that:

Section 1. Estimated expenditures for fiscal year 2017 are as follows:

Operations	\$655,812
Debt Service	<u>0</u>
TOTAL	\$655,812

Section 2. Estimated revenues for fiscal year 2017 to fund the above expenditures are as follows:

Property Tax	\$ 34,132
Ownership Tax	1,600
Parking Meter Revenue Transferred from General Fund	425,000
Parking Fees	132,110
Other Revenues	<u>7,701</u>
TOTAL	\$600,543

Section 3. The proposed budget as submitted and hereinabove summarized be adopted as the budget of the City of Boulder University Hill Commercial District Fund

1 (formerly known as the University Hill General Improvement District Fund) for the 2017  
2 fiscal year.

3 ADOPTED this 18<sup>th</sup> day of October, 2016.

4  
5 \_\_\_\_\_  
6 Chair

7 Attest:

8  
9  
10 \_\_\_\_\_  
11 Secretary  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**RESOLUTION 201**

**A RESOLUTION ESTABLISHING THE 2016 CITY OF BOULDER UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT PROPERTY TAX MILL LEVY FOR PAYMENT OF EXPENDITURES, IN PART, OF THE DISTRICT DURING THE FISCAL YEAR 2017, AND SETTING FORTH DETAILS IN RELATION THERETO.**

WHEREAS, the Board has prepared and adopted a budget for the District for the 2017 fiscal year; and

WHEREAS, the Board has reviewed the projected expenditures of the District for 2017, and

WHEREAS, the Board has considered all sources of revenue of the District; and

WHEREAS, the Board has determined that there will not be sufficient revenues produced by the facilities operated by the District along with income from investment to cover expenses of operation and debt service and that a tax levy of 1.816 mills should therefore be imposed; and

WHEREAS, the preliminary assessed valuation information received from the County under Article X, Section 20 of the Colorado Constitution indicates that the growth limit in the University Hill General Improvement District for 2016 property taxes is 1.18% and

WHEREAS, in order to conform with the County information, a mill levy credit of 3.168 mills is necessary for a total of 1.816 mills to be assessed upon each dollar of assessed valuation of all taxable property with the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, ACTING AS THE BOARD OF DIRECTORS OF THE CITY OF BOULDER UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT, that:

Section 1. Effective at 12:00 Midnight at the end of December 31, 2016 there is hereby levied for the year of 2016, to be collected in 2017 a tax of 1.816 mills upon each dollar of the total assessed valuation of all taxable property within the area of the City of

1 Boulder University Hill General Improvement District. The levy includes the following  
2 components:

3		
4	General Operating and Debt	4.984
5	Less: Mill Levy Credit	<u>(3.168)</u>
6	Net Mill Levy	1.816

7 Section 2. The secretary of the District is directed to certify the within levy to the  
8 County Assessor, Boulder County, Colorado.

9 ADOPTED this 18<sup>th</sup> day of October, 2016.

10  
11  
12  
13 Attest:

\_\_\_\_\_  
Chair

14  
15 \_\_\_\_\_  
Secretary

**RESOLUTION 202**

**A RESOLUTION APPROPRIATING MONEY TO DEFRAID THE EXPENSES AND LIABILITIES OF THE CITY OF BOULDER UNIVERSITY HILL COMMERCIAL DISTRICT FUND (FORMERLY KNOWN AS THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT FUND) FOR THE 2017 FISCAL YEAR AND SETTING FORTH DETAILS IN RELATION THERETO.**

WHEREAS, the City Council, acting as the Board of Directors of the University Hill General Improvement District, has taken final action approving the revenues and expenditures of the budget for 2017; and

WHEREAS, the Board desires to make appropriations for the ensuing fiscal year;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, ACTING AS THE BOARD OF DIRECTORS OF THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT, that:

Section 1. The following appropriations are hereby made for the City of Boulder University Hill Commercial District Fund’s fiscal year commencing January 1, 2017, and ending December 31, 2017, from the funds of the District for the payment of the District's Operating Expenses, and Debt Service payments:

Operations	\$655,812
Debt Service	<u>0</u>
TOTAL	\$655,812

Section 2. The following appropriation is hereby made for the City of Boulder University Hill Commercial District's fiscal year commencing January 1, 2017, and ending December 31, 2017, for fund balance:

Fund Balance (12/31/2017)	\$714,879
---------------------------	-----------

Section 3. The City Council, acting as the Board of Directors of the University Hill General Improvement District, hereby appropriates as revenues all 2016 year end

1 cash balances not previously reserved for insurance or bond purposes for all purposes not  
2 designated as "emergencies", including without limitation subsequent years' expenditures,  
3 capital improvements, adverse economic conditions and revenue shortfalls, pursuant to  
4 Article X, Section 20 to the Colorado Constitution, approved by the electorate on  
5 November 3, 1992.

6  
7 ADOPTED this 18<sup>th</sup> day of October, 2016.

8  
9  
10 \_\_\_\_\_  
Chair

11 Attest:

12  
13  
14 \_\_\_\_\_  
Secretary

**ACTIVITY BY FUND, in thousands**

<b>Fund Title</b>	<b>Projected Fund Balance 1/1/2017</b>	<b>Estimated Revenues Including Transfer In</b>	<b>Appropriations Including Transfers Out</b>	<b>Projected Fund Balance 12/31/2017</b>	<b>Projected Changes in Fund Balance</b>
University Hill Commercial District	\$ 770	\$ 601	\$ 656	\$ 714	\$ (56)
<b>Totals</b>	<b>\$ 770</b>	<b>\$ 601</b>	<b>\$ 656</b>	<b>\$ 714</b>	<b>\$ (56)</b>



**BOULDER MUNICIPAL PROPERTY AUTHORITY  
BOARD OF DIRECTORS AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE:** Consideration of a motion to adopt a resolution formally adopting the 2017 budget for the Boulder Municipal Property Authority; and

Consideration of a motion to adjourn from the Boulder Municipal Property Authority (BPMA) Board of Directors and convene as the Forest Glen Transit Pass General Improvement District Board of Directors.

**PRESENTERS**

Jane S. Brautigam, City Manager  
Bob Eichen, Chief Financial Advisor  
Cheryl Pattelli, Director of Finance and Risk Management  
Peggy Bunzli, Executive Budget Officer  
Rachel Deckert, Budget Analyst

**EXECUTIVE SUMMARY**

The Boulder Municipal Property Authority (BMPA) was formed as a Colorado nonprofit corporation in February of 1988. BMPA was formed for the purpose of acquiring real and personal property and leasing, selling or otherwise conveying the same to the city. BMPA is governed by a nine-member board of directors, which consists of the members of the City Council. BMPA's officers include a President and Vice President, which, pursuant to its Bylaws, shall be the Mayor and Mayor Pro Tem, respectively, of the city and a Secretary-Treasurer, which shall be the Chief Financial Officer of the city. BMPA has no assets, other than assets acquired from the issuance of debt securities, which are pledged to the repayment of such securities.

BMPA is a nonprofit corporation. However, it is a component unit of the city of Boulder as provided in the definition of "Reporting Entity" used by Governmental Accounting Standards Board. This requires that the financial statements of BMPA be included in the city's Comprehensive Annual Financial Report. Therefore, BMPA must adopt a formal annual budget.

The debt service payments being appropriated by this resolution are made on Lease Purchase Revenue Notes and Certificates of Participation. The revenues used to make these payments will be base rental payments from the General Fund and Open Space Fund.

This appropriation includes \$2,826,034 for the Hospital Certificate of Participation and \$1,002,209 in Open Space Lease Purchase Revenue Notes. This resolution (**Attachment A**) adopts the 2017 BMPA budget. **Attachment B** shows the impact of the 2017 revenues and expenditures on the BMPA fund balance.

## **STAFF RECOMMENDATION**

### **Suggested Motion Language**

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

Motion to adopt a BMPA Resolution 144 adopting the 2017 budget for the Boulder Municipal Property Authority; and

Consideration of a motion to adjourn from the Boulder Municipal Property Authority (BMPA) Board of Directors and convene as the Forest Glen Transit Pass General Improvement District Board of Directors.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

This action is an accounting requirement of the Governmental Accounting Standards Board.

### **OTHER IMPACTS**

- Fiscal – The 2017 budget for the Boulder Municipal Property Authority Debt Service Fund is \$3,828,243 (\$2,826,034 for the Hospital Certificate of Participation and \$1,002,209 in Open Space Lease Purchase Revenue Notes).
- Staff time for this process is allocated in the Budget Division’s annual work plan.

### **ATTACHMENTS**

- A. Proposed Resolution adopting a budget for the Boulder Municipal Property Authority for 2017
- B. Impact of the 2017 Budget on the Boulder Municipal Property Authority Fund Balance

**RESOLUTION 144**

**A RESOLUTION CONCERNING THE BOULDER  
MUNICIPAL PROPERTY AUTHORITY (BMPA),  
ADOPTING A BUDGET FOR THE FISCAL YEAR  
BEGINNING JANUARY 1, 2017.**

WHEREAS, the Boulder Municipal Property Authority is a nonprofit corporation duly organized and existing under the laws of the State of Colorado, and;

WHEREAS, the Boulder Municipal Property Authority is a component unit of the City of Boulder, for accounting purposes only, and as such, is required to formally adopt an annual budget, and;

WHEREAS, certain 2017 debt service obligations of the Boulder Municipal Property Authority are known;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, ACTING AS THE BOARD OF DIRECTORS OF THE BOULDER MUNICIPAL PROPERTY AUTHORITY, that:

Section 1. Estimated debt service expenditures for fiscal year 2017 are \$3,828,243.

Section 2. Estimated revenues, in the form of base rental payments from city departments, and intergovernmental revenue from Boulder County available for fiscal year 2017 to fund the above expenditures, are \$3,828,243.

Section 3. The proposed budget as submitted and hereinabove summarized shall be adopted as the budget of the Boulder Municipal Property Authority for the 2017 fiscal year and appropriated into the Boulder Municipal Property Authority Debt Service Fund.

ADOPTED this 18<sup>th</sup> day of October, 2016.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27

\_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary

<b>ACTIVITY BY FUND, in thousands</b>
---------------------------------------

<b>Fund Title</b>	<b>Projected Fund Balance 1/1/2017</b>	<b>Estimated Revenues Including Transfer In</b>	<b>Appropriations Including Transfers Out</b>	<b>Projected Fund Balance 12/31/2017</b>	<b>Projected Changes in Fund Balance</b>
Boulder Municipal Property Authority	\$ -	\$ 3,828	\$ 3,828	\$ -	\$ -
<b>Totals</b>	<b>\$ -</b>	<b>\$ 3,828</b>	<b>\$ 3,828</b>	<b>\$ -</b>	<b>\$ -</b>



**FOREST GLEN TRANSIT PASS GENERAL IMPROVEMENT DISTRICT  
BOARD OF DIRECTORS AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE:** Consideration of motion to adopt three resolutions pertaining to the 2017 budget of the City of Boulder Forest Glen Transit Pass General Improvement District Fund:

1. A resolution concerning the City of Boulder Forest Glen Transit Pass General Improvement District, adopting a budget for the fiscal year beginning January 1, 2017; and
2. A resolution establishing the 2016 City of Boulder Forest Glen Transit Pass General Improvement District Property Tax Mill Levy for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
3. A resolution appropriating money to defray the expenses and liabilities of the City of Boulder Forest Glen Transit Pass General Improvement District for the 2017 fiscal year and setting forth details in relation thereto; and

Consideration of a motion to adjourn from the City of Boulder Forest Glen Transit Pass General Improvement District Board of Directors, and convene as the Boulder Junction Access Commission General Improvement District - Parking Board of Directors.

**PRESENTERS**

Jane S. Brautigam, City Manager  
Bob Eichen, Chief Financial Advisor  
Cheryl Pattelli, Director of Finance and Risk Management  
Peggy Bunzli, Executive Budget Officer  
Rachel Deckert, Budget Analyst

**EXECUTIVE SUMMARY**

In November 2000, residents of the city's Forest Glen neighborhood voted to form a General Improvement District (GID) to provide Regional Transit District (RTD) transit passes for all neighborhood residents. To comply with terms of the GID's creation in 2000, the Forest Glen GID Eco Pass Program was subject to a public audit and review in

2006. One of the final recommendations of the audit and review was to continue the GID's Eco Pass program.

Subsequent informal reviews with the Forest Glen Transit Pass district participants occur annually in the Fall each year. Any resident living in the Forest Glen neighborhood is eligible to receive an RTD Eco Pass, regardless of whether they rent or own a home. Funding for the passes is generated from property tax revenues collected from property owners in the GID.

The purpose of this agenda item is to adopt and appropriate the Forest Glen Transit Pass GID budget for 2017, and to establish the 2016 Forest Glen Transit Pass GID mill levy. A maximum mill levy of 2.310 mills and an exemption from Article X, Section 20 of the Colorado Constitution were approved by the voters during the GID's formation.

Staff is recommending the following mill levy:

Base Mill Levy	2.310
Less: Mill Levy Credit	<u>(1.185)</u>
Net Mill Levy	1.125

#### **STAFF RECOMMENDATION**

##### **Suggested Motion Language:**

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

- Motion to adopt Forest Glen Transit Pass Resolution 53 adopting the 2017 budget for the Forest Glen Transit Pass GID Fund;
- Motion to adopt Forest Glen Transit Pass Resolution 54 establishing the 2016 City of Boulder Forest Glen Transit Pass General Improvement District Property Tax Mill Levy;
- Motion to adopt Forest Glen Transit Pass Resolution 55 appropriating the 2017 budget for the Forest Glen Transit Pass GID Fund; and

Consideration of a motion to adjourn from the City of Boulder Forest Glen Transit Pass General Improvement District Board of Directors, and convene as the Boulder Junction Access Commission General Improvement District – Parking Board of Directors.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

These resolutions (**Attachments A-C**) adopt the 2017 budget, establish the 2016 property tax mill levy and appropriate funding as presented to council in the City Manager's 2017 Recommended Budget for the Forest Glen Transit Pass General Improvement District, and were reviewed by council during the 2017 budget process. **Attachment D** shows the impact of the 2017 revenues and expenditures on the Forest Glen Transit Pass GID fund balance.

The budget supports the Forest Glen Transit Pass General Improvement District that was established to provide Eco Passes to residents living within the district.

## **OTHER IMPACTS**

- Fiscal - The 2017 budget for City of Boulder Forest Glen Transit Pass General Improvement District is \$16,308.
- Staff time - Staff time for this process is allocated as part of the Budget Division's annual work plan and as part of the Transportation Division's annual work plan.

## **ATTACHMENTS**

- A. Proposed resolution adopting a budget for Forest Glen Transit Pass GID for 2017
- B. Proposed resolution establishing the Forest Glen Transit Pass GID Property Tax Mill Levy for 2016
- C. Proposed resolution appropriating money to defray expenses and liabilities for the Forest Glen Transit Pass GID for 2017
- D. Impact of the 2017 Budget on the Forest Glen Transit Pass GID Fund Balance





**RESOLUTION 54**

**A RESOLUTION ESTABLISHING THE 2016 FOREST GLEN TRANSIT PASS GENERAL IMPROVEMENT DISTRICT PROPERTY TAX MILL LEVY FOR PAYMENT OF EXPENDITURES, IN PART, OF THE DISTRICT DURING THE FISCAL YEAR 2017, AND SETTING FORTH DETAILS IN RELATION THERETO.**

WHEREAS, the Board has prepared and adopted a budget for the District for the 2017 fiscal year; and

WHEREAS, the Board has reviewed the projected expenditures of the District for 2017; and

WHEREAS, the Board has considered all sources of revenue of the District; and

WHEREAS, the Board has determined that a tax levy of 1.125 should therefore be imposed; and

WHEREAS, in order to conform with the County information, a mill levy credit of 1.185 mills is necessary for a total of 1.125 mills to be assessed upon each dollar of assessed valuation of all taxable property with the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, ACTING AS THE BOARD OF DIRECTORS OF THE FOREST GLEN TRANSIT PASS GENERAL IMPROVEMENT DISTRICT that:

Section 1. Effective at 12:00 Midnight at the end of December 31, 2016, there is hereby levied for the year of 2016 to be collected in 2017, a tax of 1.125 mills upon each dollar of the total assessed valuation of all taxable property within the area of the Forest Glen Transit Pass General Improvement District. The levy includes the following components:

Base Mill Levy	2.310
Less: Mill Levy Credit	(1.185)
Net Mill Levy	1.125



**RESOLUTION 55**

**A RESOLUTION APPROPRIATING MONEY TO  
DEFRAY THE EXPENSES AND LIABILITIES OF  
THE FOREST GLEN TRANSIT PASS GENERAL  
IMPROVEMENT DISTRICT FOR THE 2017 FISCAL  
YEAR AND SETTING FORTH DETAILS IN  
RELATION THERETO.**

WHEREAS, the City Council, acting as the Board of Directors of the Forest Glen Transit Pass General Improvement District, has taken final action approving the revenues and expenditures of the budget for 2017; and

WHEREAS, the Board desires to make appropriations for the ensuing fiscal year;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, ACTING AS THE BOARD OF DIRECTORS OF THE FOREST GLEN TRANSIT PASS GENERAL IMPROVEMENT DISTRICT, that:

Section 1. The following appropriations are hereby made for the Forest Glen Transit Pass General Improvement District's fiscal year commencing January 1, 2017, and ending December 31, 2017, from the funds of the District for the payment of the District's Operating Expenses:

Operations \$16,308

Section 2. The following appropriation is hereby made for the Forest Glen Transit Pass General Improvement District's fiscal year commencing January 1, 2017, and ending December 31, 2017, for fund balance:

Fund Balance (12/31/2017) \$15,339

ADOPTED this 18<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
Chair

Attest:

\_\_\_\_\_  
Secretary

**ACTIVITY BY FUND, in thousands**

<b>Fund Title</b>	<b>Projected Fund Balance 1/1/2017</b>	<b>Estimated Revenues Including Transfer In</b>	<b>Appropriations Including Transfers Out</b>	<b>Projected Fund Balance 12/31/2017</b>	<b>Projected Changes in Fund Balance</b>
Transit Pass General Improvement District	\$ 16	\$ 16	\$ 16	\$ 15	\$ (1)
<b>Totals</b>	<b>\$ 16</b>	<b>\$ 16</b>	<b>\$ 16</b>	<b>\$ 15</b>	<b>\$ (1)</b>



**BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT  
DISTRICT - PARKING  
BOARD OF DIRECTORS AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE:** Consideration of a motion to adopt three resolutions pertaining to the 2017 budget of the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Fund:

1. A resolution concerning the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Fund, adopting a budget for the fiscal year beginning January 1, 2017; and
2. A resolution establishing the 2016 City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Property Tax Mill Levy for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
3. A resolution appropriating money to defray the expenses and liabilities of the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Fund for the 2017 fiscal year and setting forth details in relation thereto; and

Consideration of a motion to adjourn from the Boulder Junction Access Commission General Improvement District - Parking Board of Directors and convene as the Board of Directors of the Boulder Junction Access Commission General Improvement District – Travel Demand Management.

**PRESENTERS**

Jane S. Brautigam, City Manager  
Bob Eichen, Chief Financial Advisor  
Cheryl Pattelli, Director of Finance and Risk Management  
Peggy Bunzli, Executive Budget Officer  
Rachel Deckert, Budget Analyst

## **EXECUTIVE SUMMARY**

The Boulder Junction Access General Improvement District - Parking (the “District”) was created by City Council with the adoption of ordinance 7731 on July 20, 2010. The District provides parking and transportation related services and improvements to support Travel Demand Management strategies of the Transit Village Plan. The District operates in conjunction with the Boulder Junction Access General Improvement District - Travel Demand Management.

A mail ballot election on Nov. 2, 2010 approved a maximum mill levy and authorized the issuance of bonds. At its April 16, 2012 meeting, the Boulder Junction Access District – Parking Commission voted unanimously in support of increasing the property tax mill levy from 5.000 mills to 10.000 mills. The District’s expenditures and work plan will be determined by the timing and type of development within the District.

The purpose of this item is to adopt and appropriate the 2017 budget for the Boulder Junction Access General Improvement District - Parking Fund as well as set the 2016 property tax mill levy at 10.000 mills.

## **STAFF RECOMMENDATION**

### **Suggested Motion Language:**

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

- Motion to adopt Boulder Junction Access Commission General Improvement District – Parking Resolution 18 adopting the 2017 budget for the Boulder Junction Access Commission General Improvement District – Parking Fund;
- Motion to adopt Boulder Junction Access Commission General Improvement District – Parking Resolution 19 establishing the 2016 Boulder Junction Access Commission General Improvement District – Parking Property Tax mill levy;
- Motion to adopt Boulder Junction Access Commission General Improvement District – Parking Resolution 20 appropriating the 2017 budget for the Boulder Junction Access Commission General Improvement District – Parking Fund; and

Consideration of a motion to adjourn from the Boulder Junction Access Commission General Improvement District – Parking Board of Directors and convene as the Board of Directors of the Boulder Junction Access Commission General Improvement District – Travel Demand Management.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

These resolutions (**Attachments A-C**) adopt the 2017 budget, establish the 2016 property tax mill levy and appropriate funding as presented to council in the City Manager's 2017 Recommended Budget for the Boulder Junction Access Commission General Improvement District (GID) – Parking Fund and were reviewed by council during the 2017 budget process. **Attachment D** shows the impact of the 2017 revenues and expenditures on the Boulder Junction Access Commission GID – Parking fund balance.

The budget supports a variety of planning, capital improvements, and transportation services within the District that provide social and environmental benefits to the city as a whole.

## **OTHER IMPACTS**

- Fiscal - The 2017 budget for the Boulder Junction Access Commission General Improvement District – Parking Fund is \$465,678.
- Staff time - Staff time for this process is allocated in the Budget Division's annual work plan and in the Community Vitality Department's annual work plan.

## **BOARD AND COMMISSION FEEDBACK**

The 2017 budget was also reviewed by the Boulder Junction General Improvement District – Parking Commission on September 21, 2016. The Commission recommended an update of expense and revenue projections.

## **PUBLIC FEEDBACK**

A public hearing will be held on the 2017 budget appropriations and mill levy.

## **ATTACHMENTS**

- A. Proposed resolution adopting a budget for the Boulder Junction Access Commission General Improvement District – Parking Fund for 2017
- B. Proposed resolution establishing the Boulder Junction Access Commission General Improvement District – Parking Property Tax Mill Levy for 2016
- C. Proposed resolution appropriating money to defray expenses and liabilities for the Boulder Junction Access Commission General Improvement District – Parking Fund for 2017
- D. Impact of the 2017 Budget on the Boulder Junction Access Commission General Improvement District – Parking Fund



1            Section 3. The proposed budget as submitted and hereinabove summarized be  
2 adopted as the budget of the City of Boulder, Boulder Junction Access Commission  
3 General Improvement District – Parking Fund for the 2017 fiscal year.

4            ADOPTED this 18<sup>th</sup> day of October, 2016.

7 \_\_\_\_\_  
8            Chair

9 Attest:

12 \_\_\_\_\_  
13            Secretary

**RESOLUTION 19**

**A RESOLUTION ESTABLISHING THE 2016 CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT - PARKING PROPERTY TAX MILL LEVY FOR PAYMENT OF EXPENDITURES, IN PART, OF THE DISTRICT DURING THE FISCAL YEAR 2017, AND SETTING FORTH DETAILS IN RELATION THERETO.**

WHEREAS, the Board has prepared and adopted a budget for the District for the 2017 fiscal year; and

WHEREAS, the Board has reviewed the projected expenditures of the District for 2017, and

WHEREAS, the Board has considered all sources of revenue of the District; and

WHEREAS, the Board has determined that there will not be sufficient revenues produced by the facilities operated by the District along with income from investment to cover expenses of operation and debt service and that a tax levy of 10.000 mills should therefore be imposed; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, ACTING AS THE BOARD OF DIRECTORS OF THE CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT - PARKING, that:

Section 1. Effective at 12:00 Midnight at the end of December 31, 2016 there is hereby levied for the year of 2016, to be collected in 2017 a tax of 10.000 mills upon each dollar of the total assessed valuation of all taxable property within the area of the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking.



**RESOLUTION 20**

**A RESOLUTION APPROPRIATING MONEY TO  
DEFRAY THE EXPENSES AND LIABILITIES OF  
THE CITY OF BOULDER, BOULDER JUNCTION  
ACCESS COMMISSION GENERAL  
IMPROVEMENT DISTRICT – PARKING FUND  
FOR THE 2017 FISCAL YEAR AND SETTING  
FORTH DETAILS IN RELATION THERETO.**

WHEREAS, the City Council, acting as the Board of Directors of the Boulder Junction Access Commission General Improvement District – Parking, has taken final action approving the revenues and expenditures of the budget for 2017 and

WHEREAS, the Board desires to make appropriations for the ensuing fiscal year;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, ACTING AS THE BOARD OF DIRECTORS OF BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – PARKING, that:

Section 1. The following appropriations are hereby made for the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Fund’s fiscal year commencing January 1, 2017, and ending December 31, 2017, from the funds of the District for the payment of the District's Operating Expenses, and Debt Service payments:

Operations	\$93,302
Debt Service	<u>372,376</u>
TOTAL	\$465,678

Section 2. The following appropriation is hereby made for the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking’s fiscal year commencing January 1, 2017, and ending December 31, 2017, for fund balance:

Fund Balance (12/31/2017)	\$151,635
---------------------------	-----------



**ACTIVITY BY FUND, in thousands**

<b>Fund Title</b>	<b>Projected Fund Balance 1/1/2017</b>	<b>Estimated Revenues Including Transfer In</b>	<b>Appropriations Including Transfers Out</b>	<b>Projected Fund Balance 12/31/2017</b>	<b>Projected Changes in Fund Balance</b>
Boulder Junction Access District (GID) - Parking	\$ 406	\$ 212	\$ 466	\$ 152	\$ (254)
<b>Totals</b>	<b>\$ 406</b>	<b>\$ 212</b>	<b>\$ 466</b>	<b>\$ 152</b>	<b>\$ (254)</b>



**BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT  
DISTRICT – TRAVEL DEMAND MANAGEMENT  
BOARD OF DIRECTORS AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE:** Consideration of a motion to adopt three resolutions pertaining to the 2017 budget of the City of Boulder, Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund:

1. A resolution concerning the City of Boulder, Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund, adopting a budget for the fiscal year beginning January 1, 2017; and
2. A resolution establishing the 2016 City of Boulder, Boulder Junction Access Commission General Improvement District – Travel Demand Management Property Tax Mill Levy for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
3. A resolution appropriating money to defray the expenses and liabilities of the City of Boulder, Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund for the 2017 fiscal year and setting forth details in relation thereto; and

Consideration of a motion to adjourn from the Boulder Junction Access Commission General Improvement District – Travel Demand Management Board of Directors and reconvene as the City Council.

**PRESENTERS**

Jane S. Brautigam, City Manager  
Bob Eichen, Chief Financial Advisor  
Cheryl Pattelli, Director of Finance and Risk Management  
Peggy Bunzli, Executive Budget Officer  
Rachel Deckert, Budget Analyst

## **EXECUTIVE SUMMARY**

The Boulder Junction Access General Improvement District - Travel Demand Management (the “District”) was created by City Council with the adoption of ordinance 7732 on July 20, 2010. The District provides parking and transportation related services and improvements to support Travel Demand Management strategies of the Transit Village Plan. The District operates in conjunction with the Boulder Junction Access General Improvement District - Parking.

A mail ballot election on Nov. 2, 2010 approved a maximum mill levy and authorized the issuance of bonds. The initial levy was established at 5 mills and remains unchanged for 2015. The District has entered into Payments in Lieu of Taxes (PILOT) agreements to initiate payment for services such as Eco Passes when certificates of occupancy are issued. The District’s expenditures and work plan will be determined by the timing and type of development within the District.

The purpose of this item is to adopt and appropriate the 2017 budget for the Boulder Junction Access General Improvement District - Travel Demand Management Fund as well as set the 2016 property tax mill levy at 5 mills.

## **STAFF RECOMMENDATION**

### **Suggested Motion Language**

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

- Motion to adopt Boulder Junction Access Commission General Improvement District – Travel Demand Management Resolution 19 adopting the 2017 budget for the Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund;
- Motion to adopt Boulder Junction Access Commission General Improvement District – Travel Demand Management Resolution 20 establishing the 2016 Boulder Junction Access Commission General Improvement District – Travel Demand Management Property Tax mill levy;
- Motion to adopt Boulder Junction Access Commission General Improvement District – Travel Demand Management Resolution 21 appropriating the 2017 budget for the Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund; and

Consideration of a motion to adjourn from the Boulder Junction Access Commission General Improvement District – Travel Demand Management Board of Directors and reconvene as the City Council.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

These resolutions (**Attachments A-C**) adopt the 2017 budget, establish the 2016 property tax mill levy and appropriate funding as presented to Council in the City Manager's 2017 Recommended Budget for the Boulder Junction Access Commission General Improvement District (GID) – Travel Demand Management (TDM) Fund, and were reviewed by council during the 2017 budget process. **Attachment D** shows the impact of the 2017 revenues and expenditures on the Boulder Junction Access Commission GID – TDM fund balance.

The budget supports a variety of planning, capital improvements, and transportation services within the District that provide social and environmental benefits to the city as a whole.

## **OTHER IMPACTS**

- Fiscal - The 2017 budget for the Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund is \$188,314.
- Staff time - Staff time for this process is allocated in the Budget Division's annual work plan and in the Community Vitality Department's annual work plan.

## **BOARD AND COMMISSION FEEDBACK**

The 2017 budget was also reviewed by the Boulder Junction General Improvement District – Parking Commission on September 21, 2016. The Commission recommended an update of expense and revenue projections.

## **PUBLIC FEEDBACK**

A public hearing will be held on the 2017 budget appropriations and mill levy.

## **ATTACHMENTS**

- A. Proposed resolution adopting a budget for the Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund for 2017
- B. Proposed resolution establishing the Boulder Junction Access Commission General Improvement District – Travel Demand Management Property Tax Mill Levy for 2016
- C. Proposed resolution appropriating money to defray expenses and liabilities for the Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund for 2017
- D. Impact of the 2017 Budget on the Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund





**RESOLUTION 20**

**A RESOLUTION ESTABLISHING THE 2016 CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – TRAVEL DEMAND MANAGEMENT PROPERTY TAX MILL LEVY FOR PAYMENT OF EXPENDITURES, IN PART, OF THE DISTRICT DURING THE FISCAL YEAR 2017, AND SETTING FORTH DETAILS IN RELATION THERETO.**

WHEREAS, the Board has prepared and adopted a budget for the District for the 2017 fiscal year; and

WHEREAS, the Board has reviewed the projected expenditures of the District for 2017, and

WHEREAS, the Board has considered all sources of revenue of the District; and

WHEREAS, the Board has determined that there will not be sufficient revenues produced by the facilities operated by the District along with income from investment to cover expenses of operation and debt service and that a tax levy of 5.000 mills should therefore be imposed; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, ACTING AS THE BOARD OF DIRECTORS OF THE CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – TRAVEL DEMAND MANAGEMENT, that:

Section 1. Effective at 12:00 Midnight at the end of December 31, 2016 there is hereby levied for the year of 2016, to be collected in 2017 a tax of 5.000 mills upon each dollar of the total assessed valuation of all taxable property within the area of the City of Boulder, Boulder Junction Access Commission General Improvement District – Travel Demand Management.



**RESOLUTION 21**

**A RESOLUTION APPROPRIATING MONEY TO  
DEFRAY THE EXPENSES AND LIABILITIES OF  
THE CITY OF BOULDER, BOULDER JUNCTION  
ACCESS COMMISSION GENERAL  
IMPROVEMENT DISTRICT – TRAVEL DEMAND  
MANAGEMENT FUND FOR THE 2017 FISCAL  
YEAR AND SETTING FORTH DETAILS IN  
RELATION THERETO.**

WHEREAS, the City Council, acting as the Board of Directors of the Boulder Junction Access Commission General Improvement District – Travel Demand Management, has taken final action approving the revenues and expenditures of the budget for 2017 and

WHEREAS, the Board desires to make appropriations for the ensuing fiscal year;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, ACTING AS THE BOARD OF DIRECTORS OF THE BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – TRAVEL DEMAND MANAGEMENT, that:

Section 1. The following appropriations are hereby made for the City of Boulder, Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund’s fiscal year commencing January 1, 2017, and ending December 31, 2017, from the funds of the District for the payment of the District's Operating Expenses, and Debt Service payments:

Operations	\$188,314
Debt Service	<u>0</u>
TOTAL	\$188,314



**ACTIVITY BY FUND, in thousands**

<b>Fund Title</b>	<b>Projected Fund Balance 1/1/2017</b>	<b>Estimated Revenues Including Transfer In</b>	<b>Appropriations Including Transfers Out</b>	<b>Projected Fund Balance 12/31/2017</b>	<b>Projected Changes in Fund Balance</b>
Boulder Junction Access District (GID) - TDM	\$ 58	\$ 311	\$ 188	\$ 181	\$ 123
<b>Totals</b>	<b>\$ 58</b>	<b>\$ 311</b>	<b>\$ 188</b>	<b>\$ 181</b>	<b>\$ 123</b>



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: OCTOBER 18, 2016**

**AGENDA TITLE:** Continued second reading and consideration of a motion to amend the following:

- Ordinance 8139 related to the annexation and initial zoning of enclaves in the vicinity of 55<sup>th</sup> and Arapahoe; and
- Ordinance 8140 related to an amendment to Subsection 11-5-11(a). B.R.C. 1981 regarding stormwater and flood control utility plant investment fees.

**PRESENTERS**

Jane S. Brautigam, City Manager  
Tom Carr, City Attorney  
David Gehr, Deputy City Attorney  
Kathy Haddock, Senior Assistant City Attorney  
David Driskell, Executive Director for Planning, Housing, and Sustainability  
Susan Richstone, Deputy Director for Planning  
Charles Ferro, Land Use Review Manager  
Chris Meschuk, Senior Planner

**EXECUTIVE SUMMARY**

Council action is requested to complete the following:

1. Conduct the public hearing required by the Municipal Annexation Act for Ordinance 8039;
2. Conduct a public hearing related to the consideration of an ordinance related to the deferred collection of stormwater and flood management plant investment fees (Ordinance 8140);
3. Consider amendments to Ordinance 8139 related to annexation, and to Ordinance 8140 related to fee collection deferral;
4. Complete continued second readings of Ordinance 8139 and Ordinance 8140.

First reading of both ordinances was held on August 16, 2016. Second reading of Ordinance 8139 was rescheduled to October 4, 2016, to allow staff to meet and work with affected

businesses and property owners of the proposed annexing properties. Those meetings have occurred and changes to Ordinance 8139 are redlined in Attachment A.

Second reading and public hearing was opened on October 4, 2016, and the council continued the Second reading and public hearing to October 18.

Related proposed Ordinance 8140, a B.R.C .amendment related to stormwater and flood control PIFs on unilateral annexations, also had its First reading August 16, 2016. Second reading was opened on October 4, and continued to October 18. Staff is providing amendments to that ordinance which were not anticipated at first reading. As with Ordinance 8139, the amendments to Ordinance 8140 are redlined in Attachment B.

Staff finds that the annexations are consistent with State statutes, the Boulder Valley Comprehensive Plan (BVCP), and the initial zoning shown on the attached chart for each property is consistent with the BVCP Land Use Map.

## **STAFF RECOMMENDATION**

### **Suggested Motion Language:**

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

- Second reading and motion to amend Ord. 8139 related to the annexation and initial zoning of enclaves in the vicinity of 55<sup>th</sup> and Arapahoe as presented in Attachment A; and
- Second reading and motion to amend Ord. 8140 related to an amendment to Subsection 11-5-11(a). B.R.C. 1981 regarding stormwater and flood control utility plant investment fees as presented in Attachment B.

## **BACKGROUND**

The city prepared a separation plan, related to municipalization, for submittal to the Public Utilities Commission. It showed a number of unannexed enclaves that will cause service delivery issues and increased cost. In order to be a part of the city electric system, these properties will need to be within the city limits. The annexation policies in the Boulder Valley Comprehensive Plan (BVCP) encourages annexation of enclaves and other areas adjacent to the city. *See* BVCP §1.24. Ordinance 8139 is in furtherance of that policy.

Ordinance 8139, annexes 15 parcels that are enclaves of the city in the vicinity of 55<sup>th</sup> and Arapahoe. All of the parcels have a designation in the BVCP of Area II. Area II is the area now under county jurisdiction, where annexation to the city can be considered consistent with BVCP policies 1.16 Adapting to Limits on Physical Expansion, 1.18 Growth Requirements, and 1.24 Annexation. There is only one residential parcel affected by the annexation effort, and that owner has consented to the annexation.

The intent of this annexation effort is to make the annexation itself as revenue neutral as possible for the affected properties. As enclave annexations, the property owners:

- Do not pay annexation fees for processing the application; and
- Utility connections and related charges are deferred until the time the property owner desires to connect or the property is redeveloped.

Transportation infrastructure improvements are typically addressed at the time of annexation. The annexation ordinance does not contain any requirement related to the construction of transportation infrastructure. While there is some transportation infrastructure that does not meet city standards, it is anticipated that any improvements or upgrades would be done as part of redevelopment of the property. The city has regulations related to land dedications, reservation of rights of way and the construction of infrastructure in Section 9-9-8, B.R.C. 1981. Improvements could also be completed as part of city or state transportation projects as well.

Existing uses, including those that are through the county zoning process, that do not meet city zoning standards are grandfathered as non-conforming uses in the city. Businesses are required to obtain licenses from the city for any business that requires licensure. Initial zoning is determined based on existing uses of the properties and the land use map designations in the BVCP.

Ordinance 8140, amending Subsection 11-5-11(a) B.R.C. 1981, regarding stormwater and flood control utility plant investment fees (Attachment B), is necessary to make the code consistent with the enclave annexation ordinance. It allows the stormwater plant investment fees to be deferred, in addition to providing other payment options. In a typical annexation, the plant investment fee is required at the time of annexation. The proposed amendment adds an additional trigger of building permit(s) obtained after August 16, 2016, valuation of 25 percent of the value of the existing structure for the payment of the stormwater plant investment fee. This trigger is consistent with other development standards for upgrading properties.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

- Economic – No change in use is anticipated as a result of the annexation, so no economic impact is anticipated. The annexations comply with the policies of the Boulder Valley Comprehensive Plan.
- Environmental – No change in environmental impacts occur as a result of annexation of these properties.
- Social – Annexation of these properties will clarify jurisdictional responsibilities between the county and the city for enforcement of laws on these properties.

## **OTHER IMPACTS**

- Fiscal – No change in the city's fiscal responsibility is anticipated.
- Staff time – Upon annexation, all matters related to these properties are in the normal work plan of the affected city departments.

## **RECOMMENDED AMENDMENTS TO ANNEXATION ORDINANCE 8139 SINCE FIRST READING**

Staff has met with all of the affected businesses, including those operating marijuana businesses that responded to offers to meet with the appropriate staff regarding any concerns. Staff that toured the marijuana businesses included the Fire Marshall, Chief Building Official, Police Officer Marijuana Unit, and Licensing Manager. To address concerns raised by those businesses, staff is recommending several changes to the proposed ordinance, as follows:

1. The city manager is authorized to extend the deadlines set for the marijuana businesses to obtain marijuana business licenses from the city if the businesses are performing the work necessary to obtain the licenses, but due to circumstances beyond their control, cannot meet the deadlines. Delays beyond their control would include delay in obtaining ordered equipment, availability of contractors, or similar events. The purpose of the requirement is to have the businesses diligently pursuing compliance, not making heroic efforts to be compliant on a certain date. The amendment is in Section 5 of the ordinance.
2. Marijuana business owners were concerned that the definition of “agent” in the marijuana codes was too broad. Part B of Section 6, clarifies that “agent” does not include vendors or businesses leasing equipment or providing services that are provided to non-marijuana businesses.
3. Marijuana-infused product manufacturing facilities (MIPs) or testing facilities will not be subject to the Limitations on Inventory of Section 6-16-8(j), B.R.C. 1981. There is a testing facility and several MIPs that have higher amounts of inventory than permitted. They are excluded from the limitations until that portion of the Code is amended, as there was not an intent for the annexation to require the businesses to limit inventory. The amendment is in part C of Section 6 of the ordinance. Staff intends to also propose amendments to 6-16-8(j) to increase the maximum amount permitted appropriately.
4. Testing facilities follow the requirements for MIPs when there are not specific testing facility requirements. This is in part D of Section 6.
5. For a marijuana business to be existing lawfully, it is required to be in existence in compliance with all applicable laws as of annexation. However, we discovered that there were some marijuana businesses that either had pending approvals for new licenses or modifications of premises. To accommodate those continuing processes we amended the ordinance to include them in the definition of “existing lawfully.” At least one of the property owners had obtained county land use approvals within the past few months, and is in the process of obtaining County building permit approvals to implement those plans. When a property is annexed that is in the process of pursuing land use or building permit approvals from the county, it is common for the city and county officials to work together so that the city takes over the process, or accepts the county’s completion of the process as approval in the city. The goal of those arrangements is to prevent the property owner from having to pay a second building permit fee, or be subject to inspections by both the

city and the county, or complete the process with the county, then start over with the city. The definition of those that qualify as "lawfully existing" is specified to include such situations. The amendment is in part E of Section 6 of the ordinance.

6. Section 7 of the ordinance was clarified to note specifically that utility fees are being deferred until connection to the utility, increasing the size of a building, or construction of improvements after annexation that exceeds 25 percent of the assessed valuation. Clarification that "construction" does not include routine maintenance has been added. This change is consistent with the change proposed in Ordinance 8140 for plant investment fees.
7. A correction was made to Section 8 to clarify that the City is consenting to inclusion of the subject parcels into the Northern Colorado Water Conservancy District and Municipal Sub-District of the Northern Colorado Water Conservancy District at the time of annexation, pursuant to C.R.S. 37-45-136(3.6), and not upon provision of water service to each parcel.

### **RECOMMENDED AMENDMENTS TO ORDINANCE 8140**

A change has been proposed to Ordinance 8140 to add an additional trigger for the payment of stormwater and flood control management plant investment fee that requires payment of the fee for a building permit that allows construction exceeding 25 percent of the assessed valuation of the structure. This standard is used in other parts of the municipal code as the point at which property owners are required to bring property into compliance with other standards. Examples include the city's site access standards and landscaping standards.

### **FIRST READING QUESTIONS**

Below are responses to questions received about the annexations since first reading:

- Q. What is the difference in cost to the property owners and tenants for this unilateral annexation compared to other annexations to the city (including the costs required from property owners annexing because of the 2013 flood).**
- A. Below is a chart showing the comparison of what the property owners are annexing because of the 2013 flood, had to pay, and received as concessions for annexation compared to those being offered for the properties affected by the unilateral annexation of Ordinance 8139.

	<b>Individual Property Applicant</b>	<b>Group Annexations</b>	<b>Flood Recovery Annexations</b>	<b>Unilateral Annexations</b>
<b>Application Fees</b>	Yes	Sometimes waived	Waived	Waived
<b>Annexation Maps, Title Work, NCWCD Inclusion fees</b>	Paid by Applicant	Paid by Applicant	Paid by Applicant	Paid by City
<b>Development Excise Taxes (if applicable)</b>	Yes	Sometimes waived	Waived	Waived
<b>Utility Plant Investment Fees and Tap fees</b>	Yes	Yes	Yes - three options (Pay in full, finance, or defer to time of connection)	Yes - Deferred to time of connection
<b>Annexation Agreement with terms and conditions (easement dedications, ditch rights, public improvements, etc.)</b>	Yes	Yes	Yes	No
<b>Utility Financing Agreements</b>	No	Sometimes partial financing	Yes - all costs financeable due to flood	Possible with proposed language in Ord. 8140

**Q. What efforts were made by staff to discover particular concerns of property owners related to this annexation?**

A. Each property owner was called individually between August 3 and 5, before first reading of the ordinance. All but two were reached at that time. Since then, staff has talked to representatives of the other two properties. In most cases staff also talked to the tenant businesses of each property. The marijuana businesses accepted the offer to have city officials tour their facilities to let them know of potential concerns, and those tours happened in August and September. In response, staff prepared the attached FAQ to address concerns and to document responses to many of the questions that have been asked by the property owners and tenants.

**Q. What are any immediate health or safety concerns that will have to be resolved upon annexation?**

A. The only immediate safety concerns discovered are related to egresses that can lock employees or emergency responders into a building. Those include metal gates over doors that cannot be opened from the inside and a padlocked fence gate between the first and second floor inside a business. Both of those would be required to be removed upon annexation as the city does not allow egress which cannot be opened from the inside at commercial buildings.

**Q. Are there any operating businesses that are not included in the grandfathering provisions?**

A. The only one known to date, is a marijuana business that was closed by Marijuana Enforcement Division of the Colorado Department of Revenue (the “MED”), before the annexations started. There is a possibility that one or more of the current businesses are out of compliance with MED requirements. If those businesses are not able to come into compliance with MED requirements they will not meet the requirements for grandfathering. However, the nonconforming standards apply to the use, so if the landlord can find a substitute marijuana business within the one-year time of Section 9-10-2(a), the use would meet the grandfathering requirements.

**Q. Why is annexation necessary now if the application to the PUC will be filed by the time the property is finally annexed?**

A. The direction to staff was to create the Separation Plan for the PUC application with these properties being part of the city rather than an out-of-city customer of Xcel. If council now indicates that it is not going to annex these properties by delay or voting against Ordinance 8139, the current Separation Plan would provide for serving out-of-city customers. While that could be amended, the circumstances of such amendment may not serve the city’s interests or timeline.

**Q. Has the staff included provisions in the ordinance that promote continuity of the existing businesses as requested by the Planning Board?**

A. Yes. All of the specific requests of property owners and existing marijuana businesses presented to staff, that are necessary for the existing businesses to continue, have been met for the businesses that comply with current applicable county and MED laws.

**Q. Have all of the demands of the property owners and businesses proposed for annexation been met?**

A. No. The specific requests of property owners and existing marijuana businesses that have been made to staff have been met. The demands that have not been met are those related to waiver or reduction of development impact fees, removing public improvement requirements upon redevelopment, waiving marijuana laws for marijuana businesses in the enclaves, reducing taxes from those assessed on comparable city businesses, or delaying the effective date of the ordinance. These requests put properties and businesses in the enclaves against existing properties and businesses of the city by not requiring contributions to infrastructure that others meet, not requiring marijuana businesses in the enclaves to compete on a level playing field with the city marijuana businesses, or charging lower taxes than city properties and businesses for the same services. Delay of the effective date of the ordinance could negatively impact the pending application before the PUC as described above. These issues are policy decisions for Council, but for these reasons could not be recommended by staff.

## PLANNING BOARD RECOMMENDATION

On a motion by J. Putnam, seconded by L. Payton the Planning Board voted 6-0 (C. Gray absent) to recommend approval to City Council of the proposed annexations of the 15 parcels with the initial zoning as shown in the staff memorandum assuming that staff and Council can develop provisions in the Ordinance that would promote continuity of existing businesses where consistent with health and safety of the city. This should include more flexibility in the timeline for compliance and potential waivers of existing city rules.

Friendly amendment made by L. May to change the above motion to read “only if” rather than “assuming that”. Accepted by J. Putnam and L. Payton.

Staff believes it has addressed those concerns by the recommended additions to the annexation ordinance provided above.

## ANALYSIS

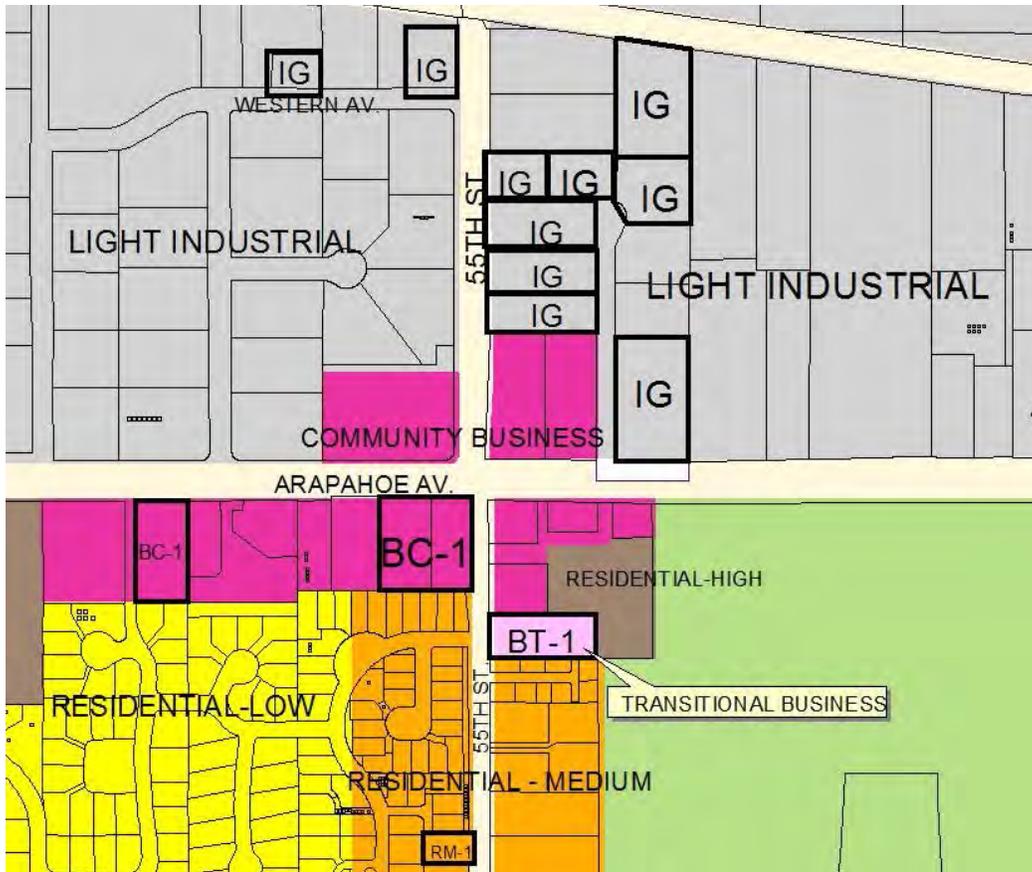
### **1. Is the proposed annexation consistent with the state statutes and local laws pertaining to the annexation of a property into the City of Boulder?**

Annexations must comply with the Municipal Annexation Act of 1965, Section 31-12-101, *et. seq.*, C.R.S. Enclaves can be annexed without a hearing, but published notice must be provided once a week for four weeks, with the first publication at least 30 days before the adoption of the ordinance. Section 31-12-106(1), C.R.S. Notice has been published of the annexations meeting, pursuant to the statutory requirements. All of the properties proposed to be annexed meet the definition of an enclave, as described in Section 31-12-103(4), C.R.S.

Additionally, the annexation will not create an unreasonable burden on the physical, social, economic, or environmental resources of the city, as provided in Section 9-2-17(b), B.R.C. 1981. The properties are enclaves within the urbanized portion of the city. Annexation will not create any additional burdens. Any change that occurs in these area will be done in compliance with city codes.

### **2. Is the proposed annexation consistent with the Boulder Valley Comprehensive Plan?**

Land Use Designation. The proposed zoning on all the properties is consistent with the BVCP land use designations. The map below shows the proposed zoning on each parcel to be annexed and the zoning for the annexed areas surrounding each enclave.



**BVCP Policies**

Annexation of land must be consistent with the following policy:

**1.24 Annexation.** The applicable policies (a, b, c, d and e) in regard to annexation to be pursued by the city are:

- a) **Annexation will be required before adequate facilities and services are furnished.**

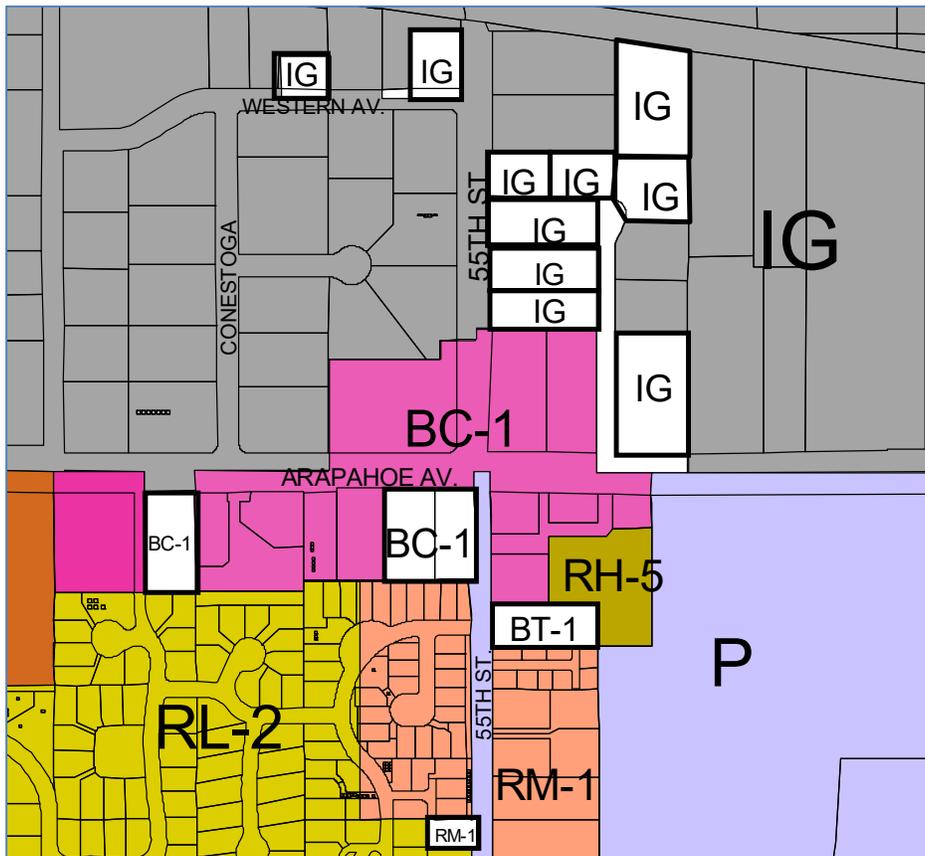
Currently, eight of the 15 properties are on city wastewater services and three are connected to city water. Full city services will be available to the subject properties with annexation, however, these properties will not be required to connect to city utilities, until requested by the property owner or construction of a new building or additional square footage of an existing building.

- b) **The city will actively pursue annexation of county enclaves, Area II properties along the western boundary, and other fully developed Area II properties. County enclave means an unincorporated area of land entirely contained within the outer boundary of the city. Terms of annexation will be based on the amount of development potential as described in (c), (d), and (e) of this policy.**

These properties are part of an existing county enclave and in fully developed Area II neighborhoods, thus annexation of the properties would further this policy.

- c) **Annexation of existing substantially developed areas will be offered in a manner and on terms and conditions that respect existing lifestyles and densities. The city will expect these areas to be brought to city standards only where necessary to protect the health and safety of the residents of the subject area or of the city.**

The proposed initial zoning of all 15 properties is consistent with the surrounding zoning as shown below (proposed zoning indicated on subject properties).



The proposed initial zoning of 14 of the properties is consistent with the current county zoning. One property (5565 Arapahoe Ave.), currently has a commercial zoning designation in the county but a Light Industrial BVCP land use designation. The proposed initial zoning of Industrial-General for the parcel is consistent with the BVCP, but not with current use of the site. Two of the current businesses on the site (Hospice Care & Share Thrift Store and Green Tree Medicinals) will be allowed to stay as nonconforming uses once in the city.

- d) **In order to reduce the negative impacts of new development in the Boulder Valley, the city will annex Area II land with significant development or redevelopment potential, only if the annexation provides a special opportunity or benefit to the city. For annexation considerations, emphasis will be given to the**

**benefits achieved from the creation of permanently affordable housing. Provision of the following may also be considered a special opportunity or benefit: receiving sites for transferable development rights (TDRs), reduction of future employment projections, land and/or facilities for public purposes over and above that required by the city's land use regulations, environmental preservation, or other amenities determined by the city to be a special opportunity or benefit.**

- e) Annexation of substantially developed properties that allows for some additional residential units or commercial square footage will be required to demonstrate community benefit commensurate with their impacts.**

Eleven of the 15 parcels in the annexation group have developmental potential totaling approximately 105,000 sq. ft. of commercial and industrial space. Upon annexation, these properties will be eligible for redevelopment, consistent with their initial city zoning.

The community benefit in the current situation, is the cost savings to the city utility, in not having to duplicate electric facilities to serve these properties.

**Attachments:**

- A – Ordinance 8139
- B – Ordinance 8140
- C – Frequently Asked Questions for 55th and Arapahoe Annexation
- D – Map of enclave properties to be annexed
- E – Chart of proposed zone district for each parcel

ORDINANCE 8139

AN ORDINANCE ANNEXING TO THE CITY OF BOULDER ENCLAVES IN THE VICINITY OF 55<sup>TH</sup> AND ARAPAHOE, WHICH PARCELS ARE SHOWN ON THE MAP INCORPORATED INTO THIS ORDINANCE, WITH AN INITIAL ZONING FOR EACH PARCEL SHOWN ON THE CHART INCORPORATED INTO THIS ORDINANCE AS DESCRIBED IN CHAPTER 9-5, "MODULAR ZONE SYSTEM," B.R.C. 1981; AMENDING THE ZONING DISTRICT MAP FORMING A PART OF SAID CHAPTER TO INCLUDE SAID PROPERTY IN THE ABOVE-MENTIONED ZONING DISTRICT; CONSENTING TO THE INCLUSION OF THE PROPERTY INTO THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT AND ITS SUBDISTRICT; AND SETTING FORTH RELATED DETAILS.

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

Section 1. The city council of the city of Boulder, Colorado, finds:

- A. All of the parcels depicted in **Exhibit A** (the "Property") may be annexed by the city council as enclaves without a hearing or notice other than by publication; however the city has mailed individual notices to the property owners, and is holding a public hearing on this ordinance.
- B. The parcels within the Property include 15 parcels in the vicinity of 55<sup>th</sup> and Arapahoe that are completely surrounded within the boundaries of the city, all of which are described more particularly on **Exhibit B**.
- C. All of the parcels have more than one-sixth contiguity with city boundaries as required by Colorado law.
- D. It is the intent of the city to include in this annexation all of the Property from the abutting incorporated property so that there is no gap of unincorporated property between the parcels of the Property to be annexed and the boundaries of the adjacent incorporated property.
- E. The requirements of the Colorado Constitution and the Colorado Revised Statutes regarding annexation have been satisfied.
- F. All of the parcels included in the Property are located within Area II as designated in the Boulder Valley Comprehensive Plan (BVCP).
- G. The initial zoning proposed for the 10 properties at 5421 and 5485 Western Ave, and 5565, 5575 and 5595 Arapahoe and 1700, 1750, 1780, 1830 and 1840 N. 55<sup>th</sup> St is "IG" and for

1 the four properties located at 5320 and 5472 Arapahoe Ave and 1530 and 1595 N. 55th St  
2 is “BC-1”, and the property at 1415 No. 55<sup>th</sup> St is “RM-1” all as defined in Title 9, B.R.C.  
1981.

3 H. Annexation of the parcels of the Property in Area II and as enclaves is consistent with the  
4 BVCP, and the annexation policies in Section 1.24 of the BVCP.

5 I. The city is not proposing a land use designation change for any of the Property.

6 J. The Planning Board has recommended annexation of the Property to the City of Boulder  
7 and that the Zoning District Map adopted by the City Council be amended to the zone district  
8 specified in this ordinance, as provided in Chapter 9-5, “Modular Zone System,” B.R.C.  
1981.

9 K. The initial zoning of the Property is consistent with the Boulder Valley Comprehensive  
10 Plan, and bears a substantial relation to and will enhance the general welfare of the Property  
11 and of the residents of the City of Boulder.

12 L. The City Council has jurisdiction and the legal authority provided in C.R.S. § 31-12-106(1)  
13 to annex and zone the Property as enclaves of the city without a hearing and with notice  
14 only by publication.

15 Section 2. The Property shown on the map attached as Exhibit A, and more particularly  
16 described in Exhibit B be, and the same hereby is, annexed to and included within the corporate  
17 boundaries of the City of Boulder.

18 Section 3. Chapter 9-5, “Modular Zone System,” B.R.C. 1981, and the Zoning District  
19 Map forming a part thereof, be, and the same hereby are, amended to include each parcel of the  
20 Property in the zoning district specified in this ordinance. Uses existing on the properties on the  
21 date of adoption of this ordinance, or uses “existing lawfully” as defined under Section 6 of this  
22 ordinance, shall be considered non-conforming uses pursuant to Chapter 9-10 “Nonconformance  
23 Standards” B.R.C. 1981.

24 Section 4. Businesses operating on the parcels to be annexed within the Property must  
25 obtain any city licenses that apply to the particular businesses. Businesses requiring a business  
license under Section 3-2-11 “Sales and Use Tax License” B.R.C. 1981 must obtain such licenses  
within 30 days of adoption of this ordinance.

1           Section 5. Existing marijuana businesses within the Property to be annexed are required  
2 to obtain a marijuana business license in conformance with either Chapter 6-14 “Medical Marijuana  
3 Businesses” or 6-16 “Recreational Marijuana Businesses” B.R.C. Each marijuana business within  
4 the Property shall submit a complete application to the City for such license within 60 days of the  
5 adoption of this ordinance. Such businesses shall meet all requirements for issuance of such license  
6 and have been issued such license within six months of the adoption of this ordinance, unless a  
7 building permit from the city is required to meet the requirements for the license. If a building  
8 permit is required to meet the requirements for a marijuana business license, completed application  
9 for such permit(s) must be submitted to the city within 60 days of the adoption of this ordinance.  
10 The deadline for issuance of a marijuana business license from the city for those requiring a building  
11 permit to qualify shall be one year from the date of adoption of this ordinance. Either the date for  
12 submission of a completed application or the dates for meeting all requirements for a license, which  
13 date may be extended by the city manager in the event of extenuating circumstances that are not  
14 caused by action or inaction of the applicant. All businesses applying for a marijuana business  
15 license shall diligently pursue completion of all work, including construction, necessary to meet the  
16 requirements for such license and each business shall provide written reports to the Marijuana  
17 Licensing Authority every three months from the date of application to the issuance of the license,  
18 describing the progress made towards meeting the licensing requirements.

20           Section 6. Application of Boulder Revised Code to Marijuana Businesses existing lawfully:

21           A. Marijuana businesses existing lawfully within the Property ~~on the date of adoption~~  
22                                   ~~of this ordinance~~ shall not be subject to the density restrictions contained in Section  
23                                   6-14-7(f) “Location of Recreational Marijuana Businesses- Separation From  
24                                   Schools, Day Care Centers, Addiction Recovery Facilities, or Other Medical  
25                                   Marijuana Uses,” B.R.C. 1981 or Section 6-16-7(e) “Location of Recreational

1 Marijuana Businesses- Separation From Schools and Other Facilities,” B.R.C. 1981,  
2 but must comply with all other requirements of Chapter 6-14 “Medical Marijuana  
3 Businesses” or Chapter 6-16 “Recreational Marijuana Businesses,” B.R.C. 1981, as  
4 appropriate.

5 B. An “agent” as defined in 6-14-5(a)(2)(C) and 6-16-5(a)(2)(C) shall not include a  
6 person leasing equipment to the marijuana business or providing other services or  
7 equipment that are provided to non-marijuana businesses, so long as the payment  
8 for the use of such services or equipment is not based on income or profits of the  
9 marijuana business.

10 C. Neither marijuana-infused product manufacturing facilities nor marijuana testing  
11 facilities existing lawfully shall be subject to 6-16-8(j) “Limitations on Inventory”  
12 B.R.C., until that subsection is amended.

13 D. Testing facilities shall follow the requirements for marijuana infused product  
14 manufacturers except where there is a conflicting requirement specifically  
15 applicable to marijuana testing facilities.

16 E. “Existing lawfully” shall mean:

17 i. (a)-businesses that are in compliance with all applicable laws and regulations of  
18 the state and the Colorado Department of Revenue Marijuana Enforcement  
19 Division (“MED”), and

20 ii. (b)-businesses that submitted completed applications for approval of new  
21 licenses or modification of premises to MED on or before August 16, 2016, and  
22 iii. (c)-businesses and properties in compliance with the codes adopted by Boulder

23 County for building requirements; and  
24 and  
25

1 iv. (d) businesses and properties who had obtained land use approvals from Boulder  
2 County on or before August 16, 2016 and are pursuing those approvals through  
3 the building permit process; and

4 v. (e) properties for which the owner or tenant had obtained a building permit from  
5 the county prior to August 16, 2016 and was diligently pursuing construction to  
6 completion.

7 A.—F. The continuation and expiration of marijuana businesses existing lawfully  
8 that do not comply with the requirements of Chapter 6-14 “Medical Marijuana” or  
9 6-16 “Recreational Marijuana” B.R.C. 1981 are governed by the provisions Section  
10 9-10-2(a) “One-Year Expiration of Nonconforming Uses” B.R.C. 1981.

11 Section 7. The property owners of the Property shall not be required to pay any city  
12 annexation application costs or fees. Utility fees, including connection and plant investment fees,  
13 and requirements to connect to city water or wastewater facilities shall be deferred to the time of  
14 (a) connection to the utility, (b) or construction that increases the square footage of existing  
15 development upon a parcel of the Property, or (c) construction for which the value on the building  
16 permit application(s) for the same project after August 16, 2016, exceeds 25% of the assessed value  
17 of the building, whichever occurs first. For purposes of subsection (c), “construction” shall not  
18 include routine maintenance that includes without limitation the repair or replacement of exterior  
19 building materials such as roofing, siding, or HVAC equipment, or painting, or equipment that  
20 supports the building such as plumbing, heating, air conditioning, or lighting.

21 Section 8. The city hereby consents to the inclusion of each parcel of the Property into  
22 the Northern Colorado Water Conservancy District (the “District”)— and the Municipal Subdistrict  
23 of the Northern Colorado Water Conservancy District (the “Subdistrict”); pursuant to C.R.S. 37-  
24 45-136(3.6) ~~upon provision of water to that parcel. The parcels at 5565 Arapahoe Ave. and 1840~~  
25

1 ~~55th St. are receiving water from the city currently and the staff is directed to take the steps~~  
2 ~~necessary to complete inclusion of those parcels into the District and Subdistrict. Contemporaneous~~  
3 ~~with this annexation, the City hereby consents to the inclusion of the parcels at 5565 Arapahoe Ave.~~  
4 ~~and 1840 55<sup>th</sup> St. into the Northern Colorado Water Conservancy District (the “District”) and the~~  
5 ~~Municipal Subdistrict of the Northern Colorado Water Conservancy District (the “Subdistrict”);~~  
6 ~~pursuant to C.R.S. 37-45-136(3.6) Upon inclusion into the District and Subdistrict, said property),~~  
7 ~~to the extent such parcels are not already included in said District, Subdistrict or both. Upon~~  
8 ~~inclusion into the District and Subdistrict, said Property shall be subject to the same mill levies and~~  
9 ~~special assessments as are levied or will be levied on other similarly situated property in the District~~  
10 ~~and Subdistrict, respectively.~~

11           Section 9.     The City Council approves any variations or modifications to the Boulder  
12 Revised Code or other City ordinances consistent with this ordinance.

13           Section 10.   The annexation and zoning of the Property is necessary for the protection of  
14 the public health, safety, and welfare.

15           Section 11. The City Council deems it appropriate that this ordinance be published by title  
16 only and directs the city clerk to make available the text of the within ordinance for public  
17 inspection and acquisition.  
18

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
TITLE ONLY this 16th day of August, 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

READ ON SECOND READING AND AMENDED this 18th day of October, 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

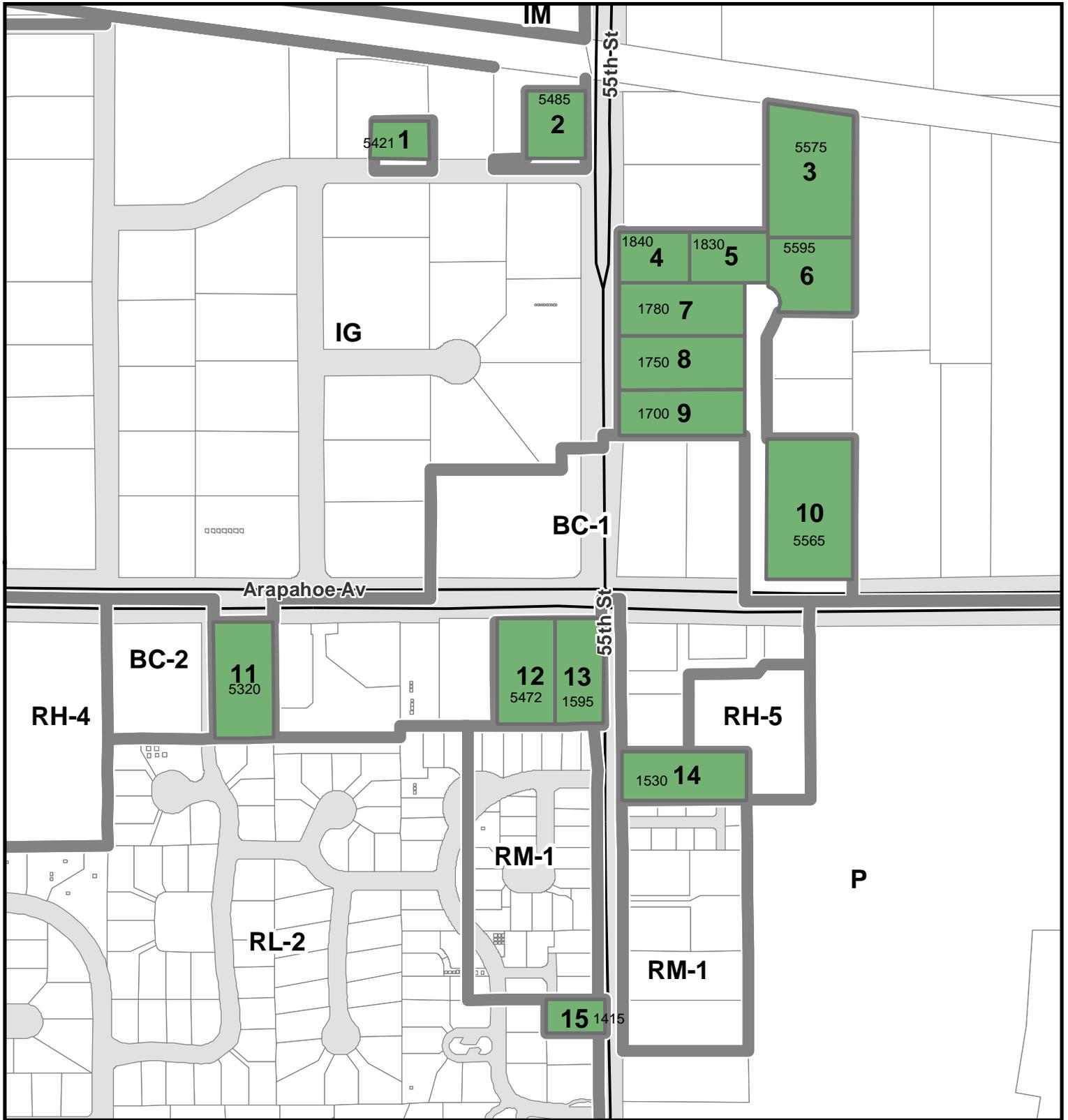
READ ON THIRD READING, PASSED AND ADOPTED this 1st day of November,  
2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

# City of Boulder Vicinity Map



## 55th and Arapahoe Enclave Annexations

Packet Page 206



1 inch = 350 feet



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 herein.

Agenda Item 5H Page 19

**Property to be Annexed**  
*(References are to Exhibit A-Map)*

**#1 – 5421 Western Avenue**

Property described in Deed recorded at Reception #02934271 on June 4, 2008, in the records of the Boulder County Clerk and Recorder's Office, together with all that part of the Western Avenue right-of-way between Conestoga Street and 55<sup>th</sup> Street that is not currently annexed to the City of Boulder.

**#2 – 5485 Western Avenue**

Property described in Deed recorded at Reception #02459482 on June 23, 2003, in the records of the Boulder County Clerk and Recorder's Office, together with all that part of the Western Avenue right-of-way between Conestoga Street and 55<sup>th</sup> Street that is not currently annexed to the City of Boulder.

**#3 – 5575 Arapahoe Avenue**

Property described in Deed recorded at Reception #03514292 on April 27, 2016, in the records of the Boulder County Clerk and Recorder's Office.

**#4 - 1840 55<sup>th</sup> Street**

Property described in Deed recorded at Reception #03051194 on Jan. 4, 2010, in the records of the Boulder County Clerk and Recorder's Office.

**#5 – 1830 55<sup>th</sup> Street**

Property described in Deed recorded at Reception #03508527 on March 29, 2016, in the records of the Boulder County Clerk and Recorder's Office.

**#6 – 5595 Arapahoe Avenue**

Property described in Deed recorded at Reception #03196632 on Jan. 17, 2012, in the records of the Boulder County Clerk and Recorder's Office.

**#7 – 1780 55<sup>th</sup> Street**

Property described in Deed recorded at Film #2074, Reception #01544560 on Sep. 1, 1995, in the records of the Boulder County Clerk and Recorder's Office.

**#8 – 1750 55<sup>th</sup> Street**

Property described in Deed recorded at Reception #03415159 on Nov. 26, 2014, in the records of the Boulder County Clerk and Recorder's Office.

**#9 – 1700 N. 55<sup>th</sup> Street**

Property described in Deed recorded at Reception #03196633 on Jan. 17, 2012, in the records of the Boulder County Clerk and Recorder's Office.

**#10 – 5565 Arapahoe Avenue**

Property described in Deed recorded at Reception #03196631 on Jan. 17, 2012, in the records of the Boulder County Clerk and Recorder's Office.

**#11 – 5320 Arapahoe Avenue**

Property described in Deed recorded at Film #1605, Reception #01016212 on Dec. 1, 1989, in the records of the Boulder County Clerk and Recorder's Office.

**#12 – 5472 Arapahoe Avenue**

Property described in Deed recorded at Reception #03002018 on May 26, 2009, in the records of the Boulder County Clerk and Recorder's Office.

**#13 – 1595 55<sup>th</sup> Street**

Property described in Deed recorded at Film #2058, Reception #01524944 on June 20, 1995, in the records of the Boulder County Clerk and Recorder's Office.

**#14 – 1530 55<sup>th</sup> Street**

Property described in Deed recorded at Film #2035, Reception #01496348 on Feb. 6, 1995, in the records of the Boulder County Clerk and Recorder's Office.

**#15 – 1415 15<sup>th</sup> Street**

Property described in Deed recorded at Reception #02481604 on Aug. 1, 2003, in the records of the Boulder County Clerk and Recorder's Office.

RIGHTS-OF-WAY

**56<sup>th</sup> Street ROW**

All that part of the 56<sup>th</sup> Street right-of-way south of the south right-of-way line of the Colorado and Southern Railroad and north of the north right-of-way line of Arapahoe Avenue, that is not currently annexed to the City of Boulder.

**55<sup>th</sup> Street ROW**

All that part of the 55<sup>th</sup> Street right-of-way south of the south right-of-way line of the Colorado and Southern Railroad and north of the north right-of-way line of Lodge Lane, that is not currently annexed to the City of Boulder.

**Arapahoe Avenue ROW**

All that part of the Arapahoe Avenue right-of-way east of Range Street and west of Old Tail Road that is not currently annexed to the City of Boulder.

ORDINANCE 8140

AN ORDINANCE AMENDING SUBSECTION 11-5-11(a), B.R.C. 1981, TO PROVIDE METHODS OF ASSESSING AND COLLECTING STORMWATER AND FLOOD CONTROL UTILITY PLANT INVESTMENT FEES, FOR UNILATERALLY ANNEXED PROPERTIES AND SETTING FORTH RELATED DETAILS.

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

Section 1. Subsection 11-5-11(a), B.R.C. 1981, is amended to read:

**11-5-11. - Storm Water and Flood Management Utility Plant Investment Fee.**

(a) Any person desiring to develop property in the city or to annex developed property into the city shall pay a storm water and flood management plant investment fee pursuant to the schedule of fees set forth in section 4-20-46, "Storm Water and Flood Management Utility Plant Investment Fee," B.R.C. 1981.

(1) In the case of annexation of developed property, the plant investment fee prescribed by this section shall be paid prior to the second reading of the annexation ordinance annexing the property into the city.

(2) In the case of unilaterally annexed property, the plant investment fee prescribed by this section shall be paid prior to or concurrent with:

(A) The issuance of a certificate of occupancy for any new building or final inspection for any building permit that results in additional floor area for that property; ~~or~~

(B) Improvements to the existing structure after the effective date of annexation exceeding more than 25 percent of the assessed valuation of the structure. The permit applicant may demonstrate the value of the existing structure by submitting either the actual value assessed by the Boulder County Assessor's Office or the fair market value determined by a real estate appraiser licensed in Colorado; or

(C) The payment of any plant investment fee for water or waste water service for that property.

In the alternative to the timing of payment of the plant investment fee described above, the city manager may enter into agreements with the owner of the property that results in the payment of the fee that is equivalent in amount, prevents an undue

hardship to the owner, and in a manner that does not cause a substantial burden to the utility or its rate payers.

(3) In the case of development on previously undeveloped property, the plant investment fee prescribed by this section shall be paid prior to issuance of a certificate of occupancy by the city for that property.

(34) In the case of a change or addition to developed property, the plant investment fee prescribed by this section shall be paid prior to issuance of a building permit by the city for that property.

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 the 16th day of August, 2016.

\_\_\_\_\_  
Suzanne Jones  
Mayor

Attest:

\_\_\_\_\_  
Lynnette Beck  
City Clerk

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

READ ON SECOND READING AND AMENDED the 18th day of October, 2016.

---

Suzanne Jones  
Mayor

Attest:

---

Lynnette Beck  
City Clerk

READ ON THIRD READING, PASSED, ADOPTED the 1<sup>st</sup> day of November, 2016.

---

Suzanne Jones  
Mayor

Attest:

---

Lynnette Beck  
City Clerk

## **Frequently Asked Questions re Unilateral Annexation and By Marijuana Businesses Being Annexed**

**Oct. 11, 2016**

Following are questions that have been asked by various businesses and property owners affected by the annexation of enclaves at 55<sup>th</sup> Street and Arapahoe.

**Q: Can you explain what the term “change of use” means in terms of zoning code requirements and building code requirements?**

A: Some confusion is caused when the phrase “change of use” is used. Generally it means a change of use as defined in a land use context under Title 9 of the Boulder Revised Code. It is changing occupancy of part or all of a building from one use classification from the “Use Table” in Section 9-6-1, “Schedule of Permitted Uses,” B.R.C. 1981, to another use. However, for interpretation of fire requirements, it also applies to use categories determined by the level of potential fire risk. The International Fire Code is adopted by Article 10 of the Boulder Revised Code. When referring to fire requirements, a change of use would be if a user for one category was replaced by a user under a different category under the fire code.

**Q: Do I have to connect to city water if the annexation ordinance passes?**

A: No. The requirement to connect to city utilities has been waived in Section 7 of the annexation ordinance. The annexation itself does not trigger any requirement to connect to city water or pay any water connection fees or plant investment fees.

**Q: What if a current tenant leaves and a new one comes in – does that mean my use is not grandfathered?**

A: No. “Grandfathering” is not a term that is used in the Boulder Revised Code, but it is a term that is used to describe the continuation of nonconforming uses. Grandfathering applies to the current use (from a Title 9 perspective), not a particular tenant. Therefore if the new tenant has the same use within the same space, the use may continue under the city’s nonconforming use standards. The changing and substitution of grandfathered uses is also permitted by the Boulder Revised Code. The requirements can be found in Chapter 9-10, “Nonconformance Standards,” B.R.C. 1981 and are referred to in Section 3 of Ordinance 8139. Grandfathering does not apply to safety requirements of Title 10. Requirements under Title 10 that are not related to immediate safety (like door locks) are not triggered until events described in other answers.

**Q: What if I want to reconfigure existing internal space to take space from one tenant and give it to another?**

A: So long as the amount of the building permit(s) for internal tenant improvements does not exceed 25% of the assessed valuation of the structure, and there is no change of use (from a Title 9 or Title 10 perspective), existing internal space may be reconfigured.

**Q: How do I get an estimate of the amount of the fees and PIFs for my building?**

A: The amounts are determined on several factors particular to the property. Current fees and charges can be found at:

[https://www-static.bouldercolorado.gov/docs/2016\\_Schedule\\_of\\_Fees-1-201607080924.pdf](https://www-static.bouldercolorado.gov/docs/2016_Schedule_of_Fees-1-201607080924.pdf)

Additional resources for calculating fees can be found at the following locations;

Estimating Water, Wastewater & Irrigation PIF

[https://www-static.bouldercolorado.gov/docs/PDS/forms/502\\_water\\_wastewater\\_PIF\\_wksht.pdf](https://www-static.bouldercolorado.gov/docs/PDS/forms/502_water_wastewater_PIF_wksht.pdf)

(Then to go to page 18 of the Fee Schedule)

Storm Water and Flood Management Fee and PIF

[https://www-static.bouldercolorado.gov/docs/PDS/forms/501\\_PIF\\_wksht.pdf](https://www-static.bouldercolorado.gov/docs/PDS/forms/501_PIF_wksht.pdf)

(Then go to page 20 of the Fee Schedule)

Staff from Planning and Development services are also available to help property owners identify fee amounts.

**Q: Can we finance through the city the costs of connection to utilities and/or the PIFs?**

A: Ordinance 8140 delegates to the city manager the ability to make such arrangements within the parameters in that section for the stormwater and flood control management plant investment fee. Water and wastewater plant investment fees will be due when the property connects to the city utility system.

**Q: Can we make building improvements such as installing a new roof, new air conditioner, or painting the exterior that does not involve expansion of square feet or redevelopment in excess of 25% of the assessed valuation for the structure trigger a requirement to connect to utilities?**

A: Yes. The 25 percent of the assessed valuation of the building requirement applies to construction, not maintenance. An amendment to Section 7 has been added to Ordinance 8139 to make this clear.

**Q. Do I have to install fire suppression sprinklers in my building because of annexation?**

A. No. Additional fire suppression is required only if there is a change in the status quo that triggered the requirement.

**Q: What are the triggers for the Title 10 requirement to connect to water, install sprinkler systems, or add additional fire protection?**

A: If the use of the building changes from one fire rating category to another, it could trigger the requirement to be connected to the city water system and add fire protection. Whether or not it would in a particular circumstance would depend on what category of use exists now and what category it would move to. An example is changing from Group F-2 to Group A-2 would trigger the requirements for connection to city water and additional fire protection.

**Q: What are the other triggers for requirements to connect to water?**

- A: The following would trigger a requirement to connect to city water and payment of the water PIF:
1. Expansion of existing square footage of a building
  2. Building permit(s) acquired after August 16, 2016 for building improvements (not including maintenance) that total 25% of the assessed valuation of the structure.

**Q: When is a property owner responsible for public right of way improvements, including paving, curb and gutter, storm water, or dedication of easements or right of way?**

- A: Section 9-9-8, “Reservations, Dedication, and Improvement of Right of Way,” B.R.C. 1981 includes the detailed requirements for when land dedications and the construction of public improvements are required. Typically these requirements are implemented as part of some type of redevelopment or major improvement of the property. For a property that is already annexed into the city, dedications and public improvements are considered at the following times: subdivision, or issuance of a building permit for new development, or redevelopment involving a change in use, or the addition of a dwelling unit.

The objective is to bring the infrastructure up to minimal city standards, including pavement, curb, gutters, and sidewalks that are necessary to serve the property. This section of the code is drafted to insure that dedications and public improvements are roughly proportional to the impact that the development has on the city’s transportation system.

**Q. Why do I have to pay the PIFs for all of the impervious area when some impervious area existed when the property was annexed?**

- A. The stormwater PIFs are set to contribute to a system that has already been constructed and paid for by city properties paying stormwater fees since the 80s. The enclaves have been indirectly receiving some mitigation of the volume of runoff because of those facilities. Upon annexation and direct connection to those facilities, the property owner must pay for the full amount of the impervious area to provide equity to city property owners that have paid for decades to construct and maintain the facilities.

**Q: What tax increase will I be subject to by the annexation?**

- A: Property owners will be responsible for the city mil levy due January 1, 2018, based on the 2017 assessed valuation. Currently that mil levy is about 12 mills but usually goes down as assessed valuation increases. Property owners paying the debt portion of the Rocky Mountain Fire District tax will continue to pay that portion, but will be removed from the district and its mil levy for its general purposes. Property owners who are not already in the Northern Colorado Water Conservancy Subdistrict will also have that mil levy added.

**Questions Specific to Marijuana Businesses**

**Q. When the annexation is effective, will I have a local marijuana business license as required by state law?**

A. Yes. The City has worked with the Colorado Marijuana Enforcement Division of the Department of Revenue to make sure all existing marijuana business within the area to be annexed that are licensed with the county will be considered to have a local license before being issued a formal license from the city. The process requires the business to comply with the time requirements for submitting an application and containing a license that are in Ordinance 8139.

Mishawn Cook has provided a letter to MED that covers the time period between annexation and the date license applications are due. Upon receipt of a completed annexation, Ms. Cook would provide the business a certificate for posting in place of the county license to cover the period from submittal of a complete application until issuance of the license. MED has confirmed it will consider the affected businesses to have a local license under this process unless it receives a notice from the city of the licensee's failure to timely submit its application or denial of the application. Mishawn issues marijuana licenses for the city to have the same termination date as the state license, so once the business has a city license, renewals for the city and the state will occur at the same time thereafter.

**Q. What are the requirements of marijuana businesses to maintain its local license before Boulder issues the business its license?**

A. The business must meet the requirements for (a) submitting an application to the city for a new marijuana business license(s) and (b) diligently pursue all steps necessary to qualify to obtain a license from the city.

1. The first day is 60 days after adoption of Ordinance 8139 – all marijuana businesses must submit a complete application to the city to continue operation of its business. The requirements for an application are in Chapter 6-14 for Medical Marijuana Grows and Dispensaries, and Chapter 6-16 for MIPs, Testing Facilities, Recreational Marijuana Grows and Centers, and co-located facilities. The application forms are on the city's website at <https://bouldercolorado.gov/finance/marijuana-businesses>. Any city staff is also available to answer questions, including the staff in the marijuana licensing offices.
2. The second date to remember is the date that you must have met all the requirements for a city license. If a building permit is not required all requirements must be met within six months of adoption of the ordinance. If a building permit is required, the time is 12 months from the adoption of the ordinance.

Either date can be extended by the city manager if there are delays that are not caused by the applicant.

**Q. Do the requirements for a business manager/keyholder include all employees?**

A. No, it includes only those with managerial authority, those that can lock and unlock the safe(s), the alarms, or the business. Employees that do not have those obligations/abilities are not considered business managers (soon to be called keyholders at the request of the Marijuana Advisory Panel). We understand some employees have key cards or other means to access locked areas within the business once it is open, but cannot disarm the alarm, open the business off hours or access the safe(s). Such employees are not business managers/keyholders under Boulder's Code. City staff did ask the Marijuana Advisory Panel during its last meeting whether this was a problem for them or should be changed. None of the business thought it was a problem and they did not think it should be changed.

**Q. How can we respond to a law enforcement call within 24 hours on a 3-day weekend?**

A. Businesses are required to provide a means to reach a business owner or manager at all times for the use of emergency responders. Usually this is not a business line, but the personal phone of owners and/or e-mails that are monitored for emergencies.

**Q. What if I have business offices without any marijuana on-site; does that location have to be licensed?**

A. No. The marijuana codes require licensing only of businesses where marijuana is located.

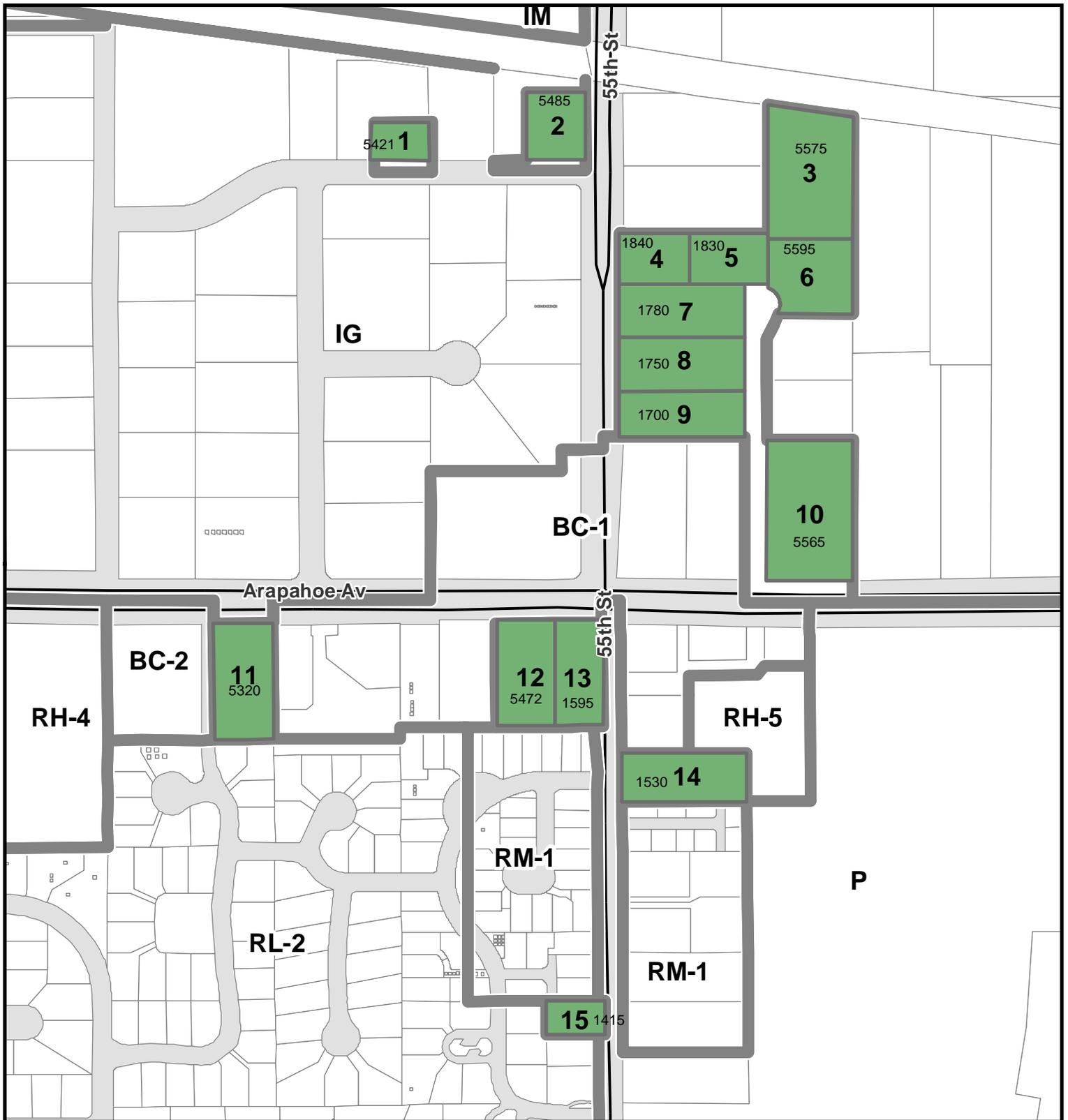
**Q. What if my marijuana business tenant does not qualify for a city license or leaves for any reason; can I lease to another marijuana business?**

A. You can lease to another marijuana business within the time constraints of Section 9-10-2(a) "One-Year Expiration of Nonconforming Uses" B.R.C. 1981. However, if the space remains vacant for over a year, the grandfathering lapses and future tenants will have to comply with the applicable land use and marijuana requirements.

**Q. Will the City waive any marijuana fees since I have already paid fees to the county for this term of my license?**

A. The city will waive the license fee of \$2075 for medical marijuana business license applications, and will return the city portion of the amount of \$2500 paid to the state for a recreational marijuana business license.

# City of Boulder Vicinity Map



## 55th and Arapahoe Enclave Annexations



1 inch = 350 feet



	Parcel Address	Owner	Parcel Size	Current Tenants	BVCP Land Use	County Zoning	Proposed Initial Zoning	Current Building Size	Development Potential	Current City Utilities
1	5421 Western Ave.	Bruce F. Lindeke	0.35 ac	Bolind, Inc. (commercial printing), IMAGINE!/CORE Labor (employment center for the disabled)	Light Industrial	Light Industrial	IG	8,088 sq. ft.	None	sewer
2	5485 Western Ave.	Murphy Steele Partners LLC	0.63 ac	Go Green Flooring (retail); Way of the Crane Martial Arts School; Boulder Ki Aikido (dojo); Street Wiz Self Defense Workshops	Light Industrial	Light Industrial	IG	10,425 sq. ft.	Yes (3,300 sq.ft.)	sewer
3	5575 Arapahoe Ave.	5575 Arapahoe LLC	1.71 ac	Roger Reutimann (sculptor); Organo-Lawn (vehicle storage); His Way Herbs (marijuana manuf.); Redwood Landscape	Light Industrial	Light Industrial	IG	15,576 sq. ft.	Yes (21,606 sq.ft.)	none
4	1840 N.55th St.	Neal L. Andrews Jr.	0.56 ac	Ferguson Plumbing Supplies	Light Industrial	Light Industrial	IG	7,630 sq. ft.	Yes (4,669 sq.ft.)	sewer/water
5	1830 N.55th St.	Colorado Green Building Company LLC	0.63 ac	Appears vacant	Light Industrial	Light Industrial		13,824 sq. ft.	None	none
6	5595 Arapahoe Ave.	5595 Arapahoe LLC	0.96 ac	Boom Town LLC, Cannixtracts LLC, His Way Herbs, Medicine Man	Light Industrial	Light Industrial	IG	26,624 sq. ft.	None	none
7	1780 N.55th St.	55th Street LLC	1.06 ac	Surna (engineering systems for cannabis); Hydro Innovations (climate control systems); Wild Goose Engineering (canning systems or beer industry)	Light Industrial	Light Industrial	IG	9,200 sq. ft.	Yes (13,843 sq.ft.)	none
8	1750 N.55th St.	Tebo/Kruse LLC	1.06 ac	Allen Scientific Glass; Boulder Dinner Theater Scene Shoppe	Light Industrial	Light Industrial	IG	23,000 sq. ft.	None	none

9	1700 N.55th St.	1700 N.55th LLC	0.91 ac	Audio Information Network; Corkscrews Wine Storage; RM3 Labs (marijuana manuf.); Sweet Mary Jane (marijuana products)	Light Industrial	Light Industrial	IG	16,816 sq. ft.	Yes (2,762 sq.ft.)	none
10	5565 Arapahoe Ave.	5565 Arapahoe LLC	1.90 ac	Hospice Care & Share Thrift Store; Glass Doctor; Green Tree Medicinals (marijuana dispensary)	Light Industrial	Commercial	IG	29,840 sq. ft.	Yes (11,593 sq.ft.)	sewer/water
11	5320 Arapahoe Ave.	Herbert Keishold Trust et.al.	1.09 ac	Boulder Wellness Center (marijuana dispensary); Root Medical Marijuana (marijuana dispensary); Boulder Valley Center for Derrmatology; Integrative Psychiatric Healing Center	Community Business	Commercial	BC-1	10,519 sq. ft.	Yes (15,617 sq.ft.)	sewer
12	5472 Arapahoe Ave.	Arapahoe LLC	0.96 ac	Enterprise Rent-a-Car; Auto Repair Place	Community Business	Commercial	BC-1	13,022 sq. ft.	Yes (10,008 sq.ft.)	sewer
13	1595 N.55th St.	AJ Investments LLP	0.81 ac	Shell Service Station	Community Business	Commercial	BC-1	1,125 sq. ft.	Yes (18,386 sq.ft.)	sewer/water
14	1530 N.55th St.	MG Properties LLC	0.95 ac	Scott Cox and Associates (Engineering/Professional Office)	Transitional Business	Transitional	BT-1	?	Yes	sewer
15	1415 N.55th St.	Susan D. Palmer	0.31 ac	Single Family Residential	Residential - Medium Density	Suburban Residential	RM-1	?	Yes	none



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: October 18, 2016**

**AGENDA TITLE: Update on progress regarding Hillard Heintze recommendations concerning police practices.**

**PRESENTER/S**

Jane S. Brautigam, City Manager  
Greg Testa, Police Chief  
Curt Johnson, Deputy Chief  
Carey Weinheimer, Deputy Chief

**EXECUTIVE SUMMARY**

In February of 2016, Hillard Heintze, a strategic advisory firm specializing in independent reviews of federal, state and local law enforcement agencies, provided its report to Council in regard to their independent review of select areas of the Boulder Police Department's operations. The Hillard Heintze report provided 12 recommendations highlighting the most important opportunities for the City of Boulder and the Police Department to address in order to improve the quality of policing services, enhance relationships with Boulder citizen and communities, increase transparency and build a stronger foundation for sustainable public trust. Since that time, the Police Department has made significant progress on these recommendations and is committed to providing periodic updates to Council and the community. The purpose of this memo is to provide a short summary of the work accomplished on each of the recommendations since the last update to Council on July 19, 2016.

## **Recommendation #1: Adopt New Policy and Procedures for Data Collection During Traffic Stops**

The Police Department is currently in the process of replacing the records management system and signed a contract with SunGard, a records management system (RMS) vendor, on March 30, 2016. SunGard's system includes a data collection module. Staff has been continuously working with SunGard on the development and implementation of the RMS. The estimated go-live target date is the second quarter of 2017. This delay is due to several factors including software bugs discovered during testing that have not been fully resolved by the vendor; an important software release due out the first part of December, and performance concerns with the vendor's project manager. We requested that the vendor replace the project manager and we began working with the new manager the week of October 10th. Data collection can occur once the RMS is fully operational. Policy determination and staff training will be completed prior to use of the RMS.

Staff is continuing to research how officers will ascertain race and ethnicity from persons contacted. Procedural options include the officer making an independent assessment during the contact; asking the person contacted how they identify; or a combination of both. Council had earlier stated that race/ethnicity should be determined based on the officer's perception and observations. Our research of other agency practices shows that most defer to the officer's observations. Some have the officer ask when unsure. A few prohibit officers from asking the person his or her race/ethnicity. There is no one best practice.

During the September 29 community meeting to discuss the progress of the Hillard Heintze recommendations, many of the participants suggested that we record both the officer's perception of the subject's race/ethnicity, and the subject's identification of his or her race/ethnicity. However, this approach is not feasible with the RMS system as the data collection module will only record one field for race and one field for ethnicity. Also, this approach would require the officer to ask the subject how they identify which can be sensitive and uncomfortable.

After considering all of the input, staff's recommendation is for officers to use the combined approach of determining race/ethnicity based on their observations and asking the individual when unsure and when appropriate given the context of the contact, in an effort to collect the most accurate data.

## **Recommendation #2: Conduct a Comprehensive Review of the Field Interview Process**

Staff believes that field interview cards are valuable in documenting information that may be used for investigating criminal activity. Reviews of our current department policy and practices has occurred with draft revisions in process, based on national best practice, and with a goal of fair, impartial and consistent application and documentation of data. SunGard's field interview module is part of the larger RMS system, which is being implemented.

### **Recommendation #3: Capture Stop-Related Information from Citizens**

Staff developed a quarterly random survey instrument to gather feedback from individuals stopped and contacted by officers. A second quarter 2016 survey was completed, which consisted of 100 mailed postcard/letters and 50 telephone calls conducted by a community volunteer. We received 19 responses (5 via mail, 14 via telephone). In general, no concerns in regard to the officer contact were noted. Rather, questions about procedures such as where to pull over, and comments about the ticket received were noted. Additionally, the process is being evaluated for adjustments to future surveys to get a larger response.

### **Recommendation #4: Revise BPD Policy on the Use of Race as a Proxy for Criminality**

Department policy had been revised based on Hillard Heintze's recommendation and state statute.

### **Recommendation #5: Make Police Ethics and Accountability a Key Public Message**

The department website has been updated to be more intuitive and to more efficiently provide information, including programs, services, community engagement, Department and Professional Standards annual reports and the complete department policy manual. Key information is available in Spanish and the entire webpage can be electronically translated into multiple languages.

Staff continues to refine our means of communicating with the Boulder community, including the University of Colorado. Community engagement continues to be a priority and focus for our department. The department is developing a Neighborhood Policing Area program where officers are assigned smaller geographical areas, within a larger policing district, to engage and work with community members to prevent crime and solve problems. This concept will be tested in two police districts before a larger implementation occurs. Website information will include area maps with contact information of the officers assigned to specific geographical areas.

Staff is also developing a new process for reporting complaints, to include the opportunity to report complaints at the City Manager's Office and Human Services Office of Human Rights. Information will be available in English and Spanish in hardcopy form, electronically on websites and disseminated to community stakeholders.

### **Recommendation #6: Keep Website Complaint-Filing Instructions Up-to-Date and Recommendation #7: Consider Providing More PSRP-Related Information on the Website**

The department website has been updated to facilitate dissemination of information. The Professional Standards department policy, in PDF form, is posted on the website.

Complaint forms are available in both English and Spanish, in hardcopy and in electronic copy on the website. Additionally, the entire website can be translated into multiple languages. The website includes specific information in the form of frequently asked questions:

- What happens when I file a complaint?
- What if I am afraid to make a report?
- What do the results of an investigation mean?
- How to commend an employee or file a complaint about an employee.
- Information about the Professional Standards Review Panel and a photograph of panel members.
- Videos which provide general information on the Professional Standards Review Panel and the council study session on the Hillard Heintze report and recommendations.

Staff will continue to look for ways to provide enhanced information on the website, and available to the public, to facilitate understanding of the complaint process for a diverse group of readers. The process to allow for complaints to be received at the City Manager's Office, Human Services Office of Human Rights in addition to the police department is being finalized.

### **Recommendation #8: Solicit Public and Private Partners in “Getting the Message Out”**

Staff continues to work on this recommendation, in addition to the Police Department's expanded focus on social media and community engagement. In addition to sending information to individual stakeholders and Spanish speaking media outlets, staff has collaborated with Human Services to send key information to over 400 individual and group emails. The Police Department has expanded its outreach on social media and continues to focus on community engagement, including;

- Police Department employees and city staff participate in annual Special Olympics fund raisers, such as the Torch Run, Polar Bear plunge, Tip a Cop and other events to raise money for Special Olympics. The department was awarded the Special Olympics Law Enforcement Agency of the Year on October 13<sup>th</sup> at a ceremony in Denver.
- Police Department employees and city staff participated in National Night Out on August 2nd and met and talked with an estimated 450-500 residents. National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie to make neighborhoods safer, better places to live.
- Staff teamed up with Boulder Parks and Recreation Department to celebrate good behavior through a new program called Boulder Stars. A Boulder Star can be redeemed for one free day pass to any of the city's recreation centers, pools or the Boulder Reservoir. A parent or guardian can accompany a child under the age of 12 at no cost. The program was developed as a way for officers to connect with younger members in our community in a non-law enforcement situation and establish rapport.

- Each year the Boulder Police Department offers a Citizens' Police Academy to promote cooperation, education, and understanding of police operations and an opportunity to talk directly with all levels of law enforcement.
- The Department sponsors a Safety First class for adults and teens living with cognitive or developmental disabilities. The program curriculum covers decision-making skills related to using public transportation, home security, fire safety and the proper way to contact police.
- Every summer the department hosts a free two-week Youth Academy for teenagers between the ages of 14 and 18 years old who are interested in learning more about the work police officers do.
- An Explorer program is offered as an educational program for young adults between the ages of 16-21 with an interest in law enforcement.
- Code Enforcement attends Resident Advisor academy every year to educate CU students on city regulations that affect quality of life.
- Staff collaborated with homeless service providers and homeless advocates and met over the spring and summer to discuss and gather input on the development of the two officer Homeless Outreach Team.
- Two children from Boulder had the opportunity to participate in a weeklong fly fishing camp thanks to sponsorship by the Boulder Police Department. The boys learned the basics in the classroom and then took those lessons to multiple rivers, where they landed a couple catches. Staff partnered with the Parks and Recreation Department who selected the kids and Human Services paid for the fishing gear so that the kids may continue to fish.
- The Police Department and the CU Athletic Department collaborated for a second year on a day long training with the CU football team. Players got the chance to experience police training situations. The goal is to build a better relationship between the police department and the athletes and expose them to what a police officer may face on the street every day.
- The Department hosted its annual soccer event as a way to build community through police officers playing soccer with youth. The Department partners with the Football Club of Boulder and South Mouth Wings and had over 100 people participate in the event.
- Each year we partner with the CU Police Department and play softball with student athletes.
- Officers participated in the summer youth program with the Family Learning Center.
- Officers participated in a church BBQ and neighborhood get-together at the Second Baptist Church.

### **Recommendation #9: Cast a Wide Net in Announcing Upcoming PSRP Vacancies**

Staff is finalizing changes to the selection of community members of the PSRP. The City Manager's Office will manage the selection of community members who are appointed to the PSRP. City staff will announce upcoming vacancies to the PSRP through the use of several means, to include social media, press releases, and continue to focus on robust messaging to all communities within our city, including Spanish speaking.

### **Recommendation #10: Consider Creating a Community Advisory Panel**

Staff has explored best practices and researched other police departments' policies on community advisory panels. Staff is finalizing the community advisory panel policy. Next steps include community messaging to inform and solicit interest in applying to be a member of the panel, and selection of panel members.

Additionally, on Sept. 29, the department hosted a community meeting to give community members the opportunity chance to hear more about each of the Hillard Heintze recommendations, actions the Police Department has taken already and the process or next steps associated with others. Attendees had an opportunity to provide input and have questions answered. Approximately 50 community members attended.

### **Recommendation #11: Expand Training on Critical Policing Concepts**

All employees of the Police Department participated in cultural awareness and implicit bias training presented by an outside trainer. Newly hired officers continue to receive training on these topics from Intercambio. Officers recently completed de-escalation training, which is on-going training. In addition to other mandated training officers receive, our focus continues to be on scenario based decision making training with an emphasis on de-escalation. Police Department training staff will continue to explore new ways to enhance department-wide training on the concepts of bias-free policing, implicit bias, procedural justice, and constitutional-based policing, as well as other contemporary training topics.

### **Recommendation #12: Leverage the PSRP in Other Areas**

PSRP members receive information on all complaints handled as Class two investigations, including the disposition. PSRP members may review completed investigations and provide comment to the Chief of Police. PSRP members received copies of the Hillard Heintze report, recommendations and updated information on the Hillard Heintze process. Members also receive copies of the department annual report, and the PSU annual report. Incumbent community members of the PSRP will be included in the City Manager's interview process to select new PSRP members. Community members have access to an on-line national law enforcement training venue, subscribed to by the department. Staff continues to explore training opportunities for PSRP members.



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: OCT. 18, 2016**

**AGENDA TITLE:**

Request for a nod of five to direct staff to begin an exploratory community engagement process to obtain input on a potential Head Tax ballot issue for 2017.

**PRESENTERS:**

Jane S. Brautigam, City Manager  
Tom A. Carr, City Attorney  
David Gehr, Deputy City Attorney  
Mary Ann Weideman, Deputy City Manager  
Tanya Ange, Deputy City Manager  
Bob Eiche, Chief Financial Advisor  
Cheryl Pattelli, Director of Finance  
Pat Brown, Revenue and Licensing Officer  
Molly Winter, Executive Director, Community Vitality  
Susan Connelly, Deputy Director, Community Vitality  
Jennifer Pinsonneault, Business Liaison, Community Vitality  
Lisa Smith, Communications Specialist III, Community Vitality  
Mike Sweeney, Director, Public Works Transportation  
Kathleen Bracke, GO Boulder Manager  
Tammye Burnette, Assistant to the City Manager

**EXECUTIVE SUMMARY**

At the February 29, 2016 meeting, council discussed the possibility of a Head Tax (HT) item for the November 2016 ballot. Council determined, at that time, not to proceed because of insufficient time to seek appropriate community input before determinations on ballot items would have to be made. Council provided direction that future consideration of a HT should include appropriate and timely engagement with the community before further consideration to place an item on the ballot.

As a follow-up, staff is presenting the outline of a possible community engagement process to start in fall 2016 as part of an exploration of a possible HT item for the November 2017 ballot.

If a nod of five to proceed is received from council to start the exploration, the proposed process for community engagement in **Attachment A** anticipates an immediate start and a check-in with council in winter 2017. If directed by council at the check-in to continue the exploration, staff would return to council in April 2017 for discussion of the potential HT ballot issue, as well as other possible 2017 ballot issues. Further community engagement could occur prior to the date of a final ballot language reading in summer 2017.

If a ballot item were to go forward, determinations would have to be made regarding the rate of tax per employee and employer and the level of income and any other exemption from the tax. **Attachment B** provides background information about how a HT is imposed in other Colorado cities and includes projected revenue generation at various exemption rates based on Boulder employment data.

Discussion of some potential uses of revenue from the tax can be found in **Attachment C**. Other suggestions may come forward through the exploratory community engagement process.

Council may wish to consider a possible HT ballot item alongside other possible ballot items for November 2017. A list of possible ballot items that staff is aware of can be found at the end of the background section of this memo.

If the tax is placed on the ballot in 2017 and is passed by the voters, the earliest the tax could be started would be July 1, 2018. This would provide time for an education program for impacted employers and employees. Additional staff and software changes would be needed to implement administration of the tax.

### **QUESTION FOR COUNCIL**

Staff requests a nod of five from council to direct staff to begin an exploratory community engagement process to obtain input on a potential Head Tax ballot item for fall 2017.

### **BACKGROUND**

Municipalities in Colorado are not permitted to collect an income tax as that is a right reserved to the state. Cities may impose what is formally called an Occupational Privilege Tax and more commonly referred to as a “head tax” because it is imposed on a per-employee basis. The HT, in its pure form, imposes a flat dollar amount on each employee working within the boundaries of the municipality. In other words, it is a tax per head rather than a percent of income.

A HT is currently in place in Denver, Aurora, Greenwood Village, Sheridan and Glendale. **Attachment B** provides detail, including the amount of tax imposed per person in those cities.

There have been previous discussions of a head tax in Boulder. Council has determined that a thorough process of community engagement must be undertaken before further consideration. The outline of a proposed community engagement process and schedule for the exploration of a possible HT ballot issue, including the variables of the rate per employee and employer, possible income level or other exemptions, and possible uses of the tax revenue that would be generated, is found in **Attachment A**.

### **Proposed timeline for exploration of a possible 2017 ballot item for a Head Tax**

*Post-Oct. 18, 2016:* If council gives a nod of five to direct staff to move forward with initial exploratory work, the community engagement process will commence to seek input on options related to a potential HT. Input and feedback would be taken to council in late January. At that time, council would provide direction either for staff to continue exploration with community engagement or to not move forward with a HT ballot item in 2017.

*Winter/Spring 2017:* If council directs staff to continue with exploratory work, the community engagement efforts would focus on refinement of the options for rate, exemptions, uses of HT revenues and/or other items as directed by council. Staff would conduct outreach to city boards and commissions as part of the overall community engagement effort, including district boards and commissions, the Transportation Advisory Board and others as appropriate. In April 2017, council would determine whether to place the item on the November 2017 ballot.

*By Sept. 7, 2017:* Final reading of ballot language for November 2017 must occur no later than Sept. 7, 2017.

### **Variables that Drive Head Tax Revenue**

**Attachment B** provides financial information regarding a HT, including information on the HT programs in other Colorado cities. It includes summaries of projected revenues based on rates per employee and employer and various levels of income exemption. The projections in **Attachment B** have been made assuming that government and 501(c)(3) employers are exempt from payment of the HT, although their employees would not be exempt unless pursuant to a salary exemption. It is assumed that the HT would apply to all full time, part time, and contractual employees, and those who are self-employed unless their monthly income were less than a set exemption limit.

### **Potential Uses of Revenue Generated by a Head Tax**

If the HT were to move forward, one of the decisions that will need to be made is whether the tax should be dedicated to specific uses or for specific projects or whether it

should be used to diversify the city's revenue streams generally and not be restricted for a specific purpose.

**Attachment C** provides some potential uses of HT revenues if a ballot issue were to be approved by the voters. These are priority needs that are currently unfunded and would support Boulder's role as a regional employment center.

It should be noted that the Blue Ribbon Commission on Revenue Stabilization (2008) suggested that tax revenues not be dedicated or earmarked as dedication reduces flexibility during economic downturns and dilutes the ability to diversify general revenues of the city. The final decision for proposing whether HT revenues would be dedicated or not dedicated rests with council. The community engagement process will explore what services, programs or projects the community would suggest be funded with the HT revenues. Results of the initial exploration will be reported to council in January 2017.

### **Other Potential 2017 City Ballot Items**

1. Renewal of the .3 percent three year sales and use tax for capital projects that expires Dec. 31, 2017 - If it were decided that some of the extended revenue would be allocated to large projects that would need to be bond financed, there would also need to be a bond question on the ballot. (Due to a constitutional amendment called the Taxpayer Bill of Rights (TABOR), a revenue and bond question cannot be included in the same ballot question.)
2. The utility occupation tax for municipal electric utility exploration expires Dec. 31, 2017.
3. A potential ballot item for startup and transition costs associated with municipalization of the electric utility.
4. A potential broadband tax if a build and lease option for owning the fiber were to be considered by council.
5. Other – The following topics have been brought to the attention of staff and may come forward in 2017, although nothing concrete has been discussed at this time:
  - a. Alpine-Balsam
  - b. Housing

### **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

**Economic** – In previous input received regarding a HT, some have stated that such a tax is needed to help offset the ongoing impact on transportation costs, housing and city infrastructure in Boulder as a regional job center. Additional input was concern that a HT would put Boulder businesses at an operating disadvantage when competing with businesses not subject to such a tax.

A HT would be a direct tax burden on employers and/or employees who are not exempt from the tax. The burden of the HT tax may be shifted from the employer and/or employee to the cost of local goods or services. A HT may impact the competitive position of Boulder businesses in the regional market in terms of hiring and/or expansion,

retention or relocation. Some smaller businesses may be disproportionately impacted. On the other hand, positive benefits may accrue to the community, including employers and/or employees, from programs, services and/or projects funded through HT revenues.

Additionally, the Blue Ribbon Commission on Revenue Stabilization report to City Council (Jan. 15, 2008) ([https://www-static.bouldercolorado.gov/docs/final\\_main\\_report-1-201305151039.pdf](https://www-static.bouldercolorado.gov/docs/final_main_report-1-201305151039.pdf)) stated that previous examinations of a HT in the City of Boulder identified three significant concerns:

1. It would place Boulder businesses at a competitive disadvantage to those in the region;
2. Governments do not have to pay the employer portion and Boulder has a significant government employment base; and,
3. There would be a negative impact on non-profit organizations.

**Environmental** – The tax itself would not have an environmental impact on the City of Boulder. To the extent that taxes collected are used to offset negative impacts incurred by the city as a result of being a regional employment center (such as reducing vehicle miles traveled in single-occupancy vehicles), there could be positive environmental results.

**Social** – The impact on individual employers and employees would depend on the level of income that would be exempt from the tax, as would the potential benefits received as a result of the tax. Smaller local businesses may be disproportionately disadvantaged by the tax.

### **Other Impacts**

- Fiscal – The actual fiscal impact will not be known until the employee and employer rates and exemptions are set in the final ballot language. A more detailed financial analysis can be found in **Attachment B** of this memo.
- Staff time -- If council gives a nod of five to direct staff to begin an exploratory community engagement process to obtain input on a possible HT ballot item, a cross-functional city staff team would be involved in the community engagement process and also would participate in the ongoing work that would be needed to bring this item forward. At this time, it is felt that these cross-departmental costs for staff would be absorbed by departments with staff who are involved. If the process actually consumes more staff time than expected, additional resources would be requested.
- Process costs – If an exploratory community engagement is to occur, there will be new costs incurred in addition to staff time. It is unknown at this time if the community engagement process costs can be absorbed or if additional resources will be needed. If necessary, this would be addressed through a 2017 adjustment to the base.
- Implementation – If the HT is placed on the ballot in 2017 and passed by the voters, an educational program would be developed and implemented. Additional staff and software changes would be needed to implement the administration of the tax.

## **NEXT STEPS**

If council gives a nod of five to begin an exploratory community engagement process to obtain input on a potential HT ballot issue for 2017, staff will begin to implement the community engagement program as proposed. Staff will return to council in January 2017 with the initial input received from the community and council may determine if it wishes to continue the exploration of a possible ballot item.

## **ATTACHMENTS**

- A:** Proposed Community Engagement Outline – Head Tax Exploration
- B:** Supporting Information for Head Tax Calculations
- C.** Uses for Consideration for Use of Revenue Generated by a Head Tax

## **Attachment A: Proposed Community Engagement Outline – Head Tax Exploration**

### **HEAD TAX EXPLORATION - PROPOSED COMMUNITY ENGAGEMENT OUTLINE**

If council gives a nod of five to direct staff to being an exploratory community engagement process to obtain input on a potential Head Tax (HT) ballot issue for November, staff will initiate a phased approach to the community engagement process. The goal of the process is to create opportunities for involvement by a wide array of community stakeholders in the variety of options for a HT and to share the community feedback to assist council in determining, at a series of milestones, whether or not to advance the HT ballot item for 2017.

#### **Stakeholders**

The proposed engagement process recognizes that there are varying interests and perspectives within the community. Stakeholders broadly include:

- Employers and employees (all sizes, start-ups, self-employed, in-commuters, nonprofits, government, etc.)
- Business organizations
- Residents
- Taxpayers (property, sales, accommodations)
- Community/civic organizations

#### **Phased Approach and Timeline**

Each phase of the proposed community engagement process described below allows council an opportunity to decide whether to advance to the next milestone in the exploration process. The community engagement strategies would vary by phase, with initial exploration focused on outreach to community stakeholders through small group meetings, online information and outreach, pop-up events, traditional and social media, and check-ins with business and civic organizations as well as city boards and commissions. It is expected that reallocated staff and budget resources would be needed to implement this engagement process, as the current work plan has fully assigned staff to support existing city projects during the last quarter of 2016 and first quarter of 2017.

If HT exploration advances, outreach strategies will become more extensive and in-depth, building on the initial strategies. Additional tactics may include increased design and distribution of print collateral (e.g. mailers and flyers), larger scale community meetings, survey(s) (perhaps conducted as part of larger community surveys regarding other potential ballot items), and/or formal focus groups. These engagement efforts could require additional staff and budget resources in the form of assistance from consultants such as meeting facilitators, focus group organizers, survey designers, administrative support, etc.

**Attachment A: Proposed Community Engagement Outline  
– Head Tax Exploration**

**Post-Oct. 18, 2016 council meeting – January 2017**

If directed by nod of five, staff will identify staff and budget resources and proceed with the initial community outreach process. This phase is intended to share information to increase the community's awareness and understanding of a potential HT, including in the context of community goals. Staff also will seek input on services and improvements that could be funded through HT revenue. Staff will develop resources for the community to get involved and stay informed. At the end of this phase, staff will check-in with council to share community feedback, suggestions and concerns regarding HT options. Council will decide whether to advance to the next phase.

**Winter/Spring 2017**

If directed by council, staff will engage the community, as well as boards and commissions, regarding refined HT options including varying tax rates, exemptions, potential uses of funds, etc. Staff will come back to council to share community and boards and commissions input regarding these refined HT options and recommendations. This item would be included in the annual comprehensive review of all potential ballot items for council consideration (anticipated April 2017). Additional community engagement could occur thereafter as directed by council.

**By Sept. 7 2017**

If a HT ballot ordinance moves forward, the final reading must occur by this date for inclusion on the ballot for November 2017. In compliance with state law, the city's community engagement process will cease once council votes on the final reading of the ballot language.

**Attachment B: Supporting Information  
for Head Tax Calculations**

**SUPPORTING INFORMATION FOR HEAD TAX CALCULATIONS**

**The Head Tax in Colorado**

Municipalities in Colorado are not permitted to collect an income tax as that is a right reserved to the state. Cities may impose what is formally called an Occupational Privilege Tax, more commonly referred to as a “head tax” because it is imposed on a per-employee basis. The HT, in its pure form, imposes a flat dollar amount on each employee working within the boundaries of the municipality. In other words, it is a tax per head rather than a percent of income.

An HT is currently in place in Denver, Aurora, Greenwood Village, Sheridan and Glendale. Table 1 illustrates the HT rates paid by employees in their corresponding municipalities.

*Table 1 - Rate Paid by Employee*

	City/County Denver	City of Aurora	Greenwood Village	Sheridan	Glendale
HT Rate per Employee per Month	\$5.75	\$2.00	\$2.00	\$3.00	\$5.00

In addition, each employer pays an equivalent tax for each person it employs. For example, if an employer had 100 employees and the HT rate was \$2 per month, the employer would deduct \$2 per month from each employee’s pay and match it with an employer contribution of \$2 per employee, for a total HT of \$400 each month. The tax covers all employees including contract and self-employed.

Table 2 illustrates the total HT that would be collected based on the tax rates in various cities per 100 employees. For illustrative purposes no exemptions are used.

*Table 2 - Example of Total Paid/Month by Employee and Employer Based on Current Rates*

<i>*No exemptions used</i>	City/County Denver	City of Aurora	Greenwood Village	Sheridan	Glendale
# of Employees (for illustration only)	100	100	100	100	100
HT Rate/Month	\$5.75	\$2.00	\$2.00	\$3.00	\$5.00
Employee HT	\$575	\$200	\$200	\$300	\$500
Employer HT Match	\$575	\$200	\$200	\$300	\$500
<b>Total HT Paid to city</b>	<b>\$1,150</b>	<b>\$400</b>	<b>\$400</b>	<b>\$600</b>	<b>\$1,000</b>

The tax cannot be a disguised income tax; therefore, the tax cannot vary based on income level. However, a minimum income threshold can be imposed where no employee

**Attachment B: Supporting Information  
for Head Tax Calculations**

making less than a certain amount is charged the HT; in such a case neither the employer nor the employee would pay the tax.

Table 3 provides the minimum monthly income threshold in each municipality that has a HT currently.

*Table 3 - Income Threshold per Month Below Which No HT is Collected*

	City/County Denver	City of Aurora	Greenwood Village	Sheridan	Glendale
Threshold Amount per Month	\$500	\$250	\$250	\$500	\$750

Several of the aforementioned municipalities have certain exemptions in place for certain classifications. Based on a previous case that was decided in the Colorado Supreme Court, no government entity may impose a tax on another employer that is classified as a governmental entity. Therefore, in the charts below no governmental employers contribute a match to the HT paid by their employees. Table 4 provides a matrix of these exemptions:

*Table 4 - Exemptions in Cities that Currently have an HT*

Entity / Enacted	Religious Exemption	Governmental Exemption	Charitable Organizations Exemption*
City/County Denver (1969)	Employee pays HT Employer does not pay HT	Employee pays HT Employer does not pay HT	Employee pays HT Employer does not pay HT
City of Aurora (1986)	Employee pays HT Employer does not pay HT	No exemption**	Employee pays HT Employer does not pay HT
Greenwood Village (1980)	Employee pays HT Employer does not pay HT	No exemption**	Employee pays HT Employer does not pay HT
Sheridan (2006)	No exemption	Employee pays HT Employer does not pay HT	Employee pays HT Employer does not pay HT
Glendale (2004)	No exemption	No exemption**	No exemption

\*If a non-profit organization is qualified by the United States Internal Revenue Service as a tax exempt organization under section 501(c)(3) of the United States Internal Revenue Code then it would be considered a Charitable Organization under the city's municipal code and would be exempt from the tax.

\*\* In checking with the three cities that say they do not exempt government it was found that the federal government never pays the employer match. For state and other local governments there is no clear line for which entities pay HT matches and which do not. It seems to be based on what the entity decides to do. City of Boulder staff feel the city should pay the employer match if an HT is placed on the ballot and is approved by the voters.

**Attachment B: Supporting Information  
for Head Tax Calculations**

To project how much the tax would generate annually, staff used employment information provided by the Colorado Department of Local Affairs (DOLA) Demography Department. Table 5 illustrates job data from DOLA’s 2015 Annual Average Employment and Wage Report. Religious and charitable categories are included in various other categories (Health Care, Social Assistance, and Other Services).

*Table 5 - Employees in Boulder per Industry Category*

<b>City of Boulder Industry</b>	<b>Employees</b>	<b>% of Employees</b>
<b>Government (includes universities and schools)</b>	19,693	20.0%
<b>Professional, Scientific, and Technical Services</b>	15,834	16.1%
<b>Manufacturing</b>	10,042	10.2%
<b>Accommodation and Food Services</b>	9,644	9.8%
<b>Health Care and Social Assistance</b>	9,085	9.2%
<b>Retail Trade</b>	8,272	8.4%
<b>Information</b>	5,434	5.5%
<b>Finance and Insurance</b>	2,833	2.9%
<b>Wholesale Trade</b>	3,196	3.2%
<b>Administrative and Support Services</b>	2,774	2.8%
<b>Other Services</b>	3,067	3.1%
<b>Arts, Entertainment, and Recreations</b>	2,011	2.0%
<b>Construction</b>	1,712	1.7%
<b>Educational Services</b>	1,663	1.7%
<b>Real Estate and Rental &amp; Leasing</b>	1,412	1.4%
<b>Transportation and Warehousing</b>	871	0.9%
<b>Management of Companies and Enterprises</b>	721	0.7%
<b>Other</b>	369	0.4%
<b>Total</b>	<b>98,634</b>	<b>100.0%</b>

**Attachment B: Supporting Information  
for Head Tax Calculations**

Tables 6 and 7 show annual *estimated* revenue stream from HT by various HT rates (per employee/employer per month). Estimated HT annual revenue is adjusted for exemptions (based on Boulder’s Senior Food Tax Rebate Program income guidelines) and non-compliance (businesses that are not licensed and/or do not remit their tax).

Staff has made revenue projections using the most conservative case: no employer match included for government, religious organizations or non-profits are shown in Tables 6 and 7. If council so directs, staff can add these entities in future calculations.

*Table 6 - Projected Revenue per Year at Various Rates with \$1,700 exemption level/month.*

Annualized income for exemption is \$20,400 or close to 30% of Annual Median Income (AMI). The amount of revenue generated per \$1 of tax is estimated to be approximately \$960,000.

<b>HT Rate</b>	<b># of Workers</b>	<b>Employee Paid HT</b>	<b>Employer Paid HT less Government-Match</b>	<b>Estimated Annual HT Paid</b>
\$2	98,364	\$2,367,218	\$1,894,590	\$3,835,627
\$3	98,364	\$3,550,827	\$2,841,885	\$5,753,441
\$4	98,364	\$4,734,436	\$3,789,180	\$7,671,254
\$5	98,364	\$5,918,045	\$4,736,475	\$9,589,068

*Table 7 - Projected Revenue per Year at Various Rates with \$2,800 exemption level/month*

Annualized income for exemption is \$33,600 or close to 50% of AMI. The amount of revenue generated per \$1 of tax is estimated to be approximately \$744,000.

<b>HT Rate</b>	<b># of Workers</b>	<b>Employee Paid HT</b>	<b>Employer Paid HT less Government-Match</b>	<b>Estimated Annual HT Paid</b>
\$2	78,707	\$1,888,956	\$1,416,328	\$2,974,756
\$3	78,707	\$2,833,434	\$2,124,492	\$4,462,133
\$4	78,707	\$3,777,912	\$2,832,656	\$5,949,511
\$5	78,707	\$4,722,390	\$3,540,820	\$7,436,889

The City Attorney’s Office will determine whether there would need to be two ballot items if there are separate rate structures for employees and employers.

## **Attachment C. Uses for Consideration for Use of Revenue Generated by a Head Tax**

### **CONSIDERATION OF USES FOR REVENUE GENERATED BY A HEAD TAX**

Potential uses of revenue generated by a HT have been discussed in the past. Through this memo to city council, staff is suggesting that the exploratory community engagement to gain input on a potential HT ballot issue in 2017 consider a broader range of options to further support Boulder's role as a regional employment center.

These are priority needs that align with the city's Sustainability Framework goals and support Boulder's Climate Commitment and currently are unfunded.

#### **Accessible and Connected Community and Economically Vital Community – Transportation**

Options include local and regional transit strategies as outlined in Boulder's Transportation Master Plan (TMP) "Renewed Vision for Transit" (2014). These strategies are highlighted in the TMP's Action Plan for Complete Streets, Transportation Demand Management (TDM), and Regional Travel Focus Areas. Examples include:

- Enhancing the local Community Transit Network (CTN) - the Skip, Hop, Dash, etc. - and regional Bus Rapid Transit (BRT) service. This would better connect major employment centers including Downtown, University of Colorado main and east campuses, Boulder Junction, East Boulder, and Gunbarrel, and improve transit to neighboring communities and Denver International Airport.
- Implementing transit capital improvements, multimodal mobility hubs, and first and final mile connections for major employment centers and key destinations.
- Enhancing TDM programs for Boulder businesses and employees for commute, mid-day trips, and airport access, such as a community-wide Eco Pass, carpool/vanpool/ridesharing, parking management, and transportation technology.

#### **Economically Vital Community – Workforce Development**

Workforce development has been identified as a key strategy in the city's Economic Sustainability Strategy (2013) and Boulder's Sustainability Framework. HT revenue could be used to help support the ongoing development of a qualified and diversified workforce available to Boulder employers to support broad-based economic diversity.

#### **Livable Community - Housing**

Revenues from a head tax also could be used by the Division of Housing in support of the city's goal of 10% of residences being permanently affordable to low- and moderate-income community members. Affordable housing is a priority of the City of Boulder and additional funds would allow further preservation, construction, and maintenance of affordable housing. Funding decisions are made in accordance with current funding policies and practices, including review of funding applications by staff and the City Manager-appointed Affordable Housing Technical Review Group with recommendations sent to the City Manager for approval. Using the current average per unit subsidy of

## **Attachment C. Uses for Consideration for Use of Revenue Generated by a Head Tax**

\$69K, each \$1M in currently revenue equates to approximately 14 to 15 new or preserved affordable housing units.

Alternatively, the city could dedicate additional revenue to pursue new affordable housing goals that result from the Housing Boulder discussion. Council is considering a middle income goal for affordable housing, which currently is not funded. A HT could potentially support middle income housing preservation or down payment assistance programs that would enable permanently affordable middle income homes. The acquisition of middle income homes will likely require subsidies of \$115,000 per unit, suggesting that each \$1 million in revenue would equate to approximately eight or nine affordable middle income homes per year. Following council's adoption of an updated comprehensive housing strategy and the adoption of an updated affordable housing linkage fee, a more specific determination of funding impacts will be possible.

In view of a possible HT in 2017, consideration should be given to related taxes that could be on the ballot simultaneously. There is a regional housing group that currently is working with Boulder County to consider an expansion of the Worthy Cause Tax that would provide increased funding for affordable housing initiatives throughout the county. If this tax were to move forward, it would also have a benefit to affordable housing resources in the city of Boulder.

### **Other Uses**

There are many other known unfunded capital projects in the city that have no funding source identified at this time. That list can be found in Appendix A, page 355 of the Draft 2017 Capital Improvement Program (CIP) for the City of Boulder. Staff has not recommended that any of the projects be funded from the HT because there does not appear to be a strong nexus between any of the individual projects and the reasons to consider a HT. The link to the Draft CIP is [https://www-static.bouldercolorado.gov/docs/Attachment\\_A\\_2017-2022\\_Draft\\_CIP-1-201609071607.pdf](https://www-static.bouldercolorado.gov/docs/Attachment_A_2017-2022_Draft_CIP-1-201609071607.pdf).

Other suggestions may come forward through the exploratory community engagement process.

## 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 members 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 message, 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 should any message 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 members agree to email the city manager about issues 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.
- Council members will keep the full council informed on issues from committees, public groups, or other agencies they are following, through Hotline emails, 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 email 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 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 the Mayor and Members of Council, noting that written communications from the committees are appropriate as well.

Selection of Mayor and Mayor Pro Tem:

- Council members will make a good faith effort to select the mayor and mayor pro tem in an open and transparent process.
- After the council election, members seeking election as mayor or mayor pro tem should:
  - make their interest in the position know to their fellow members as soon as possible;
  - focus their communication with other council members on the positive attributes the member brings to the position; and
  - refrain from making any negative remarks about any person seeking election as mayor or mayor pro tem.
- Nominated individuals may make presentations that 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 engender trust from the community and other council members.
- Council members should work to avoid divisiveness by being inclusive during the mayoral selection process.

Agreed this 29<sup>th</sup> day of February, 2016.

  
Matthew Appelbaum

  
Aaron Brockett

  
Jan Burton

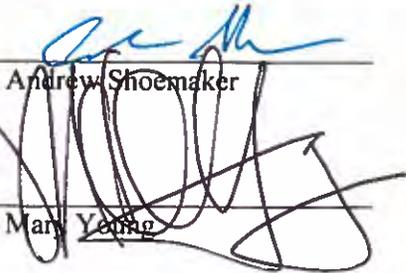
  
Suzanne Jones

  
Lisa Morzel

  
Andrew Shoemaker

  
Sam Weaver

  
Bob Yates

  
Mary Young

**City Attorney’s Office - Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<ul style="list-style-type: none"> <li>• <u>Cooperative Housing Code Changes</u></li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>• Council Study Session</li> </ul>	<ul style="list-style-type: none"> <li>• Draft Code changes first reading</li> </ul>	<ul style="list-style-type: none"> <li>• Finalize code changes</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>
<ul style="list-style-type: none"> <li>• <u>Marijuana Code Changes</u></li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>• Council approval of charter and panel</li> <li>• Possible first reading of priority items</li> </ul>	<ul style="list-style-type: none"> <li>• Implement Marijuana Panel Recommendations</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>
<ul style="list-style-type: none"> <li>• <u>Open Space Land Transfer Ordinance</u></li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>• OSBT Hearing</li> <li>• Introduction and first reading</li> <li>• Second reading and adopting</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>
<ul style="list-style-type: none"> <li>• <u>Election Code Revisions</u></li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>• Introduction and first reading</li> <li>• Second reading and adopting</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>

**City Manager’s Office Resilient Boulder Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<ul style="list-style-type: none"> <li>▪ <b>City Resilience Strategy</b> draft, completion, and roll out. The City Resilience Strategy provides a roadmap for building resilience in the city. The strategy should trigger action, investment, and support within city government and from outside groups. It will be published in print and online.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Contract Graphic Design</li> <li>▪ Contract Printing Services</li> <li>▪ Contract Web design services</li> <li>▪ Community event support</li> <li>▪ Impacts to other departments include content contributions, review and revisions, and implementation activities as appropriate</li> </ul>	<ul style="list-style-type: none"> <li>▪ Drafts 1-3 – content, graphics, layout, web design</li> <li>▪ Council Study Session – Big Sort interactive exercise</li> <li>▪ 2 large public workshops in cooperation with CU</li> <li>▪ Resilience metric, valuation and scenario planning methodology development</li> </ul>		<ul style="list-style-type: none"> <li>▪ Council Study Session</li> </ul>	<ul style="list-style-type: none"> <li>▪ Final strategy approval and release</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Resilience Americorps</b> community preparedness volunteer program development</li> </ul>	<ul style="list-style-type: none"> <li>▪ Time and management impacts primarily to the Neighborhood Liaison, Fire/Rescue, OEM, and climate commitment</li> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪ Project initiation, foundational research, project scoping</li> </ul>	<ul style="list-style-type: none"> <li>▪ On-going program design</li> </ul>	<ul style="list-style-type: none"> <li>▪ On-going program design</li> </ul>	<ul style="list-style-type: none"> <li>▪ Present project proposal to Council</li> <li>▪ Recruit year 2 Americorps volunteers</li> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implementation activities per proposed program design</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implementation activities per proposed program design</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>CityLinks – Shimla, India</b> Climate Adaptation Exchange Program</li> </ul>	<ul style="list-style-type: none"> <li>▪ Project design alignment with Climate Commitment and scenario activity development</li> </ul>	<ul style="list-style-type: none"> <li>▪ Draft and finalize climate impacts on water sector public participation workshop and supporting science materials</li> <li>▪ Exchange trip</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>

<ul style="list-style-type: none"> <li>▪ <b>100 Resilient Cities</b> programmatic elements, network contributions, and partner management</li> </ul>	<ul style="list-style-type: none"> <li>▪ Multiple resource contributions via technical partners to various departments including IR, Climate Commitment, BVCP, OSMP, Economic Vitality</li> </ul>	<ul style="list-style-type: none"> <li>▪ Economic resilience analysis draft</li> <li>▪ BVCP resilience assessment and recommended integration actions</li> <li>▪ Community 'Safe Haven' network design draft</li> <li>▪ Urban Forest Canopy analysis</li> <li>▪ Foundational research on resilience metric, valuation, and scenario planning methodology</li> </ul>	<ul style="list-style-type: none"> <li>▪ 100RC Network peer exchange</li> <li>▪ 100RC technical partner platform local showcase and recruitment event</li> <li>▪ Presentation on resilience metric, valuation, and scenario planning methodology</li> <li>▪ Partner alignment with strategy initiatives</li> </ul>	<ul style="list-style-type: none"> <li>▪ Development of resilience metrics</li> <li>▪ Development of community scenario planning activities and exercises</li> <li>▪ Partner alignment with strategy initiatives</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>
--	---	---	--	---	---	---	---

**Communication Department Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<ul style="list-style-type: none"> <li>▪ <b>Community Newsletter –</b> The City of Boulder community newsletter would be an 8 to 24–page bimonthly product mailed to postal route residences within the city and additional copies available in public buildings</li> </ul>	<ul style="list-style-type: none"> <li>▪ Contract Graphic Design</li> <li>▪ Contract Printing Services</li> <li>▪ Contract Mailing Services</li> <li>▪ Impacts to other departments include content contributions and artwork</li> </ul>	<ul style="list-style-type: none"> <li>▪ Hire a Communication Specialist 2 to implement newsletter</li> <li>▪ Hire a contract graphic designer</li> <li>▪ Solicit print bids and secure printer</li> <li>▪ Secure mail house services</li> <li>▪ Design newsletter templates</li> <li>▪ Develop Volume 1-issue 1 editorial slate, write content, print newsletter</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mail Volume 1-issue 1</li> <li>▪ Develop Volume 1-issue 2 editorial slate, write content, print newsletter</li> <li>▪ Mail Volume 1-issue 2</li> </ul>	<ul style="list-style-type: none"> <li>▪ Develop Volume 1-issue 3 editorial slate, write content, print newsletter</li> <li>▪ Mail Volume 1- issue 3</li> <li>▪ Develop Volume 1-issue 4 editorial slate, write content, print newsletter</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mail Volume 1-issue 4</li> <li>▪ Develop Volume 1-issue 5 editorial slate, write content, print newsletter</li> <li>▪ Mail Volume 1-issue 5</li> </ul>	<ul style="list-style-type: none"> <li>▪ Develop Volume 2-issue 1 editorial slate, write content, print newsletter</li> <li>▪ Mail Volume 2-issue 1</li> <li>▪ Develop Volume 2-Issue 2 editorial slate, write content, print newsletter</li> <li>▪ Mail Volume 2-issue 2</li> <li>▪ Develop Volume 2-issue 3 editorial slate, write content, print newsletter</li> <li>▪ Assess Newsletter for 2018 budget consideration</li> <li>▪ Mail Volume 2-issue 3</li> </ul>	<ul style="list-style-type: none"> <li>▪ Develop Volume 2-issue 4 editorial slate, write content, print newsletter</li> <li>▪ Mail Volume 2-issue 4</li> <li>▪ Develop Volume 2-issue 5 editorial slate, write content, print newsletter</li> <li>▪ Mail Volume 2-issue 5</li> <li>▪ Develop Volume 2-issue 6 editorial slate, write content, print newsletter</li> <li>▪ Mail Volume 2-issue 6</li> </ul>

**Community Vitality Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<b>University Hill Reinvestment Strategy</b>	Planning, Housing & Sustainability; Boulder Police Department; Library Arts; Finance; City Attorney’s Office; Public Works	<ul style="list-style-type: none"> <li>• RSD evaluation</li> <li>• Draft transients policy handout for businesses</li> <li>• 2A-funded tree irrigation improvements implementation</li> <li>• Coordination of Hillanthropy cleanup program</li> <li>• Engage consultant to prepare National Register Historic District Application</li> <li>• Initiate Hill Employee EcoPass Program</li> <li>• Coordinate design of 2A-funded event street</li> <li>• Coordinate recommendation for long-term Hill governance and funding</li> <li>• Prepare funding options for public improvements</li> <li>• Draft 2017 HRS Work Plan</li> <li>• Coordinate with CU to determine overall process and schedule</li> <li>• Compile data &amp; analyze preliminary options to address city goals re: CU conference center/hotel</li> </ul>	<ul style="list-style-type: none"> <li>• RSD recommendation</li> <li>• Start enforcement of commercial bear-proof can requirements</li> <li>• Hillanthropy cleanup of Hill Commercial Area</li> <li>• Submit National Register Historic District application</li> <li>• Initiate planning process for Hill Commercial Area (HCA) façade improvement program</li> <li>• Implementation of Hill Employee EcoPass Program, cont.</li> <li>• Coordinate recommendation for long-term Hill governance and funding, cont.</li> <li>• Present funding options for public improvements to Council</li> <li>• Draft 2017 HRS Budget</li> <li>• Provide input to CU’s conference center/hotel design development process &amp; explore possible city investments</li> </ul>	<ul style="list-style-type: none"> <li>• Enforcement of commercial bear-proof can requirements, cont.</li> <li>• Hillanthropy cleanup of Residential Service District</li> <li>• Revise HCA façade improvement program</li> <li>• Implementation of Hill Employee EcoPass Program, cont.</li> <li>• Coordinate recommendation for long-term Hill governance and funding, cont.</li> <li>• Pursue funding options for public improvements</li> <li>• Refine &amp; analyze city investment options relative to CU conference center/hotel</li> <li>• Seek Council direction on city investment options relative to CU conference center/hotel</li> </ul>	<ul style="list-style-type: none"> <li>• Enforcement of commercial bear-proof can requirements, cont.</li> <li>• Hillanthropy cleanup with Parks Department</li> <li>• Implementation of Hill Employee EcoPass Program, cont.</li> <li>• Coordinate recommendation for long-term Hill governance and funding, cont.</li> <li>• Pursue funding options for public improvements, cont.</li> <li>• Draft Phase Two HRS Work Plan, 2017-2019</li> <li>• Implementation of CU conference center/hotel tasks TBD depending on Council direction and CU’s issues and schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Work Plan to be determined in 2016</li> </ul>	<ul style="list-style-type: none"> <li>• Work plan to be determined in 2016</li> </ul>

Access Management and Parking Strategy (AMPS)

Public Works, Transportation; Planning, Housing + Sustainability; City Manager's Office

- CAMP: Planning, process and research on the Chautauqua Access Management Plan (CAMP)
- Parking Code: next steps; data collection
- Civic Area Access/Parking implementation
- TDM plans for new development, draft refined options
- Update downtown (CAGID) development and access projections including parking supply/demand and TDM strategies

- CAMP: Data collection
- Parking Code: data collection; analysis; research coordination with other initiatives
- Satellite Parking evaluation of options, including BCH, outreach
- Civic Area Access/Parking evaluation
- Pricing (including fines): goals, research, outreach
- TDM plans for new development, review options
- Downtown development and access projections – outreach to boards
- AMPS Strategy Document outline

- CAMP: Data collection and evaluation, outreach
- NPP: Scope and analysis, outreach
- Parking Code: Analysis, data collection, best practice research, , memos; coordination
- Hill Alleys Master Plan scope and consultant selection
- Satellite Parking – develop recommendations, outreach
- Civic Area Access/Parking evaluation
- Pricing: practitioners panel, outreach
- TDM plans for new development: draft recommendations
- Downtown development and access projections – program recommendations
- Car Share: develop options and draft recommendations for pilot program
- AMPS Strategy Document development

- CAMP: Develop scenarios, outreach
- NPP: Options development, outreach
- Parking Code: study off street parking regulations; coordinate with TDM plan recommendations ,memo prep, research new NPP's; analysis
- Hill Alleys Master Plan – plan development, recommendations , outreach
- Satellite Parking pilot implementation
- Pricing: identification of options, outreach
- Market downtown parking cash-out pilot in conjunction with EcoPass renewal
- Car Share proposal for 2017 pilot program
- AMPS Strategy Document draft

- CAMP: evaluate and select pilot scenario
- NPP: program recommendations
- Draft/finalize Parking Code and TDM standards ordinance, Strategy Document evaluation criteria; memo prep
- Pricing: Memo prep, outreach
- Market downtown parking cash-out pilot in conjunction with EcoPass renewal
- Car share pilot program (if approved)
- Finalize AMPS Strategy Document

- CAMP: Pilot implementation
  - Code/TDM: prepare for implementation

**Energy Strategy and Electric Utility Development Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<ul style="list-style-type: none"> <li>▪ <b>Legal and regulatory filings</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ City Attorney's Office in lead, support from Energy Strategy and Electric Utility Development</li> </ul>	<ul style="list-style-type: none"> <li>▪ Prepare for filing of transfer of assets supplemental application, including negotiations with Xcel Energy to provide the city data (the model)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Preliminary discovery (Xcel) for Colorado Public Utilities Commission (PUC) filing of transfer of assets supplemental application</li> </ul>	<ul style="list-style-type: none"> <li>▪ File transfer of assets supplemental application with the Colorado PUC</li> </ul>	<ul style="list-style-type: none"> <li>▪ Colorado PUC discovery process, prepare for PUC hearing and rebuttal</li> </ul>	<ul style="list-style-type: none"> <li>▪ Hearing on transfer of assets application</li> <li>▪ PUC decision on the transfer of assets</li> <li>▪ Based on PUC outcome, update appraisals and negotiate with Xcel to acquire the assets; if negotiations are not successful, prepare to re-file condemnation with the Boulder District Court</li> <li>▪ Continue acquisition process by agreement or re-file condemnation petition with the Boulder District Court</li> <li>▪ File transition plan with the PUC</li> </ul>	<ul style="list-style-type: none"> <li>▪ Condemnation court (if necessary)</li> </ul>

▪ **Transition work plan implementation - including analysis of information provided through discovery and PUC decisions. Key areas of focus: Information Technology systems, Operations and Maintenance, Customer Service, Power Supply, Energy Services, Finance and Accounting, and other support functions**

- Energy Strategy and Electric Utility Development Department
- IT Department
- PW Department
  - Utility Billing
  - Development Review
- Planning, Housing + Sustainability Department
- Finance Department
  - Budget
  - Finance
  - Accounting
  - Purchasing
  - Risk Management
- HR Department
- Legal

- Develop 2017 budget and financial forecast
- Develop agreement with Xcel Energy for discovery information provided for PUC filing and to inform system capital investment and operations planning
- Information Technology Systems: Define scope and budget of Information Technology systems needed for Day 1 operations
- Customer Service: Initiate a work plan for system modifications to the city's existing customer billing and information system, continued work on the key account program, and develop policies and procedures to support a customer focused organization
- Operations and Maintenance: Select potential vendors for operations and maintenance of the electric system
- Power Supply: Continue to work with Xcel to develop terms and conditions that could support power supply for the city
- Energy Services: Continue development of energy services for a new utility, work with the Energy Services Working Group to assist in this process, Energy Services with existing Planning, Housing + Sustainability work

- Develop 2017 budget and financial forecast
- Begin analysis of Xcel Energy discovery information provided for PUC filing and to inform system capital investment and operations planning
- Information Technology Systems: Refine scope and budget, evaluate Information Technology systems needed for Day 1
- Customer Service: Continued work on the key account program, and refine policies and procedures to support a customer focused organization
- Operations and Maintenance: In discussions with selected vendors for operations and maintenance of the electric system, evaluate options and refine operations, construction, reliability and safety policies, procedures, standards and requirements
- Power Supply: Continue to work with Xcel to develop terms and conditions that could support power supply for the city
- Energy Services: Continue development and implementation of interim energy services, coordinated with Planning, Housing + Sustainability work

- Continue analysis of Xcel Energy discovery information provided through PUC transfer of assets process
- Information Technology Systems: Refine scope and budget, evaluate Information Technology systems needed for Day 1 operations based on Xcel Energy discovery information provided for PUC filing
- Customer Service: Refine the work plan for system modifications to the city's existing customer billing and information system based on Xcel Energy discovery information provided for PUC filing, continued work on the key account program, and refine policies and procedures to support a customer focused organization
- Operations and Maintenance: Further refine scope for vendors and policies/ procedure for the utility
- Power Supply: Continue to work with Xcel to develop terms and conditions that could support power supply for the city, evaluate Xcel Energy discovery information provided through PUC transfer of assets process, work with the Resource Working Group to monitor market conditions, explore resource opportunities and review potential agreements with power producers

- Continue analysis of Xcel Energy discovery information provided through PUC transfer of assets process
- Information Technology Systems: Implement Information Technology systems needed for Day 1 operations based on Xcel Energy discovery information provided through PUC transfer of assets process
- Customer Service: Implement the work plan for system modifications to the city's existing customer billing and information system based on Xcel Energy discovery information provided through PUC transfer of assets process, continued work on the key account program, and refine policies and procedures to support a customer focused organization
- Operations and Maintenance: Further refine scope for vendors and policies/procedure for the utility
- Power Supply: Continue to work with Xcel to finalize terms and conditions that could support power supply for the city, evaluate Xcel Energy discovery information provided through PUC transfer of assets process, work with the Resource Working Group to monitor market conditions, explore resource opportunities and review potential agreements with power producers, develop a resource modeling tool to evaluate power supply options

- Work with Xcel to negotiate a smooth transition of operations and file plan with the PUC
- Develop 2018 budget and financial forecast
- Information Technology Systems: Continue implementation of Information Technology systems needed for Day 1 operations based on PUC decision regarding transfer of assets, additional IT support staff on-board to assist with implementation
- Customer Service: Implement the work plan for system modifications to the city's existing customer billing and information system based on Xcel Energy discovery information provided through PUC transfer of assets process, continued work on the key account program, and refine policies and procedures to support a customer focused organization
- Operations and Maintenance: Finalize contract negotiations with selected vendors and work with vendors to define operations of the electric system, evaluate options and refine operations, maintenance, construction, reliability and safety policies, procedures, standards and requirements based on PUC decision regarding transfer of assets
- Power Supply: Finalize terms and conditions for power supply for the city based on PUC decision regarding transfer of assets

- Information Technology Systems: Continue implementation of Information Technology systems needed for Day 1 operations
- Customer Service: Implement the work plan for system modifications to the city's existing customer billing and information system based on PUC decision regarding transfer of assets, Operations and Maintenance: Continue to work with selected vendors to define operations of the electric system, evaluate options and refine operations, maintenance, construction, reliability and safety policies, procedures, standards and requirements
- Power Supply: Continue to work with Xcel to support power supply for the city and coordinate a power delivery schedule and ancillary services, work with the Resource Working Group to monitor market conditions, explore resource opportunities and review potential agreements with power producers

		<ul style="list-style-type: none"> <li>▪ Finance and Accounting: Continue development of the cash flow and budget model, explore methodologies for designing rates for a new utility with the Rates Working Group</li> <li>▪ Ongoing work with risk management, safety, finance, accounting, and human resources to identify needs and resources to support an electric utility, development of safety and risk management policies and procedures</li> </ul>	<ul style="list-style-type: none"> <li>▪ Finance and Accounting: Refinement of the cash flow and budget model, continue to explore methodologies for designing rates for a new utility with the Rates Working Group, begin to develop utility chart of accounts for tracking and reporting</li> <li>▪ Ongoing work with risk management, safety, finance, accounting, and human resources to identify needs and resources to support an electric utility, development of safety and risk management policies and procedures</li> </ul>	<ul style="list-style-type: none"> <li>▪ Energy Services: Continue development of energy services for a new utility, work with the Energy Services Working Group to assist in this process, coordinate Energy Services with existing Planning, Housing + Sustainability work</li> <li>▪ Finance and Accounting: Use cash flow model to refine cost estimates based on Xcel Energy discovery information provided through PUC transfer of assets process, continue to explore methodologies for designing rates for a new utility with the Rates Working Group, continue to develop utility chart of accounts for tracking and reporting</li> <li>▪ Ongoing work with risk management, safety, finance, accounting, and human resources to identify needs and resources to support an electric utility, development of safety and risk management policies and procedures as informed by Xcel Energy discovery information provided through PUC transfer of assets process</li> </ul>	<p>incorporating renewable resources and carbon reduction</p> <ul style="list-style-type: none"> <li>▪ Energy Services: Continue development of energy services for a new utility, work with the Energy Services Working Group to assist in this process, coordinate Energy Services with existing Planning, Housing + Sustainability work</li> <li>▪ Finance and Accounting: Use cash flow model to refine cost estimates based on Xcel Energy discovery information provided through PUC transfer of assets process, continue to explore methodologies for designing rates for a new utility with the Rates Working Group, continue to develop utility chart of accounts for tracking and reporting</li> <li>▪ Ongoing work with risk management, safety, finance, accounting, and human resources to identify needs and resources to support an electric utility, development of safety and risk management policies and procedures as informed by Xcel Energy discovery information provided through PUC transfer of assets process</li> </ul>	<ul style="list-style-type: none"> <li>▪ Energy Services: Finalize energy services including costs, implementation plans, rate structures, and measurement and verification guidelines, continue work with working group and coordinate efforts with the Rate Working Group</li> <li>▪ Finance and Accounting: Use cash flow model to refine cost estimates based on PUC decision regarding transfer of assets, finalize rates for a new utility with the Rates Working Group</li> <li>▪ Ongoing work with risk management, safety, finance, accounting, and human resources to identify needs and resources to support an electric utility, development of safety and risk management policies and procedures based on PUC decision regarding transfer of assets, hire key positions including chief engineer and energy financial and regulatory analyst</li> </ul>	<ul style="list-style-type: none"> <li>▪ Energy Services: Finalize energy services including costs, implementation plans, rate structures, and measurement and verification guidelines. Continue work with working group and coordinate efforts with rate working group</li> <li>▪ Finance and Accounting: Use cash flow model to refine cost estimates, work on financing of transition efforts and acquisition, potential debt issue to finance utility</li> <li>▪ Ongoing work with risk management, safety, finance, accounting, and human resources to identify needs and resources to support an electric utility, development of safety and risk management policies and procedures, hire key positions including customer service manager, and energy resource specialist</li> <li>▪ Governance: potential appointment of utility advisory board</li> </ul>
--	--	---	--	--	--	---	---

<ul style="list-style-type: none"> <li>▪ Resilient Energy – Resilient Electricity Delivery Infrastructure (REDI) DOE Grant</li> <li>▪ Energy Policy Reform Coalition</li> <li>▪ Solar Development</li> </ul>	<ul style="list-style-type: none"> <li>▪ City Manager’s Office</li> <li>▪ Planning, Housing + Sustainability</li> <li>▪ Public Works <ul style="list-style-type: none"> <li>• Utilities</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Resilient Energy Infrastructure DOE Grant: Refine scope</li> <li>▪ Energy Policy Reform Coalition: Focus on recruiting coalition members to Colorado Communities for Climate Action (CC4CA), begin formulating policy agenda for regulatory and legislative changes that support reducing emissions and climate initiatives</li> <li>▪ Solar Development: Begin development of a comprehensive solar strategy, evaluation of potential solar garden opportunities, other recommendations from the Solar Working Group</li> </ul>	<ul style="list-style-type: none"> <li>▪ Resilient Energy Infrastructure DOE Grant: Continue to refine scope, issue an RFP and hire contractor</li> <li>▪ Energy Policy Reform Coalition: Develop RFP and hire lobbying firm to represent CC4CA at state capital, continue development of policy agenda</li> <li>▪ Solar Development: Continue development of solar strategy, evaluation of potential solar garden opportunities, evaluate other recommendations from the Solar Working Group</li> </ul>	<ul style="list-style-type: none"> <li>▪ Resilient Energy Infrastructure DOE Grant: Project Implementation</li> <li>▪ Energy Policy Reform Coalition: Develop RFP for firm to represent CC4CA at PUC and other regulatory bodies, work with legislators between sessions to develop name recognition</li> <li>▪ Solar Development: Continue development of solar strategy, evaluation of potential solar garden opportunities, evaluate other recommendations from the Solar Working Group</li> </ul>	<ul style="list-style-type: none"> <li>▪ Resilient Energy Infrastructure DOE Grant: Project Implementation</li> <li>▪ Energy Policy Reform Coalition: Engage in key legislative and regulatory proceedings concurrent with mission</li> <li>▪ Solar Development: Finalize solar strategy, align targets with Climate Commitment Goals, implement recommendations from the Solar Working Group</li> </ul>	<ul style="list-style-type: none"> <li>▪ Resilient Energy Infrastructure DOE Grant: Project Implementation</li> <li>▪ Energy Policy Reform Coalition: Ongoing work at the local and state level for regulatory and legislative changes that support reducing emissions, local decision making and a new energy future</li> <li>▪ Solar Development: Work with the Solar Working Group to develop solar projects and generation strategies to further expand solar in the city</li> </ul>	<ul style="list-style-type: none"> <li>▪ Resilient Energy Infrastructure DOE Grant: Project Implementation</li> <li>▪ Energy Policy Reform Coalition: Ongoing work at the local and state level for regulatory and legislative changes that support reducing emissions, local decision making and a new energy future</li> <li>▪ Solar Development: Work with the Solar Working Group to develop solar projects and generation strategies to further expand solar in the city</li> </ul>
--	--	---	--	---	--	--	--

**Finance Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other <b>depts.</b>	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<b><u>Annual Budget Process</u></b>	Finance in collaboration with all city departments update Council regarding how previous year finished; serves as early warning if there are economic red flags or new concerns	<ul style="list-style-type: none"> <li>• Supplementary Appropriations (Adjustments to Base)</li> <li>• Strategic Planning for financial operations and capital</li> </ul>	<ul style="list-style-type: none"> <li>• Supplementary Appropriations (Adjustments to Base)</li> <li>• Strategic Planning</li> <li>• Budget Development</li> <li>• CIP Development, Preparation and Review</li> </ul>	<ul style="list-style-type: none"> <li>• Strategic Planning</li> <li>• Budget Development, Preparation and Review</li> <li>• CIP Review</li> <li>• Study Session on the budget</li> </ul>	<ul style="list-style-type: none"> <li>• Budget Review and Adoption</li> <li>• Adjustments to Base</li> <li>• Strategic Planning</li> </ul>	<ul style="list-style-type: none"> <li>• Adjustments to Base</li> <li>• Strategic Planning</li> <li>• Adjustments to Base</li> <li>• Strategic Planning</li> <li>• Budget Development</li> <li>• CIP Development, Preparation and Review</li> </ul>	<ul style="list-style-type: none"> <li>• Strategic Planning</li> <li>• Budget Development, Preparation and Review</li> <li>• CIP Review</li> <li>• Budget Review and Adoption</li> <li>• Adjustments to Base</li> <li>• Strategic Planning</li> </ul>
<b><u>Ballot Items</u></b>	CMO/CAO/Finance/Communications/City Clerk's office, and Departments gather ballot items	<ul style="list-style-type: none"> <li>• Gathering information and background on potential ballot items for the city and what other governmental entities may bring forward in November</li> </ul>	<ul style="list-style-type: none"> <li>• May study session and council meeting on potential ballot items.</li> </ul>	<ul style="list-style-type: none"> <li>• Final ballot items have to be passed by council by last meeting in August to meet County deadlines</li> </ul>	<ul style="list-style-type: none"> <li>• Ballot questions are voted on first Tuesday in November.</li> </ul>	<ul style="list-style-type: none"> <li>• Gathering information on potential ballot items</li> <li>• May study session and council meeting on potential ballot items.</li> </ul>	<ul style="list-style-type: none"> <li>• Final ballot items have to be passed by council by last meeting in August to meet County deadlines</li> <li>• Ballot questions are voted on first Tuesday in November</li> </ul>

Fire Key 2016 and 2017 Work Items

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<ul style="list-style-type: none"> <li>Fire Station Relocation Project</li> </ul>	<ul style="list-style-type: none"> <li>Fire</li> <li>FAM</li> <li>Purchasing</li> <li>Finance</li> <li>Public Works</li> <li>Legal</li> <li>CMO</li> </ul>	<ul style="list-style-type: none"> <li>Property Search</li> </ul>	<ul style="list-style-type: none"> <li>Property search</li> <li>Develop funding strategy</li> </ul>	<ul style="list-style-type: none"> <li>Property search</li> <li>Develop funding strategy</li> </ul>	<ul style="list-style-type: none"> <li>Property search</li> <li>Develop funding strategy</li> <li>Confidential memo to council</li> </ul>		
<ul style="list-style-type: none"> <li>Emergency Medical Services</li> </ul>	<ul style="list-style-type: none"> <li>Fire</li> <li>Police</li> <li>Purchasing</li> <li>Legal</li> <li>CMO</li> <li>Information Resources</li> </ul>	<ul style="list-style-type: none"> <li>EMS service delivery report preparation</li> </ul>	<ul style="list-style-type: none"> <li>EMS service delivery report preparation</li> </ul>	<ul style="list-style-type: none"> <li>EMS service delivery report preparation</li> <li>Bid evaluations and award for medical direction and ambulance services</li> <li>Solicitations for medical direction and ambulance service</li> </ul>	<ul style="list-style-type: none"> <li>Presentation to council</li> <li>Draft plan for EMS delivery</li> </ul>	<ul style="list-style-type: none"> <li>Complete Ambulance specifications</li> <li>Negotiations with Local 900</li> <li>EMS delivery IP to city manager and city council</li> </ul>	<ul style="list-style-type: none"> <li>RFP development for box type ambulance</li> </ul>

**Human Services Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<b>Human Services Strategy Update and Adoption</b>	<ul style="list-style-type: none"> <li>▪ Communications, Police, Parks and Recreation, Library, Planning, Housing, Transportation, FAM/PW, Budget/Finance</li> <li>▪ Library Commission, Human Relations Commission, Parks and Recreation Advisory Board, Immigrant Advisory Committee, Youth Opportunity Advisory Board, Human Services Fund Advisory Committee</li> <li>▪ Civic Area Plan staff coordination</li> <li>▪ Resilience Strategy coordination</li> </ul>	<ul style="list-style-type: none"> <li>▪ Community Engagement</li> <li>▪ Community Funding Options Development</li> <li>▪ Assess partnerships</li> </ul>	<ul style="list-style-type: none"> <li>▪ Community engagement</li> <li>▪ Development of community funding and direct services options</li> <li>▪ Internal and external partnerships assessments and projects</li> </ul>	<ul style="list-style-type: none"> <li>▪ Community engagement</li> <li>▪ Budget, Capital Program</li> <li>▪ Development of community funding and direct services options</li> <li>▪ Internal and external partnerships assessments and projects</li> </ul>	<ul style="list-style-type: none"> <li>▪ Draft strategy</li> <li>▪ Strategy adoption</li> <li>▪ Organizational Strategy</li> <li>▪ Implementation Plan</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implementation</li> <li>▪ Metrics and evaluation plan</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implementation</li> <li>▪ Metrics and evaluation</li> </ul>
<b>Homelessness Strategy and Action Plan Adoption</b>	<ul style="list-style-type: none"> <li>▪ Communications, Police, Municipal Court, Parks and Recreation, Library</li> <li>▪ Library Commission, Human Relations Commission, Immigrant Advisory Committee</li> </ul>	<ul style="list-style-type: none"> <li>▪ Community Engagement</li> <li>▪ Homelessness Action Plan Project Implementation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Community Engagement</li> <li>▪ Portland/Eugene Trip</li> <li>▪ New projects - TBD</li> </ul>	<ul style="list-style-type: none"> <li>▪ Community Engagement</li> <li>▪ Draft Strategy</li> </ul>	<ul style="list-style-type: none"> <li>▪ Strategy adoption (PH)</li> <li>▪ Continued implementation of Action Plan</li> </ul>	<ul style="list-style-type: none"> <li>▪ Homelessness Action Plan Projects Implementation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Homelessness Action Plan Projects Implementation</li> </ul>
<b>Options to Expand Living Wage Resolution 926 Council Consideration</b>	<ul style="list-style-type: none"> <li>▪ HR, CAO, Finance, FAM</li> <li>▪ Human Relations Commission</li> </ul>	<ul style="list-style-type: none"> <li>▪ Analysis of recommendations</li> <li>▪ City Council: Feb. – Options to Expand Resolution 926</li> </ul>	<ul style="list-style-type: none"> <li>▪ Analysis of Council direction</li> <li>▪ Development of options</li> <li>▪ City Council: June update on analysis and direction</li> </ul>	<ul style="list-style-type: none"> <li>▪ TBD- Analysis of Council recommendations as part of 2017 budget</li> </ul>	<ul style="list-style-type: none"> <li>▪ Final adoption of Living Wage changes</li> </ul>		

**Human Services Key 2016 and 2017 Work Items (page 2)**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
Safe + Welcoming Community	<ul style="list-style-type: none"> <li>▪ City Manager 's Office, Police Dept, Human Relations Commission, CAO</li> </ul>	<ul style="list-style-type: none"> <li>▪ HRC Meetings (3)</li> <li>▪ Report to City Council on Independent Analysis of Police Data and Review of Professional Police Complaint Processes</li> </ul>	<ul style="list-style-type: none"> <li>▪ Community Perceptions Survey contract development</li> <li>▪ Survey implementation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Report to City Council on results of Community Perceptions Survey</li> <li>▪ HRC Work Plan Recommendations to Council</li> <li>▪ HS Work Plan and Strategy recommendations</li> </ul>	<ul style="list-style-type: none"> <li>▪ Adoption of strategy</li> <li>▪ Implementation of work plan</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implementation of work plan</li> </ul>	

**Information Technology Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<ul style="list-style-type: none"> <li>▪ <b>Community Broadband and Wi-Fi Initiatives</b></li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>• Continue consultant-assisted needs assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Wrap up needs assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Present findings and recommendations</li> </ul>	<ul style="list-style-type: none"> <li>• TBD – dependent on outcome of council review of findings and recommendations</li> </ul>	<ul style="list-style-type: none"> <li>• TBD – dependent on outcome of council review of findings and recommendations</li> </ul>	<ul style="list-style-type: none"> <li>• TBD – dependent on outcome of council review of findings and recommendations</li> </ul>

**Library Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<p><b>Library Master Plan Update –</b> This includes:</p> <ul style="list-style-type: none"> <li>▪ A needs assessment</li> <li>▪ A robust community engagement process</li> <li>▪ Update of the library’s mission, vision, and guiding principles for decision making</li> <li>▪ Development and financial analysis of service delivery model options</li> <li>▪ Development of performance measures and service standards</li> <li>▪ An action plan and implementation strategy</li> </ul>	<ul style="list-style-type: none"> <li>▪ Consultants and a professional facilitator will be engaged for parts of the project</li> <li>▪ The project manager will consult colleagues in Parks and Rec, Human Services, Planning and Public Works on project process development.</li> <li>▪ Members of the City Managers and Budget Teams will serve on the staff Technical Advisory Group</li> <li>▪ The Library’s Communications Specialist III will assist with public information &amp; document review</li> <li>▪ The Library’s Budget Analyst will assist with the financial analysis &amp; budget planning</li> <li>▪ Selected M-Team members will be asked to review the final draft plan &amp; offer constructive feedback on presentations to Planning Board and City Council</li> <li>▪ Facilities and Asset Management will be consulted on the aspects of the plan that address capital and facilities maintenance.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Technical Advisory Committee meetings</li> </ul>	<ul style="list-style-type: none"> <li>▪ Technical Advisory Committee meetings</li> </ul>	<ul style="list-style-type: none"> <li>▪ Technical Advisory Committee meetings Communications support for outreach, education, &amp; promotion kick off</li> </ul>	<ul style="list-style-type: none"> <li>▪ Technical Advisory Committee meetings</li> <li>▪ Communications support for public information for community engagement process including surveys</li> <li>▪ December City Council Study Session – Communications &amp; M-Team support</li> </ul>	<ul style="list-style-type: none"> <li>▪ Technical Advisory Committee meetings (up to 24)</li> <li>▪ Communications support for public information for community engagement process</li> <li>▪ Budget Analyst support for financial analysis</li> <li>▪ Consult with Facilities and Asset Management on the aspects of the plan that address capital and facilities maintenance.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Technical Advisory Committee meetings</li> <li>▪ July Planning Board Presentation - Communications &amp; M-Team support</li> <li>▪ October City Council Final Presentation &amp; Plan adoption – Communications &amp; M-Team support</li> <li>▪ Budget Analyst support for 2018 budget and Capital Development Program planning</li> </ul>

**Library Arts Key 2016 and 2017 Work**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<ul style="list-style-type: none"> <li>▪ <u>Public Art Policy</u> Drafting and operation of a new policy to govern municipal commissioning, maintenance and legacy of public art.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Consultation with Boards &amp; Commissions including the BAC, BDAB, Boulder Junction, Downtown, Landmarks, Library, PRAB, Planning, Transportation, and Univ. Hill Boards and Commissions.</li> <li>▪ Consultation on legal and budget matters.</li> <li>▪ Consultation with staff across city agencies.</li> <li>▪ Once adopted, the program will require the investment of staff from the P&amp;R, Planning, Transportation, Community Vitality, Public Works, FAM, and other agencies as a team to support Office of Arts + Culture staff on all steps in the public art process.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Drafting, vetting, and adopting the Public Art Policy</li> <li>▪ Installations for <i>Experiments in Public Art</i> begin.</li> <li>▪ Other commissioning and maintenance projects continue.</li> <li>▪ Inquiry for the Public Art Policy drafting.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Drafting, vetting, and adopting the Public Art Implementation Plans.</li> <li>▪ Commissioning begins for new projects.</li> <li>▪ New maintenance projects begin.</li> <li>▪ Events to launch the Public Art program.</li> <li>▪ Public Inquiry for new commissions begins.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Commissioning continues for new projects.</li> <li>▪ Continuing events to launch the public art program.</li> <li>▪ Public Inquiry for new commissions continues.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Investigation of sustainable funding for Public Art begins.</li> <li>▪ Commissioning continues for new projects.</li> <li>▪ Public Inquiry for new commissions continues.</li> <li>▪ Annual Report.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Options for sustainable public art funding developed and vetted.</li> <li>▪ Commissioning continues for new projects.</li> <li>▪ Public Inquiry for new commissions continues.</li> <li>▪ Proposal for sustainable funding finalized.</li> <li>▪ Language for new rules, policies, procedures or ordinances finalized.</li> <li>▪ Community engagement on sustainable funding.</li> <li>▪ Public Inquiry for new commissions continues.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Adoption of new rules, policies, procedures or ordinances.</li> <li>▪ Budget integration.</li> <li>▪ Commissioning continues for new projects.</li> <li>▪ Public Inquiry for new commissions continues.</li> <li>▪ Preparations for implementation of sustainable funding in Q1 2018.</li> <li>▪ Commissioning continues for new projects.</li> <li>▪ A public vote may be required in the Nov election.</li> <li>▪ Public Inquiry for new commissions continues.</li> <li>▪ Annual Report.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <u>Policy on Murals and Art in Public Places</u> A guidance document to align city staff for the encouragement of the commissioning of artworks for the public by private individuals, businesses, developers, and others.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Consultation with Boards &amp; Commissions including the BAC, BDAB, Landmarks, PRAB, Planning, and Transportation Boards and Commissions.</li> <li>▪ Consultation on legal and budget matters.</li> <li>▪ Consultation with staff across city agencies.</li> <li>▪ Once adopted, the program will require the investment of staff from the Planning and Public Works departments.</li> </ul>		<ul style="list-style-type: none"> <li>▪ Drafting and vetting of the Murals and Art in Public Places Policy.</li> <li>▪ Inquiry for the draft policy.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Policy Adoption</li> </ul>	<ul style="list-style-type: none"> <li>▪ Public communication.</li> <li>▪ Annual Report.</li> </ul>		

<ul style="list-style-type: none"> <li>▪ <u>New Cultural Grants Program</u> A new series of grants for cultural organizations, arts education, and creative professionals.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Facilitation of the process with the Boulder Arts Commission is required.</li> <li>▪ Consultation with staff in the Economic Vitality office will enhance the program.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Deadline for Operational Grants.</li> <li>▪ Deadline for Community Projects and Arts Ed. Grants.</li> <li>▪ Launch of Professional Development Scholarships.</li> <li>▪ Launch of Macky Rental Grants.</li> <li>▪ Launch of Innovation Fund.</li> <li>▪ Second 2016 Grants Workshop.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Deadline for Innovation Fund.</li> <li>▪ Ongoing evaluation and inquiry with grant recipients.</li> <li>▪ Design of 2017 Grants Program begins.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ongoing evaluation and inquiry with grant recipients.</li> <li>▪ Design of 2017 Grants Program continues.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ongoing evaluation and inquiry with grant recipients.</li> <li>▪ Operational Grant Reporting.</li> <li>▪ Launch of 2017 All Grants.</li> <li>▪ 2017 Grants Workshop.</li> <li>▪ Annual Report.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Recertification of Operational Grants.</li> <li>▪ Deadline for Community Projects Grants.</li> <li>▪ Deadline for Art Education Grants.</li> <li>▪ Ongoing evaluation and inquiry with grant recipients.</li> <li>▪ Deadline for Innovation Fund.</li> <li>▪ Operational Grant Reporting.</li> <li>▪ Ongoing evaluation and inquiry with grant recipients.</li> <li>▪ Design of 2018 Grants Program begins.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Design of 2018 Grants Program continues.</li> <li>▪ Ongoing evaluation and inquiry with grant recipients.</li> <li>▪ Operational Grant Reporting.</li> <li>▪ Launch of All 2018 Grants.</li> <li>▪ 2018 Grants Workshop.</li> </ul>
---	--	--	---	---	--	---	--

**Open Space and Mountain Parks: Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	1 <sup>st</sup> half 2017	2 <sup>nd</sup> half 2017
<ul style="list-style-type: none"> <li><b>North TSA Plan</b> The North TSA plan sets the community vision for 7,700 acres of OSMP-managed lands north of Linden Avenue and the Diagonal Highway. The plan seeks to improve visitor experiences and increase the sustainability of trails and trailheads while conserving and restoring the area's natural, cultural and agricultural resources.</li> </ul>	<ul style="list-style-type: none"> <li>OSMP                             <ul style="list-style-type: none"> <li><u>Operating Costs:</u> 2016: \$25,000 2017: \$10,000</li> <li><u>Capital Costs:</u> 2016: \$100,000 2017: \$200,000</li> </ul> </li> <li>CAO</li> </ul>	<ul style="list-style-type: none"> <li>Draft plan document</li> <li>Recommendation that Open Space Board of Trustees approve and recommend City Council acceptance</li> </ul>	<ul style="list-style-type: none"> <li>City Council review of and acceptance of North TSA plan.</li> </ul>	<ul style="list-style-type: none"> <li>Integration with 2016 work plan (early implementation actions)</li> <li>Integration with 2017 operating budget</li> <li>Integration with 2017-2022 CIP and</li> </ul>	<ul style="list-style-type: none"> <li>Integration with 2016 work plan (early implementation actions)</li> <li>Integration with 2017 operating budget</li> <li>Integration with 2017-2022 CIP</li> </ul>	<ul style="list-style-type: none"> <li>Implementation of priority plan actions (specific actions dependent upon timing of plan acceptance and content of accepted plan)</li> </ul>	<ul style="list-style-type: none"> <li>Implementation of priority plan actions (specific actions dependent upon timing of plan acceptance and content of accepted plan)</li> </ul>
<ul style="list-style-type: none"> <li><b>Agricultural Resources Management Plan</b> The OSMP "Ag Plan" provides the framework for OSMP actions to ensure the long-term sustainability of agricultural operations, the ecological health of OSMP lands, and for fostering community connections with local agriculture systems.</li> </ul>	<ul style="list-style-type: none"> <li>OSMP                             <ul style="list-style-type: none"> <li><u>Operating Costs:</u> 2016: \$5,000 2017: \$5,000</li> <li><u>Capital Costs:</u> 2016: \$60,000 2017: \$170,000</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Plan element development                             <ul style="list-style-type: none"> <li>Evaluate alternative lease rate polices &amp; financing structures</li> <li>Develop monitoring protocols</li> <li>ID and prioritize infrastructure improvements</li> <li>Evaluation of community farming</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Develop Draft Plan</li> <li>Create Plan Outline and internal review of chapters</li> <li>Create content including overview and strategies</li> </ul>	<ul style="list-style-type: none"> <li>Draft Internal Review Plan Document                             <ul style="list-style-type: none"> <li>Internal review</li> <li>Draft Public Review Plan Document</li> <li>Public Review</li> </ul> </li> <li>Develop OSBT draft Plan Document for July or Aug meeting</li> </ul>	<ul style="list-style-type: none"> <li>Staff recommendation to OSBT to approve plan and recommend acceptance by City Council</li> <li><b>Oct: 2hrs</b> Recommendation to City Council to accept plan</li> <li><b>Nov: 1 hr</b></li> </ul>	<ul style="list-style-type: none"> <li>Integration with 2017 operating budget</li> <li>Integration with 2017-2022 CIP</li> <li>Implementation of priority plan actions (specific actions dependent upon timing of plan acceptance and content of accepted plan)</li> </ul>	<ul style="list-style-type: none"> <li>Implementation of priority plan actions (specific actions dependent upon timing of plan acceptance and content of accepted plan)</li> </ul>

<ul style="list-style-type: none"> <li><b>Visitor Master Plan Update / OSMP Master Plan</b></li> </ul> <p>The Open Space and Mountain Parks (OSMP) Visitor Master Plan (VMP) was accepted by City Council in 2005 with a 10-year planning horizon. The new Master Plan will include updating/refreshing the Visitor Master Plan component and also will take a comprehensive look at delivering on all chartered purposes for the OSMP system including inventory and analysis, evaluation of options and the development of policy and strategic direction to guide the department for the next ten years. The planning process will also consider City Council identified priorities from previous retreats, including incorporating overarching issues (carrying capacity, night-time use, temporal use, etc) and climate change/adaptation.</p>	<ul style="list-style-type: none"> <li>OSMP <ul style="list-style-type: none"> <li>Operating Costs: <ul style="list-style-type: none"> <li>2016: none</li> <li>2017: none</li> </ul> </li> <li>Capital Costs: <ul style="list-style-type: none"> <li>2016: \$252,000</li> <li>2017: \$200,000</li> <li>2018: \$100,000</li> <li>2019: \$100,000</li> </ul> </li> </ul> </li> </ul> <p>OSMP Leadership team will work across department divisions and with representation from across the city to discuss plan at periodic meetings. Additional consultation likely with Parks and Recreation, Transportation, Greenways and Housing.</p>	<ul style="list-style-type: none"> <li>Background Information Gathering</li> </ul>	<ul style="list-style-type: none"> <li>Begin inventory and analysis</li> <li>Identify inventory gaps and needs</li> </ul>	<ul style="list-style-type: none"> <li>Continue inventory, surveying and analysis</li> <li>Compile inventory information into dataset with prioritized critical needs</li> </ul>	<ul style="list-style-type: none"> <li>Continue Inventory, Compilation and Analysis <ul style="list-style-type: none"> <li>Begin development of MP scope, budget and schedule for plan</li> <li>Begin development of community engagement plan</li> <li>Develop initial staff and partner project team formation</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Release initial findings from inventory and analysis in terms of portfolio document for OBST, Council and Public</li> <li>Finalize MP scope, budget and schedule for plan</li> <li>Finalize community engagement plan</li> <li>Finalize staff and partner project team formation</li> <li>OSBT Study Session on scope</li> <li>City Council study session on scope</li> <li>Develop community outreach schedule beginning 3<sup>rd</sup> Qtr 17.</li> </ul>	<ul style="list-style-type: none"> <li>Prepare for community listening sessions beginning in 3<sup>rd</sup> Qtr 17, send out notifications</li> <li>Seek review/feedback</li> <li>Ask for partner input on engagement with city department, other government organizations, non-profits, and CBO's</li> <li>Develop initial needs, opportunities and benefits analysis in geographic focus areas</li> <li>Public hearing with OSBT.</li> <li>Study session with or IP for City Council.</li> <li>Develop project management plan for MP and community engagement</li> </ul> <p><b>Project continues into 2018 → → → Complete plan during 2019</b></p>
---	--	--	---	--	---	--	---

**Parks and Recreation Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<p><b>Boulder Urban Forestry Master Plan</b> - In 2015, the Parks and Recreation Department (Forestry Group) presented to Council a proposed strategy to address the on-going Emerald Ash Borer infestation anticipated to affect roughly 11% of Boulder’s urban tree canopy over the next decade. As supported by Council (September 8, 2015), the strategy called for a series of efforts aiding in long-term tree care, directed treatment standards for public trees, community education initiatives, aggressive tree planting and the development of a comprehensive Urban Forestry Master Plan which would aid in the sustainability of Boulder’s urban tree canopy. The development of that Master Plan is the addressed in this project scope.</p> <p>Comprehensive Master Plan document contributing to the sustainability of Boulder’s urban tree canopy. Plan will include and address:</p> <ul style="list-style-type: none"> <li>• Establishment of a baseline figure for urban tree canopy and long term canopy goals;</li> <li>• Tree diversification goals;</li> <li>• Urban heat island mitigation;</li> <li>• Prioritization of tree planting activities;</li> <li>• Pesticide use guidelines for public trees;</li> <li>• Appropriate pesticide use guidelines for private property owners treating public street trees;</li> <li>• Placement and selection of tree species that are</li> </ul>	<p>Key work items include Plan Scope Definition, RFP for related Plan Development and Outreach, Contract for Services, Facilitated Community Outreach Sessions and Mechanisms including but not limited web and print materials, PRAB presentation and Council update. Project can launch and continue within the approved 2016 budget and should be concluded within the year. Launch of contract cannot proceed without purchasing approval. Contract for services will be vetted by CAO. Other Parks &amp; Recreation work (including that of the Forestry group) will not largely be affected by the launch of this project except that the Forestry Manager must devote time to development of the scope and monitoring of the consulting services throughout the year.</p>	<ul style="list-style-type: none"> <li>▪ Scope proposal/definition</li> <li>▪ Development of potential contractor’s list</li> <li>▪ Prep of RFP (with Purchasing)</li> <li>▪ RFP Issuance and selection of consultant</li> <li>▪ Update website to announce scope of project</li> <li>▪ Submit application for grant to supplement outreach/engagement and planning efforts.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Coordination with Community Building Plan (tree plantings)</li> <li>▪ PRAB presentation (public meeting)</li> <li>▪ PRAB Update Presentation (45 minutes)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Preparation for Council Memo</li> <li>▪ Website Update with potential social media feedback option</li> <li>▪ Consulting services and development of the plan</li> <li>▪ Documenting recommendations and strategies</li> <li>▪ Development of summary (primary findings and plans)</li> <li>▪ Community updates, input sessions</li> <li>▪ CU or other entity involvement</li> </ul>	<ul style="list-style-type: none"> <li>▪ Communications update</li> <li>▪ Regular updates via social media and web</li> <li>▪ Exploration of discount program</li> </ul>	<ul style="list-style-type: none"> <li>▪ n/a</li> </ul>	<ul style="list-style-type: none"> <li>▪ n/a</li> </ul>

<p>compatible with optimizing rooftop solar capture capacity;</p> <ul style="list-style-type: none"> <li>• Coordination with vegetation management for potential municipalization of the electric utility;</li> <li>• Public outreach and education regarding the benefits of the urban canopy; and</li> <li>• Reforestation of creek corridors with native species.</li> </ul>							
<p><b>Capital Project Activity</b> - The department master plan and community input identified the need to keep existing assets at a high quality while also providing for enhanced and new recreation facilities and parks to meet the growing needs of the community. With the adoption of Asset Management best practices the department is working to develop a capital investment strategy plan that will reinvest in existing critical assets while developing new facilities and services within a sustainable framework.</p> <p>The Capital Investment Strategy will provide a development framework plan with specific, implementable urban park design and development recommendations for the enhancement of Boulder’s urban park system. The strategy will address the need to investment up to 40 million in existing assets as well as \$24 million in critical aging infrastructure as well as the desire to invest up to \$50 million in enhanced and new facilities as identified in the department’s Master Plan over the next ten years. The plan identifies three investment scenarios that follow the master plan framework of fiscally constrained, action plan</p>	<p>The development of a data driven capital investment strategy requires that the asset management best practices are implemented on existing assets to allow for accurate and data driven decisions on what assets are most critical to the system and which assets may be removed from the inventory to address limited financial resources. In addition the investment strategy relies on a variety of site plans and studies that identify upgrades and new facilities including the master plan, Valmont City Park, Reservoir Master Plan, urban forest management plan, the aquatics facility study as well as plans for Scott Carpenter, Mapleton, Tom Watson and the recreation facility condition report. Finally to be successful the department’s capital investment plan must align with overall city goals for enhanced capital spending to allocate limited resources to those city wide services that are most critical to the community. This process should be coordinated with the larger CIP effort.</p>	<ul style="list-style-type: none"> <li>▪ Draft CIS report</li> <li>▪ Internal staff review</li> <li>▪ PRAB meetings – 4 hours</li> <li>▪ PRAB review and recommendations on the CIP</li> </ul>	<ul style="list-style-type: none"> <li>▪ Final CIS report</li> <li>▪ manager position</li> <li>▪ Planning Board meeting 2 hours</li> <li>▪ Planning Board review and recommendation of CIP</li> <li>▪ BVSD Joint Use Agreement</li> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implementation strategy</li> <li>▪ Council meetings 4 hours as part of CIP budget</li> <li>▪ Council acceptance of CIP through the budget process</li> <li>▪ Council study session and budget meetings</li> <li>▪ Hire capital investment planning support as part of asset</li> </ul>	<ul style="list-style-type: none"> <li>▪ Review and revisions as required to CIS report</li> <li>▪ Meetings with stakeholders and potential donors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Develop Funding Strategy</li> <li>▪ Implement funding strategy for key projects</li> <li>▪ Community Survey and outreach</li> <li>▪ Continued partnership development</li> <li>▪ PRAB</li> <li>▪ Planning Board</li> <li>▪ Council Study Session</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implement</li> <li>▪ Implement – possible city wide bond</li> <li>▪ Partnership development</li> <li>▪ Partnership development</li> <li>▪ Council CIP</li> </ul>

and vision plan.							
<p><b>Commercial Use of Public Space</b>  Consistent with examination of the Civic Area’s potential and the City’s continuing evolution of Special Events policies, the department will explore policies and practices related to commercial use of public spaces, including those efforts that support the local economy and the vibrancy of our communities. This will include examination of policies, practices, permitting and pricing related to in-park concessions, ticketed-gated activity, facility rental and the appropriate balance of protected general public use and city park infrastructure.</p> <p>By the end of the Q3 (2016), develop policies and practices that clearly establish the department’s approach to the commercial use of public spaces.</p>	<ul style="list-style-type: none"> <li>▪ In response to the evolution of the Civic Area and in anticipation of changes necessary to sustainably and responsibly operate the City’s Parks and Recreation venues, the department will evaluate practices concerning: <ul style="list-style-type: none"> <li>○ Commercial vending</li> <li>○ Ticketed-gated activity</li> <li>○ Public private partnerships</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Review and analysis of existing policies and industry best practices</li> </ul>	<ul style="list-style-type: none"> <li>▪ Community engagement and outreach to stakeholders</li> <li>▪ Hold meeting, round tables, focus groups with stakeholders including DBI, Farmers Market, concessionaires, and existing commercial use permit holder (15-20 hours)</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪ Present policies and practices to Parks and Recreation Advisory Board (PRAB)</li> <li>▪ Public hearing at September 26, 2016 PRAB meeting</li> </ul>	<ul style="list-style-type: none"> <li>▪ n/a</li> </ul>	<ul style="list-style-type: none"> <li>▪ n/a</li> </ul>

<p>Community Building and Partnerships - The parks and recreation department will continue to foster community building and pursue/enhance partnerships critical to our sustainable provision of quality spaces and programming meeting the community's needs for recreation and respite. Included in this work will be successful conclusion of our department's negotiations with the Boulder Valley School District defining the joint use of facilities/amenities</p>	<p>This work is interrelated to almost all projects in the department in order to identify scope of need and areas of opportunity. Internal sponsor and donor recognition guidelines need to first be established to ensure consistent and appropriate action.</p> <p>Through the implementation of the departments Service Design and Delivery Model, partnership building will focus on mutually beneficial, mission focused and connection of guiding principles as demonstrated in parks, facilities, and programs. By</p>	<ul style="list-style-type: none"> <li>• Review/recommend changes to sponsorship/donor recognition policy/practice</li> <li>• Review, renew, discontinue 2015 program partnerships through evaluation and service delivery initiatives</li> </ul>	<ul style="list-style-type: none"> <li>• Grant and sponsorship solicitation</li> <li>• Activate ongoing community program volunteers</li> <li>• Pursue partnership opportunities for identified capital projects and programming needs</li> <li>• Identify and evaluate 2016 program partnership contractual scope of works</li> <li>• Implementation of service partnership</li> </ul>	<ul style="list-style-type: none"> <li>• Grant and sponsorship solicitation</li> <li>• RFP Issuance (concessions @ Golf and Res)</li> <li>• Pursue partnership opportunities for identified capital projects and programming needs</li> <li>• Evaluate JUA between COB and BVSD</li> <li>• 10-15 pre-planned community volunteer events (tree plantings, clean ups, park constructions); 3hr/event</li> </ul>	<ul style="list-style-type: none"> <li>• Grant and sponsorship solicitation</li> <li>• Pursue partnership opportunities for identified capital projects and programming needs</li> <li>• Final evaluation of program partnerships from 2016 performance</li> <li>• Finalize program partnership agreements for 2017</li> <li>• Evaluate JUA between COB and BVSD</li> </ul>	<ul style="list-style-type: none"> <li>• Issue calendar of 2017 BPR Community Building Events</li> <li>• Capital Project opportunities list finalized</li> <li>• Develop 2017 pre-planned volunteer events and ongoing programs</li> <li>• 2-3 outreach meetings re. park renovations; 2-3 hrs</li> <li>• Volunteer Appreciation event;</li> </ul>	<ul style="list-style-type: none"> <li>• Grant and sponsorship solicitation</li> <li>• Pursue partnership opportunities for identified capital projects and programming needs</li> <li>• 5 pre-planned community volunteer events (tree plantings, clean ups, park openings); 3hr/event</li> <li>• 3 department hosted</li> </ul>
---	--	---	---	---	---	--	---

<p>owned by each organization. We will also explore the impact of existing programming partnerships (dance, tennis, biking instruction and community gardening, for example) and evaluate the viability of partnerships to support expanded service reach to the underserved and contributions to parks and recreation capital improvements. OUTCOMES: Through strategic development of public-public or public-private partnerships, the parks and recreation department will be able to leverage its resources to increase the service reach, programming impact and sustainability of public amenities. The creation of more strategic and meaningful volunteer opportunities and events will encourage a culture of stewardship and leadership in the Boulder community.</p> <p>The department is focused on Master Plan recommendations to shift the practices that facilitates the delivery of high-quality programs with community partners where most effective and limits the direct delivery of programs to those that align with the highest community values.</p>	<p>considering each individual service's alignment with mission; financial viability; market position; and the competitors that provide a similar service, the department will begin to identify those services that organization should be in the business of providing and how best to provide those services effectively and efficiently. Collaborative partnerships are opportunities to eliminate unnecessary duplication of service while providing for efficient and effective utilization of resources.</p>	<ul style="list-style-type: none"> <li>• Volunteer team restructure and new hire</li> <li>• Grant and sponsorship solicitation</li> <li>• Solidify urban forest outreach strategy for 2016</li> <li>• Issue calendar of 2016 BPR Community Building Events</li> <li>• Capital Project opportunities list finalized</li> <li>• 2-3 outreach meetings re. park renovations; 2-3 hrs</li> <li>• Volunteer Appreciation event; 3-4 hrs</li> </ul>	<p>orientations</p> <ul style="list-style-type: none"> <li>• Issue calendar of partnership milestone dates</li> <li>• Identify 2017 partnership RFP processes</li> <li>• Evaluate JUA between COB and BVSD</li> <li>• 3 department hosted community events; 3-5hr/event (Creek Fest – multiday)</li> <li>• Donor/sponsor recognition policy to PRAB; April, 5 hrs</li> <li>• Public private partnership opportunity listening sessions re. concessions at Golf Course, Res., Civic Area</li> <li>• Host 2 PPP listening session; 4 hrs total</li> </ul>	<ul style="list-style-type: none"> <li>• Roll out urban forest outreach program; ongoing</li> <li>• 5 pre-planned community volunteer events (tree plantings, clean ups, park openings); 3hr/event</li> <li>• 3 department hosted community events; 3-5hr/event</li> <li>• Ongoing volunteer projects</li> <li>• PPP PRAB review and liaison selection</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation of JUA between COB and BVSD</li> </ul>	<p>3-4 hrs</p> <ul style="list-style-type: none"> <li>• Grant and sponsorship solicitation</li> <li>• Activate ongoing community program volunteers</li> <li>• Pursue partnership opportunities for identified capital projects and programming needs</li> <li>• 3 department hosted community events; 3-5hr/event</li> <li>• 10-15 pre-planned community volunteer events (tree plantings, clean ups, park constructions); 3hr/event</li> </ul>	<p>community events; 3-5hr/event</p> <ul style="list-style-type: none"> <li>• Ongoing volunteer projects</li> <li>• 5 pre-planned community volunteer events (tree plantings, clean ups, park openings); 3hr/event</li> <li>• 3 department hosted community events; 3-5hr/event</li> <li>• Ongoing volunteer projects</li> </ul>
---	---	---	---	--	--	--	--

**Planning, Housing and Sustainability Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other dept.s	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<p><b>Comprehensive Plan</b> – This includes four major work tracks, plus renewal of the city/county Intergovernmental Agreement (IGA). Tracks include:</p> <ul style="list-style-type: none"> <li>• Areas of Focus (i.e., core values, resilience/climate, jobs/housing balance, affordable housing including middle income, built environment, subcommunity/ neighborhood issues, BCH coordination, CU South suitability analysis).</li> <li>• Plan Policy Integration</li> <li>• Plan “clean up” and organization</li> <li>• Public change request analysis</li> </ul>	<ul style="list-style-type: none"> <li>• PH+S comprehensive planning team leads</li> <li>• Major citywide Interdepartmental effort, including necessary communications support and CAO from time to time.</li> <li>• Will need consultants for technical analysis, survey work and community engagement support</li> <li>• Significant coordination with Housing Boulder and BCH Site Planning efforts</li> </ul>	<ul style="list-style-type: none"> <li>• Jan. 5 – Council action on public requests in Area I and Area II enclaves and policy changes</li> <li>• Feb. 2 – Joint Council and Planning Board public hearing for public requests in Area II and III</li> <li>• Coordinate with Resilience Study Session (Feb. 9) and Middle Income Housing Study Session (Mar. 29)</li> <li>• Begin analysis of land use change requests</li> <li>• Start analysis of areas of focus; develop options (See Middle Income housing below).</li> <li>• Community engagement: Continued discussion of survey results</li> </ul>	<ul style="list-style-type: none"> <li>• Study Session (May 24)</li> <li>• Areas of focus – options/scenarios analysis (including land use analysis related to housing and jobs, and 3d modeling and visualization)</li> </ul>	<ul style="list-style-type: none"> <li>• Review further analysis for focused topics - continue – options/scenarios analysis</li> <li>• Complete plan organization and “clean up” (e.g., non substantive updates and graphic improvements)</li> <li>• Community engagement: Possible focus groups regarding focused topics; local listening sessions; possible survey #2</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare draft plan including the areas of focus topic policy updates; map changes; and actions, strategies, and metrics</li> <li>• Community engagement: draft plan workshops and open house</li> <li>• Council Study Session</li> </ul>	<ul style="list-style-type: none"> <li>• Approve draft plan</li> <li>• Begin implementation of BVCP including possible area planning</li> <li>• IGA renewal Implementation of BVCP, including possible area planning</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation of BVCP, including possible area planning</li> </ul>
<p><b>Development-Related Impact Fees &amp; Excise Taxes Studies</b> - four components:</p> <ul style="list-style-type: none"> <li>• Update current capital facilities impact fee/excise tax studies</li> <li>• Multi-modal Transportation fee analysis for capital and on-going operating costs</li> <li>• Commercial linkage fee for affordable housing</li> </ul>	<ul style="list-style-type: none"> <li>• PH+S in lead.</li> <li>• Interdepartmental staff team of all departments with capital assets; includes significant staff resources needed in: <ul style="list-style-type: none"> <li>• Finance</li> <li>• CAO</li> <li>• PW: Transportation, FAM, and Development Review</li> <li>• Planning</li> <li>• Consultant team preparing studies</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Technical Working Group Meetings (2)</li> <li>• Public outreach - 101 seminar</li> <li>• Technical Analysis</li> <li>• Policy options development</li> </ul>	<ul style="list-style-type: none"> <li>• City Council Study Session (April 12)</li> <li>• Technical Working Group meeting</li> <li>• Technical Analysis</li> <li>• Policy options development</li> <li>• Public outreach</li> <li>• Draft reports on fees and programs</li> <li>• City Council Study Session (June 14)</li> </ul>	<ul style="list-style-type: none"> <li>• City Council Public Hearing (July 19) (decision)</li> <li>• Implementation and phase in preparation for 2017 budget</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation and phase in preparation for 2017 budget</li> <li>• Scoping next steps with Transportation Operations &amp; Maintenance</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation and phase in</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation and phase in</li> </ul>
<p><b>Form-Based Code (FBC) for Boulder Junction Phase I pilot project</b></p> <ul style="list-style-type: none"> <li>• Development and adoption of a new form-based code as an appendix in the Land Use Code including new process and review criteria.</li> </ul>	<ul style="list-style-type: none"> <li>• PH+S in lead with support from: <ul style="list-style-type: none"> <li>• CAO</li> <li>• Public Works</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Work on final draft of FBC</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare final draft of FBC and staff memos for adoption hearings</li> <li>• Public outreach, meetings and online materials</li> <li>• Planning Board and City Council adoption hearings</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare for implementation with new worksheet materials</li> <li>• FBC training sessions with staff, review boards and local design professionals</li> </ul>	<ul style="list-style-type: none"> <li>• TBD based on evaluation of pilot and Council direction</li> </ul>		

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other dept.s	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<p><b>Site Review Criteria - update Site Review criteria to:</b></p> <ul style="list-style-type: none"> <li>• Include new minimum design standards</li> <li>• Be more prescriptive, specific and clear</li> <li>• Address when/ if additional community benefit should be required (e.g. for height modifications)</li> </ul>	<ul style="list-style-type: none"> <li>• PH+S in lead with support from CAO</li> </ul>	<ul style="list-style-type: none"> <li>• Receive recommendations from DoverKohl</li> </ul>	<ul style="list-style-type: none"> <li>• Develop work plan including outreach plan</li> </ul>	<ul style="list-style-type: none"> <li>• Review DoverKohl recommendations</li> <li>• Develop goals and objectives</li> <li>• Research and analysis</li> <li>• Solicit input from Planning Board and DAB</li> <li>• Create &amp; convene stakeholder group</li> </ul>	<ul style="list-style-type: none"> <li>• Develop options</li> <li>• Meet with stakeholder group</li> <li>• Planning Board and DAB check in</li> </ul>	<ul style="list-style-type: none"> <li>• Begin drafting code changes</li> <li>• Planning Board and DAB check in</li> <li>• City Council check in (matters or Study Session)</li> <li>• Meet with the stakeholder group</li> <li>• Public outreach</li> </ul>	<ul style="list-style-type: none"> <li>• Finalize proposed code changes</li> <li>• Host open house</li> <li>• Planning Board and City Council consideration of changes</li> <li>• Prepare for implementation</li> </ul>
<p><b>Update to the Downtown Urban Design Guidelines</b></p> <ul style="list-style-type: none"> <li>• Revisions to the guidelines for better usability and clarity</li> </ul>	<ul style="list-style-type: none"> <li>• PH+S in lead with support from: <ul style="list-style-type: none"> <li>• CAO</li> <li>• Communications</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Finalize draft document and prepare ordinance</li> <li>• Planning Board, Landmarks Board and City Council adoption</li> <li>• Amend height ordinance map to exempt downtown</li> </ul>					
<p><b>Civic Area Implementation</b></p> <ul style="list-style-type: none"> <li>• Final design and construction of Phase I – Park at the Core</li> <li>• Long-Term Studies of East &amp; West Bookends to determine future improvements: <ul style="list-style-type: none"> <li>• Comprehensive Flood Analysis</li> <li>• Market Hall Feasibility Study</li> <li>• Urban Design Plan/ Guidelines</li> <li>• Coordination with Canyon Complete Streets (includes Bandshell) and Municipal Facilities Study &amp; BCH</li> </ul> </li> <li>• <b>Civic Use Pad</b> - Discussions with St. Julien to construct</li> </ul>	<ul style="list-style-type: none"> <li>• Interdepartmental Team with leads from Parks, Public Works and PH+S <ul style="list-style-type: none"> <li>• Consultant support.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Final design Phase I park improvements</li> <li>• Flood Analysis</li> <li>• Market Hall Preliminary Feasibility Analysis (<i>Phase I</i>) &amp; Working Group Meeting</li> <li>• Market Hall Preliminary Space Test Fit (<i>Phase II</i>)</li> <li>• Collect data on parking changes</li> </ul> <p><b>Civic Use Pad</b></p> <ul style="list-style-type: none"> <li>• Preliminary design work</li> <li>• Financial analysis</li> </ul>	<ul style="list-style-type: none"> <li>• Permitting &amp; bidding for park construction</li> <li>• <b>Public Open House (4/4)</b></li> <li>• Council Meeting Matters (4/5)</li> <li>• Coordinate w/ Canyon Complete Streets – Design Alternatives – May Open House; Joint Board / Commission Mtg; Council Study Session 5/31</li> <li>• Continued analysis of capital projects</li> <li>• <b>Civic Use Pad</b></li> <li>• Preliminary design work</li> <li>• Negotiation of management agreement</li> <li>• Financial analysis</li> <li>• Public outreach to potential users</li> </ul>	<ul style="list-style-type: none"> <li>• Park construction begins</li> <li>• Coordinate w/ Canyon Complete Streets – Design Options Analysis</li> <li>• Continued analysis of capital projects</li> </ul> <p><b>Civic Use Pad</b></p> <ul style="list-style-type: none"> <li>• Design work</li> <li>• Negotiation of management agreement</li> <li>• Financial analysis</li> <li>• Public outreach to potential users</li> </ul>	<ul style="list-style-type: none"> <li>• Continued park construction</li> <li>• Coordinate w/ Canyon Complete Streets – Design Recommendation</li> <li>• Coordinate w/ Municipal Facilities Study &amp; BCH</li> <li>• Continued analysis of capital projects</li> </ul> <p><b>Civic Use Pad</b></p> <ul style="list-style-type: none"> <li>• Council consideration of management agreement</li> <li>• Design work</li> </ul>	<ul style="list-style-type: none"> <li>• Continued park construction</li> <li>• Tasks related to Civic Area bookends are dependent on outcomes in 2016 &amp; 2017</li> <li>• Begin Urban Design Plan for East Bookend &amp; Outreach to Boards</li> </ul> <p><b>Civic Use Pad</b></p> <ul style="list-style-type: none"> <li>• Construction activities begin (St. Julien lead)</li> </ul>	<ul style="list-style-type: none"> <li>• Park construction complete in 2017</li> <li>• <b>East Bookend Urban Design Plan/ Guidelines – Present to Boards &amp; Council</b></li> <li>• <b>West Bookend Urban Design Plan – Begins in 2018</b></li> </ul>

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other dept.s	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<p><b>BCH Site &amp; Municipal Facilities Planning</b></p> <ul style="list-style-type: none"> <li>Establish land use and urban form characteristics taking into consideration the site's interrelation with the larger Broadway corridor, Downtown, Civic Area and University Hill</li> <li>Develop short and long-term municipal facilities needs and locations</li> <li>Develop site specific goals and redevelopment options</li> <li>Implementation Plan</li> </ul>	<ul style="list-style-type: none"> <li>PH+S and Public Works in lead. Multi-departmental effort: <ul style="list-style-type: none"> <li>Community Vitality</li> <li>Parks and Recreation</li> <li>City Attorney</li> <li>Finance</li> <li>Consultant support</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Develop 2016 Project Scope &amp; Schedule</li> <li>Coordination with BVCP Update</li> <li>Begin development of Performance &amp; Design Guidelines for Facilities</li> <li>Conduct BCH Rehab analysis</li> </ul>	<ul style="list-style-type: none"> <li>Consultant RFP &amp; Selection for city facilities study &amp; urban design framework</li> <li>Context Analysis – past history and current conditions of BCH &amp; its larger context including Downtown, Civic Area, and Uni-Hill</li> <li>Begin “storytelling” campaign to share memories of BCH</li> <li>Conduct city space needs &amp; analysis</li> <li>Begin visioning of Future Municipal Facilities</li> </ul>	<ul style="list-style-type: none"> <li>Continue work on Context Analysis</li> <li>Define boundary for specific BCH Site/Area Planning work</li> <li>Synthesize city space needs in coordination w/Civic Area</li> </ul>	<ul style="list-style-type: none"> <li>Develop Planning &amp; Design Framework to illustrate the desired future for BCH and larger context, relationship/ roles relative to other areas.</li> <li>Adopt Guiding Principles for area wide goals and objectives to inform the future of BCH site (<i>land use, urban form, connections, cultural and other facilities, etc.</i>)</li> <li>Oct. 25 Study Session</li> <li>Begin Municipal Facilities Master Plan</li> <li>Adopt Guiding Principles for City Facilities</li> </ul>	<ul style="list-style-type: none"> <li>Site/Area Planning</li> <li>Space planning program for city departments and facilities</li> <li>Final determination of facilities &amp; locations</li> <li>Continue Municipal Facilities Masterplan</li> <li>Begin site/area planning (w/consultant support)</li> <li>Continue Municipal Facilities Master Plan</li> <li>Develop Performance &amp; Design Guidelines for Facilities</li> </ul>	<ul style="list-style-type: none"> <li>Continue work on Site/Area Planning including evaluation of options &amp; selection of preferred plan</li> <li>Complete Land Use Change &amp; Zoning Designation</li> <li>Continue with Municipal Facilities Masterplan</li> </ul>
<p><b>30<sup>th</sup> and Pearl</b></p> <ul style="list-style-type: none"> <li>Analyze options for moving forward with redevelopment of the site</li> <li>Select and refine preferred option</li> </ul>	<ul style="list-style-type: none"> <li>PH+S in lead. Multidepartment effort including: <ul style="list-style-type: none"> <li>Public Works: Transportation, Utilities</li> <li>Parks</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>Procure consultant services for options analysis.</li> <li>Begin building scenarios..</li> </ul>	<ul style="list-style-type: none"> <li>Refine scenarios and options analysis.</li> <li>Develop draft success criteria for redevelopment.</li> <li>Refine preferred option</li> </ul>	<ul style="list-style-type: none"> <li>Potential RFP for sale, redevelopment, or partnership.</li> </ul>		

<p><b>Middle Income Housing Strategy</b></p> <p>- To include:</p> <ul style="list-style-type: none"> <li>• BBC study of what market is currently producing to serve the middle; how unit size and location affect pricing over time</li> <li>• Identification of potential land use and other market interventions to produce desired housing types</li> <li>• Identification of effective mechanisms to support middle income affordability</li> <li>• Methodology to monitor key indicators to measure progress</li> </ul>	<ul style="list-style-type: none"> <li>• PH+S in lead.</li> <li>• Citywide Interdepartmental effort.</li> <li>• Need communications support</li> <li>• Will need CMO and CAO support from time to time.</li> <li>• Consultant support for analysis and facilitation.</li> </ul>	<ul style="list-style-type: none"> <li>• Finalized consultant study</li> <li>• Identified key policy questions</li> <li>• Analyzed projected housing – what do we expect based on current trends (feeds into BVCP)</li> <li>• Identified range of potential interventions</li> <li>• Feb. 18 Planning Board</li> <li>• Feb. 23 CC Study Session</li> </ul>	<ul style="list-style-type: none"> <li>• BVCP: analysis of potential land use changes to produce desired middle income housing types (e.g., duplexes and triplexes, townhomes, courtyard apartments, bungalows)</li> <li>• Form Council and Planning Board working group to identify goals, analyze key policy questions, and recommend interventions (programmatic, funding, and regulatory)</li> </ul>	<ul style="list-style-type: none"> <li>• Draft potential policy changes for community conversation</li> <li>• Draft potential interventions (programmatic, funding, and regulatory) for community engagement with associated work plan for each.</li> <li>• Full Board and Council check- in</li> </ul>	<ul style="list-style-type: none"> <li>• Identify and monitor key market indicators to measure progress on Middle Market housing provision</li> <li>• Refine potential interventions</li> <li>• Draft strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Adoption of policy changes</li> <li>• Adoption of interventions</li> </ul>	
<p><b>Other Housing Boulder priorities</b></p> <p>– Potential work efforts to prioritize include:</p> <ul style="list-style-type: none"> <li>• Housing Strategy Governance (Housing Board)</li> <li>• Neighborhood Pilot</li> <li>• Co-operative Housing</li> <li>• Mobile Home Parks</li> </ul>	<ul style="list-style-type: none"> <li>• PH+S in lead. Multi-departmental effort</li> <li>• Need communications support</li> <li>• Will need CMO and CAO support from time to time.</li> <li>• Consultant support for analysis and/ or facilitation</li> </ul>	<ul style="list-style-type: none"> <li>• Jan. 26 CC Study Session on Co-ops</li> <li>• Jan. 5 Palo Park Annex and Concept Plan</li> <li>• Ongoing MHP work, including Ponderosa</li> </ul>	<ul style="list-style-type: none"> <li>• TBD based on Council direction</li> </ul>	<ul style="list-style-type: none"> <li>• TBD based on Council direction</li> </ul>	<ul style="list-style-type: none"> <li>• TBD based on Council direction</li> </ul>	<ul style="list-style-type: none"> <li>• TBD based on Council direction</li> </ul>	<ul style="list-style-type: none"> <li>• TBD based on Council direction</li> </ul>

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other dept.s	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<p><b>Climate Commitment</b></p> <ul style="list-style-type: none"> <li>• Coordination of community efforts to achieve 80% emissions reduction by 2050.</li> <li>• Coordination of city organization efforts to achieve 80% or more emissions reduction by 2050</li> <li>• Coordination of city organization efforts to prepare for climate change-resilience capacity building</li> </ul>	<ul style="list-style-type: none"> <li>• PH+S (Climate and Sustainability) in lead.</li> <li>• Multi-departmental effort: <ul style="list-style-type: none"> <li>▪ CMO (CRO)</li> <li>▪ Public Works (Water Resources, Utilities, Transportation)</li> <li>▪ PH+S (Comprehensive Planning, P+DS)</li> <li>▪ Energy Future</li> <li>▪ Parks and Recreation</li> <li>▪ OSMP</li> <li>▪ Finance</li> <li>▪ Communications</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Coordinate community engagement</li> <li>• Facilitate city organization staff training</li> <li>• Begin planning for community action campaigns</li> <li>• Launch “whole system energy transformation” and “thermal strategy” work</li> </ul>	<ul style="list-style-type: none"> <li>• Coordinate April “Earth Futures Week” focus on climate action</li> <li>• Coordinate staff training on local climate change impacts</li> </ul>	<ul style="list-style-type: none"> <li>• Finish revisions of Climate Commitment document and present for approval by City Council</li> <li>• Launch community action campaigns</li> <li>• Conduct climate extremes staff training exercise</li> <li>• Coordinate departmental level assessments of emission reduction/clean energy transition options</li> <li>• Complete “whole energy system transformation” and “thermal strategy” work</li> </ul>	<ul style="list-style-type: none"> <li>• Coordinate community climate action campaigns</li> <li>• Lead city organization scenario planning on multi-factor change scenarios</li> </ul>	<ul style="list-style-type: none"> <li>• Continue community action campaigns</li> <li>• Coordinate implementation of city organization energy transition implementations</li> <li>• Launch second round of staff climate change training</li> </ul>	<ul style="list-style-type: none"> <li>• Continue community climate action campaigns</li> <li>• Continue implementation of city org emissions reduction/clean energy development projects</li> <li>• Continue staff climate mitigation/climate adaptation trainings</li> </ul>
<p><b>Energy Codes: Short Term Updates and Long Term Strategy</b></p> <ul style="list-style-type: none"> <li>• Improving compliance of current commercial and residential energy codes;</li> <li>• Integrate with new Building Performance Ordinance (BPO);</li> <li>• Updating the residential and commercial energy codes for adoption in 2016 and implementation in 2017; and</li> <li>• Long term strategic planning for energy codes updates to reach net zero by 2031.</li> </ul>	<ul style="list-style-type: none"> <li>• Public Works (Building Code Compliance) in lead, support from PH+S (Climate + Sustainability)</li> <li>• Staff resources needed in: <ul style="list-style-type: none"> <li>• CAO</li> <li>• Development Review Engineering</li> <li>• Zoning</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Select consultant thru RFP process</li> <li>• Develop special lighting permit application for BPO</li> </ul>	<ul style="list-style-type: none"> <li>• Develop options for short term code updates</li> <li>• Draft recommendations for long term plans</li> </ul>	<ul style="list-style-type: none"> <li>• (4) Public Meetings for community engagement</li> <li>• EAB Feedback</li> <li>• CAO Review Needed</li> <li>• Revise short term options and make final recommendations</li> </ul>	<ul style="list-style-type: none"> <li>• Finalize long term strategic plan recommendations</li> <li>• City Council meeting for short term code updates</li> <li>• Evaluate ways to improve compliance in the field</li> </ul>	<ul style="list-style-type: none"> <li>• Update website and provide education materials for new code changes</li> <li>• Implement changes to improve compliance</li> <li>• Stakeholder working group – long term strategic plan</li> </ul>	<ul style="list-style-type: none"> <li>• Develop proposal for long term strategic plan out to 2031</li> <li>• City Council Study session</li> <li>• Begin implementation of long term strategic plans</li> </ul>

**Police Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<b>Professional Standards Review Panel</b>		<ul style="list-style-type: none"> <li>Feb 9<sup>th</sup> Council Study Session on HH report</li> <li>Feb 23<sup>rd</sup> Council Study Session, HH presented their report and PD staff discussed recommendations and moving forward.</li> </ul>	<ul style="list-style-type: none"> <li>PD staff working with CMO, Human Services and other stakeholders on HH recommendations.</li> </ul>	<ul style="list-style-type: none"> <li>PD staff working on recommendations and providing an update to council.</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>

**Public Works Key 2016 and 2017 Work Items**

Work Plan Item and short description/ project outcome	Project Department Resource needs and impacts to other depts.	1 <sup>st</sup> quarter 2016	2 <sup>nd</sup> quarter 2016	3 <sup>rd</sup> quarter 2016	4 <sup>th</sup> quarter 2016	First half 2017	Second half 2017
<ul style="list-style-type: none"> <li>▪ <b>2A Implementation</b> – a temporary 0.3% tax increase to fund key community, culture and safety infrastructure projects as approved by voters in the 2014 ballot measure.</li> </ul>	<p>2A is a multi-departmental effort that requires close-interdepartmental coordination to create opportunities and efficiencies and reduce impacts to the community.</p> <p><b>Project Coordinators:</b> Joanna Crean &amp; Joel Wagner</p> <p>Note: Civic Area project hours are included in the separate Civic Area section.</p>	<p>Key Tasks:</p> <ul style="list-style-type: none"> <li>▪ Public outreach/open houses</li> <li>▪ Project design</li> <li>▪ Project construction</li> <li>▪ Civic Area Open House</li> <li>▪ Landmarks Board Presentation (Chautauqua)</li> </ul>	<p>Key Tasks:</p> <ul style="list-style-type: none"> <li>▪ Public outreach/open houses</li> <li>▪ Project design</li> <li>▪ Project construction</li> <li>▪ Project completion (Hill Irrigation, Eben G. Fine)</li> <li>▪ Open house to present final design (Chautauqua)</li> <li>▪ CEAP Committee Review</li> <li>▪ Board/Commission meetings: TAB/OSTB/PRAB</li> <li>▪ Landmarks Board Notice of Disposition to City Council for Potential call-up (Chautauqua)</li> </ul>	<p>Key Tasks:</p> <ul style="list-style-type: none"> <li>▪ Public outreach/open houses</li> <li>▪ Project design</li> <li>▪ Project construction</li> <li>▪ CEAP w/TAB &amp; PRAB recommendation to City Council for potential call-up (Boulder Creek Arapahoe Underpass)</li> <li>▪ Board/Commission brief presentation &amp; review &amp; recommendation joint meetings: TAB/ PRAB (Boulder Creek Arapahoe Underpass)</li> </ul>	<p>Key Tasks:</p> <ul style="list-style-type: none"> <li>▪ Public outreach/open houses</li> <li>▪ Project design</li> <li>▪ Project construction</li> <li>▪ Project completion (Dairy Center for the Arts)</li> <li>▪ Public Open House (Boulder Creek Arapahoe Underpass)</li> </ul>	<p>Key Tasks:</p> <ul style="list-style-type: none"> <li>▪ Project construction</li> <li>▪ Project completion (Chautauqua)</li> </ul>	<p>Key Tasks:</p> <ul style="list-style-type: none"> <li>▪ Project construction</li> <li>▪ Project completion (Boulder Creek Path &amp; Lighting, Hill Event Street, Civic Area, Public Art)</li> </ul>

<p><b>TMP Implementation:</b></p> <ul style="list-style-type: none"> <li>• Complete Streets: On-going O&amp;M, Safety Corridor Plans Capital Projects Renewed Vision for Transit</li> <li>• Regional</li> <li>• TDM</li> <li>• Funding</li> <li>• Integrated Planning</li> </ul> <p>*This Section is now combined with : Capital Improvement Projects for PW -Transportation</p>	<ul style="list-style-type: none"> <li>▪ PW-Transportation Division plus Communications, Comprehensive Planning, Community Vitality, Finance, City Attorney's Office</li> </ul>	<ul style="list-style-type: none"> <li>• Transportation Report on Progress</li> <li>• Corridor Plans – East Arapahoe, Canyon, 30<sup>th</sup> &amp; Colorado</li> <li>• Capital projects – construction on Diagonal, 28<sup>th</sup>, and Baseline</li> <li>• Pavement/Asset Management Program</li> <li>• Bikeways Enhancements, Maintenance</li> <li>• North Broadway reconstruction project – planning/design phase</li> <li>• US36 BRT and FLEX transit service begins</li> <li>• Local transit: HOP Study; mobility hub plans; first &amp; final mile connections, analysis of transit service delivery models with agency partners</li> <li>• Regional transit: SH7 &amp; SH119 BRT studies; joint maintenance facility planning with agency partners</li> </ul>	<ul style="list-style-type: none"> <li>• Safe Streets Boulder Report</li> <li>▪ Corridor plans</li> <li>▪ Capital projects</li> <li>• Pavement/Asset Management Program</li> <li>• Bikeways Enhancements, Maintenance</li> <li>▪ Living Lab program report</li> <li>▪ Local &amp; regional transit planning</li> <li>▪ Community-wide Eco Pass analysis</li> <li>▪ Analysis/review options for updating TDM plans for new development with stakeholders (coord with AMPS)</li> <li>▪ DRCOG funding for railroad quiet zones, comments to Federal Railroad Administration on national train horn rule</li> <li>▪ Transportation impact fee analysis, coordinate milestones with city's broader impact fee study</li> <li>▪ Board/Commission/Council updates on Civic Area access/parking/TDM programs</li> <li>▪ Community event with national panel of Complete Streets practitioners</li> </ul>	<ul style="list-style-type: none"> <li>• Corridor Plans</li> <li>• Capital projects</li> <li>• Pavement/Asset Management Program</li> <li>• Bikeways Enhancements, Maintenance</li> <li>▪ Local &amp; regional transit planning, including eastside circulator study with CU</li> <li>▪ Community-wide Eco Pass analysis</li> <li>▪ Refine options for updating TDM plans for new development with stakeholders/boards (coord with AMPS)</li> <li>▪ Transportation impact fee analysis, coordinate milestones with city's broader impact fee study</li> <li>▪ Outreach, agency/BNSF coordination for quiet zones</li> <li>• ADA transition plan</li> <li>• Monthly TAB updates</li> </ul>	<ul style="list-style-type: none"> <li>• Corridor Plans</li> <li>• Capital projects</li> <li>• Pavement/Asset Management Program</li> <li>• Bikeways Enhancements, Maintenance</li> <li>▪ Local &amp; regional transit planning</li> <li>▪ Community-wide Eco Pass study complete</li> <li>▪ Present revised/refined options for updating TDM plans for new development with boards/Council (coord with AMPS)</li> <li>▪ Transportation impact fee analysis, coordinate milestones with city's broader impact fee study</li> <li>▪ Outreach, agency/BNSF coordination for quiet zones</li> <li>• ADA transition plan</li> <li>• Monthly TAB updates</li> <li>▪ City Council Study Session – TMP Implementation Overview: Highlight Complete Streets, Funding, and Integrated</li> </ul>	<ul style="list-style-type: none"> <li>▪ Corridor plans</li> <li>▪ Capital projects</li> <li>• Pavement/Asset Management Program</li> <li>• Bikeways Enhancements, Maintenance</li> <li>▪ Local and regional transit planning</li> <li>▪ Community-wide Eco Pass next steps based on outcomes of 2016 study</li> <li>▪ TDM plans for new development based on outcomes from 2016</li> <li>▪ Transportation impact fees – next steps based on 2016</li> <li>▪ Develop plans for quiet zones based on outcomes from 2016</li> <li>▪ Report on completion of TMP action plan items from 2014-2016</li> <li>• Monthly TAB updates</li> <li>▪ City Council Study Session – TMP</li> </ul>	<ul style="list-style-type: none"> <li>▪ Continuation and completion of existing projects, plans, and programs from 2016-17</li> <li>• Pavement/Asset Management Program</li> <li>• Bikeways Enhancements, Maintenance</li> <li>▪ Begin work plan items based upon TMP “near term” Action Plan (2017-2020) based on work program capacity and available funding.</li> <li>▪ Prepare next edition of Transportation Report on Progress (draft Dec 2017, final document Feb 2018)</li> <li>• Monthly TAB updates</li> <li>▪ City Council Study Session – TMP Implementation Overview: Highlights include status report on TMP “near-term”</li> </ul>
--	---	--	--	---	---	--	--

		<ul style="list-style-type: none"> <li>Community-wide Eco Pass analysis with County/RTD</li> <li>Update TDM plans for new development (coord with AMPS)</li> <li>Transportation Impact Fee analysis (coord with city-wide broader impact fee study)</li> <li>Civic Area access, parking/TDM program monitoring</li> <li>Monthly TAB updates</li> </ul>	<p>(Spring)</p> <ul style="list-style-type: none"> <li>Monthly TAB updates</li> <li>City Council Study Session – <b>TMP Implementation Overview: Highlight on Complete Streets, including Canyon Corridor study, Living Lab Phase II – Folsom St. pilot project, and check-in on 2016-17 Renewed Vision for Transit work program</b></li> </ul>	<ul style="list-style-type: none"> <li>City Council Study Session – TMP Implementation Overview: Highlight on Renewed Vision for Transit, including Community-wide Eco Pass update</li> </ul>	Planning Focus Areas	Implementation Overview: Highlights include status report on TMP "immediate" action items (2014-2016)	action items (2017-2020)
<ul style="list-style-type: none"> <li><b>Valmont Butte</b> <ul style="list-style-type: none"> <li>Annexation</li> <li>BVCP Land Use Change</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>PH&amp;S Annexation Process</li> <li>PH&amp;S BVCP Land Use Change Consideration</li> <li>Outreach to stakeholders support</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholder outreach</li> <li>Joint hearings on BVCP requests</li> <li><b>Historical and Open Space Analysis</b></li> </ul>	<ul style="list-style-type: none"> <li>Historical and Open Space Analysis</li> <li><b>Meets and Bounds Survey</b></li> <li><b>Stakeholder outreach</b></li> </ul>	<ul style="list-style-type: none"> <li>Historical and Open Space Analysis</li> </ul>	<ul style="list-style-type: none"> <li>Landmark Submission &amp; potential call-up</li> </ul>		
<ul style="list-style-type: none"> <li><b>Water, Wastewater, Stormwater and Flood Utility Rate Study</b></li> </ul>	<ul style="list-style-type: none"> <li>A project manager has been dedicated, key SMEs are engaged, and funds are available.</li> <li>No impact to other departments.</li> </ul>	<ul style="list-style-type: none"> <li>Consultant contracting.</li> <li>Data analysis and WRAB consultation.</li> </ul>	<ul style="list-style-type: none"> <li>Data analysis and WRAB consultation.</li> </ul>	<ul style="list-style-type: none"> <li>Data analysis and WRAB consultation.</li> </ul>	<ul style="list-style-type: none"> <li>Possible implementation of certain recommendations through 2017 budget process.</li> </ul>	<ul style="list-style-type: none"> <li>Refine recommendations and WRAB consultation.</li> </ul>	<ul style="list-style-type: none"> <li>Implementation through 2018 budget process.</li> </ul>
<ul style="list-style-type: none"> <li><b>Citywide Special Events</b></li> </ul>	<ul style="list-style-type: none"> <li>Project Manager and Staff Time for event policy, review and operations</li> <li>Project Manager and Staff Time for meetings and collaborations</li> <li>IT Staff Time for SharePoint and Software development</li> <li>Purchase of Software, Memberships and Operational Tools</li> </ul>	<ul style="list-style-type: none"> <li>Complete criteria and standards for all events including rest periods, capacity, etc.</li> <li>Strengthen CU / City Collaboration with regular event mtgs (ongoing)</li> <li>City Council Events Update and review of the 2017-2018 Ironman Agreement renewal; Policy update under Matters from CMO with Council.</li> </ul>	<ul style="list-style-type: none"> <li><b>Complete Interim Special Event Policy</b></li> <li>Suggest Code and Policy changes for 2017</li> <li>Develop short and long term resource needs for 2017 budget</li> </ul>	<ul style="list-style-type: none"> <li>Develop cost recovery, cost and data collection methods</li> <li>Clarify city sponsorship policy</li> <li>Finalize 2017 budget</li> <li>City Council Events Update</li> </ul>	<ul style="list-style-type: none"> <li>Review special events policy, applications, event documents and websites for changes and updates</li> </ul>	<ul style="list-style-type: none"> <li>Complete updates to 2017 Special Event Policy</li> <li>Update criteria and standards for all events including rest periods, capacity, etc.</li> <li>City Council Events Update</li> </ul>	<ul style="list-style-type: none"> <li>Finalize Special Event web-based application and payment system</li> <li>City Council Events Update</li> </ul>

<ul style="list-style-type: none"> <li>▪ <b>Capital Improvement Projects for PW - Utilities</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ Bear Canyon Creek Flood Mitigation Study - Multi-year process.</li> <li>▪ Stormwater Collection System Master Plan Update - Multi-year process</li> <li>▪ Wastewater Collection System Master Plan Update - Multi-year process,</li> <li>▪ Skunk Creek, Bluebell Canyon Creek, and King's Gulch Floodplain Mapping Study - Multi-year process</li> <li>▪ Fourmile Canyon Creek Mitigation CEAP- Multi-year process</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪ Four mile Canyon Creek Mitigation CEAP Call Up Opportunity</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪ Bear Canyon Creek Flood Mitigation Study - Public Hearing/Action to Accept Study</li> <li>▪ Skunk Creek, Bluebell Canyon Creek, and King's Gulch Floodplain Mapping Study - Public Hearing/Action Item</li> <li>▪ Stormwater Collection System Master Plan Update - Public Hearing/Action Item to Accept Study</li> <li>▪ Wastewater Collection System Master Plan Update - Public Hearing/Action Item</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Capital Improvement Projects for PW - Transportation</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ Asset/Pavement Management Program</li> <li>▪ Sidewalk Repair Program</li> <li>▪ Bikeways Maintenance and Enhancements</li> <li>▪ Corridor Studies for Canyon Blvd/30<sup>th</sup> and Colorado</li> <li>▪ Transportation Capital Projects - Various</li> </ul>	<ul style="list-style-type: none"> <li>▪ Asset/Pavement Management Program</li> <li>▪ Sidewalk Repair Program</li> <li>▪ Bikeways Maintenance and Enhancements</li> <li>▪ Corridor Studies for Canyon Blvd/30<sup>th</sup> and Colorado</li> <li>▪ Transportation Capital Projects - Various</li> </ul>	<ul style="list-style-type: none"> <li>▪ Asset/Pavement Management Program</li> <li>▪ Sidewalk Repair Program</li> <li>▪ Bikeways Maintenance and Enhancements</li> <li>▪ Corridor Studies for Canyon Blvd/30<sup>th</sup> and Colorado</li> <li>▪ Transportation Capital Projects - Various</li> </ul>	<ul style="list-style-type: none"> <li>▪ Asset/Pavement Management Program</li> <li>▪ Sidewalk Repair Program</li> <li>▪ Bikeways Maintenance and Enhancements</li> <li>▪ Corridor Studies for Canyon Blvd/30<sup>th</sup> and Colorado</li> <li>▪ Transportation Capital Projects - Various</li> </ul>	<ul style="list-style-type: none"> <li>▪ Asset/Pavement Management Program</li> <li>▪ Sidewalk Repair Program</li> <li>▪ Bikeways Maintenance and Enhancements</li> <li>▪ Corridor Studies for Canyon Blvd/30<sup>th</sup> and Colorado</li> <li>▪ Transportation Capital Projects - Various</li> </ul>	<ul style="list-style-type: none"> <li>▪ Asset/Pavement Management Program</li> <li>▪ Sidewalk Repair Program</li> <li>▪ Bikeways Maint and Enhancements</li> <li>▪ Corridor Studies for Canyon Blvd/30<sup>th</sup> and Colorado</li> <li>▪ Transportation Capital Projects - Various</li> </ul>	<ul style="list-style-type: none"> <li>▪ Asset/Pavement Management Program</li> <li>▪ Sidewalk Repair Program</li> <li>▪ Bikeways Maint and Enhancements</li> <li>▪ Corridor Studies for Canyon Blvd/30<sup>th</sup> and Colorado</li> <li>▪ Transportation Capital Projects - Various</li> </ul>

## **COUNCIL MEMBERS**

Suzanne Jones	Mayor
Mary Young	Mayor Pro Tem
Matthew Appelbaum	Council Member
Aaron Brockett	Council Member
Jan Burton	Council Member
Lisa Morzel	Council Member
Andrew Shoemaker	Council Member
Sam Weaver	Council Member
Bob Yates	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
Lynnette Beck	City Clerk
Patrick von Keyserling	Communications Director
David Driskell	Executive Director for the Department of Planning, Housing Sustainability
Molly Winter	Director of Community Vitality
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
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	Transportation Director
Jeff Arthur	Utilities Director

## 2016 City Council Committee Assignments

### INTERGOVERNMENTAL ORGANIZATIONS

Beyond the Fences Coalition	Morzel (Castillo – staff alternate)
Boulder County Consortium of Cities	Young, Burton (alternate)
Colorado Municipal League (CML) – Policy Committee	Jones, Appelbaum (Castillo – staff alternate)
Denver Regional Council of Governments (DRCOG)	Brockett, Appelbaum (alternate)
Housing Authority (Boulder Housing Partners)	Shoemaker
Metro Mayors Caucus	Jones
National League of Cities (NLC)	Appelbaum
Resource Conservation Advisory Board (RCAB)	Morzel
Rocky Flats Stewardship Council	Morzel, Weaver (alternate) (Castillo – 2 <sup>nd</sup> staff alternate)
University of Colorado (CU)/City Oversight Committee	Weaver, Yates, Burton
US 36 Mayors/Commissioners Coalition (MCC)	Jones
US 36 Commuting Solutions	Burton, Morzel (alternate)
Urban Drainage and Flood Control District	Young

### LOCAL ORGANIZATIONS

Boulder Museum of Contemporary Art (BMoCA)	Shoemaker
Boulder Convention and Visitors Bureau	Burton, Yates (alternate)
Colorado Chautauqua Board of Directors	Morzel
Dairy Center for the Arts	Brockett
Downtown Business Improvement District Board	Weaver, Yates

### INTERNAL CITY COMMITTEES

Audit Committee	Shoemaker, Yates, Weaver
Boards and Commissions Committee	Appelbaum, Burton
Boulder Urban Renewal Authority (BURA)	Yates
Boulder Valley Comprehensive Plan (BVCP) Process Sub-Committee	Brockett, Weaver
Charter Committee	Morzel, Weaver, Young
Civic Use Pad/9 <sup>th</sup> and Canyon	Morzel, Young
Council Retreat Committee	Morzel, Yates
Council Employee Evaluation Committee	Morzel, Shoemaker
Housing Strategy Process Sub-Committee	Morzel, Young, Burton
Legislative Committee	Jones, Weaver, Appelbaum
School Issues Committee	Morzel, Shoemaker, Young

### SISTER CITY REPRESENTATIVES

Jalapa, Nicaragua	Brockett
Kisumu, Kenya	Morzel
Llaza, Tibet	Shoemaker
Dushanbe, Tajikistan	Yates
Yamagata, Japan	Burton
Mante, Mexico	Young
Yateras, Cuba	Weaver
Sister City Sub-Committee	Morzel, Burton, Young

DRAFT  
2016 Study Session Calendar

Date	Topic	Time	Location	Contacts	Materials Due
Thurs, 10/13/2016	Joint "Special Meeting" with Planning Board for the BVCP update on Scenarios (See Council Meetings)	6:00-9:00	Chambers	Lesli Ellis/Emily Richardson	09/29/16
	Legislative Agenda Items	5:30-6:00	Chambers	Carl Castillo/D Marshall	
10/25/2016	30th and Pearl Redevelopment Options	6:00-7:30	Chambers	Eric Ameigh/Emily Richardson	10/13/16
	Middle Income Housing Strategy Subcommittee Report	7:30-9:00	Chambers	Kurt Firnhaber/E Richardson	10/13/16
Thurs 11/10/2016	Joint "Special Meeting" with Planning Board BVCP update	6:00-9:00	Chambers	Lesli Ellis/Emily Richardson	10/27/16
11/22/16	No Meeting- Thanksgiving Week				
	Updated and discussion of the Resilience Strategy- HOLD	6-7 p.m.		G. Guibert/A. Large	11/17/16
11/29/16	Renewed Vision for Transit Update	7-9 p.m.	Chambers	Randall Rutsch/M Schleske	11/17/16
12/13/16	Special Meeting for BVCP Deliberation of 4 Body Review and Public Hearing for Nablus Sister City Application and (Kathmandu -if application is reviewed as complete)	6-9 p.m.	Chambers	Planning Dept and CCO	12/01/16
12/27/16	No Meeting- Christmas Week				
Moved/Changed Items	Update Regarding Community Survey	6:00 - 6:15	Chambers	Patrick von Keyserling	IP 7/19/16
	Residential and Commercial Energy Codes: Long Term Strategy	7:45 - 9:15	Chambers	Kendra Tupper/M Melton	IP 7/19/16
	Check in for 100 Resilient Cities	7:30-9:00	Chambers	Greg Guibert/Dianne Marshall	IP 8/2/16
	Briefing - Community Dashboard	5:30-6:00	Chambers		TBD
	Middle Income Housing Strategy Subcommittee Report	8-9:00	Chambers	David Driskell/M Melton	SS 10/25/16
	Community Perception Assessment Report	6:00-7:30	Chambers	Tammye Burnette/D Marshall	TBD for 2017
	Human Services Strategy Draft	7:30-9:00	Chambers	Karen Rahn, Corina Marin	02/14/17
	Framework for Lease Negotiations (BMoCA and the Dairy Arts Center)	6:00-7:30	Chambers	Joe Castro/Celia Seaton	01/17/17
AMPS and CAGID Development Projections	7:30-9:00	Chambers	Jay Sugnet/Ruth Weiss	IP - 11/15/16	
	Development Related Impact Fees and Excise Tax	8:30-10	Chambers	Chris Meschuk	SS 8/30/16



# City Council Meeting

DRAFT Meeting Agenda - 6 p.m.

Tuesday, October 18, 2016

10/6/2016	Preliminary Materials Due
10/12/2016	Final Materials Due

Gray cells will be calculated for you. You do not need to enter anything in them.

City Council Meeting DRAFT Calendar

Start	End	Min	Time	Item	PP	CAO	Contact
6:00 PM				<b>CALL TO ORDER AND ROLL CALL</b>			
6:00 PM	6:15 PM	15 min	0:15	Community Foundation Report from Josie Heath			Jan Burton
6:15 PM	6:45 PM	30 min	0:30	Update on Department of Commerce -Boulder Campus			Carl Castillo/D Marshall
6:45 PM	7:30 PM	45 min	0:45	<b>OPEN COMMENT AND COUNCIL/STAFF RESPONSE</b>			
7:30 PM	7:45 PM	15 min	0:15	<b>CONSENT AGENDA</b>			
				Call special meetings for Nov 10- Joint Meeting with PB to continue the BVCP hearing and Dec 13- Nablus and Kathmandu Sister City Applications	N	N	H Leatherwood
				1st Rdg Boulder Community Hospital Riverbend facility at 4801 Riverbend- Rezoning and Height ord	N	Y	Karl Guiler/ E. Richardson
				Consideration of a motion approving the proposed 2016 budget operating plan and board reappointments for the Downtown Boulder Business Improvement District.			Sue Hempstead VP Finance Downtown Boulder; 449-1582
				Reimbursement Resolution for University Hill Parking Garage COPs	N	N	Joel Wagner/Elena Lazarevska
				Resolutions for County Sustainability and Open Space measures (1B and 1C)	N	N	Carl Castillo/D Marshall
				1st Rdg 3200 Bluff (Air Gas Site) Rezoning	N	Y	Karl Guiler/ E. Richardson
				Consideration of a Motion to Approve a Confidential Settlement	N	N	C. Markel/L. Thompson
				<b>CALL-UP CHECK IN</b>			
				<b>PUBLIC HEARINGS</b>			
7:45 PM	9:15 PM	90 min	1:30	2nd Reading of 2017 COB Budget Ordinances: Budget, Mill Levy, Appropriations, Fees	Y	N	Peggy Bunzli/Devin Billingsley
				UHGID2 2017 Budget Hearing and Resolution: Budget, Mill Levy, appropriations	Y	N	Peggy Bunzli/Devin Billingsley
				CAGID 2017 Budget Hearing and Resolutions; Budget, Mill Levy, Appropriations	Y	N	Peggy Bunzli/Devin Billingsley
				Forest Glen GID Budget Hearing and Resolutions; Budget, Mill Levy, Appropriations	Y	N	Peggy Bunzli/Devin Billingsley
				BJAD- Parking GID Budget Hearing and Resolutions; Budget, Mill Levy, Appropriations	Y	N	Peggy Bunzli/Devin Billingsley
				BJAD TDM GID Budget Hearing and Resolutions; Budget, Mill Levy, Appropriations	Y	N	Peggy Bunzli/Devin Billingsley
				BMPA Budget Resolution	Y	N	Peggy Bunzli/Devin Billingsley
9:15 PM	10:15 PM	60 min	1:00	Continuation of Public Hearing for 55th & Arapahoe Annexation Ordinances 8139 & 8140	Y	Y	Kathy Haddock/CAO
				<b>MATTERS FROM CITY MANAGER</b>			
10:15 PM	10:45 PM	30 min	0:30	Update on Hillard Heintze Recommendations	Y	N	Chief Testa/T Burnette
10:45 PM	11:15 PM	30 min	0:30	Update seeking Direction on Exploration of Head Tax	N	N	CAO
11:15 PM	11:30 PM	15 min	0:15	Update & discussion of Resilience Strategy	Y	N	Guibert/E Kantor
				<b>MATTERS FROM CITY ATTORNEY</b>			
				<b>MATTERS FROM MAYOR AND MEMBERS OF COUNCIL</b>			
11:30 PM	11:40 PM	10 min	0:10	Nod of Five to pursue an agreement with the Downtown Boulder Business Improvement District regarding the Pearl West Theater development			
				<b>CALL-UPS</b>			
				4780 Valmont Rd-Vacation of a waterline easement			E Richardson
				2440 Junction Place- Vacation of a drainage easement			C Hill/E Richardson
				<b>Total</b>			
			5:40	If adding your item would bring the total estimated time to over 4 hours, please choose another meeting date. "The council's goal is that all meetings be adjourned by 10:30 p.m." - Title 2 Appendix, Council Procedure, B.R.C. 1981.			



# City Council Meeting

DRAFT Meeting Agenda - 6 p.m.

Tuesday, November 1, 2016

10/20/2016		Preliminary Materials Due
10/26/2016		Final Materials Due

Gray cells will be calculated for you. You do not need to enter anything in them.

City Council Meeting DRAFT Calendar

Start	End	Min	Time	Item	PP	CAO	Contact
6:00 PM	6:05 PM	5 min	0:05	<b>CALL TO ORDER AND ROLL CALL</b>			
6:05 PM	6:50 PM	45 min	0:45	<b>OPEN COMMENT AND COUNCIL/STAFF RESPONSE</b>			
6:50 PM	7:05 PM	15 min	0:15	<b>CONSENT AGENDA</b>			
				3rd Reading 2017 Budget			Peggy Buzli/Devin Billingsly
				1st Rdg of Development Related Impact Fees and Excise Taxes	N	Y	Chris Meschuk/E Richardson
				1st Rdg MJ Code Changes- HOLD			CAO
				<b>CALL-UP CHECK IN</b>			
				<b>PUBLIC HEARINGS</b>			
7:05 PM	7:50 PM	45 min	0:45	Council deliberation to address public requests for changes to the BVCP land use map for four properties within city limits for Area I (no new testimony taken)	Y	N	Lesli Ellis/E Richardson
7:50 PM	8:20 PM	30 min	0:30	2nd Reading Boulder Community Hospital Riverbend facility at 4801 Riverbend- Rezoning and Height ord	Y	Y	Karl Guiler/E Richardson
8:20 PM	8:35 PM	15 min	0:15	2nd Reading 3200 Bluff (Air Gas Site) Rezongg	Y	Y	Karl Guiler/E Richardson
8:35 PM	8:50 PM	15 min	0:15	2nd Reading for 2935 19th Street- Landmark Designation	Y	N	J Hewat/E Richardson
				<b>MATTERS FROM CITY MANAGER</b>			
8:50 PM	10:50 PM	120 min	2:00	1550 Eisenhower Dr. Call-up Hearing (East Pointe Apartments)	Y	N	Elaine McLaughlin/E Richardson
				<b>MATTERS FROM CITY ATTORNEY</b>			
				<b>MATTERS FROM MAYOR AND MEMBERS OF COUNCIL</b>			
10:50 PM	11:10 PM	20 min	0:20	Mayoral Pro Tem Indications of Intent			
				<b>CALL-UPS</b>			
				9th & Broadway Civic Area- Floodplain Development Permit and a Stream, Wetlandm, and Water Body Permit	N	N	Jessica Stevens/ E Richardson
				BCH Riverbend Site and Use Review			E Richardson
				<b>Total</b>			
			5:10	<b>If adding your item would bring the total estimated time to over 4 hours, please choose another meeting date. "The council's goal is that all meetings be adjourned by 10:30 p.m." - Title 2 Appendix, Council Procedure, B.R.C. 1981.</b>			











TO: Mayor and Members of City Council  
FROM: Jordan Matthews, City Clerk's Office  
DATE: October 18, 2016  
SUBJECT: Information Packet

---

**1. CALL UPS**

- A. Vacation of a 10,837 square foot drainage easement along the east and south portions of the property located at 2440 Junction Place. (ADR2015-00236).
- B. Landmark Alteration Certificate to demolish a non-contributing garage (constructed in 1952), and in its place construct a new 728 sq. ft. two-car garage at 541 Marine St. in the Highland Lawn Historic District per section 9-11-18 of the Boulder Revised Code 1981 (HIS2016-00213).
- C. Vacation of a 5,140 square foot portion of a waterline easement located at 4780 Valmont Road (ADR2016-00212).

**2. INFORMATION ITEMS**

- A. EET Final Report
- B. Recap of 2016 Food Tax Rebate Program
- C. Update on Chautauqua Pedestrian Safety, Access and Lighting Improvements

**3. BOARDS & COMMISSIONS**

- A. Beverage Licensing Authority – September 21, 2016
- B. Environmental Advisory Board – August 3, 2016
- C. Environmental Advisory Board – September 7, 2016
- D. Library Commission – July 30, 2016
- E. Library Commission – August 3, 2016
- F. Planning Board – August 11, 2016
- G. Planning Board – August 25, 2016
- H. Planning Board – September 15, 2016

**4. DECLARATIONS**

- A. 2016 United Nations Day – October 24



## INFORMATION PACKET MEMORANDUM

To: Mayor and Members of City Council

From: Jane S. Brautigam, City Manager  
David Driskell, Executive Director of Planning, Housing and Sustainability  
Susan Richstone, Deputy Director of Planning, Housing and Sustainability  
Charles Ferro, Development Review Manager  
Caeli Hill, Associate Planner

Date: October 18, 2016

**Subject: Call-Up Item:** Vacation of a 10,837 square foot drainage easement along the east and south portions of the property located at 2440 Junction Place. (ADR2015-00236).

---

### **EXECUTIVE SUMMARY:**

The applicant requests vacation of a 10,837 square foot drainage easement at 2440 Junction Place (refer to **Attachment D** for exact location) in order to construct a commercial development, referred to as “The Commons”. The easement was originally dedicated on the plat for the Steel Yards subdivision, recorded July 26, 2000. There is no longer a public need for this easement because a new easement has been dedicated in a configuration that is consistent with the new development on the property and will serve the same function as the current easement. Additionally, the subject easement vacation is a requirement of the Planning Board’s Site Review approval on August 20, 2015. The proposed vacation was approved by staff on Sept. 27, 2016. There are two scheduled City Council meetings within the 30-day call-up period on Oct. 4, 2016 and Oct. 18, 2016.

### **CODE REQUIREMENTS:**

Pursuant to the procedures for easement vacations set forth in subsection 8-6-10(b), B.R.C. 1981, the city manager has approved the vacation of a 10,837 square foot drainage easement. The date of final staff approval of the easement vacation was Sept. 27, 2016 (refer to **Attachment E**, *Notice of Disposition*). This vacation does not require approval through ordinance based on the following criteria:

- It has never been open to the public; and
- It has never carried regular vehicular or pedestrian traffic.

The vacation will be effective 30 days later on Oct. 27, 2016, unless the approval is called up by City Council.

**FISCAL IMPACTS:**

None identified.

**COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:**

Economic: None identified.

Environmental: None identified.

Social: None identified.

**BACKGROUND:**

The subject property is approximately 1.34 acres in area and is located within Boulder Junction, directly east of the Steel Yards development (refer to Attachment A, *Vicinity Map*). The site is located in a Mixed- Use 4 (MU-4) zone district. The applicant has obtained Site Review approval (LUR2015-00048) to construct 100,000 square feet, of professional offices, restaurant space and flex space. Additionally, the site was approved as a mobility hub that includes car share programs and B-cycle stations, a central public plaza and multiple multi-modal connectors through the site. The property is encumbered by a 10, 837 square foot drainage easement on the east and south portions of the property which would inhibit the development of this site in accordance with the Site Review Amendment approval. Vacation of the subject easement was a condition of approval for the Site Review.

The easement to be vacated was originally dedicated on the plat for the Steel Yards subdivision (Reception no. 2064117) for water quality ponds and related storm sewer piping. There is a manhole and a stormwater inlet located in the current easement. However, these utilities and functions will be located within newly dedicated easements which are already in process. Approval of the easement has been submitted from electric/gas, telephone and cable company representatives.

Given that there is no public need for the easement for which it was intended, failure to vacate the requested easement would cause hardship to the property owner by limiting the development potential of the property.

**ANALYSIS:**

Staff finds the proposed vacation of a drainage easement consistent with the standards set forth in subsection (b) of section 8-6-10, “*Vacation of Public Easements*”, B.R.C. 1981. Specifically, staff has determined that no public need exists for the easement to be vacated because new easements will be dedicated to replace the function of the current easement.

No vacation of a public easement shall be approved unless the approving agency finds that:

- ✓ 1. Change is not contrary to the public interest.
- ✓ 2. All agencies having a conceivable interest have indicated that no need exists, either in the present or conceivable future, for its original purpose or other public purpose.
- ✓ 3. Consistent with the Comprehensive Plan and Land Use Regulations.

- ✓ a. Failure to vacate the easement would cause a substantial hardship to the use of the property consistent with the Comprehensive Plan and Land Use Regulations; or

*This property is designated as Mixed Use Business in the Boulder Valley Comprehensive Plan (BVCP) and is being developed consistent with this land use designation. The subject easement is no longer necessary because new easements will be/ have been dedicated in a new configuration that are consistent with new development on the property and provide the same function(s) as the current easement.*

- N/A b. Would provide a greater public benefit than retaining the property in its present status.

**PUBLIC COMMENT AND PROCESS:**

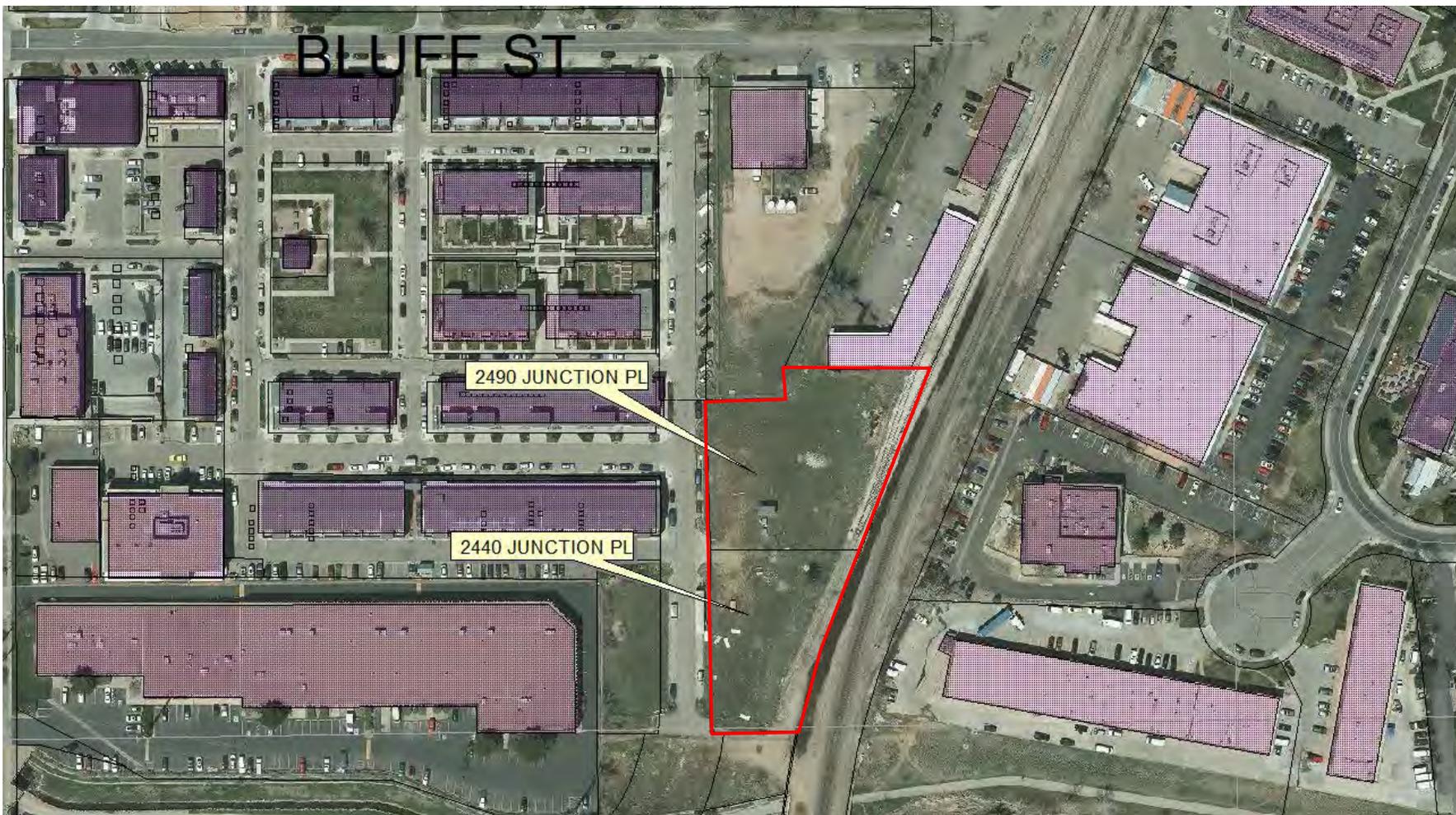
Notice of the vacation will be advertised in the Daily Camera within the 30-day call up period. Staff has received no written or verbal comments averse to the vacation.

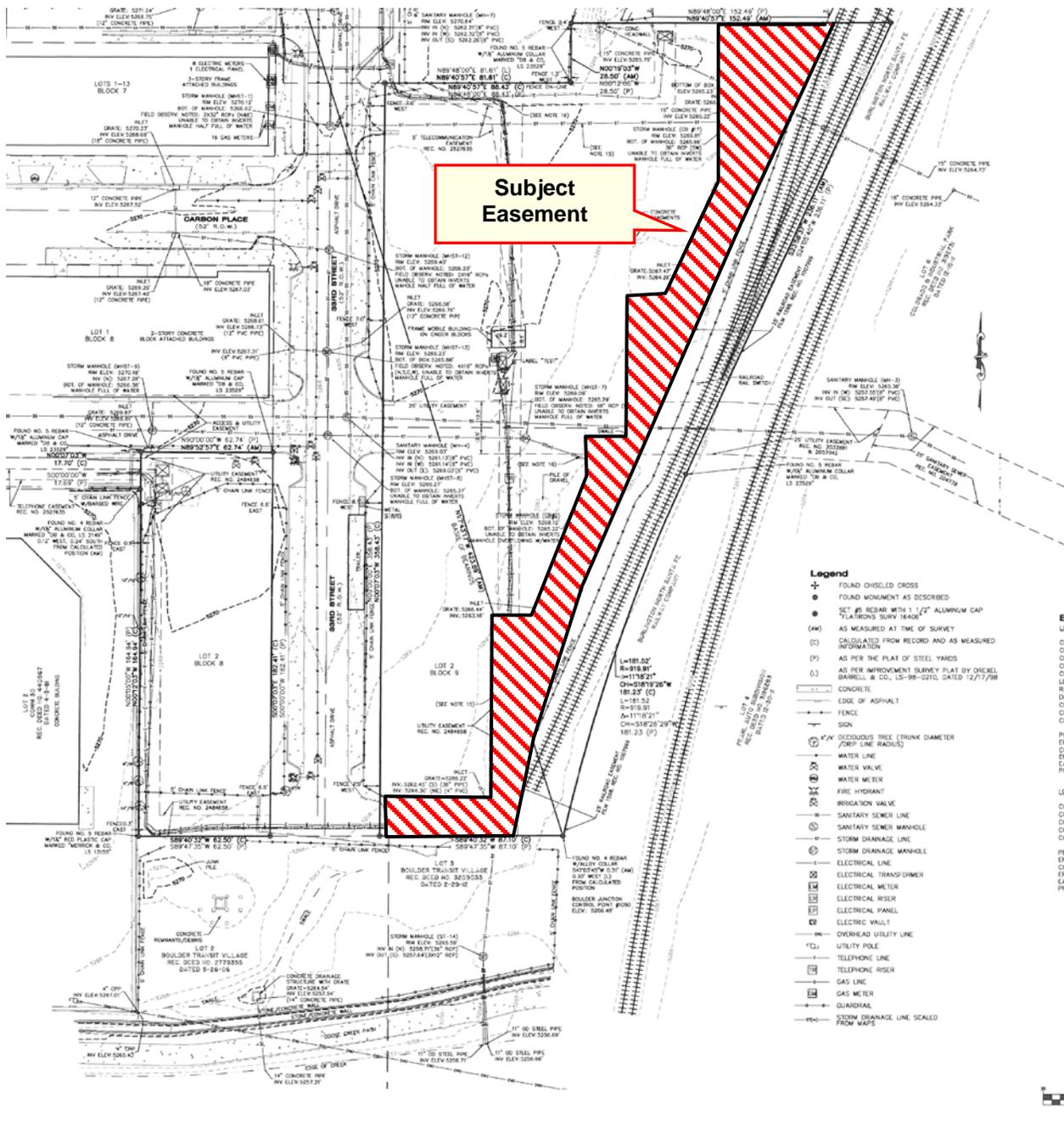
**NEXT STEPS:**

If the requested vacation is not called up by City Council then the Deed of Vacation (**Attachment C**) will be recorded. If the requested vacation is called up, and subsequently denied, the applicant will be limited to development on the property outside of the easement area.

**ATTACHMENTS:**

- Attachment A: Vicinity Map
- Attachment B: Site Plan
- Attachment C: Deed of Vacation
- Attachment D: Exhibit A
- Attachment E: Notice of Disposition





For Administrative Purposes Only  
Address: 2440 Junction Place  
Case No. : ADR2015-00236

**DEED OF VACATION**

The City of Boulder, Colorado, does hereby vacate and release to the present owner of the subservient land, in a manner prescribed by Subsection 8-6-10(b), B.R.C. 1981, a drainage easement previously dedicated to the City of Boulder on the final plat of Steel Yards subdivision recorded in the records of the Boulder County Clerk and Recorder at Reception No. 2064117 on the 26th day of July, 2000 located at 2440 Junction Place 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 2440 Junction Place 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.

CITY OF BOULDER, COLORADO

By: \_\_\_\_\_  
Jane S. Brautigam, City Manager

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
City Attorney's Office

12-16-15  
Date

# EXHIBIT "A"

LOCATED IN THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH,  
RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO  
SHEET 1 OF 2

VACATION OF A DRAINAGE EASEMENT OVER AND ACROSS PORTIONS OF LOTS 1 AND 2, BLOCK 9, STEEL YARDS SUBDIVISION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF SAID LOT 1 TO BEAR NORTH 89°40'57" EAST, A DISTANCE OF 152.49 FEET BETWEEN A FOUND NO. 5 REBAR WITH 1½" ALUMINUM COLLAR, MARKED "DB & CO LS 23529" AND A FOUND 18" NO. 5 REBAR WITH 1½" ALUMINUM CAP, MARKED "FLATIRONS SURV 16406", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89°40'57" WEST, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 27.19 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 23°58'37" WEST, A DISTANCE OF 224.82 FEET TO A POINT ON A TANGENT CURVE; THENCE 192.22 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 944.91 FEET, AN INCLUDED ANGLE OF 11°39'20" AND SUBTENDED BY A CHORD BEARING SOUTH 18°08'57" WEST, A DISTANCE OF 191.89 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2; THENCE SOUTH 89°40'32" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 61.46 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 33RD STREET, SAID POINT ALSO ON THE WEST LINE OF SAID LOT 2; THENCE NORTH 00°07'03" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 19.01 FEET; THENCE NORTH 89°52'57" EAST, A DISTANCE OF 52.00 FEET; THENCE NORTH 00°07'03" WEST, A DISTANCE OF 86.71 FEET; THENCE NORTH 89°52'57" EAST, A DISTANCE OF 19.22 FEET; THENCE NORTH 21°09'50" EAST, A DISTANCE OF 69.66 FEET; THENCE NORTH 00°07'03" WEST, A DISTANCE OF 19.76 FEET; THENCE NORTH 89°52'57" EAST, A DISTANCE OF 19.00 FEET; THENCE NORTH 00°07'03" WEST, A DISTANCE OF 67.44 FEET; THENCE NORTH 89°52'57" EAST, A DISTANCE OF 18.47 FEET; THENCE NORTH 23°57'31" EAST, A DISTANCE OF 61.35 FEET; THENCE NORTH 00°07'03" WEST, A DISTANCE OF 73.64 FEET TO A POINT ON SAID NORTH LINE; THENCE NORTH 89°40'57" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 54.62 FEET, MORE OR LESS, TO THE A POINT OF BEGINNING.

SAID EASEMENT CONTAINING 10,837 SQ. FT. OR 0.25 ACRES, MORE OR LESS.

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.



JOHN B. GUYTON  
COLORADO P.L.S. #16406  
CHAIRMAN/CEO, FLATIRONS, INC. JOB NO. 15-66,862

JOB NUMBER: 15-66,862-DRNG  
DRAWN BY: E. DAVIS  
DATE: OCTOBER 26, 2015

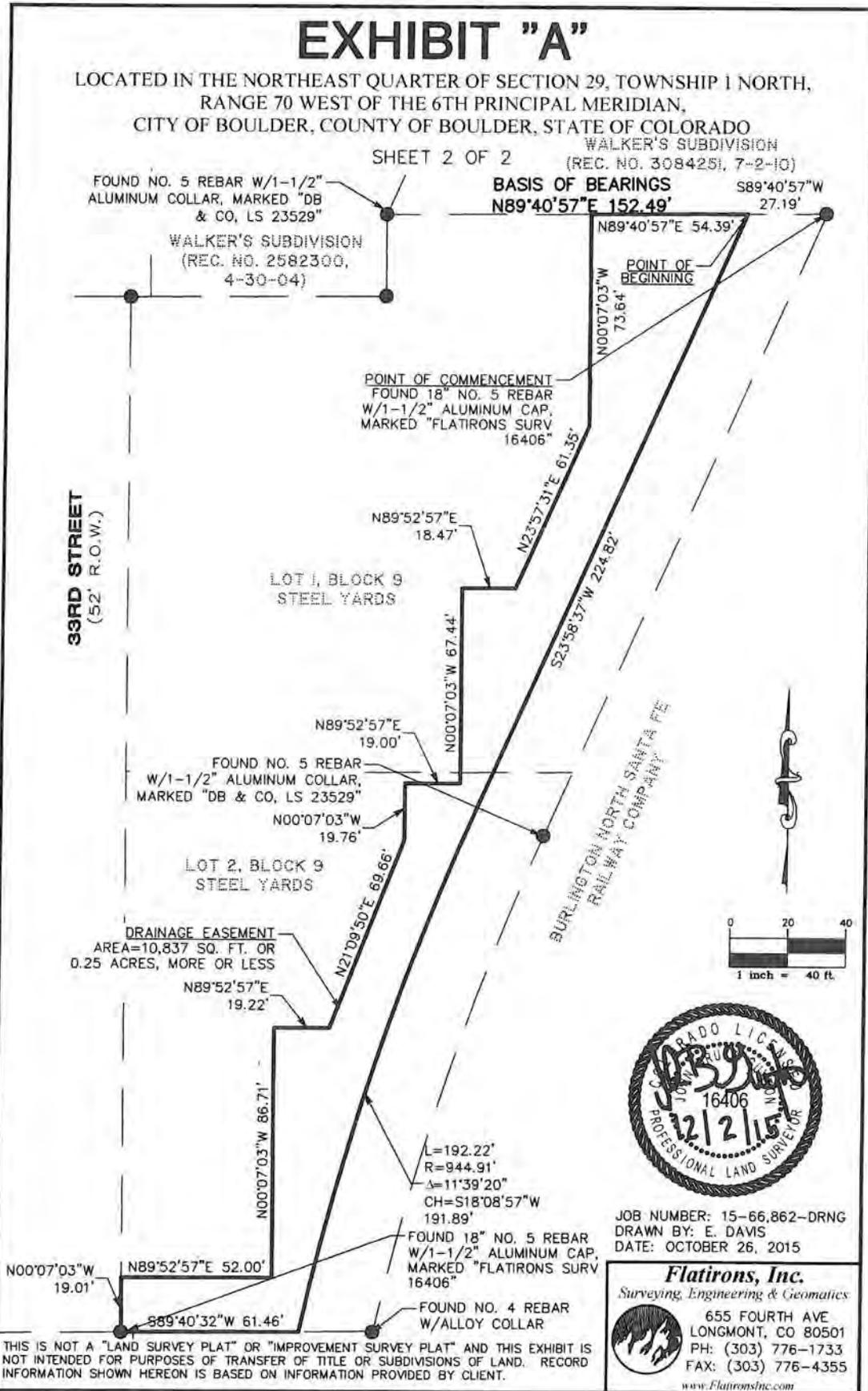
THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

**Flatirons, Inc.**  
Surveying, Engineering & Geomatics



655 FOURTH AVE  
LONGMONT, CO 80501  
PH: (303) 776-1733  
FAX: (303) 776-4355  
[www.flatironsinc.com](http://www.flatironsinc.com)

BY: E.DAVIS FILE: 66862-VACA ESMITS (C15).DWG DATE: 12/2/2015 1:34 PM



BY: E.DAVIS FILE: 66862-VACA ESMTS (C15).DWG DATE: 12/2/2015 1:34 PM





## INFORMATION PACKET MEMORANDUM

To: Members of City Council

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

Date: October 18, 2016

**Call-up Item:** Landmark Alteration Certificate to demolish a non-contributing garage (constructed in 1952), and in its place construct a new 728 sq. ft. two-car garage at 541 Marine St. in the Highland Lawn Historic District per section 9-11-18 of the Boulder Revised Code 1981 (HIS2016-00213). This Landmark Alteration Certificate is subject to City Council call-up no later than **October 18, 2016**.

---

### Executive Summary

The proposal is to demolish a non-contributing garage (constructed in 1952), and in its place construct a new 728 sq. ft. two-car garage at 541 Marine St. was approved with conditions by the Landmarks Board (3-0; **E. Budd** absent, **F. Sheets** recused) at the October 5, 2016 meeting.

This decision was based upon and agreement with staff's opinion that with the conditions listed in the memorandum, the proposed construction of a two-car garage will be generally consistent with the conditions as specified in Section 9-11-18(a)&(b)(1-4) B.R.C., the *Highland Lawn Historic District Design Guidelines* and the *General Design Guidelines*.

The board's approval is subject to a 14-day call-up period by City Council. The approval of this Landmark Alteration Certificate is subject to City Council call-up no later than **October 18, 2016**.

### ATTACHMENTS:

Attachment A: Notice of disposition dated October 18, 2016  
Attachment B: Application and Plans

**Notice of Disposition**

You are hereby advised that on October 5, 2016 the following action was taken:

**ACTION:** Approved by a vote of 3-0 (**E. Budd** absent and **F. Sheets** recused)

**APPLICATION:** Public hearing and consideration of a Landmark Alteration Certificate to demolish a non-contributing garage (constructed in 1952), and in its place construct a new 728 sq. ft. two-car garage at 541 Marine St. in the Highland Lawn Historic District per Section 9-11-18 of the Boulder Revised Code (HIS2016-00213).

**LOCATION:** 541 Marine St.

**ZONING:** RL-1 (Residential Low-1)

**OWNER/APPLICANT:** Sarah and Chris Cottingham / Rachel Lee, Mosaic Architects & Interiors

This decision was arrived at based on the purposes and intent of the Historic Preservation Code as set forth in 9-11 18, B.R.C., 1981, as applied to the Landmark Alteration Certificate application.

**Public Hearing:**

**Jane Snyder**, 1701 15th St., architect from Mosaic Architects & Interiors, also working on the project, spoke in support of demolition and approval of massing 609 sq. ft., especially because the alley is non-contributing and handed out a map showing the building footprints in the Highland Lawn Historic District.

**Motion:**

On a motion by **B. Butler**, and seconded by **D. Yin** voted and approved (3-0; **E. Budd** absent, **F. Sheets** recused) this landmark alteration certificate application to demolition of the barn and to construct a new, two-car garage with at the contributing property at 541 Marine Street in the Highland Lawn Historic District in that the proposed construction meets the requirements set forth in Chapter 9-11-18, B.R.C. 1981, subject to the conditions below, and adopts this memorandum as findings of the board.

**CONDITIONS OF APPROVAL**

1. The applicant shall be responsible for ensuring that the development shall be constructed in compliance with all approved plans on file in the City of Boulder Planning Department, except as modified by these conditions of approval.
2. Prior to a building permit application, the applicant shall submit, subject to the final review and approval of the Landmarks design review committee, architectural plans for a two-car

garage that is smaller than the proposed 728 sq. ft., with a vertical mass and roof pitch/configuration complimentary to the historic house, and is narrower in width; and in addition, include the racking and type of solar panels for the photovoltaic system.

3. Architectural plans indicating exterior materials for the garage more in keeping with the design guidelines including one-over one windows, simplified garage doors, and details on roofing, siding, and paving materials. The applicant shall demonstrate that the design details are in compliance with the intent of this approval and the General Design Guidelines.

This recommendation is based upon staff's opinion that with the conditions listed above, the proposed construction of a two-car garage will be generally consistent with the conditions as specified in Section 9-11-18(a)&(b)(1-4) B.R.C., the Highland Lawn Historic District Design Guidelines and the General Design Guidelines.



September 8, 2016

CITY OF BOULDER HISTORIC PRESERVATION

RE: Application Number: HIS2016-00213  
Job Site Address: **541 MARINE ST**

Related City of Boulder Active Applications:

Remodel + Addition of Primary Structure: HIS2016-00036+PMT2016-02611  
Solar PV on non-contributing Accessory Structure: HIS2016-00164  
Administrative Setback Variance: ADR2016-00054

**Introduction**

This application is being submitted in support of the demolition of a non-contributing accessory structure and the subsequent new-construction of over 340 sq.ft. of free standing construction within the boundaries of the Highland Lawn Historic District.

The non-contributing accessory structure at 541 Marine Street first appears on Zoning Surveys and Assessors reports in 1973, with no mention of it prior to this date. According to a survey dated May 15, 1972, only one structure exists at 541 Marine Street. In the 2005 survey and designation of Marine Street, this accessory building was not found to be a contributing structure to the Highland Lawn Historic District (the historic primary structure at 541 Marine Street is a contributing Queen Anne home, built around 1900).

The accessory structure is rustic in nature, constructed in rough vertical board + batten siding, non-stained or sealed and has experienced deterioration of the building envelope. This deterioration is evident by the large gaps in the exterior siding, water damage to interior beams and general wear and tear. The interior structural system of the building has also been altered, to make adjustments for a modern garage door (per a previous owner) and was done so at the expense of structural floor joists and wall framing systems.

Given that the defined period of significance for the Highland Lawn Historic District is 1884 thru 1925, and that the garage does not reflect the architectural style of this district during that period, it is our feeling that this accessory structure is not part of the character defining style of this district. Additionally, in the Highland Lawn Historic District, Alley's are not considered significant historic elements of the district, due to the relatively low number of buildings from the period of interest. Many of our design considerations are sensitive to this

as well as a reduced roof slope, contribute to the proposed structure feeling appropriate as has been designed.

As it relates to the General Design Guidelines, our proposed new construction adheres to them as follows:

**7.2.1 It is inappropriate to introduce a new garage or accessory building if doing so will detract from the overall historic character of the principal building and the site, or if it will require removal of a significant historic building element or site feature, such as a mature tree.** It is our belief that the proposed accessory structure design will not detract from the primary building character, and in fact will be complementary and provide more design consistency to the site. Due to the uncharacteristic narrowness (in the Highland Lawn Historic District) of this lot at 40' wide, visibility to the rear of the property from Marine Street is virtually impossible. There are no mature trees that will be affected with this new construction.

**7.2.2 New garages and accessory buildings should generally be located at the rear of the lot, respecting the traditional relationship of such buildings to the primary structure and the site.** See 10.3.3 and 10.3.4 above for compliance and design consideration to this effect.

**7.2.3 Maintain adequate spacing between accessory buildings so alleys do not evolve into tunnel-like passageways.** The proposed structure is set back from the alley a distance of 12', and the Alley is 10' wide. This design consideration is also weighed with provision 7.2.4 (below) and 10.3.3 (above) to balance open space while still maintaining the garage at the rear of the lot.

**7.2.4 Preserve a backyard area between the house and the accessory buildings, maintaining the general proportion of built mass to open space found within the area.** Backyard play space was a very important consideration for the owners at 541 Marine Street. It is our belief that the proposed design addresses this concern and is sensitive to private open space found within the Highland Lawn Historic District.

**7.2.5 New accessory structures should take design cues from the primary structure on the site, but be subordinate to it in terms of size and massing.** The proposed structure is complementary in both exterior material (siding, trim, soffit, window material) and color to the primary structure, while still maintaining a subordinate nature. Scale and ornamentation in the accessory structure have both been reduced.

**7.2.6 New garages for single-family residences should generally be one story tall and shelter no more than two cars. In some cases, a two-car garage may be inappropriate.** See 10.3.5 and 10.3.6 above for compliance and design consideration to this effect.

**7.2.7 Roof form and pitch should be complimentary to the primary structure.** The proposed roof pitch for the accessory structure is 8:12 (dormer is 3:12). The existing (and addition) roof pitch are 12:12 (dormers are 5:12). It is our feeling that an 8:12 garage pitch is complementary to the primary structure and also aids in reducing the scale of a modest accessory structure and helps in keeping this structure secondary to the main structure.

170115th Street, Ste.C Boulder, CO 80302 p: 303.247.1100 f: 303.247.1101  
www.mosaicarchitects.com

statement and consider the impact of the new garage regarding visibility from Marine Street (which for this particular 40' wide property, is extremely limited).

We propose with this application, and consistent with the Highland Lawn Historic District Guidelines and the General Design Guidelines, that the non-contributing accessory structure be demolished and a new accessory structure be constructed.

This proposal also requests the installation of a 4.02 kw PV Array on the east roof face of the new garage. A lower slope roof on the east maximizes the energy return of the panels while also minimizing visibility from neighboring lots, Marine Street and Turner Alley. This energy efficient requirement is part of the required HERS rating for Building Permit PMT2016-02611 and has previously been approved, with regard to panel size, style and mounting rack, with HIS2016-00164.

It is our understanding that when the General Design Guidelines and the Highland Lawn Historic District Guidelines are in conflict, the District specific Guidelines take precedence.

### **Demonstration of Compliance**

As it relates to the Highland Lawn Historic District, our proposed new construction adheres to the District Guidelines in the following manner:

**10.3.1 It is highly recommended, though not required, that contributing accessory buildings be treated consistent with the guidelines of Section 7.1 of the *General Design Guidelines*.** See Below

**10.3.3 The construction of new accessory buildings should occur only at the rear of the lot, taking access from the alley when possible.** The proposed design is consistent with this guideline. The structure is proposed at the rear of the lot and takes vehicular access from Turner Alley.

**10.3.4 In general, new accessory buildings constructed in the district should be modest in scale and detailing and clearly secondary to the primary building on the lot.** The proposed accessory structure is 1 story in height and is set 3'-5' lower on the site than the primary structure, due to sloping grade. Additionally, detailing, while complementary to and taking cues from the primary structure, is modest, simple and clearly secondary to the primary residential structure.

**10.3.5 Two-car garages are appropriate, when scaled and located consistently, from the rear of the alley, with other garages in the district.** The proposed design is scaled consistently with other accessory structures in the district and exhibits a lower roof slope than the primary structure to reduce the overall roof pitch, roof visibility and overall scale of the structure.

**10.3.6 One and one-half story garages are appropriate, so long as they are lower than the primary building on the lot.** The proposed garage is indeed lower on the lot than the primary structure, due to existing grade sloping down to the north. This natural occurrence,

170115th Street, Ste.C Boulder, CO 80302 | p: 303.247.1100 | f: 303.247.1101  
www.mosaicarchitects.com

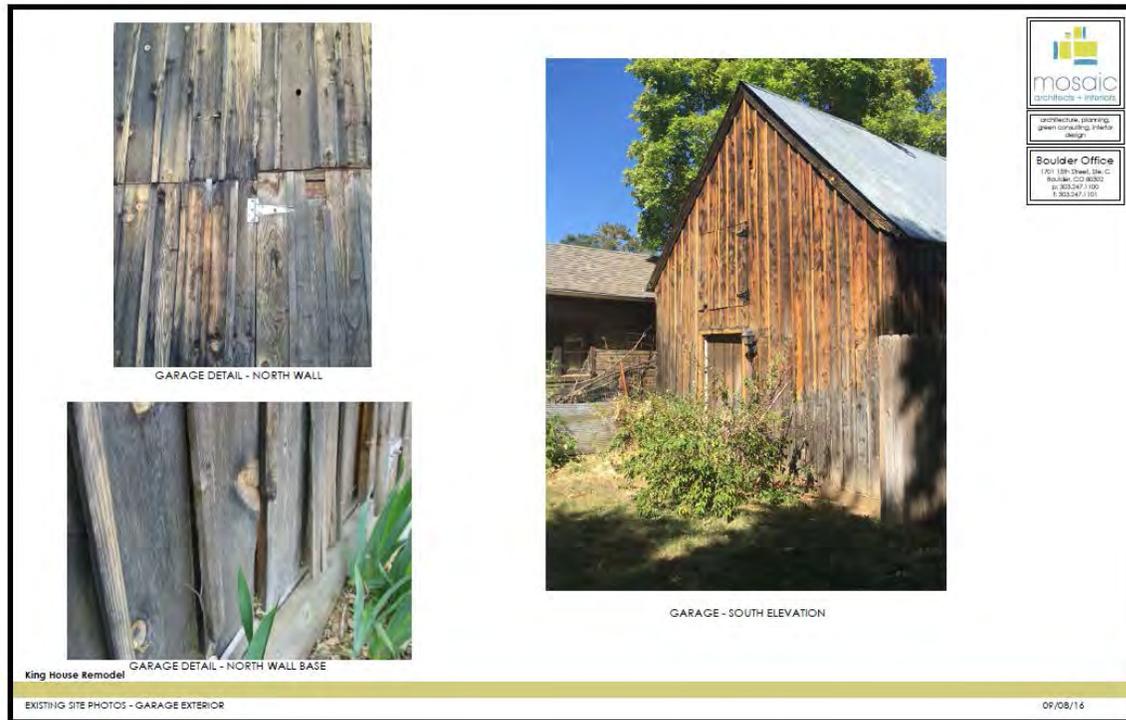
**7.2.8 Accessory structures should be simpler in design and detail than the primary building.** See 10.3.4 above for compliance and design consideration to this effect.

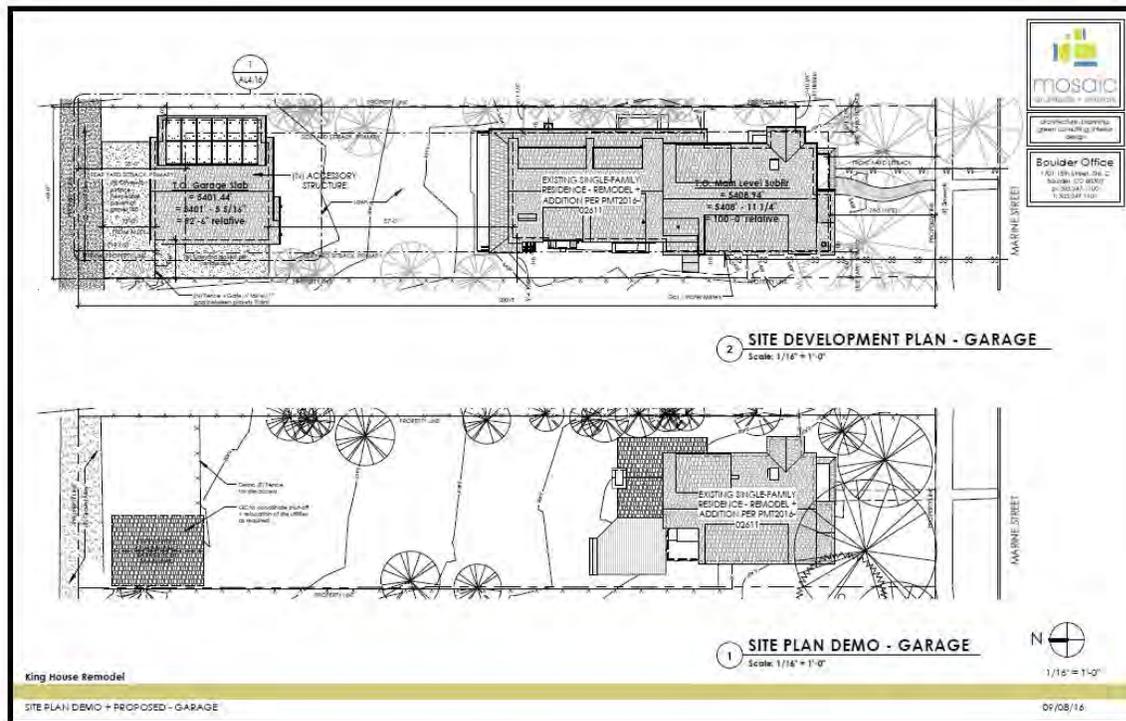
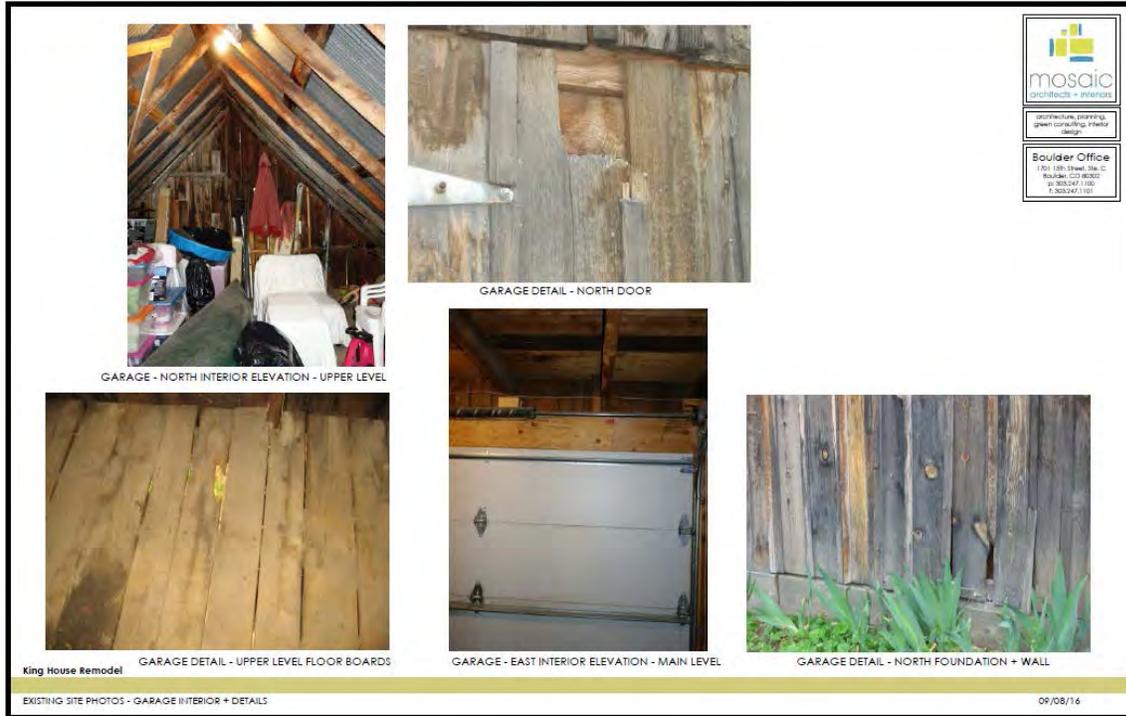
**7.2.9 Materials for new garages and accessory structures should be compatible with those found on the primary structure and in the district.** The proposed accessory structure is intended to match the primary structure in terms of exterior materials. Siding will be painted cedar (both horizontal siding and shingle siding) to match the primary structure, trim will be painted wood and doors and windows will be painted wood. Asphalt roof shingles on the new structure will match the primary structure.

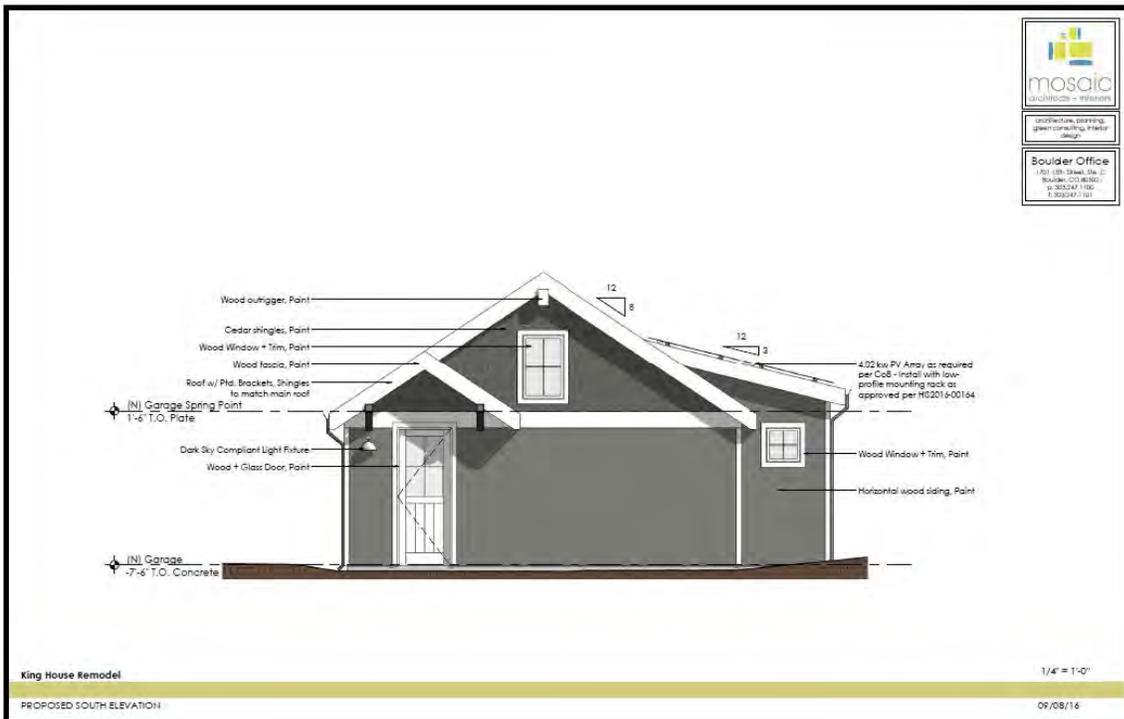
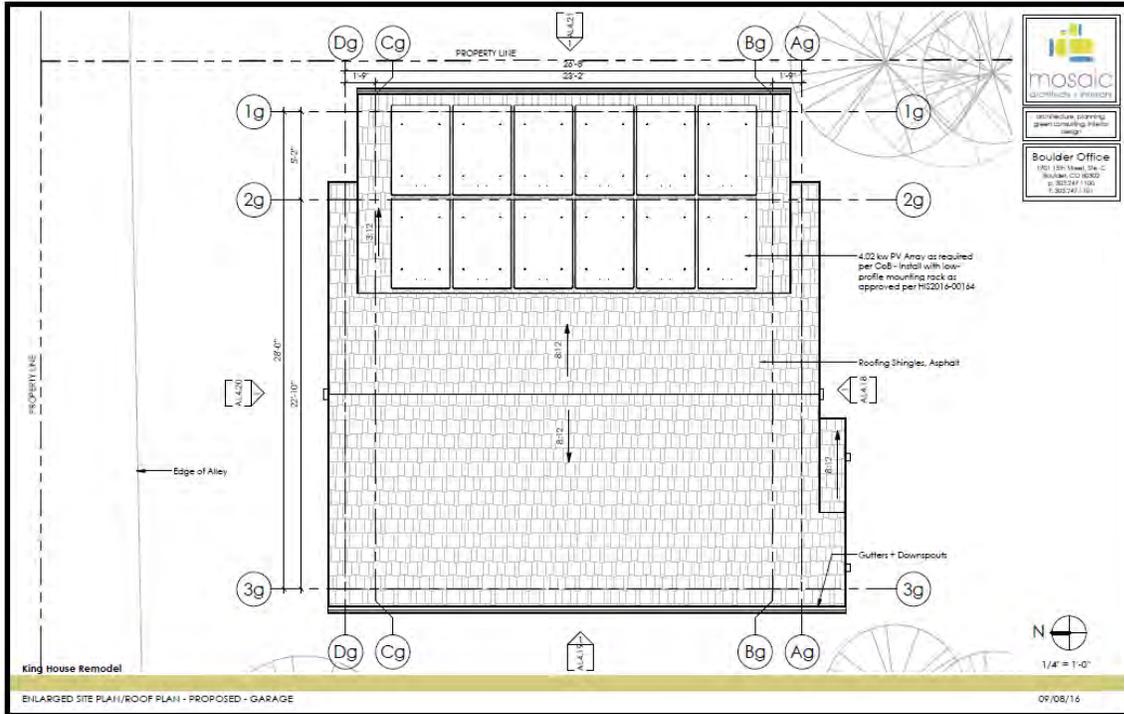
**7.2.10 Windows, like all elements of accessory structures, should be simpler in detailing and smaller in scale than similar elements on primary structures.** It is our belief that the proposed design has taken this guideline into consideration and has reduced the scale of proposed windows and window detailing. The proposed patterning does consider the approved window pattern approved in HIS2016-00036 and aims to create consistency and relationship between the primary and secondary structure.

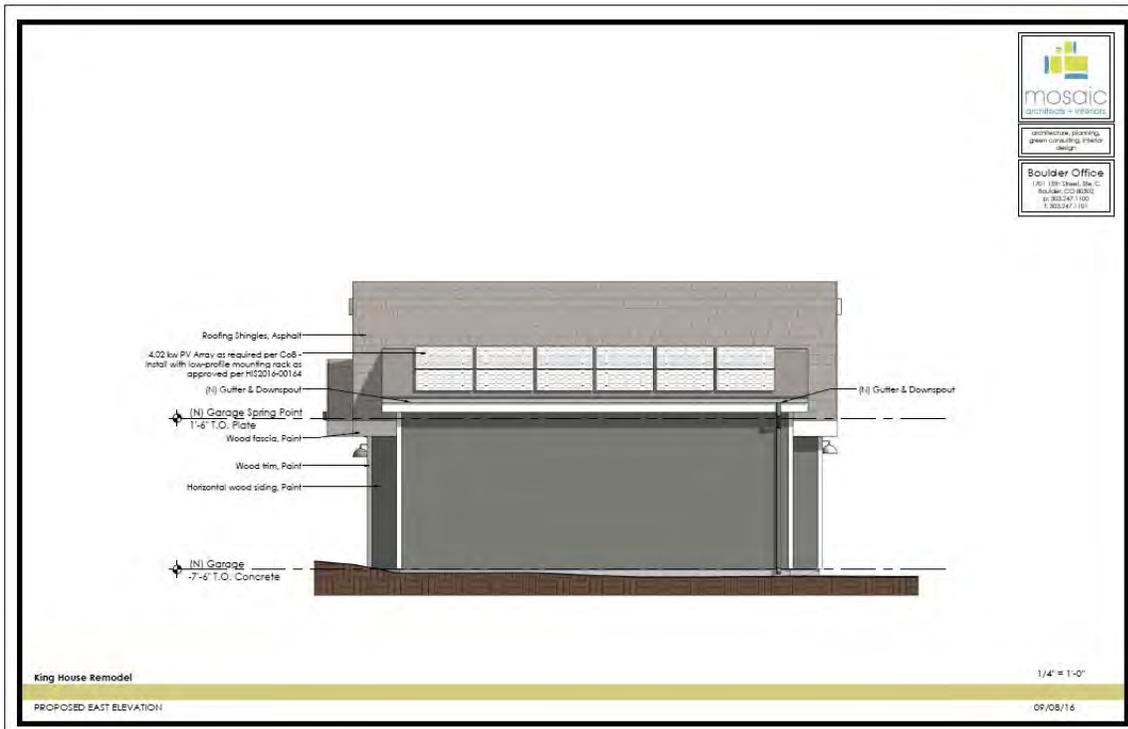
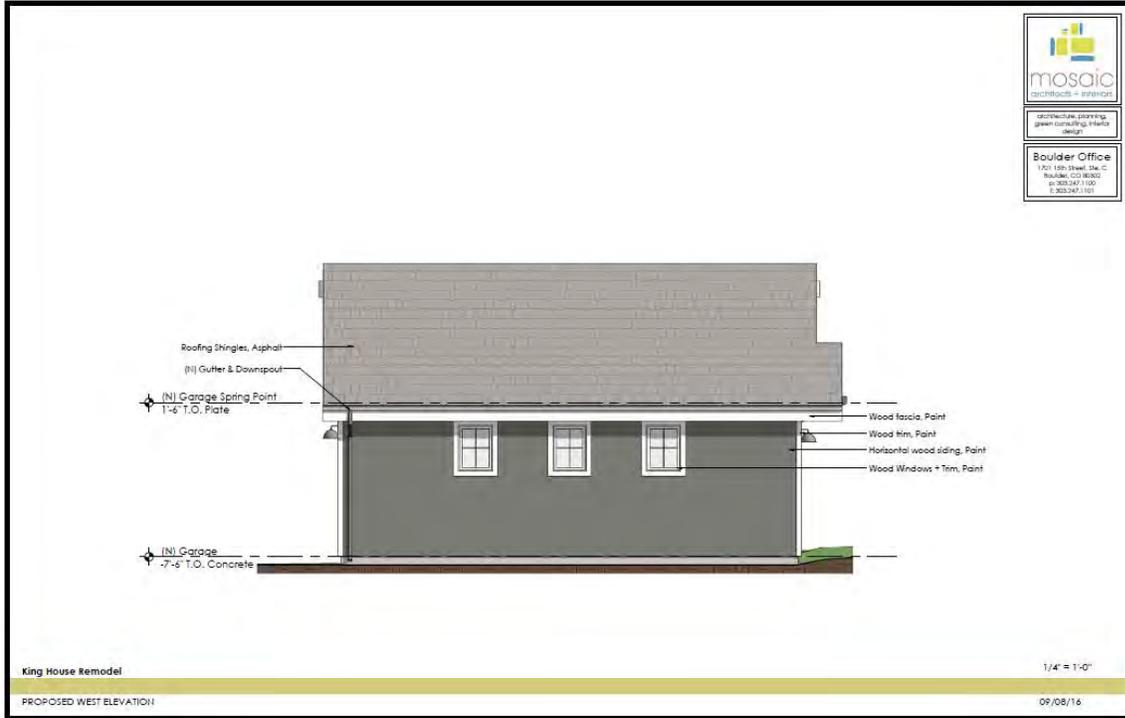
**7.2.12 Garage doors should be consistent with the historic scale and materials of traditional accessory structures. Wood is the most appropriate material, and two smaller doors may be more appropriate than one large door.** The proposed design has taken this guideline into consideration and proposed a garage door design that complements the scale of the proposed garage, while meeting the modern needs of a garage accessory structure. The garage door material is proposed to be painted wood with glass inserts. In consideration of the Highland Lawn Historic Guidelines, our design has also taken into account that this structure will only be visible from Turner Alley, not from Marine Street.

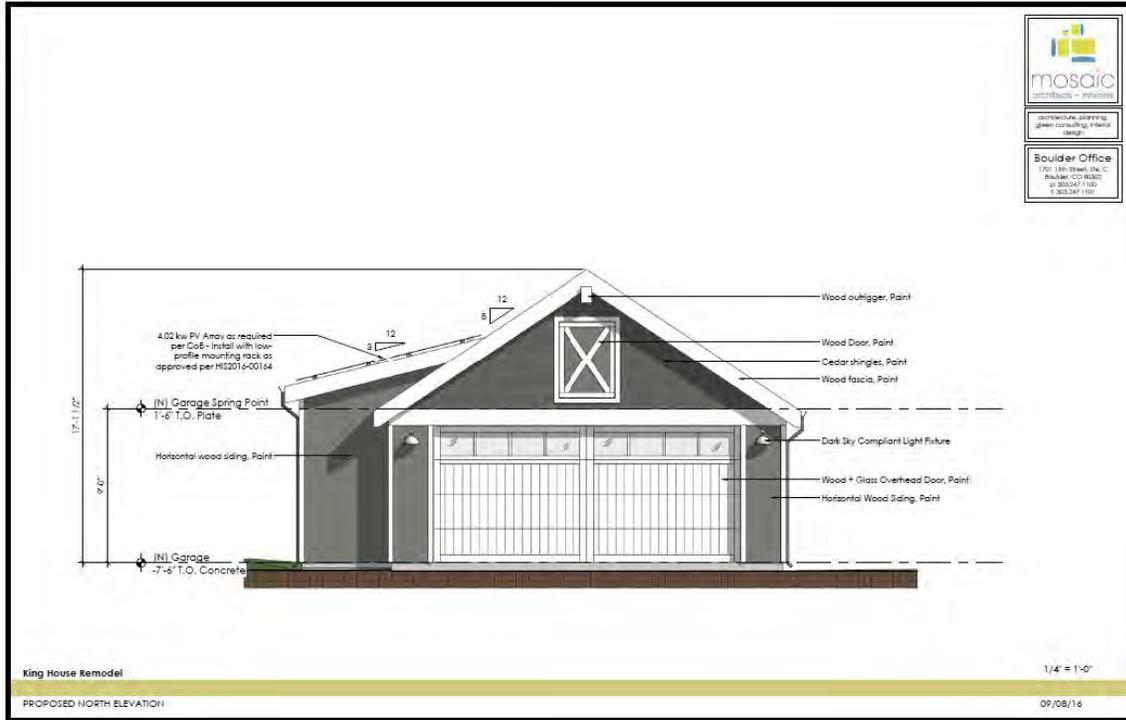
**7.2.13 It is inappropriate to introduce features or details to a garage or an accessory building in an attempt to create a false historical appearance.** It is our feeling that the proposed design does no such thing. The proposed garage accessory structure is intended to have a consistent and complementary architectural relationship to the primary structure, while maintaining function. There has been no intention to create a false historical appearance with the proposed design.











**mosaic**  
architecture + interiors

architecture, planning,  
green consulting, interior  
design

**Boulder Office**  
1701 18th Street, Suite C  
Boulder, CO 80502  
P: 303.247.1100  
F: 303.247.1101



**mosaic**  
architecture + interiors

architecture, planning,  
green consulting, interior  
design

**Boulder Office**  
1701 18th Street, Suite C  
Boulder, CO 80502  
P: 303.247.1100  
F: 303.247.1101



Asphalt Shingles, Typ.:  
Owens Corning  
Estate Gray



Shingles + Siding @ Addition:  
Benjamin Moore HC-167  
Amherst Grey

Exterior Trim, Typ.:  
BM White Dove

541 Marine Street, Boulder, CO

September 8th, 2016





KING RESIDENCE  
541 MARINE STREET  
EXTERIOR MATERIALS LIST - GARAGE

September 8, 2016

- See drawings and images for details
- All colors + materials to match (E) house and (N) addition as approved per HIS2016-00036
- Photovoltaic Array + Mounting Racks as approved per HIS2016-00164

PITCHED ROOFS:	(N) Asphalt Shingles Typical, Owens Corning TruDefinition Duration Shingles or equal, Quarry Grey
EXTERIOR WALLS	
HORIZ WD. SIDING:	(1 x 4 1/2") Paint
HORIZ SIDING:	1 x 6 Wood, Shiplap, 1/8" reveal, Paint
SHINGLES:	Panelized Cedar, Keyway Style w/ Even Butt Edges, Paint
PAINT COLORS	
SHINGLES:	BM HC-167, Amherst Grey
SIDING:	BM HC-167, Amherst Grey
WINDOW TRIM:	BM White Dove
WINDOWS AND GLASS DOORS:	Marvin Wood or equal, White
EXTERIOR WINDOW AND DOOR TRIM:	Wood, Paint
FASCIA:	Wood, 1 x 10, Match window Trim color
SOFFIT:	Wood, Paint, Match Window Trim color
GUTTERS, DOWNSPOUTS AND FLASHING:	Square profile, Metal, White
MAN DOOR:	Wood + Glass, Paint, BM White Dove
GARAGE DOOR:	Insulated Garage Door w/ Glass + Painted Wood Paneling, BM White Dove

1701 15<sup>th</sup> Street, Suite C Boulder, CO 80302 | p: 303.247.1100 | f: 303.247.1101  
www.mosaicarchitects.com



## INFORMATION PACKET MEMORANDUM

To: Mayor and Members of City Council

From: Jane S. Brautigam, City Manager  
David Driskell, Executive Director of Planning, Housing and Sustainability  
Susan Richstone, Deputy Director of Planning, Housing and Sustainability  
Charles Ferro, Development Review Manager  
Caeli Hill, Associate Planner

Date: October 18, 2016

**Subject: Call-Up Item:** Vacation of a 5,140 square foot portion of a waterline easement located at 4780 Valmont Road (ADR2016-00212).

---

### **EXECUTIVE SUMMARY:**

The applicant requests vacation of a 5,140 square foot portion of a waterline easement at 4780 Valmont Rd (refer to **Attachment D** for exact location) in order to develop the property consistent with the current zoning. The easement was originally dedicated by separate instrument on Dec. 22, 1999 (Reception No. 02009033). However, site development plans indicate that construction would occur over the existing waterline. A new easement has been dedicated (Reception No. 03522025) and the waterline has been relocated within it. The proposed vacation was approved by staff on, Sept. 20, 2016. There are scheduled City Council meetings within the 30-day call-up period on Sept. 20, 2016, Oct. 4, 2016 and Oct. 18, 2016.

### **CODE REQUIREMENTS:**

Pursuant to the procedures for easement vacations set forth in subsection 8-6-10(b), B.R.C. 1981, the city manager has approved the vacation of a 5,140 square foot portion of a waterline easement. The date of staff approval of the easement vacation was Sept. 20, 2016 (refer to **Attachment E, Notice of Disposition**). This vacation does not require approval through ordinance based on the following criteria:

- It has never been open to the public; and
- It has never carried regular vehicular or pedestrian traffic.

The vacation will be effective 30 days later on Oct. 20, 2016 unless the approval is called up by City Council.

### **FISCAL IMPACTS:**

None identified.

**COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:**

Economic: None identified.

Environmental: None identified.

Social: None identified.

**BACKGROUND:**

The subject property, 4780 Valmont Rd., is approximately 193,438 square feet in area located in East Boulder (refer to Attachment A, *Vicinity Map*). The site is located in an Industrial- Services 2 (IS-2) zone district. A waterline easement was dedicated to the City of Boulder in the records of the Boulder County Clerk and Recorder on Dec. 22, 1999 (Reception No. 02009033) and utilities were built within it. In late 2015, a building permit was submitted proposing a significant building addition to the Gebhardt BMW showroom which extended over the existing waterline. The building permit was denied until the conflicts with the waterline could be resolved.

A new waterline easement was dedicated on June 3, 2016 (Reception No. 03522025) and the waterline has since been relocated to this new easement leaving no further conflicts with the proposed building addition and no further public need for this easement. Approval for this easement vacation has been received from electric/gas, telephone and cable company representatives.

Given that there is no public need for the easement for which it was intended, failure to vacate the requested easement would cause hardship to the property owner by limiting the development of the property.

**ANALYSIS:**

Staff finds the proposed vacation of a utility easement consistent with the standards set forth in subsection (b) of section 8-6-10, “*Vacation of Public Easements*”, B.R.C. 1981. Specifically, staff has determined that no public need exists for the easement to be vacated because new easements will be dedicated to replace the function of the current easement.

No vacation of a public easement shall be approved unless the approving agency finds that:

- 1. Change is not contrary to the public interest.
- 2. All agencies having a conceivable interest have indicated that no need exists, either in the present or conceivable future, for its original purpose or other public purpose.
- 3. Consistent with the Comprehensive Plan and Land Use Regulations.
- a. Failure to vacate the easement would cause a substantial hardship to the use of the property consistent with the Comprehensive Plan and Land Use Regulations; or

*This property is designated as Community Industrial in the Boulder Valley Comprehensive Plan (BVCP) and is being developed consistent with this land use designation. By vacating this utility easement, this site will be allowed to develop to its full potential serving as an industrial use that is “essential to the life of the Boulder community (pg. 60, B.V.C.P. 2010).”*

- N/A b. Would provide a greater public benefit than retaining the property in its present status.

**PUBLIC COMMENT AND PROCESS:**

Notice of the vacation will be advertised in the Daily Camera within the 30-day call up period. Staff has received no written or verbal comments averse to the vacation.

**NEXT STEPS:**

If the requested vacation is not called up by City Council then the Deed of Vacation (**Attachment C**) will be recorded. If the requested vacation is called up, and subsequently denied, the applicant will be limited to development on the property outside of the easement area.

**ATTACHMENTS:**

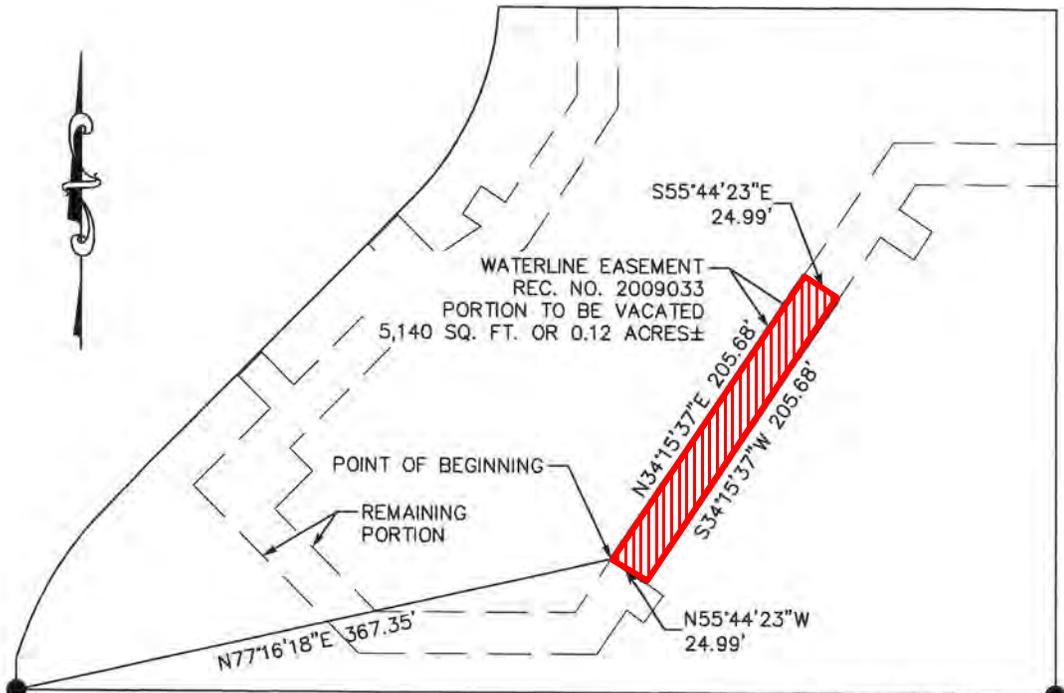
- Attachment A: Vicinity Map
- Attachment B: Site Plan
- Attachment C: Deed of Vacation
- Attachment D: Exhibit A
- Attachment E: Notice of Disposition



# EXHIBIT "A"

LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 1 NORTH,  
RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 2

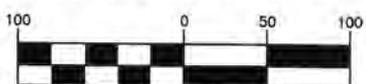


POINT OF COMMENCEMENT  
FOUND  
NO. 4 REBAR WITH BROKEN 1 1/4"  
YELLOW PLASTIC CAP

BASIS OF BEARINGS  
N89°52'25"E 626.00'

FOUND  
NO. 5 REBAR  
WITH ALUMINUM  
COLLAR  
(ILLEGIBLE)

### GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.



JOB NUMBER: 15-65,361  
DRAWN BY: B. LUND  
DATE: SEPTEMBER 4, 2015

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

**Flatirons, Inc.**  
Surveying, Engineering & Geomatics  
3825 IRIS AVE, STE 395  
BOULDER, CO 80301  
PH: (303) 443-7001  
FAX: (303) 443-9830  
[www.FlatironsInc.com](http://www.FlatironsInc.com)

For Administrative Purposes Only  
Address: 4780 Valmont Road  
Case No.: ADR2016-00212

**DEED OF VACATION**

The City of Boulder, Colorado, does hereby vacate and release to the present owner of the subservient land, in a manner prescribed by Subsection 8-6-10(b), B.R.C. 1981, a 5,140 square foot portion of a waterline easement previously dedicated to the City of Boulder and recorded in the records of the Boulder County Clerk and Recorder at Reception No. 2009033 on the 22nd day of December, 1999 located at 4780 Valmont Road 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 4780 Valmont Road 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 \_\_\_\_\_, 2016, by the City Manager after having received authorization from 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:

H. K. B...  
City Attorney's Office

9-20-2016  
Date

# EXHIBIT "A"

LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 1 NORTH,  
RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 1 OF 2

A VACATION OF A PORTION OF AN EASEMENT FOR WATERLINE PURPOSES AS DESCRIBED IN THE RECORDS OF BOULDER COUNTY, RECORDED ON DECEMBER 12, 1999 AT RECEPTION NUMBER 2009033, OVER AND ACROSS LOT 4A OF REPLAT A, VALMONT-FOOTHILLS PARK AS DESCRIBED IN THE RECORDS OF BOULDER COUNTY, RECORDED ON MAY 15, 2000 AT RECEPTION NUMBER 2045091, LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF SAID LOT 4A OF REPLAT A VALMONT-FOOTHILLS PARK TO BEAR NORTH 89°52'25" EAST, A DISTANCE OF 626.00 FEET BETWEEN A FOUND NO. 4 REBAR WITH BROKEN 1 1/4" YELLOW PLASTIC CAP AT THE SOUTHWEST CORNER OF SAID LOT 4A AND A FOUND NO. 5 REBAR WITH ALUMINUM COLLAR (ILLEGIBLE) AT THE SOUTHEAST CORNER OF SAID LOT 4A, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT SAID SOUTHWEST CORNER OF LOT 4A; THENCE NORTH 77°16'18" EAST, A DISTANCE OF 367.35 FEET TO THE POINT OF BEGINNING;  
THENCE NORTH 34°15'37" EAST, A DISTANCE OF 205.68 FEET;  
THENCE SOUTH 55°44'23" EAST, A DISTANCE OF 24.99 FEET;  
THENCE SOUTH 34°15'37" WEST, A DISTANCE OF 205.68 FEET;  
THENCE NORTH 55°44'23" WEST, A DISTANCE OF 24.99 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT VACATION CONTAINING 5,140 SQ.FT. OR 0.12 ACRES, MORE OR LESS.

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.



JOHN B. GUYTON  
COLORADO P.L.S. #16406  
CHAIRMAN/CEO, FLATIRONS, INC.

SI JOB NO. 15-65,361

JOB NUMBER: 15-65,361  
DRAWN BY: B. LUND  
DATE: SEPTEMBER 4, 2015

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

**Flatirons, Inc.**  
Surveying, Engineering & Geomatics

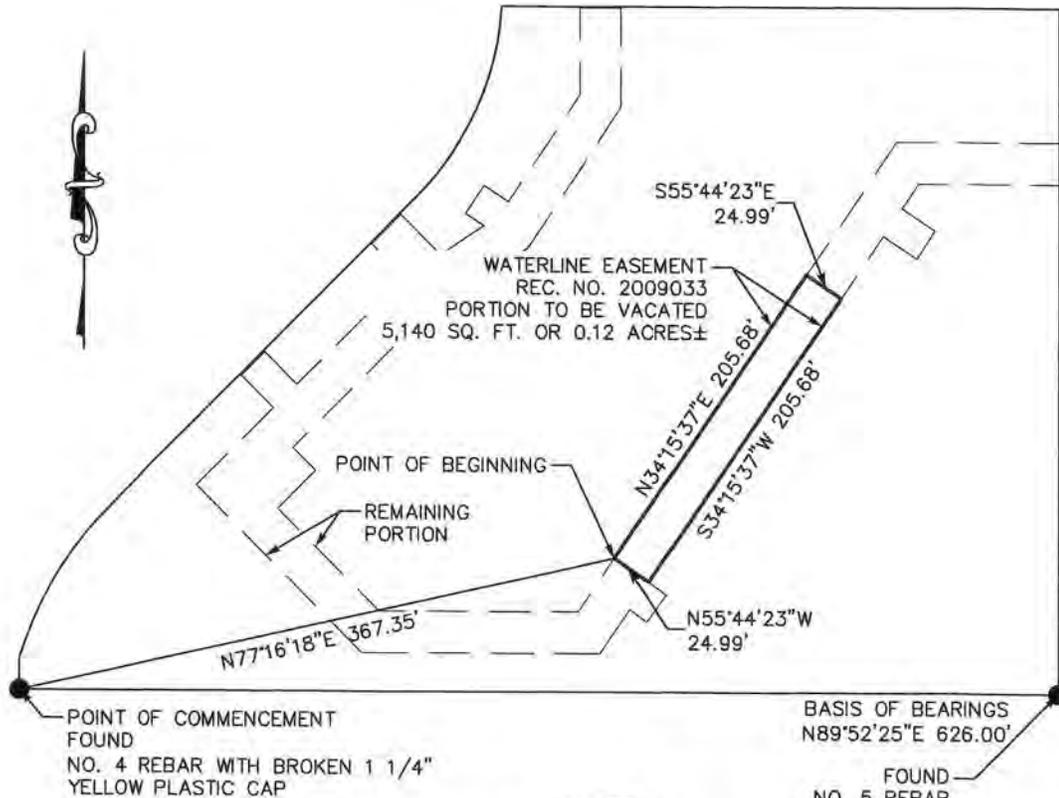


3825 IRIS AVE, STE 395  
BOULDER, CO 80301  
PH: (303) 443-7001  
FAX: (303) 443-9830  
[www.FlatironsInc.com](http://www.FlatironsInc.com)

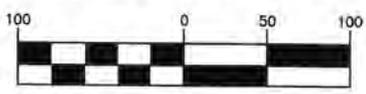
# EXHIBIT "A"

LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 1 NORTH,  
 RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
 CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 2



### GRAPHIC SCALE



( IN FEET )  
 1 inch = 100 ft.



JOB NUMBER: 15-65,361  
 DRAWN BY: B. LUND  
 DATE: SEPTEMBER 4, 2015

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

BASIS OF BEARINGS  
 N89°52'25"E 626.00'  
 FOUND  
 NO. 5 REBAR  
 WITH ALUMINUM  
 COLLAR  
 (ILLEGIBLE)

**Flatirons, Inc.**  
 Surveying, Engineering & Geomatics  
 3825 IRIS AVE, STE 395  
 BOULDER, CO 80301  
 PH: (303) 443-7001  
 FAX: (303) 443-9830  
[www.FlatironsInc.com](http://www.FlatironsInc.com)



**CITY OF BOULDER  
Planning & Development Services**

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791  
phone 303-441-1880 • fax 303-441-3241 • web boulderplandevlop.net

**ADMINISTRATIVE REVIEW  
NOTICE OF DISPOSITION**

You are hereby advised that the following action was taken by the Planning Department:

**DECISION:** Approved  
**DATE:** September 20, 2016  
**REQUEST TYPE:** Vacation/Easement  
**ADDRESS:** 4780 Valmont Road  
**APPLICANT:** Darren Stewart  
**CASE #:** ADR2016-00212  
**LEGAL DESCRIPTION:** Lot 4A Valmont Foothills Park Replat A, County of Boulder, State of Colorado  
**DESCRIPTION:** ADMINISTRATIVE REVIEW to vacate a 5,140 square foot portion of a waterline easement located at 4780 Valmont Road. Utilities previously located in this easement have been relocated to the easement dedicated through TEC2016-00059.

**FINAL DECISION STANDARDS**

Approved as submitted. This application is approved per the criteria for Vacation of Public Easements as set forth in section 8-6-10, B.R.C. 1981. This approval does not constitute building permit approval.

This approval is limited to the vacation of a 5,140 square foot portion of a waterline easement previously dedicated to the City of Boulder and recorded in the records of the Boulder County Clerk and Recorder at Reception No. 2009033 on the 22nd day of Dec., 1999 located at 4780 Valmont Road.

**INFORMATIONAL COMMENTS**

Pursuant to section 8-6-10(b), B.R.C. 1981, approval of an easement vacation "it is not effective until thirty days after the date of its approval. Promptly after approving the vacation, the manager will forward to the city council a written report, including a legal description of vacated portion of the easement and the reasons for approval. The manager will publish notice of the proposed vacation once in a newspaper of general circulation in the city within thirty days after the vacation is approved. Upon receiving such report and at any time before the effective date of the vacation, the council may rescind the manager's approval and call up the vacation request for its consideration at a public hearing, which constitutes a revocation of the vacation."

This decision is final and may not be appealed. A new request may be considered only as a new application.

Approved By: Caeli Hill  
Caeli Hill, Planning Department



## INFORMATION PACKET MEMORANDUM

To: Mayor and Members of City Council

From: Jane S. Brautigam, City Manager  
Karen Rahn, Human Services Director  
Wendy Schwartz, Human Services Planning and Program Development Manager  
Kammi Siemens, Human Services Community Funding Program Manager

Date: October 18, 2016

**Subject: Information Item: 2013 – 2015 Education Excise Tax Funding Final Report**

---

### EXECUTIVE SUMMARY

The City of Boulder generated education excise tax (“EET”) revenue pursuant to a 1994 voter-approved measure that called for taxing new residential development and using the funds generated to promote education-related facilities and services. Historically the funds were distributed by the City to Boulder Valley School District (BVSD) for capital improvement projects. In 2013 and again in 2014, council approved operating funding for a variety of one-time community projects, funded through a competitive process, to address three academic priorities: 1) school readiness, 2) closing the achievement gap, and 3) interventions that help reduce youth risk factors. The goals of investments in these priority areas were to contribute to residents’ long-term self-sufficiency and lessen reliance on costlier public services. Academic success is correlated with greater long-term financial stability, lifelong earnings, employment and housing stability, and avoidance of public subsidies.

Over the course of the two competitively-awarded funding cycles, 18 were supported:

- Three initiatives were funded for risk factor interventions;
- Four initiatives were funded to increase school readiness;
- Five initiatives were funded to address the achievement gap; and
- Six initiatives were funded to address multiple academic priorities.

Over the course of the two competitive funding cycles, approximately 4,651 students and children were provided educational services and support, 191 teachers and agency partners received specialized professional development and training, and 41 parents engaged in family services, classes or home/group visits. Additionally, one project was funded in order to make

capital improvements to a licensed preschool and community center serving low-income or at-risk families.

## **FISCAL IMPACT**

The city awarded \$486,214 in 2013 and \$281,838 in 2014, for a total of \$768,052 in EET funds and accrued interest. See **Attachment A** for a list of 2013/2014 competitively funded projects. The EET tax, originally collected pursuant to 1995 City Ordinance No. 5689, was repealed in 2009 through Ordinance No. 7698. No additional funding is available.

## **BACKGROUND**

### ***Consideration and Passage of an Education Excise Tax***

On Nov. 8, 1994, Ballot Issue 2D was approved by the voters, thereby establishing an education and excise tax on new residential development with the legislative intent for the revenue generated by the tax be used for the development of public educational facilities and services. On April 4, 1995, in order to implement the EET, the City Council approved a conforming ordinance, known as Ordinance No. 5689. Pursuant to the implementing ordinance, the EET became effective on April 4, 1995, at the rate of \$0.95 per square foot of floor area, up to a cap of 6,000 square feet. This amount was set based on an analysis of the relative financial impact of new residential development on BVSD facilities. That amount was adjusted annually based on the Consumer Price Index.

### ***Repeal of the EET***

The intent of EET was to offset the financial impact of new residential development on BVSD, as BVSD originally expected that EET revenue would be necessary to construct new school buildings in North Boulder. Subsequent to the passage of the ballot measure, declining enrollment combined with open enrollment resulted in North Boulder student growth being accommodated through available capacity in schools throughout the city. Thus, the implementing ordinance was repealed on Oct. 27, 2009 by Ordinance No. 7698.

### ***Funding Usage***

Between 1995 and 2009 EET was kept in an interest-bearing account and distributed to BVSD by the city for capital improvement projects. Subsequent to 2009, when its implementing ordinance was repealed, the city only collected development fees from applications received prior to the repeal. In 2013 and 2014, City Council directed the City Manager to competitively award the city's remaining EET funds through a Request for Proposals (RFP) process. The City Council School Issues Committee (the Committee) reviewed proposals and identified funding recommendations for City Manager approval. The City Manager met with staff to review recommendations, which were approved. Boulder City Council adopted the following criteria for the RFP:

- Applicant must be a 501(c)(3) nonprofit or educational entity located within the city of Boulder;
- Funds should be used for one-time capital or operating projects:
  - For operating projects, funding must provide seed, start-up or gap funding for a sustainable project
  - For real property acquisition projects, successful applicant must enter into a shared equity agreement with the city

- To further council’s commitment toward:
  - School readiness for at-risk children
  - Closing the achievement gap
  - Interventions that help reduce youth risk factors
- To provide educational support to low-income or disabled children or children of non-native English speaking families;
- Applicant must serve children aged birth through 18 as primary beneficiaries;
- Funds must be used to serve primarily City of Boulder residents;
- Applicant must demonstrate committed matching funds;
- Minimum application amount is \$25,000;
- Maximum application amount is \$120,000;
- Funds may not be used to purchase technology or playground equipment; and
- City of Boulder departments and programs are not eligible.

## ANALYSIS

Over the course of the two competitive funding cycles from 2013 to 2015:

- EET funding was awarded to 18 initiatives;
- Approximately 4,651 students and children were provided educational services and support;
- 191 teachers and agency partners received specialized professional development and training;
- 41 parents engaged in family services, classes or home/group visits; and
- One project was funded in order to make capital improvements to a licensed preschool and community center serving low-income or at-risk families.

Individual results for each project are included in (**Attachment A**).

## Project Highlights

Additional stories and positive outcomes reported by funded programs during the contract period include:

- **SCHOOL READINESS**  
At the Whittier Elementary School writing project, EET funds were utilized to provide all teachers in grades K-5 with Lucy Calkins writer’s workshop training.. As a result of completing this professional development, teachers have a common language across grades for teaching writing. Students are benefiting from teachers using the same writing program across the school since the writing skills taught each year build upon each other to form a cohesive curriculum.
- **SCHOOL READINESS**  
The Early Childhood Council of Boulder County (ECCBC) used EET funding to develop the Touchpoints Approach program (a strengthening families initiative). ECCBC received National Touchpoints Site status in July 2013 from the [Brazelton Touchpoints Center](#) located at Harvard University Boston. Five trainers have provided Touchpoints Individual Level Trainings (ILT). The first ILT took place in June 2014 with twelve child care providers who provide care for low-income Child Care Assistance Program families and five agency partners attending the training. This ILT was funded by the Colorado

Department of Education Expanding Quality Infant Toddler program. The second ILT took place in August 2014 with seventeen BVSD Early Childhood Community Liaisons attending. It is the first of many planned Touchpoints trainings for BVSD early childhood staff. Both ILTs focused on training staff who care for and serve low-income families and children living in poverty that feed into elementary schools in Boulder;

- **ACHIEVEMENT GAP**

Creekside Elementary School co-teaching pilot project used EET grant funds to assist in developing a program that utilized both the [Comprehension Toolkit](#) with Anne Goudvis and an English Language Development (ELD) program review and development plan with Nadia Madan Morrow. Together, these two programs helped them revise their co-teaching model to create a program that encourages professional development focused on best practices for active literacy and ELD programming that are both in line with BVSD's Strategic Vision and Mission.

- **ACHIEVEMENT GAP**

The YWCA Latina Achievement Support (LAS) program outcomes indicated 94 percent of participants surveyed agreed that LAS helped them plan more about their future, learn about healthy relationships, and make healthier choices; and 94 percent of participants surveyed agreed that LAS helped them learn about how to prepare for college.

- **RISK FACTOR INTERVENTION**

With the support of EET funding, Voices for Children was able to train all Court-Appointed Special Advocate (CASA) volunteers on truancy court. By increasing their volunteer pool, the agency was also able to more adeptly appoint CASAs to cases with the highest needs.

- **ACHIEVEMENT GAP/RISK FACTOR INTERVENTIONS**

The I Have a Dream Foundation's overall long-term goal is to keep students in school until high school graduation—to have at least 90 percent of Dreamers graduate high school, and for at least 85 percent of those graduates to continue on to post-secondary education. In 2014-2015, "I Have a Dream" met those goals.

- **ACHIEVEMENT GAP/SCHOOL READINESS**

Boulder High School reported that implementation of CLASS, a new mentoring/coaching program to combat truancy, was a culture shift for the school. At the end of the year, families, staff, and students benefited from the implementation of the new attendance policy and procedures, emphasizing the importance of student achievement and restitution as a whole school, so when students were "invited" to join the program, they could move toward restoring themselves to academic success. One male student stated, "I think that it is a great thing to have this program. After staying after school you start to realize the importance of school, and you start to realize that you are capable of going to class, and getting good grades. I personally changed thanks to this program."

## **ATTACHMENT**

Attachment A: 2013 and 2014 EET Awards

2013 EET AWARDS			
Agency and Program	Award Amount	Funding Purpose	Number Served
1. Attention Homes for Adolescent Residential Care Program	\$25,000	ACHIEVEMENT GAP/RISK FACTOR INTERVENTIONS Case management and academic monitoring for enrollment in school and longer-term educational planning, serving at-risk youth ages 12-18 from the City of Boulder and/or Boulder County and attending City of Boulder Schools.	5 youth
2. Boulder High School for Leveling the Playing Field Program	\$25,000	ACHIEVEMENT GAP/SCHOOL READINESS Counseling, including college coaching, tutoring, and summer transition work for economically disadvantaged, English language learners and other minority students in grades 8-12. Teacher training to differentiate for the target population, utilizing AP and AVID instructional strategies.	22 teachers, 158 students
3. Children's House Preschool for First Chance Scholarship Program	\$49,000	SCHOOL READINESS Scholarships for education for low-income children, and those with other risk factors for learning, educate parents on child development, and types of family services and programs available. Give parents access to food pantry services, and provide healthy food for children at school. Scholarships to educate non-native English speakers, or children with special needs. Children aged 2.5 - 5.5 with little or no English language skills, and children with special needs.	20 children, 23 parents
4. Creekside Elementary School for the Co-Teaching Pilot Project	\$67,214	ACHIEVEMENT GAP Professional development/teacher planning for Creekside teachers and selected staff, resulting in individualized learning strategies and academic enrichment for Creekside students.	39 teachers, 360 students
5. Early Childhood Council of Boulder County for Touchpoints Training Program	\$50,000	SCHOOL READINESS Establish a Touchpoints training team for Boulder that will serve at-risk children and their families. Touchpoints Individual Level Training (ILT) for early childhood agency partners - child care providers, preschool teachers/classroom aides and other professionals that work with young children and their families.	34 agency partners

6. Family Learning Center for the Wellness and Education Center  (Capital Project)	\$120,000	RISK FACTOR INTERVENTIONS Agency operates a licensed preschool and community center providing educational and wellness support to children of low-income, non-native English speaking or at-risk families, who reside in the City of Boulder install capital improvements at its real property in Boulder, Colorado located at 3164 34th St, Boulder.	N/A
7. I Have a Dream Foundation for Positive Futures Program	\$75,000	ACHIEVEMENT GAP/RISK FACTOR INTERVENTIONS Literacy and academic (STEM) support, tutoring and mentoring; technology access and instruction for majority Latino youth ages 8-18 in grades 4 through 12.	133 students
8. Legacy of Learning for the Literacy Improvement Project	\$25,000	ACHIEVEMENT GAP/RISK FACTOR INTERVENTIONS Basic academic skills (reading, spelling, writing, math and critical thinking) for low-income, at-risk and high-risk elementary and secondary students, including those from non-English speaking families who are in the lowest 25 percent of their grade level and at least 2 grade levels behind their current level.	24 students
9. YWCA for the Latina Achievement Support Program	\$25,000	ACHIEVEMENT GAP Support Latina students ages 14 – 17 to be more academically successful, college-ready and engaged within the community.	23 students
10. YWCA for the Reading to End Racism Program	\$25,000	RISK FACTOR INTERVENTIONS Read to students on issues pertaining to racism and train on ways to eliminate discrimination for students ages kindergarten through 8 <sup>th</sup> grade.	1,595 students
		Total EET <b>Capital</b> Funding	\$120,000
		Total EET <b>Operating</b> Funding	\$366,214
		<b>Total 2013 EET Funding</b>	<b>\$486,214</b>
<b>2014 EET AWARDS</b>			
<b>Agency and Program</b>		<b>Funding Purpose</b>	<b>Number Served</b>
11. BVSD Boulder High School: Collaborate, Learn, Attend & Study to Succeed (CLASS)	\$27,000	ACHIEVEMENT GAP Tutoring, enforced attendance, and parent education for high school students, primarily 9th and 10th graders, with patterns of non-attendance.	412 students

12. BVSD Casey Middle School Community Learning Center	\$25,000	ACHIEVEMENT GAP Before and after school academic and enrichment programs taught by school day teachers and community partners for middle school students, ages 11-14, with multiple risk factors (i.e. second language learners, low reading/math scores, etc.).	512 students
13. BVSD Whittier Elementary School Best Practices in Social Emotional Learning	\$26,155	ACHIEVEMENT GAP Classroom implementation of Passageworks practices training by all Whittier teachers for Whittier K-5 students.	397 students
14. BVSD Whittier Elementary School Writing Project	\$20,155	SCHOOL READINESS Implementation of Writer's Workshop staff training and intergenerational journaling project for all Whittier students grade K-5.	397 students
15. Boulder Institute for Psychotherapy & Research School Readiness for At-Risk Children	\$26,155	SCHOOL READINESS/ACHIEVEMENT GAP Home/group visits, parenting classes, early childhood education for low-income families with children ages 0 – 6.	250 students, 18 parents, 159 children 0-6
16. Early Childhood Education Council of Boulder County Touchpoints Training Team Development	\$50,061	SCHOOL READINESS Touchpoints Individual Level Training (ILT) for early childhood agency partners - child care providers, preschool teachers/classroom aides and other professionals that work with at-risk young children ages 0 – 5 and their families.	96 agency partners
17. I Have a Dream Foundation DREAM BIG Project	\$91,155	ACHIEVEMENT GAP/RISK FACTOR INTERVENTIONS Literacy and STEM academic support, tutoring and mentoring for low-income youth, 92 percent Latino, aged 9-18 in grades 5-12th (Dreamers).	191 students
18. Voices for Children Special Truancy Advocates (STAs)	\$16,157	RISK FACTOR INTERVENTIONS STAs work with students to develop plans for reducing academic barriers and reaching future goals, ages 6 - 17, in BVSD Truancy Court.	15 BVSD students
		<b>Total 2014 EET Funding Awards</b>	<b>\$281,838</b>



## INFORMATION PACKET MEMORANDUM

To: Mayor and Members of City Council

From: Jane S. Brautigam, City Manager  
Karen Rahn, Director, Human Services  
Betty Kilsdonk, Deputy Director, Human Services  
Eden Mayne, Senior Services Manager  
Jason Allen, Food Tax Rebate Administrator

Date: October 18, 2016

**Subject: Information Item: Update on 2016 Food Tax Rebate Program**

---

### EXECUTIVE SUMMARY

The Food Tax Rebate Program (FTRP) is a statutory program administered by the Human Services Department. Each year since 1967 the City of Boulder has provided rebates to help compensate qualified residents with lower incomes for the city sales tax they pay on food. Residents seeking a rebate must complete an application and meet all requirements. To be eligible, the applicant must have had city residency for the entire 2015 calendar year, completed an Immigration Status Affidavit as required by state law, and be an older adult age 62 or over, a person with a disability, or a family with children under 18 years of age. Applicants had to meet financial eligibility requirements established by the Department of Housing and Urban Development (HUD).

In 2016, a total of 889 FTRP applications were received. Of those 889 applications, thirty-five applications were denied because they were incomplete, were submitted past the deadline, or did not meet the established qualification guidelines. As a result, 854 rebates were processed and refunds issued. Rebate amounts for a qualified family were \$238 and amounts for individuals (either an older adult or a person with a disability) were \$78. Since 2001, rebates have been indexed for inflation.

## FISCAL IMPACT

Administrative Costs	\$17,672
Rebates	\$89,492
Total Fiscal Impact	\$107,164

## COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: There could be a small positive impact on the business community if FTRP recipients reinvest their rebate dollars back into city businesses.
- Social: The rebate program supports residents with lower incomes and individuals with disabilities by providing a modest financial rebate for taxes paid on food.

## BACKGROUND

Since passage of a voter initiative in 1967, the City of Boulder has operated the FTRP to help lessen the burden on residents with lower incomes for sales tax paid on food items.

Applications were accepted from March 1 through June 30, 2016 for the 2015 calendar year.

Outreach efforts included the following:

- Residents who applied to the program in 2015 automatically received a 2016 application via the mail;
- Regular information emails were sent to community partner agencies;
- Bilingual applications, staff support and Latino community outreach was provided;
- Program information was sent through electronic newsletters;
- Human services networking groups were contacted;
- A press release was issued at the beginning of the program; and
- Program information was posted online for the duration of the program: <https://bouldercolorado.gov/seniors/food-tax-rebate-program>.

## ANALYSIS

In 2016 the total number of applicants increased by 6 percent over the prior year. In addition, there was a 3 percent increase in qualified applicants who received a rebate. Distribution of 2015 rebates by category of qualified applicants is as follows:

- 69 percent were older adults;
- 17 percent were families with children under the age of 18; and
- 14 percent were individuals with disabilities.

DESCRIPTION	NUMBER OF REBATES	AMOUNT
Families with children under the age of 18	143	\$34,034
Adults 62 years of age or older	591	\$46,098
Individuals with a disability	120	\$9,360
TOTAL	854	\$89,492

**All Applicant Data by Category: 2012-2016**

<b>Year</b>	<b>Total Applicants</b>	<b>Total Unqualified Applicants</b>	<b>Total Qualified Applicants</b>	<b>Qualified Families</b>	<b>Qualified Older Adult</b>	<b>Qualified Individual with a Disability</b>
2016	889	35	854	143	591	120
2015	857	28	829	160	528	141
2014	910	26	884	172	540	172
2013	925	32	893	166	554	173
2012	871	33	838	162	526	150
<b>TOTAL</b>	<b>4452</b>	<b>154</b>	<b>4298</b>	<b>803</b>	<b>2739</b>	<b>756</b>

**NEXT STEPS**

The Food Tax Rebate Program will be administered from March through June 2017. Outreach efforts will begin in February 2017 for rebates on food tax paid during the 2016 calendar year.



## INFORMATION PACKET MEMORANDUM

**To:** Mayor and Members of City Council

**From:** Jane S. Brautigam, City Manager  
Maureen Rait, Executive Director of Public Works  
Michael Sweeney, Director of Public Works for Transportation  
Tracy Winfree, Director of Open Space and Mountain Parks  
Yvette Bowden, Director of Parks and Recreation  
Tina Briggs, Landscape Designer, Parks and Recreation  
James Hewat, Senior Planner, Historic Preservation  
Melanie Sloan, Transportation Planner  
Kelly Wasserbach, Engineering and Project Management Supervisor, Open Space and Mountain Parks  
Brian Wiltshire, Engineering Project Manager

**Date:** October 18, 2016

**Subject:** Information Item: Update on the Chautauqua Pedestrian Safety, Access and Lighting Improvements Project

---

### EXECUTIVE SUMMARY

The City of Boulder's Chautauqua Pedestrian Safety, Access and Lighting Improvements Project is an interdepartmental project that seeks to improve the safety and accessibility for people who travel to and near the Chautauqua while also honoring the historic and natural character of the area through related design and material selection. Project construction is anticipated to start Monday, October 31 and will take six months to complete. All work is weather dependent and, as such, the schedule is subject to change. The total project budget is \$1.5 million and is funded by the 2014 voter-approved Community, Culture and Safety Tax (CCS).

The purpose of this Information Packet item is to provide an update to council about the status of the project, review the planning and community engagement steps leading up to the construction phase, and to review impacts to the vegetation and access along the construction area.

The project will provide a number of safety and accessibility benefits to the community. It will address the safety hazard caused by the lack of sidewalk on the south side of Baseline Road from

west of Sixth Street east to King's Gate. Additionally, the sidewalk will improve visitor and area resident mobility and access to the Chautauqua. Finally, the project will improve pedestrian connections to Open Space and Mountain Parks (OSMP) designated access trails and to existing Chautauqua Park paths, providing better options to pedestrians who typically travel in Kinnikinic Road.

The planning and design phases of the project began in the fall of 2015 and continued into the summer of 2016. During these phases, the project team used a variety of outreach tools to inform the public and solicit feedback on project options. Engagement activities included presentations to four boards and committees, two public open-house meetings and the use of print and electronic media.

Some of the project improvements will occur in the Chautauqua Park Local Landmark Historic District which is also a designated National Historic Landmark (NHL) District (one of only 25 such designated NHLs in Colorado).

This work was reviewed by the city's Landmarks Board on October 15, 2015 and on February 4 and April 6, 2016. In the development of initial project plans, the project team used the Colorado Chautauqua Association's (CCA) Exterior Lighting Plan and the Cultural Landscape Assessment and Plan as guiding documents, per the August 5, 2014 CCS council memo. The Landmarks Board did not approve of lighting within Chautauqua. The project team removed the proposed lighting (from King's Gate to the parking lot east of the tennis courts and at the Shelter House [Trolley Station] and Arbor) from the landmarks alteration certificate application submitted at the April meeting and subsequently, received the certificate for other improvements within the district. While the majority of improvements are outside of the NHL boundary, careful consideration has been given to how the improvements may impact the historic character of Chautauqua, including modifications to King's Gate, the new retaining walls and the removal of vegetation along the southern edge of the NHL District.

The feedback received through the outreach from the planning and design phases was incorporated into the project's final design, where possible. Additional comments have recently been received from the CCA's landscape architect, and the project team is working with CCA to incorporate suggested changes, where possible.

The construction phase will begin October 31 to build the following components:

- A sidewalk on the south side of Baseline Road from 6th Street east to the historic trolley and current transit stop (also known as King's Gate) near the park boundary west of 10th Street
- Improved pedestrian crossings at intersections within the project area
- Pedestrian connections from Baseline Road to OSMP designated access trails, consistent with the West Trail Study Area (TSA) Plan and replacing non-native with native vegetation, and existing Chautauqua Park paths
- Update the transit stop to comply with the Americans with Disability Act (ADA)

- Pedestrian lighting along key access points for safety and accessibility from Baseline Road through the major park access walks to visitor facilities (pending creation of a master exterior lighting plan by CCA and the Landmarks Board, estimated completion in 2017) and landmark alteration certificate approval for the first phase of that plan (estimated to occur in 2018)

Staging for construction, including fencing to define the project boundary, will occur the week prior to October 31.

Construction will occur from west to east, beginning along Chautauqua Meadow (managed by OSMP) and then along Chautauqua Park (managed by Parks and Recreation) and finishing with improvements along Kinnikinic Road and within the Chautauqua Historic District Boundary (Attachment A).

Mature trees within the project area are being retained and protected to the greatest degree possible, although it is estimated that 12 trees along the meadow and 25 along the park that measure four-inches in diameter or greater must be removed from the project construction area, which will open views into the park from Baseline Road. Six of the trees to be removed are Green Ash and are susceptible to an Emerald Ash Borer (EAB) infestation, an additional six are dead and need to be removed for safety reasons and another seven are in poor health. Due to the nature of the construction, the number of trees to be removed may be adjusted, and possibly reduced, once the contractor begins construction preparation. Clearing and grubbing within the construction zone will remove additional vegetation and trees measuring less than four-inches. A plan showing the minimum number of trees to be removed can be found in the attachments (Attachment B).

An equivalent number of trees to those removed by construction and other re-plantings will occur upon project completion. Within the park, trees will be selected and planted in Parks and Recreation managed lands to best support their health and longevity. Along the meadow, replanting will use native species for the best ecological health, aesthetic appeal, and slope stability of this stretch of OSMP lands. The re-plantings will be guided by landscape plans developed by both Parks and Recreation and OSMP.

A new retaining wall will be constructed between Kinnikinic Road and Queen's Gate and will be compatible in construction and detail to the existing historic retaining wall in this area. Details for the construction of this wall will be reviewed on-site by the Landmarks Design Review Committee (LDRC).

The project team will provide regular updates to the public via project webpage (<https://bouldercolorado.gov/transportation/chautauqua-pedestrian-safety-access-and-lighting>) and email list updates; OSMP, Parks and Recreation and CCA newsletters; and the city's construction and traffic impact webpage, [www.BoulderConeZones.net](http://www.BoulderConeZones.net).

## **FISCAL IMPACT**

The project is fully funded by the 2014 voter-approved Community, Culture and Safety Tax. City staff is not proposing additional funding for this project at this time.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

- **Economic:** The project helps the city achieve its economic goals by adding transportation facilities and access for residents, businesses, employees, customers and visitors along Baseline Road in Boulder. This multimodal infrastructure improvement contributes to the quality of life in Boulder, which can help to attract, sustain, and retain businesses and entrepreneurs.
- **Environmental:** The project helps the city achieve its environmental goals by providing another transportation mode in this section of Baseline Road for property owners, residents, visitors and employees to use. A decrease in vehicle use is anticipated, which would reduce and minimize the use of non-renewable energy resources and greenhouse gas emissions (GHG). In addition, the project will allow diversity in the tree canopy near the project that allows long-term health to the forest as well as reducing the impact of the current pest infestation with Emerald Ash Borer.
- **Social:** In several ways, this project addresses the needs of diverse communities, e.g., different ethnicities and cultures, abilities, age, income, family demographics and under-represented residents. The project has engaged broad segments of the community. This project addresses important safety issues by providing an accessible and protected walkway along the Chautauqua. This project also helps the city achieve its social sustainability goal by expanding transportation options for all members of the community by completing a missing sidewalk link, adding Americans with Disabilities Act (ADA) ramps on Baseline Road and at the transit stop (King's Gate) and adding pedestrian lighting within Chautauqua (pending creation of a master exterior lighting plan by CCA and the Landmarks Board, estimated completion in 2017) and landmark alteration certificate approval for the first phase of that plan (estimated to occur in 2018).

## **BACKGROUND**

This section of Baseline Road, from west of 6<sup>th</sup> Street east to the historic trolley and current transit stop (also known as King's Gate) near the park boundary west of 10<sup>th</sup> Street, serves an important role for the use of the Chautauqua Park, Open Space and Mountain Parks (OSMP) trails and Colorado Chautauqua Association (CCA) lodging, programming and venues. Together, these three facets of Chautauqua attract over half a million visitors per year.

Currently, no sidewalk exists along this section of the south side of Baseline Road. While historically no sidewalk has existed on the south side of Chautauqua Park, today the high level of pedestrian travel in the street increases the potential for pedestrian-vehicle and pedestrian-bicycle conflict. Additionally, the lack of sidewalks impedes the mobility and access of the project area

residents. Consequently, the project area has been identified in the city's Missing Sidewalk Links program (<https://bouldercolorado.gov/transportation/missing-sidewalk-links-program>).

Some of the project improvements will occur in the Chautauqua Park Local Landmark Historic District which is also a designated National Historic Landmark (NHL) District (one of only 25 such designated NHLs in Colorado).

This work was reviewed by the city's Landmarks Board on October 15, 2015 and on February 4<sup>th</sup> and April 6<sup>th</sup>, 2016. The board expressed concerns as to the appropriateness of lighting at the October and February meetings. The project team used the Colorado Chautauqua Association's Exterior Lighting Plan and the Cultural Landscape Assessment and Plan as guiding documents, per the August 5, 2014 CCS council memo, in the development of initial project plans. It became clear through the October and February presentations to the Landmarks Board that these plans had not been developed through the collaborative framework or approved by the Landmarks Board.

Recognizing this, the project team removed the proposed lighting from King's Gate to the parking lot east of the tennis courts, at the Shelter House (Trolley Station) and at the Arbor from the landmarks alteration certificate application submitted at the April meeting.

The board issued a landmark alteration certificate at the April meeting for construction of a soft surface social trail from Queen's Gate into Chautauqua Park; construction of a five-foot wide, exposed aggregate concrete detached sidewalk on the east side of Kinnikinic Road and construction of swales along Kinnikinic Road from Baseline Road to Bluebell Road on the west and Sumac Drive on the east for improved drainage along Kinnikinic Road. The board also requested that Public Works redesign aspects of the project improvements within the NHL to be more in keeping with the historic character of the historic district. Additionally, the Landmarks Board provided comments on elements of the design along Baseline Road but just out of the historic district boundary including modifications to Kings Gate, new retaining walls, and removal of vegetation at the south edge of the Chautauqua Historic District.

The facilities constructed as part of the project will improve and/or provide important pedestrian safety treatments such as sidewalks, crosswalks, ADA compliant curb-ramps and lighting, including the following work (those within the Chautauqua historic district are in bold):

- Construction of a 5-foot wide sidewalk on the south side of Baseline Road from the park boundary near 10<sup>th</sup> Street to the end of on-street parking west of Sixth Street
- Improved Americans with Disabilities Act (ADA) compliant pedestrian crossings along Baseline Road
- Transit stop improvements, including an ADA-compliant ramp, at King's Gate
- Native shrubs and plantings to replace non-native species and improve landscape conditions on the north edge of the Chautauqua meadow

- Tree and landscape restoration within Chautauqua Park per a developed landscape plan
- Improved pedestrian connections from Baseline Road to Open Space and Mountain Parks designated access trails and to existing Parks and Recreation paths, thereby reducing current impacts to the meadow
- **Construction of a soft surface social trail from the Queen's Gate into Chautauqua Park**
- **Construction of a five-foot wide, exposed-aggregate concrete detached sidewalk on the east side of Kinnikinic Road within the historic district boundary**
- **Construction of swales along Kinnikinic Road from Baseline Road to Bluebell Road on the west and Sumac Drive on the East for improved drainage along Kinnikinic Road**
- **Pedestrian lighting along key access points for safety and accessibility from Baseline Road through the major park access walks to visitor facilities (pending creation of a master exterior lighting plan by CCA and the Landmarks Board, estimated completion in 2017) and landmark alteration certificate approval for the first phase of that plan (estimated to occur in 2018)**

The contractor will work from west to east along Baseline Road and finish on Kinnikinic Road. Tree and vegetation removal along Chautauqua Meadow will begin November 1, followed immediately by construction. Work along Chautauqua Park will begin about a month and a half after that in the meadow and Kinnikinic Road improvements will be phased last. The construction phase of the project is anticipated to take six months to complete, weather dependent.

The CCA and the Landmarks Board agreed to work within the collaborative framework to develop and approve a master exterior lighting plan over the next year (2016-2017). Public Works will seek a landmark alteration certificate to install the first phase of that lighting plan when it is completed (2017-2018).

## ANALYSIS

In planning and designing this project, the team considered the defined scope of the CCS ballot narrative, existing plans and studies, current conditions, user needs and design guidelines for the Chautauqua Park, and the extensive public feedback received.

The city is employing a variety of engagement activities to inform the public about the project and solicit feedback on project details, including:

- Presenting to appropriate boards and committees (Open Space Board of Trustees, Transportation Advisory Board, Colorado Chautauqua Association, Parks and Recreation Advisory Board, Landmarks Board, and the Chautauqua Building and Grounds Committee),
- Consultation with History Colorado,
- Hosting public open-house meetings (October, 2015 & June, 2016),
- Creation of a project webpage that includes links to Inquire Boulder,
- Placement of a comment box at the Chautauqua Ranger Cottage,
- Utilization of City of Boulder communications media (e.g., Channel 8, public library and recreation center video screens, etc.)
- Project and meeting mailings to nearby residents, property owners, businesses and other interested parties and
- Continued development of a master exterior lighting plan for the Chautauqua historic district using the collaborative framework with the Colorado Chautauqua Association, the Parks and Recreation Department and the Landmarks Board. Public Works will seek a landmarks alteration certificate approval from Landmarks Board for the first phase of that lighting plan upon its completion.

The project team received 49 emails and completed comment forms through the public process in addition to that provided by the boards and committees. The following elements of the final project alternative were influenced by this feedback: material selection of pedestrian paths, retaining walls and swales; storm water drainage; year round maintenance for the new sidewalks; tree and vegetation removal and species selection and re-planting plans; and safety improvements to the entrance to Kinnikinic from Baseline. Additional requests for transit service improvements and changes to vehicle and bicycle parking were received by the project team and shared with the Chautauqua Access Management Plan team, which is currently exploring ways to manage existing demand for access to and from the Chautauqua area.

Additional comments have recently been received from the landscape architect working for CCA. These comments include suggestions for changes to the construction and placement of the new retaining wall, use of slope and groundcover within the right of way and outside of the historic district, tree and vegetation removal to create views into Chautauqua Green and placement of the gutter pan within the right of way. The project team is working with CCA to incorporate suggested changes, where possible.

The project sidewalks will be built to a width (five feet) that allows year-round maintenance (i.e., to accommodate snow removal equipment).

Pedestrian paths from Baseline Road will continue into Chautauqua along Kinnikinic Road, providing improved pedestrian connections from Baseline Road to OSMP designated access trails and to existing Parks and Recreation paths. At the request of the Landmarks Board the project minimizes the use of concrete within Chautauqua Historic District by surfacing the new sidewalk on the west side of Kinnikinic Road with crusher fines. Likewise, the detached five-foot wide concrete sidewalk will match historic concrete in the historic district while providing an appropriate, safe and accessible year-round maintainable pedestrian connection.

Pedestrian crossings of Baseline Road will be improved through installation of a raised median west of the intersection of Grant Place/Kinnikinic Road and Baseline Road (to replace the pilot pedestrian refuge) and the installation of curb extensions (bulb-outs) at Queen's Gate, King's Gate and Kinnikinic Road. The median and bulb-outs will reduce the potential for conflicts across all modes in the corridor. Additionally, ADA compliant intersection curb ramps will be installed at the northwest corner of Grant and Baseline roads, at the southeast corner of Kinnikinic and Baseline roads, at the northwest and southwest intersection of Lincoln Place and Baseline Road and at King's Gate.

Currently, at least seven undesignated trails have been established between 6th Street and Grant Place/Kinnikinic Road within the Chautauqua Meadow. Using a combination of slope, retaining wall, and native vegetation the project will discourage entry at the eliminated trails and encourage entry at the designated/retained trails as identified in the OSMP West Trail Study Area Plan. The OSBT emphasized and supported the project's effort to help implement the West TSA and noted the importance of the project design being consistent with the character of the area.

The new retaining wall between Kinnikinic Road and Queen's Gate will be constructed to vary in height with the existing slope at Chautauqua Park in the project area. The newly constructed retaining wall will be constructed and detailed to be compatible with the existing historic retaining wall in this area. Details for the construction of this wall will be reviewed onsite, by the Landmarks Design Review Committee (LDRC).

The project team is sensitive to the removal of trees and vegetation and the potential visual impact it may have at the south edge of Chautauqua. Mature trees within the project area are being retained and protected as much as possible although it is estimated that 12 trees along the meadow and 25 along the park that measure four-inch in diameter or greater must be removed from the project construction area. Forestry specialists from Parks and Recreation, in collaboration with Transportation and OSMP, evaluated the project area to identify the trees and vegetation to be removed for the project. This process prioritized trees to be retained through project design changes, such as adjustments to the retaining wall. The evaluation also identified six of the trees to be removed as Green Ash and are susceptible to an Emerald Ash Borer (EAB) infestation, an additional six are dead and need to be removed for safety reasons and another seven are in poor health

Clearing and grubbing within the construction zone will remove additional vegetation and trees measuring less than four-inches. Trees and other re-plantings will replace those removed by construction. Within the park, trees will be selected and planted in Parks and Recreation

managed lands to best support their health and longevity. Along the meadow, replanting will use native species for the best ecological health, aesthetic appeal, and slope stability of this stretch of OSMP lands. The re-plantings will be guided by landscape plans developed by both Parks and Recreation and OSMP.

The King's Gate will be modified to include a curb extension and ADA accessible ramps and the stairs and transit stop will also be reconstructed in a manner sensitive to the historic character of this important feature. A curb extension will be constructed with the new sidewalk in front of Queen's Gate, and a crusher fines path will direct users of Queen's Gate into the park and around mature tree roots.

## **NEXT STEPS**

The project team will provide regular updates to the public via a project webpage (<https://bouldercolorado.gov/transportation/chautauqua-pedestrian-safety-access-and-lighting>) and email list updates; OSMP, Parks and Recreation and Colorado Chautauqua Association newsletters; and the city's construction and traffic impact webpage, [www.BoulderConeZones.net](http://www.BoulderConeZones.net). Information on the development of the landscape plan for trees and plantings and on progress of the master exterior lighting plan will be provided through the project webpage.

For more information or to answer any questions, please contact Brian Wiltshire, Engineering Project Manager in the Transportation Division at 303-441-4162 or [WiltshireB@bouldercolorado.gov](mailto:WiltshireB@bouldercolorado.gov).

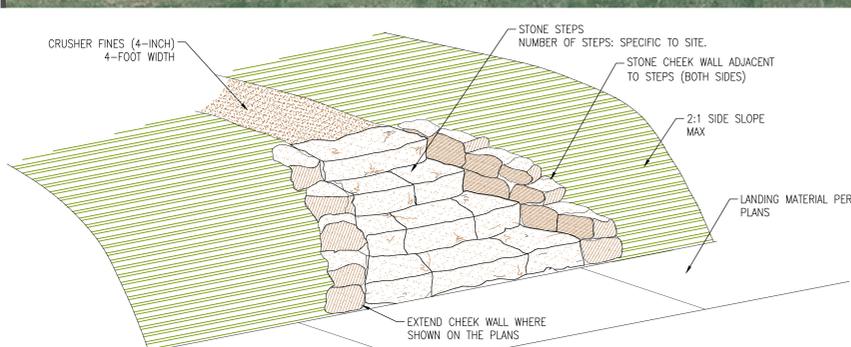
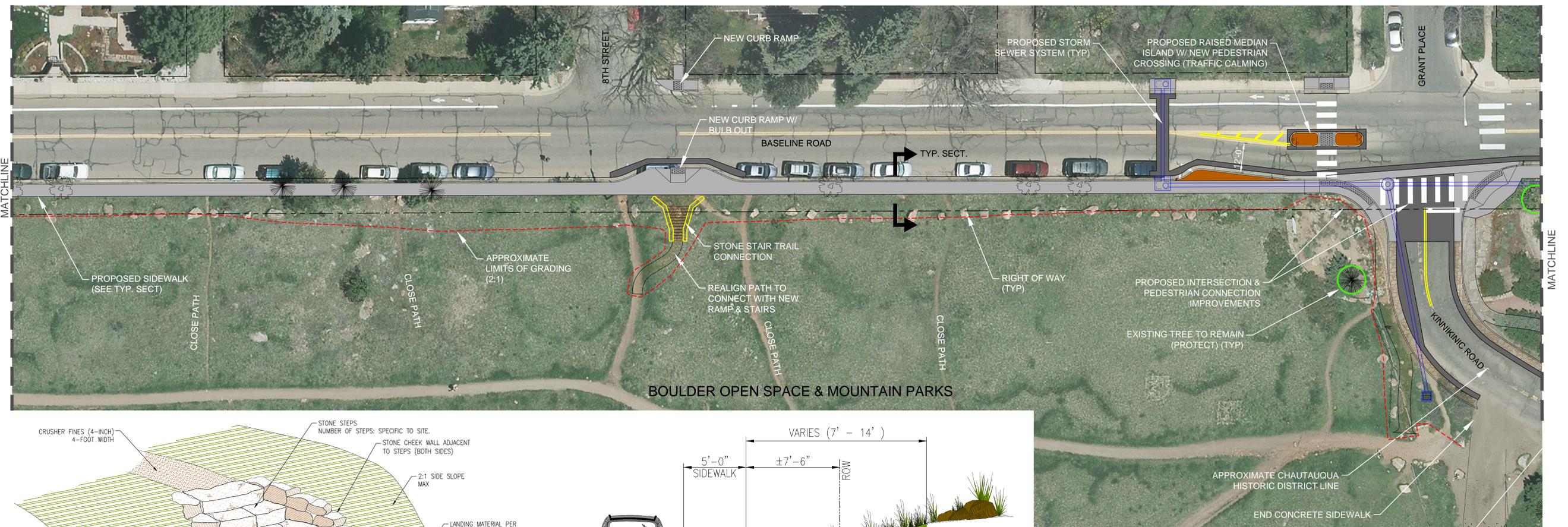
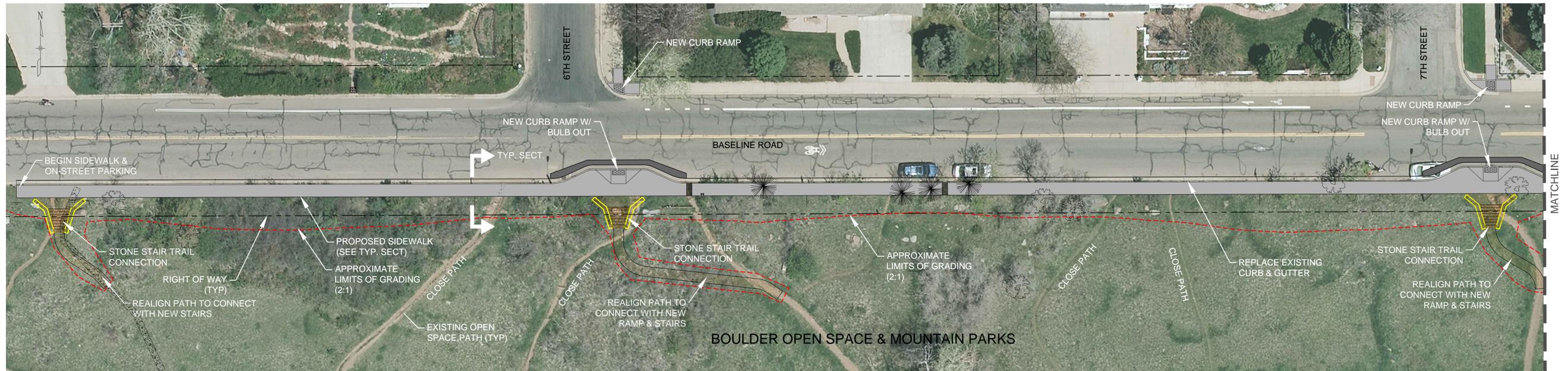
## **Attachments**

Attachment A, Illustrative Plans

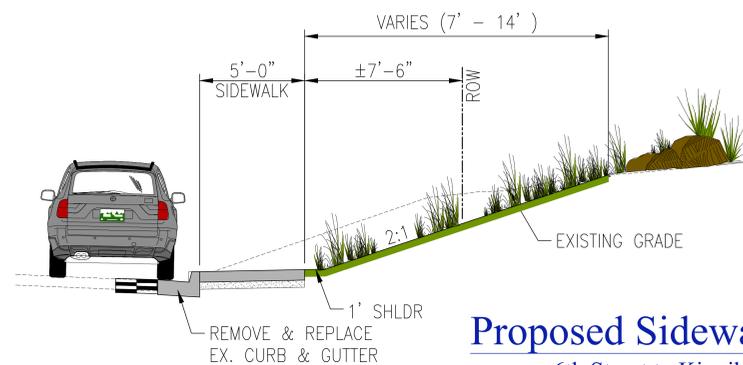
Attachment B, Removal and Reset Plan (showing the minimum number of trees to be removed)

# Chautauqua Pedestrian Safety, and Access Improvements

# Final Design Illustrative Plan



**Meadow Trail Stair Connection**



**Proposed Sidewalk Section**  
6th Street to Kinnikinic Road

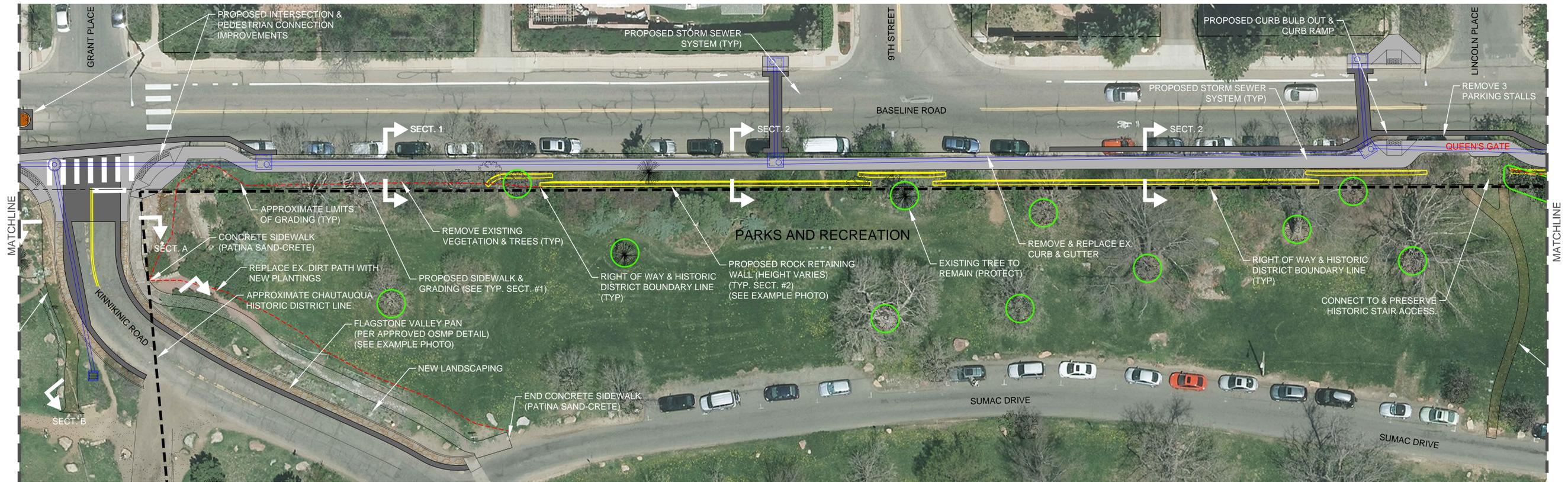
Public Open-House Meeting

June 28, 2016



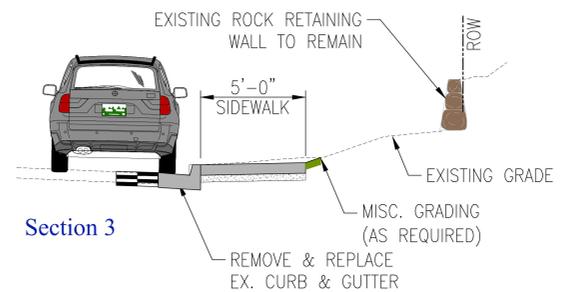
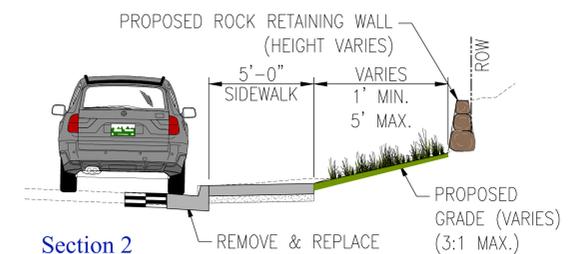
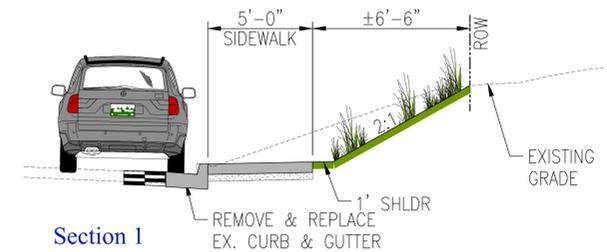
# Chautauqua Pedestrian Safety, and Access Improvements

# Final Design Illustrative Plan



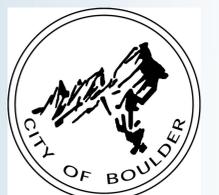
## Proposed Sidewalk Sections

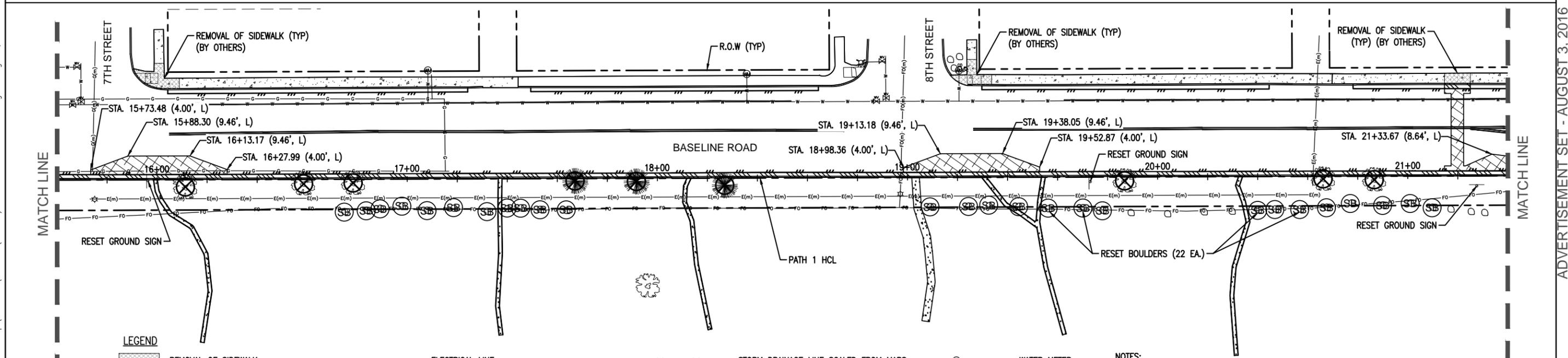
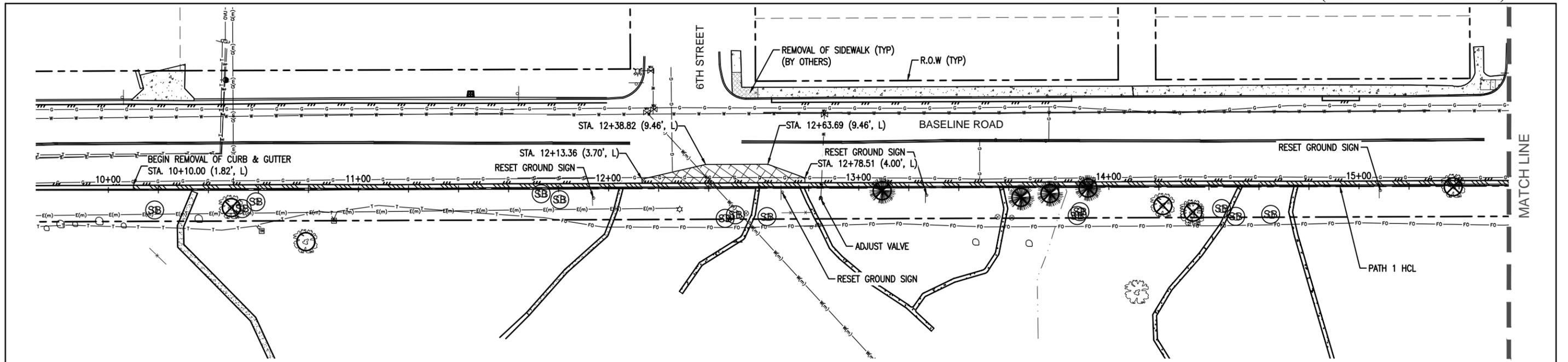
Kinnikinic Road to 10th Street



Public Open-House Meeting

June 28, 2016



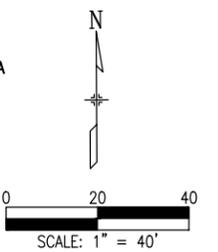


LEGEND

- |  |                            |  |                                   |  |                                      |  |                        |
|--|----------------------------|--|-----------------------------------|--|--------------------------------------|--|------------------------|
|  | REMOVAL OF SIDEWALK        |  | ELECTRICAL LINE                   |  | STORM DRAINAGE LINE SCALED FROM MAPS |  | WATER METER            |
|  | REMOVAL OF ASPHALT MAT     |  | ELECTRICAL LINE SCALED FROM MAPS  |  | TELEPHONE LINE                       |  | WATER VALVE            |
|  | REMOVAL OF CONCRETE        |  | OVERHEAD UTILITY LINE             |  | TELEPHONE LINE SCALED FROM MAPS      |  | IRRIGATION VALVE       |
|  | REMOVAL OF CURB AND GUTTER |  | FIBER OPTIC LINE                  |  | WATER LINE                           |  | LIGHT POLE             |
|  | REMOVAL OF TREE            |  | FIBER OPTIC LINE SCALED FROM MAPS |  | WATER LINE SCALED FROM MAPS          |  | GUY WIRE               |
|  | PROTECT TREE               |  | GAS LINE                          |  | TELEPHONE RISER                      |  | UTILITY POLE           |
|  | STOCKPILE BOULDER          |  | GAS LINE SCALED FROM MAPS         |  | CLEANOUT                             |  | GRATE INLET            |
|  |                            |  | SANITARY SEWER LINE               |  | SANITARY SEWER MANHOLE               |  | CURB INLET             |
|  |                            |  | STORM DRAINAGE LINE               |  | FIRE HYDRANT                         |  | STORM DRAINAGE MANHOLE |

NOTES:

- "REMOVAL OF SIDEWALK" SHALL INCLUDE THE REMOVAL OF CURB RAMPS, TRUNCATED DOMES, CONCRETE STAIRS, AND FURNISHINGS (INCLUDING HANDRAILS) EMBEDDED IN SIDEWALKS.
- REMOVAL OF TREES SHALL BE COORDINATED WITH THE CITY FORESTRY DEPARTMENT. REFER TO THE PROJECT SPECIFICATIONS FOR FURTHER INFORMATION.
- BOULDER 24-INCHES OR LARGER IN DIAMETER SHALL BE STOCKPILED AT A LOCATION DETERMINED IN THE FIELD BY THE ENGINEER.



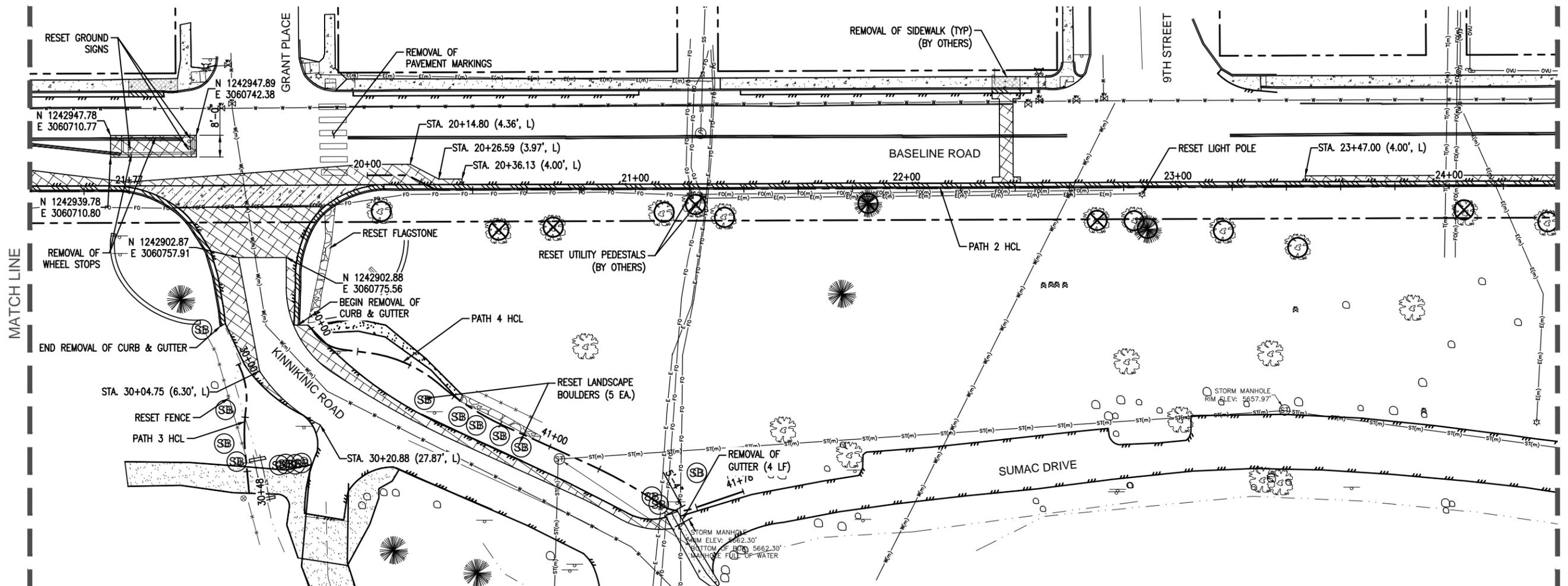
G:\7.2 Clients\008 - CI Boulder Trans\15121 - Chautauqua Ped Imp\50 DWG\15121-(16-18)-Removal and Resets.dwg Aug 05, 2016 - 9:30am

ADVERTISEMENT SET - AUGUST 3, 2016

Print Date: Aug 05, 2016	Sheet Revisions			 Loris and Associates, Inc. 100 Superior Plaza Way, Suite 220 Superior, Colorado 80027 303.444.2073 www.LorisandAssociates.com	 CITY OF BOULDER PUBLIC WORKS DEPARTMENT	As Constructed	CHAUTAUQUA PEDESTRIAN SAFETY & ACCESS IMPROVEMENTS		Project No./Code
File Name: 15121-(16-18)-Removal and Resets.dwg	Date:	Comments	Init.			No Revisions:	REMOVAL AND RESET PLAN		
Horiz. Scale: 1:40						Revised:	Designer: KFD	Structure Numbers	-
Vert. Scale:						Void:	Detailer: LX	Subset Sheets: 1 of 3	Sheet Number 16

G:\7.2 Clients\008 - CI Boulder Trans\15121 - Chautauqua Ped Imp\50 DWG\15121-(16-18)-Removal and Resets.dwg Aug 05, 2016 - 9:30am

ADVERTISEMENT SET - AUGUST 3, 2016

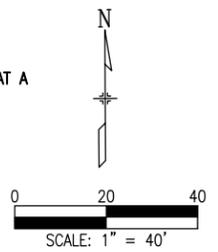


**LEGEND**

	REMOVAL OF SIDEWALK		ELECTRICAL LINE		STORM DRAINAGE LINE SCALED FROM MAPS		WATER METER
	REMOVAL OF ASPHALT MAT		ELECTRICAL LINE SCALED FROM MAPS		TELEPHONE LINE		WATER VALVE
	REMOVAL OF CONCRETE		OVERHEAD UTILITY LINE		TELEPHONE LINE SCALED FROM MAPS		IRRIGATION VALVE
	REMOVAL OF CURB AND GUTTER		FIBER OPTIC LINE		WATER LINE		LIGHT POLE
	REMOVAL OF TREE		FIBER OPTIC LINE SCALED FROM MAPS		WATER LINE SCALED FROM MAPS		GUY WIRE
	PROTECT TREE		GAS LINE		TELEPHONE RISER		UTILITY POLE
	STOCKPILE BOULDER		GAS LINE SCALED FROM MAPS		CLEANOUT		GRATE INLET
			SANITARY SEWER LINE		SANITARY SEWER MANHOLE		CURB INLET
			STORM DRAINAGE LINE		FIRE HYDRANT		STORM DRAINAGE MANHOLE

**NOTES:**

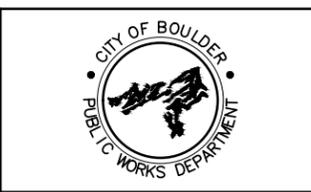
- "REMOVAL OF SIDEWALK" SHALL INCLUDE THE REMOVAL OF CURB RAMPS, TRUNCATED DOMES, CONCRETE STAIRS, AND FURNISHINGS (INCLUDING HANDRAILS) EMBEDDED IN SIDEWALKS.
- REMOVAL OF TREES SHALL BE COORDINATED WITH THE CITY FORESTRY DEPARTMENT. REFER TO THE PROJECT SPECIFICATIONS FOR FURTHER INFORMATION.
- BOULDER 24-INCHES OR LARGER IN DIAMETER SHALL BE STOCKPILED AT A LOCATION DETERMINED IN THE FIELD BY THE ENGINEER.



Print Date: Aug 05, 2016
File Name: 15121-(16-18)-Removal and Resets.dwg
Horiz. Scale: 1:40      Vert. Scale:

Sheet Revisions		
Date:	Comments	Init.

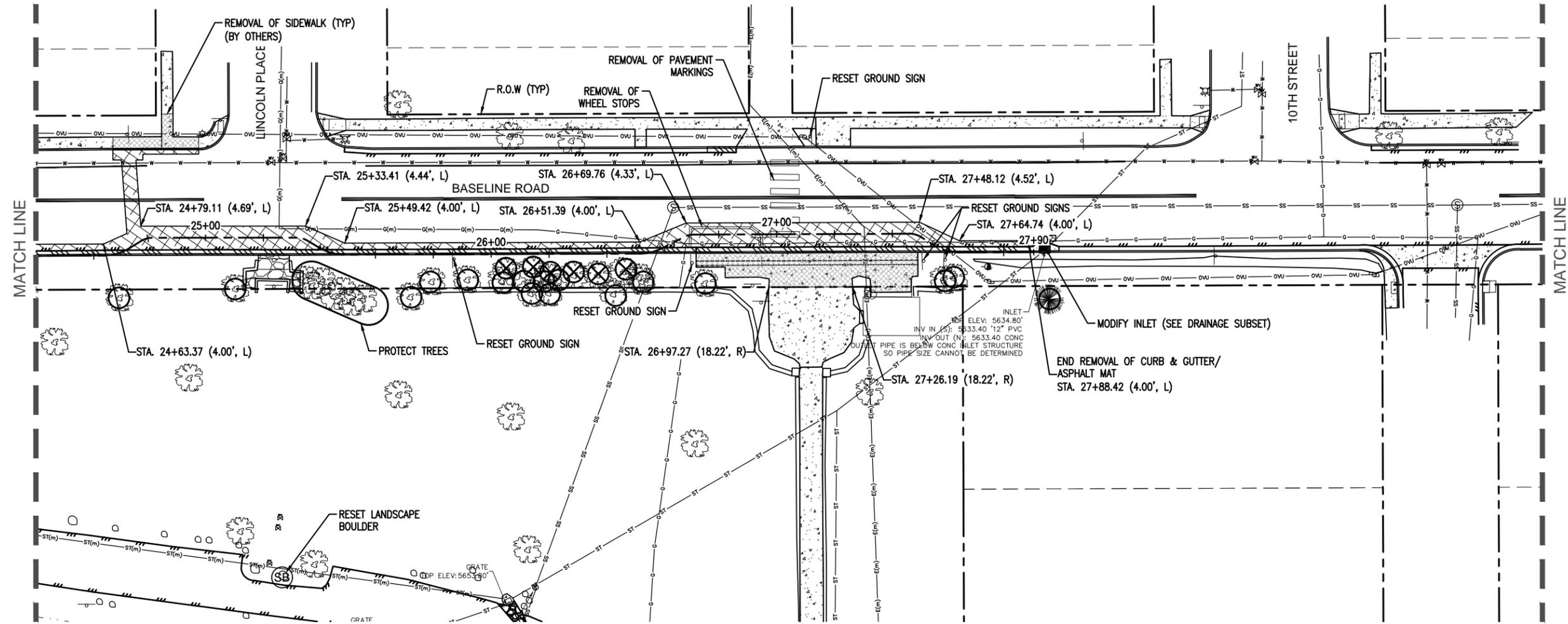
**Loris and Associates, Inc.**  
 100 Superior Plaza Way,  
 Suite 220  
 Superior, Colorado 80027  
 303.444.2073  
 www.LorisandAssociates.com



As Constructed
No Revisions:
Revised:
Void:

CHAUTAUQUA PEDESTRIAN SAFETY & ACCESS IMPROVEMENTS REMOVAL AND RESET PLAN			
Designer:	KFD	Structure Numbers	
Detailer:	LX	Subset Sheets:	2 of 3
Sheet Subset:	REMOVAL		

Project No./Code	-
Sheet Number	17

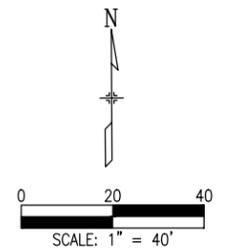


LEGEND

	REMOVAL OF SIDEWALK		ELECTRICAL LINE		STORM DRAINAGE LINE SCALED FROM MAPS		WATER METER
	REMOVAL OF ASPHALT MAT		ELECTRICAL LINE SCALED FROM MAPS		TELEPHONE LINE		WATER VALVE
	REMOVAL OF CONCRETE		OVERHEAD UTILITY LINE		TELEPHONE LINE SCALED FROM MAPS		IRRIGATION VALVE
	REMOVAL OF CURB AND GUTTER		FIBER OPTIC LINE		WATER LINE		LIGHT POLE
	REMOVAL OF TREE		FIBER OPTIC LINE SCALED FROM MAPS		WATER LINE SCALED FROM MAPS		GUY WIRE
	PROTECT TREE		GAS LINE		TELEPHONE RISER		UTILITY POLE
	STOCKPILE BOULDER		GAS LINE SCALED FROM MAPS		CLEANOUT		GRATE INLET
			SANITARY SEWER LINE		SANITARY SEWER MANHOLE		CURB INLET
			STORM DRAINAGE LINE		FIRE HYDRANT		STORM DRAINAGE MANHOLE

NOTES:

- "REMOVAL OF SIDEWALK" SHALL INCLUDE THE REMOVAL OF CURB RAMPS, TRUNCATED DOMES, CONCRETE STAIRS, AND FURNISHINGS (INCLUDING HANDRAILS) EMBEDDED IN SIDEWALKS.
- REMOVAL OF TREES SHALL BE COORDINATED WITH THE CITY FORESTRY DEPARTMENT. REFER TO THE PROJECT SPECIFICATIONS FOR FURTHER INFORMATION.
- BOULDER 24-INCHES OR LARGER IN DIAMETER SHALL BE STOCKPILED AT A LOCATION DETERMINED IN THE FIELD BY THE ENGINEER.



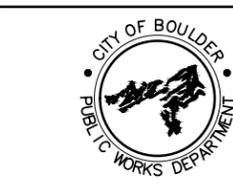
G:\7.2 Clients\008 - CI Boulder Trans\15121 - Chautauqua Ped Imp\50 DWG\15121-(16-18)-Removal and Resets.dwg Aug 05, 2016 - 9:30am

ADVERTISEMENT SET - AUGUST 3, 2016

Print Date: Aug 05, 2016	
File Name: 15121-(16-18)-Removal and Resets.dwg	
Horiz. Scale: 1:40      Vert. Scale:	

Sheet Revisions		
Date:	Comments	Init.

**Loris and Associates, Inc.**  
 100 Superior Plaza Way,  
 Suite 220  
 Superior, Colorado 80027  
 303.444.2073  
 www.LorisandAssociates.com



As Constructed
No Revisions:
Revised:
Void:

CHAUTAUQUA PEDESTRIAN SAFETY & ACCESS IMPROVEMENTS REMOVAL AND RESET PLAN			
Designer:	KFD	Structure Numbers	
Detailer:	LX	Subset Sheets:	3 of 3
Sheet Subset:	REMOVAL		

Project No./Code	
Sheet Number	18

**CITY OF BOULDER**  
**BEVERAGE LICENSING AUTHORITY**  
**\* \* \* MINUTES \* \* \***  
**WEDNESDAY, SEPTEMBER 21, 2016, 3:00 P.M.**  
**CITY COUNCIL CHAMBERS**  
**MUNICIPAL BUILDING – 2<sup>ND</sup> FLOOR**  
**1777 BROADWAY, BOULDER, COLORADO**

**NAME OF BOARD/COMMISSION:** Beverage Licensing Authority (BLA)  
**DATE OF MEETING:** September 21, 2016  
**NAME & PHONE OF PERSON PREPARING SUMMARY:** Mishawn Cook, Licensing Administrator (303-441-3010)  
Kristen Huber, Licensing Specialist (303-441-3034)

---

**NAMES OF MEMBERS, STAFF, AND INVITED GUESTS PRESENT:**

**Board Members:** Steven Wallace, David Timken, Alyssa Lundgren, Lisa Spalding, and Matthew Califano  
**Staff Present:** Carey Markel, Assistant City Attorney, Mishawn Cook, Licensing Administrator, and Kristen Huber, Licensing Specialist

**QUASI-JUDICIAL MEETING OUTLINE OF AGENDA**

---

**1. Administrative Board Matters**

**i) Member Roll Call**

Roll call was taken. A quorum of five BLA members attended.

**ii) Approval of BLA minutes from August 17, 2016**

Member Spalding moved, Lundgren seconded, to approve the August 17, 2016 minutes. Motion approved 5:0.

**iii) Hearing agenda issues from licensing clerk**

Ms. Huber noted that Wild Standard would request a hearing continuance for Agenda Item 4.

**2. Matters from the Boulder Police Department (BPD).**

Officer Daniel Bergh appeared on behalf of the BPD and discussed the Last Drink Data Reports.

**3. Matters from the Responsible Hospitality Group (RHG).**

No matters were discussed.

**4. Continued show cause hearing concerning an April 22, 2016 violation and whether the Hotel-Restaurant type liquor license held by Pearl Dive LLC d/b/a Wild Standard, 1043 Pearl Street, Boulder, CO 80302, should be suspended or revoked.**

Micah Nushawg, Director of Operations, was sworn in.

A stipulation to the facts was entered as Agenda Item 4, Exhibit 1. Mr. Nushawg requested a continuance of this Agenda Item to allow their legal counsel to attend the hearing.

Member Califano moved, Vice Chair Timken seconded, to grant a final continuance of this Agenda Item to the BLA hearing on October 19, 2016. Motion approved 5:0.

**5. Show cause hearing concerning a May 13, 2016 violation and whether the Hotel-Restaurant type liquor license held by Rio Grande Mexican Restaurants, Inc d/b/a Rio Grande Mexican Restaurant, 1101 Walnut Street, Boulder, CO 80302, should be suspended or revoked.**

Jason Barrett, CEO, and Derek Stoldt, Registered Manager, were sworn in. Hearing procedures were read. No BLA members disclosed ex-parte communications or conflicts of interest.

Mr. Markley stated that a stipulation to the facts in this matter had been reached. Vice Chair Timken moved, Member Califano seconded, to accept the stipulation. Motion approved 5:0.

Mr. Barrett and Mr. Stoldt provided testimony regarding mitigating evidence. Mr. Barrett requested a fine in lieu of suspension. The BLA declined the request.

The BLA noted mitigating and aggravating factors. Member Califano moved, Lundgren seconded, to set this violation penalty at 4 suspension days served with 15 days held in abeyance. Motion approved 4:1 with Vice Chair Timken opposed.

Member Spalding moved, Lundgren seconded, to set the 4 suspension days to be served from September 26 to September 29, 2016. Motion approved 5:0.

**6. Show cause hearing concerning a May 13, 2016 violation and whether the Hotel-Restaurant type liquor license held by Radomil R Cerny Irrevocable Trust d/b/a L'Atelier Restaurant, 1739 Pearl Street, Boulder, CO 80302, should be suspended or revoked.**

Radomil Cerny, Owner and Registered Manager, was sworn in. Hearing procedures were read. No BLA members disclosed ex-parte communications or conflicts of interest.

Mr. Markley stated that a stipulation to the facts in this matter had been reached. The stipulation was entered as Agenda Item 6, Exhibit 1. Vice Chair Timken moved, Member Spalding seconded, to accept the stipulation. Motion approved 5:0.

Mr. Cerny provided testimony regarding the violation but declined to provide mitigating evidence.

The BLA noted aggravating factors and lack of mitigating evidence. Member Califano moved, Lundgren seconded, to set this violation penalty at 10 suspension days served with 25 days held in abeyance. The BLA underscored that the licensee also had 10 days held in abeyance from the BLA hearing on September 16, 2015. Since the licensee received a second violation within one year of the first violation, the 10 days held in abeyance from September 16, 2015 were added to the suspension for a total of 20 suspension days to be served from September 26, 2016 to October 15, 2016. Motion approved 4:1 with Chair Wallace opposed.

**7. Show cause hearing concerning a May 14, 2016 violation and whether the Hotel-Restaurant type liquor license held by TerMar Enterprises Inc d/b/a Le Peep, 2525 Arapahoe Avenue, Unit E 50, Boulder, CO 80302, should be suspended or revoked.**

Alan Teran, Owner, and James Edwards, Registered Manager, were sworn in. Hearing procedures were waived. No BLA members disclosed ex-parte communications or conflicts of interest.

Mr. Markley stated that a stipulation to the facts in this matter had been reached. Member Spalding moved, Vice Chair Timken seconded, to accept the stipulation. Motion approved 5:0.

Mr. Teran and Mr. Edwards provided testimony regarding mitigating evidence.

The BLA noted mitigating and aggravating factors.

Vice Chair Timken moved to set this violation penalty at 5 suspension days served with 9 days held in abeyance. The motion failed due to the lack of a second motion.

Member Spalding moved, Lundgren seconded, to set this violation penalty at 3 suspension days served with 11 days held in abeyance. Motion failed 1:4 with Chair Wallace, Vice Chair Timken, Member Califano, and Member Lundgren opposed.

Member Califano moved, Vice Chair Timken seconded, to set this violation penalty at 4 suspension days served with 10 days held in abeyance. Motion approved 5:0.

Member Spalding moved, Vice Chair Timken seconded, to set the 4 days to be served from September 26, 2016 to September 29, 2016. Motion approved 5:0.

**8. Show cause hearing concerning a May 14, 2016 violation and whether the Beer and Wine type liquor license held by Sherpa Holdings 2015 LLC d/b/a Fuji Café, 2018 Broadway, Boulder, CO 80302, should be suspended or revoked.**

Pemba Sherpa, Owner, was sworn in. Hearing procedures were waived. No BLA members disclosed ex-parte communications or conflicts of interest.

Ms. Huber noted that the correct license start date on the Notice of Hearing and Order to Show Cause was April 28, 2016.

Mr. Markley stated that a stipulation to the facts in this matter had been reached. The stipulation was entered as Agenda Item 8, Exhibit 1. Member Spalding moved, Vice Chair Timken seconded, to accept the stipulation. Motion approved 5:0.

Mr. Sherpa provided testimony regarding mitigating evidence.

The BLA noted mitigating and aggravating factors. Member Califano moved, Vice Chair Timken seconded, to set this violation penalty at 7 suspension days served with 14 days held in abeyance. Motion approved 5:0.

Member Spalding moved, Vice Chair Timken seconded, to set the 7 days to be served from September 26, 2016 to October 2, 2016. Motion approved 5:0.

**9. Public hearing and consideration of whether there is good cause for non-renewal of a July 29, 2016 application from Sugarless, Inc d/b/a Carelli's of Boulder, 645 30th Street, Boulder, CO 80303; Greg Carelli, Owner and Registered Manager; with a premise business mailing address, for renewal of a Hotel-Restaurant type liquor license.**

Greg Carelli, Owner and Registered Manager, was sworn in and confirmed the ten-day premise posting under oath. Hearing procedures were read. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

Mr. Carelli provided testimony regarding the renewal application.

Member Spalding moved, Califano seconded, to approve this renewal application for a Hotel-Restaurant type liquor license. Motion approved 5:0.

**10. Public hearing and consideration of whether there is good cause for non-renewal of an August 3, 2016 application from Back Country Pizza and Tap House, LLC d/b/a Back Country Pizza and Tap House, 2319 Arapahoe Avenue, Boulder, CO 80302; Sarah Fayman, Owner, and John Fayman, Registered Manager; with a premise business mailing address, for renewal of a Hotel-Restaurant type liquor license.**

John Fayman, Registered Manager, was sworn in and confirmed the ten-day premise posting under oath. Hearing procedures were waived. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

Mr. Fayman provided testimony regarding the renewal application.

Member Spalding moved, Vice Chair Timken seconded, to approve this renewal application for a Hotel-Restaurant type liquor license. Motion approved 5:0.

**11. Public hearing and consideration of whether there is good cause for non-renewal of an August 11, 2016 application from BaconLuv, LLC d/b/a Blackbelly Market, 1606 Conestoga Street, Suite 3, Boulder, CO 80301; Peter-Christian Olivo, Co-owner, Hosea Rosenberg, Co-**

**owner, and Lee Sandoval, Registered Manager; with a premise business mailing address, for renewal of a Hotel-Restaurant type liquor license.**

Peter-Christian Olivo, Co-owner, Hosea Rosenberg, Co-owner, and Lee Sandoval, Registered Manager, were sworn in and confirmed the ten-day premise posting under oath. Hearing procedures were waived. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

Mr. Olivo provided testimony regarding the renewal application.

Vice Chair Timken moved, Member Califano seconded, to approve this renewal application for a Hotel-Restaurant type liquor license. Motion approved 5:0.

**12. Public hearing and consideration of a July 7, 2016 application from Willow Liquor LLC d/b/a Willow Springs Wines and Spirits, 2795 Iris Avenue, Boulder, CO 80304; Soterios Pamos, Owner, Managing Member, and Registered Manager; with a premise business mailing address, for a transfer of a Retail Liquor Store type liquor license.**

Kris Hoeltgen appeared as the licensee's attorney. Soterios "Terry" Pamos, Owner, Managing Member, and Registered Manager, was sworn in and confirmed the ten-day premise posting under oath. Hearing procedures were waived. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

Mr. Pamos provided testimony regarding the transfer application. A liquor license policy was entered as Agenda Item 12, Exhibit 1.

Member Califano moved, Vice Chair Timken seconded, to approve this application for a transfer of a Retail Liquor Store type liquor license. Motion approved 5:0.

**13. Public hearing and consideration of a July 8, 2016 application from Boulder Hotel Group, LLC d/b/a Basecamp Boulder, 2020 Arapahoe Avenue, Boulder, CO 80302; Christian Strobel, Manager and Principal Officer, Jennifer Torrez, Registered Manager, and Boulder Hotel Group Member, LLC, Sole Member and Owner, with a premise business mailing address, with Arapahoe LP Friends and Family LLC as majority owner and Arapahoe GP Partners LLC as minority owner, with Neil Cotter as co-owner and Christian Strobel as co-owner and managing member of underlying ownerships through Basecamp Hotels LLC, and with no other persons owning over a 10% interest in the applicant, for a new Beer and Wine type liquor license.**

Chad Cooper appeared as the licensee's attorney. Christian Strobel, Manager and Principal Officer, and Max Scott, petitioner with Oedipus, Inc., were sworn in and confirmed the ten - day premise posting under oath. Hearing procedures were waived. No BLA members disclosed

ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

Ms. Huber noted that a local distance waiver was in place for this application for Naropa University.

Mr. Strobel provided testimony regarding the liquor license application. A liquor license warning sign was entered as Agenda Item 13, Exhibit 1.

The BLA expressed concerns regarding premise diagram, which included the parking lot and guest rooms. The applicant decided to amend the premise diagram to remove the parking lot and guest rooms from the liquor licensed area. The updated diagram was entered as Agenda Item 13, Exhibit 2.

Mr. Scott provided testimony regarding the neighborhood petition results.

Member Califano moved, Vice Chair Timken seconded, to approve this application for a New Beer and Wine type liquor license as amended with the updated diagram. Motion approved 5:0.

#### **14. Matters from the Assistant City Attorney**

No matters were discussed.

#### **15. Matters from the Licensing Clerk**

##### **A. Neighborhood boundary settings for applications for October 19, 2016 BLA hearing**

- i) Element Bistro, LLC d/b/a Element Bistro – Permanent Modification of a Hotel-Restaurant type liquor license at 6315 Lookout Road, Boulder, CO 80301**

The following neighborhood boundaries were discussed: City Limits on the North, Jay Road on the South, 75<sup>th</sup> Street on the East, and 55<sup>th</sup> Street on the West. Chair Wallace moved, Member Spalding seconded, to set the neighborhood boundaries for this application as described above. Motion approved 5:0.

##### **B. Informational items**

Ms. Cook provided an update on the Brewery, Winery, and Distillery Occupation Tax Project.

- i) **The Riverside Group Ltd d/b/a Riverside, 1724 Broadway Street, Boulder, CO 80302 - Monthly status report to BLA**

Ms. Huber stated that The Riverside Group Ltd d/b/a Riverside was in good standing.

- ii) **13th Street The Hill, LLC d/b/a Taco Junky, 1149 13th Street, Boulder, CO 80302 - Monthly status report to BLA**

Ms. Huber stated that 13<sup>th</sup> Street The Hill, LLC d/b/a Taco Junky was in good standing.

- iii) **September Special Events and Temporary Modifications**

This material was stated to be in the hearing packet.

- iv) **September Liquor License renewal mailing lists**

This material was stated to be in the hearing packet.

#### **16. Matters from the Chair and Members of the Authority**

Chair Wallace and Member Lundgren stated that they could not attend the BLA hearing on October 19, 2016.

Member Spalding inquired about events at the Boulder Public Library and the liquor license status of Zythos Restaurant Group LLC d/b/a Zythos.

Vice Chair Timken inquired about state enforcement activity in the City of Boulder.

#### **ADJOURNMENT**

Member Spalding moved, Califano seconded, to adjourn the meeting. Motion approved 5:0, thus the hearing was adjourned at 6:12 p.m.

#### **TIME AND LOCATION OF FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS:**

3<sup>rd</sup> Wednesday of every Month at 3PM in City Council Chambers for 2016.

---

Attested:

Approved:

---

Mishawn J. Cook, Licensing Administrator

---

Chair of Beverage Licensing Authority

**CITY OF BOULDER, COLORADO  
BOARDS AND COMMISSIONS MEETING SUMMARY**

**NAME OF BOARD/COMMISSION:** Environmental Advisory Board

**DATE OF MEETING:** August 3, 2016

**NAME/TELEPHONE OF PERSON PREPARING SUMMARY:** Sandy Briggs,  
303-441-1931.

**NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:**

**Environmental Advisory Board Members Present:** Morgan Lommele, Brad Queen, Karen Crofton and Christina Gosnell.

**Environmental Advisory Board Member Absent:** Tim Hillman

**City Council Member Present:** Jan Burton

**Planning Board Member Present:** Leonard May

**Staff Members Present:** Brett KenCairn and Sandy Briggs

**MEETING SUMMARY:**

❖ **City Council Boards & Commissions Subcommittee Member Attendance**

- The board provided clarification about the process and purpose of April's joint board meeting and agreed it was a beneficial use of everyone's time.
- **L. May's** invitation to speak to the EAB was a direct result of the joint meeting.
- **B. KenCairn's** invitation to speak to the Open Space Board of Trustees was another direct result of this meeting.
- The board reiterated that much of the EAB's purview affects other areas of city planning and would like to see climate initiatives be taken into account with decision-making processes across all relevant topics.
- The board explained that the responses of the attending board members were positive and similar in their desire to be more explicitly allowed to make decisions as relate to climate issues. They would like to get on paper what considerations each board should address as overlap with EAB issues.
- **L. May** noted that nothing in the current Planning Board design criteria, aside from solar panels, allows latitude for members to factor in environmental concerns.
- **B. Queen** added that Landmarks Board members had also voiced similar concerns for some time.
- **C. Gosnell** suggested the end goal of the EAB's collaboration efforts is for council to more explicitly include climate issues in the mandates, and therefore decision making processes, of the other boards.
- The board agreed that there has not yet been visible improvement with communication and public engagement, but the programs in the pipeline are moving in the right direction.
- **J. Burton** agreed that too often the public sees the city as one-sided and strategy

changes are necessary.

- **B. Queen** pointed out that there is a difference between showing interest in a project and being supportive of it and the city should remain cognizant of this.
- The board agreed that misinformation is disseminated via editorials and other sources that aren't wholly factual and that even those who follow the progress of certain projects and programs can get overwhelmed by these opinions.
- **J. Burton** suggested the climate focus group results be shared out to the community.
- **K. Crofton** offered the EAB's assistance to council in order to help streamline and narrow their focus. **B. Queen** offered to participate in community outreach.
- **C. Gosnell** recognized that City Council already brings an environmental focus and suggested the EAB could more effectively advise and offer informed feedback if given more notice of environmentally relevant agenda items.
- **J. Burton** suggested one or more EAB members be at the table with staff and council when climate related issues are presented.

#### ❖ "Planning Board 101"

- **B. KenCairn** reminded the board that one of the larger challenges for staff/board interaction is finding a way for boards to participate in the policy process outside of the topics brought directly to them.
- **L. May** suggested the EAB write and submit policy proposals to council as a proactive way to provide feedback and advice separately from reacting to staff presentations.
- **C. Gosnell** suggested the EAB discuss programs, and include Planning Board in these discussions, for incentivizing developers to factor environmental concerns into their plans.
- **L. May** reminded the board that density measurement is one method among many that helps with the ultimate goal of carbon reduction.
- Everyone recognized and agreed that these policy issues are interconnected and affecting one effects all.

#### 1. CALL TO ORDER

Environmental Advisory Board Vice-Chair **M. Lommele** declared a quorum called the meeting to order at 6:05 pm.

#### 2. APPROVAL OF MINUTES

On a motion by **B. Queen**, seconded by **K. Crofton**, the Environmental Advisory Board voted 4-0 (**T. Hillman** absent) to approve the July 6, 2016 meeting minutes.

#### 3. PUBLIC PARTICIPATION

None.

#### 4. PUBLIC HEARING ITEMS

None.

## 5. DISCUSSION ITEMS

### A. City Council Boards & Commissions Subcommittee Member Attendance (Burton)

City Council Member **J. Burton** attended to liaise with the EAB as one of the two members of City Council's Boards & Commissions Subcommittee.

She thanked the board members for their service and explained her purpose for attending was to listen to ideas, create actions and identify ways to improve communication.

A wide range of topics was discussed, including April's joint board meeting, other board's desires to see their own written mandates include climate considerations, flagging the CAC to add the EAB to council agendas for climate-related topics, providing specific feedback and recommendations to council and forming small subcommittees to assist with identifying overlapping purviews.

The pending GHG inventory and citywide/Climate + Sustainability dashboards were discussed and updates provided. Both are changing in timeline and process from their originally planned rollouts and in what metrics are tracked.

The topic of community communication was also discussed. **B. KenCairn** described some of the new tools to be utilized by the forming Public Engagement Working Group and mentioned that the city recognizes the need to shift away from the old paradigm of asking the community to come to us.

**B. KenCairn** also shared results from the recently conducted climate focus groups and the city's plans for a Climate Summit in November.

Open discussion with questions and answers ensued throughout. Comments are captured in the Meeting Summary.

### B. "Planning Board 101" (May)

Planning Board Member, **L. May**, informed the board of pending Planning Board topics relevant for EAB input. Most immediately, Planning Board will be discussing the Draft Boulder Valley Comprehensive Plan Update during their study session on August 11 and requested feedback from the EAB since environmental issues are key to the proposed policy changes.

He explained there is very explicit language defining how the EAB can interact with Planning Board processes, but that discussing policy issues is wide open for collaboration.

The areas of interest he sees as most relevant for EAB involvement are the inclusion of more explicit environmental guidelines into site review criteria, assisting with the development of a building entitlements point system to inform what the public betterment would be, identification of codes that can improve environmental outcomes and developing policy that is proactive toward environmental concerns.

In addition to suggesting the EAB provide comment on the BVCP update, **L. May** also suggested the EAB's input regarding the Middle Income Housing Policy and density discussions would be valuable.

In addition to watching the council agenda, he suggested keeping an eye on Planning Board's agenda. And also offered to prompt the board when he knows a topic of interest and overlap with the EAB is coming up.

Comments are captured in the Meeting Summary.

## 6. OLD BUSINESS/UPDATES

### A. Report Back on Planning Board Attendance (Queen & Gosnell)

**B. Queen** and **C. Gosnell** attended the July 28, 2016 Planning Board meeting and spoke briefly during Public Comment. There was not much new to report beyond the Discussion Item with **L. May** summarized in these minutes.

Some specific, actionable items to bring forward to the Planning Board were suggested:

- Compile some reasonable and attainable environmental considerations to include in Planning Board criteria,
- Determine what codes can do to improve environmental outcomes, and
- Develop criteria to award “brownie points” to developers for environmental conscientiousness.

EAB members will submit individual comments regarding the draft Energy & Climate section of the BVCP update to Planning Board before next Thursday's meeting.

**S. Briggs** will confirm with the Planning Board Secretary that the posted packet for the August 11, 2016 meeting is current, and the draft BVCP update therein is the most recent version. She will inform the board and provide an accurate link to the packet for EAB review as soon as possible so comments can be made prior to Thursday's Planning Board meeting.

**S. Briggs** will obtain a copy of the Planning Board's 2015-2016 letter to council for review through the “EAB lens” for discussion during the September meeting.

### B. Continue Joint Board Meeting Logistics Planning (Board)

**S. Briggs** reminded the board that some planning was needed in order to choose a date and engage numerous board members to attend a joint board meeting. **K. Crofton** added that the question of which board will facilitate and host is still unanswered. The board agreed they should continue to host and facilitate the meeting(s) in order to set the environmental tone and drive the conversations, and that a date should be selected sooner rather than later.

Creating a joint meeting proposal and looking towards a March 2017 timeframe was suggested. **B. KenCairn** will consult with Planning, Housing + Sustainability Executive Director, **D. Driskell** about this.

**B. KenCairn** informed the board about three planned broad community convenings around climate and energy, climate and ecosystems, and climate and resources, each around a year apart, that may fit well with a joint board meeting schedule.

## 7. MATTERS FROM THE ENVIRONMENTAL ADVISORY BOARD, CITY MANAGER AND CITY ATTORNEY

**B. KenCairn** informed the board about the new Climate Action Campaign that will follow adoption of the Climate Commitment document later this year.

The need to catalyze the community around what this is, and bring some clarity to the launch using very specific, measurable targets will be addressed through community convenings around climate and energy.

The next stage is recruitment of a steering group and advisory group, as well as some short term working groups around solar, transportation and natural gas replacement strategies.

A series of outreach meetings are also beginning to take place in order to focus thoughts

around what stakeholders are willing to do, what they would like to do and what they can support others in doing to achieve the targets outlined in the Climate Commitment document.

He requests any feedback and participation in the steering and advisory groups EAB members are able to provide.

There will also be a Climate Summit in November, with the business community as a main focus. It will be structured to ensure diverse representation and a different type of engagement than the historical "city meeting". Success will be gauged by actions and follow-ups, not by the engagements themselves.

The board agreed there is the need to dispel the image of the city as an entity in itself and replace it with the city as a group of citizens and the administrator of the community. There tends to be disassociation and a disconnect between the community and itself. The board suggested the city "loosening the reins" somewhat will be beneficial for more effective engagement.

K23 Media has been contracted to create a hip, interactive platform for the community to be involved with the Climate Action Campaign.

**B. KenCairn** requested suggestions for high-profile speakers to retain for the campaign and will poll board members offline for their level of interest, capability and desired focus for being involved going forward.

#### 8. DEBRIEF MEETING/CALENDAR CHECK

**C. Gosnell** will not be present for the September 7, 2016 meeting. She might call in, and will confirm with **S. Briggs** prior to the meeting date.

#### 9. ADJOURNMENT

The Environmental Advisory Board adjourned at 7:57 pm.

Approved:

  
\_\_\_\_\_  
Chair

10/5/16  
\_\_\_\_\_  
Date

**CITY OF BOULDER, COLORADO  
BOARDS AND COMMISSIONS MEETING SUMMARY**

**NAME OF BOARD/COMMISSION:** Environmental Advisory Board

**DATE OF MEETING:** September 7, 2016

**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 (via phone), Morgan Lommele, Brad Queen, Karen Crofton and Christina Gosnell.

**Staff Members Present:** Kendra Tupper, Elizabeth Vasatka, Dave Thacker, Brett KenCairn and Sandy Briggs

**MEETING SUMMARY:**

❖ **Energy Codes**

- The board inquired about local placement limitations, offsite renewable energy usage, subscription availability and potential exceptions as a result.
- The board asked how RECs are being recognized and their place in the solar contribution as relates to the larger code update picture. Their importance in the net zero energy strategy was noted.
- The board received clarification regarding the interplay among several of the rating indices.
- **B. Queen** provided context for HERS and ERI/EUI measurements.
- **K. Crofton** suggested clarifying the specific ways roofs are stated to be PV ready.
- **B. Queen** expressed concern about the unintended consequence that people would try to “game” the system by adding a whole new house and calling it an addition. **D. Thacker** explained that the new codes would prevent much of this due to the new, more gradual scale and the requirements of Title 9 continuing to restrict potential loopholes.
- The board asked several questions around the EV infrastructure requirements and proposed charging levels. Since it’s not the city’s role to choose what people decide to do with their own EV charging mechanism, this will be left up to the market.
- While the board agreed with the EV charging station requirement, **K. Crofton** expressed concern that they can quickly become outdated and that infrastructure requirements should have the ability to keep up with technology. She suggested requiring only outlets so EV users can choose whatever charging station or option suits them at the time.
- **B. Queen** suggested a carbon offset fund is potentially the single strongest policy decision to make next to municipalization.
- It was suggested the definition of offsite renewable energy be flexible enough to encompass and include the crossing of property lines.
- **B. Queen** inquired about long term strategy in the event municipalization does not happen and praised staff for writing a memo that was very clear.

## ❖ **Climate Action Campaign**

- The board requested information outlining the feasibility of achieving the new targets, how they were modeled out and discussed their aspirational nature.
- It was asked how another target review would affect the citywide dashboard project.
- **T. Hillman** suggested EAB members have a presence at the December 6 council presentation. He advocated the EAB remind council what maps and blueprints there are available for setting targets without getting in to city modeling too much.
- **K. Crofton** asserted the goals should not be aspirational but specific in the metrics with clear, tangible steps.
- **T. Hillman** suggested the targets be reviewed for economic viability.
- **K. Crofton** suggested that creating a different presentation methodology to streamline the process could be useful within the confines of the EAB's structure.

## **1. CALL TO ORDER**

Environmental Advisory Board Vice-Chair **M. Lommele** declared a quorum called the meeting to order at 6:03 pm.

## **2. APPROVAL OF MINUTES**

On a motion by **K. Crofton**, seconded by **B. Queen**, the Environmental Advisory Board voted 5-0 to approve the August 3, 2016 meeting minutes as revised.

## **3. PUBLIC PARTICIPATION**

None.

## **4. PUBLIC HEARING ITEMS**

### **A. Energy Codes (Tupper)**

Energy Services Manager, **K. Tupper**, requested the board's feedback regarding the proposed near-term updates and amendments to the city's energy codes. After the EAB presentation, Planning Board, Landmarks Board and Council presentations are also scheduled.

There are three parts to the proposal:

1. Restructure and update of residential energy codes (Green Building/Green Points);
2. A new prescriptive compliance path for new buildings; and
3. Miscellaneous updates (multifamily units, offsite renewable energy).

She defined Net Zero Energy (NZE) and explained its importance in reaching Climate Commitment goals. Renewable Energy Credits (RECs) were also discussed, with an explanation regarding their role in making the energy codes economically feasible. She stressed that Council is more concerned with driving installation of the most solar possible than who owns the RECs.

She described the acronyms and definitions of various national codes, indices and metrics. Energy Codes use ERI metrics. HERS is a trademarked designation of the same measurement.

She shared feedback collected after the joint meeting in April. It suggested the Green Points program allowed for varied interpretation depending on how square footage was measured and that the prescriptive approach on the commercial side is confusing and

difficult to achieve in the field.

She also advised the board that the city has not adopted the International Green Conservation Code, but relies on custom amendments to the Design Standards to keep up with green building requirements.

For the long term, a 6-year cycle for major code adoption, with local evaluation and updates every three years, will be proposed. And the need to accelerate compliance of larger homes in order to adhere to the same 2031 net zero timeline as smaller homes was identified.

She explained how MFUs pose a particular challenge, especially those with mixed-use zoning. These buildings must comply with both commercial and residential requirements. And the size of each individual residential unit drives the Green Points requirements.

There are four near-term residential updates proposed:

1. Remove current point structure (Green Points) by prioritizing some items to be mandatory and eliminating the rest;
2. Make the NZE trajectory a more gradual progression for new construction;
3. Trigger requirements for additions according to size of the addition and finished house; and
4. Change the scope of requirements for the renovation to a percent of the project cost in relation to the assessed value of the property.

There are three proposed commercial updates:

1. Limit the requirements and overall use of the current prescriptive path;
2. Add mandatory solar-ready and appliance efficiency requirements; and
3. Require EV charging infrastructure.

She informed the board that townhomes and duplexes will be considered residential for the new requirements, and anything else will fall under the commercial energy code, including MFUs. And that offsite renewables will be allowed once onsite options are exhausted.

In response to questions, she reminded the board that council is not allowing any carbon offset funds to be created right now, although staff is paving the way with the county for this potential in the future.

She concluded with the goal to have these new 2018 codes adopted by 2019.

The board's comments are captured in the Meeting Summary.

## 5. DISCUSSION ITEMS

### A. Climate Action Campaign (KenCairn)

Senior Environmental Planner and EAB Staff Liaison, **B. KenCairn**, provided an update regarding the progress of the final draft of the Climate Commitment Document and requested individual board member assistance with certain focus areas requested by council. There were some changes in the targets made in May and it will be going back to council on December 6 for final adoption.

He provided an updated table outlining the old and new targets and asked what roles board members are willing to play regarding refinement of the following broad focus areas:

- Developing a quantitative mechanism that validates the emissions projections tools legitimately reflect the 80% by 2050 goal as achievable.
- Identifying and analyzing short-term, ambitious, measurable and achievable

targets to ensure tracking of the right things and ensuring we're counting something that is valuable, relevant and with the correct factors.

- Reaching out to people beyond the usual "cast of characters".

There is a model and users guide due Monday, and he requests help from **B. Queen** and **T. Hillman** to complete a thorough examination of the projection tool by mid-October. He also requests assistance from **T. Hillman** to highlight and underscore the economic arguments for why we need to take these actions, and articulate them in a clean and quantitative manner.

He requests **K. Crofton** be the key person in targets review, with full board participation and discussion, and that **C. Gosnell** review the electricity usage calculations outlined in the draft document.

There is need for more outreach to businesses, and **B. KenCairn** requests the entire board's help in this area, with **M. Lommele** in particular reviewing general outreach, community engagement strategies and how they're being summarized.

**B. KenCairn** will follow up with each board member individually and the board will meet for a Study Session before the October meeting. The discussion will conclude during the regular October meeting.

He further indicated that there is a quantitative emissions model being used, council wants to see explicit 2020 numbers and that the document will also include specific equity and just transition language.

The board's comments are captured in the Meeting Summary.

## 6. OLD BUSINESS/UPDATES

### A. Debrief BVCP Joint Meeting (Queen & Gosnell)

**B. Queen** and **C. Gosnell** attended the BVCP joint board meeting held August 29.

The public turnout was overwhelming, but staff was very responsive and the discussions were interesting and useful.

With the Climate Commitment work now on the table, it is necessary to prioritize it over the BVCP conversation for the near-term. If any members would like to take on the BVCP analysis individually in the meantime, they are encouraged to do so.

Which sections of the BVCP to review and the greater level of quantitative vigor of this version was discussed. It was also noted that since it's being written and reviewed in sections, there is still time to comment as a board later.

## 7. MATTERS FROM THE ENVIRONMENTAL ADVISORY BOARD, CITY MANAGER AND CITY ATTORNEY

**K. Crofton** will poll the board for a meeting time between now and the next regular meeting so members can interact specifically on the Climate Commitment targets discussion. **S. Briggs** will ensure the meeting is publicly noticed once a date is selected.

## 8. DEBRIEF MEETING/CALENDAR CHECK

All members will be available for the October 5 meeting.

## 9. ADJOURNMENT

The Environmental Advisory Board adjourned at 8:09 pm.

Approved:

*Jim Allen*

*10/5/16*

Chair

Date

**CITY OF BOULDER  
BOULDER, COLORADO  
BOARDS AND COMMISSIONS MEETING  
MINUTES**

<b>Name of Board/ Commission:</b> Library Commission
<b>Date of Meeting:</b> July 30, 2016, Main Library, 1001 Arapahoe Ave.
<b>Contact Information Preparing Summary:</b> Jennifer Phares, 303-441-4394
<b>Commission Members Present:</b> Alicia Gibb, Tim O'Shea, Joel Koenig, Juana Gomez and Joni Teter
<b>Library Staff Present:</b> David Farnan, Director of Library & Arts Jennifer Phares, Deputy Library Director
<b>Type of Meeting:</b> Annual Retreat
<p><b>Agenda Item 1: Review Library Commission master schedule [8:30 a.m., Audio 0:00:00]</b></p> <p>The commission discussed the Master Schedule (packet page 3). The final version will be added to the Library Commission handbook once a brief narrative is added. The schedule is intended to be a living document. One commissioner will be asked to write the narrative at the August 3, 2016 regular Library Commission meeting.</p> <p>The Library Commission discussed the need for additional meeting time during the next year for the Master Plan. Two options were proposed: quarterly, as needed, study sessions or adding time to the Library Commission's regular monthly meeting. The commissioners opted for quarterly study sessions. The commissioners discussed having either the full commission present for the study sessions or forming a subcommittee that may include other community members. The commissioners opted to form a subcommittee.</p>
<p><b>Agenda Item 2: Master Plan</b></p> <p><b>a. Comparable library statistics [8:44 a.m., Audio 13:32]</b></p> <p>Farnan and the commissioners discussed the specific data in the packet pages 5-10. A question was asked about what data could be used to analyze facilities to compare bricks vs. clicks. Partnerships within the City may allow the library to offer more services with little increase to staffing costs by co-locating facilities.</p> <p><b>b. Key take-aways from reading materials [9:16 a.m., Audio 45:52]</b></p> <p>Farnan recommended reading the executive summary of the Rising to the Challenge Re-Envisioning Public Libraries by the Aspen Institute. The report provides a framework for re-envisioning libraries called People, Places, and Platform. Farnan added Partnership is another component.</p> <ul style="list-style-type: none"> <li>• Commissioners made comments that the library should not lose sight of the public library as a place of quiet and refuge in light of all of the exciting new programs and activities. The changes that have happened at BPL have been energizing but the library should not lose track of the traditional elements. There is a need for both.</li> <li>• Effective facilities design was also cited as critical. Some of the (current and future) branch locations may be designed to offer these exciting new programs and activities. It is important to maintain the good balance of offerings at the library facilities.</li> <li>• The Library is a place for persons to come in and be anonymous. They have the freedom to consume information without being monitored or marketed to. This is true for both the physical and virtual spaces.</li> </ul> <p><b>c. Vision exercise [9:36 a.m., Audio 1:05:51]</b></p> <p>The commissioners were asked to share their impressions and key themes from the vision statements in the packet pages 17-27.</p> <ul style="list-style-type: none"> <li>• The Library's collection selection practices have become more automated.</li> <li>• Desire for collaboration and connectivity with the library being the central place.</li> <li>• There is a sense of vision and purpose that goes beyond the collection. A desire for knowledge and community engagement, and civic dialogue. For example, the Makerspace and the knowledge that is part of this new piece of the library. This is similar to the potential in Seeds Library Café with regard to food, sustainability, and resiliency.</li> </ul>

- The questions from vision statement #1 are good forming questions. How do we situate ourselves as a nexus of community dialogue?  
What role does the Library play as a platform? The changing levels of expectation and impact on the facilities to meet those expectations. Partnerships enable the Library to offer more.
  - The Library is the last, best unbroken promise of a democratic society.
  - The concept of the strategic plan taking on a physical and visual form, e.g. interactive feature walls, and programs in a box. This indicates the way people want to consume information in a physical manner. This also backs up the concept of a Makerspace and that the Library is going in the right direction in this regard. The comments about the MIT media lab and how its topics translate so seamlessly to libraries.
  - Maintain part of the Library as a quiet reflective place.
  - How do we attract populations not currently using the library? e.g. Hispanic and senior members of the community.
  - Want Boulder Public Library to be the best. One of things the Library could work at becoming #1 at is how we attract populations that don't use the library as much as others.
  - The issues on sharing and creating dialogue could be addressed by providing a venue for more coffee shop-type discussions about current events and issues. Seed Library Café seems segregated from the rest of the library but full of people. Extending that atmosphere through more of the library.
  - Is striving to be the #1 library realistic? Let's focus on making ours a great library. Discussion on budgets and resources of libraries that BPL is compared.
  - All vision statements are relevant and from the perspective of "library-land." They need to be tested.
  - BPL should be the preeminent "3<sup>rd</sup> place."
  - Should test the appetite for partnerships because they will expand the scope and reach of the Library and create a need for more staffing and other resources. Ask if these are vehicles for community engagement, dialogue and education or is there an agenda?
- d. Review and discuss Community Needs Assessment report**  
This discussion was combined with agenda item #4.

**Agenda Item 3: Break**

**Agenda Item 4: Re-scope of Master Plan Phases 2 through 4 integrating relevant recommendation from the community needs assessment [10:15 a.m., Audio 1:33:10]** Note: recording was started 5 minutes late.

- The report focused upon what is good about Boulder. Boulder's drawbacks also need to be addressed in the needs assessment (e.g. the Latino educational achievement gap, housing, etc.) Look for issues where Boulder is not progressive or accepting. Discussion ensued about what being a civic dialogue platform means and the importance of including input broadly to encompass all forms of diversity represented in the community. How does the Library and the commission make the disenfranchised feel empowered to participate in the Master Plan process?
- The working draft of the Community Needs Assessment lacked data to back up the recommendations and key themes. The commissioners were asked to weigh in on their feeling of the importance of including more data to back up the conclusions in the final Master Plan. Commissioners agreed that it is very important.
- The commissioners were asked what else is needed before moving into the community engagement phase of the project or did think we are ready to begin engaging the community in some kind of dialogue.
  - A plan for engaging members of the community who don't use the library as much as others i.e. members of the Latino community.
  - Educating people about the library "is" – what it offers. A marketing and outreach campaign which includes a survey.
  - The kind of data that is presented in the 2015 Boulder County TRENDS report from The Community Foundation serving Boulder. Assessment of the need, what is not happening in Boulder.

- The six critical issues identified in the draft Community Needs Assessment report do not represent all of the issues that the Library needs input.
- The commissioners reviewed and gave input on the combined project scope that included both the original scope of work developed by the staff and the recommended project phases from Margaret Sullivan Studios. The commissioners also discussed the timing and general focus of a survey.

Comments from the commissioners included:

- Begin to identify where there is overlap and potential partners within the City in phase 1 before the educating the community about the library.
  - Possibly present the working draft Community Needs Assessment as “library-land’s” view and ask community members to help build this Master Plan.
  - Concern about the staff resources needed to maintain effective communication and community outreach during the project.
  - Identified a need to have consultant that can support the communication, community engagement, customer interview, and survey process.
  - Provide a “list” of what is available as core services, what areas or services the Library is growing, and where the investment is being made.
  - Convene a group of representatives from the community to gather input about needs and vet the working draft Community Needs Assessment. Enlist them to educate and convey to the community what the library “is.” Shape where we are going with the master planning process. Act as a touchstone during the project and manage community expectations.
  - Summarize the needs and facts from other planning documents in the City in the working draft of the Community Needs Assessment.
- The commissioners agreed that phase 2 would begin in January after more data is gathered for the Community Needs Assessment and the group of representatives has been convened. The survey would come after the launch of the community engagement.
  - The commissioners discussed the frequency and type of staff updates they need during the project and planning for the quarterly study session. The first study session will be scheduled between now and December and would serve as a means keep the commissioners informed about the project, instead of updates shared at their monthly meetings, as well as gather their advice and input on the data and information we are gathering during the project. Staff will provide the commission with updates at their monthly meetings about the communication for the project.

**Agenda Item 5: Lunch and discussion of Freedom of Information Act, Right to Read, Library Bill of Rights [12:15 p.m., This discussion was not recorded.]**

Commissioner Teter approved these minutes on September 20, 2016; and Maureen Malone attested to it.

An audio recording of the full meeting for which these minutes are a summary, is available on the Library Commission web page at <http://boulderlibrary.org/about/commission.html>

**CITY OF BOULDER  
BOULDER, COLORADO  
BOARDS AND COMMISSIONS MEETING  
MINUTES**

<b>Name of Board/ Commission:</b> Library Commission	
<b>Date of Meeting:</b> August 3, 2016 at the Main Boulder Public Library, 1001 Arapahoe Ave.	
<b>Contact information preparing summary:</b> Maureen Malone, 303-441-3106	
<b>Commission members present:</b> Joni Teter, Juana Gomez, Alicia Gibb, Joel Koenig <b>Commission members absent:</b> Tim O’Shea	
<p><b>Library staff present:</b> David Farnan, Director of Library &amp; Arts Jennifer Phares, Deputy Library Director Maureen Malone, Administrative Specialist II</p> <p><b>City staff:</b> Yvette Bowden, Director of Parks and Recreation Doug Godfrey, Parks Planner Karen Rahn, Director of Human Services Wendy Schwartz, Human Services Planning Manager</p> <p><b>Members of the public present:</b> None</p>	
<b>Type of Meeting:</b> Regular	
<b>Agenda Item 1: Call to order and approval of agenda</b>	<b>[6:00 p.m., 0:00:07 Audio min.]</b>
The meeting was called to order at 6:00 p.m.	
<b>Agenda Item 2: Public comment</b>	<b>[6:01 p.m., 0:00:35 Audio min.]</b>
Teter read aloud an email from patron Mark Lawrence regarding homeless borrowing rights (page #34 of packet).	
<b>Agenda Item 3: Consent agenda</b>	<b>[6:02 p.m., 0:02:18 Audio min.]</b>
<p><b>Item 3A, Approval of June 1, 2016 meeting minutes</b> Gomez had a minor edit on page 1 in her comments under Agenda Item 5: “Gomez mentioned a bit of surprise, <u>in the context of discussing Paul’s letter regarding the homeless population</u>, at how much libraries are expected to change and evolve constantly to meet the needs and aspirations of the community.” (The change/addition to the sentence is underlined.) Gibb motioned to approve the minutes with the recommended changes, and Koenig seconded. Vote 4-0, unanimous.</p> <p><b>Item 3B, Motion to approve Warner Charitable Trust Donation</b> Koenig motioned to accept the donation and Gibb seconded. Vote 4-0, unanimous. Commission agreed to send a thank you letter to the Trust, which Koenig will draft.</p>	
<b>Agenda Item 4: Presentation: Parks and Recreation Civic Area construction phasing update – Yvette Bowden, Director of Parks and Recreation; Doug Godfrey, Parks Planner</b>	<b>[6:04 p.m., 0:04:48 Audio min.]</b>
<p>Doug Godfrey presented on the Construction Phasing and Logistics Plan for the Boulder Civic Area Park Development. Construction surrounding the library will be limited in September in order to accommodate the plans for the Jaipur Literature Festival. The goal throughout construction is to minimize disruptions to adjacent buildings’ operations and maintain safe pedestrian and bicycle access around the project area. Godfrey does not anticipate any impacts to entrances to library or other buildings in Civic Area.</p> <p><b>Commission discussion, questions, and comments included:</b></p> <ul style="list-style-type: none"> <li>▪ Teter asked where the storage units will be located on the south side during the Phase 1. Godfrey indicated the pink rectangles on Attachment A, outside of the south library entrance. Bowden remarked that there is not a firm date yet for when the units will be put in place.</li> <li>▪ Koenig asked for clarification on the number of parking spaces that will be lost. Bowden replied that 39 spaces will be impacted during construction, but only 20 spaces will be permanently removed.</li> </ul>	

- Koenig inquired about construction worker parking. Godfrey explained that contractors and subcontractors have been instructed to park at the BCH facility.
- Teter asked which spaces will be permanently lost. Godfrey replied that the 20 spaces being removed are along the southern edge of the Canyon lot. An additional space will be lost in order to accommodate an access aisle for two ADA spaces.
- Koenig asked for more information on plans for the café terrace. Bowden explained that it is an outdoor plaza space that has not been programmed yet.
- Teter suggested having the Civic Area plans available in the library on an ongoing basis to allow patrons to see what's going on.

**Agenda Item 5: Presentation: Homelessness Strategy, City of Boulder Human Services – Wendy Schwartz, Human Services Planning Manager and Karen Rahn, Director of Human Services [6:33 p.m., 0:33:24 Audio min.]**  
 Karen Rahn and Wendy Schwartz presented on the draft City of Boulder Homelessness Strategy.

**Commission discussion, questions, and comments included:**

- Gibb asked why certain shelters would not allow homeless people to use their mailing address. Schwartz explained that mail service is available at Boulder Shelter. Bridge House is in the process of phasing out their Carriage House location, which is why they don't allow people to use their address.
- Teter asked how Human Services keeps track of where homeless individuals are without a permanent mailing address. Rahn replied that because the population is very mobile, unless they're at the shelter, in the transitions program, or consistently utilize services, HS cannot track a homeless individual.
- Gibb asked whether the Homeless Outreach Team officers will go through the library. Rahn replied that the officers will be in the Civic Area, but she was unsure whether they would enter the library.
- Farnan asked about the possibility of bringing a social worker or liaison into the library. Rahn explained that the City is trying to avoid having small independent service centers. The goal is to get people into an integrated service delivery system to give them full access to a range of services.
- Teter proposed having a discussion about the possibility of bringing intake services to the library. Koenig suggested bringing in a volunteer, as opposed to a full-time social worker, to direct people to the appropriate services.
- Teter asked whether any progress had been made on the issue of bag storage since it is an issue that contributes to conflict between regular and homeless patrons. Rahn mentioned that Bridge House and BOHO are working to develop a consistent location for a day shelter where they would have the ability to provide lockers and showers.

**Agenda Item 6: Follow up on revisions to Collection Development Policy – Request for Reconsideration of Library Materials – Eileen McCluskey, Principal Librarian [7:57 p.m., 1:57:00 Audio min.]**  
 Teter moved to approve the revised policy with the language presented in tonight's packet, and Koenig seconded. Vote 4-0, unanimous.

**Agenda Item 7: Library Master Plan update [7:59 p.m., 1:59:10 Audio min.]**  
 Farnan asked that before the September meeting, commissioners send him a list of people to contact to participate in the representative group. The preliminary group will be broad, consisting of both general public and civic leaders; there will be a more targeted focus group later.

**Agenda Item 8: 2016 Jaipur Literature Festival update [8:02 p.m., 2:02:03 Audio min.]**  
 Farnan commented that the event could be more tightly planned by anticipating lower attendance. Teter suggested that library staff bring this up at the debrief after this year's event for future planning.

**Agenda Item 9: Homeless/Transient Patron Borrowing Rights [7:26 p.m., 1:26:06 Audio min.]**  
 Teter moved this agenda item up to follow Item 5 to take advantage of having Human Services staff present. Teter had emailed a list of questions to staff in response to the memo included in the August meeting packet, and staff responded in a handout passed out at the meeting. Farnan expressed his concern about Teter's suggestion to attempt to distinguish the various types of homelessness or stability among the temporary population who do not have proof of address.

**Commission discussion, questions, and comments included:**

- Gibb wondered how Human Services deciphers who has been in Boulder for a significant amount of time without proof of address. Rahn explained that the only way to establish a person's longevity and stability is if they have consistently taken advantage of a service provider for a number of years.
- Teter asked if there is a way to identify Boulder residents that have lost their housing so that even without a permanent mailing address, they can be treated as regular library card users. Schwartz mentioned that one

specialty of Bridge House is helping people obtain IDs to apply for jobs. Gibb wondered about the possibility of creating a Boulder ID card in order to avoid privacy issues associated with asking service providers to share a list of their clients. Teter asked Rahn and Schwartz to give the issue some additional thought.

- Koenig asked how the library attempts to recover outstanding fines for temporary card holders. Farnan explained the process and commented that the loss rate is acceptable and therefore not a major concern.
- Commission agreed that the desired outcome of this discussion is to find a way to identify the relative permanence of certain members of the community. Gibb commented that she would like to see a different service outside of the library bring about some other form of ID that the library could accept in lieu of proof of permanent address.

**Agenda Item 10: Library Commission updates**

**[8:05 p.m., 2:05:14 Audio min.]**

- A. Commission representation for BVCP
- B. Foundation update

C. Responses to patron emails from the Library Commission

Regarding the email from Cynthia Torres, Farnan clarified that per federal labor practices and the library's contract with BMEA, volunteers cannot do the same tasks as paid employees. The volunteer has been encouraged to come to the library to find another opportunity.

**Agenda Item 11: Library & Arts Director's report**

**[8:09 p.m., 2:09:25 Audio min.]**

- A. Update on 2017 City Manager's Recommended Budget
- B. Reynolds Branch Remodel and Automated Materials Handling Installation
- C. Follow-up on public libraries as "Gun Free Zones"

Commission agreed they would like to pursue legislation, but that it makes sense to wait and see how the state legislative election goes before moving forward. If no broader coalition of libraries in support of this movement, it does not seem realistic to pursue. Farnan will bring up the topic at the next Front Range library directors meeting to see if they are willing to gauge interest within their boards and commissions.

D. Follow up on policies: Canyon Theater and Gallery Terms of Use and Rental Policy and Sponsorship of Programs and Events Policy

Staff will make the change Teter recommended to #6 of the General Terms and Conditions for the Sponsorship of Programs and Events Policy, to now read "Donation boxes or suggested donation requests at the door are not permitted. Organizations may make verbal requests for donations, but must direct attendees to contribute directly to the organization's website or mailing address." The policy was already approved at the June meeting.

E. Q2 Library use statistics

Koenig pointed out that by his calculations, the door count for main should be a 5% change instead of 1%. Gomez asked whether the mission of Carnegie is to be exclusively a historical research library. Farnan replied that anyone is welcome to use Carnegie, but that about 90% of the visitors utilize either the genealogy or property records. The current focus is on digitalization to make the vast collection historical documents available online 24/7.

Koenig asked whether the library has the ability to hire seasonal staff to accommodate the higher door count in the summer. Farnan replied that the library accommodates this through the use of substitutes and that fair labor practices are beginning to impact the City's use of seasonal employees.

**Agenda Item 12: Adjournment**

**[8:30 p.m., 2:30:00 Audio min.]**

There being no further business to come before the commission at this time, the meeting was adjourned at 8:30 p.m.

**Date, time, and location of next meeting:**

The next Library Commission meeting will be at 6 p.m. on Wednesday, September 7, 2016, in the Canyon Meeting Room at the Main Library, 1001 Arapahoe Ave., Boulder, CO 80302.

Commissioner Teter approved these minutes on September 20, 2016; and Maureen Malone attested to it.

An audio recording of the full meeting for which these minutes are a summary, is available on the Library Commission web page at <http://boulderlibrary.org/about/commission.html>

**CITY OF BOULDER**  
**PLANNING BOARD ACTION MINUTES**  
**August 11, 2016**  
**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 are also available on the web at: <http://www.bouldercolorado.gov/>

**PLANNING BOARD MEMBERS PRESENT:**

John Gerstle, Chair  
Liz Payton, Vice Chair  
Bryan Bowen  
Leonard May  
Crystal Gray  
Harmon Zuckerman

**PLANNING BOARD MEMBERS ABSENT:**

John Putnam

**STAFF PRESENT:**

Lesli Ellis, Comprehensive Planning Manager  
Jean Gatza, Senior Planner  
Caitlin Zacharias, Planner I

**1. CALL TO ORDER**

Chair, **J. Gerstle**, declared a quorum at 6:00 p.m. and the following business was conducted.

**2. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY**

- A. AGENDA TITLE:** Continuance of Boulder Valley Comprehensive Plan Update (BVCP)  
Discussion on Selected Policy Changes, Amendment Procedures, and Community Engagement from July 28, 2016 Planning Board Meeting.

**Staff Presentation:**

**L. Ellis** and **J. Gatza** presented the items, gave an update, format for tonight's discussion, and summary of comments received from the Planning Board and other city boards.

**Board Comments:**

**Topic #1: Natural Environment**

- **J. Gerstle** suggested that pesticide policies should be extended beyond those dealing only with city use practices to address private use of pesticides.
- **L. Payton** stated that there were a few suggested ideas submitted to staff by the board regarding the Natural Environment that she would like to see become "standards" or new regulatory mechanisms rather than just aspirations. For example, the floodplain

delineation, wetlands and groundwater polices should be modified to reflect changes anticipated from climate change and actually be implemented. In addition, there is nothing currently in the Comp Plan regarding resilience and she would like to see it addressed. She said that the BVCP needs a policy that reflects the potential of new development to impact the flow, elevations and distribution of groundwater that might result in negative impacts to surrounding properties and should direct the city and county to create development standards that address these impacts.

- **B. Bowen** agreed that especially the groundwater policy needs to be clearer and resolved with regulations. The board agreed.
- The board was in agreement that policies should be modified to address resilience within the Comp Plan.
- **B. Bowen** added that policy 3.11, *Urban Forests* should address food producing plant species landscaped within the city to create sustainability.
- In regards to the pesticide policy, the board agreed that it should be crafted so that it does not just pertain to the application to city properties but also privately (e.g. “bee-safe neighborhoods”).
- **J. Gerstle** added that the city should consider issuing permits for the private and commercial use of pesticides to specify dosage, application procedures, etc. In addition, the language within 3.04 should not focus solely on undeveloped land or public lands, but should refer to “all lands”. The board agreed.
- **B. Bowen** gave full support for carbon sequestration and having it in the Comp Plan.
- **J. Gerstle** suggested an expansion of coverage to include “sub-surface resources” and that this should cover not only groundwater but other resources and factors as well.

## **Topic #2: Energy and Climate**

- **L. Payton** stated the new wording does not necessarily reflect a policy so much as a statement of efforts. There wasn't a clear vision.
- **L. May** suggested adding something about conservation within the bullets section.
- **B. Bowen** emphasized “shared resources” should be built into the policy and strong support for zero waste. The board agreed.
- **H. Zuckerman** added that some current sections of this policy are too prescriptive. He read samples of revisions and stated that they would make clear what the city and county support without providing levels of prescriptive language about how much and how we will support the goals. Often he removed the word “policies” and just left “programs and regulations” as things that the board supports because THIS is a policy, and it is meant not to support other policies, but actual programs and regulations.
- The board agreed.
- **C. Gray** added that the regulations and ideas around energy and climate have evolved dramatically in the past 5 years. The regulations and policies cannot stay stagnant and need to reflect that.
- **L. Payton** requested the wording in the policy regarding *Construction Waste* be stronger to encourage renovation over demolition. She proposed making the language sound as if demolition would be a last resort. The board was in agreement.
- **B. Bowen** suggested treating deconstruction materials as a resource to be reused in a variety of ways. The materials need to be thought of as a nutrient and not a waste.

- **L. May** stated that the current language talks about adaptation rather than changing behaviors to address the root causes of climate change. He asked that this be included in the bullet points section. The board agreed.

### **Topic #3: Economy**

- **J. Gerstle** mentioned that he did not see a reference to the various costs of economic and business-related activities, and that this aspect should be included in relevant considerations.
- In regards to the Creative Economy policy, the board generally was not in favor of it. **L. Payton** added that she does want to support the artist community. **L. May** questioned why the Comp Plan should select a preferred occupation. **H. Zuckerman** argued that we are not singling out a preferred occupation and listed other valuable groups within Boulder's economy and suggested to clarify that our economy is linked to the success of artists. **L. Payton** stated that the goal is to keep those groups from being pushed out and lost in the community. **C. Gray** suggested to not limit the language by saying "artists" but rather "residents and community" and broaden it to the variety of businesses in Boulder. **B. Bowen** added the most important aspect is to create a diverse and robust economy, but also allow the city to have a diverse workforce.
- **J. Gerstle** stated that in the process of redevelopment, many service, creative and light businesses are being lost. He asked that consideration be given to the value and benefits associated with such businesses.
- **C. Gray** mentioned that consideration should be given to small businesses and businesses owned by minorities and that the city develops strategies to specifically address this. The board agreed.
- **H. Zuckerman** suggested tying resilience strategy to the diversity of use types, people, income levels, etc.
- **C. Gray** asked that policy 5.01 be revised to tie the phrase referencing "incentivizing" to community benefit.
- **J. Gerstle** stated that policy 5.02 does not seem to be in accordance with the objectives of controlling job growth that the Comp Plan is trying to achieve. **L. May** added that job growth should be brought into context with the other factors that affect it. **H. Zuckerman** proposed the following language for the policy, "*The city supports strategies that further its role as a regional job center in the future with sustainability goals and projected growth.*" The board agreed to revisit this policy.
- **C. Gray** stated that she does not want "home occupations" to replace "residential units".

### **Topic #4: Transportation**

- **L. Payton** stated that the Comp Plan could be clearer regarding the types of service that are being measured when "Level of Service" goals are discussed. Perhaps definitions need to be changed or updated.
- The board agreed that the flow and articulation of the chapter could be improved.
- **J. Gerstle** commented on a suggested possible new policy based on "distracted driving", and stated that it is not obvious to him that it belongs in the Comp Plan.
- **C. Gray** brought up the notion of people feeling safe as pedestrians or riding their bikes.
- **L. May** stated that the Comp Plan is the place to include this idea as it encompasses other aspects of the Transportation chapter.

- **B. Bowen** stated that “safety” should include any mode of transportation to anywhere in the city.
- **L. Payton** suggested using the safety of children as the target, as that takes care of everyone.
- **C. Gray** suggested having a statement regarding transportation impacting urban design.
- In regards to the “15-Minute Neighborhood”, **C. Gray** proposed that the residents themselves in those neighborhoods should have a say as to what goes into their “15-Minute Neighborhood”. **B. Bowen** proposed referencing them, but to talk about land use changes in another place, not the transportation chapter. **L. May** suggested it be pulled out altogether. **B. Bowen** argued that neighborhood connectivity is part of the “15-Minute Neighborhood” discussion. **J. Gerstle** questioned whether all of the consequences of the “15-Minute Neighborhood” policy had been properly considered and evaluated.

#### **Topic #5: Community Well Being**

- In regards to diversity, **L. Payton** brought up the notion of identifying the risks and challenges of groups within the community (i.e. seniors) to form policies for protection. The board agreed.
- **L. Payton** proposed a policy regarding firearms. **L. May** proposed a statement similar to the one found in the Transportation chapter stating that the goal would be zero deaths.

#### **Topic #6: Ag and Food**

- **C. Gray** stated that the city may not have the infrastructure to support ag.

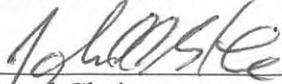
#### **Topic #7: Core Values**

- **L. May** would prefer to keep travel by cars as a current core value. **B. Bowen** and **C. Gray** agreed. Most board members agreed that removing “without a car” weakens it. There was a suggestion to put it back in and state “...with or without a car” at the end.
- **C. Gray** stated that keeping a thriving local business community is the heart of sustainability.
- **H. Zuckerman** suggested that the core values should use words that are goals and incentivize. Under each individual policy is where items will be defined and detailed. One word that is missing in the core values is “resilience”.
- **L. Payton** stated she finds the bullets problematic and does not know why they are needed. **J. Gerstle** agreed that their effect and purpose is weakened by the addition of excess verbiage.
- The board discussed the bullets and agreed to not disregard them completely but to embed them into the policies.

**6. ADJOURNMENT**

The Planning Board adjourned the meeting at 8:33 p.m.

APPROVED BY

  
Board Chair

6 Oct 2016  
DATE

**CITY OF BOULDER**  
**PLANNING BOARD ACTION MINUTES**  
**August 25, 2016**  
**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 are also available on the web at: <http://www.bouldercolorado.gov/>

**PLANNING BOARD MEMBERS PRESENT:**

John Gerstle, Chair  
Liz Payton, Vice Chair  
Bryan Bowen  
John Putnam  
Leonard May  
Crystal Gray  
Harmon Zuckerman

**PLANNING BOARD MEMBERS ABSENT:**

N/A

**STAFF PRESENT:**

Hella Pannewig, Assistant City Attorney  
Cindy Spence, Administrative Specialist III  
Susan Richstone, Deputy Director for Planning  
Lesli Ellis, Comprehensive Planning Manager  
Jean Gatza, Senior Planner  
Caitlin Zacharias, Planner I  
Kalani Paho, Urban Planner

**1. CALL TO ORDER**

Chair, **J. Gerstle**, declared a quorum at 6:03 p.m. and the following business was conducted.

**2. MEETING MANAGEMENT DISCUSSION – FOLLOW-UP FROM JULY 21, 2016  
TRAINING BVCP UPDATE**

- **S. Richstone** began the discussion by suggesting the board run through the handout "*Suggestions for Meeting Management Improvements*"

**Board Discussion:**

**Topic #1 - Negative Polling and Matrix:**

- **S. Richstone** stated that the key concept with negative polling was not to focus on areas of agreement, but rather to identify areas where the board is not in alignment and devote time for that discussion.

- **J. Gerstle** agreed that negative polling would be a good approach.
- **H. Zuckerman** agreed however along with negative polling, a board member should state why they are in agreement, giving reason and justification. One board member could do it and the other 6 could merely agree. It would save time. This would give balance to the negative polling.
- **J. Putnam** suggested having the Chair ask the board if it meets with the criteria and then give an explanation for the board's agreement.
- **C. Gray** stated that it sounds disorganized when comments go down the line of board members giving general impressions. A structured approach would be better.
- **B. Bowen** stated that a bigger risk is when the board goes down the line and each member tries to give all their comments at once. He suggested an initial overview at a higher level and not delving into individual matters.
- **L. May** said that giving a general overview at the start and then combining with some negative polling is better.
- **B. Bowen** added that a concept plan is different than a site plan where decisions are not being passed. A site review needs to focus on criteria and key issues.
- **H. Zuckerman** recommended the points of discussion could be within staff's memo to assist with focusing the board's discussion.
- **L. Payton** mentioned that in the past, staff has presented a matrix along with the Comp Plan policies the project did not comply with. That was very helpful in understanding that a thorough analysis was done. Perhaps a matrix showing the major Comp Plan policies it complies with and ones it does not could be provided.
- **C. Gray** said it would be helpful if there was a staff report, on screen, to reflect what criteria was being addressing.
  - **S. Richstone** stated, in terms of negative polling, that staff would try to have key items from staff's perspective where there is disagreement.
- **J. Gerstle** stated that there seems to be a benefit to having each member talk about issues they are concerned about and interject where they agree with staff's recommendation. If the majority agree on an issue, then no point to discuss it further.
  - **S. Richstone** summarized that the board will go down the line for discussion with a preamble and identify if there is agreement or not or if there is another issue that has arisen, with the matrix on the board, and then they will create the negative polling of a list of items for discussion. Therefore, the matrix should work well and assist in identifying what the board will want to talk about.
- **H. Zuckerman** questioned if that would really save time. He questioned if a free form discussion would work before delving into the criteria when it will be done eventually.
- **L. May** explained that the point is not to reduce the amount of time but make more effective use of time. This may ultimately be a way to identify the issue and may end up saving time in the end.
- **H. Zuckerman** stated it will be difficult to figure out the direction of a discussion by having each member goes through the matrix. He suggested just going through the criteria. Any preamble will result in confusion by going down the line of board members

looking at the entire matrix. He agrees with using a matrix, however the idea of going down the line and reviewing the entire matrix, by each member, and making a list of each item they want to comment on seems redundant, rather than just going down the list of the matrix anyway.

- **B. Bowen** commented that this group may not skilled enough in negative polling and needs to build their skills. He suggested trying negative polling for few meetings, working to make it better, and debrief at the end of the meetings to review how it went.
- **C. Gray** summarized that each board member will give a very brief overview at beginning as an opening remark.
- **J. Gerstle** agreed.
- **H. Zuckerman** liked the idea of an interactive visual checklist in order to see the progress on the matrix during the meeting.
- **B. Bowen** stated that he is lukewarm regarding the matrix idea. However, if it helps the public follow and organize thoughts, then it could be a good tool.

### Topic #3 – Roles and Criteria:

- **B. Bowen** suggested that during public feedback time, and to make them feel heard during comment their public comment, perhaps writing down their comments on a flipchart so that it can be seen what people said. It may give credibility that the board is listening.
- **C. Gray** agrees that people want to feel they are heard, however a flip chart may work better at community meetings.
  - **S. Richstone** explained the concept that someone (i.e. staff or board member) would give information to the public regarding roles and criteria of the item that is before the Planning Board that evening. This will take time to develop.
- **J. Putnam** felt this is most critical and encouraged this to happen at the beginning of an item. He added that there should be a response to emails received by the board should provide information regarding what will be happening at the hearing and process. Perhaps a standard response for each type of review or meeting; some type of auto response.
- Board members were in general agreement.
- **B. Bowen** recommended giving the public explanations of what the criteria are or what the recommendation would mean. Perhaps a link on the website.
- **H. Zuckerman** suggested putting the explanations in layman terms for the public.
- **L. Payton** suggested that for each agenda item that appears on the website to have a link regarding how someone can offer effective input to that item. For example, a link to what a site review is and how to effectively comment on it.

### Topic #4 – Testimony:

- **S. Richstone** stated that there was differing opinions among the board members. They revolved around whether to use the timer for staff and/or applicants, limiting time for public speakers and setting parameters under certain conditions.

- **J. Putnam** recommend to table this time and the board could work on the other items discussed tonight.
- **L. Payton** mentions that the board had discussed performing a check-in at 10:00-10:30 p.m. during meetings and she supports that.
- **J. Gerstle** understands limiting testimony time, but does not support limiting the time of staff and applicant.
- **C. Gray** agreed. She would like to have some guidance given to the applicant to cover the criteria and architecture of their project in the allotted time.
- **B. Bowen** stated, in regards to the applicant's presentations, he would like to keep the to as little time as possible but invite them to answer more questions.
- **L. May** agreed. The applicant needs to focus the presentation to ten minutes.
- **H. Zuckerman** stated the board should make is clear what the expectation is at the beginning. As for meeting duration, the meeting will be over at a certain time unless the board agrees to extend it.
- **J. Gerstle** stated that the Chair, at the beginning of the meeting, can declare that at 10:00 p.m. the board will make a decision on how they will proceed. At that time, if they decide to continue, then a motion will be made to do so.
- The board was in support.

### 3. DISCUSSION OF BVCP LAND USE SCENARIOS AND POLICY OPTIONS AND LAND USE DESCRIPTIONS

#### Staff Presentation:

L. Ellis presented the item to the board.

#### Board Comments, Refinements and New Ideas:

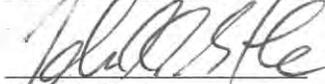
- See Attachment A – “Planning Board August 25, 2016 – Summary of Study Session Discussion”

### 4. DEBRIEF MEETING/CALENDAR CHECK

### 5. ADJOURNMENT

The Planning Board adjourned the meeting at 9:10 p.m.

APPROVED BY



Board Chair

6 Oct 2016

DATE

# Planning Board

## August 25, 2016 – Summary of Study Session Discussion

---

### General Questions and Comments

- Are you considering that changes to land use will affect impact fee studies and transportation model?  
*R: We give them a sense of where the new units would be allocated to transportation zones - to inform quantitative modeling as well as qualitative implications of changes and what it might mean in order of magnitude - comparison of changes.*
- Are you considering rate of change by types of land uses that are considered and pace of change?
- What is the community benefit analysis?  
*R: KM analysis on housing. If we change land uses to increase intensity on any given parcel there would be a requirement attached to that (e.g. affordable housing) that there would be a benefit back to the community. Analysis to ensure we would achieve affordable housing. Also conversation about community benefit beyond housing. A lot of analysis in the works and we aim to have it for public meetings.*
- Materials heading in right direction. Suggest - apply community benefit to these areas where land use might be granted more intensity.
- Affordable housing, for market rate - looking to determine if it would be affordable in the future.  
*R: There are tools outside comprehensive plan that will addresses deed restricted units. Consultants are looking at an array of options that may be suitable for some neighborhoods. Potential piloting in some neighborhoods.*
- Suggested adding co-op housing to the mix of housing types (based on an example in a certain community).

### About Community Engagement

- Have this info at a public hearing so people can comment on it.  
*R: This is just the beginning. In Sept and October – there will be opportunities for public comment. Survey; October - local area meetings with opportunities for people to spend time with this information, the analysis completed and people can dive deeper into the info and provide their perspectives.*
- Will Planning Board have an opportunity to go through this in detail?  
*R: Yes. Will continue to evolve. Not looking for final decisions until early next year.*
- When does the public have an opportunity to comment on the other policy sections?  
*R: on the website now and open for comment through sept. 23.*

### Comments about Scenarios

- **Scenario A:** It will be critical to have a baseline - current policy scenario.
- **Nonresidential Growth Management:**
  - Pull out the growth management tool from the Scenario A. If there is another scenario for growth management, do it separately (more of a policy issue and not a land use change)

- Understand a policy that gets at GM on non-residential side. Why don't we have another scenario - Option D - plus housing minus non-residential. Might be a viable solution to the issues that agitate the community.
- We should look at non-res growth management - could apply to none or all of these scenarios - managing the pace of non-res growth.
- Nonresidential growth management can be addressed as land use (and zoning) change or policy direction (such as with Residential Growth Management System).
- 1. *Note: staff did pull out a separate Scenario Policy Option D based on these comments and assumed some reductions to nonresidential capacity within Scenarios B and C, based on the comments from Planning Board.*
- **For Scenario C** – it will be important to clarify infill in those areas and not displacing those uses in the industrial areas; potential arts spaces. Opportunity to add housing - less dense development. Messaging needs to be really on point.  
*R: The assumption is that the housing would occur not as much the older areas but areas of business parks where there are large parking areas. Adding infill and having housing in addition to businesses that are there. Changing light industrial areas would not be one size fits all - qualities to recognize in those areas.*
- **For Scenario B** - Look at the corridors with an eye to protecting the small businesses. How could the ideas in Scenario B (corridors and centers) be merged with ideas about area and sub-area planning? That focused planning seems important because there are many different character areas.
- Will scenarios give a snapshot along a timeline - continuity between now and buildout?  
*R: No, model is not as sophisticated as that.*
- Scenario B and C include a range of an additional 10-12K residential units. What is the context of those numbers and how were they calculated?  
*R: Using 1% GM rate of growth for total number of units. Also wanted to look at a more modest end. The location of new projected units is different in the options. Shift in E Boulder and / or distributed in various centers. Provided a range to provide to transportation analysis. Numbers inclusive of current projections; stays a little lower than the range of 1% to 2040.*
- Based on public input, would you add another Scenario or new concepts that might come up, or be covered by illustrations and concept diagrams that will be part of these?  
*R: If concepts will fit within these scenarios, we'll add them; if not maybe new concepts or scenarios.*

### Housing Prototypes

- Would like to see concepts that addresses historic properties (e.g., allowing a little house in the back, and if landmarking properties, the ability to build a small house on the front of the property) A community benefit could be historic landmarking.
- Sketches could look more like Boulder architectural style.
- Everyone has been talking about tiny houses - would be good to reflect to people that we are listening to those ideas. People would like to see an option for two smaller houses rather than one large house on a lot. If there are nuances to recommend - please provide.
- Clarify what is medium density overlay district? *R: notes on an initial draft of housing prototypes were incorrect about a Medium Density Overlay district.*
- Address the problem of pushing the boundaries of building coverage and FAR – big house issue. Some will be addressed in policy discussions. An idea has been proposed by the Landmarks Board.

- Can we do “pocket neighborhoods” on large lots? The graphics showing options for corner lot development ideas just look at housing options but not other uses – why not? Adding mixed use or retail options to increase walkability could be important to some neighborhoods. Recommendation for *Suburbia* by David Long – for ideas to make neighborhoods more sustainable with successful and palatable changes.
- Missing in the visuals and texts are concepts of walkability and enhanced pedestrian experience. They could be reinforced with text and lines showing pedestrian access.  
*R: Nelson Nygard and transportation team will be helping with that enhancement.*

### **Subcommunity, area, and neighborhood planning**

- The idea of idea to make neighborhoods more sustainable dovetails with the idea about neighborhood or area planning. Those ideas might be the ones that help sell new ideas to neighborhoods.
- Zoning that we have is problematic - area planning should not be to correct "bad" zoning. Area plans aren't to make zoning more fine-grained.

### **Corridors**

- On corridors - along Broadway there is a lot of residential. Is there a concept where this gets some commercial mixed in as activity nodes or continuous mixed use? Are we looking to incorporate mixed use into residential areas?  
*R: In the residential MU concept – look at adding housing, corner retail use; where there is medium residential can be subtler infill and important focus on transitions; N 28th Street. - commercial that is transitioning - introduce residential into that with a mix of commercial and residential. Low density might not work. When does the community or PB decide whether we want that or not? Maybe we like the nodes and residential in between. The community needs to weigh in. Zoning changes to corridors should be done in conjunction with neighborhood plans.*
- Cottage courts – would like to see some analysis about maintaining the middle housing or does this type of housing erode the middle over time? We don't want to just create investor opportunity. More for-sale lots - add to middle income housing.
- Some concerns this is driven by a desire to maintain a segment of the population having access to affordable housing. We can make land use changes, but we need other mechanism (deed restriction or?) to ensure we achieve those housing goals. Land use is only half the equation. Need discussion of what else will happen in implementation.
- Built environment - need criteria for when, where that might be appropriate or what the planning is for that - desire to see it happen but concern that it happens in the right way and the codes are prohibitive. We could start to craft criteria to guide to that if it is a desired community outcome.

### **Land Use: Open Space Other Category**

- Clarify confusing Open Space Other category that has been problematic. Suggestions included:
  - get rid of this category and map it to other categories, or
  - do map edits - map it to what it should be, or
  - have a land use type that shows alignments of greenways and what they will ultimately look like - linear parks or other. Similar to a connections plan. Greenways, multi-use paths, linear parks (because important connections have not been made because these aren't clear – e.g., Boulder Slough / Target; North Boulder along the creek / Crestview),  
or

- Keep it but add a land use type that is meaningful. Shows an intent to become OS and the value should be considered very carefully.
- The category that has been challenging in development review; especially where there is a strip of green that is supposed to correspond with a feature such as drainage. Fixing it would be a big mapping challenge. Develop criteria to help with those interpretations.
- Have more interpretive language in the category description. Trying to interpret the intent is difficult.
- History of OS-O: Originally there was an open space map from the 70s that was general and not parcel based. In 1995, GIS reconciled the comp plan with the open space map. Some areas were very difficult to reconcile, and at the time the Open Space created many different open space designations. Everything that wasn't purchased open space or easements was left on the original Open space map from the 70s. So there are still many irregularities. An effort to do a clean-up in a comprehensive manner would be massive.

#### **Land Use Designations:**

- General policies at the beginning seem like a good idea to describe the intent of the chapter.
- Light industrial - in use description - heavily focused on data and digital businesses. Not a very strong description of what would go in that area. Rectify language with what has been happening in the areas.
- On General Business - should there be something about transformation goals? (e.g., 28th and 30th street corridors - what we might want to see there in the future). Is that built into the land use now? Elaborate on what it could transform to.
- Service commercial - generally require automotive access. Is that land use really intended to be so auto-centric? R: Yes, it really applies to one small area north of Transit Village Area Plan (TVAP) that was intended to address the issue of not wanting everything to gentrify.
- In the land use chapter, acknowledge climate change impacts that might make the land less suitable than it may have been.
- If we are going to pursue more form-based codes - need more mention of regulating plans.
- Didn't see resilience mentioned in land use chapter. How we might incorporate it into multiple policies? But need to think of resilience in land use categories. Thinking about it in an older paradigm - in converting to more residential. Displacement concept - businesses, and residents.
- Description of mixed density residential – like it; the land use designation of high density - a variety that isn't captured. Variety of units per acre. Maybe a little more work. Some around the downtown and in historic pre-WW!! Neighborhoods. Cluster of coop housing in newly designated areas.

#### **Round Robin - Policy Topics for Further Discussion**

- List of community benefits should include mature landscaping.
- Utility provision - add resilience goals and flood management;
- Sensitive infill - helpful to have suggestion that city pursue timelines to get subcommunity and neighborhood plans going so sensitive infill is more clear. Neighborhood plan - it is about people.
- BHP affordable housing policy – concern about it, and not sure what it means in terms of public input and Planning Board review. They should follow the same rules as others.
- Housing Policy 7.02 - affordability has too much emphasis on market rate. Unlikely to get much mileage out of that effort. More emphasis needs to be on preservation of units. Goal - not erode affordable housing stock as a result as redevelopment.

- Need to talk about not displacing people - e.g. 7.08 manufactured homes - replace with same type of housing. Increase resilience without displacing residents.
- 7.10 - balancing housing supply with employment base. We're working to keep up with employment. Change language so it doesn't sound so much like we are in crisis mode and instead are being deliberate. Not subject of boom and bust cycles.
- With neighborhood plans – can ask what type of affordable housing would fit in with your neighborhood? Focus more on 15-minute neighborhood; ask more about new housing in your area.
- Subarea plans - no changes? Maybe for planning purposes you split up the 9 areas a bit more. Emphasis on preservation.
- Community benefit is worthy of long conversation. Distinction should be made between benefits required for increasing the amount of buildable space versus things that just make the site design better (heights, setbacks) - viable to tie to # of units but not height.
- Like new policy on 15 min neighborhoods; walkability is inconsistently applied. Needed in some areas.
- Structure map concept
  - concern that it looks really busy. Not sure putting everything on one map is too much. May look at a few maps. Maybe a heat map of intensity patterns.
  - Think about it as a graphic that is trying to tell a story - how density ties to transit... not just about layers.
- On the idea of preservation of existing buildings - Be careful. Keeping buildings can impair sustainability goals. Housing sections that are set up to be economic and sterile - capture maintaining diversity and social structure and richness - not just # of units.
- Be explicit about senior housing needs, that's critical and needs focus.
- Call out desire to provide affordable housing for public service workers.
- Housing policies have a lot of conflicting goals - preservation of housing stock, trying to reach sustainability goals. Post-war housing style emblematic of neighborhoods that aren't walkable. Need definition of neighborhood center. Are people in post-war neighborhoods ready for neighborhood centers?
- Clarify areas where accessory uses are desired but have been vilified in practice. Get clear vision for what city really wants. Do we want to preserve post-war neighborhoods or do we want 15 min neighborhoods? (or both)
- Be careful about growth management tools; they can create commodified markets that result in no development happening and inability to meet other goals. Can result in no redevelopment and stagnation. Develop GM tools in context.
- Accessory units. Clarify difference OAU, ADU.
- Inconsistency of goals. affecting the residential areas - neighborhood planning can knit everything together and resolve conflicts.
- Make it clear what we really want and avoid not pleasing everyone. Clarity and consistency are essential for an effective plan.
- Can we talk about what a 15 min neighborhood is? Ask the neighborhood. Will differ.

**CITY OF BOULDER**  
**PLANNING BOARD ACTION MINUTES**  
**September 15, 2016**  
**1777 Broadway, Council Chambers**

A permanent set of these minutes and a tape recording (maintained for a period of seven years) are retained in Central Records (telephone: 303-441-3043). Minutes and streaming audio are also available on the web at: <http://www.bouldercolorado.gov/>

**PLANNING BOARD MEMBERS PRESENT:**

John Gerstle, Chair  
Liz Payton, Vice Chair  
Bryan Bowen  
John Putnam  
Leonard May  
Crystal Gray

**PLANNING BOARD MEMBERS ABSENT:**

Harmon Zuckerman

**STAFF PRESENT:**

Susan Richstone, Deputy Director, PH&S  
Lesli Ellis, Comprehensive Planning Manager, PH&S  
Hella Pannewig, Assistant City Attorney  
Cindy Spence, Administrative Specialist III  
Edward Stafford, Development Review Manager for PW  
Jean Gatzka, Senior Planner, PH&S  
Caitlin Zacharias, Planner I, PH&S  
Jim Robertson, Chief Urban Designer, PH&S

**1. CALL TO ORDER**

Chair, **J. Gerstle**, declared a quorum at 6:19 p.m. and the following business was conducted.

**2. APPROVAL OF MINUTES**

On a motion by **L. Payton** and seconded by **J. Putnam** the Planning Board voted 6-0 (**H. Zuckerman** absent) to approve the July 28, 2016, August 18, 2016 and September 1, 2016 minutes as amended.

**C. Gray** abstained from the August 18, 2016 minutes.

**B. Bowen** abstained from July 28, 2016 minutes.

**3. PUBLIC PARTICIPATION**

1. **John Crawford** (pooling time with **Bruce Thompson**) spoke regarding flood mitigation.
2. **Greg Wilkerson** spoke regarding the BVCP Update and gave support for Policy Option D.

3. **Jan Trussell** spoke regarding the BVCP Update and gave support for Policy Option D and zoning via land use vs. growth limits.
4. **Hollie Rogin** spoke regarding the BVCP Update, specifically Section 5, Economic Vitality.
5. **Steven Meier** spoke regarding the BVCP Update and gave support for Policy Option D.
6. **Lisa Spalding** spoke regarding the BVCP Update and gave support for Policy Option D.
7. **Sara Mayer** spoke regarding the BVCP Update, specifically density.
8. **Alan Delamere** spoke regarding the BVCP Update, specifically in-commuting jobs and an anti-demolition ordinance.
9. **Kathie Joyner** spoke regarding the flood mitigation project of South Boulder Creek and urged the annexation of CU South.
10. **Elmar Dormberger** spoke regarding the flood mitigation project of South Boulder Creek.
11. **Mike Marsh** spoke regarding the BVCP Update, specifically community benefit, adding neighborhood plans and gave support for Policy Option D.
12. **Raymond Bridge** regarding the BVCP Update, specifically Section 3, Natural Environment.
13. **Karen Hollweg** (pooling time with **Shelia Delamere**) regarding the BVCP Update, specifically Section 3, Natural Environment.
14. **Louise Padden** spoke regarding the BVCP Update and gave support for Policy Option D.
15. **Donna George** (pooling time with **Sara George**) spoke regarding the BVCP Update and gave support for Policy Option D.
16. **Al Gunter** spoke regarding the BVCP Update, specifically job growth and density.
17. **Joan Zimmerman** spoke regarding the BVCP Update and gave support for Policy Option D.
18. **Ellie Sciarra** spoke regarding the BVCP Update, specifically the building of mega-mansions in neighborhoods and gave support for Policy Option D.
19. **Patty Angerer** spoke in support a land use change request at 385 Broadway.
20. **Joe McDonald** spoke regarding the BVCP Update and gave support for Policy Option D.

#### **4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS / CONTINUATIONS**

- A. Call Up Items: Boulder Civic Area, Floodplain Development Permit (LUR2016-00035), Wetland Permit (LUR2016-00034). This decision may be called up before Planning Board on or before September 20, 2016.
- B. Call Up Item: Floodplain Development Permit (LUR2016-00001); 3107 Iris Avenue. This decision may be called up before Planning Board on or before September 22, 2016.
- C. Call Up Item: Wetland Permit (LUR2016-00054); Mesa Trail Flood Repairs. This decision may be called up before Planning Board on or before September 15, 2016.

D. Call Up Item: Wetland Permit (LUR2016-00055); Boulder Falls Flood Repairs. This decision may be called up before Planning Board on or before September 27, 2016.

C. **Gray** called up the Boulder Civic Area, Floodplain Development Permit (LUR2016-00035) and Wetland Permit (LUR2016-00034). The remaining items were not called up.

## 5. DISCUSSION ITEMS

A. AGENDA TITLE: Boulder Valley Comprehensive Plan (BVCP) - Continued Discussion on Scenarios and Housing Prototypes, Land Use Definitions, and Key Policy Choices and Review of Draft CU South Site Suitability analysis.

### Staff Presentation:

**S. Richstone** introduced the item.

**L. Ellis** and **J. Gatza** presented the item to the board.

### Board Questions:

**L. Ellis** answered questions from the board.

### Board Comments:

#### Discussion Topics

##### 1. Policy Integration: Next Steps

- **L. Ellis** answered questions from the board and informed them that because of the high level of interest and suggestions, Planning Board can have further discussions of policy integration for upcoming drafts in October 2016 and staff will then prepare a final draft for review at later dates.

##### 2. BVCP Survey Topics

- **J. Putnam** agreed that staff's proposed topics to cover the right categories. He stated that the direction and background given will be as important as the category themselves to obtain the best informed feedback.
- **J. Gerstle** suggested, regarding the balance issues, to make sure respondents understand there are tradeoffs involved.
- **L. Payton** suggested a question regarding "community benefit". Also she said to consider a question regarding CU and CU housing. Finally, a question asking if the community finds it important to retain primary employers or be a start-up community.
- **L. May** would like to see if there are shifts in respondents' positions from the first survey (i.e. address the same issue in a different way). Terminology should be familiar. Regarding housing types, he suggested merging that question with the land use mix character type question as people may respond more to scale or character rather than housing type.
- **J. Putnam** disagreed with **L. May**. Housing availability is not driven by mass and scale, but also by type.
- **L. May** asked staff if both issues could be addressed together.
- **B. Bowen** suggested asking what would make a neighborhood better for you under character within the survey.

- **L. Payton** stated that traffic and parking are big issues. She suggested finding out if people are willing to trade off some of those to get other things.
- **C. Gray** agreed with **B. Bowen** regarding asking what would make your neighborhood better and making it open-ended. Some subcommunities are too large, therefore we should find out where people live on a smaller scale and coordinate the neighborhood planning to smaller areas. She suggested asking people to give their definition of community benefit.
- **L. May** suggested expanding “Equity” beyond housing to apply to businesses as well.
- Staff informed the board that they would have a chance to review the final questions before the survey is mailed.

### 3. Policy Choices, Scenarios & Analysis, and Land Use Designations

- **L. May** stated that when he proposed Option D, he had in mind a land use rebalancing of jobs vs. housing. If a growth management plan were implemented, but land use was still pushing an imbalance, the problem would not be addressed. Option D should not be confined to just growth management, but also need to look at land use.
- **J. Putnam** agreed. Need to consider policy levers to constrain job growth and then look and compare to other scenarios. We need options to highlight the range of policy options for good policy direction.
- **L. May** stated that if Options B or C were to be considered, they may fit under the umbrella of Option D.
- **L. Payton** stated that in addition to the land use scenario that may change the available land for commercial or industrial and/or Option D, also have a system in place that prohibits requests for exemptions as another tool. Her biggest concern is the displacement possibility, which is aggravated by granting exemptions and variances.
- **B. Bowen** agreed. As the board looks at the balance of jobs vs. housing vs. growth, different neighborhoods will vary. The proposed diagrams of what uses fit into neighborhoods are useful. Boulder needs a building typology for a mixed-use, light industrial business in order to keep those types of businesses in town.
- **J. Putnam** was concerned that those type of businesses would get pushed out by by-right development or redevelopment. Tools should there be to capture some affordable businesses. We need to find a way to protect them.
- **C. Gray** agreed. She suggested putting “Local Small Businesses” under Core Values. Need to keep the same language throughout the BVCP for consistency (Policy vs. Scenario).
- **B. Bowen** stated that it is not appropriate to think we are going to adopt just one scenario. The board is attempting to model three different scenarios for exploratory purposes and then come to a solution. It’s worth looking at pulling back commercial to concentrate on housing. The final solution will be a mix of the scenarios.
- **L. Payton** agreed.
- **J. Putnam** agreed the BVCP is heading in right direction. There are three policy thrusts. The first policy is the degree of jobs and housing growth in the future. Second is the range of tools involved. The third is where we want it to happen.

- All board members agreed that staff could use the comments submitted by each member for the BVCP Template to start drafting polices for the upcoming October meetings.
- **J. Gerstle** suggested that comments submitted by **H. Rogin, K. Hollweg** and **R. Bridge** to be considered. The board agreed but details will need to be reviewed.
- **L. Payton** began a neighborhood plan discussion which she had not submitted in her BVCP Template notes from the previous meeting. Inspired by Britain's neighborhood plans, she proposed that defined neighborhoods be given "targets" for affordable housing and a stipend with staff support to develop neighborhood plans that would meet the targets in ways that were acceptable to the particular neighborhood. Each neighborhood would work on its own plan for where the affordable housing would go, vote on it, and then it could become a regulatory document. Targets could be other things besides affordable housing, such as VMT reduction.
- **B. Bowen** agreed. Neighborhoods could satisfy community goals.
- **L. May** stated it would put the Comp Plan in local hands and start people thinking about individual goals.
- **L. Payton** added that, since the plans would be subject to a neighborhood vote, there would be incentive to compromise and work together.
- **J. Putnam** suggested starting this on a pilot basis. Start the pilot in areas of change (e.g. Martin Acres, Uni-Hill).
- **B. Bowen** suggested the hospital site (BCH). This could not be staff nor community time intensive.
- **L. May** agreed with the notion of a pilot in an area that is currently under pressure and solutions could evolve out of the pilot. He suggested the areas of Martin Acres, Uni-Hill or BCH.
- **C. Gray, J. Gerstle** and **B. Bowen** endorsed **L. Payton's** idea.
- **J. Putnam** suggested other key policy issues for discussion. He stated that a policy addressing *Uber, Lift*, and self-driving cars is missing from the Comp Plan. This should be addressed as it will make an impact and change to parking requirements, curb-front requirements and traffic impacts. In regards to community benefit, it would be helpful to structure how to think about decisions, perhaps by looking at what sort of decisions should trigger community benefit, what are those benefits, and could they vary per decision. He suggested a tool to help govern that. He recommended getting feedback from the public in October.
- **L. May** suggested forming a subcommittee to work on this.
- **J. Putnam** stated that it should be done now rather than waiting for the survey results to come back.
- **J. Putnam** and **L. May** volunteered for the subcommittee to set up a matrix to organize a conversation surrounding community benefit but not to make decisions as to the policy.
- The board agreed that the main discussion would take place during a meeting but that **J. Putnam** and **L. May** would meet to form the discussion materials.
- **J. Putnam** added that it would be beneficial to have language regarding the preservation of affordable business space. Should be a strong policy statement that we

want to protect or preserve these types of businesses so it can be applied during site reviews and looking at consistency with the BVCP.

- **L. May** emphasized a focus on a policy stating development cannot result on a net loss of population and affordable housing.

#### 4. CU South Preview

- **L. Ellis** presented the item to the board at a high level and let the board know about the public open house on September 26, 2016 and that the board will have further discussion in October 2016.

#### Board Questions:

- **L. Ellis** and **H. Pannewig** answered questions from the board.

#### Board Comments:

- **J. Putnam** stated that the recent report disseminated by staff will be beneficial for the public and the board to review, then come back with feedback from the upcoming open house for discussion.
- The board agreed and will continue its review.

#### 5. Trails Map

#### Board Questions:

- **L. Ellis** and **J. Gatza** answered questions from the board.

### 6. DEBRIEF MEETING/CALENDAR CHECK

### 7. ADJOURNMENT

The Planning Board adjourned the meeting at 9:49 p.m.

APPROVED BY



Board Chair



DATE

**2016 UNITED NATIONS DAY**  
**Celebrating the 71<sup>th</sup> Anniversary of the United Nations**

The United Nations was founded in 1945 and the anniversary of the day on which the UN Charter came into force is observed each year on October 24.

The United Nations promotes peace and security, development, democracy, economic prosperity, global health and human rights around the world, and is vital now more than ever.

The United Nations works to achieve the Sustainable Development Goals by providing a common development strategy for the international community, improving coordination, coherence, and effectiveness within the UN system, the donor community and developing countries.

The United States has a long tradition of leading international efforts to improve health, education and economic growth in developing countries and has shown its commitment to the Sustainable Development Goals through foreign assistance, progressive trade initiatives, and debt relief measures.

A bipartisan poll conducted in April revealed that more than eight out of ten voters say it is important that the United States maintain an active role within the UN.

The United Nations Association of the USA has declared the UN 71<sup>th</sup> Anniversary as its theme for the 2016 United Nations Day commemoration. The Boulder County Chapter of the UNA-USA is committed to educating and mobilizing our local communities to build a stronger network of global citizens and leaders to create a more prosperous, just and sustainable world.

The City Council of the City of Boulder, Colorado, declares October 24, 2016 as

**UNITED NATIONS DAY**

and encourages the residents of the City of Boulder to participate in activities related to UN Day.

  
\_\_\_\_\_  
**Suzanne Jones, Mayor**

