

CAC Summary
May 26, 2015

CAC convened at 8:04 AM

Those present included: Mayor Appelbaum, Mayor Pro Tem Jones, Council Member Cowles, City Attorney Carr, Deputy City Attorney Gehr, City Manager Brautigam, City Clerk Lewis, Assistant to the City Manager Burnette and Assistant City Clerk Leatherwood were present. Council Member Karakehian was present but did not participate.

1. May 26 - Study Session

- a. Briefing: Form Based Code 5:30 – 6:30 PM
- b. Update of the Community Cultural Plan 6:30 - 7:30PM
- c. AMPS Update 7:30 – 9:00 PM

2. May 28 - Final Agenda Review

1. CALL TO ORDER AND ROLL CALL*

2. PUBLIC HEARINGS

- A. Continuation of the second reading** and consideration of a motion and adopting **Ordinance No. 8029 designating** the building and property at **747 12th St., to be known as the Cowgill Property, as an individual landmark** under the city's Historic Preservation Ordinance – 90 Minutes

CAC requested 90 minutes for this item and permitted the owners and applicant (Landmark Board) each 5 minutes to present and answer questions.

James Hewat was present to answer questions regarding Option #4 listed in the packet. The public hearing will be reopened to hear input on the four options.

- B. Second reading** and consideration of a motion to adopt **Ordinance No. 8040** amending Title 9, "Land Use Code," B.R.C. 1981, **to allow medical or dental clinics or offices** and addiction recovery facilities as a conditional use in the Industrial General (IG) zoning district **near Boulder Community Health (BCH), Foothills Campus** - 20 minutes *

- C. Request for Council direction regarding strategies to support more effective enforcement of existing occupancy limits in Boulder** – 2 hours

CAC indicated this was a complex topic and would likely be a long discussion.

3. June 2 - Preliminary Agenda Review

1. **CALL TO ORDER AND ROLL CALL***
2. **OPEN COMMENT***
3. **CONSENT AGENDA** (to include first reading of ordinances) Vote to be taken on the motion at this time. (Roll Call vote required)
 - A. Consideration of a motion to accept the **April 14, 2015 City Council Study Session Summary** regarding **Fire Department Operations, Service Sustainability and Resilience***
 - B. Consideration of a motion to accept the **April 28, 2015 Human Services Strategy Update Study Session Summary***
 - C. Consideration of a motion to approve a **twenty-year right-of-way lease** for an encroachment (portion of a historic garage) located at **1900 Bluebell Avenue** (REV2014-00023)*
 - D. Consideration of a motion to approve the **disposal of an interest in Open Space** lands pursuant to Boulder City Charter Section 177 through the conveyance of up to **five (5) acres of Right of Way** plus an additional **7 acres for the associated slope easements** to Boulder County for the realignment and rebuilding of **Lefthand Canyon Drive** between Buckingham Park and James Canyon Road and a further recommendation to accept fee ownership to all lands currently owned by Boulder County between the boundary of the new Right of Way and Left Hand Creek*
 - E. Consideration of a motion to approve **an intergovernmental agreement** between the City of Boulder and Boulder County for the **Sustainability Matching Grant funding***
 - F. Consideration of a motion to:
 1. Approve the **disposal of an interest in city park lands** (Howard Heuston Park) through a grant of a permanent easement; and to
 2. Authorize the City Manager to execute documents conveying an easement across a city park **and two city-owned easements to the Boulder and White Rock Ditch and Reservoir Company allowing the Ditch Company** to access, use, maintain and operate the re-aligned portion of the Ditch, including:
 - a) A conveyance of the permanent easement crossing city park property (**Howard Heuston Park**);

- b) A conveyance of a portion of the city's permanent easement crossing **Burlington Northern Railways' property**; and
- c) A conveyance of a portion of the city's permanent easement crossing **Hayden Place Owners' Association** common property

CAC requested that staff reword title of item to include reference to Wonderland Creek Drainage easement.

- G.** Consideration of a motion to approve **Resolution No. 1160** concerning the proposed City of Boulder (acting through its Storm Water and Flood Management Utility Enterprise) **Storm Water and Flood Management Revenue Bonds, Series 2015, in the aggregate principal amount of not to exceed \$23,235,000, authorizing the notice of bond sale** with respect to said Series 2015 bonds; prescribing certain details concerning said proposed sale and said Series 2015 bonds; approving the form of a preliminary official statement; and providing the effective date of this resolution.

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

CAC indicated that council would probably have a conversation on agenda item 8A-1.

ORDER OF BUSINESS

- 5. PUBLIC HEARINGS**
Note: Any items removed from the Consent Agenda will be considered after any City scheduled Public Hearings.

- A.** Second reading and consideration of a motion to adopt **Ordinance No. 8045** amending Title 6, "Health Safety and Sanitation," B.R.C. 1981 to add **Universal Zero Waste Requirements** – 90 minutes

Kara Mertz was present and indicated that staff had received some concerns from Western Disposal's attorney and would provide amendment language if needed.

- B.** Second reading and consideration of a motion to adopt and order published by title only, **Ordinance No. 8048** amending Section 9-6-5, "Temporary Lodging, Dining, Entertainment, and Cultural Uses," B.R.C. 1981, by **providing the city manager with authority to waive requirement that mobile food vehicles be 150 feet from restaurants if the restaurants approve**, waiving the requirement for Planning Board review of this ordinance and setting forth related details;

Or in the alternative,

Second reading and consideration of a motion to adopt and order published by title only **Ordinance No. 8049** amending Section 9-6-5, “Temporary Lodging, Dining, Entertainment, and Cultural Uses, “B.R.C. 1981, by providing the city manager with authority **to waive requirements that mobile food vehicles be 150 feet from restaurants** if the restaurants approve, **only in the BC-1 zone district**, waiving the requirement for Planning Board review of this ordinance and setting forth related details. – 60 minutes

*CAC asked about the timing and effect of Planning Use Review.
Mayor Appelbaum inquired about the potential impact on the neighborhood.*

C. Introduction, first reading and consideration of a motion to order published by title only, **Ordinance No. 8050** amending title 10 “Structures” for the purpose of **allowing and regulating short-term rentals** by **amending** section 10-1-1 “**Definitions**” by amending the definition of “Operator,” amending the definition of “Rental Property” adding a new definition of “Short-Term Rental” **adding a new section 10-3-19 “Short-Term Rentals”** and setting forth related details. – 90 minutes

CAC noted that due to the public interest in this issue, public feedback on first reading was requested.

6. MATTERS FROM THE CITY MANAGER*

7. MATTERS FROM THE CITY ATTORNEY

A. Report of the City Attorney Regarding February 19, 2015 Planning Board Meeting.

CAC moved this item to the June 16, 2015 meeting when the full council would be in attendance.

8. MATTERS FROM MEMBERS OF COUNCIL

A. Potential Call-Ups

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

Mayor Appelbaum noted that it was likely that discussion would be needed on this item.

4. Study Session Requests

- a. 10/27 - Briefing: Boulder Energy Future 5:30 – 6 PM* *Approved*

5. Master Calendar Review

a. 6/16

- i. Study Session Summary: 5/12 Proposed Commercial & Industrial Energy Efficiency ordinance – Consent * **Approved**
- ii. Study Session Summary : 5/12 Resilient Boulder – Consent***Approved**
- iii. Reimbursement Resolution-Water and Sewer Revenue Bonds***Approved**

b. 10/06

- i. 1st Rdg. and draft Form Based Code – Consent (2nd rdg on 10/20 public hearing – 2 hours)***Approved**

6. Other Items

- a. Dinner and declaration for delegation from Shimla, India – August 18
A delegation of four from Shimla, including their mayor, will be visiting Boulder the week of Aug. 17th as part of ICMA’s City Links program. Policy Advisor Carl Castillo asks if council would agree to have dinner with the delegation before the business meeting on the 18th and, perhaps, schedule an item early in the agenda to publicly recognize the importance of the partnership between Shimla and Boulder (perhaps a declaration).

CAC requested that this dinner be held on Flagstaff Mountain as a cookout on August 17, 2015 in addition to presenting a declaration. Staff was directed to make arrangements.

The Mayor indicated that it was not certain that he would be traveling to Rome the week of July 20 but, if he did, the July 21, 2015 City Council meeting would need to be outside of that week. CAC identified that the only option may be to move the meeting to July 28 or July 30. The city clerk noted that given the unique timing of Septembers’ calendar, council could finalize the ballot on its September 1 meeting which allowed extra flexibility for ballot measure development.

Council Member Jones asked for an update regarding the recent issue with Code for America. The City Manager informed CAC that staff was in contact with Code for America and that after meeting on the issue later in the morning, staff would be issuing a press release.

***No discussion on this topic.**

CAC adjourned at 9:03 AM.

CAC Summary
June 1, 2015

CAC convened at 8:03 AM.

Those present included: Mayor Appelbaum, Mayor Pro Tem Jones, Council Member Cowles, City Attorney Carr, Deputy City Attorney Gehr, City Manager Brautigam, City Clerk Lewis, Assistant to the City Manager Burnette and Assistant City Clerk Leatherwood and Chandler Van Schaack were present. Council Member Karakehian was present but did not participate. Kara Mertz was asked to join the meeting at 8:10 AM.

1. June 1- Executive Session 6 PM; Municipalization- City Council Chambers *

POST MEETING NOTE: Neighborhood Liaison Meeting will begin at 5:30 PM at the Canyon Galley

2. June 2 - Final Agenda Review

- a. Update regarding Boulder Junction Bike Station (Matters From the City Manager) Request from Council Member Cowles *"Please schedule under Matters from City Manager for the June 2 meeting an update re Boulder Junction Bike Station and if necessary an ordinance addressing the FAR issue for consideration of Council."*

City Manager Brautigam will give a brief update on the Boulder Junction Bike Station prior to Open Comment. City Attorney Carr will give a brief update regarding the "rock balancing" issue.

AGENDA

- 1. CALL TO ORDER AND ROLL CALL***
- 2. OPEN COMMENT ***
- 3. CONSENT AGENDA** (to include first reading of ordinances) Vote to be taken on the motion at this time. (Roll Call vote required)
 - A.** Consideration of a motion to accept the **April 14, 2015 City Council Study Session Summary** regarding Fire Department Operations, Service Sustainability and Resilience*
 - B.** Consideration of a motion to accept the **April 28, 2015 Human Services Strategy Update Study Session Summary***
 - C.** Consideration of a motion to approve a **twenty-year right-of-way lease** for an encroachment (portion of a historic garage) located at **1900 Bluebell Avenue** (REV2014-00023) *

D. Consideration of a motion to approve **the disposal of an interest in Open Space lands** pursuant to Boulder City Charter Section 177 through **the conveyance of up to five (5) acres of Right of Way plus an additional 7 acres for the associated slope easements** to Boulder County for the realignment and rebuilding of **Lefthand Canyon Drive** between Buckingham Park and James Canyon Road and a further recommendation to accept fee ownership to all lands currently owned by Boulder County between the boundary of the new Right of Way and Left Hand Creek*

E. Consideration of a motion to approve an **intergovernmental agreement** between the **City of Boulder and Boulder County for the Sustainability Matching Grant funding***

F. Consideration of a motion to:

1. Approve the **disposal of an interest in city park lands (Howard Heuston Park) through a grant of a permanent easement; and to**

The agenda title was corrected by staff to “As part of the flood mitigation objective of the Wonderland Creek Greenways Improvement Project, approve the disposal of an interest in city park lands Howard Heuston park) through a grant of a permanent easement; and to...

2. Authorize the City Manager to execute documents conveying an easement across a city park and two city-owned easements to the Boulder and White Rock Ditch and Reservoir Company allowing the Ditch Company to access, use, maintain and operate the re-aligned portion of the Ditch, including:

- a) A conveyance of the **permanent easement crossing city park property (Howard Heuston Park);***
- b) A conveyance of a portion of the city’s **permanent easement crossing Burlington Northern Railways’ property; and***
- c) A conveyance of a portion of the city’s **permanent easement crossing Hayden Place Owners’ Association common property***

G. Consideration of a motion to approve **Resolution No. 1160 concerning the proposed City of Boulder (acting through its Storm Water and Flood Management Utility Enterprise) Storm Water and Flood Management Revenue Bonds, Series 2015**, in the aggregate principal amount of not to exceed **\$23,235,000**, authorizing the notice of bond sale with respect to said Series 2015 bonds; prescribing certain details concerning said proposed sale and said Series 2015 bonds; approving the form of a preliminary official statement; and providing the effective date of this resolution*

4. POTENTIAL CALL-UP CHECK IN

Opportunity for Council to indicate possible interest in the call-up of an item listed under 8-A.

CAC suggested council be prepared to ask questions of staff before the public hearings. If interest is expressed then the council would address that under agenda item 8A-1 later in the meeting.

CAC asked that staff be prepared to address site review on this site in 2005.

ORDER OF BUSINESS

5. PUBLIC HEARINGS

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

A. Second reading and consideration of a motion to adopt Ordinance No. 8045 amending Title 6, "Health Safety and Sanitation, "B.R.C. 1981 to add Universal Zero Waste Requirements (90 minutes)

Staff has submitted an alternate ordinance with language addressing City Manager's Rule. This complete agenda memo will be posted separately with the new changes on the website and the alternative ordinance will be printed out for council on the dais for the June 2nd meeting. If the alternative ordinance is approved, it will be brought back for 3rd reading on June 16th.

B. Second reading and consideration of a motion to adopt and order published by title only, Ordinance No. 8048 amending Section 9-6-5, "Temporary Lodging, Dining, Entertainment, and Cultural Uses, "B.R.C. 1981, by providing the city manager with authority to waive requirement that mobile food vehicles be 150 feet from restaurants if the restaurants approve, waiving the requirement for Planning Board review of this ordinance and setting forth related details;

Or in the alternative,

Second reading and consideration of a motion to adopt and order published by title only Ordinance No. 8049 amending Section 9-6-5, "Temporary Lodging, Dining, Entertainment, and Cultural Uses, "B.R.C. 1981, by providing the city manager with authority to waive requirements that mobile food vehicles be 150 feet from restaurants if the restaurants approve, only in the BC-1 zone district, waiving the requirement for Planning Board review of this ordinance and setting forth related details. (60 minutes)

CAC discussed 3 possible options: 1. Approve the ordinance city wide; 2. Approve the ordinance for BC-1 Zoning; and 3. Approve the ordinance for specific BC-1 Zoning such as "BC-1 Zoning north of Valmont". CAC confirmed that this ordinance would still require City Manager approval, neighboring restaurant approval and the process of Use Review through the Planning Department. A response on Hotline was requested of staff.

- C. Introduction, first reading and consideration of a motion to order published by title only, **Ordinance No. 8050** amending title 10 “Structures” for the purpose of allowing and regulating short-term rentals by amending section 10-1-1 “Definitions” by amending the definition of “Operator,” amending the definition of “Rental Property” adding a new definition of “Short-Term Rental” adding a new section 10-3-19 “Short-Term Rentals” and setting forth related details. (90 minutes)

CAC expressed that this item would likely have a large public hearing.

6. MATTERS FROM THE CITY MANAGER*

7. MATTERS FROM THE CITY ATTORNEY*

8. MATTERS FROM MEMBERS OF COUNCIL*

A. Potential Call-Ups

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

CAC suggested council be prepared to ask questions of staff before the public hearings. If interest is expressed then the council would address that under agenda item 8A-1 later in the meeting.

CAC asked that staff be prepared to address site review on this site in 2005.

3. June 9 - Study Session

- a. Housing Boulder 6 - 7:30 PM
- b. BVCP/Resilience 7:30 -9 PM

CAC requested adding 30 minutes to the Study Session to discuss process and outreach for the Boulder Valley Comprehensive Plan update.

4. CAC Items

- a. WRAB resignation – Ed Clancy
*Mid -year recruitment starts July 15- **Approved***

CAC directed staff to include the Landmark Board vacancy in the mid-year recruitment as well, if no applications are received by the June 8th deadline.

- b. Study Session on Community Engagement tools and process
Request from Council Member Young

CAC indicated that this discussion would be appropriate at the June 9th Study Session.

- c. Request from CU for City to host a Senior Leadership/city council breakfast in near future (Carl Castillo contact)

Approved by CAC with direction to look at dates in August. Staff to follow up with CU and CAC.

- d. Request from Frasier Meadows to show 10 minutes slide presentation during Open Comments on 6/16.

CAC requested pooling time of 10 people for a maximum of 10 minutes for the Fraiser Meadows group and also for the South Boulder Action Group at the August 4th meeting when this item is schedule for a public hearing.

- e. Chautauqua Lease Committee update- To be scheduled

CAC requested to add this topic to the July 14th study session agenda for a 30 min discussion.

5. Study Session Requests – none*

6. Master Calendar Review

a. 6/16

- i. Study Session Summary: 4/28 University Hill Reinvestment Update – Consent- **Approved**
- ii. Motion to approve Museum Disbursement Agreement– Consent- **Approved**

b. 7/21

- i. OSMP purchase of Coleman property- **Approved**

c. 8/04

- i. Declaration supporting Citylinks partnership for Shimla India

CAC decided to present the declaration to the delegation at the cookout on August 17th which would be at 5:30 PM at the Wood House on Flagstaff Mountain.

- ii. 1st Rdg of the Building Performance Ordinance – Consent (2nd Rdg. on 9/1 with public hearing 90 mins.)*

d. 9/01

- i. Declaration recognizing Colorado Cities & Towns

CAC will revisit this request after the recess.

e. 10/06

- i. 1st reading Ordinance and draft Form Based Code (2nd Rdg. 10/20 with public hearing – 120 mins)

7. Other Items

Mayor Pro Tem Jones indicated that a group is forming to advocate regarding potential use of the Boulder Community Hospital site.

Mayor Appelbaum was invited to Rome to participate in the meeting at the Vatican. Therefore, the July 21st City Council meeting will be rescheduled for Tuesday, July 28th at 6 PM. The Study Session that was previously scheduled for July 28th will be rescheduled for Thursday, July 30th at 6 PM. The briefing on the Civic Area Park Site Plan will also be moved to July 28 from 5:30 – 6 pm. Requests for these meeting changes and as well as the September 15th date change will be included on the Consent agenda for June 16.

***No discussion on this topic.**

CAC adjourned at 8:55 AM.