

**COUNCIL AGENDA COMMITTEE**  
**July 14, 2014**

**Present:** Mayor Appelbaum; Council Member Plass; Council Member Weaver; City Manager Jane Brautigam; Deputy City Attorney David Gehr; City Clerk Alisa Lewis; Deputy City Clerk Alisa Darrow; Organizational Development Manager Tammye Burnette and; Chief Financial Officer Bob Eichen

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*CAC convened at 8:02 AM.*

**1. July 22 Preliminary Agenda**

- A. 5:00 – 6:00 PM Council Briefing – Flood update\***
- B. 6:00 PM Council Meeting**

**PRELIMINARY AGENDA**

**This is a preliminary agenda packet. The agenda and memos contained should be considered preliminary work products and not final information. Items scheduled to be discussed as reflected in this agenda packet may be subsequently removed and/or substantially modified prior to finalizing. A final council agenda packet will be available approximately four days prior to the scheduled council meeting.**

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

- A. ADA Declaration\*
- B. Declaration Honoring CFO Bob Eichen\*

**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 approve the City Council Meeting **Minutes from June 17, 2014**

*Mayor Appelbaum pointed out that the attendance record was incorrect on the minutes and asked that it be corrected for the final agenda packet.*

- B. Consideration of a motion to accept the **May 13, 2014 study session summary on the 2014 Human Services Strategy Update**

*Mayor Appelbaum pointed out that on page 22 there was a spreadsheet that appeared to have the O.U.R. Center listed twice and possibly duplicated. He asked staff to look at this and clarify the spreadsheet in the final version of the packet.*

- C. Consideration of a motion to accept the **June 10, 2014 study session summary on the Overview of the Library and Arts programs** and services and the Community Cultural Plan scope\*
- D. **Consideration of a motion to accept the May 27, 2014 study session summary on Envision East Arapahoe\***
- E. Consideration of a motion to authorize the City Manager to accept a **U.S. Forest Service Special Use Permit for the Barker Gravity Pipeline\***
- F. Consideration of motion authorizing the city manager to enter into **an intergovernmental agreement with Boulder County to address jail overcrowding issues\***

*Mayor Appelbaum asked how the Boulder County Jail was proposing changes in IGA's with other nearby communities. He requested this information be included in the final agenda packet.*

- G. Consideration of a motion to approve an **amendment to the intergovernmental agreement (IGA) between the City of Boulder and Boulder County for additional funding for commercial energy efficiency rebates**

*Mayor Appelbaum asked how these changes would impact funding, specifically how much funding came from the city of Boulder and from Boulder County.*

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

Opportunity for Council to indicate possible interest in the call- up of an item listed under agenda Item 8-A1.\*

### **ORDER OF BUSINESS**

#### **5. PUBLIC HEARINGS**

- A. Consideration of a motion to **accept the 2014 Transportation Master Plan** and to Accept the revised Transportation Master Plan Summary for inclusion in the Boulder Valley Comprehensive Plan

*Council Member Weaver asked what the process was for making large changes to the master plan.*

*City Manager Jane Brautigam responded that Council could adopt the master plan and amend it either at the meeting or in the future.*

*Council Member Weaver was specifically interested in paid private parking and tracking of TDM programs over a longer period of time.*

*Mayor Appelbaum commented that he would be sending in a Hotline with questions related to the numbers in the memo.*

*Council Member Plass raised concerns about how to measure levels of service and noted that there was at least one board member on the Transportation Advisory Board that voted against the adoption of the master plan.*

*It was requested that the Chair from the Transportation Advisory Board be present at the meeting.*

*This item will be scheduled for one and a half hours.*

- B. Second reading and consideration of a motion to adopt **Ordinance No. 7981 amending** Section 4-20-55, "Court and Vehicle impoundment Costs , Fees, and Civil penalties," B.R.C. 1981, **changing certain court fees**, and setting forth related details

*City Clerk Alisa Lewis asked if this item could be added to the Consent Agenda.*

*CAC agreed to move this item to the Consent Agenda.*

- C. Introduction, first reading and consideration of a motion to order published by title only, **an ordinance submitting to the registered electors** of the City of Boulder **at the special municipal coordinated election** to be held on **Tuesday, November 4, 2014, the question of amending City Charter Section 9 to provide that the city council may meet in executive session only for the purpose of discussing legal advice and negotiation strategy relating to the creation of a municipal electrical utility, with such authority ending on December 31, 2017;** setting forth the ballot title; and specifying the form of the ballot and other related details

*City Clerk Alisa Lewis noted that Items C & D could be considered under one public hearing and asked what order CAC would like them in.*

*CAC preferred to hold two separate public hearings on first reading given that the two topics were so different.*

*Mayor Appelbaum commented that on page 26, line 22 ½ should be changed from "discussed" to "discussing." He also asked what the retention schedule was for recordings of executive sessions and he thought the public might be interested in understanding how retention would work for this.*

*Deputy City Attorney David Gehr responded that Boulder would follow state law with a retention schedule of 90 days. He stated that he would include this information in the final memo.*

*CAC agreed to schedule this item for forty-five minutes.*

D. Introduction, first reading and consideration of a motion to publish by title only **an ordinance submitting to the registered electors** of the City of Boulder **at the special municipal coordinated election to be held on Tuesday, November 4, 2014, the question** of authorizing the city council **to increase the sales and use tax by up to 0.3 cents on every dollar, effective from January 1, 2015 through December 31, 2017 for the purpose of funding a variety of capital improvement projects**; giving approval for the collection, retention and expenditure of the full tax proceeds and any related earnings, notwithstanding any state revenue or expenditure limitation; and setting forth the effective date, ballot title, amendments to section 3-2-5, "Rate of Tax," B.R.C. 1981 and related details.

*City Manager Jane Brautigam reviewed changes to the "pay as you go" methods since Council had given staff direction previously. She went into detail regarding pedestrian lighting and the underpass at Arapahoe and 13<sup>th</sup> Street.*

*CAC agreed to schedule this item for one and a half hours.*

## **6. MATTERS FROM THE CITY MANAGER**

**A. Update of Public Art: Commencement of Community Dialogue\***

## **7. MATTERS FROM THE CITY ATTORNEY**

None\*

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

**A. Potential Call-Ups\***

- 1. Vacation of a 25 foot utility easement at 800 28th Street.** Information Packet Date: July 22. Last opportunity for Call-Up: July 22.\*
- 2. Landmark Alteration Certificate for 730 Pine.** Information Packet Date: July 22. Last opportunity for Call-Up: July 22.\*
- 3. Landmark Alteration Certificate for 1507 Pine.** Information Packet Date: July 22. Last opportunity for Call-Up: July 22.\*

## **9. PUBLIC COMMENT ON MATTERS (15 min.)** Public comment on any motions made

under Matters.\*

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

11. **DEBRIEF** (5 Min.) Opportunity for Council to discuss how the meeting was conducted.\*

12. **ADJOURNMENT\***

## 2. Calendar Items

### A. Calendar Review:

- **November meeting schedule due to election and Veterans Day**

*CAC asked the City Clerk's Office to poll Council for November 5 and 6, 2014.*

*CAC also asked staff to work on potential dates for a November study session in the week of November 10, recognizing that November 11 is a state holiday.*

- **Retreat and Recess dates for 2015**

*Mayor Appelbaum commented that there would be conflicting dates for Council Meetings and a Metro Mayors meeting on January 10.*

*CAC recommended that staff schedule the 2015 Council Retreat on January 23 & 24, 2015.*

*City Clerk Alisa Lewis suggested discussing the 2015 recess dates under Matters from Mayor and Members at an upcoming meeting.*

*CAC suggested the 2015 recess be from June 10 thru July 5, 2015.*

- **Request for July 29 Study Session to be televised**

*Council Member Weaver commented that he wanted to see information on the County Sustainability Tax included in the presentation.*

*Council Member Weaver noted that the additional time on the schedule could be used for a clarifying discussion around AMPS.*

*CAC recommended that the August 26, September 9, and December 9 be televised. CAC would also like to see the BVCP Scoping and Resilience study session be televised, but the date of the meeting had yet to be determined.*

*CAC did not approve the request to televise the July 29 study session.*

- **Potential dates for rescheduling Science Tuesday with Professor Ryan**

*City Clerk Alisa Lewis noted that she was working with CU to identify potential dates to reschedule this discussion.*

- **Boulder Housing Partners Strategic Plan**

*City Manager Jane Brautigam asked CAC to schedule this item on August 12, 2014 from 7:30-9:00 PM.*

*CAC approved this request.*

### **3. Additional items**

#### **A. Zero Waste Mater Plan Update – Council Member Jones**

*Mayor Appelbaum commented that Council Member Jones may need to recuse herself.*

*Deputy City Attorney David Gehr commented that City Attorney Tom Carr would work with Council Member Jones on how this would work.*

*CAC adjourned at 9:15 AM.*

*\*No comments were made on these items.*

#### **Attachments:**

**Council Master Calendar (subject to change daily)  
Timed and Numbered Agenda**

## 2014 Study Session Calendar

07/29/14	OPEN		6-7:30 PM
07/29/14	Approved	Zero Waste Strategic Plan	7:30-9 PM
08/12/14	Approved	2015-2020 CIP Study Session	6-7:30 PM
08/12/14	Approved	BHP Strategic Plan	7:30-9 PM
08/26/14			5-6:00 PM
08/26/14	Approved	Update regarding the ten year plan for services related to the homeless	6-7:30 PM
08/26/14	Approved	Climate Commitment	7:30-9 PM
09/09/14	Approved	2015 Budget Study Session #1	6-7:30 PM
09/23/14		Briefing:	5-6:00 PM
09/23/14	Approved	2015 Budget Study Session #2	6-7:30 PM
09/23/14	Approved	Master Plan update and next steps for Valmont Butte	7:30-9 PM
09/30/14	PLACEHOLDER	BVCP Scoping and Resilience	6-7:30 PM
09/30/14	PENDING	South Boulder Creek Mitigation Options	7:30-9 PM
10/14/14	PLACEHOLDER	BVCP Scoping and Resilience	6-9 PM
10/28/14		Briefing: Flood Update	5-6:00 PM
10/28/14	Approved	Access Management and Parking Strategy	6-7 PM
10/28/14	Approved	Envision East Arapahoe	7-8:30 PM
11/11/14	N/A	<b>Veteran's Day</b>	
11/25/14	N/A	<b>Tuesday Before Thanksgiving</b>	
12/09/14		Briefing: Boulder's Energy Future	5-6:00 PM
12/09/14	Approved	Comprehensive Housing Strategy	6-7:30 PM
12/09/14	Approved	Human Services Strategy Study Session	7:30-9:30 PM
12/23/14	N/A	<b>Week of Christmas</b>	
12/30/14	N/A	<b>Tuesday before New Year's</b>	

<b>August 5, 2014</b> <b>Start Time: 6:00 PM Business Meeting</b> <b>Location: Council Chambers, 1777 Broadway</b>		
Agenda Section	Item Name	Time
<b>SPECIAL PRESENTATIONS:</b>	Boulder County Report on Children from Stephanie Greenberg	20 Minutes
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	Resolution appointing auditor for the annual audit	15 Minutes
	Accepting the 2013 Comprehensive Annual Financial Report and Independent Auditor Reports	
	Consideration of a motion to adopt a resolution approving BKD, LLP for the 2014 Annual Audit	
	Consideration of a motion accepting the 2013 CAFR and independent auditor reports	
<b>PUBLIC HEARINGS:</b>	1st Reading Flood Related Emergency Annexation of 2-3 enclaves to resolve failed well and septic systems following the September 2013 flood	30 Minutes
	Second Reading on Ballot Items	15 Minutes
	2nd Reading charter amendment to allow for Executive Sessions for Municipalization	30 Minutes
<b>MATTERS FROM CITY MANAGER:</b>		
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>		
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>2.33</b>

<b>August 19, 2014</b> <b>Start Time: 6:00 PM Business Meeting</b> <b>Location: Council Chambers, 1777 Broadway</b>		
Agenda Section	Item Name	Time
<b>RECEPTION:</b>	Solar and Natural Working Group Reception	5-6 PM
<b>SPECIAL PRESENTATIONS:</b>	Report from Wright Water on 2013 Boulder Rainfall Analysis Results by Andrew Earls	20 Minutes
	Solar and Natural Working Group Special Presentation	20 Minutes
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	Resolution from City Council in support of Temp Safety Net Tax	15 Minutes
	1st Reading - BRC Supplement 120 Emergency Ordinance	
	Placeholder - Open Space bond sales	
	First Reading Right to exercise Eminent Domain for the Wonderland Creek Greenways Improvement Projects	
	1st Reading Ordinance modifying the 9th and Canyon Urban Renewal Plan	
	Motion to name the park on Table Mesa and Yale as the Bill Bower Prk	
	1st reading Housing Strategies Ordinance	
<b>PUBLIC HEARINGS:</b>	Comprehensive Housing Strategy - Adoption of Project Goals and Working Group Structure	45 Minutes
	Second Reading Ordinance modifying the 9th and Canyon Urban Renewal Plan	30 Minutes
	2nd Reading - Annexation of 2-3 enclaves to resolve failed well and septic systems following the September 2013 flood	30 Minutes
<b>MATTERS FROM CITY MANAGER:</b>	Placeholder: Boulder's Energy Future	20 Minutes
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>	Council Employee Evaluations	30 Minutes
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>4.42</b>

September 2, 2014		
Start Time: 6:00 PM Business Meeting		
Location: Council Chambers, 1777 Broadway		
Agenda Section	Item Name	Time
<b>SPECIAL PRESENTATIONS:</b>		
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	2014 National Electric codes	15 Minutes
	TIP Potential Projects	
	Placeholder - Open Space Bond Sales	
	First reading Short-term Parking Code Changes and Bike Parking	
<b>PUBLIC HEARINGS:</b>	2nd Reading Short-term Parking Code Changes and Bike Parking	90 Minutes
	2nd reading Housing Strategies Ordinance	1 Hour
	2nd Reading Density ROW/Valuation Code Changes	45 minutes
<b>MATTERS FROM CITY MANAGER:</b>		
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>		
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>4.25</b>

September 16, 2014		
Start Time: 6:00 PM Business Meeting		
Location: Council Chambers, 1777 Broadway		
Agenda Section	Item Name	Time
<b>SPECIAL PRESENTATIONS:</b>		
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	1st Reading - Transportation related code changes	15 Minutes
	IGA for Bikeway Maintenance	
	Summary memo from Homelessness Update SS Aug 26	
	Second Reading Ordinance modifying the 9th and Canyon Urban Renewal Plan	30 Minutes
<b>PUBLIC HEARINGS:</b>	2nd Reading, National Electric Codes	30 Minutes
	Second Reading Right to exercise Eminent Domain for the Wonderland Creek Greenways Improvement Projects	
<b>MATTERS FROM CITY MANAGER:</b>	EET Funding Recommendations to Council	15 Minutes
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>		
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>1.75</b>

<b>October 7, 2014</b> <b>Start Time: 6:00 PM Business Meeting</b> <b>Location: Council Chambers, 1777 Broadway</b>		
<b>Agenda Section</b>	<b>Item Name</b>	<b>Time</b>
<b>SPECIAL PRESENTATIONS:</b>		
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	Title 4 -Pearl Street Mall Code Update	15 Minutes
	Disposal of OSMP land for Xcel easement	
<b>PUBLIC HEARINGS:</b>	2015 Budget Public Hearing #1	1.5 Hours
	2nd Reading, Transportation related code changes	1 Hour
<b>MATTERS FROM CITY MANAGER:</b>		
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>		
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>3.50</b>

<b>October 21, 2014</b> <b>Start Time: 6:00 PM Business Meeting</b> <b>Location: Council Chambers, 1777 Broadway</b>		
<b>Agenda Section</b>	<b>Item Name</b>	<b>Time</b>
<b>SPECIAL PRESENTATIONS:</b>		
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	Forest Glen GID Expansion	15 Minutes
<b>PUBLIC HEARINGS:</b>	2015 Budget Public Hearing #2	1 Hour
<b>MATTERS FROM CITY MANAGER:</b>		
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>		
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>2.00</b>

**COUNCIL BRIEFING**  
**Flood Update**  
**Tuesday, July 22, 2014**  
**5-6 p.m.**

**BOULDER CITY COUNCIL MEETING**  
**COUNCIL CHAMBERS, 1777 Broadway**  
**Tuesday, July 22, 2014**  
**6 p.m.**

**PRELIMINARY AGENDA**

**This is a preliminary agenda packet. The agenda and memos contained should be considered preliminary work products and not final information. Items scheduled to be discussed as reflected in this agenda packet may be subsequently removed and/or substantially modified prior to finalizing. A final council agenda packet will be available approximately four days prior to the scheduled council meeting.**

5 Minutes

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

5 Minutes

A. **ADA Declaration**

10 Minutes

B. **Declaration Honoring CFO Bob Eichen**

45 Minutes

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.

10 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 approve the City Council Meeting **Minutes from June 17, 2014**

B. Consideration of a motion to accept the **May 13, 2014 study session summary** on the **2014 Human Services Strategy Update**

C. Consideration of a motion to accept the **June 10, 2014 study session summary on the Overview of the Library and Arts programs** and services and the Community Cultural Plan scope

D. **Consideration of a motion to accept the** **May 27, 2014 study session summary on Envision East Arapahoe**

- E. Consideration of a motion to authorize the City Manager to accept a **U.S. Forest Service Special Use Permit for the Barker Gravity Pipeline**
  - F. Consideration of motion authorizing the city manager to enter into **an intergovernmental agreement with Boulder County to address jail overcrowding issues**
  - G. Consideration of a motion to approve an **amendment to the intergovernmental agreement (IGA) between the City of Boulder and Boulder County for additional funding for commercial energy efficiency rebates.**
  - H. Second reading and consideration of a motion to adopt **Ordinance No. 7981 amending Section 4-20-55, "Court and Vehicle impoundment Costs , Fees, and Civil penalties," B.R.C. 1981, changing certain court fees,** and setting forth related details
4. **POTENTIAL CALL-UP CHECK IN**  
 Opportunity for Council to indicate possible interest in the call- up of an item listed under agenda Item 8-A1.

## ORDER OF BUSINESS

### 5. PUBLIC HEARINGS

- 90 Minutes A. Consideration of a motion to **Accept the 2014 Transportation Master Plan** and to Accept the revised Transportation Master Plan Summary for inclusion in the Boulder Valley Comprehensive Plan
- 45 Minutes B. Introduction, first reading and consideration of a motion to order published by title only, **an ordinance submitting to the registered electors** of the City of Boulder **at the special municipal coordinated election** to be held on **Tuesday, November 4, 2014, the question of amending City Charter Section 9 to provide that the city council may meet in executive session only for the purpose of discussing legal advice and negotiation strategy relating to the creation of a municipal electrical utility, with such authority ending on December 31, 2017;** setting forth the ballot title; and specifying the form of the ballot and other related details  
Ord. 7982
- 90 Minutes C. Introduction, first reading and consideration of a motion to publish by title only **an ordinance submitting to the registered electors** of the City of Boulder **at the special municipal coordinated election to be held on Tuesday, November 4, 2014, the question of authorizing the city council to increase the sales and use tax by up to 0.3 cents on every dollar, effective from January 1, 2015 through December 31, 2017 for the purpose of funding a variety of capital improvement projects;** giving approval for the collection, retention and expenditure of the full tax proceeds and any related earnings, notwithstanding any state revenue or expenditure limitation; and setting forth the  
Ord. 7983

effective date, ballot title, amendments to section 3-2-5, "Rate of Tax," B.R.C. 1981 and related details.

**6. MATTERS FROM THE CITY MANAGER**

15 Minutes

**A. Update of Public Art: Commencement of Community Dialogue**

**7. MATTERS FROM THE CITY ATTORNEY**

None

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

**A. Potential Call-Ups**

**1. Vacation of a 25 foot utility easement at 800 28th Street.** Information Packet Date: July 22. Last opportunity for Call-Up: July 22.

**2. Landmark Alteration Certificate for 730 Pine.** Information Packet Date: July 22. Last opportunity for Call-Up: July 22.

**3. Landmark Alteration Certificate for 1507 Pine.** Information Packet Date: July 22. Last opportunity for Call-Up: July 22.

**9. PUBLIC COMMENT ON MATTERS (15 min.)** Public comment on any motions made under Matters.

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

5 Minutes

**11. DEBRIEF (5 Min.)** Opportunity for Council to discuss how the meeting was conducted.

**12. ADJOURNMENT**

This agenda and the meetings 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 Web site and are re-cablecast at 6 p.m. Wednesdays and 11 a.m. Fridays in the two weeks following a regular council meeting. DVDs may be checked out from the Main Boulder Public Library. Anyone requiring special packet preparation such as Braille, large print, or tape recorded versions may contact the City Clerk's Office at (303) 441-3002, 8 a.m. – 5 p.m. Monday through Friday. ***48 hours notification prior to the meeting or preparation of special materials IS REQUIRED.*** If you need Spanish interpretation or other language-related assistance for this meeting, please call (303) 441-1905 at least three 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 días antes de la junta.* Electronic presentations to the city council must be pre-loaded by staff at the time of sign up and will NOT be accepted after 3:30 p.m. at regularly scheduled meetings. Electronic media must come on a prepared USB jump (flash/thumb) drive and no technical support is provided by staff.

Total Meeting Time: 5 Hours and 20 Minutes Approximate End Time: 11:20 PM
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**COUNCIL AGENDA COMMITTEE**  
**July 21, 2014**

**Present:** Mayor Appelbaum; Mayor Pro Tem Karakehian; Council Member Plass; City Manager Jane Brautigam; City Attorney Tom Carr; Deputy City Attorney David Gehr; City Clerk Alisa Lewis; Deputy City Clerk Alisa Darrow; and Organizational Development Manager Tammye Burnette

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*CAC convened at 8:02 AM.*

**1. July 22 - Final Agenda**

**A. 5:00 – 6:00 PM Council Briefing – Flood update**

*Council Member Karakehian asked if insurance had paid for any of the damage to Flatiron's Golf Course.*

*City Manager Jane Brautigam responded she check on that information noting that the city had a strategy for how funds received for flood recovery would be spent in order to maximize the funding received from insurance and that from FEMA*

**B. 6:00 PM Council Meeting**

**COUNCIL BRIEFING**  
**Flood Update**  
**Tuesday, July 22, 2014**  
**5-6 p.m.**

**BOULDER CITY COUNCIL MEETING**  
**COUNCIL CHAMBERS, 1777 Broadway**  
**Tuesday, July 22, 2014**  
**6 p.m.**

**AGENDA**

**6:00-6:05 PM** 1. **CALL TO ORDER AND ROLL CALL\***

**6:05-6:10 PM** **A. ADA Declaration\*** This Declaration will be presented by mayor Pro Tem Karakehian

**6:10-6:20 PM** **B. Declaration Honoring CFO Bob Eichem\*** This declaration will be presented by the Mayor

**6:20-7:05 PM** 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.\*

7:05-7:20 PM

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 **approve** the City Council Meeting **minutes from June 17, 2014**

*Mayor Appelbaum commented that the attendance record was incorrect for the meeting.*

*Council Member Karakehian noted that the last paragraph on page 13 included a double negative and that the easement was a “conservation easement.” The City Clerk’s Office will make those corrections for the minutes to be approved and signed at the meeting.*

B. Consideration of a motion to **accept the May 13, 2014 study session summary on the 2014 Human Services Strategy Update\***

C. Consideration of a motion to accept the **June 10, 2014 study session summary on the Overview of the Library and Arts programs** and services and the Community Cultural Plan scope\*

D. Consideration of a **motion to accept the May 27, 2014 study session summary on Envision East Arapahoe\***

E. Consideration of a **motion to authorize** the City Manager to accept a **U.S. Forest Service Special Use Permit for the Barker Gravity Pipeline\***

F. Consideration of a motion authorizing the City Manager to enter into an **intergovernmental agreement (IGA) with Boulder County to address jail overcrowding issues**

*Mayor Appelbaum commented that he was uncomfortable with the precedent being set by this agreement.*

*City Attorney Tom Carr responded that the IGA allowed for the transfer of prisoners and funds to pay for housing those transferred to other facilities.*

*Mayor Appelbaum recalled that the city had taken over issues previously adjudicated by the county and thus saved the county funds.*

*Council Member Karakehian stated that Boulder County wanted to secure this agreement before approaching the city of Longmont about a similar agreement.*

*City Attorney Tom Carr spoke about the benefits of the agreement and the negotiations that had occurred.*

G. Consideration of a motion to approve an **amendment to the intergovernmental agreement (IGA) between the City of Boulder and Boulder County for additional funding for commercial energy efficiency rebates\***

*Mayor Appelbaum commented that he did not believe his questions regarding the financial information were addressed. He wanted to understand how much funding was going to be provided by each entity involved. He was wondering why the city had to pay out \$330,000 to receive \$60,000 in additional funding.*

H. Second reading and consideration of a motion to adopt **Ordinance No. 7981 amending Section 4-20-55, "Court and Vehicle impoundment Costs , Fees, and Civil penalties," B.R.C. 1981, changing certain court fees, and setting forth related details\***

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

Opportunity for Council to indicate possible interest in the call- up of an item listed under agenda Item 8-A1.\*

**ORDER OF BUSINESS**

5. **PUBLIC HEARINGS**

7:20-8:05 PM

Ord. 7982

- A. Introduction, first reading and consideration of a motion to order published by title only, **an ordinance submitting to the registered electors** of the City of Boulder **at the special municipal coordinated election to be held on Tuesday, November 4, 2014, the question of amending City Charter Section 9 to provide that the city council may meet in executive session only for the purpose of discussing legal advice and negotiation strategy relating to the creation of a municipal electrical utility, with such authority ending on December 31, 2017;** setting forth the ballot title; and specifying the form of the ballot and other related details

*City Attorney Tom Carr stated that he wanted direction from Council as to when the ability to hold executive sessions for municipalization would end. He noted that there was a fixed date option presented in the packet for Council to consider.*

*Mayor Appelbaum pointed out a couple of typos that would need to be corrected before the ordinance was signed and codified.*

8:05-9:35 PM

Ord. 7983

- B. Introduction, first reading and consideration of a motion to publish by title only **an ordinance submitting to the registered electors** of the City of Boulder **at the special municipal coordinated election to be held on Tuesday, November 4, 2014, the question of authorizing the city council to increase the sales and use tax by up to 0.3 cents on every dollar, effective from January 1, 2015 through December 31, 2017 for the purpose of funding a variety of capital improvement projects;** giving approval for the collection, retention and

expenditure of the full tax proceeds and any related earnings, notwithstanding any state revenue or expenditure limitation; and setting forth the effective date, ballot title, amendments to section 3-2-5, "Rate of Tax," B.R.C. 1981 and related details\*

*Mayor Appelbaum commented that there would likely be many first reading questions and members of the public would be interested in speaking as well.*

*CAC agreed to limit Council questions to half an hour and asked the City Clerk to have the timer counting down at the meeting.*

*City Manager Jane Brautigam explained the projects that were and were not involved in the proposal.*

## **6. MATTERS FROM THE CITY MANAGER**

9:35-9:55 PM

### **A. Update of Public Art: Commencement of Community Dialogue**

*City Manager Jane Brautigam explained that this was a reallocation of the funds from the Yes! Art project. She noted that the funds would be used to bring in speakers and to educate and engage the community on the public art selection process.*

## **7. MATTERS FROM THE CITY ATTORNEY**

None

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

### **A. Potential Call-Ups**

- 1. Vacation of a 25 foot utility easement at 800 28th Street.** Information Packet Date: July 22. Last opportunity for Call-Up: July 22.\*
- 2. Landmark Alteration Certificate for 730 Pine.** Information Packet Date: July 22. Last opportunity for Call-Up: July 22.\*
- 3. Landmark Alteration Certificate for 1507 Pine.** Information Packet Date: July 22. Last opportunity for Call-Up: July 22.\*

**9. PUBLIC COMMENT ON MATTERS** (15 min.) Public comment on any motions made under Matters.\*

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

9:55-10:00 PM

**11. DEBRIEF** (5 Min.) Opportunity for Council to discuss how the meeting was conducted.\*

## **12. ADJOURNMENT\***

### **2. July 29 – Study Session**

#### **A. 6:00 – 7:30 PM Zero Waste Strategic Plan**

*City Attorney Tom Carr explained to CAC that he had conversations with Council Member Jones regarding her position as CEO of Eco-Cycle. He noted that he did not believe Council Member Jones would be required to recuse herself because this was a policy issue and not one that would give benefit to Eco-Cycle financially.*

*Mayor Appelbaum expressed concern around the financial component.*

*City Manager Jane Brautigam agreed that this was a policy issue and not a financial issue and she supported the recommendation of the City Attorney.*

*Council Member Plass commented that he preferred to have this conversation at a Council Meeting rather than at CAC.*

*Mayor Appelbaum agreed this was not a decision for CAC to make.*

*CAC agreed the decision whether or not to recuse herself would be up to Council Member Jones based on advice from the City Attorney.*

#### **B. 7:30 – 9:00 PM Continuation of AMPS Discussion**

*City Clerk Alisa Lewis explained that the study session packet would be provided Tuesday, July 22, 2014.*

*City Manager Jane Brautigam noted that the draft summary from the last study session would be provided to assist in guiding the discussion.*

### **3. Calendar Items**

#### **A. Request from Grand County Commissioners**

*CAC agreed to have the City Attorney's Office further explore the reasoning for Grand County's request.*

#### **B. August 5, 2014 – Reschedule Transportation Master Plan**

*CAC approved this request.*

*CAC agreed that the "Report on Children" from Stephanie Greenberg would begin at 5:30 PM.*

*The City Clerk's Office was asked to place a motion on the July 22, 2014 agenda to change the meeting time for August 5, 2014.*

### **C. November Meetings – Doodle Poll Results**

#### **1. Regular Meeting – November 5 or 6, 2014**

*CAC agreed to reschedule the November 4, 2014 meeting for Thursday, November 6, 2014.*

#### **2. Study Session – November 12 or 13, 2014**

*CAC agreed to schedule a study session on Wednesday, November 12, 2014.*

### **4. Additional items**

#### **A. Library Commission Request**

*Council Member Tim Plass pointed out his email to CAC regarding a request from the Library Commission that he be involved in a discussion regarding a proposed 2015 Charter change and recalled that Council Members were to gain permission from their colleagues prior to going before a board or commission.*

*City Clerk Alisa Lewis explained several conversations had been held with the Library Director regarding the process for them to bring forward a recommendation for the Charter Committee to consider in 2015.*

*Council Member Plass commented that he would only speak for himself and not for the entirety of Council.*

*CAC concurred that as long as council Member Plass was explicit in relaying that he was not representing the Council but rather, only providing his personal opinions this did not require council approval.*

#### **B. Joint Meeting Requests**

*Mayor Appelbaum expressed interest in joint meetings with Fort Collins and Lafayette.*

*City Clerk Alisa Lewis pointed out that those meetings would likely occur on a night other than Tuesday. Staff will contact both municipalities and start working towards identifying potential dates for council to consider.*

*CAC adjourned at 9:07 AM.*

***Pose Meeting Notes***

*After CAC, the Clerk's Office noticed that board and commission interviews were scheduled on August 5 from 5-6 PM making an early start for the meeting difficult. Deputy City Clerk Ali Darrow worked with Mayor Appelbaum to reschedule the appointments that could wait an additional two weeks.*

*Landmarks Board applicants will be interviewed on August 5 from 5-5:30PM Landmarks Board and Environmental Advisory Board members will then be appointed on August 5.*

*Human Relations Commission and Boulder Urban Renewal Authority applicants will be interviewed on August 12 from 5:30-6 P.M. and appointments will be made on August 19.*

**Attachments:**

**Draft Council Master Calendar (subject to change daily)**

2014 Study Session Calendar				Televised?
07/29/14	Approved	Zero Waste Strategic Plan	6-7:30 PM	NO
07/29/14	Approved	AMPS Discussion continued	7:30-9 PM	NO
08/12/14	Approved	2015-2020 CIP Study Session	6-7:30 PM	NO
08/12/14	Approved	BHP Strategic Plan	7:30-9 PM	NO
08/26/14		Briefing: Framework for Understanding Poverty	5-6:00 PM	NO
08/26/14	Approved	Update regarding the ten year plan for services related to the homeless	6-7:30 PM	YES
08/26/14	Approved	Climate Commitment	7:30-9 PM	NO
09/09/14	Approved	2015 Budget Study Session #1	6-7:30 PM	YES
09/23/14		Briefing:	5-6:00 PM	NO
09/23/14	Approved	2015 Budget Study Session #2	6-7:30 PM	NO
09/23/14	Approved	FAM Master Plan update and next steps for Valmont Butte	7:30-9 PM	NO
09/30/14	PLACEHOLDER	BVCP Scoping and Resilience	6-7:30 PM	YES
09/30/14	PENDING	South Boulder Creek Mitigation Options	7:30-9 PM	NO
10/14/14	PLACEHOLDER	BVCP Scoping and Resilience	6-9 PM	YES
10/28/14		Briefing: Flood Update	5-6:00 PM	NO
10/28/14	Approved	Access Management and Parking Strategy	6-7 PM	NO
10/28/14	Approved	Envision East Arapahoe	7-8:30 PM	NO
11/11/14	N/A	<b>Veteran's Day</b>		
11/12/14	Approved	Smoking Prohibition in Public Places	6-7:30 PM	NO
	OPEN			NO
11/25/14	N/A	<b>Tuesday Before Thanksgiving</b>		
12/09/14		Briefing:Boulder's Energy Future	5-6:00 PM	NO
12/09/14	Approved	Comprehensive Housing Strategy	6-8 PM	YES
12/09/14	Approved	Human Services Strategy Study Session	8-10 PM	NO
12/23/14	N/A	<b>Week of Christmas</b>		
12/30/14	N/A	<b>Tuesday before New Year's</b>		

August 5, 2014		
Start Time: 5:30 PM Business Meeting		
Location: Council Chambers, 1777 Broadway		
Agenda Section	Item Name	Time
	5-5:30 PM Board and Commission Interviews	
<b>SPECIAL PRESENTATIONS:</b>	Boulder County Report on Children from Stephanie Greenberg	20 Minutes
	Audit Summary - David Frederick	5 Minutes
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	Budget supplemental for flood insurance proceeds- first reading	15 Minutes
	Accepting the 2013 Comprehensive Annual Financial Report and Independent Auditor's Reports	
	Consideration of a motion to adopt a resolution approving BKD, LLP for the 2014 Annual Audit	
<b>PUBLIC HEARINGS:</b>	1st Reading Flood Related Emergency Annexation of 2-3 enclaves to resolve failed well and septic systems following the September 2013 flood	30 Minutes
	Second Reading on the Pay as You Go Ballot Item	45 Minutes
	Transportation Master Plan Adoption	90 Minutes
	Second Reading on the Broad Band Ballot Item	30 Minutes
	2nd Reading charter amendment to allow for Executive Sessions for Municipalization	30 Minutes
<b>MATTERS FROM CITY MANAGER:</b>		
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>	Board and Commission Appointments	15 Minutes
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>5.42</b>

August 19, 2014		
Start Time: 6:00 PM Business Meeting		
Location: Council Chambers, 1777 Broadway		
Agenda Section	Item Name	Time
<b>RECEPTION:</b>	Solar and Natural Working Group Reception	5-6 PM
<b>SPECIAL PRESENTATIONS:</b>	Report from Wright Water on 2013 Boulder Rainfall Analysis Results by Andrew Earls	20 Minutes
	Solar and Natural Working Group Special Presentation	20 Minutes
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	Resolution from City Council in support of Temp Safety Net Tax	15 Minutes
	1st Reading - BRC Supplement 120 Emergency Ordinance	
	Naming of Bill Bower Park	
	Placeholder - Open Space bond sales	
	First Reading Right to exercise Eminent Domain for the Wonderland Creek Greenways Improvement Projects	
	2nd Reading Budget supplemental for flood insurance proceeds- second reading	
	Private Activity Bond Assignment - motion and resolution	
	1st Reading Ordinance modifying the 9th and Canyon Urban Renewal Plan	
	Third Reading on the Pay as You Go Ballot Item	45 Minutes
	Third Reading on the Broad Band Ballot Item	30 Minutes
	Third Reading charter amendment to allow for Executive Sessions for Municipalization	30 Minutes
	1st reading Housing Strategies Ordinance	
<b>PUBLIC HEARINGS:</b>	Comprehensive Housing Strategy - Adoption of Project Goals and Working Group Structure	45 Minutes
	2nd Reading - Annexation of 2-3 enclaves to resolve failed well and septic systems following the September 2013 flood	30 Minutes
<b>MATTERS FROM CITY MANAGER:</b>	Placeholder: Boulder's Energy Future	20 Minutes
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>	Council Employee Evaluations	30 Minutes
	Board and Commission Appointments - BURA and HRC	15 Minutes
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>5.75</b>

September 2, 2014		
Start Time: 6:00 PM Business Meeting		
Location: Council Chambers, 1777 Broadway		
Agenda Section	Item Name	Time
<b>SPECIAL PRESENTATIONS:</b>		
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	2014 National Electric codes	15 Minutes
	TIP Potential Projects	
	Placeholder - Open Space Bond Sales	
	First reading Short-term Parking Code Changes and Bike Parking	
<b>PUBLIC HEARINGS:</b>		
	2nd reading Housing Strategies Ordinance	1 Hour
	2nd Reading Density ROW/Valuation Code Changes	45 minutes
<b>MATTERS FROM CITY MANAGER:</b>		
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>		
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>2.75</b>

September 16, 2014		
Start Time: 6:00 PM Business Meeting		
Location: Council Chambers, 1777 Broadway		
Agenda Section	Item Name	Time
<b>SPECIAL PRESENTATIONS:</b>		
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	1st Reading - Transportation related code changes	15 Minutes
	IGA for Bikeway Maintenance	
	Summary memo from Homelessness Update SS Aug 26	
<b>PUBLIC HEARINGS:</b>		
	2nd Reading, National Electric Codes	30 Minutes
	Second Reading Ordinance modifying the 9th and Canyon Urban Renewal Plan	30 Minutes
	2nd reading Density ROW/Valuation Code Changes	45 Minutes
	Second Reading Right to exercise Eminent Domain for the Wonderland Creek Greenways Improvement Projects	30 Minutes
<b>MATTERS FROM CITY MANAGER:</b>	EET Funding Recommendations to Council	15 Minutes
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>	Discussion of 2015 Council Retreat Dates	15 Minutes
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>3.75</b>

<b>October 7, 2014</b> <b>Start Time: 6:00 PM Business Meeting</b> <b>Location: Council Chambers, 1777 Broadway</b>		
<b>Agenda Section</b>	<b>Item Name</b>	<b>Time</b>
<b>SPECIAL PRESENTATIONS:</b>		
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	Title 4 -Pearl Street Mall Code Update	15 Minutes
	Disposal of OSMP land for Xcel easement	
	1st reading short-term parking code changes and bike parking	
<b>PUBLIC HEARINGS:</b>	2015 Budget Public Hearing #1	1.5 Hours
	2nd Reading, Transportation related code changes	1 Hour
<b>MATTERS FROM CITY MANAGER:</b>		
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>		
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>3.50</b>

<b>October 21, 2014</b> <b>Start Time: 6:00 PM Business Meeting</b> <b>Location: Council Chambers, 1777 Broadway</b>		
<b>Agenda Section</b>	<b>Item Name</b>	<b>Time</b>
<b>SPECIAL PRESENTATIONS:</b>		
<b>OPEN COMMENT:</b>		45 Minutes
<b>CONSENT:</b>	Forest Glen GID Expansion	15 Minutes
	1st reading Flood Related Annexations	
<b>PUBLIC HEARINGS:</b>	2015 Budget Public Hearing #2	1 Hour
	2nd Reading Short-term Parking Code changes and Bike Parking	1.5 Hours
<b>MATTERS FROM CITY MANAGER:</b>		
<b>MATTERS FROM CITY ATTORNEY:</b>		
<b>MATTERS FROM MAYOR AND MEMBERS:</b>		
<b>CALL-UPS:</b>		
	<b>Total Estimated Meeting Time (Hours)</b>	<b>3.50</b>