

**CAC Summary  
June 8, 2015**

**CAC convened at 8:05 AM.**

Those present included: Mayor Appelbaum, Council Member Cowles, Council Member Young, Deputy City Attorney Gehr, Executive Director Rait, Assistant to the City Manager Burnette and Assistant City Clerk Leatherwood.

**1. June 9 - Study Session**

- a. Housing Boulder 6 - 7:30 PM\*
- b. BVCP/Resilience 7:30 -9 PM\*
- c. 30 minutes for BVCP Outreach 9-9:30 PM

*CAC directed staff for ideas on how to structure the outreach to be concise and focused.*

**2. June 16 - Preliminary Agenda Review**

- a. 4 – 5:30 PM Tour at the Boulder Community Hospital; Please meet at the Boulder Valley Credit Union, 2667 Broadway

*CAC directed staff to reschedule the tour for Monday June 15<sup>th</sup> due to the lengthy June 16<sup>th</sup> City Council meeting.*

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**PRELIMINARY AGENDA**

- 1. CALL TO ORDER AND ROLL CALL\***
- 2. OPEN COMMENT and COUNCIL/STAFF RESPONSE \***
- 3. CONSENT AGENDA**
  - A. Consideration of a motion to approve the minutes for the January 15, 2015 Special Meeting \***
  - B. Consideration of a motion to accept the April 14, 2015 City Council Study Session Summary on the Financial Update and potential ballot issues\***
  - C. Consideration of a motion to accept the April 28, 2015 City Council Study Session Summary regarding the University Hill Reinvestment Strategy Update\***
  - D. Consideration of a motion to accept the May 12, 2015 City Council Study Session Summary regarding Boulder Energy Future \***
  - E. Consideration of a motion to accept the May 12, 2015 City Council Study Session Summary regarding the Commercial & Industrial Energy Ordinance \***

- F. Consideration of a motion to accept the **May 12, 2015 City Council Study Session Summary regarding Resilient Boulder- Phase I Summary and Phase II Preliminary Focus Areas\***
- G. Consideration of a motion to move the regularly scheduled meeting of the Boulder **City Council on July 21<sup>st</sup> to July 28, 2015\***
- H. Consideration of a motion to authorize the city manager to execute an agreement in the form that is generally described in the attachment to this memo related to the **disbursement of funds** associated with the “Community, Culture, and Public Safety” **sales and use tax to fund improvements for the Boulder Historical Society’s Museum of Boulder** located at 2205 Broadway, Boulder

*Mayor Appelbaum questioned the 10 year and 5 year timelines in the agreement as he was absent from the meeting discussion.*

- I. Consideration of a motion to approve **the disposal of an interest in Open Space lands** pursuant to Boulder City Charter Section 177 through the grant easements to **Public Service Company of Colorado for overhead power lines along Thomas Lane and on the T.H.P.** Open space property, as described in attachment D, conditioned upon Public Service Company of Colorado executing a quit claim deed in a form acceptable to the City terminating whatever rights and interest it may have to the Lower Big Bluestem power line access route\*
- J. Consideration of a motion to approve **Resolution No. 1161** declaring the city of Boulder’s official intent to **participate in a future issuance of Water and Sewer revenue bonds and to reimburse itself for capital expenditures** undertaken in advance of such financing **made from the Water and Wastewater funds**, including, without limitation, architectural, engineering, appraisal, surveying, acquisition, site preparation and other costs incidental to **the commencement of construction of the financed project\***
- K. **Third 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\***
- L. Introduction, first reading consideration of a motion to publish by title only, and adopt as an **emergency measure ordinance No. 8051 authorizing the issuance by the City of Boulder, Colorado, of its Storm Water and Flood Management Revenue Bonds, Series 2015, in the aggregate principal amount of \$23,235,000** for the purpose of providing funds to finance storm water and flood management improvements by the Utility and pay the costs of issuance of the Series 2015 Bonds; prescribing the form of said Series 2015 Bonds; providing for the sale of said Series 2015 Bonds; providing for the

payment and redemption of said Series 2015 Bonds from and out of the revenues derived directly or indirectly by the City from the Storm Water and Flood Management Fee billed to customers of the City's water and sewer systems; providing other details and approving other documents in connection with said Series 2015 Bonds; and declaring an emergency and providing the effective date hereof\*

- M.** Introduction, **first reading** and consideration of a motion to order published by title only **Ordinance No. 8052 setting the ballot title of an initiated amendment to the Boulder Charter regarding City Council compensation**, and setting forth related details

*CAC directed staff to clarify regarding the (AMI) definition found on pg 137 and 145 section 7.*

- N.** Introduction, **first reading** and consideration of a motion to order published by title only **Ordinance No. 8053 setting the ballot title for an initiated amendment to the Boulder charter (regarding Library revisions)**, 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 8-A.

*CAC directed staff to advise Council of any potential call ups as soon as possible.*

### **ORDER OF BUSINESS**

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

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

*CAC determined this item be scheduled for 30 minutes. Deputy Attorney Gehr reported that they would hear today from the owners regarding options which may require a later meeting date.*

- B.** Consideration of a motion to adopt on **second reading** as an **emergency measure** and order published by title only **Ordinance No. 8043 amending chapter 10-12 "Mobile homes"** adding a new section 10-12-25 **"limitation on Park Owner's Right to Prohibit sales,"** adding a new section 10-12-26 **"Limitation on the Required Upgrades to Existing Mobile Homes,"** amending section 10-12-2 to add definitions, amending section 10-12-3 to make section

10-12-25 applicable to all mobile home parks amending section 10-12-4 to provide for administrative remedies and setting forth related details

*CAC determined this item be scheduled for 2 hours and advised council members to comment and send questions to staff early to aid in the structure of the meeting on the 16<sup>th</sup> and the preparation of the ordinance. CAC instructed staff to inform the Mobile Home Park Owner to submit his information right away for proper consideration.*

- C. 1. A motion to accept the Boulder Civic Area Master Plan**  
**2. Direction to Staff for initiating discussions with Boulder Community Health regarding the Broadway property, pursue financing options, and conduct a more detailed space programming analysis using the council feedback on the Municipal Services location options**  
**3. A request for Council Support recommended action to address city office space needs in order to improve customer service**  
(Memo to be included in the final packet)

*CAC determined this item be scheduled for 2 hours and encouraged the public to pool time.*

- D. Consideration of a motion to approve Living Lab Phase II “rightsizing” transportation pilot projects, as part of the implementation of the Transportation Master Plan**

*CAC determined this item be 2 hours and needed data on previous right sizing done in the past.*

*CAC directed staff to reschedule the tour of the hospital to Monday, June 15<sup>th</sup> 4-5:30 PM. CAC also directed staff to poll the other 6 council members and see which option would be preferred. 1) a special meeting on Monday, June 15<sup>th</sup> at 6 PM, for some of the Public hearing items (no open comment on special meeting) 2) Meeting as is on Tuesday, June 16<sup>th</sup> or 3) Begin the Tuesday June 16<sup>th</sup> meeting early ie; 4 or 5 PM.*

*POST MEETING NOTE: Council was polled and determined to call a Special meeting on Monday, June 15<sup>th</sup> at 6 PM in the Council Chambers for the purpose of facilitating items initially on the June 16<sup>th</sup> meeting. A special meeting on June 9<sup>th</sup> will be called approve the motion to call a special meeting on June 15<sup>th</sup>. Open Space moved its OSBT meeting to accommodate Council’s request which will be moved to the Cherryvale Offices and will not be televised.*

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

- A. Update and Feedback** from the City Council on the **Form-Based Code (FBC) pilot project** and to **receive input on Guiding Principles** for the **pilot FBC** area in Boulder Junction (prepared by CodaMetrics)

*CAC requested that staff clarify the scope of the pilot program and guiding principles to manage the 45 minute time allotment.*

POST MEETING NOTE: Staff will determine if this item can wait for a later meeting date.

- B. Neighborhood Partnership Grant Program**

*CAC determined this item be 30 minutes.*

POST MEETING NOTE: Staff determined to submit this as an IP item either for the June 16<sup>th</sup> meeting or July 28<sup>th</sup> meeting.

**7. MATTERS FROM THE CITY ATTORNEY**

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

**8. MATTERS FROM MEMBERS OF COUNCIL**

- A. Potential Call-Ups**

*CAC recommended that council members not bring other matters to the meeting or use other methods to communicate in order to keep the meeting as short as possible.*

**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 mins)** Opportunity for Council to discuss how the meeting was conducted.

**12. ADJOURNMENT**

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**3. CAC Items**

- a. Approve the Mid-Year recruitment dates for the WRAB vacancy- **Approved****

*CAC directed staff to add 1 week to the application deadline.*

**4. Study Session Requests – none\***

## 5. Master Calendar Review

### a. 6/16

- i. Motion to move July 21<sup>st</sup> meeting to July 28<sup>th</sup> and September 15<sup>th</sup> TBD- Consent

*CAC approved the July 28<sup>th</sup> meeting and will consider dates for the September 15<sup>th</sup> meeting.*

- ii. 3<sup>rd</sup> Reading of Zero Waste Ordinance- Consent- **Approved**
- iii. 2<sup>nd</sup> Reading of Mobile Home Ordinance – Public Hearing;

*CAC scheduled this public hearing for 2 hours.*

- iv. 2<sup>nd</sup> Reading of Landmark on 747 12<sup>th</sup> Street-Public Hearing; 15 min.

*CAC scheduled this item for 30 minutes if it remains on the June 16<sup>th</sup> Agenda.*

### b. 7/21 (should be 7/28)

- i. 1<sup>st</sup> Reading Ordinance for City water service at 4400 Peach Court- Consent- **Approved**
- ii. 1<sup>st</sup> Reading Ordinance for Landmark Designation for 2245 Pine-Consent- **Approved**

### c. 8/04

- i. Frazier Meadows and Boulder Creek Action presentation during Open Comment; 15 min- **Approved**
- ii. Potential Call up- concept plan review for mixed use development (Alexan Flatirons) located at McKenzie Junction, 3600 Hwy 119

*CAC reminded staff that this item was called up and will be scheduled as a public hearing item for the August 4<sup>th</sup> meeting.*

- iii. 2<sup>nd</sup> Reading ordinance for short term rentals; Public Hearing

*Correction: This item was on 2 different meeting dates. It will remain on the 8/18 date due to consideration of the ballot items on 8/4 or be considered for a Special meeting, possibly Thursday, August 27<sup>th</sup>.*

### d. 8/18

- i. 2<sup>nd</sup> Reading Ordinance for City water service at 4400 Peach Court- Public Hearing; 45 min- **Approved**
- ii. 2<sup>nd</sup> Reading Ordinance for Landmark designation 2245 Pine- Public Hearing; 10 min- **Approved**

## 6. Other Items

- a. Landmarks Board vacancy deadline is today at 5 PM.\*

POST MEETING NOTE: 2 applications have been received.

- b. Salt Lake City Council and Staff visiting Boulder to examine the “Hop, Skip and Jump” transit program. They will be in town for 3 days (2 in Boulder and 1 in Denver). Option 1: Aug 24-26 with limited Director participation due the retreat; Option 2: Sept 2-4 in Boulder on Sept 2-3 (Preferred option)

*CAC directed staff to use the Sept 2-3 Preferred option.*

POST MEETING NOTE: Head Tax Memo will be submitted as an IP item for the June 16<sup>th</sup> Meeting.

**\*No discussion on this topic.**

**CAC adjourned at 9:36 AM.**

**CAC Summary  
June 15, 2015**

**CAC convened at 8:07 AM.**

Those present included: Mayor Appelbaum, Council Member Cowles, Mayor Pro Tem Jones, Senior Assistant City Attorney Haddock, City Manager Brautigam, Assistant to the City Manager Burnette and Assistant City Clerk Leatherwood. City Planner II Guiler and Local Environment Action Manager Mertz joined the meeting to answer questions.

1. **June 15<sup>th</sup> - 4 – 5:30 PM Tour at the Boulder Community Hospital;**  
Please meet at the Boulder Valley Credit Union, 2667 Broadway\*

2. **June 15<sup>th</sup> - Special Meeting Agenda Review**

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**Monday, June 15, 2015**

**6 PM**

**AGENDA**

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

2. **MATTERS FROM CITY MANAGER**

*CAC determined Form-Based Code item should be heard first and then the CP&S Strategic Plan update from the City Manager. No motion is expected; therefore Public Comment on Matters and Final Decision on Matters was removed in accordance with Council rules. The time for these items under City Manager Matters was increased from 1 hour to 1.5 hours.*

**A. Update on Community Planning & Sustainability Strategic Plan- Moved to item 2B**

**B. Request for City Council input on the Guiding Principles for the pilot Form-Based Code (FBC) are in Boulder Junction** (prepared by CodaMetrics)- **Moved to Item 2A**

*CAC asked for clarification regarding their direction for this item. Staff recommended that Council look at the guiding principles and determine if the guiding principles cover concerns or if other concerns need to be addressed. CAC directed Council to look at pages 25-27 in the memo regarding the project at Boulder Junction. CAC determined the presentation tonight should include more pictures.*

3. **PUBLIC COMMENT ON MATTERS –**  
*Removed because no motion will be made.*

4. **FINAL DECISIONS ON MATTERS**  
*Removed*

5. **PUBLIC HEARING**

**A. Consideration of a motion to approve Living Lab Phase II “rightsizing” transportation pilot projects, as part of the implementation of the Transportation Master Plan -Moved to Item 3A**

*CAC directed a poll be taken of council members to see where each member stands with the options presented for this item. CAC was concerned about the expense of the “pilot program” and ease of removing the project infrastructure if it was not successful. CAC wanted information regarding how emergency vehicles, snow-plows, trains, and buses would be impacted by this project. CAC would like past history regarding right sizing of roads in any other areas of the City. Council member Cowles requested information on the Cherryvale road closure and impact of traffic needs at 55<sup>th</sup>, if this project were to begin before that project is finished. CAC also asked how this project will be monitored and set up for feedback.*

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**3. June 16 - Final Agenda Review**

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**Tuesday, June 16, 2015  
6 PM  
AGENDA**

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

**2. OPEN COMMENT and COUNCIL/STAFF RESPONSE\***

**3. CONSENT AGENDA**

**A. Consideration of a motion to approve the minutes for the January 15, 2015 Special Meeting \***

**B. Consideration of a motion to accept the April 14, 2015 City Council Study Session Summary on the financial update and potential ballot issues\***

**C. Consideration of a motion to accept the April 28, 2015 City Council Study Session Summary regarding the University Hill Reinvestment Strategy Update\***

**D. Consideration of a motion to accept the May 12, 2015 City Council Study Session Summary regarding Boulder Energy Future \***

**E. Consideration of a motion to accept the May 12, 2015 City Council Study Session Summary regarding the Commercial & Industrial Energy Ordinance\***

**F. Consideration of a motion to accept the May 12, 2015 City Council Study Session Summary regarding Resilient Boulder- Phase I summary and Phase II preliminary focus areas\***

**G.** Consideration of a motion to move the regularly scheduled meeting of the Boulder City Council on July 21<sup>st</sup> to July 28, 2015\*

**H.** Consideration of a motion **to authorize the city manager to execute an agreement** in the form that is generally described in the attachment to this memo related to the **disbursement of funds** associated with the “Community, Culture, and Public Safety” **sales and use tax to fund improvements for the Boulder Historical Society’s Museum of Boulder** located at 2205 Broadway, Boulder\*

**I.** Consideration of a motion to approve **the disposal of an interest in Open Space lands** pursuant to Boulder City Charter Section 177 through the grant easements to **Public Service Company of Colorado for overhead power lines along Thomas Lane and on the T.H.P.** Open space property, as described in attachment D, conditioned upon Public Service Company of Colorado executing a quit claim deed in a form acceptable to the City terminating whatever rights and interest it may have to the Lower Big Bluestem power line access route\*

**J.** Consideration of a motion to approve **Resolution No. 1161** declaring the city of Boulder’s official intent to **participate in a future issuance of Water and Sewer revenue bonds and to reimburse itself for capital expenditures** undertaken in advance of such financing **made from the Water and Wastewater funds**, including, without limitation, architectural, engineering, appraisal, surveying, acquisition, site preparation and other costs incidental to the **commencement of construction of the financed project\***

**K.** **Third 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**

*CAC asked for clarification regarding the Option that was selected. Local Environment Action Manager Mertz confirmed it was Option A that was approved. CAC asked that a correction of minor of non-substantial language in the ordinance be removed. Senior Assistant City Attorney Haddock was in agreement that it was non-substantial.*

**L.** Introduction, **first reading** consideration of a motion to publish by title only, and adopt as an **emergency measure ordinance No. 8051 authorizing the issuance by the City of Boulder, Colorado, of its Storm Water and Flood Management Revenue Bonds, Series 2015, in the aggregate principal amount of \$23,235,000 for the purpose of providing funds to finance storm water and flood management improvements** by the Utility and pay the costs of issuance of the Series 2015 Bonds; prescribing the form of said Series 2015 Bonds; providing for the sale of said Series 2015 Bonds; providing for the payment and redemption of said Series 2015 Bonds from and out of the revenues derived directly or indirectly by the City from the Storm Water and Flood Management Fee billed to customers of the City’s water and sewer systems; providing other details and approving other documents in connection with said Series 2015 Bonds; and declaring an emergency and providing the effective date hereof\*

**M. Introduction, first reading** and consideration of a motion to order published by title only **Ordinance No. 8052 setting the ballot title of an initiated amendment to the Boulder Charter regarding City Council compensation**, and setting forth related details

*CAC determined they could approve the ordinance with the 3 options presented and bring it back for discussion and amendments on second reading on July 28<sup>th</sup>.*

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

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

#### **ORDER OF BUSINESS**

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

A. Consideration of a motion to adopt on **second reading** as an **emergency measure** and order published by title only **Ordinance No. 8043 amending chapter 10-12 “Mobile homes”** adding a new section 10-12-25 **“limitation on Park Owner’s Right to Prohibit sales,”** adding a new section 10-12-26 **“Limitation on the Required Upgrades to Existing Mobile Homes,”** amending section 10-12-2 to add definitions, amending section 10-12-3 to make section 10-12-25 applicable to all mobile home parks amending section 10-12-4 to provide for administrative remedies and setting forth related details

*CAC reminded Council to read the email sent out on Friday, June 12<sup>th</sup> at 6:24 PM by Martha Hale titled “Proposed Ordinance 8043” from Harvey Miller.*

B. Consideration of a motion to:

##### **1. Accept the Boulder Civic Area Master Plan**

*CAC requested clarification on the intent of this item. Are they approving the Civic Area Master Plan in full to decide details later? Does the decision of moving or not moving the Band shell have to be decided tonight? What about the irrigation ditch and auditorium?*

POST MEETING NOTE: *At SAM, staff noted that the decision of the Band shell does not have to be made tonight and staff will remind Council during the presentation tonight exactly what they are considering.*

**2. Direct Staff to initiate discussions with Boulder Community Health** regarding the **Broadway property**, pursue **financing options**, and conduct a more detailed **space programming analysis** using the council feedback on the Municipal Services location options

**3. Request Council Support on recommended action to address city office space needs** in order to improve customer service

*CAC asked if there was any other mechanism to keep control of the property. City Manager Brautigam suggested that partners could be brought in afterwards. CAC*

wants to make sure the public has clear expectations that only a proportionate amount of space will be affordable housing and non-profit use plus the timeline of projects. There will be some private sector availability/use to provide revenue generation. CAC determined that it is necessary for Council to review the following documents for preparation of this item: Item 5B in the packet and the confidential letter sent out by City Attorney Carr over the weekend. CAC will be considering whether or not to put an offer to acquire the property. The CAO will be contacting council members 2 by 2 to discuss legalities.

**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**

**8. MATTERS FROM MEMBERS OF COUNCIL\***

**A. Potential Call-Ups**

Concept Plan Review of a proposal for the expansion and renovation of an existing automobile sales and service facility at 2465 48th Court (Larry H. Miller Toyota), Case No. LUR2015-00026

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**4. CAC Items**

- a. Declaration- July 25<sup>th</sup> as Day of Caring for the People of Nepal; Council member Cowles- Declared at the July 14<sup>th</sup> Meeting

*CAC approved the declaration to be revised by staff and presented independently of a meeting. At the July 14<sup>th</sup> Study Session Council will announce that the declaration was presented.*

- b. Capital Improvements Program Tour this summer? Study Session on this topic is August 11<sup>th</sup> and Planning Board review of CIP is August 6<sup>th</sup> and BVCP kickoff on August 5<sup>th</sup>. Staff is suggesting the first week of August. - (Jean Gatza)--**Approved.**

- c. Landmarks Board Interviews- After recess? Contacted the 2 applicants and 1 has been a resident of the City and the will have been a resident for a year end of August. They are pleased to be considered for the Mid-year recruitment calendar.

*CAC determined that the single qualified applicant would be interviewed at 5:30 PM July 28<sup>th</sup> City Council meeting and an appointment would be schedule under Council Matters that evening. Marijuana ordinance and direction to be added under Matters from City Attorney on July 28<sup>th</sup>.*

**5. Study Session Requests**

- a. BVCP Update- briefing 5:30-6 PM- **Approved.**

**6. Master Calendar Review**

**a. 7/28**

- i. 1<sup>st</sup> Rdg ordinance easement vacation 2460 Iris Avenue- **Approved**
- ii. Charter Revisions for the Library; 1<sup>st</sup> rdg Ordinance 8053- **Approved**

**b. 8/04**

- i. 2<sup>nd</sup> rdg ordinance easement vacation 2460 Iris Avenue

*CAC determined that this item would be heard at the August 18<sup>th</sup> City Council meeting because of the 10 day requirements necessary in between 1<sup>st</sup> reading and 2<sup>nd</sup> reading.*

- ii. 1<sup>st</sup> rdg Ordinance Acquisition of property 28<sup>th</sup> Street from Pearl to Glenwood for Transportation Improvement projects- **Approved**
- iii. 2<sup>nd</sup> rdg Ordinance Acquisition of property 28<sup>th</sup> Street from Pearl to Glenwood for Transportation Improvement projects (90 min)-**Approved for August 18th**

**7. Other Items-**

None.

**\*Denotes no discussion on this item.**

**CAC adjourned at 9:50 AM.**